

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

PLANNING & ZONING AND
REGULAR SESSION
JANUARY 27, 2022

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Regular Session Thursday, January 27, 2022, with ten members present via Zoom or on-site: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; Townsend, Commissioner First District; McKiernan, Commissioner Second District; Ramirez, Commissioner Third District; Johnson, Commissioner Fourth District; Kane, Commissioner Fifth District; Stites, Commissioner Seventh District; Davis, Commissioner Eighth District; and Garner, Mayor/CEO, presiding. Markley, Commissioner Sixth District; was absent. The following officials were also in attendance: Misty Brown, Chief Counsel; Gunnar Hand, Director of Planning and Urban Design; Alan Howze and Bridgette Cobbins, Assistant County Administrators; Katherine Carttar, Director of Economic Development; James Bain, Assistant Counsel; Ashley Hand, Director of Strategic Communication; Elizabeth Groenweghe, Chief Epidemiologist; Dr. Allen Greiner, Chief Medical Officer; Dr. Erin Corriveau, Deputy Medical Officer, Health Department; and Brett Deichler, Unified Government Clerk.

Mayor Garner said before I call the meeting to order, I want to announce that due to COVID-19, some commissioners, staff, and public are attending remotely via Zoom, by phone, or onsite. All participants joining by phone should mute their phones when not speaking to avoid background noise.

During the meeting, please make sure that you announce yourself by name and title every time you speak so the public that is observing knows who is speaking. This is a critical element given the number of remote participants and is current guidance from the Kansas Attorney General.

Due to COVID-19 requirements, the public is allowed to participate by Zoom or submit comments by email prior to the meeting. Those comments will be included in the record of the meeting. The public also has the opportunity to provide brief comments from the lobby of the Municipal Office Building here at 701 N. 7th Street, Kansas City, Kansas.

I'm going to call this meeting to order and ask the Clerk for the roll, please.

Roll call: Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane, Garner.

Mayor Garner said the invocation is being given by Commissioner Harold Johnson of Faith Deliverance Church of God in Christ followed by the Pledge of Allegiance.

Mayor Garner asked the Clerk, are there any revisions to tonight's agenda?

Brett Deichler, Unified Government Clerk, said, Mayor, yes, we had one change. It was a blue sheet issued for the Planning and Zoning Consent Agenda. It was Special Use Permit No. 2021-047, which was modified to include documents submitted by the Wyandotte County Conservation District. That includes all the changes on tonight's blue sheet, Mayor Garner.

Mayor Garner 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'll 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.

PLANNING AND ZONING CONSENT AGENDA

Mr. Deichler read the statement, required by law, governing the Planning and Zoning portion of the meeting.

Mr. Deichler asked if any member of the Commission wished to disclose any contact with proponents or opponents on any item on the agenda? **Mayor Garner** asked, do any commissioners have disclosures? **Commissioner Bynum** disclosed correspondence regarding Item A1 Change of Zone 2021-047. **Commissioner Burroughs** disclosed supporters and proponents to MPL2021-025.

Mr. Deichler read the items on the Planning and Zoning Consent Agenda.

Mayor Garner asked, does any member of the Commission, County Administrator, or public wish to set-aside any item on the Planning and Zoning Consent Agenda? **Commissioner Kane** made a motion, seconded by Commissioner Stites to approve. **Mayor Garner** said 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. I just need clarity from the Clerk, Item No. 4, SP2021-083, has that been set aside? **Mr. Deichler** said it has not. No one requested to set it aside.

Mayor Garner said I'm requesting it to be set aside, please. **Mr. Deichler** said okay.

Action: **Commissioner Kane made a motion, seconded by Commissioner Stites, to approve all remaining items as submitted on the Planning and Zoning Consent Agenda.**

Mayor Garner said I'll ask the Clerk if he received any requests from the public to set-aside an item? **Mr. Deichler** said none were received.

Mayor Garner said I'll ask the Clerk if anyone joining virtually has their hands raised to set-aside an item? **Mr. Deichler** said seeing none, but we need to vote, Mayor.

Roll call was taken and there were nine "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

CHANGE OF ZONE APPLICATIONS

Item No. 1 – 211251...CHANGE OF ZONE APPLICATION COZ2021-047 – MICHAEL MAKRIS WITH BHC RHODES

Synopsis: Change of zone from R-1 Single Family, C-1 Limited Business and CP-1 Planned Limited Business Districts to RP-4 Planned Garden Apartment District for Tower View Townhomes at 2416 and 2416A South 51st Street, 5115 Gibbs Road and 5125 Gibbs Road.
and

MASTER PLAN AMENDMENT APPLICATION ITEM NO. 1 – 211252...MASTER PLAN APPLICATION MPL2021-025 – MICHAEL MAKRIS WITH BHC RHODES

Synopsis: Master Plan Amendment from Community Commercial and Low density Residential to medium Density Residential (city-Wide Master Plan) at 2416 and 2416A South 51st Street, 5115 Gibbs Road and 5125 Gibbs Road, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. The applicant is requesting a change of zone from R-1 Single-Family District, C-1 Limited Business District, and CP-1 Planned Limited Business District to RP-4 Planned Garden Apartment District. The applicant is requesting a Master Plan Amendment of the City-Wide Master Plan land use designation from Community Commercial and Low-Density Residential to Medium-Density Residential. The multi-family development will consist of seven multi-family structures with a total of 32 dwelling units. The site plan contains three townhome buildings containing four units each, two townhome buildings containing two units each, and four fourplexes. The development includes the demolition of an existing single-family residence at 5125 Gibbs Road and a water retention pond. The Planning Commission voted 8 to 0 to recommend approval of Master Plan Amendment MPL2021-025 and Change of Zone Application COZ2021-047, subject to:

1. There must be an architectural screening wall to create a buffer between the subject property and the single-family residences to the south and west. Submit a revised landscape plan demonstrating an architecturally screened wall and submit elevations for said wall;
2. The applicant has not provided proposed amenities for the development. The applicant must submit all amenity plans for the development as part of the submission process for the Final Plan Review. All amenities shall be built within the first phase of the development.
3. The development must comply with the Multi-Family Residential Design Guidelines, per the City-Wide Master Plan;
4. The following requirements of the Multi-Family Design Guidelines have been met and must be incorporated into the development of the site as shown on the submitted site plans:
 - a. All pedestrian walkways shall be designed to provide direct access and connections to and between the following:
 - i. The primary entrance or entrances to each principal multi-family building;
 - ii. To any sidewalks or walkways on adjacent properties that extend to the boundaries shared with the multi-family development;
 - iii. Any adjacent commercial land uses, including but not limited to retail shopping centers, office buildings, restaurants, or personal service establishments; and
 - iv. Any adjacent public park, greenway, or other public/semi-public use including but not limited to schools, libraries, churches, parks, etc.
 - b. The maximum length of a multi-family residential building shall be 200 feet.

- c. No more than six townhome units shall be attached in any single row.
 - d. Unity of design will be maintained through the use of similar materials and colors throughout all multifamily developments.
5. The following requirements of the Multi-Family Design Guidelines have not been met and must be met during the Final Plan process:
- a. Pedestrian walkways and sidewalks shall be a minimum of six-feet wide.
 - b. To the maximum extent feasible, garage entries, carports, parking areas, and parking structures shall be internalized in building groupings or oriented away from the arterial or collector street frontage.
 - c. Provide distinctive, quality, consistent, architectural character and style in new multi-family development that avoids monotonous and featureless building massing and design.
 - d. All sides of a multi-family building shall display a similar level of quality and architectural interest. The majority of a building's architectural features and treatments shall not be restricted to a single façade.
 - e. All building entries adjacent to an arterial, collector or local street or private drive with on-street parking shall be pedestrian-scaled. Pedestrian-scaled entries are those that provide an expression of human activity or use in relation to building size. Doors, windows, entranceways, and other features such as corners, setbacks, and offsets can be used to create pedestrian scale.
 - f. Fronts of buildings should be articulated through the use of bays, insets, balconies, porches, or stoops related to entrances and windows.
 - g. On buildings where sloping roofs are the predominant roof type, each building shall have a variety of roof forms. For instance, a gable or hip configuration should be used with complimentary sheds, dormers, and other minor elements. Other roof forms will be considered on a case-by-case basis. On buildings where flat roofs are the predominant roof type, parapet walls shall vary in height and/or shape at least one every fifty feet of building wall length.
 - h. For all multi-family buildings including duplexes, triplexes, fourplexes and townhomes, an amount equal to forty percent (40%) of the total net exterior wall area of each building elevation, excluding gables, windows, door, and related trim, shall be brick or stone. The balance of next exterior wall may be lap siding (excluding vinyl lap siding) and/or stucco.
 - i. Landscaping is required to screen all parking areas and service entries.
6. It is unclear if the following requirements of the Multi-Family Design Guidelines have been met. In the Final Plan Review process, the applicant must provide further explanation or demonstration for the following:
- a. There should be a consistency in architectural style among multiple buildings within a development and surrounding area. Each building should have a definitive and consistent style. Mixing of various architectural styles on the same building or buildings dilutes the character of the area.

- b. All multi-family building elevations shall contain windows, except when necessary to assure privacy for adjacent property owners. Windows should be located to maximize the possibility of occupant surveillance of entryways, recreation areas, and laundry areas.
 - c. High-quality building materials will be used that are durable, attractive, and have low maintenance requirements.
 - d. Exterior building materials shall not include the following:
 - i. Board and batten wood;
 - ii. Smooth-faced or gray concrete block;
 - iii. Painted concrete block;
 - iv. Tilt-up concrete panels;
 - v. Field painted or pre-finished standard corrugated metal siding;
 - vi. Standard single or double tee concrete systems; and
 - vii. Vinyl siding.
 - e. Predominant roof materials shall be high quality, durable material such as, but not limited to:
 - i. Wood shake shingles;
 - ii. Clay or concrete tiles;
 - iii. Composition shingles;
 - iv. Asphalt shingles; and
 - v. Other materials considered on a case-by-case basis.
7. The applicant has not provided the most recent full set of elevations for all building types proposed. In the Final Plan Review process, the applicant must provide elevations for all four sides of each building type that will be on site;
 8. In the Final Plan Review process, a materials palette for all proposed building typologies must be submitted to Staff to verify compliant, and consistent or complementary materials throughout the subject property;
 9. A building permit is required. Please contact the Building Inspection Department to begin that process;
 10. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design to begin this process;
 11. The applicant, contractors, subcontractors, and related third parties shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets and Retaining Walls, as applicable;
 12. Site improvements that include land disturbance activity on greater than 1 acre of surface area of land shall require a land disturbance permit issued by the Unified Government and shall be compliant with all applicable local ordinances and State Statutes and Regulations (Article XIV, Sections 8-610 - 8-618). Land disturbance fees shall be processed by UG Public Works during the land disturbance/Site Development application. The Land Disturbance Permit and all applicable Public Works permits can be obtained from the

Public Works Department, 701 North 7th Street, KS 66101, (913) 573-5700. With the issuance of the Land Disturbance Permit, a grading permit is required and issued by the Building Inspections COZ2021-04 Department, Neighborhood Resource Center, 4953 State Avenue, Kansas City, KS 66102, (913) 573-8620; and,

13. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Action: Commissioner Kane made a motion, seconded by Commissioner Stites, to approve Change of Zone Application COZ2021-047 and Master Plan Amendment Application MPL2021-025, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 2 – 211253...CHANGE OF ZONE APPLICATION COZ2021-053 - JOHN CAUTHON

Synopsis: Change of zone from R-1 Single Family District to A-G Agriculture District for agricultural purposes at 3817 Lust Drive, submitted by Gunnar H. Hand, Director of Planning and Urban Design. The applicant, John Cauthon, is requesting a change of zone for the subject property at 3817 Lust Drive. The applicant is requesting a change of zone from R-1 Single Family District to AG Agricultural District. The change of zone has been requested so that the property’s agricultural activity can continue. The subject property’s prior land use was agricultural but changed to low-density residential when a neighborhood-wide rezone occurred. The applicant is currently cleaning up the property and wishes to construct multiple accessory structures to ensure the property’s maintenance and utilize agricultural activity. The applicant wishes to build a single-family residence on the property in the future, but only wants to support the agricultural features for the immediate time. The change of zone allows the applicant to construct multiple accessory structures throughout the property for its maintenance and agricultural use without the need for further variances as required in its current zoning. The applicant has an additional application for a variance for maximum lot width-to-depth ratio. The Planning Commission recommended 8 to 0 to recommend approval of Change of Zone Application COZ2021-053, subject to:

1. This City Planning Commission case is being heard in conjunction with BOZA2021-047. The following are conditions for BOZA2021-047 and are stated here for reference only, as CPC case is solely for COZ2021-053.
 - a. If approved, the drive apron shall be upgraded to an improved surface with repaired aprons and as required and approved by the UG Building Inspection Division and Public Works.
 - b. A right-of-way permit is required. Please contact the Public Works Department at (913) 573-5311 to begin that process.
 - c. If approved and should livestock be introduced to the property or timber strand improvements to be made, the applicant should contact the Conservation District for technical assistance per the comments below to update their Conservation District Plan accordingly.
 - d. The deteriorated stable structure shall be demolished, and the pop-up camper shall be removed.
 - e. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly.
 - f. A loading and maneuvering area shall be paved with 6-inches of concrete over 4-inches of gravel within 25 feet of the right-of-way in accordance with UG Code §27-675(b)(2) and UG Standard Detail 4100-G.
 - g. Agricultural districts are not required to obtain land disturbance permits (UG Code §8-613) but are still required to employ applicable best management practices (BMPs) included in standard details provided by the Unified Government (UG). When land disturbance exceeds 3,000 square feet, an erosion and sediment control plan may be required. The UG "Erosion Control Checklist" and "Guidelines for Preparing Erosion Control Drawings for Land Development" outlines plan preparation. Prevent, to the maximum extent practicable, any amount of soil, earth, sand, gravel, rock, stone, or other material, to be deposited upon or to roll, flow, or wash upon or over any public street, street improvement, road, alley, sewer, storm drain, watercourse, right-of-way, any public property or the premises of another.
 - h. If there is any livestock in the area, the stream area needs to be fenced so livestock are not in the stream. The fenced area should include a 25-foot buffer of grass to reduce and slow any runoff.
 - i. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

2. If approved, the drive apron shall be upgraded to an improved surface with repaired aprons and as required and approved by the UG Building Inspection Division and Public Works;
3. A right-of-way permit is required. Please contact the Public Works Department at (913) 573-5311 to begin that process;
4. If approved and should livestock be introduced to the property or timber stand improvements to be made, the applicant should contact the Conservation District for technical assistance per the comments below to update their Conservation District Plan accordingly;
5. The deteriorated stable structure and stored pop-up camper shall be removed from the property;
6. A building permit is required for the construction of a permanent structure greater than 120 square feet, for the expansion of or addition to an existing structure, and/or a change in the use of (i.e., change of occupancy) an existing structure. The applicant is required to contact the Building Inspections Division at (913) 573-8620 or by buildinginspection@wycokck.org to confirm if they need a building permit, and if so, must take it upon themselves to initiate the building permit process accordingly;
7. A loading and maneuvering area shall be paved with 6-inches of concrete over 4-inches of gravel within 25 feet of the right-of-way in accordance with UG Code §27-675(b)(2) and UG Standard Detail 4100-G;
8. Agricultural districts are not required to obtain land disturbance permits (UG Code §8-613) but are still required to employ applicable best management practices (BMPs) included in standard details provided by the Unified Government (UG). When land disturbance exceeds 3,000 square feet, an erosion and sediment control plan may be required. The UG "Erosion Control Checklist" and "Guidelines for Preparing Erosion Control Drawings for Land Development" outlines plan preparation. Prevent, to the maximum extent practicable, any amount of soil, earth, sand, gravel, rock, stone, or other material, to be deposited upon or to roll, flow, or wash upon or over any public street, street improvement, road, alley, sewer, storm drain, watercourse, right-of-way, any public property or the premises of another;
9. If there is any livestock in the area, the stream area needs to be fenced so livestock are not in the stream. The fenced area should include a 25-foot buffer of grass to reduce and slow any runoff.
10. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Action: Commissioner Kane made a motion, seconded by Commissioner Stites, to approve Change of Zone Application COZ2021-053, subject to the stipulations. Roll call was taken and there were nine "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

SPECIAL USE PERMIT APPLICATIONS

Item No. 1 – 211256...SPECIAL USE PERMIT APPLICATION SP2021-047 - ALBERT H. WALKER

Synopsis: Special Use Permit to keep livestock (horses on the property) at 3633, 3703 and 3707 Bell Crossing, 3701, 3702, and 3706 North 37th Street and 3655 Sortor Drive, submitted by Gunnar H. Hand, Director of Planning and Urban Design. The applicant, Albert Walker, is requesting a Special Use Permit to keep horses on seven (7) residentially zoned parcels at 3633, 3703, & 3707 Bell Crossing, 3701, 3702, & 3706 North 37th Street, and 3655 Sortor Drive (herein after known as the “subject property”). This subject property is not the applicant’s primary residence and has no primary residence on the property, but there is one (1) accessory structure (a clubhouse) and one (1) storage container. The Planning Commission voted 5 to 0 to recommend denial of Special Use Permit Application SP2021-047, due to unresolved violations on the property, incompatibility of the land for livestock, and the recommendation of the Conservation District.

