

ACTION AGENDA
APRIL 27, 2023, UNIFIED GOVERNMENT BOARD OF
COMMISSIONERS MEETING
ORDER OF BUSINESS
MEETING TO CONVENE AT 7:00 – 9:45 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/86208850500>

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Webinar ID: 862 0885 0500

International numbers available: <https://us02web.zoom.us/j/86208850500>

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. INVOCATION GIVEN BY CLARENCE MILLER, CALVARY BAPTIST CHURCH**
- IV. PLEDGE OF ALLEGIANCE**
- V. REVISIONS TO THURSDAY, APRIL 27, 2023, AGENDA**

BLUE SHEET

ADDING ITEMS

IX. MAYOR'S AGENDA

Item No. 2. – PROCLAMATION: ARBOR DAY

Synopsis: Proclamation proclaiming April 28th, 2023, as Arbor Day, submitted by Tyrone A. Garner, Mayor/CEO

Tracking #: 212436

X. ADMINISTRATOR'S AGENDA

Item No. 2. - RESOLUTION: MEMORANDUM OF UNDERSTANDING WITH FOP, LODGE #4

Synopsis: A Resolution authorizing the County Administrator to execute a Memorandum of Understanding (MOU) with the Fraternal Order of Police, Lodge #4, effective 1/1/23 through 12/31/25, submitted by Patrick Waters, Acting Chief

Counsel. The MOU has been ratified by the Fraternal Order of Police.
Tracking #: 212424

REMOVING ITEMS

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

Synopsis: Update on the status of grants and grant process, submitted by David Johnston, County Administrator.

For information only.

Tracking #: 212424

Revisions announced.

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

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

A. CHANGE OF ZONE APPLICATIONS

1. **COZ2022-051 - AUSTIN THOMPSON WITH ATLAS LAND CONSULTING**

Synopsis: Change of Zone from R-1 Single Family District to RP-2(B) Planned Two Family District to remodel an existing structure into a duplex at 706 Shawnee Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 212396

Motion to approve: Burroughs

Second: McKiernan

Approved 8/0

2. **COZ2023-003 - MICHAEL BOURQUIN**

Synopsis: Change of Zone from R-1 Single Family District to C-1 Limited Business District for a fireworks stand at 5910 County Line Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 212402

Motion to approve: Burroughs

Second: McKiernan

Approved 8/0

3. **COZ2023-004 - PAULA WESTERFIELD-WALLACE**

Synopsis: Change of Zone from R1 (WYCO) Residential District to R-1 Single Family District for a residence and dog kennel at 12200 Donahoo Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 212403

Motion to approve: Burroughs

Second: McKiernan

Approved 8/0

4. **COZ2023-007 - AUSTIN THOMPSON WITH ATLAS LAND CONSULTING**

Synopsis: Change of Zone from R-1 Single Family District to R-M Mobile Home Park District for the Eden Village Mobile Home Park at 1013 Metropolitan Avenue, 1605 South Baltimore and 1003 Ruby Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 212406

Motion to approve: Burroughs

Second: McKiernan

Approved 8/0

B. SPECIAL USE PERMIT APPLICATIONS

1. SP2022-106 - JOSHUA BROWN WITH TWISTED AUDIO CREATIONS

Synopsis: Special Use Permit to operate a car audio installation business at 5235 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 1 YEAR)**

Tracking #: 212409

Motion to approve for 1 year: Burroughs

Second: McKiernan

Approved 8/0

2. SP2022-121 - LATIN QUARTERS, INC.

Synopsis: Renewal of a Special Use Permit (SP2021-029 - expired 11/4/2022) for a restaurant and 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 FOR 6 MONTHS)**

Tracking #: 212412

Motion to approve for 6 months: Burroughs

Second: McKiernan

Approved 8/0

3. SP2022-122 - JIM DONOVAN WITH THE SHOWROOM FLOOR, LLC

Synopsis: Renewal of a Special Use Permit (SP2021-009 - expires 5/6/2023) to operate a short-term rental at 1127 Southwest Boulevard, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751.

(RECOMMENDED FOR APPROVAL FOR 5 YEARS)

Tracking #: 212397

Motion to approve for 5 years: Burroughs

Second: McKiernan

Approved 8/0

4. SP2023-002 - MIKE UTT WITH NEW CINGULAR WIRELESS PCS, LLC

Synopsis: Special Use Permit to install a monopole cell antenna to optimize cellular coverage in the immediate area at 1964 North 63rd Drive, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751.

(RECOMMENDED FOR APPROVAL FOR 10 YEARS)

Tracking #: 212413

Motion to approve for 10 years: Burroughs

Second: McKiernan

Approved 8/0

5. **SP2023-005 - CHRISTOPHER CIESIEL WITH THE CAMPGROUND LLC**
Synopsis: Special Use Permit to operate a drinking establishment with live entertainment at 1639 Southwest Boulevard, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**
Tracking #: 212415
Motion to approve for 2 years: Burroughs
Second: McKiernan
Approved 8/0
6. **SP2023-007 - RYAN DENK WITH MCANANY, VAN CLEAVE & PHILLIPS, P.A.**
Synopsis: Renewal of a Special Use Permit (SP2020-096 - expired 2/4/2023) for the Temporary Use of Land to allow for semi-truck parking at the American Inn Motel at 7949 Splitlog Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**
Tracking #: 212398
Motion to approve for 2 years: Burroughs
Second: McKiernan
Approved 8/0
7. **SP2023-009 - JUDD CLAUSSEN WITH PHELPS ENGINEERING, INC.**
Synopsis: Renewal of a Special Use Permit (SP2022-013 - expires 5/5/2023) to continue to remove earthen material at 1215 Merriam Lane, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**
Tracking #: 212399
Motion to approve for 2 years: Burroughs
Second: McKiernan
Approved 8/0
8. **SP2023-010 - DANIEL CASTILLO WITH OVER UNDER**
Synopsis: Special Use Permit to operate a drinking establishment with sports watch parties at 401 North 6th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**
Tracking #: 212416
Motion to approve for 2 years: Burroughs
Second: McKiernan
Approved 8/0

C. VACATION APPLICATIONS

1. VAC2022-003 - LUKE KUSH CORPORATION

Synopsis: Vacation of right-of-way easement at 1327 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751.

(RECOMMENDED FOR APPROVAL)

Tracking #: 212411

Motion to approve: Burroughs

Second: McKiernan

Approved 8/0

D. PLAN REVIEW APPLICATIONS

1. PR2022-037 - DARYL K. RAKOSKI

Synopsis: Preliminary and Final Plan Review to construct 62 single-family homes at 11465 Webster Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 212410

Motion to approve: Burroughs

Second: McKiernan

Approved 8/0

2. PR2023-011 - AUSTIN THOMPSON WITH ATLAS LAND CONSULTING

Synopsis: Preliminary and Final Plan Review (Eden Village) to construct a mobile home park at 1013 Metropolitan Avenue, 1605 South Baltimore and 1003 Ruby Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 212414

Motion to approve: Burroughs

Second: McKiernan

Approved 8/0

E. MASTER PLAN AMENDMENTS

1. MPL2023-002 - MICHAEL BOURQUIN

Synopsis: Master Plan Amendment from Rural Density Residential (City-Wide Comprehensive Plan) to Rural Commercial (City-Wide Comprehensive Plan) at 5910 County Line Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 212407

Motion to approve: Burroughs

Second: McKiernan

Approved 8/0

2. **MPL2023-005 - AUSTIN THOMPSON WITH ATLAS LAND CONSULTANTS**

Synopsis: Master Plan Amendment from Low-Density Residential (City-Wide Comprehensive Plan) to Medium-Density Residential (City-Wide Comprehensive Plan) at 1013 Metropolitan Avenue, 1605 South Baltimore and 1003 Ruby Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 212408

Motion to approve: Burroughs

Second: McKiernan

Approved 8/0

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

1. AN ORDINANCE rezoning property at 2730 South 69th Street (COZ2022-024) 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 #: 212418
Motion to approve: Burroughs
Second: McKiernan
O-45-23, Approved 8/0, Published on 5/4/2023.
2. AN ORDINANCE authorizing a Special Use Permit (SP2022-081) for a kennel for six (6) dogs at 12200 Donahoo Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 212419
Motion to approve: Burroughs
Second: McKiernan
O-46-23, Approved 8/0, Published on 5/4/2023.
3. AN ORDINANCE authorizing a Special Use Permit (SP2021-090) for a liquor store at 146 South 18th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 212420
Motion to approve: Burroughs
Second: McKiernan
O-47-23, Approved 8/0, Published on 5/4/2023.
4. AN ORDINANCE authorizing a Special Use Permit (SP2023-004) for a short-term rental at 10 South Hallock, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 212421
Motion to approve: Burroughs
Second: McKiernan
O-48-23, Approved 8/0, Published on 5/4/2023.

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

A. CHANGE OF ZONE APPLICATIONS

1. **COZ2023-001 - DAVID BLOCK WITH BLOCK AND COMPANY, INC.**

Synopsis: Change of Zone from CP-2 Planned General Business District to CP-3 Planned Commercial District to convert an office building into a mixed-use apartment building at 10200 Abilities Way, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL - 7/1 VOTE)**

Tracking #: 212400

Motion to hold for 30 days: Townsend

Second: Stites

Approved 8/0

B. SPECIAL USE PERMIT APPLICATIONS

1. **SP2023-006 - ADAM REYNOLDS**

Synopsis: Special Use Permit to operate a short-term rental at 4443 Eaton Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL FOR 1 YEAR - 6/2 VOTE)**

Tracking #: 212417

Motion to approve: Stites

Second: McKiernan

Failed 5/4 (Ramirez, Kane, Burroughs, Garner voting No)

Motion to approve: Ramirez

Second: Markley

Approved 7/1 (Burroughs voting No)

C. MASTER PLAN AMENDMENT APPLICATIONS

1. **MPL2023-001 - DAVID BLOCK WITH BLOCK AND COMPANY, INC.**

Synopsis: Master Plan Amendment from Regional Commercial (Prairie-Delaware-Piper Area Plan) to Mixed-Use (City-Wide Comprehensive Plan) to convert an office building into a mixed-use apartment building at 10200 Abilities Way, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design, 573-5751. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 212401

Motion to hold for 30 days: Bynum

Second: Townsend

Approved 8/0

D. MISCELLANEOUS

1. ORDINANCE: SHORT-TERM RENTAL USES

Synopsis: Consideration to create a new Short-Term Rental Ordinance and Staff review process, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

*This item was scheduled to appear before the **Administration & Human Services Standing Committee**, chaired by Commissioner Markley, on April 24, 2023. It was requested, and approved by the Mayor, to fast-track this item to April 27, 2023, full commission meeting. This item was previously heard by the Planning Commission and passed with a vote of 6 to 1.*

Tracking #: 212207

Motion to approve Administration & Human Services version: Markley

Second: Ramirez

O-49-23 Approved 8/0, Published on 5/4/2023.

TAX STATUS REPORT

BOARD OF COMMISSIONERS AGENDA FOR APRIL 27, 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.

Recess was taken at 9:27 PM and reconvened at 9:33 PM.

IX. MAYOR'S AGENDA

Item No. 1 - UPDATE: SEVEN DAYS OF KINDNESS

Synopsis: Update on the status of Seven Days of Kindness, submitted by Ashley Hand, Director of Strategic Communication.

For information only.

Tracking #: 212427

Update provided and check presented to Park Board.

Item No. 2 - PROCLAMATION: ARBOR DAY (ADDED PER BLUE SHEET)

Synopsis: Proclamation proclaiming April 28th, 2023, as Arbor Day, submitted by Tyrone A. Garner, Mayor/CEO.

Tracking #: 212436

Proclamation read.

X. REGULAR CONSENT AGENDA

Item No. 1 - NOMINATIONS: BOARDS AND COMMISSIONS

Synopsis: Nominations for Boards and Commissions:

Frank Aguilar to the Self Supported Municipal Imp. District (SSMID) from 4/27/2023 to 12/31/2025, submitted by Commissioner Kane.

