

ACTION AGENDA
MAY 27, 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: May 27, 2021 07:00 PM Central Time (US and Canada)

Topic: Full Commission Meeting - Planning and Zoning

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/82211692628?pwd=YmhMTk1GNGFUSUEwNDBTY1hpb0xLZz09>

Passcode: 254659

Or One tap mobile :

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Webinar ID: 822 1169 2628

International numbers available: <https://us02web.zoom.us/j/82211692628?pwd=YmhMTk1GNGFUSUEwNDBTY1hpb0xLZz09>

Staff Present: Alan Howze, Ashley Hand, Gunnar Hand, Bridgette Cobbins, Doug Bach, Alley Porter, Juliann Van Liew, Patrick Waters, Allen Greiner, Erin Corriveau, Misty Brown, Brett Deichler, Allie Facio

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. INVOCATION GIVEN BY COMMISSIONER HAROLD JOHNSON, FAITH DELIVERANCE CHURCH OF GOD IN CHRIST**
- IV. PLEDGE OF ALLEGIANCE**
- V. REVISIONS TO THURSDAY, MAY 27, 2021 AGENDA**
- VI. CLERK'S STATEMENT**
(Anyone wishing to speak about a particular item on the Planning & Zoning Consent Agenda must notify the Mayor when he asks if there are any "set-asides" on the Planning & Zoning Consent Agenda. Your item will then be discussed and voted on separately. All remaining items on the Planning & 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 APPLICATIONS

1. **COZ2021-008 - OLIVIA DYAN MOORE**

Synopsis: Change of Zone from R-1 Single Family District to A-G Agriculture District for horses and chickens at 3860 Bell Crossing, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751.

(RECOMMENDED FOR APPROVAL)

Tracking #: 21852

APPROVED

BYNUM/BURROUGHS, VOTE 9-0

2. **COZ2021-011 - KATELYN WOLF WITH BARTLETT AND WEST**

Synopsis: Change of Zone from previously approved MP-2 Planned General Industrial District to remove the 45 foot landscape buffer at 6716 and 6720 Berger Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 21857

APPROVED

BYNUM/BURROUGHS, VOTE 9-0

3. **COZ2021-012 - RAY L. SAWYER**

Synopsis: Change of Zone from R-1 Single Family District to A-G Agriculture District for horses at 3726 North 47th Terrace, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 21858

REMANDED BACK TO PLANNING COMMISSION

TOWNSEND/PHILBROOK, VOTE 9-0

B. SPECIAL USE PERMIT APPLICATIONS

1. SP2021-015 - DANIEL CASTILLO WITH THE MOCKINGBIRD LOUNGE

Synopsis: Renewal of a Special Use Permit (SP-2019-21) for a drinking establishment and live entertainment at 204 Orchard Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 5 YEARS)**

Tracking #: 21848

**REMANDED BACK TO PLANNING COMMISSION
MCKIERNAN/PHILBROOK, VOTE 9-0**

2. SP2021-024 - BRODY SHERAR WITH NORTHPOINT DEVELOPMENT

Synopsis: Special Use Permit for the Temporary Use of Land for the existing commercial truck driving training facility (amendment of SP-2019-28) at 6801 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 21860

**APPROVED
BYNUM/BURROUGHS, VOTE 9-0**

3. SP2021-025 - JORGE SALAZAR WITH JIAJ, INC.

Synopsis: Renewal of a Special Use Permit (SP-2019-42) for live entertainment in conjunction with restaurant at 151 South 18th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 5 YEARS)**

Tracking #: 21853

**APPROVED
BYNUM/BURROUGHS, VOTE 9-0**

4. SP2021-030 - REID AND MARISA ROBERTS

Synopsis: Special Use Permit for the continuation of an event venue with live entertainment at 3150 North 91st Street (SP-2015-65 expired 12/10/2020), submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 10 YEARS)**

Tracking #: 21862

**APPROVED
BYNUM/BURROUGHS, VOTE 9-0**

5. **SP2021-031 - RICHARD AND MARY LESLIE**

Synopsis: Special Use Permit for the continuation of a kennel for four (4) dogs at 334 North Thorpe Street (SP-2015-63 expired 12/10/2020), submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751.

