

**NEIGHBORHOOD AND COMMUNITY DEVELOPMENT
STANDING COMMITTEE MINUTES
Monday, June 5, 2023**

The meeting of the Neighborhood and Community Development Standing Committee was held on Monday, June 5, 2023, at 7:15 p.m., remotely via Zoom and on-site. The following members were present: Chairman McKiernan; Commissioners Davis, Townsend, Stites, Burroughs, Bynum. The following officials were also in attendance: Monica Sparks, Deputy UG Clerk; Jud Knapp, Land Bank Manager; Wendy Green, Assistant Counsel; and Alan Howze, Assistant County Administrator.

Chairman McKiernan said before I do call the meeting to order I just want to remind everyone that some committee members, staff, and the public are attending remotely via Zoom as well as those of us who are on site. Any participant joining by phone or by Zoom is asked to mute their devices when they're not speaking to avoid background noise.

We do ask that during the meeting everyone please announce yourself by name and title every time you speak so that the public who is observing from offsite knows who is speaking.

The public is allowed to participate by sending comments prior to the meeting, participate by Zoom during the meeting, or participate by offering comments here in our fifth floor meeting room.

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

Chairman McKiernan said that takes us to revisions for tonight's agenda. Mr. Knapp has just informed me that there are three late revisions to the meeting and that is items C1, C2, and C3 have been withdrawn and will not be considered at tonight's meeting. So again, C1, C2, and C3 have been withdrawn. Otherwise, the agenda still stands as originally published. So, C1, we have letter C. And we do jump from A to C, but it's okay because those are commercial. And there are four applications originally 1,2,3 and 4. 1,2, and 3 had been removed. Number 4 will be considered by this group tonight.

Approval of standing committee minutes from October 10, 2022. **On motion of Commissioner Davis, seconded by Commissioner Townsend, the minutes were approved.** Roll call was taken and there were six “Ayes,” Bynum, Stites, Davis, Townsend, Burroughs, McKiernan.

Chairman McKiernan said that takes us to our committee agenda and all of the items on our committee agenda tonight are land bank applications. I'll turn the meeting over to Jud Knapp, our Land Bank Manager.

Committee Agenda

Item No. 1 - 212498...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/b63e9cb3cca44be59f458765dbeddc8/>

A. Single Family Homes – 8 Homes

1. Rogelio Avalos – 1 home
17 S Cherokee St – 139834
2. RA Engineering – 1 home
1598 N 86th St – 934501
3. James and Kelly McClellen – 1 home
1955 S 98th St – 939808
4. Andrea Wardell – 1 home
2926 W, 40th Ave- 132806
5. Andra Wardell- 1 home
4007 S Thompson St – 132914
6. J Ayala Ruiz Ayala by James Michael – 1 home
1256 Argentine Blvd – 068264
1258 Argentine Blvd – 068263
7. Christopher L. Gray – 1 home
7651 Webster Ave - 012413
8. Armando Mireles – 1 home
1428 N 31st St – 910829

Jud Knapp, Land Bank Manager, said we'll start out with our single-family homes. A1 is for 17 South Cherokee Street. This is for a single-family home, they're planning to sell it and it meets the zoning and received no staff or neighborhood comments. A2 is at 1598 North 86th Street. This is also for a single-family home. It meets zoning and they are planning to sell it and it received no comments from staff. A3 is at 1955 South 98th Street. This is for a single-family home. This is in

Edwardsville. Edwardsville has their own Planning Department and building permits. So, a yes vote would be to approve the option to build a single-family home and the planning and the building inspection permit would come from the city of Edwardsville. Then, my same rules will still apply, that if they get that building permit and provide me with proof of funds, I will then transfer the property. A4 is at 2926 West 40th Avenue. This is for a single-family home. This one also meets zoning and didn't receive any comments from staff—yes it did, this has to go for the narrow lot review in the Rosedale Area Master Plan and that is it for that one. A5 is just right a block—like very close to the last one. It's the same applicant that's built on both of these. The address is 4007 South Thompson Street. It's for single-family home. They plan to sell this property. The same staff comment applies that they have to meet the narrow lot review in the Rosedale Area Master Plan. A6 is at 1256 Argentine Boulevard, this is for a single-family home. This is using two lots, but the 1258 lot is a triangle lot. It's very small. It's very close to being an unbuildable lot. Then if you look just to the north of it, there's another triangular lot that would match this if these lots were joined together. They want to rent this one. I didn't receive any staff comments or neighborhood feedback on this one. A7 is at 7651 Webster Avenue. This is for single-family home it does meet the zoning and didn't receive any staff or neighborhood feedback. A8 is at 1428 North 31st Street, it is for a single-family home. It does meet zoning, but because of the narrow lot review that will take place, the design will more likely change. The garage that is shown here would have to come off the back of the house and not the front, but other than that, it didn't receive any staff comments. So Commission, that completes Section A.

