

ACTION AGENDA

JUNE 27, 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 REVEREND ARTRELL HARRIS, ROSWELL CHURCH
OF CHRIST**
- IV. PLEDGE OF ALLEGIANCE**
- V. REVISIONS TO THURSDAY, JUNE 27, 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. **#3187 - VERONICA WESSELHOFT**

Synopsis: Change of Zone from C-1 Limited Business District to C-2 General Business District for a used car lot at 2120 Park Drive, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR DENIAL)**

Tracking #: 19812

DENIED

2. **#3194 - TOM NOLTE WITH NOLTE AND ASSOCIATES, PA**

Synopsis: Change of Zone from C-1 Limited Business District to CP-3 Planned Commercial District for a contractor's office at 8525 Parallel Parkway, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 19813

APPROVED

B. SPECIAL USE PERMIT APPLICATIONS

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)**

Tracking #: 19814

WITHDRAWN

2. **#SP-2019-35 - LOLITA SANDERS**

Synopsis: Special Use Permit for a child educational center (previous Special Use Permit #SP-2016-31 expired 5/26/2018) at 1316 Armstrong Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 19815

APPROVED FOR 2 YEARS

3. **#SP-2019-38 - THOMAS W. MORGAN III**

Synopsis: Home Occupation Special Use Permit for an AIRBNB at 431 North Thompson Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 1 YEAR)**

Tracking #: 19816

APPROVED FOR 1 YEAR

4. **#SP-2019-41 - IRVIN JACKSON, JR. WITH JACKSON TRUCKING**

Synopsis: Special Use Permit for the Temporary Use of Land to park two semi-trucks at 3232 Sewell Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 1 YEAR**)

Tracking #: 19818

APPROVED FOR 1 YEAR

5. **#SP-2019-43 - DENNIS COVINGTON WITH USD 500**

Synopsis: Renewal of a Special Use Permit (#SP-2017-15 - expired 3/30/2019) for modular classrooms for Lindbergh Elementary School at 641 North 57th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)

Tracking #: 19819

APPROVED FOR 2 YEARS

6. **#SP-2019-44 - DENNIS COVINGTON WITH USD 500**

Synopsis: Renewal of a Special Use Permit (#SP-2017-16 - expired 3/30/2019) for modular classrooms for Eugene Ware Elementary School at 4820 Oakland Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)

Tracking #: 19820

APPROVED FOR 2 YEARS

7. **#SP-2019-45 - DENNIS COVINGTON WITH USD 500**

Synopsis: Renewal of a Special Use Permit (#SP-2017-17 - expired 3/30/2019) for modular classrooms for Sumner Academy at 1610 North 8th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)

Tracking #: 19821

APPROVED FOR 2 YEARS

8. **#SP-2019-47 - VERONICA WESSELHOFT**

Synopsis: Special Use Permit for a used car lot at 2120 Park Drive, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR DENIAL**)

Tracking #: 19822

DENIED

9. **#SP-2019-48 - JOHN L. PETERSON WITH PETERSON LAW**

Synopsis: Renewal/Expansion of a Special Use Permit (#SP-2009-38 - expires 6/30/2019) for a restaurant and bar at 412 North 5th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 10 YEARS)**

Tracking #: 19823

APPROVED FOR 10 YEARS

10. #SP-2019-49 - SYLVIA BEDOLLA

Synopsis: Special Use Permit for the Temporary Use of Land to park a business truck at 835 Splitlog Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR DENIAL)**

Tracking #: 19829

DENIED

11. #SP-2019-53 - JAMES ALLEN BOGERT

Synopsis: Home Occupation Special Use Permit for a short-term rental/AIRBNB at 217 Orchard Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 1 YEAR)**

Tracking #: 19830

APPROVED FOR 1 YEAR

12. #SP-2019-59 - KELLY AND JAMES HORMANN WITH A BILLION BUBBLES

Synopsis: Home Occupation Special Use Permit for a pet grooming operation at 7114 Parallel Parkway, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 1 YEAR)**

Tracking #: 19831

APPROVED FOR 1 YEAR

13. #SP-2019-60 - MATT GALLINGER WITH AMERICAN CONCRETE PRODUCTS

Synopsis: Special Use Permit for the Temporary Use of Land for an office trailer at 6945 Inland Drive, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 19832

APPROVED FOR 2 YEARS

14. #SP-2019-61 - DAVID AND DEBORAH BEAUCHAMP

Synopsis: Home Occupation Special Use Permit for an AIRBNB at 11827 Marxen Road, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 19833

