NEIGHBORHOOD AND COMMUNITY DEVELOPMENT
STANDING COMMITTEE MINUTES
Monday, January 9, 2023

The meeting of the Neighborhood and Community Development Standing Committee was held on Monday, January 9, 2023, at 8:30 p.m., remotely via Zoom and on-site. The following members were present: McKiernan, Chairman; Stites, Davis, Townsend, Burroughs. The following officials were also in attendance: Gunnar Hand, Director of Planning and Urban Design; Wendy Green, Assistant Counsel; Jud Knapp, Land Bank Manager; and Monica Sparks, Deputy UG Clerk.

Chairman McKiernan said before I call this meeting of the Neighborhood and Community Development Standing Committee to order, I'd like to announce that due to continuing COVID-19, some committee members, staff, and the public are attending remotely via Zoom as well as those of us who are on-site. All participants who are joining by phone or by Zoom should mute their devices when not speaking to avoid background noise.

During the meeting, please make sure you announce yourself by name and title when you speak so that the public that is observing knows who is speaking. This is critical given the number of remote participants and is still the current guidance from the Kansas Attorney General.

The public is allowed to participate by Zoom. They're also allowed to submit comments by email prior to the meeting. Those comments will be included in the record of the meeting. The public also has an opportunity to provide comments via Zoom and from here in the 5th floor conference room at the Municipal Office Building.

Chairman McKiernan called the meeting to order. Roll call was taken, and all members were present as shown above.

Chairman McKiernan said there actually is a revision to the agenda, but I will simply let Jud announce that when he presents the Land Bank items. We've had one applicant who has chosen to withdraw their application, and he will simply detail that when we get to it.

Approval of standing committee minutes from June 6, 2022. **On motion of Commissioner Davis, seconded by Commissioner Stites, the minutes were approved**. Roll call was taken and there were five "Ayes," Stites, Davis, Townsend, Burroughs, McKiernan.

Committee Agenda

Item No. 1 – 212186…APPROVAL: DOWNTOWN KCK COMMERCIAL HISTORIC DISTRICT

Synopsis: Approval of the Downtown KCK Commercial Historic District nomination to the National Park Service for consideration, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

Chairman McKiernan said this is an item that has previously been in front of this committee. We had a very nice presentation and a good discussion following that presentation about two months ago. It was suggested that this item come back to this committee for continued discussion and/or any concerns that might have been raised in the intervening period. But, basically, we've had a presentation. We want to review that presentation tonight, allow the opportunity for any input that is going to come from members of the community tonight, and then this committee will have the opportunity to consider this for vote to move it forward to full Commission, again, for approval.

Gunnar Hand, Director of Planning and Urban Design, said I do have a few introductory remarks, then I'll actually turn it over to our Historic Preservationist to give what is an abbreviated presentation. The handout that you received today is everything that has changed since our last meeting. Nothing's changed with the proposed district. We have a few additional materials. We took the same content from that much longer presentation and just made it shorter, so that's what we're going to present and that's the copy that we just gave to you all. I believe we had some extra copies for the folks in the audience if they wanted to look at that as well. But it's, again, same content, just a much shorter version.

To begin, I think I would just start with a reminder that this action item is not to approve the proposed Downtown KCK Commercial Historic District. That is the job of the National Park

Service. The request tonight is to allow staff to submit the nomination of the Downtown KCK Commercial Historic District to the National Park Service.

We have been conducting additional—since the last meeting, we have had a couple of conversations with the State Historic Preservation Office. They have finally gotten around to getting closer to finalizing their initial review. Again, as I mentioned at the last meeting, we do an initial cursory review with the State Historic Preservation Office, get it all tuned-up, and then submit it to the National Park Service. We are, again, asking for permission to submit it to the National Park Service.

The boundaries of the map have not changed. What has changed is the State Historic Preservation Office has actually identified a couple of non-contributing structures that they believe should be contributing. So our percentages of those properties that could potentially benefit, if approved of state/federal tax credits, programs, as well as grants, has increased since the last time we spoke.

I just also wanted to just make the note, in all of our research that we have done as it relates to historic districts when compared to non-historic districts, all of the economic data and matrix are in the positive. When compared to non-historic districts, historic districts have stronger sales tax, stronger property values are more resilient, i.e., they can bounce back from natural, man-made disasters faster, and they're much more diverse, so much so are the economic impacts so positive that the US National Chamber of Commerce has supported the National Historic Preservation Program for decades.

If you look even closer to home at our downtown, some of the more recent projects: the YMCA building, the Cross Lines Towers, and yes, even the Brotherhood Bank building have all self-selected themselves to become state and federal historic landmarks so that they can add those tax credits to their capital stack and make those projects work for themselves.

It's really important that we continue to understand that in our conversations with the State Historic Preservation Office, we've already begun the conversations to reduce what I would call red tape. The decision-making process for all historic districts, whether they be local, state, or federal, begin and end locally. If somebody wants to apply for a permit in a local, state, or federal district, be it a CFA with our Landmarks Commission, environs review, an exemption that happens administratively, or anything for their state and federal district, all those applications come through us first and then we submit that to the State Historic Preservation Office. We are the clearing

house for all things that are historic. If anybody along that process doesn't like what's going on, the appeal process goes to you, the Board of Commissioners. It doesn't go off to the state. It doesn't go off to the National Park Service. It begins and ends locally. That's an incredibly important part to understand with this process.

We are currently awaiting the signature from the Mayor's Office to certify us, recertify us as a certified local government. When that does happen, we will continue to reduce the red tape because we will be able to both formalize that clearing house agreement that we've already started to do procedurally in the last couple of months, even though we haven't been recertified yet.

In addition to that, we have a list of permits. Now, they're low-level permits. They're not big permits that we're talking about, but things like small electrical permits that the state is willing to give us our own local control so we can review them for them. The state does not want to review our permits. They do not want to review our historic districts. They want their certified local governments to do that. That's why there is a certified local government process.

So, again, once we recertify, again, it's a small thing but I think it points to a direction that we haven't been going for in about a decade, which is gaining the trust of the State Historic Preservation Office to the point where all of those permits are reviewed locally so that is not even an issue about sending it up to the state.

I can't emphasize enough. We have a historic preservationist, Mr. Randy Greeves, to my right here for the first time in a decade. In the short amount of time that Mr. Greeves has been a part of the Unified Government family, we have dramatically transformed from a reactive historic preservation division to a proactive historic preservation division so much so that I'd like to just point out one example, for instance.

Now this is a little farther west than downtown, but if you remember, Donnelly College, not six months ago, was looking to demolish the Christ Scientist Church that they own at 18th & Tauromee. Today, under the direction of Donnelly College and with the support of the CHWC, Mr. Randy Greeves is writing the state and federal designation for that church. That is a dramatic shift in thinking from an institution that, not long ago, was looking to demolish that building as a nuisance is now working with us to save that building for a new use.

We did supply you the updated fact sheet. All the information is on that fact sheet in terms of contributing versus non-contributing, how many properties there are in the district, all that good stuff. There hasn't been—there's, again, been some small tweaks in that but it's all generally the

same. We're hovering around about 75% of the proposed district would be contributing structures. About 10 – 15% of those non-contributing parcels are surface parking lots. So there's not a lot. This is a really, when compared to other districts, this is an incredibly healthy district when it comes to the difference of the percentages between contributing and non-contributing.

I would not be a planner if I did not also talk about the Downtown Master Plan. If you read the Downtown Master Plan, the official policy of the Board of Commissioners for everything that happens in downtown, you will see that it very clearly supports the preservation of historic character, maintaining our historic structures, a commitment to preserving historic assets for future generations, preserving and promoting history and historic structures downtown, and encouraging the use of historic tax credits. Those policies are all embodied in this action. We are doing what you all told us to do over a decade ago. Quite frankly, we've been working on this since the '90s anyway in fits and starts.

With that, we were able, in the last month, to recanvass the neighborhood. We have been proactive in trying to reach out to some of the folks that we had not been able to connect with through our engagement process. In that effort, we've received two new letters of support, one from Security Bank and one from the Cross Lines Towers, which is technically the Townhouse Community Development Commission—I probably got that wrong; CDC—as well as one other one that we haven't received. We don't have it in hand, but we have been in contact with the property owner who wants to give us a third.

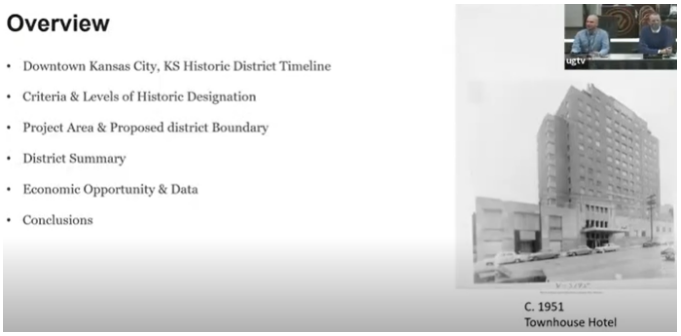
We've also received one letter in opposition from the Brotherhood Bank Building. Mr. Kearns is here today. I'm sure he'll talk to that in his comment period, necessarily.

With that, staff does recommend approval of the proposed Downtown KCK Commercial Historic District being allowed to be submitted to the National Park Service. If you all want me to continue, we do have an abbreviated presentation that Mr. Greeves can give. I leave it to you whether you would like that or not.

Chairman McKiernan said I'll leave it up to the committee. **Commissioner Townsend** said I wouldn't mind. Is this the same or different from last month, or was it two months ago? **Mr. Hand** said same content, just abbreviated. We pushed it down to 11 slides. It's going to look a lot different because the previous one was designed by a consultant. This one is in our brand, but it's the same content. Happy to do it.

Commissioner Townsend said to put the presentation in perspective, I wouldn't mind seeing it. If I'm the only one, I can forgo it. But to put it in perspective and so that the record is more cohesive, I wouldn't mind. **Mr. Hand** said 11 slides; we can do it in five minutes.

Chairman McKiernan said what I would also, personally encourage is, those things that have been changed since the last presentation, highlight those for us so that we really are able to hone in on those.



Randy Greeves, Historic Preservationist, said this is our overview slide, basically what we're going to cover here in this presentation.

So, first off is our timeline. As Mr. Hand had said, this is a project that's been 30 years in the making. This is more specific to this personal part of the project.

The first survey was done in the 1990s with the second survey in 2016. Then in May '21, we came before the Board of Commissioners seeking approval for the grant that helped to pay for this historic district. Then continuing on to the bottom, Spring 2023 is our anticipated National Park Service determination deadline should this be approved for staff to submit.

Historic Designation

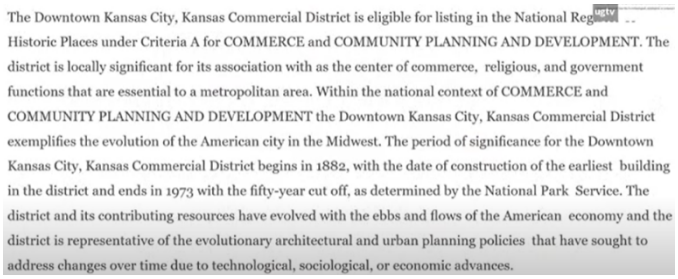
- National Register of Historic Places (Federal)
- Kansas Register of Historic Places (State)
- Kansas City, Kansas Historic Landmarks and Districts (Local)

- Registers include Buildings, Sties, Structures, Districts, and Objects
  - Criteria for listing
  - Must retain enough integrity to convey significance

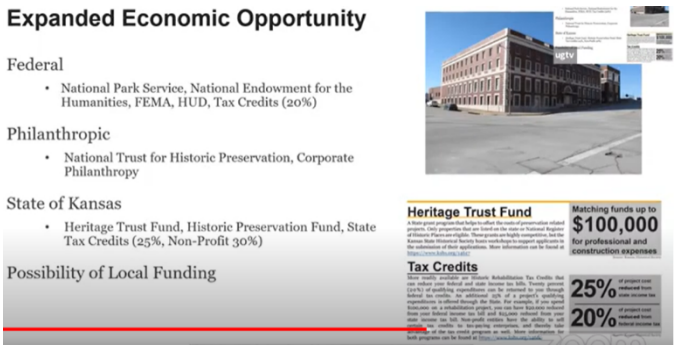
Historic designation has three levels: federal, state, and local. The criteria for those listings vary: materials, association, design, building, location, workmanship, and setting; and each building, site, structure, district, or object must retain enough integrity to convey its significance. So it has to have enough of those seven features to give us sense of its historical significance in our local, national, or statewide context.

This is a map that you all have seen many times before of the boundaries of our historic district. Because this is still in draft stage, it can still be changed. As Mr. Hand said, I am currently working directly with the State Historic Preservation Office on some of these changes and to speed up the process. They've had some issues getting through with it.

This is just a quick little graphic. We have 101 buildings and sites in our district; 75 of them are contributing, 9 are existing historic designations, and 26 are non-contributing. A significant portion of those non-contributing sites are parking lots. So, they have nothing to lose nor gain from this listing.

