

CITY OF MISSION PLANNING COMMISSION

AGENDA

October 26, 2020

7:00 PM

Virtual Through Zoom

1. Call to Order
2. Approval of Minutes from the September 28, 2020 Meeting
3. New Business

Case # 20-06 TIF Project Plan-Mission Bowl Apartments

Consideration of the TIF project plan for 5399 Martway Street for conformance with the Comprehensive Plan

1. Plan Memo
 2. Redevelopment Plan
 3. PC Resolution No. 10
4. Old Business
 5. PC Comments
 6. Staff Updates

*Questions concerning this meeting may be addressed to staff contact,
Kaitlyn Service at (913) 676-8366 or kservice@missionks.org.*

MINUTES OF THE PLANNING COMMISSION MEETING

September 28, 2020

Virtual Through Zoom

DRAFT

The regular meeting of the Mission Planning Commission was called to order by Chairman Mike Lee at 7:00 PM Monday, September 28, 2020. Members also present: Brad Davidson, Frank Bruce, Jordon McGee, Robin Dukelow, and Pete Christiansen. Stuart Braden and Burton Taylor (arrived late) were absent. Also in attendance: Brian Scott, Assistant City Administrator, Kaitlyn Service, Community Development Planner, and Audrey McClanahan, Secretary to the Planning Commission.

Chairman Lee: It is 7:00, so we'll call the meeting to order. Because of the COVID-19 social distancing recommendations our meeting tonight is being held virtually, via Zoom. Commissioners, staff and the applicant are all joining remotely. The meeting is being recorded. The public is invited to participate by using the instructions include in the Planning Commission calendar item listed on the front page of missionks.org. Public participants will be allowed to make public comments through the comments feature. Please note that comments are visible by all participants. If you wish to make a public comment, please state your name and the city of residence for the record. Please be conscientious of others trying to speak and speak slowly and clearly. If I need to confirm something that may have been difficult to hear, I will ask for clarification. With that, we will start the meeting.

Approval of Minutes from the August 24, 2020 Planning Commission Meeting

Comm. Bruce moved and Comm. Dukelow seconded a motion to approve the minutes of the August 24, 2020, Planning Commission meeting.

The vote was taken (7-0). The **motion carried**.

New Business

Case #20-05 Non-Conforming Situation Permit - 5959 Broadmoor Street

Ms. Service: The property is 5959 Broadmoor, so right at the northeast corner of Broadmoor and Martway. It has a one-story building on it, approximately 3700 feet, and a small garage for storage in the back. The property has been a restaurant since its construction in 1973. Most recently, as we all know, it was Johnny's Bar-B-Que until January, when the restaurant owner retired. Then, in February the Planning Commission approved a nonconforming permit to allow the building to be converted into a different restaurant called The Other Place. When COVID-19 kicked in, The Other Place withdrew their planned building, and now here we are with another proposal in front of us.

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The applicant recently purchased the property and would like to convert it into Stem Hair and Body Salon. Stem has been locally owned and operated by the applicant since about 2005. They were originally in Shawnee. They are currently renting a place in Merriam, but my understanding from the applicant is that they are just tired of renting and really wanted to expand and buy the property. They are wanting to relocate here when the building is ready to move into.

The property is located is located in the C-2B zoning district, which is Retail and Service District. A hair salon is an allowed use, and also retail sales of cosmetics, accessories, and so forth, so it does conform with the uses in the Zoning Code. The property is located within the West Gateway Overlay District, so subject to that West Gateway Form Based Code. It is nonconforming in regard to the building form, which is why the applicant brings that Nonconforming Situation Permit that we have in front of us tonight. As we know, the Form Based Code is meant to steer development projects towards a pedestrian-friendly, mixed use, urban vision for the area. It's been implemented in Mission, mostly when property owners demolish the existing buildings and completely re-develop the site, like we see at Natural Grocers and Mission Crossing, but we know many of the property owners choose to just continue using their existing buildings that don't necessarily conform to the type of building form that would be required by the Form Based Code. So, as they are renovating or repairing their properties, if the cost of renovations exceed 10 percent of the structural value, the City Code does require this Non-Conforming Situation Permit.

The staff packet has a letter from the applicant and some images in there. You can see that the renovation costs are mostly attributed to the interior of the building, associated with converting the restaurant into a hair salon. As the picture shows, the exterior of the building will mostly remain the same as it is right now. The existing building is in keeping with the Johnson Drive Design Guidelines, and the proposed improvements to the site will bring the property into better compliance with the Zoning Code. For example, they are adding some screening to the trash dumpster on the site, which is currently not screened. They're going to enclose that in accordance with City screening requirements. They are going to replace the two existing Johnny's Bar-B-Que signs and remove the existing pole signs, since the City Code discourages or prohibits the pole signs.

In regard to parking, the existing property has more than enough parking. There are 44 parking spaces on the property, whereas the City Code will only require 13, but also adding a bike rack, looking at the spirit and intent of the Form Based Code Streetscape, they will incorporate bikes racks to hopefully try to make it a little more bike friendly. It is right on Martway, which has that bike lane, and they are adding some trees to the property. It will be nice with the changes with this specific opportunity to ensure that as new businesses do go into buildings that are aging as time goes on, ensuring that the new businesses [distortion] bringing the building up to code, essentially, so staff does recommend that the Planning Commission grant the Non-Conforming Situation permit for Case 20-05 for 5959 Broadmoor Street. The applicant was invited to the meeting and

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provided the information, but it doesn't look like they are in attendance tonight. I am happy to answer any questions that anyone has.

Chair Lee: Any questions for Kaitlyn?

Comm. Dukelow: It looks like a really nice project. They really seem to be focused on the guest experience, and it looks like there will be...I looked at their website. It looks like a great business. I do have some things that are in alignment with primarily the same things that we talked about when we talked to The Other Place applicant. Those are the landscape screening for the parking lot along Martway, between the building and the driveway. Of course, we're expecting the vision triangle with that, just a low shrub alongside would be more in alignment with the streetscape for the City. Then, there's also the issue of the rooftop screening that we talked about when we spoke with The Other Place, screening that big air handler that's up on top of the roof. I have a question with regard to the patio. Do they indicate any use specific use for that, or will it just be a place for clients to hang out, or do they have any thoughts on that?

