

**OCTOBER 27, 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 CYNTHIA SMART, MASON MEMORIAL UNITED
METHODIST CHURCH**
- IV. PLEDGE OF ALLEGIANCE**
- V. REVISIONS TO THURSDAY, OCTOBER 27, 2016 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. NON-PLANNING 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**

SERGEANT-AT-ARMS: CAPTAIN GEORGE SIMS

PLANNING AGENDA

VII. PLANNING AND ZONING CONSENT AGENDA

A. CHANGE OF ZONE APPLICATIONS

1. **3121 - JEFFREY HOLLINSHED**

SYNOPSIS: Change of Zone from RP-5 Planned Apartment District to TND Traditional Neighborhood Design District for retail stores (previously operated under a special use permit) at 2001 to 2015 North 5th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 16838

2. **3123 - SYLVESTER JACKSON**

SYNOPSIS: Change of Zone from R-1 Single Family District to A-G Agriculture District for an accessory building at 3835 North 67th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 16839

3. **3126 - MATT JENSEN WITH BOYER KCK MEDICAL OFFICE BUILDING, LLC**

SYNOPSIS: Change of Zone from A-G Agriculture District to CP-2 Planned General Business District for a two-story medical office building at 1601 North 98th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL)**

Tracking #: 16840

B. SPECIAL USE PERMIT APPLICATIONS

1. **SP-2016-74 - JOHN BRYANT WITH BRYANT LAW OFFICE**

SYNOPSIS: Renewal of a Special Use Permit (#SP-2014-60) for a law office at 6400 Leavenworth Road, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 16829

2. **SP-2016-75 - ESTER REED**

SYNOPSIS: Renewal of a Special Use Permit (#SP-2014-18) for the Temporary Use of Land to park a dump truck at 1610 North 51st Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 **(RECOMMENDED FOR APPROVAL FOR 2 YEARS)**

Tracking #: 16830

3. **SP-2016-76 - ADRIAN BERMUDEZ**
SYNOPSIS: Renewal of a Special Use Permit (#SP-2013-40) for the Temporary Use of Land to keep a food truck at his home at 347 North 8th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)
Tracking #: 16831

4. **SP-2016-77 - WILLIAM HARRIS SR. WITH HARRIS TRUCKING**
SYNOPSIS: Renewal of a Special Use Permit (#SP-2014-42) for a trucking business at 8819 Lowell Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)
Tracking #: 16832

5. **SP-2016-78 - RORY O'CONNOR WITH GRAND CONSTRUCTION COMPANY**
SYNOPSIS: Renewal of a Special Use Permit (#SP-2014-37) for a temporary office trailer at 10351 France Family Drive, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)
Tracking #: 16833

6. **SP-2016-79 - PABLO NEVAREZ WITH CLUB EL PARAISO, INC.**
SYNOPSIS: Renewal of a Special Use Permit (#SP-2014-68) for live entertainment in conjunction with a drinking establishment at 6550 Kaw Drive, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 5 YEARS**)
Tracking #: 16834

7. **SP-2016-81 - JEFFREY STEINBERG WITH APEX CDL INSTITUTE**
SYNOPSIS: Renewal of a Special Use Permit (#SP-2015-25) for a commercial driver's license training facility and job placement program for graduating students at 6801 State Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 2 YEARS**)
Tracking #: 16835

8. **SP-2016-82 - BARTH HAGUE WITH MIRROR INC.**
SYNOPSIS: Renewal of a Special Use Permit (#SP-2014-32) for a substance use disorder treatment center at 6711 State Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 20 YEARS**)
Tracking #: 16836

9. **SP-2016-84 - DALLAS R. WOLFE WITH BIG D'S ON THE HILL**

SYNOPSIS: Renewal of a Special Use Permit (#SP-2014-62) for live entertainment at 2139 South 34th Street, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL FOR 5 YEARS**)

Tracking #: 16837

C. PLAN REVIEW APPLICATION

1. **#PR-2016-7 - KHALID CHEEMA WITH CHEEMA FOOD AND PETROLEUM, INC.**

SYNOPSIS: Preliminary Plan Review for a gas station/convenience store and retail space at 2425 Metropolitan Avenue, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**APPROVAL PER COURT ORDER**)

Tracking #: 16570

D. MISCELLANEOUS APPLICATIONS

1. **ORDINANCE AMENDMENT CONCERNING THE KEEPING OF HENS ON RESIDENTIAL PROPERTIES**

SYNOPSIS: Consideration of certain amendments to Chapter 27, Planning and Development of the Kansas City, Kansas Code of Ordinances, specifically amending Sections 27-340 and 27-593, and repealing original Sections 27-340 and 27-593, to allow for the keeping of hens on residential properties, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL**)

Tracking #: 16841

2. **TELECOMMUNICATION ANTENNAS AND TOWERS**

SYNOPSIS: Consideration of certain amendments to Chapter 27, Planning and Development of the Kansas City, Kansas Code of Ordinances, generally concerning the siting of wireless telecommunications infrastructure, and specifically to 27-593(a)(3), and possibly to other sections as needed with respect to telecommunication antennas and towers. The intent is to comply with recent changes to Kansas state law as provided for in Senate Sub. for HB 2131, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL**)

Tracking #: 16842

3. **AMENDMENTS TO CITY WIDE MASTER PLAN (K-32 CORRIDOR PLAN)**

SYNOPSIS: Consideration of amendments to the City-Wide Master Plan in an area along K-32 from the Turner Diagonal to the Western City Limits extending South to the Kansas River and North from K-32 approximately one-half mile, submitted by Robin H. Richardson, AICP, Director of Planning, 573-5774 (**RECOMMENDED FOR APPROVAL**)

Tracking #: 16843

E. MISCELLANEOUS - ORDINANCE

1. ORDINANCE: TELECOMMUNICATION ANTENNAS AND TOWERS

SYNOPSIS: An ordinance regarding communication towers and wireless communication facilities.

VIII. PLANNING AND ZONING NON-CONSENT AGENDA

1. ORDINANCE: AMENDING THE CODE CONCERNING THE KEEPING OF HENS ON RESIDENTIAL PROPERTIES

SYNOPSIS: Amendments to Chapter 7-Animals and Chapter 27-Planning and Development which will allow for the keeping of six chickens on residential properties, submitted by Jenny Myers, Senior Attorney. *Minor changes were made to the proposed changes that were adopted by standing committee.*

Tracking #: 16860

TAX STATUS REPORT

BOARD OF COMMISSIONERS AGENDA FOR OCTOBER 27, 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. **RESOLUTION: SECOND AMENDMENT TO THE LEGENDS AUTO PLAZA DEVELOPMENT AGREEMENT (HONDA)**

SYNOPSIS: A resolution approving the Second Amendment to the Legends Auto Plaza Development Agreement (Honda) between the UG and KCK Development II, Inc., submitted by George Brajkovic, Economic Development Director. The Developer has proposed two other developments, which have received preliminary Planning approval, and would like to remove lots 2, 3 and 4 from the Development Agreement.

*On October 10, 2016, the **Economic Development and Finance Standing Committee**, chaired by Commissioner McKiernan, voted unanimously to approve and forward to full commission.*

Tracking #: 16813

2. **PLAT: SCHLITTERBAHN VACATION VILLAGE THIRD PLAT**

SYNOPSIS: Plat of Schlitterbahn Vacation Village Third Plat, located at 98th Street and Parallel Parkway, being developed by Schlitterbahn Waterparks & Resorts, submitted by Brent Thompson, County Surveyor, and Wayne Moody, Interim County Engineer.

Tracking #: 16854

3. **WEEKLY BUSINESS MATERIAL**

SYNOPSIS: Weekly business material dated October 13 and 20, 2016.

Tracking #: 16853

XI. PUBLIC HEARING AGENDA

1. **PUBLIC HEARING & RESOLUTION: KCK BOYER MEDICAL OFFICE BUILDING PROJECT IRBS**

SYNOPSIS: Conduct a public hearing to consider a resolution of intent to issue \$11M in industrial revenue bonds for the KCK Boyer Medical Office Building project consisting of 40,000 sq. ft., located at 1601 N. 98th Street, submitted by Angela Harshbarger, Economic Development. The project will create 50 new jobs. The 10-year fixed PILOT schedule will incorporate a 60% tax abatement.

