

City of MISSION

City Hall - 6090 Woodson Street - Mission, Kansas 66202
Community Development Department
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PLANNING COMMISSION

AGENDA

May 22, 2017

7:00 PM

1. Approval of Minutes from the April 24, 2017 meeting
2. Case # 17-04 Preliminary Site Development Plan-Mission Trails-Public Hearing
Preliminary site plan consideration of the proposed redevelopment of 6201 Johnson Drive into a 5-story mixed use building containing apartments, retail space and offices.
 1. Staff Report
 2. Project Narrative
 3. Preliminary Development Plans
3. Case # 17-05 TIF Project Plan-EPC Mission Trails
Consideration of the TIF project plan for 6201 Johnson Drive for conformance with the Comprehensive Plan
 1. Plan Memo
 2. Redevelopment Plan
 3. PC Resolution No. 07
4. Case # 17-06 TIF Project Plan-Gateway Project
Consideration of the TIF project plan for the Gateway Project for conformance with the Comprehensive Plan
 1. Plan Memo
 2. Third Amended Tax Increment Financing Redevelopment Project Plan
 3. PC Resolution No. 08

5. PC Comments

6. Staff Updates

MINUTES OF THE PLANNING COMMISSION MEETING

April 24, 2017

The regular meeting of the Mission Planning Commission was called to order by Chairman Mike Lee at 7:00 PM Monday, April 24, 2017. Members also present: Jim Brown, Scott Babcock, Robin Dukelow, Brad Davidson, Charlie Troppito and Frank Bruce. Absent were Stuart Braden and Dana Buford. Also in attendance: Danielle Sitzman, City Planner; and Nora Tripp, Secretary to the Planning Commission.

Approval of Minutes from the March 27, 2017, Meeting

Mr. Babcock moved and Ms. Dukelow seconded a motion to approve the minutes of the March 27, 2017, meeting, as corrected. [Mr. Braden made the motion on Case #17-01, not Mr. Lee.]

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

Case #17-03 Zoning Code Text Changes – Public Hearing

Ms. Sitzman: This is before you tonight on advice of our land use attorney, Pete Heaven. He helps us prepare for upcoming applications. We expect several development applications in the next year that are going to ask for deviations from conventional zoning district standards, which they are allowed to do as part of the planned district designation. The land these developments would occupy are already zoned and already have a plan designation.

In reviewing current ordinances, his comment was that the criteria by which we would evaluate those deviations in our current code are the exact same standards that are applied to variances, which is not the correct sub-standards to be using. For whatever reason, when we set up our planned district language back in 2001, we just copied and pasted and used the same five criteria that a variance gets evaluated against. Mr. Heaven's advises that that is the wrong standard to be using because that is a very specific standard just for variances. So, he's helped us craft an alternate set of criteria, which were included under Section G. There are four standards now instead of five, to capture the intent of the district to be a district in which a little bit of negotiation happens, wherein deviations from those current measurement standards can be development of higher quality. Planned districts are intended to be districts that are somewhat different than a conventional zoning or development situation. They might be infill, they might be mixed use. So, deviations from conventional standards are a good thing in those situations in order to encourage innovative and appropriate development in those circumstances. Mr. Heaven helped us draft sub-standards that still allows the Planning Commission to evaluate an application against the kinds of things we want to think about when we look at an application, such as how it affects adjacent properties, is it in the general spirit and intent of the zoning title, etc. The difference is that a variance is, by state statute, a very prescribed kind of process of variance findings, dealing with the physical aspects of the land. So, the BZA folks know those five criteria that have to be evaluated every time. Those are not the standards you should use to evaluate a zoning request for deviation. So, the changes are pretty minimal, other than that section there.

The other thing that was changed was to update the list to include all planning zoning districts, so it was clear that the planning districts that were developed as part of the 2006-2007 master rezoning – which would be the Main Street District and the Downtown Neighborhood District and the Mixed-Use District – those were all intended to be planned districts, as well. So, it

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clarifies things and ensures that we have a legally-defensible standard by which to make determinations if we were to grant deviations in the future.

There are a couple applications coming where they are dealing with some height limitations, and they'll be asking for deviation for height. This section would come into play there. There was another development that kind of kicked tires a while back and asked about height and use deviation, as well. So, it's a pretty common thing to evaluate. We just haven't had to do it yet for any of our major developments. Some other developments headed your way are more infill in nature, trying to achieve our goals of mixed use and infill, a circumstance where you'd have limited [*inaudible*]. That's why you would see deviation requests in the future.

