

**ACTION AGENDA**  
**UPDATE**  
**OCTOBER 28, 2021 UNIFIED GOVERNMENT BOARD OF**  
**COMMISSIONERS MEETING**  
**ORDER OF BUSINESS**  
**MEETING TO CONVENE AT 7:00 PM**

Join from a PC, Mac, iPad, iPhone or Android device:

Please click this URL to join.

<https://us02web.zoom.us/j/88005667210?pwd=VElnYU9yQUtVdnV2eWplY0wzeHBsZz09>

Passcode: 191739

Description: The Board of Commission has policy-making authority over the County of Wyandotte County and Kansas City, KS. The Commission sets county policies, adopts ordinances, appropriates funds, approves land re-zonings and special exceptions to the zoning ordinance, and carries out other responsibilities set forth by the State Code.

Or One tap mobile:

+16699009128,,88005667210# US (San Jose)

+12532158782,,88005667210# US (Tacoma)

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or +1 646 558 8656 or +1 301 715 8592  
or +1 312 626 6799 or 877 853 5257 (Toll Free) or 888 475 4499 (Toll Free)

Webinar ID: 880 0566 7210

International numbers available: <https://us02web.zoom.us/j/kd4xM4fbW9>

**Staff Present: Doug Bach, Brett Deichler, Misty Brown, Patrick Waters, Wendy Green, Jeff Conway, Bridgette Cobbins, Alan Howze, Emerick Cross, Gunnar Hand, Janet Parker, Kim Portillo, Alley Porter, Jud Knapp, Ashley Hand, Katherine Carttar, Kathleen VonAchen**

- 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, OCTOBER 28, 2021 AGENDA**  
Standing Committee Agenda – New Item No. 1 – 211089....Resolution: Amending the schedules of meeting times for the standing committees and full commission.  
**RESOLUTION NO. R-78-21 ADOPTED, MCKIERNAN/KANE, VOTE: 9-0 (COMMISSIONER BURROUGHS ENCOUNTERED TECHNICAL DIFFICULTIES; THEREFORE, UNABLE TO VOTE)**
- 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 and Regular Session)

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' CONSENT AGENDA**
- XVI. LAND BANK BOARD OF TRUSTEES' NON-CONSENT AGENDA**
- XVII. PUBLIC ANNOUNCEMENTS**
- XVIII. ADJOURN**

## **PLANNING AND ZONING AGENDA**

### **VII. PLANNING AND ZONING CONSENT AGENDA**

#### **A. CHANGE OF ZONE APPLICATIONS**

##### **1. COZ2021-009 - LARRY J. EASTON**

**Synopsis:** Change of Zone from R-1 Single Family District to A-G Agriculture District for horses, cattle and hay production at 2948 South 65th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

**Tracking #:** 211116

**APPROVED, MCKIERNAN/RAMIREZ, VOTE: 10-0**

##### **2. COZ2021-013 - ANDREW SEEMILLER WITH REAL ESTATE GROUP**

**Synopsis:** Change of Zone from M-1 Light Industrial and Industrial Park District to MP-2 Planned General Industrial District for storage in conjunction with existing Twin Traffic, a traffic marking and striping company at 626 North 47th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

**Tracking #:** 211117

**APPROVED, MCKIERNAN/RAMIREZ, VOTE: 10-0**

3. **COZ2021-017 - WILLIAM ENGLAND**

**Synopsis:** Change of Zone from R-1(B) Single Family District to CP-O Planned Non-Retail Business District for office space at 2332 South 14th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

**Tracking #:** 211119

**APPROVED, MCKIERNAN/RAMIREZ, VOTE: 10-0**

4. **COZ2021-031 - JAMES VIENS WITH INTEGRITY DIVERSIFIED HOLDINGS, LLC**

**Synopsis:** Change of Zone from R-1(B) Single Family District to R-2(B) Two Family District to re-establish a duplex which was converted into a single-family home at 218 North 12th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

**Tracking #:** 211121

**APPROVED, MCKIERNAN/RAMIREZ, VOTE: 10-0**

**B. SPECIAL USE PERMIT APPLICATIONS**

1. **SP2021-027 - 7521 NEBRASKA AVENUE LLC**

**Synopsis:** Special Use Permit for continuation of auto sales, detailing and light repair at 7521 Nebraska Avenue (SP-2018-91 expired 11/29/2020), submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR DENIAL)**

**Tracking #:** 211122

**DENIED AS RECOMMENDED, PHILBROOK/BYNUM, VOTE: 10-0**

2. **SP2021-047 - ALBERT H. WALKER**

**Synopsis:** Special Use Permit for horses on residential property at 3703, 3707 and 3633 Bell Crossing and 3701, 3702 and 3706 North 37th Street and 3655 Sortor Drive, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR DENIAL)**

**Tracking #:** 211123

**MOTION TO COME BACK IN 2 MONTHS TO ALLOW RE-EVALUATION OF ACREAGE AND CURRENT SITUATION WITH THE CONSERVATION DISTRICT AND ANIMAL CONTROL SERVICES, TOWNSEND/KANE, VOTE: 10-0**

3. **SP2021-067 - WESTON SPARKS WITH RIDE 4 EVER SKATE PARK**

**Synopsis:** Special Use Permit to operate a skate park/skate school at 230 South 65th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

**Tracking #:** 211124

**APPROVED, MCKIERNAN/RAMIREZ, VOTE: 10-0**

**4. SP2021-068 - JILL SCHULTZ WITH K-9 CLUB**

**Synopsis:** Special Use Permit for a dog day care (SP-2015-30 expired 6/25/2020) at 221 South 22nd Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 10 YEARS)**

**Tracking #:** 211125

**APPROVED, MCKIERNAN/RAMIREZ, VOTE: 10-0**

**C. MASTER PLAN AMENDMENTS**

**1. MPL2021-012 - WILLIAM ENGLAND**

**Synopsis:** Master Plan Amendment from Low-Density Residential to Neighborhood Commercial at 2332 South 14th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

**Tracking #:** 211127

**APPROVED, MCKIERNAN/RAMIREZ, VOTE: 10-0**

**2. MPL2021-010 - ANDREW SEEMILLER WITH SUMMIT REAL ESTATE GROUP**

**Synopsis:** Master Plan Amendment from Mixed Use to Industrial (City-Wide Master Plan) at 626 North 47th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

**Tracking #:** 211129

**APPROVED, MCKIERNAN/RAMIREZ, VOTE: 10-0**

**D. PLAN REVIEW APPLICATION**

**1. PR2021-024 - ANALY POLANCO WITH CHURCH MILAGRO DE VIDA**

**Synopsis:** Preliminary and Final Plan Review for a church at 1270 Merriam Lane, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

**Tracking #:** 211126

**APPROVED, MCKIERNAN/RAMIREZ, VOTE: 10-0**

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

1. AN ORDINANCE approving the Armourdale Area Master Plan, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

**Tracking #:** 211131

**ITEM MOVED UNDER PLANNING & ZONING NON-CONSENT AGENDA ITEM NO. 1**

2. AN ORDINANCE rezoning property at 4600 Parkview Avenue, 4551 Sloan Avenue, 3334 North 44th Terrace, 3319 North 44th Terrace and 4249 Sortor Drive (COZ2021-026) from A-G Agriculture and R-1(B) Single Family Districts to A-G Agriculture District, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**  
**Tracking #: 211132**  
**ORDINANCE NO. O-137-21 APPROVED, MCKIERNAN/RAMIREZ, VOTE: 10-0**
3. AN ORDINANCE rezoning property at 8741 Parallel Parkway (COZ2021-005) from R-1 Single Family District to CP-O Planned Non-Retail Business District, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**  
**Tracking #: 211133**  
**ORDINANCE NO. O-138-21 APPROVED, MCKIERNAN/RAMIREZ, VOTE: 10-0**
4. AN ORDINANCE authorizing a Special Use Permit (SP2021-041) for auto storage and auto maintenance at 1032 South 25th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**  
**Tracking #: 211134**  
**ORDINANCE NO. O-139-21 APPROVED, MCKIERNAN/RAMIREZ, VOTE: 10-0**
5. AN ORDINANCE authorizing a Special Use Permit (SP2021-029) for a drinking establishment with live entertainment at 508 Kansas Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**  
**Tracking #: 211135**  
**APPROVED, ORDINANCE NO. O-140-21, MCKIERNAN/RAMIREZ, VOTE: 10-0**
6. AN ORDINANCE authorizing a Special Use Permit (SP2021-052) to keep eight (8) mature ducks at 1921 Nebraska Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**  
**Tracking #: 211136**  
**APPROVED, ORDINANCE NO. O-141-21, MCKIERNAN/RAMIREZ, VOTE: 10-0**

## **VIII. PLANNING AND ZONING NON-CONSENT AGENDA**

### **A. MISCELLANEOUS**

#### **1. CONSIDERATION OF ARMOURDALE AREA MASTER PLAN**

**Synopsis:** Adoption of Armourdale Area Master Plan (plan and letters in support attached), submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

**Tracking #: 211130**

**ORDINANCE NO. O-142-21 APPROVED, BURROUGHS, MCKIERNAN, VOTE: 10-0**

**TAX STATUS REPORT**  
**BOARD OF COMMISSIONERS AGENDA FOR OCTOBER 28, 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: WAIVE CERTAIN FEES RELATED TO INFILL HOUSING EAST OF 78<sup>TH</sup> STREET**

**Synopsis:** A resolution approving the waiving of certain fees associated with new construction of single-family homes and duplexes on vacant properties east of 78<sup>th</sup> Street for two years in order to spur new development, submitted by Katherine Carttar, Director of Economic Development.

*On October 11, 2021, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.*

**Tracking #: 211079**

**RESOLUTION NO. R-76-21 ADOPTED, BYNUM/KANE, VOTE: 10-0**

**2. MINUTES**

**Synopsis:** Minutes from regular session of August 26, 2021; and special session of October 14, 2021.

**Tracking #: MINUTES**

**APPROVED BYNUM/KANE, VOTE: 10-0**

**3. WEEKLY BUSINESS MATERIAL**

**Synopsis:** Weekly business material dated October 14 and 21, 2021.

**Tracking #: WEEKLY BUSINESS MATERIAL**

**RECEIVED AND FILED, BYNUM/KANE, VOTE: 10-0**

## **XI. PUBLIC HEARING AGENDA**

### **1. PUBLIC HEARING: CONSIDER AN ORDINANCE AND RESOLUTION REGARDING THE LEGEND HOTEL, LLC, CID AND DEVELOPMENT AGREEMENT**

**Synopsis:** Conduct a public hearing to consider an ordinance approving a Community Improvement District (CID) in the area of N. 98th St. and Parallel Parkway to assist in the construction of a new Fairfield Inn and a resolution approving a Development Agreement between the Unified Government and Legend Hotel, LLC, submitted by Katherine Carttar, Director of Economic Development. The CID would add an additional 1.5% sales tax for visitors to the hotel and would be used to reimburse up to \$1,528,714 in construction costs.

*On October 11, 2021, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted 5-1 to approve and forward to full commission.*

**Tracking #: 211076**

**PUBLIC HEARING HELD**

**ORDINANCE NO. O-143-21 APPROVED, BYNUM/PHILBROOK, VOTE: 9-1 (KANE-NO)**

**RESOLUTION NO. R-77-21 ADOPTED, BYNUM/PHILBROOK, VOTE: 10-0**

## **XII. STANDING COMMITTEES' AGENDA**

## **XIII. ADMINISTRATOR'S AGENDA**

### **1. RESOLUTION: AMENDING THE ASSIGNMENT & ASSUMPTION AGREEMENT (FORD)**

**Synopsis:** Amending the Assignment & Assumption Agreement among the Unified Government, Premier Automotive of Bonner Springs KS, LLC, and Premier RE 1800 LLC, to transfer ownership interest in the real estate of the Ford Project, submitted by Katherine Carttar, Director of Economic Development. The entities operating the dealership remain unchanged and continue to be responsible for operating in accordance with the agreement.

**Tracking #: 211143**

**RESOLUTION NO. R-79-21 ADOPTED, KANE/MARKLEY, VOTE: 9-0 (COMMISSIONER BURROUGHS ENCOUNTERED TECHNICAL DIFFICULTIES; THEREFORE, UNABLE TO VOTE)**

### **2. RESOLUTION: AMENDING THE ASSIGNMENT & ASSUMPTION AGREEMENT (CHRYSLER)**

**Synopsis:** Amending the Assignment & Assumption Agreement among the Unified Government, Premier automotive of Kansas City, LLC, and Premier RE 1720 LLC, to transfer ownership interest in the real estate of the Chrysler Project, submitted by Katherine Carttar, Director of Economic Development. The entities operating the dealership remain unchanged and continue to be responsible for operating in accordance with the agreement.

Tracking #: 211144

**RESOLUTION NO. R-80-21 ADOPTED, KANE/MARKLEY, VOTE: 9-0  
(COMMISSIONER BURROUGHS ENCOUNTERED TECHNICAL  
DIFFICULTIES; THEREFORE, UNABLE TO VOTE)**

**3. RESOLUTION: AMENDING THE ASSIGNMENT & ASSUMPTION  
AGREEMENT (PRE-OWNED)**

**Synopsis:** Amending the Assignment & Assumption Agreement among the Unified Government, Premier automotive at the Legends, LLC, and Premier RE 1801, LLC, to transfer ownership interest in the real estate of the Auto Outlet Project, submitted by Katherine Carttar, Director of Economic Development. The entities operating the dealership remain unchanged and continue to be responsible for operating in accordance with the agreement.

