

ACTION AGENDA
JUNE 27, 2024 UNIFIED GOVERNMENT BOARD OF
COMMISSIONERS MEETING
UPDATED ORDER OF BUSINESS
MEETING TO CONVENE AT 7:42 P.M. - 2:20 A.M.

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/84039258818>

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I. CALL TO ORDER

II. ROLL CALL

Present: Lopez, Stites, Burroughs, Townsend, Davis, Bynum, Burns, Ramirez, Hill, Garner.

Absent: Kane, Ramirez left at 11:00 P.M.

III. INVOCATION GIVEN BY SISTER THERESE BANGERT, OUR LADY-SAINT ROSE CATHOLIC CHURCH

IV. PLEDGE OF ALLEGIANCE

V. REVISIONS TO THURSDAY, JUNE 27, 2024, AGENDA

Agenda Update Adding Document to Mayor's Agenda Item No. 1

And Adding Item No. 5 to Regular Consent Agenda

VI. CLERK'S STATEMENT

VII. ADMINISTRATOR'S AGENDA

VIII. PLANNING AND ZONING CONSENT AGENDA

- IX. PLANNING AND ZONING NON-CONSENT AGENDA
- X. MAYOR'S AGENDA
- XI. REGULAR CONSENT AGENDA
- XII. PUBLIC HEARING AGENDA
- XIII. STANDING COMMITTEES' 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. ADMINISTRATOR'S AGENDA

1. RESOLUTION: INTENT TO EXCEED REVENUE NEUTRAL RATE

Synopsis: A resolution regarding the governing body's intent to exceed the revenue-neutral rate and setting the date of a public hearing.

Tracking #: 21219

Recess at 10:05 P.M.

Reconvened at 10:19 P.M.

1. Motion to disapprove option to exceed revenue neutral: Lopez

After further discussion, Lopez rescinds motion.

2. Motion not to exceed revenue neutral: Lopez

Second: Burns

Approved 9/0

VIII. PLANNING AND ZONING CONSENT AGENDA

A. CHANGE OF ZONE APPLICATIONS

1. COZ2024-009 - KARI JACOBSON

Synopsis: Change of Zone from R-1 Single Family District to R-2 Two Family District for a legal non-conforming accessory unit (ADU) at 3354-3356 North 60th Terrace, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0.

Tracking #: 21185

Motion to approve: Stites

Second: Burroughs

Approved 8/0.

2. COZ2024-012 - RICK CUNNINGHAM

Synopsis: Change of Zone from R-1(B) Single Family District to R-2(B) Two Family District for an accessory dwelling unit (ADU) at 4316 Fisher Street, RECOMMENDED FOR DENIAL BY A VOTE OF 7 TO 0.

Tracking #: 21190

Motion to approve denial: Stites

Second: Burroughs

Approved 8/0.

B. SPECIAL USE PERMIT APPLICATIONS

1. SP2024-018 - WIL ANDERSON WITH BHC RHODES

Synopsis: Special Use Permit for an event space at 713 Osage Avenue, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 5 YEARS.

Tracking #: 21193

Motion to approve for 5 years: Stites

Second: Burroughs

Approved 8/0.

2. SP2024-024 - TINA CARUSO WITH TANNERS BAR AND GRILL - 39TH

Synopsis: Renewal of a Special Use Permit (SP2022-038) for live entertainment at an existing restaurant at 3900 Rainbow Boulevard, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 5 YEARS.

Tracking #: 21180

Motion to approve for 5 years: Stites

Second: Burroughs

Approved 8/0.

3. **SP2024-026 - LOGAN SMITH WITH HILLSIDERS KC**

Synopsis: Renewal of a Special Use Permit (SP2022-011) for a drinking establishment with live entertainment at 403 North 5th Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 2 YEARS.

Tracking #: 21181

Motion to approve for 2 years: Stites

Second: Burroughs

Approved 8/0.

4. **SP2024-029 - ADAM REYNOLDS**

Synopsis: Renewal of a Special Use Permit (SP2023-006) to operate a Short-Term Rental at 4443 Eaton Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 1 YEAR.

Tracking #: 21182

Motion to approve for 1 year: Stites

Second: Burroughs

Approved 8/0.

5. **SP2024-030 - CHRIS SCHUBERG WITH HERITAGE-CRYSTAL CLEAN, LLC**

Synopsis: Special Use Permit for a 10-day hazardous material/waste transfer station at 5510 Kansas Avenue, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 2 YEARS.

Tracking #: 21195

Motion to approve for 2 years: Stites

Second: Burroughs

Approved 8/0.

6. **SP2024-031 - SHAYMOND ALAN JANES**

Synopsis: Renewal of a Special Use Permit (SP2023-020) to operate a Short-Term Rental at 2737 South 53rd Terrace, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 2 YEARS.

Tracking #: 21183

Motion to approve for 2 years: Stites

Second: Burroughs

Approved 8/0.

7. **SP2024-032 - TINA P. HER**

Synopsis: Home Occupation Special Use Permit to assemble jewelry at 5814 Parkview Avenue, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 2 YEARS.

Tracking #: 21196

Motion to approve for 2 years: Stites

Second: Burroughs

Approved 8/0.

8. **SP2024-034 - ALEXANDRA BURNHAM WITH SPRINGFIELD LLC**

Synopsis: Renewal of a Special Use Permit (SP2023-003) for a Short-Term Rental at 4101 Fisher Street, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0 FOR 2 YEARS.

Tracking #: 21184

Motion to approve for 2 years: Stites

Second: Burroughs

Approved 8/0.

C. VACATION APPLICATIONS

1. **VAC2024-003 - AUSTIN THOMPSON WITH ATLAS LAND CONSULTING**

Synopsis: Vacation of a utility easement to combine two (2) parcels at 5222 and 5228 North 130th Terrace, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0.

Tracking #: 21197

Motion to approve: Stites

Second: Burroughs

Approved 8/0.

2. **VAC2024-004 - CHRIS DOYLE WITH HOMEFIELD**

Synopsis: Vacation of a sanitary sewer easement on Homefield Margaritaville First Plat Lot 2, at 1491 North 98th Terrace, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0.

Tracking #: 21198

Motion to approve: Stites

Second: Burroughs

Approved 8/0.

3. **VAC2024-005 - CHRIS DOYLE WITH HOMEFIELD**

Synopsis: Vacation of a sanitary sewer easement on Homefield Margaritaville First Plat Lot 3, at 9700 State Avenue, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 TO 0.

Tracking #: 21199

Motion to approve: Stites

Second: Burroughs

Approved 8/0.

D. MASTER PLAN AMENDMENT APPLICATIONS

1. MPL2024-004 - KARI JACOBSON

Synopsis: Master Plan Amendment from Low-Density Residential to Medium-Density Residential (PlanKCK Comprehensive Plan) at 3354-3356 North 60th Terrace, RECOMMENDED FOR APPROVAL BY A VOTE OF 7 to 0.

Tracking #: 21186

Motion to approve: Stites

Second: Burroughs

Approved 8/0.

2. MPL2024-007 - RICK CUNNINGHAM

Synopsis: Master Plan Amendment from Single-Family to General Urban (Rosedale Area Plan) at 4316 Fisher Street, RECOMMENDED FOR DENIAL BY A VOTE OF 7 TO 0.

Tracking #: 21191

Motion to approve denial: Stites

Second: Burroughs

Approved 8/0.

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

1. AN ORDINANCE rezoning property at 9407 Main Street, (#3186) from A-G Agriculture District to MP-3 Planned Heavy Industrial District, RECOMMENDED FOR APPROVAL.

Tracking #: 21200

Motion to approve: Stites

Second: Burroughs

Approved 8/0.

Ordinance O-66-24 Approved.

2. AN ORDINANCE rezoning property at 1435 and 1501 South 88th Street, (COZ2024-007) from R-1 Single Family District to A-G Agriculture District, RECOMMENDED FOR APPROVAL.

Tracking #: 21201

Motion to approve: Stites

Second: Burroughs

Approved 8/0.

Ordinance O-67-24 Approved.

3. AN ORDINANCE rezoning property located at 9151 Parallel Parkway, (COZ2024-010) from R-1 Single Family District to CP-O Planned Non-Retail Business District, RECOMMENDED FOR APPROVAL.
Tracking #: 21202
Motion to approve: Stites
Second: Burroughs
Approved 8/0.
Ordinance O-68-24 Approved.
4. AN ORDINANCE rezoning property at 1323 South 59th Lane and 1413 South 59th Street, (COZ2024-011) from R-1 Single Family District to MP-2 Planned General Industrial District, RECOMMENDED FOR APPROVAL.
Tracking #: 21203
Motion to approve: Stites
Second: Burroughs
Approved 8/0.
Ordinance O-69-24 Approved.
5. AN ORDINANCE authorizing a Special Use Permit (SP2023-110) to continue to operate an automotive salvage yard/retail sales operation at 1142 South 12th Street, RECOMMENDED FOR APPROVAL.
Tracking #: 21204
Motion to approve: Stites
Second: Burroughs
Approved 8/0.
Ordinance O-70-24 Approved.
6. AN ORDINANCE authorizing a Special Use Permit (SP2024-006) for continuation of a liquor store at 8537 State Avenue, RECOMMENDED FOR APPROVAL.
Tracking #: 21205
Motion to approve: Stites
Second: Burroughs
Approved 8/0.
Ordinance O-71-24 Approved.
7. AN ORDINANCE authorizing a Special Use Permit (SP2024-015) for continuation of a Short-Term Rental at 4410 Rainbow Boulevard, RECOMMENDED FOR APPROVAL.
Tracking #: 21208
Motion to approve: Stites
Second: Burroughs
Approved 8/0.
Ordinance O-72-24 Approved.

8. AN ORDINANCE authorizing a Special Use Permit (SP2024-019) for a non-owner-occupied Short-Term Rental at 7917 Tauromee, RECOMMENDED FOR APPROVAL.

Tracking #: 21209

Motion to approve: Stites

Second: Burroughs

Approved 8/0.

Ordinance O-73-24 Approved.

9. AN ORDINANCE authorizing a Special Use Permit (SP2024-017) for stockpiling of excavated materials at 1911 Foxridge Drive, RECOMMENDED FOR APPROVAL.

Tracking #: 21211

Motion to approve: Stites

Second: Burroughs

Approved 8/0.

Ordinance O-74-24 Approved.

10. AN ORDINANCE authorizing a Special Use Permit (SP2023-122) for a non-owner-occupied Short-Term Rental at 6115 Oak Grove Road, RECOMMENDED FOR APPROVAL.

Tracking #: 21212

Motion to approve: Stites

Second: Burroughs

Approved 8/0.

Ordinance O-75-24 Approved.

IX. PLANNING AND ZONING NON-CONSENT AGENDA

A. CHANGE OF ZONE APPLICATION

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

Synopsis: Change of Zone from R-1 Single Family District to A-G Agriculture District to utilize the property for agricultural purposes, at 3612 Emmons Drive, RECOMMENDED FOR DENIAL BY A VOTE OF 6 TO 4.

Tracking #: 21153

1. Motion to approve: Lopez

After further discussion, Lopez rescinds motion.

2. Approve max ownership of 3 horses and strike conditions 1 and 2: Lopez

Second: Burns

Approved 8/1. Townsend voting no.

B. SPECIAL USE PERMIT APPLICATIONS

1. SP2024-014 - KAJSA MULLENIX

Synopsis: Special Use Permit to operate a Short-Term Rental at 706 North 17th Street, RECOMMENDED FOR DENIAL BY A VOTE OF 5 TO 2.

A valid protest petition was submitted representing 21% of the property owners within 200' of the property to be rezoned.

Tracking #: 21192

Motion to deny: Burns

Second: Lopez

Approved 8/0.

Motion under rule 102(b) to suspend Rule 517:

Motion: Burroughs

Second: Bynum

Approved 8/0.

2. SP2024-027 - KATELYN WOLF WITH BARTLETT + WEST

Synopsis: Special Use Permit for the processing and recycling of concrete, brick and other rock materials at 6601 Inland Drive, RECOMMENDED FOR APPROVAL BY A VOTE OF 6 TO 1 FOR 2 YEARS.

Tracking #: 21194

Motion to remand back to Planning and Zoning Board: Burroughs

Second: Davis

Approved 8/0.

TAX STATUS REPORT

BOARD OF COMMISSIONERS AGENDA FOR JUNE 27, 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.

X. MAYOR'S AGENDA

1. PROCLAMATION: EARL WATSON SR. DAY

Synopsis: Proclamation proclaiming June 22, 2024, as Earl Watson Sr. Day, submitted by Tyrone A. Garner, Mayor/CEO.

Tracking #: 21222

Proclamation read.

2. **PROCLAMATION: REV. DR. SETH C. HARRIS SR. DAY**

Synopsis: Proclamation proclaiming June 9, 2024, as Rev. Dr. Seth C. Harris Sr. Day, submitted by Tyrone A. Garner, Mayor/CEO.

Tracking #: 21224

Proclamation read.

3. **PROCLAMATION: JUNETEENTH FREEDOM DAY**

Synopsis: Proclamation proclaiming June 19, 2024, as Juneteenth Freedom Day, submitted by Tyrone A. Garner, Mayor/CEO.

Tracking #: 21223

Proclamation read.

4. **PROCLAMATION: NATIONAL PRIDE MONTH**

Synopsis: Proclamation proclaiming the month of June 2024, as Pride Month, submitted by Tyrone A. Garner, Mayor/CEO.

Tracking #: 21187

Proclamation read.

XI. REGULAR CONSENT AGENDA

1. **RESOLUTION: HUMAN RESOURCES POLICY UPDATE REGARDING TAKE-HOME VEHICLES**

Synopsis: Human Resources seeks approval of a new HR Guide policy for Take-Home Vehicles. There is no current policy or centralized system of controls or approvals. This new policy will provide a centralized process of review and approval and outline proper procedures for the use of Unified Government take-home vehicles.

*On May 20, 2024, the **Administration and Human Services Standing Committee**, chaired by Commissioner Bynum, voted unanimously to approve and forward to full commission.*

Tracking #: 21104

Move to approve: Bynum

Second: Burroughs

Approved 8/0.

R-32-24 Adopted.

2. **NOMINATIONS: BOARDS AND COMMISSIONS**

Synopsis: Nominations for Boards and Commissions:

Economic Redevelopment Advisory Committee:

Appointment of Rose Mulvany Henry - Term from 6/27/24 to 12/15/25, submitted by Commissioner Stites.

Appointment of Kurt Reitema - Term 6/27/24 to 12/15/27, submitted by Commissioner Ramirez.

Self-Supported Municipal Improvement Districts (SSMID):

Appointment of Dr. Greg Mosier - Term from 7/1/24 to December 2025, submitted by Mayor Garner.

Tracking #: 21221

Move to approve: Bynum

Second: Burroughs

Approved 8/0.

3. **MINUTES**

Synopsis: Minutes from the Special Session meeting on May 30th and June 6th, 2024.

Tracking #: 21206

Move to approve: Bynum

Second: Burroughs

Approved 8/0.

4. **WEEKLY BUSINESS**

Synopsis: Weekly business materials dated May 9, 16, 23, and 31, 2024.

Tracking #: 21207

Move to approve: Bynum

Second: Burroughs

Approved 8/0.

5. RESOLUTION: SETTING PUBLIC HEARING (AMERICAN ROYAL DEVELOPMENT PROJECT) (ADDED PER AGENDA UPDATE)

Synopsis: Adoption of a resolution establishing the date and time of a public hearing regarding an Amended and Restated STAR Bond District Plan, a proposed STAR Bond Project Plan for project area 1, and a proposed First Amended and Restated STAR Bond Project Plan for project area 2, all within the existing Northwest Speedway STAR Bond District. .

Tracking #: 21151

Item removed from agenda.

XII. PUBLIC HEARING AGENDA

1. PUBLIC HEARING/ORDINANCE: CREATION OF A KAW RIVER BRIDGE COMMUNITY IMPROVEMENT DISTRICT

Synopsis: Commission action related to the Kaw River Bridge project:

1. Conduct a public hearing to receive comments regarding the creation of the Kaw River Bridge Community Improvement District and levy a sales tax within the district;
2. Approve an Ordinance authorizing the creation of the Kaw River Bridge Community Improvement District and levy a CID sales tax within the district.

*On April 29, 2024, the **Economic Development and Finance Standing Committee**, chaired by Commissioner Burroughs, voted unanimously to approve and forward to the full commission. On May 30, 2024, the **Board of Commission** voted unanimously to adopt Resolution R-24-24 to set the public hearing.*

Tracking #: 21179

Motion to approve: Bynum

Second: Townsend

Approved 8/0.

O-65-24 Approved.

XIII. STANDING COMMITTEES' AGENDA

XIV. COMMISSIONERS' AGENDA

1. TRAVEL REQUEST: COMMISSIONER DAVIS

Synopsis: Request to travel for Unified Government business to St. Louis, MO, to attend the Reclaiming Vacant Properties 2024 Conference, and to Tampa Bay, FL, to attend the NLC City Summit - Cities Strong Together.

Tracking #: 21188

Motion to approve: Bynum

Second: Davis

Approved 8/0.

2. **APPROVAL: DISBURSEMENT OF 2024 CASINO GRANT FUNDS**

Synopsis: Request approval to disburse 2024 UG/Hollywood Casino grant funds as recommended by the Mayor and Commissioners.

Tracking #: 21217

Motion to approve: Burroughs

Second: Burns

Approved 8/0.

R-33-24 Adopted.

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

Second: Burroughs

Approved 8/0

XV. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

1. **LAND BANK OPTIONS**

Synopsis: The following **option application(s)** were presented at the 06/03/2024 meeting:

Please visit the new site to review the applications below.

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

179 Single Family Homes

6 Multi Family Units

1 Commercial

Tracking #: 21115

1. Motion to deny A12: Lopez

Second: Burns

Motion failed 5/4. (Davis, Bynum, Townsend and Hill voting no.)

2. Motion to Approve remaining A, B, and C Items: Bynum

Second: Davis

Approved 6/2. (Lopez and Burns voting no.)

2. **LAND BANK PROPERTY TRANSFERS**

Synopsis: The following **property transfer(s)** were presented at the 06/03/2024 meeting:

Please visit the site to review the applications below.

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

1 Transfer from UG to Land Bank

Tracking #: 21116

Motion to approve: Bynum

Second: Burroughs

Approved 8/0.

3. **RESOLUTION: APPROVING LAND BANK POLICY UPDATE**

Synopsis: Approval of a resolution approving the following Land Bank policy updates.

Tracking #: 21117

Motion to send back to 7/29/24 Neighborhood and Community Development meeting for the purpose of community leaders to make presentation: Bynum

Second: Garner

Approved 7/1. (Townsend voting no)

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN

Motion to Adjourn: Burroughs

Second: Stites

Approved 8/0.

The meeting adjourned at 2:20 AM.