Chairman McKiernan said I'll now ask if the committee has any comments or questions on any of these applications. And before they can get there, I have a question about A4. That's the one at 2926 West 40th Avenue. I noticed that although there is a right-of-way platted, there does not appear to be any improved roadway west of Thompson on 40th Street. I want to just confirm that the applicant does not have an expectation that the Unified Government will extend roadway and/or utilities if there are no utilities currently provided for that lot, as a function of acquiring and building on this land bank lot. Do we know? **Mr. Knapp** said I will definitely put that stipulate—I will definitely share that with them.

Chairman McKiernan said I would not be inclined to build additional infrastructure at this point in time for that. Also, 2924 West 40th appears to have a multicar striped garage. Is that

a daycare? It just looks like there may be a fenced yard with play equipment and so I'm jumping to the conclusion that it's a daycare. **Mr. Knapp** said is or was. **Chairman McKiernan** said is or was, okay. I also just want to make sure that this applicant knows of this use which is not a single-family home right next door, and I assume they have if they looked at the lot.

Commissioner Stites said 2924, it looked like we owned it, or we own it. **Wendy Green, Assistant Counsel**, said yeah. we do. **Commissioner Stites** said well, what happened? **Ms. Green** said I have no idea. We probably took it in a tax sale and it hasn't been transferred yet. I'd have to do a little bit more research to figure it out. If you can grab me a parcel number, but yeah, the Unified Government is definitely the owner of that one. 132807? **Mr. Knapp** said that is correct, Wendy.

Commissioner Stites said I guess I'd just kind of comment not knowing what 2926 thinks about utilities or infrastructure to their location. I mean, if we own the one next to it—I don't know, it's just very odd to think about that it would kind of make more sense that that's one parcel, 2924 and 2926 are all combined. But I don't know what's going on at 2924 and if that's an operating business or whatever we're doing there with it, if it makes sense for that to expand to that other lot, I don't know, or if there is potential for expansion.

Commissioner Davis said I could be wrong or this might not be up to date, but just doing a quick Google search, it looks like our Housing Authority either currently owns or maybe they were the prior owner of this particular parcel. It does come up as KCK Housing Authority. 2924 West 40th, yeah. I don't know, we can look more into it, but yeah. **Alan Howze, Assistant County Administrator**, said it's immediately adjacent to Housing Authority units that are right there off of Thompson, coming off onto Mission Road. **Mr. Knapp** said I do have to add, this applicant also owns 2906 as a—so they're very aware of the neighborhood.

Commissioner Stites said so just for giggles, what's 2906 and inaudible. **Chairman McKiernan** said a private owner. **Mr. Knapp** said it's the same applicant. **Commissioner Stites** said my question is, why are they not building next to 2906 on land they already own that's similar in size to do the same thing? **Mr. Knapp** said I don't have an answer for you.

Chairman McKiernan said Mr. Knapp, do we consider 2926 to be a buildable lot because if I remember, the topography there, that land begins to fall away fairly severely, doesn't it, as it

heads down west towards Mission Road, or is it still up on the top of the hill at that point? **Mr. Knapp** said I can check here. **Chairman McKiernan** said as long as we have it listed as a buildable lot, it's really a moot point. Those are the only questions that I have. I would just, personally, I would not support extending any street infrastructure or any other in ground infrastructure to support a structure on that currently vacant lot.

Commissioner Townsend said based on what Chairman just said, would a motion that incorporated those restraints be appropriate, or can we do that, Counsel. **Ms. Green** said I don't know that that's actually necessary. When we give them the option agreement and they build, we never tell a new homeowner whether or not we're going to add infrastructure. That's never part of any type of agreement, whether it's a private owner or somebody that buys one of our Land Bank lots. So, even if they possibly thought we were going to, we would let them know, no, we're not ever going to do that. That's not ever what we do unless we have an agreement with the developer to add infrastructure to, like, the whole subdivision or something of that nature. So, it would already be understood or it should be understood, and Jud could make sure that she understands that that would never be part of any agreement. **Commissioner Townsend** said okay, thank you very enlightening. **Mr. Knapp** said I did bring up the sewer lines and there is a sewer right in front of that house. **Chairman McKiernan** said then, in that case, I would ask if there are any other comments or questions on any of these eight items from members of the committee.

Action: **Commissioner Bynum made a motion, seconded by Commissioner Stites, to approve Item A1-A8.**

Chairman McKiernan said we have a motion and a second to approve all of those option agreements as submitted. Then I'd just ask the Clerk if we received any correspondence related to any of these applications. **Monica L. Sparks, Deputy UG Clerk**, said no comments were received. We do have hands raised online. **Chairman McKiernan** said thank you very much. Just wouldn't you know it on the day that I don't have my Zoom window going here, so if you would just help us to recognize the first person with hands raised online. **Ms. Sparks** said first speaker we have is Adri. You'll need to unmute and go ahead.