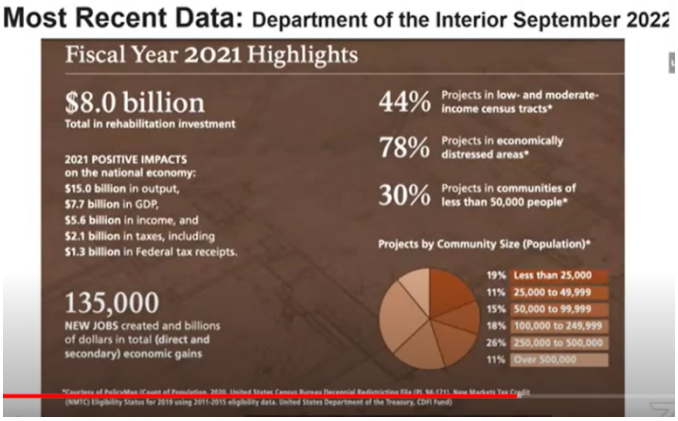

The Downtown Kansas City, Kansas Commercial District is eligible for listing in the National Register of Historic Places under Criteria A for COMMERCE and COMMUNITY PLANNING AND DEVELOPMENT. The district is locally significant for its association with as the center of commerce, religious, and government functions that are essential to a metropolitan area. Within the national context of COMMERCE and COMMUNITY PLANNING AND DEVELOPMENT the Downtown Kansas City, Kansas Commercial District exemplifies the evolution of the American city in the Midwest. The period of significance for the Downtown Kansas City, Kansas Commercial District begins in 1882, with the date of construction of the earliest building in the district and ends in 1973 with the fifty-year cut off, as determined by the National Park Service. The district and its contributing resources have evolved with the ebbs and flows of the American economy and the district is representative of the evolutionary architectural and urban planning policies that have sought to address changes over time due to technological, sociological, or economic advances.

This is the summary for our nomination to the National Park Service. The key parts of it is within the national context of commerce and community planning and development, the Downtown Kansas City, KS Commercial District exemplifies the evolution of the American city in the Midwest. That's what we're preserving. That's what we have identified as important in our downtown. That unique identity that we've built up over the hundreds of years of our history.

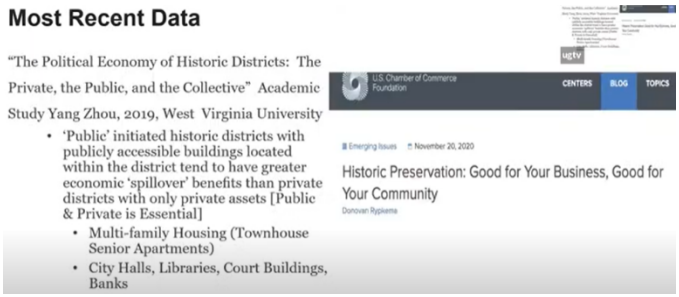


Now the expanded economic opportunity that comes with this. We have the federal level. That's mostly in the form of tax credits; 20% to income producing businesses. The National Park Service offers grants. The National Endowment for the Humanities offers grants. FEMA has a lot of stuff for it. HUD has stuff for it. There's a lot of philanthropic groups out there: the National Trust for Historic Preservation. A lot of corporations like to do philanthropy through historic preservation. The state of Kansas has some pretty great tax credits: 25% for any building for spending as little as $5,000 on their rehabilitation. If you're a non-profit organization, it's 30%.

Then there's always what's next after the district. This is the first step. After this, we have a cornerstone to recreate a main street program that specializes in getting small businesses into historic buildings and advocating for them. Helping promote awareness. Helping them find the resources they need to strive and thrive. Then we can also get the SODT grant program. We can petition the state and the federal governments for money to give to businesses to fix their façades. That is a beautification project that preserves the building and makes our downtown look nicer.



This is the most recent data from the Department of Interior from September 2022. There's a lot of numbers there. Eight billion dollars in rehabilitation investment produced $15B in output nationwide. You get a lot of bang for your buck with this.



Here's some more studies. The Political Economy of Historic Districts: The Private, the Public, and the Collective, talking about how important public involvement in theses districts are. On the right there is a headline from an article by Donovan Rypkema, one of the most well-known economist in preservation. He is the end-all, be-all expert on this subject. It's pretty clear: good for your business; good for your community. A lot of good comes from these districts.

In conclusion, historic preservation is a multi-tiered economic development: increase taxes from sales, increase property values, a main street program, façades. All those things benefit local businesses and helps them thrive. It preserves what makes our community unique.

There is no other city like Kansas City, KS. Just because of it's history, how it was built, the people that lived here, it is unique in and of its own right and that is worth preserving. Districts are diverse, economically and racially. Older buildings are a little bit cheaper to move into. They're a great place for new businesses to start out. It's a great place to try new things, to experiment, to grow your brand and be a part of that local community.

It reduces crime. When you get more businesses, you get more people. You have increased patrols. There's typically reduced crime. As the city thrives, there's fewer vacancies especially if we get a main street program because that's what they do. They specialize in filling those vacancies with the best fit for them. So fewer vacancies, fewer blights, and then the economic stuff we covered and 66 new properties, as of now, will have access to these benefits. Even the

buildings that are non-contributing will gain some of these benefits from increased foot traffic in town. People visiting these historic sites. It's not just limited to contributing buildings. How'd I do?

Chairman McKiernan said thank you, Mr. Greeves. Really appreciate that reminder of where we've been. What I'd ask is if any members of the committee have comments or questions for either of our presenters here regarding what we've seen, the update.

Commissioner Townsend said you're a man of your word, Mr. Greeves. The only question I have for clarification, again, if you could make the distinction between the meaning of a building or site that may be contributing versus non-contributing.

Mr. Greeves said a contributing building is any building that is found to have enough integrity to convey it's significance: how it looks, whether or not it's been changed over time, when those changes happened, whether it's still around. There is a series of criteria that we go through that each building has to meet to be contributing. If it's contributing, it has access to the tax credits and all the benefits of historic buildings.

Non-contributing buildings can one day become contributing. Either they're simply not old enough or they've had changes made to them that destroyed that integrity. Those changes can be undone and once they're undone, the building can be added to the listing and become contributing and then have access to all those benefits.

Commissioner Burroughs said, Randy, I appreciate the presentation. I really like what you brought forward. I have one question. Are we creating another bureaucracy within our local unit of government that can impact development and slow it down, or can we actually earn the trust of the federal and state to do this and expedite the rehab of our community?

Mr. Hand said I don't know if we can say that we can expedite the process because it is an additional review that we are asking these properties to undergo. But everything that we have done with the State Historic Preservation Office and everything that Randy Greeves has done to build trust with that State Historic Preservation Office has put us on a track to eliminate as much red tape as we can.

Again, being that clearing house is something that was not happening about six months ago and is now happening now that Randy is here. That is reducing the amount of review times already. Then, again, if we can get ourselves on the track, after we sign the paperwork to become a certified local government, to earn the trust of SHPO to one day have not just those few permits they're willing to give us now, but all permits moving forward, we will never even have to talk to SHPO again. That would reduce the red tape and keep us moving fast and forward.

Commissioner Burroughs said that's where I'd hope that your part of this program gets to sooner than later so that we can encourage that reinvestment in our downtown without creating an additional hurdle.

Commissioner Burroughs said one other question, if I may, Mr. Chairman. The projects that have already started on some of the buildings downtown, are they going to be grandfathered under the old plan or will they be impacted by this new plan moving forward?

Mr. Greeves said typically we do not stop the old plans that are already approved under what existed. This will only affect new projects going forward. We have seen that these districts do not typically hamper development.

I was fortunate this summer to spend time in Kansas City, MO, for a main street conference. Their districts have been going through a renaissance period and they are exploding with new businesses creating wealth for the community. There is an example in Lee's Summit, MO, where they had an old church that they renovated and they turned it into office space. It was a cornerstone for an apartment complex with hundreds of rooms in it; this giant, beautiful complex. So they were able to develop around this historic site. There is a way to integrate new development in historic buildings into a perfect harmony that benefits everybody.

Mr. Hand said if I might add onto that. I can't overstate enough that having a dedicated historic preservationist—in the last six months, Randy has canvassed every single property in the proposed district three times now. He's getting to know the people who are in these districts. Not just this district, but quite frankly, every historic district in our community right now to the point where he's working proactively to help these folks. We do not believe that a Downtown KCK Commercial Historic District is mutually exclusive from a downtown renaissance. In fact, we

think the exact opposite. We believe this will create the renaissance we've been looking for in downtown for quite some time.

Chairman McKiernan said, Mr. Hand, I've now learned what it stands for, but would you just tell everybody what the acronym SHPO stands for, just to clarify. **Mr. Hand** said sorry. I apologize for my jargon. SHPO stands for the State Historic Preservation Office.

Chairman McKiernan asked, any other comments or questions from the committee?

Commissioner Davis said, Mr. Hand, you alluded to this—I forgot your name, sir. **Mr. Greeves** said Randy Greeves. **Commissioner Davis** said Randy Greeves, okay. Can you just talk a little bit more about the community engagement that you all have done to arrive at this decision. We talked about it last time when the specialist was here, but just so we can put that on the record the work that you all have done.

Mr. Hand said, sure and you can follow up when I'm finished; but, again, another one of the handouts that we created that was added to the materials for this agenda item was a summary of that. Again, we canvassed multiple times. We've had multiple community meetings. We've partnered with the Chamber of Commerce presenting at both their Board meeting and having a special meeting with the Chamber of Commerce in downtown. We've been having a ton of one-on-ones coordinating with Board of Commissioners. Again, I would encourage you to look at that outreach summary that we put together after the last meeting to kind of formalize all those materials and what we have put together over the last really six months. Again, we're doing all of our homework to define what that district looked like up until this summer, and once we had a draft boundary, that's when we began our outreach in earnest. So, it's really only been since this last summer. I'll defer to Mr. Greeves if I forget anything.

Mr. Greeves said the big thing would be in this last month, I have personally gone to every door and either knocked on it or tried to open it and spoke to every business owner over the course of two days in the district, 101 properties, handing out my business card to anybody who'd give me the time of day. Every chance I get, every time I talk to anybody on the street, I'm making sure that they've heard of this district and they know what's going on and to answer any questions they have. Making sure that everybody has my contact information. It's up on our webpage now.

Part of my job is to be that advocate and to educate the people, so I have been making conscientious effort to make myself available to anybody who might have a question about historic preservation, especially in this district. From that work, we have received additional letters of support.

Mr. Hand said after 10 years of being silent on historic preservation, I think we have a lot of work to do to raise awareness about the benefits and constraints. Again, I'm not going to mince words. This definitely changes the constraints of a development so; therefore, it would change the calculus of folks who did want to do work/development in this district. Again, that certainty, if created, is just something that developers work within to make things happen.

I think we always see somewhat antidotally, if you will, folks that have already gone down the path and spent money on a project and they might not have even gotten a building permit, right? There was never an opportunity for us to tell them that they're in a historic district. This happens all the time.

Most of our CFAs are enforcement actions, quite frankly. Because we've done a poor job, because there's been no one at Historic Preservation to be proactive in our engagement. That's a big part of Mr. Greeves' job, not just in downtown, but again, countywide. We're working closely to raise the profile of historic preservation across the county. We'll continue to do that as we move forward with the historic preservation plan over the next year as well.

Mr. Greeves said one of the major ways I've been accomplishing that is by going to different neighborhoods, neighborhood associations and speaking to them in person. Instead of having them come to me, I've been attempting to go to where they are, where they naturally gather and those spaces where they can disseminate that information to their neighbors. I have seen a great deal of success with that method.

Commissioner Stites said, Gunnar, you were saying that we're waiting on a signature. What signature are we waiting on? **Mr. Hand** said it's separate from this project, but I'd say probably last September we finalized all the recertification paperwork with the State Historic Preservation Office, SHPO. It's required that that form, if you will, or application be signed by the chief elected official of an organization. Since it's our mayor, we've been working with the Mayor's Office to get that signed.

Commissioner Stites asked, does that in anyway hold up what we're voting on tonight? **Mr. Hand** said no. It does not. **Commissioner Stites** said it doesn't change anything if it doesn't

get signed? I'm not saying that it won't, I'm just saying—I'm not sure why…**Mr. Hand** said if we don't—if we can't get this—as soon as we get the recertification paperwork into SHPO, we can continue to reduce the red tape of historic districts. Indirectly, yes. Specifically to this project, no. There are many benefits to being a certified local government. We're just working on the paperwork.

Commissioner Townsend said point of clarification following up on Commissioner Stites. If the committee moves to approve what is this, a resolution for SHPO, can that be forwarded on if the Unified Government is not certified, does not receive the certification that you're talking about or the sign-off? **Mr. Hand** said yes. We can still continue with the nomination to the National Park Service. Again, administratively, all the stuff that I think there's some anxiety about proposed districts would be ameliorated if we could get that signature.

Chairman McKiernan said at this point, I think, I'm going to guess that there's at least a couple of people who are sitting out here who would like to offer comment on this application submission. For the benefit of the committee, I'm going to ask us just to hold and let's ask for public comment and then we can come back for another round of comments or questions if we have them.

What I'd first like to do is ask the Clerk if we received any correspondence related to this item. **Ms. Sparks** said no comments were received. **Chairman McKiernan** asked, is there anyone online who would like to offer comment on this item? **Ms. Sparks** said no hands are raised. **Chairman McKiernan** said now what I'd like to do is ask if anyone who is here in the conference room with us would like to offer comment on this item. I'll remind you that when you do, I'll ask you to come forward one by one to the podium in the center of the room. I'll ask you to give your name and your city of residence for the record. You'll have up to three minutes to offer your comments to the committee.

Patrick Kearns, Member/Manager of PVG, LLC, said what that translates into is we own the Brotherhood block; one of the largest buildings in your downtown. It's a historic building. We have it on the registry. We're very proud of that fact and we're moving toward a historical renovation of it. We're very proud of that. However, I'm going to say we're against the historic district. The rationale for that is that some of the comments that were made that 75% of the

buildings in this large historic district are contributing. That means 75% of them are going to be a battle one by one when we want to do any improvements, any buildings that are historic in this downtown district.

