

**NEIGHBORHOOD AND COMMUNITY DEVELOPMENT
STANDING COMMITTEE MINUTES
Monday, August 14, 2023**

The meeting of the Neighborhood and Community Development Standing Committee was held on Monday, August 14, 2023, at 7:00 p.m., remotely via Zoom and on-site. The following members were present: Commissioner McKiernan, Chairman; Commissioners Bynum, Stites, Davis, Townsend, Burroughs. The following officials were also in attendance: Jud Knapp, Land Bank Manager; Wendy Green, Deputy Chief Counsel; and Monica Sparks, Deputy UG Clerk.

Chairman McKiernan said before I call the meeting to order, I want to announce that some committee members, staff, and the public are attending remotely via Zoom as well as on-site. All participants joining by phone should mute their phones when not speaking to avoid background noise. When speaking, please speak directly into the microphone to ensure everyone listening is able to hear your comments and to ensure a clear record is made. During the meeting, please make sure that you announce yourself by name and title every time you speak so the public that is observing knows who is speaking. This is critical given the number of remote participants and is the current guidance from the Kansas Attorney General.

The public is allowed to participate by Zoom or submit comments by email prior to the meeting. Those comments will be included in the record of this meeting. The public may also indicate their intent to provide remote public comments by contacting the Clerk's Office by 5:00 p.m. the Thursday before the meeting. The public also will have an opportunity to provide brief comments either by telephone or via Zoom from the 5th Floor Conference Room of 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 we have no revisions to tonight's agenda.

Chairman McKiernan said there are no standing committee minutes available for approval.

COMMITTEE AGENDA

Item No. 1 – 212628...LAND BANK OPTION APPLICATIONS

Synopsis: Request consideration of the following Land Bank option applications, submitted by Jud Knapp, Land Bank Manager

Please visit the site to review the applications below.

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

Jud Knapp, Land Bank Manager, said tonight this is one of the first times in my time being here that we received no staff comments or Land Bank Advisory comments or resident comments for our applications this evening.

The voting order we can vote on A1 through A8 and then A9 and A10 are the same property and then we'll move on to our Property Transfer at the end.

Single Family Homes – 9 Homes

1. Jamie Shipley – 1 home
1600 S 86th St – 145656
2. Victor Hugo Martinez – 1 home
3719 Powell Ave – 170902
3. Kale Caldwell – 1 home
1640 S 14th St – 143161
4. JM Framing – 1 home
3131 N 70th Ter – 034905
5. William Brantley Development, LLC – 1 home
517 Elizabeth Ave – 119134
6. William Brantley Development, LLC – 1 home
624 Orville Ave - 118453
7. William Brantley Development, LLC – 1 home
752 Sandusky Ave – 081470
507 N 8th St - 081470
8. William Brantley Development, LLC – 1 home
645 Sandusky Ave - 198815
9. William Brantley Development, LLC – 1 home
2935 N 77th St - 928517
10. Miguel Cortes – 1 home
2935 N 77th St – 928517

A1 is 1600 S. 86th St. It is for a single-family home. The applicant currently has almost completed one build on a Land Bank property, so this will be her second property.

A2 is 3719 Powell Avenue. The applicant is a contractor and he is going to build this property for his parents to live.

A3 is 1640 S. 14th St. It's for a single-family home. They're either going to live in it or sell. They weren't very sure, but they do know that they wanted to build.

A4 is 3131 N. 70th Terr. This is a contractor that's going to build a home and their plan is to rent it.

Mr. Knapp said the next four applications are the same applicant. This is the first time that we're seeing them. I do have to say that they are a contractor. They have already with Mr. Hand in Planning and reviewed what they want to do. They are requesting five properties in Strawberry Hill and the surrounding area so...

The first one is at 517 Elizabeth.

A6 is at 624 Orville.

A7 is at 752 Sandusky. It's actually two parcels that they are going to combine into one.

A8 is at 645 Sandusky.

That completes A1 through A8.

Chairman McKiernan asked, does any member of the committee have comments or questions for Mr. Knapp about any of these items?

