

ACTION AGENDA
JANUARY 12, 2023 UNIFIED GOVERNMENT BOARD OF
COMMISSIONERS MEETING
ORDER OF BUSINESS
MEETING TO CONVENE AT 7:00 – 10:07 PM

Location: Hybrid

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

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/83729948563?pwd=eFpjSGhrbVV2L2hDYnlXRnhTZitlZz09>

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Webinar ID: 837 2994 8563

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- I. CALL TO ORDER**
- II. ROLL CALL**
- III. INVOCATION GIVEN BY CHAPLAIN ANNIE ERICKSON, GRANDVIEW PARK PRESBYTERIAN CHURCH**
- IV. PLEDGE OF ALLEGIANCE**

V. REVISIONS TO THURSDAY, JANUARY 12, 2023 AGENDA

BLUE SHEET

REMOVING ITEM - X. ADMINISTRATOR'S AGENDA

Item No. 2. - RESOLUTION: FORMALIZING AMENDMENTS SECTION 202 AND 203 RULES OF PROCEDURE

Synopsis: A Resolution formalizing amendments previously adopted to Sections 202 and 203 of the Unified Government's Rules of Procedure and assigning a number to the Resolution, submitted by Misty Brown, Chief Counsel.
Tracking #: 212201

ADDING ITEM - IX. MAYOR'S AGENDA

Item No. 1. – NOTICE: EXERCISE OF VETO ACTION

Synopsis: Exercise of veto authority granted to the Mayor pursuant to Code of Ordinances, submitted by Tyrone A. Garner, Mayor/CEO.

The order of agenda will be changed to allow regular session agenda items to be heard first followed by the Planning and Zoning matters.

Tracking #: 212206

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. MAYOR'S AGENDA

VIII. REGULAR CONSENT AGENDA

IX. PUBLIC HEARING AGENDA

X. STANDING COMMITTEES' AGENDA

XI. ADMINISTRATOR'S AGENDA

XII. COMMISSIONERS' AGENDA

XIII. LAND BANK BOARD OF TRUSTEES' AGENDA

XIV. PUBLIC ANNOUNCEMENTS

XV. PLANNING AND ZONING CONSENT AGENDA

XVI. PLANNING AND ZONING NON-CONSENT AGENDA

XVII. ADJOURN

VII. MAYOR'S AGENDA

Item No. 1 - NOTICE: EXERCISE OF VETO ACTION (ADDED PER BLUE SHEET)

Synopsis: Exercise of veto authority granted to the Mayor pursuant to Code of Ordinances, submitted by Tyrone A. Garner, Mayor/CEO.

Tracking #: 212206

Mayor made comments.

Recess at 7:28 pm and reconvened at 7:38 pm

Commissioner Bynum made a motion asking our County Administrator to have staff draft language that codifies the changes with regard to the item, the change to reflect the mayor's one-time return of an item back to the Standing Committee for any further discussion, research, or review that would be requested by Mayor and then brought back. Johnson second. (Motion withdrawn)

Recess at 8:11 pm and reconvened at 8:48 pm

Motion to have the County Administrator direct staff to draft a change to the Unified Government rules of procedure regarding Standing Committees, such that an item that has passed at a Standing Committee level can be returned to that Standing Committee by the Mayor one more time, and request that draft language of this change be brought forward to our next Full Commission meeting: Bynum

Second: Johnson

Approved 10/0

VIII. REGULAR CONSENT AGENDA

Item No. 1 - PLAT: TALLADEGA HEIGHTS

Synopsis: Plat of Talladega Heights, located at 2715 South 37th Street, being developed by Kathryn Meyer, submitted by Brent E. Thompson, County Surveyor, and Troy Shaw, County Engineer.

Tracking #: 212151

Motion: Markley

Second: Johnson

Approved 10/0

Item No. 2 - MINUTES

Synopsis: Minutes from the Full Commission meeting on July 14 and August 11, 2022, and the Special Session meeting on November 17, 2022.

Tracking #: MINUTES

Motion: Markley

Second: Johnson

Approved 10/0

Item No. 3 - WEEKLY BUSINESS

Synopsis: Weekly business materials dated December 1, December 8, and December 15, 2022.

Tracking #: WEEKLY BUSINESS

Motion: Markley

Second: Johnson

Approved 10/0

IX. PUBLIC HEARING AGENDA

X. STANDING COMMITTEES' AGENDA

Item No. 1. - RESOLUTION/DISCUSSION: ROCK ISLAND BRIDGE

Synopsis: Approval for funding of the design and construction of raising the Rock Island Bridge, submitted by Jeff Fisher, Executive Director of Public Works.

*This item was scheduled to appear before the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, on January 9, 2023. It was requested, and approved by the Mayor, to fast-track this item to January 12, 2023, full commission meeting.*

Tracking #: 212198

Motion: Johnson

Second: Davis

Approved 10/0

Resolution R-1-23 adopted.

PowerPoint presentation complete

Mayor left the meeting and Commissioner Bynum stepped in as Mayor pro tem at 9:00 pm.