Action: Commissioner Kane made a motion, seconded by Commissioner Stites, to deny Special Use Permit Application SP2021-047. Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 2 – 211254...SPECIAL USE APPLICATION SP2021-077 – NATALIE MCNUTT

Synopsis: Special Use Permit for a Short-Term Rental at 3801 Lloyd Street, submitted by Gunnar H. Hand, Director of Planning and Urban Design. The applicant, Natalie McNutt, is seeking approval for the operation of a short-term rental at 3801 Lloyd Street. The subject property is a single-family resident on a dead-end street. The property was occupied by the owner’s son before he relocated for a new job. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application SP2021-077, subject to:

1. The applicant must show proof of the following repairs before occupancy:
 - a. Replace the gas line to the hot water heater.
 - b. Repair the gas line to clothes dryer.
 - c. Install handrails on both sides of stairwell leading to second floor as required by code.

- d. Provide exterior door or coverage to crawl space to reduce possibility of pest or intrusion;
2. Maximum number of guests, which has been deemed appropriate for the available accommodations shall be six (6) adults;
3. Guest parking must be provided off-street. Maximum number of guest vehicles shall be two (2);
4. Parking must take place off-street. If this is not feasible, the applicant must prove why it is not. Maximum number of guest vehicles shall be two (2);
5. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
6. Applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;
7. Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;
8. Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy. Include the contact information for Host Compliance: 913-246-5133 www.hostcompliance.com/tips;
9. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved; and,
10. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Action: **Commissioner Kane made a motion, seconded by Commissioner Stites, to approve Special Use Permit Application SP2021-077 for one year, subject to**

the stipulations. Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 3 – 211255...SPECIAL USE PERMIT APPLICATION SP2021-080 – RYAN STOOPS WITH JAMESTOWN PROPERTIES LLC

Synopsis: Special Use Permit for a Short-Term Rental/Airbnb at 3151 West 45th Avenue, submitted by Gunnar H. Hand, Director of Planning and Urban Design. The applicant, Ryan Stoops, is seeking approval for the operation of a short-term rental at 3151 West 45th Avenue. The subject property is a single-family residence and was recently purchased by the applicant. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application SP2021-080, subject to:

- a. Maximum number of guests, which has been deemed appropriate for the available accommodations shall be six (6);
- b. Guest parking must be provided off-street. Maximum number of guest parking shall be two (2) vehicles;
- c. Parking must take place off-street. If this is not feasible, the applicant must prove why it is not. Maximum number of guest vehicles shall be two (2);
- d. If approved, the outstanding permits shall be updated to "Completed" status.
- e. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions, and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
- f. Applicant must keep a current annual Business License/Occupation Tax Receipt and Kansas State Lodging Tax;
- g. Applicant must post a copy of the Ordinance granting permission to operate the short-term rental, the expiration date of the Special Use Permit, a copy of the Occupational Tax Receipt, and the property manager's contact information within the entrance of the area that is rented;
- h. Must provide a manual/welcome packet that lists all rules, including "No Parties, etc." This manual must inform guests that the Unified Government enforces this policy. Include the contact information for Host Compliance:
- i. 913-246-5133 www.hostcompliance.com/tips;
- j. The Special Use Permit shall be valid for one (1) year from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2)

months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved; and,

- k. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper.

Action: Commissioner Kane made a motion, seconded by Commissioner Stites, to approve Special Use Permit Application SP2021-080 for one year, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 4 – 211248...SPECIAL USE PERMIT APPLICATION SP2021-083 – AURELIO AND MARIA NAVAREZ

Synopsis: Renewal of a Special Use Permit (SP2016-079 – expired 10/27/2021) for live entertainment in conjunction with a drinking establishment at 6550 Kaw Drive, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design. The applicants, Auerlio and Maria Navarez, are requesting a renewal of Special Use Permit (SP2019-079) for a drinking establishment, restaurant, and live entertainment venue at 6550 Kaw Drive. The property was approved for Special Use Permit (SP2009-036) to operate a drinking establishment, in 2009 and was renewed in 2012 and 2014 for two (2) years and then again in 2016 for five (5) years. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application SP2121-083, subject to:

1. The applicant shall build an enclosure around their trash receptacles on the east side of their property;
2. The applicant shall either patch their parking lot or repave the parking lot for the parcel in which their reestablishment resides on;
3. The applicant shall install parking space striping for the required forty (40) parking spaces in the manner outlined by the Code of Ordinances Section 27-669;
4. Per Code of Ordinances Section 27-577(g), if the applicant wishes to complete this work in phases, "the first phase of construction should include perimeter landscaping, entry drives, and detention ponds. Future phases must indicate interim landscaping";

5. Per Section 27-723(a), no sign (including the structure or sign surface) shall be erected, installed, altered, relocated, rebuilt, or refaced until the Unified Government issues a sign permit. Only those signs permitted in this division shall be granted a sign permit. Contact the Department of Planning and Urban Design to begin this process;
6. All exterior lighting on the building must be hooded or controlled to direct light 90 degrees downward. No light may cast light or glare off the property or onto the public street;
7. The applicant, contractors, subcontractors, and related third parties shall comply with Planning Engineering Comments for General Engineering, Erosion Control, Sanitary Sewer, Storm Drainage, Stormwater Quality, Streets and Retaining Walls, as applicable;
8. All entertainment must cease by at least 1:30 AM;
9. Doors and windows must stay closed during any entertainment performance;
10. Any illumination that results from an entertainment event shall not be seen or otherwise impact adjacent uses;
11. Must comply with Unified Government Security Ordinance (Chapter 4, Article II Division 1, Sec. 4-104(f) including:
 - a. Must have at least one (1) security personnel stationed at the door at all times that is able to monitor any required parking area. Additional security guards may be required depending on the building capacity;
 - b. Patrons are not allowed to loiter in their vehicles. If so determined, they will be asked to leave;
 - c. An I.D. scanner will be used at all times;
 - d. At closing time, all security personnel will begin from a designated area to move patrons towards the exit and then to their vehicles.
12. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
13. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
14. The Special Use Permit shall be valid for ten (10) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the

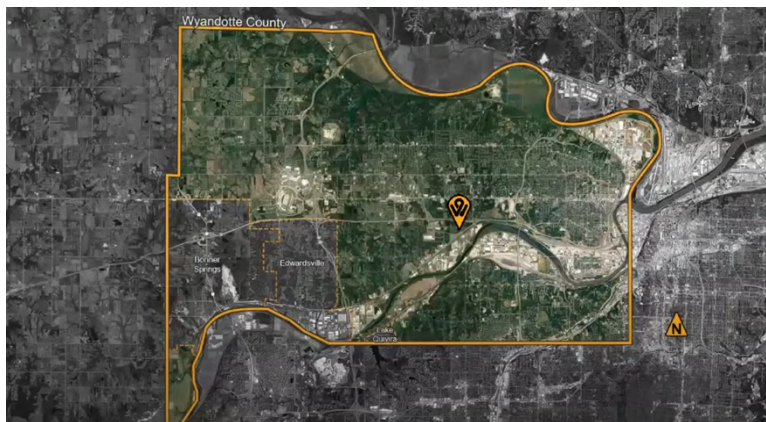
renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.

Mayor Garner said I'll ask the Clerk to provide the set aside number. **Mr. Deichler** said set aside No. SP2021-083, Aurelio and Maria Navarez.

Mayor Garner said I'll ask staff to make some opening remarks, please.

Case	
SP2021-083	
Petitioner	Address
Aurelio and Maria Nevarez	6550 Kaw Drive Kansas City, KS 66111
Synopsis	
To renew a Special Use Permit (SP-2016-79) for an existing drinking establishment with live entertainment. This is the applicant's fourth renewal.	

Gunnar Hand, Director of Planning and Urban Design, said this application is for a special use permit for live entertainment and drinking establishment, again at 6550 Kaw Drive.



This is in the Riverview area of the county. This would be the applicant's fifth approval. This is their fourth request for renewal.



You can see the site a little bit closer off of Kaw Drive right here.



As I go through these pictures, I'll just add a couple of issues. In our review, since their last approval five years ago, we did note multiple police calls at the location. We received thus far, no letters of support, nor opposition.



Some of the conditions of approval that staff had requested as a part of this renewal is to develop a trash enclosure for their trash bin,

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to repair and restripe the parking lot. We did notice that there were a lot of flood lights on the building, which is in violation of our Code of Ordinances. We asked for downward lighting. There's also several unpermitted signs attached to the old building. It typical of bars and live entertainment venues of this kind. So, we asked that those be removed, accordingly. We do have a couple of conditions of approval as a sort of standardized ones that we have for these types of uses related to security, but no security plan was provided specifically for this use.



Public Opposition	Public Support
None to date.	None to date.
Staff Recommendation Approval	

Staff agrees with the Planning Commission's recommendation for approval for 10 years.

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Mayor Garner said I'll ask the applicant or representative to present their application. If you're present, please state your name and address for the record.

Maria Navarez, owners of said establishment, said we've agreed to all the conditions that they have said about the enclosure for the garbage and also the paving, except right now at this particular time, because of the weather, it's really difficult to get out there, but we have no objection to repairing what has to be repaired.

Mayor Garner asked, does that conclude your statement? Okay. I want to open the public hearing and ask the Clerk if he's received any direct notification from the public who wish to express their comments in favor of this item? Once acknowledged, you may state your name and address for the record. You will be given up to three minutes to state your comments. **Mr. Deichler** said we have not received any comments.

Mayor Garner asked, is there anyone joining virtually who would like to speak in favor of SP2021-083? If so, please raise your hand to be acknowledged. Once acknowledged, you may state your name and address for the record. You'll be given up to three minutes to state your comments. **Mr. Deichler** said we're seeing none, Mayor.

Mayor Garner asked, is there anyone joining us in the lobby who would like to speak in favor of SP2021-083? If so, please raise your hand to be acknowledged. Once acknowledged, you may state your name and address for the record. You'll be given up to three minutes to state your comments. **Mr. Deichler** said seeing none, as well, Mayor.

Mayor Garner said I'll ask the Clerk if we've received any direct notification from the public who wish to express their comments in opposition of SP2021-083? Once acknowledged, you may state your name and address for the record. You'll be given up to three minutes to state your comments. **Mr. Deichler** said we have not received any, Mayor.

Mayor Garner asked, is there anyone joining us virtually who would like to speak in opposition of SP2021-083? If so, please raise your hand to be acknowledged. Once acknowledged, you may state your name and address for the record. You'll be given up to three minutes to state your comments. **Mr. Deichler** said we're seeing none, Mayor.

Mayor Garner asked, is there anyone joining us in the lobby who would like to speak in opposition of SP2021-083? If so, please raise your hand to be acknowledged. Once acknowledged, you may state your name and address for the record. You'll be given up to three minutes to state your comments. **Mr. Deichler** said seeing none as well, Mayor.

Mayor Garner said I will close the public hearing. Would the petitioner like to make any closing comments? Seeing none. Do any members of the Commission have any questions or comments? I would like to recommend that we reduce, based on the issues that have been identified by staff, the amount of years from 10 to what was noted. Can staff inform the Commission on the prior special use permit approvals, in terms of years? **Mr. Hand** said the previous approval was for five years.

Mayor Garner said I recommend that we go back to that as well as revisiting this to ensure that a security plan is put in place for the safety of not only those that may be attending that venue, but also those that may be impacted from any potential occurrences that may arise in regard to that venue being at that location and provided that level of entertainment.

Mr. Deichler said, Mayor, Chief Legal has a question.

Misty Brown, Chief Counsel, said, Mayor, I just want to clarify your recommendation. Are you recommending that at this point we vote to reduce the approval from running 10 years to 5, or are you also recommending that we send it back to the Planning Commission to look at a security measure, or is that something you wanted to evaluate at the next 5-year mark?

Mayor Garner said it's a combination of both. I'd like it to be sent back with the recommendation for a security plan and a second look at reducing the approval, special use permit usage from 10 years back down to 5 years. **Ms. Brown** said so, the motion is to send it back to Planning Commission for additional review.

Mayor Garner said that is correct, and I'll entertain a motion.

Action: **Commissioner Kane made a motion, seconded by Commissioner Burroughs, to send Special Use Permit Application SP2021-083 back to Planning Commission for additional review.**

Mayor Garner said there's a motion and a second. Is there any discussion? Seeing none, roll call.

Commissioner Davis said before I vote, Commissioner Townsend had her hand up.

Commissioner Townsend said I removed it because I was going to clarify a point of order, but Commissioner Kane's motion took care of that and with the second by Commissioner Burroughs, the question I was going to raise is no longer necessary.

Roll call was taken and there were nine "Ayes," Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Mayor Garner asked, are there any other set-aside numbers that the Clerk has available? **Mr. Deichler** said we have none, Mayor.

Item No. 5 – 211249...SPECIAL USE PERMIT APPLICATION SP2021-085 – PAUL RIDGWAY

Synopsis: Renewal of a Home Occupation Special Use Permit (SP-2020-88 – expires 1/14/2022) for a personal trainer business at 419 Armstrong Avenue, submitted by Gunnar H. Hand, Director of Planning and Urban Design. The applicant, Paul C. Ridgeway, is seeking a Home Occupation Special Use Permit for the purpose of conducting personal fitness training sessions at his residence at 419 Armstrong Avenue. The applicant intends to instruct one (1) client at a time. Sessions will be temporarily held on a raised wooden deck in the back of the home. Support has been expressed by one (1) neighbor, John Headrick in previous meeting. In the future, the applicant intends to remove the existing deck, pour a new driveway, and build a new garage with a rooftop deck. This garage will be used to store one (1) vehicle and train clients. Staff notes that the home is within the environs of two (2) historic districts. Any new construction or alteration to the exterior of the home and/or accessory structure must go through the historical review process. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application SP2021-085, subject to:

1. The applicant shall meet the R-1(B) setbacks and lot area regulations;

2. Due to the size of the property, the location of the proposed garage and the tandem parking space, the applicant must operate by appointment only. This will limit double stacking in the alley and/or along Armstrong Avenue;
3. Since the applicant stated that only one (1) client will be on the property at a time, training is restricted to one (1) client at a time in the garage;
4. Per the applicant, clients will train from 6:00 AM to 12:00 PM;
5. If approved, the applicant will need to file and maintain a current business occupation tax application with the Business Licensing Division. Please contact their office at (913) 573-8780 to begin that process. The garage cannot take up more than 40% of the rear yard and must be setback three (3) feet off the side of the rear property lines;
6. The exterior walls shall be made of either horizontal clapboard, wood, or plywood siding, stone, artificial stone, brick, artificial brick, and textured finishes such as stucco. Fiberglass, plastic, and preformed, corrugated, or ribbed metals are not allowed. Metals can be used provided they have a factory applied and painted finish closely matching the color of the primary structure. Standard concrete masonry units are also not allowed, unless the walls of the building are painted the exact color of the primary structure;
7. A building permit is required for a permanent structure greater than 120 square feet. Please contact the Building Inspection Division at (913) 573-8620 to begin that process;
8. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
9. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,
10. The Special Use Permit shall be valid for two (2) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after expiration date will be considered a new application with the associated application fee and approval term. If the new associated application fee and approval term. If the renewal deadline is not met all operations must cease until such time as a new Special Use Permit is approved.

