

**ACTION AGENDA
MARCH 28, 2019 UNIFIED GOVERNMENT BOARD OF
COMMISSIONERS MEETING
ORDER OF BUSINESS
MEETING TO CONVENE AT 7:00 PM**

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. INVOCATION GIVEN BY COMISSIONER JOHNSON**
- IV. PLEDGE OF ALLEGIANCE**
- V. REVISIONS TO THURSDAY, MARCH 28, 2019 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’ CONSENT AGENDA**
- XVI. PUBLIC ANNOUNCEMENTS**
- XVII. ADJOURN**

SERGEANT-AT-ARMS: CAPTAIN RONALD SCHUMAKER

PLANNING AND ZONING AGENDA

VII. PLANNING AND ZONING CONSENT AGENDA

A. CHANGE OF ZONE APPLICATIONS

1. **#3178 - TIM MAGILL**

Synopsis: Change of Zone from A-G Agriculture District to R-1 Single Family District for a second home at 9731 Leavenworth Road, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 19657

APPROVED

2. **#3180 - JEFFREY J. GARDNER**

Synopsis: Change of Zone from R-1 Single Family District to A-G Agriculture District for an additional accessory structure at 3640 North 83rd Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 19658

APPROVED

3. **#3182 - JASON T. HUSSEY**

Synopsis: Change of Zone from R-1 Single Family District to A-G Agriculture District to allow production and sale of agricultural products on-site at 732 North 57th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 19660

APPROVED

4. **#3183 - MATT SCHLICHT**

Synopsis: Change of Zone from RP-1 Planned Single-Family District to R-1 Single Family District for continuation of the residential development at 4401 North 115th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 19661

RETURNED TO PLANNING COMMISSION FOR CLARIFICATION OF ITEMS

B. SPECIAL USE PERMIT APPLICATIONS

1. **#SP-2019-13 - JASON MYERS WITH COACH AUTOMOTIVE RESTYLERS, LLC**

Synopsis: Renewal of a Special Use Permit (#SP-2017-10 - expires 4/27/2019) for a car dealer's license at 3030 South 24th Street, Suite B, submitted by Robin H. Richardson, AICP,

Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL FOR 5 YEARS)

Tracking #: 19651

APPROVED FOR 5 YEARS

2. **#SP-2019-14 - RYAN CASH WITH WITCH'S BREW LLC**

Synopsis: Renewal of a Special Use Permit (#SP-2009-14 - expires 4/30/2019) for a drinking establishment at 222 North 6th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL FOR 10 YEARS)

Tracking #: 19652

APPROVED FOR 10 YEARS

3. **#SP-2019-15 - JEFF STEHNEY WITH JOE'S KANSAS CITY BBQ**

Synopsis: Renewal of a Special Use Permit (#SP-2017-40 - expires 6/29/2019) for a parking lot for the restaurant at 4620 Mission Road, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL FOR 2 YEARS)

Tracking #: 19653

APPROVED FOR 2 YEARS

4. **#SP-2019-16 - JEFFREY HOLLINSHED**

Synopsis: Special Use Permit for live entertainment in conjunction with coffee shop (retail sales and barbershop) at 2005 North 5th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL FOR 2 YEARS)

Tracking #: 19663

RETURNED TO PLANNING COMMISSION TO ALLOW OWNER TO COMMUNICATE WITH LOCAL CHURCH

5. **#SP-2019-18 - JAMES P. DONOVAN WITH THE SHOWROOM FLOOR, LLC**

Synopsis: Special Use Permit for a short-term rental/AIRBNB at 1127 Southwest Boulevard, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL FOR 2 YEARS)

Tracking #: 19664

APPROVED FOR 2 YEARS

6. **#SP-2019-20 - RYAN DENK WITH MCANANY, VAN CLEAVE & PHILLIPS, P.A.**

Synopsis: Renewal of a Special Use Permit (#SP-2013-52 - expired 11/7/2018) for dirt removal at 1625 South 86th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL FOR 5 YEARS)

Tracking #: 19654

APPROVED FOR 5 YEARS

7. **#SP-2019-21 - DANIEL CASTILLO WITH MOCKINGBIRD LOUNGE**

Synopsis: Renewal/Expansion of a Special Use Permit (#SP-2016-100 - expired 1/26/2019) for a drinking establishment with live entertainment at 204 Orchard Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL FOR 2 YEARS)

Tracking #: 19665

APPROVED FOR 2 YEARS

8. **#SP-2019-22 - JULIE A. RAMIREZ**

Synopsis: Renewal of a Special Use Permit (#SP-2017-50 - expired 11/30/2018) for the Temporary Use of Land for a storage container at 32 North 74th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)

