

ACTION AGENDA
AUGUST 29, 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 CYNTHIA SMART, MASON MEMORIAL
UNITED METHODIST CHURCH**
- IV. PLEDGE OF ALLEGIANCE**
- V. REVISIONS TO THURSDAY, AUGUST 29, 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 AGENDA

VII. PLANNING AND ZONING CONSENT AGENDA

A. CHANGE OF ZONE APPLICATIONS

1. **#3199 - CHARLES MESTAGH**

Synopsis: Change of Zone from R-1 Single Family District to A-G Agriculture District for an accessory building at 7615 Swartz Road, submitted by Robin H. Richardson, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 19914

APPROVED

2. **#3200 - MICHAEL D. FOSTER WITH FOSTER AND ASSOCIATES**

Synopsis: Change of Zone from C-1 Limited Business District to C-3 Commercial District to allow apartments over commercial space at 3101 Strong Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL TO CP-3 PLANNED COMMERCIAL DISTRICT)**

Tracking #: 19915

APPROVED FOR CP-3 PLANNED COMMERCIAL DISTRICT

B. SPECIAL USE PERMIT APPLICATIONS

1. **#SP-2019-83 - DARYL EVERS**

Synopsis: Renewal of a Special Use Permit (#SP-2017-47 - expired 8/27/2019) for a liquor store at 2862 West 47th Avenue, submitted by Robin H. Richardson, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 15 YEARS)**

Tracking #: 19909

APPROVED FOR 15 YEARS

2. **#SP-2019-86 - ANDREW MORGANS**

Synopsis: Renewal of a Home Occupation Special Use Permit (#SP-2018-63 - expires 8/30/2018) for an AIRBNB at 616 Elizabeth Avenue, submitted by Robin H. Richardson, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 19910

APPROVED FOR 2 YEARS

3. **#SP-2019-90 - CHRISTI EATON AND KIM MAPLES WITH LITTLE LEADERS OF KCK, INC.**

Synopsis: Special Use Permit for a child care facility on the KCKCC campus at 7250 State Avenue, submitted by Robin H. Richardson, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 19921

APPROVED FOR 2 YEARS

4. **#SP-2019-91 - LAURA L. SANCHEZ WITH HOMESTEAD MONTESSORI FARM SCHOOL**

Synopsis: Home Occupation Special Use Permit to operate a private Montessori school for a maximum of 12 students (ages 6 to 15) at 3800 Weaver Court, submitted by Robin H. Richardson, Director of Planning, 573-5774

(RECOMMENDED FOR APPROVAL FOR 2 YEARS)

Tracking #: 19922

APPROVED FOR 2 YEARS

5. **#SP-2019-92 - JOE HEIDRICK WITH CACTUS BED PROPERTIES, LLC**

Synopsis: Renewal of a Special Use Permit (#SP-2018-79 - expires 9/27/2019) for a short-term rental/AIRBNB at 3841 Lloyd Street, submitted by Robin H. Richardson, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 19911

APPROVED FOR 2 YEARS

6. **#SP-2019-93 - CHERYL SNOPEK WITH CHERBEAR'S DOG GROOMING**

Synopsis: Home Occupation Special Use Permit for a dog grooming business at 401 South 82nd Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 1 YEAR)**

Tracking #: 19923

APPROVED FOR 1 YEAR

7. **#SP-2019-94 - WIL ANDERSON WITH BHC RHODES FOR FRANK PERRY**

Synopsis: Renewal of a Special Use Permit (#SP-2017-31 - expires 8/31/2019) for the Temporary Use of Land for a security office trailer at 8130 Kaw Drive, submitted by Robin H. Richardson, Director of Planning, 573-5774

(RECOMMENDED FOR APPROVAL FOR 2 YEARS)

Tracking #: 19912

APPROVED FOR 2 YEARS

C. PLAN REVIEW APPLICATION

1. **#PR-2019-16 - DAVID CONTAG WITH DLR GROUP**

Synopsis: Preliminary and Final Plan Review for an athletic complex for Turner USD #202 at 2211 South 55th Street, submitted by Robin H. Richardson, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 19924