[Chairman Lee opened the public hearing. There being no one wishing to speak, he closed the public hearing.]

Mr. Troppito: I have a question. I'd like staff to, when looking at infill areas and deviations, and sometimes height and parking requirements, one of the things UMKC has done to improve its parking situation is to dedicate so many spaces for Zipcars. I would be surprised if you would get the same net benefit as UMKC or KU, for example, but I wondered if you could take a look at that and see what other cities area doing, the benefit ratios, etc.

Ms. Sitzman: Are you interested in the City enticing Zipcar to operate in Mission?

Mr. Troppito: No. For instance, Target. They have X number of spaces, but they're limited in what they could do. Could they be given credit for doing something like that, which would result in a net reduction of parking spaces that they would actually need? Zipcar isn't the only company. There are other ones around. That might be a benefit. If other cities are doing it, maybe we need to do it, too, just to see.

Ms. Dukelow: Would that be a reduction to the code-required parking maximum?

Mr. Troppito: Well, I don't see that as a – By formula, you have to have 52 parking spaces, but you only came in to us with 50, but five of those were dedicated for Zipcars. Would that make up for the two?

Ms. Sitzman: Currently, there is a way for an applicant who does not have enough parking to make an argument for shared parking in some circumstances, to make up that difference. We rarely see an applicant not have enough parking on their own site. They could perhaps propose that car sharing was a way to make up for that difference. I don't know if we need a code change.

Mr. Troppito: No, I don't think they'd need a code change. I wasn't asking about that. I'd like staff to look at this and see if you can come up with some guidelines the Planning Commission can use so we're not just making arbitrary decisions.

Mr. Davidson: And see what other cities are doing, as well. But then, you're going to want to say, "Well, we can make our building a larger footprint and not have our spaces, and use the Zipcar."

Mr. Troppito: Part of this is to recognize that, yes, there's a change that's taking place in society. Less detail in demand and more internet sales, for instance. It's reduced stores [*inaudible*] traffic. So, I think we should start looking at that kind of thing.

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Mr. Davidson: I'm not familiar with Zipcars. This is the first I've heard of it.

Mr. Troppito: Go to Zipcar.com.

Mr. Brown: I don't have any issues with any of the proposed changes. I would like to initiate a discussion about requiring the exterior of the buildings to be broken up a little more than what we approved last month. When you look at the right angle of that wall at the corner of Roeland Drive and Johnson Drive, you're going to see 39-foot-tall corrugated stainless steel, 562 feet long. With all the balconies inset. So, there weren't any balconies projecting out of it to break up that façade, or anything. I'd like to see more variation in in-steps and out-steps of the building façade, balconies that project from the face of the building, and things like that. I don't think we're going to like it once it's done. This would be the west wall, the one that runs down Roeland Drive. When you look at it from the corner of Roeland Drive and Johnson Drive, you're looking right past the one gap that's in the middle and see that wall. And when you scale it out, it's really, you know, starting at the second floor level to the top of the parapet, it is 39 foot tall.

Mr. Babcock: Aren't windows required? I think there's a percentage of the space that is required to be windowed.

Mr. Brown: Yes, but what I'm saying is that it's a straight wall. There's no variation in and out, no balconies that project off of it. You drive by those projects going in in downtown Overland Park and you see a lot of variation in the exterior of the building. At the ground floors, the upper floors, balconies projecting off of them. They're using different materials. You've got insets and outlets in the building, not just a straight long wall. That's what I'm talking about. I don't want to necessarily overregulate the materials as much as the format that they're applied in.

Mr. Babcock: You're not talking about just the ground floor.

Mr. Brown: Yes. Inset parts of the building –

Mr. Babcock: They inset in. I don't know –You go right past that when you're looking –

[Multiple overlapping comments.]

Mr. Brown: And you won't see that when you're standing, looking down the length of the wall. It's 526 feet long. That's almost two football fields long.

Mr. Davidson: Danielle, is there anything in the design guidelines as far as a plane of a building, you know, needing multiple materials or projections, or anything like that?

Ms. Sitzman: It's a very subjective measure and the design guidelines is going to say creates a pattern or an interesting shadow. It's not going to say you must have X percentage of your wall face be offset by X number of feet from the rest of your wall face. It's going to be more subjective.

