

**NEIGHBORHOOD AND COMMUNITY DEVELOPMENT
STANDING COMMITTEE MINUTES
Monday, November 13, 2023**

The meeting of the Neighborhood and Community Development Standing Committee was held on Monday, November 13, 2023, at 7:40 p.m., remotely via Zoom and on-site. The following members were present: Commissioner McKiernan, Chairman; Commissioners Bynum, Stites, Davis, Burroughs (left the meeting at 8:33 p.m.). Commissioner Townsend was absent. The following officials were also in attendance: Jud Knapp, Land Bank Manager; Wendy Green, Deputy Chief Counsel; Kellie McLaughlin, Urban Planning & Land Use Dept.; 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. These did not come from the Clerk's Office, but Mr. Knapp has informed me that in Item No.1, Items A11 and A13 have

been withdrawn by the applicant. When we get to Land Bank Options Items A11 and A13 have been preemptively withdrawn by the applicant. Those are the only revisions that I'm aware of to tonight's agenda.

Chairman McKiernan said we have standing committee minutes available for approval of our meeting of December 5, 2022.

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

Chairman McKiernan said Mr. Knapp before we do that, I do want to point out to the committee that I do believe Ms. McLaughlin is on online and so we do have a Planning and Zoning staff member who is available should any of those questions come up for us.

COMMITTEE AGENDA

Item No. 1 – 212820...LAND BANK OPTIONS

Synopsis: The Land Bank Manager respectfully requests that the Neighborhood and Community Development Committee review the proposed item and forward it to the Land Bank Board of Trustees for final consideration, submitted by Jud Knapp, Land Bank Manager.

Please visit the site to review the applications below.

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

28 Single Family Homes

10 Multifamily Units

3 Commercial

Approve and forward to Land Bank Board of Trustees

Jud Knapp, Land Bank Manager, said we have 23 single-family homes, 10 multifamily units, 3 commercial projects, and 5 property transfers. The first one I'm going to try go through A1 through A12 and a block. All of these have received no staff comments. Land Bank Advisory Board didn't have any comments and did receive a comment from the Neighborhood Group.

Single Family Homes – 28 Homes

1. RA Engineering Corp – 1 home
2529 N. Hallock St – 292429

A1 is 2529 N. Hallock St. This is with RA Engineering. They have A1-A4. They have built two homes in Wyandotte County on Land Bank lots so they are a proven builder. That's why we open up to more than five. This is the Peregrine Falcon subdivision, and we currently have seven active options in that subdivision right now. We have two additional applications in this set tonight.

2. RA Engineering Corp – 1 home
1142 Armstrong Ave – 0807984

A2 is at 1142 Armstrong. It's still with RA Engineering Corp. group again.

3. RA Engineering Corp -1 home
2933 N. Getty St – 293005

A3 is at 2933 N. Getty St. Now this is the Rivers Edge East subdivision. The Land Bank owned like 25 parcels in this subdivision. I have to say that 23 have active options on them and CHWC—I think they have built four houses in there so this whole subdivision only has one parcel that's unaccounted for.

4. RA Engineering Corp – 1 home
2000 N. 53rd St – 040100

A4 is at 2000 N. 53rd St. for a single-family home. That completes all the RA Engineering applications.

5. Josh Waits – 1 home
1830 S. 10th St – 127604

A5 is a person that wants to live in this. It's 1830 S. 10th St. We've seen this lot before and it does have a possible underground spring in it. There's no sewer connection here because it's outside. It's 200 feet away from the sewer lines, but they are working with the Health Department. I have been receiving emails that they are working on it. I have informed them of that and they are well aware of that issue.

6. Whitney Warren – 1 home
3050 N. 21st St – 162475

A6 is at 3050 N. 21st St. for a single-family home for a person to live in. This application was

initially held at the March 6 meeting because the applicant didn't communicate with the neighborhood group. The applicant has tried several times to communicate with that neighborhood group without any success so that's why it's here today.

7. David Jones – 1 home

6204 Roswell Ave – 231610

A7 is at 6204 Roswell Ave. This is for another single-family home.

8. T&M General Construction – 1 home

2601 N. Hallock St – 292413

A8 is at 2601 N. Hallock St. This is also in the Peregrine Falcon subdivision.

9. Weston Sparks – 1 home

2792 Linden Dr – 149816

A9 is at 2792 Linden Dr. It's also for a single-family home.

10. Samuel Lopez - 1 home

1213 Wood Ave – 209640

A10 is at 1213 Wood Ave. I do have to say I have 1213, but it should be 1211 and 1209 Wood Avenue. They requested two lots. I included it because of the policy change that hasn't happened yet for yard extensions. It's kind of like can we give them two now. That does give him 100 feet of frontage. I do have to say this idea of giving him two lots is going to be in conflict with the Mt. Carmel applications that are coming forward where they want to maximize urban density. Planning's view would be they get a 50 ft. lot because these are 50 feet, but if they built— **Chairman McKiernan** said 1211 and 1209 you're saying that those are both 50-foot fronts. **Mr. Knapp** said, yes. **Chairman McKiernan** said this applicant wants to combine them into a 100-foot frontage parcel for the construction of one single-family home. **Mr. Knapp** said yes, that is correct. **Chairman McKiernan** said okay, thank you. We'll come back to that.

11. Laurie Tomelleri – 4 homes

14 S. 34th St – 065602

13 S. 34th St – 065604

10 S. 34th St – 065601

4 S. 34th St – 065600

12. Yvette Ford – 1 home

3002 Hiawatha St – 158525

A12 is at 3002 Hiawatha St. This is for a tiny home. This is for the applicant's second home. They live out of state. They want to build a 420 sq. ft. home. This would require a variance from Planning which would require another public meeting through Planning. That concludes A1 through A12.

Chairman McKiernan said before we get comments and questions from the committee, I just want to remind everybody that what's being applied for here is an option. That option does give the person holding the option the opportunity to control that land and move forward and move through all the necessary steps through to final completion, but the option does not mean that there might not be Planning and Zoning or other approvals that need to be acquired before anything is constructed. Does the committee have any comments or questions on any of these items A1-A12?

Commissioner Bynum said I have a question and they're just brief. A3, you said that CHWC had developed that neighborhood, is that right? **Mr. Knapp** said CHWC has options to build homes in there. I believe they completed their first five. They have 15 or 16 lots that they're planning to build. **Commissioner McKiernan** said and I bet they have at least 10 more under significant construction right now with at least two or three more foundations poured. The last time somebody came and asked for one of the lots that they didn't have under development they said, go ahead, the more, the merrier. **Commissioner Bynum** said that was kind of my question, this is not of the lots they have under option apparently. **Mr. Knapp** said it is not.

Then A10, you said this would be in conflict, so to speak, with the Mt. Carmel Redevelopment for redensifying, but this is outside that area. **Mr. Knapp** said yes, you'll see Mt. Carmel at A15 so their application is coming and Planning had a comment in that one to keep the lots 50 feet, not 75.

Chairman McKiernan said my opinion only, I'll just look at this A10. We have pretty consistently fought back against combining 25 ft. and now we're talking about combining 50 ft. I would still be in favor, and have always been in favor, of combining 25 into a 50 ft. frontage for the purpose of one single-family home. I personally don't think at the location that this is located that combining two 50s into one 100 sq. ft. is good practice for us and I don't think it's good for the neighborhood, personal opinion.

