

**NEIGHBORHOOD AND COMMUNITY DEVELOPMENT
STANDING COMMITTEE MINUTES
Monday, November 30, 2020**

The meeting of the Neighborhood and Community Development Standing Committee was held on Monday, November 30, 2020, at 5:00 p.m., remotely via Zoom. The following members were present: Commissioner McKiernan, Chairman; Commissioners Burroughs, Townsend, Johnson, and Walters. The following officials were also in attendance: Angela Lawson, Deputy Chief Counsel; Melissa Sieben, Alan Howze, and Emerick Cross, Assistant County Administrators; Patrick Waters, Senior Attorney; Jud Knapp, Interim Land Bank Manager; Katherine Carttar, Director of Economic Development; Bridgette Cobbins, Unified Government Clerk; Carol Godsil, Deputy Unified Government Clerk; Alley Porter, Commission Liaison; and Rocki Mayes, Program Supervisor in County Administrator's Office.

Chairman McKiernan said well it looks as though we are a little bit after five o'clock and all the members of the committee are present, so we'll start the (inaudible) I do want to announce that due to COVID-19, some members of the committee, some staff, and the some of the public are all attending remotely via Zoom as well as some who are on-site. All participants who are joining by computer or by phone should make sure that their devices are muted when not speaking so that we can avoid background noise.

During the meeting, we ask that everyone please make sure you announce yourself by name and by title every time you speak so that the public who 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.

Due to COVID-19 requirements, in-person public comment has been suspended, unless otherwise required by law. The public is allowed to participate by Zoom or submit comments by email prior to the meeting, and those comments will be included in the record of this meeting. So, with that said, we want to welcome everyone to this meeting of the Neighborhood and Community Development Standing Committee, and I'll ask that the clerk please call the roll.

Chairman McKiernan called the meeting to order.

Roll call was taken and members were present as shown above.

Chairman McKiernan said there were no revisions to the agenda after it was originally published.

Approval of standing committee minutes from our meeting of August 31, 2020. **On motion of Commissioner Walters, seconded by Commissioner Burroughs, the minutes were approved.**

Commissioner Townsend said I actually am seeking a correction or an amendment to the minutes concerning some of the statements attributed to me. I'm looking on a printed page, I have a printout and the page number of the comments that I'm referring to started page 15 and then go on to 16. What I'd like to have amended on page 16, there's a sentence that says, "a lot of constituents I talked to still have kind of a comma I'll say sour taste in their [...]" and at that point the written word is "month". It should be "mouth" or "mouths", plural. But to be totally accurate on that section, I see some other things I think are not exactly what I said, and that's due to the situation that we're in. So, there may be other things in there that are not as I said them but didn't come out quite clearly in the transcript or when the transcript was being heard. So, my request is for the section that starts on this written page 15 where it says, "Commissioner Townsend said Mr. Knapp, I too think we're going to have [...]", for that section to be reviewed by our Clerk or that office. So that would be my request, to have this entire section reviewed and then brought back at a later time. Because I know at least one of those words is not correct. Other than that, I have no other request for amendments to these minutes.

Chairman McKiernan said thank you Commissioner Townsend, I guess my question for the Clerk's Office would be, would it be easier to simply put off approval or consideration of these minutes until our next meeting or such time as corrections can be made and brought forward?

Bridgette Cobbins, U.G. Clerk, said yes, we can certainly do that. However, sometimes when we're transcribing minutes, sometimes it's kind of choppy. So, we're trying to grasp as much of the data as we can when we're transcribing, but we can certainly review that portion that Commissioner Townsend is referencing and make the necessary adjustments and bring it back to the next Standing Committee meeting. **Commissioner Townsend** said I'd appreciate that, and Madam Clerk I would be –

Chairman McKiernan said members of the Committee, that would be (inaudible) my recommendation.

Ms. Cobbins said you're breaking up now, Commissioner McKiernan, so we won't be able to grab that information. It's kind of choppy sometimes.

Commissioner Walters said I moved for approval, so I withdraw my motion.

Action: **Commissioner Walters made a motion, seconded by Commissioner Townsend, that the minutes be reviewed and brought back next meeting.**

Chairman McKiernan said alright Bridgette, I believe I have corrected my choppiness, so I should be clear the rest of the evening, hopefully.

So at this point, we have a motion and a second to bring those minutes back to our next meeting after everyone has had a chance to review and potentially correct those, and at this point I just ask that if anyone on the committee objects to that motion, if you could just say "object" or "nay". Otherwise, we will just take that course of action. Hearing none from the members of the committee. Commissioner Townsend, if you and the Clerk's Office can review and correct, we'll consider those at our next meeting. **Commissioner Townsend** said thank you, Mr. Chairman.