Ms. Service: It's my understanding that it is just kind of like a gateway into their business. They'll probably put some porch furniture out there. I don't know that they have any specific plans with it other than that. That's a great point about the screens, the parking lot and the sidewalk. Some of the rooftop equipment I think might be removed, associated with the restaurant uses, but we can certainly add that [distortion] an added condition.

Comm. Dukelow: Okay. So the [[distortion] will be closed in accordance with screening requirements, so that would be, if I'm not mistaken, a CMU enclosure with a steel gate of some sort?

Ms. Service: The Zoning Code does require that the dumpster would be enclosed with materials that are harmonious with the building. Oftentimes, small businesses will request to put a privacy fence around the dumpster. The Zoning Code does require it to be actual architectural material. I spoke to them about that, because I saw in their letter they did propose wooden, so yes, they're aware that that's not in accordance.

Comm. Dukelow: Maybe a nice split [inaudible] or something. So that's a big concern, because we all know that a privacy fence around a trash enclosure is no match for a trash truck.

Ms. Service: Yes.

Comm. Dukelow: Their plans for the trees are great. They're saving the existing trees; whereas, if I remember correctly, the other applicant was going to remove some of them. Okay. Thank you, that's all I have.

Chair Lee: Other questions?

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Comm. Christiansen: Mr. Chairman, I do have one question, expanding on Robin's comments, mainly about the grease exhaust fan. I know that it's located on the chimney on the side of the building. I just want to make sure that they are planning on removing that, or sealing that up in a nice manner to where it has a little bit better curb appeal, rather than just leaving the fan up there and terminating in that aspect. That is all I had on that point, just wanting to make sure that the equipment is terminated properly, and it's not of use, because that could be considered an eyesore on a street as removed as [distortion].

Mr. Scott: [Distortion] official there will be discussion of all these things when he [distortion] their building permit.

Chair Lee: Anyone else? [distortion] With that said then, if there is anyone out there that would want to discuss, any public comments from the audience? [distortion] look like we have any. Seeing that [distortion], if someone would like to make a -

Comm. Dukelow: I'll make a motion if there's not any other comments.

Chair Lee: Okay, go ahead.

Comm. Dukelow: Mr. Chair, based on the findings documented in the staff report, I move that the Planning Commission approve the non-conforming situation permit for case number 20-05 at 5959 Broadmoor Street based on the stipulations outlined in the staff report; additionally, with landscape screening along the south side, along Martway, rooftop screening as required and removal of the grease fan and other unnecessary or unused mechanical equipment from the roof, provided that applicable building permits are issued.

Comm. Bruce: Second.

Chair Lee: Very good. Call the roll, please.

The vote was taken (7-0). The motion passed.

Old Business

Comm. Dukelow: I have some old business. I just want to make sure that we follow up on the...I'm curious about the Market Rate Apartment progress for the project that we approved over at the Mission Bowl site. Have there been any more conversations around that?

Mr. Scott: No, we're just starting the conversations. Kaitlyn and I have been doing some research about the definition of affordable housing, and preparing a memo for the Mayor and the City Council that we're going to send out this week. In the meantime, we had a meeting internally with our consultant to start discussing application for TIF, as well as

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the requirements or stipulations that the City would like to see with offering incentives to developers [inaudible] a TIF project plan is that some component or portion of that project be rented at an affordable housing rate. The most logical definition would be area median income, a percentage of the area median income. The area median income for Kansas City is \$86,000, and there's various percentages of that – 80 percent, 60 percent – so we'll be negotiating with the developer to rent a portion of this project at a certain percentage of that area median income.

Ms. Service: And to clarify, the \$86,000 for the area median income is for a family of four, so it changes based on the apartment size, essentially.

Comm. Dukelow: Okay, great. I also wanted to follow up on Birch Park.

Mr. Scott: What would you like to know about Birch Park?

Comm. Dukelow: I didn't know that we had a park over there called Birch Park, and if it in fact is a park, does it...? Is there anything else it should have? Is it a public park, or is it just a place where they removed a house or two?

Mr. Scott: Yes. The simple answer to the question is there was a house on that lot at one time, that the City purchased and removed. I believe, really, it was for the purpose of having stormwater flow through a small drain back into Rock Creek. There's also a trail that kind of goes through a portion of the west part of that property that connects Martway back to that cul-de-sac, the Birch Street cul-de-sac, coming back into that neighborhood. That was one of the concerns Mr. Grant [phonetic], I believe, Mr. [inaudible] Grant brought up is that we have this trail from the walkway that comes back into that cul-de-sac, but there really are no sidewalks in that neighborhood that people [inaudible] could utilize.

I think you had asked about park standards. I don't really know of any "established park standards" that we have. We do have a Parks Master Plan that was approved a few years ago. Its been a while since I've looked at that, but there may be a recommendation for establishing some standards for parks, in terms of playground equipment and signage, etc. It's a small lot, so there wouldn't really be a lot of room for full blown playground equipment and parking, if we really wanted to use it. But it is a park, yeah.

Comm. Dukelow: Okay. Thank you.

Chair Lee: Any comments from the Planning Commission? [None]

Staff Updates

Chair Lee: Kaitlyn, do you have anything to bring up from staff?

Ms. Service: Yes. As you know, the City has started the process of updating the Comprehensive Plan. We're kicking off the Public Engagement portion of that on October

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1st, with a virtual public meeting at 6:30. I hope everyone can attend. This is a great way to kind of get clued into the process. It will be really important for Planning Commissioners to feel really comfortable with the Comprehensive Plan, obviously, as we move towards the adoption stage, so this is a great way to get in the forefront, understand how the public is being engaged, how their input is being incorporated into the plan. Also, just listening, keeping your pulse on that community feedback and providing feedback of your own. I highly encourage everyone here to attend. Laura, our City Administrator, asked us to challenge everyone to invite three friends or neighbors from the community also to the event, so bonus points if you do that. It's on October 1st. It will be virtual as well. The Zoom details will be posted on the City's website on the calendar on the day of the meeting. So, 6:30, October 1st. Hope to see everyone there.

