

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

PLANNING & ZONING AND
REGULAR SESSION
THURSDAY, MARCH 31, 2016

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, March 31, 2016, with ten members present: Bynum, Commissioner At-Large First District; Walker, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Murguia, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Holland, Mayor/CEO, presiding. Markley, Commissioner Sixth District; was absent. The following officials were also in attendance: Doug Bach, County Administrator; Ken Moore, Chief Counsel; Bridgette Cobbins, Unified Government Clerk; Joe Connor, Assistant County Administrator; Gordon Criswell, Assistant County Administrator; Melissa Mundt, Assistant County Administrator; Maureen Mahoney; Assistant to Mayor/Chief of Staff; Misty Brown, Senior Attorney; Rob Richardson, Director of Planning; Janet Parker, Administrative Assistant; Kathy VonAchen, Chief Financial Officer; Debbie Jonscher, Assistant Finance Director; Chris Slaughter, Land Bank Manager; and Major Solomon Young, Sergeant-At-Arms.

MAYOR HOLLAND called the meeting to order.

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

Mayor Holland said before we do the invocation I do want to draw your attention to the third chair on the front row. It has been draped in black tonight and has flowers on it. It is the normal seating place of Mary Ann Flunder who missed very few meetings. She passed away last week. Her funeral services are tomorrow. I believe Commissioner Townsend provided the flowers and the decoration. We appreciate that very much. What I'd ask us to do is observe a moment of silence in honor of Ms. Flunder and her service to our community for many, many years. Lord we thank you for Ms. Flunder and for her constant work on behalf or her community and on behalf of her people. Lord, we ask that as you receive her into your arms you continue to anoint those who remain behind to carry out her work. We ask in Jesus name, Amen.

INVOCATION was given by Mayor Holland.

Mayor Holland said our first order of business is a proclamation proclaiming April 5 as Kansas City, Kansas Rotary Club Day. The Rotary Club is celebrating its 100th Anniversary in Kansas City, Kansas. They just hosted the Mayor's State of the Government for the 50th consecutive year. I'm a proud member of the Downton Rotary Club of Kansas City, Kansas.

Bridgette Cobbins, UG Clerk, read the proclamation.



Hank Chamberlin, President of Kansas City, Kansas Rotary Club, said the Rotary Club of Kansas City, Kansas, is very appreciative of the recognition from the Unified Government and

March 31, 2016

the wonderful cooperation we've had with you. We look forward to another century of service to the community and we appreciate the service that you render.

Mayor Holland asked if there were any revisions to the agenda. **Bridgette Cobbins, UG Clerk**, said there are no revisions.

Mayor Holland said tonight we have two distinct parts of our meeting. The Planning and Zoning portion will be handled followed by the regular Commission meeting. I'll now ask the Clerk to read the statement governing our Planning and Zoning meeting that is required by state law.

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. **Commissioner Philbrook** disclosed contact with the Dale Brothers on Special Use Permit #SP-2015-72 and #SP-2015-74.

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

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. There were none.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the Planning and Zoning Consent Agenda**

Commissioner Murguia said I was speaking with our Administrator and our Legal Counsel when our clerk announced providing any disclosures. I have not had any conversations with any proponents or opponents against the KU easement issue. I will tell you, as my role in the Kansas Board of Regents, we did approve that during one of our meetings. I've been assured that that's

not any kind of violation so I'm voting on it. I just wanted to disclose I'm on the Kansas Board of Regents and I am the regent that made the motion to approve that at the last meeting.

Roll call was taken and there were nine "Ayes," Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane.

CHANGE OF ZONE APPLICATIONS

ITEM NO. 1 – 16504...CHANGE OF ZONE #3104 – BJ PATEL WITH BAYWOOD HOTELS, INC.

Synopsis: Change of Zone from CP-0 Planned Nonretail Business District to CP-2 Planned General Business District for a hotel at 10922 Parallel Parkway, submitted by Robin H. Richardson, Director of Planning. The representative, Juan Rodriguez with KFW Engineers on behalf of BJ Patel with Baywood Hotels, Inc. wants to build a four-story, 108 room hotel (Homewood Suites by Hilton) at 10922 Parallel Parkway on 2.67 acres.

And

PLAN REVIEW APPLICAITON ITEM NO. 1 – 16504...PLAN REVIW PETITION #PR-2016-5 BAYWOOD HOTELS, INC.

Synopsis: Preliminary and Final Plan Review for a hotel at 10922 Parallel Parkway, submitted by Robin H. Richardson, Director of Planning. The Planning Commission voted 8 to 0 to recommend approval of Change of Zone Application #3104 and Preliminary and Final Plan Review Application #PR-2016-5, subject to:

Urban Planning and Land Use Comments

General Comments

1. The hotel that is directly south of the proposed site, Candlewood Suites is not part of The Plaza at the Speedway, and is therefore not subject to the center's design criteria. Candlewood Suites is within Piper Plaza.
Applicant Response: Understood.
2. A cross-access easement is required to access the southern entrance. The applicant, owner or representative will need to contact owner of the Piper Plaza, Second Plat Lot 3 (address is 10940 and 10944 Parallel Parkway) and execute the agreement. Staff requests a copy of the agreement after it has been filed with the Register of Deeds.

If the cross access agreement cannot be obtained, the southern entrance will need to be closed and all traffic flow will enter and exit from north.

Applicant Response: There is an existing cross access agreement in place. Please see the enclosed correspondence from the City stating that the cross access agreement is acceptable.

3. The parking ratio for hotels is one space for each guest plus one space for each two employees on the largest shift, plus adequate parking for banquet rooms, meeting rooms, restaurants and lounge areas.

There are 112 parking spaces shown, 110 of them are required for guests' rooms. The remainder allows for four employees. How many employees will be in the hotel during its largest shift? Also, please provide additional parking to meet employee's needs along with space for the meeting room and restaurant.

Applicant Response: No restaurant, breakfast only. The meeting facility is used by guests only. The room count has been reduced to 108 rooms. The hotel only needs two parking stalls for four employees. There will only be four employees during the largest shift.

4. Five accessible spaces are required based on the total parking spaces in the lot. One of the stalls shall be "Van Accessible".

Applicant Response: Please reference the current site plan. Van accessible has always been on the plans.

5. HVAC grilles on the façade shall be painted to match the building.

Applicant Response: The HVAC grill is part of the window system and comes as pre-finished. Changing them to match the adjacent color will make the window frame disappear.

Staff Response: Staff has required other hotels and commercial buildings to paint their utility hardware to match the building; this includes any exhaust piping or grilles.

6. Please provide a cross section of the sport court. What type of fencing will enclose the basketball court? Black netting is not permitted.

Applicant Response: Please reference cross section of sport court.

7. Please provide color building elevations. Staff does not know which stone and stucco color is being used on the building when looking at the materials palette.

Applicant Response: Exterior color elevations are updated, see sheet A04 and A05.

March 31, 2016

Design Criteria

1. The key elements of the center's design criteria needs to be incorporated into the overall design of the building. Please review the Key Elements illustration in the attachments.

Applicant Response: Exterior color elevations are updated; see sheet A04 and A05

2. Per Section 7, page 7.1 of the Plaza at the Speedway Design Criteria, national and regional tenants who have a typical or recognizable building design are expected to review the design of The Plaza at the Speedway and these criteria and adjust their design to ensure compatibility and compliance with these criteria.

- a. Main facades – Maximum of 15% E.I.F.S. or stucco veneer system as selected from the Landlord's standard materials list.

- b. Entry Façade Element – Maintain a minimum of 50% masonry materials as selected from the Landlord's standard materials list.

Applicant Response: Building facades are revised and updated with more stone finishes to comply with the requirements.

3. Per Section 9(A), page 9.1 of the Plaza at the Speedway Design Criteria, all lighting fixtures shall be of Metal Halide type and include High Power Factor Ballasts. High-pressure sodium light fixtures are prohibited.

Applicant Response: Reference the revised lighting plan.

4. Per Section 9(C), page 9.1 of the Plaza at the Speedway Design Criteria, footcandle levels shall be shown out to the lot line or to a zero footcandle level.

Applicant Response: Reference the revised lighting plan.

5. Per Section 9(E), page 9.1 of the Plaza at the Speedway Design Criteria, site lighting poles for parking lot areas shall not exceed 40 feet in height measured from the found surface.

Applicant Response: Reference the revised lighting plan.

6. Per Section 7, page 7.2 of the Plaza at the Speedway Design Criteria, exterior furniture shall conform to the approved development standard of cast iron or cast aluminum and powder coated black. Furniture shall include benches, trash receptacles, and ash urns and shall be located at seating/landscape nodes across the center.

Applicant Response: Complied. Please see notes stated on sheet A01.

Building Architecture

1. Per Sec. 27-576(c)(2) In order to break up the monotonous appearance of long facades, a building wall no more than 45 feet in length should be divided into increments of no more than 45 feet through articulation in the facade. This can be achieved through combinations of at least three of the following techniques:
 - a. Divisions or breaks in materials;
 - b. Building offsets (projections, recesses, niches);
 - c. Window bays;
 - d. Separate entrances and entry treatment; or
 - e. Variation in rooflines.

Two techniques are depicted on the building elevations, B and E. If one drives through the development, the majority of the buildings do use stucco, however, they are used as an accent material. The appearance of this hotel looks similar to Candlewood Suites to the south, which is not part of The Plaza at the Speedway. What separates this center from other retail centers is the Key Elements. This center has definable architectural features and specific building materials that need to be included in the building.

Based on the materials palette, the colors of the proposed materials comply with the design criteria.

The cream color stone needs to be raised around the perimeter of the building beyond the 13' that currently wraps just the first story. The use of the stone and varying its height amongst the four stories will break up the stucco that is the dominant material on each façade.

Applicant Response: Building elevations are revised and updated to comply with the requirements.

Landscaping and Screening

1. The trash enclosure shall be constructed of the same materials as the primary structure. The door shall be either metal/steel construction.
2. All roof units are screened by the parapet. All wall mounted utilities shall be painted to match the building and all utility lines and/or pipes that run up an exterior wall to the roof shall be tucked in a corner, painted to match the building and landscaped.

The architectural screen wall or 100% landscaping also extends to transformers, ground mounted equipment, utilities and service areas.

Applicant Response: All ground mounted equipment and service areas are 100% screened.

3. All downspouts shall be internalized and scuppers shall be painted to match or complement the building.

Applicant Response: No scuppers in the building, only inner drains, which consists of primary and secondary drains.

4. The CP-2 Planned General Business District landscaping requirement is one tree for every 7,000 square feet of site area. The Commercial Design Guidelines require that landscape exceed the district requirement by at least 75 percent.

Based on the site area, 2.67 acres (116,305.2 square feet), 29 (29.07) trees are required based on the guidelines. This total does not include the trees that are required to fulfill the trash enclosure screening requirement or the parking lot island tree requirement. Please revise the landscape plan to meet this requirement.

Applicant Response: Trees have been added and calculations adjusted to provide a minimum of 29 site landscape trees.

5. All overstory (shade) trees shall be at least 2½" caliper when planted. All shrubs internal to the development shall be at least 3 gallons when planted and shrubs around the perimeter of the site shall be at least 5 gallons when planted.

Applicant Response: Shade trees have been noted as 2½" caliper and shrub notes have been added for the 3 gallon interior size shrub and 5 gallon perimeter size shrub on the face of the plan.

6. Per Sec. 27-577(b)(1) New construction must provide at least a 25-foot landscape zone between structures and/or parking lots and all public streets and access easements 40 feet wide or greater. This requirement may be reduced to 12 feet where there is no paving other than a sidewalk, between a building and the right-of-way. The distance is to be measured from the public right-of-way or curb line of a private easement.

Applicant Response: The landscape zones are met because we do not front any public road other than Hutton Road. We have a water quality pond that will satisfy this requirement.

7. Per Sec. 27-577(b)(2) Landscape berms and/or continuous shrubs are required to screen parking from adjacent development or public streets. Shrubs used in this area must not exceed height of 30 inches at maturity.

The parking lot on the west side of the building needs to have a berm in addition to a continuous row of shrubs. The area between the parking lot and south property line is too narrow to build a berm, but a continuous row of shrubs shall be planted.

Applicant Response: Landscape berm has been added to the parking lot on the west side in addition to a continuous row of shrubs. A continuous row of shrubs has been added to the south parking lot.

8. Per Sec. 27-577(e)(4) Parking areas that cannot be grouped must include one landscaped island the size of one stall separating each 20 spaces.

The parking lot on the south side of the building needs one island in both rows separating the parking stalls. Please revise all appropriate sheets to include this revision.

Applicant Response: Please reference revised parking layout and landscape architect's response letter.

9. All building and parking lot lighting shall have 90 degree cutoff fixtures. Lights mounted on the wall shall be decorative. Wall pack lights are not permitted.

Applicant Response: The parks on the south side have been split with an island and trees added to meet the landscape island requirement.

Signage

1. Per the district requirement, two wall signs and one monument sign is permitted on the property.

Applicant Response: Complied. Two signs are provided.

2. The proposed pylon sign is not permitted per the Plaza at the Speedway Design Criteria. Please remove the entry sign from the site plan and all corresponding sheets.

Applicant Response: Pylon sign has been removed.

3. The building elevations show three wall signs. Please remove one wall sign in order to comply with the district regulations.

Applicant Response: Complied. Two signs are provided.

4. Any detached sign shall be a monument sign that is constructed with a masonry base that complements the other buildings in the center.

Applicant Response: Please reference the revised sign plans.

March 31, 2016

5. Per Section 8, page 8.3 of the Plaza at the Speedway Design Criteria, all signs must be made up of individual illuminated letters; conventional box signs will not be approved.
Applicant Response: Please reference the revised sign plans.
6. In order to have legitimate signage, a sign permit must be filed with the Urban Planning and Land Use Department by a licensed and bonded sign company with the Business License Department.

Public Works Comments

- A) Items that require plan revision or additional documentation before engineering can recommend approval: None
- B) Items that are conditions of approval (stipulations): None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents: None

Staff Conclusion:

The applicant has worked with staff to resolve engineering and a majority of the architectural comments. The development complies with the intent of The Plaza at the Speedway Design Criteria Manual and the Commercial Design Guidelines.

Staff recommends approval of this petition, subject to:

- (1) Previous staff responses in the staff report.
- (2) Allowing administrative approval by the City Planning Commission to let staff continue to work with the applicant in increasing the height of masonry on the façade to complement the other buildings within the Plaza at the Speedway development and the recently constructed Residence Inn at The Legends and to further enhance the western landscape facing the neighborhood.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Change of Zone Petition #3104, and Plan Review Petition #PR-2016-5, subject to the stipulations. Roll call was taken and there were nine "Ayes," Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 2 – 16505...CHANGE OF ZONE #3105 – BENJAMIN BORTNICK WITH BDB PROPERTIES, LLC

Synopsis: Change of Zone from M-2 General Industrial District to C-3 Commercial District for continuation of a commercial business (downzoning of property) at 1215 Southwest Boulevard, submitted by Robin H. Richardson, Director of Planning. The applicant is seeking a downzoning of the parcel in order to continue commercial use and use a unit for residential purposes. The Planning Commission voted 7 to 0 to recommend approval of Change of Zone Application #3104, subject to:

Urban Planning and Land Use Comments

1. If the residential unit is to be rented out, a rental license must be obtained prior to any lease.

Public Works Comments

- A) Items that require plan revision or additional documentation before engineering can recommend approval: None
- B) Items that are conditions of approval (stipulations): None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents: None

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Change of Zone #3105, subject to the stipulations. Roll call was taken and there were nine "Ayes," Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane.

SPECIAL USE PERMIT APPLICATIONS

ITEM NO. 1 – 16506...SPECIAL USE PERMIT #SP-2015-56 – CLAUDINE BARNETT

Synopsis: Renewal of a Special use permit (#SP-2013-37) to keep three horses at 3814 Leavenworth Road, submitted by Robin H. Richardson, Director of Planning. The applicant seeks renewal of a special use permit to continue to keep three horses on her property. The Planning Commission voted 7 to 0 to reverse its previous recommendation and recommends denial of Special Use Permit Application #SP-2015-56.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to deny Special Use Permit #SP-2015-56. Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 2 – 16507...SPECIAL USE PERMIT #SP-2015-72 – DALE BROTHERS

Synopsis: Renewal of a Special use permit (#SP-2013-5) for a fill permit at 5737, 5831, 5831R and 5841 State Avenue and 1000 North 57th Street, submitted by Robin H. Richardson, Director of Planning. The applicant is moving their business, State Tractor and Equipment from this property to a new location and in doing so wants to continue to bring earthen fill onto the property and regrade 20.2 acres. The purpose of fill site is to meet the grades at State Avenue and potentially attract future development to the property. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2015-72, subject to:

Urban Planning and Land Use Comments

1. Staff continues to have significant complaints from adjoining landowners concerning compliance with approved stipulations. Please explain.

Applicant Response: We have responded to every complaint and made accommodations when necessary. All of our employees know that we have restricted hours and there is to be no dumping or grading before 8:00 AM or after 4:00 PM.

2. The electronic plans that were submitted during the submittal date are dated May 23, 2015. Staff understands that Robert Wessel, P.E. is no longer the engineer on record. In order to have your petition reviewed, please submit the following updated signed and sealed documents:

- Grading and Drainage Plan
- Erosion Control Plan (pre-construction, interim, and post construction)
- A letter detailing how much dirt was removed from the property over the last two years.

Applicant Response: New plan calculations will be provided by Davidson AE.

