

ACTION AGENDA
UPDATE
JULY 30, 2020 UNIFIED GOVERNMENT BOARD OF
COMMISSIONERS MEETING
ORDER OF BUSINESS
MEETING TO CONVENE AT 7:00 PM

Topic: Full Commission Meeting - Planning & Zoning

Time: Jul 30, 2020 07:00 PM Central Time (US and Canada)

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- I. CALL TO ORDER**
- II. ROLL CALL**
- III. INVOCATION GIVEN BY REVEREND COMMISSIONER HAROLD JOHNSON, FAITH DELIVERANCE CHURCH OF GOD IN CHRIST**
- IV. PLEDGE OF ALLEGIANCE**
- V. REVISIONS TO THURSDAY, JULY 30, 2020 AGENDA**
XIII. Administrator's Agenda Item No. 1 – Resolution: CARES Subcommittee Recommendations (revised item submitted)

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**

Staff present: Doug Bach, Gordon Criswell, Melissa Sieben, Alan Howze, Emerick Cross, Ken Moore, Gunnar Hand, Janet Parker, Katherine Carttar, Patrick Waters, Misty Brown, Crystal Sprague, Jud Knapp, James Bain, Bridgette Cobbins

PLANNING AND ZONING AGENDA

VII. PLANNING AND ZONING CONSENT AGENDA

A. CHANGE OF ZONE APPLICATIONS

1. **#3224 - Kyle Rose with Rose Property Maintenance, LLC**

Synopsis: Change of Zone from R-1 Single Family District to M-2 General Industrial District for a contractor's office, shop and storage yard at 1908 South 74th Street, submitted by Gunnar H. Hand, AICP, Director of Planning, 573-5751 (**RECOMMENDED FOR APPROVAL to MP-2 Planned General Industrial District**)

Tracking #: 20270

APPROVED MCKIERNAN/RAMIREZ TO MP-2 PLANNED GENERAL INDUSTRIAL DISTRICT VOTE: 9-0

2. **#3225 - Reggie Kemna with Relentless, LLC**

Synopsis: Change of Zone from R-1 Single Family District to A-G Agriculture District for hay and to raise bees at 2914 South 74th Street, submitted by Gunnar H. Hand, AICP, Director of Planning, 573-5751 (**RECOMMENDED FOR APPROVAL**)

Tracking #: 20271

APPROVED MCKIERNAN/RAMIREZ VOTE: 9-0

B. SPECIAL USE PERMIT APPLICATIONS

1. **#SP-2020-36 - Adrian Jasper with Elevate Enterprises, LLC**
Synopsis: Renewal of a Special Use Permit (#SP-2017-67, expired 1/25/2020) for a drinking establishment with live entertainment at 7540 Armstrong Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning, 573-5751 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)
Tracking #: 20274
APPROVED MCKIERNAN/RAMIREZ VOTE: 9-0
2. **#SP-2020-38 - Cristen Ryman and Kate Lynch**
Synopsis: Renewal of a Home Occupation Special Use Permit (#SP-2018-9, expired 1/2/2020) for a short-term rental/AIRBNB at 2824 North 99th Terrace, submitted by Gunnar H. Hand, AICP, Director of Planning, 573-5751 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)
Tracking #: 20275
APPROVED MCKIERNAN/RAMIREZ VOTE: 9-0
3. **#SP-2020-47 - Patricia Soto**
Synopsis: Renewal of a Special Use Permit (#SP-2017-57, expired 1/11/2020) to keep one (1) horse at 741 South 76th Street, submitted by Gunnar H. Hand, AICP, Director of Planning, 573-5751 (**RECOMMENDED FOR APPROVAL FOR 5 YEARS**)
Tracking #: 20276
APPROVED MCKIERNAN/RAMIREZ VOTE: 9-0
4. **#SP-2020-53 - Irvin Jackson, Jr. with Jackson Trucking**
Synopsis: Renewal of a Special Use Permit (#SP-2019-41, expired 6/27/2020) for the Temporary Use of Land to park two (2) semi-trucks at 3232 Sewell Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning, 573-5751 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)
Tracking #: 20264
APPROVED MCKIERNAN/RAMIREZ VOTE: 9-0
5. **#SP-2020-54 - Ronda Dumovich**
Synopsis: Special Use Permit for a small marketing and assembly business at 11552 Parkview Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning, 573-5751 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)
Tracking #: 20277
APPROVED MCKIERNAN/RAMIREZ VOTE: 9-0
6. **#SP-2020-55 - Jacob S. Patton**
Synopsis: Renewal of a Special Use Permit (#SP-2019-75 – expires 07/25/2020) for a short-term rental/AIRBNB at 819 Southwest Boulevard, submitted by Gunnar H. Hand, AICP, Director of Planning, 573-5751 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)
Tracking #: 20265
APPROVED MCKIERNAN/RAMIREZ VOTE: 9-0

