

ACTION AGENDA
MAY 30, 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**
- IV. PLEDGE OF ALLEGIANCE**
- V. REVISIONS TO THURSDAY, MAY 30, 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' 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. **#3188 – MICHAEL CLOUGHLEY**

Synopsis: Change of Zone from M-2 General Industrial District to C-3 Commercial District to continue to operate a rental property at 300 and 302 Kansas Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 19767

APPROVED

2. **#3189 – MATT WATKINS WITH REECE COMMERCIAL REAL ESTATE**

Synopsis: Request for change in previous approved stipulations for approved TND Traditional Neighborhood Design District to remove the no alcohol stipulation at 81 North Mill Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 19768

APPROVED

3. **#3191 – ANDREA WEISHAUBT WITH ATLAS SURVEYORS**

Synopsis: Change of Zone from AG Agriculture (WYCO) District to A-G Agriculture (City) District at 2718 North 119th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 19769

APPROVED

B. SPECIAL USE PERMIT APPLICATIONS

1. **#SP-2019-10 – JIM GORMAN WITH KANSAS GAS SERVICE, A DIVISION OF ONEGAS**

Synopsis: Renewal of a Special Use Permit (#SP-2016-86– expired 12/1/2018) for two (2) concrete pits/sampling of a variety of pipes for training purposes at 8535 Riverview Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 19762

APPROVED FOR 2 YEARS

2. **#SP-2019-11 – HEATHER L. HAUCK WITH RESCUE ME KC**

Synopsis: Special Use Permit for an animal shelter for up to 20 adult dogs at 4229 Swartz Road, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR DENIAL)**

Tracking #: 19770

DENIED AS RECOMMENDED

3. **#SP-2019-29 – RYANN DORI WALLER WITH VILLA MULONDAYI**
Synopsis: Special Use Permit for an AIRBNB at 1600 North 21st Street, submitted by Byron Toy, AICP, Principal Planning, 573-5757 (**RECOMMENDED FOR APPROVAL FOR 1 YEAR**)
Tracking #: 19771
APPROVED FOR 1 YEAR
4. **#SP-2019-36– TYLER G. HARNETT**
Synopsis: Renewal of a Special Use Permit (#SP-2018-21 – expires 4/5/2019) for an AIRBNB at 4521 Cambridge Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)
Tracking #: 19772
APPROVED FOR 2 YEARS
5. **#SP-2019-39 – TERESA HERNANDEZ**
Synopsis: Renewal of a Special Use Permit (#SP-2017-19 – expires 5/25/2019) for a miniature horse at 840 Shawnee Road, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 10 YEARS**).
Tracking #: 19763
APPROVED FOR 10 YEARS
6. **#SP-2019-40 – ROBERTA LAIRD**
Synopsis: Special Use Permit for a commercial shop selling handmade items, gifts, antiques, etc. in the basement garage at 3704 North 99th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)
Tracking #: 19773
APPROVED FOR 2 YEARS
7. **#SP-2019-42 – DICK BRYANT WITH RICHARD T. BRYANT & ASSOCIATES PC**
Synopsis: Renewal of a Special Use Permit (#SP-2017-25 – expired 4/27/2019) for live entertainment in conjunction with existing restaurant at 151 South 18th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)
Tracking #: 19764
APPROVED FOR 2 YEARS
8. **#SP-2019-46 –MARIA ELENA LEAL/M+MS AUTO SALES AND DETAIL**
Synopsis: Special Use Permit for new and used auto sales, auto repair and auto detailing at 765 Cheyenne Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)
Tracking #: 19774
APPROVED FOR 2 YEARS
9. **#SP-2019-52 – MICHAEL D. YEAGER**
Synopsis: Home Occupation Special Use Permit for mobile welding and repair as well as

general metal fabrication at 4855 Georgia Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 19775

APPROVED FOR 2 YEARS

10. #SP-2019-54 – RYAN DENK WITH MCANANY, VAN CLEAVE & PHILLIPS, P.A.

Synopsis: Renewal of a Special Use Permit (#SP-2014-28 – expires 7/31/2019) for a dirt fill at 7751 South 73rd Street and 1500R South 73rd Street, submitted by Robin H.