Mr. Scott: it will be the unveiling of the website for the project, the Comprehensive Plan Use Update. The website is unveiled on the 1st of October. It will be up and active for two months, the month of October through the month of November. You'll be able to link to that website or go to that website through the City website. You can go to www.missionks.org, and it'll have a link to that Comprehensive Land Use Plan Update website. It's a really neat website. One of the features they have is a map of the city. You can actually go into that map. You can drop pins. You can make a comment. You can drop a pin on Gateway and write a comment, "What's going on with this?" Other people can come along and say, "like" or "dislike," or add to your comment. You can draw on the map. "I live here, but I like to go to Birch Park, which is down here, and there's no easy way to get there." So, you can kind of draw the map the way you go, to highlight the fact that it would be nice to have other sidewalks and opportunities to be able to get to that park. You can put down big, airy audacious ideas of things you'd like to see in different areas of town. "We would like to see this here, or that there." Just anything that your imagination can come up with, you can put on this map, and people can respond to that. They can say "like" or "dislike." All those thoughts will be collected, and that will be the impetus for generating some ideas and recommendations for that steering committee to explore further.

There's also some visual preference surveys. We have some visual preference surveys centered around accessory dwelling units, because that is something that a lot of people would be very interested in, and will be following us asking about the possibility of having an accessory dwelling unit on their property. Accessory dwelling units come in all kinds of shapes, forms and sizes. It could be a basement. It could be an attached structure next to your house. It could be a stand-alone structure in the back of the lot. The visual preference survey gives you options and allows you to vote on what you like and what you don't like.

The same with multi-family housing, different options from high-rise to four-plex to duplex. What do you like, what don't you like? Variations of single family homes, because we're starting to experience some of that teardown and rebuild, not to the extent that maybe Prairie Village has, where you filled an entire lot with a big mansion, but we are starting to see different styles of houses and bigger houses within our neighborhoods. So, it gives the viewer an opportunity to vote in all these different things, kind of have a say. There's

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trails and paths in there, and streetscapes, and probably some other things. Kaitlyn, I'm forgetting right now.

There are some other types of surveys, too. We have a virtual budget where you're given a certain allowance, and you can say where you want to spend your money, on transportation, or parks, infrastructure, that kind of thing. It's just a way to collect data, get some community engagement with residents and visitors and business owners and property owners and begin kind of coalescing some ideas around things and starting to formulate some recommendations to look further in exploring. I really encourage you to be at the kickoff meeting this Thursday and spend some time visiting that website. We'll send you a link to that website.

The other item, there will be a meeting next month, which will be October 26th, and the one item that we have on that meeting is that Mission Bowl TIF. Some of you know, and some of you will not know, that the first step with a TIF project plan is that we take that to the Planning Commission and we get the Planning Commission's recommendation on conformance with our Comprehensive Land Use Plan. A lot of it is going to be a rehash of the report that Kaitlyn gave you last month of how this project sort of works with our Comprehensive Land Use Plan as well as our Master Plan, but we have to have a formal Resolution adopted by the Planning Commission, stating that the TIF project plan is in conformance with our Comprehensive Land Use Plan. That will be at the meeting next month, on the 26th. That's all I have. Anything else, Kaitlyn?

Chair Lee: Anyone else?

Comm. Davidson: I'd like to do a shoutout. Kudos to the Public Works Department on the overlay and striping and some curb replacement stuff on Lamar, from Metcalf to 35. What a nice street and what a great asset to the City, so good job on that.

Mr. Scott: They did a nice job. Thank you. We'll pass that along.

Chair Lee: Very good.

ADJOURNMENT

With no other agenda items, **Comm. Bruce moved and Comm. Dukelow seconded a motion to adjourn.** (Vote was unanimous). The **motion carried.** The meeting adjourned at 7:35 P.M.

Mike Lee, Chair

ATTEST:

Audrey M. McClanahan, Secretary



MEMORANDUM

Date: October 26, 2020
To: Chairman Lee and Members of the Mission Planning Commission
From: Kaitlyn Service, City Planner
RE: Conformance of the Mission Bowl Tax Increment Financing Redevelopment Project Plan With the Comprehensive Plan of the City of Mission - Planning Commission Case #20-06

In 2006, the Mission City Council established a redevelopment district on the subject property in order to allow the City to consider the use of Tax Increment Financing (TIF) to finance a portion of the costs for the redevelopment of the site.

Included in this packet is the redevelopment project plan submitted by the developer and a Planning Commission Resolution for your review and consideration. The Project Plan includes financial information regarding the project which will be reviewed and considered by the City Council. The only aspect relative to the TIF which the Planning Commission is considering at this time is the project's conformance with the City's Comprehensive Plan.

TIF Redevelopment Project Plan

The Project Plan, submitted by Sunflower Development Group, proposes demolition of the existing 21,000 square foot bowling alley, which sustained substantial fire damage in 2015 and was declared dangerous and unsafe by the City Council in 2019. The demolition will be followed by construction of a Class A, five-story apartment building. Ground floor uses fronting Martway Street include live-work units, lobby and leasing office, a screened parking garage, and parks. Trees, landscaping and pedestrian amenities will be added along the Rock Creek Trail in front of the building. A pocket fitness park and a small pocket dog park are proposed for the west side of the building. In addition to the garage parking behind the live-work units on the ground floor of the building, a surface parking lot is proposed behind the building.

Approximately 160-168 apartments are proposed for floors two thru five. The apartments will be a mix of two bedroom, one bedroom, and studio units. Various resident amenities including theater room, fitness area, and clubhouse will also be located on these floors. A rooftop pool and patio is proposed for a portion of the fifth floor toward the back of the building.

Comprehensive Plan

The Comprehensive Plan designates the site as future Medium-Density Mixed Use. This category primarily consists of medium-density attached residential housing, such as apartment dwellings. Additional uses include live-work, offices, and limited retail stores. The Plan



MEMORANDUM

envisions a pedestrian-friendly area with Floor Area Ratios of 1.0 to 3.0. The district is intended to serve as a transition zone between low-density, residential neighborhoods and areas of higher intensity development.

The proposed project is an apartment building with live-work spaces and a Floor Area Ratio of 1.05. Multi-family housing at this location would serve as a transition zone between the existing single-family residences to the south and higher intensity uses at the Mission Mart shopping center and Security Bank building to the north. As discussed in the [August 24, 2020 Staff Report](#)- Preliminary Development Plan for Mission Bowl Apartments PC Case #20-03, the project is in conformance with the City's Comprehensive Plan.

