



JOHNSON COUNTY AIRPORT COMMISSION
MEETING MINUTES

August 26, 2020 – 8:00 A.M.

Board of County Commissioners Hearing Room
111 South Cherry, Olathe, KS

Airport Commission

Present: Weisenburger, Harris, Kissinger, Lehman, Moore, Spence,
Wittenborn

On the Phone: Mike Brown, 6th District County Commissioner

Staff: Dunham, Hails, Otto, Peet, Schoenhofer

Others: Joe Connor, Assistant County Manager
Jay Leipzig, Johnson County Planning Director
Greg Martinette, President SWJCEDC

Chairman Weisenburger called the meeting to order at 8:00 a.m.

I. APPROVAL OF MINUTES

A. July 22, 2020 Meeting

A MOTION WAS MADE BY MR. HARRIS AND SECONDED BY MR. WITTENBORN TO APPROVE THE MINUTES OF THE JULY 22, 2020 MEETING AS PRESENTED. APPROVED (7-0)

II. REPORT OF THE CHAIRMAN

No report was given.

III. EXECUTIVE SUMMARY

A. Executive Director Report

Mr. Otto turned the floor over to Mark Geraghty, Keith Baker, and Sara Lindstrom of CBRE for a presentation of the marketing website created for the 600 New Century Parkway building.

Mr. Brown joined the meeting at 8:10 am.

B. Deputy Director Report

Mr. Peet provided an update regarding the construction on 159th Street near Executive Airport. He stated that the FAA needs to finish some lowering of cables below the road in order to complete construction but that work cannot be completed due to an FAA delay in travel to the area during this health emergency period.

IV. FINANCIALS

A. Summary of Financials

Mr. Schoenhofer made additional comments and submitted written financial documents for July 2020 expenditures.

A MOTION WAS MADE BY MR. WITTENBORN AND SECONDED BY MR. HARRIS TO RATIFY THE JULY 2020 EXPENDITURES AS PRESENTED. APPROVED (7-0)

V. DISCUSSION ITEMS

a. Election of Johnson County Airport Commission Officers

Chairman Weisenburger announced the current officers have volunteered to serve for another year in their positions, unless someone else offered to serve.

A MOTION WAS MADE BY MS. LEHMAN AND SECONDED BY MR. KISSINGER TO RE-ELECT THE OFFICERS AS PRESENTED. APPROVED (7-0)

b. Consider approval of VanTrust as Master Developer for New Century Business Park

Mr. Otto explained that this Master Developer would cover the east and north sides of the New Century Business Park, including the new east side property acquisitions. He further stated that the FAA required environmental assessments before the land could be released from aviation restrictions. Those assessments have been completed and land released from aviation restriction.

A MOTION WAS MADE BY MR. HARRIS AND SECONDED BY MR. MOORE TO RECOMMEND APPROVAL OF VANTRUST REAL ESTATE, LLC FOR MASTER DEVELOPMENT SERVICES: NEW CENTURY COMMERCIAL AND INDUSTRIAL PROPERTY, REQUEST FOR PROPOSAL (RFP) #2015-097. APPROVED (7-0)

c. Consider approval of Master Development Agreement with VanTrust

Mr. Otto laid out some specific highlights from the Master Development Agreement (MDA), which include north and east sides of the airfield. The agreement will be good for a 3-year term with an option to terminate.

Mr. Otto explained the process in summary, which would require VanTrust submit their Master Development Plan (MDP). This MDP would include their strategy to approaching development. He further explained that VanTrust would work directly with subtenants and provide the Airport

Commission with a "Notice to Lease" including a preliminary development plan, site improvements, and any infrastructure requirements. This notice would be approved by the Airport Commission. He also explained that a template ground lease would be used and the Executive Director would be given the authority to sign pro forma.

Mr. Otto additionally laid out some details regarding the template ground lease, which include rates with built in escalations, prohibitive uses, and limits on modifications.

Rich Muller, VanTrust, made himself available for questions from the commissioners.

A MOTION WAS MADE BY MR. MOORE AND SECONDED BY MR. HARRIS TO RECOMMEND APPROVAL OF THE MASTER DEVELOPMENT AGREEMENT WITH VANTRUST AS PRESENTED. APPROVED (7-0)

At this time, Chairman Weisenburger announced they would move ahead to the public hearing items E & F and return to item D following their conclusion.

e. Consider approval of City of Gardner Application No. FDP-20-02, final development plan, and Application No. FP-20-02, final plat, for Prairie Trace Meadows, First Plat, for 27 single-family residential lots on 13.2 acres, located at the southeast corner of 175th Street and I-35 Highway, Gardner Kansas, for the reasons and subject to the conditions recommended in the staff report

Chairman Weisenburger opened the public hearing for this application.

Mr. Leipzig presented the staff report from the Johnson County Planning Department. He explained that is a final site development plan and is located within the one-mile statutory review area and inside the designated airport interest area. The City of Gardner City Council approved this application in July 2020. The rezoning and preliminary development plan were approved by the Board of County Commissioners in June 2020. The application is consistent with both the preliminary plan and the airport compatibility plan. Staff recommends approval with stipulations as presented.

Mark Breuer, representative from Schlagel, made himself available for questions.

No public comments were heard. Public hearing was closed for this application.