We'd like to know what is Kansas City, KS's vision of the future. What do you want for your downtown? Right now what I heard is preservation, preservation, preservation. That's what you have right now. That's what you have right now. What is the vision of the future?

I've also looked at some of our sister cities around the area. I looked at Overland Park. Overland Park has a beautiful mix of old and new and historic. It also has people who live downtown like the first presentation today about apartments downtown. It has 24/7, but it has no historic district.

I look at Lee's Summit. It is beautiful. It is growing. It is a mix of old and new and historic. It has people living there 24/7. It has a three block historic district. **Ms. Sparks** said one minute remaining.

Mr. Kearns said then I look at Independence which has the 14 block preservation area, Harry Truman preservation area and at 5:00, it's vacant. So the question I have really—I have nothing against historic districts. I think they're something we need. They're a tool, but they're not the vision and they're not the plan. That's our complaint. We think until we have a plan, the historic district should be paused.

Greg Kindle, President of Wyandotte Economic Development Council, said thank you for taking up this discussion about creating a Downtown KCK Commercial Historic District. We appreciate the discussion and we'll support the UG in whatever decision you all make. We are always seeking to enhance the toolbox to assist development and offsetting the cost associated with making investments. Renovating downtown buildings are a financial challenge.

Having been involved in raising funds to renovate the 727 Minnesota Avenue building, I can tell you it's just like renovating an old house. There are costs lurking behind every wall, along every pipe, every switch, every elevator. We've had lots of discussions about elevators in downtown buildings, as you recall. A building just across the street from the 727 building. I look back on the renovations that the Chamber Foundation made to the 727 building and wonder if we would have actually passed muster for this downtown district or if we would have had to scale back those renovations. As you know, that building wasn't completely finished to begin with.

Like nearly all of the developers we come into contact, and by the way, there's only one developer that we've come into contact within the last 10 years that has come to us and they're sitting here in the room today, that have asked about historic tax credits. But most of them are financially constrained, including the ones here today. Most are focused on meeting the exterior historic requirements tied to the Landmarks Commission, and that can be a challenge in itself. We've had those conversations with many of you.

With this commercial historic district designation, that oversight will extend to the interior as well as we believe will drive up the cost of renovations. I'm not convinced by the presentations that we've been given that those costs will be offset by these historic tax credits. If they are, we'd like to see it.

I'm reminded of a comment made to me recently suggesting that approving the proposed historic district is like saying we're going to freeze the downtown as it is today in preserving it. I don't think that's where we want to be. I would suggest to you that we collectively don't know what we want the downtown to be and until we have that answer, we think it's premature to create this district.

Historic tax credits can be made available without this designation. **Ms. Sparks** said one minute remaining.

Mr. Kindle said that's the direction we'd recommend we stay with for the time being. We totally agree with what the UG is doing with Donnelly College. We say, let's do more of that.

Here's some thoughts we think need to be clarified. Historic district does allow for tax credits and that could reduce the cost for renovations, but it means both internal and external renovations need to be met to these historic guidelines. I think it would be useful to see more information about how these tax credits are offsetting the costs.

So far it's been a lot of good talk and some very large numbers, but I haven't seen anything actually applied to any of the downtown projects. If there's openness to spot designation versus a large district designation, which would provide a win-win for those, we'd be all in support of that. In fact, if 601 Minnesota could get approval for tax credits in a tax district in and of itself and the Security Bank building, great. Let's start there. Let's make sure we have a cap that if 601 doesn't move forward, the historic tax credit doesn't also follow it because the next developer may want to just knock the building down. **Ms. Sparks** said your time has expired.

Mr. Kindle said I think this is being oversold.

Phil Garcia said I've actually had the chance to speak with several of you about the 601 Minnesota project that we're seeking to enact. I speak as a developer interested in the historic tax credit zone in the district. I just want to be blunt in saying that it is only because of historic tax credits that this project would actually make sense. I will begin by saying that tearing down a building is almost never financially feasible in making a project happen. I'm very impressed with what Willie's doing, but typically renovating and revitalizing is the way to go. For us, the numbers pencil out because of historic tax credits. We've also partnered in pursuing partnerships with non-profit agencies because there's additional monies that can be saved as a result.

So, as someone who would like to come into the district and would like to invest and would like to bring $8M into the building and revitalize that space residential, office, retail, cigar bar, everything, the works, it can only work with these types of credits.

Now, Mr. Kindle's right. It could be a one-off, but actually what I have seen working with Gunnar has been that speed and rapidity that he actually pointed out. It has been seamless working with him and others to find out more about how this can work. In addition to that, going without the historic tax credit would actually encumber us more. It would actually put us a step behind. So by accepting the district, we would actually be jet-setted through and can actually get these historic tax credits sooner rather than later.

Mary Collins, Kansas City, KS, said I'm here representing both the Downtown Shareholders organization and in the absence of Brennan Crawford, he asked me if I could make a presentation on his behalf as well. So I will start with the Downtown Shareholders' statement.

As the Neighborhood Business Revitalization organization within the proposed district, the Downtown Shareholders look forward to seeing the history of our buildings gain the recognition they deserve and for the opportunity to access government tax credits that can be used to preserve those buildings indefinitely. The potential state and federal tax credits will allow for building and other business owners to modernize downtown KCK buildings and ensure access for all customers while setting a local system of review to preserve the historic features unique to each building in our diverse and historic downtown. We see this proposal as another tool that will continue the revitalization of downtown KCK.

We support the efforts of the Unified Government and your Planning and Urban Design Department in seeking listing for the proposed Downtown Historic District design to bring

recognition and preservation to downtown Kansas City, KS. This proposed district strengthens your commitment to our history and efforts to preserve it for future generations.

Ms. Collins said I also have Brennan's statement. He apologizes that he was not able to be here at the last minute. **Chairman McKiernan** said let's just clarify for the record that's Brennan Crawford who's Executive Director of Community Housing of Wyandotte County. **Ms. Collins** said right and I am a Board Member of CHWC and since I was going to be here, he asked me to make his statement on the organization's behalf.

CHWC would like to voice our support for the proposed creation of a historic district in downtown KCK. While CHWC does not currently have an existing project that will benefit from the district, we are supportive of any effort that creates access to resources for the development of our core neighborhoods, situates decision-making processes at the local level as opposed to at the state level, and ensures that the rich historic character of our neighborhoods are preserved.

Those are the two statements I had to make.

Tom Prudden, FosterAdopt Connect, said we have the old Kansas City Kansan Newspaper building, which is at 8th & Armstrong. Fortunately, it's a pretty cool old building. It has a lot of old world charm, character, and history about it. We would like to preserve that. We want to be good stewards as the current owners of that facility. We are about to embark on a large renovation of the interior of that building that's going to be $5 - $7M probably. I would have to say that we are in the middle of exploring this as far as the pros and cons go. Based on some of the comments I've heard, we would have questions; however, we would be ones to benefit from the tax credits if they were available to us, which is what we're exploring currently.

I don't know if I'm able to ask questions of Mr. Hand, am I? **Chairman McKiernan** said why don't you go ahead and just put the question out to the committee and then we can follow up with a summary and some follow up after all comments have been collected.

Mr. Prudden said we are exploring the benefit of the tax credits for sure, but we also have questions just as far as the nuts and bolts of this would work. As far as it goes, the bureaucracy that was mentioned earlier, for a large undertaking that we are going to have with our building, does the Commission partner with us? Are they with us through the process? Is it a one-time

application that is approved and then we are released into the wild to do what we say we're going to do or is there a constant review of this process? **Ms. Sparks** said one minute remaining.

Mr. Prudden said and, also, to the turnaround time. Mr. Hand noted that they would be the clearing house. So, when we make application, what would the expected turnaround time be once we do make that application since it does have to go through two separate entities?

Also, too, are there differences on interior versus exterior and the level of oversight, I guess?

Travis Wilson, Parkville, MO, said I own and operate Veritas Architecture & Design, which is right there on 6th St., 707 N. 6th St. I'll just start off by saying that we're in favor of the district. I am partnered with Mr. Garcia on the purchase and development of 601 Minnesota so I kind of have a couple of different stakes in there.

I'll speak primarily just from experience as an architect. Throughout my 20 plus year career, I've completed at least a dozen, maybe 20 of these types of projects, historic tax credit projects. I think almost all of those were in districts like what we're talking about here. Maybe there's a few that were individually listed. I can say from experience that it's most helpful for projects to be within a district. It gets you through the first hurdle of applying for and receiving these tax credits.

The developers I've worked with would often times try to find these types of projects because they are incentivized. We're talking about 45% of their dollars go back to them. That's a huge part of their investment back to them. It makes these projects very desirable.

I'll say that the district nomination allows that to go through a little bit more smoothly. It's exciting to hear that the locals here would be that clearing house, like Mr. Hand mentioned, like Mr. Greeves functions as.

I will say I was at the Wyandotte Housing Summit back in October. The keynote speaker there, the first thing they mentioned was the idea of revitalizing downtowns with catalytic projects that combine first floor and second floor commercial and retail use with residential spaces above them. That's exactly the type of projects that these types of districts (inaudible)…**Ms. Sparks** said one minute remaining.

Mr. Wilson said the project that we would be doing at 601 Minnesota is exactly that, 25 units of residential above two stories, about 10,000 sq. ft. of commercial space. These historic

buildings are ideally suited for that type of mixed-use development. I've heard people talk about the idea of this taking us back somehow 100 years. What this would actually do is really be catalytic to move us forward for the next 100 years by reutilizing the buildings that we currently have and that stock that has already been invested in this community.

Chairman McKiernan asked, anyone else who'd like to offer comment to the committee on this item? At this point, we'll go ahead and close the public comment period and we'll come back. The first thing I'll ask is if Mr. Hand has any comments to make in response to what we have heard, and then we'll open it up for comments and questions from the committee.

Mr. Hand said yes, just a couple of things and then I'd like to pass it off to Mr. Greeves if I missed anything. I heard a couple of comments there, but to address as many of the questions that I possibly can—actually, Britney, could you bring up the presentation again and show us the map, or Randy can get the map and bring up the presentation. I want to point out something very specifically here that relates to spot designation.

There's a couple of properties in there that say NR or potential NR. Those are the properties that are currently nationally registered for our potentially nationally register. When we did our most up-to-date survey, looking back to the previous two surveys, we did that. We identified the buildings that could stand on its own as a national registered site. There's quite a few in there, but most of those are public buildings. Most of those have already been designated.

The PNRs, if you will, are the ones that can stand on their own. There's really not that many. Maybe a dozen. So, those are great projects, right? We absolutely agree that those are the projects that probably would go first. They're larger projects. City Hall, for example, all the

money that we're spending downstairs right now in City Hall, all of those could have been qualified expenses that we could have recouped if this building was within a historic district, for instance.

Generally speaking, because it's a grouping of buildings that speak to an era—when Randy had that slide that had the big paragraph on it that spoke to what we're proposing, the district—it's them all together that make it a district and makes them qualified. Individually, it'd be very difficult to individually list a bunch of them.

If you'll notice, 601, which in the past, since we've talked about it a couple of times, I'll use that as an example. It's been tried. It has been submitted as a standalone landmark multiple times and failed, but as a grouping of buildings, one of many that speaks to that same era of development/growth of Kansas City, KS, in particular, it does fit within the district and it is contributing. So, there is a difference between spot designation, as was described, and this district. There's more benefit, in our minds, doing the district. You get more properties that can benefit.

Mr. Hand said and then I'll speak real quickly to interior versus exterior. Again, our local historic designation only applies to what you can see from the public right-of-way. It's only exterior improvements. State and federal are both exterior and interior. They're all held to the same criteria, as Mr. Greeves mentioned a little bit earlier in his presentation. They're all the same Secretary of Interior's standards of historic preservation. But generally speaking, they're a little looser on what you can do on the inside.

So, let's take, as an example, if you look at any school building that's historically registered, the State Historic Preservation Office, the National Park Service, they really like to preserve auditoriums, hallways, and sometimes grand staircases that used to be in schools, right? But everything else is pretty freeborn. You can cut up those classrooms and turn them into whatever kind of units that you want, right? When you're talking about old historic buildings, Brotherhood Bank building is a great example as well since we talked about that as an example. Office buildings are a little bit different, right? For those, it's more about lobby spaces, hallways, and elevators. Those are the things that they really like to preserve. But, again, everything in between, everything else is pretty much up to—they have pretty free reign to design those units as they see fit.

We've had multiple meetings with Mr. Kearns and he showed us those plans. They're relatively modern units with a really cool preserved lobby space and really cool preserved elevator doors, if you will. Not the interior elevators, but the elevator doors themselves.

Mr. Hand said, Randy, I may have missed something in that if you have anything to add. I forgot the gentleman's name from the Kansan building. But generally speaking, as a clearing house, what SHPO likes to do is—so, again, we take all the applications. You fill out a Unified Government Landmarks application when you're applying for a certain building permit to do whatever your project is, whether its an interior refit, a complete rehabilitation of a project, all those things. Those batched together with the historic tax credit applications and we can submit those at the same time as we submit for SHPO's—again, they'd become like another reviewing agency essentially. So we can ship those both out to SHPO at the same time and they can begin both reviews. They go to two different revisions inside the State Historic Preservation Office, but you can essentially begin the review of the tax credits at the same time you begin their review.

They tell us it's about a 30-day review right now for the State Historic Preservation Office to give their comments back to us. I would go ahead and say conservatively, the review period for the permits shouldn't take any longer than our 90-day entitlement process. The review period for the tax credits is going to take a little bit longer because it's just a little more complicated, and that's the truth.