Commissioner Stites said what is the lot next to 1219 because that looks like that's a 25 ft. What can be done on that if we don't—I mean with that that's a 25 ft. lot, right? **Chairman McKiernan** said as is 1219. That's 1215 and 1219 both look like 25s. **Commissioner Stites** said I agree that we need to be consistent with what we're doing and the making 100 ft.—to me it just seems like if somebody wants that additional, you know what, I know that you can't sell it to them, but you know I mean if they want a bigger lot, I don't know I think we have to be consistent with our rules, that's what I see.

Chairman McKiernan said I agree with that, and I think that this does kind of defeats and I see that Kallie has her hand raised and Kallie I'll get to you in just a moment, but this kind of does go against our former process. Our former process of trying to preserve smaller lots and more houses and I mean my goodness we've given so many people static over combining two 25s which I fully support, but I don't know that I support this and Kellie, I will ask you to offer your perspective on this, please.

Kallie McLaughlin, Urban Planning and Land Use, said it is consistent with the opinion that we do want to increase density where possible and a lot of times we find that people that combining these lots will get them out of the narrow lot design guidelines because they think that they're moving out of a 50 ft. to a 100 ft. lot which I kind of an antiquated way of interpretation interpreting that guideline so they would still be subject to that guideline even if combining and we do have people currently in our process in building permits that are building homes on 25 ft. wide lots or even a 34 ft. wide lot currently. That was where the source of the recommendation came from. **Chairman McKiernan** said remind me again Kallie, what is the recommendation of Planning and Zoning on combining two 50s. **Ms. McLaughlin** said especially in our urban core area particularly where narrow lots would be concerned. This is an R2 Zone where we've tried to increase density by elevating that zone in a way so we are R2 because we want to increase density i.e., a duplex on each one of those 50 ft. lots. So, not only are we decreasing it by being a single-family home, but we're also decreasing it again by combining those lots, so for that inner area, we do prefer that one lot be used per home at this time.

Chairman McKiernan said so let me follow-up on that R2 zoning. It's R2 zone, but that does not mean that an R1, a single-family dwelling, is prohibited from being built on those two lots, is that correct? **Ms. McLaughlin** said that is correct. A single-family home is not prohibited,

but the upzoning was done with the intent to increase density or to permit it where it made sense in this neighborhood. **Chairman McKiernan** said I completely understand the intent of upzoning. What I want to do is preserve the right of someone who wants to build a single-family home do just that and so as long as you're telling me that there no requirement for duplex then I'm okay. **Ms. McLaughlin** said that is correct. There is no requirement. The R2 Zone includes a single-family or a two-family dwelling. My point was to confer that not only are we cutting it in half by doing just one, but we're cutting it in half again by combining a lot. **Chairman McKiernan** said we're not actually cutting it in half, we're just not increasing it. That formally was zoned R1, correct? **Ms. McLaughlin** said it might have been at one point. **Chairman McKiernan** said that was formally zoned R1. We're not cutting it in half, we're just not doubling it. I know that's a fine point, but if we especially look at neighborhoods like this we need to consider existing infrastructure and what it'll support in terms of housing and residents, my opinion. **Ms. McLaughlin** said absolutely, point taken Commissioner.

Commissioner Stites said the last thing that I'll say is will the footprint of this proposed dwelling, will it fit on a 50 ft. lot? **Mr. Knapp** said I didn't get dimensions with it, but people do build on 50 ft. lots. **Commissioner Stites** said I'm aware of that, but you're not sure if this would still accommodate, they could still do what they're wanting to do with this floor plan. 2,000 sq. ft. seems like that should still fit, I think, but anyway if not, I guess they just modify their plans.

Commissioner Bynum said I was just going to say four bedrooms, two baths, 2,000 sq. ft. could fit, but the photograph provided doesn't appear to fit so they'd have to modify. **Chairman McKiernan** said well given the fact that I have observed previously that sometimes we just get generic clip art as the pictures in this, I would say yes, they could design it based on what they're getting. **Ms. McLaughlin** said they would still be subject to the narrow lot design guideline review.

Chairman McKiernan said alright, Mr. Knapp has presented A1 through A12 for consideration. We can have motions for one or more. Before we do that, I'll ask the Clerk if we received any public input on any of these applications for options A1 through A12. **Monica Sparks, Deputy UG Clerk**, said no comments were received. **Chairman McKiernan** said I'll ask if there's

anyone online who would like to offer comment on A1 through A12. I do see Elnora Jefferson has her hand raised. Ms. Jefferson we'll enable you to talk to the committee. I'll ask you just to remind us of your name and your city of residence and then we'll wait for your public comment.

Elnora Jefferson, Kansas City, Kansas, said I'm also the president of the Oak Grove Neighborhood Association on which the Pergrine Falcon is a subdivision within that neighborhood. I have asked the Commission to consider putting these applications in Pergrine Falcon on a 30-day temporary hold for the purpose of having a neighborhood meeting about them. Our neighborhood meeting is tomorrow, in fact, at 6:00 p.m. The reason for having a neighborhood meeting discussing these two lots in particular is because as we all know the Pergrine Falcon is an aged subdivision. It started almost 20 years ago with a TIF with a developers agreement, but we really don't know how much life is left on the TIF. We also don't know whether our tax dollars are going to go to continue to try to retire the TIF, which I understand may not be possible or if the tax dollars that we've been paying for the last great number of years is going to go toward the General Fund or wherever it needs to go.

Another point in having a 30-day temporary hold is for the environmental assessment. While it's true that under the options lease contaminated or highly suspect environmental concerns like what's underground is part of the options lease in the discovery. I have not seen, and my information may be dated, Mr. Knapp would be much better able to speak to this than I and whether or not the soil contamination, the assessment and mediation is part of that options or if that's something that we need to discuss over with the applicant and bring it before the standing committee as a concern. All of that having been said that's the reason that Oak Grove neighborhood asked for a 30-day temporary hold.

Chairman McKiernan said, Mr. Knapp, if I can just confirm A1 and A8 are the two Peregrine Falcon. Is that correct? **Mr. Knapp** said yes, Commissioner. **Chairman McKiernan** asked is there anyone else who's joining us online who'd like to comment on Applications A1 through A12. I don't see any other hands raised. Is there anyone joining us here in the fifth floor conference room who'd like to offer comment on any of these applications? Seeing no one coming forward. Committee we have A1 through A12 presented to us. Reminding you again that A11 has been withdrawn preemptively, so we're looking at A1 through A10 along with A12.

Commissioner Burroughs said I make a motion by for approval of all remaining items that would be number A12 and A8 and A11 has been pulled so taking 1 and 8 out as a hold over for 30 days. Do you want this in two separate motions? **Chairman McKiernan** said I think actually it's going to say three for clarity, but two would work.

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Bynum, that we grant the two holdovers A1 and A8 for a period of 30-days.** Roll call was taken and there were five "Ayes," Bynum, Stites, Davis, Burroughs, McKiernan.

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Stites, to approve A2, A3, A4, A5, A6, A7, A9 and A12.** Roll call was taken and there were five "Ayes," Bynum, Stites, Davis, Burroughs, McKiernan.

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Bynum, to deny A10.** Roll call was taken and there were five "Ayes," Bynum, Stites, Davis, Burroughs, McKiernan.