APPROVED FOR 2 YEARS

15. #SP-2019-63 - STEVE BEAUMONT WITH BEAUMONT ENTERPRISES LLC

Synopsis: Renewal of a Special Use Permit (#SP-2017-29 - expired 5/25/2019) for live entertainment in conjunction with Chateau Avalon at 701 Village West Parkway, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)

Tracking #: 19824

APPROVED FOR 2 YEARS

16. #SP-2019-64 - MICHAEL RHODES

Synopsis: Special Use Permit for a dirt fill at 13742 Polfer Road, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)

Tracking #: 19834

APPROVED FOR 2 YEARS

17. #SP-2019-65 - CIARAN MOLLOY WITH WOODYARD SOUTHSIDE HOLDING, LLC

Synopsis: Special Use Permit for live entertainment in conjunction with existing restaurant at 3001 Merriam Lane, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)

Tracking #: 19835

APPROVED FOR 2 YEARS

18. #SP-2019-66 - AMBER HEATHER WITH PIPER UNIFIED SCHOOL DISTRICT #203

Synopsis: Special Use Permit for the Temporary Use of Land for a greenhouse at 3131 North 122nd Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)

Tracking #: 19836

APPROVED FOR 2 YEARS

19. #SP-2019-67 - JOHN L. PETERSON FOR KAW VALLEY COMPANIES, INC.

Synopsis: Renewal of a Special Use Permit (#SP-2009-17 - expired 6/25/2019) for a sand plant/dredging operation at 2400 South 78th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 10 YEARS**)

Tracking #: 19825

APPROVED FOR 10 YEARS

20. #SP-2019-68 - BILLY COBB WITH BEAR REAL ESTATE, LLC

Synopsis: Renewal of a Home Occupation Special Use Permit (#SP-2018-60 - expires 6/28/2019) for an AIRBNB at 2810 West 42nd Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)

Tracking #: 19826

APPROVED FOR 2 YEARS

21. #SP-2019-69 - LAUREN LUECK WITH KVC FOUNDATION, INC.

Synopsis: Renewal of a Special Use Permit (#SP-2017-64 - expired 5/31/2019) for twelve (12) non-violent adult patients at 4300 Brenner Road, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL UNTIL 12/31/2019**)

Tracking #: 19827

APPROVED UNTIL 12/31/19

22. #SP-2019-72 - JOHN L. PETERSON FOR KAW VALLEY COMPANIES, INC.

Synopsis: Renewal of a Special Use Permit (#SP-2008-30 - expired 6/25/2019) to continue extracting material and fill with State approved rubble and recycling at 8300 Gibbs Road and 8205 Kaw Drive, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 10 YEARS**)

Tracking #: 19828

APPROVED FOR 10 YEARS

C. VACATION APPLICATION

1. #U/E-2019-4 - AMY LUNGU WITH D & A HOMES, INC.

Synopsis: Vacation of utility easements at 11330 Webster Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL**)

Tracking #: 19837

APPROVED

D. PLAN REVIEW APPLICATION

1. #PR-2019-13 - MATT GIBBS WITH STATE4, LLC

Synopsis: Preliminary and Final Plan Review for Aspen Dental at 7524 State Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL**)

Tracking #: 19838

APPROVED

E. MISCELLANEOUS

1. #MP-2019-4 - TOM NOLTE WITH NOLTE AND ASSOCIATES

Synopsis: Master Plan Amendment from Low-Density Residential (City-Wide) to Community Commercial (City-Wide Master Plan) at 8525 Parallel Parkway, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL**)

Tracking #: 19839

APPROVED

F. MISCELLANEOUS - ORDINANCE (Final action on previously approved item)

1. AN ORDINANCE rezoning property at 647 Southwest Boulevard (#3184) from M-2 General Industrial District to CP-3 Planned Commercial District, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (RECOMMENDED FOR APPROVAL)

Tracking #: 19840

O-44-19 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

APPROVED WITH ADDITONAL BERM AND BUSHES

2. #SP-2019-85 - FRANK LAVENDER, JR.

Synopsis: Short-Term Special Use Permit to host the Kansas City, Kansas Street Blues Festival on June 29, 2019 at 3924 North 49th Drive, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL**)

Tracking #: 19841

APPROVED

TAX STATUS REPORT

BOARD OF COMMISSIONERS AGENDA FOR JUNE 27, 2019

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

COZ #3194 and #MP-2019-4: 2017 - \$20.63

#SP-2019-3: 2017 - \$8,381.31

#SP-2019-35: 2017 - \$1,212.34

#SP-2019-63: 2017 - \$138,197.36

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. **ADOPTION: 2019 FEDERAL LEGISLATIVE PROGRAM**

Synopsis: Request adoption of the 2019 Federal Legislative Program, submitted by Mike Taylor, Public Relations Director.

