

ACTION AGENDA
OCTOBER 26, 2023 UNIFIED GOVERNMENT BOARD OF
COMMISSIONERS MEETING
ORDER OF BUSINESS
MEETING TO CONVENE AT 7:10 – 11:50 PM

Location: Hybrid

We invite you to view the meeting in person in the Commissioner Chambers, Lobby Level of the Municipal Office Building, 701 N 7th Street, Kansas City, Kansas, or virtually via a Zoom webinar.

Please click this URL to join. <https://us02web.zoom.us/j/83777734049>

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Webinar ID: 837 7773 4049

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- I. CALL TO ORDER**
- II. ROLL CALL**
Present: Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Markley, Stites, Mayor Garner.
Absent: Davis
- III. INVOCATION GIVEN BY GEORGE KEMPER, EBENEZER MINISTRIES**
- IV. PLEDGE OF ALLEGIANCE**
- V. REVISIONS TO THURSDAY, OCTOBER 26, 2023 AGENDA**
- VI. CLERK'S STATEMENT**
(Anyone wishing to speak about a particular item on the Consent Agenda must notify the Mayor when he asks if there are any "set-asides" on the Consent Agenda. Your item will then be discussed and voted on separately. All remaining items on the Consent Agenda are viewed as a single group and voted on with one vote.)
- VII. PLANNING AND ZONING CONSENT AGENDA**
- VIII. PLANNING AND ZONING NON-CONSENT AGENDA**
- IX. MAYOR'S AGENDA**
- X. REGULAR CONSENT AGENDA**
- XI. PUBLIC HEARING AGENDA**

- XII. STANDING COMMITTEES' AGENDA
- XIII. ADMINISTRATOR'S AGENDA
- XIV. COMMISSIONERS' AGENDA
- XV. LAND BANK BOARD OF TRUSTEES' AGENDA
- XVI. PUBLIC ANNOUNCEMENTS
- XVII. ADJOURN

VI. CLERK'S STATEMENT

(Anyone wishing to speak about a particular item on the Planning & Zoning Consent Agenda must notify the Mayor when he asks if there are any "set-asides" on the Planning & Zoning Consent Agenda. Your item will then be discussed and voted on separately. All remaining items on the Planning & Zoning Consent Agenda are viewed as a single group and voted on with one vote.)

VII. PLANNING AND ZONING CONSENT AGENDA

A. CHANGE OF ZONE APPLICATIONS

1. **COZ2023-012 - TOMAS DE LA PAZ WITH WHITTIER SCHOOL LOFTS LP**

Synopsis: Change of Zone from CP-O Planned Non-Retail Business District to RP-5 Planned Apartment District to convert a school into apartments at 290 South 10th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 212796

Motion to approve: Kane

Second: Ramirez

Approved 9/0

2. **COZ2023-015 - BRIAN TERRY**

Synopsis: Change of Zone from R-1 Single Family District to A-G Agriculture District for agricultural farming at 3850 North 55th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 212797

Motion to approve: Kane

Second: Ramirez

Approved 9/0

3. **COZ2023-017 - VICTOR FRANK MARTINY II**

Synopsis: Change of Zone from R-1 Single Family District to A-G Agriculture District to keep farm animals at 6019 Woodend Avenue and 6029 Oak Grove Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 212799

Item was set aside.

Motion to approve with alternate construction plan: Stites

Second: Kane

Approved 9/0

4. **COZ2023-020 - JACKSON TAYLOR WITH TWG DEVELOPMENT**

Synopsis: Change of Zone from R-1 Single Family District to RP-5 Planned Apartment District to construct an apartment complex at 745 North 78th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 212800

Motion to approve: Kane

Second: Ramirez

Approved 9/0

5. **COZ2023-025 - LANDON FLIGER WITH ATLAS LAND CONSULTANTS**

Synopsis: Change of Zone from R-1 Single Family District to R-2 Two Family District to bring an existing duplex into compliance at 3009 North 57th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 212802

Motion to approve: Kane

Second: Ramirez

Approved 9/0

B. SPECIAL USE PERMIT APPLICATIONS

1. **SP2023-024 - BRIAN TERRY**

Synopsis: Special Use Permit for grading of the property for hay fields at 3850 North 55th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 212798