On October 10, 2016, the Economic Development and Finance Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to full commission.

Tracking #: 16791

2. PUBLIC HEARING: AMEND THE 1964 UNIVERSITY-ROSEDALE URBAN RENEWAL PLAN

SYNOPSIS: Conduct a public hearing to consider amendments to the University-Rosedale Urban Renewal Plan in consideration of the Rainbow Village hotel development at the NW corner of 34th & Rainbow Blvd., submitted by Marlon Goff, Economic Development.

On October 13, 2016, the commission unanimously adopted Resolution No. R-72-16 setting the public hearing date of October 27, 2016.

Tracking #: 16810

XII. STANDING COMMITTEES' AGENDA

XIII. ADMINISTRATOR'S AGENDA

1. ORDINANCE: AMENDING UG RIGHT-OF-WAY ORDINANCE

SYNOPSIS: Amending the UG Right-of-Way use ordinance to incorporate Senate Substitute Bill No. 2131, which gives wireless telecommunications providers a right to build wireless facilities in the public rights-of-way of municipalities, subject the UG's regulations regarding public health, safety and welfare, submitted by Ryan Haga, Assistant Counsel.

Section 32-28 is also being amended to add Leavenworth Road (from I-635 to K-7) to locations within the city that are required to have all facilities (such as power lines, pipes, wires, and cables) to be placed and maintained underground to the extent feasible.

Tracking #: 16824

2. RESOLUTION: MOU WITH BPU FOR RIGHT-OF-WAY IMPROVEMENTS

SYNOPSIS: A resolution authorizing the County Administrator to negotiate and enter into a Memorandum of Understanding (MOU) with the Board of Public Utilities (BPU) for improvements to the public right-of-way along Leavenworth Road, I-635 to K-7, submitted by Misty Brown, Senior Attorney.

Tracking #: 16852

3. **RESOLUTION: SET A PUBLIC HEARING DATE TO CONSIDER THE CREATION OF A STAR BOND DISTRICT**

SYNOPSIS: A resolution setting a public hearing date of December 15, 2016, to consider the creation of a new STAR Bond District in the area of 110th St. near the Village West attractions in coordination with the proposed American Royal project, submitted by George Brajkovic, Economic Development Director.

Tracking #: 16850

XIV. COMMISSIONERS' AGENDA

XV. LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

1. **COMMUNICATION: LAND BANK APPLICATIONS AND TRANSFER**

SYNOPSIS: Request approval of the following Land Bank applications and transfer, submitted by Chris Slaughter, Land Bank Manager.

Item 1 - 11 Applications

- 3519 N. 80th St. - Oscar Whitmore, new home construction
- 3832 Lloyd St. - Wolfe Construction, new home construction
- 3836 Lloyd St. - Wolfe Construction, new home construction
- 15 S. 8th St. - Jose Orozco, parking for Frontera's Super Market
- 2269 Lathrop Ave. - Jerome Peterson, parking for Guiding Star Baptist Church
- 5121 Walker Ave. - Darrel Coppersmith, yard extension
- 1737 Waverly Ave. - Robert Cole, yard extension
- 614 Lowell Ave. - Rigoberto Morta Lopez, yard extension
- 849 Quindaro Blvd. - Lydia Mejia, yard extension
- 847 Quindaro Blvd. - Lydia Mejia, yard extension
- 2706 Hagemann St. - Ryan Patton, yard extension

Item 2 - Mortgage Foreclosure Transfer

- 5217 Alma St. - Argentine Betterment Corporation (ABC)

*On October 10, 2016, the **Neighborhood and Community Development Standing Committee**, chaired by Commissioner Walker, voted unanimously to approve and forward to the Land Bank Board of Trustees.*

Tracking #: 16808

XVI. PUBLIC ANNOUNCEMENTS

XVII. ADJOURN