3. At the time of the 2013 approval, this special use permit was anticipated to take two or three years to achieve final grades. How long do you believe it will take to achieve the final grades necessary for future development? Staff continues to stress the concerns about this becoming a long-term filling operation.

Applicant Response: We have made significant strides in both cleanup and fill on the property. We are asking for five years to complete the project.

4. During this two year period, what have been your hours and days of operation?

Applicant Response: 8:00 AM to 4:00 PM Monday through Friday. We have asked for an extension of these hours because most construction companies work from 7:00 AM to 7:00 PM. Modifying the hours will make it easier to find sources of fill and ultimately shorten the time to complete the entire project. Modifying the hours will also alleviate confusion about dirt work and regular State Tractor and Equipment operations.

5. Per Trey Maevers, CFM:

- a. Located within areas of special flood hazard established in Sec. 27-550, Section A, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters that carry debris and potential projectiles, the following provisions shall apply:
 2. The Unified Government shall prohibit any encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the city of Kansas City, Kansas during the occurrence of the base flood discharge.
- b. Site plan shall be updated to reference the FIRM panel number and the effective date.
- c. Floodplain and the floodway shall be designated on the site plan.
- d. Applicant is responsible for obtaining any Federal, State, and local permits for development within a floodplain/floodway. 5737 State Avenue, 5831 State Avenue, 5831R State Avenue, and 5841 State Avenue are within the floodplain and floodway.

Applicant Response: SWPPPS plan is in place and will be updated.

Public Works Comments

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

March 31, 2016

- 1) Explain/clarify the amount of grading and fill work that has been accomplished since last Special Use Permit was approved.
- 2) Update/revise drawings to show work accomplished since last permit was issued.
- 3) Provide updated plans with State of Kansas Engineer's stamp with current date.
- B) Items that are conditions of approval (stipulations): None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents: None

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit #SP-2015-72 for two years, subject to the stipulations. Roll call was taken and there were nine "Ayes," Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 3 – 16508...SPECIAL USE PERMIT #SP-2015-74 – DALE BROTHERS

Synopsis: Special Use Permit to remove earthen fill from 5700, 5832, and 5848 State Avenue and 1205 North 59th Street, submitted by Robin H. Richardson, Director of Planning. The applicant wants to create a fill site by removing earthen fill from the property and regrade 12 acres. The purpose of removing the dirt is to meet the grades at State Avenue and potentially attract future development to the property. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2015-74, subject to:

Urban Planning and Land Use Comments

1. How much earthen fill is anticipated to be removed from the site?
Applicant Response: 650,000 yards will be removed from the site
2. When the fill is removed, where will the trucks deliver the material?
Applicant Response: It will be delivered to any project around the city for which the material is suitable, including our own site across State Avenue.
Staff Response: If dirt is to be delivered to a site within Kansas City, Kansas, the receiving parcel must have a special use permit or an active building permit in order to be in compliance.
3. How long do you believe it will take to achieve the final grades necessary for future development? Staff has concerns about this becoming a long-term filling operation.
Applicant Response: We anticipate two to five years to complete.

March 31, 2016

4. How many daily truck trips are anticipated?

Applicant Response: Truck trips will be based on demand for the material. Currently we go for with no activity and occasionally we will have 40 loads per day.

5. Proposed hours and days of operation. Staff's suggestion would be from 8:00 AM to 5:00 PM, Monday through Friday.

Applicant Response: We have asked for operating hours of 7:00 AM to 6:00 PM. These hours are more consistent with construction operations and will make it easier to find places to take the material and ultimately shorten the time to complete the project.

6. Submit an agreement to remedy, repair, or clean up any damage to adjacent property owners or streets or utilities occasioned by the washing of silt or earthen material upon adjacent properties. A bond is likely to be required.

Public Works Comments

- A) Items that require plan revision or additional documentation before engineering can recommend approval: None
- B) Items that are conditions of approval (stipulations): None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents: None

Staff Conclusion

The applicant has responded to staff's comments and resolved engineering issues. Subject to approval, staff stipulates the following:

- (1) The special use permit shall be approved for two years.
- (2) Hours of operation shall be from Monday through Friday, 8:00 AM to 4:00 PM to be consistent with the operation across the street (south of State Avenue).
- (3) Obtain a grading permit from the Building Inspection Department and a land disturbance permit from Public Works Department before dirt is removed from the property.
- (4) Prior to the issuance of a building permit (grading permit) submit an agreement to remedy, repair, or clean up any damage to adjacent property owners or streets or utilities occasioned by the washing of silt or earthen material upon adjacent properties. A bond is likely to be required.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit #SP-2015-74 for two years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 4 – 16509...SPECIAL USE PERMIT #SP-2016-24 – WILLIAM AND LAJOYCE CALLOWAY WITH BEAUTIFUL BEGINNINGS EARLY CHILDHOOD EDUCATION CENTER

Synopsis: Renewal of a Special Use Permit (#SP-2011-29) for an early childhood education center at 3440 North 99th Street, submitted by Robin H. Richardson, Director of Planning. The applicants want to continue to use the existing building to operate an early childhood development and education center. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2016-24, subject to:

Urban Planning and Land Use Comments:

1. Subject to approval, the petition will be valid for ten years.
2. Hours of operation will be Monday through Friday, 6:00 a.m. to 7:00 p.m. with occasional evening care on Friday and Saturday 7:00 p.m. to 11:00 p.m.
3. The applicant has a state license allowing forty children. The staff will consist of eight people, five full-time and three part-time and volunteer.
4. The applicant has indicated potential future expansion of operations at this site. In order for that to occur an expanded Special Use Permit would need to be filed reflecting the expanded use.

Public Works Comments

None

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit #SP-2016-24 for ten years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 5 – SPECIAL USE PERMIT #SP-2016-27 – NOAH WAMBUI WITH IDEAL AUTO

Synopsis: Special use permit for a salvage yard (vehicle/salvage parts) at 810 South 26th Street, submitted by Robin H. Richardson, Director of Planning. The applicant wants to operate a salvage yard, specifically vehicle recycling and salvage auto parts at 810 South 26th Street. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application #SP-2016-27, subject to:

Urban Planning and Land Use Comments

1. Per the applicant's engineer, Brian Hill, P.E. of MKEC Engineering, Inc. will have all fluids drained prior to arriving on the property.

a. Where will the fluids be drained prior to arriving on the property?

Applicant Response: Fluids will be drained at 700 Southwest Boulevard Kansas City, Kansas where Noah Wambui/Ideal Auto operates used auto sale business at this location. We have all the equipment (automotive lift and pump) and tools required to do the work and storage drums to hold these fluids. Absolute Recycling Company will collect all fluids afterward and yes, we have been using these companies in the past.

2. Please provide pictures of the existing pavement and screening of the property.

a. If the concrete is crumbled and in disrepair, the concrete will need to be resurfaced.

Applicant Response: The existing concrete pavement is in good shape and is not crumbled. I will attach pictures depicting the condition and status of the pavement.

Staff Response: After reviewing the photographs provided by the applicant, there is vegetation (weeds) growing through cracks in the concrete pavement.

3. A management plan that clearly spells out how the property will be maintained so that it does not become an eyesore even though there are similar uses along South 26th Street. To help the applicant, staff recommends that the site always have clear drive aisles that are free of vehicles and parts. The vehicles shall not be stacked. The fence and landscaping shall always be maintained. Basically, explain in detail how this will not become a junkyard.

Applicant Response: Ideal Auto will only carry a few models of cars, preferably late model. This will be a small scale salvage yard. All parts will remain in the donors until they are required. This will eliminate the need for parts storage. There will be a plan to

work with adjacent salvage companies to make sure we recycle effectively. I do not plan to have vehicles and parts lying everywhere, see the site plan.

4. Based on Google Street View images, it appears that substantial upgrades will be needed to use the existing building as an office. If approved for a special use permit, you will need to contact Building Inspection Department for improvements made to the building.

Applicant Response: Yes, the existing building needs work to bring it to code. Ideal Auto plans to upgrade the structure upon approval or have a modern mobile office whichever will make economic sense.

Staff Response: If a mobile office is proposed, a separate special use permit will be required in order to keep the temporary structure on the property.

5. Staff would like to know if the applicant has any other businesses similar to this anywhere else in the metropolitan area.

Applicant Response: No, Noah Wambui/Ideal Auto does not have a salvage yard business in the metropolitan area.

Public Works Comments

- A) Items that require plan revision or additional documentation before engineering can recommend approval: None
- B) Items that are conditions of approval (stipulations): None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents: None

Staff Conclusion

The applicant has addressed staff's comments. This area of South 26th Street is lined with salvage and recycling operations, so the proposed use fits within the surrounding area. Subject to approval, staff stipulates the following:

- (1) The special use permit shall be approved for two years.
- (2) Prior to opening you will need to obtain a building permit to bring the metal building up to code.
- (3) The weeds in the concrete lot shall be removed and the concrete surfaced patched where roots have deteriorated the pavement.
- (4) The four parking stalls shall be striped and comply with the American Disabilities Act (ADA). (a) One parking stall shall be ADA complaint when a 5'

access aisle adjacent to the stall, a symbol painted on the ground, and a sign placard installed in front the stall 5' above the finished floor or ground surface.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit #SP-2016-27 for two years, subject to the stipulations.** Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 6 – 16511...SPECIAL USE PERMIT #SP-2016-30 – BRAD WILLITS WITH DYNASTY HOLDINGS LLP

Synopsis: Renewal and Expansion of a Special Use Permit (#SP-2014-36) for a volleyball training facility at 7120 Gibbs Road, submitted by Robin H. Richardson, Director of Planning. Brad Willits with Dynasty Holdings LLP is requesting an expansion of a Special Use Permit to operate a youth athletic training facility in the old Morris School in the Turner District. The facility focuses on volleyball training. Mr. Willits wants to increase the operation to six courts. The Planning Commission voted 7 to 0 to recommend approval of Special Use Permit Application #SP-2016-30, subject to:

Urban Planning and Land Use Comments

1. Preliminary Plan Review, Final Plan Review and DRC required before any construction may begin.

Urban Planning and Land Use Comments from 2012

1. The applicant’s design team has informed staff that they do not wish to have the architectural and engineering plans for this expansion reviewed at this time. Because of this, the applicant will have to apply for a Plan Review at a later date. This will require additional review by staff as well as Planning Commission approval.

Urban Planning and Land Use Comments from 2014

This is a great re-use of an old school building. The building provides more than enough room for parking and future growth. Also, because it was a school, the street network and other infrastructure is in place for a use of this size. The biggest issue that we see would be the issue of noise. Volleyball by nature is a loud game. Participants must constantly communicate in order to play as one unit. If the games are played outside or with the doors open, that sound could travel and disturb neighbors. Staff asked the applicant to bring up this issue in their

neighborhood meeting to see if there would be a concern. Based on the neighborhood meeting in 2012 it didn't seem to be an issue with the neighbors.

If approved:

1. That the hours of operation are 8 a.m. to 10 p.m.
2. That the door to the gym is closed after 8 p.m.
3. No parking on unimproved (grass/dirt) surfaces.
4. Continues with the original approval until 2024.

Public Works Comments

1. Preliminary and Final Plan Review required

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit #SP-2016-30 for two years, subject to the stipulations. Roll call was taken and there were nine "Ayes," Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane.

VACATION APPLICATIONS

ITEM NO. 1 – 16512...VACATION APPLICATION #U/E-2016-2 – STEPHEN BIEN WITH WYANDOTTE PLAZA STATION LLC

Synopsis: Vacation of utility easements at 7600 State Avenue, submitted by Robin H. Richardson, Director of Planning. The applicant wants to vacate four utility easements in Wyandotte Plaza because the utilities that are within these easements are no longer in place. The Planning Commission voted 7 to 0 to recommend approval of Utility Easement Vacation Application #U/E-2016-2, subject to:

Urban Planning and Land Use Comments

1. Subject to approval, a \$50.00 ordinance publication fee shall be submitted to the Urban Planning and Land Use Department in order to publish in the Wyandotte Echo.

Public Works Comments

- A) Items that require plan revision or additional documentation before engineering can recommend approval: None
- B) Items that are conditions of approval (stipulations): None

- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents: None

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Vacation Application #U/E-2016-2, subject to the stipulations. Roll call was taken and there were nine "Ayes," Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 2 – 16513...VACATION APPLICATION #R/W-2016-3 – BENJAMIN PERRY WITH KUMC

Synopsis: Vacation of right-of-way (South 22.5' of 38th Avenue between Eaton and Cambridge), submitted by Robin H. Richardson, Director of Planning. The Planning Commission voted 7 to 0 to recommend approval of Right-Of-Way Vacation Application #R/W-2016-3, subject to:

Urban Planning and Land Use Comments

None

Public Works Comments

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
- 1) Note that an existing sanitary sewer main exists within this area. Include a statement in final documents that states the existing sanitary sewer easement shall remain in place over the entire right-of-way
- B) Items that are conditions of approval (stipulations): None
- C) Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents: None

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Vacation Application #R/W-2016-3, subject to the stipulations. Roll call was taken and there were nine "Ayes," Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 3 – 16514...VACATION APPLICATION #R/W-2016-4 – BENJAMIN PERRY WITH KUMC

Synopsis: Vacation of right-of-way (North 20’ of 37th Avenue between Eaton and Cambridge), submitted by Robin H. Richardson, Director of Planning. The Planning Commission voted 7 to 0 to recommend approval of Right-Of-Way Vacation Application #R/W-2016-4, subject to:

Urban Planning and Land Use Comments

None

Public Works Comments:

- A) Items that require plan revision or additional documentation before engineering can recommend approval:
 - 1) Show and provide clarification that no utilities requiring retention of easements exists within this area.
- B) Items that are conditions of approval (stipulations): None
- C) Comments that are not critical to engineering’s recommendations for this specific submittal, but may be helpful in preparing future documents: None

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve #R/W-2016-4, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 4 – 16516...VACATION APPLICATION #R/W-2016-5 – BENJAMIN PERRY WITH KUMC

Synopsis: Vacation of right-of-way (Eaton Avenue – 36th Street to 38th St.), submitted by Robin H. Richardson, Director of Planning. The Planning Commission voted 7 to 0 to recommend approval of Right-Of-Way Vacation Application #R/W-2016-5, subject to:

Urban Planning and Land Use Comments

No comments

Public Works Comments

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

1) Sanitary and storm sewer mains exist within this area. Include a statement in final documents that states the existing sanitary sewer and storm sewer easement shall remain in place.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Vacation Application #R/W-2016-5, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 5 – 16517...VACATION APPLICATION #R/W-2016-6 – BENJAMIN PERRY WITH KUMC

Synopsis: Vacation of right-of-way (West 30’ of Cambridge Avenue between 38th Street and 39th Street), submitted by Robin H. Richardson, Director of Planning. Vacate right-of-way on Cambridge Ave. between 38th and 39th Streets. The Planning Commission voted 7 to 0 to recommend approval of Right-Of-Way Vacation Application #R/W-2016-6, subject to:

Urban Planning and Land Use Comments

No comments

Public Works Comments

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

1) Sanitary and storm sewer mains exist within this area. Include a statement in final documents that states the existing sanitary sewer and storm sewer easement shall remain in place.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Vacation Application #R/W-2016-6, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane.

PLAN REVIEW APPLICATION

ITEM NO. 1 – 16504...PLAN REVIEW APPLICATION #PR-2016-5 – BAYWOOD HOTELS, INC.

Synopsis: Preliminary and Final Plan Review for a hotel at 10922 Parallel Parkway, submitted by Robin H. Richardson, Director of Planning.

Action: **THIS ITEM WAS HEARD WITH CHANGE OF ZONE PETITION #3104.**

MISCELLANEOUS – PLANNING AND ZONING

ITEM NO. 1 – 16519...ORDINANCE: DOLLAR RETAIL STORES

Synopsis: An ordinance providing a definition of “dollar retail store” and requiring a special use permit for new dollar retail store; amending Sections 27-340 and 27-593 to Chapter 27, Article VIII, of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, submitted by Robin H. Richardson, Director of Planning.

Action: **ORDINANCE NO. O-13-16**, “An ordinance providing a definition of “dollar retail store” and requiring a special use permit for new dollar retail stores; amending Sections 27-340 and 27-593 to Chapter 27, Article VIII, of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 2 – 16520...ORDINANCE: EXTERIOR SALES AND VENDING MACHINES

Synopsis: An ordinance providing a definition of “Exterior sales” and “Vending machine” and regulating the display and placement of vending machines; amending Sections 27-340 and 27-612(6) to Chapter 27, Article VIII, of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, submitted by Robin H. Richardson, Director of Planning.

Action: **ORDINANCE NO. O-14-16**, “An ordinance providing a definition of “Exterior sale” and “Vending machine” and regulating the display and placement of vending machines; amending Sections 27-340 and 27-612(6) to Chapter 27, Article VIII, of the 2008 Code of Ordinances and Regulations of the Unified Government of Wyandotte County/Kansas City, Kansas”. **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 3 – 16447...ORDINANCE: REZONE 4115 LUKE LANE

Synopsis: An ordinance rezoning the property at 4115 Luke Lane (#3103) from R- Single Family District to A-G Agriculture District, submitted by Robin H. Richardson, Director of Planning.

Action: **ORDINANCE NO. O-15-16**, “An ordinance rezoning property hereinafter described located at 4115 Luke Lane in Kansas City, Kansas, by changing the same from its present zoning of R-1 Single Family District to A-G Agriculture District.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane.