7. **#SP-2020-57 - Tom Elliott and Merritt Bold with All American Trailer, LLC**
Synopsis: Renewal of a Special Use Permit (#SP-2018-58 – expires 7/26/2020) for sales of semi-trailers at 2330 State Line Road, submitted by Gunnar H. Hand, AICP, Director of Planning, 573-5751 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)
APPROVED MCKIERNAN/RAMIREZ VOTE: 9-0
8. **#SP-2020-61 - Katelyn Kok with Motor Company, LLC**
Synopsis: Special Use Permit for auto sales at 2930 South 44th Street, submitted by Gunnar H. Hand, AICP, Director of Planning, 573-5751 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)
Tracking #: 20278
APPROVED MCKIERNAN/RAMIREZ VOTE: 9-0
9. **#SP-2020-62 - Jacob Lee**
Synopsis: Home Occupation Special Use Permit for a personal trainer and gym at 6135 Sloan Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning, 573-5751 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)
Tracking #: 20279
APPROVED MCKIERNAN/RAMIREZ VOTE: 9-0
10. **#SP-2020-63 - Luke Olenick with Sunflower Tow Service, LLC**
Synopsis: Renewal of a Special Use Permit (#SP-2018-57 – expires 7/26/2020) for the Temporary Use of Land for a modular office at 452 South 26th Street, submitted by Gunnar H. Hand, AICP, Director of Planning, 573-5751 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)
Tracking #: 20267
APPROVED MCKIERNAN/RAMIREZ VOTE: 9-0

C. VACATION APPLICATION

1. **#S-2020-9 - Lorenzo Garcia**
Synopsis: Vacation of a street at 3740 North 35th Street, submitted by Gunnar H. Hand, AICP, Director of Planning, 573-5751 (**RECOMMENDED FOR APPROVAL**)
Tracking #: 20281
APPROVED TOWNSEND/BYNUM VOTE: 9-0

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

1. AN ORDINANCE rezoning property (#3222) at 16 South 23rd Street from R-1(B) Single Family District to R-2(B) Two Family District, submitted by Gunnar H. Hand, AICP, Director of Planning, 573-5751 (**RECOMMENDED FOR APPROVAL**)
Tracking #: 20284
ORDINANCE NO. O-38-20 APPROVED MCKIERNAN/RAMIREZ VOTE: 9-0
2. AN ORDINANCE granting a Special Use Permit (#SP-2019-111) to keep stockpiles and process (crushing and sorting) concrete materials at 7241 Kaw Drive, submitted by Gunnar

H. Hand, AICP, Director of Planning, 573-5751 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 20285

ORDINANCE NO. O-39-20 APPROVED MCKIERNAN/RAMIREZ VOTE: 9-0

3. AN ORDINANCE granting a Special Use Permit (#SP-2020-35) for an AIRBNB at 1820 North 90th Street, submitted by Gunnar H. Hand, AICP, Director of Planning, 573-5751 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 20286

ORDINANCE NO. O-40-20 APPROVED MCKIERNAN/RAMIREZ VOTE: 9-0

4. AN ORDINANCE granting a Special Use Permit (#SP-2020-23) for continuation of a parking lot, outdoor storage of used, damaged and undamaged, operable and inoperable vehicles, boats and construction/farm equipment and machinery for wholesale online and retail auction at 6130 Kansas Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning, 573-5751 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 20291