The legislative program was presented to the Commission during a special session on June 13, 2019.

Tracking #: 19844

APPROVED

2. **RESOLUTION: 131ST & LEAVENWORTH ROAD IMPROVEMENTS FOR PIPER ELEMENTARY SCHOOL - CMIP 1615**

Synopsis: A resolution declaring the necessity and authorizing a survey of lands for the 131st & Leavenworth Road Improvements for Piper Elementary School, CMIP 1615, submitted by James Bain, Assistant Counsel.

*On June 17, 2019, the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.*

Tracking #: 19791

RESOLUTION NO. R-38-19 ADOPTED

3. **RESOLUTION: EASTERN KANSAS MULTI-COUNTY TASK FORCE AGREEMENT**

Synopsis: A resolution approving a Reciprocal Investigation Intergovernmental Local Agreement with the Eastern Kansas Multi-County Task Force, submitted by John Droppelmann, Fire Marshal. This task force provides investigative assistance for large, complex fire incidents.

*On June 17, 2019, the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.*

Tracking #: 19793

RESOLUTION NO. R-39-19 ADOPTED

4. **REQUEST: FISHER PARK FITNESS COURT**

Synopsis: Request to construct a national fitness court at Fisher Park, located at 39th Street and Fisher Avenue, submitted by Jeremy Rogers, Director of Parks & Recreation.

*On June 17, 2019, the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.*

Tracking #: 19806

HELD OVER

5. ORDINANCE: PURPOSES OF COMMISSION ON HUMAN RELATIONS & DISABILITIES ISSUES

Synopsis: An ordinance outlining the purposes of the Commission on Human Relations and Disabilities issues, amending Section 18-23, submitted by Phyllis Wallace, Director of Human Services.

*On June 17, 2019, the **Administration and Human Services Standing Committee**, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.*

Tracking #: 19794

ORDINANCE NO. O-45-19 APPROVED

6. ORDINANCE: COMMISSION ON HUMAN RELATIONS & DISABILITIES

Synopsis: An ordinance designating what constitutes a quorum for the Commission on Human Relations and Disabilities Issues meetings, amending Section 18-25, submitted by Phyllis Wallace, Director of Human Services.

*On June 17, 2019, the **Administration and Human Services Standing Committee**, chaired by Commissioner Markley, voted unanimously to approve and forward to full commission.*

Tracking #: 19787

ORDINANCE NO. O-46-19

7. NOMINATIONS: BOARDS AND COMMISSIONS

Synopsis: Nominations for Boards and Commissions:

Mindy Janelle Wills Fugarino - Juvenile Corrections Advisory Board, 6/27/19 - 6/27/22
submitted by Mayor David Alvey

Matt Warner - UG Board of Park Commissioners, 6/27/19 - 3/31/20, submitted by
Commissioner Ann Murguia

Daniel Serda - Board of Zoning Appeals/City Planning Commission, 6/27/19 - 3/31/20,
submitted by Commissioner Melissa Bynum

Anne McDonald - Housing Authority Board, 6/27/19 - 3/31/20, submitted by
Commissioner Brian McKiernan

Tracking #: 19808

APPROVED

8. MINUTES

Synopsis: Minutes from regular session of May 30, 2019.

Tracking #: MINUTES

APPROVED

9. **WEEKLY BUSINESS MATERIAL**

Synopsis: Weekly business material dated June 13 and 20, 2019.

Tracking #: WEEKLY BUSINESS MATERIAL

RECEIVED AND FILED

XI. PUBLIC HEARING AGENDA

XII. STANDING COMMITTEES' AGENDA

XIII. ADMINISTRATOR'S AGENDA

XIV. COMMISSIONERS' AGENDA

1. **RECOMMENDATIONS: UG/HOLLYWOOD CASINO/SVV GRANTS**

Synopsis: Recommendations from the Mayor and Commissioners for the 2019 UG/Hollywood Casino/Schlitterbahn Vacation Village grants, submitted by Emerick Cross, Assistant County Administrator.

Tracking #: 19807

APPROVED

XV. LAND BANK BOARD OF TRUSTEES' AGENDA

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN