

**NEIGHBORHOOD AND COMMUNITY DEVELOPMENT
STANDING COMMITTEE MINUTES
Monday, April 4, 2022**

The meeting of the Neighborhood and Community Development Standing Committee was held on Monday, April 4, 2022, at 6:55 p.m., remotely via Zoom. The following members were present: Commissioner Burroughs, Acting Chairman; Commissioners Stites, Davis, Townsend, and Ramirez (substitute on behalf of Commissioner McKiernan). The following officials were also in attendance: Misty Brown, Chief Counsel; Wendy Green, James Bain and Zee Bishop, Assistant Counsel; Alan Howze, Assistant County Administrator; LaVert Murray, Economic Development Advisor in Mayor's Office; Katherine Carttar, Director of Economic Development; Greg Talkin, Director of Neighborhood Resource Center; Jud Knapp, Land Bank Manager; Gunnar Hand, Director of Planning & Urban Design; Monica Sparks, Acting UG Clerk; Terri Kimble, UG Clerk's Office.

Chairman Burroughs said before I call the meeting to order, I want to announce that due to COVID-19, some committee members, staff, and public are attending remotely via Zoom as well as on-site.

All participants joining by phone should mute their phones when not speaking to avoid background noise. During the meeting, please make sure you announce yourself by name and title every time you speak so the public that is observing knows who is speaking. This is critical given the number of remote participants and is the current guidance from the Kansas Attorney General.

The public is allowed to participate by Zoom or submit comments by email prior to the meeting, and those comments will be included in the record of this meeting. The public also will have an opportunity to provide brief comments from the lobby of the Municipal Office building.

Chairman Burroughs called the meeting to order. Roll call was taken, and all members were present as shown above.

Item No. 1 – 211346...ORDINANCES: ADOPTION OF PROPOSED BUILDING AND FIRE CODE UPDATES

Synopsis: A proposal for the adoption of "The 2018 Suite of Codes and Amendments to Chapter

8 - Building and Building Regulations/Chapter 15 - Fire Prevention and Protection,” submitted by Greg Talkin, Director of Neighborhood Resource Center.

Chairman Burroughs said we have, I believe, two items this evening, but I'm a little confused. I don't have my agenda for tonight's meeting, but I know that the number one item up is a proposal for the adoption of the 2018 suite of codes and amendments to the Building and Building Regulations Chapter 15 Fire Prevention and Protection, submitted by Greg Talkin. He is the Director of our Neighborhood Resource Center.



Greg Talkin, Director of Neighborhood Resource Center, said I'm coming back before you this evening, again, to try to bring forward and push forward with the adoption of new building and fire and property maintenance standards.

Terri Kimble, UG Clerk's Office, said excuse me one moment, Commissioner Burroughs, we need to approve the minutes first.

Chairman Burroughs said I apologize. Thank you for keeping me on track. As I stated, I don't have my agenda before me this evening. What month were those minutes from? **Ms. Kimble** said they were from November 29th.

Chairman Burroughs said thank you. I would entertain a motion to approve the minutes from November 29th.

On motion of Commissioner Townsend, seconded by Commissioner Davis, the minutes were approved. Roll call was taken and there were five "Ayes," Stites, Davis, Townsend, Ramirez,

Burroughs.

Chairman Burroughs said now, onto Item No. 1., Mr. Talkin.

Codes being Proposed:

- 2018 International Building Code (IBC)
- 2018 International Residential Code (IRC)
- 2018 International Existing Building Code (IEBC)
- 2018 International Mechanical Code (IMC)
- 2018 International Energy Conservation Code (IECC)
- 2018 Uniform Plumbing Code (UPC)
- 2017 NFPA 70 - National Electrical Code (NEC)
- 2018 International Property Maintenance Code
- 2018 International Fire Code (IFC)
- 2018 Life Safety Code NFPA 101



Mr. Talkin said I've got my presentation up before you. Just to kind of backtrack a little bit and refresh some memory. The exact codes we're proposing to adopt are the 2018 International Building Code, Residential Code, Existing Buildings Code, Mechanical Code, Energy Conservation Code, Plumbing Code, National Electric Code, the Property Maintenance Code, the Fire Code, the Life Safety Code. Out of all of those Standards, we've only had one area of the International Residential Code that has been questioned. There's been a lot of discussion about that and so, tonight we'll talk a little bit more about that moving forward.

Concerns
from March
7, 2022,
Meeting

- The item(s) of concern were around the amendments in the IECC/IRC-Amendments affecting the construction 1 and 2 family dwellings (3 stories or less)
 - Original proposal from staff was an effort to be in line with majority of metropolitan jurisdictions that have adopted the 2018 standards.
 - Concerns were that the proposed amendments weakened the energy provisions - in turn would result in higher energy costs for new owners vs. less restrictive energy requirements providing the benefit of lower cost of home purchase.
 - No options for Commission to consider outside of staff recommendations.
 - Requested to provide an estimate of increase costs in meeting energy code requirements.

From the meeting back on March 7th, these are the items kind of taken from that meeting in an effort to try to address questions by the governing body and participants. The original proposal

from staff was an effort to be in line with the majority of the metropolitan jurisdictions that have adopted the 2018 Standards.

There were concerns that the proposed amendments weakened the energy provisions and, in turn, would result in higher energy costs for new owners versus less restrictive energy requirements providing the benefit of a lower cost of the home purchase. Also, there was a question there was no other option other than what staff was proposing for the Commission to consider outside of our staff's recommendation.

Commissioner Burroughs, you had requested during the agenda review, if there was a way to provide some data of a specific size house, the impact of our proposal. So, in the meeting tonight, I'll provide three different options for the standing committee's consideration.

I did reach out to the Home Builders Association and Metro Energy, who are two of the participants in this, kind of one-on-one side, one on the other, as far as between efficiency versus cost, and ask for information from them on cost. I'll present that later in this presentation. Between the presentations and that information that is provided cost for the actual cost probably lies somewhere in between the numbers that are provided. I believe there was additional information from those groups' actual memos. I only took a small portion of that information they provided me to answer that specific question. That information that was, in addition to that, provided in the packets, I believe, for the commissioners to review.

Option A –

This is Staffs Recommendation

Option A Amendments Proposed:

- 1102.1.2 (R402.1.2)-Wood frame wall cavity insulation amended to R-13
- Section N1102.4.1.2 -Amended the building leakage rate to 5 air changes per hour and eliminated climate zones outside our area. Testing **is** required.
- Section N1102.4.4 Rooms Containing Fuel Burning Appliances -This section was deleted
- Section N1103.3.5 Building Cavities is amended to read as follows: Building framing cavities ~~shall not be~~ are permitted to be used as supply ducts. Building framing cavities used as ducts or plenums shall be sealed to prevent leakage through the thermal envelope. These cavities are used as part of the return air system. These ducts shall be sealed per Sections M1601.4.1 joints, seams, and connections in association of Section N1103.3. These ducts are not located in exterior walls and therefore are within the thermal envelope.
- Table N1106.4 - This Table was amended to an ERI of 80.

So, Option A. Option A is now what we originally were proposing last time we met. Basically, it amends the insulation in wood frame walls to R-13, which in the 2018 Standard, it's actually R-13 plus 5 or R-20. We'll talk a little bit more about that in a little bit. Then amended the building leakage rate to five air changes per hour—in for our climate zone. There's been a question around

lower door testing. Testing is required so we're not deleting that requirement. We also amended out the requirement for rooms containing fuel burning appliances or sealing them off. We were deleting a section in the energy provisions that basically didn't allow you to use the wood frame cavities for return air plenums. But we do require those to be sealed. So, we amended that section. The ERI, the energy rating index, we amended to 80 for this option.

Option B

Option B Amendments Proposed:

- **Table 1102.1.2 (R402.1.2) -Wood frame wall cavity insulation amended to R-15**
- Section N1102.4.1.2 - Amended the building leakage rate to 5 air changes per hour and eliminated climate zones outside our area. Testing is required.
- Section N1102.4.4 Rooms Containing Fuel Burning Appliances - This section was deleted
- Section N1103.3.5 Building Cavities is amended to read as follows: Building framing cavities ~~shall not be~~ are permitted to be used as supply ducts. Building framing cavities used as ducts or plenums shall be sealed to prevent leakage through the thermal envelope. These cavities are used as part of the return air system. These ducts shall be sealed per Sections M1601.4.1 joints, seams, and connections in association of Section N1103.3. These ducts are not located in exterior walls and therefore are within the thermal envelope.
- **Table N1106.4 -This Table was amended to an ERI of 75.**

So, in Option B for staff is kind of a midpoint, middle option that we're proposing, and that basically is instead of Option A whereas R-13 moving to R-15. There is an insulation R-15 value fiberglass batt insulation that's in the market now that would allow two more points in the efficiency and still allows you to build with 2x4 walls. Don't have to do any type of major going to 2x6 wall cavities and extending your frames for your windows or adding the R-5 on the outside foam which is an added cost. The only other change in this was amending the energy rating index to 75. Both of these items, the R-15 and the ERI 75, there was one or two jurisdictions in that chart, which I'll show later, that had done this also.

Option C

Option C-2018 Energy and IRC (Energy section) code as written – no amendments

So, Option C, basically, is no amendments. Energy Code and IRC portions the Energy Code as written, no amendments.

	Fenestration U-factor Footnote b lower is better	Skylight U-factor Footnote b lower is better	Glazed Fenestration SHGC Footnote b lower is better	Ceiling R-Value Footnote g higher is better	Wood Frame Wall R-value higher is better	Mass Wall R-value higher is better	Floor R-Value higher is better	Basement Wall R-Value Footnote c higher is better	Slab R-Value & Depth higher is better	Crawl Space Wall R-value Footnote c higher is better	Energy Rating Index lower is better
2018 IRC/IECC	0.32	0.55	0.40	49	20 or 13+5	8/13	19	10/13	10, 2 ft	10/13	62
UG Current (2009)	.35	.60	NR	38	13	5/10	19	10/13	10, 2 ft	10/13	baseline
UG Option A	.32	0.55	0.40	49	13	8/13	19	10/13	10, 2 ft	10/13	80
UG Option B	.32	0.55	0.40	49	15	8/13	19	10/13	10, 2 ft	10/13	75
UG Option C	0.32	0.55	0.40	49	20 or 13+5	8/13	19	10/13	10, 2 ft	10/13	62
Shawnee	0.32	0.55	0.40	49	13	8/13	19	10/13	NR	10/13	80
Overland Park	0.34	0.55	0.31	49	13	8/13	30	10/11, 3 ft	10, 2 ft	10/13	68
Prairie Village	0.32	0.55	0.40	49	15	8/13	19	10/13	10, 2 ft	10/13	68
Lenexa	0.32	0.55	0.40	49	13	8/13	19	10/13	NR	10/13	80
Leawood	0.32	0.55	0.40	49	13	8/13	19	10/13	NR	10/13	80
Olathe	0.32	0.55	0.40	49	13	8/13	19	10/13	NR	10/13	80
Gardner	0.32	0.55	0.40	49	13	8/13	19	10/13	NR	10/13	80
Kansas City, Missouri	0.32	0.55	0.40	49	13	8/13	19	10/13	10, 2 ft	10/13	75
Johnson County	0.32	0.55	0.40	49	13	8/13	19	10/13	NR	10/13	80
Gladstone (2021)	0.32	0.55	0.40	38	13	8/13	19	10/13	10, 2 ft	5/13	56

This is similar to the chart I'd provided in the past. I do have to thank Mr. McKiernan. Actually, he beat me just a punch in a conversation we had in his effort to understand. So, I did not reinvent the wheel. He kind of went in, and you can see, kind of explained a little bit more whether if U-factor is lower when it's lower is better and R-factor when its higher is better. But, he also kind of did some comparison across the metro about who meets the 2018, who doesn't meet the 2018, but close to the majority of the metro, some of the outliers, and doesn't meet 2018, but close in others in the metro area. Once, again, our whole effort, originally, was to try to be mainstream and match what other cities have done.

So first, let me talk about the outliers which is where we got the R-15 for Option B and that's Prairie Village. They're the only ones that did that adoption. Everybody else still has an R-13 option. Then Kansas City, Missouri, did the 75 in their ERI, which they're actually the 2012 Standard in the Energy Code. But still, they were kind of midstream, a little bit lower than we were proposing. So, Option B, that's we got the two proposals.

I do want to address these outliers that is in Overland Park because they are extreme on a few things but yet quite a bit lower on others. Overland Park actually gave two options. You have the option of following prescriptive method with as wrote in the code, or this item and that I've got here. I would just note that everybody that's on this chart right now has the option of a 2x4 wall without having to put an R-5 type overlaid siding or foam on the outside. They only, like I said, the R-15 and Prairie Village still allows you to get the material where you don't have to go to an extension that fixes and measures for that.

Additional Construction Costs Per Option
Information provided by KCHBA

Greg Talkin

	Option A	Option B	Option C
Table 1102.1.2			
Option A - (R402.1.2) Wood frame wall cavity insulation amended to R-13	No Additional Cost		
Option B - (R402.1.2) Wood frame wall cavity insulation amended to R-15		\$1,600.00	
Option C - (R402.1.2) Wood frame wall cavity insulation is R13 + 5 (Addition of R-5 Foam = \$4000 - \$6000)			\$5,000.00
Section N1102.4.1.2			
Option A - Amended the building leakage rate to 5 air changes per hour and eliminated climate zones outside our area. Testing is required. (Additional \$600.00 to perform testing + \$75.00 for ventilation fan)	\$675.00		
Option B - Same as option A		\$675.00	
Option C - No amendments as wrote (\$600.00 for test + \$2500 for air exchanger)			\$3,100.00
Section N1102.4.4 Rooms Containing Fuel Burning Appliances			
Options A - This section was deleted	No Additional Cost		
Option B - Same as Option A-section deleted		No Additional Cost	
Option C - No Amendment as wrote			\$2,500.00

So, once again, reached out to Kansas City Home Builders Association as well as Metro Energy to ask them for some specific information related to costs associated with each one of these items. The HBA provided the information I'm going to share right here to try to explain this chart. There is a second side, I couldn't fit it all on one slide. The Option A we discussed is in this column right here. Option B is here and Option C, and then over here is where we have the actual amendments or the changes that we're proposing that I just explained. As you can see, at least here for Option A, the only additional cost from what we're currently enforcing on this portion is the blower door testing plus cost for a ventilation fan. Option B has—and for the wood framing—because of the added insulation, they're proposing \$1,600 for the additional cost, and, once again, \$675 for the blower door test and air exchanger and then no additional cost on—because we're not requiring the room separating appliances.

Option C where we're adding R-13 plus 5 basically, you're still allowed to do a 2x4 wall, but you have to add an R-5 foam insulation or an R-5 sighting to the outside. That adds about \$5K. What information I received back was \$4K to \$6K. I took the midpoint. Option C, basically, the cost for that is about \$3,100, \$600 for a blower door test and there's an air exchanger required. Then on the fuel boarding appliances requiring the separated room, that's an additional \$2,500 pattern.

	Option A	Option B	Greg Talkin
Section N1103.3.5 Building Cavities.			
Options A - Amended this section-Section N1103.3.5 Building Cavities is amended to read as follows: Building framing cavities shall not be permitted to be used as supply ducts. Building framing cavities used as ducts or plenums shall be sealed to prevent leakage through the thermal envelope. These cavities are used as part of the return air system. These ducts shall be sealed per Sections M1601.4.1 joints, seams, and connections in association of Section N1103.3. These ducts are not located in exterior walls and therefore are within the thermal envelope.			
Option B - Same as Option A	No Additional Cost	No Additional Cost	
Option C - No Amendment-as wrote			\$750.00
Table N1106.4			
Option A - This Table was amended to an ERI of 80.	No Additional Cost		
Option B - This Table was amended to an ERI of 75 (Furnace and Heat Pump- To get to the rating a 2 stage furnace and AC would be needed-96% furnace/16 SEER AC)		\$4,530.00	
Option C - No Amendments-as wrote- ERI of 62 (Furnace and Heat Pump- To get to the rating a 2 stage furnace and AC would be needed-96% furnace/16 SEER AC)			\$4,530.00
Real Estate Commission,Builder overhead and profit	\$225.00	\$3,795.00	\$4,120.00
TOTAL ADDITIONAL ESTIMATED COST TO CONSUMER TO MEET ENERGY CODE OPTION	\$900.00	\$9,000.00	\$20,000.00
Note: Info(\$16,000-\$20,000)			
Source: This information has been provided by the KCHBA and a local builder			

So, in addition to that, the other items that come into play, Options A and B on this and using the building cavities is allowed for return air, so there's no additional cost. But if you're not allowed to and you have to actually use sheet metal, you're talking about a \$759 adder. Then we have the ERI which originally imposed 80, no additional cost, because that's currently what we're doing. Then if you go to an ERI of 75, which is proposed in our Option B, it's about a \$4,500 adder and then Option C is the same, a \$4,500 adder because of the additional equipment that has to be used, according to HBA. So, then of course, on the builder side there, we did receive that there's some overhead and profit that's added to those adding to the total cost. So, at the bottom total, items estimated cost to consumer and to meet Energy Code adoption for Option A is an additional \$900, Option B is an additional approximate \$9,000, and Option C, I was given a range from \$16K to \$20K. Once, again, the information received here.

Additional Cost Information Provided by KCHBA(2019 Data)

Item	House: 2444 Sq Ft 2 story
Ext Wall 2X6, jam extensions	\$4,250
Mechanical Ventilation	\$780
Sealed combustion furnace & Calculations	\$1,300
R49 ceiling & raised heel	\$770
Basement insulation	\$1,500
Return air in metal	\$1,800
Sealed Water Heater	\$390
Blower Door Testing	\$750
TOTAL	\$11,540

I did receive a second bit of information from HBA, but this information was collected back in 2019 prior to the increased inflation. This is not adjusted for inflation. Since the 2019 data, which we all know that materials in the construction industry and labor cost, but primarily I think materials has increased significantly where it's almost doubled in some areas. You would have to kind of realize that this number at the bottom the \$11,540 is probably quite a bit higher, and this calculation is for 24+ 100 square foot home, two story. Going back to the previous slide, I need to mention that was for a 1,500 to 1,600 square foot house on those costs provided. So, if you were to double this information, it's close to the same cost even though it's a little bit bigger house. I don't know if doubling is what you should do, but I know materials have pretty much doubled since 2019, I'm not sure about later.

Information Provided by Metropolitan Energy Efficiency Alliance

Comparison of Current Kansas City Code against the 2018 IECC
 If the unamended 2018 IECC were adopted, a future homeowner could expect to reduce energy use by 29% and save ~\$267 per year on energy bills.

	Annual Energy Savings Per Home	Annual Energy Cost Savings Per Home	Estimated Incremental Costs ²	Simple Payback Period ²	Net Positive Cash Flow ²	Life-Cycle Cost Savings ²
Climate Zone 4	42.2 MMBTU	\$267	\$4013	15 years	4 years	\$1501

Metropolitan Energy. This is the information piece they provided to me to answer the question about the cost of meeting the new standards. Now, what they provided is a cost going from what were currently under the 2009, up to the 2018 is that area that is circled. I believe what they're getting at that the estimated incremental cost to meet those codes if \$4,013.

So somewhere between the information provided, between HBA and the Metropolitan Energy, we know the real costs probably lie in there. I don't know exactly what is included in the Metropolitan Energy, it wasn't necessarily broken down. It did have a footnote. I tried to follow those footnote links that were provided in the document, but it didn't connect, so they did provide me some other information in an email that I didn't realize until actually before this meeting that I didn't see. I don't think it had provided the link either.

Pros and Cons

- **Lower Energy Efficiency Requirements=**

- Lower Consumer Purchase Price
- Higher Utility Bills

- **Higher Energy Efficiency Requirements=**

- Higher Consumer Purchase Price
- Lower Utility Bills

I want to touch on the pros and cons, again, one more time. That was an issue that I was asked to provide last time. Very simply, lower energy efficiency requirements equal a lower cost to the consumer for the purchase price of the initial purchase, and most likely would result in higher utility bills.

Higher energy efficiency requirements, higher consumer price purchase or purchase price, and lower utility bills.

**Clarification
on Adoptions
Locally:**

City/County	Considering 2021 I- Codes?	Current I- Code Versions Adopted	City/County	Considering 2021 I- Codes?	Current I- Code Versions Adopted
KCK- current	2018	2012	Prairie Village	IECC Only?	2018
Bonner Springs	No	2015	Leawood	No	2018
Edwardsville	2018	2012	Olathe	No	2018
Fairway	No	2012	Spring Hill	No	2006
De Soto	No	2018	Gardner	No	2018
Mission Hills	No	2018	Johnson County	No	2018
Edgerton	No	2006	Douglas County	2018	2012
Shawnee	No	2018	Lees Summit Mo	No	2018
Lenexa	No	2018	Kansas City Mo	IECC Only?	2018
Overland Park	No	2018	Gladstone Mo	Adopted	2021

I want to clarify a little bit on this. I had this in the last one, but I heard some comments from some of the individuals that spoke last time, and I heard that they said that if we adopt what Option A here, that we're going to fall behind. Because everybody else is going to adopt the 2021, is what I heard. I will tell you that the only one that's adopted the 2021 so far is Gladstone, Missouri. Some things I've learned about Gladstone is they amended that code basically back to 2009. Also, I understand that they do very few of any single-family homes in their community. The only other ones that were considering the 2021 were Kansas City, Missouri, and Prairie Village. But I've received no words with those are moving forward. In talking to all the other jurisdictions that are

on here, none of them are planning on moving to the 2021 period. They're waiting for the 2024, which we will also do. We really won't fall behind. We are behind this code adoption period on the 2018 by about 16 to 18 months, but we'll come out of the shoot at the same time and hopefully don't suffer a pandemic again somewhere in there that unfortunately slowed us down a little bit.

Wrap up Comments:

- All options provide additional efficiencies over what we currently have adopted
- Cost Estimates requested by Commissioner Burrows
 - Reached out to both KCHBA and Metro Energy
- Options provided to Standing Committee/Governing Body

	Fenestration U-factor Footnote b lower is better	Skyflight U-factor Footnote b lower is better	Glazed Fenestration SHGC Footnote b lower is better	Ceiling R-Value Footnote g higher is better	Wood Frame Wall R-value higher is better	Mass Wall R-value higher is better	Floor R-Value Footnote c higher is better	Basement Wall R-Value Footnote c higher is better	Slab R-Value & Depth higher is better	Crawl Space Wall R-value Footnote c higher is better	Energy Rating Index lower is better
UG Current (2009)	.35	.60	NR	38	13	5/10	19	10/13	10, 2 ft	10/13	
UG Option A	.32	0.55	0.40	49	13	8/13	19	10/13	10, 2 ft	10/13	80
UG Option B	.32	0.55	0.40	49	15	8/13	19	10/13	10, 2 ft	10/13	75
UG Option C	0.32	0.55	0.40	49	20 or 13+5	8/13	19	10/13	10, 2 ft	10/13	62

Some wrap up comments, real quick. All the options provided additional efficiencies over what we currently have adopted. Even the Option A provides some efficiencies. We did cover the cost requested by Commissioner Burroughs. I hope that helps. Like I said that information was received from third parties. We reached out to both the KCHBA and Metro Energy. Then the other concern was providing options for the standing committee governing body to consider, which I believe staff has now done.

I'm going to kind of close my—I have one more slide, but I would actually prefer if the governing body or the standing committee takes action on this and does approve it. I would like a section just to touch on the last slide, and that's how we would move forward with timing for the new codes and standards that we so choose. I'll open it up for questions.

Chairman Burroughs said I appreciate you going out and getting those numbers. I think it's important for commissioners to see the difference of cost and options. The more energy efficient we become, the added cost it puts into a home, but those are static costs versus not having an idea what energy costs may be moving forward. I believe that's a benefit to us. At this time, I would ask is there any commissioners that have any questions.

Commissioner Townsend said I just had a couple of questions for Mr. Talkin. If you go back to the early slides where you first presented the A and the B options. You answered the questions that I had originally about how we would compare Wyandotte County to other nearby municipalities in terms of adopting the 2018 version, and concerns I had several months ago about where that put us with those other communities and for the most part, still with these 2018 codes. So, my initial question, my real question goes to—I think there's another slide where you presented, I think side-by-side the A, the B option and there was a recommendation. One of the slides said that this was the recommendation by staff. I think it was early on. **Mr. Talkin** said this is Option A?

Commissioner Townsend said yeah, you showed the side-by-side. Just tell me why is it that Option A is staff's recommendation over the other two, just simply. That was my question.

Mr. Talkin said it puts us in line with the majority of the other metro cities. What they've adopted. That makes enforcement much easier. It makes us not stick out. Yeah, it means that we won't have the energy efficiency adopting the full standard, but nobody's adopted the whole standard so fair in our area. So, we kind of feel like it's critical to stay kind of in line with what other jurisdictions are because what you would find is that we would have other builders come in here and find out that they have more stringent and sometimes the builders don't talk to their contractors and contractors go out and start building like they do everywhere else, then they get called on the deficiencies. So, it's just much easier to enforce. It's much easier to educate if we can stay similar. Once, again, we are making improvements in what we're requiring although it's baby steps. I'm not taking a drastic jump across the Grand Canyon.

Commissioner Townsend asked, would it be fair to say in comparing these options that Option A would make the initial cost of home buying more beneficial, a lower cost to residents than say be in the other option? Of course, where utilities may be higher, but you can somewhat control that by what you use. It's my understanding was that A would be less costly in terms of acquisition, but maybe slightly higher in utilities. Is that pretty much it?

Mr. Talkin said correct. I've got up there—this is kind of the construction cost that I've been provided, estimated, when it comes to the options by Kansas City Home Builders Association. For Option A, there's a slight increase of \$900, which is basically the blower door test that still is required and a little bit of overhead.

Commissioner Townsend said thank you. Those were the questions that I had for right now.

Commissioner Ramirez said at the moment, I am—because I know that MEC, Metro Energy Center, I believe is wanting Option C. Staff is wanting Option A. Now we’ve created Option B. I will say I have not been part of this conversation. This is my first time I’ve viewed those videos, the past videos, so I just want to make that known. But this is not my first time that I’ve listened to the conversation. I understand with us wanting to maintain conformity throughout the metro.

Commissioner Townsend hit on a point that I went down a rabbit hole in my thinking. Yes, the staff’s recommendation will save money on the buyer when they—it wouldn’t have too much of a higher construction cost, which would make the home cheaper, but it would create higher utilities that she mentioned, but they can still do other things to help that. That’s at the buyers’ and owners’ expense as well. Not only they’re going to have a higher utility, but they’re going to have to spend more to lower that utility. I understand we don’t want to make construction that much more expensive so that we scare away builders. I’m just wanting, hoping, I’m—so, Greg, is Option B like the happy medium, would you say? Or somewhat medium?

Mr. Talkin said, yeah, it’s a middle offering between all of it. I would note that if a buyer gets in the market and actually contracts, this is just a minimal standard. They can always ask their builder to make improvements to the energy efficiency. They can go above code any time. We would appreciate that. It makes it easier on us.

Commissioner Ramirez said but, it’s up to the builder’s prerogative, correct? **Mr. Talkin** said it would. I mean, it wouldn’t be at that point if he has a buyer. I’m assuming he would have a contract with that buyer and that buyer could put in that contract that they’re to meet additional energy efficiencies that are not required by us.

Commissioner Ramirez said I’m sorry, I’m thinking midpoint. I have some other comments but I kind of want to—Mr. Chairman, at some point after comments are done from commissioners, I would like to hear from MEC if they are here tonight on our meeting. But, at this point, I don’t have any other comments.

Commissioner Stites said, Greg, if you could, if you have it readily available, where does Bonner Springs and Edwardsville stand? I mean, they’re within our county, which if folks were going to

be purchasing, buying, building new homes, I think it would be important to know where Bonner Springs and Edwardsville stand if they were coming to build in our county. I will tell you, as of right now, I am leaning more towards Option B at this point.

Mr. Talkin said I apologize. I didn't realize we dropped off those options on this chart because they weren't 2018, although I know that Edwardsville is currently reviewing and considering moving 2018 forward. What they proposed on the energy standards themselves, I'm not aware of, but I think I had on there what they were currently at. I don't have access to that, and I know Bonner's under the 2015 standards, but I don't believe they adopted any energy provisions.

LaVert Murray, Economic Development Advisor, Mayor Office, said one of the things we are trying to overcome is some of the concerns expressed about our development and builders' community. They indicate that it's difficult to do business in Wyandotte County, and we're trying to overcome that. They complain also about some of our building requirements and so, that's why I wanted to emphasize that I think Option A gets us to where we need to be to show builders and developers that we're pretty much in line with what you'll find throughout the metro area. So, don't shy away from Wyandotte County, Kansas City, Kansas, because of some of these requirements. We have other things to overcome and so, I just wanted to point that out that if we could stay pretty much in line with the metro area, I think we're better off. That would put us with Option A. I don't know how you feel about that, Greg.

Mr. Talkin said well, I'll just quickly note that that's actually our recommendation too.

Emily Wolfe, lifelong KCK resident, Wyandotte County Third District, said I'm also with Metropolitan Energy Center. Thank you all for looking at the codes more. I just want to note that the blue box—you could go to that slide. Greg—it was actually done by Midwest Energy Efficiency Alliance. So, a partner organization of ours. They did that in November of 2021 to account for the increased building prices. I want to say we've also sent, multiple times, the analysis done for the U.S. Department of Energy. I don't know how the HBA, or others found their analysis. I would love to know. We always go by the organization that the U.S. Department of Energy uses, because I think if you're going to go to the best resource, that's the one. I can more than happy to provide that again. I have, quite a few times.

Also, too, I want to say that attracts bad. We don't want to be known as hey, people who build inefficient homes who are going to put the burden on residents. Come here, especially when almost 50% of our residents are renters. Prairie Village and Overland Park actually have more stringent codes. So, I just want you to know this—what we're talking now is putting us at a race to the bottom. I've lived in Wyandotte County my whole life. We can be leaders; we can do better.

There are 237 home builders registered in the Kansas City metro area. I'm more than confident we can attract good, quality builders because what happens is, when there's poor quality homes, other people don't want to build by them. I've seen it firsthand in my community multiple times.

I just want to also note that Columbia, Missouri, since 2015, has adopted the Energy Code every three years with zero amendments and that said, but they were again, had worrisome about, okay builders won't come, people complain, which they actually found it was easier because there's an optional compliance path, the HERS score, which is an optional compliance path. They found that made it easier for builders. So, not only does the code get more stringent and offers more flexibility.

So, again, just want to say that we need to put residents and their health and well-being first. Think about that too. Yeah, it might be X amount cheaper when you first buy your home, but a matter of months, what is your utility? **Ms. Facio** said you have one minute remaining.

Ms. Wolfe asked, do your children suffer from asthma? Do you have mold in the walls because the insulation is moist? So, I think we want to think about those things, and this shouldn't be a race to the bottom. Prairie Village and Overland Park are going to start looking at the 2021 soon, and they already have very stringent versions of the 2018.

I just want to say I'm more than happy to send that U.S. Department of Energy analysis, connect you with the Columbia, Missouri building official, the St. Louis building official who also has adopted a more stringent code. But, yeah, I think we need to talk about the health and well-being of our residents first and foremost. Not just it's \$3K less to buy a home because there's a lot more than that plays into that significantly. So, and then also too, I'm more than happy to share again that U.S. Department of Energy analysis. I know we have others who want to provide comments. **Ms. Facio** said your three minutes have expired.

Chairman Burroughs said if I may, Ms. Wolfe, were you looking at Option C versus Option A? **Ms. Wolfe** said that is correct.

Commissioner Davis asked, have we officially opened public comment? I wasn't sure how we're doing this.

Chairman Burroughs said she was brought forward as a panelist, Commissioner. The other attendees, there are two people waiting. I'm waiting for the panelists to ask their questions and we'll move to public comment.

Commissioner Davis said okay, then I will wait until after public comment.

Mary English, Prairie Village, KS, said I'm the Building Performance Program Manager for Metropolitan Energy Center. I've worked as an energy specialist for 15 years in this region, including as a HERS rater for 12 years.

I spoke a month ago because at that time the only option for this committee to vote on was a heavily amended Residential Code for consideration. This evening, it looks like there are options to consider, including an unamended code. First, I'd like to reiterate my comment from March that when the Residential IECC 2018 Code remains untouched and unamended is actually a nice improvement over 2009. I hope this committee will advance the unamended option. Here's why.

The first and second option still allows for an antiquated craft-based bat for wall insulation. This type of wall insulation is inadequate and creates cold spots in the wall when viewed with an infrared camera. Much better product has been in the market for years.

The third option, the unamended code means that the builder has an option to still build with a 2x4 wall but use a cavity insulation combined with an R-15 continuous insulation. This wall system is known in the building professional world is very effective.

However, if you want to talk about options, the performance path, the alternative compliance path Emily mentioned, is in this unamended Energy Code and it gives buildings and builders great flexibility to produce a good house that is comfortable, affordable, durable, and healthy. Please remember that low-rise multi-family residential falls under this code and that half the residents under your jurisdiction roughly; we can supply for their numbers, are renters.

I want to endorse what appears to be required testing for infiltration. I'm unclear if the duct testing is going to be required in these other packages and that's a crucial question. If you're

testing the ducts, it will mean that the building be more comfortable and even better and healthier. To not test the envelope, also means that you have to guess at the amount of ventilation needed for the houses to be safe and healthy. So, I endorsed the infiltration testing. **Ms. Facio** said you have one minute remaining.

Ms. English said secondly, duct leakage testing is the best way to ensure that all the air you're planning to heat and cool a building gets to where the HVAC system was designed to deliver. For anyone that has suffered a hot or cold room, chances are you're suffering because there was no duct leakage testing. This leads to my last comment.

The first two options still allow for building cavities to be used in the heating and cooling system. This is not a healthy practice. No matter how much you think you are sealing a sheetrock building up to the stud, it's still not going to be airtight enough to prevent the system's return to suck dirty air from attics and garages. I'll say it again, childhood asthma can be mitigated by ensuring good air quality in our buildings by amending code to admit these important tests. It consigns building occupants to potentially chronic health and wellness problems connected directly back to the passage before code, not to mention the added cost burden on tenants and building owners with the heating and cooling bills that will be much higher with this code if it is amended. **Ms. Facio** said your three minutes have expired.

Shawn Woods, Ashlar Homes, 2800 N.W. Hunter Drive, Blue Springs, MO, said been a home builder in Kansas City, Kansas, for about 20 years now. I just want to bring the attention to the Commission that—I mean you guys have discussions all the time about affordable housing, and this flies in the face of affordable housing. The codes were designed to be life safety issues like railings, step heights, things like that. We're now dictating to consumers what they have to put inside their houses, which is crazy, and it's running the cost of the houses so expensive that the comment was just made that most of the people that they're talking about are renters. They will never become homeowners because they cannot afford these houses.

By their own slide, \$4K in extra cost, which is grossly understated, won't pay back in 10 years. Why would somebody do this when they're not going to live in their house 10 years? Average timeframe in a house is seven years. I provided these exact options to my homeowners as options for them to do on every single build.

We build about 125 homes a year. In the last year, I've had two people select this option of higher efficiency on their furnace, higher insulation values. Out of 125 people, 2 people have selected this. In the last 5 to 10 years, we've done things like 10 Seer A/Cs have gone to 14 Seer heat pumps. R-10 insulation on the basement walls is now required. R-38 attic insulation or even R-49 if you don't have energy fields, instead of R-30. Foam and fire caulk packages, programmable setback thermostats, LED lighting. All those things are required today in Kansas City, Kansas. They were not required 5 to 10 years ago. So, you are stuffing down the consumer's throat how they should build this house.

If you walk into a car dealership, they're going to tell you, you have to take the larger engine, you have to take the leather seats. That's what you're doing. Affordable housing doesn't... **Ms. Facio** said you have one minute remaining.

Mr. Woods said affordable housing is out the window at this point. I have built in KCK for 20 years. For you to be aligned with other metropolitan areas in the Kansas City area is huge. We build in Kansas City, Missouri, we build in Blue Springs, we build in Lee's Summit, we build in Lake Lotawana. It becomes very hard to build when one city has these out of line expectations for everybody else. This requirement of R-5 insulation around the outside of the house, it's great to say that the Energy Department says this is only so much money. They have no clue how we build houses in Kansas City. We do not build houses in Kansas City that you can just slap R-5 insulation on all of our sheer walls and engineering are out the window at that point. We don't build double wall construction here. I happen to do it, but I'm one of probably 200 builders in Kansas City that does it. Everybody else builds single wall construction which means you cannot just throw R-5 insulation out there without going to great lengths of engineering. **Ms. Facio** said your time has expired.

Chairman Burroughs said thank you, Shawn. I appreciate you sharing your information. Thanks for investing in our community.

Wil Reuter, Executive Vice President, Home Builders Association of Greater Kansas City, KCMO, said the numbers that were provided from a cost estimation standpoint are not estimations which are what the Department of Energy provides. Those are averages in which the entire state is essentially clumped together to determine what within the geographic borders of Kansas it would

cost to build a house. The HBA's numbers that were provided were actual on-the-ground costs estimates based on our local market, both the products that are available and the suppliers that are supplying them. I just wanted to clear that up as well as to where our numbers were generated. Those were generated off of actual pricing sheets from people that are pulling permits in Kansas City, Kansas, and Wyandotte County today.

Secondly, though our costs—the Producer's Price Index, which is the manufacturer's equivalent to the Consumer Price Index, has gone up 31.3% since January of 2020. There's very little end in sight as to where the costs are going to continue or to level off, or to even become more affordable.

As we look at the numbers here in the Kansas City metropolitan area, for every \$1,000 added to the price of a single family newly built home, 951 families are priced out of it. Therefore, as we look at these, what would seemingly be a small amount of money for a newly built home, whether it's \$4,000 as was indicated by that average or all the way up to potentially \$20K, given specific square footage, you're looking at tens of thousands of potential families within the broader Kansas City metro that will no longer be able to afford something in Kansas City, Kansas. These numbers really do matter for people because if you are not able to buy one of these newly built homes, this energy efficiency is going to be a luxury that fewer and fewer people will be able to afford. The Home Builders Association supports efforts that put people on a path towards home ownership. It has been demonstrated to be one of... **Ms. Facio** said you have one minute remaining.

Mr. Reuter said if not the only way, to build generational or long-term wealth in this country. So, if we are erecting barriers and setting this baseline, of which it is always possible to go above and beyond the existing building code, consumers have the option for the heat pump, for passive construction, they always have that option. But what we're talking about is setting a baseline. If you move that baseline further and further away from the financial capabilities of both current and future residents of Kansas City, Kansas, we will not be able to start getting more people into that path of home ownership and, in fact, moving the goal further and further away from them.

We are champions at the Home Builders Association. Our members and our association itself for energy efficiency. But we're also making certain that there is a pathway to home ownership for a broader segment of our population and, therefore, harmonizing the codes amongst

jurisdictions will allow us the largest residential construction market in the country that does not have a top 50. **Ms. Facio** said your time as expired.

Mr. Reuter said nationally ranked builder in it, in order to satisfy the housing needs of the community.

Chairman Burroughs said I don't see any other attendees. I'm going back to commissioners. I believe Commissioner Ramirez, you wanted an opportunity to comment, you and Commissioner Davis.