13. Yolanda Feagans – 1 home – **withdrawn by applicant**

3427 N 71st St – 035110

14. Village Initiative – 3 homes

3064 N. 29th St – 099344

3062 N 29th St – 099233

3060 N 29th St – 099234

Mr. Knapp said A14 said there's three lots there at 3064 N. 29th St. This is for the Village Initiative to build another transitional house. They currently have three others that are approved in the area. I know they broke ground on one of them. The Land Bank Advisory Board comment was they're not sure how many of these homes we need in this area.

Chairman McKiernan said does any member of the committee have comments or questions for Mr. Knapp.

Commissioner Bynum said, a couple of questions. So, like when we look at this, see the bottom kind of middle share your comments below to be shared at the committee meeting, but there's nothing there. Is that where the Advisory Board comments would be? **Mr. Knapp** said there's nothing to be shown there. That's where the Land Bank Advisory Board can make their comments, neighborhood groups or residents comments there and then I share those comments with you so you won't see anything there. **Chairman McKiernan** said that is a place for them to submit information that comes to you which you can then feed back to this committee. We would not see it online as they submitted it. **Mr. Knapp** said that is correct. **Commissioner Bynum** said I will see it over in the far right column.

A14 is three lots, but would be one house? **Mr. Knapp** said that is correct. **Commissioner Bynum** said and it is being requested by Village Initiative? **Mr. Knapp** said yes.

Commissioner Burroughs said I remember the robust discussion at last meeting in reference to how many of these homes and participants are we going to have in one our community. I think the commissioner of that area was very concerned and I know she's quite capable of speaking for herself, but I just wanted to remind the committee that there was discussion about that type of development.

Commissioner Davis said I know it's been some time because I think we've all supported Village Initiative. They got some APRA dollars and love the work that they're doing. Where are they in regards to the Land Bank properties that we have awarded them. I know they've broken ground for one which is great. I was there. Is there any other updates so far for the other Land Bank properties. **Mr. Knapp** said they have not submitted their building permit for the other two that they already have approved. **Commissioner Davis** asked when did they receive those? **Ms. McLaughlin** said, I'm sorry, if I may, there are two outstanding applications for building permits for the Village Initiative. Two of them that I looked at recently with regards to the narrow lot design guidelines, one does not have to follow the guidelines, but the other one did, so they've been notified that they have revised and resubmits, but they are in process of obtaining their building permits on the other two. **Commissioner Davis** said so there's been some progress, it hasn't just been one out of three. All three of them have been—something has been done since we've awarded. **Mr. Knapp** said sounds like it, yes.

Chairman McKiernan said I understand they're going to build a bigger house here, but this is effectively Wood Avenue all over again with combining smaller lots into a big one. **Ms. McLaughlin** said if I may commissioner, group homes do have an increased parking requirement that require one parking space for each guest room plus an additional space for each staff member during peak shift. So, each one of these group homes requires seven off-street parking spaces at the very minimum to be compliant with zoning ordinances unless a variance is approved which does give them a little bit more of a challenge if they do not choose to combine lots. **Chairman McKiernan** said thank you, Ms. McLaughlin, that perfectly explains why these three lots would be appropriate for that one group home.

Commissioner Bynum said my question would be if we approve the option, this is still going to go through a separate approval process. They're going to come to Planning and Zoning and then eventually to full commission for, at a minimum, special use permit to operate this. **Chairman McKiernan** said that would be my understanding, but I'll check with Wendy or Jud. **Ms. McLaughlin** said these are five-bedroom homes so they would not be subject to the Planning and Zoning process for a group home special use permit. The only time that they would have to come through the Planning and Zoning would actually be for the Board of Zoning Appeals if they chose to appeal the parking variance or chose to appeal any stipulations within the narrow lot design guidelines. **Commissioner Bynum** said it does say on here that it's six bedrooms, does that matter? **Ms. McLaughlin** said it does. What I've had them do on the other two, is I've had them revise it to say it's five bedrooms and one office and then to sign an operations agreement with their building permit that states that they will not use a six-bedroom for anything other than an office unless they do come back for a special use permit and we've had them to sign that as part of getting their building permit in the past and is currently what we're doing on their other permit. **Commissioner Bynum** said, Ms. McLaughlin, we've as far as you know, you're updating us that currently in process are three others, correct? **Ms. McLaughlin** said I believe I have under review currently—**Commissioner Bynum** said about three. **Ms. McLaughlin** said I believe one is already under construction and then two are under permit review, one of which I have reviewed. **Commissioner Bynum** said three in addition to this potential one kind of within this area that we know of. **Ms. McLaughlin** said correct.

Chairman McKiernan asked other comments or questions?

Commissioner Stites said they didn't need an office until you suggested it to get them under the need for a special use permit, correct? **Ms. McLaughlin** said that is correct. I think what they—it's called a bedroom by the architect, but when they were made aware of the five-bedroom limit and the five-person limit given some of it pertains to building code and sprinkler and fire suppression systems some of it pertains to our special use permit. We've had them revised the plans to say no more than five bedrooms with the sixth bedroom becoming an office and labeled as such on their plans. When they do come through for their permit for this one, I would be the person who would be reviewing that one as part of their building permit for the narrow lot design guidelines. I would make the same comment to such and ask for that revision.

Commissioner Stites asked what type of, I guess, lack of enforcement or follow up or compliance does this have in the future when and I'm not saying that they would, but you go back and somebody looks into it and the sixth bedroom office is now being used as a sixth bedroom. Do we then initiative then and immediately enforce the need for a special use permit or do we say, hey, you're doing wrong, convert this back to an office. **Ms. McLaughlin** said we first try to attack it on the proactive end by making them sign that as part of their building permit so we have that little clause in there, but if we do find that and for some reason they are utilizing it and going above their five-person limit, it would be a Planning and Zoning action which we would start with a notice of violation and that would begin the citation or violation process accordingly in which they could cease using that sixth bedroom or they would have to come back and apply for that special use permit accordingly. **Commissioner Stites** said got it.

Chairman McKiernan said at this point I'll ask the Clerk if any correspondence from the public regarding this application A14 was received. **Ms. Sparks** said no comments have been received.

Chairman McKiernan asked if there was anyone online who would like to offer comment for this application. I do see that Ms. Jefferson has her hand raised.

Elnora Jefferson, Kansas City, Kansas, said one of the questions that I had Commissioner Stites has already asked and that's about the enforcement itself. A Village Initiative is a very viable

entity in the northeast. The concern that I expressed from this Advisory Bboard and the one I hear now is the amount of density of what exists in this square block area, which is also right across from a church. Though there was no requirement for a neighborhood meeting, I do remember when the first three homes were built there was an ask and Village Initiative did that and went and held a neighborhood community meeting. So my comment would be an ask perhaps a 30-day temporary hold to ask that they hold that same type of community awareness engagement because we're talking about a very minimum 20 people of a particular group, a particular population, who will be in this one block square area.

As part of that the other comment that I would ask is with the growth of the number of people, should there be a consideration for the succession plan of Village Initiative so the stability of that organization and what would happen to this particular population or operation should that Village Initiative go defunct or stop whatever it is. I don't know all the right words to say, but that's the comment that I have.

Chairman McKiernan asked if anyone else on the committee have comment or follow-up.

Commissioner Burroughs said in light of the fact that we've been asked for a 30-day hold over. I would make a motion that we hold the subject over for 30 days and allow the commissioner that represents that district to weigh in on the subject matter and to have a neighborhood meeting.

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Stites, to hold over for 30 days and allow the commissioner that represents that district to weigh in on the subject matter and to have a neighborhood meeting.**
Roll call was taken and there were five "Ayes", Bynum, Stites, Davis, Burroughs, McKiernan.

- 15. Mt. Carmel Redevelopment – 13 homes
 - 1954 N Valley St – 213722
 - 1950 N Valley St – 21372
 - 1948 N Valley St – 213720
 - 1944 N Valley St – 213719
 - 1942 N Valley St – 213718
 - 1936 N Valley St – 098900

1937 N Valley St – 213716
 1939 N Valley St – 213715
 1945 N Valley St – 213713
 1947 N Valley St – 213712
 1949 N Valley St – 213711
 1951 N Valley St – 213710
 1953 N Valley St – 213709

Mr. Knapp said A15 is Mt. Carmel Redevelopment there at 1954 N. Valley St. It's right next to the ones that they've already built. Their plan is to combine the 15 Land Bank lots there into 10 so they can build 10 homes. The staff comment on this one wants to hold on to the urban density in the area. These homes have to follow the narrow lot design guidelines and they would require a different garage placement. If the lots are replatted greater than 50 ft. of frontage, this would require a public meeting for a variance through Planning. The Land Bank Advisory Board had a comment. Mt. Carmel already has a big project on 5th Street, can Mt. Carmel build both? Mt. Carmel had a response to that. They said this project is ready to go and they have the funding in place to build this project. They said the 5th Street Project is a different project and they're still—it's just not at the same stage as this one and they were very confident that they can build both so that summarizes A15.

Chairman McKiernan said thank you Mr. Knapp. Before I open it up to other members of the committee, just to the right of your cursor arrow is a lot that's labeled 1954. Is that a home built by Mt. Carmel? **Mr. Knapp** said yes, it is. **Chairman McKiernan** said so they've demonstrated that they can use that size lot and build homes on these streets already. **Mr. Knapp** said I believe this lot is bigger than—**Chairman McKiernan** said that's actually what they call a leading question there. The answer is yes, they have demonstrated that they can do that. Does any member of the committee have comments or questions?

Commissioner Davis said Mr. Knapp, currently, how many unfinished projects whether it be options or what have you does Mt. Carmel currently have? **Mr. Knapp** said they have one option right here at 1144 Garfield, both of these lots here, to build a house. They haven't completed that option yet and they also have the hold area at 5th to 7th & Parallel all the way up to Quindaro. Those are the only two other projects that I'm aware of.

Chairman McKiernan said isn't that immediately to the north of the lots they're requesting, isn't that their Boys and Girls Club? I mean they have a large presence in this neighborhood for years and years and years already. Personally, myself, I see no problem with combining like 1953 and 1951 and maybe even 1949 so that it approximates the size of the lots they've already successfully built houses on and while dense, dense might be the personal opinion, speaking only for myself, might be a wonderful thing right here this neighborhood has already adopted the density of 1958, 1954, and 1952, and I see no problem with them combining these new lots into similar density and building similar new homes. Mr. Knapp their proposal is to take 15 into 10, isn't that right? **Mr. Knapp** said that is correct. **Chairman McKiernan** said yeah in this spot.

Action: **Commissioner Burroughs made a motion, seconded by Commissioner Bynum, to approve as submitted.**

Chairman McKiernan said before we vote I'll ask if we received any communication from the public related to these applications. **Ms. Sparks** said no comments were received.

Chairman McKiernan asked if anyone joining us online would like to offer a comment on A15.

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

16. Samia Guess – 1 home

725 N. 61st Terr. - 014300

17. Terrie Kent – 1 home

725 N. 61st Terr – 014300

6200 Minnesota Ave - 193413

Chairman McKiernan said Mr. Knapp that takes us to A16 and 17, which I believe you said might be grouped. **Mr. Knapp** said yes, they are. A16 we have no issues with these. Staff didn't have any comments with them. We wouldn't receive any neighborhood comments or the Land Bank Advisory Board comments from these two. The first one is at 725 N. 61st Terr. It's to build a single-family home that they plan to live in.

A17 is at 6200 Minnesota Avenue. It's for a single-family home, but they want to build a tiny home that's smaller. That would just require another public meeting with Planning for a variance on that one. That completes A16 and A17.

Chairman McKiernan said questions or comments from the committee.

Commissioner Bynum said so did we approve A12 that was a tiny home request. **Mr. Knapp** said we did.

Chairman McKiernan said any other comments or questions. I will ask if we received any communication from the public regarding these applications. **Ms. Sparks** said no comments were received.

Chairman McKiernan said I'll ask if there's anyone joining us online who would like to comment on these applications, A16 or A17.

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

B. Multi Family – 10 Units

1. Jay Jones – 6 units

365 Rowland Ave – 094305

363 Rowland Ave – 094304

359 Rowland Ave – 054303

357H Rowland Ave – 094403

357 Rowland Ave – 094226

Mr. Knapp said B1 is at 365 Rowland. They want to build six units. They want to build three duplexes. As I reviewed with staff, I didn't receive any comments or didn't receive any neighborhood comments on this one and it is zoned correctly. **Chairman McKiernan** said they have five lots that they want to combine and then subdivide into three for the purpose of building three duplexes. **Mr. Knapp** said that is correct.

Chairman McKiernan asked any comments or questions from the committee. I keep flipping back and forth between the agenda and your online resource. This is already zoned R2 so the zoning is consistent. **Mr. Knapp** said yes.

Commissioner Burroughs said one comment. That one lot looks a little thin on the far right that would be it. **Commissioner Burroughs** said is there a number on that lot or is that a right-of-way through there? **Mr. Knapp** said there is a number on that lot. **Chairman McKiernan** said that's 357, I bet that's H. **Mr. Knapp** said, yes. **Commissioner Burroughs** said are we going to be giving that property up, too. **Mr. Knapp** said, yes. **Chairman McKiernan** said that's one of the five that they'll want to combine to then subdivide into three.

Action: **Commissioner Burroughs made a motion to approve. Motion failed for lack of a second.**

Chairman McKiernan said I'll ask the Clerk if we received any public comment on Item B1. **Ms. Sparks** said no comments were received. We do have a comment online. **Chairman McKiernan** said thank you.

Elnora Jefferson, Kansas City, Kansas, said this again is the Oak Grove Neighborhood. This particular application and I know we're not there yet for the application that follows. My request is that the Commission grant a 30-day temporary hold for this particular multi-family application as well again as B2 for the reason that this proposal is located in an area that already has a high density of subsidized housing and while subsidized housing is something that we need, and we have need it integrated all throughout the county. This particular multi-family area within a six block area cause a heavy density of that. The heavy density would result in more transportation and families as well as an opportunity and not having an opportunity to jell as a neighborhood group or as a living community with all of the things that we want out of the master plan and the other type of developments. So the 30-day temporary hold, again we have our neighborhood meeting again tomorrow at 6:00 will allow us to discuss this as a neighborhood and be able to come up with more input from other people within the neighborhood itself.