APPROVED

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

1. **AN ORDINANCE** rezoning property at 8525 Parallel Parkway (#3194) from C-1 Limited Business District to CP-3 Planned Commercial District (**RECOMMENDED FOR APPROVAL**)
Tracking #: 19926
ORDINANCE NO. O-57-19 APPROVED
PUBLISHED 9/5/19
2. **AN ORDINANCE** rezoning property at 2718 North 119th Street (#3191) from AG Agriculture (WYCO) District to A-G Agriculture (City) District, submitted by Robin H. Richardson, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL**)
Tracking #: 19927
ORDINANCE NO. O-58-19 APPROVED
PUBLISHED 9/5/19

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

A. MASTER PLAN AMENDMENT

1. #MP-2019-5 - MICHAEL OSBOURN WITH KAW VALLEY ENGINEERING

Synopsis: Master Plan Amendment from Public/Semi Public to Urban Residential (City-Wide Master Plan) at 3301 Garfield Avenue, submitted by Robin H. Richardson, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL – 6/1 VOTE**)
Tracking#: 19925
APPROVED

B. CHANGE OF ZONE APPLICATION

1. #3201 - MICHAEL OSBOURN WITH KAW VALLEY ENGINEERING

Synopsis: Change of Zone from R-1(B) Single Family District to RP-2(B) Two Family District for a residential duplex subdivision at 3301 Garfield Avenue, submitted by Robin H. Richardson, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL – 7/0 VOTE**)
Tracking #: 19916
APPROVED
(PROTEST PETITION WAS FILED BUT DEEMED TO BE INVALID)

C. SPECIAL USE PERMIT APPLICATIONS

1. #SP-2019-84 - ABDUL MAZID

Synopsis: Renewal of a Special Use Permit (#SP-2017-28 - expires 9/28/2019) for a used car dealership at 1010 Merriam Lane, submitted by Robin H. Richardson, Director of Planning, 573-5774 (**RECOMMENDED FOR DENIAL - 6/1 VOTE**)

Tracking #: 19917

DENIED AS RECOMMENDED

2. **#SP-2019-88 - JENNIFER PRIEST WITH SHOWALTER LAW FIRM**

Synopsis: Special Use Permit for a short-term rental/AIRBNB at 423 Ann Avenue, submitted by Robin H. Richardson, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 1 YEAR - 5/2 VOTE**)

Tracking #: 19918

APPROVED FOR 1 YEAR

3. **#SP-2019-89 - JENNIFER PRIEST WITH SHOWALTER LAW FIRM**

Synopsis: Special Use Permit for a short-term rental/AIRBNB at 709 North 5th Street, submitted by Robin H. Richardson, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 1 YEAR - 6/1 VOTE**)

Tracking #: 19920

APPROVED FOR 1 YEAR

~~C. MASTER PLAN AMENDMENT~~

~~1. **#MP-2019-5 - MICHAEL OSBOURN WITH KAW VALLEY ENGINEERING**~~

~~**Synopsis:** Master Plan Amendment from Public/Semi Public to Urban Residential (City-Wide Master Plan) at 3301 Garfield Avenue, submitted by Robin H. Richardson, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL - 6/1 VOTE**)~~

~~**Tracking #:** 19925~~

~~**DUPLICATE ITEM; SEE #A1**~~

TAX STATUS REPORT
BOARD OF COMMISSIONERS AGENDA FOR AUGUST 29, 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. PLAT: 38LEAVENWORTH FINAL PLAT

Synopsis: Plat of 38Leavenworth Final Plat located at 38th and Leavenworth Road, being developed by Farrukh Jamal, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Tracking #: 19929

APPROVED AND MAYOR AUTHORIZED TO SIGN THE PLAT

2. MINUTES

Synopsis: Minutes from regular session of July 25, 2019; and special session of August 15, 2019.