A MOTION WAS MADE BY MS. LEHMAN AND SECONDED BY MR. WITTENBORN TO APPROVE CITY OF GARDNER APPLICATION NO. FDP-20-02, FINAL DEVELOPMENT PLAN, AND APPLICATION NO. FP-20-02, FINAL PLAT, FOR PRAIRIE TRACE MEADOWS, FIRST PLAT, FOR 27 SINGLE-FAMILY RESIDENTIAL LOTS ON 13.2 ACRES, LOCATED AT THE SOUTHEAST CORNER OF 175TH STREET AND I-35 HIGHWAY, GARDNER KANSAS, FOR THE REASONS AND SUBJECT TO THE CONDITIONS RECOMMENDED IN THE STAFF REPORT. APPROVED (7-0)

Mr. Leipzig announced that the application is scheduled to be presented to the Board of County Commissioners at the regularly scheduled meeting on September 24, 2020.

f. Consider approval of City of Gardner Application No. FDP-20-03, final development plan, and Application No. FP-20-03, final plat, for Prairie Trace Estates, First Plat, for 27 single-family residential

lots on 19.39 acres, located in the vicinity of 178th Street and Clare Road, Gardner Kansas, for the reasons and subject to the conditions recommended in the staff report

Chairman Weisenburger opened the public hearing for this application.

Mr. Leipzig presented the staff report from the Johnson County Planning Department. He explained that is a final site development plan and is located within the one-mile statutory review area and inside the designated airport interest area. The City of Gardner City Council approved this application in July 2020. The rezoning and preliminary development plan were approved by the Board of County Commissioners in June 2020. The application is consistent with both the preliminary plan and the airport compatibility plan. Staff recommends approval with stipulations as presented.

Mr. Moore asked if this final development plan addressed their previous concerns with wildlife mitigation near the stormwater detention ponds. Mr. Leipzig assured the commission that the final plan does include language to address any future wildlife mitigation concerns.

Mark Breuer, representative from Schlagel, made himself available for questions.

No public comments were heard. Public hearing was closed for this application.

A MOTION WAS MADE BY MR. WITTENBORN AND SECONDED BY MR. MOORE TO APPROVE CITY OF GARDNER APPLICATION NO. FDP-20-03, FINAL DEVELOPMENT PLAN, AND APPLICATION NO. FP-20-03, FINAL PLAT, FOR PRAIRIE TRACE ESTATES, FIRST PLAT, FOR 27 SINGLE-FAMILY RESIDENTIAL LOTS ON 19.39 ACRES, LOCATED IN THE VICINITY OF 178TH STREET AND CLARE ROAD, GARDNER KANSAS, FOR THE REASONS AND SUBJECT TO THE CONDITIONS RECOMMENDED IN THE STAFF REPORT. APPROVED (7-0)

Mr. Leipzig announced that the application is scheduled to be presented to the Board of County Commissioners at the regularly scheduled meeting on September 24, 2020.

At this time, Chairman Weisenburger announced that they would return to item D on the agenda.

d. Consider resolution of intent for property tax abatement for New Century Business Park East Side

Mr. Otto announced that the Board of County Commissioners adopted the new tax incentive policy as recommended by the Airport Commission. In order to file the resolution of intent for tax abatement, a cost benefit analysis (CBA) was needed and Mr. Otto presented the findings from the WSU Study. The CBA reflected a relatively high return on investment (ROI) because most of the property is not taxable today. With development present, it would create a taxable property due to the improvements and land use.

Mr. Otto further stated that the local school district (USD 231), the county budget director, the county planning director, and the local fire district were all informed of the pilot program. The only opposition received was from the fire district, and Mr. Otto made their opposition letter available to the commissioners at their request.

A MOTION WAS MADE BY MR. HARRIS AND SECONDED BY MR. MOORE TO RECOMMEND APPROVAL OF RESOLUTION 062-20 DETERMINING THE INTENT OF JOHNSON COUNTY, KANSAS, TO ISSUE ITS INDUSTRIAL REVENUE BONDS IN MULTIPLE SERIES IN THE AGGREGATE AMOUNT NOT TO EXCEED \$315,000,000 FOR THE BENEFIT OF VTRE DEVELOPMENT, LLC, OR ITS SUCCESSORS AND ASSIGNS. APPROVED (7-0)

g. Consider approval of T-Hangar Lease Agreement Amendment

Mr. Peet detailed the history of the amendment, including tenant concerns with the current language over personal items storage. After meeting with Legal, Risk Management, and both Fire Departments, Mr. Peet reviewed changes to section 6, paragraphs B, C, and D language which eases some of the restrictions on personal item storage while not affecting the aviation use of the hangar or violate fire codes. Mr. Peet also detailed the fire departments recommendations for propane storage in a hot air balloon used hangar, which was added to the lease language.

A MOTION WAS MADE BY MR. WITTENBORN AND SECONDED BY MR. HARRIS TO APPROVE THE T-HANGAR LEASE AGREEMENT AMENDMENT AS PRESENTED. APPROVED (7-0)

h. Consider approval of T-Hangar Waitlist Policy Revision

Mr. Peet explained the need for updates to the waitlist policy, which included outdated language about old processes and the need to lay out a formal policy for those prospective tenants not currently in possession of an aircraft.

A MOTION WAS MADE BY MR. MOORE AND SECONDED BY MR. WITTENBORN TO APPROVE THE T-HANGAR WAITLIST POLICY REVISION AS PRESENTED. APPROVED (7-0)

i. Southwest Johnson County EDC President's Update

Mr. Martinette presented the Southwest Johnson County Economic Development Corporation President's Report.

VI. BUSINESS FROM THE FLOOR

No Public Comments were heard.

At this time, Chairman Weisenburger announced that future Airport Commission meetings would be held in the Board of County Commissioners Hearing Room, if available to do so, until further notice of decreased need for health restrictions.


VII. EXECUTIVE SESSION

No Executive Session was held.

VIII. ADJOURNMENT

There being no further business, at 9:55 am the meeting was adjourned.

**MOVED BY MR. HARRIS AND SECONDED BY MR. MOORE TO ADJOURN. CHAIRMAN WEISENBURGER
ADJOURNED.**


John Wittenborn, Secretary


Aaron Otto, Executive Director