Randy, if I misspoke or missed anything, please add on.

Mr. Greeves said yes. I'll just add a couple of things. One example of a project done recently, done well with a lot of interior renovation was the Town House Apartment complex. They preserved that beautiful front lobby, and all of those little apartments were almost completely modernized. You do get a lot of free reign with most of your space on the interior. When SHPO reviews a project, a permit application, yes, they follow all the same criteria as the Secretary of Interior standards. The question they're asking is, does this destroy historically significant architectural features like for the interior, a major hallway, a major staircase. On the exterior, it could be like a cornice line or the eaves or something that identifies the structure as being what it was.

Most of what affects the building in our then the review comes from the local level. It comes from people that we can sit down and work with them, come to compromise. We can

understand the local context and directly work with the applicant to find a solution that not only preserves the historic integrity of these buildings and retain their ability to claim these tax credits, but to also meet the needs of the building owner.

Chairman McKiernan said, committee, I'll ask for questions in just a minute, but I want to clarify something that I think I heard and I want to make sure I heard it correctly. Did I hear correctly that it's possible that a building might not on its own qualify for historic tax credits, but if it is part of a district, it could then qualify? **Mr. Hand** said that is correct. **Chairman McKiernan** said I did not know that.

Mr. Greeves said the reasoning behind why is every time we make a nomination, we're making an argument that this building is historic. So if you have just one building, you have only that building's history to draw upon. You have a limited frame reference for it's historic argument. With a district, we're arguing a larger period of time across a greater area of development of history, of multiple people and how they interacted with one another, how this community used to function. That is why the larger districts make it easier to get some of these buildings listed.

Commissioner Burroughs asked, Randy, if a person doesn't want to use the tax credits and they want to rehab the building but they're in a historic district, what's their options? **Mr. Hand** said they still have to go through the review process, but they would just, for whatever reason—I wouldn't recommend it--but they, for whatever reason, wouldn't benefit from it.

Commissioner Burroughs asked, is there an appeal process? Let's say our Unified Government says they don't like this piece of the project. Is there an appeal process? **Mr. Greeves** said yes, there is. The certificate of appropriateness Landmarks application is filled out, submitted. It goes to the Landmarks Commission. They didn't like it. They can appeal there. If there continues to be issues with the project, they can appeal to the full Commission and you would have the final say.

Commissioner Burroughs asked, what about demolition by deterioration of a landmark? I'll use an example. If Sauer Castle was to be on the corner of 6th St. and has sat for decades and it's rotted away, what would our options be if it's in a historic district?

Mr. Greeves said this district would—we can improve upon all of our historic laws in this regard. There are ways to combine historic preservation laws with nuisance ordinances and things like that to create a way to force people to maintain their buildings. Failing that, this district can be a source to seek grants for things like façade improvements. They can be used for the city to go in and fix the building and help restore it or to help incentivize the owner to restore it or whatever it is that you decide to do with your ordinances to make that possible. The thing is, if we make these kinds of ordinances, we have to make sure we follow through with them This is a way to get stuff like that done.

Mr. Hand said in your example, they would simply have to prove that it was beyond repair and then they'd get a demo permit. If me or SHPO or Landmarks Commission didn't agree with the demo permit, they could appeal to you; and just like we did for the 7th St. Church, we would run through the traps of our ordinance and it could come to you and the Board of Commissioners could make the decision that the economic benefit of tearing that down and building new was greater than preserving it. We can do that for both contributing and non-contributing structures in the district. There's nothing stopping us. Yes, it's another step in the process, just like it's another kind of review agency as well as kind of just a little more complexity in an already complexed development environment, but it does not prevent us from doing the things we need to do for new construction, re-innovation, or any of those matters.

Again, we do not believe it is mutually exclusive to have a historic district and have a downtown revitalization.

Commissioner Stites said my concern is that we have multiple people coming to us, the Commission, if they don't like what they're saying that they have to comply with. Now we become part of the DRC, Design Review Committee, and we're picking and choosing which ones. An applicant comes forward to us and says well, I don't want the tax credits. I bought this building. I own it and I'm wanting to rehab it and remodel it, but you're telling me that I have to comply because we created this district. Then they come to us and we have to now decide well, it's because you're tearing out that staircase or you're going to—I can see this becoming where we become the—we have to pick and choose who we're going to—I mean, do you kind of follow what I'm saying? **Mr. Greeves** said yes. **Commissioner Stites** said I'm not interested in being that person.

Mr. Hand said nor should you be. I think I would just say that there will be a transition period, right? There are folks who have already invested in downtown who have an idea of what they want to do. If we drop the historic district on top of that idea, again, it changes their calculus. It also sends out a signal to those people who are looking for these types of districts because they know that's what they need and that's the kind of place they want to be, for instance. So, I think there will be a transition where the people who already own property might have some anxiety about what they thought was going to be their project changes, but after the district is created, it creates that level of certainty so that people understand what is expected of them.

An architect can design toward the historic district a lot easier when they know it's in a historic district as opposed to in the middle between two districts. So, I do think there will be some growing pains. That's why we're trying to be as proactive as we can right now and engage with those folks who do want to make investments in downtown so that we can guide them towards not doing things that might get them in front of you.

Commissioner Stites said I appreciate that. It sounds like you had said that you had reached out and had multiple conversations with Mr. Kearns, right? Maybe that's just not a place that we ever all agree on, right? But what about any communication with, I apologize, sir. I don't remember your name, but the owner of the old Kansan building. Has there been any conversation with him also?

Mr. Greeves said I've had multiple phone conversations with him. I see myself as a public servant. My job and my joy is to be able to sit down with building owners as many times as it takes to come to an understanding and a compromise before we even go to the Landmarks Commission.

Commissioner Stites said the reason I asked that is because he comes here with questions tonight. If you're approachable and you're available, like you say, I would have thought that those kinds of questions could have been answered before tonight. That's why I asked that.

Commissioner Davis said one of the concerns—and I don't know who expressed this, but I think it's the Brotherhood Bank guy, sorry, I forgot your name, Mr. Kearns—you talked about us not having a plan, right? I'm looking at our website for the Downtown Master Plan. It's pretty old. It comes from 2007. Are there any other plans or any other? I know there's the City-Wide Master

Plan that's going to be started which could kind of hit on this a little bit. Are there any other updated plans that would satisfy that particular concern?

Mr. Hand said the Downtown Healthy Campus Plan really was an addendum to the Downtown Master Plan. It didn't really speak to historic preservation. It spoke to the types of amenities that we need to get in downtown. In that sense, it deferred to the Downtown Master Plan to speak to have all the other policies specific to historic preservation, right? So that's as it relates to downtown.

City-Wide Master Plan, also a dated plan, speaks to historic preservation. Again, we just had this 10-year gap where nobody's been talking about it, acting on it, promoting it, raising public awareness about it, or doing any education about the pros and cons thereof. We finally have somebody to do that now and I think it, again, turned the tide a little bit.

In the next year, to Mr. Kearns' point, we will be updating our City-Wide Comprehensive Plan. We will be, for the first time ever, developing a historic preservation plan and we will also be executing an economic development strategy. I think some of you have heard me say this before, those are three different plans, three different consultants, three different deliverables; it's the same conversation. The same conversation. One, we don't want to create planning fatigue by having multiple plans, having multiple engagement efforts, right? There's that component to it, but it's all talking about the vision of our community.

The current policy supports historic preservation and basically sets this out. Again, I listed all the things that says, from a policy standpoint in downtown, we believe this district is an implementation action of that policy. We still believe that component of it is very much valid.

Commissioner Davis asked, if we were not to go forward with this, what would be the result of that? **Mr. Hand** said we would still have the completed nomination. We would still go through the process with the State Historic Preservation Office to kind of go through the draft and get it ready to submit to the National Park Service. It has a shelf life of about—we talked to SHPO about it, sorry, we talked to the State Historic Preservation Office about this after the last meeting. I think that was also a similar question then. It's got a shelf life of about a year. If we didn't submit it within the next 12 months, let's say, we'd probably have to spend a little bit more money to get it updated and maybe redo the survey and get it ready to go to the National Park Service again.

Commissioner Townsend said to pick up on, I think, one of the concepts that Commissioner Davis referred to. It was either Mr. Kearns or Mr. Kindle that talked about vision and led me to question if this district went through at the state level, what would a developer coming into downtown, what if any constraints would be placed on that developer to conform with what downtown already looks like? We've had this district. Would someone who wants to participate in developing something new downtown be able to really do that according to what their vision might be, or would they be constrained or restricted to making this new thing look like what's already there?

Mr. Hand said no. The National Park Service and Secretary of Interior basically would call that tokenism. If you developed a new building to make it look like it's an old building, they absolutely do not want that. They're more focused on new construction in historic districts matching what—these are planning terms so I can explain them—basically like the bulk, massing, and height of the building, right? So, again, we're only talking about—it's a big district, but it's not all of downtown so I think that's important to state as well. It does not prevent new construction. It would have to go through the same reviews because it's within the district, and then we would just make—it would have to have that—it would go through the same determination, but it does not prevent new construction or contemporary design.

Commissioner Townsend said you made mention of, I guess, some current landowners in the downtown area who are at least considering renovation. At what place would those persons have to be to be say grandfathered? If they haven't begun redevelopment, if this is past, would they be allowed to be grandfathered in in terms of what they'd be required to do in their redevelopment?

Mr. Hand said I'm not sure if grandfathered is the right way to explain it, but think about it like this. If we were able to submit in the National Park Service this spring—to be honest, it might actually carryover to their fall nomination process. It could be as late as fall of this year. If we happen to get that letter from the National Park Service that said congratulations. You're now a historic district. Any building permit pulled after that day would then have to go through the process. Any building permit pulled before that day, would not.

Commissioner Townsend said during the last presentation made about this subject, I know one of my concerns was, and I know you addressed it, but I just want to go back to that for clarity sake.

By creating this district, the concern was there might be additional burden put on property owners in the district that aren't already there. Could you just talk to that again? If it were additional burdens in terms of upkeep, renovation, what something could look like or be transformed into, created because we now have this district and what about SHPO, the impact of that might have?

Mr. Greeves said it is known that historic renovation requires more skilled labor, higher quality materials, and more time, and it is slightly more expensive per square foot to rehabilitate. That's where the tax credits become so important. With those tax credits, it typically becomes cheaper to do those repairs to a building because they make such a big difference on such a small increase per square foot. So, at the end of the day, money is saved by the developers, the building owners, or whoever is doing the work to these buildings.

There is some concerns about property values going up and, therefore, property taxes increasing slightly as well, but these districts also show huge increases in the amount of sales made. Those generally offset the extra property taxes that might come about from an increased property value. A lot of this is indirect from each other aside from the costs for the rebuilding, the repairs, and the tax credits through those, but we can also find grant money to help businesses that might be struggling. We can seek grants from the State Historic Preservation Office for more than just façade grants. We can help buildings with whatever repairs they really need to stay where they are. SHPO's very concerned with preserving our historic buildings and will help us find the resources to do it. I am also here to help find those resources and to apply them and make sure they get used properly.

Mr. Hand said I would just add, I think, we are committed to proactively work with every property owner that is, or in the future, is a historic designation to achieve the project that they want to achieve with their property. Again, we might have to steer them in a certain direction or steer them away from an idea that they might have, but if we can get there early, it's not really going to cost anything other than maybe some design dollars. That's been our focus. We want to partner with these folks. That's why Randy's been doing such a good job canvassing this district and other districts in particular.

We need to, again, raise awareness, continue our public outreach, and we want to partner with all of these folks who want to invest, in this case, in our downtown and help them move along with their project whereas before, it may have been adversarial in nature. A private developer,

public good, they come to the table. That's what government is, right? We want to partner with them to do that and we're committed to.

Chairman McKiernan asked, any other comments or questions from the committee? I will say that based on your commitment to partner and facilitate, I do see benefit to this district in the downtown. If there are no other comments or questions, is there a motion regarding this item which would be nomination of the Commercial Historic District to the National Park Service for consideration?

Commissioner Davis said, Chair, I do have a question. Just so I understand this plainly. The difference, and tell me if I have this wrong, the difference between having this historic district and what is currently in place right now, for a developer would be the tax credits that's available through the state and through the federal government, and the requirements to get those tax credits. Is that correct? **Mr. Hand** said yes.

Commissioner Davis said so removing the tax credits and everything out of the way, let's say a developer still wanted to make downtown, still wanted to make some improvements, right? Those improvements could still take place. There would still have to be requirements that they would have to abide by. They couldn't just tear it down if it was a historical building, but no tax credits would be available. Do I have that correct?

Mr. Hand asked, if it was not in a historic district? **Commissioner Davis** said if it was not. I'm thinking downtown, right? We do have historic landmarks and historic buildings, right, that do come with their own requirements and do come with their own preservation elements. What I'm trying to get at is, let's say a developer—we do this—a developer says you know what, I want to do renovations. I do not want to pursue the tax credits. What route do they go? Do they have to pursue the tax credits? **Mr. Hand** said no. We would advise them to do so because it would be in their best interest, but no one is making them do tax credits. If you pull a permit, you do have to go through the historic review.

Commissioner Davis said the historic review is there because we have put in the historic district. **Mr. Hand** said correct. **Commissioner Davis** said without the historic district, there would not be a historic review.