Adri Matlock, Kansas City, Kansas, said my comment is actually for agenda Items C numbers 1 through 4. I just put my hand up. I wasn't sure when public comment would be. **Chairman McKiernan** said we will come back to you when we consider those items. Do we have any other hands raised online? **Ms. Sparks** said we do. And the next hand raised is actually the proposed buyer, Andrea Wardell.

Andrea Wardell, Kansas City, Missouri, said I just wanted to clarify a couple things. I think this may be a clerical error, but my name is Andrea, a-n-d-r-e-a. I noticed when the map was pulled up and I just wanted to make sure that when I have my applications out there, it's not getting confused based off of a name discrepancy. Then, a question was asked about why I'm not building at 2910 West 40th Avenue. I do own that lot and it is a separate parcel and I have actually submitted an application with the rebate program, the NRA, with Greg Kindle about a month and a half ago and that is my intention to create similar products on the lot that I own and Land Bank lots on 2924 West 40th Avenue, the building you guys were discussing as to what the use is and who owns it. I'm showing—I do real estate, and from my research I'm showing that it is owned by the Unified Government. One of you had a comment earlier that it might have been owned by the Housing Authority. It looks like it was maybe the Belrose Manor leasing office at one point. There's some like daycare equipment there and whatnot, and people are using the parking lot that seem to be occupying the space, like from a business use. Outside of that, that would be a really, really great solution to develop in that neighborhood to have that parcel too if it's available, I wouldn't want 2926, with the complications it has, without that one.

Chairman McKiernan said I appreciate those comments. Did I just hear you say that you would not apply for 2926 unless you could also acquire 2924, or that you are still submitting an application for 2926? **Ms. Wardell** said I am still submitting an application for 2926. However, during this meeting this evening, I'm learning a little bit more about the complications towards that. So, if 2924 would be an option as well, I would love to discuss that further. My architect and I have met over at the site, have done extensive research on 2926, but you know, I'm just kind of putting that out there if that would be an option. So yes, I am still submitting my application on 2926, I would just like to make that comment that 2924 would be a big interest of mine as well, if that would be available,

Chairman McKiernan said then if it pleases the committee, we can proceed with action on 2926 as submitted and then ask that Mr. Knapp follow up with this applicant after this meeting for the purpose of exploring any options on 2924. I have affirmation from the committee on that. Do we have anyone else online who has hands raised to speak? **Ms. Sparks** said no further hands raised. **Chairman McKiernan** said thank you. Is there anyone here present with us who'd like to offer comment on any of these options? Seeing no one coming to the lectern, roll call, please.

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

Chairman McKiernan said that then takes us into the C group of items, commercial. Just to remind everyone, applications C1, C2, and C3 have been removed per Mr. Knapp, which would take us to C4.

C. Commercial - 4

1. Hulon Crayton- Restaurant
3711 Delavan Ave – 167220
3701 Delavan Ave – 167221
2. Hulon Crayton – Restaurant / Event Space
2000 N 10th St – 906502
3. Clint Barr- Office/Shop Building
2000 N 10th St – 906502

C-1 through 3 removed at request of Land Bank Manager

4. Stephen Westhead – US Trailer Rentals
1301 N 2nd St – 081686

Mr. Knapp said C4 is a 1301 North 2nd Street. The applicant is proposing that they'll tear down the silos that are there and they want to build a semi-truck trailer rental space. They plan to build a 5000 square foot building and employ five employees there. The master plans that are in this area, the Northeast Area Master Plan has it as business park and light industrial, that is indoor operations only and produce minimal truck traffic. This would require a master plan amendment and that is a public meeting. The Northeast Heritage Trail has the use of the silos as a stormwater

asset. I did talk to Public Works about that, and Public Works needs to review if that is a good option for that property and the silos to be used for stormwater. The staff comments were parking of trailers would require a special use permit and that's also a public meeting. The Landmark Advisory Board of Groundworks NRG opposes the application. They need to evaluate the economic potential of the area. The Fairfax Industrial Association had no objections to the project. That completes my presentation. **Chairman McKiernan** said any comments or questions?

Commissioner Townsend said just an update for the committee. I had requested last month that this be held over to this month to give me an opportunity to speak with representatives from U.S. Trailer Rentals, the applicant here. I did do that, I spoke with Stephen Westhead. It's a small family-owned business. They have similar operations over on the Missouri side, but are looking to expand, having had past work experience with trucking operations way back in the day. I wanted to make sure I understood what would be on the property based on their intentions. Are you talking about just the cab, or are you talking about just trailers, or exactly what? Mr. Westhead had explained that the business rents trailers, but they do not expect, this was in my head, that a constant in and out of loads, or that type of thing, at any given time. I believe he estimated 100 trailers could be there, but they rent trailers. So, the objective is to have as few as possible at any given time there. I believe he said there are about five people that might be there at any given time in the office, but they do not anticipate a constant in and out kind of traffic.

I did visit the location this past weekend. The silos do not look like anything I'd want to drink water from at this point, in any given. I believe they would probably remain as they are or be taken down. It was Mr. Westhead's intention to do that. I've asked Planning and Zoning to identify if that's a brownfield area. I was told, given the amount of asbestos and other things in that general area, you could presume so, but that would be a cost that the applicant, should this move on, would have to bear. I believe that was everything in the update. Currently, Planning and Zoning told me this area is currently zoned in 3, heavy industrial, which is consistent with what I saw around there. I was concerned about its proximity, possibly, to Juniper Gardens, but it's way south of the Juniper Gardens area and has good access to the interstate, just to the south of the 2nd and Quindaro location. Mr. Westhead may be available for comment tonight. I recommended that if at all possible, that he'd be available or some other representative of U.S. Trailers if there are questions.

Commissioner Stites said Jud, if you would, would you remind us what that demolition cost was from the last meeting? If I remember, it was a pretty significant amount, and it was three to five, maybe up to ten years ago with that quote, can you remind us please? **Mr. Knapp** said it was \$500,000. **Commissioner Stites** said \$500,000 dollars and at what period of time? **Mr. Knapp** said it's been at least for four or five years. **Commissioner Stites** said five years ago, and so, I think I remember, so I would be willing to bet that number hasn't gone down in price, probably rose significantly. For someone else to take on that burden to get rid of ice or silos and to bring a business into this area, I think is a good thing, and I'd be in full support.

Chairman McKiernan said any other comments or questions from the committee? At this time, since we did have someone earlier who identified that they would like to speak, what we'll do is, we'll ask first if we received any correspondence regarding Item C4 from members of the public. **Ms. Sparks** said no correspondence received. **Chairman McKiernan** said I'd ask if there's anyone who'd like to make public comment on C4. Do we have any hands raised online? **Ms. Sparks** said we have two hands, now we have three. The first one is Adri, that was previously with us.

Adri Matlock, Kansas City, Kansas, said I'm calling from Groundwork Northeast Revitalization group, the NBR for the Northeast KCK area. As you all know, we worked on the Heritage Trail plan over the last couple of years and it was approved by the Commission. The location of this parcel is, more or less, on the route of the Heritage Trail. The Heritage Trail connects Kaw Point, or will connect Kaw Point to the historic Quindaro town site. I just wanted to submit on behalf of Groundwork that this would be really a better opportunity to consider it as a potential recreational trail as part of the Heritage Trail as it is right there by Kaw Point. Kaw Point Park is one of the best gems of Kansas City, Kansas in terms of park space and recreation space, it's an iconic park. So to continue adding, especially extending, above and beyond the light industrial to have to change the use of that is really not a good choice in terms of continuing to promote the use of that park. This is absolutely nothing against the proposer, the business. I think it would be great if somebody could work with them and help them identify a different location to put that.

Chairman McKiernan said thank you very much. Monica, do we have anyone else with a hand raised online? **Ms. Sparks** said we do. The next speaker is Tim Duggan. Mr. Duggan, you'll need to unmute. **Chairman McKiernan** said if you would go ahead and give us your city of residence for the record and then you'll have up to three minutes to make your comments.

Tim Duggan, Landscape Architect with Phronesis, I live in Kansas City, Missouri. I was one of the team members that was brought in to work with Groundwork NRG on the overall Northeast KCK Heritage Trail. I think what we're missing sight of here is that one of the three to four large focus areas to rethink and reconnect the Quindaro townsite, all the way to Kaw Point sits right in and around this area that we're looking at. The Jersey Creek site on the Jersey Creek Watershed goes into a pipe around 3rd and 4th and Quindaro, and runs parallel to this site. But this site is being isolated as just one parking lot, but it actually sits in a larger Land Bank holding of approximately 60 acres of land on the riverfront. So although the UG is going to have to spend several million dollars correcting combined sewers from up above in the watershed, this area, in my opinion, should not just go back into a pipe.

I think the larger opportunity of economic development, jobs, innovation, and a reconnection to the riverfront is much more profound than simply changing one industrial use to a new parking lot. In fact, I think that's what caused some of the problem through development standards historically. I don't want to discourage any private investment in KCK. I want to strongly encourage it, but I think this site, and when you look at the cluster of Land Bank ownerships around this site, lends too great have an opportunity to rethink and reconnect the riverfront for KCK, as opposed to put 50 years of industrial use and parking for its future. It goes directly against the adopted Heritage Plan, the trail alignment. **Ms. Sparks** said you have one minute remaining. **Mr. Duggan** said but it also lends great opportunity to rethink how one is looking at stormwater differently and looking at green infrastructure and looking at its connection to Lewis and Clark Park in a much more profound way. One that isn't just simply industrial parking lot and trailers, but one that could reconnect and revitalize an area of the city that recently went through a two year engagement process with the community. I thank you very much for your time and the opportunity and look forward to potential conversations in the future.