Action: **Commissioner Kane made a motion, seconded by Commissioner Stites, to approve Special Use Permit Application SP2021-085 for 2 years subject to the**

stipulations. Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 6 – 211250...SPECIAL USE PERMIT APPLICATION SP2021-086 – BEVERLY AND FREDERICK AVERY WITH AVERY’S VILLAGE

Synopsis: Renewal of a Special Use Permit (SP-2020-7 – expires 1/30/2022) for a youth residential facility (Avery’s Village) at 6261 Leavenworth Road, submitted by Gunnar H. Hand, Director of Planning and Urban Design. The applicants, Frederick and Beverly Avery, are requesting renewal of Special Use Permit SP2022-086, has permitted the operation of a youth residential facility at 6261 Leavenworth Road. The building was previously licensed as a nursing home from 1967 until 2014. The facility would be licensed with the State of Kansas to work with 35 or more children between 10 and 18 years of age. The applicant states that the facility has the capacity to house 45 youths. The facility would be staffed by an office manager, food service personnel, maintenance and grounds personnel, your support personnel, and case manager, renewal of the Special Use Permit would allow the continuation of a youth residential facility for boys 10-18 years of age. The Planning Commission voted 8 to 0 to recommend approval of Special Use Permit Application SP2021-086, subject to:

1. Since no one staff member permanently resides in the building, there shall be continuous 24 hours, 7 days a week coverage by staff;
2. The applicant shall build an enclosure around their trash container that matches the materials from the primary structure;
3. The applicant shall restore the existing retaining wall;
4. The applicant shall replace the existing privacy fence with height limit of 6 feet;
5. No more than forty-five (45) children/youth residing on the property;
6. Per Business Licensing Division: The applicant has filed and maintained a current business occupation tax application;
7. The Special Use Permit is not valid for the approved use to be in operation until all the conditions of approval are met. The Applicant acknowledges that both the property owner and the business owner are collectively responsible to ensure that the use of the property is compliant with all ordinances, conditions and other requirements of this approval. Failure to meet all these requirements may result in revocation of this permit. The property may also be subject to enforcement actions and administrative citations;
8. Subject to approval, a \$125.00 ordinance publication fee must be submitted to the Planning and Urban Design Department (checks made payable to the Unified Treasurer) within 30 days following the Unified Government Board of Commissioners meeting. If a check is not

submitted within 30 days, the petition becomes invalid. The approval will not go into effect until the ordinance is published in the newspaper; and,

9. The Special Use Permit shall be valid for five (5) years from the publication of the associated Ordinance. The Applicant is solely responsible for renewing their Special Use Permit. The Applicant should contact the Planning and Urban Design Department no less than two (2) months prior to the expiration of the permit in order to begin the renewal process. Any application for renewal that is submitted after the expiration date will be considered a new application with the associated application fee and approval term. If the renewal deadline is not met, all operations must cease until such time as a new Special Use Permit is approved.

Action: Commissioner Kane made a motion, seconded by Commissioner Stites, to approve for Special Use Permit Application SP2021-086 for five years, subject to the stipulations. Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

MASTER PLAN AMENDMENT APPLICATION

Item No. 1 – 211252...MASTER PLAN AMENDMENT MPL2021-025 – MICHAEL MAKRIS WITH BHC RHODES

Synopsis: Master Plan Amendment from Community Commercial and Low Density Residential to Medium Density Residential (City-Wide Master Plan) at 2416 and 2416A South 51st Street, 5115 Gibbs Road and 5125 Gibbs Road, submitted by Gunnar H. Hand, Director of Planning and Urban Design.

Action: This was previously heard with Change of Zone Application COZ2021-047.

MISCELLANEOUS - ORDINANCES (The following ordinances formalize previous Commission approval.)

Item No. 1 – ORDINANCE

Synopsis: An ordinance rezoning property at 4108 Adams Street, (COZ2021-046) from R-1(B) Single Family District to R-2(B) Two Family District, submitted by Gunnar H. Hand, AICP, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-7-22**, “An ordinance rezoning property hereinafter described located at approximately 4108 Adams Street, in Kansas City, Kansas, by changing the same from its present zoning of R-1(B) Single Family District to R-2(B) Two Family District.” **Commissioner Kane made a motion, seconded by Commissioner Stites, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 2 - ORDINANCE

Synopsis: An ordinance authorizing a Special Use Permit (SP2021-076) for a Short-Term Rental at 4108 Adams Street, submitted by Gunnar H. Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-8-22**, “An ordinance authorizing a Special Use Permit for 4108 Adams Street, Kansas City, Kansas, for a short-term rental.” **Commissioner Kane made a motion, seconded by Commissioner Stites, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 3 - ORDINANCE

Synopsis: An ordinance rezoning property at 4318 Sortor Drive (#3215), from R-1(B) Single Family District to A-G Agriculture District, submitted by Gunnar H. Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-9-22**, “An ordinance rezoning property hereinafter described located at approximately 4318 Sorter Drive, in Kansas City, Kansas, by changing the same from its present zoning of R-1(B) Single Family District to A-G Agriculture District.” **Commissioner Kane made a motion, seconded by Commissioner Stites, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 4 - ORDINANCE

Synopsis: An ordinance rezoning property at 731 Tenny Avenue, (COZ2021-042), from R-1(B) Single Family District to R-2(B) Two Family District, submitted by Gunnar H. Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-10-22**, “An ordinance rezoning property hereinafter described located at approximately 731 Tenny Avenue, in Kansas City, Kansas, by changing the same from its present zoning of R-1(B) Single Family District to R-2(B) Two Family District.” **Commissioner Kane made a motion, seconded by Commissioner Stites, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 5 - ORDINANCE

Synopsis: An ordinance rezoning property at 3740 North 35th Street (COZ2021-040) from R-1(B) Single Family District to A-G Agriculture District, submitted by Gunnar H. Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-11-22**, “An ordinance rezoning property hereinafter described located at approximately 3740 North 35th Street, in Kansas City, Kansas, by changing the same from its present zoning of R-1(B) Single Family District to A-G Agriculture District.” **Commissioner Kane made a motion, seconded by Commissioner Stites, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 6 - ORDINANCE

Synopsis: An ordinance rezoning property at 2000 South 49th Street (COZ2021-049) from R-1 Single Family District to A-G Agriculture District, submitted by Gunnar H. Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-12-22**, “An ordinance rezoning property hereinafter described located at approximately 2000 South 49th Street, in Kansas City, Kansas, by changing the same from its present zoning of R-1 Single Family District to A-G Agriculture District.” **Commissioner Kane made a motion, seconded by Commissioner Stites, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 7 - ORDINANCE

Synopsis: An ordinance authorizing a Special Use Permit (SP2021-082) for a group home program with gardens/greenhouse for training (Shalom House) and office/gardening space for New Roots program, at 2601 Ridge Avenue, submitted by Gunnar H. Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-13-22**, “An ordinance authorizing a Special Use Permit for 2601 Ridge Avenue in Kansas City, Kansas, for a group home program with gardens/greenhouse for training (Shalom House) and office/gardening space for New Roots Program.” **Commissioner Kane made a motion, seconded by Commissioner Stites, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 8 - ORDINANCE

Synopsis: An ordinance rezoning property at 7512 Leavenworth Road (COZ2021-045) from C-1 Limited Business District to CP-3 Planned Commercial District, submitted by Gunnar H. Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-14-22**, “An ordinance rezoning property hereinafter described located at approximately 7512 Leavenworth Road, in Kansas City, Kansas, by changing the same from its present zoning of C-1 Limited Business District to CP-3 Planned Commercial District.” **Commissioner Kane made a**

motion, seconded by Commissioner Stites, to approve the ordinance. Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 9 - ORDINANCE

Synopsis: An ordinance authorizing a Special Use Permit (SP2021-079) for a used automotive dealership with light repair and maintenance at 7512 Leavenworth Road, submitted by Gunnar H. Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-15-22**, “An ordinance authorizing a Special Use Permit for 7512 Leavenworth Road, Kansas City, Kansas, for a used automotive dealership with light repair and maintenance.” **Commissioner Kane made a motion, seconded by Commissioner Stites, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 10 - ORDINANCE

Synopsis: An ordinance authorizing a Special Use Permit (SP2021-071) for a Short-Term Rental, at 749 Locust Street, submitted by Gunnar H. Hand, Director of Planning and Urban Design.

Action: **ORDINANCE NO. O-16-22**, “An ordinance authorizing a Special Use Permit for 749 Locust Street, Kansas City, Kansas, for a short-term rental.” **Commissioner Kane made a motion, seconded by Commissioner Stites, to approve the ordinance.** Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

PLANNING AND ZONING NON-CONSENT AGENDA

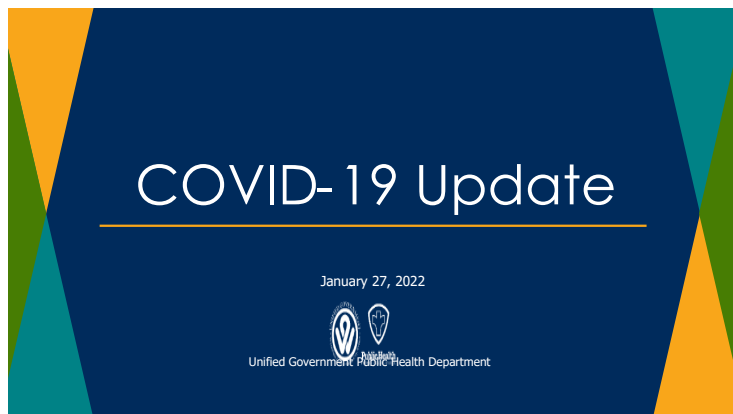
No items.

Mayor Garner said that concludes the Planning portion of our meeting. That takes us to the Mayor’s Agenda.

MAYOR'S AGENDA

Item No. 1 – 211287...UPDATE: COVID-19 & MASK RECOMMENDATION

Synopsis: An update from the Wyandotte County Health Department regarding the status of COVID-19 in the county and a recommendation for all residents and visitors to wear masks while in indoor public spaces, submitted by Elizabeth Groenweghe, Health Department; and James Bain, Assistant Counsel.

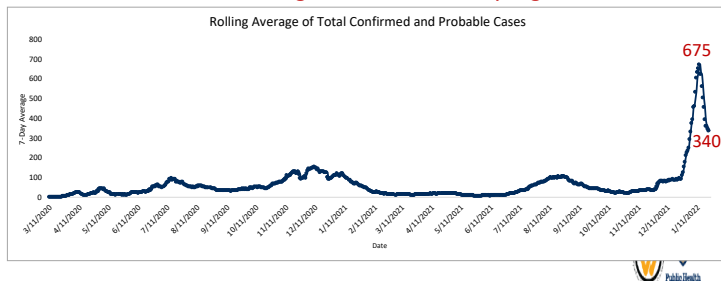


Alan Howze, Assistant County Administrator, said for the update this evening, we have with us Elizabeth Groenweghe, the Chief Epidemiologist for the Health Department; Dr. Allen Greiner, Chief Medical Officer; and Dr. Erin Corriveau, Deputy Medical Officer; who will be providing this evening's update.

Elizabeth Groenweghe, Chief Epidemiologist, said I'll be starting the presentation with a brief update on the current COVID situation in Wyandotte County.

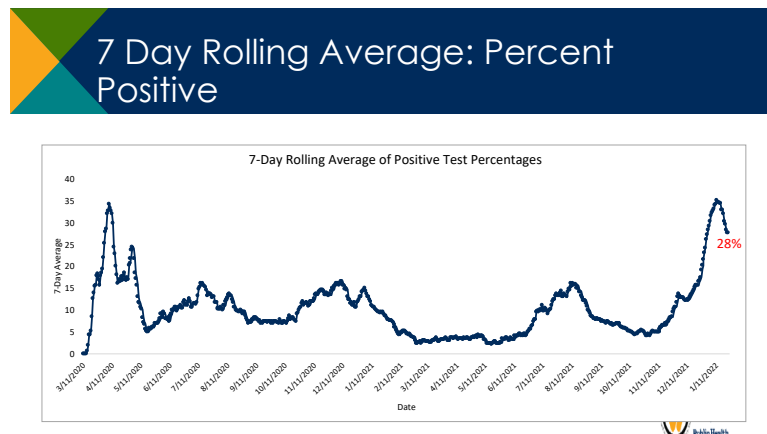


Cases trending down but still very high



January 27, 2022

This first graph here shows our seven-day rolling average for the average number of new COVID cases in Wyandotte County. You can see on the far left of the graph that starting towards the end of December, we saw a very large spike in the number of COVID cases per day and we then hit a peak on January 11th of an average of 675 new cases, which is quite a lot. It's the largest COVID surge that we've seen thus far in the pandemic. Fortunately, we then hit that peak, and cases are starting to come down. Right now, the seven-day rolling average is 340 new cases, but it's really important to recognize that 340 cases per day is still a tremendous amount of COVID in Wyandotte County. That's still higher than the average case rate has been throughout this pandemic up until this month's recent surge. It's important to recognize that even though we are trending down right now, that case numbers are still very high.



This next slide shows the seven-day rolling average for the percent positivity, so the percent of tests that are coming back positive. Again, you see a similar trend. We did peak on January 11th at our percent positivity at about 35%, which is very high and the highest we'd ever seen it. That is starting to come down, it's at 28% now. But, again, it's important to recognize that 28% is still a very high percent positivity. The CDC classifies anything above 10% as high community transmission or the red zone. We're still a long way off from being below 10%, which is really what the goal is.

COVID hospitalizations are very high in Wyandotte County



These next two graphs show hospitalizations. This first graph here shows hospitalizations for the hospitals in Wyandotte County. You can see again that we've really hit quite a high peak with hospitalizations. The important thing to know about hospitalization data is that it does lag a bit behind those case numbers. We are seeing a decrease in the case numbers, but it takes time for hospitalizations to peak and then come down because it might take a couple of weeks before someone with COVID needs to be hospitalized.

COVID hospitalizations very high across the entire MARC region



And, then again, a very similar trend across the whole MARC region, all the hospitals within the metro area seeing the highest hospitalization numbers that they've seen thus far in the pandemic.

Hospital Situation

- Hospitals are currently in a crisis situation
- Hospitalizations at highest point of entire pandemic
- Battling short staffing, burnout, shortages on medications/supplies
- This has serious impact on our community—unable to provide adequate care



I just wanted to take a minute to talk about the hospital situation. You've probably seen it in the news, or if you follow KU on social media at all, they've talked about this. But the hospitals are truly in a crisis situation right now. Hospitalizations are the highest they've ever been throughout the pandemic. The hospitals are battling a lot of other issues as well including short staffing, burnout of their staff who have worked tirelessly throughout this pandemic, shortages on a lot of medications and supplies, including the medications that we would use to treat COVID that we have right now but are just in very short supply.

I just wanted to take a minute to talk about how serious this is in terms of how it impacts our community. Right now, hospitals are canceling primary care visits or rescheduling them. People aren't getting their cancer screenings. Things like that that are really essential for our community that aren't happening because the hospitals are so overwhelmed. Unfortunately, people that are going to the ER have very, very long wait times, and it's not uncommon for people to wait, 1, 2, 3 days down in the ER waiting for a bed to open up on the floor for them.