Committee Agenda:

ITEM NO. 1 – 20518... RESOLUTION: REVISED MOU FOR QUINDARO RUINS PROJECT AND APPOINTMENT OF BOARD OF DIRECTORS

Synopsis: A resolution approving a revised Memorandum of Understanding with the Western University Association of the A.M.E. Church, Inc., for the Quindaro Ruins Project and authorizing the Mayor to appoint members to the Board of Directors, submitted by Gordon Criswell, Assistant County Administrator. *A previous MOU was approved on August 10, 2020.*

Chairman McKiernan said that then brings us to our Committee Agenda. There are two items on the Committee Agenda tonight, and the first is a resolution for a revised Memorandum of Understanding for the Quindaro Ruins Project and appointment of a Board of Directors. It says

that it's submitted by Gordon Criswell, but I believe he is out, and I believe, Mr. Waters, will you be presenting that for the committee this evening?

Patrick Waters said yes, Mr. Chairman. We previously came in August with this Memorandum of Understanding between the Unified Government and the A.M.E. Church. Since that time, outside counsel that's been working to draft the documents has advised us that he thinks it's better to set up this as a nonprofit corporation instead of a trust. There's a couple reasons. He says that it's easier to get grants and funding when you're set up as a nonprofit, it's just something that more people are used to rather than the trust setup. Also, the 501C3 provides better protection for its board members. So, he just advised simply changing it, and so the Memorandum Understanding that's attached as the exhibit is exactly the same as the previous one. We just switched the word "trust" with "corporation. That's the only change to that memorandum.

The only other additional thing is that in the resolution, we formally authorized the Mayor to appoint those board members. So, the resolution adds that as well.

Chairman McKiernan said thank you, Mr. Waters. I do appreciate that. I'll ask if any members of the committee have any comments to make or any questions of you regarding this new MOU.

Commissioner Townsend said Counselor, I'm glad you made mention of the fact that, I think this version, if I recall, is slightly different with the Mayor appointing a specified number of people. I know the last time this came to us, I was so focused on making sure the map that was an attachment to the resolution and the memo be detailed enough, and I think that it's going to help us a lot in the future. So I don't recall that it named or specified the number of people that the Mayor could appoint, and while I agree the Mayor should have some say in this, I really think that of those three positions, at least one of them should be appointed by the In-District Commissioner. I think that would be appropriate to make sure that someone from that district or someone that—whoever the In-District Commissioner is at the time, has a direct say in that. So, I'm sorry if I missed that before, but I feel strongly enough about that to put that on the record so that is something I'd like to see changed. **Mr. Waters** said I guess we could either—if the committee agreed, we could make an oral amendment and we could change it before it goes to the Full Commission or I could come back next month with the revision.

Commissioner Townsend said okay, whichever way you want to do it. That's fine if we could make that, but I'm looking long-term, I don't want this to be misconstrued by any means as something negative on the Mayor. I'm looking not only short-term, but long-term, and there is and has been so much interest in what's going on there that I think it will certainly be appropriate for whoever is in the District 1 position to have the opportunity to appoint at least one or sit on that committee of peers he chose to do that, so however we could propose that. Whether you take it back or do it by oral amendment, and if you require a motion, then I so move.

Action: Commissioner Townsend made a motion, seconded by Commissioner Johnson, that the change be made.

Commissioner McKiernan said thank you, and if I'll just clarify one thing. I'm unclear as to whether the motion is to amend orally this evening, or to have Mr. Waters take it back for revision and then bring it back to this committee at a later date.

Commissioner Townsend said well, we can make the oral motion. That's fine, I don't think that we need to bring it back if the other commissioners are so willing to support this motion. I will note though, if we make this change, that there will be other language in this memorandum and possibly in some of the other attachments that may need to be updated as well. **Mr. Waters** said, Commissioner, I think we're okay because the memorandum simply says that the Unified Government will appoint three members, it doesn't specifically say who. So, I think that we can just change the resolution language. The MOU should be good.

Commissioner Townsend said well, I think it would be good that the – what was it that you said, on the second one, that the language be made specific. If we're doing this now to specifically state that the Mayor and/or the In-District Commissioner is going to appoint x number of people, then I think all of the documents on that point should clearly say that and not leave it so ambiguous to say the Unified Government. **Patrick Waters** said sure, I can make that change. I just wanted to make sure, I can't remember if the A.M.E. Church has already signed this version of the memorandum, but I don't think it should be a big deal if they have to re-sign a new draft. I don't think they've signed this new version, so I think we're okay. I can make the change before Full

Commission and present them with the new language. **Commissioner Townsend** said okay, thank you.