Tracking #: MINUTES

APPROVED

3. WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated August 15 and 22, 2019.

Tracking #: WEEKLY BUSINESS MATERIAL

RECEIVED AND FILED

XI. PUBLIC HEARING AGENDA

XII. STANDING COMMITTEES' AGENDA

XIII. ADMINISTRATOR'S AGENDA

1. RESOLUTION: MEMORANDUM OF UNDERSTANDING (MOU) WITH AFSCME

Synopsis: A resolution authorizing the County Administrator to execute a Memorandum of Understanding (MOU) with American Federation of State, County, and Municipal Employees (AFSCME), effective January 1, 2018 through December 31, 2019, submitted by Melissa Sieben, Assistant County Administrator.

Tracking #: 19902

RESOLUTION NO. R-57-19 ADOPTED

2. RESOLUTION: PREMIER AUTOMOTIVE

Synopsis: A resolution authorizing three assignment and assumption agreements between SVV 1, LLC, and Premier Automotive at the Legends, LLC; Premier

Automotive of Bonner Springs, LLC; and Premier Automotive of Kansas City, LLC, submitted by Katherine Carttar, Director of Economic Development.

Tracking #: 19928

RESOLUTION NO. R-58-19 ADOPTED

XIV. COMMISSIONERS' AGENDA

XV. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

1. LAND BANK BUSINESS: POLICY CHANGES

Synopsis: Request consideration of proposed changes to the UG's Land Bank Policy, submitted by Chris Slaughter, Land Bank Manager.

*On August 19, 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 #: 19892

APPROVED (NOTE: IT'S A LIVING DOCUMENT THAT WILL CHANGE)

2. LAND BANK BUSINESS: NORTHEAST HOLD AREA LIFT

Synopsis: Request to lift the current hold on all Land Bank properties within the boundaries of the Northeast Master Plan area, submitted by Chris Slaughter, Land Bank Manager.

*On August 19, 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 #: 19893

APPROVED

3. LAND BANK BUSINESS: APPLICATIONS

Synopsis: Request consideration of the following applications, submitted by Chris Slaughter, Land Bank Manager.

1109 State Ave. - Leon Means, yard extension
1051 Ella Ave. - Maria Hernandez, yard extension
1508 Armstrong Ave. - Maverick Rodriguez, yard extension
2436 S. 18th St. - Michael Walker, yard extension
717 S. 19th St. - Ahmad Noory, yard extension
1043 Armstrong Ave. - Gobee Corporation, Inc., yard extension
1129 Osage Ave. - Hector Gonzalez, property acquisition
1258 SW Blvd. - Israel Garcia, art garden
20 Kansas Ave. - Pillar KC, LLC, new construction
1824 N. 13th St. - M Star Holdings, LLC, parking lot
1308 Wood Ave. - M Star Holdings, LLC, parking lot

*On August 19, 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 #: 19894

APPROVED

4. LAND BANK BUSINESS: SALE OF FORMER WHITTIER SCHOOL

Synopsis: Recommending the sale of the former Whittier School, 290 S. 10th St., to KC Casas, LLC, who plans to rehab the building for apartments and retail business, submitted by Chris Slaughter, Land Bank Manager.

*On August 19, 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 #: 19895

APPROVED

5. LAND BANK BUSINESS: TRANSFERS FROM LAND BANK

Synopsis: Request consideration of the following transfers from the Land Bank, submitted by Chris Slaughter, Land Bank Manager.

2521 Hiawatha St. to Community Housing of Wyandotte County

2523 Hiawatha St. to Community Housing of Wyandotte County

(These properties are part of the YouthBuild KCK Model Block Project to support neighborhood beautification and the building of safe and affordable housing.

CHWC will be the non-profit home builder for the project.)

*On August 19, 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 #: 19896

APPROVED

6. LAND BANK BUSINESS: DONATION TO LAND BANK

Synopsis: Request consideration of the following donation to the Land Bank, submitted by Chris Slaughter, Land Bank Manager.

271 S. 12th St. (vacant lot) from Robot Automation Integration, Inc. c/o David Heaston

(Bought property at tax sale and was going to resell property. The deal did not proceed and owner states he cannot take care of property. Property has back taxes from 1988 totaling \$5,078.05).

*On August 19, 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 #: 19897

APPROVED

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN