

**APRIL 28, 2022 UNIFIED GOVERNMENT BOARD OF
COMMISSIONERS MEETING
ORDER OF BUSINESS
MEETING TO CONVENE AT 7:00 PM**

Location: **Hybrid**

We invite you to view the meeting in person in the Commission Chambers, Lobby Level of the Municipal Office Building, 701 N. 7th Street, Kansas City, Kansas, or virtually via a Zoom webinar.

When: Apr 28, 2022, 07:00 PM Central Time (US and Canada)

Topic: Full Commission meeting

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/83068561105?pwd=OTVVMzJkNVJZVlZqanJDdkhybWd0QT09>

Passcode: 247360

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Webinar ID: 830 6856 1105

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- I. CALL TO ORDER**
- II. ROLL CALL* Commissioner Johnson absent***
- III. INVOCATION GIVEN BY PASTOR SULLIVAN, BAPTIST MINISTER**
- IV. PLEDGE OF ALLEGIANCE**
- V. REVISIONS TO THURSDAY, APRIL 28, 2022, 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' AGENDA**
- XVI. PUBLIC ANNOUNCEMENTS**
- XVII. ADJOURN**

VII. PLANNING AND ZONING CONSENT AGENDA

Motion: Kane

Second: Stites

All items on Consent agenda approved 9/0.

A. CHANGE OF ZONE APPLICATION

- 1. COZ2022-012 - MATT TOMASIC WITH POLICE ATHLETIC LEAGUE**

Synopsis: Change of Zone from R-1(B) Single Family District to RP-5 Planned Apartment District to construct a pickleball court at 800 North 5th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751.

(RECOMMENDED FOR APPROVAL)

Tracking #: 211514

Motion: Kane

Second: Stites

Approved 9/0

B. SPECIAL USE PERMIT APPLICATIONS

- 1. SP2022-003 - PETE DAVIS JR. WITH AUTO PLUG LLC**

Synopsis: Renewal of a Special Use Permit (SP-2019-112) for a car dealership and auto repair at 1830 Quindaro Boulevard, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 211515

Motion: Kane

Second: Stites

Approved for 2 years 9/0

2. **SP2022-019 - JOE HEIDRICK WITH CACTUS BED PROPERTIES, LLC**
Synopsis: Renewal of a Special Use Permit (SP-2020-4) for a Short-Term Rental at 4313 Rainbow Boulevard, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 1 YEAR)**
Tracking #: 211516

Motion: Kane
Second: Stites
Approved for 1 year 9/0

3. **SP2022-029 - TINA ALONGE WITH 913 LLC**
Synopsis: Special Use Permit for alcohol sales and live music inside and outside of the building at 6102 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**
Tracking #: 211518

Motion: Kane
Second: Stites
Approved for 2 years 9/0

4. **SP2022-034 - DR. JESSICA DAIN WITH PIPER SCHOOL DISTRICT USD 203**
Synopsis: Renewal of a Special Use Permit (SP-2020-27) to continue to use a modular building with eight (8) classrooms at Piper Middle School at 4420 North 107th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**
Tracking #: 211517

Motion: Kane
Second: Stites
Approved for 2 years 9/0

5. **SP2022-036 - MANUEL GONZALEZ WITH MANOLO AUTO SALES**

Synopsis: Special Use Permit for an automotive dealership with light repairs at 401 Kansas Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 211519

Motion: Kane

Second: Stites

Approved for 2 years 9/0

C. VACATION APPLICATION

1. **VAC2021-012 - CHRIS MCNUTT**

Synopsis: Vacation of right-of-way at 3801 Lloyd Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211520

Motion: Kane

Second: Stites

Approved 9/0

D. HISTORIC DESIGNATION APPLICATION

1. **HD2022-001 - SHELLY CUTCHLOW WITH ANTIOCH BAPTIST CHURCH**

Synopsis: Consideration of Historic Designation of the Immanuel Baptist Church at 1335 Quindaro Boulevard, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211505

Motion: Kane

Second: Stites

Approved 9/0

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

1. **AN ORDINANCE** authorizing a Special Use Permit (SP2022-032) for the continuation of a security business office, at 428 North 5th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211537

Motion: Kane

Second: Stites

Ordinance O-54-22 approved; published 5/5/22

2. **AN ORDINANCE** authorizing a Special Use Permit (SP2022-005) for continuation of a security office trailer at 8130 Kaw Drive, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211540

Motion: Kane

Second: Stites

Ordinance O-55-22 approved; published 5/5/22

3. **AN ORDINANCE** rezoning property at 428 North 5th Street (COZ2022-011), 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 #: 211541

Motion: Kane

Second: Stites

Ordinance O-56-22 approved; published 5/5/22

4. **AN ORDINANCE** authorizing a Special Use Permit (SP2022-013) for continuation of a dirt fill at 1215 Merriam Lane, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211542