Tracking #: 211145

**RESOLUTION NO. R-81-21 ADOPTED, KANE/MARKLEY, VOTE: 9-0  
(COMMISSIONER BURROUGHS ENCOUNTERED TECHNICAL  
DIFFICULTIES; THEREFORE, UNABLE TO VOTE)**

**XIV. COMMISSIONERS' AGENDA**

**XV. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA**

**1. LAND BANK PROPERTY TRANSFERS**

**Synopsis:** Request consideration of the following Land Bank transfers, submitted by Jud Knapp, Interim Land Bank Manager.

**A. Property Transfers**

1. The Homes, Inc.  
2926 N. Allis St.

**B. Yard Extensions**

1. Bryant T. Crosby, Sr.  
3541 R N. 60<sup>th</sup> St. - 031424
2. David Jennings  
3533 Ford Ave. - 065612

Tracking #: 211081

**APPROVED, MCKIERNAN/JOHNSON, VOTE: 9-0  
(COMMISSIONER BURROUGHS ENCOUNTERED TECHNICAL DIFFICULTIES;  
THEREFORE, UNABLE TO VOTE)**

**2. LAND BANK OPTION APPLICATIONS**

**Synopsis:** Request consideration of the following Land Bank option applications, submitted by Jud Knapp, Interim Land Bank Manager.

**A. New Construction - Single Family Homes - 13**

1. Aglahe D Montano – 1 home  
2100 S. 37<sup>th</sup> St. – 118616
  2. Oscar Garza – 1 home  
129 S. 16<sup>th</sup> St. – 066600
  3. Meredith Vertreese – 4 homes  
720 Garfield Ave. – 095130  
722 Garfield Ave.- 095129  
724 Garfield Ave. - 095128  
728 Garfield Ave. - 095127
  4. Rebecca Davis – 1 home  
5911 N. 123<sup>rd</sup> St. – 234011
  5. Bright Solutions – 4 homes  
810 N. 10<sup>th</sup> St. – 080435  
1007 Armstrong Ave. – 080438  
1013 Armstrong Ave. – 080437  
1017 Armstrong Ave. – 080436
  6. Bright Solutions – 2 homes  
1238 Osage Ave. – 072352  
1242 Osage Ave. – 072353  
1244 Osage Ave. - 072354
- B. New Construction – Multi Family – 4 Units**
1. Bright Solutions – 1 Duplex  
829 S. Mill St. – 073742  
831 S. Mill St. – 073741
  2. Bright Solutions – 1 Duplex  
1220 Pennsylvania Ave. – 068242
- C. New Construction – Garage – 1**
1. Maria Barrios – 1 garage  
845 Reynolds Ave. – 120219
- D. New Construction - Commercial – 1**
1. Bessie M. Robinson  
2536 N. 17<sup>th</sup> St. – 115863

**Tracking #: 211080**

**APPROVED, MCKIERNAN/JOHNSON, VOTE: 9-0**

**(COMMISSIONER BURROUGHS ENCOUNTERED TECHNICAL DIFFICULTIES; THEREFORE, UNABLE TO VOTE)**

## **XVI. LAND BANK BOARD OF TRUSTEES' NON-CONSENT AGENDA**

### **1. LAND BANK OPTION APPLICATIONS - KCK VALLEY OWNER, LLC**

**Synopsis:** Request consideration of the following Land Bank option applications, submitted by Jud Knapp, Interim Land Bank Manager.

Circuit Avenue Partners LLC – 2 homes  
907 Walker Ave. – 081093  
909 Walker Ave. – 081094

913 Walker Ave. – 081095  
915 Walker Ave. – 081096

Since the October 11 Neighborhood and Community Development Standing Committee meeting, the developer and the neighborhood association met to discuss the project location at 837 – 851 Freeman Ave. They both agreed to a new location at 907 – 915 Walker Ave. To keep on the developer’s timeline for two new homes by the end of the year. The Land Bank is presenting this item on the Full Commission Non-Consent Agenda.

**Tracking #: 211128**

**APPROVED, WALTERS/JOHNSON, VOTE: 9-0  
(COMMISSIONER BURROUGHS ENCOUNTERED TECHNICAL  
DIFFICULTIES; THEREFORE, UNABLE TO VOTE)**

## **XVII. PUBLIC ANNOUNCEMENTS**

**XVIII. ADJOURN: 8:30 PM**