Recommendation

Staff recommends that the Planning Commission approve the Resolution finding that the Mission Bowl Tax Increment Financing Redevelopment Project Plan is consistent with the Comprehensive Plan for the development of the City of Mission.

Motion:

I move that the Planning Commission approve Resolution PC-10 finding that the Mission Bowl Tax Increment Financing Redevelopment Project Plan submitted October 13, 2020, is consistent with the comprehensive plan for the development of the City of Mission.

TAX INCREMENT FINANCING REDEVELOPMENT PROJECT PLAN



ROCK CREEK REDEVELOPMENT DISTRICT NO. 3A

Submitted to the Governing Body of the City of Mission, Kansas (the “City”), and prepared in consultation with the City’s Planning Commission, all in accordance with K.S.A. § 12-1770 *et seq.*

RECEIVED
Oct 13, 2020
City Clerk

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EXHIBITS

- A) Legal Description of Project Area
- B) Map of Project Area C)
Preliminary Site Plan
- D) Ordinance No. [_____]
- E) Estimated Budget
- F) TIF Revenue Projections
- G) Meeting Minutes

I. INTRODUCTION

A) Redevelopment District

Pursuant to the Kansas Tax Increment Financing Act, K.S.A. 12-1770, *et. seq.*, as amended (“**TIF Act**”), Kansas municipalities are authorized to establish redevelopment districts and tax increment financing (“**TIF**”) redevelopment project plans for property within their jurisdictions.

In 2006, the City of Mission, Kansas (the “**City**”), after conducting a duly noticed public hearing in accordance with the TIF Act, found and determined that certain real property consisting of approximately 71 acres that generally follows the Rock Creek Floodplain from Roe Avenue to Lamar Avenue, all in the City of Mission, Johnson County, Kansas (the “**Property**”), is located within a “blighted area” and, in turn, constitutes an “eligible area” (as defined in the TIF Act). Based, in part, upon such finding, the City established the Rock Creek TIF District (the “**Original District**”) encompassing the Property through the adoption of Ordinance No. 1190 and Ordinance No. 1195 on January 11, 2006 and February 8, 2006, respectively. The Original District included four (4) redevelopment project areas.

Through the adoption of Ordinance No. 1299 on May 20, 2009, the Original District was amended to include five (5) redevelopment project areas. Redevelopment project areas 1, 3 and 4 remained as previously established, and—within redevelopment project area 2—a separate redevelopment project area (2A) was created.

In 2019, through the adoption of Ordinance No. 1508 on November 18, 2019, the City amended the Original District to split its five (5) redevelopment project areas into five (5) separate TIF districts, including the Rock Creek Redevelopment District No. 3 (Mission Mart and Bowl) (the “**Original District No. 3**”). The Original District No. 3 is generally described as an area bounded by Johnson Drive to the north, Roeland Drive to the east, and Rock Creek to the south and west.

Contemporaneously with the consideration of this Project Plan (as defined herein), the City expects to further amend the Original District No. 3 to split it into two (2) separate redevelopment districts, including the Rock Creek Redevelopment District No. 3A (the “**District**”) in which the Redevelopment Project (as defined herein) is proposed to be developed.

The approved district plan for the District (the “**District Plan**”) describes the District as follows:

A redevelopment district containing one project area consisting of some or all of the following uses: one or more commercial or residential facilities and all related infrastructure improvements, including storm water improvements within and around the Rock Creek channel, streets, sanitary and storm sewers, water lines and all related expenses to redevelop and finance the project and all other associated public and private infrastructure.

The Redevelopment Project is consistent with such District Plan for redevelopment of the District.

B) Redevelopment Project Area

The District contains one (1) redevelopment project area that is coterminous with the boundaries of the District, as legally described on Exhibit A and generally depicted on Exhibit B attached hereto (the “**Project Area**”). The Project Area includes one existing structure, an approximately 21,000 square foot bowling alley built in 1958 (the “**Existing Bowling Alley**”). The Existing Bowling Alley sustained substantial fire damage in April of 2005 and has been unoccupied ever since. In November of 2019, the City Council declared the Existing Bowling Alley dangerous and unsafe, and ordered its repair or removal through the adoption of Resolution No. 1039.

The Project Area is situated on the northern boundary of the Rock Creek storm water channel, which flows eastwardly from approximately the intersection of Shawnee Mission Parkway and Metcalf Avenue to a point where it connects with Brush Creek in Mission Hills, Kansas. Rock Creek experiences high volumes of storm water run-off during significant storm events, and portions of the creek constitute 100-year floodplain. The City’s need to better manage storm water run-off, remove parcels from the floodplain, and generally preserve and revitalize the downtown corridor, which encompasses much of the Rock Creek area, served as the impetus for establishing the Original District in 2006.

The City has recently undertaken an extensive reconstruction project for a segment of the Rock Creek storm water channel immediately to the east of the Project Area, and within the Original District No. 3 (the “**Creek Project**”). The Creek Project will cost approximately \$5 million and is being financed largely by general obligation bonds issued by the City in the summer of 2019.

C) Redevelopment Project

Mission Bowl Apartments, LLC (or assigns, the “**Developer**”), presents this Tax Increment Financing Redevelopment Project Plan for the Project Area within the District (this “**Project Plan**”) to the City for its consideration and approval in accordance with the TIF Act.¹ In order to promote, stimulate and develop the general and economic welfare of the City, this Project Plan provides for the acquisition of the Project Area, which consists of the approximately 3.17+/- acres located generally at the southeast corner of Martway Street and Nall Avenue in the City, as legally described on Exhibit A and generally depicted on Exhibit B attached hereto (the “**Project Site**”), and the development and redevelopment thereof to consist of a multi-story multi-family residential development, public space, open space and/or similar, related or appurtenant uses, other structures and uses (including, but not limited to, commercial, mixed-use, residential, non-profit, governmental and/or community uses), and all associated site work, infrastructure, utilities, storm water control, access, street improvements, landscaping, lighting, parking facilities, and other items allowable under the TIF Act (the “**Redevelopment Project**”).

¹ In accordance with the TIF Act, this Project Plan was prepared in consultation with the Planning Commission of the City, including a finding by the Planning Commission, on _____, 2020, that this Project Plan is consistent with the intent of the comprehensive plan for the development of the City.

