

**MAY 26, 2016 UNIFIED GOVERNMENT BOARD OF
COMMISSIONERS MEETING
ORDER OF BUSINESS
MEETING TO CONVENE AT 7:00 PM**

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. INVOCATION GIVEN BY REVEREND MIKE MAY (RET.), ST. LUKE'S
LUTHERAN CHURCH**
- IV. PLEDGE OF ALLEGIANCE**
- V. REVISIONS TO THURSDAY, MAY 26, 2016 AGENDA
BLUE SHEET**
- 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. NON-PLANNING CONSENT AGENDA**
- XI. PUBLIC HEARING AGENDA**
- XII. STANDING COMMITTEES' AGENDA**
- XIII. COMMISSIONERS' AGENDA**
- XIV. ADMINISTRATOR'S AGENDA**
- XV. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA**
- XVI. PUBLIC ANNOUNCEMENTS**
- XVII. ADJOURN**

SERGEANT-AT-ARMS: CAPTAIN ROBERT BAUMLI

PLANNING AGENDA

VII. PLANNING AND ZONING CONSENT AGENDA

A. CHANGE OF ZONE APPLICATIONS

1. **#3109 - JONATHAN STITES WITH SEEFRIED PROPERTIES**

SYNOPSIS: Change of Zone from R-1 Single Family and MP-1 Planned Light Industrial Districts to MP-1 Planned Light Industrial District for an industrial park at 6925 Riverview Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774
(RECOMMENDED FOR APPROVAL)

Tracking #: 16592

2. **#3110 - SCOTT KOENIGSDORF WITH KOENIG BUILD AND RESTORATION**

SYNOPSIS: Change of Zone from R-1(B) Single Family District to CP-1 Planned Limited Business District for an existing office building at 2500 West 43rd Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774
(RECOMMENDED FOR APPROVAL)

Tracking #: 16594

B. SPECIAL USE PERMIT APPLICATIONS

1. **#SP-2016-31 - LOLITA GIBSON AND SUMIKO HOWARD WITH CARTER-ROWE CHILD DEVELOPMENT CENTER**

SYNOPSIS: Special Use Permit for a child development center at 1316 Armstrong Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774
(RECOMMENDED FOR APPROVAL FOR 2 YEARS)

Tracking #: 16596

2. **#SP-2016-41 - MARK GAMBRILL/MT&G**

SYNOPSIS: Home Occupation Special Use Permit for firearm sales at 11101 Hubbard Road, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774
(RECOMMENDED FOR APPROVAL FOR 2 YEARS)

Tracking #: 16597

3. **#SP-2016-42 - LUKE KUSH**

SYNOPSIS: Renewal of a Special Use Permit (#SP-2013-38) for a parking lot located at 1327 Minnesota Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)

Tracking #: 16591

4. **#SP-2016-43 - FAYE THICKLIN**

SYNOPSIS: Special Use Permit for an electronic sign at 864 Splitlog Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)

Tracking #: 16598

5. **#SP-2016-44 - DAVID WATKINS FOR 5252 SPEAKER ROAD, LLC**

SYNOPSIS: Special Use Permit for maintenance and servicing facility for the trucks associated with the business at 5252 Speaker Road, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)

Tracking #: 16599

C. VACATION APPLICATIONS

1. **#R/W-2016-8 - CURTIS PETERSEN WITH POLSINELLI PC**

SYNOPSIS: Vacation of right-of-way at 9800 State Avenue, 1111, 1120, 1300 and 1406 North 98th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL**)

Tracking #: 16600

2. **#A-2016-9 - DEBRA SANDOVAL**

SYNOPSIS: Vacation of an alley between 334 and 333 South 9th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL**)

Tracking #: 16601

D. MISCELLANEOUS APPLICATIONS

1. #MP-2016-2 - JONATHAN STITES WITH SEEFRIED PROPERTIES

SYNOPSIS: Master Plan Amendment from Low Density Residential to Business Park at 6925 Riverview Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 16593

2. CONSIDERATION OF SIGN CODE AMENDMENT

SYNOPSIS: Replacement of Chapter 27 Division 11 Signs. This included Sections 27-722 thru 27-76 of the Unified Government Code. Following a U.S. Supreme Court decision in 2015, most communities across the country were forced to examine their sign code. The Unified Government chose to include required modifications in a substantial update and rewriting of the entire sign code. The desire is to make the code more user-friendly and to assure it complies with the decision of the U.S. Supreme Court, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 16606

