

ACTION AGENDA
AUGUST 29, 2024 UNIFIED GOVERNMENT BOARD OF
COMMISSIONERS MEETING
ORDER OF BUSINESS
MEETING TO CONVENE AT 7:00 PM – 10:49 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/83585263027>

Webinar ID: 835 8526 3027

Or One tap mobile:

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Or join by phone:

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US: +1 719 359 4580 or +1 253 205 0468 or +1 253 215 8782 or +1 346 248 7799 or +1 669 444 9171 or +1 669 900 9128 or +1 646 931 3860 or +1 689 278 1000 or +1 301 715 8592 or +1 305 224 1968 or +1 309 205 3325 or +1 312 626 6799 or +1 360 209 5623 or +1 386 347 5053 or +1 507 473 4847 or +1 564 217 2000 or +1 646 558 8656 or 888 475 4499 (Toll-Free) or 877 853 5257 (Toll-Free)

International numbers available: <https://us02web.zoom.us/j/83585263027>

I. CALL TO ORDER

II. ROLL CALL

**Present: Davis, Bynum, Burroughs, Townsend, Hill, Kane, Lopez, Stites
Garner**

Absent: Burns, Ramirez

**III. INVOCATION GIVEN BY CHAPLAIN KEN NETTLING, GRACE LUTHERAN
CHURCH**

IV. PLEDGE OF ALLEGIANCE

V. REVISIONS TO THURSDAY, AUGUST 29, 2024 AGENDA

ADDING ITEM NO. 2 TO MAYOR'S AGENDA

VI. MAYOR'S AGENDA

VII. 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.)

VIII. PLANNING AND ZONING CONSENT AGENDA

- IX. PLANNING AND ZONING NON-CONSENT 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. MAYOR'S AGENDA

Item No. 1 - STATEMENT: JOINT MEETING WITH BOARD OF PUBLIC UTILITIES, UNIFIED GOVERNMENT ELECTED BODIES AND EXECUTIVE STAFF

Synopsis: Mayor Garner will provide a brief statement regarding continued discussions with the Board of Public Utilities and Unified Government.

For information only

Mayor offered his statement.

Tracking #: 21347

Item No. 2 - RESOLUTION: AMENDING THE TWO-YEAR MEETING CALENDAR (ADDED PER AGENDA UPDATE)

Synopsis: A resolution amending the two-year meeting calendar for the Unified Government Commission from February 2024 through January 2026.

Motion to Deny: Kane(withdrawn)

Motion to refer item to standing committee: Kane

Second: Townsend

Approved 8/0

Tracking #: 21355

VII. 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.)

VIII. PLANNING AND ZONING CONSENT AGENDA

A. CHANGE OF ZONE APPLICATIONS

1. **COZ2024-021 - JUSTIN MILBURN WITH MILBURN CIVIL ENGINEERING**

Synopsis: Change of Zone from R-1 Single Family District to MP-2 Planned General Industrial District to construct an equipment shop and storage facility at 7102 and 7102R Holliday Drive, RECOMMENDED FOR APPROVAL BY A VOTE OF 8 TO 0

Motion to remand back to Planning Commission: Burroughs

Second: Davis

Approved: 8/0

Tracking #: 21321

2. **COZ2024-022 - ROGER BARRETT**

Synopsis: Change of Zone from R-2 Two Family District to TND Traditional Neighborhood Design District to construct a 44-unit apartment development at 4225 Mission Road, RECOMMENDED FOR APPROVAL BY A VOTE OF 8 TO 0.

Correction by Planning staff: Request is for 24 units instead of 44.

Motion to remand back to Planning Commission: Kane

Second: Burroughs

Approved: 8/0

Tracking #: 21324

3. **COZ2024-023 - BRIAN HOCHSTEIN**

Synopsis: Change of Zone from R-1 Single Family District to MP-2 Planned General Industrial District for outdoor storage at 1930 South 74th Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 8 TO 0.

Motion to remand back to Planning Commission: Burroughs

Second: Lopez

Approved 8/0

Tracking #: 21325

4. **COZ2024-024 - BRIAN LAVERY**

Synopsis: Change of Zone from A-G Agriculture District to CP-3 Planned Commercial District for an outdoor mini-golf course and an event center at 9400 State Avenue, RECOMMENDED FOR APPROVAL BY A VOTE OF 8 TO 0.