Chairman McKiernan said Ms. Jefferson, I would observe that the upzoning or the increased density that Ms. McLaughlin referenced earlier is what we have a concern with here as well, and yet this would be less dense than the other application that we considered. **Mr. Knapp** is there anywhere in the application from Mr. Jones that he indicates that this would be subsidized housing?

Mr. Knapp said I do not believe so. **Chairman McKiernan** said educate me again on Section 8 vouchers. If somebody has a voucher and a property owner chooses to take it, they can take it regardless of the location of the property. Okay, I just wanted to verify that. Any other comments or questions.

Commissioner Bynum said I just have a question. So, Ms. Jefferson, you're asking for a 30-day hold for the neighborhood. Is there an opportunity for the applicant to be at your meeting tomorrow? Is that part of what, like for an example the hold on the earlier ones, is that applicant coming to your meeting? **Ms. Jefferson** said yes, Commissioner Bynum, that's exactly what we'd like to do is extend an invitation so that everyone would be able to be transparent and hear the concerns on both sides, absolutely. **Commissioner Bynum** said okay, I was just curious. I do appreciate the neighborhood conversation and I was curious about whether or not the actual applicants are able to come to your meeting and talk more with you. I hope that would be feasible for A1, A8, and now B1. **Commissioner McKiernan**, I don't know, we had a motion but no second. **Chairman McKiernan** said correct. Kellie does have her hand raised, but what I would observe here is given the fact that the neighborhood group meeting is scheduled for tomorrow, if we were to hold this for 30 days and we were not able to connect the neighborhood group and the developer by tomorrow, then our 30-day hold is kind of pointless. I would say that if we were to hold it over that we would ask the neighborhood group to find a way to have an extraordinary meeting outside of their normal schedule at which point the developer could go ahead and converse with the members of the neighborhood group.

Ms. McLaughlin said, Judd, can you clarify if they were planning on replating this. If they need a replat especially given that sliver of land, that H parcel, that replat is likely to be subject to a Planning and Zoning entitlement and that would also initiate the public engagement process. **Chairman McKiernan** said, so do they intend to replat? **Mr. Knapp** said I would say when I look at this, when I consider their proposal, I can't see any way other than replating at least two of those. **Ms. McLaughlin** said that's correct.

Wendy Green, Deputy Chief Counsel, said that is correct. They would have to replat that. I would note that this application has actually been pending for three months now because of the fact that the agenda has been pulled a few times. **Mr. Knapp** said I would have to add to

that I've had a Land Bank Advisory Board meeting three times and presented this three times.

Chairman McKiernan said and what has been the outcome of the Advisory Board meeting on those presentations? **Mr. Knapp** said I haven't received any comments on this application or B2. **Chairman McKiernan** said given the fact that there has been no engagement or no comments from Land Bank Advisory Board and given the fact that replating would evidently trigger a need for further action in preparation for building, it seems to me that we can do, we still have a quorum, so no worries at all.

Chairman McKiernan said, Ms. Jefferson, I do see that you have your hand raised again and I would ask if you have a follow-up comment.

Ms. Jefferson said yes, Commissioner, I do. Yes, it is true that the Advisory Board has seen this application at least twice, maybe three times, I can't remember, but each time we've said something and I have made this same comment it was held by, I believe, the Mayor's Office. So when we got ready to present this then we stood down because we never knew whether or not the application was going to go forward. While that is the reason, it may not be enough of a reason for this committee, but that is the reason that there was no action on this one or the other one.

Commissioner Bynum said Ms. Elnora, as far as the remaining items is this the only remaining one where you and your neighborhood would be asking for a hold. **Ms. Jefferson** said it would be this application B1 and the following application B2. **Commissioner Bynum** said for the same reasons. We'll never mind. We'll get to that one I guess next. I was just trying to get a handle on how many more really, but for this reason, Chairman McKiernan, I would make a motion for a 30 day hold on Item B1.

Action: **Commissioner Bynum made a motion for a 30-day hold on Item B1.**

Commissioner Stites said I guess I want to know, we're talking about this meeting happening tomorrow. I agree with what you had said earlier that I don't want to push it off 30 more days if they're able to attend this meeting. I'd like that we push it off and then to have, like you said, a special meeting or something. I don't know how that works or how we would do that, but I mean

it's gone on, in my opinion, too long and we need some resolution to this and the meeting is tomorrow. It's, you know, in 24 hours we'll know what the outcome was. I'm not sure how that could work. **Commissioner McKiernan** said with the indulgence of the committee. Mr. Knapp could you go forward to B2 because I'm going to guess looking at that, that's going to be three lots for two duplexes, would that be correct? **Mr. Knapp** said this one is a little different. This is more like a row house type of thing. **Chairman McKiernan** said never mind. It's going to be dissimilar to B1, then let's just hold that for itself. If it was going to be the same thing. What we know now is that if we were to hold it for 30 days we ask that the neighborhood groups specifically reach out to this developer and have a meeting for the purpose of airing issues before this comes back to our committee in 30 days, but we also know that if the applicant intends to replat these, that's going to trigger a public engagement process anyway. We could approve the option and that would trigger a public engagement process. Commissioner Bynum, that would be for B1. **Commissioner Bynum** said just B1. **Chairman McKiernan** said just B1.

Commissioner Davis said I'll also say when do we vote on these applications for full commission, because it won't be this Thursday. It would be the 30th. **Chairman McKiernan** said it would be the 30th. **Commissioner Davis** said we are still technically in our advisory stage because this is happening at the committee level. None of this is finalized until the entire Wyandotte County Land Bank Board of Trustees gathers and make a decision. We could theoretically approve this knowing that the final decision doesn't happen most likely to the 30th and the replating conversation is coming so community engagement is on its way, that kind of kills two birds, one stone. I would hate for this applicant—three months—it's just we've talked a lot about how long it takes to get through red tape at the UG and then now we're here. I would hate for that to continue, but I this applicant—I mean 3 months is a long time to continue, but I also would like for there to be time for neighborhood involvement.

Commissioner Bynum asked, Ms. Jefferson, would you be able once you have your meeting tomorrow if this particular applicant is able to come, would you be able to update us on how that conversation went. For example, if we pass this tonight knowing that we have community engagement and full commission sitting as the Land Bank Board of Trustees coming, would you be able to let us know how your community engagement went with this applicant so we'd all have

more information. **Ms. Jefferson** said to answer your question truthfully, the full commission meeting is going to be the last Thursday. **Chairman McKiernan** said the 30th. **Ms. Jefferson** said its not going to be the 16th it's November 30, it's going to be the 16th. Once it passes through the standing committee it's on the Consent Agenda to the full commission. That would mean that a commissioner will have to pull it. I don't believe that I'm allowed to pull it. The question would be that if it's pulled, then you would want to have—or this committee would want to have a recap or the report by Oak Grove Neighborhood about that meeting. Is that correct? **Commissioner Bynum** said yes and I was wondering if you'd be able to provide it prior to the 30th. I think a community member cannot, and they are shaking their heads at me so only a commissioner could pull it. I mean I think the other thing is that I do recognize and sympathize because sometimes those Land Bank applications are occurring on our agenda at 11:00 p.m. so there's that consideration. Tonight it's much earlier commissioner, but at any rate perhaps you could at least provide by email to, for example, Jud and copy in our Legal Counsel so that they could then share with us the members of this particular committee the outcomes that occurred of your neighborhood meeting and then any subsequent community engagement. That would be a request really. **Chairman McKiernan** said if there are no outcomes presented, then there is no reason for any member of the Commission to pull this item from the Land Bank Agenda of the 30th. Is that a motion Commissioner Bynum? **Commissioner Bynum** said I had made a motion not long ago. Should I retract it? There was no second to my motion. **Chairman McKiernan** said do we have a second to the previous motion? There is no second. I'll ask for a motion on Item B1.