Mr. Brown: And they tried to do that with the color changes.

Mr. Davidson: When you look at it 2D and you look straight at it in a 2D drawing, you see it broke up. But when you see it at that particular angle, you're just going to see a big wall that's all corrugated steel.

Mr. Brown: How would we go about crafting that?

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Ms. Sitzman: You want to have something more objective and measurable, if you're going to have discussion about the legitimacy of one architectural design over another, I mean, I think others might find that appealing from a modern architectural standard. But, if that's not the standard you want to allow, you need to probably find some criteria that are objective, where you can say it must have 75 percent glazing, it must have the 8-foot setback offset, etc. Those are things you could have discussed when you reviewed it. You just would have come to a consensus opinion on whether you wanted that architecture.

Mr. Brown: We came to a consensus opinion about that. I'm not arguing that. I just don't like it.

Ms. Sitzman: That is a composition of modern versus more traditional style, and this is a stylistic conversation.

Chairman Lee: Is it something we really want to set criteria down, or is it something we take case-by-case and discuss it?

Mr. Brown: Well, there seems to be some discussion about whether people felt comfortable with their position on whether or not they could influence the design on this panel. So, it's appropriate to have a discussion about what we think our influence and role is in that regard.

Mr. Babcock: I'm with you. I personally don't like the design. But, the problem that I see is what our role is, and our role is to make sure that the development fits the design guidelines. One of the things that was in that design guideline was they wanted a more modern facility built there. I mean, that's kind of a personal thing. I'm not a big modern guy.

Ms. Sitzman: There's a project headed your way using the same standards and coming out with a completely different design. So, your current standards allow for a good deal of flexibility. This is the EPC project that they just presented to City Council. They already have elevations mocked up for the project. So, you'll be faced with a whole different architectural style. It's also going to potentially be compliant with your design guidelines.

Mr. Babcock: I think what he's saying is, just by looking at that, is it's interesting. It's got different levels, different extensions, etc.

Ms. Sitzman: I can try to extrapolate the things that you think make it interesting, but keep in mind, it can still meet those qualifications, and modern architectural, you know, they just don't love it. So, it's kind of a balancing act. If you think there's some specific standard about projections and insets that would help, that might be a specific thing to consider.

Mr. Babcock: I think the most qualified to give us an idea [*inaudible*]. [*Laughter.*]

Ms. Dukelow: I understand. I hear what Jim is saying. And I see a lot of projects going up in Overland Park. I go through downtown Overland Park and I see that urban loft development at 83rd and Metcalf. I've been over to KU and I've seen the buildings going up there. I hear what you're saying, that they are undulating. The walls are moving. There's relief in that plane. How do we dictate that? What do we say? I mean, this is much more classical and traditional.

Mr. Brown: Every previous design that we saw on that project had it until this last one that was presented in front of us for final approval. Up to that point, all of the other ones had that variation on the façade.

Ms. Sitzman: And they had a new architect on their team.

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Mr. Babcock: The other thing is, I think this fits in Mission better, but I don't know how that came about, wanting it to be [*inaudible*]. I think what he is presenting is what somebody has communicated, if that's just what somebody has communicated in writing. But the problem is, I'm not a modern guy. I don't think this as modern. I think this is more traditional, like you were saying. I think Mediterranean when I see that.

Mr. Davidson: Danielle, could it be as simple as this? Sometimes we see a project and we tell the developer we would really like to see more of this, or more elevation changes on that big wall. And a lot of times, they would say, "Okay, we'll see what we can do," or something like that. There are no guidelines that are written up. But in our opinion – and in Jim's opinion, in this case – you say, "I would really like to see that wall broken up." Because you're right, the galvanized finish, I mean, you could get a gigantic, you know, reflection of a lot of wall right there. So, could we just ask the developer --?

Ms. Sitzman: I don't think it would be inappropriate to have those conversations. We've split out and you'll no longer have a preliminary site plan or final site plan at the same time. So, you need to make use of the opportunity of the preliminary site plan to get those preferences out there. Because by the time they've come to you with a final site plan, they're so far down the road.

Chairman Lee: That's not going to go as presented anyway, right?

Ms. Sitzman: The Gateway project? I have not heard anything.

Chairman Lee: I talked to him briefly on Wednesday, and he did say that one of the tenants had fallen through. But there were no changes to the building.

Mr. Brown: I really don't want this to be a conversation about the Gateway. That's moved off of the docket as far as I'm concerned. I just want to know if there is something that we can do better next time.

Mr. Davidson: Like what Danielle said, critique, you know, the very beginning. But again, they kind of changed that. Like you said, they got a new architect, and it was like – boom – it was in all at one time. Let them know our concerns as early as possible, or whatever.

Ms. Dukelow: Should we look at the Johnson Drive design guidelines and consider whether or not there's something we should change--?

Ms. Sitzman: Right. If you want to have something that's out there up front, that would be the best place to put it so an applicant has a better sense of what you mean by creating an interesting pattern of light and dark, or kind of more flexible, general terms around there. For example, specific amounts of something.

Mr. Brown: How do you put just the right amount in there so that you don't throttle somebody's creativity? That's the problem.

Mr. Babcock: Something that appears other than flat.

Mr. Brown: It's subjective. You like it, you don't like it. Some people like it, some don't.

Chairman Lee: But couldn't you have had a different material on that project? It would have given it a totally different look. So, if you put some criteria down that says you have to have a certain percentage of this or that, you may eliminate something that you really would like.

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Mr. Brown: If you could have just a flat panel of some kind on that wall, change the color, the same variation, would you guys like that?

Mr. Babcock: No.

Chairman Lee: To me, that's the problem with trying to set a criteria, that you can't look at all the ideas. I completely agree that we have the ability to discuss it, each project, and make our preferences known.

Mr. Brown: Because if it's in a planned district, we can exert some influence on the design, but we need to do it before they spend thousands of dollars.

Mr. Babcock: So, is it too late?

Mr. Brown: Yeah. That was a final plan. That's done. And I wouldn't want to influence that. That had a public hearing, it's been done. I just want to know if we want to perform in the same fashion moving forward, or if we want to try to have more influence. And the answer could be no, we're perfectly satisfied with the way things are going.

Mr. Troppito: Well, in this case, wasn't it really a question of the timing inhibiting that from being done effectively? In a normal course of events, when a preliminary plan comes through [*inaudible*]?

Mr. Brown: I think we also need to not be afraid to turn something down if we don't like it in preliminary planning. That's the time to exert your influence, I think. We don't have a great history of telling people no at preliminary plan approval, either.

Ms. Dukelow: With regards to the materials, the project that was just on the screen, they're using all the same materials. Now, I don't know what that is, but they're using all the same materials on the exterior, as well. So, I'm not sure that a variety of materials is what we're looking for. Do we have something in there about visual interest? Contrast? Projections?

Ms. Sitzman: Yes. That creates interesting patterns, etc. I don't have it in front of me, but it's going to be very general.

Ms. Dukelow: And that's very subjective. I mean, if we don't think it's interesting, I guess we can send them back.

Mr. Brown: That does have projections coming off at the roof level, and whatever that thing in the middle is. There are things that are broken up. There are levels that are inset from other levels.

Mr. Babcock: One of the things he communicated to us is that they wanted to carry over the architecture from the community center and Mission Square. This is EPC. This is going to be right across the parking lot.

Chairman Lee: Between The Bar and the Salvation Army.

Mr. Babcock: Didn't they say something like that, Danielle? Do you remember?

Ms. Sitzman: Yes.

Ms. Dukelow: I mean, personally, I would probably have been more shocked to have corrugated and perforated stainless steel in the middle of Johnson Drive than I am at Gateway. And it's simply because of the context. Context is different. It doesn't shock me as much in the Gateway

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as it would if it were landing between two brick buildings in our downtown. It has a much different scale and context.

Ms. Sitzman: And the Johnson Drive guidelines cover all those areas. That's why they're more general.

Mr. Brown: How are they going to fight a fire in that thing? I mean, there's no fire department access in that right side at all.

Ms. Dukelow: That's their job to figure it out.

Mr. Troppito: One of the statements on page 25, it says, "The granting of the deviation will not adversely affect the rights of adjacent property owners." What does that mean? What does "adjacent" mean? I'm asking because this is kind of like before. Why not use "adjoining" property owners? The difference is whether the property lines are touching or not. And if you say "adjoining," you need to specify some kind of radius.

Ms. Sitzman: Yes. And it's a matter of scope. Do you want to limit yourself to things that are only adjoining, or would you rather have the ability to consider things that are adjacent?

Mr. Troppito: It's not what I want to do. What I'm interested in – and I was hoping Pete would be here tonight – is understanding the legal framework behind this. Is there something in Kansas law that would require that? And if there isn't, we need to define it in some way, I would think. Otherwise, we're going to be arbitrary about what "adjacent" means. Is it within 50 feet? Or what?

Ms. Sitzman: If Pete had wanted a different words, he would have given us different words, since these are his revisions. So, he must be comfortable with adjacency being the criteria that you evaluated, having some flexibility depending on what the deviation requested is. You know, one kind of deviation, they have a very limited impact, and another kind of deviation, they have a broader impact. So, I think "adjacency" gives you the maximum flexibility to evaluate a project on its merits, regardless of whether it's something that's going to have a more immediate affect to something here, or also impacts to something farther away.

Mr. Troppito: Well, it says granting of the deviation will not "adversely affect the rights of..." So, it seems to me we need to know who's rights need to be considered. Property lines touching? In that case, it would be "adjoining." Or, are we supposed to be considering those 50 or 100 feet away, etc. Whose rights are we considering?

Ms. Sitzman: Again, I think it's going to depend on the deviation requested. So, when you have a deviation before you, we would try to provide you the analysis we thought was relevant to the deviation. And what the specific rights are, I mean, dependent on the deviation. So, if it were somebody asking for a height deviation, that would be a different impact than somebody who is asking for a deviation in uses. I think the idea is that you would not be allowing deviation that negatively impacted someone else's rights to their use and enjoyment of their property. And I can ask Pete, but I think he's going to tell you –

Mr. Troppito: No, I don't want to hold it up. But I think it's a question that maybe needs to be further designed. Should we actually have to do this?

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Mr. Babcock: My understanding is that these changes were made from Pete's standpoint to make him more comfortable in the defense of these going forth.

Ms. Sitzman: That's true.

Mr. Babcock: So, he's basically submitted these changes, saying he wants to change these documents because it's more defensible from his standpoint.

Ms. Sitzman: Right.

Mr. Troppito: I understand that, but the changes made, if you look at what's there, have nothing to do with the word "adjacent."

Ms. Sitzman: If you wanted to change "adjacent," I think he would be –

[*Overlapping comments.*]

Ms. Sitzman: He was comfortable with that wording.

Mr. Babcock: I look at it from the standpoint of him being our legal advisor, that he feels comfortable with the wording. I mean, I'm not a lawyer.

Mr. Troppito: I want clarification.

Mr. Bruce: I think you need flexibility, and Danielle has already pointed out that height is a factor, noise is a factor, and each one of those have different parameters that will be associated with it. So, if you say "adjoining," [*inaudible*], but if you say "adjacent," I think we're intelligent enough that when we look at something, we can look at it with some intellect and say, okay, this is going to block views, cause shadows, etc. I think we should have experts take a look at these different things. If you try to write too restrictive, you're going to ball yourself up.

Mr. Troppito: I'd still want an explanation.

Ms. Sitzman: I made a note.

Mr. Davidson: I've been trying to think of a situation where the City of Overland Park has dealt with someone coming to them and they didn't like the design of their structure. There was a White Castle on Metcalf. They did not approve that White Castle for many, many sessions. It was too wide, or whatever. My point is, of course, in this case, it's a franchise, but how did Overland Park's planning commission handle that?

Chairman Lee: They never approved it.

Mr. Davidson: Well, they finally built it, but did they change the color?

Mr. Babcock: Yes. They went with a more subtle color of white. Like with Pizza Hut. They wouldn't approve the red roof.

Mr. Davidson: All right. However, it was not the white that they asked for. Anyway, I just wanted to bring that up.

Chairman Lee: What do you want from us this evening?

Ms. Sitzman: I would like you to make a recommendation on this, if you're comfortable with it as it is. It needs to proceed on to City Council before it is enacted, so they need a recommendation from this board.

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Ms. Dukelow: I will make a motion that we make a recommendation to City Council to approve Case No. 17-03 Planned Zoning District changes, as written.

Mr. Troppito: Second.

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

Ms. Dukelow: Mr. Chairman I would be interested to know what some of the other cities are doing, if that's something we could get. Maybe just an update at our next meeting about how Overland Park, Lenexa, just a couple of our peer cities.

Mr. Davidson: Maybe Danielle already knows that.

Ms. Sitzman: I don't off the top of my head. I can look at Overland Park and Lenexa and Shawnee.