XI. ADMINISTRATOR'S AGENDA

Item No. 1. - UPDATE: GRANTS AND GRANT PROCESS

Synopsis: Update on status of grants and grant process, submitted by Cheryl Harrison-Lee, Interim County Administrator.

For information only.

Tracking #: 211735

Update provided

Item No. 2 - RESOLUTION: FORMALIZING AMENDMENTS SECTION 202 AND 203 RULES OF PROCEDURE (REMOVED PER BLUE SHEET)

Synopsis: A Resolution formalizing amendments previously adopted to Sections 202 and 203 of the Unified Government's Rules of Procedure and assigning a number to the Resolution, submitted by Misty Brown, Chief Counsel.

Tracking #: 212201

Removed per blue sheet.

XII. COMMISSIONERS' AGENDA

Item No. 1 - TRAVEL REQUEST: COMMISSIONER RAMIREZ

Synopsis: Request to travel to Washington D.C, to attend the NACO Legislative Conference, submitted by Commissioner Ramirez.

Tracking #: 212200

Motion: McKiernan

Second: Davis

Approved 10/0

XIII. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

XIV. PUBLIC ANNOUNCEMENTS

XV. PLANNING AND ZONING CONSENT AGENDA

A. CHANGE OF ZONE APPLICATIONS

1. COZ2022-038 – ANNA BRESCIA WITH RICHARD T. BRYANT AND ASSOCIATES

Synopsis: Change of Zone from R-1 Single Family and C-1 Limited Business Districts to CP-1 Planned Limited Business District for a liquor store at 8919 Leavenworth Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR DENIAL)**

Tracking #: 216

Motion to approve denial: Kane

Second: Davis

Approved 10/0

2. COZ2022-042 – ROGER BARRETT WITH SK DESIGN GROUP

Synopsis: Change of Zone from CP-O Planned Non-Retail Business District to C-D Central Business District to construct a six (6) story mixed-use development at 810 North 6th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 217

Motion to approve: Kane

Second: Davis

Approved 10/0

3. **COZ2022-043 – TRENT GADDY WITH JULES BOREL**

Synopsis: Change of Zone from CP-O Planned Non-Retail Business District to B-P Planned Business Park District to operate an administrative office with inventory for Jules Borel and Company at 1223 Meadowlark Lane (to replace SP-2020-95 – expires 2/4/2023), submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 219

Motion to approve: Kane

Second: Davis

Approved 10/0

B. SPECIAL USE PERMIT APPLICATIONS

1. **SP2022-066 – ROMAN CATHOLIC ARCHDIOCESE OF KANSAS CITY, KANSAS**

Synopsis: Special Use Permit to erect a 140' tall stealth monopole for the installation of lights and communications equipment at Bishop Ward athletic field with ground-based supporting equipment at 715 North 16th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751.

(RECOMMENDED FOR APPROVAL FOR 10 YEARS)

Tracking #: 2110

Motion to approve for 10 years: Kane

Second: Davis

Approved 10/0

2. **SP2022-074 – MAHER ALTHALATHINI**

Synopsis: Special Use Permit for a used-car dealership with light repair at 1000 Osage Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR DENIAL)**

Tracking #: 2111

Motion to approve denial: Kane

Second: Davis

Approved 10/0

3. **SP2022-093 – ANNA BRESCIA WITH RICHARD T. BRYANT AND ASSOCIATES**

Synopsis: Special Use Permit to operate a liquor store at 8919 Leavenworth Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR DENIAL)**

Tracking #: 218

Motion to approve denial: Kane

Second: Davis

Approved 10/0

4. **SP2022-098 – PAULA GEORGE WITH PARKWOOD DAY SCHOOL LLC**
Synopsis: Special Use Permit to operate a childcare center on the campus of KCKCC at 7250 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**
Tracking #: 2112
Motion to approve for 2 years: Kane
Second: Davis
Approved 10/0
5. **SP2022-101 – ADRIENNE BORTZ**
Synopsis: Renewal of a Special Use Permit (SP-2020-37 – expired 10/8/2022) to operate a short-term rental at 1101, 1103, 1107 and 1109 North 79th Terrace, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 5 YEARS)**
Tracking #: 214
Motion to approve for 5 years: Kane
Second: Davis
Approved 10/0
6. **SP2022-102 – JESSE VENZOR**
Synopsis: Special Use Permit to operate a short-term rental at 4342 Pearl Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 1 YEAR)**
Tracking #: 2113
Motion to approve for 1 year: Kane
Second: Davis
Approved 10/0
7. **SP2022-104 – ANDREA TAPIA WITH KCK HOUSING AUTHORITY**
Synopsis: Renewal of a Special Use Permit (SP-2020-50 – expired 9/3/2022) to operate a truck fleet maintenance center for the Kansas City Kansas Housing Authority at 1300 Meadowlark Lane, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**
Tracking #: 215
Motion to approve for 2 years: Kane
Second: Davis
Approved 10/0

