

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

**PLANNING AND ZONING AND
REGULAR SESSION
MAY 31, 2018**

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, May 31, 2018, with ten members present: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Townsend, Commissioner First District (via conference call); 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 Alvey, Mayor/CEO, presiding. Markley, Commissioner Sixth District, was absent. The following officials were also in attendance: Gordon Criswell, Joe Connor and Melissa Sieben, Assistant County Administrators; Ken Moore, Chief Legal Counsel; Carol Godsil, Deputy UG Clerk; Rob Richardson, Director of Planning; Zach Flanders, Planner; Janet Parker, Administrative Assistant; and Captain Robert Angell, Sergeant-at-Arms.

Mayor Alvey called the meeting to order.

ROLL CALL: Murguia, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs, Townsend, McKiernan, Alvey.

INVOCATION was given by Commissioner Harold Johnson.

Mayor Alvey asked are there any revisions to tonight's agenda. **Carol Godsil, Deputy UG Clerk,** said yes, Mayor. A blue sheet has been distributed providing the memorandum of understanding for Regular Consent Agenda Item No. 4-MOU/Grant for the Choice Neighborhoods Planning and Action Grant. I'll also note that Mr. Escarsega has withdrawn his application this evening. That is Item B-1, Plan Review #PR-2018-12. Since the applicant has withdrawn his application, no action will be taken tonight.

Mayor Alvey said tonight we have two distinct parts to our meeting, the Planning and Zoning portion will be handled first, followed by the regular Commission meeting. I'll ask the Clerk to

read the statement, required by state law, governing the Planning and Zoning portion of our meeting followed by the items on the Planning and Zoning Consent Agenda.

Carol Godsil, Deputy UG Clerk, read the statement, required by law, governing the Planning and Zoning portion of the meeting.

PLANNING AND ZONING AGENDA

Carol Godsil, Deputy UG Clerk, asked if any members of the Commission wished to disclose any contact with proponents or opponents on any item on the Planning and Zoning Agenda. **Commissioner Bynum** said I've had contact with proponents of #SP-2018-1 and #SP-2018-54. **Commissioner Philbrook** said I've had contact with proponents and opponents of #SP-2018-5 and #SP-2018-1. **Commissioner Walters** said I've had contact by proponents of #SP-2018-1. **Commissioner Burroughs** said I've had contact on #SP-2018-1.

Ms. Godsil read the items on the Planning and Zoning Consent Agenda.

Mayor Alvey asked does any member of the Commission or anyone in attendance tonight wish to set aside any item on the Planning and Zoning Consent Agenda. If an item is not set aside, all items on the Planning and Zoning Consent Agenda will be voted on by one vote to follow the recommendation of the Planning Commission. **Steven Marbut, 239 S. 72nd St.**, asked to set aside No. 3. **Rob Richardson, Director of Planning**, said it's A-3 under the Planning and Zoning Consent Agenda. **Mayor Alvey** said #SP-2018-1.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve all the items except the one set aside.** Roll call was taken and there were nine "Ayes," Murguia, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs Townsend, McKiernan.

SPECIAL USE PERMIT APPLICATIONS

ITEM NO. 1 – 18264...SPECIAL USE PERMIT APPLICATION #SP-2017-5 – LEON RIEKE/MAX RIEKE AND BROTHERS INC.

Synopsis: Renewal of a special use permit (#SP-2014-48) for a dirt fill at 7000 Kansas Avenue, submitted by Robin Richardson, Director of Planning. The request is to continue to operate an on-going silt removal operation west of the intersection of Kaw Drive and Kansas Avenue. Removal was originally begun circa 1994 without permits under a previous owner and was approved with a two-year special use permit (#SP-2014-48), prior to that (#SP-2011-16), (#SP-2008-59), and prior to those, a five-year special use permit #(SP-2003-8), subject to a number of conditions. The Planning Commission voted 7 to 0 to recommend approval of Special Use Permit Application #SP-2017-5 for two years, subject to:

Urban Planning and Land Use Comments:

1. Please provide a detailed explanation of the similarities and differences between this special use permit and the rezoning; COZ #3132 for a trucking facility that has been filed on this property.
2. Please update the plans that depict current conditions of the site now that Clarke Power has been developed to the east.
3. Unless specifically noted otherwise, conditions of the 2003 change of zone and special use permit approvals must still be met.
4. The berm and buffer must be maintained, and trees replaced where needed for conformance.
5. All other conditions being met; the petition may be approved subject to the following conditions:
 - a. Erosion control plan is needed including plans to establish ground cover on slopes.
 - b. Detailed plans for all drainage devices, cribbing, dams, and other protective devices to be constructed and a map showing the drainage area and calculation of the estimated run-off. The plans should conform to the “storm drainage design criteria for private developments” administered by the Public Works Department. Existing storm drainage improvements should be reflected on the plans.
 - c. Truck traffic being confined to Kaw Drive/K-32 Highway.
 - d. Proposed hours and days of operation would be from 7:00 a.m. to 6:00 p.m., Monday through Friday.
 - e. The petitioner’s 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.
 - f. Proposed final cover.
 - g. Quantities in cubic yards of the amount of material to be removed from the site.

- h. Conformance with Appendix J, of the 2009 International Building and an agreement that a report by the professional engineer responsible for supervising the dirt removal be submitted at the end of the approval period indicating that the removal does not comply with Appendix J and other conditions.
- 6. As this is a planned zoning district, and the development plan submitted with the original change of zone application by a previous owner in 1995 must be considered to be no longer applicable, any development beyond the present dirt removal operation must submit both a revised Preliminary Plan and a Final Development Plan to the City Planning Commission for review and approval.

Public Works Comments:

- 1. Items that require plan revision or additional documentation before engineering can recommend approval: none.
- 2. Items that are conditions of approval (stipulations):
 - a. Provide a cross access and use agreement signed by the owner of 7038 Kaw Drive. The agreement shall be recorded and provided prior to construction or grading permit acquisition.
 - b. Provide a grading and use agreement signed by the owner of 7030 Kaw Drive, Clarke Power Services. The agreement shall be recorded and provided prior to construction or grading permit acquisition.
 - c. Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction or grading permit acquisition.
 - d. The applicant and/or contractor shall obtain a hauling permit, and land disturbance permit from Public Works Department, a right-of-way permit from KDOT, and a grading permit through the DRC process and Building Inspection Department.
- 3. Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents: none.

The applicant's representative, Wil Anderson with BHC Rhodes, has responded to staff's comments and has revised the civil drawings. Staff is aware that Mr. Anderson will continue the process with change of zone and preliminary development plans for the property following this special use permit for proposed development of the site.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2017-5 for two years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Murguia, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs Townsend, McKiernan.

ITEM NO. 2 – 18265...SPECIAL USE PERMIT APPLICATION #SP-2017-72 – DIEGO TOTO AND ANA CERVANTES WITH XM AUTOMOTIVE

Synopsis: Renewal of a special use permit (#SP-2015-67) for an automotive repair business at 4439 Shawnee Drive, submitted by Robin Richardson, Director of Planning. The Planning Commission voted 7 to 0 to recommend approval of Special Use Permit Application #SP-2017-72, subject to:

Urban Planning and Land Use Comments:

Please provide updated photos of the site, including parking area and any signage on the site to prove compliance with previous stipulations.

Applicant Response: The hours of operation for XM Automotive are Monday through Saturday, 9:00 a.m. to 6:00 p.m. Sundays will remain closed. There are no changes in the type of repair work being done. Current photos of the building and site are attached.

Comments and Stipulations from 2015 approval:

1. Subject to approval, this special use permit shall be valid for two years.
2. How large is the tenant space that you are leasing? Please provide the square footage of the building.

Applicant Response: It is 2,700 square feet.

Staff Response: Based on the 2,700-building square footage, 10.8 parking spaces, or 11 parking spaces are required for this building. Even though the property is zoned MP-1 Planned Light Industrial and Industrial Park District, automotive uses or commercial uses require four spaces for every 1,000 square feet of building area.

3. Looking at the photographs, the south and west sides of the parking lot do not have any striping. Staff cannot determine how many parking spaces are required if we do not know the building square footage. Also, per your landlord, how many parking spaces have been allocated to you in the parking lot?

Applicant Response: Stated by the landlord, the parking availability is on a first come, first serve basis. With that being said, all but one of the other tenants in the building use this facility as a storage unit only. They do not have customers or cars parked outside except for the times they come to get items from their space and those are only their own personnel car.

Staff Response: Since there is adequate space on the south side of the building, five 90-degree head-in parking stalls shall be striped to accommodate additional parking.

The industrial businesses have a parking ratio of 1 space for every 500 square feet up to 20,000 square feet. The parking lot located on the east side of the building is needed for all of the various businesses/tenants on the property, not just the proposed mechanic shop.

4. Per Sec. 27-593(b)(20)d.1-3.

- a. Parking of the automobiles under heavy service repair, or mechanics shall not be placed within a required parking/paving setback area and shall not reduce the capacity of a parking lot below that's required by Sections 27-466 through 27-470.
- b. Parking shall be upgraded to current standards and regulations including medians, landscaping, and screening.
- c. Each automobile shall be in a striped, designated parking space.

The ends of the row of parking stalls shall be curbed and landscaped that complies with the Commercial Design Guidelines. The asphalt inside the islands shall be removed prior to the landscaping being planted.

Please provide a more detailed drawing that shows the parking allocated for 4439 Shawnee Drive. Additionally, please show on the drawing that at either end of each row of parking a curbed, landscaped island.

There shall be at least one shade tree (minimum 2" caliper when planted) shown in each parking lot island. Lastly, where the curb is poured around the perimeter of the island, the asphalt shall be removed inside the island and replaced with topsoil so the plantings will adequately grow.

Applicant Response: I believe my landlord stated he was getting in contact with someone at the office to speak about the parking and about the whole permit itself, since they stated that this building already has a permit for auto repair since it was built back in the 1990s. I am unsure of what the process is with this. My landlord said he was looking into it.

Staff Response: The code requires these improvements to be made to the property. The special use permit will not become valid until all stipulations are met. Curbed islands shall be installed at the end of the parking row and landscaped as previously stated.

5. 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 Kansas City, Kansas Business Licensing Department.

Applicant Response: We will follow getting a sign once and if the application is approved. Thank you.

6. No displays on the sidewalk, this includes signs, pennants, attention- attracting devices, etc.

Applicant Response: Understood

7. Will any vehicles or materials be stored outside?

Applicant Response: Yes, some vehicles will be parked outside while awaiting service. Cars will be in running condition with current tags and all appropriate paperwork. The heavy repair will not be parked outside or towed in. Vehicles will be inside.

Staff Response: Cars that are awaiting service shall be parked in a code compliant parking stall. Salvaged or wrecked vehicles are not permitted to be on the property as this is not a salvage operation.

Public Works Comments:

1. Items that require plan revision or additional documentation before engineering can recommend approval: Verify/clarify that no new exterior construction, parking lot improvements, etc. is done.

2. Items that are conditions of approval (stipulations):
 - a. Verify and confirm that there is an existing oil/water separator on-site for the automotive business so that oil and other fluids do not enter the sanitary sewer system.
 - b. It appears that an automotive repair shop may include work on wrecked vehicles. Will wrecked vehicles that potentially leak fluids be worked on or stored on-site? Provide an analysis of MARC BMP Hotspots as it may apply to this site and indicate any necessary improvements on a site plan, if required. Further discussion with staff may be needed.
 - c. Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.
3. Comments that are not critical to engineering's recommendations for this specific submittal, but may be helpful in preparing future documents: none.

The owner of the property submitted additional information/plan after the March 12, 2018 City Planning Commission meeting. The staff recommends approval for two years subject to the commitments in the letter from Mr. Dillon.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2017-72 for two years, subject to the stipulations. Roll call was taken and there were nine "Ayes," Murguia, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs Townsend, McKiernan.

ITEM NO. 3 – 18267...SPECIAL USE PERMIT APPLICATION #SP-2018-1 – STEVEN MARBUT

Synopsis: Special use permit to continue to keep a storage container at 239 South 72nd Street, submitted by Robin Richardson, Director of Planning. The applicant has stated that it is used for agricultural purposes such as keeping a tractor, gardening supplies, etc. The Planning Commission voted 7 to 0 to recommend denial of Special Use Permit Application #SP-2018-1.

Urban Planning and Land Use Comments:

1. How long has this storage container been on the property?
2. Please submit photographs of the storage container.

3. Length of time you anticipate the storage container will be needed on the property.
4. Description of all items stored in the container.

Staff Note: The applicant did not respond to the above questions in writing. The applicant stated at the meeting that he had sent the information; however, it was not received by staff. The applicant stated at the meeting that he wants an indefinite special use permit for the storage container, which is already located on the property. The use would be storage of vegetable and fruit plants and agricultural tools. The applicant has not submitted pictures of the storage container.