PLANNING AND ZONING NON-CONSENT AGENDA

SPECIAL USE PERMIT APPLICATIONS

ITEM NO. 1 – 15298...SPECIAL USE PERMIT #SP-2015-62 – ALICIA NAVA

Synopsis: Special use permit for six chickens at 4022 Silver Avenue, submitted by Robin H. Richardson, Director of Planning. The applicant wants to keep six chickens at her home at 4022 Silver Avenue on .14 acre. This application has been republished to include six chickens. Originally, the application was for four chickens. The Planning Commission voted 6 to 2 to recommend approval of Special Use Permit Application for four chickens for two years.

Alicia Nava, 4022 Silver Ave., appeared in support of her petition.

March 31, 2016

Mayor Holland said you have been recommended for approval for four chickens. Is there any comment that you would like to make? **Ms. Nava** said no. **Mayor Holland** asked, Mr. Richardson, any pertinent information of which we need to be aware. **Mr. Richardson** said no, sir. The Planning Commission recommended approval. The vote was a split vote 6/2. That's why it's on the Non-Consent Agenda.

Action: **Commissioner Murguia made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit #SP-2015-62 for two years, subject to the stipulations.**

Commissioner Townsend said I did have a question about why staff did not go along with the city Planning Commission's recommendation. In sum, I believe, they said it was not enough space for the number of chickens. **Mr. Richardson** said correct. These are small lots with small backyards, but the Planning Commission decided that in this case it was okay. **Commissioner Townsend** said I wanted to know more about why professional staff did not recommend it. Is there a number of chickens that would have been okay for .14 size acre lot? I read the comments of the neighbor and I know being awoken at three o'clock by clunking chickens would not be something I'd like. I wanted to know from the planning side, is there some number other than six? **Mr. Richardson** said the Planning Commission recommended four. The staff's position has been fairly constant on these small lots that we don't recommend approval of the animals, chickens or goats or anything like that. There are issues related to noise and waste and other issues and that's been our position for quite some time. **Commissioner Townsend** said okay.

Mayor Holland said I was actually out of order. I need to open this up to a public hearing now and then we'll have the discussion with the Commissioners. I apologize.

Mayor Holland opened up the public hearing.

No one appeared in support.

No one appeared in opposition.

Mayor Holland closed the public hearing.

Commissioner Walker said I've spoken on this issue of chickens before. I'm not going to vote for—let me put it this way, unless there is substantial acreage, I do not intend to vote for any more special use permits for chickens until we adopt an ordinance that regulates how this is to be accomplished. I'm not against chickens. I'm not against people raising their own having fresh eggs, but we're just doing this willy-nilly all over the city. We've seen enough tic in how many people are doing this and we have no regulations yet. I'd like to see us adopt a moratorium on special use permits for chickens personally. I intend to vote no. I don't think this—is all my parents people we're farmers for the most part. They had chickens. They lived on 140 acres. They had big chicken coupes. You can't tell me—we can't even police this. Who's going to be our chicken counter. Who's going to go out and count peoples chicken's. What department is going to do this? We're going to trust in the good faith of everyone that comes forward. I have no reason to believe Ms. Nava would not comply with the law or whatever the permit says. I am not going to approve chickens anymore. **Mayor Holland** said I would think it is clear we could not count those chickens before they hatch. **Commissioner Walker** said that's right.

Mayor Holland asked for a motion. **Ms. Cobbins** said we have a motion and a second. **Mayor Holland** said well, before the public hearing, I had to rule that out so let's start over.

Action: **Commissioner Murguia made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit #SP-2015-62 for two years, subject to the stipulations.** Roll call was taken and there were six “Ayes,” Bynum, McKiernan, Murguia, Johnson, Kane, Holland; and four “Nos,” Walters, Philbrook, Walker, Townsend.

MISCELLANEOUS – PLANNING AND ZONING

ITEM NO. 1 – 16523...UPDATE: K-32 CORRIDOR PLAN, ROSEDALE MASTER PLAN AND REWRITE OF SIGN CODE

Synopsis: Update on K-32 Corridor Plan, Rosedale Master Plan and Rewrite of Sign Code by Robin H. Richardson, AICP, Director of Planning.

March 31, 2016

Unified Government of Wyandotte
County-Kansas City

Sign Code Update

Allocation

District (Includes Planned District Equivalents)	Wall Sign		Wall Total (unrestricted) (sf)	Total (capped) (sf)	Detached Sign		Detached Total (sf)	Total W/O Sign Area	Temporary / Incidental		Total W/O Sign Area
	Number	Area (As Percentage of Signable Wall Area)			Number	Area (Per Sign Face) (sf)			Number	Area (total - sf)	
A-0, R, R-1, R-2(S), R-2, R-2(S)	1	5%	65	55	1	40	80	115	2	25	175
R-3, R-4, R-5, R-6, R-6)	1	5%	141	75	1	50	100	175	2	45	295
C-0	5	5%	141	141	1	50	100	194	2	45	355
C-1	2	7%	442	442	1	50	100	542		100	1,085
C-0	5	7%	442	442	1	50	100	395		150	987
C-2, C-3, M-1	3	7%	442	442	1	75	150	445		300	1,187
M-2, M-3	5	10%	652	652	1	100	200	621		300	1,355

District (Includes Planned District Equivalents)	Wall Sign		Wall Total (unrestricted) (sf)	Total (capped) (sf)	Detached Sign		Detached Total (sf)	Total W/O Sign Area	Temporary / Incidental		Total W/O Sign Area
	Number <i>(Maximum-40-Per Code)</i>	Area (As Percentage of Signable Wall Area)			Number	Area (Per Sign Face) (sf)			Number	Area (total - sf)	
A-0, R, R-1, R-2(S), R-2, R-2(S)	1	5%	52	55	1	40	80	115	2	25	175
R-3, R-4, R-5, R-6, R-6)	1	5%	112	75	1	50	100	175	2	45	295
C-0	5	5%	112	112	1	50	100	175	2	45	334
C-1	2	7%	285	285	1	50	100	385		100	771
C-0	5	7%	285	285	1	50	100	290		150	725
C-2, C-3, M-1	3	7%	285	285	1	75	150	340		300	925
M-2, M-3	5	10%	405	405	1	100	200	472		300	1,180

4/7/2016

Rob Richardson, Director of Planning, said I'm going to go through these as quickly as I can, but we're getting to some critical points especially on the sign code and I'm going to begin with the Sign Code. The graph that you see up here is basically the crust of 99% of the sign code activity that we do. We regulate wall signs, detached signs, and temporary and incidental signs in each district. This is kind of a quick reference guide to those charts. There's not a lot of change here. We're changing the way we measure these and the way we allocate these, but our intent is to with the new allocation system and each type of sign, to make sure that we don't make any of our existing signs non-conforming and we don't allow new signs that are so big that everybody feels like they have to go back and rebuild their old sign to compete. We want to find a sweet spot where existing signs and new signs look about the same and there's not going to be a competitive advantage between somebody that just built a sign and someone that built one last year.

The key thing on this chart that I think I would really like some input from the Commission on is on temporary and incidental signs in residential areas. Under the new Supreme Court ruling of *Reed* we can't say you can have a for sale sign or a political sign or whatever sign you might want to put in your yard. We have to say you get an incidental or a temporary sign in your yard. There are a couple of ways we can do this. We could expand this. We can say you can have 4 sq. ft. or 8 sq. ft. or 32 sq. ft. all the time and then expand that during what I would call the political and holiday season. If somebody puts up a Santa Claus that says "Merry Christmas" on it, Merry Christmas under *Reed* is a sign. We don't get to decide that anymore. Really, it's a question of how many signs should we allow at any point in time, how big should they be and should we increase or decrease the number of signs during the political season.

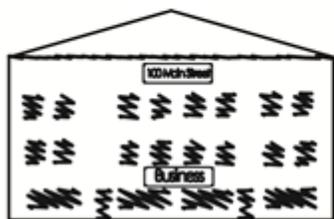
This is a very critical issue, I know, for those folks that run for election. How many signs could one person put in their yard? Currently, in a residential zoning district, you can have as many of the regular sized political signs, just the yard signs, as you care to have but they can only be the 2 sq. ft. sign or 4 sq. ft. sign, however big that is.

Under the new regulation in this case, under temporary and incidental signs, you could have two with a total area of 28 sq. ft. which is under the current proposal and that would be at any time. We wouldn't have to flex the regulation during the political season or any other time. 99% of the people are not going to put any signs in their yard. Some people will put a sign in

their yard all the time that says “Support our Troops” or whatever they want to say on that sign. We don’t look at the content of that.

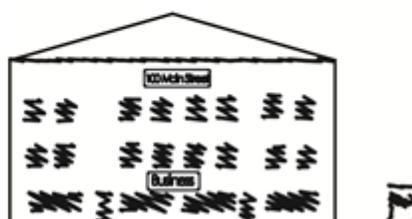
The two issues: whether we would say 28 sq. ft. or some other number; anytime, and that’s what it is year-round. We don’t change it for political season; we don’t change it for holidays. If you’d want to have a lower number for most of the year and then have a higher number during a political season or during a holiday season, in effect in some years, would be half the year or more. When you start primaries in the spring and then you go through the fall and then you hit the holiday season, you’re really going to have that larger amount of signage in effect for a very long period of time. If you all have strong feelings on that, I would like, if you don’t want to say them out loud now that’s fine, but send me a communication as to how you feel about that. I think of all of the things that are controversial in the new sign code, this is the probably the number one thing. I think that’s important to get policy guidance from you on this as we move forward.

CO Office



Entire Wall = 2,820 sf
 1 business signs = 70.5 sf
 1 identification sign = 70.5 sf

⬇️ 5% of façade (- window/entry)
 ⬆️ 2 signs (v. 1 per façade)



Net Wall = 2,237 sf
 1 business signs = 50 sf
 1 identification sign = 61 sf

⬇️ 5% of net wall (- window/entry)
 ⬇️ 4% of façade
 ⬆️ 2 signs (v. 1 per façade)

4/7/2016

One difference in how we would propose to do signage with the new ordinance—and I think this is a good improvement. Right now, this is an example from the C-O Zoning District for offices. Currently, the sign code will allow one sign on the wall. We have found that in many

March 31, 2016

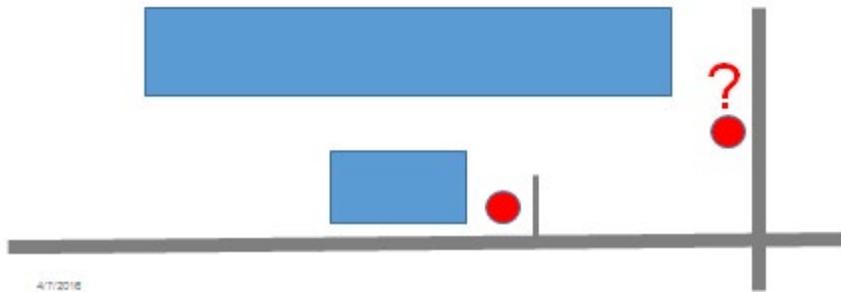
circumstances with office developments, with large retail businesses, that limit of one will generate variance requests and they're almost universally approved. When you universally approve variances, it means you should go look and change your ordinance so that you don't have to do variances all of the time because the community is generally accepting of that. So what we're saying here is that we would allow two signs on the wall, but you'd still have the same area of calculation.

Some sign codes use the entire wall, as ours does, to calculate the area of the sign so that would be the whole square there. Other codes use a net standard where it would be the signable area. The squiggly lines up here are doors and windows and they would subtract that from the signable area. While many people do that, I feel that that's a complexity that we just don't need. I don't see problems with this in our current code, but it is an issue that when people rewrite their codes, many communities go to this net signable area standard. I don't see the need to do that. I think it's more burdensome on the sign community, the businesses, and I don't have the staff to go through an extra ten minutes of calculations on every sign permit. That's one thing that we're doing that's new in the code.

If you looked at a shopping center and you might think that this could be like a large building like a Target or a Walmart or maybe a CVS even in a C-2, the General Business District. Many of these retailers will want to have a sign with their name on it and then one that says pharmacy or grocery or some other thing that advertises something that they do whether it's a grocery store that has a bakery and a pharmacy, they want to have additional signs here. In this case, we would say you could have four signs on each façade. They're a little hard to see in the illustration, but you'd have large signs at the top and then you've got a couple of smaller doors here where you would have signs over those doors if that was a pharmacy and a bakery for instance. You have the same net standard versus the entire wall. Once again, we would just retain the entire wall as our calculations. They're typically a easy rectangle to calculate the area of.

Detached Signs

1 per lot v. 1 per façade?



On detached signs, currently, for a shopping center like this, we would allow two signs; large detached signs for a shopping center, one on the primary street and then perhaps one on a side street and we want to maintain the ability. If this was 78th & State Avenue at Wyandotte Plaza, they could have a sign on 78th Street and a sign on State Avenue. Now this is a little unusual because the second sign where the individual business are advertised on this sign is about the size of what that sign would be. They maintained the historic Wyandotte Plaza sign here, but on 78th Street, you might see another sign of this size advertising the shopping center. That's a fairly common request that we get and we've always granted those. Once again, we're trying to make this a little bit easier as we move forward through the development.

Wall Signs for Residential Uses



An interesting thing that we have to deal with that we've never had to deal with is residential wall signs. For instance, if we require house numbers, house numbers are technically assigned under *Reed* the way it's been interpreted. If you wanted to put your name on your house, some people have their name with their house numbers or if they want to have the little college brick out front, those things are now considered to be signage. We have to allow area for residential wall signs and that will be a small area for each home. That's something new in the code that we've had to do to accommodate the *Reed* decision.

Sign Size Based on Travel Conditions

1. Determine speed of travel (MPH) in feet per second (FPS) (MPH x 1.47).
2. Determine Viewer Reaction Time (VRT).
3. Determine Viewer Reaction Distance (VRT x FPS).
4. Determine Letter Height in inches by reference to the Legibility Index (L.I.) (VRD/LI).
5. Determine single letter area in square inches square the letter height to obtain area occupied by the single letter and its adjoining letterspace.
6. Determine single letter area in square feet: single letter area in square inches/144.
7. Determine Copy Area: single letter area in square feet times total number of letters plus area of any symbols in square feet.
8. Determine Negative Space area at 60 percent of Copy Area (Copy Area x 3.5).
9. Add Copy Area to Negative Space area.
10. Result is the area of the sign in square feet.

TABLE 4.5. SIGN SIZE AS FUNCTION OF TRAVEL SPEED AND VIEWER REACTION TIME

MPH	VRT (sec)	Sign Size (sq ft)
25	4	12.5
	5	20
	8	50
	10	78
40	4	32
	5	50
	8	128
	10	200
55	4	60.5
	5	95
	8	242
	10	378

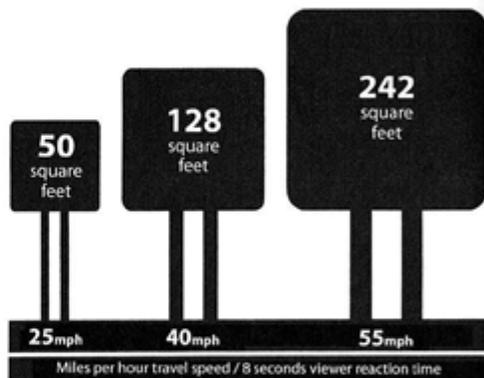


Figure 4.6. Average sign size related to speed of travel and reaction time

Source: "United States Sign Council Best Practice Standards for Commercial On-Premise Signs." In Mandelker, Baker & Crawford, *Street Graphics and the Law*, 4th Ed. (American Planning Association, PAS Report 580, August 2015)

This looks a little bit complex. There are folks that go out and study sign sizes and speed related to your ability to read that sign at a speed. What we're doing in our code is we're looking at the signs that we allow on various typical, standard roadways in KCK. State Avenue is 40 mph, Parallel is 40 mph. Do we allow enough commercial signage to allow someone to accommodate a legible sign in that sign area? We're checking to make sure that's the case. We're also going to write into the variance requirements for a sign, if you wanted to have a larger sign, this would have to be part of your justification that something about your sign didn't allow it to be legible. That would be a reason to allow a bigger sign area.

Discussion Points

Big Ideas

- Minimize complexity
- Maximize freedom
- Avoid clutter
- Promote traffic safety
- Promote economic development
- Allow for creativity
- Protect community character

Specific Changes

- Keep signable area as facade
- Measure detached / projecting sign as –
 - Outer dimensions of sign structure, or
 - Per sign face?
- Retain limit on number of wall signs / wall?
- Vary Number of detached by frontage (e.g., 1 per 1,000 sf)?

4/7/2016

Some discussion points that we've had and the left-hand column is called Big Ideas. We want this to be less complexed and easier to read, allow more freedom of speech and freedom of design. The sign code is generally intended to reduce clutter and promote traffic safety. We want to promote economic development. We want to make sure our businesses are adequately able to advertise themselves, allow for creativity, and we also want to protect community character within the community and the different distinct districts of our community.

As far as changes go, we're going to keep the signable area as the entire façade. We're not going to do a net standard. We're going to measure the outer dimensions of the signs as we continue to do. We're going to eliminate the singular limit on wall signs so that a facade could have multiple signs on the façade as long as they didn't exceed the area.

Another issue that we had and I think Plaza at the Speedway might be the best example of this, they have almost half a mile of frontage on Parallel and two primary entrances. They wanted two signs. They wanted one sign at each entrance and they applied for a variance and received that variance. That basically works out to one sign for 1,000 ft. of frontage. We looked at different developments from Wyandotte Plaza, Plaza at the Speedway, Prescott Plaza, Tower Plaza—it seems like you have to have Plaza in your name to have a shopping center in some respects. This standard would work for all of those to have the development sign. If they, for

instance—the caveat about having a sign on both streets would also allow like Tower Plaza to have a secondary sign on 38th St. We think that that works out very well.

One that's not on here is that we're currently proposing to allow LED signage wherever you could have regular signage. It would have the same stipulations that we've had on ones that have been approved by special use permit. If it fails, it turns off. It doesn't change more than every eight seconds. There would be a caveat that if you were adjacent to a residential zoning district that at some point in the evening it would just turn off so that you're not putting light into the bedrooms and things like that. We don't have that exactly worked out yet, but I think that's a pretty big change in the code that we're proposing. We haven't denied any of those. I am a little bit worried about what it will look like if everybody changed to those. I think that's a policy decision that we're going to propose for you all in the future as this comes forward.

Next Steps

- Initial Draft to advisory Committee for comment on April 8, 2016
- Final Draft to Advisory Committee on April 25, 2016
- Final Advisory Committee Meeting on May 2, 2016
- Planning Commission on May 9, 2016
- Board of Commissioners on May 26, 2016

4/7/2016

Our next steps. I'm currently reviewing the first draft of the new code. We we're going to distribute that to our Advisory Committee on April 8 for their review. We'll get their comments back within a week and give them a final draft on April 25. We're going to schedule one more meeting with the Advisory Committee we didn't have planned. We'll do that on May 2 to get their final comment and recommendation on the code. It will go to Planning Commission on

March 31, 2016

May 9 and then to the Board of Commissioners on May 26. When I distribute drafts to the Advisory Committee, I will also distribute them to the Board of Commissioners and the Planning Commission for your comments as well. I think we're at that final stage where we're developing policy and your input on that is critical.

Commissioner Walker said I want to ask in just a general sense, at some point in the next steps, would it be appropriate to submit a copy of the final Advisory Committee meeting draft before it comes to us to submit it to the Convention and Tourism, maybe the Chamber, maybe the Fairfax Industrial Association. I'm not limiting to those three but those three come to mind; groups that might want to have some input before we get it up here in front of us on the night of adoption then we have to deal with—I have to be honest, this signage stuff seems a little out of the normal for most people trying to visualize when you talk about it. You make it sound very simple but the idea that you can't put "Merry Christmas" in your yard, that's a sign. I never thought of my house numbers as a sign. **Mr. Richardson** said I was shocked as well. **Commissioner Walker** said there's obviously a lot going on with signage and I don't want to adopt these and then either at the final—I'm just suggesting that possibility that they get a chance to weigh in before. Maybe you got enough on the Advisory Committee because I certainly don't know everybody that was appointed.

Mr. Richardson said I don't know if that would be a bad idea. I think that submitting it to the Chamber and Economic Development—I know that Fairfax is well represented by Mr. Privatera on the committee. He's probably been our most active business committee member. Mr. Vaught is on the committee. Mr. Privatera has been out talking to his neighbors and talking to his business associates. He's not only active on the industrial side but in the commercial developments as well. He's given us some great comments along the way related to this. He's been out talking about it. I think getting some official language from the different groups would be good.

One thing that we've talked about, we haven't really gone into detail on, would be a special signage district for somewhere like Central Avenue. We haven't fully developed that, but in some ways we're accommodating that. We've defined a sign type called murals and some regulations related to doing mural signage that I think accommodates what we want to do there. That's still kind of the details being worked out. I think when people see that the CABA is

represented on the board by one of the businessmen or on the Advisory Board. We're getting a lot of comment but I will submit this out to other folks at that same time.

Commissioner McKiernan said this is just kind of a general question. I was just curious about the level of commonality or has there been a pretty common view among the Advisory group. Has there been unanimous decision or at least consensus? That's the word I'm looking for. **Mr. Richardson** said I think we've had pretty good consensus. We've had folks from the sign industry very active. They've come to the Advisory Committee meetings and listened and then followed up another two-hour meeting, and the public meeting. I haven't received any really negative comments from anyone.

Where you would see conflict is, I think, the residential neighbors that are on the committee would say you can get one or two yard signs at any point in time and never more than that. I think that there will be a few interest of having a time period where you could have more than 4 or 6 sq. ft. of residential yard signage. I think that's really the businesses and temporary signs we kind of got a way to deal with that and it's more liberal than it is today. I don't know if that's bad. If I get any complaints about signage, it's probably the limitations on our temporary signs for those that want to follow the code. 99% of folks don't bother to follow the code on that particular issue so we're going to try and bring those closer together.

Commissioner McKiernan said well, I just wanted to say that I really appreciate the fact that you brought together a multi-disciplinary group, not only residential and commercial, but also different geographic areas so that we could get a very broad input on this . Thank you.



K-32 Tri-City Multimodal Redevelopment

Plan

PLANNING COMMISSION UPDATE

APRIL 9, 2016

Mr. Richardson said for K-32, I'll note in the packet I gave you, you have included the handouts that they used last night and tonight, the public meetings they're having. They're having a meeting as we speak in Edwardsville, I believe. We are now in the springtime of defining. They are working on their concepts and alternatives. Through the summer, they'll work on the final drafts. This isn't scheduled to come before you all until August.

I'm going to hit some of the highlights of this because there is a lot. This was about a 75 slide show for the entire corridor. I'm going to give you five or six of the ones I think you'd be the most interested in. One of the key areas they're looking at is 65th Street and Turner Diagonal. The folks that commented on this, their top four items in this area were: including a transit hub or transit stop, more services, retail services and office buildings, industry, job training, recreation and open space. It says green industry and what we mean by that is non-polluting industry. That's a term from our Master Plan from 2008. I think industry today is also not polluting, but they're using a lot of green technologies in all of the new buildings as well to gain efficiencies.

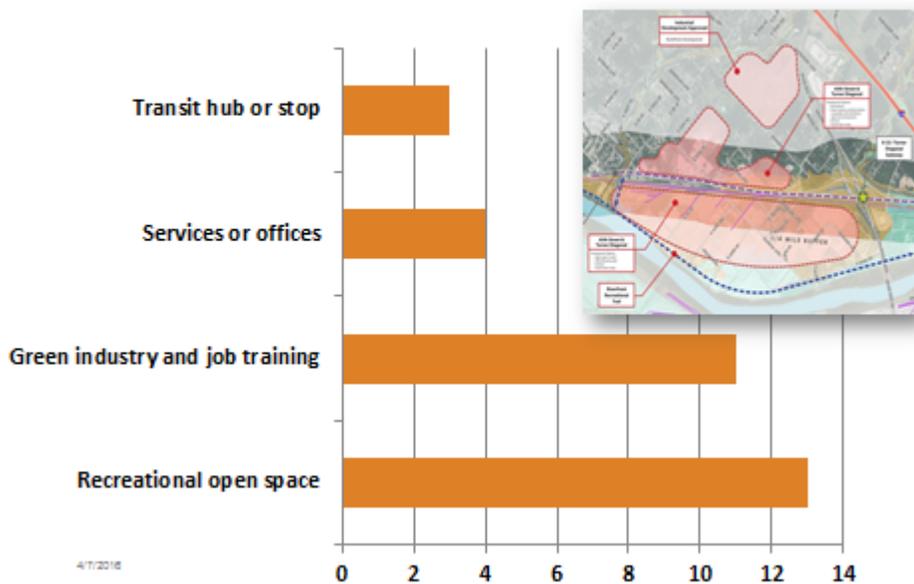
March 31, 2016

Schedule



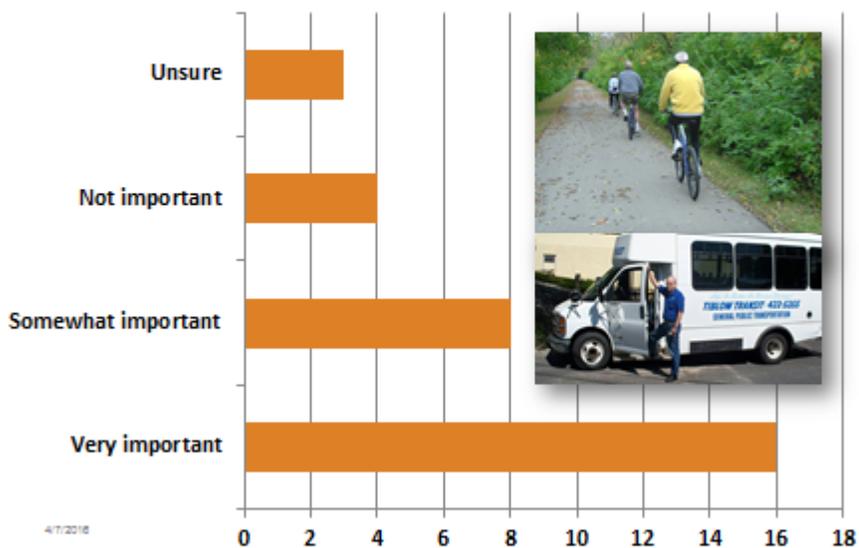
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65th Street & Turner Diagonal Dev. Options



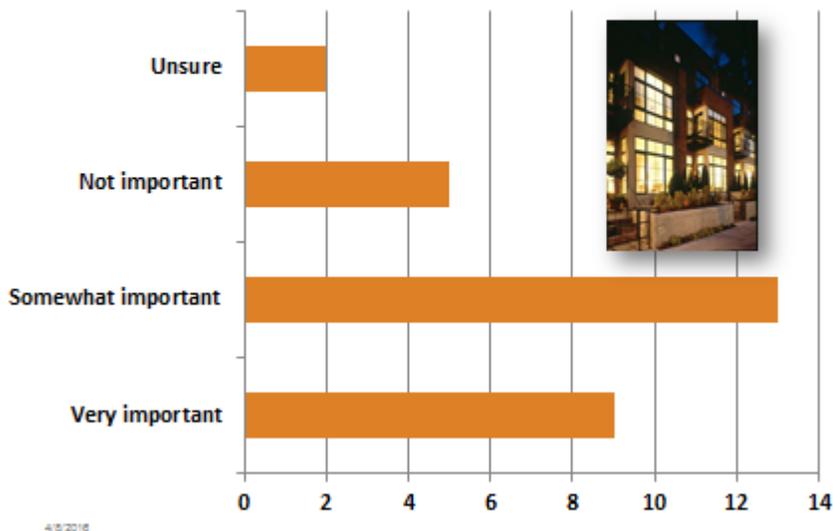
March 31, 2016

Investment in Transportation that improves transit and bike/ped



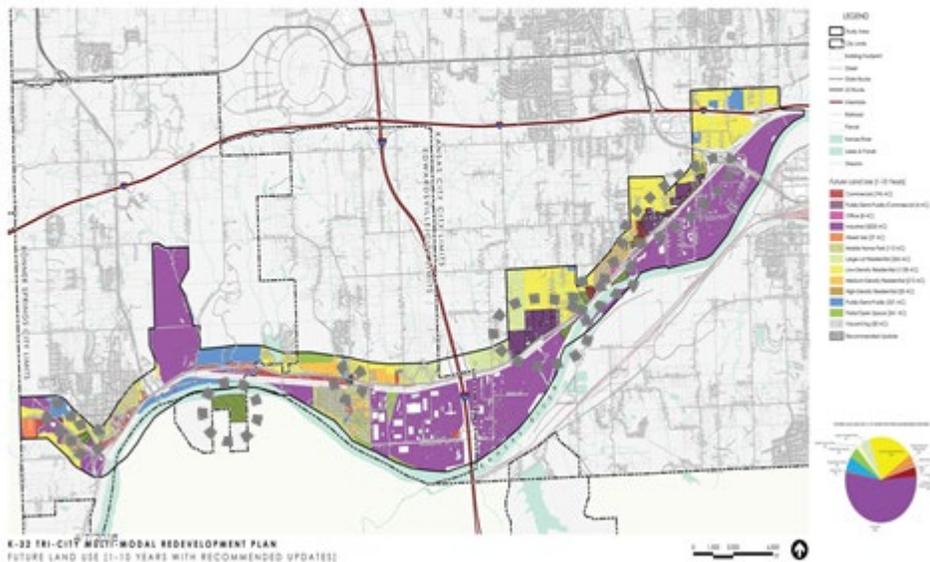
Investment in transportation that improves transit and bike/pedestrian facilities by an overwhelmingly majority of the people was indicated as important or very important in the corridor. We've talked about much like is happening along Turkey Creek in KCK and to the south, this is a corridor where you could benefit from both an on-street transportation facility and a waterslide recreational facility. This is along the Missouri River. If you've ever walked the trail in Parkville, it's a wonderful walk. We could have that same type of trail along the Kansas River. There are several, you know, Eagles' nest and other things down there that are great to see. We've even had folks identify a couple of good fishing holes you might access from a nice trail along there. I'm still not sure why they gave up their fishing holes but they did.

Increasing Housing Densities to Support Better Transit (bus and/or rail)



Another issue was increasing housing densities to support better transit. One of the issues is KCATA and our transit folks look at transportation options to this corridor where we have a lot of industrial development, a lot of jobs. The density of people and jobs is not adequate to support even on-demand transit services so we want to increase the density of jobs and people in this area to help make transit more possible. These are good paying jobs along these areas and without transit service, some of our residents that need jobs can't get to them. We want to make that come more into balance. As you can see, an overwhelming majority of people supported that concept.

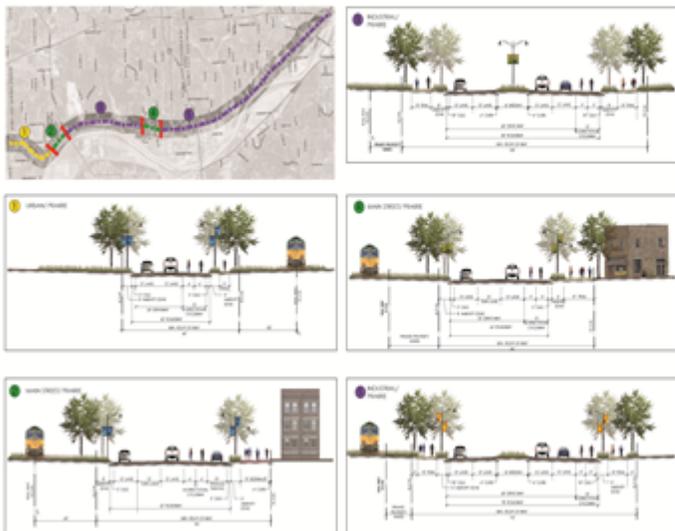
Future Land Use & Dev. (2015 - 2025)



This is a high-level view of the future land use map for the next ten years. You'll see some gray dotted outlines on here. These are the areas that the consultants are targeting for development and redevelopment in the next ten-year timeframe. Around 65th Street, obviously, there is some retail and redevelopment opportunities along K-32 in that area. Then down when you get to the Westhills Industrial Park in that area, there are some industrial growth opportunities right there. You'll see a lot more yellow areas on these maps than what we've shown before and that's the residential areas? That's the focus in KCK.

In Edwardsville, they're focusing around their existing commercial area and downtown. I believe that's 4th Street. Some new recreational opportunities and then the K-32 Corridor itself. It's not a very large area but within Bonner Springs, the western portion of the K-32 Corridor.

Sample Street Sections - Parkway



Respond to corridor character

Urban/Prairie

Main Street/Prairie

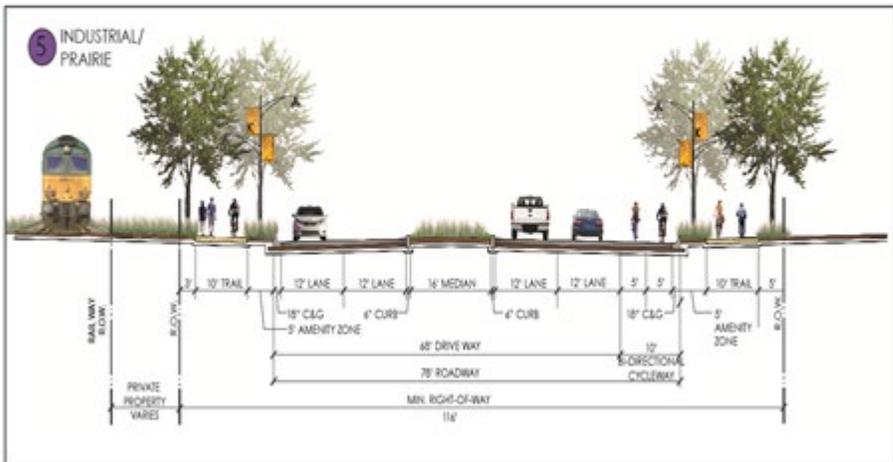
Industrial/Prairie

12-foot lanes

Turn lanes and/or medians

Bike/ped off-street + on-street bike

4/7/2016



4/7/2016

One of the most interesting things about this is it's transportation study as well as a land use study. They've looked at different segments within the corridor and how might that roadway be designed. I'm going to focus on the KCK portion of that which is number five here. This is just so you can kind of see all of the other alternatives at a quick glance. You have these in your handouts as well. I blew that up on this next slide. Basically what we're showing is 10 ft. trails on both sides so you have separated bicycle/pedestrian facilities, two 12 ft. travel lanes, and then a 16 ft. median that would accommodate turn lanes as well as open space between the railroad and the bike and trail facilities.

A couple of things to note in here. You'll see street lighting which has been a very highly prioritized item in the corridor with this plan. Some banners and also some landscaping that doesn't exist today. I think if we actually came through this and were able to work with KDOT to rebuild the corridor in this fashion, I think you would see a lot of new development opportunities and a lot of folks that would want to live in that area to take advantage of the recreation and trail facilities. Obviously, most of the residential is on the north side of the highway. Pretty much everything south is either floodplain or industrial.