(RECOMMENDED FOR APPROVAL FOR 5 YEARS)

Tracking #: 21863

APPROVED

BYNUM/BURROUGHS, VOTE 9-0

6. **SP2021-032 - ROBERTA LAIRD**

Synopsis: Renewal of a Special Use Permit (SP-2019-40) for a commercial specialty shop at 3704 North 99th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 21854

APPROVED

BYNUM/BURROUGHS, VOTE 9-0

7. **SP2021-033 - STEVE BEAUMONT FOR CHATEAU AVALON**

Synopsis: Renewal of a Special Use Permit (SP-2019-63) for live entertainment at 701 Village West Parkway, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 21855

APPROVED

BYNUM/BURROUGHS, VOTE 9-0

8. **SP2021-036 - JAMES M. VIENS**

Synopsis: Special Use Permit for 20 chickens at 9350 Nelson Lane, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 21864

APPROVED

BYNUM/BURROUGHS, VOTE 9-0

9. **SU20-00097 - CABRIN MILLS**

Synopsis: Special Use Permit for a transitional/group home at 933 Quindaro Boulevard, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 1 YEAR)**

Tracking #: 21859

APPROVED WITH STIPULATIONS

TOWNSEND/BYNUM, VOTE 9-0

10. **SP-2020-77 - FELIX ADOLFO CRUZ WITH CENTRAL AMERICA AUTO SALES AND REPAIR**

Synopsis: Special Use Permit for auto salvage, auto mechanic, used auto sales and import/export business at 900 South 66th Terrace, submitted by Gunnar H.

Hand, AICP, Director of Planning and Urban Design, 573-5751.
(RECOMMENDED FOR APPROVAL FOR 2 YEARS)

Tracking #: 21866

APPROVED

BYNUM/BURROUGHS, VOTE 9-0

11. SP-2020-101 - WATHIQ KASSIM WITH KCK AUTOMOTIVE

Synopsis: Renewal of a Special Use Permit (SP-2019-76 expired 1/9/2021) for a body shop at 744 Kansas Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 21867

APPROVED

BYNUM/BURROUGHS, VOTE 9-0

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

1. AN ORDINANCE rezoning property at 1111 North 98th Street (#3244) from A-G Agriculture District to RP-5 Planned Apartment District, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751.
(RECOMMENDED FOR APPROVAL)
Tracking #: 21829
ORDINANCE NO. O-61-21 APPROVED
BYNUM/BURROUGHS, VOTE 9-0
2. AN ORDINANCE rezoning property at approximately 9700 Leavenworth Road (COZ2021-006) from CP-1 Planned Limited Business and MP-2 Planned General Industrial Districts 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 #: 21830
ORDINANCE NO. O-62-21 APPROVED
BYNUM/BURROUGHS, VOTE 9-0

3. AN ORDINANCE rezoning property at 4223 and 4225 Gibbs Road (#3233) from R-1 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 #: 21831
ORDINANCE NO. O-63-21 APPROVED
BYNUM/BURROUGHS, VOTE 9-0
4. AN ORDINANCE vacating an electrical easement (VAC2021-001) at 1879 Village West Parkway, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 21834
ORDINANCE NO. O-64-21 APPROVED
BYNUM/BURROUGHS, VOTE 9-0
5. AN ORDINANCE vacating an electrical easement (VAC2021-002) at 1879 Village West Parkway, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 21835
ORDINANCE NO. O-65-21 APPROVED
BYNUM/BURROUGHS, VOTE 9-0
6. AN ORDINANCE vacating a sanitary sewer easement (VAC2021-003) at 1879 Village West Parkway, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 21836
ORDINANCE NO. O-66-21 APPROVED
BYNUM/BURROUGHS, VOTE 9-0
7. AN ORDINANCE vacating a utility easement (VAC2021-004) at 1879 Village West Parkway, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 21837
ORDINANCE NO. O-67-21 APPROVED
BYNUM/BURROUGHS, VOTE 9-0
8. AN ORDINANCE authorizing a Special Use Permit (SP2021-005) for a doggie day care for ten (10) dogs at 7714 Rowland Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751.
(RECOMMENDED FOR APPROVAL)
Tracking #: 21838
ORDINANCE NO. O-68-21 APPROVED
BYNUM/BURROUGHS, VOTE 9-0

9. AN ORDINANCE authorizing a Special Use Permit (SP2021-012) for a Short-Term Rental/AirBnB at 2716 North 119th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 21839
ORDINANCE NO. O-69-21 APPROVED
BYNUM/BURROUGHS, VOTE 9-0
10. AN ORDINANCE rezoning property at 3410 and 3412 Metropolitan Avenue (COZ-0002) from R-1(B) Single Family District to R-2(B) Two Family District, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 21840
ORDINANCE NO. O-70-21 APPROVED
BYNUM/BURROUGHS, VOTE 9-0
11. AN ORDINANCE authorizing a Special Use Permit (SP2021-001) for a storage container for storage of tools at 3319 North 59th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 21841
ORDINANCE NO. O-71-21 APPROVED
BYNUM/BURROUGHS, VOTE 9-0
12. AN ORDINANCE authorizing a Special Use Permit (SP-2020-100) for an outdoor event space at 701 Village West Parkway, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 21842
ORDINANCE NO. O-72-21 APPROVED
BYNUM/BURROUGHS, VOTE 9-0
13. AN ORDINANCE authorizing a Special Use Permit (SP2021-007) for the Temporary Use of Land for a parking lot at 4620 Mission Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 21843
ORDINANCE NO. O-73-21 APPROVED
BYNUM/BURROUGHS, VOTE 9-0

14. AN ORDINANCE authorizing a Special Use Permit (SP2021-003) for a beer hall in a former foundry at 101 Central Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 21844
ORDINANCE NO. O-74-21 APPROVED
BYNUM/BURROUGHS, VOTE 9-0
15. AN ORDINANCE authorizing a Special Use Permit (SP2021-016) for a used car dealership at 1010 Merriam Lane, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 21845
ORDINANCE NO. O-75-21 APPROVED
BYNUM/BURROUGHS, VOTE 9-0
16. AN ORDINANCE authorizing a Special Use Permit (SP2021-019) for live entertainment in conjunction with existing bar at 6720 1/2 Kaw Drive, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 21846
ORDINANCE NO. O-76-21 APPROVED
BYNUM/BURROUGHS, VOTE 9-0
17. AN ORDINANCE authorizing a Special Use Permit (SP2021-020) for continuation and expansion of a liquor store with packaged liquor at 3801 Leavenworth Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 21847
ORDINANCE NO. O-77-21 APPROVED
BYNUM/BURROUGHS, VOTE 9-0
18. AN ORDINANCE authorizing a Special Use Permit (SP2021-008) for a banquet facility in the evening and weekend at 1000 North 82nd Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 21848
ORDINANCE NO. O-78-21 APPROVED
BYNUM/BURROUGHS, VOTE 9-0

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

A. CHANGE OF ZONE APPLICATION

1. COZ2021-010 - LOLA THOMASSON

Synopsis: Change of Zone from R-1 Single Family District to R-2 Two Family District to bring an existing duplex into compliance at 2716 and 2718 South 53rd Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL TO RP-2 PLANNED TWO FAMILY DISTRICT - 5/2 VOTE)**

Tracking #: 21856

**APPROVED PLANNING COMMISSION RECOMMENDATION
MARKLEY/RAMIREZ, VOTE 9-0**

B. SPECIAL USE PERMIT APPLICATIONS

1. SP2021-028 - MEGAN DUMA

Synopsis: Special Use Permit for the continuation of a Short-Term Rental/AirBnB at 2706 Espenlaub Lane (SP-2019-105 expired 12/5/2020), submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR DENIAL - 5/1 VOTE)**