Motion to approve: Kane

Second: Stites

Approved: 8/0

Tracking #: 21326

B. SPECIAL USE PERMIT APPLICATIONS

1. SP2024-005 - SOL JIMENEZ WITH VILLEDA'S WORKSHOP LLC

Synopsis: Special Use Permit to operate an automotive repair business at 1101 Minnesota Avenue, RECOMMENDED FOR APPROVAL BY A VOTE OF 8 TO 0 for 2 years.

Motion to approve for 2 years: Kane

Second: Stites

Approved for 2 years: 8/0

Tracking #: 21327

2. SP2024-042 - LANXIN ZHENG

Synopsis: Special Use Permit to operate a Short-Term Rental at 3316 North 131st Street, RECOMMENDED FOR DENIAL BY A VOTE OF 8 TO 0.

Motion to approve the denial: Kane

Second: Stites

Approved: 8/0

Tracking #: 21330

3. SP2024-044 - TOM PROEBSTLE WITH SKYLINE PROPERTY

Synopsis: Renewal of a Special Use Permit (SP2023-004) for a Short-Term Rental at 10 South Hallock Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 8 TO 0 FOR 2 YEARS.

Motion to approve for 2 years: Kane

Second: Stites

Approved: 8/0

Tracking #: 21319

4. SP204-045 - TRISTIN PERKINS

Synopsis: Renewal of a Special Use Permit (SP2023-032) for a Short-Term Rental at 1945 West Lawrence Court, RECOMMENDED FOR APPROVAL BY A VOTE OF 8 TO 0 FOR 2 YEARS.

Motion to approve for 2 years: Kane

Second: Stites

Approved: 8/0

Tracking #: 21320

5. SP2024-046 - MICHAEL SIMMONS

Synopsis: Special Use Permit for live entertainment at a private club/smoking lounge at 407 North 6th Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 8 TO 0 FOR 2 YEARS.

Motion to approve for 2 years: Kane

Second: Stites

Approved: 8/0

Tracking #: 21331

C. VACATION APPLICATIONS

1. **VAC2024-006 - WIL ANDERSON WITH BHC RHODES**

Synopsis: Vacation of a portion of Garnett Avenue street right-of-way at 534 Garnett Avenue, RECOMMENDED FOR APPROVAL BY A VOTE OF 8 TO 0.

Motion to approve: Kane

Second: Stites

Approved: 8/0

Tracking #: 21334

2. **VAC2024-007 - JANE WINKLER PHILBROOK TRUST**

Synopsis: Vacation of a portion of State Avenue right-of-way at 7161 State Avenue, RECOMMENDED FOR APPROVAL BY A VOTE OF 8 TO 0.

Motion to approve: Kane

Second: Stites

Approved: 8/0

Tracking #: 21335

D. PLAN REVIEW APPLICATIONS

1. **PR2024-012 - KILE MORRISON WITH ARCHIMAGES**

Synopsis: Preliminary and Final Plan Review to construct a new fire station at 521 South 72nd Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 8 TO 0.

Motion to approve: Kane

Second: Stites

Approved: 8/0

Tracking #: 21336

E. MISCELLANEOUS - ORDINANCES (The following ordinances formalize previous Commission approval.)

1. AN ORDINANCE rezoning property at 1625 South 86th Street (COZ2023-035) from MP-1 Planned Light Industrial and Industrial Park District to MP-2 Planned General Industrial District, RECOMMENDED FOR APPROVAL.

Motion to approve: Kane

Second: Stites

Ordinance No. O-100-24 Approved: 8/0

Tracking #: 21317

2. AN ORDINANCE rezoning property at 4110 North 55th Street (COZ2024-018) from R-1 Single Family District to A-G Agriculture District, RECOMMENDED FOR APPROVAL.

Motion to approve: Kane

Second: Stites

Ordinance No. O-101-24- Approved: 8/0

Tracking #: 21318

3. AN ORDINANCE authorizing a Special Use Permit for continuation of on-site grading and dirt removal at 1625 South 86th Street, RECOMMENDED FOR APPROVAL.
Motion to approve: Kane
Second: Stites
Ordinance No. O102--24- Approved: 8/0
Tracking #: 21322
4. AN ORDINANCE authorizing a Special Use Permit (SP2024-009) to keep an office trailer on the property while the existing structure undergoes renovation at 1120 North 8th Street, RECOMMENDED FOR APPROVAL.
Motion to approve: Kane
Second: Stites
Ordinance No. O-103-24- Approved: 8/0
Tracking #: 21323
5. AN ORDINANCE authorizing a Special Use Permit (SP2024-035) for a non-owner-occupied Short-Term Rental at 2504 West 47th Street, RECOMMENDED FOR APPROVAL.
Motion to approve: Kane
Second: Stites
Ordinance No. O-104-24- Approved: 8/0
Tracking #: 21328
6. AN ORDINANCE authorizing a Special Use Permit (SP2024-036) to continue to operate a training facility for excavating and pipeline operations for Kansas Gas Service at 8535 Riverview Avenue, RECOMMENDED FOR APPROVAL.
Motion to approve: Kane
Second: Stites
Ordinance No. O-105-24- Approved: 8/0
Tracking #: 21332
7. AN ORDINANCE authorizing a Special Use Permit (SP2024-037) to host small-scale events at a privately operated park at 600 Washington Boulevard and 1308 North 6th Street, RECOMMENDED FOR APPROVAL.
Motion to approve: Kane
Second: Stites
Ordinance No. O-106-24- Approved: 8/0
Tracking #: 21337

8. AN ORDINANCE authorizing a Special Use Permit (SP2024-038) for a truck repair shop and parking at 919 South 26th Street, RECOMMENDED FOR APPROVAL.
Motion to approve: Kane
Second: Stites
Ordinance No. O-107-24- Approved: 8/0
Tracking #: 21338
9. AN ORDINANCE authorizing a Home Occupation Special Use Permit (SP2024-039) to make bath products at 49 South 64th Street, RECOMMENDED FOR APPROVAL.
Motion to approve: Kane
Second: Stites
Ordinance No. O-108-24- Approved: 8/0
Tracking #: 21339
10. AN ORDINANCE authorizing a Special Use Permit (SP2024-041) for a liquor store at 9801 Parallel Parkway, RECOMMENDED FOR APPROVAL.
Motion to approve: Kane
Second: Stites
Ordinance No. O-109-24- Approved: 8/0
Tracking #: 21340

IX. PLANNING AND ZONING NON-CONSENT AGENDA

A. SPECIAL USE PERMIT APPLICATIONS

1. **SP2024-027 - KATELYN WOLF WITH BARTLETT + WEST**
Synopsis: Special Use Permit for processing and recycling of concrete, brick, and other rock materials at 6601 Inland Drive, RECOMMENDED FOR APPROVAL BY A VOTE OF 5 TO 3 FOR 2 YEARS.
Motion to deny: Lopez (Withdrawn)
Motion to set over to next meeting: Townsend
Second: Hill
Approved 8/0
Tracking #: 21329
2. **SP2024-047 - SELENA UMANA WITH THE RED CIRCLE, LLC**
Synopsis: Special Use Permit for an event space at 6000 Leavenworth Road, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 1 VOTE FOR 2 YEARS.
Motion to set over to next meeting: Townsend (Withdrawn)
Second: Davis (Withdrawn)
Motion to send back to Planning Commission: Townsend
Second: Davis
Approved 8/0
Tracking #: 21333

TAX STATUS REPORT
BOARD OF COMMISSIONERS AGENDA FOR AUGUST 29, 2024

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.

X. REGULAR CONSENT AGENDA

Item No. 1. - RESOLUTION: SECOND AMENDMENT TO THE 505 CENTRAL DEVELOPMENT AGREEMENT

Synopsis: Approve a resolution adopting the Second Amendment to the 505 Central Development Agreement, changing the date of commencement from September 1, 2024, to March 1, 2026, and changing the date of completion from September 1, 2026, to March 1, 2028.

*On July 29, 2024, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.*

Motion to approve: Bynum

Second: Kane

Resolution No. R-52-24- Approved 8/0

Tracking #: 21251

Item No. 2 - PLAT: WIDNER ESTATES

Synopsis: Plat of Widner Estates, located at 1435 and 1501 South 88th Street, and being developed by Jason Widner.

Motion to approve: Bynum

Second: Kane

Approved 8/0

Tracking #: 21342

Item No. 3 - PLAT: CUNNINGHAM ACRES

Synopsis: Plat of Cunningham Acres, located at 8 South 86th Street, and being developed by Shayla Cunningham.

Motion to approve: Bynum

Second: Kane

Approved 8/0

Tracking #: 21343

Item No. 4 - PLAT: BURNS MEADOWS

Synopsis: Plat of Burns Meadows, located at the Southwest corner of 88th and Swartz Road and being developed by Brent and Rex Burns.

Motion to approve: Bynum

Second: Kane

Approved 8/0

Tracking #: 21344

Item No. 5 - PLAT: HOLLINGSWORTH ACRES

Synopsis: Plat of Hollingsworth Acres, located at 10000 Hollingsworth Road and being developed by Matt Francis.

Motion to approve: Bynum

Second: Kane

Approved 8/0

Tracking #: 21345

Item No. 6 - PLAT: MIES FAMILY FOODS

Synopsis: Plat of Mies Family Foods, located at 6036 Speaker Road and being developed by Mies Real Estate.

Motion to approve: Bynum

Second: Kane

Approved 8/0

Tracking #: 21346

Item No. 7 - MINUTES

Synopsis: Minutes from the Special Session meeting on July 18, 2024, and Planning & Zoning and Regular Session meeting on June 29, 2023.

Motion to approve: Bynum

Second: Kane

Approved 8/0

Tracking #: MINUTES

Item No. 8 - WEEKLY BUSINESS

Synopsis: Weekly business materials dated June 6, July 18, and August 1, 2024.

Motion to approve: Bynum

Second: Kane

Approved 8/0

Tracking #: WEEKLY BUSINESS

XI. PUBLIC HEARING AGENDA

Item No. 1 - RESOLUTION: MARSHALLTOWN COMPANY INDUSTRIAL REVENUE BONDS

Synopsis: There are two items to be addressed:

1. Setting the Public Hearing regarding the proposed issuance of bonds for August 29, 2024.
2. Adoption of a resolution of intent to issue Industrial Revenue Bonds in the

amount of \$27,000,000 and approving the Performance Agreement for Marshalltown Company located at 9822 Leavenworth Road.

*On July 29, 2024, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.*

Public Hearing held

Motion to Approve IRB Resolution of Intent: Bynum

Second: Stites

Resolution R-53-24- Approved 8/0

Tracking #: 21252

XII. STANDING COMMITTEES' AGENDA

XIII. ADMINISTRATOR'S AGENDA

Item No. 1 - ORDINANCE/RESOLUTION: ARPA ALLOCATIONS 2024

Synopsis: Approval of an ordinance and resolution for the reallocation of American Rescue Plan Act funds for qualified uses.

Withdrawn by Administrator

Tracking #: 21350

XIV. COMMISSIONERS' AGENDA

Motion to adjourn as Board of Commission and reconvene as Land Bank Board of

Trustees: Bynum

Second: Townsend

Approved: 8/0

XV. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

Item No. 1. - LAND BANK OPTIONS

Synopsis: The following **option application(s)** was presented at the 07/29/2024 meeting:

Please visit the new site to review the applications below

<https://gisapp.wycokck.org/Landbank.html>

6 Single Family Homes

27 Multi-Family Units

1 Commercial

*On July 29, 2024, the **Neighborhood & Community Development Standing Committee**, chaired by Commissioner Davis, voted unanimously to approve and forward to full commission.*

Motion to Approve: Kane

Second: Townsend

Approved 7/1 (Lopez voting no)

Tracking #: 21248

Item No. 2. - LAND BANK PROPERTY TRANSFERS

Synopsis: The following **property transfers application(s)** was presented at the 07/29/24 standing committee meeting:

Please visit the new site to review the applications below.

<https://gisapp.wycokck.org/Landbank.html>

PT – Property Transfers

1. UG to Land Bank – 5

*On July 29, 2024, the **Neighborhood & Community Development Standing Committee**, chaired by Commissioner Davis, voted unanimously to approve and forward to full commission.*

Motion to Approve: Kane

Second: Townsend

Approved 7/1 (Lopez voting no)

Tracking #: 21249

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN

Motion to adjourn: Townsend

Second: Davis

Approved 8/0

Meeting adjourned at 10:49 p.m.