E. MISCELLANEOUS - ORDINANCES (Final action on previously approved items)

1. VACATING ORDINANCE #U/E-2016-2

SYNOPSIS: An ordinance vacating utility easements at 7600 State Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 16612

2. VACATING ORDINANCE #R/W-2016-3

SYNOPSIS: An ordinance vacating right-of-way located at approximately 3717 Cambridge Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 16608

3. **VACATING ORDINANCE #R/W-2016-4**

SYNOPSIS: An ordinance vacating the north 20 feet of 37th Street between Eaton and Cambridge, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774
(RECOMMENDED FOR APPROVAL)

Tracking #: 16609

4. **VACATING ORDINANCE #R/W-2016-5**

SYNOPSIS: An ordinance vacating a portion Of Eaton Avenue, 36th Street to 38th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774
(RECOMMENDED FOR APPROVAL)

Tracking #: 16611

5. **VACATING ORDINANCE #R/W-2016-6**

SYNOPSIS: An ordinance vacating the west 30' of Cambridge Avenue between 38th Street and 39th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774
(RECOMMENDED FOR APPROVAL)

Tracking #: 16610

6. **REZONING ORDINANCE #3104**

SYNOPSIS: An ordinance rezoning property at 10922 Parallel Parkway, from CP-O Planned Nonretail Business District to CP-2 Planned General Business District, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774
(RECOMMENDED FOR APPROVAL)

Tracking #: 16613

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

A. SPECIAL USE PERMIT APPLICATIONS

1. **#SP-2016-7 - FELISIANO MONDRAGON CABRERA**

SYNOPSIS: Special Use Permit to keep 6 horses, 10 goats and 15 chickens at 3846 North 60th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774
(RECOMMENDED FOR DENIAL - 7/1 VOTE)

Tracking #: 16595

2. **#SP-2016-15 - WILLIE FIELDS JR.**

SYNOPSIS: Revocation of the Special Use Permit for a drinking establishment with live entertainment at 16 North James Street and a Special Use Permit for parking at 2, 4 and 12 North James Street (for the business at 16 North James Street), submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR REVOCATION OF SPECIAL USE PERMIT**)

Tracking #: 16607

TAX STATUS REPORT
BOARD OF COMMISSIONERS AGENDA FOR MAY 26, 2016

None of the properties included in applications to be considered on the Planning & Zoning agenda have delinquent taxes prior to 2013.

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.

REGULAR AGENDA

IX. MAYOR'S AGENDA

X. NON-PLANNING CONSENT AGENDA

1. MINUTES

SYNOPSIS: Minutes from regular session of April 14, 2016; and special sessions of April 28, May 5, and May 12, 2016.

Tracking #: MINUTES

2. WEEKLY BUSINESS MATERIAL

SYNOPSIS: Weekly business material dated May 5, 12, and 19, 2016.

Tracking #: WEEKLY BUSINESS MATERIAL

XI. PUBLIC HEARING AGENDA

1. PUBLIC HEARING/RESOLUTION: CONSIDER IRBs AND PILOT FOR CENTRAL INDUSTRIAL PARK BUILDING #2

SYNOPSIS: Conduct a public hearing to consider a resolution of intent to issue \$55M of industrial revenue bonds (IRBs) and a PILOT structure for the NorthPoint Development's proposal for Building 2 Central Industrial Park in Fairfax, submitted by George Brajkovic, Economic Development.

*On May 2, 2016, the **Economic Development and Finance Standing Committee**, chaired by Commissioner McKiernan, voted unanimously to set the public hearing date for May 26, 2016.*

Tracking #: 16615

2. PUBLIC HEARING/ORDINANCE: CONSIDER ESTABLISHING A DOWNTOWN SSMID

SYNOPSIS: Conduct a public hearing to consider an ordinance establishing a Self-Supported Municipal Improvement District (SSMID), submitted by Patrick Waters, Senior Attorney.

On April 14, 2016, the Commission adopted Resolution No. R-37-16, setting the public hearing date.