Concepts for Activity Centers: Grinter



Grinter Place Development Plan

- maintain natural/rural character
- maintain historic site and structures
- create new retail, restaurant, recreation & entertainment venue
 - provide parking for new venue
- connect historic site and new venue by road and by trail
- use existing clearing and treed area for recreation and trail system

March 31, 2016

One area they're working on as far as a concept study is the Grinter House because one of the items that folks identified early on in the study was identifying more ways to draw people into the corridor. The Grinter House is obviously identified as one of those. The Grinter House has desire to expand their operations but they don't want to interfere with the historic nature of the home as you see it from Kaw Drive. There's open space to the east of that. They've looked at recreational activities, a restaurant, and retail opportunities that would accommodate and compliment the Grinter House, and also the ability perhaps to access the river and view the river in this area as well. I presented this to the folks at the Grinter House a couple of weeks ago to the Grinter Neighborhood Group with Commissioner Markley and they really liked this idea.

Multimodal Connections to Activity Centers



I talked a lot about multimodal connections already but they've been looking at different ways to accommodate multimodal connections, different street network connections, different connections to different portions of the community. That received quite a bit of encouragement last night from Mr. Kindle with Wyandotte County Economic Development to try and accommodate more transit opportunities in this area because that's one of the issues that he has in promoting this area for new industrial development.

March 31, 2016

Branding Concept | “Kaw River Parkway”

History
 Agriculture
 Industry
 Downtowns
 Kansas River
 Recreation
 Other



They’re also working on branding some way to unite the entire corridor through all three cities. Maybe call this the Kaw River Parkway and then maybe when you change communities, you change sign color or you change something so that you know that you’ve gone from one community to the next, but it still has the unified Kaw River Parkway theme.

Next Steps

- Jun. 8 Advisory Committee Mtg.
- Jun. 18 Planning Commission Update
- Jun. 29 Public Mtg. - KCK
- Jun. 30 Public Mtg. – Edwardsville
- Jul. 20 Edwardsville Plan. Comm. Adoption
- Aug. 8 UG Plan. Comm. Adoption
- Aug. 16 Bonner Springs Plan. Comm. Adoption

4/7/2016

The next steps. We will have additional meetings on this project until June. We'll have an Advisory Committee meeting, Planning Commission update, and public meetings throughout the month of June. In August, we'll be here for an adoption for Board of Commissioners and Planning Commission. I would also say that we have a Planning Commission update not in two days but the following Saturday where we'll go through in detail each of the three projects. We'll spend about an hour with them on each project to keep them up to speed.



March 31, 2016

Finally, with the Rosedale Master Plan, I always like to thank our sponsors. We've had a lot of community support for this project: KU Medical Center, the KC Area Transportation Authority, Rosedale Development, Argentine Neighborhood Development, the University of Kansas Hospital, BPU, as well as the Unified Government are funding this project.

Rosedale Master Plan & Traffic Study

Plan Components

SECTION 1

A Vision for Rosedale

Introduction
Community Engagement
Rosedale Past, Present,
Future
Vision and Goals

SECTION 3

Framework Plan

Future Land Use Plan
Design Guidelines
Transportation Plan
Infrastructure & Public Facilities

SECTION 2

Major Moves

"University Town" Redevelopment
Rosedale Regional Nature Trail
Rainbow Complete Street
43rd & 47th Avenue "Cultural
Corridor"
"Rosedale Crossing"

SECTION 4

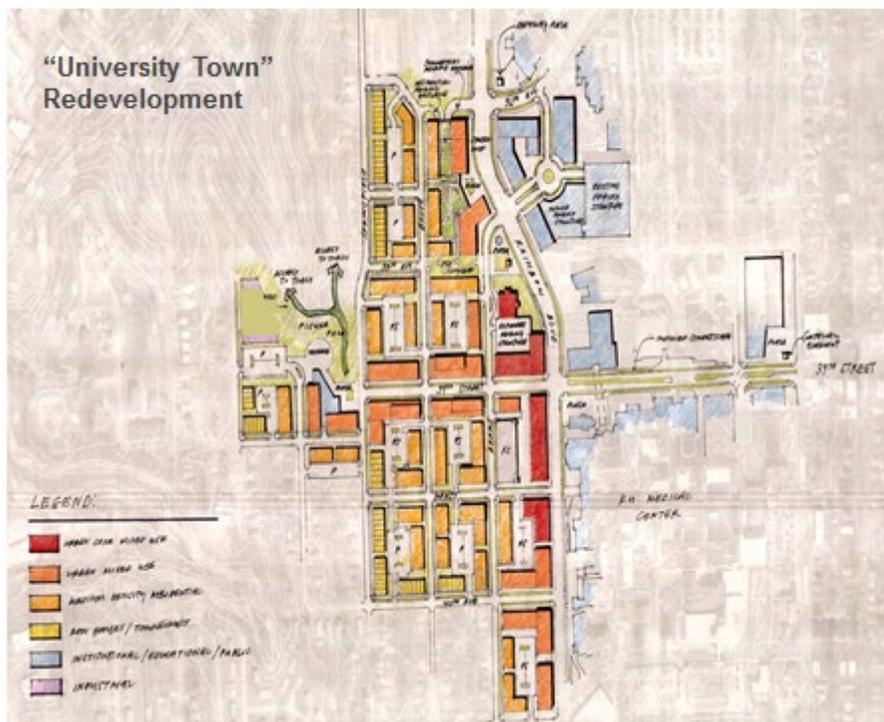
Implementation Plan

Rosedale is just a little bit ahead of where K-32 is. They're starting to develop the different sections of the plan. They'll be a section on the vision when we talk about the community engagement process. We had meetings last week and I think between the two meetings, we had almost 80 folks there commenting and talking about the project. We had a lot of great comments and pretty much universal support for the concepts in the plan. There's a couple of areas where we've got some disagreement but it's pretty uniform.

Under major moves, these are different ideas and concepts that they really want to develop as part of the plan. One is the University Town Concept around the medical center itself and increase in density in that area, creating a more complete regional nature trail through Rosedale, working on a completely new concept for Rainbow from 39th St. south to the County Line. We talked to Westwood a little bit. They're very interested in that concept as well. That's a huge undertaking I'll talk more about. Looking at 43rd & 47th Avenues as cultural centers, corridors and then at the north end of Rainbow, Rosedale Crossing, developing a district right at

March 31, 2016

Rainbow and Southwest Blvd. We have a framework plan that kind of talks about how this will be—the specific future land use, the specific guidelines, the specific transportation plans, that’s all being developed and then finally they’ll be an implementation section.



This is the graphic for the University Town Concept: urban core, mixed use. The dark red buildings you see there are similar to 39th & Rainbow buildings. Then as the color steps down, you’ll also see the density step down. Urban mixed use is a little bit less intense. Urban Residential density would be townhouses and apartments and then the yellow could be your single-family and townhouses. Obviously, blue is the civic space of KU Med on this map. This doesn’t have to be this way. If somebody wants to keep their single-family house on the street and they want to do that, we’re not proposing that we would come in and take those to develop new apartment buildings; but overtime as opportunities exist, we would look to move towards a higher density in that portion of the neighborhood to support university living, university lifestyle, and really create that university town that would draw more folks into Rosedale.



These are some artist renderings of what it might look like if you went down 39th Street to the west from 39th & Rainbow. You can see we have the existing residential tower here and I would call those late 60's early 70's apartments and then opportunities to either rehabilitate the tower or remove the tower as you would see on this side and create some more streetscape, street side cafes and seating and maybe upper story residential living, just to help people understand what that University Town might feel like.

March 31, 2016

Rosedale Regional Nature Trail



The regional trail network that they've been working on; I think most folks are aware we have a great trail network that's right down by Turkey Creek between Mission Road and Rainbow but you can't get to it. We've been working on ways to identify paths that would get folks to the trail and up into other parts of the community where we could have a real regional trail in this area. Obviously, along Southwest Blvd., that would connect to the regional trail network along Southwest Blvd., and Merriam Lane.

March 31, 2016

Rainbow Complete Street
Option: Retail Boulevard



The next idea is turning Rainbow Blvd. into a complete street. That's a little bit of a daunting thought because right now it is not very welcoming to pedestrians or bicyclists or buses even; it's very busy. One of the interesting things is that south of 39th St., the traffic volumes drop under 20,000 cars per day or right at 20,000 cars per day. Most traffic volumes can be accommodated with three lanes except at the intersections.

Rainbow Complete Street

Option: Retail Walkability



We're looking at ways to help the businesses in the area by accommodating some on-street parking, to narrow the crosswalks so that it's safer for the high volume of pedestrians. This is our heaviest pedestrian crossing area in the city. There are several options for that. This one they call the retail boulevard because you have the on-street parking, retail walkability where you would really, through landscaping in the center median, force folks to the proper crossing locations instead of jaywalking. There's a lot of jaywalking in this area right now if you haven't driven through there very much.

March 31, 2016

Rainbow Complete Street
Option: Bike Boulevard



One option would be a Bike Boulevard. This is called a two-way cycle track. This is the type of bike facility that Mayor Emanuel wanted developed before President Obama made his first visit to Chicago after he became Mayor and they built about two miles of this in six months down by city hall in Chicago. Last time I was there, I walked through that area several times and there were always bikes and folks using it. Obviously, it's a much a denser city than we are but the Rosedale area has that potential. Rainbow Blvd. may or may not be the right place for that.

March 31, 2016

Rainbow Complete Street
Option: Paired One-Ways



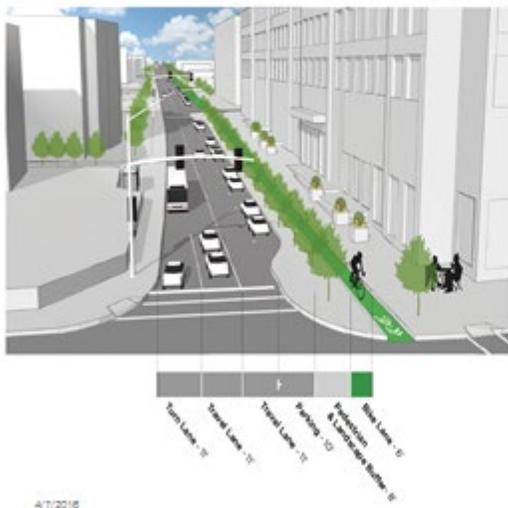
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Probably the most interesting option is to divide Rainbow into two streets of one-way pairs, one way on the western section going up Adam to the north and then using Rainbow Blvd. as the southern trafficway. In the public meetings, this was very, very popular. I was really shocked. It's obviously a fairly expensive alternative, but it would also generate development opportunities and more of that university town feel not just on Rainbow, but you also get the benefit of Adams St. for that as well. This might actually create more economic development opportunities than the other one would. We haven't shown that to KDOT yet.

March 31, 2016

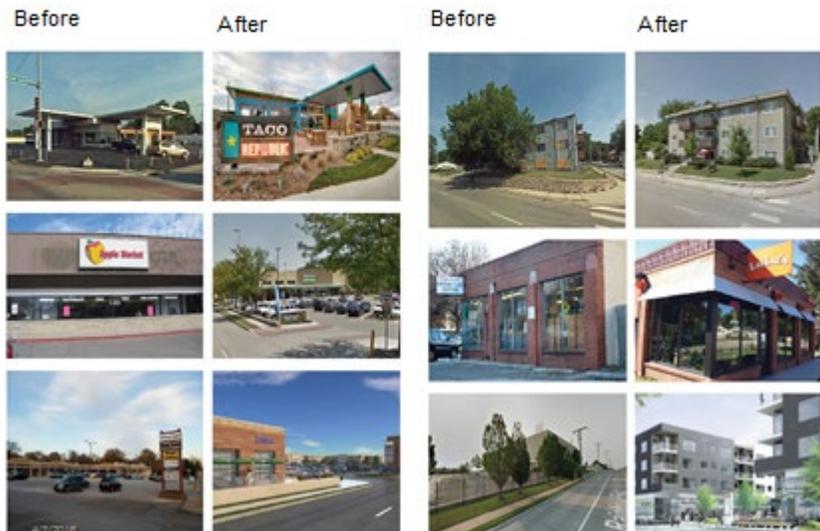
Rainbow Complete Street
Option: Paired One-Ways



So when you make this a one-way pair, you have more options for both parking and bicycle facilities. I think that was one of the attractions to it for the neighbors and the folks that live and work in the area. To really make it a complete street, you reduce the crossings, the crossing widths so you don't have to have as much pedestrian time in the street itself.

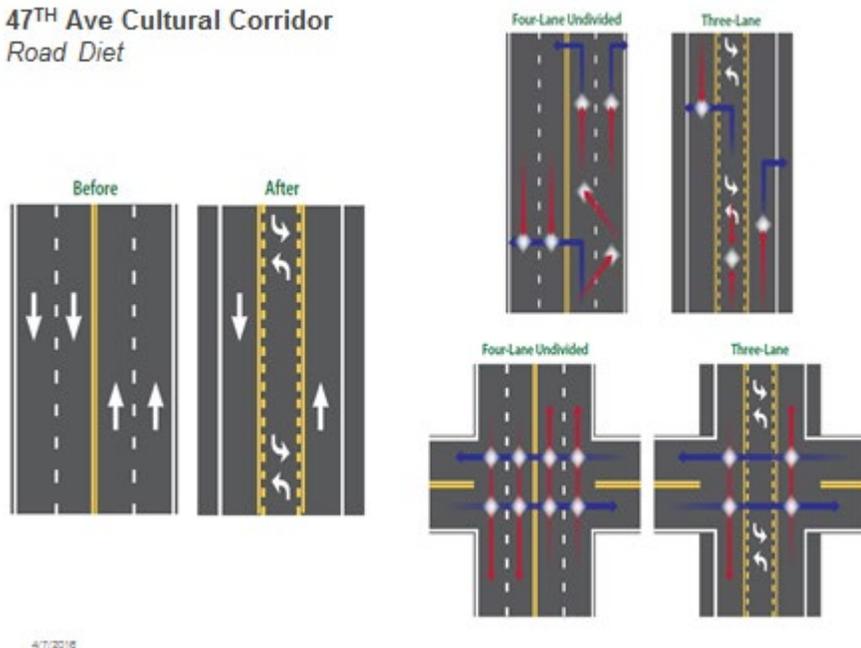
March 31, 2016

**43rd & 47th Ave Cultural Corridor
Redevelopment**

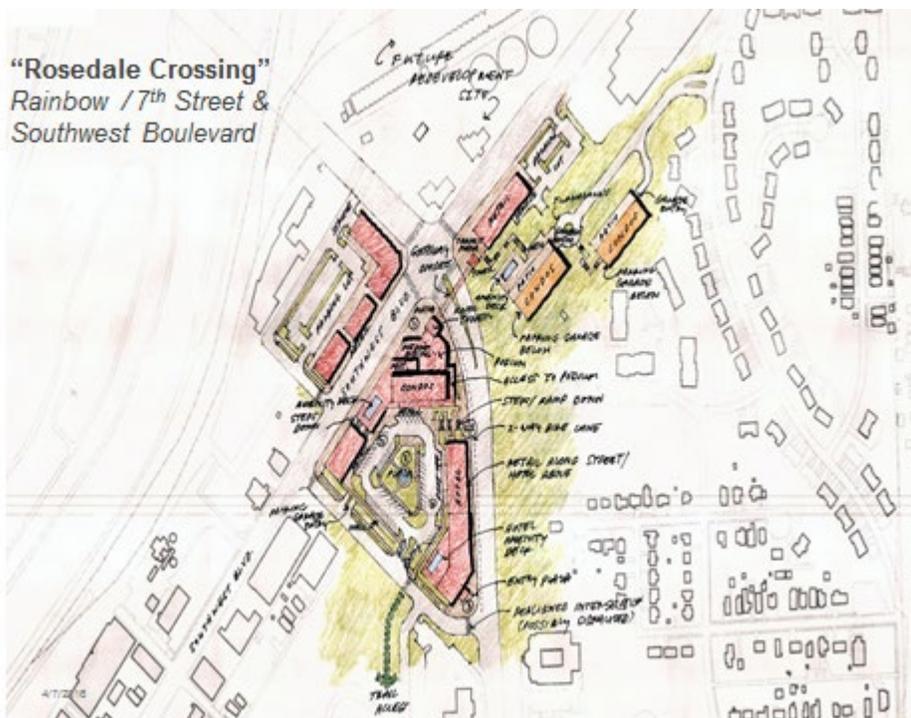


We'll move onto the 43rd & 47th Ave. Corridors. There's been a lot that's gone on in these corridors already. Folks generally want to build on that. Now we had a comment we don't want to be Westport which I completely understand, but the developments that we've had are what I would call tamed compared to what Westport would be and they attract a lot of folks. I think some folks are nervous about parking and how we might handle parking in those areas. This idea of a cultural corridor, they like the restaurants, they like different things to go and do so this might be a great place for that.