Tracking #: 21861

**APPROVED RENEWAL FOR 1 YEAR, WITH CONDITIONS
BYNUM/RAMIREZ, VOTE 8-2**

2. SP2021-037 - MIKE AND TAMI HAYES WITH TM HAYES MANAGEMENT, LLC

Synopsis: Special Use Permit for a Short-Term Rental/AirBnB at 2904 Eaton Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 1 YEAR - 6/1 VOTE)**

Tracking #: 21865

**APPROVED
RAMIREZ/BYNUM, VOTE 9-0**

TAX STATUS REPORT BOARD OF COMMISSIONERS AGENDA FOR MAY 27, 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. **RESOLUTION: SET PUBLIC HEARING FOR ROCK ISLAND BRIDGE PROJECT**

Synopsis: A resolution setting July 1, 2021, for a public hearing to consider the adoption of a Redevelopment Project Plan for the Rock Island Bridge project, submitted by Patrick Waters, Senior Attorney.

*On May 3, 2021, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.*

Tracking #: 21779

**RESOLUTION NO. R-37-21 APPROVED
RAMIREZ/MARKLEY, VOTE 9-0**

2. **MINUTES**

Synopsis: Minutes from regular session of March 25, 2021; and special sessions of April 22 and 29, 2021.

Tracking #: MINUTES

**APPROVED
RAMIREZ/MARKLEY, VOTE 9-0**

3. **WEEKLY BUSINESS MATERIAL**

Synopsis: Weekly business material dated April 29, May 13 and May 20, 2021.

Tracking #: WEEKLY BUSINESS MATERIAL

**RECEIVED AND FILED
RAMIREZ/MARKLEY, VOTE 9-0**

XI. PUBLIC HEARING AGENDA

XII. STANDING COMMITTEES' AGENDA

XIII. ADMINISTRATOR'S AGENDA

1. **RESOLUTION: ESTABLISHING A PUBLIC HEARING REGARDING SECOND EXPANSION AND AMENDMENT TO THE STAR BOND DISTRICT PLAN FOR THE VILLAGE EAST STAR BOND DISTRICT**

Synopsis: A resolution establishing a public hearing date of June 10, 2021, to consider establishing the 2021 Expanded Village East STAR Bond District and the Seconded Amended STAR Bond District Plan, submitted by Patrick Waters, Senior Counsel.

Tracking #: 21817

**RESOLUTION NO. R-38-21 APPROVED
PHILBROOK/RAMIREZ, VOTE 9-0**

2. **RESOLUTION: AUTHORIZING ACKNOWLEDGEMENT AND ASSUMPTION AGREEMENT TO MILHAUS MULTI-FAMILY PROJECT**

Synopsis: A resolution authorizing the Unified Government to enter into the Acknowledgement and Assumption Agreement pertaining to the Milhaus Multi-Family Project, submitted by Patrick Waters, Senior Counsel.

Tracking #: 21869

RESOLUTION NO. R-39-21 APPROVED

MARKLEY/RAMIREZ, VOTE 9-0

XIV. COMMISSIONERS' AGENDA

1. **UPDATE: COVID HEALTH ORDERS**

Synopsis: Update on COVID 19 Health Orders, submitted by Mayor Alvey.

A continuation of the May 17, 2021 discussion of existing Health Orders that the Commission voted to table until May 27, 2021. Existing Health Orders expire at 11:59 P.M. on May 28, 2021, and action will be taken as directed.

Tracking #: 21828

TOWNSEND/RAMIREZ MOTION TO EXTEND HEALTH ORDER FOR 30 DAYS

FAILED, VOTE 2-7

XV. LAND BANK BOARD OF TRUSTEES' AGENDA

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN 9:28 PM