Per K.S.A 12-1796, action will take place 30 days after the public hearing.

Tracking #: 16623

3. PUBLIC HEARING: RAINBOW VILLAGE TIF AND DEVELOPMENT AGREEMENT

SYNOPSIS: Conduct a public hearing to consider adoption of the TIF Project Plan and development agreement for Rainbow Village Redevelopment District (NW corner of 34th St. & Rainbow Blvd.), submitted by Marlon Goff, Urban Redevelopment Manager, Economic Development. Rainbow Legacy Investors, LLC, is proposing the construction of an 89-bed hotel project and related site improvements.

On April 14, 2016, the Commission adopted Resolution No. R-38-16, setting the public hearing date.

Tracking #: 16533

4. PUBLIC HEARING: RAINBOW VILLAGE CID

SYNOPSIS: Conduct a public hearing to consider creation of the Rainbow Village Community Improvement District (CID), a 4-acre parcel located at the NW corner of 34th St. & Rainbow Boulevard, as part of the hotel project proposed for this existing redevelopment district, submitted by Marlon Goff, Urban Redevelopment Manager, Economic Development.

On April 14, 2016, the Commission adopted Resolution No. R-39-16, setting the public hearing date.

Tracking #: 16534

XII. STANDING COMMITTEES' AGENDA

XIII. ADMINISTRATOR'S AGENDA

XIV. COMMISSIONERS' AGENDA

XV. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

1. COMMUNICATION: LAND BANK APPLICATIONS

SYNOPSIS: Communication requesting consideration of the following Land Bank applications, submitted by Chris Slaughter, Land Bank Manager.

Applications

2811 S. 37th St. - June Gutierrez, yard extension
(Applicant owns house at 2814 S. 36th St.)

2605 N. 11th St. - Rogelio Cedillo, yard extension
1504 New Jersey Ave. - Jose Gomez, yard extension
1716 N. 25th St. - Moises Sanchez, yard extension

1602 S. 11th St. - Mark O'Bryan, property acquisition
1610 S. 11th St. - Mark O'Bryan, property acquisition
1618 S. 11th St. - Mark O'Bryan property acquisition
1624 S. 11th St., Mark O'Bryan, property acquisition
1630 S. 11th St., Mark O'Bryan, property acquisition
1629 S. Bethany St. - Mark O'Bryan, property acquisition
(Applicant wants to maintain property, gardening; minimal impact on existing area.)

6918 Sloan Ave. - Leslie Galloway, property acquisition
(Applicant wants property across from home to maintain and place a camper on it.)

Best & Final

407 Cleveland Ave. - Trinity AME Church for development/Benjamin Caruthers for yard extension
(Standing Committee voted in favor of Mr. Carruthers.)

Transfers from Land Bank

1950 N. 11th St. to Mt. Carmel Church of God in Christ
1934 N. 12th St. to Mt. Carmel Church of God in Christ
1929 N. 13th St. to Mt. Carmel Church of God in Christ
1931 N. 13th St. to Mt. Carmel Church of God in Christ
1937 N. 13th St. to Mt. Carmel Church of God in Christ
1939 N. 13th St. to Mt. Carmel Church of God in Christ
1927 N. Bethany St. to Mt. Carmel Church of God in Christ
1124 Garfield Ave. to Mt. Carmel Church of God in Christ
1138 Garfield Ave. to Mt. Carmel Church of God in Christ
1200 Garfield Ave. to Mt. Carmel Church of God in Christ
1137 Garfield Ave. to Mt. Carmel Church of God in Christ
1140 Garfield Ave. to Mt. Carmel Church of God in Christ
1139 Troup Ave. to Mt. Carmel Church of God in Christ.
(Request to go back to the ownership of the church.)

Transfers to Land Bank

Reference attachment for the 303 depicted properties

(Per the December 2014 NCD Standing Committee presentation, property controlled by the Unified Government that are delinquent will be transferred to the Land Bank to have delinquent property taxes abated.)

*On May 2, 2016, the **Neighborhood and Community Development Standing Committee**, chaired by Commissioner McKiernan, voted unanimously to approve and forward to the Land Bank Board of Trustees.*

Tracking #: 16561

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN