

STATE OF KANSAS)
WYANDOTTE COUNTY)) SS
CITY OF KANSAS CITY, KS)

**PLANNING & ZONING AND
REGULAR SESSION
JANUARY 31, 2019**

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in regular session Thursday, January 31, 2019, with ten members present: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Murguia, Commissioner Third District; Johnson (via conference call), Commissioner Fourth District; Kane, Commissioner Fifth District; Markley, Commissioner Sixth District; Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO, presiding. Commissioner Walters, Seventh District; was absent. The following officials were also in attendance: Doug Bach, County Administrator; Melissa Sieben and Gordon Criswell, Assistant County Administrators; Bridgette Cobbins, Unified Government Clerk; Ken Moore, Chief Legal Counsel; Rob Richardson, Director of Planning; Byron Toy, Zach Flanders; and Kim Portillo, Planners; Janet Parker, Administrative Assistant; Emerick Cross, Commission Liaison; Crystal Watson, Deputy Chief in Mayor's Office; Lynn Melton, Assistant to the Mayor; Maureen Mahoney, Chief of Staff in Mayor's Office; and Captain Ronald Schumaker, Sergeant-at-Arms.

MAYOR ALVEY called the meeting to order.

ROLL CALL: Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Philbrook, Bynum, Burroughs, Alvey.

INVOCATION was given by Reverend Jared Altic, Wyandotte Christian Church.

Mayor Alvey asked if there were any revisions to tonight's agenda. **Bridgette Cobbins, UG Clerk,** said a blue sheet has been distributed. Under Standing Committee Agenda, Item No. 1, we have an update to the agreement. Also, at the request of the petitioner, Section IX-Planning and Zoning Non-Consent Agenda, Change of Zone #3159 has been requested to be held over to the February 28th Planning and Zoning meeting.

Commissioner McKiernan said I've had contact with proponents of SP2019-48.

Commissioner Bynum said I've had contacts with opponents of Item No. A1, change of zone, #3187 and then the accompanying SP2019-47. **Commissioner Townsend** said I've had contact with proponents of SP2019-41 and SP2019-85. **Commissioner Markley** said I've had contact with parties for SP2019-72.

MAYOR'S AGENDA

ITEM NO. 1 – 19577...APPOINTMENT AND RESOLUTION: MUNICIPAL COURT ADMINISTRATIVE JUDGE

Synopsis: Adopt a resolution appointing the Administrative Court Judge for the remainder of Judge Maurice Ryan's 4-year term, submitted by Ken Moore, Chief Counsel.

Mayor Alvey said I'd ask Commissioner Markley, the chair of the subcommittee, to make some opening remarks. I want to say at the beginning, thank you, Commissioner Markley, and thanks to all the members of the committee. You did great work forwarding us a good list of candidates.

Commissioner Markley said I won't say that it was easy because we did have an amazing set of candidates. We had ten applicants. All of them were very good. We interviewed five. We could probably have interviewed all ten had we had more time. They were all excellent applicants. We interviewed five of those and we had to, by ordinance, set forth three for this Commission's consideration. Those three were heard earlier this evening in special session. I am here tonight to make a motion for approval for the individual who came out of that special session with the majority of the votes, which is Brandy Brajkovic.

Action: **RESOLUTION NO. R-6-19**, "A resolution appointing Brandelyn Nichols-Brajkovic to the position of Municipal Court Administrative Judge, Division 1, for the remainder of the term of four years which began October 1, 2018, through September 30, 2022; and that the County Administrator is hereby authorized and directed to negotiate an agreement between the Unified Government of Wyandotte County/Kansas City, Kansas, regarding the terms and conditions of said appointment as Municipal Court Administrative Judge." **Commissioner Markley made a motion, seconded by Commissioner Kane, to adopt the resolution.** Roll call was taken and there were nine "Ayes," Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Philbrook, Bynum, Burroughs.

Mayor Alvey said congratulations to Judge Brajkovic.

Mayor Alvey said tonight we have two distinct parts to our meeting. The Planning and Zoning portion will be handled first followed by the regular commission meeting. I'd ask the Clerk to read the statement, required by state law, governing the Planning and Zoning portion of our meeting followed by the items on the Planning and Zoning Consent Agenda.

Ms. Cobbins, UG Clerk, read the statement, required by law, governing the Planning and Zoning portion of the meeting.

Ms. Cobbins asked if any members of the Commission wished to disclose any contact with proponents or opponents on any item on the Planning and Zoning agenda. **Commissioner Townsend** disclosed contact with proponents and opponents of Change of Zone #3159. **Commissioner Bynum** disclosed contact with proponents of Change of Zone #3174 and Master Plan #MP-2019-1. She also disclosed proponents and opponents of Change of Zone #3159. **Commissioner Philbrook** disclosed contact with proponents of Plan Review Petition Change of Zone #3159.

Ms. Cobbins read the items on the Planning and Zoning Consent Agenda.

PLANNING AND ZONING CONSENT AGENDA.

Mayor Alvey asked if any member of the Commission or anyone in attendance tonight wished to set-aside any item on the Planning and Zoning Consent Agenda. If an item is not set-aside, all items on the Planning and Zoning Consent Agenda will be voted on by one vote to follow the recommendation of the Planning Commission. Curtis Nicholson asked to set-aside A-1 and D-1.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the Planning and Zoning Consent Agenda, excluding A-1 and D-1.** Roll call was taken on the motion and there were nine "Ayes," Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Philbrook, Bynum, Burroughs.

CHANGE OF ZONE APPLICATIONS

ITEM NO. 1 – 19568...CHANGE OF ZONE APPLICATION #3174 - CURTIS PETERSEN WITH POLSINELLI

Synopsis: Change of zone from BP Planned Business Park, CP-3 Planned Commercial and CP-1 Planned Limited Business Districts to MP-1 Planned Light Industrial and Industrial Park, CP-O Planned Non-Retail Business and CP-2 Planned General Business Districts for a mixed-use development (distribution/food service center, office and commercial) on the former Indian Springs Shopping Center site at 4600 and 4602 Orville Avenue and 4601 State Avenue, and

MASTER PLAN APPLICATION ITEM NO. 1 – 19571...MASTER PLAN APPLICATION #MP-2019-1 - CURTIS PETERSEN WITH POLSINELLI

Synopsis: Master plan amendment from Mixed Use to Business Park and Community Commercial for property at 4600 and 4602 Orville Avenue and 4601 State Avenue, submitted by Rob Richardson, Director of Planning. The applicant has filed a change of zone, preliminary and final plat, final plan review and master plan amendment to subdivide the properties into eight lots to build a distribution/food service center and out parcels that are future commercial pad sites for office and retail businesses located on 49.2 acres. The Planning Commission voted 6 to 0 to recommend approval of Master Plan Amendment #MP-2019-1. The Planning Commission voted 6 to 0 to recommend approval of Change of Zone Application #3174, subject to:

Urban Planning and Land Use Comments

General Planning:

1. Submit a design criteria manual for the overall center.
Applicant Response: Design criteria has been submitted.
Staff Response: Applicant submitted what is basically the same design criteria as was used for some auto dealers.
2. Submit retaining wall elevations and calculations as required for a final plan review.
Applicant Response: Calculations have been submitted.
Staff Response: Wall material must be integrally colored to match building.
3. Any proposed wind turbines must comply with the wind turbine ordinance.
Applicant Response: Acknowledged.
4. Per Sec. 27-314. Within the boundaries of a subdivision, sidewalks shall be installed by the subdivider on one side of all new local residential streets, and all streets that are segments of

the major street system shall have sidewalks on both sides except in industrial areas and except in subdivisions zoned R Rural Residential. Sidewalks shall be not less than four feet wide and be of Portland cement concrete and shall comply with the specifications of the Unified Government. Sidewalks shall be located in the platted street right-of-way abutting the property line. Walks shall be installed in any pedestrian easements as may be required by the Planning Commission. The Unified Government Board of Commissioners may approve exceptions to these requirements after having made a determination that provision of a sidewalk on one or both sides is unnecessary, not feasible, or that a superior alternative is to be provided. North 47th Street and Orville Avenue are classified as Class A Thoroughfares, so sidewalks shall be installed on both sides of the street.

Applicant Response: The applicant agrees to construct a sidewalk along the east side of North 47th Street and the north side of Orville Avenue.

Staff Response: Additional sidewalks may be required to meet the code.

5. Over-the-road trucks shall not be parked on the property overnight.

Applicant Response: Over the road trucks are an essential component of the Scavuzzo operations and will be parked on the property overnight.

Staff Response: Response acknowledged.

6. Minimum 8-foot sidewalk/trail is required to be installed around the perimeter of the property. Please revise and resubmit.

Applicant Response: A 5-foot sidewalk will be constructed along the east side of North 47th Street and the north side of Orville Avenue. The applicant will also be re-striping 47th Street/Orville Avenue to include bike lanes.

7. Minimum 4-foot pedestrian path with landscape buffer and pedestrian lighting from parking areas to buildings. Please revise and resubmit.

Applicant Response: The applicant would appreciate further discussion with City staff prior to addressing this comment.

Staff Response: Acknowledged.

Building Architecture

1. While this is being rezoned to M-1, it is part of an office and commercial development and should be designed as such. The buildings' appearance does not seem to meet the standards set in the Commercial Design Guidelines. Staff requests that the applicant submits an illustrated percentage breakdown of each material used on each elevation.

Applicant Response: See Sheets A2.4 and A2.5 for building elevations with breakdown of materials.

2. Please provide building elevations for all the buildings within the development. Only the food storage/distribution center was included in the initial submittal. A change of zone petition, which incorporates the preliminary plan review requires building elevations for all proposed buildings.

Applicant Response: Per discussion with City staff, building elevations for only the industrial food service building are being provided at this time.

Staff Response: A design manual has been submitted.

3. Please provide four-sided color renderings of the food distribution center for the final plan review.

Applicant Response: See attached four-sided color renderings, along with the building design narrative.

4. All roof-mounted units must be screened by the parapet of the building.
Applicant Response: Combination of parapet and unit-specification screening will be utilized for the food service building.
Staff Response: Comment remains.
5. All utility connections must be screened with landscaping or an architecturally designed screen wall. All utilities mounted on the wall must be painted to match the building.
Applicant Response: Acknowledged.
6. Since the buildings have high visibility from every angle, scupper and downspouts can become an eyesore. All scuppers shall be designed so they are reasonably screened, and all downspouts shall be internalized. Overflow drains shall be at grade and hidden by vegetation.
Applicant Response: See enclosed building design narrative.
Staff Response: Comment remains.
7. All concrete shall be integrally colored – no paint.
Applicant Response: See enclosed building design narrative.
Staff Response: Comment remains.
8. The material palette is very bland and should be updated to provide a high quality and interesting appearance.
Applicant Response: See enclosed building design narrative.
Staff Response: Comment remains.

Landscaping and Screening

1. Based on the landscaping requirements in the CP-0 Planned Non-Retail Business, CP-1 Planned Limited Business, CP-2 Planned General Business Districts (one tree per 7,000 square feet of site area) and the Commercial Design Guidelines (at least 75 percent greater than the district requirement), the number of trees are required for the following lots:
 - a. Lot 2 – 106 trees
 - b. Lot 3 – 26 trees
 - c. Lot 4 – 22 trees
 - d. Lot 5 – 32 trees
 - e. Lot 6 – 16 trees
 - f. Lot 7 – 17 trees
 - g. Lot 8 – 23 trees

In summary, 242 trees are required to be planted for the commercial zoned lots based upon staff's calculations. Please revise the landscape plan accordingly. This total does not include trees required for street trees planted along a major street or within parking lot islands.

Lot 1 requires 117 trees, which does not include the requirement for street trees and parking lot islands.

Applicant Response: Acknowledged.

2. Per the Commercial Design Guidelines:
 - a. The majority of all surface parking and all drive-through facilities should be located to the maximum extent possible behind buildings or in the interior of a block.
 - b. Parking located between front of building and street right-of-way must provide an additional 20 feet of landscaped area in addition to the required setback.

- c. Parking must be screened from adjacent streets by walls, shrubs, trees, or other design elements.

Applicant Response: The applicant agrees that the non-industrial buildings should follow the Commercial Design Guidelines.

- 3. All landscaping must be irrigated.

Applicant Response: Some landscaping will be zero-scape to account for LEED accreditation and cannot be irrigated. All non-irrigated plantings will be of native type and irrigation will be used until the plantings are established. See enclosed Landscape Established Management Plan.

Staff Response: In native planting areas (non-irrigated areas), trees shall be water bagged for two years.

- 4. All shade trees shall be at least 2" caliper. All evergreens shall be at least 6' in height. All shrubs shall be 5 gallons, external to the site and 3 gallons internal to the development when planted.

Applicant Response: Acknowledged.

- 5. All disturbed areas within the development shall be brought to finished grade and seeded or sodded. There shall not be any exposed, bare ground unless the lot has an active building permit for building construction.

Applicant Response: Acknowledged.

- 6. Staff is requesting clarification on the height and type of lights used in the parking lot.

Applicant Response: See attached cut-sheet for site lighting. Light poles are currently designed to be 30' in height.

- 7. All lighting, whether mounted on the exterior of parking deck or within the structure shall have 90-degree cutoff fixtures. Light cannot exceed one footcandle as measured from said property line. Please provide a lighting plan.

Applicant Response: See enclosed lighting plan.

Staff Response: Comment remains.

- 8. Only decorative lighting can be used on the exterior of the building(s). No pack lights or flood lights are allowed.

Applicant Response: Acknowledged.

- 9. The dumpster will need to be screened with an architectural wall that matches the building and heavily landscaped.

Applicant Response: Acknowledged.

- 10. Sec. 27-468(c)(2) All storage of materials, products or equipment shall be within a fully enclosed building or in an open yard so screened that the contents are not visible at eye level within 100 feet of the property line. Outside storage areas for other than operable vehicles shall be limited to an area no greater than ten percent of the enclosed floor area of the use and shall not include storage, junk or salvage. Semitrailers not coupled with tractors shall be included in this area limitation.

Applicant Response: The applicant would appreciate further discussion with City staff prior to addressing this comment.

Staff Response: This is a district requirement of MP-1 Planned Light Industrial and Industrial Park District.

- 11. The BPU transformer pad and generator depicted on sheet Z01 shall be completely screened on three sides with 6-foot junipers setback 3 feet from the pad. Additionally, the transformer doors shall face east, interior to the site towards the building façade.

Signage

Shall comply with the sign ordinance.

Applicant Response: Acknowledged.

Public Works Comments

1. Items that require plan revision or additional documentation before Engineering can recommend approval: none.
2. Items that are conditions of approval (stipulations):
 - a. Please coordinate with UG Public Works regarding restriping of N 47th Street and Orville Avenue.
 - b. The south-west driveway shall include an extended median and/or throat into the site to physically prohibit vehicles from using the opposite lanes of the driveways.
 - c. Construction plans shall meet UG standards and criteria and shall be reviewed and approved by UG prior to construction permit acquisition.
 - d. The County Surveyor makes separate technical review of the plat documents and submits comments directly to the preparer of the plat. Provide revised plat documents in accordance with County Surveyor comments.
3. Comments that are not critical to Engineering's recommendations for this specific submittal but may be helpful in preparing future documents: none.

Staff Conclusion

The applicant has responded to Planning and Planning Engineering staffs' comments; however, staff would like to continue to work with the applicant on the remaining issues:

1. A 4-foot internal sidewalk and landscape buffer with pedestrian lighting must be depicted on the site plan.
2. Resolve remaining Engineering reviews and utility conflicts.
3. Incorporate masonry materials (i.e. stone, brick and/or cast stone) on the entry, office and mezzanine area of the south façade.
4. In native planting areas (non-irrigated areas), trees shall be water bagged for two years.

Mayor Alvey asked can we hear both of them at the same time. **Mr. Richardson** said yes, that's fine.

Rob Richardson, Director of Planning, said Mr. Petersen has a brief presentation to describe how they're going to accomplish the one stipulation and contention that related to the staff report for screening of the roof-top units. I think we have a plan to do that. I'll let him go into the details on that. There's one part of it that we think will work, but if it doesn't, we would like the authority to come back and fix that with another method in the development agreement if what's specified tonight doesn't work. They've been working on this all afternoon and into the evening. That's the one caveat I think he'll ask for.

Kurt Petersen, Polsinelli, Inc., 6201 College Blvd., Overland Park, KS, appeared on behalf of the applicant. It is gratifying when we work for weeks and weeks, actually months and months, and then it happens sometimes. We were up there for the last few hours trying to figure out something and we'll get to that. Mostly, of course, if you have questions about it that's great, but mostly to get it on the record just because this is a final approval tonight. If you don't mind, it will not be long winded, Mayor, I promise. Just because some of you, I know there were three or four of you that I saw in the audience at the neighborhood meeting, that was very well attended, back at the end of the year where we went through all of this. I know everybody wasn't able to make it with everything going on, so I thought we'd do an abbreviated version of that just because it really is an important site and so you can have a chance to ask questions and things like that. With that, maybe we'll do that preview and then hit the technical issue Rob was referring to.

Scavuzzo's, Inc., it really starts—before we talk about the project, you've got to know who this is. This is the mastermind behind the redevelopment of this very important site, the Indian Springs mall. Scavuzzo's, Inc., is a fourth, I always say fourth, they now have the next generation working there with them. It's a fifth-generation company based right now here in Kansas City, Kansas. While they do a lot of things, their core business model, that's easy to remember and understand, what they would do at this site is to serve largely restaurant clients by distributing all the food and other restaurant stuff that they need out of their facility. They focus especially on—their real niche is the locally owned and regional businesses. They're happy to help those national folks too, but they really have a focus on local restaurants and operators. They serve a number of states across the region but, again, they're based here in Kansas City, Kansas.

They've really had great success. Pam Scavuzzo, who wasn't able to make it tonight, is the owner; that's Rich's mother, and has done wonderful things with this company in the last generation. Richard has taken over as CEO and just in the last five or six years, has done incredible things with growth. I'm sure you'll have other opportunities one on one over time to talk to him about his vision. It's really incredible and again, he's here with us.

With this vision and the growth that he's shepherd over the last five years, they need a new headquarters and honestly, in this market, they're a very, very attractive user with lots of very quality jobs. They could go anywhere. They like Kansas City, Kansas, and they want to be here. They think this site can help them accomplish what they want, not only with their food service center, which we'll talk about, but also with their grander vision for, what some snicker at the

name but I'm telling you it's from the CEO and the ownership on down, the KC Foodie Park. They're about food. If you look at their website, you see they're crazy about food. They want this to be the KC Foodie Park, which part of it, as we'll talk about, is with a food service center.



The site, as many of you know because this is not a foreign site to you, it's about 50 acres; the core mall site. It is oriented correctly with State Avenue to the north and I-635 running along the eastern side. This Foodie Park is meant to be as it sounds, food focused. Concepts are restaurants, food-related service businesses like food prep, meal prep; potential, but no promise to be very clear, they'd love to have a small format grocery there. We understand that Aldi's next door, but we think there's room for even more: possible C-store, other retail, kind of neighborhood retail, and office headquarters that I'll focus on in a minute, the food service center, and also, again, I'll hit it with a little more detail, and a massive solar park to the south that would run the food service center.

January 31, 2019

Looking at the site, let's just go from north to south. Starting up again at State Avenue, kind of call this the first tier, the first row, I guess. While there's three red boxes there, as we said to the neighbors, as we said to the Planning Commission and anybody that calls us, we tell them there's no certainty that there's going to be three. There could be five, there could be a double there that's two concepts. That's one rhetoric. The point is, that's possible that there's three, there could be more, probably not less, but that is the first tier. We really see that being restaurant focused.

We have a brokerage team that's out right now that's been working very hard, frankly ever since just before the neighborhood meeting, not to be presumptuous. We understand this is the UG's property, but you've got to get these things started. They've been out in the market trying to figure out, especially right now—folks, I know this to be true because I got an update from the brokerage team today; focus on local businesses first to see what kind of local restaurants, regional restaurants could be interested. I think the total was today, to be very exact, there are six strong leads and two others that are still talking. We don't even have anything firmed up yet. I'm trying to encourage you, this is real. That would be the first row. There could be some retailer, C-store, but probably restaurant focused.

The second row is where the cursor is here on the screen, these larger buildings. Once again, this is a concept. I know Rich Scavuzzo and his team would hope that some of their clients—they have talked to some of their clients, again, at their restaurants, who would be interested in doing some of this meal prep and other food related services. Again, I hope this is encouraging you. We have no idea for sure exactly. The market will tell us, so that's the second row. Again, very neighborhood focused. All the red you see there is neighborhood focused which is important as we talk to the neighbors and looked at the survey the UG did, what a year and a half ago now on this site. We want to interface with the neighborhood a lot right here. Just for context, you all know that's the bus transit center right here along with the police station.

As you move to this middle area of the site, this red building is anticipated to be approximately a 4-story office headquarters. This is where the office headquarters would go for Scavuzzo's, Inc., but just because this is a—I actually think this is neat. They wouldn't take up four floors. When they do this, the idea would be they have so many hundreds and hundreds of clients that are restaurants in the area that are based in Kansas City and many of them have said we would love to office with you, there's synergy. Rich has talked about something that he's

passionate about is on the first story, doing a test kitchen. They've been talking with the Culinary Institute cutting edge stuff. This is a Foodie Park. I could go on and on, but I promised I'd be short, and I've already blown that. That's what would go right here.

As you move to the south, you get to what's called the Food Service Center. This is the distribution warehouse, that core business model that I referred to that the Scavuzzo's engaged in. The dark amber here would be what would be built first. These are expansion areas. This part of the building here is for cold storage. This part is for dry storage. This part here that you'll see a picture in a minute is office for what directly serves the entire food service center. That, again, is the expansion area here. When the expansion is built, this is a service center for vehicles and equipment out in this corner.

Something I want to point out about this too, really the whole site, is that Scavuzzo's are passionate about also sustainability in terms of environment and things like that. They are, right now, have the designers, engineers and architects here, a nationally prominent architect that has done millions and millions and millions of square feet of food service centers just like this. They think there's a possibility they'll get LEED Platinum, for those that know about LEED. Can we guarantee it would be platinum? No, but they are all in with their design in trying to do that.

The reason I went back to that is it segues back to the south part. It's not really on the screen. It's more UG property here on the hill, that undermined area. There's not too much you can do with it. I'll call it foundational. I know certain people are nodding because they've been somewhat involved in the background of this development of what we hope to be on this hill.

Approximately, don't hold me to the exact amount for the design is happening now, 8 megawatts of the solar. That's a ton. The reason they would do that is because they're passionate about running this facility here, the food service center, on a net zero basis from an energy perspective. They have Black & Veatch doing their study; very sophisticated, saying yeah, that's within reach. There're some things to work out with BPU and some other things like that, but we're very confident that will happen. Again, we would be remised if we skipped over that. That would be the last piece of the project in kind of going north to south.

There are a couple of pictures. I will tell you that we've been working with staff. Lots of changes have happened over the last number of months and some of them are architectural. We had very nice renderings being prepared that were supposed to be ready for this. You're going to

see slightly—I can tell you the things that are different. We added some color, we did some different things. Take this as a conceptual rendering. Again, I didn't get the most updated.



This is your viewpoint as looking south. State Avenue would be back here in the first row where I talked about really aiming for restaurants would be right here. We didn't render them because it's really hard to render a restaurant and not like debate the question of what it is. You know what restaurants look like.

Up along here is retail and then you come to the roundabout. Here would be what I call the second row which, again, would be food focused, maybe more service-oriented. It could be restaurants; it could be small format grocery.

As you continue to move south, you would come to that 4-story. Again, there's no final plan in front of you. This is a conceptual rendering, but like a 4-story office headquarters with that test kitchen and the other tenants from the food industry.

Lastly, you can see in the far southern end is the food service center.



We get a little better picture since the food service center has the final plan. Again, remember conceptual. We've added masonry here and color, but you get a sense. Your orientation here is coming down—State Avenue would be up here. You'd be coming south on 47th and coming around the bend here, and then you would see this. This is the southwest orientation. I-635 is over here.

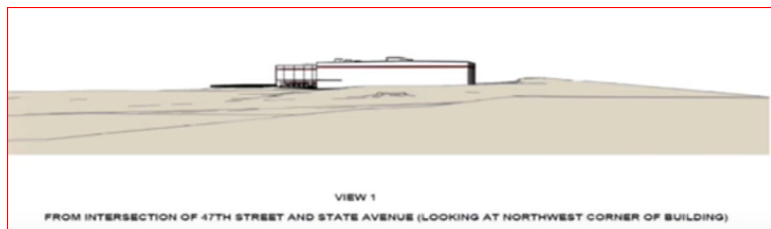
In keeping it relatively brief, timing is something that always comes to mind. The neighbors asked a lot about that. One, we have—I think most of you know in terms of the infrastructure for this site, we have been working a lot with staff, with different staff, and Mr. Bach's staff, on public incentives to work on the infrastructure because it is a pretty big infrastructure project. I believe we're a matter of probably, and I don't mean to step on Doug's toes, but I think it's possibly even next month we'll decide whether we'll be in front of a standing committee to talk about concepts and things like that. I would be remised if I didn't mention what's been going on, so we'll see you soon on that.



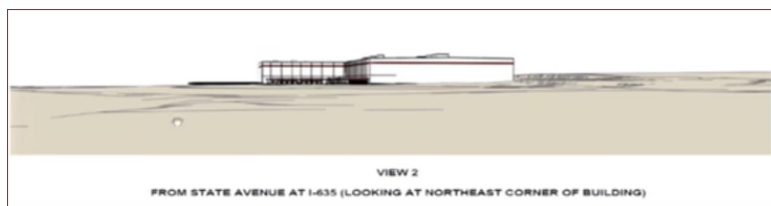
In terms of timing of development, once the public/private partnership's done, this gets done tonight, hopefully, then the actual construction timing would be, as we described it to the neighbors, as the bookends get done first. The bookends being the north and the south. Like I said, we're already out the door being very presumptuous working on getting this moving. That also includes some of the same users could consider space in here. That's one bookend. The other bookend is getting the amber area going so we can get that operational in something like an 18-month, 15, 17 months, something like that. So, bookends first and then we hope the solar will follow quickly behind.

Our technical issue with Mr. Richardson, and I will go fast through this to make a record, but I don't mean to wash over this. We can slow down on any of this that you'd like. The technical issue has to do with rooftop screening. The context was never about cost too much or anything like that. The high-level issue is the idea of on the top of the roof of the food service center, this is actually incredible that they do this even though they're rooftop units, there's no puncturing of

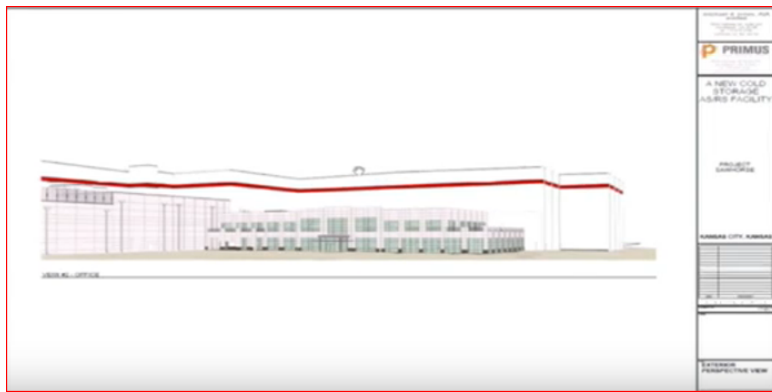
the roof. It's so important when you have that much. It's tens and tens and tens of millions of dollars in food products. The CEO sitting behind me has 30 years in the industry of managing these. He said the biggest issue you can face is punctures, getting moisture in the facility, especially on the cold. Can you imagine going from a 100-degree day outside into below freezing? It's bad news. They're very, very serious about that. We started talking about how we can screen everything so it looks great.



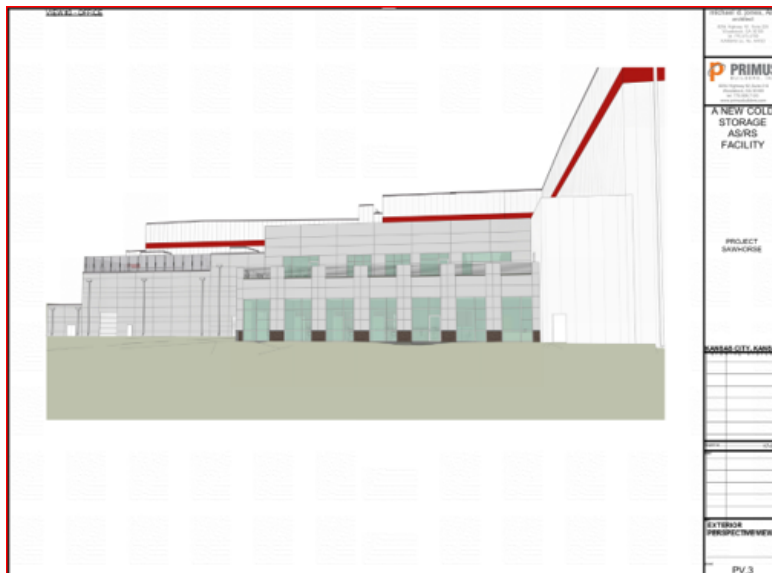
I'm going to go quickly through some that staff has and can be put in the record, some views of, and keep in mind, I'm focusing on the food service center because that's the only rooftop screening we're talking. There are buildings between what you're looking at. Right now you're at 47th & State, the northwest corner of the overall site, and you're looking back at, remember, you'll have lots of buildings in between there. This is taller so that's why we wanted to show it like this. You can see on the top, and this is to scale, this is an engineer drawing, you can see these little rooftop units sticking out. That's what we're talking about.



Then you get a view over from I-635 and State Avenue. Same thing, quite a distance, but you can see a little peekage above of the rooftop units, which I'm going to describe in a minute, or actually not what you're thinking in terms of rooftop units. We call them rooms, junior penthouses. penthouses.



The same thing. None of the big units are visible.

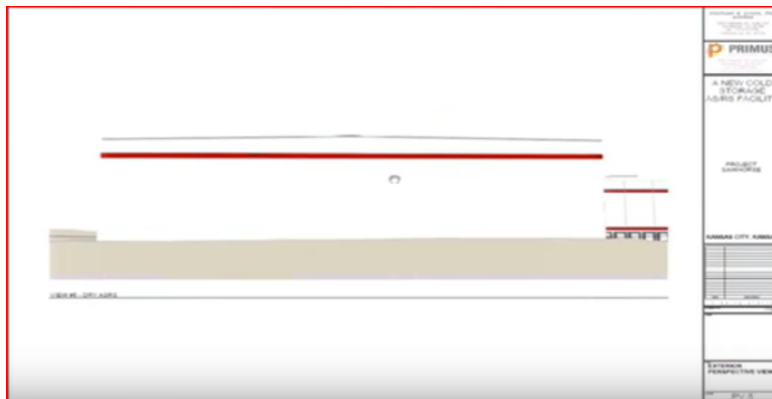


Remember, it's a very, very tall building. Same thing.

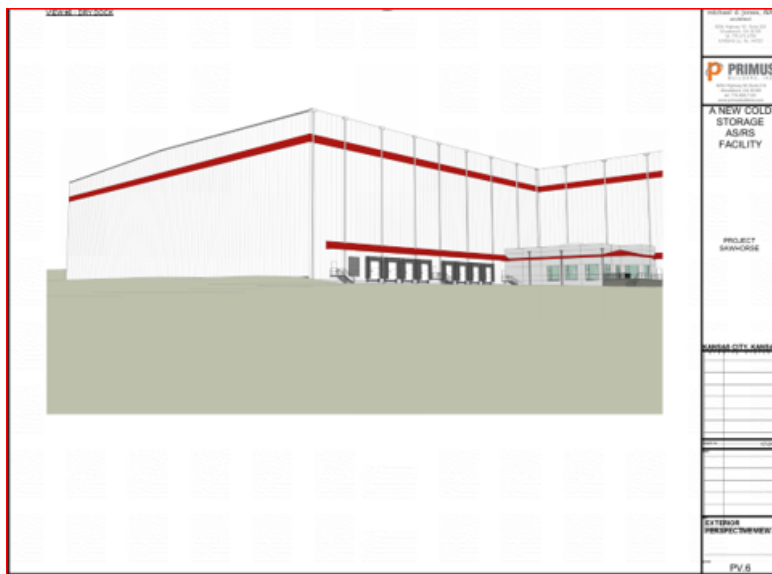


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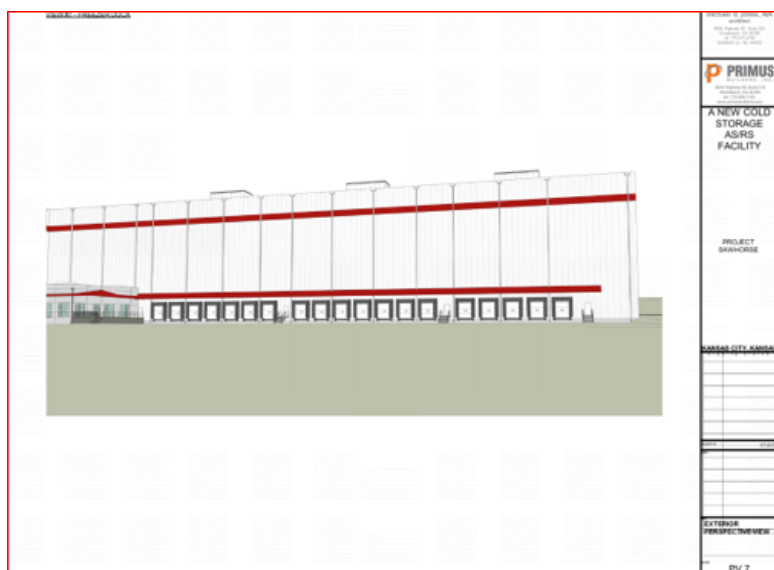
Working our way around.



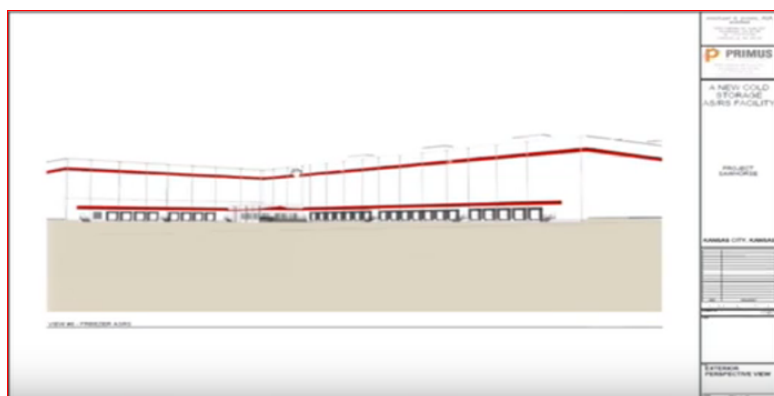
Same thing.



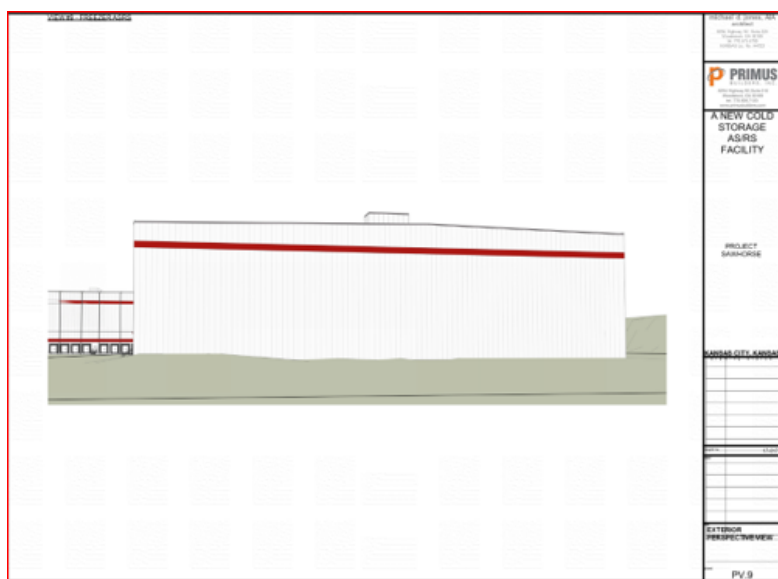
Same thing.



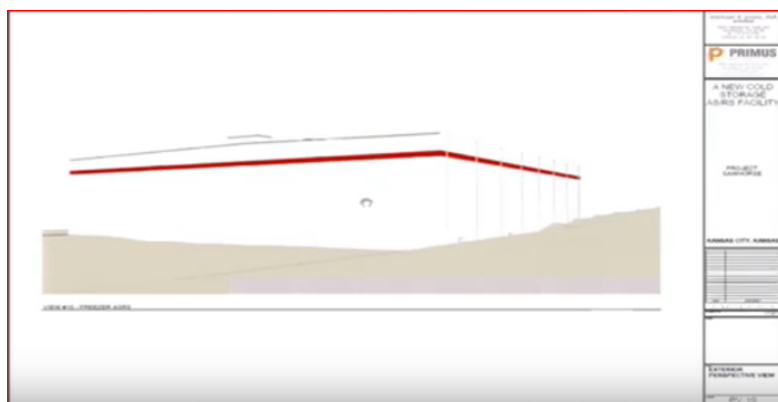
Then here, you're looking from generally speaking I-635 directly across. I-635, this is downhill to I-635. You really see how these just do a little peekaboo above here. I'm going to summarize at the end; just remember this. There's a little peeking above the parapet there.



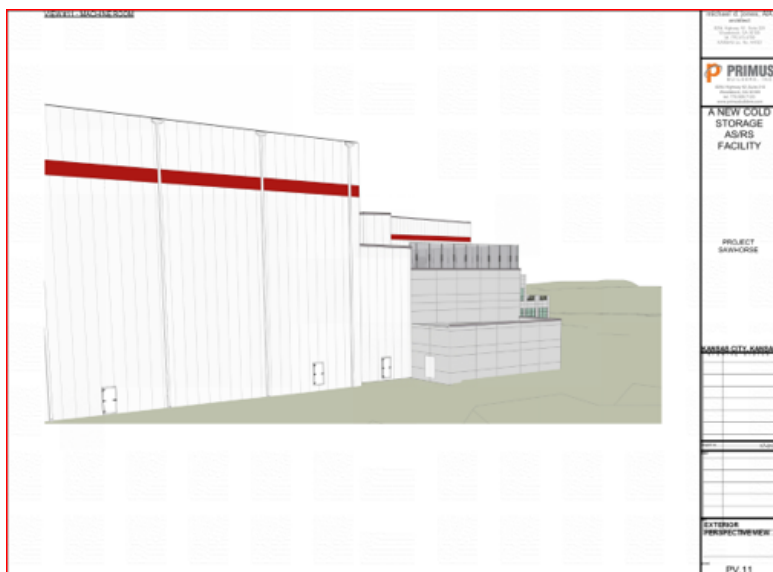
This is just generally just a little farther north, kind of looking back to the southwest. Same facade you're looking at there. A little bit of peekage there.



This vantage point is actually from the Transit Center, just giving you a sense for what folks would see. There would be one unit right now that would be seen.



Pretty much the same thing.



Then we make our way all the way back around.



I'm actually going to show you a picture quickly. These units right here, this is obviously a whole other building. That resolution is not as good as I would have liked, but it gives the idea of what a room is. These rooftop units on top of the building will be totally encased. It's a room that you can go in . It's made of, this is key, the exact same material of the building itself, these high-end metal panels and it's the exact same color. In your mind, don't think of when you drive by a building and you see metal and rust and all that there, they are totally enclosed, totally the same color, and the same high-end material.

At the same, because staff is demanding, which we understand, we think it looks fine as it is. The deal we were working out is remember the kind of peekaboo's you're starting to see from a few locations, we said let's go back without making any penetrations in the roof that's why it's

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been a little bit of a hard design. You can't get too tall or you have to start anchoring into the roof. We can go two and a half feet. This is the detail that we're just kind of getting into the record. I'm going to point out and say it for the record.



Remember this is the cold storage side, the northern wing of the building. That entire north façade of that will have a two-and-a-half-foot parapet, which is as high as we can go without penetrations. Also, on that same building piece, but on the east facade facing I-635, a two-and-a-half-foot parapet. Lastly, down on the dry storage building on its northern roof facade, that will have a two-and-a-half-foot parapet. As we were just going through the engineer drawings and figuring this out, I can say because we just talked about it, the professional staff and the design team agree that that is sufficient for screening.

There's only one, there's two other things to say and then I'm done on this issue. One was the parapet on those three, the two-and-a-half-foot. The second is if you see, it's an older vision, of course that would happen—see this northern most room on top of the cold storage? The design team will take that and the unit directly south of it and they will rotate them so they have a north/south orientation and slide them both back so that they're generally in line with where the second one is right here. What that will do is geometrics. It's going to take care of some of that peekage, plus you have a parapet.

Third and final detail that we worked out. This view angle here, which describing with my words, would be looking from I-635 from the northeast to the southwest. Actually this building here, which will be added when there's an expansion in the future, is actually roughly, I think we

said, a two-and-a-half-story, approximately 25 feet. You're not approving it tonight. That will be here, which is good, eventually for this site angle. We were still finding with the two-and-a-half-foot parapet, as Mr. Richardson, his staff, and the design team looked that there might be some units that might peek over the top of the parapet.

What we agreed on was from this line, kind of the northern part of this first non-expansion cold storage, go across from there up. We'll work on an extra landscaping in the landscape plan between now and permitting with Mr. Richardson and his staff. They'll be evergreen. We think that, plus this building that will eventually go here, will take care of that.

As Mr. Richardson was suggesting in his opening remarks, because we will have, we hope to make this work, a development agreement coming soon, we would ask that as part of your hopefully, motion and approval tonight, that you would give authority in the development agreement if we need to tweak that solution a little bit. We're very open to working with staff on that as long as, and this was agreed on, no penetrations in the roof. You can see the sincerity. That's the main issue.

Mayor Alvey opened the public hearing.

No one appeared in support.

No one appeared in opposition.

Mayor Alvey closed the public hearing.

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Philbrook, to approve Change of Zone Application #3174 and Master Plan Application #MP-2019-1, subject to the stipulations.**

Mr. Richardson asked, that includes the changes that Mr. Petersen made. Correct? **Commissioner McKiernan** said it does everything that was just spoken into the record. It includes all of those things. **Commissioner Philbrook** said the second applies.

Roll call was taken on the motion and there were nine "Ayes," Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Philbrook, Bynum, Burroughs.

ITEM NO. 2 – 19569... CHANGE OF ZONE APPLICATION #3177 - ERIC NELSON WITH FAMILY TREE NURSERY

Synopsis: Change of zone from AG Agriculture (WYCO) District to A-G Agriculture (City) District for Family Tree Nursery greenhouse plant production building at 13820 Donahoo Road, submitted by Rob Richardson, Director of Planning. The applicant wants to rezone the property to reduce the side yard setbacks to build a 422,335 square foot plant production greenhouse on 20.90 acres. The Planning Commission voted 6 to 0 to recommend approval of Change of Zone Application #3177, subject to:

Urban Planning and Land Use Comments

1. The applicant is rezoning the property from A-G Agriculture District (WYCO) to A-G Agriculture District (City) to build a 422,335 square foot greenhouse. The side yard, interior setback for A-G (WYCO) is 100 feet from the property line. The applicant has proposed to build their greenhouse 50 feet from the side yard, interior (east) property line; therefore, they are rezoning the property to A-G Agriculture District (City) which has a 50-foot side yard interior setback.
2. Please provide a narrative on how this location will be similar and/or different from the current plant production greenhouse at 97th and Wolcott Drive?
Applicant Response: Like the Wolcott location, this is a production greenhouse to grow plants that will be shipped to retail locations throughout the metropolitan area. The same products grown at Wolcott will be grown at this location. This site will have the same seasonal cycle as Wolcott with April and May being the busiest time. The greenhouses will have a more modern, organized, and uniform appearance than Wolcott. The first phase is similar in size to Wolcott.
3. How many truck deliveries will there be per day? Will trucks be kept overnight in the parking lot?
Applicant Response: During the busy season mid-April to Mid-June incoming 2-3 trucks, outgoing 15 trucks. Rest of the time, incoming 2-3 trucks per week, outgoing 5-6 trucks. Two 26' box trucks will be on site overnight.
4. Since plans have been submitted to the Development Review Committee, if there are additional comments that are issued by various departments, the building permit set (construction drawings) shall be revised.
Applicant Response: The owner understands this requirement.
5. Will you be storing manure or compost on site, if so, where will those bins be on site?
Applicant Response: No manure or compost. Potting soil will be on palettes stored inside.
6. All utilities servicing the building shall be underground.
Applicant Response: All utilities are proposed to be underground except those that are existing primary electrical lines.
7. All lighting, whether mounted on the building or installed, in the parking lot shall have 90-degree cutoff fixtures.
Applicant Response: Lights will have cutoff fixtures.
8. In the future, a final plan review shall be submitted for the second phase of development, which includes an additional parking lot and a 44,000 square foot building.

Applicant Response: The second phase will probably be the 133,740 square foot expansion of the production greenhouse.

9. Will there be any retail sales?

Applicant Response: Not in this phase.

Public Works Comments: none.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Change of Zone Application #3177, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Philbrook, Bynum, Burroughs.

SPECIAL USE PERMIT APPLICATIONS

ITEM NO. 1 – 19565...SPECIAL USE PERMIT APPLICATION #SP-2018-96 - DR. KELLY MATHER WITH USD 500

Synopsis: Renewal of a special use permit (#SP-2016-26 - expired 4/28/2018) for the temporary use of Land for modular classrooms at William White School at 2600 North 43rd Terrace, submitted by Rob Richardson, Director of Planning. The Planning Commission voted 6 to 0 to recommend approval of Special Use Permit Application #SP-2018-96, subject to:

Urban Planning and Land Use Comments

1. Subject to approval, this special use permit shall be valid for two years.
2. How long is the modular classroom anticipated to be in use as the new elementary school will be under construction in 2019?

Staff Response: While the applicant did not respond to this comment, staff concludes that the modular classroom will be used prior to the construction of New West Elementary School, which will be completed within the two-year cycle of the special use permit.

Public Works Comments: none.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2018-96 for two years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Philbrook, Bynum, Burroughs.

ITEM NO. 2 – 19566...SPECIAL USE PERMIT APPLICATION #SP-2019-2 - LINDA SIEMENS WITH CULTIVATE KC

Synopsis: Renewal of a special use permit (#SP-2016-97) for the temporary use of land for storage trailers and a cooler for the market farm training program and community garden at 1900 North 1st Street, submitted by Rob Richardson, Director of Planning. The applicant is requesting to continue the placement of two shipping containers along with four additional containers and a moveable high tunnel on the property to be used as a cooler and storage as part of Cultivate KC's urban farming and farmers market program. The Planning Commission voted 6 to 0 to recommend approval of Special Use Permit Application #SP-2019-2, subject to:

Urban Planning and Land Use Comments

1. Approval for 2 years.
2. When were the four additional storage containers, mentioned in the updated letter, placed on site? When do you anticipate having them removed?

Applicant Response: One of the containers was placed there in 2013, and another one placed right beside it in 2016. There are no immediate plans to remove these as they are providing secure storage for necessary program equipment. (Other storage attempts have resulted in loss by theft.) They were considered "non-permanent" since they are not anchored down. If Juniper Gardens Training Farm ceases programming, they will be removed. The others were placed there in the Spring of 2018, moved from our previous Gibbs Road Farm location. They are there temporarily until the completion of a Scaling Up Farm at another currently undetermined location, at which time they will be moved. We anticipate approximately one to two years.

Staff Note: The approval of this special use permit application would be for all six temporary storage containers on site.

Note to Applicant: Additional containers may not be placed without an additional special use permit.

3. Please provide photographs from 3rd Street.

Applicant Response: These photographs were taken on 1/2/19 from two different areas of 3rd Street. Although much of 3rd Street is residential housing, these were taken from two of the more open areas in between the housing.



Public Works Comments: none.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Special Use Permit Application #SP-2019-2 for two years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Philbrook, Bynum, Burroughs.

VACATION APPLICATION

ITEM NO. 1 – 19570...VACATION APPLICATION #A-2018-7 - WIL ANDERSON WITH BHC RHODES

Synopsis: Vacation of an alley at 813 Barnett Avenue, submitted by Rob Richardson, Director of Planning. The applicant has submitted a change of zone application, master plan amendment, and vacation application in order to redevelop the former Central Elementary School building as offices and to redevelop the existing school yard as a parking lot.

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Note: There was also a variance application submitted that was withdrawn which affected the change of zone and master plan amendment; therefore, those applications could not be heard by the City Planning Commission.

The vacation application is for a 20-foot wide alley that appears to be vacated in the Unified Government's parcel map, but research by the surveyor indicated that this action is necessary to ensure that the alley is actually vacated.

The Planning Commission voted 6 to 0 to recommend approval of Alley Vacation Application #A-2018-7.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve Alley Vacation Application #A-2018-7. Roll call was taken and there were nine "Ayes," Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Philbrook, Bynum, Burroughs.

MASTER PLAN APPLICATION

ITEM NO. 1 – 19571...MASTER PLAN APPLICATION #MP-2019-1 - CURTIS PETERSEN WITH POLSINELLI

Synopsis: Master plan amendment from Mixed Use to Business Park and Community Commercial for property at 4600 and 4602 Orville Avenue and 4601 State Avenue, submitted by Rob Richardson, Director of Planning.

Action: This item was previously heard with Change of Zone Application #3174.

PLANNING AND ZONING NON-CONSENT AGENDA

CHANGE OF APPLICATION

ITEM NO. 1 – 19567...CHANGE OF ZONE APPLICATION #3159 - BRYAN RUOFF WITH 3F30 ARCHITECTS

Synopsis: Change of zone from C-1 Limited Business District to C-2 General Business District for X-Press Mart convenience store with fueling pumps at 3801 Leavenworth Road, submitted by Rob Richardson, Director of Planning. The Planning Commission voted 5 to 2 to recommend

approval of Change of Zone Application #3159 to CP-2 Planned General Business District, subject to numerous stipulations.

Action: As previously noted under revisions, at the request of the petitioner, this item is held over to the February 28, 2019 meeting.

SPECIAL USE PERMIT APPLICATION

ITEM NO. 1 – 19572...SPECIAL USE PERMIT APPLICATION #SP-2018-19 - ZONING ENFORCEMENT STAFF - REVOCATION OF SPECIAL USE PERMIT

Synopsis: Revocation of a special use permit for the temporary use of land to keep two storage container units on the site at 5401 State Avenue for failure to comply with the requirements set forth herein or established by the Unified Government Board of Commissioners as a condition for approval, submitted by Rob Richardson, Director of Planning. The applicant, Jimmy Smith, is keeping several semi-truck trailers at 5407 State Avenue and 5421 State Avenue. After being cited with a zoning violation, the applicant filed a special use permit to keep the trailers at this location. The request was granted on April 26, 2018, and he has failed to comply with the approved stipulations. On April 26, 2018, the Board of Commissioners approved this application for two years, subject to:

1. No events being held at the facility.
2. They will get permits for any interior work requiring permits.
3. They need to do solid screen fencing along the wall on the east side of the property within 120 days.
4. Fencing and landscaping on the west side of the parcel to hide the trailers within 120 days.
5. Before opening a restaurant/bar or club, they would need to do parking count verification with staff to make sure they do not need a special use permit.
6. The site should be cleaned up within the next sixty days.

Rob Richardson, Director of Planning, said in April of 2018, this body approved a special use permit at 54th & State Avenue, basically the southwest corner of the intersection, with six stipulations and gave 120 days to accomplish those and 60 days on others. Three of those have not been accomplished. The first of those being that the solid fence screening along the east side was not built. The fencing and landscaping on the west side to hide the trailers were not built within 120 days either. The site was not cleaned up within 60 days.

Subsequently, zoning enforcement staff issued a summons for these violations. The trial was set for December 5th and the applicant failed to appear in court. The Unified Government was issued a default judgment against the applicant. Given that he's in default and refused to appear in court, staff is recommending that the Board of Commissioners revoke this special use permit according to what's outlined and the code. The property owner, the applicant, and those within 200 feet have been notified. I'm not sure if the applicant is here this evening or not, that's Mr. Jimmy Smith. I think he should be given a chance to speak as well as those for and against.

The applicant did not appear.

Mayor Alvey opened the public hearing.

No one appeared in support.

No one appeared in opposition.

Mayor Alvey closed the public hearing.

Action: **Commissioner Murguia made a motion, seconded by Commissioner Philbrook, to revoke Special Use Permit Application #SP-2018-19.** Roll call was taken and there were nine "Ayes," Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Philbrook, Bynum, Burroughs.

REGULAR AGENDA

REGULAR CONSENT AGENDA

Mayor Alvey asked does any member of the Commission or anyone in attendance tonight wish to set-aside any item on the Regular Consent Agenda. If an item is not set aside, all items on the Consent Agenda will be voted on by one vote. There were none.

Commissioner McKiernan said now that we've concluded the Planning and Zoning and before we move to the next item, I just wanted to point out and, again, I've not had to do this for over a year and I've been glad that I haven't had to do this—my disappointment that there are—at the end of every Planning and Zoning agenda, there is a tax status report that lists any items that come

before the Planning Commission where the properties are in arrears on their property taxes. We are not allowed to use that information as the basis for any decision, and we don't do that.

I want to just go on record with my disappointment that everyone who comes before our Planning Commission is asking the Unified Government to work on their behalf. If you have not paid your property taxes, then you are not funding the organization that you are asking to work on your behalf. I believe that puts an unfair burden on the Unified Government and it puts an unfair burden on every taxpayer who pays in full and on time. I just want to go on record with my disappointment one more time that there are, in fact, items before the Planning Commission tonight that were in arrears on taxes.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve the Regular Consent Agenda. Roll call was taken on the motion and there were nine "Ayes," Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Philbrook, Bynum, Burroughs.

ITEM NO. 1 – 19575...PLAT: KING ESTATES, 2ND PLAT

Synopsis: A plat of King Estates 2nd Plat, located along 124th Terrace north of Hollingsworth Road, being developed by Reginald B. King, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve and authorize the Mayor to sign said plat. Roll call was taken and there were nine "Ayes," Townsend, McKiernan, Johnson, Kane, Markley, Walters, Philbrook, Bynum, Burroughs.

ITEM NO. 2 – 19576...PLAT: DELAWARE PARK

Synopsis: A plat of Delaware Park, located along North 74th Drive south of State Avenue, being developed by NorthPoint Development, submitted by Brent Thompson, County Surveyor, and Troy Shaw, County Engineer.

Action: Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve and authorize the Mayor to sign said plat. Roll call was taken and

there were nine “Ayes,” Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Philbrook, Bynum, Burroughs.

ITEM NO. 3 – MINUTES

Synopsis: Minutes from regular sessions of November 29 and December 13, 2018; and special sessions of December 13, 2018; and January 10, 2019.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to approve.** Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Philbrook, Bynum, Burroughs.

ITEM NO. 4 – WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated January 10, 17, and 24, 2019.

Action: **Commissioner Kane made a motion, seconded by Commissioner McKiernan, to receive and file.** Roll call was taken on the motion and there were nine “Ayes,” Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Philbrook, Bynum, Burroughs.

PUBLIC HEARING AGENDA

No items

STANDING COMMITTEES’ AGENDA

ITEM NO. 1 – 1953...RESOLUTION: AGREEMENT WITH CITY OF BONNER SPRINGS

Synopsis: A resolution authorizing the Mayor to extend the agreement with the city of Bonner Springs, Kansas, for street maintenance and police services to the unincorporated area of Loring for an additional year, submitted by Misty Brown, Deputy Chief Counsel. This was scheduled to appear before the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, on January 28, 2019. It was requested, and approved by the Mayor, to fast track to the January 31, 2019 full commission meeting.

Commissioner Bynum said we're happy to reach this agreement with the City of Bonner Springs. The blue sheet, I believe, is just the corrected dollar amount.

Action: **RESOLUTION NO. R-2-19**, "A resolution authorizing an Addendum to the Interlocal Cooperative Agreement among the Unified Government of Wyandotte County/Kansas City, Kansas and Bonner Springs, Kansas, for street maintenance and police services to the unincorporated area of Loring." **Commissioner Bynum made a motion, seconded Commissioner Kane, to adopt the resolution.** Roll call was taken and there were nine "Ayes," Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Philbrook, Bynum, Burroughs.

ITEM NO. 2 – 19556...RESOLUTION: AGREEMENT WITH KAW VALLEY DRAINAGE DISTRICT AND THE ARMY CORPS OF ENGINEERS

Synopsis: A resolution authorizing the Unified Government to enter into a Public Partnership Agreement with Kaw Valley Drainage District and the Army Corps of Engineers to secure free federal funds, submitted by Misty Brown, Deputy Chief Counsel. This does not commit the UG to anything more than already budgeted. This was scheduled to appear before the Public Works and Safety Standing Committee, chaired by Commissioner Bynum, on January 28, 2019. It was requested, and approved by the Mayor, to fast track to the January 31, 2019 full commission meeting.

Commissioner Bynum said this is actually very exciting to be able to enter into this agreement and provide for flood protection for this area that so desperately needs it and have it be federally funded to the tune of, I believe, more than our entire Unified Government budget, \$400M plus.

Action: **RESOLUTION NO. R-3-19**, "A resolution approving the Project Partnership Agreement between the Department of Army and the Unified Government of Wyandotte County/Kansas City, Kansas, and the Kaw Valley Drainage District of Kansas City, Wyandotte County, Kansas, for the Argentine Levee Unit Flood Risk Management Project." **Commissioner Bynum made a motion, seconded by Commissioner Kane, to adopt the resolution.** Roll call was taken and there were nine "Ayes," Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Philbrook, Bynum, Burroughs.

ADMINISTRATOR'S AGENDA

ITEM NO. 1 – 19557...RESOLUTION: SALE OF MUNICIPAL TEMPORARY NOTES, SERIES 2019-1

Synopsis: A resolution authorizing and directing the sale and delivery of General Obligation Improvement Municipal Temporary Notes, Series 2019-1, estimated amount \$44.4 million, submitted by Kathleen VonAchen, Chief Financial Officer. On November 8, 2018, the Commission adopted Resolution No. R-53-18 authorizing the sale of said notes and bonds.

and

ITEM NO. 2 – 19558...ORDINANCE AND RESOLUTION: SALE OF CITY GENERAL OBLIGATION BONDS, SERIES 2019-A

Synopsis: Requesting approval of the following, submitted by Kathleen VonAchen, Chief Financial Officer. On November 8, 2018, the Commission adopted Resolution No. R-53-18 authorizing the sale of said notes and bonds.

- An ordinance authorizing and providing for the issuance of City General Obligation Improvement Bonds, Series 2019-A.
- A resolution authorizing and directing the sale and delivery of City General Obligation Improvement Bonds, Series 2019-A, estimated amount \$18 million.



2019 GO BONDS & TEMPORARY NOTES SALE RESULTS & CREDIT RATINGS *Unified Government of Wyandotte County & Kansas City, Kansas*

January 31, 2019

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FINANCING TIMELINE

January 10	♦ Posting of POS
January 14 (week of)	♦ Rating Agency Presentations
January 25	♦ Receive Ratings
January 31	♦ Bond/Note Pricing
February 7	♦ Posting of FOS
February 26	♦ Closing
March 1	♦ 2018-I Temp Note Payoff

Debbie Jonscher, Deputy Chief Financial Officer, said we had our note and bond sale today, so I just have a short presentation. I'll be quick about it just to give you the results. This presentation is for both Items 1 and 2 on the Administrator's Agenda.

I just want to also say that we had a favorable sale today. Our interest rates that we obtained on both the bonds and the notes were lower than the projections that we got from Springstead just a month ago. We'll be showing those here shortly.

Just to show you what we've been doing for the last month, since back in November, we had the approval of the project authorizations. Since then, we've been working on putting together the official statement. We've held rating agency calls, which the Mayor participated in.

Today, we did the bond and note pricing. We'll close on both of those issues on February 26th and we will pay off the 2018 temp note issue on March 1st.

Pricing / Sale Results

- Bond issue was a competitive sale
- At pricing date 1/31/2019, total interest cost (TIC):
 - Series A GO \$20.3 million (principal) - \$9.1 million TIC or 3.15% thru August 2039
 - 6 bids- winning bid: Robert W. Baird & Co., Inc.
 - Series I Temp Note \$44.4 million (principal) - \$855,000 TIC or 1.85% thru March 2020
 - 7 bids- winning bid: J.P. Morgan Securities LLC



Just a note on the results today. As I said, they were favorable; lower than the projections that we had been given. Both the projections were over, even on the GO bond. The projection was that the rate would be around 3.7% and the temp note would be around 3%. The GO bond issue was \$20.3M. We received a rate of 3.15% on a 20-year bond so it matures in August 2039. We received six bids on the bonds with the winning bid going to Robert W. Baird & Co., Inc. I will note that this rate is even lower than the 2018 bond rate that we got. That rate was 3.26%.

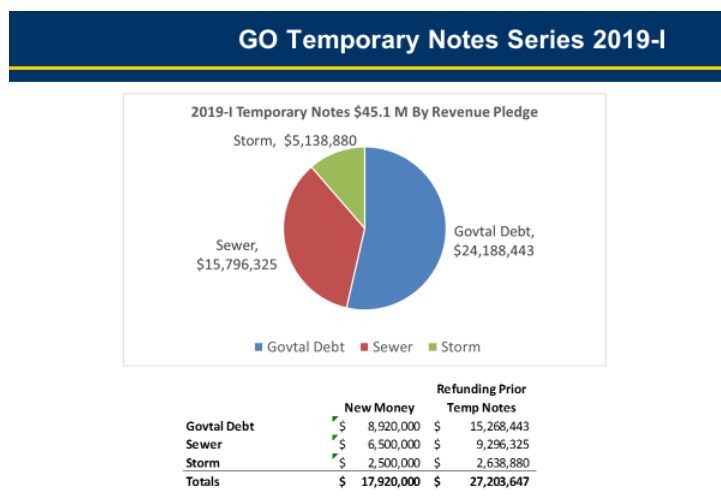
The temp notes were \$44.4M. We have a rate of 1.85%. It's a one-year maturity ending in March 2020. There were seven bids on the temporary notes with J.P. Morgan getting the winning bid. Last year's notes were 1.6%, so we were just slightly higher on the notes this year.

CAPITAL FINANCING PLAN		
Purpose	Estimated Financing Cost	Anticipated Financing Instrument
Temporary Financing of Capital Projects during planning, design, and construction	\$44.4 M	Municipal Temporary Notes, Series 2019-I
- Wolcott Expansion - Pump Stations SCADA - Police Tow Lot - Brune Elementary - Downtown Grocery Store - Kaw Point Biosolids - Piper Creek Interceptor - Kaw Bank River Stabilization at Turkey Creek		
Permanent Financing of completed Capital Projects	\$20.3 M	General Obligation Improvement Bonds, Series 2019-A
- Riverview Avenue Bridge Replacement - Wolcott Expansion – Phase I - Pump Station Elimination - Hutton Road, Georgia to Leavenworth		
FUTURE FINANCINGS LATER IN 2019 AND THEREAFTER		
Adult Jail/Courthouse Improvements (fall 2019)	\$4.5 M	PBC Lease Revenue Bonds
Juvenile Detention Facility (fall 2019)	\$3.7 M	PBC Lease Revenue Bonds
Health Department Improvements (fall 2019)	\$3.1 M	PBC Lease Revenue Bonds
Permanent Financing of 2019 Temp Notes	\$44.4 M	General Obligation Bonds (over next 3 years)
New Money – Capital Projects	\$13-\$15 M	General Obligation Bonds (over next 3 years)

4



This is just showing some of the projects that are in both the temp note and bond issue, as well as we wanted to note that there is a potential for future financing later this year. We have three PBC issues that were approved in the project. Two of the projects: the Adult Jail and Courthouse, as well as the Juvenile Detention facility have bonds already issued on the projects. We're holding off on issuing the bonds until we spend down the money that we've already issued. There is a potential to do those later in the year or potentially later if spending is slower. We also anticipate additional temp notes financing over the next three years as well as general obligation bonds.

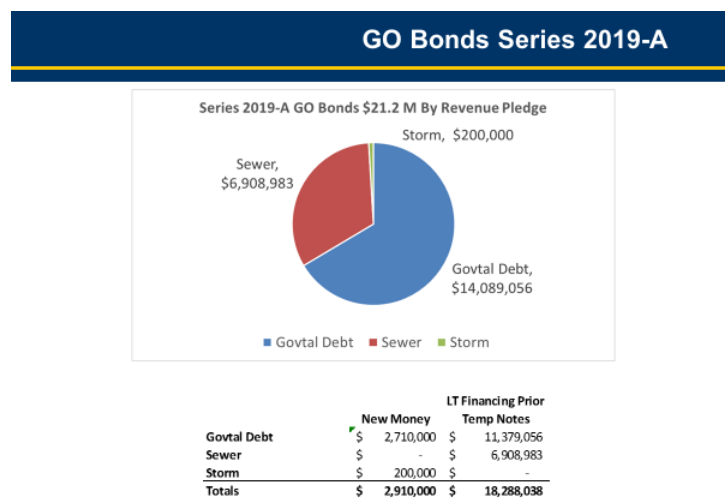


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The next two slides are breakdowns of the temp notes and general obligation bonds. The temp notes were \$44M. Of that, \$24.1M is governmental debt, \$15.8M is sewer and \$5.4M is storm water. Down at the bottom we've also broken out the issue based on \$27.2M for projects that

were financed in temp notes in 2018. We're rolling those over into 2019 because the projects aren't finished. Then we had some new money that was added into the temp notes.



It's the same information for the bonds. \$14M is general obligation, \$6.9M is sewer, and the smallest is water issue. \$18.2M of the \$21M in bonds was financed with temp notes in 2018.

Current Credit Ratings Affirmed

S&P: AA (Outlook: Stable) – January 2019

- Weak economic indices although gaining access to a broad, diverse metropolitan statistical area
- Very strong management with strong financial policies and practices
- Very Strong budgetary flexibility with General Fund available fund balance at 21% operating expenditures in 2017
- Very strong liquidity
- Very weak debt-and contingent liability position, with debt carrying charges at 21% of expenditures and net direct debt at 194% of total governmental revenue, as well as high overall net debt at greater than 10% of market value and a large pension and OPEB liabilities

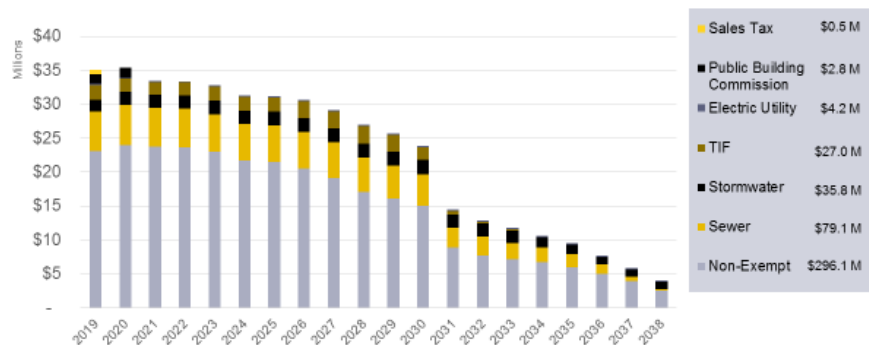
Moody's: A1 (Outlook: Stable) – January 2019

- Large tax base experiencing continued commercial development
- Stable financial operations with adequate General Fund reserves and liquidity
- High debt, pension and OPEB burdens
- Below average resident income levels

As I said, we held credit rating calls a couple of weeks ago. Both of the rating agencies: Standard & Poor's and Moody's, have held our current ratings. Standard & Poor's is AA with a stable outlook. Moody's is A1 with a stable outlook. We noted some of the items that they addressed in the report.

SUMMARY OF CITY GF-BACKED BONDED DEBT

- Outstanding General Fund-backed debt of \$446 Million
- \$149.4 Million, or 33.5%, have dedicated revenue streams outside the General Fund tax revenue base



8

This is just a summary of our outstanding debt. I believe we've showed this graph in previous presentations before. It shows our total of General Fund-backed outstanding debt \$446M. 33.5% of that is dedicated with revenue streams that are outside the General Fund tax base. We've broken them out by their funding source: sewer, stormwater, TIF, sales tax. That just shows the different breakdowns.

Thank you from the Financing Team!



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This is our Financing team today: me, as well as Kathleen VonAchen, our CFO; Alyse Villareal, who is not here tonight; our Debt Coordinator as well as representative Elizabeth Bergman from Springstead; and Gina Riekhof and Jennifer Quinn from Gilmore & Bell. Dave McGilvery, from Springstead, is usually here but he was unable to be here, so he missed out on the picture today.

January 31, 2019

UG Commission Action

Approve bond ordinance and resolutions



10



That concludes the presentation. The Commission action would be to approve the resolution and bond ordinance.

Commissioner Murguia said before I make my motion, I just want to say great photo; great work on your guys' part. It's really nice to see that such bright, strong women are in charge of our money here in Wyandotte County. I really appreciate that.

Action: **RESOLUTION NO. R-4-19**, "A resolution authorizing and directing the issuance, sale and delivery of Municipal Temporary Notes, Series 2019-1, of the Unified Government of Wyandotte County/Kansas City, Kansas; providing for the levy and collection of an annual tax, if necessary, for the purpose of paying the principal of and interest on said notes as they become due; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and actions connected therewith." **Commissioner Murguia made a motion, seconded by Commissioner McKiernan, to adopt the resolution.** Roll call was taken and there were nine "Ayes," Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Philbrook, Bynum, Burroughs.

Action: **ORDINANCE NO. O-1-19**, "An ordinance authorizing and providing for the issuance of General Obligation Improvement Bonds, Series 2019-A, of the Unified Government of Wyandotte County/Kansas City, Kansas; providing for the levy and collection of an annual tax for the purpose of paying the principal of and interest

on said bonds as they become due; authorizing certain other documents and actions in connection therewith; and making certain covenants with respect thereto.”

Commissioner Murguia made a motion, seconded by Commissioner McKiernan, to approve the ordinance. Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Philbrook, Bynum, Burroughs.

RESOLUTION NO. R-5-19, “A resolution prescribing the form and details of and authorizing and directing the sale and delivery of General Obligation Improvement Bonds, Series 2019-A, of the Unified Government of Wyandotte County/Kansas City, Kansas, previously authorized by Ordinance No. O-1-19 of the issuer; making certain covenants and agreements to provide for the payment and security thereof; and authorizing certain other documents and action connected therewith.”

Commissioner Murguia made a motion, seconded by Commissioner McKiernan, to adopt the resolution. Roll call was taken and there were nine “Ayes,” Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Philbrook, Bynum, Burroughs.

COMMISSIONERS' AGENDA

No items

Mayor Alvey adjourned the meeting as the Board of Commissioners and reconvened as the Land Bank Board of Trustees.

LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

ITEM NO. 1 – 181...LAND BANK BUSINESS

Synopsis: Request approval of the following applications, submitted by Chris Slaughter, Land Bank Manager. The Land Bank Advisory Board recommended approval. On January 14, 2019, the Neighborhood and Community Development Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to the Land Bank Board of Trustees.

Mayor Alvey asked if any Commissioner or anyone in attendance tonight wish to set-side any item on the Land Bank Board of Trustees' Consent Agenda. If an item is not set-aside, all items will be voted on by one vote. There were none.

Applications

2441 S. 12th Terr. – Martin Lugo, property acquisition
 2443 S. 12th Terr. – Martin Lugo, property acquisition
 1612 S. Bethany St. – Mark O'Bryan, yard extension
 1614 S. Bethany St. – Mark O'Bryan, yard extension
 1620 S. Bethany St. – Mark O'Bryan, yard extension
 1628 S. Bethany St. – Mark O'Bryan, yard extension
 1630 S. Bethany St. – Mark O'Bryan, yard extension
 1632 S. Bethany St. – Mark O'Bryan, yard extension

Action: **Commissioner McKiernan made a motion, seconded by Commissioner Murguia, to approve.** Roll call was taken and there were nine "Ayes," Townsend, McKiernan, Murguia, Johnson, Kane, Markley, Philbrook, Bynum, Burroughs.

PUBLIC ANNOUNCEMENTS

No items

**MAYOR ALVEY
 ADJOURNED THE MEETING AT 7:50 P.M.
 January 31, 2019**

Bridgette D. Cobbins
 Unified Government Clerk

tk

January 31, 2019