I wanted to share a quick story that recently occurred in our community as well because I think it really highlights how serious the hospital situation is. There was a resident who had a heart attack. EMS transported this person to hospital A, but hospital A was on diversion, meaning that they're not accepting incoming patients. So, they redirected EMS to take this patient to hospital B. Unfortunately, the patient died enroute from hospital A to hospital B possibly, because they did not have the access to emergency medical care that they needed because the hospitals are so overwhelmed right now.

Deaths

- 446 Wyandotte County resident deaths since the beginning of the pandemic
- 20 deaths in December 2021
- 30 deaths in January 2022
- Averaging at least 1 death per day in January
- Average age of death in January is 64

We've seen an average of
**1 COVID death
per day**
in January 2022



Then, finally I wanted to talk about the impact that COVID had in our community in terms of deaths. Since the beginning of the pandemic, we have lost 446 Wyandotte County residents due to COVID. We've had 20 deaths so far in December 2021 and 30 deaths thus far in January 2022, and we're not even through the month of January yet. We're averaging about a death per day right now in Wyandotte County due to COVID.

Another thing I really wanted to highlight is there's this misconception perhaps that the people that are dying of COVID are elderly and frail, but the truth is that the average age of death for the month of January in Wyandotte County is 64 years old. So, that means approximately half the deaths that we've had in January thus far are people that are 64 years of age or younger. That impacts Wyandotte County as a whole as well in terms of our community and the impact it has on families and jobs and things like that. I did want to highlight that the average age of death is 64 years old for January.

I'm going to turn the presentation over now to Dr. Greiner, and we're going to touch a bit on vaccination rates.

The power of vaccination

- Vaccination significantly reduces hospitalizations and deaths
- Modeling shows that in the U.S., vaccination prevented just over 1 million deaths and 10 million hospitalizations
- Hospitalizations are 16x higher in unvaccinated adults
- Unvaccinated adults had 68x higher risk of dying compared to vaccinated and boosted adults



Dr. Allen Greiner, Chief Medical Officer, said we've talked about this before. We know vaccination is very powerful at reducing bad outcomes, and we're seeing that. Of course, we are seeing some bad outcomes even in the rare person that's vaccinated, but by in large, the majority of folks getting hospitalized and having bad outcomes are unvaccinated. You can see that vaccination in this country has prevented a whole lot of deaths and a whole lot of hospitalizations. With the hospitalizations being 16 times higher for those who are unvaccinated. Those who are unvaccinated have a 68 times higher risk of dying compared to those who are not.

The power of vaccination



Unvaccinated

Fully
Vaccinated



Just a graph that really shows the same thing. The rate of those who get hospitalized is really, really significantly higher than those who are vaccinated.

The power of vaccination

Rates of COVID-19 deaths by Vaccination Status and Booster Dose*
August 29 – December 4, 2021 (25 U.S. Jurisdictions)



And the rates of deaths in the unvaccinated are much, much, much higher than those who are either fully vaccinated or fully boosted. We'll talk in a minute about how low the rate of booster shot administration is in our county, and I think we also want to talk about how we've really got a good news, bad news scenario tonight. We're seeing the peak of this Omicron variant. Things

are getting better. We're not out of the woods, but we've got to start looking forward and finding ways to live, live as a community and thrive as a community with this in our midst. But we've also got the bad news of this kind of statistic and the hospital data. I think we really want to start positioning this as a future focus long-term gain. Most of that long-term work needs to be about vaccination efforts for months and years going forward.

We also know at the Health Department, as we do our other services, whether that's doing environmental health services; women, infants and children services; women's health, other women's health services; other infectious disease services, we're going to weave this in. The vaccination campaign is going to be an ongoing effort and probably sort of an ongoing booster campaign.

Vaccine Data Summary

	Number	Percent
Wyandotte Residents with at least One Dose	99,667	60.3%
Wyandotte Residents with Completed Vaccine Series	82,190	49.7%
Wyandotte Residents with Booster Dose	26,903	16.3%

- UGPHD data includes residents vaccinated anywhere in Kansas
- Does not include data from those vaccinated out of state (including Missouri) or administered federally (i.e. VA)



This will be my last one. So, our rates are not what we want them to be. We have worked really, really hard. I think many of you have been involved in that work, and in some ways, I think, honestly, we may have done better than would have been expected, given the long-term health outcomes in this county. We don't have things where we want them to be. For completed series, again, we've still not even reached 50%. For booster dose, we have not even reached 20%. There are many reasons for this, right? We're not wanting to blame people who haven't gotten vaccinated, especially kids, for example, the 5- 12-year-olds. Their parents are responsible for them getting vaccinated, so we don't want to blame these people or shame these people. We want a long-term, forward thinking, positive approach to the future way of trying to convince people to change their mind, and not, not giving up.

I think the next slide is Dr. Corriveau, and I think she's going to finish this out. I'll turn it over to her, and we'll finish out.

Vaccination by age group



Dr. Erin Corriveau, Deputy Medical Officer, said I just want to also highlight the rates of vaccination by various age groups. Unfortunately, we're seeing our younger kids 5- 11-year-olds and then also young adults, 25 to 34 years of age as being our categories of lowest vaccine rates. We're trying to combat this by having vaccination events at workplaces. We're working really hard to increase these numbers. I kind of think of this as the parents that are not getting vaccinated and the children of those people. We worry about those two age groups, especially because we've seen, now in the pandemic and earlier in the pandemic, that the young people are actually often times driving the number of cases. So, they're often the ones who, unfortunately, are then getting infected and spreading the disease because, of course, they're out and about; they're working and living their lives.

Vaccination by zip code



I just want to show our county here. We can see where we have really higher rates of vaccination and where there are lesser rates, so we can see there, we've got our work cut out for us there in the Edgesville area. We're certainly working hard with our community partners. They're in

104, 102 and 106, that's where we're going to be concentrating a lot of efforts upcoming in the next weeks and months. I just want to highlight our awesome partnerships with our FQHCs and other community-based organizations, and of course our Health Equity Task Force and our pastors who are helping us to get the word out and have community-based events.

Moving Forward

- Currently dealing with massive and devastating surge
- This surge has huge impact on daily life—overwhelmed hospitals, schools closing, businesses short-staffed
- Key moving forward:
 - Increase vaccination rates
 - Improve availability of treatments and masks
 - Be responsive to new variants



Again, as Dr. Greiner mentioned, we really are thinking about this and needing to think about this as a community in the long-term and as a long gain. COVID is still a big deal. It's still a pandemic. It's still a massive situation in our community that seems really on fire, especially in the hospitals right now. This has been a really devastating time for a lot of folks. It's upended schools. We've had school closures, we've had businesses that have been short-staffed. Clearly, we've been quite overwhelmed in the hospitals, as Elizabeth mentioned. Certainly, I can attest to that as somebody who is a primary care physician and also works in KU Hospital and in the emergency department there as well.

What's going to be key to moving us forward and understanding that we're going to be living with COVID, although probably having times of incredible surge is, again, we've got to increase our vaccination rates. That is going to be the key. We see fewer and fewer people who are getting really, really ill and dying from this disease. We're going to work really hard to improve availability of these treatments once we can increase that supply of the monoclonal antibodies and the antiviral treatments. We're going to be really working hard to get those out to our residents of Wyandotte County when needed. And also, we're going to work hard to be nimble. We're going to see more variants, I guarantee it. We're going to have to be responsive to those new variants. We're going to have to be ready to increase our testing; to get out in the

community. We're going to have to be ready to put out masks on when we go out so we don't spread this to others so that we break the chain of that transmission.

Recommendations

- Wear a mask in indoor settings
 - Higher quality is better—KN95, N95
- Get vaccinated and boosted
- Improve access to testing
 - Utilize free federal home testing
 - Free PCR testing from State of Kansas (Armory), and UGPHD (State Ave)
- Be ready and responsive
- Maintain and expand public health programming and partnership



This is my last slide. We want to follow-up with some recommendations. Let's get back to the basics. When we don't have all of the things that we need, which is everybody to get a vaccination and to get boosted. When we don't have all of the medicines that we need. It's easy to cut the chain of transmission when we get back to the basics and we all wear masks when we're indoors and in public. It just works and it's important because Omicron and upcoming variants, I would surmise, are going to be extremely transmissible.

We're hoping that all of you will up your game, so-to-speak, in terms of what type of mask you wear. We're looking at KN95 masks and certainly paper masks are better than cloth. So, a lot of what we've done in the Health Department in the last couple of weeks, along with our community-based partners, is to give out over 320,000 KN95 masks to community organizations and to residents. We're really, really big believers in this because we know, again, it breaks that chain of transmission. What if we save a life? That's awesome. What if you save somebody from having to stay home from school and so our kids can learn better? It's important stuff. Get vaccinated and get boosted. We know that if you don't get boosted, you're really more susceptible to Omicron and upcoming variants. It's really, really important to get that 16% of our county that has booster shots. We've got to get that way up there. We're going to enter a time here where a lot of people have been sick. We have a lot of natural immunity in our community, but you know what it doesn't last as long as these vaccinations. So, we all really need to do our part.

We're going to continue to improve access to testing. Free testing is out there for every community member. Come down to the old K-Mart site at 78th and State or to the Armory. We're

there for you. Again, we're going to work really hard to remain in partnership with community entities, with our churches, and with others to remain responsive and nimble to the needs of the community and whatever this pandemic continues to throw at us. And with that, I'm going to finish up and I will pitch it back to Alan Howze, I believe?

Mr. Howze said, Mayor, that's the update from the Health Department and the medical officers. Are there any questions from the Commission?

Commissioner Ramirez said thank you Alan, Elizabeth, Dr. Corriveau, Dr. Greiner, and to Juliann and all of our healthcare workers, I thank you for everything you have done and continue to do. I highly, highly, highly suggest, not even suggest, the highest recommendation possible for everyone to wear a mask. I have had two nephews, one niece, one sister, one brother-in-law and their youngest son get COVID, and my sister is pregnant. Now, she has to have additional monitoring for her baby. This is affecting lives. There's 446 people dead. That's mothers, daughters, brothers, cousins, grandfathers, and grandmothers. This isn't a video game. Those people won't come out of it when the pandemic is over. So, I, highly, highly, highly, encourage, recommend to the highest degree for you to get vaccinated and to wear your mask because only then we will get through this. This isn't a me, myself, and I. This is a we. That is the only way we'll get out of here.

To the healthcare workers, thank you for everything you do. You are hatless right now. We have put the world on your shoulders to save us, but yet we refuse to do our part to help you. So, I cannot thank you enough for all that you have done, that you will do. You are on the frontlines, we are not. You see everything that happens. We have had, the Health Department just told us, a death, because of our overrun hospitals. At the school I work, we're running out of subs, teachers, students. We've had to quarantine whole classes. It's not over; we're still in a pandemic. Again, this is not a me, myself, and I situation; it is a we situation. We have to do our part as a community moving together.

Commissioner Townsend said I agree and applaud everything that Commissioner Ramirez just offered so passionately and correctly. Thank you again to our healthcare professionals who are

here with us tonight, and the hundreds of others who aren't here who are on the battlefield in the hospital and other medical facilities.

I just have two questions. Ms. Groenweghe talked about the average age of the people who were deceased and the thinking that this is an old people's disease. Is there any data, and maybe it was on one of the slides you showed, of what the average age is of those individuals who are hospitalized here with COVID? I'm just curious as to what that average age is for those who have been hospitalized with it. Do you have anything on that? I thought there might have been one slide that it came and went so quickly.

Ms. Groenweghe said we don't have that data at the county level. I don't know if one of the doctors might have it specifically for KU, if not, it's just not data I have readily available right now.

Dr. Corriveau said, Commissioner Townsend, I can add that at KU Hospital, certainly the age has decreased over the course of the pandemic. Initially, when we were first talking about COVID, now a couple of years ago, age of folks in the hospital and, of course, those who unfortunately were succumbing to the disease, was quite, quite elderly. Overtime that has just; that age has come down quite a bit. So, we're seeing a lot of people even in their 30s, 40s and 50s in KU. I know that the data would bear out from KU Hospital that would show a younger age there as well. Thanks for that question.

Commissioner Townsend said that gives a good comparison because I did jot down very quickly from one of the slides that it seemed to be the group that was vac'd, the largest group was at 65- to 74-year-old age range. So, I was just wondering how that compared to what you're seeing in the hospitals. Those who, unfortunately, had to be hospitalized with COVID.

One last thing, and this might be kind of far reaching, haven't heard it on the news. It's amazing that we are now a year from the time when a lot of the vaccines were first widely distributed in Wyandotte County. Have you heard from the medical insiders that there may be something else required in the way of dosage beyond the booster? Like we have to get a flu shot; it's recommended we get a flu shot every year. Is there any medical evidence being talked about

or discussed that we may have to start all over again with the cycle of the shots from the beginning?

Dr. Corriveau said it's an important question. I don't think that we have direction currently on that. I can tell you that in Israel, they've started on their fourth dose of the vaccination and so they've been helpful, I think, as a nation to look toward and to see their data before we implement. I do know that the vaccine manufacturers currently are creating vaccinations to match the variants that are coming up, specifically the Omicron. I predict that we will need boosters going forward, and I am not sure at this time as to how often that will be necessary. I do think that what you're talking about will likely occur.

I did want to get back to your previous question and just quickly say that the average age of hospitalized patients is 56, I believe, at KU Hospital. I appreciate that question again, thanks.

Commissioner Townsend said thank you for that follow-up. Again, thank you all for your hard work and continued diligence in this.

Mayor Garner said thank you, Mr. Howze. Does that complete your presentation?

Mr. Howze said yes, Mayor, it does. Just a reminder for folks listening that there's a lot of data and information on testing and vaccines, as well as the latest data on COVID rates, and a lot of the information you saw this evening on the website – wycokck.org. There's a COVID hub and a vaccine hub as well that are available from there with lots of data. It's another good resource for people who want to dig deeper into the data on this.

Action: For information only.

Item No. 2 – 211288...APPOINTMENTS: MAYOR'S SPECIAL COMMITTEE APPOINTMENTS

Synopsis: Special Committee appointments, submitted by Mayor Garner.

Mayor Garner said that takes us to the second item on the Mayor's Agenda – Mayor's Special Committee Appointments. Clerk, if you could please read those.

1. Mayor's Committee on our Neighbors in Need/Unhoused Residents

Commissioner Andrew Davis, Chair

The goal of the Neighbors in Need/Unhoused Residents committee is to establish minimum standards for wraparound community-based services that addresses local housing costs, rising homelessness, warming stations and shelters, food insecurity and substandard housing. This committee will also address emergent needs and focus their efforts on moving our unhoused population to housing and the impoverished population to a sustainable level of prosperity.

2. Mayor's Committee on Community Safety and Justice

Commissioner Christian Ramirez, Chair

Following an in-depth exploration of 21st Century Community Reform Models, the goal of this committee should be to reimagine and reconstruct where necessary our public safety system and build collaboration with our community stakeholders to address relevant community needs and/or challenges. Recommendations must also be made to reprioritize public spending to be in alignment with established goals and strategies.

3. Mayor's Committee on Arts, Culture and Equitable Development

Commissioner Angela Markley, Chair

The goal of this committee is to mobilize the local arts and culture and to work to advance the steering of public resources to embed these values into the transformation of neighborhoods using collaborative agreements that target economic and community development initiatives, creative placemaking models, and the use of arts and culture to support equitable policy change across the county.

4. Mayor's Special Unified Government Charter Reform Committee (UG Commissioners Only)

Commissioner Tom Burroughs, Chairman

The Charter Reform Committee is comprised solely of UG Commissioners for the purpose of conducting a comprehensive review and study of the existing foundational document, the Unified Government Wyandotte County, Kansas City, Kansas Charter Ordinance. This committee will seek out amendments or revisions that are designed to increase efficiency, effectiveness, shared governance that have a profound impact for all residents and stakeholders.