Chairman McKiernan said thank you very much. Is there anyone else with your hand raised online? **Ms. Sparks** said we have Elnora Jefferson. Ms. Jefferson, you'll need to unmute. **Chairman McKiernan** said Ms. Jefferson, if you just give us your name and city of residence for the record and share your comment, please.

Elnora Jefferson with Kansas City, Kansas, said good evening to the Standing Committee. I want to just reiterate on some of the points that were brought up by Mr. Duggan and by Ms. Matlock. The Northeast Area Master Plan, which has this area labeled as light industrial was something that was effective back in 2018. We had over 550 participants at the Northeast Area Master Plan. On top of that, we had a significant number of participants at the Northeast KCK Heritage Trail. Both plans were officially adopted by the full commission, UG commission. The thing about plans is that they have to have some action, otherwise, they'll just sit on the shelf. It'll just be something that happened, but nothing about which was active. At the previous meeting, I was listening to the comments about economic development. There were comments about the greater good. This definitely would serve the greater good while it will help the Northeast recover from the years of devastation, and I want to say, just unawareness. This particular area is an area where Kansas City, Kansas basically started.

We have the riverfront, we have all kinds of opportunities to make an economic development hub. Going back to the zoning, we sat in a room when we were going through this Northeast Area Master Plan. There were several commissioners representing District One. At that time, Rob Richardson was the director. We had Greg Kindle at Wyandotte Economic Development, and we tossed around several ideas and areas on the land use, what it should be, and we decided on the light industrial because it would allow Fairfax and we were thinking at that time to be able to install some kind of economic development motivator or bike if you will, and then also it would be an opportunity for jobs which—**Ms. Sparks** said one minute remaining. **Ms. Jefferson** said on top of that I just recently wrote a letter because the UG has applied for a carbon—to participate in the carbon reduction act through MARC. So any increase in carbon use and traffic, any increase in contamination, and so forth and so on would be the opposite of what we're going after. So in conclusion, basically the Northeast Area Master Plan and things that people in the Northeast have been waiting to see, that's from 2018 to now is over, well, it'll be close to five years and we have limited, limited output to that. So I'm asking the Commission not to approve this

application, and to rather call for a convening of its technical experts, and subject matter experts that we have at our fingertips, the EPA, MARC, and so forth, and actually come up with the best use for this particular land. While this seems impossible, I don't have a problem with—**Ms. Sparks** said your time has expired. **Ms. Jefferson** said that somebody will pay for the silos going down. Thank you.

Chairman McKiernan said thank you, Ms. Jefferson. Are there any other hands online? **Ms. Sparks** said no other hands raised. **Chairman McKiernan** said thank you and there is no one here with us in the fifth floor meeting room, so I'll just ask the committee if there are comments or questions and follow up.

Commissioner Stites said the only question that I have, can someone explain what uses are allowed in the current zoning for that location? **Chairman McKiernan** said M-3 is the most industrial of industrial zonings. **Commissioner Stites** said that's the way it's zoned right now currently, correct? **Ms. Sparks** said we do have Kallie McLaughlin online that would like to speak. **Chairman McKiernan** said since I don't have my little Zoom window, I forgot that Kallie is now with us at every meeting and Kallie, I think you're going to respond to Commissioner Stites.

Kallie McLaughlin, Planning and Urban Design, said M-3 is correctly our most intense manufacturing districts. However, there is a little bit of discrepancy between the land use and what that zoning is. With any kind of manufacturing development, especially one where we've had significant long-term vacancy, it would need to go through a substantial plan review process. After hearing some of the comments that come from Commissioner Davis and conversations with the applicant, there's a little bit more clarity in some of the comments that I provided earlier. So a use like this is going to require a master plan amendment possibly to go to a heavier industrial area. Most likely not a change of zone, however, it would require a plan review, both preliminary and final or at the same time whether they want to do one back to back. But there are some issues that I can see here with just the design of the parcel that really needs to be taken into consideration by the applicant. I think they would require further exploration, those things being access to Fire Department, circulation, and given the odd shape of this parcel, some of the traffic circulation and change of impervious surface, there is some significant storm drainage issues here. Any kind of

public improvements package they'd be looking for, and things like that, given that there is such a substantial cost to development this area. So if there is a path forward for this, they have a lot of work ahead of them, lots of entitlements, lots of more formalized review that would be required to take place. It wouldn't be just as simple as getting a demolition permit and then getting a construction permit to build. They would have to go through some more significant hurdles for their development this time. That does include a special use permit for any kind of trailer leasing, storage, that would be considered an automotive use, which requires that regardless of the district.

Chairman McKiernan said so they would not have to go through a change of zone, it could remain M-3. Everything else that you've described is basically the reason we set up the option in the first place, was that so an applicant could pursue all of those outcomes and see if they're possible, would that be correct?