47TH Ave Cultural Corridor Road Diet



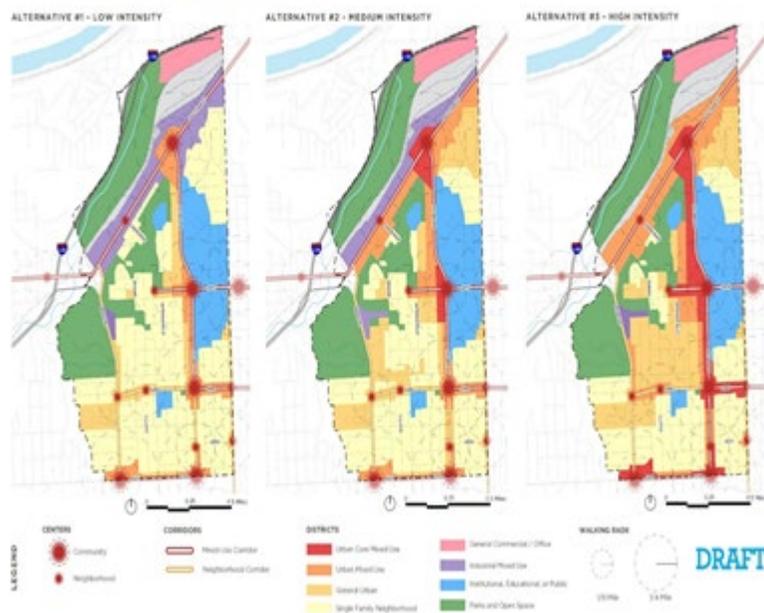
One way to help accommodate parking would be to go from four lanes to three lanes. The folks in transportation call this a road diet. The traffic volumes are not very high. They're under 10,000 cars a day which can be handled easily with a three-lane road. There might be a couple of intersections that we need to work on a little bit, but in general, this would work. That would allow for either bike lanes or parking on these corridors and so we're working though that concept for 43rd & 47th St.



I'll wrap up on the planning concepts with Rosedale Crossing. This is Southwest Blvd., Rainbow. This is the taco place on the corner here. The concept here is to turn this intersection into kind of an iconic intersection like 39th & Rainbow for mixed-use development, buildings, nice street cape on the street sides; you're parking behind or in the middle. This has actually raised a little bit of interesting discussion that you all will get to continue next Monday night because we have a development proposal that would leave the Applebee's in place, take down the retail center, and build a hotel with parking out on the street side in more of a suburban format. I've been pushing the developer to try and accommodate this, but there are some lease issues with Applebee's. I think if you took this as a whole, making the Applebee's situation and lease issues work, could be accommodated within the greater development, but right now they only have this one proposal at this location. You all will hear that Monday night. If you like this idea you might mention it to them.

March 31, 2016

Future Land Use Alternatives



As far as the land use alternatives, I had the consultant do a low density and medium density and how much could you possibly fit in density. The overwhelming number of people supported the how much can you fit in density with a couple of caveats. South of 43rd St. between 43rd and 47th, especially on the east side of the road where you already have a lot of residential development, new homes, new townhouses and things, to leave that and more of that configuration, lower density. Then on the opposite side of the street, since there's residential facing it, limit that to two-story mixed use urban development on the other side of the street. That was one of the caveats that I heard that was detailed in the summary from the consultant team.

The other one was in Mission Cliffs; obviously we have a developer that wants to build apartments and neighbors that don't want apartments. There was a very clear divide. The developer brought the development team and their wives so they could put their dots on the board along with all the neighbors. That one is kind of evenly split as to where that is, but that's purely do you want apartments or not in the neighborhood. The folks that were there, generally the folks that live there said lower density. There were a couple that were on the developer's side. That will be before us in the future and that's one of the issues with the plan and the density but, otherwise, people were supportive of density. They like 39th & Rainbow, they like

March 31, 2016

the architecture, they like the development style, and in general they want more of that. I thought that was nice to hear that they liked the development that's occurred.

Potential Transportation Improvements



IMPROVED ACCESS TO 40	BICYCLE FACILITIES AND CIRCULATION
Improvement Alternative <ul style="list-style-type: none">1 20th Avenue Connection - Western Block to 40th Avenue2 20th Avenue Connection - Eastern Block to 40th Avenue3 20th Avenue Connection - Western Block to 40th Avenue4 20th Avenue Connection - Eastern Block to 40th Avenue5 20th Avenue Connection - Eastern Block to 40th Avenue6 20th Avenue Connection - Eastern Block to 40th Avenue7 20th Avenue Connection - Eastern Block to 40th Avenue8 20th Avenue Connection - Eastern Block to 40th Avenue9 20th Avenue Connection - Eastern Block to 40th Avenue10 20th Avenue Connection - Eastern Block to 40th Avenue	Improvement Alternative <ul style="list-style-type: none">1 20th Avenue Connection - Eastern Block to 40th Avenue2 20th Avenue Connection - Eastern Block to 40th Avenue3 20th Avenue Connection - Eastern Block to 40th Avenue4 20th Avenue Connection - Eastern Block to 40th Avenue5 20th Avenue Connection - Eastern Block to 40th Avenue6 20th Avenue Connection - Eastern Block to 40th Avenue7 20th Avenue Connection - Eastern Block to 40th Avenue8 20th Avenue Connection - Eastern Block to 40th Avenue9 20th Avenue Connection - Eastern Block to 40th Avenue10 20th Avenue Connection - Eastern Block to 40th Avenue
LAWNMOWER AVENUE IMPROVEMENTS	GREEN NETWORK CONNECTIONS
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There's lots of transportation alternatives here. I'm not going to go through each one of these but generally, the most important thing that we've been looking at is alternative access to KU. There are several items that we've looked at. I don't want to talk to you about them too much now because I don't have the cost versus the return on those yet. I want to be able to talk with you about how much each alternative would cost versus how much it would help the situation of left turns going southbound on Rainbow. We've also looked at bicycle and transit and green network as well as the 47th & 43rd improvements I discussed previously.

They've also looked at Southwest Blvd. and Rainbow. With the traffic that the hospital is generating, there's going to be a bottleneck either at Southwest Blvd. & Rainbow or at I-35 & Rainbow unless there are major changes made and possibly at both simply from the volume of traffic going to be using those facilities. They've looked at Southwest Blvd. & Rainbow for a northbound flyover that would allow the heavy left-turn movements to happen below, but you could basically get out to the interstate quicker this way. They've also looked at another one that would take the southbound left turns and have those left turns made basically at the start of the bridge and come down and turn in a separate movement to the east which would allow the intersection to function move efficiently and have more cars to go through the intersection at any given minute. We're looking at those; there's a lot of costs associated with either one of those. The Transportation Team and the Land Planning Team have been very creative in the things that they've looked at for this part of the community.

Next Steps

Community Meeting 4A
 Wednesday, May 4, 2016
 12:00 - 1:30 pm

Our Savior Lutheran Church
 4153 Rainbow Blvd.
 Kansas City, KS 66103

Community Meeting 4B
 Thursday, May 12, 2016
 6:30 - 8:00 pm

Rosedale Middle School
 3600 Springfield St.
 Kansas City, KS 66103

4/7/2016

The next set of meetings for this project will be in May. We'll have community meetings on May 4th and May 12th, one during the day at Our Savior Lutheran Church and one in the evening at Rosedale Middle School.

I'm very excited about where we are with all three projects. I know some of the sign stuff is not real clear yet, but the ordinance for the majority of how we use it, the new format is very clear and easier to use so I'm very excited about that. I think we've got some great alternatives and strategies developing along K-32 for a new development and I think you can see—when we did the Rosedale Plan before, we thought the concept that we did at 39th & Rainbow was a stretch and we want to push that a little bit more even now with the University Town concept and making that area of Rosedale a model for development in other parts of our community.

Action: Information only.

March 31, 2016

REGULAR SESSION

Mayor Holland said that brings us to our regular meeting agenda. We have a Non-Planning Consent Agenda before you.

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.

Mayor Holland asked to set-aside Item No. 3.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the Non-Planning Consent Agenda, with the exception of the set-aside.**

Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 1 – 16439...RECOMMENDATION: \$2M CHOICE NEIGHBORHOOD GRANT

Synopsis: Recommend allocating \$250,000 during the 2017 budget process to support several in-depth studies, staff time for a new planning position as well as dollars toward an early action activity all required for the \$2M grant if awarded by HUD, submitted by Melissa Mundt, Assistant County Administrator. On February 22, 2016, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve.** Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 2 – 16474...RESOLUTION: 2016 MASTER EQUIPMENT LEASE PURCHASE AGREEMENT

Synopsis: A resolution amending the Unified Government’s Master Equipment Lease Purchase Agreement dated October 17, 2013, with Banc of America Public Capital Corp. in connection with paying the costs of acquiring and installing certain equipment, submitted by Debbie Jonscher, Deputy Finance Director. On March 7, 2016, the Economic Development and Finance Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-36-16**, “A resolution authorizing the Unified Government of Wyandotte County/Kansas City, Kansas, to amend its Master Equipment Lease Purchase Agreement with Banc of America Public Central Corp, the proceeds of which will be used to pay the costs of acquiring and installing certain equipment.” **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to adopt the resolution.** Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 3 – 16465...ORDINANCE: SUCCESSFULLY CONCLUDING EARLY THE ADAMS STREET/KANSAS AVENUE TIF REDEVELOPMENT DISTRICT

Synopsis: An ordinance successfully concluding early the Adams Street/Kansas Avenue Redevelopment District created pursuant to Ordinance No. O-7-04 and concluding the tax increment financing with respect to such redevelopment district, submitted by Kathleen VonAchen, Chief Financial Officer. On March 7, 2016, the Economic Development and Finance Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to full commission.

Mayor Holland said there’s a lot of time and energy put into TIF projects. There’s a lot of community voice about these. By and large our TIF districts certainly for commercial and retail have been very successful. When we have a successful TIF district completed, I think it bares at least recognizing the success of this and that the TIF projects continue to work to redevelop parts of our city in many areas that are difficult to redevelop otherwise. Do we have numbers, Mr.

March 31, 2016

Bach, for this particular development tonight? **Doug Bach, County Administrator**, said I apologize. No, I do not have the numbers with me tonight on this project. **Mayor Holland** said if you could just send that out to the Commission and to myself so we can have that information. We should celebrate this.

Action: **ORDINANCE NO. O-16-16**, “An ordinance terminating the Adams Street/Kansas Avenue Redevelopment District created pursuant to Ordinance No. O-07-04 terminating tax increment financing with respect to such development district.” **Mayor Holland made a motion, seconded by Commissioner McKiernan, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, (with a shout out to Armourdale), Murguia, Johnson, Kane.

ITEM NO. 4 – 16524...PLAT: EVERETT FIRST PLAT

Synopsis: Plat of Everett First Plat located at 7th and Everett Avenue and being developed by Community Housing of Wyandotte County, submitted by Brent Thompson, County Surveyor, and Wayne Moody, County Engineer.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the plat and authorize the Mayor to sign said plat.** Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 5 – 16525....PLAT: PIPER LAND THIRD PLAT

Synopsis: Plat of Piper Land Third Plat located at 115th & Kimball Avenue and being developed by Piper Landing LLC, submitted by Brent Thompson, P.L.S., Engineering Division Manager/County Surveyor, and Wayne Moody, P.E., County Engineer.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve and authorize Mayor to sign said plat.** Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane.

March 31, 2016

ITEM NO. 6 – MINUTES

Synopsis: Minutes from regular sessions of January 28, 2016 and January 7, 2016; and special sessions of March 10, 2016.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve.** Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane.

ITEM NO. 7 - WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated March 10, 17, and 22, 2016.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to receive and file.** Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane.

PUBLIC HEARING AGENDA

No business items

STANDING COMMITTEES’ AGENDA

No business items

ADMINISTRATOR’S AGENDA

No business items

COMMISSIONERS’ AGENDA

No business items

Mayor Holland adjourned the meeting as the Board of Commissioners and reconvened as the Land Bank Board of Trustees.

March 31, 2016

LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA**ITEM NO. 1 – 16473...COMMUNICATION: LAND BANK APPLICATIONS**

Synopsis: Communication requesting consideration of the following Land Bank applications, submitted by Chris Slaughter, Land Bank Manager. On March 7, 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 for approval.

Chris Slaughter, Land Bank Manager, said I would like to ask that we did receive an application for one of the same properties that is on the agenda tonight. We'd ask that 407 Cleveland be taken off. We will bring it back hopefully next month as a Best and Final. **Mayor Holland** said that is being removed.

Mr. Slaughter said this is a real brief presentation I did at the March 7 Standing Committee. A lot of times I get questions about what's the criteria we look at when we get approached to accept the property as a donation. Commissioner Murguia thought it would be a good idea to share with you guys. I thought it was also a good idea. I don't get to come up here before you too often so I always appreciate it. **Mayor Holland** said we can arrange for you to make a presentation on a regular basis if you'd like. **Mr. Slaughter** said we can talk. The main property that this presentation was put together was for 284 S. Coy.



WYANDOTTE COUNTY LAND BANK

Property Donations Request to Land Bank
284 S Coy St & 1045 Webster Ave

Neighborhood & Community Development Standing
Committee
March 7, 2016

St Joseph's Neighborhood



This map here is really just a quick overlay of the St. Joseph's Neighborhood. There are some markers on there. As you can see the city view of St. Margaret's Homes there, Central Middle School, our old friend Whittier there on the far left, some homes CHWC has built, we have St. Joseph's Church, and All Saints School. Again, right there kind of toward the right there on

March 31, 2016

Coy, we'll get to that is 248 S. Coy. This slide is just to highlight the ones in red are Land Bank properties, the ones in gold are tax sale eligible. Everywhere we go we see this familiar print.

South Coy Street



A little bit of a zoom as you can see we have 248 S. Coy. It is an empty, vacant lot that sits between 282 and 286. St. Margaret's Park is right there to the east.

Donation Request Procedure

- Received Property Donation Request
- Land Bank requested DRE Abstractors to generate and O/E report to show if property has any issues:
 - Who is Current owner
 - Is There a Mortgage
 - Are There Any Liens (Local/Federal)
 - What are the Real Estate Taxes Owed & Special Assessments
- If there are issues, then Land Bank Manager send letter stating that request is denied
- If there are no issues then Land Bank Manager brings to Land Bank Board of Trustees

A real quick recap of what our procedure is. We get the request. We ask the Delinquent Real Estate Abstractor to do some work on it. We want to know who's the current owner or owners, is there any mortgage liens, what are the taxes and assessments that are owed on the property. If there are issues, if they say there's a mortgage, maybe the house was just demoed, we'll send a nice letter to them saying right now it's probably not a good fit for us; maybe you should consider the tax sale. If there are issues, really, that's been what has led us to bring these requests to the board.

284 S Coy St

- Current Owner/Requestor – US Bank
- Mortgage – none
- Liens – none
- Back Taxes & Assessments - \$ 12,500+ *(this includes a demo in 2008)*
- Lot Size **25ft X 126ft**
- Appraised Value **\$ 320.00**
- Last Code Case **September 2015**

So now, let's talk a little bit about the 284. US Bank is the current owner. There is no mortgage. No liens. There's about \$12,500 that does include the demo assessment back in 2008. It's a small lot 25ft x126. Its appraised value is \$320. A little bit under water. Last Code case was back in September 2015. Then the next question is generally how do we go out and try to get rid of these properties once we get them. We would naturally go to the neighbors and say we got a property. Are you interested?

Neighboring Property(s)

- **282 S Coy St**
 - Lot Size 25ft X 126ft
 - Appraised Value \$ 30,500.00
 - Last Code case September 2015
 - Real Estate Taxes owned \$ 1,458.34 since 2013 *(not eligible for a tax sale until September 1, 2016)*
- **286 S Coy St**
 - Lot Size 25ft X 126ft
 - Appraised Value \$ 25,130.00
 - Last Code case February 2016
 - Real Estate Taxes owned \$ 4,614.00 since 2007
- **Both property owners would be ineligible to apply for property if it becomes a part of the Land Bank inventory because of back taxes and code violations**

282 S. Coy, the property that's to the north, similar size 25 x 126, appraised value is \$30,500. There was a Code case back in September. Taxes owed are almost \$1,500; however, it won't be eligible for a tax sale until this September if the taxes are not paid up.

The property to the south, 286, same size of lot, a little bit less than appraised value. The last Code case was in February 2016. The taxes are sitting at about \$4,600 plus. Now we're kind of at a dilemma because both properties would be ineligible to participate in the Land Bank, but does that mean we just automatically just turn down the request.

Street View



Here's a street view. 282 is here on the right eligible for tax sale this September. 286, as you can see, is probably not in good shape. Here's 284 in the middle. Again, just to point out that we can accept donations as part of the policy.

Land Bank Property Acquisition

- Per policy...
 - 5.1 **Sources of Property Inventory.** Sources of real property inventory of the WCLB include, but are not limited to, the following:
 - Transfers from local governments;
 - Acquisitions at tax foreclosure sales;
 - **Donations from private entities;**
 - Market purchases;
 - Conduit transfers contemplating the simultaneous acquisition and disposition of property;
 - Other transactions such as land banking agreements.

Approved (3/26/15)

March 31, 2016

Questions

- Do we take this property just to ease the burden of the Delinquent Tax Sale department and the Tax Sale process?
- Do we only consider this donation unless we can get the abandoned property?
- If we don't take the property, would the neighborhood continue to suffer from blight?

Again, one of the big questions I always have is if we take a property, how much time and resources does that save our Delinquent Real Estate Department from having to work this up and stick it into a tax sale which more than likely will end up coming back to us anyway. Do we look and say how can we get our hands on that abandoned house, the 286. Obviously, if we got our hands on that and got someone to rehab it and attach this property to it, maybe it's a little bit more marketable. If we don't, what's going to continue to happen to that property? Probably continued blight.