The Redevelopment Project contemplates the purchase of the two parcels constituting the Project Site, the demolition of the Existing Bowling Alley and the construction of a new, multi-story multi-family residential development within the Project Area. The development will also incorporate the existing Rock Creek trail, but re-align the trail in a curvilinear manner through a landscaped, park-like setting. In addition, a small dog park is being considered as a part of this development, and the Redevelopment Project will also include the re-alignment of a sanitary sewer main from the Johnson County Wastewater pump station just to the south of the Project Site to the main on Martway Street.

When completed, the Redevelopment Project is expected to fulfill a demand for additional housing within the City and northeast Johnson County. It will also provide housing opportunities for individuals of all ages who are seeking maintenance free and secure rental opportunities within a high-density area near shops and restaurants. The multi-family residential development will serve as an anchor on the east-end of the City's downtown corridor, balancing the recently completed multi-family residential building known as "The Locale" on the west end of the corridor. The Redevelopment Project will provide nearly 250 additional residents and serve as a catalyst for energizing the downtown area with retail, restaurant, and entertainment amenities that the City desires and that has been envisioned in past master plans for this area including the East Gateway Redevelopment Plan (2007) and the Mission/Rock Creek Master Plan (2006).

This Project Plan fulfills many of the longstanding components of Smart Growth, and mirrors recommendations from the recently-created Climate Action KC, Climate Action Playbook (2019) including:

Prioritizing infill development to revitalize core areas and reduce adverse impacts on natural resources and infrastructure.

Prioritizing Transit-Oriented Development (TOD) by supporting development projects near transit hubs or on transit corridors. TODs encourage great use of transit options, and result in less reliability on vehicles, thereby reducing carbon emissions and greenhouse gas. There is an existing bus transit stop across the street from the Project Site.

Promoting walkability by promoting higher density development within core urbanized or sub-urbanized areas such as downtown corridors. The Redevelopment Project will connect where people live with where they work,

² Notwithstanding the foregoing or anything in this Project Plan (including, without limitation, the Exhibits attached hereto) to the contrary, the Developer states: (i) the descriptions of uses and buildings, and all sizing, design, cost (including Reimbursable Project Cost) and revenue figures, and any and all other descriptions and projections set forth herein, are estimates only and subject to change in the Developer's discretion, including as actual costs are incurred and revenues received, and (ii) nothing herein shall be construed as a cap (or caps) on the amount of TIF being requested or the amount of TIF that is available to help pay Reimbursable Project Costs of the Redevelopment Project. The Redevelopment Agreement will address the foregoing issues.

play, and relax through sidewalks, streets, and placement of land uses that encourage alternative forms of transportation such as walking and bicycling.

The Redevelopment Project will include the construction of a concrete wall along the southeast portion of the Project Site adjacent to the creek channel, which is designed to improve the efficiency of the Rock Creek storm channel.

This Project Plan is premised on the need for a combination of public and private financing to reach the mutual goals of the City and the Developer in developing the Redevelopment Project.

As shown herein, this Project Plan proposes to finance Reimbursable Project Costs (as defined below in Section III.D.2) by capturing through TIF 100% of the allowable ad valorem “tax increment” (as defined in the TIF Act) (the “**Tax Increment**”) generated within the Project Area for the duration of up to twenty (20) years (collectively, the “**TIF Revenues**”).

Based on projected property values within the Project Area over the term of this Project Plan, it is estimated that the TIF will generate \$7,420,007 some or all of which can be used to reimburse the Developer for Reimbursable Project Costs and the City for TIF eligible costs. The allocation of the Tax Increment and term of the TIF will be determined by a Redevelopment Agreement executed by the Developer and the City (the “**Redevelopment Agreement**”).

II. REDEVELOPMENT PROJECT PLAN

A) Description and Map of Project Area

The redevelopment project area to be redeveloped pursuant to this Project Plan consists of the Project Area. A legal description and general map depiction of the Project Area are attached hereto as Exhibit A and Exhibit B, respectively, both of which are incorporated herein by this reference.

B) Reference to District Plan

The Project Area is within the District established by the City’s Governing Body pursuant to Ordinance No. [___], a copy of which is attached hereto as Exhibit D. This Project Plan is consistent with the approved District Plan as described therein.

C) Description of Buildings and Facilities

This Project Plan provides for the acquisition of certain real property within the Project Area, the demolition of certain existing structures thereon, and the development and redevelopment thereof to consist of a new, multi-story multi-family residential development, public space, open space and/or similar, related or appurtenant uses, other structures and uses (including, but not limited to, commercial, mixed-use, residential, non-profit, governmental and/or community uses), and all associated site work, infrastructure, utilities, storm water control, access, street improvements, landscaping, lighting, parking facilities, and any other items allowable under the TIF Act.

The preliminary site plan for the Project is attached hereto as Exhibit C.

The foregoing description of uses, and the buildings and other structures Developer plans to construct for such uses within the Project Area, is not intended to be inflexible. This Project Plan contemplates reasonable variations from the descriptions of the Redevelopment Project as described above.

D) Feasibility Study

The Developer has undertaken a study to determine whether the Redevelopment Project's estimated benefits, TIF Revenues and other revenues are expected to exceed the cost, and that the income therefrom will be sufficient to pay the costs of the Redevelopment Project. This effort involved using consultants with experience and expertise in the actual design, development, financing, management, leasing and operation of projects of similar scope and nature. Outside resources were also consulted to compare and verify the cost and revenue projections including outside industry sources and actual taxing jurisdiction data where available. The results of this evaluation are as follows:

1. Project Costs

The total estimated cost to complete the Redevelopment Project, including land acquisition, and hard and soft costs, is \$29,852,464. A detailed budget is attached hereto as Exhibit E.

2. Eligible Costs

Only "redevelopment project costs" (as defined in the TIF Act) (referred to herein as "**Reimbursable Project Costs**") are eligible for TIF financing and reimbursement. Of the total costs listed above, \$5,531,988, plus interest and financing costs, are estimated to qualify under the TIF Act as Reimbursable Project Costs, meaning that only those costs may be financed using TIF Revenues. The estimated Reimbursable Project Costs are set forth by type and amount on Exhibit E attached hereto.

