

STATE OF KANSAS)
WYANDOTTE COUNTY)) SS
CITY OF KANSAS CITY, KS)

PLANNING & ZONING AND
REGULAR SESSION
THURSDAY, JULY 26, 2016

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, July 28, 2016, with ten members present: Bynum, Commissioner At-Large First District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Holland, Mayor/CEO, presiding. Murguia, Commissioner Third District; was absent. The following officials were also in attendance: Doug Bach, County Administrator; Ken Moore, Chief Legal Counsel; Bridgette Cobbins, Unified Government Clerk; Joe Connor, Assistant County Administrator; Gordon Criswell, Assistant County Administrator; Melissa Mundt, Assistant County Administrator; Rob Richardson, Planning Director; Bryon Toy, Planner; Zach Flanders, Planner, Janet Parker, Administrative Assistant; Patrick Waters, Senior Attorney; Emerick Cross, Commission Liaison; Kathleen VonAchen, Chief Financial Officer; and Captain Robert Angell, Sergeant-At-Arms.

MAYOR HOLLAND called the meeting to order.

ROLL CALL: Townsend, McKiernan, Johnson, Kane, Markley, Walters, Philbrook, Holland. Bynum, Walker.

INVOCATION was given by Pastor Artell Harris, Roswell Church of Christ. .

Mayor Holland asked if there were any revisions to the agenda. **Bridgette Cobbins, UG Clerk,** said yes, Mayor, a blue sheet has been distributed. Under Section 7 the Planning and Zoning Consent Agenda, we have a Miscellaneous new item. It is rezoning Ordinance #3109. Section 10, Non-Planning Consent Agenda, New Item No. 3, which will be a plat for McKenzie Acres No. 4. Under the Commissioners' Agenda, we have a new item. It's a discussion of the 2016 Hollywood/Schlitterbahn Vacation Village Grant Fund distribution.

Mayor Holland said tonight we have two distinct parts of our meeting. The Planning and Zoning portion will be handled first and then followed by or regular Commission meeting. I will

now ask the Clerk to read the Planning and Zoning statement which is required by law to be read into the record before every Planning and Zoning meeting.

Ms. Cobbins read the statement.

Ms. Cobbins asked if any members of the Commission wished to disclose contact with proponents or opponents on any item on the agenda. **Mayor Holland** disclosed contact with proponents on Change of Zone #3109, Vacation Application #R/W-2016-8, and Master Plan Amendment #MP-2016-2. **Commissioner McKiernan** disclosed contact with proponents and opponents of Special Use Permit #SP-2016-15. **Commissioner Townsend** disclosed contact with proponents of Special Use Permit #SP-2016-43. **Commissioner Bynum** disclosed contact with proponents and opponents of Change of Zone #3109.

Ms. Cobbins read all items on the Planning and Zoning Consent Agenda.

Commissioner Philbrook disclosed contact with proponents for Master Plan Amendment #MP-2016-2.

PLANNING AND ZONING CONSENT AGENDA

Mayor Holland asked would any commissioner or anyone in attendance tonight like to step forward and remove any item from the Consent Agenda. All items not removed will be voted on by a single vote. **Rob Richardson, Director of Planning**, said the staff would like to remove Item No. 2, #SP-2016-15, the sign code for a brief amendment.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the Planning and Zoning Consent Agenda, excluding the set-aside.** Roll call was taken and there were nine “Ayes,” Bynum, Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Philbrook.

PLANNING AND ZONING CONSENT AGENDA

July 28, 2016

CHANGE OF ZONE APPLICATIONS

ITEM NO. 1 – 16698...CHANGE OF ZONE PETITION #3102 - STEVE WARGER WITH WARGER ASSOCIATES

SYNOPSIS: Change of Zone from R-1 Single Family District to CP-3 Planned Commercial District units at 7756 Holliday Drive, submitted by Robin H. Richardson, AICP, Director of Planning, Steve Warger wants to rezone this

property from R-1 Single Family District to CP-3 Planned Commercial District to build a self-storage facility with 52 storage units on 2.44 acres at 7756 Holliday Drive.

The Planning Commission voted 7 to 0 to recommend APPROVAL of Change of Zone Application #3102, subject to:

Urban Planning and Land Use Comments:

1. The site plan depicts two lots. Are you planning on subdividing this lot via plat?

Applicant Response: The client intends to do a lot split in the future.

Staff Response: Because the parcel has not been platted, a lot split cannot be filed. The lot needs to be subdivided via preliminary and final plat.

2. With the scale of the project, what is the purpose of having four phases?

Each subsequent phase will necessitate its own final plan review, which requires City Planning Commission approval.

Applicant Response: Acknowledged.

3. The CP-3 Planned Commercial District landscaping requirement is one (1) tree for every 7,000 square feet of site area. The Commercial Design Guidelines requires that landscape exceed the district requirement by at least 75 percent.

Based on the site area, 2.44 acres (106,286.4 square feet), 27 (26.57) trees are required based on the guidelines. Please revise the landscape plan to meet this requirement.

Applicant Response: Acknowledged

Staff Response: Prior to being placed on the agenda for the final development plan review, the district's landscape requirements shall be met.

4. Landscaping shall be irrigated.

#3102 July 28, 2016 5

Applicant Response: Acknowledged.

5. Staff sees that a fence will run the perimeter of the property. What type of fencing is proposed? A solid fence with masonry pilasters every 32 running feet is required.

Applicant Response: Fencing was anticipated to be chain link for the use proposed. We would request that any fence in the rear north of the project be chain link and we can use wood other than the gate of front with stone pillars. The area to the rear of the project is the railroad.

Staff Response: While the rear of the parcel abuts railroad right-of-way, there is a portion of the parcel in the rear that will not be developed. As a result, the rear of the property could be developed, however small the area may be and must be screened from public view. Staff stands by its original comment regarding to the fencing.

July 28, 2016

6. Will this facility house recreation vehicles (RV's), boats, and antique/vintage cars? Will there be 24-hour access to the site? Will access be provided by a key, key code or some other type of unlocking mechanism?

Applicant Response: The storage facility will have a gate with a key card type opener. This will allow for 24-hour access, but it is not anticipated there will be a lot of traffic to the facility.

Staff Response: No outside storage will be permitted.

Revised Staff Stipulation at meeting: Outside storage is allowed provided it does not exceed the 6' height of the fence. If the applicant wishes to amend that stipulation, it can be accomplished through a plan review application.

7. Are you proposing any exterior lighting? Any and all proposed lighting shall have 90 degree cutoff fixtures and not exceed one (1) footcandle at the property line.

Applicant Response: There will be lighting and we acknowledged the requirements.

8. Based on the 4,800 square foot building, the CP-3 Planned Commercial District requires 19 parking spaces. 14 spaces are shown on the site plan adjacent to the building. Please revise to meet code.

Applicant Response: Revised as requested.

9. All parking, loading and maneuvering areas shall be paved and striped.

Applicant Response: Acknowledged.

#3102 July 28, 2016 6

10. Please provide building elevations of the proposed structures.

The photographs of the storage buildings do not comply with the Commercial Design Guidelines. Please review and incorporate these requirements into the development.

Applicant Response: We are working on the elevations and will send in a separate email, but we intend to match the type of construction to the west.

Staff Response: When the final plan review is submitted, the storage unit facility shall comply with the Commercial Design Guidelines.

Public Works Comments:

A) Items that require plan revision or additional documentation before engineering can recommend approval:

1) None

B) Items that are conditions of approval (stipulations):

1) Proposed sanitary service has not been addressed. Provide proposed layout, etc. required to connect sanitary service line to a Public Sanitary Main. (A new length of Public Main may be required.)

C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents:

1) None

Staff Conclusion:

While it may not have been the original intention, this project is creating a commercial subdivision. The piecemeal nature is forcing decisions to be made in a manner that does not meet our codes.

July 28, 2016

To meet code, the following stipulations are required:

1. Restroom facilities will be required per building code. The site design does not afford any area for a septic system and those systems cannot be shared between users. A sanitary sewer connection will be required. It must extend to within 200 feet of the existing business and the existing business must then connect. This is how a proposed commercial subdivision would normally occur.
2. A driveway shall be installed on the east side of the vacant property and a cross access easement giving access to the vacant property to the east.
3. A cross-access easement shall be filed and recorded between the selfstorage business and the vacant property to the east so sanitary sewer service can be connected between the two lots when the sewer is provided to the storage business.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Murguia, to hold over 30 days to June 30.** Roll call was taken and there were nine “Ayes,” Bynum, Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Walters, Philbrook.

REGULAR SESSION

MAYOR’S AGENDA

No item of business

NON-PLANNING CONSENT AGENDA

Mayor Holland asked if there were any set-asides on the Non-Planning Consent Agenda. There were no set-asides.

PUBLIC HEARING AGENDA

No business items

STANDING COMMITTEES’ AGENDA

July 28, 2016

No business items

ADMINISTRATOR'S AGENDA

COMMISSIONERS' AGENDA

No business items

LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

ITEM NO. 1 – 16682...COMMUNICATION: LAND BANK APPLICATIONS

SYNOPSIS: Communication requesting consideration of the following Land Bank applications, submitted by Chris Slaughter, Land Bank Manager. On July 11, 2016, the Neighborhood and Community Development Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to the Land Bank Board of Trustees.

Side-lots

36 S. Hallock St. – Distant Vista Properties, LLC

38 S. Hallock St. – Distant Vista Properties, LLC

3014 N. 17th St. – Maria Fernandez

1716 N. 25th St. – Claude Johnson

Rehab

3023 S. 23rd Cir. – Residential Revival, L

Transfer from Land Bank

4714 Vista Dr. – Argentine Betterment Corporation (ABC)

(ABC will be building a single-family home using CDBG funds)

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the Land Bank Board of Trustees Consent Agenda.** Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Walker..

PUBLIC ANNOUNCEMENTS

No items of business.

July 28, 2016

MAYOR HOLLAND ADJOURNED

THE MEETING AT 8:45 P.M.

Julyh 27, 2016

Bridgette D. Cobbins
Unified Government Clerk

tk

July 28, 2016