30-DAY CONTINUATION APPROVED MCKIERNAN/RAMIREZ, VOTE: 9-0

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

A. CHANGE OF ZONE APPLICATIONS

1. **#3211 - Bobbie Jean Thomas**

Synopsis: Change of Zone from R-1 Single Family District to A-G Agriculture District to keep the barn, horses and future cattle at 4520 and 4600 Parkview Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning, 573-5751 **(RECOMMENDED FOR DENIAL - 7/1 VOTE)**

Tracking #: 20269

APPROVED RECOMMENDATION FOR DENIAL TOWNSEND/BYNUM VOTE: 9-0

2. **#3226 - Shawn Cofer with Scannell Properties #436, LLC**

Synopsis: Change of Zone from A-G Agriculture and CP-2 Planned General Business Districts to C-1 Limited Business and M-2 General Industrial Districts for a business park and neighborhood retail center at 9700 Leavenworth Road, submitted by Gunnar H. Hand, AICP, Director of Planning, 573-5751 **(RECOMMENDED FOR APPROVAL - 7/1 VOTE to MP-2 Planned General Industrial District)**

Tracking #: 20272

APPROVED PHILBROOK/BYNUM VOTE: 6-3

B. SPECIAL USE PERMIT APPLICATIONS

1. **#SP-2019-117 - FRED DEL TORO**

Synopsis: Special Use Permit to keep a horse at 3447 North 31st Street, submitted by Gunnar H. Hand, AICP, Director of Planning, 573-5751 **(RECOMMENDED FOR DENIAL - 6/2 VOTE)**

Tracking #: 20132

EXTENDED FOR 60 DAYS TOWNSEND/PHILBROOK VOTE: 9-0

2. #SP-2019-118 - Fred Del Toro

Synopsis: Special Use Permit to keep chickens and livestock at 3456 North 31st Terrace, submitted by Gunnar H. Hand, AICP, Director of Planning, 573-5751

(RECOMMENDED FOR APPROVAL FOR 2 YEARS - 5/4 VOTE)

Tracking #: 20133

EXTENDED FOR 60 DAYS TOWNSEND/PHILBROOK VOTE: 9-0

3. #SP-2020-56 - Thomas W. Morgan III

Synopsis: Renewal of a Special Use Permit (#SP-2018-39 – expired 6/27/2020) for a short-term rental/AIRBNB at 431 North Thompson Street, submitted by Gunnar H. Hand, AICP, Director of Planning, 573-5751 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS - 7/1 VOTE)**

Tracking #: 20268

APPROVED MCKIERNAN/BURROUGHS VOTE: 9-0

4. #SP-2020-64 - Tita Lagrimas with Tradebee Environmental Services, LLC

Synopsis: Renewal of a Special Use Permit (#SP-2018-97 – expired 2/28/2020) for a 10-day transfer facility non-regulated, DOT hazardous materials and hazardous waste, containers will be transferred from one truck to another, no transported containers will be kept inside the building at 1620 South 45th Street, submitted by Gunnar H. Hand, AICP, Director of Planning, 573-5751 **(RECOMMENDED FOR APPROVAL FOR 5 YEARS - 7/1 VOTE)**

Tracking #: 20280

APPROVED KANE/RAMIREZ VOTE: 9-0

C. MASTER PLAN AMENDMENT APPLICATION

1. #MP-2020-5 - Shaun Cofer with Scannell Properties #436, LLC

Synopsis: Master Plan Amendment from Entertainment to Business Park at 9700 Leavenworth Road, submitted by Gunnar H. Hand, AICP, Director of Planning, 573-5751 **(RECOMMENDED FOR APPROVAL - 7/1 VOTE)**

Tracking #: 20273

APPROVED PHILBROOK/MCKIERNAN VOTE: 7-1

(Commissioner Burroughs did not vote due to a conflict of interest)