Chairman McKiernan said so, the motion here is to accept the resolution with the understanding that the language will be modified before it is presented to full Commission, such that the Mayor will appoint two members of the Board of Directors and the In-District Commissioner will appoint the third. Is that my understanding? **Commissioner Townsend** said correct.

Commissioner Burroughs said Commissioner Chairman, I do have a question. This goes back to Commissioner Townsend's comment and Patrick, I believe she was talking about Item 6 on the MOU. I think the language is in there that—I think that was a concern—that I'm to understand that Commissioner Townsend raised as well as the appointment in No. 1 of the resolution. Those are the two areas that need to be addressed. I just want to make sure that those are the two items that we're talking about that Commissioner Townsend brought forward.

Commissioner McKiernan said Commissioner Burroughs, those were the two I saw, but I additionally saw on the resolution itself, Item no. 3, it says "the Mayor/CEO shall have the authority to fill any vacancies" and I think that that should be clarified that the Mayor/CEO can fill vacancies of his or her two appointees and the In-District Commissioner can fill the vacancy of his or her appointee. **Commissioner Burroughs** said we just want to hear it hit all those places to address Commissioner Townsend's concerns and I agree, I think that the local commissioner should have some standing in that.

Commissioner Townsend said I agree with both of the points that you made, I didn't identify them specifically for fear of missing one, so I'm going to leave it to counsel to go through and make sure all of these are consistent. Going to Section 3 in fact, of that original resolution that talked about "the Mayor/CEO shall have the authority to fill any vacancies and to replace any previous appointment made by the same Mayor", so you're right. Now with this other correction or addition or amendment, that should be amended too to allow for the In-District Commissioner's appointee as well. **Patrick Waters** said correct. I'll do that.

Angela Lawson, Deputy Chief Counsel, said on the MOU, it does allow flexibility for the number that are appointed. So, I would hesitate to put the number that the Mayor appoints in the resolution. I think it's fine to put the number that the Commissioner would appoint for the district but No. 6 of the MOU sort of just always keeps the majority control with the Unified Government of the director, so it looks like that number may fluctuate on how many directors there are.

Commissioner Townsend said I think we've enumerated that several times, so just to be consistent. I can't even remember which document it says, clearly that over time the number on the board may vary. **Mr. Waters** said right, if it increases or decreases, then it just adjusts. So, if it were to go to nine members, then the Unified Government would have four to A.M.E.'s five. We've left in there so that if the final articles of incorporation were to change the number of directors, the number of appointees that we have would adjust accordingly.

Ms. Lawson said right, so I wouldn't put a set number in – there was a reference made to a set number in the resolution, or excuse me, the MOU. So, I wouldn't put that in there.

Mr. Waters said I think I have sufficient direction. I think I can make those changes for full Commission.

Commissioner McKiernan said thank you, Mr. Waters, that was going to be my question as to whether or not we had direction for the amendment. So, the motion is to amend with the thoughts presented here and bring it to full Commission for final approval. Commissioner Johnson, are you okay with that motion? **Commissioner Johnson** said yes, I am. Thank you, Chair.

Commissioner McKiernan said thank you so much, then that second stands. There's been a motion and a second to move forward as directed. I'd ask if there's any other discussion among the committee. Hearing none, roll call please.

Roll call was taken on the motion and there were five "Ayes," Walters, Johnson, Townsend, Burroughs, McKiernan.

Commissioner McKiernan said thank you so much, Mr. Waters, we'll look forward to that document coming back for full Commission.

ITEM NO. 2 – 20526... LAND BANK OPTION APPLICATIONS

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

New Construction – Single Family Homes

Charles Endicott - 643 N. 54th St. (Parcel 051619)

Megan Duma

2725 Glenrose Ln. (Parcel 161701), Build home (short-term rental)

2731 Glenrose Ln. (Parcel 194010), Build home in 5 years

2750 Glenrose Ln. (Parcel 194012), Needed for sewer connection

New Construction – Commercial

Dustan Fankhauser – 6235 Kansas Ave. (Parcel 923212)

Build two 3,200 square foot buildings ideal for small contractors

Martha E. Gonzalez – 1032 S. 25th St. (Parcel 152017)

Build a building to store and maintain trucks

Chairman McKiernan said we have several items tonight and I'm going to turn it over to Jud Knapp, who will present those option applications to the committee.

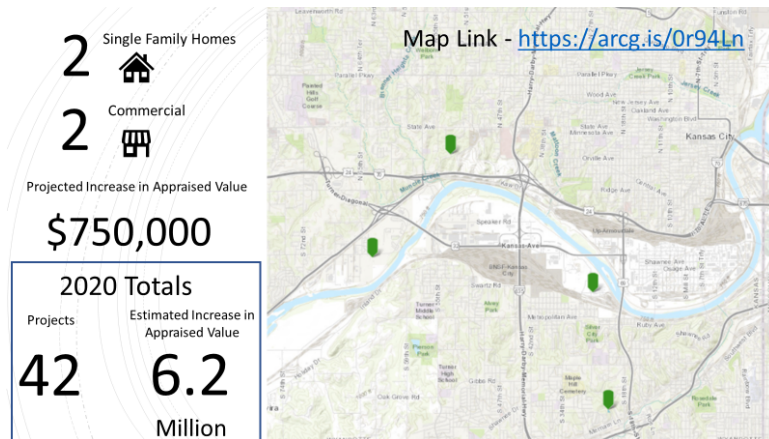


Neighborhood &
Community Development
Standing Committee

November 30, 2020

November 30, 2020

Jud Knapp, Interim Land Bank Manager, said this month we have four projects up for your consideration.



There are two single-family homes and two commercial, and they are a projected increase in appraised value of \$750,000 for those four projects. For 2020 totaled up, we have 42 projects on Land Bank lots, an estimated increase in appraised value of 6.2 million. This month, we also held virtual meetings. The first meeting we held was the Staff Advisory Board that highlighted the needed approvals that the applicant would need. Then, we contacted the applicants and shared that information with them about what steps they needed to help the project to complete. And then, those steps are found in the next step section on our slides, and their Staff Committee recommend is the areas where they have recommendations. Two out of the four projects today have recommendations from the staff. We also held a virtual meeting with the Advisory Board, and we recorded that meeting and sent it to the ones that could not attend. The majority of the Advisory Board approved of the projects, three did not, and it was a policy disagreement, not against the projects themselves.



OPTION AGREEMENTS
CHARLES ENDICOTT



643 N 54th St – 051619

New Construction
Single Family Home

Zoning
R-1

Frontage
236ft

Acre - 1.8




Our first project for consideration is at 643 North 54th Street. It is for a new single-family home. This is just north of Deffenbaugh.



OPTION AGREEMENTS
CHARLES ENDICOTT



House Details
4 Beds
2.5 Baths
2464 SqFt

Timeline
Project Start – December 1, 2020
Project Completion – May 31, 2021

Next Steps

1. Building inspection approval
2. Building estimate
3. Proof of funds to cover building estimate

Recommendation

☒ Staff Advisory Committee

☒ Land Bank Advisory Board



They plan to build a log cabin, a looking-log cabin, with 4 bedrooms, 2.5 baths, 2,400 square feet. The next steps were – none were given from the Staff Advisory Board, this is all that is needed for the Land Bank to deed the property to him, of a building inspection, billing estimate, a proof of funds to cover that billing estimate, and the two recommendations at the bottom are the checkmarks from the Staff Advisory Committee and the Land Bank Advisory Board.



OPTION AGREEMENTS
MEGAN DUMA



2706 Espenlaub Ln 161701
Currently owns

Requesting the following lots

2725 Glenrose Ln 161701
Build - single family home (Rental)
Zoning – R-1
Acres - 0.9

2731 Glenrose Ln 194010
Build - single family home (in 5 Years)
Zoning – R-1
Acres - 0.48

2750 Glenrose LN 194012
Needed for sewer connection
Zoning – RP-5
Acres - 0.958



The next project is Megan Duma, it is for a single-family home also. She currently owns 2706 Espenlaub Lane, and she's requesting the following lots: 2725 Glenrose Lane is right here, and she's planning to build a single-family home. This will be a short-term rental. She's also requesting 2731 Glenrose Lane, planning to build a home within 5 years. And 2750 Glenrose Lane needed for the sewer connection for this 2731 due to the creek that's running by here.



OPTION AGREEMENTS
MEGAN DUMA



Building Details
1,000 Square foot - Residential
1,500 Square foot - Barn Space
2 Bedroom 1 Bath

Construction Experience
Owns a construction company

Timeline
Construction Start – Spring 2021
Construction Completion – August 2021

Next Steps

1. Planning approval – potential need for SUP for garage use and/or short-term rental
2. Building inspection approval
3. Proof of funds to cover building estimate



Staff & Land Bank Advisory Committees Recommend:

1. Review of sewer connection issues
2. Only recommend the option on 2725 Glenrose for the building of the apt/barn
 - Not recommended: 2750 Glenrose – no construction planned; 2731 Glenrose – the 5 year construction plan is outside of the 1 year option structure
3. Review the need for a Special Use Permit for the garage use and/or short-term rental

Recommendation

☐ Staff Advisory Committee

☐ Land Bank Advisory Board

The building details is a 1,000 square foot residential. On top, on the top floor this is kind of like a barndominium home, and 1,500 square feet for the barn space below. And the barn space below is going to be used to store equipment for their on-site garden. It's a residential unit, 2 bed, 1 bath. The next steps are planning approval, potential need for a special use permit due to the garage use, and the short-term rental. The staff recommends the review of the sewer connection issue in the area, and the staff only recommends the option on 2725 Glenrose to build this building here. The staff is not recommending 2750 Glenrose, no construction is planned on that lot, and 2731 Glenrose five years construction plan is outside the one-year option structure that we currently have. Also, the review for the special use permit for the garage and short-term rental.



OPTION AGREEMENTS
DUSTAN FANKHAUSER



6235 Kansas Ave
923212

New Construction
Commercial

Zoning
M-3

Acres – 0.97





The next one is our first commercial property. This was an applicant that came to us last month for 16th & Minnesota to try and build this building. During our staff review, it was deemed that he could not build that building there, because it did not meet the Master Plan. So, we met with him after the meeting, and we found him another property that we had available, probably suits his needs even better than the 16th & Minnesota.



OPTION AGREEMENTS
DUSTAN FANKHAUSER



Building Details

- 2 Buildings
- 3200 SqFt
- 1 or 2 offices
- Small Contractor business

Construction Experience

- Built pictured building in KCK and 6 other small towns
- 1100 McAlpine Ave

Next Steps

1. Planning approval
2. Building inspection approval
3. Building estimate
4. Proof of funds to cover building estimate

Recommendation

- ☒ Staff Advisory Committee
- ☒ Land Bank Advisory Board



Here's a picture of the building he's already built in KCK that he plans to build two buildings on Minnesota. Last month he has only posted the one, but this lot allows him to build two. Each building is 3,200 square feet, one or two offices, and it'll be ideal for a small contractor business. The next steps are planning approval, building inspection approval, building estimate, and proof of funds that cover building estimate. The recommendation from Staff and Land Bank Advisory Board is good to go.



OPTION AGREEMENTS
MARTHA E GONZALEZ



1032 S 25th St - 152017

New Construction
Commercial

Zoning
M-3

Acres – 0.13

Frontage – 50 Ft




The next application is at 1032 South 25th Street. This is also for commercial.



OPTION AGREEMENTS
MARTHA E GONZALEZ



Building Details
3200 SqFt
40ft by 50ft building

Construction Experience
Going to hire a company

Timeline
Construction Start – April 2021
Construction Completion – September 2021

Next Steps

1. Planning approval
2. Building inspection approval
3. Building estimate
4. Proof of funds to cover building estimate



Recommendation

- ☒ Staff Advisory Committee
- ☒ Land Bank Advisory Board

Staff Advisory Committee Comments

1. Building would need 15ft on each side to meet screening guidelines. this would make the building only 20ft wide

It's for a 3,200 square foot building. Their construction experience on this one, they're just going to hire a company to build it. This one needed some planning approval, the Staff Advisory comments on this building were that the building would need 15 feet on each side to meet the screening guidelines, this will make their building only 20 feet wide. So, after this meeting I contacted the applicant and said, "your building's only going to be 20 feet wide, not 40 feet wide" and they said, "go ahead with the project, we're okay with the 20-foot building".

Katherine Carttar, Director of Economic Development, said and Jud, if I can stop you there for just a second, just to add a little more context to the recommendations. Both the Staff Advisory Committee and the Land Bank Advisory Board both recognize that the zoning is correct in this location, assuming that, as Jud mentioned, the screening and different guidelines are taken into account and done, there is no technical issue. That being said, we did hear from both Staff and the Land Bank Advisory Board that no one really loved this idea, and if you could go back Jud, to the

previous slide. You can see that while there are a number of different uses of this location, this particular lot is actually surrounded by—on either side there are two single-family homes. So, again, it is zoned correctly, assuming the screening and all of that is done, there are no technical planning issues. There were a number of comments whether this is really, however, despite the zoning, still an appropriate use with single-family on either side of this lot.

Chairman McKiernan said with that said, Mr. Knapp, do you have any other presentation on any of these? **Mr. Knapp** said I do not, Commissioner. **Chairman McKiernan** said let me just—and Commissioner Johnson, I see that you have your hand up, and at least one of our attendees also has a hand up. But let me just review for just a second. We basically have four applicants here tonight. Let me make sure that I understand. The first applicant, Endicott, the staff is recommending approval of the option. Is that correct? **Ms. Carttar** said yes. **Chairman McKiernan** said the second applicant, Duma, the staff is recommending yes on one of the three parcels, 2725. **Ms. Carttar** said yes, Jud, can you go back to the map? **Chairman McKiernan** said so the staff is recommending yes on 2725, but no on 2731 and 2750. **Ms. Carttar** said correct.

Chairman McKiernan said on the next, Fankhauser, on Kansas Avenue. The staff is recommending yes. **Mr. Knapp** said yes. **Chairman McKiernan** said and then on this final one. The initial staff recommendation was no, given the narrow structure that would be constructed once you meet the screening set-back guidelines. But my understanding is that the applicant says, “that’s okay, I can work with that” and having said that, is the staff’s recommendation still no on this or has staff changed recommendation?

Ms. Carttar said well, I will say the staff recommendation was never specifically no, it was that 40 foot by 50 foot building could not happen. So once the applicant said that’s fine, we can do a smaller building and do the requisite screening guideline, meet the screening guidelines. This one’s just kind of an odd one because by all – this is kind of where you all come in as the policy folks, but it meets all the planning requirements, zoning, etc. So, yes, it is technically recommended. It fits with everything that the city has put in place for this location. That being said, we did all want to point out that it is surrounded by two homes. It’s just a little unique.

Chairman McKiernan said okay, so as you said at the very end, although the zoning is appropriate, staff has concerns about this building in between the two existing structures. **Ms. Carttar** said correct. **Chairman McKiernan** said great, thank you. At this point we'll open it up to the committee for comments or questions.

Commissioner Johnson said I don't have any problems with any of the problems as identified. Jud, I appreciate the work that you're doing with this program. I think that the notion that we have some advisory attendees that have concern with regard to policy, I just want to state for the record that we—to the Chair, and to Katherine, and to you, Jud, that I'd like to see some type of meeting convene to address those concerns to make sure that we don't continue to have, I think, the dissent from those parties on an ongoing basis. I just wanted to make sure that I address that and make that request known. Other than that, I'm good. **Chairman McKiernan** said thank you, Commissioner Johnson. That is something that we will undertake as soon as we can, because this has come up more than once and we need to make sure we get resolution on it. Does any other member of the committee have comments or questions for Mr. Knapp or Ms. Carttar?

Commissioner Townsend said I had a question about the proposed build at 2725 Glenrose Ln. This is for what, an Airbnb. **Chairman McKiernan** said Commissioner Townsend, I'm looking over the attendees list and I'm seeing that Ms. Duma, who is the applicant for this property, is attending the meeting and if it's okay with you, I might turn it over to her so that she can explain her intent for each of those three properties and then be available to answer any questions that the committee might have. **Commissioner Townsend** said thank you, Mr. Chairman. That would be great to hear from her, particularly with regard to that one. That's what my question really—my concern really addresses.

Chairman McKiernan said fantastic. Rocki, if we could work to get Megan Duma – Ms. Duma, it looks like you are authorized, and you are unmuted. So, if you would just share your thoughts on your application for each of these three parcels.

Megan Duma said yes, certainly, and thank you everyone. At 2706, the property that I currently own, I have a valid special use permit in place for a short-term rental for that property. We haven't had any complaints, there's been zero problems. People love this property. It turns out, I actually

love it too, a lot, because it's wooded and it's beautiful. And I want to plant a personal garden for myself on 2725. In order to support that organic garden, I've already hired an arborist and he was one of the first guys that set up the Brookside Farmer's Market and did organic farm whatever there. It's not for commercial purposes, it's because, I don't know, I'm kind of geeking out on this. I would plant a garden there and then have the barndominium to support my garden. Now, I potentially anticipate it being an Airbnb, Ms. Townsend, but that's kind of down the line. It might be a long-term rental too; I don't know yet. I probably wouldn't want to even bridge this special use permit until I've built it, because I've got to renew my special use permit every year, and it's going to take me a little while to build it and I don't want to waste a year and my time with the long special use permit for an Airbnb if it's not even built yet. And I may do long-term rental there as well, I don't know. So, I threw that out there as kind of what I was thinking, but I do operate 10 Airbnb's in Kansas City legally and that's an idea to support the expense because a lot of the homes in that area are not worth the \$200,000 that I'm going to have to put in to build this. Construction is really expensive right now and I've owned and operated as a woman-owned business construction company, I was certified by the city of Kansas City, Missouri for a number of years, I have experience in construction. I'm also a lawyer, and I also operate Airbnb's so I do a lot of weird things, but this property is really special to me and that's why I'm kind of advocating for it.

My dream is to build my primary residence for my personal home on 2731. Down that vein, I have retained Brent Thompson to help me with surveying and figuring out how I could do this. My biggest problem with building my eventual home on 2731 is that I don't have sewer, and that's very expensive. You can see where the sewer lines are, there's those green lines. And the way the lots are set up right now, it's going to be difficult to get past what I call the river that runs through it. So what I anticipate, ultimately, is I'm building the barndominium on the top side, I guess that would be the north side or maybe the east side, the northeast side corner, I'm building the barndominium on that side of the creek. So the same side as the home that's on 2706.