Mr. Hand said that is true but today, there are both state and federally designated landmark buildings in downtown. There are also locally designated buildings. Only the local designations have what's called an environs buffer. We just reduced that when we updated the historic preservation ordinance over two years ago now from 500 to 200. So when it was 500, when we first sought this grant, that 500 buffer, based on what is currently locally designated in downtown, was basically the entire district. It's reduced quite a bit, but it's still quite a few properties that would still have to go through that environs review of local districts.

Again, not every state and federally historically designated property is also locally designated. Not every local designation is also state and federally designated. We're trying to get to the point where there's parity across all three.

Commissioner Davis said so this would create that kind of across-the-board parity. **Mr. Hand** said correct. **Commissioner Davis** said it will be one district where regardless of if you were locally designated or state or federally designated, now everyone is kind of playing by the same rules or at least have the same opportunities through the tax credits.

Mr. Hand said I believe it's in our fact sheet, and correct me if the percentages are wrong, and they probably will be wrong, but if we do move forward with the district and the National Park Service agrees, 100% of the properties within the district will have to do a historic review every time they pull a permit. Today, within those same boundary lines, but not with the district, today I think it was something like 68% would still have to go through some historic review with x smaller percentage receiving the benefits.

Commissioner Davis said so we're really talking about roughly, if my math serves me correct, 32% that right now wouldn't have to do anything; wouldn't have to go through that process. **Mr. Hand** said I'd like to look at the fact sheet and double check, but yes. It's a significant chunk.

Chairman McKiernan said if there are no other comments or questions, is there a motion?

Action: **Commissioner Davis made a motion, seconded by Chairman McKiernan, to approve.**

Chairman McKiernan said there's been a motion and a second to approve the nomination for consideration. Any further discussion?

Commissioner Townsend said I'll just say this. I was going to move to just hold this over for another vote to let some of this additional information and consider the questions and concerns raised publicly to next month, but I just wanted to get that on the record.

Commissioner Townsend said the other question I would have is if that was entertained, what, if anything, would that do to the plans or the efficacy of what's being proposed. If Mr. Hand could address that.

Chairman McKiernan said I think if we were to hold it over, we'd want to make sure that we give direction to staff as to what we would expect to be brought back for further consideration, if it were brought back.

Mr. Hand said I think if you were to hold it over for a month, we would continue to do what we are doing which is reaching out to folks, trying to partner with them. Again, there's plenty to do in and around downtown, but I think a lot of the anxiety around a potential district now or anywhere or anytime is only going to be alleviated as we continue these conversations. We will continue to have those conversations with folks who are willing to engage with us. I don't know if that's necessarily going to change their mind about the perspective but, again, we want to partner and coordinate and facilitate these conversations across the board.

We talked about what's the vision for downtown. Well, the vision for downtown and the Downtown Master Plan is to have a vibrant downtown. How do you do that? You certainly don't have vacant buildings. We believe this is a tool that will help us transform the upper stories into usable space, be it office or residential. We believe we can work with ground floor leases to make a vibrant street life. Mr. Greeves is dedicated to moving forward with a main street program that can begin to, in support of historic designation districts, start to curate and corridor various retail in and around downtown.

I think we're going to keep doing those things. I don't think it's going to change. We believe that we are working towards the vision that is currently embodied in our current master plan.

Commissioner Townsend said I didn't mean to imply that there was anything more to the presentation. It was more just one more opportunity to absorb what's been presented before and again tonight, also with the public comments.

Commissioner Townsend said the only other thing that I would say is when Mr. Hand just mentioned bringing in new people. I guess there will be some that will be attracted and some who may not be for maybe the same reasons. I don't know if there are any numbers about that or if you could even calculate that, but that was one of my other thoughts. Some people will be impressed with this and I guess want to be in a historic district and others may not. It goes back to the point you made, there's certainty with it. There's certainty now, too; there's not, but—**Mr. Hand** said every major investment in downtown probably in the last decade, minus the Kansan building, was done with historic tax credits.

Commissioner Davis said, Commissioner Townsend, I'm not opposed to holding it over for one month, however, we're not requesting this to be fast tracked. If we were to vote this out of committee, most likely it wouldn't land on full Commission what, maybe end of the month, give or take. Commissioner, would that be enough time? We're not making a final, final decision; we're just making a recommendation to the full Commission, which I'm sure, at that time, more voices can come to the table. I do worry that, I mean, we've passed this out. It was taken off the agenda and sent back. If we hold it over for a month and then I'm pretty sure we're going to hear opposition and those who are opposed in full commission as well, but at some point, our vote is going to have to be our vote and we're going to have to put this thing to rest.

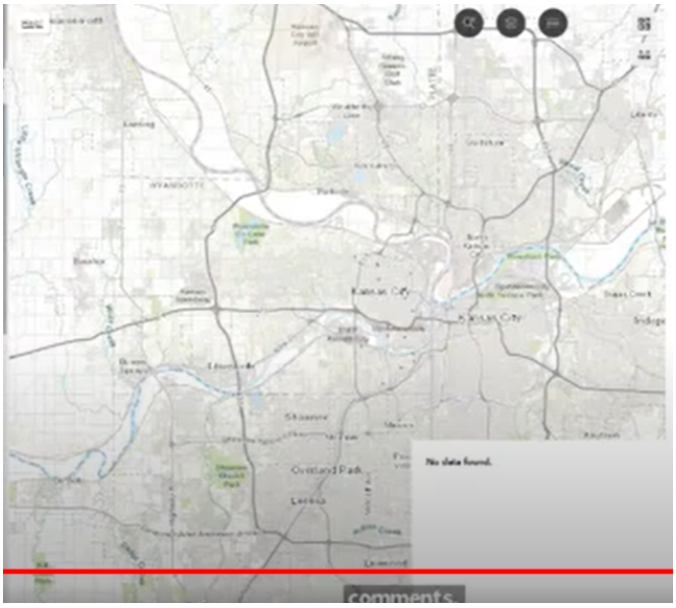
Commissioner Townsend said you make a good point. **Commissioner Davis** said I'm going to keep my motion. **Commissioner Townsend** said you make a good point. This is the benefit of discussion in the democracy.

Chairman McKiernan said so there is a motion and a second to move the nomination forward to full Commission for consideration. Any further discussion? Roll call, please.

Roll call was taken and there were five "Ayes," Stites, Davis, Townsend, Burroughs, McKiernan.

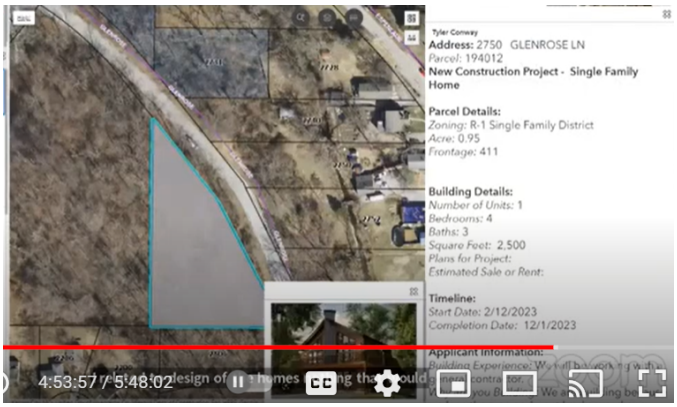
Item No. 2 - 212204…LAND BANK OPTION APPLICATIONS

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/b63e9cb3cca44be59f458765dbeddcb8/



Jud Knapp, Land Bank Manager, said the first item, A1 – A6 are all single family homes. They're all zoned correctly. I've only received comments related to the design of the homes. Nothing that would prevent the homes from being built.

A. Single Family Homes – 8 Homes
   1. Tyler Conway – 1 home
      2750 Glenrose Ln. – 194012



A1 is at 2750 Glenrose Ln.

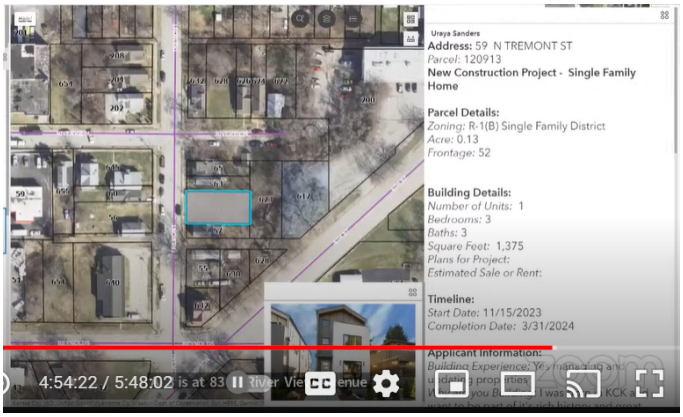
2. Jose Hernandez Garcia – 1 home
   1104 S. 39th St. – 170559

A2 is 1104 S. 39th St.

3. Jamie Shipley – 1 home
   8317 Riverview Ave.

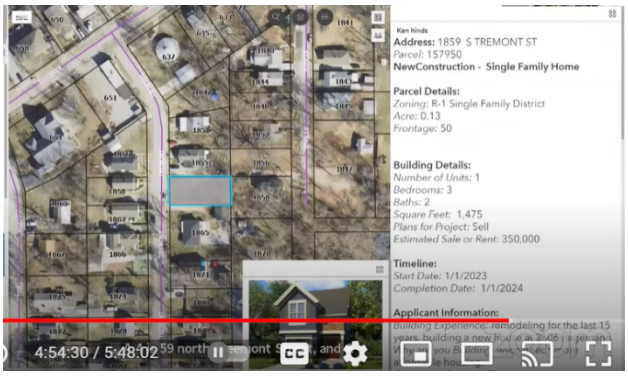
A3 is at 8317 Riverview Ave.

4. Uraya Sanders – 1 home
   59 N. Tremont St. – 120913



A4 is 59 N. Tremont St.

5. Ken Hinds – 1 home
   1859 S. Tremont St. – 157950



And A5 is 1859 S. Tremont St.

6. Ken Hinds – 1 home
   2021 S. 10th Ter. – 126212

And A6 is 2021 S. 10th Ter.

Those are all the ones that received no comments. That concludes A1 – A6, Commissioner. If you want more details, I'd be happy to go into that.

Chairman McKiernan said I have to ask about A2. This may not be history that you have. Didn't we have a parcel here or very near this come before us a while back regarding flooding after a heavy rain? This is down on the south side of the BNSF track, right, and there's a trucking company that has leveled off. I could have sworn that somewhere in the past, we had some issues with flooding around this area. This is 39th St. and the big hill at 42nd St. is just a couple of blocks away. Everything slopes up here, up as you go south.

I have no problem approving this option because it is just that, it's an option. It's an opportunity to do some additional, but I think what I might suggest is if we approve this option that you get together with this applicant and just ask them to do their due diligence regarding runoff and drainage.

Mr. Knap said will do, Commissioner.

Action: Commissioner Burroughs made a motion, seconded by Commissioner Stites, to approve A1 – A6.

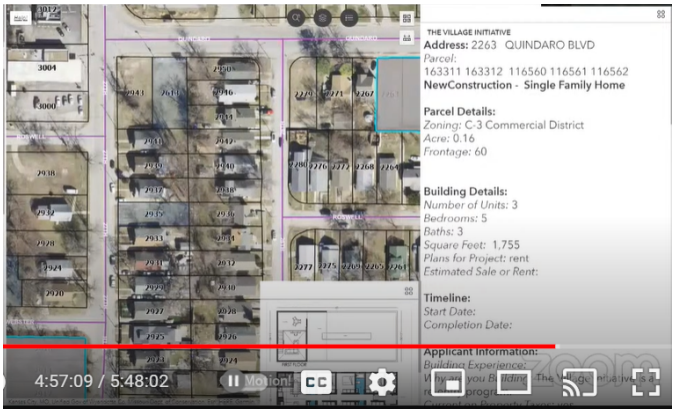
Chairman McKiernan said there's a motion and a second to approve A1 – A6 as submitted.

Chairman McKiernan said I'll ask the Clerk if we received any correspondence about any of these applications. **Ms. Sparks** said no comments were received. **Chairman McKiernan** said I'll ask if there's anyone joining us online who'd like to comment on any of these applications. **Ms. Sparks** said no hands are raised. **Chairman McKiernan** said I'll ask if there's anyone here with us in the room who'd like to comment on these applications. Seeing no one coming forward, roll call, please.

Roll call was taken and there were five "Ayes," Stites, Davis, Townsend, Burroughs, McKiernan.

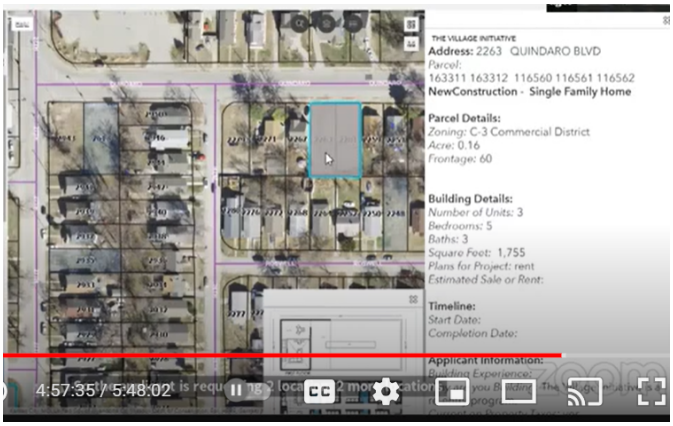
7. The Village Initiative – 2 homes
   2263 Quindaro Blvd. – 163312
   2261 Quindaro Blvd. – 163311

2918 N. 27th St. – 116560
2914 N. 27th St. – 116561
2912 N. 27th St. – 116562

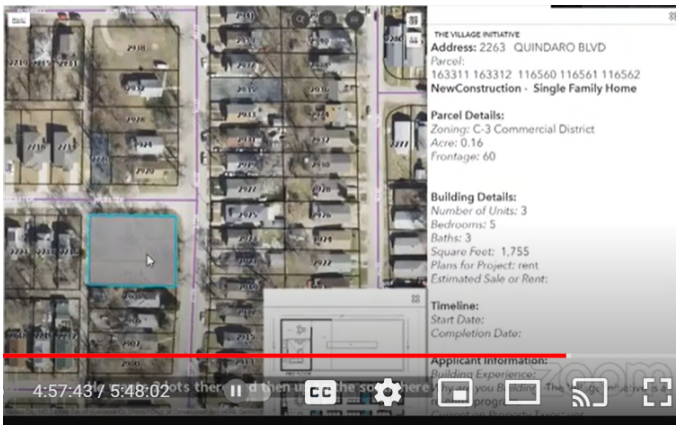


Mr. Knapp said the next application is A7. This is for the Village Initiative. The applicant previously had two homes that were approved for options at 27th & Spring St., just north of here.