D. MISCELLANEOUS

1. CONSIDERATION OF AN EMERGENCY ORDINANCE AND RESOLUTION SUSPENDING ENFORCEMENT OF CERTAIN CHAPTER 27 SECTIONS AND ADDING ADDITIONAL SECTIONS FOR CHAPTER 27, submitted by Gunnar H. Hand, AICP, Director of Planning, 573-5751 (RECOMMENDED FOR APPROVAL)

Tracking #: 20282

ORDINANCE NO. O-42-20/R-50-20 APPROVED/ADOPTED RAMIREZ/BYNUM VOTE: 9-0

2. **AN ORDINANCE** amending language to clarify the types of structures and the review process associated with such structures in Section 32-102, Chapter 32, Article III of the 2008 Code of Ordinances and Resolutions of the Unified Government of Wyandotte County/Kansas City, Kansas, submitted by Gunnar H. Hand, AICP, Director of Planning, 573-5751 (RECOMMENDED FOR APPROVAL)

Tracking #: 20283

ORDINANCE NO. O-43-20 APPROVED BURROUGHS/MCKIERNAN VOTE: 9-0

TAX STATUS REPORT
BOARD OF COMMISSIONERS AGENDA FOR JULY 30, 2020

None of the properties included in applications to be considered on the Planning & Zoning agenda have delinquent taxes prior to 2019.

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: DOWNTOWN CAMPUS REDEVELOPMENT DISTRICT FIRST AMENDMENT**

Synopsis: A resolution adopting the First Amendment to the Downtown Campus Redevelopment Agreement, submitted by Katherine Carttar, Director of Economic Development.

*On July 6, 2020, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.*

Tracking #: 20230

RESOLUTION NO. R-51-20 ADOPTED MCKIERNAN/BYNUM VOTE: 9-0

2. **ORDINANCE: LOWER CONNER CREEK PHASE II, CMIP 6182**

Synopsis: An ordinance directing the Chief Counsel to institute proceedings as provided by law to acquire land for the Lower Conner Creek Project Phase 2, CMIP 6182, submitted by James Bain, Assistant Counsel. This project is located at or about Donahoo & I-435 along Conner Creek to the Wolcott Treatment Plant for the Unified Government's Pump Station 50 Elimination and New Interceptor Sewer Project.

On November 16, 2017, the Commission unanimously adopted Resolution No. R-44-17, declaring the project to be a necessary, valid public improvement project and authorizing

a survey to identify and describe the property to be acquired.

Tracking #: 20261

ORDINANCE NO. O-44-20 APPROVED MCKIERNAN/BYNUM VOTE: 9-0

3. ORDINANCE: LOMBARDY DRIVE SEWER IMPROVEMENT PROJECT, CMIP 6213

Synopsis: An ordinance directing the Chief Counsel to institute proceedings as provided by law to acquire said land for the Lombardy Drive Sewer Improvement Project, CMIP 6213, submitted by James Bain, Assistant Counsel. This project is relocating failing sewer mains that run under houses to side yards and the road at 22nd and Lombardy Drive.

On March 7, 2019, the Commission unanimously adopted Resolution No. R-10-19, declaring the project to be a necessary, valid public improvement project and authorizing a survey to identify and describe the property to be acquired.

Tracking #: 20262

ORDINANCE NO. O-45-20 APPROVED MCKIERNAN/BYNUM VOTE: 9-0

4. NOMINATIONS: BOARDS & COMMISSIONS

Synopsis: Nominations for Boards & Commissions:

John Rios to Housing Authority, 7/30/20-12/11/23, submitted by Commissioner Ramirez

Mark Mohler to Golf Advisory Board (Reappointment), 7/30/20-12/11/23, submitted by Commissioner Bynum

Jody Boeding to Wyandotte County Library Board (Reappointment), 7/30/20-12/11/23, submitted by Commissioner McKiernan

Joan DeMoss to Law Enforcement Advisory Board (Reappointment), 7/30/20-12/11/23, submitted by Commissioner McKiernan

Bridget Holton-Deere to UG Board of Park Commissioners (Reappointment), 7/30/2020-12/11/2023, submitted by Commissioner McKiernan

Susannah Pauley to Board of Zoning Appeals and Kansas City, Kansas City Planning Commission (Reappointment), 7/30/20-12/11/23, submitted by Commissioner McKiernan

Tracking #: 20256

APPROVED MCKIERNAN/BYNUM VOTE: 9-0

5. MINUTES

Synopsis: Minutes from regular sessions of June 11 and 25, 2020; and special sessions of June 25 and July 9, 2020.