Tracking #: 19666

APPROVED FOR 2 YEARS

9. **#SP-2019-23 - REGINA E. COMPERNOLLE**

Synopsis: Renewal of a Special Use Permit (#SP-2017-14 - expired 3/30/2019) for the Temporary Use of Land for a You-Pick berries, small vegetable farm, CSA pick-up produce stand and small classes at 4141 Joyce Drive, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)

Tracking #: 19655

APPROVED FOR 2 YEARS

10. **#SP-2019-25 - TARYN GLIDEWELL**

Synopsis: Renewal of a Home Occupation Special Use Permit (#SP-2018-31 - expires 4/5/2019) for a short-term rental/AIRBNB at 2914 West 44th Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)

Tracking #: 19656

APPROVED FOR 2 YEARS

C. PLAN REVIEW APPLICATION

1. **#PR-2019-4 - MAJID AMIRAHMADI**

Synopsis: Preliminary Plan Review for a grocery store at 501 Minnesota Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL**)

Tracking #: 19667

APPROVED

D. ORDINANCE AMENDMENT

1. **CONSIDERATION OF AMENDMENTS REQUIRING A SPECIAL USE PERMIT FOR SMALL BOX VARIETY STORES**

Synopsis: Consideration of certain amendments to Section 27-340, Planning and Development of Kansas City, Kansas Code of Ordinances, generally concerning definitions and a new provision to section 27-593(a) planning and development of Kansas City, Kansas Code of Ordinances, requiring a special use permit for small box variety stores, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL**)

This item was tabled from the February 28, 2019 full commission meeting.

Tracking #: 19612

RETURNED TO PLANNING COMMISSION FOR FURTHER REVIEW

AMENDMENT LANGUAGE

E. MISCELLANEOUS - ORDINANCES (Final action on previously approved items)

1. AN ORDINANCE rezoning property at 1301 North 98th Street (#3151) from A-G Agriculture District to CP-2 Planned General Business District, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**
Tracking #: 18106
ORDINANCE NO. O-18-19 APPROVED
2. AN ORDINANCE rezoning property at 2205 West 36th Avenue (#3169) from RP-5 Planned Apartment District to CP-O Planned Nonretail Business District, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**
Tracking #: 18483
ORDINANCE NO. O-19-19 APPROVED
3. AN ORDINANCE rezoning property at 800-830 Washington Boulevard, 1304-1312 North 8th Street, 813-851 Everett Avenue and 1315 North 9th Street (#3175) from C-1 Limited Business and RP-5 Planned Apartment Districts to RP-5 Planned Apartment District, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**
Tracking #: 18594
ORDINANCE NO. O-20-19 APPROVED

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

A. CHANGE OF ZONE APPLICATION

1. **#3181 - CHRISTOPHER T. PHILLIPS**
Synopsis: Change of Zone from R-1 Single Family District to A-G Agriculture District for an accessory building at 3201 Pomeroy Drive, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL - 6/1 vote)**
Tracking #: 19659
APPROVED

B. SPECIAL USE PERMIT APPLICATION

1. **#SP-2019-3 - BLAKELUND MORONEY WITH MORONEY MOTORS, LLC**
Synopsis: Special Use Permit for automotive sales at 3131 Merriam Lane, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR DENIAL - 5/2 VOTE)**
Tracking #: 19662

**RETURNED TO PLANNING COMMISSION TO ALLOW OWNER TO GET
ENGINEER'S STUDY**

TAX STATUS REPORT
BOARD OF COMMISSIONERS AGENDA FOR MARCH 28, 2019

Properties included in applications to be considered on the Planning & Zoning agenda have delinquent taxes as follows:

COZ #3182: 2014 - \$26,590.26; 2015 - \$29.01

#SP-2019-3: 2018 - \$8,222.99

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.

REGULAR AGENDA

IX. MAYOR'S AGENDA

X. REGULAR CONSENT AGENDA

1. **RESOLUTION: AMEND THE 2019 COMMISSION MEETING SCHEDULE**

Synopsis: A resolution amending the 2019 Commission meeting schedule and the 2019 Standing Committee schedule, submitted by Ken Moore, Chief Legal Counsel.