So there's two homes going to go there. The applicant is requesting two more locations.



This is at 2263 Quindaro Blvd. He wants two lots there.



Then off to the south here, there's three lots here off of 2918 N. 27th St. The staff comment on this one was, he probably doesn't need all three lots. He probably just needs two and we can keep the other lot for additional infill development. This would bring the total of these transitional homes in the area to four.

When asked why they hadn't started the other two that he got an option for, he said they have the funds to build four or five of them and it's cheaper to build them all at once. So, he's trying to get up to four here.

The Land Bank Advisory Board did have some comments on this. Basically, to sum them up, this is not vetted with the neighborhood group was one of them. The other one was the population increase of four transitional houses. With the not vetted with the neighborhood group, I did send emails to two neighboring neighborhood groups in the area. I did find out that the OCP neighborhood group, their boundaries expanded. It used to be 18th St. & Quindaro was their western boundary. Now it's 27th & Quindaro, so that would include one of these. I found that out today at 3. I didn't have time to vet that, but that's where that hasn't been vetted with the neighborhood comment comes from.

Also, the applicant had a meeting with the neighborhood on December 11, 2021, before we approved the first set. The two concerns were sex offenders would not accommodate those there, and the transitional houses were located by schools. I believe the ones that were located by schools were removed from the application. The overall consensus of that meeting was the citizens were satisfied with the question and answer portion of that meeting.

That concludes this item.

Chairman McKiernan asked, any comments or questions on A7?

Commissioner Stites said I guess the only question that I'd have is, if they're going to build two locations on the three parcels, why do they need all three? **Mr. Knapp** said that was the staff's comments that they probably only needed two and we'd keep the third one for future infill development. **Commissioner Stites** said, I mean, did they give any feedback at the…**Mr. Knapp** said they did not, but I know Mr. George is here with us. **Commissioner Stites** said well, I'd like to hear from him.

Chairman McKiernan said, sir, if you could go ahead and come on up to the podium. I think there may be—well, first of all, I'd invite you to give your name and city of residency for the record. Then I'd like to invite you to give a little bit of background on these option applications and then the committee may have questions.

Randy George, Kansas City, KS, said in answer to that question, what I (inaudible) architectural engineer. With the size of the house, approximately 2,500 sq. ft., those lots would not accommodate the size of the houses. So we'd like to combine those lots. With the population we're serving, it's best to have as much space as possible.

Commissioner Stites said if you can, can you go back to where it says—I didn't see anything about that said 2,500 sq. ft. houses. The thing that I saw was 1,700 sq. ft. Are those 1,700 sq. ft. locations at the other single sites? **Mr. George** said approximately 2,400 – 2,500 sq. ft. I've got the (inaudible) that was done by the engineer. So when he laid them out on the lot, spring those lots, the frontage is 25' frontage. So when you get four, you've got 100' footage. The house just doesn't fit. **Commissioner Stites** said pretty tight.

Commissioner Townsend said thank you, Mr. George, for your diligence and hanging in there with us to the bitter end. I want to make sure Mr. George had the opportunity to share on the record the similarities that Mr. Jud made some reference to that before. How these houses will be overseen. Who will be there. Who would be those likely tenants, occupants. The restricted amount of time. What genders will be in these houses. Talk about the similarities of what this

committee already approved a year ago, and offer you another opportunity to talk about the process that has been made since the option agreements were approved by the committee a year ago on those first two houses.

Mr. George said the scope is the same. Our intent is to put ten beds for men, ten beds for women. That would be five beds per property. Four properties total of ten beds for men, ten beds for women. The criteria is the same. It depends on the individual. Normally the time is 6 – 18 months transition. Within that time, we provide addiction counseling, mental therapy, jobs. In fact, the contractor that we're looking at has already begun to hire other clients. So, the properties, all four properties would be used exactly the same. Did I miss anything?

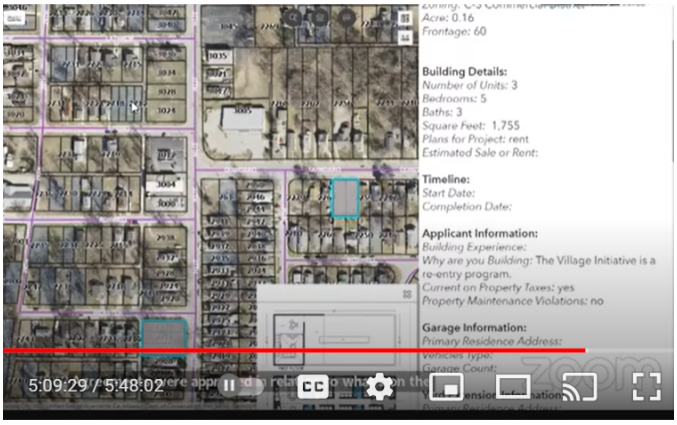
Commissioner Townsend said I don't think so. So my understanding is what you're asking for tonight, the properties that you're asking for tonight, the end goal is to provide transitional housing, two transitional properties, one for women, one for men. It could be occupancy anywhere from 6 months to 18 months with the expectation that they would develop and move on. **Mr. George** said exactly. **Commissioner Townsend** said that no one with a history of child molestation would occupy that property. That was one of the points from the last option agreement and that's the same for this? Okay. The same type of monitoring in the home? **Mr. George** said we've added staff in preparation for additional clients.

Commissioner Townsend said and, again, I think the question was asked, what is the status of building or moving forward with the actual construction of the homes that were discussed last year when the option agreements? Is it the understanding that if you—the economies of scale would enter here so that you have gotten so far. Why don't you talk again about how far you've gotten with respect to actual construction and what the award of this would do. Would that provide some economy of scale, cost less to build four houses at once than just the two?

Mr. George said we've hired an architect to start developing on schematics for me to approve. Once we get the lots, he can then begin to lay the houses on the lots. The progress is we've launched a capital campaign to raise the funds. Currently, we're at the half, a little over 50% to build four houses. The cost of construction is great so it's about $220 per sq. ft. The benefit now is we have so many contractors who love what we're doing that they're coming in doing some of the work in-kind. Even JE Dunn has partnered with us. In fact, JE Dunn's vice

president is going to be the owner on the project. They're encouraging us. The reason I'm back is to do all four, step by step. We start with one; we move to the next which will lower our costs.

Commissioner Townsend said I know that there was a public meeting for the neighborhood and these requested lots aren't too far. Can you show Mr. Knapp where the other option agreements were approved in relation to what's on the table this evening?



Okay. Those were the other two. There was a community meeting open to all to talk about those. You stated tonight that the conditions and the intent is the same for these two. **Mr. George** said yes.

Commissioner Townsend said I would move to approve the request, but I would, again, ask that you go to OCP and talk directly with them. Members of OCP may have been at the neighborhood meeting last year, however, the properties are probably closer to their borderline. So, that would be my recommendation and my motion.

Action: **Commissioner Townsend made a motion, seconded by Commissioner Davis, to approve A7.**

Chairman McKiernan said there is a motion and a second. I'll ask if we've received—thank you very much. Appreciate your participation tonight. Any other comments or questions from the committee?

Chairman McKiernan asked, have we received any correspondence related to this application? **Ms. Sparks** said no comments were received. **Chairman McKiernan** asked, is there anyone with us online who'd like to offer comment on this application? **Ms. Sparks** said no hands are raised. **Chairman McKiernan** said and I don't see anyone else in the room. With a motion and a second to approve, roll call, please.

Roll call was taken and there were five "Ayes," Stites, Davis, Townsend, Burroughs, McKiernan.

B. Multi-Family –104 Units
   1. Overland Property Group – 48 Units
      Requesting 18 Land Bank Properties
      837 – 923 Freeman Ave.
      1512-1520 N. 9th St.
   2. JES Dev. Co. – 56 units
      Requesting 18 Land Bank Properties
      837 – 923 Freeman Ave.
      1512-1520 N. 9th St.
      914-926 Oakland Ave.

Action: B2 had previously been withdrawn by the applicant.

Mr. Knapp said the B group is multi-family. We have B1 and B2. They were requesting basically the same lots. B2 did remove their application, so we're just dealing with B1 tonight. B1 is the Overland Property Group. They are requesting 18 Land Bank lots to build a 48-unit LITEC project. This is at the corner of 9th & Freeman.

Here's a picture of what they plan to do. They plan to build a parking lot over 9th St. and then put their units all along Freeman Ave.

This is not the developer's first project. They have 70 developments in total that they've built totaling 3,700 units. They've actually built at 6625 State Ave. They built the Villas at Ridge Point there. It's right behind the old Wal-Mart.

Douglass-Sumner had a response to this. It's within their neighborhood group. The neighborhood is still in the process of updating our land use plan and respectively request that the lease of Land Bank property in their neighborhood be suspended until that plan is completed. It also says we have not spoken with the developer but I know the developer went to their neighborhood group meeting last week or whenever that meeting was. The Land Bank Advisory Board, GroundWorks supports the Douglass-Sumner comments also.

Commissioner, that would sum up our item here.

Commissioner Burroughs said, Jud, it's kind of hard to hear back here. Did you say Sumner-Douglass did not want the development? **Mr. Knapp** said they did not. **Commissioner Stites** said they only did not because they haven't updated their or were they in opposition? **Mr. Knapp** said they're currently working to update their land use plan. **Commissioner Stites** asked, do we know when that will happen? **Mr. Knapp** said I think it was supposed to be done last year, but it just didn't get done.

Action: Commissioner Stites made a motion to approve.

Commissioner Townsend said question, Mr. Knapp. Just a point of clarification. So on B1, the Overland Property Group, and then I see B2. First I thought it was a typographical error, but they essentially want two segments of the same property. Did you say one had been withdrawn? B2's request had been withdrawn?

Mr. Knapp said yes. B2, the applicant removed his application. **Commissioner Townsend** asked, entirely? **Mr. Knapp** said yes. So, just B1 is what we're looking at here.

Commissioner Townsend said to go back to Commissioner Stites' earlier question with regard to the Sumner-Douglass, has a specific or even an approximate date of plan use completion been brought forward that you've been made aware of, a specific date or time that they look to have that plan completed?

Mr. Knapp said I have not been made aware of that.

Commissioner Townsend said point of clarification, again. The developer of B1, the Property Group, has spoken with the Sumner-Douglass group? **Mr. Knapp** said yes. They met with them at their last neighborhood meeting. I think that happened within the last week. I'm not sure what day that was.

Commissioner Townsend asked, has there been any follow-up your office is aware of in terms of their position with regard to the developer's request? **Mr. Knapp** said our FUSE fellow went to the meeting. **Commissioner Townsend** asked, what? **Mr. Knapp** said the Economic Development FUSE fellow that we have. He's working on a housing plan. He went to the neighborhood meeting and he informed me that the neighborhood group was not in favor of the project.

Chairman McKiernan said now I need to ask for clarification. They haven't updated their land use plan, but in conversation with him, they stated they're opposed to this particular project. **Mr. Knapp** said at their neighborhood group meeting, yes.

Commissioner Stites asked, do you think it warrants holding it over and asking for more communication with that Sumner-Douglass group? I mean, I can retract my motion which, as a matter of fact, I'll do that right now.

Action: Commissioner Stites retracted his previous motion.

Commissioner Stites said, I guess, can I ask for your opinion before I would ask to make a new motion?

Mr. Knapp said yes, so the applicant was contacting me several months ago and they told me they wanted this location for this project and I said you had to talk to the neighborhood group. I gave the contact information of the neighborhood group. This had to be two months ago. The neighborhood group wasn't talking to him.

Commissioner Stites said so he reached out to have conversation regarding it and he was denied. **Mr. Knapp** said yes, but then I find out that they just had a meeting within the last week at their neighborhood meeting…**Commissioner Stites** asked, with him? **Mr. Knapp** said yes. So, there was contact. This is a LITEC project so they need site control by the end of the month. If that doesn't happen, they are going to remove their application because they can't make the project work.

Commissioner Townsend said you brought up a term I haven't heard in a while, but I remember discussions held by this committee on similar projects years ago when Commissioner Murguia was here. The fact this is LITEC, one of the issues I remember that continually came up was oversight of the project once you got past this stage. If there were managers, if the same developers would continue to be involved for the duration of its existence. Is the applicant present tonight? No.

Chairman McKiernan said we have two people online and neither one—I know who both of these people are and I don't think either one of them represents the applicant in this case.

Commissioner Townsend said I would be in favor of holding over for one month for a couple of reasons. One, to have any questions specifically about LITEC and what comes after in terms of management of these properties, oversight of these properties in the event they were to move forward.