Commissioner Burroughs asked, Jud, are these going to be owner-occupied homes that are built, not rentals or short-term rentals? **Mr. Knapp** said I don't ask if they're going to be short-term rentals, but I do know that A1 the applicant is selling the property. A2 it's a contractor building for his parents. A3, they're going to live in it or sell it, they weren't sure. I don't ask that question, so I don't... **Commissioner Burroughs** said, but the ones that really concern me more, the ones by the developer that has requested five properties. I'm all about infill housing. I just want to ensure that it's not going to be built and then be rental. I don't think the community would like to see rentals. They just as soon see a build to purchase. That's my question. **Mr. Knapp** said so this A5 through A8, they said that they're going to sell them. **Commissioner Burroughs** said okay.

Chairman McKiernan said, Commissioner, then we could follow up with that and say that our

new special use permit process that has a density maximum would also help to address the question that you're concerned about. If there are other rentals, short-term rentals in the area, that new permit process would preclude additional from being rented. I appreciate your comment on that.

Commissioner Burroughs said the builder should know that upfront if that's what he was planning on doing. He may want to look at the SUP requirement on short-term rentals.

Chairman McKiernan said that would be great. Mr. Knapp, if you could just routinely inform anybody who is building about the fact that we have recently updated our special use permit process for short-term rentals. That way they go into it eyes wide open if that happens to be their end game with a construction project. **Mr. Knapp** said I will do, Commissioner.

Commissioner Davis said I would even take it a step further and make your job easier, maybe including something in the application and then maybe a link on the website. That way it's very clear because there is a big thing happening in the market where people are just purchasing homes or building homes for the sole purpose of short-term rentals, and they've become real competitors. That can make your job easier if we just put it on the application and put it on the website.

Chairman McKiernan asked, any other comments or questions for the committee. There were none. I'll ask the Clerk if we received any correspondence related to any of these applications. **Monica L. Sparks, Deputy UG Clerk**, said no written comments were received.

Chairman McKiernan asked, is there anyone online who would like to offer comments on any of these applications. Seeing no hands, is there anyone in the room who would like to offer comment on any of these applications? No one came forward. We have A1 through A8 up for consideration, is there a motion?

Action: **Commissioner Davis made a motion, seconded by Commissioner Stites, to approve A1-A8.** Roll call was taken and there were six "Ayes," Bynum, Stites, Davis, Townsend, Burroughs, McKiernan.

9. William Brantley Development, LLC – 1 home
2935 N 77th St - 928517

10. Miguel Cortes – 1 home

2935 N 77th St - 928517

Mr. Knapp stated A9 and A10 are both single-family homes. They both applied for the same lot. They're pretty much the same applicant. They've applied, but haven't built anything yet. A9 actually applied second and A10 applied first. A10 recently got approved for 1116 Washington Blvd. in May and they've signed the option with us and they're coming back to build more. The contractors are the same, well, they're different, but they have the same—basically, A10 applied first.

Chairman McKiernan said we appreciate that. Comments or questions from the committee. I would say that in the absence of any comments or questions, I would be inclined to give this option to the person who applied first. I could have sworn I saw a hand. **Commissioner Townsend** said yes. **Chairman McKiernan** said I'm guessing Commissioner Townsend was going to offer the same observation as me.

Commissioner Townsend said I'm just wondering, Mr. Knapp, why do we allow someone to put in for a particular parcel, why do we not tell the next person, the second person, third person, the applicant who's seeking that is no longer available until the Commission votes on it? Why do we even accept more than one request for the same parcel of property? **Mr. Knapp** said I've review these applications once a month, so when I pull the batch off the form, I just enter them and I try to get the applicant—I talk to both of them and try to compromise and this one just didn't work. **Commissioner Townsend** said okay, but I'm saying if you can identify that applicant that is shown as number 10 was the first to apply, why don't we just tell any subsequent applicant it's not available until the Commission approves or declines that application? Why do we see two for the same piece of property?

Wendy Green, Deputy Chief Counsel, said that's because previous direction that has been provided to the Land Bank Manager, is that everything that's received comes forward to the standing committee for approval. He hasn't before been given much direction that he himself has authority to bring things forward, so up to this point, everything comes forward. If that's going to be his direction in the future, that would be great. We could even add that to the policy that we're reviewing right now, that would be great too, but before that was never a direction.

Commissioner Townsend said yes, that does put Mr. Knapp in an awkward position. I don't know what it would take, but I would certainly advocate that if once we get an application for a particular parcel that any subsequent applicant at the same time be told no until this committee acts on that application. I think it would make Mr. Knapp's job easier and it just seems more logical to me, so that would be my offering for a change.

Commissioner Stites said well, I agree. Wendy, what do we have to do to change that? **Ms. Green** said we can just put it in the next policy. **Commissioner Stites** said let's put it in the next policy if that's agreed upon by everyone else. **Chairman McKiernan** said I would certainly agree to that. If Mr. Knapp pulls a batch and he finds two applications for the same property that have different dates, that he would notify everyone after the first applicant that parcel has previously been applied for and that if the first applicant does not follow through, if for whatever reason that first application does not follow through, then the second applicant may be able to come back. **Commissioner Stites** said I think if we think about the wording on it, that applicant number two would be the next person contacted. You know that way three, four or five doesn't step up and beat two to the punch, if that makes sense. The second applicant would have the first right if applicant number one falls through for whatever reason. **Chairman McKiernan** said thank you, Commissioner. I'll go back to Commissioner Townsend. **Commissioner Townsend** said well, based on what I've said previously, I would just move on this item identified as A10 – Cortes be moved for approval.

Action: **Commissioner Townsend made a motion, seconded by Commissioner Davis, to approve A10.**

Chairman McKiernan said I'll ask the Clerk if there were any written correspondence regarding either of these applications. **Ms. Sparks** said no comments were received. **Chairman McKiernan** said I'll ask if anyone online has any comments on either of these applicants. No hands were raised. **Chairman McKiernan** said I'll ask if there's anyone in the room who would like to comment on either of these applications. No one came forward.

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

McKiernan.

Item No. 2 – 212629...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://gisapp.wycokck.org/Landbank.html>

PT – Property Transfers

1. Luis Cabrera – Yard Extension
1729 S 15th St
2. Unified Government – Storm Water Project
1060 Minnesota Ave – 080412
1059 State Ave - 080409

Jud Knapp, Land Bank Manager, said the first one, PT1, is for a yard extension. It is for a landlocked parcel. The property owner is at 1740, so this property is behind his so it's an buildable lot, you can't sell it, can't build.

PT2 is at 1060 Minnesota Avenue. There's a building there. The Unified Government wants this for a stormwater project.

Chairman McKiernan said let me clarify this. This is another one of those cases where the Land Bank has the property, but we have not yet transferred it to the Unified Government. A couple of years ago there was a fella who was on this committee, I don't know who it might have been, who suggested that we might just transfer all of those properties and avoid doing it piecemeal in the future, but let's just be clear, this is already owned by the Wyandotte County Land Bank who seeks to transfer it to the Unified Government. **Mr. Knapp** said yes, Commissioner. **Chairman McKiernan** said perfect. Any other comments or questions from the committee. I'll just ask if there was any correspondence received regarding this particular item. I'm sorry, these two items. **Ms. Sparks** said no correspondence was received. **Chairman McKiernan** said I'll ask if there's anyone online who would like to comment on either of these two property transfer applications. No hands were raised. I'll ask if there's anyone in the audience who would like to comment on either of these two property transfer applications. No one came forward.

Action: **Commissioner Davis made a motion, seconded by Commissioner Stites, to approve the transfers.**

Commissioner Stites said I'm not sure who that person would have been many years ago that suggested that, but apparently that didn't get accomplished. Wendy, what do we have to do to do what that unknown person asked many years ago? **Ms. Green** said actually, that did happen. We did go through and transfer a lot of property from the Land Bank over to the Unified Government. I think this originally was going to be held out to the public because there is a building on it. Is that not correct, Jud? **Mr. Knapp** said yes. **Ms. Green** said this virtually was supposed to be held out for option agreements or rehab, but because the UG, the Public Works determined that they wanted to include it in the stormwater, now that's why we're transferring it. We originally had not intended to transfer it to the Unified Government. **Commissioner Stites** said well, good job.

Chairman McKiernan said thank you for clarifying that. I'm assuming that the building may come down as a part of this overall project. If so, that will save us the long-term upkeep of said building, so this will turn out well for us in the long run to help us accomplish our stormwater objectives and to get rid of a property that we would otherwise have to secure and maintain. I love it.

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

PUBLIC AGENDA

No items of business

ADJOURN

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

Chairman McKiernan adjourned the meeting at 7:16 p.m.

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