Tracking #: 19674

RESOLUTION NO. R-16-19 ADOPTED

2. **RESOLUTION: AMEND MASTER EQUIPMENT LEASE PURCHASE AGREEMENT WITH BANC OF AMERICA**

Synopsis: A resolution amending the Master Equipment Lease Purchase Agreement, dated October 17, 2013, with Banc of America Public Capital Corp., submitted by Kathleen VonAchen, Chief Financial Officer. The proceeds will be used to pay the costs of acquiring and installing certain equipment. The maximum amount is not to exceed \$11.5M.

*On March 4, 2019, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.*

Tracking #: 19581

RESOLUTION NO. R-17-19 ADOPTED

3. **ORDINANCE: AMENDMENTS TO THE ADMINISTRATIVE PENALTY PROCESS**

Synopsis: Ordinance amending the administrative penalty process allowing enforcement through additional chapters and increasing the range of possible penalties, submitted by Greg Talkin, Director of Neighborhood Resource Center.

*On March 4, 2019, the **Neighborhood and Community Development Standing Committee**, chaired by Commissioner McKiernan, voted unanimously to approve and forward to full commission.*

Tracking #: 19599

ORDINANCE NO. O-21-19 APPROVED

4. **RESOLUTION: DEBT POLICY REVISIONS**

Synopsis: A resolution adopting Debt Policy revisions, submitted by Kathleen VonAchen, Chief Financial Officer.

*On March 4, 2019, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.*

Tracking #: 19592

RESOLUTION NO. R-18-19 ADOPTED

5. **RESOLUTION: TEMPORARY HOUSING OF INMATES**

Synopsis: A resolution authorizing the UG to enter into inmate housing agreements with

Miami, Jackson, Andrew, Leavenworth and Butler counties submitted by Jane Wilson, Assistant Counsel.

*On March 18, 2019, the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.*

Tracking #: 19634

RESOLUTION NO. R-19-19 ADOPTED

6. RESOLUTION: COOPERATIVE JURISDICTIONAL AGREEMENT BETWEEN KCKPD AND BSPD

Synopsis: A resolution approving an agreement between the KCKPD and the Bonner Spring PD for traffic enforcement and limited law enforcement surrounding events at the Renaissance Festival and Amphitheatre, submitted by Terry Zeigler, Police Chief.

*On March 18, 2019, the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.*

Tracking #: 19637

RESOLUTION NO. R-20-19 ADOPTED

7. REQUEST: ADOPT-A-SPOT PROGRAM

Synopsis: Request approval of the Adopt-A-Spot program in Wyandotte County/Kansas City, Kansas, submitted by Melissa Sieben, Assistant County Administrator.

*On March 18, 2019, the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.*

Tracking #: 19636

APPROVED

8. MINUTES

Synopsis: Minutes from regular sessions of February 14 and 28, 2019; and special session of February 28, 2019.

Tracking #: MINUTES

APPROVED

9. WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated March 7, 14, and 21, 2019.

Tracking #: WEEKLY BUSINESS MATERIAL

RECEIVED AND FILED

XI. PUBLIC HEARING AGENDA

XII. STANDING COMMITTEES' AGENDA

XIII. ADMINISTRATOR'S AGENDA

1. ORDINANCE: TERMINATE NFM/CABELA'S TDD

Synopsis: An ordinance terminating the Nebraska Furniture Mart/Cabela's Transportation

Development District and ceasing the collection of a 0.1% TDD Sales Tax, submitted by Kathleen VonAchen, Chief Finance Officer.

On August 18, 2005, the Commission unanimously adopted Ordinance No. O-69-05 creating the tenth of a cent (.10) TDD over the NFM/Cabela's retail properties.

Tracking #: 19642

ORDINANCE NO. O-22-19 APPROVED

XIV. COMMISSIONERS' AGENDA

XV. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

1. LAND BANK BUSINESS

Synopsis: Communication requesting consideration of the following Land Bank applications, submitted by Chris Slaughter, Land Bank Manager. The Land Bank Advisory Board recommended approval.

Applications

1227 Ann Ave. - Saol Franco Meza, yard extension

1233 Ann Ave. - Saol Franco Meza, property acquisition

Transfer from Land Bank

748 Seminary St. to Rosedale Development Association (RDA)

(Property was in Tax Sale 342 and transferred into the Land Bank. RDA would like to take ownership of the property in order to allow the neighbors to continue the community garden and preserve an important community gathering place and healthy food access point.)

Tax Sale Transfers

186 properties from Tax Sale 342 on December 13, 2018

*On March 4, 2019, the **Neighborhood and Community Development Standing Committee**, chaired by Commissioner McKiernan, voted unanimously to approve and forward to the Land Bank Board of Trustees.*

Tracking #: 19597

APPROVED

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN

8:23 PM