8. **SP2022-105 – JOHN DAVIDSON WITH DAVIDSON ARCHITECTURE**
Synopsis: Special Use Permit for the operation of a truck terminal and maintenance shop at 5010 Speaker Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**
Tracking #: 2115
Motion to approve for 2 years: Kane
Second: Davis
Approved 10/0

C. VACATION APPLICATIONS

1. **PR2022-032 – JOSH BEUERLEIN WITH 4J ENTERPRISES**
Synopsis: Preliminary and Final Plan Review to expand a speech therapy business at 8247 Leavenworth Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 2116
Motion to approve: Kane
Second: Davis
Approved 10/0

D. PLAN REVIEW APPLICATIONS

1. **MPL2022-023 – ANNA BRESCIA WITH RICHARD T. BRYANT AND ASSOCIATES**
Synopsis: Master Plan Amendment from Low-Density Residential (City-Wide Master Plan) to Community Commercial (City-Wide Master Plan) at 8919 Leavenworth Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR DENIAL)**
Tracking #: 2117
Motion to approve denial: Kane
Second: Davis
Approved 10/0
2. **MPL2022-027 – TRENT GADDY WITH JULES BOREL**
Synopsis: Master Plan Amendment from Mixed-Use (City-Wide Master Plan) to Business Park (City-Wide Master Plan) at 1223 Meadowlark Lane, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 2118
Motion to approve: Kane
Second: Davis
Approved 10/0

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

1. **AN ORDINANCE** rezoning property at approximately 3640 North 83rd Street, 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 #: 212144
Motion to approve: Kane
Second: Davis
O-1-23 Approved 10/0 Published 1/19/2023
2. **AN ORDINANCE** rezoning property at approximately 13205 Parallel Parkway, from R Rural Residential and AG Agriculture (WYCO) Districts to A-G Agriculture District, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 212145
Motion to approve: Kane
Second: Davis
O-2-23 Approved 10/0 Published 1/19/2023
3. **AN ORDINANCE** rezoning property at approximately 1403 North 7th Street, from CP-1 Planned Limited Business District to CP-3 Planned Commercial District, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 212146
Motion to approve: Kane
Second: Davis
O-3-23 Approved 10/0 Published 1/19/2023
4. **AN ORDINANCE** rezoning property at approximately 822 and 825 North 49th Street, from A-G Agriculture and R-1 Single Family Districts to MP-3 Planned Heavy Industrial District, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 212147
Motion to approve: Kane
Second: Davis
O-4-23 Approved 10/0 Published 1/19/2023
5. **AN ORDINANCE** vacating utility easements (VAC2022-007) at approximately 12821 and 12827 Hubbard Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 212148
Motion to approve: Kane
Second: Davis
O-5-23 Approved 10/0 Published 1/19/2023

6. **AN ORDINANCE** authorizing a Special Use Permit to operate a used car dealership (SP2022-072) at 1401 Merriam Lane, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 212149
Motion to approve: Kane
Second: Davis
O-6-23 Approved 10/0 Published 1/19/2023
7. **AN ORDINANCE** authorizing a Special Use Permit for a Short-Term Rental (SP2022-094) at 4904 Edgehill Drive, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 212150
Motion to approve: Kane
Second: Davis
O-7-23 Approved 10/0 Published 1/19/2023

XVI. PLANNING AND ZONING NON-CONSENT AGENDA

A. CHANGE OF ZONE APPLICATIONS

1. **COZ2022-039 - CURTIS PETERSEN WITH POLSINELLI**
Synopsis: Change of Zone from AG Agriculture and C-O Non-Retail Business Districts to CP-2 Planned General Business District for the Margaritaville Resort Hotel at 9400 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 212142
Motion to approve: Kane, second by Johnson (withdrawn)
Motion to approve with removal of condition 5 for the trail: Kane
Second: Stites
Approved 10/0

Mayor returned to the meeting at 9:37 pm.

B. SPECIAL USE PERMIT APPLICATIONS

1. SP2022-061 - TOM GIEFER WITH G & G HOLDINGS LLC.

Synopsis: Renewal of a Special Use Permit (SP-2019-111) for the Temporary Use of Land to stockpile and process concrete materials at 7241 Kaw Drive. submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS - 5/1 VOTE)**

Tracking #: 212137

Motion to approve for 1 year: Kane (withdrawn)

Bynum made a motion to hold over to the next PZ/FC meeting on 1/26, Davis second. (withdrawn)

Motion to approve for 1 year: Markley

Second: Kane

Approved 10/0

2. SP2022-097 - CURTIS PETERSEN WITH POLSINELLI

Synopsis: Special Use Permit for an event center for the Margaritaville Resort Hotel at 9400 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 212143

Motion to approve and amend stipulation 26 from two years to indefinite: Ramirez

Second: Kane

Approved 10/0

TAX STATUS REPORT

BOARD OF COMMISSIONERS AGENDA FOR JANUARY 12, 2023

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.

XVII. ADJOURN

Motion: Bynum

Second: Davis

Approved 10/0

Meeting adjourned at 10:07 pm.