5. Mayor's Committee on Government Efficiency

Commissioner Christian Ramirez, Chair

The Committee on Special Efficiencies in Government is charged with identifying issues that impact residents and stakeholders, while also studying and proposing more efficient methods of organizational reform. Recommendations from this committee will be forwarded to the respective governing boards and/or administrators for consideration.

6. Mayor's Committee on Business and Economic Development

Commissioner Harold Johnson, Chair

The work of this committee shall serve as a support to businesses that, in accordance with the purpose and intent of the county comprehensive plan, are seeking to locate, grow, and prosper within our community. By streamlining processes, curtailing bureaucracy, and facilitating responsible and equitable redevelopment, the hope is that equitable opportunity can be realized throughout Wyandotte County.

7. Mayor's Committee on Community Health and Recreation

Commissioner Melissa Bynum, Co-Chair

Commissioner Gayle Townsend, Co-Chair

In addition to assessing community needs regarding health, parks and recreation are also key to health and well-being, we also strive to ensure that all people have access to these spaces, programs and services that remain essential to community vitality and serve as a key factor in advancing health equity, improving individual and community-level health outcomes, and enhancing quality of life. Key to this committee is to ensure that our youth and our seniors have access to health and recreation services critical to their quality-of-life needs.

Residents interested in serving should express their interest to their respective UG Commissioner.

Mayor Garner asked do any members of the Commission have any comments or questions? Seeing none, I just like to say that these committees have been set up in the call-for-action to basically look at some of the issues that have been outlined from various segments of our community. It's designed to improve service, streamline processes, and basically provide better governance to you, the people of Wyandotte County. These ordinances aren't just about having listening tours or mere conversations, they're designed to bring about real policy changes, ordinances changes, and funding considerations for your Unified Government Commission moving forward. I want to thank all those community people that have shown interest. All those community people that are currently involved, as well as every commissioner that has shown, basically the will to chair these committees and also be a part of these committees to hopefully bring about a better quality of life and governance to the residents of Wyandotte County. Thank you so much.

Action: **Appointments read.**

Item No. 3 – 211282...PROCLAMATION: JANUARY 17, 2022, DR. MARTIN LUTHER KING, JR. COMMITTEE DAY

Synopsis: Proclamation proclaiming January 17, 2022, as Dr. Martin Luther King, Jr. Committee Day 2022, submitted by Mayor Garner.



Brett Deichler, UG Clerk, read the proclamation.

Action: Proclamation read.

Item No. 4 – 211283...PROCLAMATION: JANUARY 2022 STALKING AWARENESS MONTH

Synopsis: Proclamation proclaiming the month of January 2022 as Stalking Awareness Month, submitted by Mayor Garner.

January 27, 2022



Mr. Deichler read the proclamation.

Action: Proclamation read.

REGULAR CONSENT AGENDA

Mayor Garner asked, does any member of the Commission or County Administrator wish to set aside any item on the Regular Consent Agenda? If an item is not set aside, all items on the Regular Consent Agenda will be voted on by one vote. I'll entertain a motion for approval on the Regular Consent Agenda.

Action: Commissioner Ramirez made a motion, seconded by Commissioner Bynum, to approve all items as submitted.

January 27, 2022

Commissioner Davis said before I cast my vote, I just want to be clear. Is the Homefield Project part of this as well?

Mayor Garner said it is not.

Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 1 – 211253...APPROVAL: GRANT BUDGET AUTHORITY FOR FEMA REIMBURSEMENTS RELATED TO COVID-19

Synopsis: Request for approval of budgetary authorization in the Special Grants Fund for FEMA reimbursable expenses related to COVID-19, submitted by Kathleen VonAchen, Chief Financial Officer; and Julian VanLiew, Public Health Department Director. On January 3, 2022, the Economic Development and Finance Standing Committee, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.

Action: **ORDINANCE NO. O-17-22/RESOLUTION NO. R-17-22**, “An ordinance/resolution accepting FEMA reimbursement and a granting of budget authority for FEMA reimbursement related to COVID-19.” **Commissioner Ramirez made a motion, seconded by Commissioner Bynum, to approve the ordinance/adopt the resolution as submitted.** Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 2 – 211259...ORDINANCE: TERMINATION OF THE TURNER LOGISTICS CENTER COMMUNITY IMPROVEMENT DISTRICT

Synopsis: An ordinance terminating the Turner Logistics Center Community Improvement District and repealing Ordinance No. O-43-19 due to Turner Logistics completing the Minimum Building Improvements of 1,000,000 square feet constructed, submitted by Katherine Carttar, Director of Economic Development. On January 3, 2022, the Economic Development and

Finance Standing Committee, chaired by Commissioner Burroughs, voted unanimously to approve and forward to full commission.

Action: **ORDINANCE NO. O-18-22**, “An ordinance terminating the Turner Logistics Center Community Improvement District and repealing Ordinance No. O-43-19.”
Commissioner Ramirez made a motion, seconded by Commissioner Bynum, to approve the ordinance as submitted. Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 3 – 211249...RESOLUTION: AMENDING THE TWO-YEAR MEETING CALENDAR

Synopsis: A resolution amending the two-year meeting calendar for the Unified Government Commission from February 2022 through January 2024, submitted by Brett Deichler, Unified Government Clerk. (Changes are adding P&Z meeting June 29, 2022 and deleting P&Z meeting on December 7, 2022.)

Action: **RESOLUTION NO. R-5-22**, “A resolution amending the schedule of meeting times for the Unified Government Commission through January 2024.”
Commissioner Ramirez made a motion, seconded by Commissioner Bynum, to adopt the resolution as submitted. Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 4 – 211279...PLAT: HARCROS 2ND PLAT

Synopsis: Plat of HARCOS 2nd Plat located at 51st and Speaker Road, being developed by Harcros Chemicals, Inc., submitted by Brent Thompson, County Surveyor; and Troy Shaw, County Engineer.

Action: **Commissioner Ramirez made a motion, seconded by Commissioner Bynum, to approve as submitted and authorize the Mayor to sign said plat.** Roll call

was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 5 – 211280...PLAT: MOUNT CALVARY CEMETERY SUBDIVISION

Synopsis: Plat of Mount Calvary Cemetery Subdivision located at 38th and State Avenue, being developed by Catholic Cemeteries Association of Wyandotte and Johnson County, submitted by Brent Thompson, County Surveyor; and Troy Shaw, County Engineer.

Action: Commissioner Ramirez made a motion, seconded by Commissioner Bynum, to approve as submitted and authorize the Mayor to sign said plat. Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 6 – 211278...PLAT: CROWN ROYAL ADDITION

Synopsis: Plat of Crown Royal Addition located at 13310 Leavenworth Road, being developed by Crown Royal Investments, LLC, submitted by Brent Thompson, County Surveyor; and Troy Shaw, County Engineer.

Action: Commissioner Ramirez made a motion, seconded by Commissioner Bynum, to approve as submitted and authorize the Mayor to sign said plat. Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 7 -211266...NOMINATIONS: BOARDS AND COMMISSIONS

Synopsis: Nominations for Boards and Commissions:

- Joseph Straws for the Planning Commission/Board of Zoning Appeals, 1/27/22 to 12/15/25, submitted by Commissioner Davis.
- Vilmer Alvarado for the UG Board of Park Commission, 1/27/22 to 12/25/25, submitted by Commissioner Davis.
- Laura Flores for the Wyandotte County Library Board, 1/27/22 to 12/15/25, submitted by Commissioner Davis.
- J'Hlesa (Nikki) Richardson for the Law Enforcement Advisory Board, 1/27/22 to 12/15/25, submitted by Commissioner Davis.

- Michael Armstrong for the Law Enforcement Advisory Board, 6/3/22 to 12/15/23, submitted by Commissioner Ramirez.
- Darryl Hall for the Golf Advisory Board, 4/1/22 to 3/31/26, submitted by Mayor Garner.
- Hank Chamberlin for the Landmarks Commission, 4/1/22 to 3/31/26, submitted by Mayor Garner.
- Hazel Davis for the Kansas City Kansas Housing Authority Board, 4/1/22 to 3/31/26, submitted by Mayor Garner.
- Pastor Rick Behrens for the Law Enforcement Advisory Board, 1/27/22 to 12/15/25, submitted by Mayor Garner.
- Edgar Galicia for the Downtown KCK Self Supported Municipal Improvement District, 4/1/22 to 3/31/26, submitted by Mayor Garner.
- Diana Aguirre for the Board of Park Commissioners, 1/27/22 to 12/15/25, submitted by Mayor Garner.
- Louise Lynch for the Wyandotte/Leavenworth Area Wide Advisory Council on Aging, 5/31/22 to 5/30/26, submitted by Mayor Garner.
- Pastor Jason Sims for the Area Transportation Board, 1/27/22 to 12/15/25, submitted by Mayor Garner.
- Don Jones, Contract Fairness Board, 1/27/22 to 12/15/25, submitted by Mayor Garner.
- Adriana Mendoza for the Juvenile Corrections Advisory Board, 1/27/22 to 12/15/25, submitted by Mayor Garner.
- Duane Beth for the Planning Commission/Board of Zoning Appeals, 4/1/22 to 3/31/26, submitted by Mayor Garner.
- Jacqueline Brown for the Wyandotte County Library Board, 4/1/22 to 3/31/26, submitted by Mayor Garner.

Action: Commissioner Ramirez made a motion, seconded by Commissioner Bynum, to approve as submitted. Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 8 - MINUTES

Synopsis: Minutes from special sessions of December 16 and 30, 2021.

Action: Commissioner Ramirez made a motion, seconded by Commissioner Bynum, to approve as submitted. Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

Item No. 9 - WEEKLY BUSINESS MATERIAL

Synopsis: Weekly business material dated December 23 and 30, 2021; and January 6, 2022.

Action: Commissioner Ramirez made a motion, seconded by Commissioner Bynum, to receive and file. Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

PUBLIC HEARING AGENDA

No items of business

STANDING COMMITTEES' AGENDA

Item No. 1 - RESOLUTION: AMENDMENT TO ASSIGNMENT AND ASSUMPTION AND DEVELOPMENT AGREEMENT FOR HOMEFIELD DEVELOPMENT PROJECT

Synopsis: This amended agreement contemplates the Unified Government issuing \$130 million in STAR bonds and the developer, HFS KCK, LLC, constructing a new multi-sport Homefield development project with certain sports-focused assets and a themed hotel. The primary change is that the original agreement provided for a first issuance of \$75 million with a second issuance of up to \$55 million – for a total of \$130 million. The amended agreement would combine them for a single \$130 million public issuance. Additional changes include the new themed hotel and a new baseball partner focusing on high-tech data capture and analytics. This item was scheduled to appear before the Economic Development and Finance Standing Committee, chaired by Commissioner Burroughs, on January 24, 2022. It was requested, and approved by the Mayor, to fast track this item to the January 27, 2022, full commission meeting.

Mayor Garner said this item was fast tracked from a special standing committee meeting on January 25th, chaired by Commissioner Burroughs.

Commissioner Burroughs said I’d really like to thank the committee for joining us Tuesday night and the participants that chose from the public to listen. Mayor, I truly believe that this contract having been sent back is a much better development project for Wyandotte County. I’m

really pleased to see that we, as staff and commissioners and developers, were able to collectively work together to bring forward the proposal you will hear tonight. Mayor, it passed out of committee unanimously.

Mayor Garner asked, does any member of the Commission have any comments or questions?

Commissioner Davis said when I looked at the agenda, even the one that was updated, it did not have the changes that we made in my motion. My motion was to change that part of 7:18 and some of the language there. Could staff just advise? I just want to make sure that, that is included before we vote.

Bridgette Cobbins, Assistant County Administrator said, Commissioner, when it comes to items that advance from the standing committee, when it's advanced and it's going to be a blue sheet item, those items go into the agenda packet. We sent them out on Monday evening, so that packet contained the items in which they were originally presented on that day. But there is an opportunity for the motion to be made this evening with those considerations.

Katherine Carttar, Director of Economic Development, said staff is able and willing to provide a presentation, if that's desired. And also, Commissioner Davis' question, we would anticipate assuming that it does not get changed. It would be an execution copy and we do mention that in the presentation that we can provide, if desired.

Mayor Garner said if you would go ahead and provide that presentation, Ms. Carttar.

FULL COMMISSION

JANUARY 27, 2022



ITEM NO. 1: RESOLUTION

Amendment to Assignment and Assumption and Development Agreement for the Homefield Development Project

- This Amended Agreement contemplates the UG issuing \$130 million in STAR Bonds and the Developer, HTS KCK, LLC, constructing a new multi-sport Homefield development project with certain sports-focused assets and a themed resort hotel. Additional changes include the new themed hotel and a new baseball partner focusing on high-tech data capture and analytics.

Ms. Carttar said as Mayor Garner mentioned, this is an amendment to the assignment and assumption of the development agreement for the Homefield Project. This was previously seen by this committee and commission back in November of 2020. I'm going to go through, very briefly and hit some highlights and some history and what the goals were. Then Robb Heineman, from Homefield, will give a brief overview. And then, finally, Todd LaSala, from Stinson, our outside counsel, will kind of go into some of deal points. Then we'll open it up for questions and he can go into greater detail or leave it at that, if that is desired.

HISTORY/BACKGROUND

- STAR Bond District created for the Schlitterbahn Project in 2005.
- This STAR Bond District has 6 different project areas.



Just some quick history and background. Of course, this was the location of the Schlitterbahn Project. That's where the STAR bond district was first created for that back in 2005. There are six different project areas. These are the same project areas that are in place today. That is why this is an amendment agreement, so we are actually amending the original STAR bond district and project area agreements.

HISTORY/BACKGROUND (CONT.)

- The UG issued two series of STAR Bonds for the Schlitterbahn Project in 2015.
 - 2015A Series – \$72.9M
 - 2015B Series – \$12.2M (2015B bonds backed by a UG annual appropriation pledge)
- Schlitterbahn closed and sold the property to Homefield
- In November of 2020, the UG entered into a Development Agreement with Homefield to demolish Schlitterbahn and replace it with a new project

Importantly, as you will see as we kind of go through some of these specific deal points, the bonds that were issued in 2015, Series A and Series B, are important. Particularly Series B, I want to draw your attention to, as those have a UG annual appropriation pledge. That means that any shortfall, any sales tax that does not make up what that debt service is, the UG will have to make up that difference. This is significant in that because Schlitterbahn has been closed, these bonds are in trouble, so to speak. There's a lot of things that we've done, and I'll get into that in a

second, to ensure that these bonds are in a much better place, and in some cases, completely paid off. So, that's, I think, a really huge benefit to this as we move forward. Obviously, Schlitterbahn closed; and then over a year ago, the Homefield group actually purchased the property. Then, as I mentioned, back in November of 2020, the UG entered into the original development agreement that we are now amending tonight.

UG OBJECTIVES FOR NEW HOMEFIELD PROJECT

- Remove Schlitterbahn and solve the problems related to that closed project
- Try to make sure that the 2015 STAR Bonds will pay off (especially the 2015B bonds)
- Bring a new attraction to the community to stimulate visitation and economic development activity

The three primary objectives for the Homefield Project really were, first of all, to remove Schlitterbahn and kind of the related problems that had become a blighted area. It's the Schlitterbahn area, but it's also the other area that the Henry family owned. It's over 200 acres in total, so quite significant. It's more than just that immediate Schlitterbahn area.

As I mentioned before, the 2015 STAR bonds, making sure that we're in a position to pay those off. We'll get into this in greater detail but that 2015 B Bonds that have the annual appropriation, we will be in a position to completely retire those and completely pay those off, which is, as you can imagine, a really big deal. That means we will not have any annual payment coming from the General Fund for those.

Finally, because this is a STAR bond area, it is incredibly important that we have a new attraction. The point of a STAR bond area is to bring people in from outside of the region. We feel really good about the prospects of what Homefield will do in that respect.