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

Tracking #: 19765

APPROVED FOR 5 YEARS

11. #SP-2019-55 – CASEY BOND

Synopsis: Renewal of a Home Occupation Special Use Permit (#SP-2018-15 – expired 4/5/2019) for an AIRBNB at 35 South 7th Street Trafficway, submitted by Robin H.

Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 19766

APPROVED FOR 2 YEARS

12. #SP-2019-56 – BRYAN RUOFF WITH 3F30 ARCHITECTS

Synopsis: Special Use Permit to operate a liquor store with packaged liquor sales at 3801 Leavenworth Road, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 19776

APPROVED FOR 2 YEARS

13. #SP-2019-57 – COREY HAMILTON WITH STRAWBERRY HILL BAR LLC

Synopsis: Special Use Permit for a restaurant and drinking establishment at 403 North 5th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774

(RECOMMENDED FOR APPROVAL FOR 2 YEARS)

Tracking #: 19777

APPROVED FOR 2 YEARS

C. PLAN REVIEW APPLICATIONS

1. #PR-2019-9 – CHARLEY SEXTON WITH HTK ARCHITECTS

Synopsis: Preliminary and Final Plan Review for a classroom addition to Delaware Ridge Elementary School at 1601 North 130th Street, submitted by Robin H. Richardson, AICP,

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

Tracking #: 19778

APPROVED

2. **#PR-2019-10 – RUSSELL SAGE III WITH SECURITY BANK OF KANSAS CITY**

Synopsis: Preliminary and Final Plan Review for renovation of the existing bank at 7364 State Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 19779

APPROVED

D. MISCELLANEOUS APPLICATION

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 THAT THIS ORDINANCE AMENDMENT BE WITHDRAWN AND BECOME PART OF THE ZONING ORDINANCE REWRITE)

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

Tracking #: 19612

APPROVED TO BE WITHDRAWN AND MADE PART OF THE ZONING ORDINANCE REWRITE

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

1. **AN ORDINANCE** regarding vending machines, and exterior sales and modifying the regulations thereof; amending Sections **27-340 and 27-612(6)** to Chapter 27, Article VIII, of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 19714

ORDINANCE NO. O-32-19 APPROVED

2. **AN ORDINANCE** rezoning property hereinafter described located at approximately 3214 Strong Avenue in Kansas City, Kansas, by changing the same from its present zoning of CP-1 Planned Limited Business District to CP-3 Planned Commercial District, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 19783

ORDINANCE NO. O-33-19 APPROVED

3. **AN ORDINANCE** rezoning property hereinafter described located at approximately 3201 Pomeroy Drive in Kansas City, Kansas, by changing the same from its present zoning of R-1 Single Family District to A-G Agriculture District, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL**)
Tracking #: 19784
ORDINANCE NO. O-34-19 APPROVED
4. **AN ORDINANCE** vacating a utility easement at 5443 North 101st Terrace, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL**)
Tracking #: 19785
ORDINANCE NO. O-35-19 APPROVED

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

A. SPECIAL USE PERMIT APPLICATION

1. #SP-2018-54 - R. SCOTT BEELER

Synopsis: Revocation of Special Use Permit for the Temporary Use of Land for storage of motor vehicles, including cars, SUVs, pick-up trucks and semi-truck trailers at 9700 Leavenworth Road, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR CONTINUATION OF THE SPECIAL USE PERMIT WITH THE MODIFIED STIPULATIONS - 7/2 VOTE**)

Tracking #: 19715

PER BLUE SHEET, ITEM REMOVED FROM AGENDA, AT THE REQUEST OF THE PERMIT HOLDER, AND HELD OVER TO THE JUNE 27, 2019 COMMISSION MEETING

TAX STATUS REPORT *BOARD OF COMMISSIONERS AGENDA FOR MAY 30, 2019*

None of the properties included in applications to be considered on the Planning & Zoning agenda have delinquent taxes prior to 2017.

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: BPU BARBER-ROSEDALE 161KV TRANSMISSION LINE**

Synopsis: A resolution declaring the BPU Barber-Rosedale 161kV Transmission Line to be a necessary and valid improvement project, and authorizing a survey of lands for said project, submitted by James Bain, Assistant Counsel.