Staff Update

Staff provided an update on current and upcoming projects and events.

ADJOURNMENT

With no other agenda items, **Ms. Dukelow moved and Mr. Troppito seconded a motion to adjourn.** (Vote was unanimous). The **motion carried.** The meeting adjourned at 7:44 P.M.

Mike Lee, Chair

ATTEST:

Nora Tripp, Secretary

STAFF REPORT
Planning Commission Meeting May 22, 2017

AGENDA ITEM NO.: 2

PROJECT NUMBER / TITLE: Application # 17-04

REQUEST: Preliminary Site Development Plan for Mission Trails

LOCATION: 6201 Johnson Drive

APPLICANT: Steve Coon, EPC Real Estate

PROPERTY OWNER: 6201 Johnson Inc
4520 Madison Ave, Apt 300
Kansas City, MO 64111

STAFF CONTACT: Danielle Sitzman

ADVERTISEMENT: 5/2/17-The Legal Record newspaper

PUBLIC HEARING: Planning Commission meeting, May 22, 2017



Property Information:
The subject property is the site of the former Pyramid Life and Continental General insurance office and is zoned Main Street District 1 “MS1”. It is located in the Downtown District and subject to the Mission, Kansas *Design Guidelines* for the Johnson Drive Corridor. “MS1” was assigned to this property at the time of the city initiated rezoning of entire downtown in 2006. The District was designed to reinforce and encourage the existing character within the core of the downtown.

Surrounding properties are zoned and developed as follows:

North: "MS1" Main Street District 1-small row buildings with retail and service uses

West: "MS1" Main Street District 1-clothing and household goods store and "C-2B" public high school

South:"MS2" Main Street District 2-municipal community center and senior multi-family housing.

East: "MS1" & "MS2" Main Street District 1&2-restaurant, auto repair and various retail & service uses.

Comprehensive Plan Future Land Use Recommendation for this area:

The Comprehensive Plan indicates this area is appropriate for Downtown District to maintain the historic community characterized by small businesses and a pedestrian oriented environment. The ground floor is appropriate for retail with upper floors including housing units and office uses. The proposed project is in conformance with the intent of the Comprehensive Plan.

Project Background:

In October of 2016 the subject property was purchased from Waddell & Reed by R.H. Johnson Company. This group also has an ownership role in the adjacent property at 6101 Johnson Drive-The Bar. Since the time of purchase the ownership has marketed the property for sale and redevelopment. At this time the applicant, Steve Coon of EPC Real Estate, is requesting a preliminary site plan approval for redevelopment of the site into a mixed use building consisting of retail, office and housing.

Plan Review

The applicant is proposing a 5-story mixed use building containing apartments, retail space and offices on a 2.8 acre infill site in the downtown near the southwest corner of Johnson Drive and Beverly Avenue. Ground floor uses fronting Johnson Drive would include a restaurant and several small retail/service spaces as well as leasing offices. Two hundred apartments wrapping around an internal courtyard would be located on floors two thru five as well as behind the Johnson Drive frontage on the ground floor. A four level parking garage would be located adjacent to the building to the southeast.

The preliminary plan submitted for review by the Planning Commission includes the following total planned square footage by use:

	Use	Approximate Area
Retail	Restaurant/Retail/Service	7,500 Sq Ft
Residential	200 units	203,125 Sq Ft
Office	Leasing	2,500 Sq Ft
	Total	213,125 Sq Ft
Parking Provided	Surface (inc on-street)	Structured (inc. public)
	38 stalls	287 stalls

Planned District Deviations Requested

The Main Street District 1 is a planned zoning district and therefore eligible for consideration of deviations from the prescribed zoning standards. A planned district is a

zoning technique that is intended to create additional flexibility in the application of zoning standards such as, but not limited to, setbacks and height. Conventional zoning, which relies on rigid dimensional standards, does not easily accommodate innovative development especially where mixed-use or infill projects are proposed. In addition, conventional zoning relief requires changing the zoning code standards on a project by project basis or through the consideration of variances. In the case of the former, changing zoning district standards often would create non-conformities as the new rules are then applied to all existing developed property within the same zoning district. On the other hand, variances are difficult to justify as the criteria used for evaluation rely on the demonstration of a unique hardship related to the physical characteristics of the property. The merits of a particular development concept alone are not a proper reason to grant a variance.