The Developer is requesting reimbursement with TIF Revenues as provided in the TIF Act on a pay-as-you-go-basis.

3. Project Revenues

Based on projected property values within the Project Area over the term of this Project Plan, it is anticipated that the TIF will generate TIF Revenues of \$7,420,007. TIF Revenue projections are set forth in Exhibit F attached hereto. Pursuant to the TIF Act, TIF Revenues can be generated from at least two (2) sources:

- a) *Ad Valorem Tax Increment Revenues* – The amount of real property taxes collected from real property located within the District that is in excess of the amount of real property taxes which is collected from the base year assessed valuation (excluding any *ad valorem* taxes not allowed to be captured under the TIF Act); and
- b) *Local Sales Tax Revenues* - The retail sales dollar amount generated within the Project Area multiplied by the City's portion of the total retail sales tax rate, as described above.

Ad Valorem Tax Increment Captured

According to the Johnson County Appraiser's Office, the 2006 assessed value for the Project Area was \$256,165. This serves as the base value against which future Redevelopment Project values can be compared in order to determine the amount of ad valorem Tax Increment revenues that will be generated by the Project Area. This Project Plan proposes to finance Reimbursable Project Costs by capturing 100% of the

allowable ad valorem Tax Increment generated within the Project Area for up to a maximum twenty (20) year TIF term. Upon completion of the Redevelopment Project, the Project Area is estimated to have an assessed value of approximately \$3,436,200. The difference between the base year assessed value and the assessed value at full build-out, when multiplied by the applicable mill levy rate subject to TIF, is estimated to create annual Tax Increment of approximately \$335,036 available for capture, which is assumed to grow annually with inflation thereafter.

Local Sales Tax Revenues Uncaptured

This Project Plan does not propose to capture local sales tax revenues.

4. Tax Increment Revenues

Based on the Project Area's projected ad valorem Tax Increment as heretofore described, it is estimated that TIF Revenues of \$7,420,007 will be generated and used to pay redevelopment project costs as set forth in this Project Plan and the Redevelopment Agreement.

5. Significant Contribution to Economic Development of the City

The development contemplated in this Project Plan will provide significant economic development for the City, including by, among other things, providing increased future tax revenues to the City, redeveloping the Project Area into a much higher and better use and remedying blight, and increasing housing opportunities for area residents. The feasibility study shows that the Redevelopment Project's benefits and tax increment revenue and other available revenues will be sufficient to pay for the Redevelopment Project costs.

6. Sufficiency of Tax Increment Revenues Compared to Projects Costs

The total of the Reimbursable Project Costs that can be financed under the TIF Act is limited by the amount of TIF Revenues generated within the Project Area. Thus, by operation, the TIF Revenues will always equal or exceed the amount of the Reimbursable Project Costs. Based on this Project Plan's (1) Reimbursable Project Costs and (2) TIF Revenues, the revenues are expected to pay for any

Reimbursable Project Costs as contemplated under the TIF Act when supplemented by private debt and equity.

7. Effect on Outstanding Special Obligation Bonds

It is anticipated that any TIF Revenues will be disbursed on a pay-as-you-go basis and no special obligation bonds repayable from TIF Revenues have been issued. Thus, the Redevelopment Project costs are not anticipated to have any effect on any outstanding special obligation bonds payable from the revenues described in K.S.A. 12-1774(a)(1)(D), and amendments thereto.

E) Relocation Plans

The Developer owns (or will own) all of the property within the Project Area (excluding any adjacent public-right-of-way), and as such, it is not anticipated that the acquisition of real property by the City in carrying out the provisions of the TIF Act will result in the

relocation or displacement of any persons, families or businesses.

F) Meetings and Minutes

Following approval of this Project Plan, the clerk of the City shall attach, as Exhibit G hereto, a copy of the minutes of all City meetings where the Redevelopment Project and/or this Project Plan was discussed.

III. CONCLUSION

Based on the foregoing, this Project Plan proposes to utilize TIF Revenues from the District to finance Reimbursable Project Costs. Details concerning the amount of TIF Revenues available to the Project, the terms and term of reimbursement, Project costs eligible for reimbursement, City costs eligible for reimbursement and other matters will be set forth in the Redevelopment Agreement. The Developer hereby submits this Project Plan for public hearing and due consideration in accordance with the TIF Act.

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EXHIBIT A

Legal Description of Redevelopment Project Area

That part of Lot 3 and all of Lot 4, MISSION MART, a subdivision in the City of Mission, Johnson County, Kansas, described as follows: Beginning at the Northeast corner of said Lot 4; thence South 23 degrees, 08 minutes, 34 seconds East along the Easterly line of said Lot 4, 232.57 feet to the Southeast corner of said Lot 4; thence South 42 degrees, 51 minutes, 45 seconds West along the Southerly line of said Lot 4, 62.64 feet; thence South 20 degrees, 30 minutes, 00 seconds West along said Southerly line, 205.00 feet; thence South 65 degrees, 20 minutes, 00 seconds West along said Southerly line, 60.00 feet; thence North 33 degrees, 49 minutes, 10 seconds East along the Southerly line of said Lot 4, 74.78 feet; thence North 23 degrees, 08 minutes, 34 seconds West along said Southerly line, 75.00 feet; thence South 66 degrees, 51 minutes, 26 seconds West along the Southerly line of Lot 4 and Lot 3, 276.00 feet to the Southwesterly corner of said Mission Mart; thence North 23 degrees, 08 minutes, 34 seconds West along a line that is 47.08 feet Northeast of the Westerly line of said Lot 3, as measured perpendicular to and parallel with said Westerly line, 292.22 feet to a point on the Northerly line of said Lot 3; thence North 66 degrees, 51 minutes, 26 seconds East along the Northerly line of said Lot 3 and Lot 4, 472.00 feet to the Point of Beginning, EXCEPT that part platted as MISSION CELL TOWER, a subdivision in the City of Mission, Johnson County, Kansas. Containing 138,146.6 square feet, or 3.171 acres, more or less.

