

ACTION AGENDA
MARCH 25, 2021 UNIFIED GOVERNMENT BOARD OF
COMMISSIONERS MEETING
ORDER OF BUSINESS
MEETING TO CONVENE AT 7:00 PM

You are invited to a Zoom webinar.

When: Mar 25, 2021 07:00 PM Central Time (US and Canada)

Topic: Full Commission Meeting (P/Z)

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87392652938?pwd=ZTILMEVUUUlowUHA4dXRUCdNjdXRSZz09>

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Webinar ID: 873 9265 2938

International numbers available: <https://us02web.zoom.us/j/87392652938?pwd=ZTILMEVUUUlowUHA4dXRUCdNjdXRSZz09>

Staff Present: Brett Deichler, Doug Bach, Bridgette Cobbins, Alan Howze, Ashley Hand, Lynn Melton, Alley Porter, Katherine Carttar, Gunnar Hand, Juliann Van Liew, Carol Godsil, Allie Facio, Erin Corriveau, James Bain, Misty Brown, Melissa Sieben, Janet Parker

- 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, MARCH 25, 2021 AGENDA**

Planning & Zoning Consent Agenda

New Item No. B2 - 21683...Special Use Permit Application #SP-2020-105-Monserratt Perez-Mera for a shipping container at 3500 North 32nd Terrace.

Planning & Zoning Non-Consent Agenda

Clerical Error on Item No. B1 – 21732...Master Plan Amendment MPL2021-001 – Enrique Gomez with Gomez Appliances. Application number should read: Master Plan Amendment MPL2021-003.

Mayor's Agenda

New Item No. 1 – 21749...A resolution revoking certain Local Health Orders and amending Local Health Order 6/27/2020 pertaining to the mask and social distancing requirements.

Administrator's Agenda

New Item No. 3 – 21751...Resolution: Painters District Council No. 3 MOU, 1/1/20 – 12/31/21.

New Item No. 4 – 21752...Resolution: United Brotherhood of Carpenters Union MOU, 1/1/20-12/31/21.

VI. CLERK'S STATEMENT

(Anyone wishing to speak about a particular item on the Planning and Zoning Consent Agenda must notify the Mayor when he asks if there are any "set-asides" on the Planning and Zoning Consent Agenda. Your item will then be discussed and voted on separately. All remaining items on the Planning and Zoning 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

PLANNING AND ZONING AGENDA

VII. PLANNING AND ZONING CONSENT AGENDA

A. CHANGE OF ZONE APPLICATION

1. COZ-0007 - RYAN CRONK WITH KC WITH YARDS 2, LLC

Synopsis: Change of Zone from M-3 Heavy Industrial District to TND (T-6) Traditional Neighborhood Design District for a mixed use residential and commercial development at 200 South James Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 21729

APPROVED MCKIERNAN/JOHNSON, VOTE 10-0

B. SPECIAL USE PERMIT APPLICATION

1. SP-2020-51 - DIEGO I. TOTO WITH XM AUTOMOTIVE

Synopsis: Renewal of a Special Use Permit (#SP-2017-72 - expired 5/31/2020) for an automotive repair business at 4439 Shawnee Drive, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR DENIAL)**

Tracking #: 21731

APPROVED MCKIERNAN/JOHNSON, VOTE 10-0

C. MISCELLANEOUS - ORDINANCES (The following ordinances formalize previous Commission approval.)

1. AN ORDINANCE vacating right-of-way (VAC2020-001) at 9700 Leavenworth Road (east and west of main entrance), submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 21737

ORDINANCE NO. O-39-21 APPROVED MCKIERNAN/JOHNSON, VOTE 10-0

2. AN ORDINANCE vacating right-of-way (VAC2020-002) at 9700 Leavenworth Road (main entrance), submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 21738

ORDINANCE NO. O-40-21 APPROVED MCKIERNAN/JOHNSON, VOTE 10-0

3. AN ORDINANCE rezoning property at 3834 Bell Crossing (COZ-0005) from R-1(B) Single Family District to A-G Agriculture District, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 21739

ORDINANCE NO. O-41-21 APPROVED MCKIERNAN/JOHNSON, VOTE 10-0

4. AN ORDINANCE rezoning property at 12525 Leavenworth Road (COZ-0003) from AG (WyCo) Agriculture District to A-G Agriculture (City) District, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 21740
ORDINANCE NO. O-42-21 APPROVED MCKIERNAN/JOHNSON, VOTE 10-0
5. AN ORDINANCE authorizing a Special Use Permit (SU20-00096) to keep two (2) goats at 411 and 415 Stine Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 21741
ORDINANCE NO. O-43-21 APPROVED MCKIERNAN/JOHNSON, VOTE 10-0
6. AN ORDINANCE authorizing a Special Use Permit (SP-2020-98) for continuation of a drinking establishment with live entertainment at 4220 Leavenworth Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 21742
ORDINANCE NO. O-44-21 APPROVED MCKIERNAN/JOHNSON, VOTE 10-0
7. AN ORDINANCE rezoning property at 915 North 69th Street (COZ-0008) from R-1 Single Family District to MP-2 Planned General Industrial District, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #21748
ORDINANCE NO. O-45-21 APPROVED MCKIERNAN/JOHNSON, VOTE 10-0

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

A. CHANGE OF ZONE APPLICATION

1. **COZ-0001 - ENRIQUE GOMEZ WITH GOMEZ APPLIANCES**
Synopsis: Change of Zone from R-1 Single Family District to C-3 Commercial District for the sale of appliances at 837 Central Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL TO CP-1 PLANNED LIMITED BUSINESS DISTRICT - 7/1 VOTE)**
Tracking #: 21730
APPROVED MCKIERNAN/PHILBROOK, VOTE 10-0

B. MASTER PLAN AMENDMENT

1. MPL2021-001 - ENRIQUE GOMEZ WITH GOMEZ APPLIANCES

Synopsis: Master Plan Amendment from Urban Density to Commercial (City-Wide Master Plan), submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 21732

APPROVED MCKIERNAN/RAMIREZ, VOTE 10-0

TAX STATUS REPORT BOARD OF COMMISSIONERS AGENDA FOR MARCH 25, 2021

None of the properties included in applications to be considered on the Planning & Zoning agenda have delinquent taxes prior to 2020.

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. MINUTES

Synopsis: Minutes from Regular Session of December 3, 2020, and Special Session of February 25, 2021.

Tracking #: MINUTES

APPROVED RAMIREZ/KANE, VOTE 10-0

2. WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated March 4, 11, and 18, 2021.

Tracking #: WEEKLY BUSINESS MATERIAL

RECEIVED AND FILED RAMIREZ/KANE, VOTE 10-0

XI. PUBLIC HEARING AGENDA

1. PUBLIC HEARING/ORDINANCE: CONSIDER THE CREATION OF A REDEVELOPMENT DISTRICT AT 6700 KAW DRIVE

Synopsis: Conduct a public hearing to consider the ordinance creating a redevelopment district at 6700 Kaw Drive, submitted by Katherine Carttar, Director of Economic Development.

*On February 11, 2021, the **Unified Government Commission** unanimously adopted Resolution No. R-11-21 setting the public hearing date of March 25, 2021.*

Tracking #: 2112

ORDINANCE NO. O-46-21 APPROVED PHILBROOK/BURROUGHS, VOTE 10-0

XII. STANDING COMMITTEES' AGENDA

1. GRANT: ELEC COVID-19 INFRASTRUCTURE EXPANSION

Synopsis: Grant application to KDHE in the amount of \$923,365 KDHE ELC COVID-19 Infrastructure Expansion, submitted by Juliann VanLiew, Public Health Department Director. This grant funding is intended to provide critical resources in a broad range of COVID-19 testing and epidemiologic surveillance related activities. These awards will support testing, contract tracing, surveillance, containment, and mitigation to monitor and suppress the spread of COVID-19. Awards are based on county population but also include a base amount of \$100,000 for each health department. No match required.