Ms. McLaughlin said that is correct. We would be kind of taking advantage of some of those comments that being that some of the other petitioners had presented as far as our connectivity to the Heritage Trail and some of those uses as well. So we would be looking to incorporate that Heritage Trail into their plan as far as connectivity and so on and so forth. That can be a stipulation of their approval, if you guys chose to do so. But at this time, without it really being a plan district, we are kind of a little bit more limited on what we can require them to do. But the most we could do at this point, since it's not a plan district, and they wouldn't have to be beholden to the commercial design guidelines in that way, they would just have to meet the minimum requirements of that district. So there wouldn't be quite the degree of added enhancements that we would ask of an applicant as far as landscaping, building materiality, and so on and so forth because of the industrial zoning with that. But they still would need a special use permit which would allow us to ask for those extra things as part of that plan review. But again, it's a little bit less intense or less of an ask because of that zoning than if it was like a C district, so on.

Chairman McKiernan said thank you very much. I'm looking at the zoning map here and this is an M-3 parcel in the middle of an M-3 zone.

Commissioner Townsend said well, I think Ms. Kallie has already said it a couple of times, we have the zoning. We know what that is, but if I understand because the nature of what the applicant seeks to do a special use permit, correct me Ms. Kallie if I'm not correct in understanding, that that

would be required among a variety of other things that would have to be undertaken. I did mention in my conversation with Mr. Westhead before I even saw the property, what was the plan if there's pavement already, is going to be rock and gravel. This is before I even saw it. That is not something at that time he shared that they had intended to do, but as I look at it, I did say that might be something if this moves forward that Planning and Zoning, that the public would address.

I appreciate the comments made by our earlier callers, Ms. Adri and Mr. Duggan. From my first term in this position, Kaw Point has been a focal point of mine of interest in supporting Friends of the Kaw and Parks and Rec in maintaining Kaw Point as a park and inviting the public to use it as such. It is a gem in District One, but geographically, it's so far from this particular parcel of land, I don't see how that would negatively impact Kaw Point. Maybe with further discussion, there could be some other points raised along that issue. I'm not sure how, if this were pursued, it would hamper the Heritage Trail plans. I guess what I'm saying is there is so much that we can all learn from this request. Even though it appears on its face not to be part of the Northeast Master Plan, of which I was one of the architects, we're looking at things in a vacuum sometimes when we're doing these plans, since 2018 nothing to my recollection or knowledge that affects the area that I'm talking about. This particular parcel has come through. The whole point of this is to get development. Not just to fall for anything, but I think this would be a good, dare I say, test case or a good opportunity to review the plan, review development that we want to see and use. Just a reminder to all listening that this is just an option agreement. This is not designed to address every of these issues and possibility, good ones that have been raised.

But having said all that, I would move to move it forward so we can look into these things. Some of the things that may be required by the Unified Government if this moves forward may be too much for the company, but I think if we move it forward, it would be a chance for more robust discussion and a look at this area.

Action: Commissioner Townsend made a motion to move this forward so we can look into things that may be required by the Unified Government.

Commissioner Townsend said so that would be my motion, that we move this application forward as the option agreement and give the applicant and the community more time to talk about the possibilities here that are presented.

Chairman McKiernan said thank you, Commissioner. There is a motion, is there a second? There is no second, this item does not move forward for lack of a second.

Commissioner Bynum said just a couple of comments and questions. I'm sitting here scrolling through the Northeast Area Master Plan document because Ms. Elnora had mentioned in her comments that this area had—not its current zoning, but that within the Northeast Area Master Plan there was a potential for a different kind of usage, so I was trying to find that within the plan document itself and I haven't arrived there yet. But looking at the Heritage Trail, that trail, one leg of that trail. Thank you. Did you do that, Jud? Thank you very much. So if you overlay the Heritage Trail, it goes right up 3rd Street. So, I mean, I've been sitting here as we've been discussing this pondering, can we have both? I'm really appreciative of the comments from Groundwork, and the gentleman who's the landscape architect, and of course, comments from Ms. Elnora Jefferson. I was sitting here and trying to ponder, well, can we allow the applicant to do what he'd like to do and still hold true to the concepts that we embraced not only during the master planning process, but this Heritage Trail planning process? And I don't know what the answer to that question is, but if I'm going to lean one way or the other, I'm going to lean toward the planning work that's been done. I'm going to lean toward trying to honor this plan and honor the Heritage Trail planning that has occurred, which leads me to a broader question that I don't know if we can answer tonight and that is this.

We have a Northeast Area Master Plan. As we are working on Land Bank policy review, we have stated that we want to honor these area master plans, that we want to take them into account. Secondly, we did as a Commission adopt also the Northeast Area Heritage Trail Plan. I guess my question for us and the Groundwork team is, for that entire trail process, this isn't going to be the only time we bump up against a parcel that either has a use currently or a proposed use that isn't going to be compatible with that Heritage Trail. If you've already done—you being Groundwork, if you've already done that pondering and that legwork of sort of identifying the various parcels that touch those trail nodes, then good for you. If not, we need to start thinking about how we can do that work together, because this won't be the last time.