1045 Webster Ave



1045 Webster Ave

- Current Owner/Requestor – Daniel Williams
- Mortgage – none
- Liens – none
- Back Taxes & Assessments - \$ 13,700+
- Lot Size **30ft X 128ft**
- Appraised Value **\$ 500.00**
- **1047 Webster Ave in Tax Sale 335**

The other property that is on the agenda tonight is 1045 Webster. Just to note, the owner also owns 1047. There is over \$18,500 in taxes owed. This will be in the next tax sale so more than likely we will get that. We'll ask that you go ahead and consider 1045 and then basically we'll

March 31, 2016

have two properties that maybe we could combine into one for a more larger lot. Again, I jumped the gun, just some information about the owner of 1045. \$13,500 owed, pretty good size. We would end up with about roughly a 60 x 128' lot with both of them. It's appraised at \$500. The one property is in the tax sale.

That's the presentation. The other point I want to stress is, it's really a case-by-case process. I wish it was as simple as $a = b = c$ and we bring it to you, but it's not. I think going down the road, even though we should look at it, of establishing certain criteria could put us in the position where we want this property but all of a sudden it doesn't meet our quotation or formula so we can't take it versus; it's a case-by-case basis. We enjoy looking at them, but there's more out there than probably we need to know about.

Commissioner Murguia said, Chris, you do a great job. You do this every day so sometimes your explanation you try to be really thorough. In general, I think, I would support you and kind of help inform the Commission and others that the strategy behind this is to assemble larger tracts of land for long-term sustainable development. You can't really do much with a 25 ft. front lot, but Chris has done a good job evaluating these areas especially areas that have very small lots, the urban areas. He's doing a good job of coupling them together which also creates an opportunity in that area of our city to acquire the abandoned and blighted housing and actually do something with the property at the end of the day. Chris, you did a great job.

Commissioner McKiernan said I'm going to echo what Commissioner Murguia just said. I really do appreciate the fact that you're looking strategically at this and you have been for as long as I've been here. I think that we need to be open to not only taking in those lots that are potentially donated to us, but going out and systematically and strategically looking at all of the lots that are out there that people have effectively walked away from. People always say to me, well you'll have the holding cost, you'll have to cut the grass. We're cutting the grass now and we don't control that for any potential future development. I think we should control those lots. I think that's the way we can drive strategic future development. I think we need to be more strategic and more aggressive because if you look at that particular vacant lot on S. Coy, the house to the south of it is currently and has been for quite a while vacant. That vacant house represents a blight in that neighborhood and a potential danger to both the children and the adults of that neighborhood as a haven for crime among other things. I think we should

be looking strategically at those vacant houses that people have walked away from as well. There are opportunities to turn lots, to turn houses, especially in our urban core that I think we're missing. I appreciate what you're doing to move in that direction.

Mayor Holland said I'll throw in my two cents too. I agree with both of the Commissioners. I think as we go into our budget this summer, we need to think about not only blight removal but investment dollars for these blighted areas that we can get ahold of them and prepare them for redevelopment. I'd like to encourage us to think about significant dollars that are going to take the blight out of our community and turn it back into productive use and put newer homes or rehabbed homes into our neighborhoods instead of just falling down homes. This is a big opportunity that we have this year to make a significant impact on the blight in our community.

Mayor Holland said we now have before us the consent calendar. All of the items are on consent. Would any member of the audience or any Commissioner like to remove an item from the consent calendar tonight, if so, please come forward at this time, otherwise anything not removed will be voted on in a single vote. Would anyone like to remove any item?

Rachel Jefferson, 431 Greeley Avenue, we are asking that the items—well, we were originally going to ask for items 407 Cleveland Ave., 415 Greeley, 419 Greeley, 416 Quindaro, and 428 Quindaro be set-aside. However, in consideration of the new information provided to us today about 407 Cleveland, it's no longer necessary to request the item be moved as it will be held over anyway. **Mayor Holland** asked so you'd like to withhold the others ones. **Ms. Jefferson** said is other ones. **Mayor Holland** said 415, 419, 416, and 428. **Ms. Jefferson** said that's correct. **Mayor Holland** said those will be set-aside.

Applications

1412 Freeman - Shauna Adams for yard extension

1410 Freeman Ave. - Shauna Adams for property acquisition

407 Cleveland Ave. - Trinity AME for development

415 Greeley - Trinity AME for development

419 Greeley Ave. - Trinity AME for development

416 Quindaro Blvd. - Trinity AME for development

428 Quindaro Blvd. - Trinity AME for development

(Both the church and Oak Grove Neighborhood Group met 2/15/15, to discuss development.)

Transfers to Land Bank

200 N. 10th St. from UG WyCo/KCK
 645 N. 118th St. from UG WyCo/KCK
 2915 N. 39th St. from UG WyCo/KCK
 2921 N. 39th St. from UG WyCo/KCK
 1758 N. 3rd St. from UG WyCo/KCK
 1600 N. 41st St. from UG WyCo/KCK
 1604 N. 41st St. from UG WyCo/KCK
 1944 N. 41st Terr. from UG WyCo/KCK
 1700 N. 42nd St. from UG WyCo/KCK
 145 N. 61st Terr. from UG WyCo/KCK
 525 N. 61st St. from UG WyCo/KCK
 525R N. 61st St. from UG WyCo/KCK
 *411 N. 61st St. from UG WyCo/KCK
 832 N. 47th Terr. from UG WyCo/KCK
 1215 N. 55th St. from UG WyCo/KCK
 1231 N. 55th St. from UG WyCo/KCK
 1233 N. 55th St. from UG WyCo/KCK
 1303 N. 55th St. from UG WyCo/KCK
 2906 N. 89th Terr. from city of Kansas City, KS
 5544 N. 94th St. from city of Kansas City, KS
 5425 N. 96th St. from city of Kansas City, KS
 2029 N. 102nd St. from city of Kansas City, KS
 434 N. 110th St. from city of Kansas City, KS

700 S. 55th St. from city of Kansas City, KS

*421 N. 61st St. from city of Kansas City, KS

(Per the Dec. 2014 NCD Standing Committee presentation, property controlled by the UG that are delinquent, will be transferred to the Land Bank to have delinquent property taxes abated.)

* Indicates property has an improvement

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve, excluding the set-aides. Roll call was taken and there were nine “Ayes,” Walters, Philbrook, Bynum, Walker, Townsend, McKiernan, Murguia, Johnson, Kane.

Mayor Holland said that brings us to the items that have been requested by Trinity AME. I will ask the applicant to please come forward and state your case for the record. Following that, we will open up a public hearing. Following the public hearing, we will give the applicant an opportunity to make any summative comments and then we will open it up to the Commission.

Roy Fowler, said I'm a resident of Kansas City, Missouri, and I'm also an officer in Trinity AME Church, the applicant. With me is Reverend Fran T. Cary, presiding elder of the North District of the African Methodist Episcopal Church, who was our pastor at the time that this application was made. We have, the Trinity AME Church has been in this community since 1905. We've been at 2201 Greeley since 1922. We have been in this community. Many of our members grew up around Trinity AME Church and some still live in the community. Our purpose, as it relates to this application, we are concerned about the community around us, the housing that has continued to be torn down and very little building, new construction in the neighborhood. Churches depend upon families. Our goal is to create an environment around our church and we've identified a four-block area, 5th Street to 4th Street, Quindaro Blvd. to Cleveland Ave., as our target area in hopes that we can acquire some of the vacant land in that area and build new homes for families to live in that part of the city and that's pretty much it.

The economy has downturned as everybody knows and we are just beginning to stabilize. Our congregation is 400 members and they're pretty consistent 400 members. We survived the downturn. We're working our way back and our hope is that we can continue to work in the neighborhood around us. Our plan long-term is to build a new church sanctuary. We want to do that in that neighborhood where we are now. It's difficult to spend the kind of money that will require and not have stability as it relates to housing and families around us.

Reverend Cary said I think I heard three or four of you talked about the blight in our community. This is what we saw when I came to Trinity in 2002. As we began to look at our area, we saw there was a need to help build, help develop, help make our community a place where people want to live so we sat out to do that. We have been acquiring parcel after parcel waiting until we can get two or three together so that we can build homes, homes where families would want to live, homes that people will be proud to be in the community, and we would like to reach that goal. Phase I of our goal is to build those homes. Phase II is to build a new sanctuary and we pray that we get your approval. Thank you.

Mayor Holland said I would invite you two to remain towards the front in case there are—particularly for you to make any response at the end of the public hearing.

Mayor Holland opened the public hearing.

March 31, 2016

No one came forward in support.

Mayor Holland asked for those in support who did not want to speak but would like to stand to indicate your support, you're welcome to do that at this time.

Eight people stood up.

The following appeared in opposition.

Elnora Jefferson, Kansas City, KS, said like many of the Oak Grove members here tonight, I grew up in Oak Grove, what we call a legacy family member. In fact, the rose bush that still grows in my former front-yard is over 100-years old. I imagine that any one of the residents here tonight could tell you something about this area of their youth. Tonight, I proudly stand before you as president of Oak Gove Neighborhood Association. Oak Grove is bound by Quindaro Blvd. on the south, N. 7th St. to the west and generally the railroad tracks to the north and east. The applicant is another member of Oak Grove. It too, as has been stated, has a long history in Oak Grove although not quite as long as those of the legacy families.

Before I proceed, I'd like to point a clarification. The agenda states that on February 15 a meeting was held between the applicant and the Oak Grove neighborhood and that is true. It was called by the neighborhood and the purpose for that was so that the applicant could share its development plan. The development plan that we just heard is a little bit modified from the one that we originally heard some years ago, but nevertheless, no plan was provided in writing. Prior to the meeting, I personally emailed Pastor Fran so that for those sick and shut-ins who are unable to come, they would be able to review the plan. I never received a response.

Another point of clarification is that this is entirely a business matter. It has nothing to do with any kind of personal animosity or anything like that. It is definitely based upon business.

Our neighborhood would greatly benefit from economic development and smart field strategies and transparency. What I heard this evening from Director Rob Richardson is just wonderful because in areas like mine where they're land rich but you have high poverty and low-income levels, some type of rehabilitation, some type of development that only brings housing, but also brings some of those other social determinants of ill health, lack of education and so forth are severely needed.

March 31, 2016

I happened to take a tour with a gentleman who is on the UG staff and we were just talking about some of the attractions and things that could come to that area to spur development. Some kind of destination, something that would actually cause just a plethora of development. Since my time is short, not nearly long enough at all to read what I had to say...

Commissioner Walker made a motion, seconded by Commissioner Kane, to extend Ms. Jefferson's time by three minutes. Motion carried unanimously.

Ms. Jefferson said I do want to get then to the essence of what I'm asking for tonight. As president of Oak Grove and some of the members I hope will come up to stand, but what we would like to do is to ask—what I am doing is asking the Land Bank Board of Trustees to defer approval of the applicant's request for the four lots pending a review of the process that disposes of properties in a manner that is consistent with statutory mandates and the long-term interest of the community. That has not been done. In addition, we ask the Land Bank Board of Trustees to declare a moratorium on further dispositions and to comply with the statutory process and mandates, appropriate ordinances and agreements pursuant to which the property is conveyed.

As a reminder, there's no immediate need, there's no sense of urgency because there's no development plan for this property. I believe in my heart and I believe the good faith so forth of Trinity as well as Oak Grove will bring us to the table to look at an equitable development plan and strategies going forward.

I have said this but I want to stress this, and I believe Commissioner Townsend has made the same, there's no doubt, Commissioner Johnson, that we're land rich Districts one and four. If I remember after reconstruction, 40 acres, and a mule is something that people who have some ancestry like me, we wanted that. We wanted that so that we could use our ingenuity and entrepreneurial skills and creativity and hard work in order to increase our economic well-being. When I look at Oak Grove and so forth and the number of land and the opportunity, that's what I see now. I see more than 40 acres. I'm asking that we look at a strategic plan, strategic development that allows the young people in our neighborhood to actually have more education and be successful.

I read an article last night and the majority of high poverty census tracts are east of I-635. That's not a surprise to anyone here. How can we change that? How can we have in Oak Grove

and the other northeast areas, other northeast neighborhoods who are similarly situated on this screen, a development plan that looks that good?

Chester Owens, 1150 Washington Blvd., said let me say first, I'm not going to say I'm in opposition. I am an AME, not a member of Trinity, but I am an AME. We are a connectional church so we know each other. Let me say that often times we hear of building new homes in areas in our older neighborhoods. Vacant lots can be a problem or they can be an asset. I've never been able to understand why we don't first look at the quality of life and that's what our neighborhood groups, we work day after day. There's not a day that goes by that probably Oak Grove or almost any neighborhood of the northeast area that someone is not working to improve the quality of life.

History shows that in the area that I live where new homes were built, one block without our knowledge; they just stuck them there one day. As far as trying to assist in improving the quality of life in the area, they do absolutely nothing. That's the concern that many of us who live in the older neighborhoods say that we need you to come in here and let's work on the quality of life first. I'll ask one of you if you would move into a new house and you got the quality of life, which you see it all over our area, would you live there? What would you want to see first? History shows that if you have acquired property in the past and nothing has been done in four or five years, what's to say that you're going to do anything now.

Our neighborhoods are at a crossroad now. Many of the older neighborhoods and particularly the northeast area, that's what our future is. It's very difficult to get people to join our neighborhood groups now because they see no deterioration. I don't know how much longer I have but I have been actively involved in all of Wyandotte County and Kansas City, Kansas, for 57 years. I have never, ever seen the deterioration to the extent that it is today. A lot of that is because the quality of life and people who can assist us in approving the quality of life are silent. All we hear is we want to build new homes. This isn't a front. Let me state that this case—what I'm saying is not us against them. We're here all the time, you all out there can't get together. That's not the case. I want to emphasize that is not the case. Let me say that we're not a monolithic person/grasp that lives in the northeast area no more than any of you all are. Different people who live in different areas have different opinions. That's normal and that can be good.

I just want to say that we have a great concern about our vacant lots and what's going to happen. Will the rules be the same? I guess Chris has a problem there because he may say one thing but you all have the final say so. Will the rules apply if Oak Grove came in and said we want to acquire five lots and we want to develop? Will you ask them what are you going to do? We want to make sure that the rules apply equitably to everybody across the board.

Caleb Havr, Kansas City, KS, said I have lived in the Oak Grove community for about seven years now. In that seven years, I've seen a lot of change. Its went from drug infested, extremely dirty and dangerous to a more mellow, clean, well-kept neighborhood. Folks are taking stock of Oak Grove. I've taken it upon myself to cut a lot of those lots, those vacant lots that we hear of and we see and they're blight, they're nasty, nobody likes to drive by them. I take it upon myself, through the neighborhood organization, to go and cut those lots in our neighborhood and outside of our neighborhood just because it's simply the right thing to do. If you want to uplift your community, you need to get out there and do something about it.

I heard the church say that they just poured so much into our community. In the seven years I've also taught summer school classes, agricultural science on our community farm. We've had the Learn to Earn Program out there for many years. It's been a very successful program. We've had Youth Build Corps out there; a very successful program. I can honestly say to each and every one of you that I have never seen a program come from the church honestly. It's not us against the church or anything like that. It's coming together, everybody working together, take stock in your land, take stock in your community and love your neighbor.

W.D. Young, said I guess I'm part of the Oak Grove neighborhood. I live in Peregrine Falcon which only five houses have been built down there. We're supposed to have about 138 houses built there. My complaint is I'm not against the church. I would love for them to build some new houses there, but I don't want it to end up being like the rest of the lots that are around there that are vacant.

The city comes by, they pay someone to cut grass but he doesn't know how to pick up trash. It looks worse after he cuts the grass. He shouldn't even cut the grass at all. We just have so many abandoned lots down there that trash is just being dumped. It doesn't take one from the city to see that and tell the man to go down and just clean up what they see. They don't have to

be told there's something there that needs to be picked up. I probably wore Mr. Chris out. I know he's tired of seeing me all the time or hearing from me.

Myself, I get up probably every other day and walk up 7th St. to 5th St. picking up trash myself because I know the city's not going to do it. I just don't want any more lots coming—I don't want any coming down and say they're going to do some development and they sit there on these lots and do nothing at all. I hope they got a timeline of saying how long it's going to take to build these houses if it's going to be approved.

Like I said, I could have built a house anywhere probably in Kansas City but I decided to stay in the northeast area. Somebody's got to start there for others to come back. We runaway from our own neighborhood and try to find something better. It could be better there but we need the city's help with this. It doesn't take for everyone to call down and complain and say hey, can we get this cut, can we get this removed, somebody's dumping trash here. I've had my house broke in twice since I've been there. I'm still there. I'm going to be there.

Thomas Gordon, 2521 N. 7th St., said I'd like to say that I'm in support of Trinity coming into the community to build new houses. However, they need to come together with Oak Grove to have one entity with inside of an entity to develop houses. To set the precedence for everyone, it's not a good thing. As it's been stated before, someone comes in, they do a small development, and then it comes an island and it makes your property value go up so expensive that no one else can come in and do anything. We have the same problem but now we've got a new component. We have an economic impediment where now you'll have to come up with a certain amount of money in order to develop the land that nobody wants to be in in the first place. My whole point for being here this evening is to say that Trinity and Oak Grove need to come together and develop a plan and present it before the Commission before any development should be allowed to go forward. Otherwise, we're going to have a brand new problem with no immediate solution. .

Rachel Jefferson, Kansas City, KS, said I have some information I wanted to provide for you. What would be the best way? The information that's being passed around is a petition that has been signed by 38 residents in the immediate Oak Grove neighborhood as well as a map on the back page that shows in orange, the amount of properties Trinity has acquired since 2009 and in green, the properties they are applying for tonight. The property on 407 Cleveland is still there

March 31, 2016

as we did not know it would be pulled from the agenda. I would just like to add that Trinity has been acquiring properties since 2009 and each time set a timeline and did not follow through on that timeline. Each time they applied for a different reason and still not any dirt has been moved.