This item was scheduled to appear before the **Administration and Human Services Standing Committee**, chaired by Commissioner Markley, on March 22, 2021. It was requested, and approved by the Mayor, to fast track this item to the March 25, 2021 full commission meeting.

Tracking #: 21743

APPROVED KANE/MARKLEY, VOTE 10-0

XIII. ADMINISTRATOR'S AGENDA

1. RESOLUTION: ACKNOWLEDGMENT AND ASSUMPTION AGREEMENT WITH LEGEND HOTEL, LLC

Synopsis: A resolution authorizing the Unified Government to enter into an acknowledgment and assumption agreement with Legend Hotel, LLC for the purpose of developing an 87 room hotel, submitted by Katherine Carttar, Director

of Economic Development. On November 19, 2020, the Unified Government and HFS KCK entered into a development agreement which authorized this assignment.

Tracking #: 21747

RESOLUTION NO. R-25-21 APPROVED BURROUGHS/RAMIREZ, VOTE 10-0

XIV. COMMISSIONERS' AGENDA

XV. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

XVI. PUBLIC ANNOUNCEMENTS

XVIII. ADJOURN

**AGENDA UPDATE
UNIFIED GOVERNMENT COMMISSION MEETING
THURSDAY, MARCH 25, 2021**

VII. PLANNING AND ZONING CONSENT AGENDA

NEW ITEM

B. SPECIAL USE PERMIT APPLICATIONS

Item No. 2 – 21683...SPECIAL USE PERMIT APPLICATION #SP-2020-105 - MONSERRATT PEREZ-MERA

Synopsis: Special Use Permit for a shipping container at 3500 North 32nd Terrace, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. (RECOMMENDED FOR APPROVAL FOR 2 YEARS)

This item was held over from the February 25, 2021 meeting at the request of Commissioner Townsend to discuss options with the applicant.

SET ASIDE UNTIL NEXT MONTH TOWNSEND/KANE, VOTE 10-0

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

CLERICAL ERROR

Item No. B1 – 21732...MASTER PLAN AMENDMENT: MPL2021-001 – ENRIQUE GOMEZ WITH GOMEZ APPLIANCES

Synopsis: Master Plan Amendment from Urban Density to Commercial (City-Wide Master Plan), submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. (RECOMMENDED FOR APPROVAL 8:0)

The application number should read: Master Plan Amendment MPL2021-003.

APPROVED MCKIERNAN/PHILBROOK, VOTE 10-0

IX. MAYOR'S AGENDA

NEW ITEM

Item No. 1 – 21749...HEALTH ORDER REVOCATION

Synopsis: A resolution revoking certain Local Health Orders and amending Local Health Order 6/27/2020 pertaining to the mask and social distancing requirements.

XIII. ADMINISTRATOR'S AGENDA

NEW ITEMS

Item No. 2 – 21751... RESOLUTION: PAINTERS DISTRICT COUNCIL NO. 3 MOU

Synopsis: A resolution authorizing the County Administrator to execute a Memorandum of Understanding (MOU) with Painters District Council No. 3 International Brotherhood of Painters and Allied Trades, effective January 1, 2020, through December 31, 2021, submitted by Misty Brown, Chief Counsel.

RESOLUTION NO. R-26-21 APPROVED KANE/BYNUM, VOTE 10-0

Item No. 3 – 21752... RESOLUTION: UNITED BROTHERHOOD OF CARPENTERS UNION MOU

Synopsis: A resolution authorizing the County Administrator to execute a Memorandum of Understanding (MOU) with United Brotherhood of Carpenters and Joiners of America, St. Louis-Kansas City, Carpenters Regional Council, effective January 1, 2020, through December 31, 2021, submitted by Misty Brown, Chief Counsel.

RESOLUTION NO. R-27-21 APPROVED KANE/BYNUM, VOTE 10-0