The other thing is, I would like more clarity from the neighborhood group as to when, more specifically, they intend to have this land use plan completed. That gives us, as a committee, some more insight because there may be other proposals from developers who are in this area. If this is the reason, it would be helpful if they would say more specifically what it is they're opposed to about the project. That would help me.

Well, I wasn't going to step on Commissioner Stites, but I was certainly giving input as to why I would support.

Commissioner Stites said my only question would be—you said that if we hold it over, what happens to the project? **Mr. Knapp** said it won't happen or it will be delayed one year. **Mr. Hand** said correct. **Commissioner Stites** asked, if we make a motion to hold it over, the project doesn't happen. They can reapply again within a year for this if they would like to. **Mr. Knapp** said when the next LITEC submission deadline comes through next year.

Commissioner Burroughs asked, Jud, if we were to approve this, they still have to be able to meet all the criteria set forth, so there's a chance that they couldn't meet that criteria, correct? **Mr. Knapp** said that is correct, yes.

Commissioner Townsend said I was going to ask Commissioner Burroughs to expand a little bit more, what criteria. I kind of missed that. What criteria are you referring to?

Commissioner Burroughs said well, I'm assuming it would be everything that goes in front of the committee as to taking down the property, meeting any building qualifications that they would put on this, pre-planning, sidewalks, whatever they chose to mandate of them. If they chose not to do that, then they don't move forward.

Chairman McKiernan said and furthermore, the last time I looked, if I remember right, the Kansas Housing Resource Corporation, who administers the LITEC Section 42 funds, had about $5 of requests for every $1 they had to give. So, there's no guarantee, or least historically, there was no guarantee if you put an application in that it would get funded.

Commissioner Stites asked, do we know why they're not present? I mean, it's a lot to ask for, right, to not—do we know why they're not present? **Mr. Knapp** said I do not know why. They did get the invite with the email and the link to the meeting.

Commissioner Townsend said well, it would be beneficial that anybody who's an applicant appear. So, that sends me back to being more inclined to give them the benefit of the doubt. Hold this over for another month and let the chips fall where they may with regard to them being able

to go on and move with the LITEC funds. But, again, it would also give us an opportunity to talk to the in-district commissioner and also the neighborhood group about more finality about this plan. It just happens to be Overland Property Group tonight. It could be XYZ Corporation wanting to build next month. So, I think this is something that's worthy of discussion.

Chairman McKiernan asked, so is that a motion…**Commissioner Townsend** said that is a motion. **Chairman McKiernan** said a motion to hold one month. **Commissioner Townsend** said to hold this item over for one month.

Action: Commissioner Townsend made a motion, seconded by Commissioner Davis, to hold B1 over for one month.

Chairman McKiernan said there's a motion and a second to hold for one month.

Chairman McKiernan said I'll ask if we received any correspondence regarding this application. **Ms. Sparks** said no comments were received. **Chairman McKiernan** said I'll ask if there's anyone who's online with us who'd like to comment on this application. **Ms. Sparks** said no hands are raised.

Chairman McKiernan said there's a motion and a second to hold for one month. Roll call, please.

Roll call was taken and there were five "Ayes," Stites, Davis, Townsend, Burroughs, McKiernan.

C. Commercial – 2
1. RA Engineering Corp. – Office Building
816 N. 9th St. – 080611

Mr. Knapp said C1 is an office building and co-working space. It's going to be like 2,000 sq. ft. This lot is already zoned commercial.

That pretty much concludes my presentation on this one.

Chairman McKiernan said this is a big lot that we have to cut fairly frequently. A commercial building here would certainly be consistent with the historical use of this lot.

Chairman McKiernan asked, any comments or questions from the committee?

Action: Commissioner Davis made a motion, seconded by Commissioner Townsend, to approve C1.

Chairman McKiernan said a motion and a second to approve as submitted.

Chairman McKiernan said just to make sure we cover all of our bases; did we receive any correspondence related to this application? **Ms. Sparks** said no comments received. **Chairman McKiernan** asked, is there anyone online who'd like to comment on this application? **Ms. Sparks** said no hands are raised.

Chairman McKiernan said there's been a motion and a second. Roll call, please.

Roll call was taken and there were five "Ayes," Stites, Davis, Townsend, Burroughs, McKiernan.

2. Karen Daniels – The Boston Daniels Peace and Arts Center
   708 Quindaro Blvd. – 111909
   714 Quindaro Blvd. – 132153
   2307 N. Allis St. – 132204

Chairman McKiernan said for Commissioner Townsend's benefit, I do want to let you know that Ms. Daniels is online with us. So, Mr. Knapp, if you go ahead and present C2 or Commissioner Townsend, would you just like to make a motion out of hand?

Commissioner Townsend said I can go ahead and make a motion out of hand. I know Ms. Daniels was here earlier and she's on now. You can ask her if she wants—I could ask if she has anything to say. When she was here and in prior conversation, this was a holdover from last month. There's still some things that need to be discussed, more specifically, about the application. So, she is amenable to request to hold this over until next month. I would support that request and I so move.

Action: **Commissioner Townsend made a motion, seconded by Commissioner Stites, to hold C2 over until next month.**

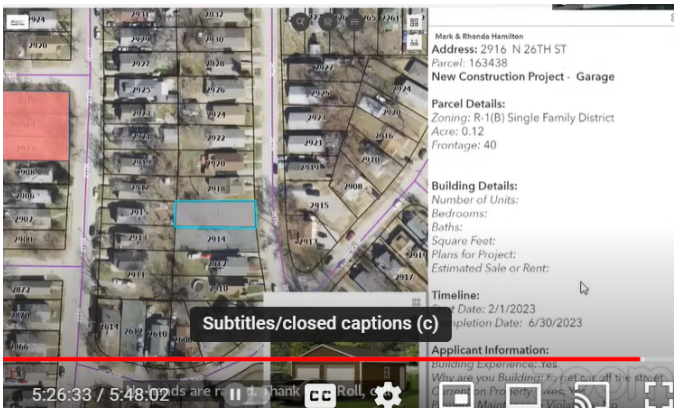
Chairman McKiernan said there's a motion and a second to hold Item C2 over until next month's meeting. Any further discussion among the committee?

Chairman McKiernan said I'll ask if we received any correspondence regarding this application. **Ms. Sparks** said no comments were received. **Chairman McKiernan** said I'll ask if anyone online would like to comment on this application. **Ms. Sparks** said no hands are raised.

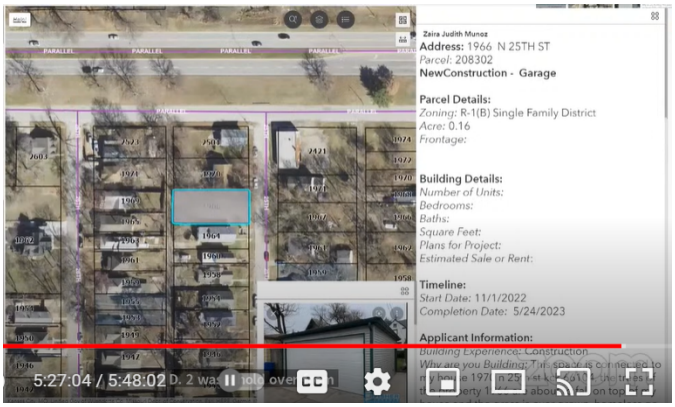
Chairman McKiernan said roll call, please.

Roll call was taken and there were five "Ayes," Stites, Davis, Townsend, Burroughs, McKiernan.

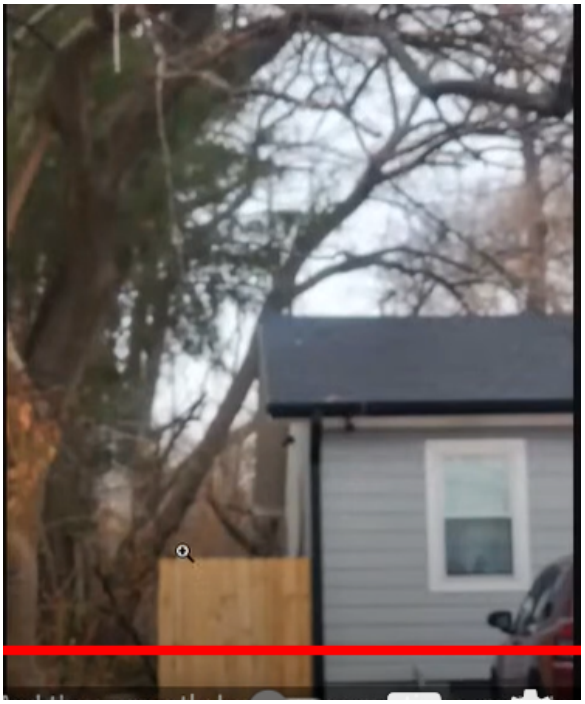
D. Garage – 2
1. Mark & Rhonda Hamilton
   2916 N. 26th St. – 163438
2. Zaria Judith Munoz
   1966 N. 25th St. – 208302



Mr. Knapp said I could probably do both of these together. The first one is D1 for a garage at 2916 N. 26th St. The staff comment was this should be held for single-family infill development for this lot especially since it's next to another Land Bank lot that could possibly be joined to build a house on it.



D2 was a holdover from last month. It was held over because there were some tree issues. We sent Parks out there and they currently have requested a quote to get this tree taken care of.



Parks did provide me with this photo of this tree hanging over their home. They basically just want this garage. They want the land to clean up the lot. They say homeless are living there. People are dumping on the lot. They just want to take care of the land.

That concludes these two items, Commissioner.

Chairman McKiernan asked, any comments or questions from the committee on these two applications?

Commissioner Townsend said I'm going to ask about D2. Mr. Knapp, you said our Parks person did go out and they are going to take care of the tree that was in the photograph or that's already been done. Aside from that, was there anything else that was to be done to that property? My concern was having UG property endangering in anyway Ms. Munoz's property. Beyond the tree, is there anything else that Parks was talking about? Doing cleaning up or was there any evidence or things noted of houseless or homeless individuals seen on that property?

Mr. Knapp said I did send them an email and told them about cleaning up the lot and the tree problem. They only commented back to me about the tree that they were going to get a contractor to remove, so I don't have a good answer for you for the other.

Commissioner Townsend asked, was there any estimate by Parks about when that might happen with the tree? They're just now retaining. I know the holidays are coming and all that, so they're just now seeking a contractor for that. Is that correct? **Mr. Knapp** said that is correct. They're waiting on a quote for how much it will be.

Chairman McKiernan asked, any other comments or questions on either or both of these applications? Since they are separate addresses, I would ask if there's a motion for D1.

Commissioner Townsend said what I would like to do, when I looked at this, I didn't physically lay eyes on D1, the 2916 N. 26th. It appeared to be kind of remote. So, I would like to hold it over just for me to even put eyes on it on paper or on Google Maps. I had some questions as to the likelihood that this property could be used for infill. It appeared to be kind of rural. It has a different context. I would just ask that it be held over until next month for a physical inspection.

Action: Commissioner Townsend made a motion, seconded by Commissioner Davis, to hold D1 over until next month.

Chairman McKiernan said there is a motion and a second. Based on the lot layout here, I wouldn't be in favor of a garage on that lot, but to hold it for further review is the motion and the second.

Chairman McKiernan said I'll ask if we received any correspondence regarding D1. **Ms. Sparks** said no comments were received. **Chairman McKiernan** said I'll ask if anyone who's joining us online would like to comment on this application. **Ms. Sparks** said no hands are raised.

Chairman McKiernan said roll call, please.

Roll call was taken and there were five "Ayes," Stites, Davis, Townsend, Burroughs, McKiernan. **Chairman McKiernan** said that takes us to D2.

Commissioner Townsend said in recognition of the efforts still ongoing by our Parks Department to remove the tree by a contractor, I'd like to have this just held over until next month for an update on that and a broader update on what might be done by the Unified Government staff to make sure that the property would be suitable. From the way it looks to one, not endanger the Munoz's property and also to make it more amenable so that someone could. I think there was information provided previously that this is a buildable lot, but what it's going to look like and what commitment we can make to keep it up and not endanger the Munoz's property currently. So that's my motion to hold it over.

Action: Commissioner Townsend made a motion to hold D2 over for one month.

Chairman McKiernan said so a motion to hold for one more month for the purpose of answering the questions you've articulated. **Commissioner Townsend** said yes.

Action: Commissioner Davis seconded the motion.

Chairman McKiernan said a motion and a second to hold.

Chairman McKiernan said I'll ask if we received any correspondence regarding this item. **Ms. Sparks** said no comments were received. **Chairman McKiernan** said and if anyone joining us online would like to comment on this item. **Ms. Sparks** said no hands are raised.

Chairman McKiernan said there's a motion and a second to hold. Roll call, please.

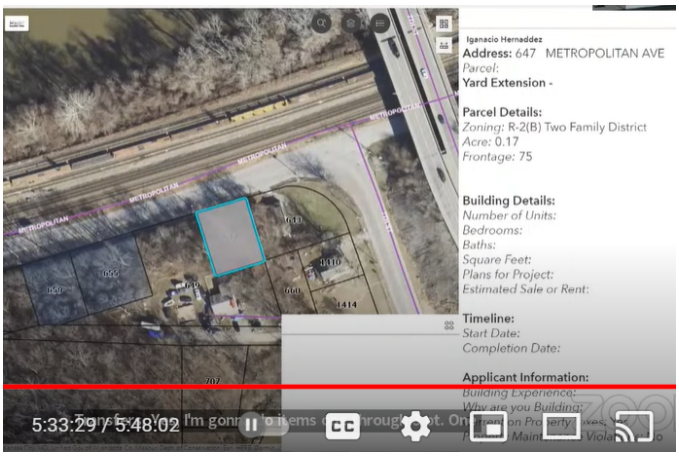
Roll call was taken and there were five "Ayes," Stites, Davis, Townsend, Burroughs, McKiernan.