Motion: Kane

Second: Stites

Ordinance O-57-22 approved; published 5/5/22

5. **AN ORDINANCE** authorizing a Special Use Permit (SP2022-004) to allow the continuation of two (2) concrete pits/sampling of a variety of pipes for training at 8535 Riverview Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211543

Motion: Kane

Second: Stites

Ordinance O-58-22 approved; published 5/5/22

6. **AN ORDINANCE** authorizing a Special Use Permit (SP2022-012) for a Short-Term Rental at 527 Tenny Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 211544

Motion: Kane

Second: Stites

Ordinance O-59-22 approved; published 5/5/22

VII. PLANNING AND ZONING NON-CONSENT AGENDA

A. CHANGE OF ZONE APPLICATIONS

1. **COZ2021-051 - MARK MOBERLY WITH SUNFLOWER DEVELOPMENT GROUP**

Synopsis: Change of Zone from R-1(B) Single Family and C-O Non-Retail Business Districts to RP-6 Planned High-Rise Apartment District for a 148-unit apartment complex at 10 South Hallock, 525 Central Avenue and 529 Central Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL - 6/1 VOTE)**

Tracking #: 211521

Motion: Stites

Second: McKiernan

Approved 8/1 (Ramirez voting no)

2. **COZ2022-001 - TIM KATES WITH REMCO DEMOLITION LLC**
Synopsis: Change of Zone from CP-3 Planned Commercial District to MP-2 Planned General Industrial District for a contractor staging area and heavy equipment storage for Remco Demolition at 14140 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL - 6/1 VOTE)**
Tracking #: 211446

Motion: Bynum

Second: Markley

Matter to be set over to next Planning & Zoning Meeting

Approved 8/0-Stites abstained

B. VACATION APPLICATION

1. **VAC2022-001 - MARK MOBERLY WITH SUNFLOWER DEVELOPMENT GROUP**
Synopsis: Vacation of right-of-way at 10 South Hallock and 525 Central Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL - 6/1 VOTE)**
Tracking #: 211522

Motion: Bynum

Second: McKiernan

Approved 8/1 (Ramirez voting no)

C. PLAN REVIEW APPLICATIONS

1. **MPL2021-028 - MARK MOBERLY WITH SUNFLOWER DEVELOPMENT GROUP**
Synopsis: Master Plan Amendment from Urban Density to High-Rise Residential (Central Area Master Plan) at 10 South Hallock, 525 Central Avenue and 529 Central Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL - 6/1 VOTE)**
Tracking #: 211523

Motion: Bynum

Second: McKiernan

Approved 8/1 (Ramirez voting no)

The meeting was recessed at 10:10 PM; the meeting was reconvened at 10:20 PM

2. MPL2022-001 - TIM KATES WITH REMO DEMOLITION LLC

Synopsis: Master Plan Amendment from Planned Commercial (Prairie-Delaware-Piper Master Plan) to Industrial (City-Wide Master Plan) at 14140 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL - 6/1 VOTE)**

Tracking #: 211448

Motion: Bynum

Second: Markley

Matter to be set over to next Planning & Zoning Meeting

Approved 8/0-Stites abstained

TAX STATUS REPORT

BOARD OF COMMISSIONERS AGENDA FOR APRIL 28, 2022

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.

IX. MAYOR'S AGENDA

Item No. 1. - PROCLAMATION: PROVIDER APPRECIATION DAY

Synopsis: A Proclamation proclaiming May 6, 2022, as Provider Appreciation Day, submitted by Tyrone A. Garner, Mayor/CEO.

Tracking #: 211554

Proclamation read

Item No. 2. - PROCLAMATION: ARBOR DAY

Synopsis: A proclamation proclaiming Thursday, April 30, 2022, as Arbor Day, submitted by Tyrone A. Garner, Mayor/CEO.

Tracking #: 211555

Proclamation read

Item No. 3. - PRESENTATION: HALF-CENT SALES TAX MEASURE

Synopsis: Presentation of potential sales tax measure options related to a potential half-cent sales tax measure, submitted by Kathleen VonAchen, Chief Financial Officer.

For information only.

Tracking #: 211546

Presentation completed

Item No. 4. - UPDATE: REDISTRICTING

Synopsis: Update on Redistricting and a projected timeline of events, submitted by Misty Brown, Chief Legal Counsel.

For information only.

Tracking #: 211550

Presentation completed

Item No. 5. - UPDATE: SAFE AND WELCOMING ORDINANCE

Synopsis: Update on the status of the Unified Government's Safe and Welcoming ordinance, submitted by Misty Brown, Chief Legal Counsel.

For information only.

Tracking #: 211547

Presentation completed. The matter will be reviewed by Legal and set over to May 23 Public Works and Safety Standing Committee.

Motion to Suspend Section 517 of the Rules of Procedure made by Commissioner Bynum, second by Commissioner Burroughs. Approved 8/1 (Davis voting no).