Commissioner Ramirez said I'm curious, Emily had said it. I don't know if Emily would have this information, or if our staff, or somebody. She mentioned that Columbia, Missouri, had, I believe it was, please correct me if I'm wrong. Columbia, Missouri, has adopted the code unamended. Is that correct?

Chairman Burroughs asked, Commissioner, are you requesting that comment from Mr. Talkin?

Commissioner Ramirez said Mr. Talkin or anyone who can answer, because I'm trying to remember if it was Columbia, Missouri, that Emily from MEC has made that comment. I'm just trying to clarify.

Chairman Burroughs asked, Mr. Talkin, can you respond to that? **Mr. Talkin** said I'd have to ask if Emily would respond to that. That was her comment, and I don't want to take it out of context.

Ms. Wolfe said that is correct. Greg, we also emailed that information to you as well. So, that is correct.

Commissioner Ramirez asked so, since Columbia has adopted, do we have any information from Columbia, Missouri? If not, if we could, information of how that has affected their market? If Home Builders has left, how has that affected their pricing of their homes and the purchasing price of homes? I would like to see that information, if at all possible.

Commissioner Davis said we're having a very robust discussion and I'm learning a lot here. I think given the unique circumstances and given that I know Commissioner McKiernan played a

pretty big role in this conversation, I think it would behoove our committee to table this conversation. I know we've tabled it again, and Mr. Talkin, you've done an amazing job, but I think that we still have a lot of information that we need before we can make an educated decision. That is just my perspective. But I do think that giving this more time, and hopefully Commissioner McKiernan can join us again. Nothing against Commissioner Ramirez at all. I think his comments are very warranted, but just given the rest of our agenda and everything else. That is where I am and I'd love to hear thoughts from you, Chair, and from others to see what your thoughts are.

Chairman Burroughs asked, Commissioner Davis, is that a motion?

Commission Davis said yeah, I'll go ahead and make it. Motion to table.

Action: **Commissioner Davis made a motion, seconded by Commissioner Townsend, to table the item.**

Commissioner Townsend said might I offer a slight amendment whether to table, whether to it—just so it's clear. I'll ask Commissioner Davis if the intention is to hold it over to the next meeting of this committee.

Commissioner Davis said that is exactly right. A motion to hold over to our May meeting.

Commissioner Townsend said okay, thank you for that clarity, Commissioner. I second it.

Chairman Burroughs said this is a non-debatable motion. Motion has been made to table until the meeting schedule for May. I will ask, Clerk, please call roll.

Roll call was taken and there were five "Ayes," Stites, Davis, Townsend, Ramirez, Burroughs.

Chairman Burroughs said okay, committee, thank you. We will look forward to that again next month. Mr. Talkin, thank you for all the information. Ms. Wolfe, all of those that attended to educate us on that.

Commissioner Stites said if you could go back to slide 14 real quick, Greg. I wanted to just point out for the sake of your second bullet point, you might want to correct Commissioner Burroughs' spelling of his last name. That's all.

Mr. Talkin said, Commissioner, can I ask one question real quick? If you can help me to what you're asking for at the next meeting or is it just you want to have Commissioner McKiernan, who's been instrumental in this, available. Is there something specific you're wanting me to bring back? I heard Commissioner Ramirez ask about the City of Columbia. I can look at what they've done and how that's impacted them. Although we're somewhat of a college town, they're a complete college town. I'm sure that they have a different approach to things than we do, but I can definitely look at that.

Chairman Burroughs said Mr. Davis made the motion to table and if it's because he would just as soon have Mr. McKiernan in there to be part of the discussion, then I would ask that Mr. Davis please clarify if he needs anything else. You met my questions. You provided the information that I asked for, and tabling's a non-debatable motion. So, we tabled it. Mr. Davis, you have anything you want to provide Mr. Talkin with?

Commissioner Davis said, Mr. Talkin, I know we've had multiple conversations on this, so thank you, number one. Number two, yes, information on Columbia would be good. I think if we can get—I know you had said that you did not—or you received too late information from MEC and that wasn't included in the slides. So, if there was particular information that MEC was going to provide and you just didn't have time to, I would love to allow for that. And, then yes, the last thing would be allowing Commissioner McKiernan to join us and Commissioner Ramirez is welcome to join us as well.

Chairman Burroughs said with that, motion has been made to table until the May meeting.

Item No. 2 – 211483...RESOLUTION: BONNER SPRINGS/EDWARDSVILLE NBR

Synopsis: A resolution of support for Neighborhood Business Revitalization (NBR) organizations in all of Wyandotte County, including Edwardsville and Bonner Springs, and authorization to

review and develop additional policies pertaining to NBR organizations, submitted by Misty Brown, Chief Legal Counsel.

Zee Bishop, Legal Counsel, said this is a resolution of support for the Neighborhood Business Revitalization organizations. We do have Andrea Genero here today from Livable Neighborhoods to provide just a very brief overview of NBRs, how they work and what their relationship is to Livable Neighborhoods. So, I will turn the floor over to her.

Andrea Genero, Livable Neighborhoods, said we have eight NBR organizations and they're spread throughout the city. The mission of the NBRs is to work and serve in partnership with the Unified Government to improve quality of life from their identified service areas. Their focuses are on neighborhood engagement, business support, and community revitalization. I do handle the contracts of the NBRs every year and then they do quarterly reports in which they're paid out throughout the year. They each receive \$27,500 in which they have to match 50% of that. They are also, all eight of them, are an established 501(c)(3) non-profit that was established before the designation of NBR, and then the designation is provided by the Commission. Anything else that you wanted me to clarify? That's all I have.

Chairman Burroughs said you share with us—I think the difference is the Bonner Springs and Edwardsville being added to this, is that correct?

Ms. Bishop said I would be happy to answer that question. The language of the resolution just states that the Unified Government Board of Commissioners of Wyandotte County, Kansas City, Kansas, wishes to support neighborhoods in all of Wyandotte County in a fair and fiscally responsible manner.

Number 2 is that the Unified Government Board of Commissioners of Wyandotte County, Kansas City, Kansas, wishes to utilize county funds to support and contract with a NBR organization that would service an identified area in Edwardsville and Bonner Springs, Kansas. That's the item I think you were looking at.

Number 3 is that the Unified Government Board of Commissioners of Wyandotte County, Kansas City, Kansas, directs and authorizes additional review and development of the policies

surrounding the NBR application process, term boundaries, performance reviews, requirements, and funding sources.

Number 4, that any development or change of existing NBR policy shall not be implemented until former action is taken by the Unified Government Board of Commissioners of Wyandotte County, Kansas City, Kansas. And then the last one is the Mayor, the County Administrator, and the Unified Government's other officers, agents, and employees are hereby authorized and directed to take such further action and execute such other documents, certificates, and instruments as may be necessary to, or desirable to carry out and comply with the intent of this resolution.

Chairman Burroughs said so, in short order, if I may, I want to make sure I understood. That should Edwardsville and Bonners Springs establish an NBR, that we would consider that as a Commission and welcome them as part of the NBR group.

Ms. Bishop said yes, I believe that's a correct interpretation, sir.

Chairman Burroughs said thank you. I just wanted clarity because I know this was a request, if I remember, from Commissioner Stites if my memory serves me well, and I would hope that if not, Commissioner Stites, please speak up. I don't want to commit you in comments if they're not yours.

Commissioner Ramirez said thank you Andrea, for, like we said, last Thursday. Thank you for everything that you do for the community. You are a one-woman band and running these NBRs and doing what's best for our community. So, again, thank you for all that you do. I have, because since this resolution directly affected Bonner and Edwardsville, I reached out to the commissioner that oversees, Commissioner Stites, and we had a good conversation. I think what we ultimately decided is if it's up to the prerogative of this committee, we would like to hold it over one month so that one, Commissioner Stites could work with Bonner and Edwardsville to talk and have those discussions about what an NBR would look like, who would—just have those initial conversations with the two cities. And, also, so that this resolution can get some comments and some input from the current NBRs. It's important that their voices are heard in this. They're out in our

neighborhoods every day doing good work so I would like to make a motion, but I don't know if Commissioner Stites would like to make any comments before I make a motion.

Commissioner Stites said I wanted to ask Andrea, if you could, currently, where we're at right now. Could Bonner Springs and/or Edwardsville come in and start up an NBR right now without any new language?

Ms. Genero said I believe that the current funding for the NBRs is with the city so I'm not for sure. I would imagine that something would have to be on an order to make that county funded, but I'm not 100% sure. From my standpoint, as far as support and guidance or providing any sort of information or consulting on that, not at all; but I think from a funding perspective.

Commissioner Stites said okay. Commissioner Ramirez, I am fine with us tape—go ahead and holding this over. I want to get a little more information about this and actually find out why this is coming about. What's new? What has changed where we feel like this is something that needs to be changed. Andrea, if you have any input on that, that'd be, or Legal or whoever's got any information, why now? What has changed where I feel like we need, or that we feel like we need to make any changes unless it is just, in fact, that we are to add Bonner Springs and Edwardsville.

Chairman Burroughs said, Commissioner Stites, if I heard correctly, the budget for the NBR for Bonner Springs and Edwardsville would come out of the county portion of the budget. I don't believe at this time that we have an NBR in the county, that most of them are in the city. I would ask Ms. Bishop if that is correct, or Andrea, which everyone would like to respond.

Ms. Bishop said sir, I can respond. The NBRs that we currently have are all in Kansas City, Kansas. I would need to do a little bit more digging to confirm that the funding is indeed on the city side, but that is my understanding as well.

Commissioner Ramirez said I will make a motion to hold over so that more information can get provided and that we can have more—so Commissioner Stites can have more conversations with staff and with his community to figure out the best way forward. This is definitely something we don't want to rush. We need to take our time just as Andrea Genero told us last Thursday, being

in the neighborhood is messy, and so I think we need to have those much-needed conversations. So, I make a motion to hold over until next month.