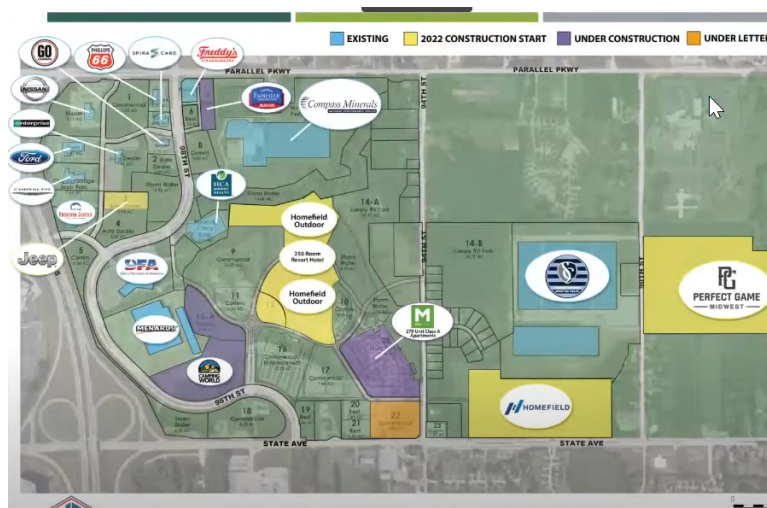
PROJECT UPDATES SINCE NOVEMBER 2020 APPROVALS

- Increase in Overall STAR Bond request from \$130M to \$150M (with changes to amounts and structure of 2 STAR Bond issues)
- Increase in Scale of Baseball Components (from \$15M to \$40M) with the addition of Perfect Game partnership
- Addition of \$85M Margaritaville hotel and resort

So, a couple of just quick changes that we think are really beneficial that have changed from the November 2020 version that was previously approved today. We think the project has only gotten better. The one big change really is the increase of the overall STAR bond request. It was a \$130M request that was actually broken into two tranches. The first, a relatively small tranche, was about \$70M that would be privately placed. That has changed. Now the request is \$150M, with that first tranche being \$130M that would be a public placement. This is really significant because that means that we'll be getting a lot more faster, earlier; more of the project will get done quicker and that means that we'll be getting more sales tax faster, and we'll get that attraction and get those benefits for the residents of Wyandotte County sooner.

Two other items that were kind of referenced in the original documents but have really grown and have taken a life of their own: the baseball component as well as the resort hotel component. The baseball component in the first agreement was five baseball fields, now it is far more significant. There's a partnership with Perfect Game that also includes guaranteed hotel room nights. Guaranteed hotel room nights—that's very important especially when you get to that next item, which is an \$85M Margaritaville Hotel and Resort. This would be the first full-service hotel in Wyandotte County. This went from kind of referenced as a potential piece of the development to now this is a required piece of the development. Again, a big deal. This is now something that would be required for Homefield if they wanted to obtain additional bond financing.

I'm going to now turn it over to Robb Heineman to briefly go over the project and then we'll finish up with Todd LaSala.



Robb Heineman, Homefield LLC, said appreciate everybody's time tonight. It's an honor to speak with all of you again. I do have my business partners on the phone tonight: Greg Maday, Trey Bowen, and Richard Knapper are all on, so we're more than happy to answer any questions you have. We couldn't be more tickled about this site and what's happened with it. We've purchased about 400 acres worth of ground out here over the course of the last three years. We've worked diligently with staff from both the Unified Government and the State of Kansas. I think we have a great project. We thought originally this was going to be really just a Homefield catalyzed project where we would have kind of a Homefield building, call it a 150,000 square foot building, multi-sport. And we thought that was really going to hopefully be something that we thought over time could develop a large development for us. We've been pleasantly surprised by the fact that we've had a lot more traction than that over the course of the last couple of years.

South of the Menard site is Camping World. Camping World is the largest RV dealership, I believe in the world, I know they are in the United States. That site should do somewhere in the neighborhood of \$60M worth of sales on an annual basis in this area. So, we're tickled to death about that.

Up to the north is a Fairfield Inn on Parallel Parkway that is under construction today. That should be open, I would guess, here in probably the next 12 months. If you go to the southeast corner of the project, the Milhaus development there in purple, is a 270-unit Class A apartment development that's under construction. It's vertical today. Those three projects, in conjunction with the land that's been purchased out there, there's about \$100M worth of private investment that's underway. We're very happy about that.

If you look at kind of to the east where you've got the Homefield development there in yellow and the Perfect Game development also in yellow, two big catalysts that we think will drive somewhere in the neighborhood of a couple of million visitors a year to this site. That's another \$100M worth of development that is in planning. We had hope that both those are under construction in the spring of this year. So, that's really positive for us.

Then, what's been talked about here quite a lot, come the newcomer to the party, which we never thought was going to be something that would happen this early, is Margaritaville. It's outlined in this site, as she's showing right there. It's kind of Homefield outdoor and the resort. Margaritaville, if you just do a Google search at all, you'll see it's one of the hottest kind of concepts in the United States right now with kind of resorts and destination locations in hotspots like Nashville, Times Square, and Orlando. So, we're really thrilled that we're able to bring one of these to Kansas City, Kansas, as kind of the first full-service resort in this area. We're going to start with somewhere in the neighborhood of 250 rooms. We're hopeful that because of everything that we have going on out here, over time that it's something that can grow. But that's probably somewhere in the neighborhood of a \$100M project in and of itself. Hopefully, if we get through planning efficiently and design, that should be under construction in the fall of this year and opening probably in the spring of 2024. All in all, sort of everything that we kind of have going is about \$400M, I think, in total project costs.

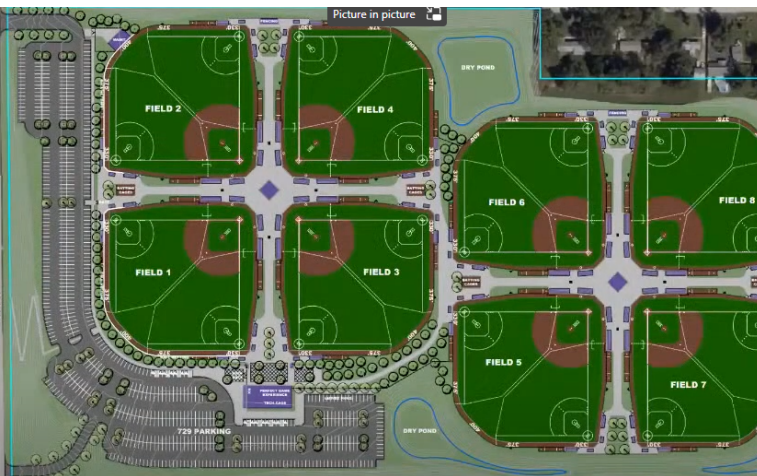
We still have other land out there and the great thing is every day we get a new call, whether it's a medical office, whether it's fast food, whether it's incremental car dealerships. We feel like, for us, this is really kind of a 20-year project that we think, and our hopes and vision, is someday the largest tourist attraction in the State of Kansas is how we feel about it. That's kind of the impetus for Homefield. Homefield, really for us was get the youth and amateur sports space in this country.



It's the largest kind of sports category in the country. It's larger and...



growing faster than any of the professional sports in this country. It's a \$20B industry today. Growing probably somewhere in the neighborhood of \$50B to \$60B in the next five years,...



and candidly, COVID's done nothing but probably enhanced that potential. Based on the fact that all of us, as parents, spend a lot of time and money on our kids and their sports and will

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continue to probably prioritize and even maybe more so prioritize those trips that we take with our kids to go to these tournaments.

Our thought in building this amateur sports resort out in Wyandotte County is, how do we get people from whether it's Oklahoma City, Des Moines, northwest Arkansas to come into Kansas City, park their car on Tuesday in a parking lot, and not really leave again until Sunday and spend money in all the different attractions that we all cumulatively have built out here in the Village West and east over the course of the last 20 years, and really optimize that visit. We're very excited about that.

As I mentioned, we started with Homefield. We were lucky enough to build a partnership with the Perfect Game Company. Perfect Game is the premiere baseball tournament operator in this country. What we're showing right here is their major complex out here, which is eight fields, and then we'll build another two fields for them, which are kind of the...



championship fields over by the Homefield building. We believe that will have upwards of 250 to 300 teams a week from what we thought to be was probably sort of Memorial Day to Labor Day; but I believe, based on more discussions we've had, it's probably even some of those shoulder seasons, you know, the spring and fall as well. Our commitment with them is that they'll produce 75,000 room nights a year. I think we have the opportunity to generate more than that. All those room nights will be booked and will flow through Homefield and our booking operations. The way that flows is first the STAR bond development, second to the Village West and East District, third to Kansas City, Kansas/Wyandotte County, broadly, and then anything that's left over goes to the State of Kansas. We'll make sure that we don't have any of these kind of sneaking over into Missouri or into downtown Kansas City, or anything crazy like that.

We're thrilled about this. We couldn't be more happy with the progress that's been made, everything that's happening out here. The Margaritaville is something that we never thought was going to happen as quickly as it has. I think just the concept of coming to this area and spending, like I said, four or five nights and making it a real primary tourist destination is in the process of becoming a reality.

It couldn't have happened without the hard work of staff on both the Unified Government side and State. We've had great collaboration with a number of members of the Commission around how do we make this project as positive as it can be for everybody involved? I think we're thrilled to get to this point. I will tell you it hasn't been the fastest process in the world and a lot of that, the onus is on us. We probably could have been a bit quicker than we have been, but I think the fact that we're here today and we've got all the things lined up that we have lined up, the financing is in place to go make this happen. I think we're thrilled to get your approvals tonight, hopefully, and finalize some things with the State and we would hope that this destination is open and vibrant and really going gangbusters in middle to the end of 2023.

I'm happy to answer any questions anybody may have about the project. I know a lot of you have spoken to me and members of my team on a lot of the different aspects, but if there's anything we can answer tonight, we're more than happy to do it.

THE PROJECT

- Homefield Building – a \$60M, 150,000 s.f. indoor multi-sport facility
- Homefield Outdoor – a \$15M, outdoor sports and entertainment component (partially integrated with Margaritaville)
- Homefield Baseball – a \$40M, 10-field tournament baseball facility, a collaboration with Perfect Game
- Margaritaville Hotel – an \$85M, 250 room full service themed hotel and resort

Todd LaSala, Stinson, said I have the privilege of being your outside counsel on this project. Katherine has asked me to, very quickly, emphasize and go through the development agreement key provisions with an emphasis on things that have changed since the agreement of November of 2020.

This first slide illustrates, in some detail, the project that Robb and Katherine are describing, along with the dollar figures associated with the various components that are contractually required by the document. You can see here that the Homefield building is a \$60M asset. It has moved since 2020 from the original location where it was around Schlitterbahn down to the corner of 94th and State. The Homefield outdoor project is a \$15M component. It is largely designed to be integrated with the Margaritaville Hotel. It's being designed with that, and it's supposed to be collaborative and have synergy with the hotel. The Homefield baseball component is a \$40M asset. That figure has grown from \$15M to \$40M and it is now five fields larger than it was in November of 2020, in no small part because of the partnerships that Robb and his team have made with Perfect Game. The fourth thing on this slide, the Margaritaville Hotel that Katherine described, is an \$85M asset. It's a 250 room, full-service hotel and resort. That piece of this slide is largely financed with private dollars. Those other three components above are really what the STAR bond money in this project pay for. That \$115M you see there is most of that \$130M STAR bond issuance that Katherine is describing. The other \$15M in that initial issuance are for infrastructure costs.

TIMING

- Homefield Building and Homefield Baseball to open by July 1, 2024

- Homefield Outdoor and Margaritaville to open within 3 years of STAR Bond issuance (in 2025)

This slide quickly shows you the timing. The Homefield building and baseball are designed to open in the summer of 2024. The Homefield outdoor and Margaritaville project, which are being designed together, will be about a year behind that. They should open in 2025.

PUBLIC FINANCING – STAR BONDS

- \$150M of STAR Bonds to pay for Homefield components and infrastructure (*an increase from \$130M*)
- Two Issuances: \$130M first issuance and \$20M second issuance (*changed from \$75M first issuance and \$55M second issue*)
- Public sale of STAR Bonds (*versus a private placement contemplated in 2020 agreement*)

This slide shows some detail about the STAR bonds. Katherine was describing this very well. It's a \$130M in the first issuance, but this new agreement would grow by about \$20M for a total of \$150M of STAR bonds. Again, two issuances: \$130M in the first issuance, \$20M in the second. That changed a little bit from the November agreement, which was originally \$75M in the first issuance and \$55M for the balance. Another change that Katherine made, I believe mentioned, was this is now contemplated to be a public sale of STAR bonds versus a private placement, which is what we had in 2020.

PUBLIC FINANCING – STAR BONDS

- The 2015B bonds will be paid off with first bond proceeds of first issuance (in lieu of provisions hoping to divert enough sales tax revenue over time)
- Increased Public/Private Ratio for First Issuance – 40/60% for first issuance (it was 50/50% in the prior agreement)
- Increased Public Private Ratio for Second Issuance – 30/70% for second issuance (it was 40/60% in prior agreement)
- The result is required private investment of \$195M for first issuance and \$46.8M for second

Enormously important point that I'll slow down for here, the 2015 B Bonds that Katherine mentioned at the beginning that were issued in connection with Schlitterbahn, that \$12M bond series was backed by the UG by a general appropriation pledge. So, the UG is responsible for any shortfalls on those bonds. One of our primary objectives here has always been to make sure that those bonds are taken out of the equation and that the UG doesn't have to come out of the General Fund to back those bonds. A great thing and a change in this agreement is that the first

dollars out of this STAR bond issue will go to repay those 2015 B Bonds in full, and you will no longer have that liability or general appropriation pledge. It disappears entirely with this project. Enormously important for us.

This slide also shows the public/private ratios for this project. Very important to the UG that there's more private money coming into this project than public incentive money. Those concepts are hardwired into this document. In our first \$130M bond issue, the developer has to demonstrate it's 40% public dollars, 60% private dollars. If we issue \$130M bonds, the developer's got to show \$195M of private investment. Some of that would be the Margaritaville Hotel, it's dollars for Camping World and other things, but we maintain these ratios throughout the project. When you get to the second issuance, it's a 30/70 ratio - 30% public, 70% private. The ultimate result here is that as you issue these bonds, you get a \$195M of private money invested in the first issuance, and \$46.8M for the second.

PUBLIC FINANCING – STAR BONDS

■ Conditions for Issuing Bonds

- UG approval of more detailed conceptual plans, a detailed construction budget, feasibility studies and a cash flow analysis showing continuous access to money
- For the second issuance, all Homefield components and Margaritaville must be complete and open

■ Conditions for Disbursing Bond Proceeds

- Proof of Private Capital (for public/private ratio)
- Development plan approvals, a GMP contract and a budget showing continuous access to money

I'll only hit this very quickly. There are pages, and pages, and pages of conditions in this document about what it takes to issue these bonds. So, a page is about what it takes to issue the bonds in the first place, and additional conditions about drawing those bonds. Our objectives here, of course, are about making sure that we issue the bonds, these projects actually happen and get built. So, among other things, one of the conditions is that if we do the \$130M, we're never going to do any more than that. We won't ever do this second issuance of \$20M unless and until the developer has completed, opened, and fully delivered all three components of the Homefield Project, plus the Margaritaville Hotel.

OTHER PUBLIC FINANCING/INCENTIVES

- Community Improvement Districts – including a stand-alone CID for Margaritaville with a request for bonds
- Certainty IRBs – with a 10-year PILOT schedule for each component of Homefield
- UG Land – Approximately 70 acres of UG land for nominal consideration (versus \$3M payment in 2020 agreement)

There are three other public incentives or incentives that are worth mentioning on this project. The first is community improvement districts or CIDs. Some of you may remember that we had a CID in place for Schlitterbahn. You took the step of terminating that and that CID is now gone. This development agreement contemplates that the developer can come back to you for one or more CIDs within this district over time. Each of those would come back to the Commission separately. There would be terms and conditions related to those about what the money would be used for, what the caps would be, and so forth. They are telegraphing in advance that they expect a standalone, discrete CID for the Margaritaville Hotel. That would be a 2% CID for those that stay at the hotel. They would be requesting that be bonded. The other CIDs that may happen within this district is contemplated that they would be pay-as-you-go community improvement district financing.

A second incentive that is also on the table and contemplated by the agreement is industrial revenue bond financing. These are what I would characterize as certainty IRBs where they really serve two purposes. One, it would give the developer the opportunity to abate the sales tax on construction materials and labor as they build the project. The other is really a hardwired agreement about what the property taxes will be over a 10-year period. Rather than a percentage abatement, we've really talked about and thought about what the assets values would be and specific PILOT payments. Payments in lieu of tax are required for each of the components of Homefield. Two of those components we've agreed on now for both baseball and the Homefield building; and we've agreed that we will, as it's designed and developed more fully, we'll also specifically agree on a PILOT payment for the Homefield outdoor part of the equation.

And then finally, the UG land. The UG has approximately 70 acres of land within this district that we've always contemplated conveying to the developer. This does represent a change

because in the November 2020 agreement, we contemplated that the developer would pay \$3M for those 70 acres. In the new agreement, we don't have payment. And you may ask yourself, why, that seems like a bad deal for us? It's very important for us to remember that in the November 2020 agreement when they were paying that \$3M, it was never coming to the UG's General Fund. That money was pledged to pay off the 2015 B Bonds where we had the annual appropriation. In other words, we had \$11M of bonds outstanding that were supported or UG-backed, and that we had guaranteed, and we were buying down that debt by \$3M to go from \$11M to \$8M. Again, never coming directly to us; always going to pay off those bonds. In the new agreement, that debt is going to be fully retired day one. So, we are no longer asking the developer to pay that \$3M that was going to pay that debt. Instead, we're conveying this ground to them, essentially for free.

DONATIONS/DOWNTOWN INVESTMENTS

- Schlitterbahn's agreement included annual donations to foundations and non-profits
- Homefield agreement calls for investments in new projects in downtown and historically urban areas of KCK
- \$4.35M of investments within 3 years of the new agreement (increased from \$3.75M in prior agreement)

This is the donation concept that Commissioner Davis was asking about. Let me generally describe what this is, then I'll specifically show you the change. In the Schlitterbahn development agreement, once upon a time, some of the commissioners will remember that Schlitterbahn had agreed to make donation payments for foundations or non-profits. That money, combined with the casino money, could be carved up and devoted to good causes within the community. Overtime, Schlitterbahn quit paying that money as they became more troubled. The developer, in it's November agreement, said that when they went to acquire that land from Schlitterbahn, they would make Schlitterbahn pay the amounts that were in arrears that they hadn't paid to us, and they did. They did go get that. I believe it was \$375K for us, and that money did windup flowing through the Commission to good causes and foundations.

This developer is not planning to make donations that same way, rather this developer has committed to make investments in our community in the downtown and historically urban areas of KCK. In the November 2020 agreement, the number was \$3.75M of investments the developer would make within the community within a three-year period. That number has grown to \$4.35, and it's really been scaled proportionately as the STAR bond request has grown.

DOWNTOWN INVESTMENT – ED&F EDITS

■ 7.18 **Developer Investments.** Section 7.17 of the Amended and Restated Agreement required that following the opening of the Waterpark (as defined in the Original Agreement), SVV would make annual donations to a foundation or non-profit organization designated by the UG from time to time. SVV failed to pay the annual donations required by Section 7.17 of the Original Agreement for 2019 and 2020, and the UG provided default notices to SVV regarding such failures. At closing of Developer's acquisition of the SVV Site from SVV, Developer caused SVV to pay and deliver from SVV's sale proceeds an amount equal to Three Hundred Seventy-Five Thousand and NO/100 Dollars (\$375,000.00) to the UG to pay for the donation payments due in arrears, which amount represents the final donation payments owed from SVV under the Amended and Restated Agreement. However, in lieu of making donation payments as described in the Original Agreement, Developer hereby agrees to make investments in new economic development projects in downtown and historically urban areas of Kansas City, Kansas, and all of which investments shall be approved **by the UG's Commission** ~~reasonably approved by the County Administrator~~. Developer agrees that such investments shall be at least \$4,350,000 within three (3) years of the date of the 2022 Effective Date.

I'm sorry there's a lot of words here, but this shows you the entire provision. We thought it was important because the committee on Tuesday night had robust discussion about this clause. The donations that we're talking about in the prior version of the agreement, and the version that went to committee, had the County Administrator approving the investments. The committee felt very strongly that those investments should be approved by the full Commission. The language and the change that you see here is the change that Commissioner Davis was talking about. The committee approved and advanced this document to the Commission tonight with this change in mind. So, we thought we'd show you that specifically.

MBE/WBE/LBE PARTICIPATION GOALS

- Construction: LBE – 18%, MBE – 15% and WBE 7%
- Professional Services: LBE – 18%, MBE – 13% and WBE 8%
- Remedy if Failure to Comply: a 4% reduction in available STAR Bond proceeds

This is the minority-owned business, women-owned business, and local business participation goals for the project. Here you have both construction and professional services goals that are consistent with what we normally do, and many of the commissioners usually ask us about whether these requirements have teeth or not. The remedy if the developer fails to use best efforts to comply and hit these goals is pretty significant in this case. It's a 4% reduction in the available STAR bond proceeds. When you're talking about \$150M, that's a lot of money.

Mr. Mayor, commissioners, I'll stop there. We're happy to answer any questions, but that's a high-level overview of our development agreement.

Mayor Garner said thank you. Ms. Carttar, do you have follow-up remarks?

Ms. Carttar said the only thing I would add is that we have been working with the state, the Department of Commerce, as well as Lieutenant Governor Toland on this every step of the way. The state is an integral part of all STAR bond projects. They have reviewed this document and are comfortable with it and kind of left it moving forward. We appreciate the work that they've done as well as Commissioner Burroughs on the state side of things.

Mayor Garner asked, we'll circle back. Do any of the commissioners have any comments or questions?

Commissioner Stites asked, Todd, if you wouldn't mind, would you explain to the public as they may not be well-versed on the LBE/MBE what that actually means? We can see those acronyms and the percentage, but what does that actually mean to our community?

Mr. LaSala said it's a great question. What this means is that the developer is agreeing, as they build their project, to make use best efforts to use locally-owned businesses to build parts of the project, minority-owned businesses, and women-owned businesses. The UG sets specific goals for participation in the project. In this case, specifically, when it comes to construction of the project, they're going to go out and they're going to make sure that 18% of the contractors and subcontractors working on this project are locally-owned businesses. The UG has always felt that's important. Fifteen percent have to be minority-owned businesses, and seven percent, women-owned businesses. When it comes to professional services, that include lawyers, architects, engineers, and design firm, we similarly have goals in those three categories as well.

The UG has a very detailed, very thoughtful, strategic exhibit that we attach to these development agreements about what we think that means. What do you have to do in order to make sure you're using best efforts? The UG has always been very helpful to it's development partners about, alright, this is how you collaborate with us to make sure we make sure you meet people in our community so that you can hire locally and make sure that you have local contractors on your project.

Commissioner Townsend said Commissioner Stites' question was a good segue into what I want to follow-up on. With what frequency in the project will there be a check on how close we're coming to, or the developer is achieving the WMBE rates?

Mr. LaSala said the answer to your question is every single construction draw along the way. Our agreement requires that each time they come in and request money, they want to draw on those bond funds, they have to record exactly where they are in terms of these goals. So, we look at it every single time they ask for money throughout the project.

Commissioner Townsend asked, so at that time, heaven forbid that it is below the agreed-upon percentage, how does that affect the draw? Is that when the penalty would go into effect?

Mr. LaSala said the penalty goes into effect at the end but, Commissioner, we have a holdback. I have to make sure I get to this so I'm specific with you about it. As we get toward the end of the project and we become concerned they might not ultimately get there, I know that we hold back the last part of the money to make sure that we never windup dispersing more than the penalty would be. We have a holdback at the end to make sure we're never upside down relative to this requirement.

Commissioner Townsend said it was just the way that I saw in tonight as opposed to a couple of days ago. There was so much good information and new information, so I wanted to make sure I asked that question.

Mayor Garner asked, Katherine, did you have a follow-up for Commissioner Townsend?

Ms. Carttar said a quick follow-up. We do work with Sharon Reed, the Director of Procurement, on all of these goals throughout, so as Todd mentioned, we have these constant checks. If the developer is having—we do this on every project, so not just this one, but if the developer is having issues getting to a certain percentage on one, we work with them to help them target. We can do a request and help them send out information and get connected with more businesses. We try to be active participants, encouraging, and assisting in ensuring that they hit those goals throughout the process.

Commissioner Davis said I know we talked about this on Tuesday. One of the things that I did not see in the slide, which would be very, very beneficial for our community, and quite honestly, the local media has not reported on. Could someone go over the PILOT schedule and can someone go over the community benefits? We hear all the time in our community with bills like this that we're giving away everything and Wyandotte County's for sale, which this is not the case at all. There are considerable amount of community benefits as well as the \$4.35M. Can someone please go over that so folks know?

Mr. LaSala said thank you, Commissioner. I know we really appreciate the question. Let me start with the question about the PILOT agreement. As I mentioned, exhibit 18 identifies the payments in lieu of tax that the developer would pay for both the Homefield building and the baseball component. We have an agreement that we're going to get together when they finish design to add provisions here about the Homefield outdoor component. The Homefield building in year one, the PILOT payment would be \$241,253. It incrementally increases over a 10-year period so that the final payment is \$263,855. When it comes to baseball, the original PILOT payment is \$106,703. It also incrementally grows over time to \$116,700 at the end of year 10. Those are the PILOT, the payment in lieu of tax benefits that we previously agreed to on those two components. We will reach a similar agreement on the third component of Homefield. For

the rest of the project, as we discussed on Tuesday, it's contemplated that it will pay regular property taxes without abatement. The STAR bond vehicle is a sales tax...

Commissioner Davis asked, can you repeat that one more time, just one more time on the property tax part?

Mr. LaSala said you bet. For the rest of the project, it is contemplated that they will pay property taxes. These vehicles are sales tax vehicles. The incentives are sales tax based. We keep the property taxes.

Commissioner, you've also asked a very good question about community benefits. What do we get in addition to this project? The developer has made agreements about community benefit. In addition to saying that they're going to have their headquarters here in Wyandotte County, they have also agreed to provide discounts to citizens in the community for admission to the Homefield building, Homefield outdoor, and portions of the baseball components. I know Robb can speak to this in some detail. He's proud of what they've agreed to about making sure there is a local team in these tournaments. He has also agreed that he's going to work with our local school districts about an agreement to have students from USD 202, 303, 204, and 500, having access to those facilities in non-peak times for their events and their training sessions. They also provide 500 tickets annually to the UG's Parks and Recs Department for free admission to Homefield outdoor. So, there are a series of benefits in addition to the project itself, the hotel room nights, and the other benefits we've been talking about.

Mr. Heineman said I think there is a ton of things that we can do for the community that aren't going to be in this document. Meaning, if you, as commissioners, bring forth to us, hey, we'd like to do this for the community, or the school district, around the water park, around Homefield, we're going to be more than open to talking about that because we're highly incentivized to make sure that we're providing opportunities for every kid in Wyandotte County the opportunity to be the best athlete they can be through what we provide at Homefield. Like I said the other night, there are things that we're able to do in documents when we don't really know how this all shakes out, at the start. What really is going to be more vibrant are the programs or the projects that you all bring forward to us that we work on together to make sure that this is as good as it can be for the community.

Commissioner Ramirez said I remember when we just started thinking about the project and Katherine bringing it forward to us. I'm very excited that it's here and that more is coming and more is being added to it. I think this is a good project, an amazing project for our community. I have a couple of questions, and both Commissioner Davis and Commissioner Townsend kind of touched on my two questions. The first one is about the PILOT payment. I believe I've asked this before, Katherine, but I do not remember the answer you gave me. Where do those PILOT payments go? After we receive them from the project, where do they go? Do they go to the General Fund, a special fund? I believe I've asked this, but I want to make sure.

Ms. Carttar said that's a great question. PILOT stands for payment in lieu of taxes. It is treated just like it would have been a property tax payment. It will go to the General Fund.

Commissioner Ramirez said okay, that's what I figured, but I just wanted to make sure. My second couple of questions are pertaining to the MBE/LBE/WBE goals. Commissioner Townsend asked how often they were, but how are they reported to us? Are they reported into a document, or how is that reported back to us or to the UG?

Ms. Carttar said generally we have a, there's kind of a format that, really as simple as an Excel spreadsheet that shows every single organization, business that they have contacted, each bid. All the subcontracts, that's all bid out. We see who bid, who was awarded; do those all under L/M, or WBE and have a tracking, whether it's monthly or that's something we kind of work out to have that tracking that shows exactly what that percentage is for each one with the backup material.

Commissioner Ramirez said I'm going to make a request, and I'm going to leave it to Legal to decide if we can make this request or not, as a Commission. Request that Economic Development and Interim Administrator share those MLBE reports with the Commission. That's never been done in the past. We have all these economic development agreements and all these projects and all these goals but we, as a Commission, never know if those goals have been met. So, especially with this project, and maybe future projects going forward, if any of those goals could be shared with the Commission so that we know what is happening and making sure there is that accountability.

Commissioner Johnson said this question is more or less for, I think, Katherine and staff. As related to the question from Commissioner Davis with regards to the PILOT. Are those payments

the same type of payments that we see on our BPU bill, or are they different in some way? Can you walk us through that, Ms. Carttar?

Ms. Carttar said I would be happy to. They are similar in that they are both a payment in lieu of taxes, but they are completely different in terms of the goals, who pays them, what their purpose is. You have the BPU, what you see on your BPU bill every month. That is specific to the UG. I would defer to someone else to explain exactly where that money goes.

This is really how we do an industrial revenue bond. The way that the industrial revenue bond works, is that the property is given 100% property tax abatement. That's just how it functions because they're getting basically our tax exemption. They get to utilize that. Because we don't, as Todd explained, we don't want to provide a 100% tax abatement, these are supposed to provide certainty. So, we are actually determining what that property tax payment would be so that we can provide the developer with some certainty; provide the Unified Government with some certainty so we know exactly what those payments are going to be for the next 10 years. Then that is what we call a PILOT, or a payment in lieu of taxes, because they are not being assessed normal property taxes that we have.

In exhibit 18, you can see the entire schedule and you will know exactly what they would be paying, again, in lieu of taxes, but it is effectively what their tax payment would be.

Commissioner Johnson said right. I guess I'm wondering out loud—and this is really to staff, to Mayor, and Legal—I'm wondering if we maybe could name that payment something different. I think it gives the average homeowner a different thought as to what it is versus, I guess, it's true outcome. I don't know. This is something I've been curious about for years, and since we're in a time of asking questions, I'm just wondering out loud if there is a better way to describe that payment in lieu of taxes versus the ones that the average consumer sees.

Mayor Garner said I'm going to ask our Legal Advisor to weigh-in on that, or someone from the Administrator's Office.

Mr. LaSala said statutorily, it is a payment in lieu of taxes. If it's helpful and provides clarity, I think in our documents we could call it something different. We could define it differently in the development agreement if we thought it provided greater clarity to the citizens. I think that's possible. I think we just have to be careful because under the statute, they are payments in lieu of taxes. And I think importantly, we've got to be clear. As Katherine said

earlier, it behaves in the same way as a normal property tax payment. I would want us to be careful about doing this in a way that we weren't suggesting otherwise.

Misty Brown, Chief Counsel, said I would agree with what Mr. LaSala said. We could certainly carefully do something to indicate in the agreements that it's not the PILOT the folks are seeing on the BPU. We just need to very carefully craft it. I do think it causes confusion, as Commissioner Johnson expressed. I just wanted to be very mindful of how we're doing it.

Commissioner Kane said well, I was 100% for the project but I didn't hear a lot about local-owned businesses that work with local unions. That's issue number one. And the most frustrating one is we're going to take care of School District 202, 204 and School District 500. What about School District 203? Are we not good enough?

Mr. LaSala said bear with me, Commissioner. I want to make sure I didn't misspeak. I hope I didn't.

Commissioner Kane said, you said 202 and 204. **Mr. LaSala** said I'm going to get my hands right on it here and make sure I get this right. 202, 303, 204, and 500.

Commissioner Kane asked, where is 303?

Commissioner Bynum said it's probably 203. **Mr. LaSala** said I'm sorry. That's a typo. It is 203. My mistake, I'm sorry, Commissioner.

Commissioner Kane said we are considered the pearl sometimes, and you misspeaking and saying 303 and not saying 203 because we're just as important as the rest of the school districts, just as important as any other district that's out there. **Mr. LaSala** said I apologize, Commissioner. My mistake.

Mayor Garner asked, Commissioner Kane, was that the end of your comments?

Commissioner Kane said no. I didn't hear anything about local unions, local businesses that have unions.

Mayor Garner asked, Commissioner, is that a question for Mr. Heineman? **Commissioner Kane** said that's a question for anybody who wants to answer the question.

Mr. Heineman said, Commissioner Stites, obviously we've done as we done... **Commissioner Kane** said my name is Commissioner Kane, not Commissioner Stites. **Mr.**

Heineman said, I'm sorry, Commissioner Kane, my bad. Commissioner Kane as we've done in the past with the projects that we've been involved with in Wyandotte County, obviously we will absolutely, unequivocally work with the unions. I'm relatively certain that the other projects we've been involved with have been, if not 100% union, nearly 100% union.

Commissioner Kane said, most of them have. Yes, sir.

Mr. Heineman said that's our expectation and that's our commitment. That's what we intend on doing on this project. It's the right thing to do. It's what we want to do. We want to be a good community advocate, a good community partner, so that's exactly what we intend to do is continue doing what we've done in the past. I apologize for calling you Commissioner Stites, Commissioner Kane. I appreciate your comments as always. And, Commissioner Stites, I apologize to you as well.

Commissioner Kane said here's the important thing, you guys have done that in the past. That was not said tonight. And for the rest of you commissioners, they have done very good with local-owned businesses, women-owned business, the whole shooting match. We have worked with these people in the past. They've done a really good job. I know they're going to do a good job. Just a point of clarification, I want to make sure my district's taken care of just like everyone else's.

Mr. Heineman said absolutely. Richard Knapper is on the call here tonight too, and we obviously have a bunch of construction underway today. I know that's all union construction that's happening today as well. I don't know, Richard, if you want to comment on that at all.

Commissioner Kane said he doesn't have to comment. I believe you guys.

Commissioner Stites said I appreciate the clarification on 203. It was important to me when I spoke at the subcommittee meeting that we included 204, Bonner Springs, Edwardsville, to make sure that this project is inclusive of all of Wyandotte County. Todd, I understand the oversight there, 303, but I've been extremely pleased with the transparency from all of our staff, everybody that has put in the time to make sure that this is clear, that it's understood that it is a clear benefit to our community. When we think about it, and we have a defunct waterpark that grew up in weeds, looks terrible, theft, crimes that were occurring out there, and now we have an investment group that's stepped up to make this type of investment into our community, and then you turn around on top of the amazing project, they've committed \$4.35M to projects inside of northeast

and the rest of our community. I'm very excited about it. I look forward to it. I can't wait to be the one to make the motion to approve.

Commissioner Davis said I'll be brief, Mayor, because I know you have questions and others may as well. I just wanted to say this, at some point if it's possible for staff to send me and maybe others a list of organizations, businesses that are currently on PILOT schedules and what they're paying. I think that would be great. I think the opportunity before this Commission could be to really and truly take the benefits of the revenue that's generated out west and put it out east and other really distressed census tracks in Wyandotte County. That's really going to be up to us to make sure that the money flows from west Wyandotte out to the rest of Wyandotte County, especially to the areas that are in need. We can be very strategic about that. I just want to make sure that was said and perhaps we can take that idea and expand it so that everyone in Wyandotte County feels the impact of this project.

Mayor Garner said I'd just like to say I'm excited about this project as well. But I'd like a little more clarity, not just for myself, but for the public. I've got two questions, and hopefully you can answer them in a way that will bring at least bring some level of comfort.

The first one is the amount of money that has been set aside, that the commissioners will have the ability to delve out to the rest of the community, particularly the areas east, downtown. I think the clarity needs to be made what that amount is. Is that a one-time payment, or is that an ongoing annual, maybe three years? Can you be clear about that for the public?

Mr. Heineman said, Todd, you want to take that? Do you want me?

Mr. LaSala said I think we're talking about the development investments, Robb, so I think that's you.

Mr. Heineman said, Mayor, what we've agreed to, and I think the exact dollar figure, Todd, is what, \$4.35M? Mayor, that's a one-time investment. It's not an annual investment. It doesn't necessarily have to be in one project; it could be in multiple projects. I think what we've expressed to the Commission is we would like this to be a collaboration where we have projects brought forth to us by the Commission, by commissioners for us to consider because, obviously, we're going to have to have sponsorship around those projects because we're most likely going to have to have other processes that are going to fall in line associated with just us picking

something, whether it's planning, zoning, maybe other incentives that might be involved in it. Everything that's associated with the project.

While we do have three years to go make these investments, time is of the essence because none of this happens quickly. If you look at this project, this is probably three to four years in the making. Obviously, that's something that we'll work in earnest on. We want to collaborate with you and your Commission and try to make these projects that are catalyst for the community. We don't want this to just be something that's sort of a standalone thing. Obviously, if it's synergistic to our core business, which as you're well aware, sports and hospitality-related, that would be attractive to us.

We have looked at a number of things downtown around various housing projects and things. I think it's really just the onus is on all of us to make sure that we unearth as many opportunities as possible and figure out what works best and what we all agree, especially now, based on the fact that we're going to have to agree to it on sort of a majority of all of us here on this Zoom. Let's make sure these are projects that are great for the community.

Mayor Garner said a little more clarity. These are grants. These are business investments that also adds value to you as well as an investor. So, there would be a return on that investment for you as well, as opposed to just a grant where you're investing in the community and the community receives 100% of those proceeds. Is that correct?

Mr. Heineman said yes. That's how it's designated today. Again, like I said, we'll have to take a look at each of those projects as they're brought forward. To the extent that they provide synergy to our business, maybe the return thresholds would be lower. It's not like this is something that we're just trying to say that we have to hit a homerun on every deal we do. We want to make sure these are quality projects that we all think are good for the community. We do intend on these being for-profit projects, but having said that, we're open to looking at everything that's brought to us and take it under serious consideration.

Mayor Garner said well, one thing I hope you would take into serious consideration beyond the for-profit projects is that we'll be, at some point, invested, in collaboration with our commissioners, as what other developers have done. They have taken upon themselves to see the need in Wyandotte County.

When you talk about youth program, the lack of affordable housing, seniors, recreational programs, consider or at least give some level of commitment moving forward that you will see

that need and make investments in Wyandotte County as being a good neighbor as your profit allows, like a lot of our other developers have done, and not just in a one-time investment that benefits you. Maybe an annual investment that has more of an advantage to the distress levels of people within our community, be it homelessness, poverty in those areas we can look at and hopefully we can have that conversation as a Commission with you and see how that can be something that just moving beyond entertain, but actually something that can become a reality for Wyandotte County. We have these big investments. We want to make sure that these investments really add value to all of Wyandotte County and not just the eastern portion.

When you talk about Bonner Springs and Edwardsville, they're also players in our community. We just want to make sure that long-term, beyond the initial investment, that really benefits you as well, that there are also investments that you're willing to make that can be of broad value to Wyandotte County.

The next question I have is basically, you talked about a tourist destination. I think Mr. LaSala talked about that. Just a little more information. What brings you to that conclusion? When you talk about jobs, what's that look like? When you talk about jobs, are you going to attract a workforce ready partnership with folks right here in Wyandotte County? What does that look like? When you talk about jobs, and then just that vision of seeing that this could be an enhanced tourist destination right here in Wyandotte County. Can you share what that vision looks like and what led you to that conclusion?

Mr. Heineman said absolutely. Mayor, one thing that I do want to point out is, obviously, not directly this company Homefield, but obviously Mr. Maday and I that are on the line tonight are investors and owners in Sporting Kansas City, and we have collaborated with Wyandotte County to do a number of futsal courts throughout the community. We did those in collaboration such that we did one in every district in the community to make sure that we're trying to do something to re-community and provide programming for kids. We're definitely going to be open to looking at projects or programs that benefit the community that doesn't always have to provide a profit motive, so that's number one.

When we looked at this site initially, what was attractive to us was the access to the site, the visibility to the site, obviously the crossroad's right there at I-435 and I-70. The proximity of the Kansas City metropolitan area in the center of the United States.

When we look at the industry of youth amateur athletics, it being a \$20B industry, growing to \$50B, sports tourism to us is a tremendous opportunity. With some of those elements that I mentioned, whether it's access or centrality of our location, we think that if we build a vibrant resort, which has the sorts of assets that we're providing here through the STAR bonds, with the hospitality assets like a Margaritaville is going to provide, and obviously the billion dollars of investments that have been made out here in this area over the course of the last 20 years, whether it's the Speedway, Children's Mercy Park, obviously Nebraska Furniture Mart at the Legends, I don't know how this isn't going to be a magnet for us to attract some of the finest tournaments and events in the country.

Through that, we feel like if you just look at the partnership that we've generated with the Perfect Game Company, the premiere baseball operator here in the country, they've pledged 75,000 room nights a year. That is an enormous amount of hotel room nights. And, candidly, if they do what they think they're going to do, we'll blow through that number.

Our aspirations as four individuals, when you take myself, Mr. Maday, and the Bowen family into account, are people that have been in Kansas City for years, and years, and years and our aspiration is to make Kansas City the best youth sports destination in the United States. When we got involved in Sporting Kansas City, we were probably one of the most meek, underperforming professional franchises in the entire United States. We took it as a challenge to why can't this be the best major league soccer city in the United States and, candidly, I think that's what we are today.

That's the same sort of motivation. That's the same vision that we go into this project with where this needs to be the best youth sports destination in the United States. I think we've got the location to do it. I think we have the land to do it. I think we've got the civic will to do it. We're excited about this opportunity on what it can be.

The great thing about the way the STAR bonds work, and STAR bonds, as we all know, are a highly controversial thing, is the mandate that is presented to us is it's not only about the sort of destinations that you build, but it's also about the private spend that you build. What we're able to do out here because of the great land that we're utilizing, is we have all sorts of different tenants that we're working with, whether it's additional car dealers, whether it's great hoteliers, whether it's medical office providers. All those are jobs.

When you're talking about a medical office, and we have a medical office under letter of intent right now, which would be somewhere in the neighborhood of a \$30M to \$40M building, which would probably have 100 to 200 jobs that I don't know what the average salary of those will be, but those are nurses and doctors, so those are going to be high paying jobs.

Camping World, which is one of our tenants, is the largest RV dealer in the country and their salespersons make upwards of \$2, \$3, \$400,000 a year based on the number of RVs they sell. So, these are not just low paying jobs, these are high paying jobs that are going to be on destination out here.

When you look at something like a Margaritaville, when a Margaritaville is open and going on July 10th, there's probably 500-600 people working there. Those aren't all \$200K jobs, obviously. Some of those are lower-waged jobs, but there is going to be plenty of opportunities out in this 400 acres that we're creating to probably do, I don't know what the number is, but it's probably 2,000 to 3,000 jobs when everything is up and going the way it goes. That's going to provide tremendous opportunities for local people to work out there. We obviously will have every impetus to try to hire as many local people as we can. I'm sure we'll work with you and your staff to make sure that we have all processes in place to give those that are local kind of a first right to work out there. I can't tell you how excited we are about this location.

This started as it was a place we wanted to build basically a gym. We wanted to build a Homefield gym and let kids come out here and play sports. But as we worked with it and talked with your staff and the State's staff, it's turned into something a lot different than that. We have \$100M worth of projects underway today. We have another \$100M in planning.

We've got another probably \$100M to \$200M on the chalkboard. This is something that I think will be the largest tourist destination in the State of Kansas within four to five years. I think that's something that we're all going to be really proud of. It's not easy; it hasn't been easy. The process getting to where we are tonight hasn't been easy, but we're here and man, we have a lot of momentum. I think it's going to be something that we're all going to be really proud of. It is going to be a lot of work, like I said, but we'll get through it. I hope it's something that you can be really proud of when you can say that you're kind of the guy that watched over it as it all happened.

Action: **RESOLUTION NO. R-6-22**, “A resolution adopting the assignment, assumption and second amended and restated development agreement (Homefield Project).”
Commissioner Davis made a motion, seconded by Commissioner Burroughs, to adopt the resolution as submitted. Roll call was taken and there were nine “Ayes,” Stites, Davis, Bynum, Burroughs, Townsend, McKiernan, Ramirez, Johnson, Kane.

ADMINISTRATOR'S AGENDA

No items of business.

Mayor Garner said that concludes the portion of our regular meeting. I adjourn us in that capacity. I'll call us back to order as the Land Bank Board of Trustees'.

LAND BANK BOARD OF TRUSTEES' CONSENT AGENDA

Mayor Garner asked, does any member of the Commission or County Administrator wish to set-aside any item on the Land Bank Consent Agenda? Seeing no motion to set aside.

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

Item No. 1 – 211262...LAND BANK OPTION APPLICATIONS

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

- A. New Construction - Single Family Homes – 18 Homes
 - 1. Mejia, Edwin Anahun Castellanos – 1 Home addition
2915 Hiawatha St. – 907117
 - 2. Habitat For Humanity – 3 Single-family homes
1137 Pennsylvania Ave. – 072545
1139 Pennsylvania Ave. – 072546
1211 Pennsylvania Ave. - 068246

1213 Pennsylvania Ave. - 068247
 1215 Pennsylvania Ave. – 068248

3. Habitat For Humanity – 3 Single-family homes
 704 S. Valley St. – 072290
 1261 Shawnee Ave. – 072287
 1267 Shawnee Ave. – 072546
 4. Chris Solutions Construction LLC – 2 Homes
 820 N. 78th St. – 008600
 900 N. 78th St. – 008601
 5. Innova Pro Construction & Pillar KC LLC – 1 home
 649 Sandusky Ave. – 081484
 6. Innova Pro Construction & Pillar KC LLC – 1 home
 914 Argentine Blvd. – 127802
 7. Innova Pro Construction & Pillar KC LLC – 2 homes
 719 S. Coy St. – 073694
 713 S. 8th St. – 073666
 8. Innova Pro Construction & Pillar KC LLC – 4 homes
 1147 Armstrong Ave. - 080814
 1211 Ann Ave. – 080937
 1223 Ann Ave. – 080943
 1235 Ann Ave. – 080947
 9. Steven Bashus – 1 home
 1600 S. 86th St. - 145656
- B. New Construction - Commercial - 2
1. Chris Solutions Construction LLC
 4815 Parallel Pkwy – 916619
 2. Kansas City Kansas Community College – Downtown Campus
 632 State Ave. – 082174
 1101 N. 7th St. - 082176

On January 3, 2022, the Neighborhood and Community Development Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to the Land Bank Board of Trustees.

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

Item No. 2 – 211263... LAND BANK PROPERTY TRANSFER

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

Yard Extension

Ray Sawyer – Unbuildable Lot
4808 Sortor Dr. – 107600

On January 3, 2022, the Neighborhood and Community Development Standing Committee, chaired by Commissioner McKiernan, voted unanimously to approve and forward to Full Commission.

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

MAYOR GARNER
ADJOURNED THE MEETING AT 9:10 P.M.
January 27, 2022

Brett A. Deichler
Unified Government Clerk

tk/am

January 27, 2022