Tracking #: MINUTES

APPROVED MCKIERNAN/BYNUM VOTE: 9-0

6. WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated July 9 and 16, 2020.

Tracking #: WEEKLY BUSINESS MATERIAL

XI. PUBLIC HEARING AGENDA

1. PUBLIC HEARING/ORDINANCE: DOWNTOWN CAMPUS REDEVELOPMENT PLAN

Synopsis: Conduct a public hearing to consider an ordinance approving the redevelopment project plan for the Downtown Campus project, submitted by Katherine Carttar, Director of Economic Development.

On June 25, 2020, the Commission unanimously adopted Resolution No. R-36-20, establishing the date and time for the public hearing.

Tracking #: 20289

**PUBLIC HEARING HELD/ORDINANCE NO. O-46-20 APPROVED
MCKIERNAN/BYNUM VOTE: 8-0**

2. PUBLIC HEARING/RESOLUTION: THE MAREK AT MISSION CLIFFS APARTMENT DEVELOPMENT

Synopsis: Conduct a public hearing to consider a resolution of intent to issue industrial revenue bonds not to exceed \$26.3M for SPKS Mission Hills, LLC for The Marek at Mission Cliffs project located at 2913 & 2906 W. 39th Ave. and 3741 S. Thompson Cr., submitted by Katherine Carttar, Director of Economic Development.

*On July 6, 2020, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted 4 to 2 to approve and forward to full commission.*

Tracking #: 20231

**PUBLIC HEARING HELD/TABLED TO ALLOW DEVELOPER TO MEET WITH
NEIGHBORS JOHNSON/RAMIREZ VOTE 9-0**

XII. STANDING COMMITTEES' AGENDA

1. RESOLUTION: LEASE AGREEMENT WITH MOTOROLA SOLUTIONS, INC.

Synopsis: A resolution approving a lease purchase transaction with Motorola Solutions, Inc., for in-car and body worn cameras, submitted by Casey Meyer, Assistant Counsel.

*This item was scheduled to appear before the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, on July 27, 2020. It was requested, and approved by the Mayor, to fast track this item to the July 30, 2020 full commission meeting.*

Tracking #: 20257

RESOLUTION NO. R-52-20 BYNUM/KANE VOTE 9-0

XIII. ADMINISTRATOR'S AGENDA

1. RESOLUTION: CARES SUBCOMMITTEE RECOMMENDATIONS

Synopsis: A resolution approving the CARES Subcommittee recommendations made by the WyCo CARES Committee, submitted by James Bain, Assistant Counsel. The

recommendations include reimbursements to the Unified Government, KCK, Bonner Springs, and Edwardsville.

Tracking #: 20290

RESOLUTION NO. R-53-20 BYNUM/PHILBROOK VOTE 9-0

XIV. COMMISSIONERS' AGENDA

1. RECOMMENDATIONS: DISBURSEMENT OF 2020 CASINO GRANT FUNDS

Synopsis: Request approval to disburse 2020 UG/Hollywood Casino grant funds as recommended by the Mayor and commissioners, submitted by Emerick Cross, Assistant County Administrator.

Tracking #: 20259

APPROVED KANE/RAMIREZ VOTE: 9-0

XV. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

1. LAND BANK APPLICATION

Synopsis: Request consideration of the following application, submitted by Katherine Carttar, Director of Economic Development.

Application

725 S. 4th St. - Breck Ricketts

(use cell tower to provide low cost internet service to Edwardsville residents)

On July 6, 2020, 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 #: 20228

APPROVED MCKIERNAN/BYNUM VOTE 9-0

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN 11:20 PM