Public Works Comments: none.

Code Enforcement Comments:

Structural violations, house in bad shape, needs roof repairs, missing siding in the rear, shed needs to be painted, large tree limbs hanging off the tree, vegetation growing in the fence line, and the property is in a tax sale.

Rob Richardson, Director of Planning, said this case comes before you recommended for denial by the Planning Commission. Mr. Marbut is here this evening. I'll let him present the case and what he would like to do.

Steven Marbut appeared stating my wife Michelle Marbut and I, we own the property at 239 S. 72nd St. I'm here in regard to an application for a storage container, which is placed on our seven acres zoned agricultural land.

We purchased the container only after weeks of contacting Planning and Zoning to get approval. We were directed to contact Ms. Jamie Hickey in regard to the container. When Ms. Hickey returned our call, she stated she had looked into it and that because we were zoned agricultural, we were allowed to have the container placed on our property.

My wife and I have been harassed for several years by our neighbors on multiple occasions. Knowing this, we made sure to take all necessary precautions before spending the thousands to get the container. We also made sure to place it in a spot that wouldn't allow it to be seen unless you were looking for it. We provided pictures from every angle of the yard so that you can see it's not placed where it could be a nuisance.

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This container provides space for our gardening supplies, which my wife uses to help troubled teens stay out of trouble. This container is needed to continue our program.

Tonight, I ask that you please approve our request for a permit. This container doesn't bother any of the other neighbors—the ones we have multiple complaints from.

Mayor Alvey opened the public hearing and asked if there is anyone present who would like to speak in favor of #SP-2018-1.

Natasha Meyer, 253 N. 31st St., said I'm the daughter of Steven Marbut and Michelle Ladisic Marbut, who own the property at 239 S. 72nd. My parents have purchased several flower bulbs, bushes and whatnot for a program that was started to help the community with our troubled teens. For this program, all of the tools, fertilizer, seeds and other supplies need a place to be stored.

The container to which this permit application has been submitted was purchased over a year ago. After reading the ordinance and unable to find anything pertaining to agriculturally zoned property, my mother then contacted Zoning and Planning and, again, spoke with Ms. Jamie Hickey. Ms. Hickey stated there was nothing in the ordinance that would be a problem since they were agriculturally zoned. No specific placement, no size requirements, nothing.

The container was then purchased. It's new, air-tight, ship-ready brown container. It was placed 100' from the street behind their property. It would be difficult to see from the street.

The harassment has been non-stop from two of their neighbors. It began with Animal Control and Code Enforcement and many false reports have been made. My parents have done everything possible to comply. If they lose this container, not only will it cost them a ton of money, but the program will have to end, hurting our community.

This container is not bothering anybody or other people's property. My mother is on disability. It would be a huge disadvantage to my parents, the youth of our community, and our families. This was pre-approved as far as my parents knew otherwise, the container would not have been purchased in the first place.

Shelby Hamilton, 7136 Speaker Rd., said I'm a neighbor of Steve. His place always looks pretty nice. I didn't even know he had that container down there until this all came up. I have no problems with that container or anything on his property. He keeps it cut pretty good, mows his yard and

everything. I have no problem with it. I don't know where—you can't even see it from the road that I even notice. I don't have any problem with it.

Mayor Alvey asked if there was anyone present in opposition who would like to speak on this item.

Michael Feitl, 300 S. 72nd St., said I oppose the cargo container. I live right across the street. Mr. Marbut, he has a garage. He has a shed in his backyard. He's got ample room for what little project he says he wants to start.

I find it quite funny the last time I came to this meeting. I was walking down the street and got verbally assaulted by him. When I pulled in my driveway, he came out on his patio and he started verbally assaulting me and my wife again. The police had to be called over this cargo container. There are laws about our storage, 10 x 10, and everything like that. I think if you approve it, I think everybody in Wyandotte County should get one and the whole neighborhood should look like crap. It's just not right.

I ask the Commission, what are you going to do now?

Mayor Alvey closed the public hearing.

Mr. Marbut said I've got pictures here if you'd like to see them. (The pictures were passed around by the commissioners.) Written on the back is where the pictures were taken of what it looks like. It's not a nuisance or nothing. It's a container. Like I said, we went through all the steps before we got it, before we even purchased it, months before. The Zoning office told us it was okay.

Action: **Commissioner Philbrook** said considering the fact that there's been a question about what kind of things can be put on ag and this is agriculturally zoned; all these sorts of things, I'd like to recommend that we send this back to Planning and Zoning to work this out and figure out exactly what we're trying to accomplish.
Commissioner Kane said second.

Commissioner Bynum said I appreciate the motion and the second, but I need to point out to staff that I would make the same exact motion, but my reason is that this item starts on page 62 in my

packet and it ends on page 71 of my packet. I have no information in here. I have no minutes from the Planning and Zoning meeting that I can read. I have no little link that tells me where to find it in the recording of the meeting, so there was no way for me to be ready for this item tonight. I was out of town until yesterday afternoon. I was reading, again, through the pages and pages of documents that we read to get ready. This information is just missing.

Mr. Richardson said my apologies, Commissioner. You're correct. We will get that corrected when it comes back to you.

Commissioner Bynum said I, therefore, am pleased with the motion to send it back.

Commissioner Walters said I guess I would ask, was there some confusion about whether storage/cargo containers are allowed on agriculturally zoned property in Wyandotte County or Kansas City, KS. **Mr. Richardson** said no, they're not. **Commissioner Walters** said they're not. I don't understand the reason for the motion to send it back to Planning since they already evaluated it and were unanimous in their decision to deny it. If there was any confusion about whether storage containers were allowed in agriculturally zoned areas, I think our Planning Commission would have noticed that and considered it as a part of their initial consideration. I don't think it needs to be sent back. I think we have all the information we need to make a decision and we should make it tonight.

Ken Moore, Chief Counsel, said there is an issue about whether this is allowed in an agriculturally zoned area. The Commission's ability to regulate zoning and really other codes in an agriculturally zoned area for agricultural purposes is limited. Since this is agriculturally zoned, the question is whether it is being used for agricultural purposes. If it's not used for agricultural purposes, you're right. It is not permitted. I think that's the question to be determined, what the use is.

Commissioner Bynum said my issues for agreeing to sending it back are twofold. Number one, I could not read the full record of the proceeding/the meeting that came before our meeting. Number two, Mr. Marbut states that he repeatedly tried to find out whether putting the container there was legal or not. Because I can't read what happened at that meeting, I have no explanation from staff or the Planning and Zoning Board as to a resolution of did that or did that not happen. I think if we have someone who repeatedly called our office to find out if they could or could not do something,

that's what we want them to do. If they state that they did and got incorrect information, then that's a problem.

Mr. Richardson said I would disagree with his statements related to that. He got the same answer repeatedly, but it wasn't the one he stated tonight.

Commissioner McKiernan said I just have one clarifying question. This container that's placed back off the street, is it the brown one in this photo that you gave us that's just to the north of the house? I would dispute the fact that you can't see it from the street. This photo was taken from the street and it's clearly visible.

Mayor Alvey said we have a motion and a second to send this back to Planning and Zoning. Roll call.

Roll call was taken on the motion and there were seven "Ayes," Murguia, Johnson, Kane, Philbrook, Bynum, Burroughs, McKiernan; and two "Nos," Walters, Townsend.

ITEM NO. 4 – 18268...SPECIAL USE PERMIT APPLICATION #SP-2018-24 – ANITA SHIKLES

Synopsis: Home occupation special use permit for an Airbnb at 1820 North 90th Street, submitted by Robin Richardson, Director of Planning. The applicant has applied to operate a Bed and Breakfast. This property is the applicant's primary residence and the applicant rents two rooms on the Airbnb platform. Originally, the rented portion of the property was being described as an apartment within the structure with separate entrance, kitchen, sleeping, living, and sanitation areas. The applicant has clarified that there is an interior stair and guests will have access to the entire home, except private spaces. The applicant has agreed to remove one of the ovens in order to have one kitchen in the structure. The Planning Commission voted 7 to 0 to recommend approval of Special Use Permit Application #SP-2018-24 for two years, subject to:

Urban Planning and Land Use Comments:

1. How long has the business been in operation?

Applicant Response: It has been open since Oct. 2017

2. Were neighbors consulted prior to opening the business?

Applicant Response: It is not a business, and neighbors have not been notified. It is not a good idea to let neighbors know that I have guests in my home.

3. Do you have a business license?

Applicant Response: I do not have a business license for this home.

Staff Note: You will be required to obtain a business license as a stipulation of approval for this activity.

4. Have you paid appropriate lodging taxes?

Applicant Response: Appropriate taxes are taken out and paid by Airbnb.

5. How many rooms are rented?

Applicant Response: I rent two bedrooms.

6. What is the maximum number of people that will be staying at any one time?

Applicant Response: I allow only up to four adults in my home.

7. What is the maximum number of vehicles and where will they park?

Applicant Response: I have parking for one vehicle at the back of my home.

8. How often are guests in the residence?

Applicant Response: I have had guests for three months.

9. Do you have a rental license from the Unified Government for the facility?

Applicant Response: I have applied for the zoning permit required to allow guests in my home.

10. Describe in detail the area(s) rented for Airbnb/other rental operations. Include bedrooms, bathrooms common areas etc.

Applicant Response: I have two bedrooms for guests. One is 12 x 12 in size. One is 10 x 12 in size. There is one bathroom that is 10 x 10 in size. Guests may use the common area that is 11 x 22 in size. There is a small kitchen area in that space that they may use.

11. Host will maintain a safe environment including:

- a. Working smoke detectors in each bedroom plus each level of the unit/house.

Applicant Response: There are smoke detectors in each room and space in my home. There are also fire extinguishers in my home.

- b. GFCI outlets are required in bathrooms.

Applicant Response: Bathroom and kitchen areas have correct wiring up to code.

- c. Double keyed locks are not allowed

Applicant Response: There are no double key locks

- d. Copper cannot be used for gas supply lines

Applicant Response: There is no copper for gas supply lines

- e. Windows must be operable, not blocked or boarded

Applicant Response: Windows are operable

- f. Handrails are required at sets of four or more stairs/risers

Applicant Response: There are no stairs where the two bedrooms are.

- g. Hot water tank and furnace must be vented properly and operational.

Applicant Response: The hot water tank and furnace are properly vented and operational.

- h. Electric panel and circuits must be safe

Applicant Response: Electric panel and circuits are safe.

Public Works Comments: none.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2018-24 for two years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Murguia, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs Townsend, McKiernan.

ITEM NO. 5 – 18271...SPECIAL USE PERMIT APPLICATION #SP-2018-46 – DAN BAKER

Synopsis: Home occupation special use permit for an Airbnb at 322 Cambridge Street, submitted by Robin Richardson, Director of Planning. The applicant plans to partially rent his house through Airbnb. The applicant lives on the first floor of the house and rents the second story through Airbnb. The Planning Commission voted 7 to 0 to recommend approval of Special Use Permit Application #SP-2018-46, subject to:

Urban Planning and Land Use Comments:

1. How long has the business been in operation?

Applicant Response: The short-term rental business has been in operation since February 27, 2018.

2. Were neighbors consulted prior to opening the business?

Applicant Response: My neighbors on both sides of the house were consulted prior to opening the business.

3. Do you have a business license?

Applicant Response: I do not yet have a business license.

4. Have you paid appropriate lodging taxes?

Applicant Response: I have researched the lodging taxes with Airbnb and they tell me they collect and submit them on my behalf.

5. How many rooms are rented?

Applicant Response: I rent the top floor of the house: bedroom, bath, study.

6. What is the maximum number of people that will be staying at any one time?

Applicant Response: The maximum guests I allow is two at any one time.

7. What is the maximum number of vehicles and where will they park?

Applicant Response: The maximum number of vehicles will be one. They will park in my two-car driveway.

8. How often are guests in the residence?

Applicant Response: Guests are in the residence usually only to sleep at night.

9. Do you have a rental license from the Unified Government for the facility?

Applicant Response: I do not yet have a rental license.

10. Describe in detail the area(s) rented for Airbnb/other rental operations. Include bedrooms, bathrooms, common areas, etc.

Applicant Response: I rent the top floor of my house. Guests enter through the front door and immediately go upstairs. They have private access to a bedroom, bath, and study.

11. How often are you at the property?

Applicant Response: I am at the property daily.

12. Who is the point person for any issues that may arise?

Applicant Response: I am the point person for all issues that may arise.

13. Do your neighbors have your contact information?

Applicant Response: My neighbors have my contact information.

Staff Conclusion

The applicant has worked with staff to answer questions regarding stipulations and comments. The applicant is following all stipulations for Airbnb units.

Business License Comments:

If approved, applicant will need to file the occupation tax application with our office for the business activity.

Code Enforcement Comments: none.

Public Works Comments: none.

Stipulations for approval:

1. Host will maintain a safe environment including:
 - a. Working smoke detectors in each bedroom plus each level of the unit/house.
 - b. GFCI outlets are required in bathrooms.
 - c. Double keyed locks are not allowed
 - d. Copper cannot be used for gas supply lines
 - e. Windows must be operable, not blocked or boarded
 - f. Handrails are required at sets of four or more stairs/risers
 - g. Hot water tank and furnace must be vented properly and operational.
 - h. Electric panel and circuits must be safe

2. Host will obtain a business license with the City for each address.
3. The maximum number of guests is limited to two people (not including an infant/child).
4. Only one additional (guest) car is permitted.
5. Approval is for two years.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2018-46 for two years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Murguia, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs Townsend, McKiernan.

ITEM NO. 6 – 18272...SPECIAL USE PERMIT APPLICATION #SP-2018-48 – SCOTT GOBLE WITH PAMCORP LLC

Synopsis: Special use permit for a 190-foot self-supporting stealth-type monopole tower and related ground equipment at 5235 State Avenue, submitted by Robin Richardson, Director of Planning. The tower and equipment are for T-Mobile and will be enclosed within a fenced compound on .40 acres. The Planning Commission voted 7 to 0 to recommend approval of Special Use Permit Application #SP-2018-48, subject to:

Urban Planning and Land Use Comments:

1. Subject to approval, this special use permit shall be indefinite.
2. All landscaping and screening requirements shall be met prior to obtaining a building permit by the Development Review Committee (DRC).
3. Gravel drives are not permitted by code. All drives shall be asphalt or concrete.
4. The property owner must comply with the sign code.

Public Works Comments:

1. Items that require plan revision or additional documentation before engineering can recommend approval: none.
2. Items that are conditions of approval (stipulations): Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.
3. 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 Application #SP-2018-48, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Murguia, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs Townsend, McKiernan.

ITEM NO. 7 – 18266 – SPECIAL USE PERMIT APPLICATION #SP-2018-49 – CARLA DRESCHER WITH THE BLUE DOOR PROJECT, INC.

Synopsis: Renewal of a special use permit (#SP-2016-37) for a youth group home located at 3535 Wood Avenue, submitted by Robin Richardson, Director of Planning. The home will be for up to 16 youths (males), ages 12 – 18. The facility includes up to 10 staff members and volunteers for a total of 28 persons on-site. The Planning Commission voted 7 to 0 to recommend approval of Special Use Permit Application #SP-2018-49, subject to:

Urban Planning and Land Use Comments:

1. The applicant has made the necessary improvements including installing a sprinkler system. Staff recommends approval for two years.
2. Please explain the unusual number of police calls and issues with the State of Kansas.

Applicant Response: Initially, we had several phone calls to the Police Department for youth running, property damage, battery, etc. Several months ago, at the request of law enforcement, The Blue Door Project, DCF and law enforcement met to brainstorm how we could get a better handle on this. LEO went over their policies and procedures and the Blue Door Project explained when we were required by statute to contact law enforcement. This meeting was very beneficial for all parties, and we have had very few contacts with law enforcement since that time. Our processes that we agreed upon are working smoothly. Regarding DCF, we had a few environmental issues (youth who had broken windows) when we first opened. This issue has been resolved and we are in great standing with DCF at this time.

Public Works Comments: none.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2018-49 for two years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Murguia, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs Townsend, McKiernan.

ITEM NO. 8 – 18269...SPECIAL USE PERMIT APPLICATION #SP-2018-50 – RACHEL POLLOCK WITH KCK FARMER'S MARKET

Synopsis: Renewal of a special use permit (#SP-2016-49 – expired 6/30/2017) for a farmer’s market at 2220 Central Avenue, submitted by Robin Richardson, Director of Planning. This location is at the Catholic Charities parking lot. The Planning Commission voted 7 to 0 to recommend approval of Special Use Permit Application #SP-2018-50, subject to:

Urban Planning and Land Use Comments:

1. Parking spaces may be limited at this location.
2. Approval is for two years.

Conservation District Comments:

1. There is one major soil type identified; Knox silt loam, 7 to 12 percent slopes. This soil type is considered erodible when the surface is denuded of a protective cover.
2. There should be no erosion problem from this site. Each booth needs to have a responsibility for cleanup of excess materials to prevent storm water pollution.

Public Works Comments: none.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2018-50 for two years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Murguia, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs Townsend, McKiernan.

ITEM NO. 9 – 18270...SPECIAL USE PERMIT APPLICATION #SP-2018-51 – RACHEL POLLOCK WITH KCK FARMER'S MARKET

Synopsis: Renewal of a special use permit (#SP-2016-50 – expired 6/30/2017) for a farmer’s market at 7240 State Avenue, submitted by Robin Richardson, Director of Planning. This location is at the KCKCC campus. The Planning Commission voted 7 to 0 to recommend approval of Special

Urban Planning and Land Use Comments:

1. Parking space will be no problem at this location. There is plenty of parking to take advantage of.
2. Approval is for two years.

Conservation District Comments:

1. There are five major soil types identified: Ladoga silt loam, 3 to 8 percent slopes; Marshall silt loam, 2 to 5 percent slopes; Kennnebec silt loam, occasionally flooded; Marshall silt loam, 5 to 9 percent slopes; Judson silty clay loam, 0 to 1 percent slopes; and Knox silt loam, 7 to 12 percent slopes. These soil types are considered highly erodible when the surface is denuded of a protective cover.
2. There should be no erosion problem from this site. Each booth needs to have a responsibility for cleanup of excess materials to prevent storm water pollution.

Public Works Comments: none.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2018-51 for two years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Murguia, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs Townsend, McKiernan.

ITEM NO. 10 – 18273...SPECIAL USE PERMIT APPLICATION #SP-2018-53 – MARIA E. LEAL WITH M&M'S AUTO SALES AND DETAIL, LLC

Synopsis: Special use permit for an automotive business that includes detailing of new and used automobiles and possible sale of one or two vehicles per month at 402 Osage Avenue, submitted by Robin Richardson, Director of Planning. The Planning Commission voted 7 to 0 to recommend approval of Special Use Permit Application #SP-2018-53, subject to:

1. Less than five cars for sale.
2. The detailing being by appointment with pick up and drop off by the applicant.

3. Compliance with the previous stipulations by July 31, 2018.
4. Approval for two years.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2018-53 for two years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Murguia, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs Townsend, McKiernan.

ITEM NO. 11 – 18274...SPECIAL USE PERMIT APPLICATION #SP-2018-54 – R. SCOTT BEELER WITH LATHROP GAGE LLP FOR RUFFIN WOODLANDS LLC

Synopsis: Special use permit for the temporary use of land for storage of passenger cars and pick-up trucks at 9700 Leavenworth Road, submitted by Robin Richardson, Director of Planning. The property consists of 56.27 acres. The Planning Commission voted 7 to 0 to recommend approval of Special Use Permit Application #SP-2018-54, with the comments in the staff report subject to:

1. Appropriate directed lighting
2. No use of jack brakes
3. Vehicles will only use Leavenworth Road
4. Vehicles will not use 99th Street
5. Withdrawal of the UPS truck/tractor-trailer storage
6. This special use permit is for passenger cars and pick-ups
7. A 30-day minimum stay for a vehicle
8. Maximum number of trucks per day is 60 (17 trucks per hour maximum)
9. Approval is for two years

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2018-54 for two years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Murguia, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs Townsend, McKiernan.

ITEM NO. 12 – 18275...SPECIAL USE PERMIT APPLICATION #SP-2018-55 – ASHLEY WALTERS WITH ASHLEY'S HOME DAY CARE

Synopsis: Home occupation special use permit for a day care at 3001 North 73rd Place, submitted by Robin Richardson, Director of Planning. The Planning Commission voted 7 to 0 to recommend approval of Special Use Permit Application #SP-2018-55, subject to:

Urban Planning and Land Use Comments:

1. Subject to approval, the special use permit shall be valid for two years.
2. How many children do you intend to serve? How many children are you licensed to have by the State?

Applicant Response: 7-10. I am licensed to have up to 10 children depending on the age.

3. Where will drop-offs/pickups occur? Where will they be able to park if this area becomes full?

Applicant Response: We have a main driveway that can accommodate two vehicles and a side gravel driveway that can accommodate three vehicles. And we have room for two – three vehicles alongside the road. We have permission from neighbor directly across the street from our house, and next door to the south to use their driveway if needed for additional parking.

Public Works Comments: none.

Business License Comments:

If approved, applicant will need to file the occupation tax application with our office and obtain state license through the Health Department.

Staff Conclusion:

The applicant has worked with staff to answer questions regarding comments and State regulations.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2018-55 for two years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Murguia, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs Townsend, McKiernan.

ITEM NO. 13 – 18276...SPECIAL USE PERMIT APPLICATION #SP-2018-56 – LAURA D. MILLER

Synopsis: Special use permit for two horses at 827 North 54th Street, submitted by Robin Richardson, Director of Planning. The Planning Commission voted 7 to 0 to recommend approval of Special Use Permit Application #SP-2018-56, subject to:

Urban Planning and Land Use Comments:

1. The horses must be kept in accordance with the requirements of the Public Health Department.

2. What is the size of the stable you are keeping the horses in? Per R-1 Single-Family District regulations, it must be smaller than 1,000 sq. ft.

Applicant Response: The size of the barn is 24' x 10', 240 sq. ft.

3. How often will you clean the stable? Keeping the stable cleaned regularly will ensure that adjacent property owners will not be affected by this use.

Applicant Response: Barn will be cleaned once a week or when needed.

4. How often will waste be disposed of, and in what way?

Applicant Response: To dispose of waste, we drag the pasture once a month or so, or when needed. If this is not adequate, we can load in truck or trailer and have friend spread on to his fields, with manure spreader.

Conservation District Comments:

1. There are three major soil types identified: Ladoga silt loam, 3 to 8 percent slopes; Knox silt loam, 7 to 12 percent slopes; and Knox silt loam, 18 to 30 percent slopes. These soil types are considered highly erodible when the surface is denuded of a protective cover.
2. This site needs to have the tree areas fenced so that the horses can't destroy the natural cover of the forest floor.
3. A waste management plan is needed to prevent animal waste from washing off the area. This is a somewhat isolated area, but water can still become contaminated with animal waste.
4. Shrink swell potential has been identified as a limiting factor for the development of dwellings. Shrinking and swelling can cause damage to buildings, roads, and other structures and to plant roots. Special design commonly is needed.

Public Works Comments: none.

Staff Conclusion: Applicant has worked with staff to answer questions regarding stipulations related to keeping horses. Subject to approval, staff stipulates the following:

1. This special use permit shall be valid for two years.
2. Compliance with Public Health Department regulations.
3. Following a Waste Management Plan, per Conservation District comments.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2018-56 for two years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Murguia, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs Townsend, McKiernan.

PLAN REVIEW APPLICATIONS

ITEM NO. 1 – 18277...PLAN REVIEW APPLICATION #PR-2018-12 – JOSE ESCARSEGA

Synopsis: Preliminary and final plan review for a church at 4835 State Avenue, submitted by Robin Richardson, Director of Planning.

Action: This item was previously removed from the agenda due to the applicant withdrawing his application.

ITEM NO. 2 – 18278...PLAN REVIEW APPLICATION #PR-2018-16 – BRIAN HILL WITH MKEC ENGINEERING, INC.

Synopsis: Preliminary plan review for a new school at 2116 North 18th Street, submitted by Robin Richardson, Director of Planning. The plan entails the demolition of the existing Northwest Middle School and the reconstruction of a new middle school building. The Planning Commission voted 7 to 0 to recommend approval of Plan Review Application #PR-2018-16, subject to:

Urban Planning and Land Use Comments:

1. All utility connections must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building.

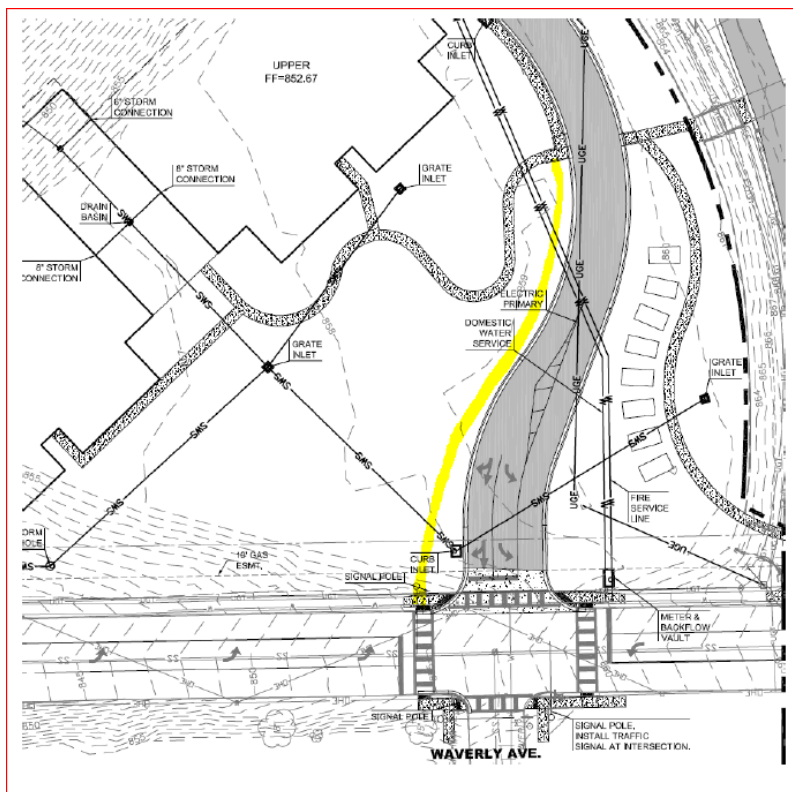
Applicant Response: Comment acknowledged; all utility connections will be screened with landscaping or an architecturally designed wall. Any utilities that are mounted on the building wall will be painted to match the building color.

2. All downspouts shall be internalized.

Applicant Response: All downspouts will be internalized with the exception of two downspout/scuppers at the exterior wall of the gym. The gym will be utilized as a storm shelter, internal drains will not exit through foundation/walls at gym. Exterior downspouts will be back of house, and not located near the main school entrance.

3. Sidewalk connections. Please provide a sidewalk connection along the drive that connects to Waverly Ave. (See Diagram)

Applicant Response: Per discussion with UG Planning, the suggested sidewalk will not be installed in order to direct pedestrian traffic south to the main building entry. Primary access to the school building will be at south main entrance. North doors to the school building will only be used for access to the courtyard and grass play areas during school hours.



Public Works Comments:

1. Items that require plan revision or additional documentation before engineering can recommend approval: none.
2. Items that are conditions of approval (stipulations):
 - a. All final engineering studies and final engineering plans shall be included in a final development plan submittal and shall be reviewed and approved by UG staff and the Planning Commission.
 - b. Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.

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3. 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 Plan Review Petition #PR-2018-16, subject to the stipulations.** Roll call was taken and there were nine "Ayes," Murguia, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs Townsend, McKiernan.

MISCELLANEOUS

ITEM NO. 1 – 18235...ORDINANCE

Synopsis: Vacate right-of-way at 342 South Bethany Street (#R/W-2018-2), submitted by Robin Richardson, Director of Planning.

Action: **ORDINANCE NO. O-21-18**, "An ordinance vacating a tract of land located at approximately 342 South Bethany Street." **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve.** Roll call was taken and there were nine "Ayes," Murguia, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs Townsend, McKiernan.

ITEM NO. 2 – 18223...ORDINANCE

Synopsis: Rezone property at 819 Southwest Boulevard (#3160) from M-2 General Industrial District to R-2(B) Two Family District, submitted by Robin Richardson, Director of Planning.

Action: **ORDINANCE NO. O-22-18**, "An ordinance rezoning property hereinafter described located at approximately 819 Southwest Boulevard in Kansas City, Kansas, by changing the same from its present zoning of M-2 General Industrial District to R-2(B) Two Family District." **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve.** Roll call was taken and there were nine "Ayes," Murguia, Johnson, Kane, Walters, Philbrook, Bynum, Burroughs Townsend, McKiernan.

REGULAR AGENDA

MAYOR'S AGENDA

No items

REGULAR CONSENT AGENDA

Mayor Alvey asked does any member of the Commission or anyone in attendance tonight wish to set aside any item on the regular Consent Agenda. If an item is not set aside, all items on the Consent Agenda will be voted on by one vote. I do have an item I would like to pull off. I would like to set-aside Item No. 2-Strategies for Policing Innovation/Project Safe Neighborhoods Grant.

Commissioner Philbrook said I need to recuse myself because of an item on this agenda. **Mayor Alvey** said she's recusing herself on Item No. 5.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Murguia, to approve, except the set-aside.** Roll call was taken and there were eight "Ayes," Murguia, Johnson, Kane, Walters, Bynum, Burroughs, Townsend, McKiernan.

ITEM NO. 1 – 18254...RESOLUTION: INTERLOCAL AGREEMENT WITH BONNER SPRINGS

Synopsis: Addendum to the Interlocal Cooperation Agreement between the UG and Bonner Springs, KS, for street and police services to the unincorporated area of Loring, submitted by Jeff Fisher, Public Works Director. On May 21, 2018, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

Action: **RESOLUTION NO. R-26-18,** "A resolution approving and authorizing the Mayor to sign the Addendum to the Interlocal Cooperation Agreement among the Unified Government of Wyandotte County/Kansas City, Kansas, and Bonner Springs, Kansas, for street maintenance and police services to the unincorporated area of

Loring.” **Commissioner McKiernan made a motion, seconded by Commissioner Murguia, to adopt the resolution.** Roll call was taken and there were eight “Ayes,” Murguia, Johnson, Kane, Walters, Bynum, Burroughs, Townsend, McKiernan.

ITEM NO. 2 – 18255...GRANT: STRATEGIES FOR POLICING INNOVATION/PROJECT SAFE NEIGHBORHOODS

Synopsis: The Police Department is seeking a Strategies for Policing Innovation Program/Project Safe Neighborhoods grant from the U.S. Department of Justice's Bureau of Justice Assistance, in the amount of \$700,000, submitted by Terry Zeigler, Police Chief. The grant is focused on reducing violent crime. No match is required. On May 21, 2018, the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.

Mayor Alvey said I asked for this item to be set-aside for a brief presentation by Major Vivian regarding the Strategies for Policing Innovation Program/Project Safe Neighborhoods Grant.

Major Michael Vivian, 700 Minnesota Ave., said this grant that we’d like to apply for is \$700,000 is what we’re asking for. One of the initiatives that we’ve begun is our Operation ICON Zones, which is similar to the DDACTS zones, which you guys are probably familiar with in trying to reduce crime. Specific to Operation ICON Zones, it’s violent crime. What we’re trying to do with the Operation ICON Zones is those are going to be smaller than the DDACTS zones. They’re going to be neighborhood based so we can really focus in. It’s going to be less than a 10 block by 10 block area, so we’re talking neighborhoods.