Motion to approve: Kane

Second: Ramirez

Approved for 2 years 9/0

2. **SP2023-036 - GUNNAR HAND WITH UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS**
Synopsis: Special Use Permit for an event space with live entertainment and alcohol sales at 600 North 7th Street (Memorial Hall), submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL - INDEFINITE)**
Tracking #: 212805
Motion to approve: Kane
Second: Ramirez
Approved for an indefinite period 9/0
3. **SP2023-041 - MATT THOMAS WITH FIRM FOUNDATION MINISTRIES, INC.**
Synopsis: Special Use Permit to operate a group dwelling unit at 2204 North 5th Street. submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR DENIAL)**
Tracking #: 212806
Item was set aside.
Motion to uphold denial: Townsend
Second: Johnson
Denial 9/0
4. **SP2023-063 - SUMEY RABIE**
Synopsis: Special Use Permit to operate an auto repair shop at 927 Kansas Avenue (SP-2020-97 expired 8/5/2023), submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR DENIAL)**
Tracking #: 212808
Motion to approve: Kane
Second: Ramirez
Denial 9/0
5. **SP2023-065 - UMED SAIDOV WITH FRANKS MOTORS INC.**
Synopsis: Special Use Permit to operate an auto repair shop at 402 Osage Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR DENIAL)**
Tracking #: 212809
Item was set aside.
Motion to approve: Bynum
Second: McKiernan
Approved for 1 year 9/0

6. **SP2023-069 - NEAL PALMER**

Synopsis: Special Use Permit for a Short-Term Rental at 2520 North 131st Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL FOR 1 YEAR)**

Tracking #: 212811

Motion to approve: Kane

Second: Ramirez

Approved for 1 year 9/0

7. **SP2023-070 - SARAH CATHERINE BELARDE**

Synopsis: Renewal of a Special Use Permit (SP2022-068, expired 10/6/2023) to operate a Short-Term Rental at 3008 South 9th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 212793

Motion to approve: Kane

Second: Ramirez

Approved for 2 years 9/0

8. **SP2023-073 - OSCAR FLORES-URRIITIA**

Synopsis: Renewal of a Special Use Permit (SP2021-066, expires 12/9/2023) to operate a dog kennel at 4001 North 74th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL FOR 5 YEARS)**

Tracking #: 212794

Motion to approve: Kane

Second: Ramirez

Approved for 5 years 9/0

C. MASTER PLAN AMENDMENT APPLICATIONS

1. **MPL2023-007 - TOMAS DE LA PAZ WITH WHITTIER SCHOOL LOFTS LP**

Synopsis: Master Plan Amendment from Low-Density Residential to High-Density Residential (City-Wide Comprehensive Plan) to convert a school into apartments at 290 South 10th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 212795

Motion to approve: Kane

Second: Ramirez

Approved 9/0

2. **MPL2023-010 - JACKSON TAYLOR WITH TWG DEVELOPMENT**

Synopsis: Master Plan Amendment from Low-Density Residential (City-Wide Comprehensive Plan) to High-Density Residential (City-Wide Comprehensive Plan) to construct an apartment complex at 745 North 78th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

(RECOMMENDED FOR APPROVAL)

Tracking #: 212801

Motion to approve: Kane

Second: Ramirez

Approved 9/0

3. **MPL2023-013 - LANDON FLIGER WITH ATLAS LAND CONSULTANTS**

Synopsis: Master Plan Amendment from Low-Density Residential (City-Wide Comprehensive Plan) to Medium-Density Residential (City-Wide Comprehensive Plan) at 3009 North 57th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 212803

Motion to approve: Kane

Second: Ramirez

Approved 9/0

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

A. SPECIAL USE PERMIT APPLICATIONS

1. **SP2023-019 - TIMOTHY OKEOWO WITH REDEEMED CHRISTIAN CHURCH OF GOD**

Synopsis: Special Use Permit for the Temporary Use of Land to keep a shipping container in the parking lot of a church at 8155 Parallel Parkway, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

(RECOMMENDED FOR APPROVAL FOR 2 YEARS - 6/1 VOTE)

Tracking #: 212804

Commissioner Bynum made a motion to approve, seconded by Commissioner McKiernan. Bynum withdrew the motion to approve, McKiernan withdrew the second.

Commissioner Burroughs made a motion to deny, seconded by Commissioner Stites. Approve 8/1 (Bynum voting no).

2. **SP2023-047 - LANCE PIERCE WITH KARAT VACATION RENTAL MANAGEMENT (CONTINUED FROM 9/28/23 MEETING)**

Synopsis: Special Use Permit to operate a Short-Term Rental at 3917 Fisher Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL FOR 1 YEAR - 6/2 VOTE)**

Tracking #: 212740

Motion to deny for non-conformance: Ramirez

Second: Burroughs

Denial 9/0

3. **SP2023-061 - TATUM PHILLIP (CONTINUED FROM 9/28/23 MEETING)**

Synopsis: Special Use Permit to operate a Short-Term Rental at 809 Central Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL FOR 1 YEAR - 6/1 VOTE)**

Tracking #: 212744

Motion to approve for 1 year with stipulations: McKiernan

Second: Markley

Approved 9/0

4. **SP2023-062 - RACHEL MILLS**

Synopsis: Special Use Permit to operate a drinking establishment at 612 North 5th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS - 5/2 VOTE)**

Tracking #: 212807

Motion to approve for 2 years: McKiernan

Second: Markley

Approved 8/1 (Burroughs voting No)

5. **SP2023-067 - MEGAN DUMA WITH MD RENTAL HOMES, LLC**

Synopsis: Special Use Permit for a Short-Term Rental at 2706 Espenlaub Lane (SP2021-028 expired 8/5/2023), submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(NO RECOMMENDATION BY CITY PLANNING COMMISSION - BOTH VOTES 4/4 TIE)**

Tracking #: 212810

Motion to approve for 1 year: Kane

Second: Markley

Approved 8/0 (Stites not voting)

6. **SP2023-071 - JOSH ZERLAN WITH COBALT PROPERTY MANAGEMENT, LLC**

Synopsis: Special Use Permit to operate a Short-Term Rental at 731 North 75th Terrace, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL FOR 1 YEAR - 6/1 VOTE)**

Tracking #: 212812

Motion to approve for 1 year: McKiernan

Second: Stites

Approved 9/0

B. PLAN REVIEW APPLICATIONS

1. **PR2023-014 - CODY BUSICK WITH VINEYARD CHURCH OF PIPER (CONTINUED FROM 9/28/23 MEETING)**

Synopsis: Preliminary Development Plan to expand an existing church at 10601 Hutton Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 212666

Motion to approve with amended conditions: Kane

Second: Stites

Approved 9/0

C. MISCELLANEOUS

1. **PRESENTATION: PLAN KCK STRATEGIES (CONTINUED FROM 9/28/23 MEETING)**

Synopsis: Update regarding Plan KCK strategies provided by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

For information only

Tracking #: 212753

PowerPoint presentation complete.

TAX STATUS REPORT

BOARD OF COMMISSIONERS AGENDA FOR OCTOBER 26, 2023

None of the properties included in applications to be considered on the Planning & Zoning agenda have delinquent taxes prior to 2020.

NOTE: This information cannot serve as the basis for approval or denial of an application. It is not among the factors to be considered as set by ordinance or among accepted zoning factors and criteria. However, such information in certain cases might be relevant to evaluating accepted factors or as an accompaniment to other valid purposes and/or factors.

IX. MAYOR'S AGENDA

1. **PROCLAMATION: KANSAS CITY MONARCHS DAY**

Synopsis: Proclamation proclaiming November 1, 2023, as Kansas City Monarchs Day, submitted by Tyrone A. Garner, Mayor/CEO.

Tracking #: 212831

Proclamation read.

2. **PROCLAMATION: ADRIENNE NASTAV EXHIBIT HALL DAY**

Synopsis: Proclamation proclaiming October 2, 2023, as Adrienne Nastav Exhibit Hall Day, submitted by Tyrone A. Garner, Mayor/CEO.

Tracking #: 212825

Proclamation read.

3. **PROCLAMATION: KANSAS CITY KANSAS CHAMBER OF COMMERCE DAY**

Synopsis: Proclamation proclaiming October 13, 2023, as Kansas City Kansas Chamber of Commerce Day, submitted by Tyrone A. Garner, Mayor/CEO.

Tracking #: 212828

Proclamation read.

4. **PROCLAMATION: MARCH4MIA DAY**

Synopsis: Proclamation proclaiming October 14, 2023, as March4Mia Day, submitted by Tyrone A. Garner, Mayor/CEO.

Tracking #: 212829

Proclamation read.

5. **PROCLAMATION: WYANDOT CHAPTER OF THE DAUGHTERS OF THE AMERICAN REVOLUTION**

Synopsis: Proclamation proclaiming October 29, 2023, as Wyandot Chapter of the Daughters of the American Revolution, submitted by Tyrone A. Garner, Mayor/CEO.

Tracking #: 212830

Proclamation read.

6. **PROCLAMATION: BREAST CANCER AWARENESS MONTH**

Synopsis: Proclamation proclaiming the month of October 2023, as Breast Cancer Awareness Month, submitted by Tyrone A. Garner, Mayor/CEO.

Tracking #: 212826

Proclamation read.