Then, my plan is to try to redraw the lot lines, so the bottom half of 2725 and 2731 and part of 2706 all make one big lot because I know it's hard to tell from looking at a map, but when you're out there, it doesn't make any sense to have a property where your river runs through it and you can't get across it. So that's my goal, and what I was thinking was, I may be able to use 2750 if I can buy an easement to draw this sewer that's existing and maybe get it across. Now, I'd be

willing to give up 2750 no problem, and then hope that maybe the city puts in a sewer soon. 2750 is a hill, it's a steep hill, bad topography, no sewer, so it's really difficult to do anything there.

2731, I want to make a bigger lot that makes more sense with respect to how the property is laid out. This is kind of like – that's my plan. That's why I would really ask that the council not just go with what the recommendations were, the recommendations were there because there's this policy that if you don't build a house, you don't get the lot. Well, these things are going to sit there and they're not going to do anything. They mean a lot to me, I want to live there, I am building there, I do care. I have the proof of funds, I have everything ready to go, and I ask that you deviate from their recommendations, please, because I do have good plans for these lots that are going to increase value and I love this property.

Chairman McKiernan said thank you, Ms. Duma. Commissioner Townsend, any reaction or comments or questions for Ms. Duma? **Commissioner Townsend** said yes, thank you, Ms. Duma for your extended explanation and the things you're doing aren't crazy, that's what's called being an entrepreneur. I have a lot of respect for that. Having said that, my impression from what you said about 2725, correct me if I'm wrong, is that even if there is not a short-term rental – I understand that you already have one in the area – you would still build within a year. Is that correct? **Ms. Duma** said I'm ready to build now. As soon as I have the deed, I have earmarked \$100,000 of my own money to start building, but I plan on getting a loan. I can't get a loan from the bank if I don't have a deed.

Commissioner Townsend said okay, I just wanted to clarify, since you don't know if you could get a short-term rental, let's say this is an Airbnb, if you would still be interested in a property. So, you're still ready to go forward to build under the one year with this option application whether or not, ultimately, you get the short-term rental agreement. **Ms. Duma** said yes ma'am. **Commissioner Townsend** said okay. Now, with regard to the 2731, I have to tell you that I for one do not believe that if you're building in five years, that that is within the purpose and tenure of this Land Bank Option Agreement process. And that type of thing, I believe, is one of the objections some of the neighborhoods have. If you're going to build within the year, fine. But I believe as the Advisory Committee indicated, that five years is too far down the road for this process. But thank you for your other investments in Wyandotte County. One last thing, this barndominium, explain exactly what that means. What's the barn part of this, and I don't know if

counsel or someone present could tell me if that would raise some type of special use permit or variance requirement in and of itself.

Ms. Duma said I mean; it basically is just a single-family residence with an open space underneath. So, I don't believe that it does. I've already spoken with Byron Toy, I don't know if he's present now, but I had a conference call with him about this and as long as there's living quarters on it, it's not like an oversize garage. It is a residence, it's like a single-family residence. So, I'm just building a cool single-family residence, I probably shouldn't have even called it a barndominium, I just get on Pinterest too often. But just one more note I wanted to make on that other lot is that I am willing to spend all the money on surveying it and replotting it and doing all of that, and that is development. I don't have the money I want to build my primary residence on 2731, I don't have that money right now, but I am willing to spend the money to survey it and make this land make more sense for the way the land lies. No one's going to do anything with it and Wyandotte County's not going to get any more money, and it's just going to sit there without a sewer and surrounded by my properties. So, please reconsider there, because I will develop—I'm happy to replot it, I'm happy to go to the expense of that, which we're talking between \$5,000 and 10,000. So, this land makes sense. So, again, just please consider it.

Chairman McKiernan said thank you, Ms. Duma. Commissioner Townsend, any other comments or questions? **Commissioner Townsend** said well, only about the barn again. I think people understand what a garage is, but the only question from a variance or use permit is the barn aspect of it. **Ms. Duma** said and I don't know the answer to that question (inaudible).

Ms. Carttar said I can speak to that. We did discuss that in the Staff Advisory committee. As long as it is, as Ms. Duma is talking about, it's kind of your normal garage, garden, tools, that kind of stuff, it is fine; it does not need a special use permit. The only reason it would need a special use permit is if she had decided to store large scale machinery in there. **Commissioner Townsend** said alright, thank you for that clarification.

Chairman McKiernan said any other comments or questions from other members of the committee? I don't see any coming up, and so I guess my question for staff would be if we want to consider all of these as one? I guess I'm going to look for some direction from the committee

on this as well. We have four applicants, and do we want to consider all four applicants and all associated properties in one motion and vote? **Commissioner Townsend** said Mr. Chairman, just for the sake of clarity, I would like to see us just act individually on each one of these. I mean, there will be no question if we do that. So for clarity's sake, I'd like to see us do that, and I'll start it off.