Item No. 6. - CODE REVIEW AND TRAINING

Synopsis: Reading of specific sections of the Municipal Code and updates on commission retreat and training, submitted by the Mayor's Office.

For information only.

Tracking #: 211551

Motion to defer to next meeting made by Commissioner Burroughs, seconded by Commissioner Bynum. Approved 9/0.

X.REGULAR CONSENT AGENDA

Motion to approve all items on the Consent Agenda made by Commissioner Bynum, seconded by Commissioner Kane-approved 9/0.

Item No. 1. - PLAT OF HOMEFIELD CAMPING WORLD 2ND PLAT

Synopsis: Plat of Homefield Camping World 2nd Plat located at 98th Street north of State Avenue and being developed by HFS KCK, LLC, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Tracking #: 211524

Motion: Bynum

Second: Kane

Approved 9/0

Item No. 2. - PLAT OF LITTLE TURKEY CREEK ADDITION

Synopsis: Plat of Little Turkey Creek Addition is located at 86th Street south of Kansas Avenue and is being developed by Matthew Frances, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Tracking #: 211525

Motion: Bynum

Second: Kane

Approved 9/0

Item No. 3. - PLAT OF RIVERVIEW ESTATES

Synopsis: Plat of Riverview Estates located at 86th and Riverview being developed by Matthew Frances, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Tracking #: 211526

Motion: Bynum

Second: Kane

Approved 9/0

Item No. 4. - PLAT OF SCHLITTERBAHN VACATION VILLAGE FIFTH PLAT

Synopsis: Plat of Schlitterbahn Vacation Village Fifth Plat is located at 98th Street and south of Parallel Parkway and is being developed by HFS KCK. LLC and SVV1, LLC, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Tracking #: 211527

Motion: Bynum

Second: Kane

Approved 9/0

Item No. 5. - NOMINATIONS: BOARDS AND COMMISSIONS

Synopsis: Nominations for Boards and Commissions:

- Jammie Johnson to the Wyandotte/Leavenworth Area Wide Advisory Council on Aging, 2/28/2022 to 12/15/2025, submitted by Commissioner Stites
- Jamey Rodriguez to the Wyandotte/Leavenworth Area Wide Advisory Council on Aging, 2/28/2022 to 12/11/2023, submitted by Commissioner Markley
- Tim Ryan to the Self-Supported Municipal Improvement District Advisory Board, 2/28/2022 to 12/11/2023, submitted by Commissioner Bynum

Tracking #: 211545

Motion: Bynum

Second: Kane

Approved 9/0

Item No. 6. - MINUTES

Synopsis: Minutes from special session of March 31, 2022.

Tracking #: MINUTES

Motion: Bynum

Second: Kane

Approved 9/0

Item No. 7. - WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated March 31, 2022.

Tracking #: WEEKLY BUSINESS MATERIAL

Motion: Bynum

Second: Kane

Approved 9/0

XI. PUBLIC HEARING AGENDA

XII. STANDING COMMITTEES' AGENDA

Item No. 1. - PUBLIC HEARING: SOLID WASTE MANAGEMENT PLAN

Synopsis: The State of Kansas statutes require each county in the state of Kansas to have a Solid Waste Management Plan. The plan must be reviewed and updated on a five-year basis and a public hearing is required for the approval process, submitted by Jonathan Gutierrez, Public Works.

*This item was scheduled to appear before the **Public Works and Safety Standing Committee**, chaired by Commissioner Bynum, on April 25, 2022. It was requested, and approved by the Mayor, to fast track this item to the April 28, 2022, full commission meeting.*

Tracking #: 211511

Motion: Markley

Second: Ramirez

Plan Approved 9/0

XIII. ADMINISTRATOR'S AGENDA

Item No. 1. - PRESENTATION: 2022 COMMUNITY SURVEY RESULTS

Synopsis: A presentation from ETC Institute representative to review the results of the 2022 Community Survey, submitted by Kathleen VonAchen, Chief Financial Officer.

For information only.

Tracking #: 211513

Presentation completed.

XIV. COMMISSIONERS' AGENDA

XV. LAND BANK BOARD OF TRUSTEES' CONSENT

AGENDA Item No. 1. - LAND BANK OPTION APPLICATIONS

Synopsis: Request consideration of the following Land Bank option applications, submitted by

Jud Knapp, Land Bank Manager

A. New Construction - Single Family Homes – 3 Homes

1. Darrick & Jamie
Shipley 1 N 80th Ter
- 017906
2. Gordillo Ramon
Hernandez 1960 N 6th
St – 140670
3. Arthur Babick
2007 S 19th St – 112309

B. New construction – Garage

1. Leandro Chavez
909 Ann Ave – 080645

Tracking #: 211530

Motion: Kane

Second: Markley

Approved 9/0

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN

Meeting adjourned at 12:05 PM