Action: **Commissioner Ramirez made a motion, seconded by Commissioner Stites, to hold over until next month.**

Chairman Burroughs said we have a motion and a second. I'll ask the Clerk before I do a roll call if there's any comments from any of the attendees or public this evening. **Ms. Kimble** said no communication has been received.

Chairman Burroughs said we do have a motion and a second. I would ask the Clerk to please call roll.

Roll call was taken and there were five "Ayes," Stites, Davis, Townsend, Ramirez, Burroughs.

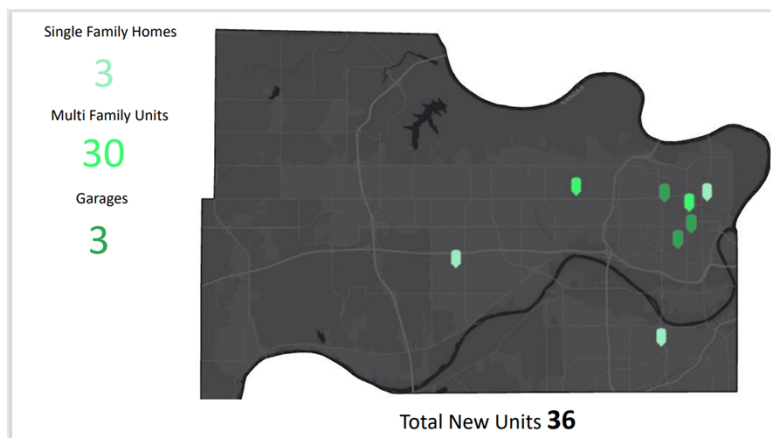
Item No. 3 – 211442...LAND BANK OPTION APPLICATIONS

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

A. New Construction - Single Family Homes – 3 Homes

1. Darrick & Jamie Shipley
1 N. 80th Terr. - 017906
2. Gordillo Ramon Hernandez
1960 N. 6th St. – 140670
3. Arthur Babick
2007 S. 19th St. – 112309

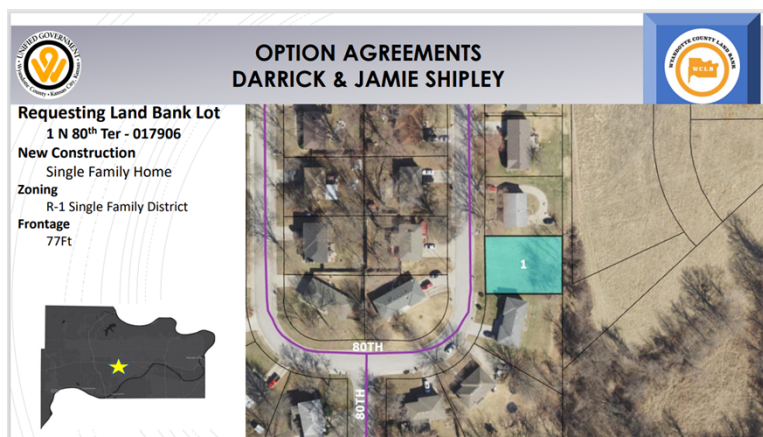




Jud Knapp, Land Bank Manager, said so for this round of applications, we have three single-family homes, 30 multi-family units, and three garages.



Let's start in with agenda Item A, that's for the single-family homes. We have three of them.



The first one is for a single-family home at 1 N. 80th Terrace. The proposed project meets current zoning.



OPTION AGREEMENTS
DARRICK & JAMIE SHIPLEY



Building Details
3 Beds / 2 Baths
1,196 SqFt

Timeline
1 year to complete

Experience
Built one home
20 years of construction/project management

Next steps
1. Building permit
2. Proof of funds to cover building estimate

Comments
Staff Advisory Committee
Land Bank Advisory Board







Planning to be a 3-bed, 2-bath, 1,100 square foot house. There are no comments from staff or the Land Bank Advisory Board about this project.



OPTION AGREEMENTS
GORDILLO RAMON HERNANDEZ



Requesting Land Bank Lot
1960 N 6th ST – 140670

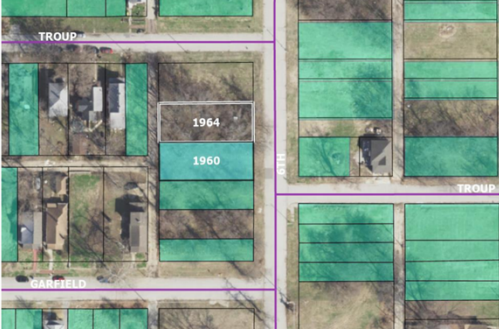
Currently owns
1964 N 6th St - 140669

New Construction
Single Family Home

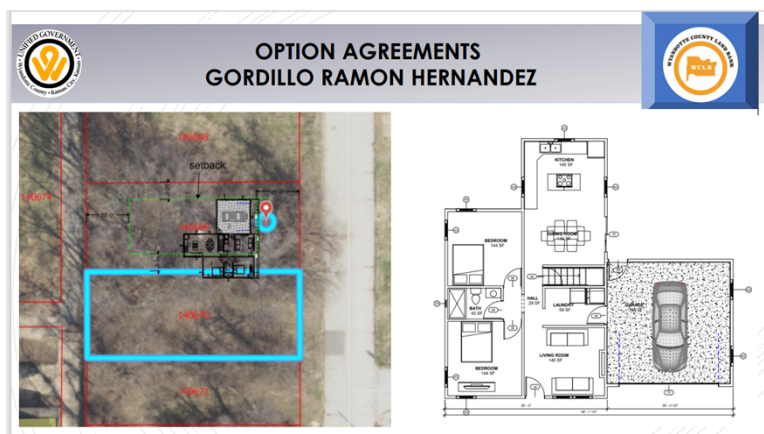
Zoning
RP-5 Planned Apartment District

Frontage
50Ft

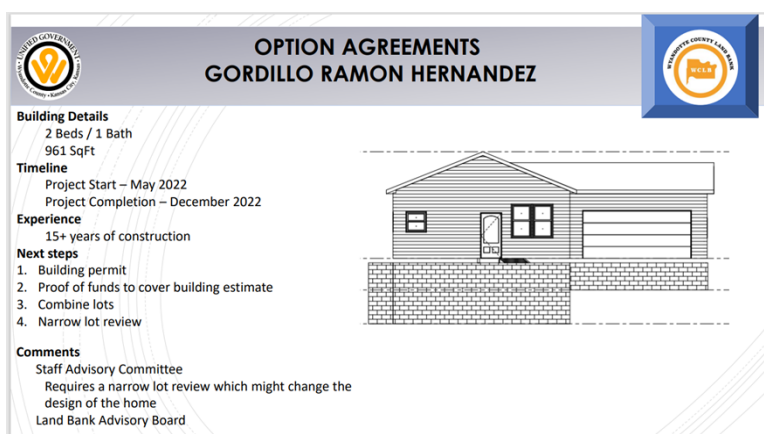




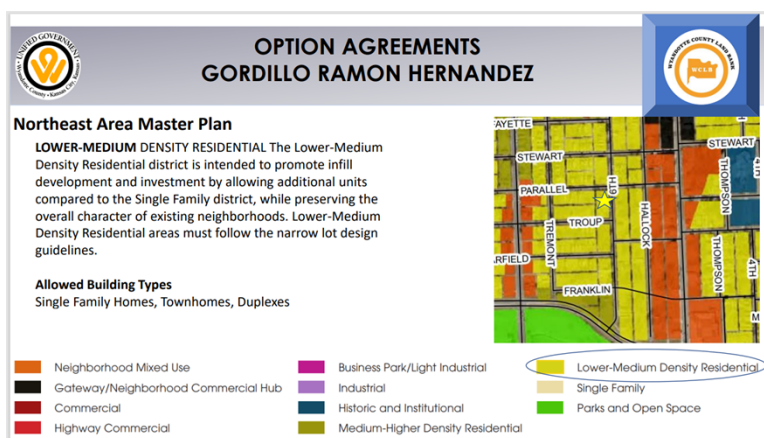
The next one is for a single-family home. The applicant currently owns the vacant lot at 1964 N. 6th Street. Their plan was to build a house on the lot, but the selected house plan was too big for the lot that they own. That is why they're requesting the adjoining Land Bank lot at 1960 N. 6th Street. The project meets zoning and the Northeast Area Master Plan.

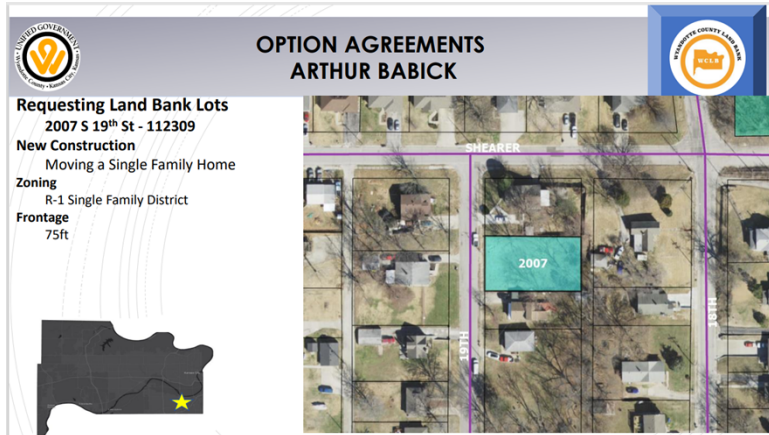


The next picture here was provided by the applicant and the picture shows the house plan sitting on the lot that they own with overlapping on the Land Bank lot that's highlighted there.



Staff comments for this one, the home would require a narrow lot review. There were no comments from the Land Bank Advisory Board.





The next project. The applicant actually wants to move an entire home from 2911 W. 47th Terrace in Westwood, Kansas, to a Land Bank lot in KCK. The original plan was to demo the home and build a new home in Westwood, but the applicant views this as a waste of resources to tear down a home and send it to the landfill. Therefore, the new plan is to recycle the home by moving it to a new location and to rehab the home. They are currently working with a contractor that moves homes.