*On May 20, 2019, the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.*

Tracking #: 19743

RESOLUTION NO. R-31-19 ADOPTED

2. **RESOLUTION: BPU ARMOURDALE TO ROSEDALE 161KV TRANSMISSION LINE**

Synopsis: A resolution declaring the BPU Armourdale to Rosedale 161kV Transmission Line to be a necessary and valid improvement project, and authorizing a survey of lands for said project, submitted by James Bain, Assistant Counsel.

*On May 20, 2019, the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.*

Tracking #: 19744

RESOLUTION NO. R-32-19 ADOPTED

3. **ORDINANCE: REPEAL BAN ON PIT BULL DOGS**

Synopsis: An ordinance repealing the existing prohibition on owning or possessing pit bull dogs within the city limits, submitted by Jeff Conway, Assistant Counsel. This ordinance is sponsored by Commissioners Bynum and Philbrook.

*On May 20, 2019, the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.*

Tracking #: 19745

ORDINANCE NO. O-36-19 APPROVED

4. **RESOLUTION: JOHNSON COUNTY 911 INTERLOCAL AGREEMENT**

Synopsis: A resolution approving an interlocal agreement with Johnson County, Kansas, for usage of their Communications Center's existing 911 phone and radio communications equipment as emergency backup, submitted by Terry Zeigler, Police Chief.

*On May 20, 2019, the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.*

Tracking #: 19746

RESOLUTION NO. R-33-19 ADOPTED

5. REAPPOINTMENT: REACH FOUNDATIONS BOARD

Synopsis: Reappointment of Theresa Reyes-Cummings to the REACH Healthcare Foundation's Community Advisory Committee (CAC) for a three-year term from June 1, 2019 to May 31, 2022, submitted by Emerick Cross, Assistant County Administrator.

On May 20, 2019, the Administration and Human Services Standing Committee, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.

Tracking #: 19738

APPROVED

6. PLAT: 2600 WEST 47TH AVENUE

Synopsis: Plat of 2600 West 47th Avenue, located at West 47th Avenue and Fisher Street, being developed by Jones Development Company, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Tracking #: 19782

APPROVED AND MAYOR AUTHORIZED TO SIGN THE PLAT

7. MINUTES

Synopsis: Minutes from regular sessions of April 11 and 25, 2019; and special sessions of April 25 and May 9, 2019.

Tracking #: MINUTES

APPROVED

8. WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated May 9, 16, and 23, 2019.

Tracking #: WEEKLY BUSINESS MATERIAL

RECEIVED AND FILED

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

**AGENDA UPDATE
UNIFIED GOVERNMENT COMMISSION MEETING
THURSDAY, MAY 30, 2019**

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

HOLDOVER

A. SPECIAL USE PERMIT APPLICATION

Item No. 1 – 19715...#SP-2018-54 – R. SCOTT BEELER

Synopsis: Revocation of Special Use Permit for the Temporary Use of Land for storage of motor vehicles, including cars, SUVs, pick-up trucks and semi-truck trailers at 9700 Leavenworth Road, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR CONTINUATION OF THE SPECIAL USE PERMIT WITH THE MODIFIED STIPULATIONS - 7/2 VOTE**)

At the request of the permit holder, the Mayor has agreed to set this matter over until the June 27, 2019 Commission meeting.

PER BLUE SHEET, ITEM REMOVED FROM AGENDA, AT THE REQUEST OF THE PERMIT HOLDER, AND HELD OVER TO THE JUNE 27, 2019 COMMISSION MEETING

NEW ITEM

B. MISCELLANEOUS

Item No. 1 – 19786...CERTIFICATE OF APPROPRIATENESS #CA-2019-2 – EIGHTH STREET BAPTIST CHURCH

Synopsis: Consideration of appeal by Eighth Street Baptist Church regarding denial of their Certificate of Appropriateness #CA-2019-2 by the Kansas City, Kansas Landmarks Commission for the demolition of an existing home at 809 Oakland Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR DENIAL - 7/0 VOTE**)

REFERRED BACK TO THE LANDMARKS COMMISSION TO MEET WITH THE MINISTER AND THE CHURCH.