EXHIBIT B

Map of Project Area

(Rock Creek Redevelopment District No. 3A)

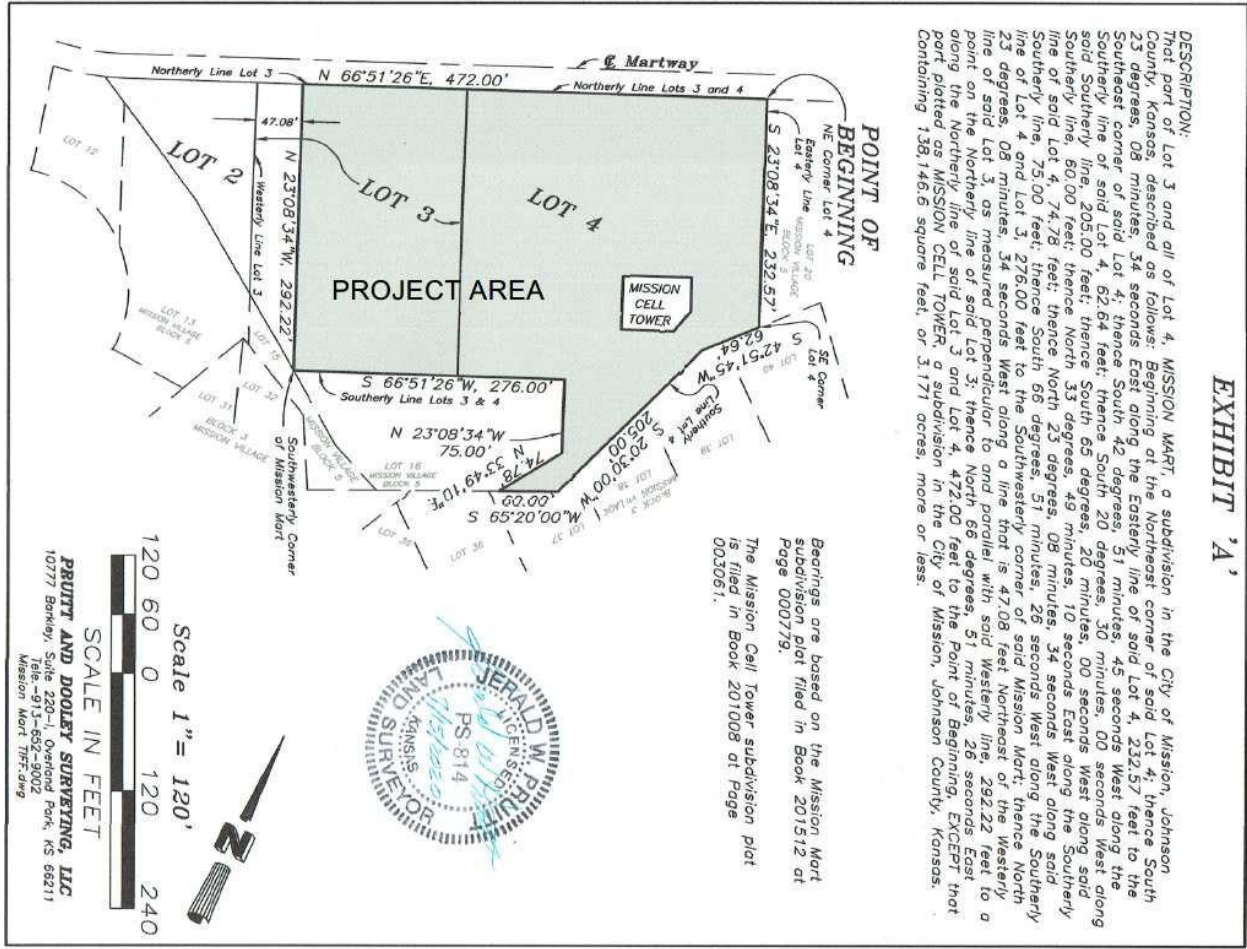


EXHIBIT 'A'

EXHIBIT C

Preliminary Site Plan

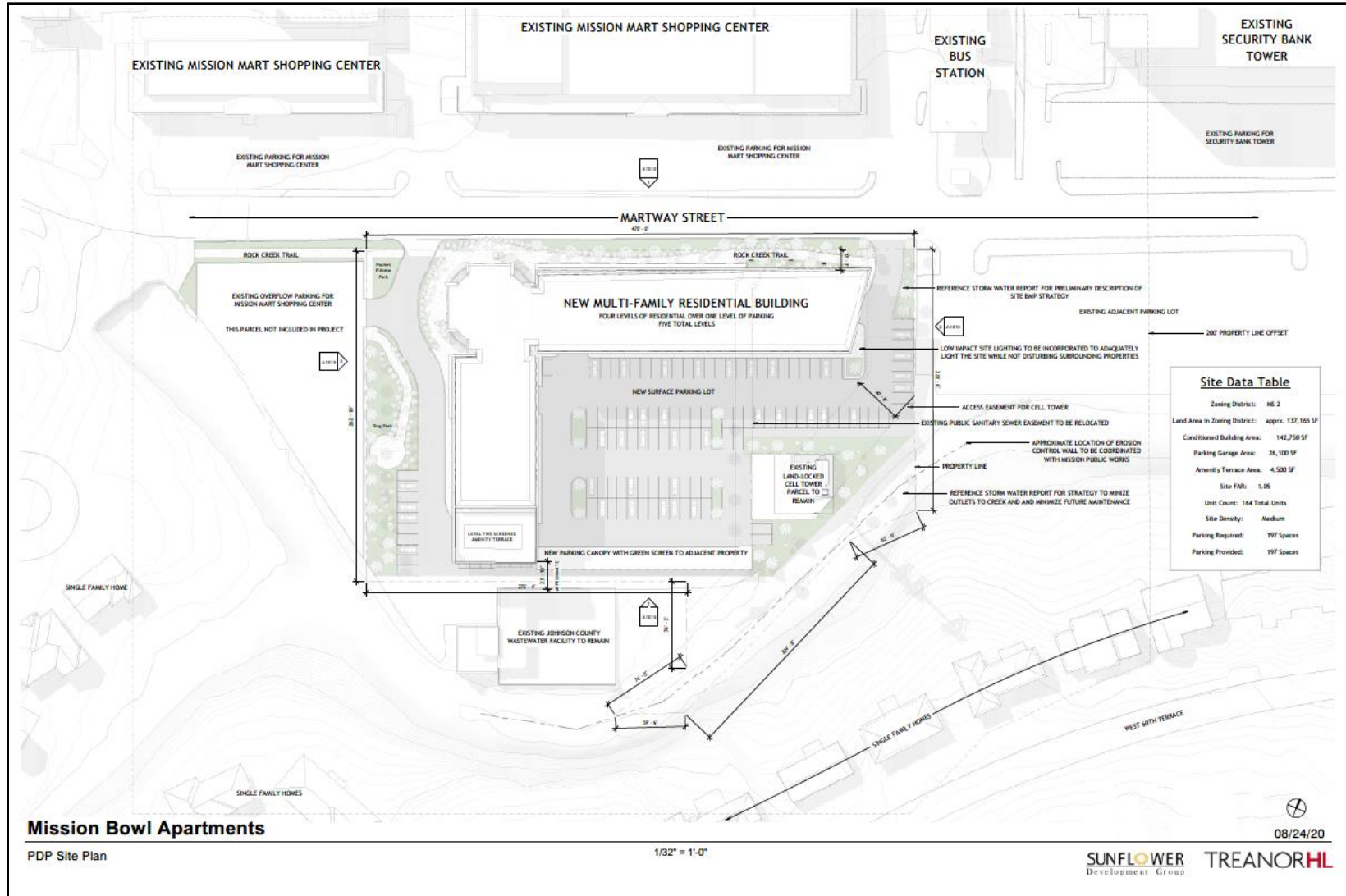


Exhibit C

EXHIBIT D

Ordinance No. _____

[CITY CLERK TO ATTACH]

EXHIBIT E

Estimated Budget

Line Item	Redevelopment Project Cost	Reimbursable Project Cost
Acquisition Costs		
Site Purchase	\$ 1,300,000	\$ 1,300,000
Acquisition Fee	\$ 60,000	\$ -
Subtotal - Acquisition	\$ 1,360,000	\$ 1,300,000
Hard Construction Costs		
Building Construction & Improvements	\$ 12,938,000	\$ -
Site Work	\$ 1,354,753	\$ 1,354,753
Concrete/Parking	\$ 1,443,250	\$ 1,443,250
City Retaining Wall	\$ 200,000	\$ 200,000
Low Voltage / Security / Access Control / Smart	\$ 300,000	\$ -
Demolition	\$ 145,000	\$ 145,000
Podium	\$ 3,200,000	\$ -
Sewer Relocation	\$ 345,000	\$ 345,000
FF&E	\$ 673,000	\$ -
Permitting	\$ 220,000	\$ -
Construction Interest	\$ 500,000	\$ 500,000
Contingency	\$ 1,100,000	\$ -
OH	\$ 798,726	\$ -
Subtotal - Hard	\$ 23,217,729	\$ 3,988,003
Soft Construction Costs		
Closing Costs	\$ 30,000	\$ 30,000
Arch/Eng	\$ 1,305,000	\$ 108,750
Survey/Replat	\$ 23,000	\$ 23,000
Testing / Inspections / Studies	\$ 119,235	\$ 82,235
Appraisal	\$ 8,500	\$ -
Professional Services	\$ 2,175,000	\$ -
Lender Fees	\$ 140,000	\$ -
Marketing/Pre-Opening Capital/Lease-Up Reserves	\$ 1,249,000	\$ -
Contingency	\$ 225,000	\$ -
Subtotal - Soft	\$ 5,274,735	\$ 243,985
Totals	\$ 29,852,464	\$ 5,531,988

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EXHIBIT F

TIF Revenue Projections

TIF Year	Base Assessed Value	Projected Assessed Value	TIF Revenues
1	\$ 256,165	\$ 256,165	\$ -
2	\$ 256,165	\$ 1,718,100	\$ 154,024
3	\$ 256,165	\$ 3,436,200	\$ 335,036
4	\$ 256,165	\$ 3,504,924	\$ 342,276
5	\$ 256,165	\$ 3,575,022	\$ 349,662
6	\$ 256,165	\$ 3,646,523	\$ 357,195
7	\$ 256,165	\$ 3,719,453	\$ 364,878
8	\$ 256,165	\$ 3,793,842	\$ 372,716
9	\$ 256,165	\$ 3,869,719	\$ 380,710
10	\$ 256,165	\$ 3,947,114	\$ 388,864
11	\$ 256,165	\$ 4,026,056	\$ 397,181
12	\$ 256,165	\$ 4,106,577	\$ 405,664
13	\$ 256,165	\$ 4,188,709	\$ 414,317
14	\$ 256,165	\$ 4,272,483	\$ 423,143
15	\$ 256,165	\$ 4,357,932	\$ 432,146
16	\$ 256,165	\$ 4,445,091	\$ 441,328
17	\$ 256,165	\$ 4,533,993	\$ 450,695
18	\$ 256,165	\$ 4,624,673	\$ 460,249
19	\$ 256,165	\$ 4,717,166	\$ 469,993
20	\$ 256,165	\$ 4,811,510	\$ 479,933
TOTAL (Gross)			\$ 7,420,007

EXHIBIT G

Meeting Minutes

[CITY CLERK TO ATTACH]

**CITY OF MISSION, KANSAS
PLANNING COMMISSION**

RESOLUTION NO. 10

A RESOLUTION FINDING THAT THE ROCK CREEK REDEVELOPMENT DISTRICT 3-A TAX INCREMENT FINANCING PROJECT PLAN SUBMITTED OCTOBER 13, 2020 IS CONSISTENT WITH THE COMPREHENSIVE PLAN FOR THE DEVELOPMENT OF THE CITY OF MISSION, KANSAS.

BE IT RESOLVED by the City of Mission, Kansas Planning Commission that The Rock Creek Redevelopment District 3-A Tax Increment Financing Project Plan, submitted to the City and reviewed by the Planning Commission at its regularly scheduled meeting on October 26, 2020, is consistent with the Comprehensive Plan for the development of the City of Mission, Kansas all in accordance with K.S.A. 12-1772(b).

BE IT FURTHER RESOLVED that the Planning Commission hereby directs staff for the Planning Commission to prepare and forward to the City Council a copy of this Resolution.

ADOPTED by the Planning Commission October 26, 2020.

Mike Lee, Chair

ATTEST:

Audrey McClanahan,
Planning Commission Secretary