Here's the actual picture of the house that will be moved. The comments from the staff and Land Bank Advisory Board—they didn't have any. Commissioner, that concludes Item A for new construction of single-family homes.

Chairman Burroughs asked, any comments or questions from the Commission?

Commissioner Townsend said I have to say this is probably one of the more unusual situations where normally I would anticipate a lot of comments about each one; and well, maybe for the

record, it's just best to go on and take them individually. Maybe other commissioners have comments, but if there are no other comments, I would just move to approve all three of these applications as presented.

Action: Commissioner Townsend made a motion, seconded by Commissioner Stites, to approve as presented.

Chairman Burroughs said we do have a motion and a second, but committee, before we do that, I need to ask our Clerk if there's any public comment. **Ms. Kimble** said no public comment.

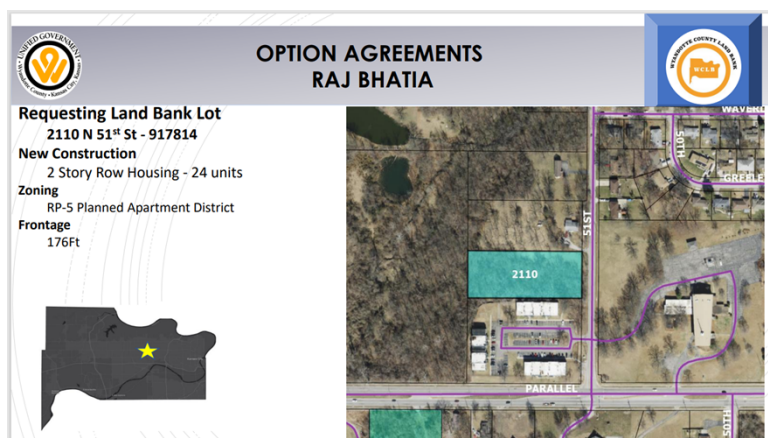
Chairman Burroughs said hearing none, we have a motion and a second for approval of items A1, A2, A3. Clerk, please call roll.

Roll call was taken and there were five "Ayes," Stites, Davis, Townsend, Ramirez, Burroughs.

B. New Construction – Multi Family – 30 units

1. Raj Bhatia – 24 units
2110 N. 51st St. – 917814





Mr. Knapp said the first application is for a 24-unit row housing, totaling 24 units. This is a split zone parcel, so this means that the parcel has two different zonings in it. The project would require a zoning change and this would require a public meeting.



They plan to build 2- to 3-bedrooms per unit. Each unit being 1,100 square feet with a one car garage. I do have to note the next steps is the change of zone does require a public meeting. The staff comments for this project was a need to comply with the multi-family design guidelines.

**OPTION AGREEMENTS
RAJ BHATIA**

Experience

- Raj Bhatia is President of Vastu Capital LLC, a Kansas Corporation
- Vastu Capital is requesting the option to develop the land(s) mentioned here.
- Raj is a Certified Professional Project Manager for 20+ years
- A Real Estate Agent
- Owner/ manager rental properties
- Supported by team of Architect, Engineer, Builder
 - RB Architecture Engineering Construction
 - Build SMART
 - Tim Weatherly - Class A General Contractor, Certified Passive House Builder

Upper Level 3 Bedrooms

Bed 3 9x11, Bed 2 9x12, Bed 1 12x15

Upper Level 2 Bedrooms

Bed 1 12x14, Bed 2 12x15

Main Level

Dining 8x10, Living 11x13, Kitchen 11x8, Garage 11x19

2. Samuel Roark – 3 Duplexes
 928 New Jersey Ave. – 081121
 934 New Jersey Ave. – 081119
 936 New Jersey Ave. – 080671

**OPTION AGREEMENTS
SAMUEL ROARK**

Requesting Land Bank Lots

928 New Jersey Ave - 081121
 934 New Jersey Ave - 081119
 936 New Jersey Ave - 080671

Currently Owns

930 New Jersey Ave - 081120

New Construction

3 Duplexes

Zoning

RP-5 Planned Apartment District

Mr. Knapp said this item was originally held from the February 7th standing committee meeting for further conversations with the neighborhood group. The applicant did meet with the Douglass-Summer Neighborhood Group on March 8th. The neighborhood group recommendation is a hold on Land Bank projects until the list quality of life plan can be updated.

I'll give you a little summary of the project. They want to build three duplexes. They are requesting three Land Bank lots, and they currently own one in the middle of the three. The project meets the current zoning and the Northeast Area Master Plan.



OPTION AGREEMENTS
SAMUEL ROARK



Building Details (Per Unit)
 2 Beds / 1 Bath / 1 Laundry
 900 SqFt

Timeline
 Project Start 2022
 Project Completion – 2023

Next steps

1. Building permit
2. Narrow lot design guideline review
3. Proof of funds to cover building estimate

Comments

Staff Advisory Committee
 Require a narrow lot design guideline review

Land Bank Advisory Board

Douglas Sumner Neighborhood
 Hold Land Bank properties until LISC updates the Quality-of-Life Plan

Exterior view



The staff comments on this one was it will require a narrow lot review guideline.

Chairman Burroughs asked, any comments or concerns from the Commission?

Commissioner Townsend said I'd like to go back to the proposed project involving the 30 multi-family units at 2110 N. 51st Street. I don't know if the proponent is present, but I do have some questions about the project. Let me share them and then if the person is available, the proponent's available, I guess they can address them. Wanted to know whether or not these, and Mr. Knapp, you might be able to share this with me too, whether or not these proposed townhouses are rental properties or are they for sale? What is the cost then in terms of whether or not these would go on the market as rentals and/or buildings for purchase? I'd like to know something about the past experience with similar construction plans of the builder who's coming forward.

Mr. Knapp said, so, Commissioner, for the question about is it a rental or for sale, I am unsure what their intentions are. I do have a slide for their past experiences. It does say that he has developed land. He has done projects like this before. He's a real estate agent. He's an owner/manager of rental properties. He's supported by team of architect, engineer, and a builder.

Commissioner Townsend asked, have these projects been done in the Kansas City area, specifically Wyandotte County or other environs close to Wyandotte County? **Mr. Knapp** said I couldn't gather where they built projects before.

Commissioner Townsend said I'm sorry, couldn't hear you. **Mr. Knapp** said I do not know if they built projects here before, nor do I have any addresses of projects they've built previously.

Commissioner Townsend asked, is the proponent available? Are they present tonight? Do we know? **Mr. Knapp** said, Commissioner, I didn't invite them. I do not know if they're here.

Chairman Burroughs said I do not see them as attendees.

Commissioner Townsend said okay. These are in District 1. From the pictures, they look great. I would very much want to get the answers to those questions that I proposed about the intention of the builder to have these for rent, for sale, price point, and in what other communities the proponent has constructed similar projects.

Mr. Knapp said, Commissioner, I have them written down and I will get those for you.

Commissioner Townsend okay, so having said that and wanting to give the proponent every opportunity to give this committee the benefit of that information, I would move for this project at 2110 N. 51st to be held over to the May 2022 meeting of this committee. That is my motion.

Action: **Commissioner Townsend made a motion, seconded by Commissioner Ramirez, to hold Item B1 over until May.**

Commissioner Davis said I'm good with leaving it there. I was going to ask questions because I thought this was in my district, but I know mine and Commissioner Townsend's border one another. But, totally good with leaving it over because I do want to hear from the applicant.

Chairman Burroughs said we have a motion on the floor. I'd ask the Clerk to please call roll.

Roll call was taken and there were five "Ayes," Stites, Davis, Townsend, Ramirez, Burroughs.

Chairman Burroughs said thank you committee. That takes us to Item 2, the three duplexes at 928, 934, and 936 New Jersey Avenue.

Commissioner Townsend said, Mr. Knapp, you may have mentioned this already, so, forgive me. In our notes in the homework, so-to-speak, it looks like the Douglass-Sumner group was waiting to provide some additional recommendations or comments with respect to this proposal. Did those

comments come in?

Mr. Knapp said, Commissioner, yes, they did. Since you got that agenda packet, I did receive the comments from the Douglass-Sumner Neighborhood Group. To sum them up, basically, they want to hold on Land Bank properties until the list quality of life plan can be completed. So, they would not be recommending this project.

Commissioner Townsend said okay. And I did hear, it seems like from Ms. Easterwood, Beverly Easterwood, about this. My understanding was that with respect to this plan, the Douglass-Sumner, this project, Douglass-Sumner, was not in favor of it as opposed to a hold, just generally on Land Bank, but with regard to this particular project. That was my understanding, too.

Chairman Burroughs asked, any other comments or questions? I need a motion to approve or motion to table. I just need a motion. Okay, no motion. I'd ask Legal does this—what happens with no motion? Does it die?

Wendy Green, Assistant Counsel, said in effect, it does die. It doesn't prevent the people making the application from coming back in the future. They can totally come back at a different time, but as of right now, it pretty much just goes away.

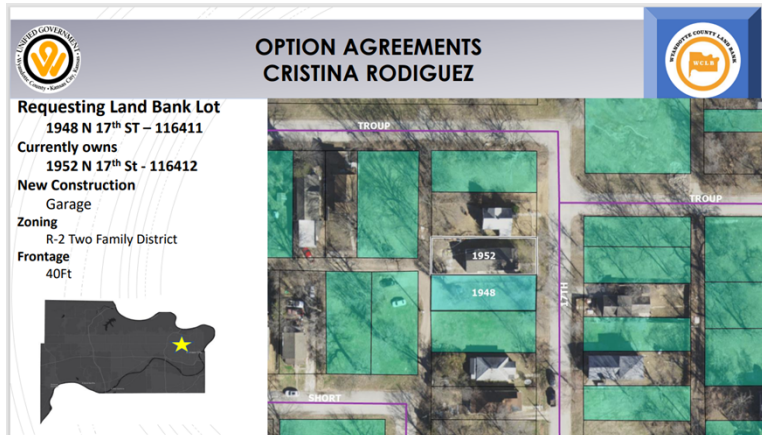
Chairman Burroughs said thank you. Committee that's your wish. So, item 2 is dead.