Item No. 3 – 212205…LAND BANK PROPERTY TRANSFERS

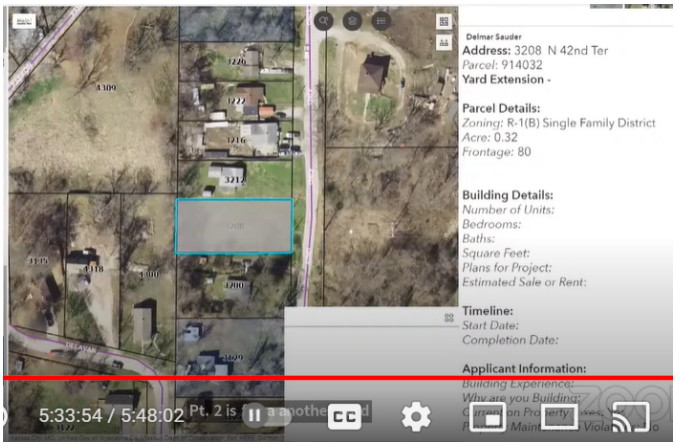
Synopsis: Request consideration of the following Land Bank transfers, submitted by Jud Knapp, Land Bank Manager. Please visit the new site to review the applications below.
https://experience.arcgis.com/experience/b63e9cb3cca44be59f458765dbeddcb8/

PT - Property Transfers
1. Iganacio Hernandez – Yard Extension
   647 Metropolitan Ave. – 154777
2. Delmar Sauder – Yard Extension
   3208 N. 42nd Terr. - 914032
3. Unified Government –Transfer to UG
   281 Central Ave. – 902800

Jud Knapp, Land Bank Manager, said I'm going to do Items 1 – 3.

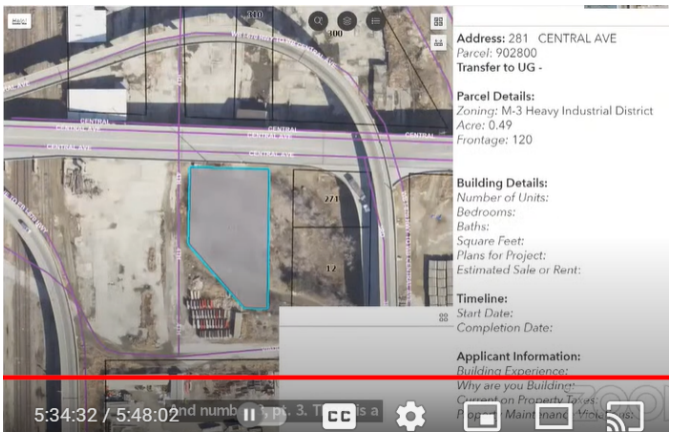


PT1 here is for a yard extension for an unbuildable lot at 647 Metropolitan Ave. This lot is very steep. It is on a very steep hill so it is determined that it is an unbuildable lot and cannot have a home built on it.



PT2 is for another yard extension at 3208 N. 42nd Terr. The home to the north at 3212 was just recently purchased and was found out that it needs a septic system. There's no sewer in this area. The Health Department actually went out there and did a soil test on the Land Bank lot there. If

we grant this, they can get their septic permit and put the septic system in for this house so the applicant can actually move into this home.



PT3 there, is a transfer to the Unified Government. This is a transfer for a new pump station project for Water Pollution.

That concludes Items 1 – 3.

Chairman McKiernan said let me just ask a question. On PT1, 647 Metropolitan, that is the Land Bank's lot, correct? **Mr. Knapp** said yes. **Chairman McKiernan** asked, and who is applying or is this a yard extension, you said? **Mr. Knapp** said yes. It is a yard extension. **Chairman McKiernan** asked, by whom? **Mr. Knapp** said 643 Metropolitan Ave. It's right on the corner.

Chairman McKiernan asked, does anybody on the committee have comments or questions about either of these three applications?

Commissioner Burroughs asked, Jud, did you say that lot was topography challenged? **Mr. Knapp** said yes.

Chairman McKiernan said the bluff rises pretty severely as you go south of Metropolitan and all along Metropolitan west of 7th St.

Commissioner Townsend asked, Mr. Knapp, did you say with regards to application No. 2 by Mr. Sauder, that they need to put what, a septic system, so they can move into the property that they own? **Mr. Knapp** said that is correct. Since there's no sewers in this area, that lot, by itself, is unbuildable without the sewer issue; septic issue.

Commissioner Stites asked, what did they do prior to this? There's a septic system there, right? **Mr. Knapp** said it needs to be replaced and they don't have the room on their current property to replace it. That's way they're requesting the neighboring Land Bank lot. If the Land Bank lot wasn't there, I don't know what they would do.

Commissioner Stites said it was big enough to have a septic system before. Why is it not big enough now? **Mr. Knapp** said it requires lateral lines that run…**Commissioner Stites** said right, as they did before. **Mr. Knapp** said it did, but you can't put those in the same spot as they were before. **Commissioner Stites** said right. You take the old ones out. I just find it very odd that they had a septic…

Chairman McKiernan said my questions would be, is this one of those ones where it was rural and when it was built, did not have to conform to our current ordinances or regulations? Now, as a function of the sale, it needs to conform.

Commissioner Townsend said Commissioner Stites's question is not withstanding which makes sense. You did say that this was a new owner, right, taking possession? **Mr. Knapp** said yes. **Commissioner Townsend** said I guess the comment I would make is if by awarding this land, it makes it tenable, viable, usable. I mean, that's one of the things that we want to happen with Land Bank property, to benefit citizens who are going to take care of it.

Action: Commissioner Burroughs made a motion to approve PT1 - 3.

Chairman McKiernan said there's a motion to approve PT1, 2, and 3.

Action: Commissioner Townsend seconded the motion.

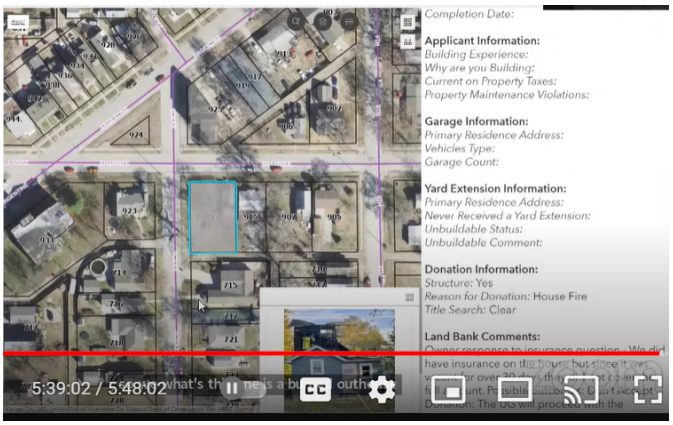
Chairman McKiernan said there's a motion and a second to approve those property transfers as submitted.

Chairman McKiernan said I'll ask the Clerk if we received any correspondence on any of those three applications. **Ms. Sparks** said no comments were received. **Chairman McKiernan** said I'll ask if anyone joining us online would like to comment on any of those three applications. **Ms. Sparks** said no hands are raised.

Chairman McKiernan said there's been a motion and a second. Roll call, please.

Roll call was taken and there were five "Ayes," Stites, Davis, Townsend, Burroughs, McKiernan.

4. Carmen Villarreal – Donation
   917 Shawnee Ave. – 072946



Chairman McKiernan said, Mr. Knapp, I see this property is making its third appearance, I believe. **Mr. Knapp** said I believe so. I missed it last month. This one is a burned-out house. This is for donation into the Land Bank.

The question we got last time, did they get insurance money? The question was they did, but it wasn't enough because the home was vacant so it's not enough to cover it. The owners are not going to demo the house so the UG is going to demo it more than likely. So if we take it into

the Land Bank, we'll put it into the rehab program and hopefully we can get it into the hands of a contractor that will rehab it.

Chairman McKiernan said I'll start off with a couple of questions of my own here. I'll ask our legal counsel here, if a private property owner has collected insurance on a structure, isn't there some obligation that they have to do something with that structure and not simply abandon it to the neighborhood and to the local government?

Wendy Green, Assistant Counsel, said when insurance proceeds are involved, the owner—I think what you're talking about is, doesn't the insurance company have to pay us a portion and we need to hold onto it that we can possibly use. That only applies where the amount recoverable for the loss of damage under all policies is in excess of 75% of the face value. So the problem with this one is, the amount recoverable was not in excess of 75% of the face value. Again, because it sounds like they violated their policy because the property had been vacant for over 30 days. So, there's no requirement whatsoever for any insurance proceeds to go into the hands of the county.

Chairman McKiernan said and yet the county effectively assumes the responsibility for disposition of the property. **Ms. Green** said if the homeowner doesn't do so and it violates our ordinances and it's deemed unfit, then that would be our recourse. If they're not going to demo it themselves, then we would go in under our own procedures and demo it.

Chairman McKiernan asked, does the local government have any recourse to be compensated by the owner who's walking away? **Ms. Green** said so what the county would do then is assess the cost of the razing as a special assessment and make that a lien on the property itself. Then that would be collected as tax would be collected. If they walk away, then this property would eventually go into a tax sale where it could possibly be purchased by a third party and we would be compensated, but more than likely, it would not be purchased and it would end up in the Land Bank. We would not have any recourse against the previous owner to go after that because a special assessment is a tax, which our only collection efforts can be in rem, which means they're only against the property itself. We can't go after the owner's personal assets to try to collect. We can only go after the property.

Chairman McKiernan said, Mr. Knapp, I mean I could look it up here if I had a couple of minutes, do we know was the property tax on this property being paid routinely prior to this fire? **Mr. Knapp** said I didn't check that. **Chairman McKiernan** said if I just had a couple of minutes, I could probably get it.

Commissioner Townsend said you mentioned the Land Bank. Has anyone from the Land Bank, at this point, contracted or looked at the property to assess if the building wasn't razed, if it is possible to rehab? **Mr. Knapp** said I have not but I know in the Parkwood neighborhood, one on Kimball, they completely tore it down and rebuilt it from the foundation, or in the process of it. I didn't reach out to a contractor to get that info after seeing what they did with that house.

Commissioner Townsend said I remember how long it took to get that. If I understand what counsel is saying, if the UG accepted this, razed it, the tax or assessment remains with the property and not against the current owner. Correct? **Ms. Green** said that's whether we take it or not. If we take it and we raze it, then we absorb the costs. What Jud is saying is that if we take it, we could possibly see if a rehabber would like to rehab it rather than demo it which would save us on the cost. If we don't take it, and they're already, I think, telling him they're just going to walk away, so if we don't take it, they'll walk away. Under our own current polices and procedures, we would go ahead and demo it right now. When we do that, then we would assess the cost to the property which could only be collected by collecting the property.

Commissioner Townsend said by collecting the property. **Ms. Green** said through a tax sale. **Commissioner Townsend** said but, again, no, I don't want to use the word retribution, but there's nothing to make these owners liable for anything that we would incur. **Ms. Green** said as long as it's in their ownership, they're liable if they want to keep the land. If they're willing to walk away, then no. We don't have a recourse other than to take the property itself.

Chairman McKiernan said I just looked this property up. It's been tax current up until the current tax year. I think we've seen this played out more than once where at this point, three years from now, it's in a tax sale if it has not already contributed to blight in the neighborhood and been more of a drag on the community than the value it's worth. Frankly, I'm inclined we're going to get it one way or the other. That's fatalistic.

Commissioner Stites said we owe it to the surrounding neighbors. **Chairman McKiernan** said we do. **Commissioner Stites** said collect it, pay the $10 grand that it cost to demo it and get it out and torn down to a lot and be done. **Chairman McKiernan** said I'd recommend that we have it assessed for rehab potential before we do that. But I agree with Commissioner Stites. This is going to do—if it has not already, it will create blight in the neighborhood and we need to do our best to abate that. I will move that we accept the property transfer as submitted.

Action: **Chairman McKiernan made a motion, seconded by Commissioner Davis, to accept the property transfer as submitted.**

Chairman McKiernan said there's a motion and a second.

Chairman McKiernan said I think I know what the answer to this is, but I'll ask if we received any correspondence regarding this application. **Ms. Sparks** said no comments received. **Chairman McKiernan** said and I'll ask if there's anyone present online who'd like to comment on this application. **Ms. Sparks** said no hands raised.

Chairman McKiernan said there's been a motion and a second. Roll call, please.

Commissioner Stites asked, how long will we wait to find out if somebody will rehab it, right? Get that determination before we do the right thing and go ahead and tear it down. **Mr. Knapp** said I think the full Commission meeting is January 26th. I can send out an email to all the contractors to have an open house then could, a couple of months, maybe like a month. Okay, then it's a month.

Commissioner Stites said like I said, the people that are around there, they're looking at a burnt down shell of a house and we should act on it.

Chairman McKiernan said there's been a motion and a second. Roll call, please.

Roll call was taken and there were five "Ayes," Stites, Davis, Townsend, Burroughs, McKiernan.

Public Agenda

No items for discussion.

Adjourn

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Davis, to adjourn.** Roll call was taken and there were five "Ayes," Stites, Davis, Townsend, Burroughs, McKiernan.

The meeting was adjourned at 10:47 p.m.

cg