Commissioner Davis said I don't know because there's only four of us here. If we all don't vote, this ain't going to work out. Ms. Jefferson are you still there? **Ms. Jefferson** said I believe I am. Can you hear me? **Commissioner Davis** said yes, we can hear you. I just wanted to say we're really trying to find kind of this happy balance. Do you currently have the contact information for this applicant. **Ms. Jefferson** said Mr. Knapp usually provides that—looking on the right side of this application as on the screen, he usually provides that. He's awfully good to work with so I'm sure I could get it from him. **Commissioner Davis** said I guess because there's no guarantee J. Jones will show up tomorrow because it is tomorrow. I guess—staff help me out. If we were to let this application, just no action taken, what happens. Do we see this again, does J. Jones have to reapply, what happens with this application? **Ms. Green** said she can reapply. It's not dead in

the water, it's not like it's denied and then she'd have to wait a certain amount of time so she can reapply and we could bring it back next month. It's not effective, it's effectively a denial, but it's not really a denial if that makes sense. It's kind of the same as a denial, but if she wants to bring it back next month and have you all vote on it again, she can. It's just taking no action in essence is what you're doing. If you're going to do nothing, I would suggest holding it over. **Commissioner Davis** said I'll go ahead and second to 30-day hold.

Action: **Commissioner Bynum made a motion, seconded by Commissioner Davis, to hold over for 30 days.** Roll call was taken and there were three "Ayes," Bynum, Davis, McKiernan, and one "no," Stites. Motion failed.

Commissioner Burroughs left the meeting at 8:33 p.m.

Action: **Commissioner Stites made a motion, seconded by Commissioner McKiernan, to approve as submitted.** Roll call was taken and there were two "Ayes," Stites, McKiernan and two "no's", Bynum and Davis. Motion failed.

Chairman McKiernan said so I'm reminded of Captain America, I can do this all night.

Commissioner Stites said because this triggers public comment is the reason that I'm saying you know to approve as submitted because there is an opportunity for Ms. Jefferson, for everybody to weigh in on this and we move it down, we move it forward. That's why I present it like that.

Action: **Commissioner Stites made a motion to approve as submitted, seconded by Commissioner McKiernan.**

Commissioner Davis asked if Kellie was still on. **Chairman McKiernan** said she is. **Ms. McLaughlin** said yes. **Commissioner Davis** said during the time of the conversation for replating it is on the developer to hold that meeting? Do I have that correct or the applicant. **Ms. McLaughlin** said not necessarily. In a case like this, they're likely to have variances and so on and we are not going to approve typically a multi-family development property or project like this

without some kind of final development plan. In that case, they would be required to have a neighborhood meeting which puts a sign in the yard and notifies all property owners within 200 ft. of that development including the neighborhood groups and then the commissioners. If they just submit for a final replat only, they would not necessarily have to, but likely we're not going to, as a department, we don't make it our policy to approve a speculative development. We'd want to see a development plan with multi-family development in that instance especially when variances are going to be most likely involved. There's a little bit more discussion there depending on exactly how they are proposing to submit that and that will come once they have presented us with a survey, but I would say most likely, yes, they are going to have to come through because of variances and so on. **Commissioner Davis** asked how soon does that public meeting happen? Do you think it will happen this year or before the new year. **Ms. McLaughlin** said I would say likely not before the end of this year. It really depends on if they already have a survey done or not. If they were to submit an application including a survey and meeting all the requirements, the earliest they could be heard would be the second week of January, which I believe is January 13 without looking at a calendar, but they have not even had a pre-application meeting. They would still need to have a surveyor on board. Typically, I found that it takes about four months or so to get a surveyor to present a document that we can look at. Then they have the pre-application meeting and if they're just doing a preliminary and final plat, it would take about 45 to 60 days to go through the Planning and Zoning hearing process. Even if they do not have a neighborhood meeting, they still have an open hearing item on the Planning Agenda that would be reviewed. If they have to do a Board of Zoning Appeals or a BOZA variance application, it kicks them back to about 120 days and that would mean that not only do they have to do the general planning entitlement process, they still have to file mylars and so forth. I'd say that they're at about six months depending on when they have a surveyor engaged and how quickly they can move that through and if they already have building plans. Again, we would want to see building plans to eliminate the element of speculation on that.

Commissioner Davis said and all of that is assuming that this gets approved or moved through tonight. **Ms. McLaughlin** said, correct. If it got approved tonight and let's just say by tomorrow, they could say hey, Planning and Zoning we have our survey, here it is then they would have to still register for pre-application meeting and then get on the Planning and Zoning schedule so the earliest they could be heard would be February, I believe. That's if they had something to

present tomorrow. **Commissioner Davis** said, I can say given that information there will be opportunities if we were to approve this for the neighborhood groups to engage. I mean that was a six-month timeline where there will be adequate time for us to engage. My worry is that if we say no, there is no conversation that happens. Most likely that neighborhood group may or may not be meeting, but who knows if the developer is able to come and then now that six-month timeline turns into eight, turns into nine and then we just don't have anything that's there. I will be supporting this motion knowing that there will be most likely ample opportunity for neighborhood engagement.

Ms. Green said I'm going to have to weigh in on this. If we're going to do a motion to approve because it was previously denied, the people that denied it last time are going to have to do a motion for reconsideration because they were on the prevailing party because it was denied. **Commissioner Bynum** said what do you need me to do? **Chairman McKiernan** said you haven't had a successful—**Ms. Green** said it is because it was denied that makes the denying people the prevailing party. Prevailing doesn't mean that it passed, it just means that they won. Either one of you two have to make a motion to reconsider the last motion. **Commissioner Bynum** said the motion that failed. **Ms. Green** said right. **Commissioner Bynum** said so will move to approve or reconsider. **Ms. Green** said just move to reconsider.

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

Action: **Commissioner Stites made a motion, seconded by Commissioner Davis, to approve as submitted.** Roll call was taken and there were four "Ayes," Bynum, Stites, Davis, McKiernan.

- B2. Michael Williams – 4 units
630 Quindaro Blvd – 111891
628 Quindaro Blvd – 111892
626 Quindaro Blvd – 111893

Mr. Knapp said B2 is at 630 Quindaro Blvd. They're asking for three Land Bank lots to build

four unit row houses. I didn't receive any comments from staff that would stop the build. There were no comments from the neighborhood group or the Land Bank Advisory Board.

Commissioner Bynum said I think Ms. Jefferson was going to ask for the hold on this. My question for staff is what further community engagement processes would be required on this one.

Ms. McLaughlin said, Commissioner Bynum, if I may, this is zoned RP5 for a Planned Apartment District so multi-family would have to go through the commercial design guideline requirements and will be subject to the Planning Commission final preliminary and final development plan.

Commissioner Bynum said and through that process and I'm sorry, but this does heart back to D1. Well, through that process if we're talking about something going through the Planning and Zoning process. Is that what you said? **Ms. McLaughlin** said that is correct. **Commissioner Bynum** said where the golden rules are the factors. **Ms. McLaughlin** said that is correct. This is kind of an older part of town and we do have ordinances that are aimed at developments that are probably west of I-635. We would have some variances that might be asked for regarding lot size or minimum square footage requirements, parking so on and so forth. RP5 includes R2 and R1. It does not include R3 which is kind of closer to what's depicted in that picture. There might be some additional conversation as part of that development as well, but they would have to give us a preliminary and final development plan for our multi-family development depending on how they structure that or how they're proposing for that, but typically because it is if they're planning on combining it, especially. If they're planning on doing it as each one being one individual parcel, that might eliminate a little bit of that, but they would still be subject to the narrow lot design guidelines, which then again, I would also be subject to reviewing that as well for compliance within the district. Depending on how they combine the lots and the way that they propose their multi-family development there would be some level of engagement there.

Again, they're probably going to have to go through a survey replat process depending on if they're rentals and so on so there will be some kind of engagement, maybe not neighborhood depending on how they split them, but likely because it is a planned district they would need a preliminary and final development plan.

Chairman McKiernan asked the Clerk if we received any public comment related to Item B2.

Ms. Sparks said no comments were received. **Chairman McKiernan** said I'll recognize Elnora Jefferson who has her hand up. Ms. Jefferson if you'd share your comments on Item B2.

Ms. Jefferson said this particular area in Oak Grove differs from B1 in the sense that this is in the development area in the old TIF area where we talked about the earlier Peregrine Falcon lots. To the best of my recollection the TIF has not expired I this and I am unaware of the status of the development agreement. So, with that being unknown the reason for the neighborhood agreement is to bring all of that information to bare because although we have asked for an update to that information, we have never received it. The temporary 30-day hold would allow us not only to listen to the developer and what the developer intends to do and how that would fit within the neighborhood, the scheme as well as to answer those unanswered questions that we've had for— The TIF is about 20 years old so it's an old area that has been stalled on the development.

Commissioner Stites said if there's a TIF, a TIF only runs 20 years. Has that not ran its course and if Ms. Jefferson, I'm not sure who, she referenced that she has reached out to get that information and she's yet to receive that, I'm not sure who that person is or group is that she's reached out to. Ms. Jefferson, who have you reached out to there so we can make sure you get what you need. **Ms. Jefferson** said I have reached out to Mr. Knapp to let him know that those conditions exist in the Oak Grove Neighborhood. I can't remember, Commissioner Stites, because I want to be truthful. I'm sure that I have made this mentioned, but I can't tell you to whom I have. I know that Mr. Murray was in the Community Development, Director of Community Development, when this was put forth because the Peregrine Falcon TIF changed it's boundaries even at that point. So, that's being as truthful as I can. I have asked several times about the TIF and the developer's agreement and well and the developer of record, which is Bob Hughes, I'd also ask him about his development agreement.

Commissioner Stites said I appreciate that answer. Still, there's a clock that is set whenever there's a TIF plan put in place and that clock is 20 years. I'm not sure when that clock runs out or has run out. I appreciate that.

Chairman McKiernan said this is an action item. Is there a motion?

Commissioner Bynum said, Commissioner McKiernan, I see a Business Journal article from 2008. The Unified Government of WyCo/KCK is betting a few million dollars in assistance can transform 50 acres of blight into 150 homes referencing the Peregrine Falcon, so it's possible the clock hasn't run out, but you know the TIF may be in place in which case Ms. Jefferson has some good questions that deserve some answers. Let me see if Google will give me any other information.

Commissioner Stites said while this research is going on and I appreciate it, but I don't know that and I appreciate what Commissioner Bynum is doing here looking at it, but I don't know that we can rely on something that Google comes up with. I wish that this information had been given when requested so that we weren't in this situation. It frustrates me that we are here on this and that there have been questions that haven't been answered and then we're supposed to figure it out on the fly.

Action: **Commissioner Stites made a motion, seconded by Commissioner Davis, to hold this over for 30 days.** Roll call was taken and there were four "Ayes," Bynum, Stites, Davis, McKiernan.

- C. Commercial – 3 Projects
 1. Eddie Villanueva – Event Space
3113 Strong Ave – 166441
1419 S 32nd St – 166404
 2. Amelia Harshfield – Mushroom Farm
1705 N. 1st St – 081672
 3. Heron Santana – E-commerce Business
68 S. 7th St – 121530

Mr. Knapp said C1 is at 3113 Strong Avenue. It's actually for two lots. They want to build an event space with the parking lot being at 1419 lot being it that's currently a parking lot today. We seen this lot about a year and a half ago. They were going to build a bank here, but then that option fell through and then we got a new application for this event space.

Chairman McKiernan said same developer that was going to build a bank. **Mr. Knapp** said, no. Different developers. **Chairman McKiernan** asked where was the Container Village going to or

the container Entertainment District going to go down here. **Mr. Knapp** said that was right here too. **Chairman McKiernan** said same place. **Mr. Knapp** said yes.

Chairman McKiernan asked, comments or questions from the committee. If they were going to build an event space and a parking lot, they would need to go through all of the requisite planning and zoning. This would be an involved process, correct? **Mr. Knapp** said yes, it would. **Chairman McKiernan** asked is it zoned correctly for an event space or would it need to be rezoned? I'm assuming there would need to be some special use permits as well. **Mr. Knapp** said it's zoned CP1. I think Kellie could help me out with that question. **Chairman McKiernan** said so we can be confident it would come back through the Planning and Zoning process. **Ms. McLaughlin** said, Commissioner, that is correct, an Event Center would require a special use permit. Additionally, this is a planned district and depending on the hours and things like that they're asking for they might also have to change their zone. Since the parcels are not together there is a street or alleyway in between them we'd have to verify parking agreements and so on and so forth and it might require a parking variance. Event Centers have their own because they're not technically on the same parcel so there would be a number of planning entitlements that would have to occur before that would be able to come to fruition.

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

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

Chairman McKiernan asked the Clerk if we received any public comment related to C1. **Ms. Sparks** said no comments were received. **Chairman McKiernan** asked if there was anyone joining us online who'd like to offer comment on C1-3113 Strong. I see no hands raised online.

Roll call was taken and there were four "Ayes," Bynum, Stites, Davis, McKiernan.

Mr. Knapp said Item C2 is at 1705 N. 1st St. They want to build a mushroom farm here. They want to build a steel building. It is zoned correctly at M3-Heavy Industrial, so it does match the

zoning.

Chairman McKiernan said I will say that it appears that the applicant has been online and has hung with us throughout this entire meeting, so members of the committee if you have any questions for the applicant, she is available. Comments or questions from the committee?

Commissioner Stites said did you say mushroom farm? **Mr. Knapp** said, yes, Commissioner. **Commissioner Stites** said interesting. I appreciate the applicant hanging in there until after 9 o'clock, but I don't have any questions. Good luck with your mushrooms.

Chairman McKiernan asked the Clerk if there was any written or public comment on this application. **Ms. Sparks** said no comments were received. **Chairman McKiernan** asked if there's anyone joining us online who would like to offer public comment on this item. I'll recognize Ms. Jefferson.