Action: **Commissioner Townsend made a motion, seconded by Commissioner Johnson, to approve the application at 643 North 54th St.**

Chairman McKiernan said there's been a motion to approve as submitted. **Chairman McKiernan** said we have a motion and a second to approve the option on 643 North 54th St. Any further discussion among the committee? Hearing none. Roll call please.

Roll call was taken on the motion and there were five "Ayes," Walters, Johnson, Townsend, Burroughs, McKiernan.

Chairman McKiernan said that takes us to our second applicant, but there are three properties to be considered here. That's Ms. Duma with 2725 Glenrose, 2731 Glenrose, and 2750 Glenrose Ln.

Action: **Commissioner Townsend made a motion, seconded by Commissioner Walters, to approve 2725 Glenrose Ln.**

Chairman McKiernan said we have a motion and a second. Commissioner Townsend, by virtue of the fact that you have specified 2725 for approval, are you recommending not approving 2731 and 2750?

Commissioner Townsend said question for counsel with respect to that, Mr. Chairman. I don't know if we have to act one way or the other on these, or if we do take no action on that. I'd like to know what counsel says about that. Must we articulate an action on each one of these? **Ms. Lawson** said if you don't vote to move it forward, it will sort of languish. You could vote to send it back with instructions, and then it could be brought back.

Commissioner Townsend said so, it's a "no woman's land". I started saying "no man's land", but I'm going to say, "no woman's land". I get it, so let me revise the motion then. No, let the motion stand and we'll take the others in sequence. Thank you for that clarification, counselor. So, again, my motion is to approve the application with regard to 2725 Glenrose Ln. **Chairman McKiernan** said Commissioner Walters, are you okay with that clarification? **Commissioner Walters** said yes. **Chairman McKiernan** said I saw your lips move, so I know you said yes. Let's go ahead and have a roll call on that one, please.

Roll call was taken on the motion and there were five "Ayes," Walters, Johnson, Townsend, Burroughs, McKiernan.

Chairman McKiernan that takes us to 2731 Glenrose Ln. Is there a motion for that property?

Action: **Commissioner Townsend made a motion, seconded by Commissioner Walters, to deny the application for 2731 Glenrose Ln. and 2750 Glenrose Ln.**

Chairman McKiernan said there's been a motion and a second to deny both of those applications, is there any further discussion among the committee?

Commissioner Burroughs said I just want some clarification: are we planning on—if we deny these applications, they will be lost or can they come back next month once the other issues may be resolved? **Chairman McKiernan** said I'm going to ask for staff to clarify this, but my understanding of this, Commissioner, would be that this application would be denied, but that those properties will remain in the Land Bank and those properties will remain available, and a future application could be made for either or both of these properties. And staff, please check me on that to make sure I understand.

Ms. Carttar said Commissioner, that's correct. Ms. Duma or whoever, if she gets to a point where she's ready to build at 2731 and that property's still available, we would love to see another application from her. **Chairman McKiernan** said so it does not close the door permanently on these, just on this particular application. So we have a motion and a second to deny the current

application for 2731 and 2750. Any other discussion among the committee? Seeing none, roll call please.

Roll call was taken on the motion and there were five “Ayes,” Walters, Johnson, Townsend, Burroughs, McKiernan.

Chairman McKiernan said that takes us to consideration of the third applicant, at 6235 Kansas Ave.

Action: Commissioner Townsend made a motion, seconded by Commissioner Johnson, to approve the application for 6235 Kansas Ave.

Chairman McKiernan said we have a motion and a second to approve that application for option as submitted, any further discussion among the committee? Seeing none, roll call please.

Roll call was taken on the motion and there were five “Ayes,” Walters, Johnson, Townsend, Burroughs, McKiernan.

Chairman McKiernan said that then takes us to our final application for 1032 South 25th St.

Action: Commissioner Townsend made a motion, seconded by Commissioner Johnson, to approve the application for 1032 South 25th St, subject to the amendment with respect to the width of the building as previously discussed.

Chairman McKiernan said so we have a motion and a second to approve, provided that any building constructed conforms to the setback requirements and screening guidelines. Any further discussion among the committee? Seeing none, roll call please.

Roll call was taken on the motion and there were five “Ayes,” Walters, Johnson, Townsend, Burroughs, McKiernan.

Chairman McKiernan said those are all of the items in Item No. 2, that is the last item on the Neighborhood and Community Development Standing Committee agenda.

Adjourn

Chairman McKiernan adjourned the meeting at 5:50 p.m.

af