

ACTION AGENDA
APRIL 25, 2024 UNIFIED GOVERNMENT BOARD OF
COMMISSIONERS MEETING
ORDER OF BUSINESS
MEETING TO CONVENE AT 7:12 – 10:48 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 this URL to join. <https://us02web.zoom.us/j/81830616468>

Or One tap mobile:

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Or join by phone:

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Webinar ID: 818 3061 6468

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I. CALL TO ORDER

II. ROLL CALL

Present: Hill, Lopez, Stites, Davis, Bynum, Townsend, Burroughs.

Absent: Kane, Burns, Garner.

**III. INVOCATION GIVEN BY CHAPLAIN DANIEL FREEMAN, NEW BEGINNING
MBC**

IV. PLEDGE OF ALLEGIANCE

V. REVISIONS TO THURSDAY, APRIL 25, 2024 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

A. CHANGE OF ZONE APPLICATIONS

1. COZ2023-034 - GERALD MENEFEE WITH KAM DESIGN GROUP

Synopsis: Change of Zone from A-G Agriculture District to CP-2 Planned General Business District to construct a convenience store and fueling station at 9611 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR DENIAL)**

Tracking #: 2163

Motion to approve denial: Bynum

Second: Stites

Approved 7-0

2. COZ2024-002 - AUSTIN THOMPSON WITH ATLAS LAND CONSULTING

Synopsis: Change of Zone from R Rural Residential District (WYCO) to A-G Agriculture District for cattle and a barn at 1200 North 134th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

(RECOMMENDED FOR APPROVAL)

Tracking #: 2167

Motion to approve: Ramirez

Second: Bynum

Approved 6-1 (Lopez voting no)

3. COZ2024-005 - AUSTIN THOMPSON WITH ATLAS LAND CONSULTANTS

Synopsis: Change of Zone from A-G Agriculture District to R-1 Single Family District for a residential use at 804 South 89th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 2169

Motion to approve: Ramirez

Second: Bynum

Approved 6-1 (Lopez voting no)

4. **COZ2024-006 - BRANDON CARLSON WITH THE PROPERTY BR COMPANIES AND/OR AFFILIATES**

Synopsis: Change of Zone from A-G Agriculture District to CP-2 Planned General Business District to construct a new urgent care facility at 9400 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 2178

Motion to approve: Ramirez

Second: Bynum

Approved 6-1 (Lopez voting no)

B. SPECIAL USE PERMIT APPLICATIONS

1. **SP2023-110 - MARK CARNESECCA WITH PICK-N-PULL**

Synopsis: Renewal of a Special Use Permit (SP-2018-94, expired 1/10/2024) to operate an automobile salvage yard at 1142 South 12th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

(RECOMMENDED FOR APPROVAL FOR 5 YEARS)

Tracking #: 2160

Motion to approve for 5 years: Ramirez

Second: Bynum

Approved 6-1 (Lopez voting no)

2. **SP2024-006 - ATTIF ABBAS**

Synopsis: Renewal of a Special Use Permit (SP2021-034) to operate a liquor store at 8537 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL FOR 1 YEAR)**

Tracking #: 2161

Motion to approve for 1 year: Ramirez

Second: Bynum

Approved 6-1 (Lopez voting no)

3. **SP2024-007 - SAMIA GUESS**

Synopsis: Renewal of a Special Use Permit (SP2022-065) to operate a Short-Term Rental at 2023 North 85th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 2162

Motion to approve for 2 years: Ramirez

Second: Bynum

Approved 6-1 (Lopez voting no)

4. **SP2024-008 - MEGAN PAINTER WITH CHWC HOLDING CORPORATION**

Synopsis: Special Use Permit to operate a group dwelling at 1026 Ann Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 2180

Motion to approve for 2 years: Ramirez

Second: Bynum

Approved 6-1 (Lopez voting no)

5. **SP2024-010 - RODERICK SIMMONS, JR.**

Synopsis: Special Use Permit to operate a Short-Term Rental at 2614 South 27th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL FOR 1 YEAR)**

Tracking #: 2181

Motion to approve for 1 year: Ramirez

Second: Bynum

Approved 6-1 (Lopez voting no)

6. **SP2024-011 - JUAN RAMIREZ**

Synopsis: Special Use Permit for used auto sales at 401 Kansas Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 2170

Motion to approve for 2 years: Ramirez

Second: Bynum

Approved 6-1 (Lopez voting no)

7. **SP2024-012 - NADIA GRIFFITT**

Synopsis: Renewal of a Special Use Permit (SP2022-121) to operate a drinking establishment with live entertainment at 508 Kansas Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL FOR 1 YEAR)**

Tracking #: 2171

Motion to approve for 1 year: Ramirez

Second: Bynum

Approved 6-1 (Lopez voting no)

C. MASTER PLAN AMENDMENT APPLICATION

1. **MPL2023-019 - GERALD MENEFEE WITH KAM DESIGN GROUP**

Synopsis: Master Plan Amendment from Business Park (Prairie-Delaware-Piper Area Plan) to Commercial (Prairie-Delaware-Piper Area Plan) to construct a convenience store and fueling station at 9611 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR DENIAL)**