Ms. Sparks said Commissioner, Kallie has her hand raised again. **Chairman McKiernan** said alright, Kallie, go ahead.

Ms. McLaughlin said if I may just address a couple things that I missed earlier that might kind of add a little bit more layers to this already big of an onion blossom that we have in front of us. To address the question about where in that Northeast Area Master Plan, if you have the PDF open and you're looking at the top of page 80, or at the top left corner of page 80, where we directly address the Jersey Creek, K5/3rd street corridor, it does kind of address that about kind of reducing or restricting some of those industrial uses in order to preserve the residential elements that we have there to prevent some of the kind of creep that we've seen from those industrial neighborhoods, such as what we saw in Armourdale over the history of the period of time.

To expand a little bit further, in addition on the use of a Brownfield, Brownfields do require there to be an element of a public benefit if they are going to receive funding for that kind of mediation, otherwise, it is entirely on to the applicant to provide that. In other words, if there's a public benefit, for instance, some kind of trailhead or connection or something like that, there may be some kind of funding that would be available to them, but otherwise, without a public benefit, they're really on their own budget for that kind of remediation. Again, that kind of remediation, you must take into account what we have to the east, which is historically oil and other industrial uses, which is why they're categorized that way, but the difference between that zoning and what that future land use is do we want to see that kind of intensity there? So again, that's something for you guys to decide upon a plan review, but that might add a little bit more clarity on a couple of those points that were asked earlier.

Chairman McKiernan said thank you, Kallie. I appreciate that. I would just add, in addition to what Commissioner Bynum pointed out here, this is an M-3 parcel in a sea of M-3 parcels. This parcel is separated from Kaw Point Park by Fairfax Trafficway, which is not a road for the faint of heart as it comes together right there at the park. The big thing that I would ask is, the master plan is an aspirational plan, and I have no problem saving all this property for some future development. I would just ask if we had any thoughts about where the funding might come for said development, and about what the timeline might be for said development? That's what I'll just throw out. Any other comments questions?

Commissioner Townsend said well, thank you, the comments that you just made and Commissioner Bynum. We do these plans, as you say, aspirationally, and a lot of times with no basis for comparison. I'm not sure how something like this would interrupt the Heritage Trail in terms of its historic significance or what that really means. As Commissioner Bynum said, and I agree, we're going to bump up against development potential versus the nothing we have, that doesn't mean we go for anything. I still thought that this would be a good test case to see what might be able to be done. Again, as I mentioned earlier, and you stated Commissioner McKiernan, if you go and see this lot, 2nd Street actually falls below. I had to drive below 3rd Street to get to this thing. Behind it, as you mentioned, is Fairfax Trafficway and a network of interstate, which is great access for this type of business. But, this is not going to be the first time that we come up against this and if the goal of these plans is to develop, we may have to rethink some things and evaluate what those proposals are based on what we want to see and what we want to preserve.

Chairman McKiernan said I think miss—somebody who had made a comment earlier said that the Master Plan envisions this as light industrial, which would be really down zoning from its M-3, but would this application, would the project proposed by this applicant be consistent with light industrial? I would think that would be. Kallie, if you're still on, you can let me know.

Commissioner Townsend said I can tell you what he said was going to be there, whether that qualifies as light industrial, I don't know. But again, ideally they would have as few containers there as possible. To give you an example, he said, they leased quite a few trailers, it was something like 50 to 100 to one of the businesses not far from the park, the business park across the highway from the casino and the Missouri side. They expect to have those trailers over there several years. So it's that kind of business. It's not in and out rent-a-truck, U-Haul, kind of thing that may be in somebody's mind.

Commissioner Stites said I delayed making the motion, the second of Commissioner Townsend. I thought that Commissioner Bynum when she was going to speak, I thought that's what she was doing. So I don't know if we passed that point, or if a new motion needs to be made, or if that I can make the motion too?

Chairman McKiernan said there is still a motion on the table. There has been further discussion. There can still be a second to that motion

Action: **Commissioner Stites seconded the motion to approve.**

Commissioner Bynum said I was curious, if we didn't move forward tonight, could we hold the application or in some way ask this applicant to meet with Groundwork to talk about if there's a coexistence available, and I know there's a motion and a second on the floor, I mean, maybe we can just get that commitment tonight. All of the concerns and questions that I just raised still stand and haven't changed in the last five minutes, and I still hold true to the desires of the master plan, even though it's a plan, and I understand that and the work that's been done on this trail. If we have an applicant willing to meet with Groundwork, and in particular the trail planning team, then I could support the application. Otherwise, I will be a no vote.