As I was walking around visiting with my neighbors last night, I was invited into many of my neighbor's homes. The night air contained a bit of a chill and I think most were probably trying to keep their house warm as possible without having to kick back on their heater so they let me in off the porch and invited me in. However, sitting in their living room, I was drawn into deep discussions with them concerning their personal questions, concerns, and experience in relation to their physical surroundings. Mostly, I was struck by two things. One, many had questions they wanted answered to satisfy their own curiosity. What's that construction going on at night? Or what's going on with that building over there? Many expressed concern for the state of their fellow neighbor especially the elderly neighbors who have lived in this community for a long time but do to physical disability, lack of resource, and lack of financial wherewithal are not able to repair and maintain the house in which they raised their children and made their home.

By the time I went home four hours later I was exhausted and fatigued, physically, mentally but most of all emotionally. All the residents, they expressed a similar sentiment not in words but in between the lines. These residents they're looking for hope. They've been through the ringer; survived the fight of the majority flight of our KCK population that our Mayor speaks so candidly about, seeing their property values decline steadily overtime, witnessed once packed homes full of neighbors emptied and raised and they stayed. They are in round 13 of the fight, taken all the blows but no one is ringing the ending bell. They have a real, invested interest in this neighborhood proven by the resolve and commitment they have shown by staying.

I have here, as you know, a petition signed by 38 people for consideration by the Land Bank Board of Trustees to halt the sale of these properties until that time when Trinity AME can provide a plan of development for the lots they have already acquired in the neighborhood. I would personally ask if this is not possible that you hold these applications until that time when residents listed on this petition, as well as those not listed, are able to meet with the representative, Commissioner Townsend and Trinity AME to seek resolution to the community's concerns. These residents signed this petition because they want to know. They want to know what is going to be placed outside their bedroom window. They want to know what to expect.

March 31, 2016

They want to know will it benefit or will it harm me. They want to know and they deserve to know. They are after all citizens of this great city. I please ask that you hear their voices.

Mayor Holland asked for those in opposition who did not speak would like to stand, you're welcome to do so no. Three people stood.

Mayor Holland closed the public hearing.

Reverend Cary said I'm so glad she said they're looking for hope because that's what we're aiming for is to give people hope again in our community, to see children running in our streets, playing in their yard, to see families excited about owning a home and seeing homes that have been restored, a community that has been revitalized, a church that they can attend if they chose to, and programs they can be involved in. You can't be a church like Trinity and not have programs that have benefited the community and that we have.

I want you to know we are excited about this plan. We've met with architects. We've met with contractors. It has taken us awhile to acquire some of the land that we need because it's hard to build something worthwhile on one parcel of land. We have strategically sought out to acquire lands that are attached to each other so that we can build family homes. We're not looking for a place for one person, but for families and for children and for people that want to be there. We hope you will take into consideration what we are attempting to do and what we would like to do for our community because we're all part of the hope.

Mayor Holland said this committee was co-chaired by Commissioner McKiernan and voted unanimously to approve this request. Commissioner McKiernan, is there anything we need to know from the committee's deliberations? **Commissioner McKiernan** said really the committee's deliberation was we heard many of these same presentations that evening about the desire for future redevelopment, for reengaging, and revitalizing neighborhoods. I think the committee, and I don't want to speak for the other members of the committee: Commissioners Murguia, Townsend, and Walters were with me at the committee that night, but I think that one of the things we looked at was a very hard problem of which comes first, the redevelopment or the people to support the redevelopment so the business efforts, the business revitalization or the people.

March 31, 2016

Above and beyond this issue, one of the policy decisions that we need to make is this, if anyone approaches our Land Bank and says that they want a property for future development, the bigger policy question that we need to ask is do we ever allow that unless an approved development plan is presented to us.

We have people who present to us all the time that they want a piece of property for future development. In the meantime, they'll pay the taxes on it and in the meantime they'll cut the grass and they'll pick up the trash on that lot that they now own having come from the Land Bank. In many cases they are assembling this for some future, as yet, unspecified development.

This is a conversation we've had actually several times and for quite a while each conversation is, do we simply hold the land and say that's fine, we've got it, we'll put it on hold for you, when you come back with a real development deal then we'll transfer that property. If anybody comes in the meantime and they've got a development deal, well, you get right of first refusal. That is if you've got something that you can execute now then you can have that property otherwise the person who has the real deal gets something to go.

So far, we have elected to transfer the properties to those people who are assembling them, but this is a conversation we have had repeatedly. Do we simply hold them? Do we simply hold them and keep cutting the grass and not make any tiny amount of tax money on them and wait for the deal to come, or do we put them out into circulation with somebody who is going to pay the taxes, who is going to cut the grass and who is going to pick up the trash hopefully on those lots. That is the fundamental policy question we have not yet answered and we need to continue to discuss and ultimately answer. How do we handle deals just like this?

Frankly, if the church bought these properties from a private individual, they could acquire all the properties they wanted and hold them for a million years and no one would be able to do anything about it. The fact that they're coming from the Land Bank, that they have been previously abandoned is the crux, I think, of this issue. The policy question is, does the government transfer from its Land Bank to private individuals or organizations those properties for future development or do we just continue to hold them until the development comes down.

One other thought that I had is and it is the chicken and the egg that I face certainly in my district as well as Commissioners Townsend and Johnson, frankly all of the other areas of our town is which comes first, those amenities that draw the people or those people that draw the amenities. How do we get them there at the same time? That is the fundamental problem. Some go and say we'll I tell you what if we can repopulate these areas, if we can put those consumers

of amenities in these areas, we have a better chance of drawing those amenities to these areas. The flipside is, if the amenities aren't there it doesn't matter how many houses you build because those people won't stay. There's nothing compelling them to stay. I don't have an answer for it but that is a conversation that continues to spin and revolve is what's the right approach: people first, amenities first, same time, how do we make that happen.

Commissioner Townsend, you had several points that you raised that night and I certainly don't want to take anything away from you this evening but those are some of my thoughts as I listened to it is. In terms of this particular transfer, I really don't have a strong conviction one way or the other, but I will say this has brought to a head for me that ultimate policy question we must answer as the Land Bank of the Unified Government is how do we handle for future development. So far we have not come to what I believe is a satisfactory resolution.

Commissioner Walker said I was not at that meeting. I don't have any doubts that there was a similar presentation. I've brought this up on other potential developers where we've transferred property. I can only think of one other time where we had neighborhood opposition, the one over off of 18th St. in that area. Nobody came in and opposed it. In those cases, I think it's probably better to dispose of the property and at least get a little tax money from it. I guess it's clear that there is neighborhood resistance to this without a plan. Show me the money. I'm kind of leaning toward that view where we have a viable neighborhood that is active and together. If they've got this plan and they've been working on it, we don't have anything here. We make other developers, private developers, before we give them any of the approvals, they've got to come in and work it with our staff and at least have a plan. I'm not in favor of transferring. I'm not in favor of not at some date in future transferring, but not at this time, not until we've got something concrete and financially real.

Commissioner Bynum said I'm not a member of the standing committee that hears the Land Bank applications. Not being a member of that committee, if I want to know the discussion that was held by that committee on these applications I either have to go to the meeting or watch it because the minutes of that meeting are also not yet available when these applications move forward to full commission. I happened to be at the meeting of the standing committee this particular evening and I did hear the conversation that took place. In order to stay up-to-date

with ultimately all of the Land Bank activities before it comes to us at full commission, I do try to either watch the meetings on You Tube or be there. I've heard several times repeatedly and I think I heard it confirmed by Commissioner McKiernan tonight that when we have multiple properties and multiple applicants coming forward time after time amassing parcels of property, the standing committee that hears those wants to know what is the plan. I think I have heard that repeatedly. That's a concern for me.

The second concern I have is our packet tells us that the Land Bank Advisory Board does not recommend passing through these applications to the full Commission. They did not recommend approval of these applications for this applicant. I'm interested in the policy question as well and it goes to me on several levels. We have a Land Bank Advisory Committee. They've been given a specific set of rules that govern their activity yet we often ignore them. While we wait for new policies to be created because fortunately for our community, growth has occurred and the Land Bank has been a successful tool. I don't have a problem with the need to update our Land Bank policy. The fact of the matter is that is not done yet.

Earlier this evening we voted on more chickens and it's the same situation. We have a special use permit process in place right now that legally allows people to come before us and ask for the quantity of chickens that want. Until we bring forward a policy then that is the standard I'm going to use to vote on chickens. We have policies in place for the Land Bank. We created a Land Bank Advisory Committee. We asked them voluntarily to spend their time looking at these applications. This is not an easy situation. This is a situation of dealing with hundreds and hundreds and hundreds of parcels in this community, many just like this. We've asked people to give their time, we've asked them to follow a set of rules that we created and adopted for them and we've asked them to give us back a recommendation and then we say, which I suppose is our prerogative, we are not going to follow the recommendation that you provided to us. I could not agree more, Commissioner McKiernan. I've listened to these meetings over and over on You Tube and I've heard my fellow commissioners say, we need a plan, we need a policy, but we do not yet have one. I am having a difficult time supporting moving forward with approval on these Land Bank Applications.

Commissioner Johnson said it's late in the evening. I don't think this is the first time that we've seen this type of tension or this type of situation particularly with regard to a church and a neighborhood group. I think that first and foremost I would strongly encourage, I would strongly

encourage and petition both Trinity and Oak Grove to try to seek a way that you could work together and come to some type of agreement somewhere with regards to the vision for this area where you have persons that are neighbors that live there and you have this great institution of a church that has made such a profound impact upon our community. I just petition you, I beg of you, to go back again. I know you've done it before, but to go back again and to seek a way that you all might be able to work together in building a vision for this area of the community.

Secondly, I think this also speaks to the need for the proposed northeast master plan that we've talked about over the past year. We just witnessed what great things can happen to communities as we looked at the Rosedale Master Plan and the exciting things that are being done over in that area of town. I would certainly love to see something like that scale of a model of that happening in the northeast quadrant of town where we see not only housing, but economic development, commercial economic development and the like happening in this particular area. I would continue to use this as a moment to petition my fellow commissioners at a later date to talk about how we can make that northeast plan work.

Having said that, I'm really torn on this issue. I think I tend to, as general principal, lean toward the input of the in-district Commissioner of that particular area. It sounds as though the committee, not to put any words in any ones mouth, certainly not to put any words in Commissioner Townsend's mouth, but it sounds as if this is something that they wanted to move forward with and so I would lean toward that indication.

Commissioner Townsend said let me start off with a disclosure that I made in several previous standing committees so it doesn't come as a surprise to anyone that I'm a member of Trinity. However, that is all I am. I do not hold any position in the church as an officer, trustee, nor do I have any fiduciary responsibility other than pay my tithes. I have no other substantial financial interest in that. so let me start with saying that.

I believe it's true that we have not heard anything different in the way of arguments presented tonight than at standing committee. I would say as I said at standing committee that I am happy that there are two entities and a lot of individuals who are represented but not physically here tonight who take such an interest in their area and where they live and the hope that they have for it. This boils down, in my view, to a very simple question of why shouldn't this application for these now four properties be granted.

During the standing committee I don't know that it came out as clearly tonight the reason that Trinity had not moved forward they said with the building was the economic downturn. It hit a lot of individuals and entities very difficultly. I note in the packet, the packet of materials that we received that a new church with parking facilities, playground for a school, new homes, duplexes in the surrounding area, that is the plan. I think that it is a concern of the neighborhood that they haven't seen it yet. They've been told by Trinity why they have not. I know we like to all say can't we all just get along, but sometimes different groups both with good intentions have different ideas and you're not going to make that melt. That's a good segway to the warmup that Commissioner Johnson has already said.

Since I've been on the Commission, I have advocated for a general plan for the northeast area to be developed and it has been joined by any number of the Commissioners here tonight, more on that to follow during budget, but that's not going to happen tonight. We're reduced to what do we do with these four vacant lots from the Land Bank that are public to everyone and one entity put in an application for them. As a Commissioner, I'm the one who's getting the calls about trash not being picked up, weeds not being cut, so if an entity or an individual wants to come and become the parent of that, I'm all for that. Do I see a bigger need for an overall plan? Absolutely, but that's not going to happen with these.

Mayor, if I might, just so we can get this on the record, in this letter there is a development expectation to begin in 2017. Might I ask Trinity is there any further update on that because that's what, as I hear this, that's what the neighborhood's concern is. They're not seeing anything but you have to acquire the property before you can begin. I think the point was well made before that there's nothing that could be done to stop any entity from buying from a private group, but these are all publicly available for anybody to have stepped up and purchase.

To the members of the Oak Grove community and a group who are picking up trash and cutting weeds and lots, I hope you continue to do that. I have to do the same just a couple of blocks away. That's what we do when we take pride in the area and certainly Trinity has done the same thing. If you're not sure about their programs the invitation has been extended to come and familiarize yourself with them for someone who said they weren't sure what the church did.

I believe that this is no more than some entity's got four properties, or sees to get four properties, make a purchase, to become a parent of otherwise vacant lots and I have not heard a legitimate reason not to do that. Do I think going forward the dialogue between the two groups

should continue? Absolutely, and there's no reason for it not to. With respect to these four lots, I would like to see them move forward and become the property of Trinity.

It was mentioned tonight about raising the quality of life. I agree, I think it was Mr. Owens who said houses alone don't do that. I don't think that there's any doubt that what Trinity has proposed would certainly improve the quality and the surroundings in that neighborhood. I don't see any contradiction with that.

As to procedures not being followed, whatever's happened in the past with different lots in that area that predates the tenure of many of us here, that has not happened with these four lots so I don't want anyone out there listening in the audience or by video to think that there has been some procedure with these lots that's been not followed. I think that would be an incorrect impression to give. That is my recommendation that these lots become the property of Trinity. In the future, yes, continue to work with each other or start to work each other. We are all up here to represent our districts and make decisions and that's the decision I would make. I so move.

Action: Commissioner Townsend made a motion, seconded by Commissioner Kane, to approve the applications.

Transfers from Land Bank

633 Linda Lane to City of Bonner Springs, KS to benefit their city's trail system
 635 Linda Lane to City of Bonner Springs, KS to benefit their city's trail system
 616 & 616H S. Valley St. to USD 500 for additional parking & playground for John Fiske Elementary School

Donations to Land Bank

284 S. Coy St. from US Bank
 1045 Webster Ave. from Daniel Williams

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve, excluding the set-aides.

Commissioner McKiernan said I just want to clarify one thing about the dynamics of the Land Bank Advisory group and the commission. In my mind, I view it as parallel to the Planning Commission and the full Commission. The Planning Commission has a set of guidelines that they follow, a set of rules and regs. They hear cases; they make a recommendation from that

March 31, 2016

commission to the full Commission which then ultimately decides to either go along with or to reverse the decision of the Planning Commission. In my mind, the Land Bank Advisory group is a very similar group in that it reviews a case, it makes a recommendation which then is either upheld or overturned by the full Commission which serves as the Land Bank Board of Trustees. I just want to make sure that—I see we have two parallel processes that work very similarly simply on different aspects of land and development.

Commissioner Philbrook said very frustrating on all levels. We've been hearing about a lot of frustration that's come through the Land Bank Commission and I can understand why that's so. In a meeting that the commission on commissioners had recently with Commissioner Markley, Walters, and myself, we recommended that soon there be a meeting between the Land Bank Commission and the Commissioners themselves to have a conversation over creating policy that they can follow so they are not so frustrated. I would really strongly recommend that happen sooner than later.

Commissioner Murguia said I kind of what to echo what Commissioner Johnson had said. I've said this over and over for the nine years I've been up here. When two groups passionate about the same area aren't getting along, they really do need to sit down and figure out how to get along. The last thing that you should be doing is letting us decide what's happening in your neighborhood. It's your neighborhood; you should making the decision. You have two groups invested in different ways in the same area. I'll also say, as I said in the standing committee, I have feelings one direction on this issue; however, I've said this over and over again, my politics are to be supportive of the commissioner that you elect to represent you in your district. I don't know how else to send that message. It's a very frustrating situation. A motion has already been made, but I think there needs to be every effort made to get along. You all love the same neighborhood, you want the same things, people have to be respectful of one another and figure it out because if it comes to us, nobody is ever 100% happy.

Roll call was taken and there were seven "Ayes," Walters, Philbrook, Townsend, McKiernan, Murguia, Johnson, Kane, and two "Nos," Bynum, Walker.

Mayor Holland reconvened the meeting back to the Board of Commissioners.

March 31, 2016

Mayor Holland said we need a motion to go back into executive session. I would suggest for 30 minutes though we can end early but we have difficulty extending.

Commissioner Bynum made a motion.

Commissioner McKiernan said, Mr. Mayor, I would move that first of all we have staff to spring that clock forward so that it has the correct time on it and then I move that the Commission go back into executive session for half an hour to discuss confidential matters regarding strategy related to employer/employee negotiations, an exception to the Kansas Open Meetings Act and that staff designated by the County Administrator be present to participate in those discussions. **Commissioner Murguia** seconded the motion. Motion carried unanimously.

Mayor Holland said we are adjourned into executive session.

PUBLIC ANNOUNCEMENTS

No items of business.

MAYOR HOLLAND ADJOURNED

THE MEETING AT 9:15 P.M.

March 31, 2016

Bridgette D. Cobbins
Unified Government Clerk

tk

March 31, 2016