Tracking #: 2164

Motion to approve denial: Bynum

Second: Stites

Approved 7-0

D. PLAN REVIEW APPLICATION

1. **PR2024-006 - DAVID LUTZ**

Synopsis: Preliminary Plan Review to construct a new drive-through bank at 7908 State Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 2172

Motion to approve: Ramirez

Second: Bynum

Approved 6-1 (Lopez voting no)

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

1. AN ORDINANCE authorizing a Special Use Permit (SP2023-109) for a non-owner-occupied Short-Term Rental at 3059-3065 Francis Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL)**

Tracking #: 2175

Motion to approve: Ramirez

Second: Bynum

Approved 6-1 (Lopez voting no)

O-50-24 approved

2. AN ORDINANCE authorizing a Special Use Permit (SP2023-119) for a Short-Term Rental (on the second floor) at 204 Orchard Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 2176
Motion to approve: Ramirez
Second: Bynum
Approved 6-1 (Lopez voting no)
O-51-24 approved
3. AN ORDINANCE authorizing a Special Use Permit (SP2023-120) for a drinking establishment (on the first floor) at 204 Orchard Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 2177
Motion to approve: Ramirez
Second: Bynum
Approved 6-1 (Lopez voting no)
O-52-24 approved
4. AN ORDINANCE vacating utility easement (VAC2024-001) at 11471 Webster Avenue, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL)**
Tracking #: 2182
Motion to approve: Ramirez
Second: Bynum
Approved 6-1 (Lopez voting no)
O-53-24 approved

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

A. CHANGE OF ZONE APPLICATIONS

1. **COZ2023-024 - CHRIS ELSEY WITH THE PRIME COMPANY**
Synopsis: Change of Zone from R-1 Single Family District to RP-5 Planned Apartment District to construct a 132-unit apartment complex at 5901 and 5945 Parallel Parkway, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL - 7/2 VOTE)**
Tracking #: 2165
Motion to hold over for 30 days: Davis
Second: Bynum
Approved 7-0.

2. **COZ2024-004 - FRED DEL TORO**

Synopsis: Change of Zone from R-1(B) Single Family District to A-G Agriculture District to keep animals on the property at 3612 Emmons Drive, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

(RECOMMENDED FOR DENIAL - 6/4 VOTE)

Tracking #: 2168

Motion to hold over for 30 days: Townsend

Second: Davis

Approved 6/1 (Stites voting no)

B. SPECIAL USE PERMIT APPLICATIONS

1. **SP2023-122 - ANDREW MALL**

Synopsis: Special Use Permit to operate a Short-Term Rental at 6115 Oak Grove Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL FOR 1 YEAR - 6/4 VOTE)**

Tracking #: 2179

Motion to hold over for 30 days: Bynum

Second: Townsend

Approved 6/2 (Lopez and Stites voting no)

C. MASTER PLAN AMENDMENT APPLICATIONS

1. **MPL2023-012 - CHRIS ELSEY WITH THE PRIME COMPANY**

Synopsis: Master Plan Amendment from Low-Density Residential (City-Wide Comprehensive Plan) to High-Density Residential (City-Wide Comprehensive Plan) at 5901 and 5945 Parallel Parkway, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL - 7/2 VOTE)**

Tracking #: 2166

Motion to hold over for 30 days: Bynum

Second: Davis

Approved 7-0

2. **MPL2024-001 - CURTIS PETERSON**

Synopsis: Master Plan Amendment from Medium-Density Residential to High-Density Residential (PlanKCK Comprehensive Plan) at 1300 North 59th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL - 6/3 VOTE)**

Tracking #: 2173

1. Motion to approve denial: Davis

Second: Lopez

Motion failed 7/1 (Bynum voting no)

2. Motion to hold over for 30 days: Bynum

Second: Townsend

Approved 6/1 (Lopez voting no)

D. PLAN REVIEW APPLICATION

1. **PR2024-003 - CURTIS PETERSON**

Synopsis: Preliminary Development Plan to construct a 174-unit garden apartment complex at 1300 North 59th Street, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. **(RECOMMENDED FOR APPROVAL - 6/3 VOTE)**

Tracking #: 2174

Motion to hold over for 30 days: Bynum

Second: Townsend

Approved 6/1 (Lopez voting no)

TAX STATUS REPORT

BOARD OF COMMISSIONERS AGENDA FOR APRIL 25, 2024

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

1. **PROCLAMATION: PROFESSIONAL MUNICIPAL CLERKS WEEK**

Synopsis: Proclamation proclaiming May 5-11, 2024, as Professional Municipal Clerks Week, submitted by Tyrone A. Garner, Mayor/CEO.

Tracking #: 2184

Proclamation read

2. **PROCLAMATION: ARBOR DAY**

Synopsis: Proclamation proclaiming April 26, 2024, as Arbor Day, submitted by Tyrone A. Garner, Mayor/CEO.

Tracking #: 2189

Proclamation read

X. REGULAR CONSENT AGENDA

1. **RESOLUTION: AUTHORIZING AMENDMENT TO 2024 MASTER EQUIPMENT LEASE PURCHASE AGREEMENT**

Synopsis: Approval of a resolution authorizing the Unified Government to amend its Master Equipment Lease Purchase Agreement with Banc of America Corp, submitted by Debbie Jonscher, Interim Chief Financial Officer.

*On April 1, 2024, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.*

Tracking #: 213019

Motion to approve: Townsend

Second: Davis

Approved 7-0.

R-17-24 adopted.

2. **RESOLUTION: ADOPTING THE SECOND AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR VILLAGE WEST APARTMENTS III**

Synopsis: A resolution adopting the Second Amendment to the Development Agreement for Village West Apartments III, to extend the completion date to March 31, 2025, submitted by Jeff Conway, Senior Attorney.

*On April 1, 2024, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.*

Tracking #: 213028

Motion to approve: Townsend

Second: Davis

Approved 7-0.

R-18-24 adopted.

3. **NOMINATIONS: BOARDS AND COMMISSIONS**

Synopsis: Landmarks Commission:

Appointment of Jeff Fendorf - Term 4/25/24 to 12/15/27, submitted by Commissioner Bynum.

Self-Supported Municipal Industrial District:

Appointment of Robert Hughes - Term 4/25/24 to 12/15/25, submitted by Commissioner Townsend.

Tracking #: 2187

Motion to approve: Townsend

Second: Davis

Approved 7-0.

4. **MINUTES**

Synopsis: Minutes from the Regular Session meeting on January 26, 2023, and the Special Session meeting on March 21, 2024.

Tracking #: MINUTES

Motion to approve: Townsend

Second: Davis

Approved 7-0.

5. **WEEKLY BUSINESS**

Synopsis: Weekly business materials dated February 1, 22, and 29, 2024.

Tracking #: WEEKLY BUSINESS

Motion to approve: Townsend

Second: Davis

Approved 7-0.

XI. PUBLIC HEARING AGENDA

XII. STANDING COMMITTEES' AGENDA

1. **APPROVAL: FY25 ADULT COMMUNITY CORRECTIONS KANSAS DEPARTMENT OF CORRECTIONS GRANT**

Synopsis: This is the 44th year Wyandotte County has submitted a grant request to the Kansas Department of Corrections. This is not a competitive grant in that we will be awarded the grant, but the amount of dollars will be determined by the legislative appropriation and apportioned by the KDOC.

*This item was scheduled to appear before the **Public Works & Safety Standing Committee**, chaired by Commissioner Burroughs, on April 22, 2024. It was requested and voted unanimously to fast-track this item to the April 25, 2024, full commission meeting.*

Tracking #: 2140

Motion to approve: Bynum

Second: Townsend

Approved 6-0

2. **APPROVAL: FY25 JUVENILE COMMUNITY CORRECTIONS KANSAS DEPARTMENT OF CORRECTIONS GRANT**

Synopsis: This is the 17th year Wyandotte County has submitted a grant request to the Kansas Department of Corrections. This is not a competitive grant in that we will be awarded the grant, but the amount of dollars will be determined by the legislative appropriation and apportioned by the KDOC.

*This item was scheduled to appear before the **Public Works & Safety Standing Committee**, chaired by Commissioner Burroughs, on April 22, 2024. It was requested and voted unanimously to fast-track this item to the April 25, 2024, full commission meeting.*

Tracking #: 2142

Motion to approve: Bynum

Second: Townsend

Approved 6-0

XIII. ADMINISTRATOR'S AGENDA

1. REACH FOUNDATION BOARD APPOINTMENTS

Synopsis: The Nominating Committee of the REACH Healthcare Foundation's Board of Directors, respectfully request the **reappointment** of Mr. Octavio Estrella to the Board of Directors for a 3-year term effective June 1, 2024, and concluding May 31, 2027.

Tracking #: 2188

Motion to approve: Bynum

Second: Townsend

Approved 6-0

XIV. COMMISSIONERS' AGENDA

Motion to adjourn and reconvene as Land Bank Board of Trustees: Bynum

Second: Davis

Approved 7/0

XV. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

1. LAND BANK OPTIONS

Synopsis: The following **option application(s)** was presented at the 04/01/2024 Neighborhood and Community Development Standing Committee, submitted by Jud Knapp, Land Bank Manager.

Please visit the site to review the applications below.

<https://gisapp.wycokck.org/Landbank.html>

8 Single Family Homes

*On April 1, 2024, the **Neighborhood and Community Development Standing Committee**, chaired by Commissioner Davis, voted unanimously to approve and forward to the Land Bank Board of Trustees.*

Tracking #: 213032

Motion to approve: Bynum

Second: Davis

Approved 7-0

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN

Motion to adjourn: Townsend

Second: Ramirez

Approved 7-0

The meeting adjourned at 10:48 PM.