\$600,000 of the \$700,000 would go toward overtime costs for officers to work in the ICON zones. There would be up to four of these ICON zones throughout the city, just based on the data of where it says we need to be and the hours during the day that we need to be there. We’re talking about an 8-hour block when we’d have four officers in those zones basically just working from zone to zone. It’s high visibility type stuff that goes along with DDACTS, the car stops and pedestrian checks. \$600,000 to pay officers to work overtime in those zones. It would be for three years. Five days a week, every week out of the year, officers would be in those zones. The fourth year is just a research project that I would have to complete on the crime data and what that showed

in the operation ICON zones compared to the DDACTS zones and submit that to the Department of Justice.

The final \$100,000 of the grant would go toward the purchase of equipment to assist us in fighting this violent crime. There's money in there for rifle grade shields that we don't have in patrol cars. We see so much more rifles being involved in crime that we need to get shields in the cars for the officers that can handle rifle rounds. Right now, the shields they have are rated only for handgun rounds. We need to upgrade the bearcat. We need to get a ram, a hot gas injector so we don't have to expose our technical guys to do those types of things standing outside the bearcat.

Really, in a nutshell, that's what it is. \$600,000 to pay officers to work in those micro-hotspot zones. Those change every 30 to 60 days, based on the data. \$100,000 for some equipment to keep guys safe.

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

ITEM NO. 3 – 18253...GRANTS: PROPOSED PLANNING SUSTAINABLE PLACES

Synopsis: Request approval to submit the following Sustainable Places grant applications to Mid-America Regional Council, submitted by Rob Richardson, Urban Planning and Land Use Director. There is a potential future match of up to \$65,000.

- Autonomous Vehicle Transit Study
- KCK Greenway Urban Trail System
- 47th and Georgia Complete Street Study

On May 21, 2018, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Action: Commissioner McKiernan made a motion, seconded by Commissioner Murguia, to approve. Roll call was taken and there were eight "Ayes," Murguia, Johnson, Kane, Walters, Bynum, Burroughs, Townsend, McKiernan.

ITEM NO. 4 – 18257...MOU/GRANT: CHOICE NEIGHBORHOODS PLANNING AND ACTION GRANT

Synopsis: Request approval of a Memorandum of Understanding with the Housing Authority regarding submission of an application for a \$1.3M Choice Neighborhoods Planning and Action Grant for Juniper Gardens, and requires an additional \$530,000 leverage match, submitted by Rob Richardson, Urban Planning and Land Use Director; Melissa Sieben, Assistant County Administrator; and Wilba Miller, Community Development Director. Additionally, staff is requesting authorization of \$20,000 for grant preparation fees for Camiros from existing budget. On May 21, 2018, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

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

ITEM NO. 5 – 18244...REQUEST: TURNER VISTA REZONING

Synopsis: A request from Steve Wood for the UG to initiate the rezoning process for property on the west side of College Parkway/Turner Diagonal, south of State Avenue, which includes the Redwood Gardens Townhomes, submitted by Rob Richardson, Urban Planning and Land Use Director. On May 21, 2018, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

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

ITEM NO. 6 – 18220...ORDINANCE: AMENDMENTS TO ANTI-DISCRIMINATION

Synopsis: An ordinance amending the Unified Government’s anti-discrimination ordinance, relating to practices in employment, housing, and public accommodations, to add gender identity and sexual orientation to the protected categories designated therein, submitted by Ryan Haga, Assistant Counsel. On May 21, 2018, the Administration and Human Services Standing

Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Action: **ORDINANCE NO. O-23-18**, “An ordinance relating to the updating of the Unified Government’s prohibition of discriminatory practices in employment, housing, and public accommodations, amending Sections 18-84, 18-114, 18-115, 18-117, 18-118, 18-137, 18-138, and repealing the original section.” **Commissioner McKiernan made a motion, seconded by Commissioner Murguia, to approve.** Roll call was taken and there were eight “Ayes,” Murguia, Johnson, Kane, Walters, Bynum, Burroughs, Townsend, McKiernan.

ITEM NO. 7 – 18248...REQUEST: AMAZON TRANSIT ROUTE

Synopsis: Request the creation of a permanent transit route to serve the Amazon fulfillment center, submitted by Justus Welker, Transportation Director. On May 21, 2018, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

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

ITEM NO. 8 – 18250...REQUEST: 18TH STREET TRANSIT ROUTE

Synopsis: Request to use the Amazon route savings to fund the 18th Street Transit Route that will travel north and south along the 18th Street corridor from Quindaro Blvd. to Roeland Park, submitted by Justus Welker, Transportation Director. On May 21, 2018, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

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

ITEM NO. 9 – 18279...PLAT: MAPLE HILL CEMETERY CO.

Synopsis: Plat of Maple Hill Cemetery Co. located at 34th Street and Shawnee Drive, being developed by Maple Hill Cemetery, submitted by Brent Thompson, Director of Engineering/County Surveyor, and Troy Shaw, County Engineer.

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

ITEM NO. 10 – 18262...NOMINATIONS: BOARDS AND COMMISSIONS

Synopsis: Nominations for Boards and Commissions:

KCATA, Joe Peterson, 5/31/18 to 5/31/22, submitted by Mayor Alvey

UG Board of Parks, Mark Mohler, 5/31/18 to 3/31/22, submitted by Mayor Alvey

Housing Authority Advisory Board, Don Jolley, 5/31/18 to 3/31/22, submitted by Commissioner Murguia

Golf Advisory Board, Bob Runnebaum, 5/31/18 to 3/31/22, submitted by Mayor Alvey

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

ITEM NO. 11 – MINUTES

Synopsis: Minutes from special sessions of April 26 and May 10, 2018.

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

ITEM NO. 12 – WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated May 10, 17, and 24, 2018.

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

PUBLIC HEARING AGENDA

No items

STANDING COMMITTEES' AGENDA

No items

ADMINISTRATOR'S AGENDA

No items

COMMISSIONERS' AGENDA

No items

LAND BANK BOARD OF TRUSTEES' AGENDA

No items

PUBLIC ANNOUNCEMENTS

No items

**MAYOR ALVEYADJOURNED THE MEETING
AT 7:30 P. M.**

Carol Godsil
Deputy UG Clerk

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May 31, 2018