Chairman McKiernan said it's safe to say that this action, if we were to take it tonight, is the lightest of the heavy lifting that this applicant is going to have to complete before realizing his vision for this parcel. There are lots of steps and approvals and applications that must be made.

Commissioner Davis said I just kind of want to go back to the other point and kind of precedent, right, that could be set in these precedents don't necessarily have to be abided by, but if we approve based on said plans that are within said area without having any other alternatives that are viable, that are beyond plans that are in place, it becomes really hard for there to be real progress. This particular parcel has been available, it's been here, for what, the five years since the plan for the Northeast has been adopted. It's been to my knowledge, that there's been no other interest for this particular parcel, and that kind of leads me to my second point where having plans without resources and expertise to get those plans done makes it really, really tough to say, well, what about the plan, what about the plan?

I know folks like DeWayne Bright Sr is doing some work to help our NBRs get some of that experience in development so that we don't have situations like these. I'm caught between a rock and a hard place, because on one hand, I absolutely want to advocate and be for this particular—for the Northeast Area Master Plan, and I would hope that the developer would make

every effort to work with Groundworks in the surrounding neighbors in Fairfax, and Fairfax is right there, and actually said that they, to my knowledge, do not have any problem with this. But if we go with the precedent of saying, well, this doesn't necessarily go with the plan, then my recommendation would be, identify all Land Bank parcels that touch the master plan and put it on a hold. If we're going to do that to this particular applicant, let's be consistent. If not, then there has to be some other viable alternative. I'm sure if we go back and look, we will have found other parcels that maybe did not neatly fit into the Northeast Master Plan, but we still said, yes, go ahead, go through with the option. This will have to go through Planning and Zoning. It will not be the first time the community gets a chance to have their voices heard. It will ultimately come back to us to make that particular decision, but I just wanted to put that out there. This is not an easy decision to make, but I think it lends us to think a little bit more broadly about how we want the interaction to be between Land Bank parcels and master plans that are impacted by them.

Commissioner Townsend said this is just a point of procedure. When I made the motion, I believe it was ruled dead for lack of a second. So I don't think there's currently any motion on the table with this so we continue to discuss it, but my interpretation is that the motion died for lack of a second. I don't know if we can revisit it or not. Is that an option?

Chairman McKiernan said my understanding, and Wendy correct me if I'm wrong here, until this committee would cease discussion on any item, that item is still eligible for action. **Commissioner Townsend** said but you would need a new motion. **Chairman McKiernan** said we would. **Ms. Green** said it would need a new motion, correct, but the meeting hasn't adjourned.

Commissioner Townsend said I just wanted to make sure, because I thought I heard a second, but there was no viable option. But it wasn't denied, though, but I thought it was called, I thought it was called dead by the Chair. **Ms. Green** said it just didn't move, right. Technically it just didn't move forward, but it wasn't denied. So it's not dead in the water, per se.

But then my only other question would be to Commissioner Bynum, was what you were wanting to do? Was that a motion to substitute, or was that a new motion when you were asking to hold it over? **Commissioner Bynum** said I was asking and suggesting. I was kind of asking procedurally if there were an opportunity for the applicant to meet with Groundwork, would holding it be allowed? I think we've held it once, and I just wasn't clear on policy around how many times can you hold over an application, that sort of thing. So I was kind of curious what the

policy would be at that point, if we had agreement from these online participants that they would meet. **Ms. Green** said yeah, it could be held over one more time. **Commissioner Bynum** said oh, okay, so you're suggesting that I will let—**Ms. Green** said I was just asking if you were making a motion, or I just wanted to clarify if you were a motion or not to make sure there wasn't any other motions. **Commissioner Bynum** said I'm not making a motion at this time.

Commissioner Townsend said well, part of the discussion that Commissioner Bynum is wanting to have, and I agree, as I said earlier, this is just the beginning. Yes, Commissioner Davis, there have been approvals to move option agreement request on from this committee, even though the subject didn't fit clearly into some plan. There have been exceptions and again, all these plans are about development, whether or not this is actually going to be compatible or not, I think is right for further discussion. Just as Commissioner Bynum wants, I want, and there's so many other things that this applicant is going to have to go through. So I will renew my motion to move this forward, noting that all these questions were raising now are going to come up in processes that are in place. So I'm renewing my motion to move this forward, and the end of it will be what it will be, but I'm just moving it forward from this committee.

Action: **Commissioner Townsend made a motion, seconded by Commissioner Stites, to move this forward.**

Chairman McKiernan said there is a motion and a second to move forward as submitted. Any other discussion among members of the committee? Seeing none, roll call, please.

Roll call was taken and there were five “Ayes,” Stites, Davis, Townsend, Burroughs, McKiernan; and one “no” Bynum.

PUBLIC AGENDA

No items for discussion.

ADJOURN

Chairman McKiernan said that takes us through all of the items on our agenda. I just need a motion to adjourn.

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

Chairman McKiernan adjourned the meeting at 8:16 p.m.

RM