Tracking #: 212425

Motion to approve: McKiernan

Second: Ramirez

Approved 8/0

Item No. 2 - PLAT: SWIFT ESTATES

Synopsis: Plat of Swift Estates, located at 1026 Oakland Avenue, and being developed by Swift RPM, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Tracking #: 212426

Motion to approve: McKiernan

Second: Ramirez

Approved 8/0

Item No. 3 - MINUTES

Synopsis: Minutes from the Full Commission meeting on July 28, 2022.

Tracking #: MINUTES

Motion to approve: McKiernan

Second: Ramirez

Approved 8/0

Item No. 4 - WEEKLY BUSINESS

Synopsis: Weekly business materials dated April 6th and 13th, 2023.

Tracking #: WEEKLY BUSINESS

Motion to approve: McKiernan

Second: Ramirez

Approved 8/0

XI. PUBLIC HEARING AGENDA

XII. STANDING COMMITTEES' AGENDA

Item No. 1. - RESOLUTION: AUTHORIZING THE PURCHASE OF PROPERTY FOR A NEW FIRE STATION 20.

Synopsis: Resolution authorizing the purchase of property at 521 S. 72nd St. for a new Fire Station 20, submitted by Daniel Kuhn, Senior Counsel, Legal Department.

It is requested that this item be fast-tracked to the April 27, 2023, Full Commission meeting.

Tracking #: 212391

Motion to approve: Bynum

Second: Kane

R-30-23 Adopted, approved 8/0

XIII. ADMINISTRATOR'S AGENDA

Item No. 1. - UPDATE: GRANTS AND GRANT PROCESS (REMOVED PER BLUE SHEET)

Item No. 2 - RESOLUTION: MEMORANDUM OF UNDERSTANDING WITH FOP, LODGE #4 (ADDED PER BLUE SHEET)

Synopsis: A resolution authorizing the County Administrator to execute a Memorandum of Understanding (MOU) with the Fraternal Order of Police, Lodge #4, effective 1/1/23 through 12/31/25, submitted by Patrick Waters, Acting Chief Counsel, The MOU has been ratified by the Fraternal Order of Police.

Tracking #: 212435

Motion to approve: Kane

Second: Stites

Approved 8/0

XIV. COMMISSIONERS' AGENDA

**Commissioner Markley made a motion to adjourn and reconvene as Landbank Board of Trustees, seconded by Ramirez.
Approved 8/0**

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

Please visit the new site to review the applications below.

<https://experience.arcgis.com/experience/b63e9cb3cca44be59f458765dbeddc8/>

A. Single Family Homes – 10 Homes

1. Jon Coverdale – 1 home
2917 S 27th ST – 149692
2. Maria Hill – 1 home
5409 Douglas Ave – 218112
5417 Douglas Ave – 218113
4. Dulce Dominguez & Fernando Sepulveda – 1 home
3111 S 33rd St – 150317
5. James Michael – 1 home
643 N 54th St – 051619
5310 Muncie Dr – 051618
6. Premier Developments LLC – 5 homes
3047 N 31st St – 099260
3051 N 31st St – 099261
3059 N 31st ST – 099262
3063 N 31st St – 099263
3065 N 31st St - 099264
7. Jose Cortez – 1 home
3233 N 44th Ter – 172212
3237 N 44th Ter - 172211
3241 N 44th Ter - 172210
3245 N 44th Ter - 172209
3301 N 44th Ter - 172208

Tracking #: 212404

Motion to approve: Kane

Second: Ramirez

Approved 8/0

Item No. 2. - LAND BANK PROPERTY TRANSFERS

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

Please visit the new site to review the applications below.

<https://experience.arcgis.com/experience/b63e9cb3cca44be59f458765dbeddc8/>

PT – Property Transfers

1. Cintli Soto
812 Lafayette Ave - 111593

Tracking #: 212405

Motion to approve: Kane

Second: Ramirez

Approved 8/0

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN

Motion to adjourn: Markley

Second: Ramirez

Approved 8/0

Meeting adjourned at 9:45 PM.