Action: **Item B2 failed for lack of motion. The item does not advance.**



C. New Construction – Garage - 3

1. Cristina Rodriguez
1948 N. 17th St. – 116411



Mr. Knapp said they're requesting a Land Bank lot to build a garage at 1948 N. 17th Street. They currently own 1952 N. 17th Street.



Staff is not recommending because this lot could be better used for a house. They said if it does get approved, the garage should face the alley. No comments from the Land Bank Advisory Board.



OPTION AGREEMENTS
CRISTINA RODRIGUEZ



Northeast Area Master Plan

LOWER-MEDIUM DENSITY RESIDENTIAL The Lower-Medium Density Residential district is intended to promote infill development and investment by allowing additional units compared to the Single Family district, while preserving the overall character of existing neighborhoods. Lower-Medium Density Residential areas must follow the narrow lot design guidelines.

Allowed Building Types
Single Family Homes, Townhomes, Duplexes

- Neighborhood Mixed Use
- Gateway/Neighborhood Commercial Hub
- Commercial
- Highway Commercial

- Business Park/Light Industrial
- Industrial
- Historic and Institutional
- Medium-Higher Density Residential

- Lower-Medium Density Residential
- Single Family
- Parks and Open Space





OPTION AGREEMENTS
LEANDRO CHAVEZ



Requesting Land Bank Lot
909 Ann Ave - 080645

Currently owns
911 Ann Ave - 080646

New Construction
3 Car Garage

Zoning
R-1B Single Family District

Frontage
30Ft




The next one is at 909 Ann Avenue, and they currently own 911 Ann Avenue. They want to build a 3-car garage.



OPTION AGREEMENTS
LEANDRO CHAVEZ

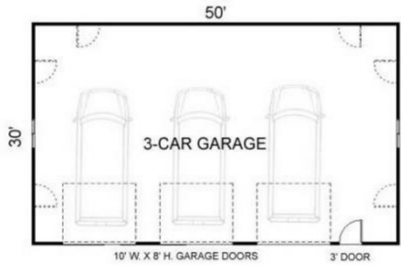


Timeline
6 Months

Next steps

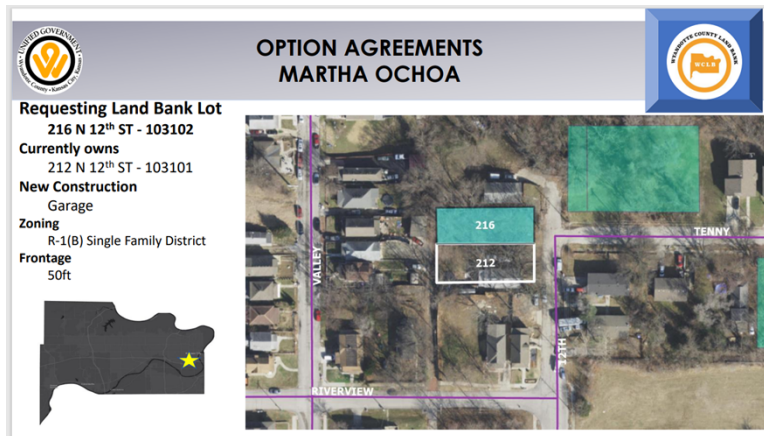
1. Building permit
2. Join lots together
3. Proof of funds to cover building estimate

Comments
Staff Advisory Committee
Home already has driveway access from Ann Ave other larger lots on the block.
Land Bank Advisory Board



Staff's comments on this one. Usually, we recommend alley access to the garage, but since the home already has a driveway access off of Ann Avenue, the garage could work also as an adjacent corner lot is so big, the bigger interior lot is also okay. So, with that comment, staff is

recommending approval.



The third one. This item was presented at the last standing committee meeting, and it was held for clarification on the driveway permit. I'll give you a little summary. The applicant was given a driveway permit for a 10-foot driveway, but the driveway was built at 25 feet wide. Code requires 60% grass and a max of 40% pavement. This is why the permit was for 10 feet. The current 25-foot driveway exceeds the 40% pavement rule. I did confirm with Public Works that the applicant was aware of the maximum size of the driveway on the permit to be 10 feet. Since the Land Bank owns the lot next door, the applicant would like to purchase the lot and build a garage in order to keep the 25-foot driveway.

So, what happens if the Land Bank lot is not approved? The applicant would have to reduce the size of the driveway to 10 feet so, essentially moving 15 feet of that driveway. What happens if the Land Bank transfer is approved? The applicant can keep the 25-foot driveway and build a garage on the lot. Staff comments on this one is not recommending for approval because the lot could be better used for a home. The Land Bank Advisory Board comments was, should we be rewarding people with land for not following the rules? Commissioner, this concludes my presentation.

Commissioner Townsend said I would just like to go back. That's a lot of information at one time. I would just like to go back to the first one and see that presentation again. And, again, get what the recommendation was of staff with regard to the 1938 N. 17th Street.

Mr. Knapp said well, the recommendation from staff was they're not recommending, again, because the lot is a buildable lot and would be better suited for a home to be built instead of

a garage. They said if the garage did get built, they would make sure the garage has to face the alley.

Commissioner Townsend said okay, that's for the 1948. Mr. Chair, I would ask that we, whatever the vote is, put this to a motion or not, each of these individually just so the record is clear.

Chairman Burroughs said we can do that, Commissioner Townsend. I don't see any problem with that. We'll take them individually; let them stand on their own merit. So, is there any comment from the public in reference to Item No. 1? **Ms. Kimble** said no communication has been received.

Chairman Burroughs said Commissioner Townsend, did you want to make a motion?

Commissioner Townsend said I just wanted to clarify procedure and request that we look at each one of these individually, and they rise and fall on their own merits. So that's all I'll say about that, Mr. Chair.

Chairman Burroughs said that's what we're doing. I'm moving now to do individually. This is the first item up so I'd entertain a motion to approve or deny, or to hold over; whatever the committee's will is.

Commissioner Davis said, just have one question. There were no comments for this one, Jud, from the Land Bank Advisory Board, is that correct? **Mr. Knapp** said that is correct.

Commissioner Davis said okay, then I am going to move to approve.

Action: **Commissioner Davis made a motion to approve Item C1. Motion for Item C1 failed for lack of a second. The item does not advance.**

Chairman Burroughs said okay, there's been a motion. Is there a second? I'll ask one more time, is there a second? Hearing none, motion fails.

Chairman Burroughs asked, if we don't make a motion, it dies? **Ms. Green** said that's correct.

Chairman Burroughs said if we don't make a motion one way or another it dies. If you want to make a motion to hold it over and discuss it's merit, we can do that. I just need a motion.

2. Leandro Chavez
909 Ann Ave. – 080645

Commissioner Davis said, Jud, for this one can you go to the next one. I just want to refresh my memory here before I make a motion. Okay, I am going to motion to approve.

Action: **Commissioner Davis made a motion to approve Item C2.**

Chairman Burroughs said on which one, Commissioner Davis? We're still on the first item, unless the committee's will is to let it die. I'll clearly state for the record that there was no motion made. Item 1 dies for lack of a motion.

Commissioner Townsend said, Mr. Chair, point of order. I think you've called for that. There was one motion; it was not seconded, so I would think that's the end of that item with respect to 1948 N. 17th.

Chairman Burroughs said that would be correct, but I'll ask Legal. Does that kill the item? **Ms. Green** said yes.

Chairman Burroughs said Commissioner Davis, you made a motion to approve (Item C1).

Commissioner Davis said yes, motion to approve (Item C1).

Chairman Burroughs asked, is there a second? Okay, one more time. Is there a second? Seeing none, motion fails.

Commissioner Townsend said, again, I would ask Mr. Knapp, if he could, to refresh my recollection about what the comments were, and we're taking about the 909 Ann Avenue application.

Mr. Knapp said, yes, Commissioner. So, the staff comments were, usually we recommend alley access to the garage, but since the home already has a driveway access off of Ann Avenue, the garage could work; also, as the adjacent corner lot is so big, a bigger interior lot would be okay.

No comments from the Land Bank Advisory Board.

Commissioner Townsend said, okay, thank you for that. Is this a buildable lot? **Mr. Knapp** said yes, it is.

Chairman Burroughs asked, what's committee's wish?

Commissioner Davis said I understand the desire for infill housing. My perspective on this is that we may not get infill housing on every particular parcel, and so that is why I have made my motion and I stand by my motion on this item to approve (Item C2).

Chairman Burroughs asked is there a second?

Commissioner Townsend said looking at the size of the lot and in the absence of recommendations contrary to it, and listening to Commissioner Davis' comments, in this particular case, I will second this motion.

Action: **Commissioner Townsend seconded the motion to approve Item C2.**

Chairman Burroughs said we have a motion and a second. Any questions or comments from the Commission? Seeing none. Any from the public? **Ms. Kimble** said no communication was received.

Chairman Burroughs said thank you, committee. That takes us to Item C2.

Ms. Green said we still need a roll call vote on Item C2. All we had was a motion and a second, there was not a roll call.

Chairman Burroughs said we're going to take a roll call vote now. Am I missing something? **Ms. Kimble** said no, we're ready for roll call.

Roll call was taken and there were five "Ayes," Stites, Davis, Townsend, Ramirez, Burroughs.

Chairman Burroughs said thank you, committee. That takes us to Item C3. It's 216 N. 12th Street.

3. Martha Ochoa
216 N. 12th St. – 103102

Action: **Commissioner Stites made a motion, seconded by Commissioner Davis, to deny the application (Item C3).**

Chairman Burroughs asked, any comments, questions? Seeing none. Any comments from the public? **Ms. Kimble** said no communication was received.

Roll call was taken and there were five “Ayes,” Stites, Davis, Townsend, Ramirez, Burroughs.

Chairman Burroughs said thank you, committee. That concludes our meeting for this evening. Thank you for your attendance. We are adjourned.

PUBLIC AGENDA

No items.

ADJOURN

Meeting was adjourned at 8:26 p.m.

am