Ms. Jefferson said I'm here as a member of the Advisory Board. I've read that mushroom farming is on, that's what's happening, but the question that I have and one that I raised at the Land Bank Advisory meeting was how this particular development would be affected by sale of the Juniper Gardens by the Housing Authority. That question I was told would be something that would be handled or asked at the Mayor's meeting that's downstream from the Advisory Board and I don't know what the answer is on that.

The other two questions that I have is we've looked at this particular part of town before for the (inaudible) farm as well as the other types of urban farming that people want to do and I would ask whether or not there's been a soil assessment and what are the results of that assessment or will the mushrooms not be grown in the ground. I don't know anything about that.

The third thing is the fact that there was an EPA issue, EPA contamination issue that the EPA addressed several years ago in this part of town. Once again, I'm here to ask for a 30-day hold to be able to talk with the applicant, the NBR would like to talk with the applicant and ask these questions. The gentlemen who heads the Mayor's Environmental Sustainability and Green Energy Task Force would be part of that particular discussion as well.

Chairman McKiernan said while I appreciate the environmental concerns that you've raised, that actually is outside of the purview of the Land Bank committee and that would need to be something that the applicant would need to address with the relevant authorities, at least as it seems to me. Wendy, I'll just ask for clarification on this. **Ms. Green** said that is absolutely correct and that's again why this is an option so they can make sure that they would check into all of that first. **Chairman McKiernan** said thank you very much. I would also point out that the Jupiter Gardens Training Farm is within half a block of this so there is farming that's taking place in this area already. I would ask the applicant, Ms. Harshfield, you are online and if you'd like to offer any comments to the standing committee, I would invite you to do so at this time to share comments if you choose to.

Amelia Harshfield, Kansas City, Missouri, said mushrooms can be grown several ways depending on the different kinds. The kind that I am currently looking at growing commercially are and can be grown indoors. Actually, preferred to be grown indoors because of the requirements with the humidity and certain light. It's just not well grown outside in Missouri year-round so it would all be indoor production.

Chairman McKiernan said I see in the application that Mr. Knapp has up before us there's a picture of a commercial building. Is this fairly representative, you would build a building, and your mushrooms would be grown inside that building not necessarily in the ground, but in raised beds. **Ms. Harshfield** said no, they're grown in rooms really that you can control the humidity and light, and three different rooms are going to be required. **Chairman McKiernan** said alright. We really appreciate that.

Commissioner Stites said and this is currently zoned Industrial, so it meets the zoning, correct? Again, the questions that were raised are outside of our purview and that some of those other questions that were raised will be answered at a later date.

Action: **Commissioner Stites made a motion, seconded by Commissioner Davis, to approve as submitted.** Roll call was taken and there were four "Ayes," Bynum, Stites, Davis, McKiernan.

Mr. Knapp said C3 is at 68 S. 7th St. Trfwy. This is for a e-commerce business. They need a special place that they could run their business out of. When I reviewed this with staff, they said a 25 ft. lot is very tiny so the building would be very narrow. They definitely couldn't build a steel building like they have depicted there. So Planning would make them change that. That's pretty much the only comments that I've received on this.

Chairman McKiernan said Mr. Knapp, I'm assuming this is zoned R1. **Mr. Knapp** said it's zoned C3. **Chairman McKiernan** said C3. Never mind. It's late. I just remembered what street we're on.

Chairman McKiernan asked comments or questions from the committee. I'll ask the Clerk if we've received any written communication regarding Item C3 at 68 S. 7th St. **Ms. Sparks** said no comments were received. **Chairman McKiernan** said I'll ask if there's anyone joining us online who would like to offer public comment about C3, 68 S. 7th. I seenNo hands were raised.

Action: **Commissioner Stites made a motion, seconded by Commissioner Davis, to approve as submitted.** Roll call was taken and there were four "Ayes," Bynum, Stites, Davis, McKiernan.

Item No. 2 – 212821...LAND BANK 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>

Approve and forward to Land Bank Board of Trustees

PT – Property Transfers

1. Melysa Brown – Yard Extension
607 – Melville St. -154831
2. Transfer into the Land Bank from the Unified Government
2507 N. 13th St. – 157521
3. Transfer into the Land Bank from the Unified Government
1331R Yecker Ave. - 907114

4. Transfer – Fixing a legal description error
1340 Georgia Ave. – 157783
5. Donation
1012 Miami Ave. - 072821

Mr. Knapp said I believe we can do PT 1 through PT5.

PT 1 is for a unbuildable lot as a yard extension. It's unbuildable because there's no access to a road there.

PT 2 and PT 3 are actually tax sales properties. They kind of got left behind. This is just our database clean-up to move them from UG ownership into the Land Bank.

PT 4 is a little confusing, but this was a bank error with the legal descriptions. This was not the UG's fault that this happened. The owner of the house thinks they actually own the home, but they actually own the lot right next to it, so this request is to fix the bank's error and to transfer the home into their ownership that they think they own.

Commissioner Bynum said PT 4 first it has to come to Land Bank and then to them. When we say property transfer the Land Bank owns the lot that the home is on currently. **Ms. Green** said, so way back in 2007 it was owned—both the lot with the home and the vacant lot next to it were owned by the same people and the mortgage company foreclosed, but they only foreclosed on the vacant lot, they did not foreclose on the property with the house on it. Then the property with the house on it ended up in our tax sale and it went into the Land Bank so the people that are living in the house when they bought it, they thought they were buying the house, everybody thought they were buying the house, but they only purchased the legal description of the vacant lot, yes. We are transferring them the property with a house on it so they will now actually start to be paying taxes on the property with the house, but given this property transfer is actually from us to a homeowner. **Mr. Knapp** said, yes. **Ms. Green** said they've been living in the house, and they think they own the property the house is sitting on. **Commissioner Bynum** said did they ever wonder where my tax bill is? **Ms. Green** said I honestly couldn't tell you. That was my only hesitancy in all of this. They actually didn't come to us with this. The mapping department

discovered all of this. **Mr. Knapp** said, yes. **Ms. Green** said they have lived there since. We got the lot with the house on it in 2017 out of the tax sale and he has lived there since 2013. **Commissioner Bynum** said but I might say if I'm a mortgage holder, I might think my taxes are being paid. **Ms. Green** said exactly. So his mortgage company could have thought that's what he was buying as well since the previous mortgage company also thought it was for closing on a lot with a house on it. If I remember correctly, also the Mapping Department had to tell our Clerk's Office that they needed to swap addresses for parcels because the legal descriptions were attached to the wrong parcels. It's been a mix up since the mortgage company messed up the foreclosure in 2007. This is just righting the error that bank made in 2007.

Mr. Knapp said PT5 is a donation into the Land Bank. It's tax current and it's passed our title search, so we can take it. That concludes the property transfer items.

Chairman McKiernan asked if there's any public comment for Items PT1 through PT5. **Ms. Sparks** said no comments were received. **Chairman McKiernan** said I'll ask if there is anyone joining us online who would like to comment on PT1 through PT5. Seeing no hands raised.

Action: **Commissioner Davis made a motion, seconded by Commissioner Stites, to approve PT1 through PT5 as submitted.** Roll call was taken and there were four "Ayes," Bynum, Stites, Davis, 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 four "Ayes," Bynum, Stites, Davis, McKiernan.

Chairman McKiernan adjourned the meeting at 9:17 p.m.

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