7. **PROCLAMATION: DOMESTIC VIOLENCE AWARENESS MONTH**

Synopsis: Proclamation proclaiming the month of October 2023, as Domestic Violence Awareness Month, submitted by Tyrone A. Garner, Mayor/CEO.

Tracking #: 212827

Proclamation read.

X. REGULAR CONSENT AGENDA

1. **RESOLUTION/ORDINANCE: DEBT PROJECT AUTHORIZATIONS**

Synopsis: A resolution and Ordinance authorizing 2024 debt projects, submitted by Debbie Jonscher, Interim Chief Financial Officer.

*On October 9, 2023, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.*

Tracking #: 212769

Motion to approve: Ramirez

Second: Markley

Approved 9/0

R-62-23 adopted, O-130-23 approved and summary published on 11/2/23.

2. **PLAT: ENDLESS OUTDOORS**

Synopsis: Plat of Endless Outdoors, located at 2640 Woodend Lane, and being developed by Endless Outdoors, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Tracking #: 212835

Motion to approve: Ramirez

Second: Markley

Approved 9/0

3. **MINUTES**

Synopsis: Minutes from the Special Session meeting on September 6th and 14th, 2023.

Tracking #: MINUTES

Motion to approve: Ramirez

Second: Markley

Approved 9/0

4. **WEEKLY BUSINESS**

Synopsis: Weekly business materials dated October 5th and 12th, 2023.

Tracking #: WEEKLY BUSINESS

Motion to approve: Ramirez

Second: Markley

Approved 9/0

Counsel Lawson recused herself, Jeff Conway appears as counsel.

XI. PUBLIC HEARING AGENDA

1. **RESOLUTION: APPROVING ISSUANCE OF INDUSTRIAL REVENUE BONDS (4601 RAINBOW LLC)**

Synopsis: Conduct a public hearing and approve the adoption of a resolution determining the intent to issue Industrial Revenue Bonds in the amount of not to exceed \$52,927,000 to finance the costs and equipping a Commercial Multifamily facility for the benefit of 4601 Rainbow, LLC., submitted by Jeff Conway, Assistant Counsel, Legal Department.

*On October 9, 2023, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve and forward to the full commission.*

Tracking #: 212767

PowerPoint presentation complete

Motion to approve: Kane

Second: Stites

Approved 8/1 (Ramirez voting No)

R-63-23 adopted

Counsel Lawson returns to the meeting.

2. **ORDINANCE: DOWNTOWN CAMPUS PROJECT (LANIER UNITED LLC)**

Synopsis: Conduct a public hearing and approve an ordinance adopting the 2023 Redevelopment Project plan and terminating the existing redevelopment project plan district, submitted by Jeff Conway, Assistant Counsel.

Resolution R-56-23 was adopted by the governing body on September 14, 2023, setting the public hearing.

Tracking #: 212833

PowerPoint presentation complete

Motion to approve: McKiernan

Second: Johnson

Approved 9/0

O-131-23 approved and published on 11/2/23.

XII. STANDING COMMITTEES' AGENDA

XIII. ADMINISTRATOR'S AGENDA

1. **RESOLUTION: AMENDING ISSUANCE OF INDUSTRIAL REVENUE BONDS FOR LANIER UNITED**

Synopsis: Approval of an amendment to the Resolution authorizing the Unified Government of Wyandotte County/Kansas City, Kansas to issue taxable Industrial Revenue Bonds for the benefit of Lanier United LLC, in a principal amount not to exceed \$23,260,000, submitted by Jeff Conway, Assistant Counsel.

This commission previously approved Resolution No. R-86-20 adopted on December 17, 2020 authorizing issuance of bonds.

Tracking #: 212832

Motion to approve: Markley

Second: McKiernan

Approved 9/0

R-64-23 adopted

2. **ORDINANCE: APPROVING ISSUANCE OF INDUSTRIAL REVENUE BONDS FOR MILHAUS PROPERTIES LLC**

Synopsis: Approval of an Ordinance authorizing the Unified Government of Wyandotte County/Kansas City, Kansas to issue taxable Industrial Revenue Bonds (94th and State, LLC Project) series 2023, in a principal amount not to exceed \$45,000,000, submitted by Jeff Conway, Assistant Counsel.

Resolution R-20-21 was adopted by the governing body on March 11, 2021, authorizing intent to issue bonds.

Tracking #: 212834

Motion to approve: Markley

Second: Johnson

Approved 9/0

O-132-23 approved and published 11/2/23.

XIV. COMMISSIONERS' AGENDA

XV. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN

Motion to adjourn: Markley

Second: Bynum

Approved 9/0

The meeting adjourned at 11:50 p.m.