The adoption of planned zoning in Mission was a precursor to the development of other innovative zoning techniques such as mixed use zoning districts like the Main Street District 1 & 2 districts and other overlay zones. It is a valuable tool as it allows for deviations from conventional zoning standards on a case by case basis upon review of specific development proposals. The stated intent of the City of Mission's planned district code is to encourage quality development by permitting deviations from the conventional zoning district to encourage large-scale developments, efficient development of smaller tracts, innovative and imaginative site planning, conservation of natural resources, and minimum waste of land. The applicant is requesting the following deviations:

- 1) Height. The "MS1" zoning standard limits a building's maximum height to 3 stories and or forty-five feet. (410.180.A) The applicant is requesting a maximum height allowance of 5 stories and or sixty-five feet.

The project narrative explains that the massing of the building is designed to respect the intent of the code to provide a streetscape environment that is not overwhelming to the pedestrian by incorporating step backs into the upper floors, reducing the building height at the corner of the building, and including wall articulations and a covered courtyard along the street. The applicant is requesting the additional height so that additional apartment units can be included in the design.

Staff Notes-The additional apartment units allows the developer to plan for a project that is similar to other successful projects they have undertaken in the past. In exchange for this predictability, the project generates additional density, more efficient use of land, potentially higher property values, and a better quality project. Granting this deviation would not waive any other design requirements of the Johnson Drive Design Guidelines which are also intended to reinforce a pedestrian scale streetscape and architectural styles that are compatible with the neighborhood.

- 2) Permitted Uses of the Ground Floor. The "MS1" zoning standard prohibits residential and office uses from being located on the ground floor level. (410.170.M). The applicant is requesting permission to have residential and office uses on the ground floor.

The applicant states in the project narrative that the depth of the proposed retail along the north side of the ground floor along Johnson Drive of 40'-80' satisfies the intent of the code by matching similar retail footprints along the corridor. As the proposed building is much deeper than that, they request to be allowed to also include residential and office uses on the ground floor away from the Johnson Drive frontage.

Staff Notes-Again, the proposed layout of the ground floor results in a more predictable outcome for the applicant. Also, as the proposed building is nearly twice as deep as other commercial structures in the downtown corridor, focusing retail along the street reinforces a pattern that is already established. Patrons would already expect to find this scale of retail/service adjacent to on-street parking. This arrangement avoids hiding retail within the depths of the building or a footprint for a larger single retailer that might not be in character with the neighborhood. A stipulation should be made that retail or services uses must still make up the majority of the Johnson Drive ground floor frontage.

Code Review: Standards of Development (405.090)

The Planning Commission in the process of approving preliminary site development plans may approve deviations upon a finding that all of the following conditions have been met:

1. The granting of the deviation will not adversely affect the rights of adjacent property owners.

-The requested deviations in height and use do not infringe upon the rights of other adjacent property owners to continue to reasonably use their own properties. The proposed development repeats a pattern already established in the neighborhood of ground floor retail along Johnson Drive, multi-story multi-family housing, and on-street parking.

2. That the deviation desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.

-The impacts of the deviations upon traffic, stormwater runoff, and the public streetscape are being examined and must be found to meet city requirements at the time of final site plan approval.

3. The granting of the deviation will not be opposed to the general spirit and intent of this Title.

-The requested deviations meet the spirit and intent of the code as discussed in the section above by maintaining an acceptable pedestrian scale through design.

4. That it has been determined the granting of a deviation will not result in extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing federal or state laws.

-The proposed deviations will not create additional public expense, nuisances, or violate other laws.

Johnson Drive Design Guidelines

The Johnson Drive Design Guidelines provide a wide range of recommended and required design elements applicable to the development. These include streetscaping and the relationship of buildings and their exterior facades to public streets as well as building materials and screening. Many of these details are not required at the time of preliminary site plan review and will be fully evaluated with final site plans.

Staff Notes-Design Guidelines: Buildings are shown filling in the block parallel to the public street and extending the width of the property with parking behind the primary facade. Adequate room has been reserved for streetscape elements to match the Johnson Drive streetscape already established and as required by the design guidelines. The proposed building materials and architectural style are reflected in the colored design package submittal and sheet A200. A Spanish Revival or Mission Revival architecture theme is represented by the images, generally consisting of stone bases, stucco, tile roofs and synthetic wood timber canopy elements. Specific details of all of these elements will be reviewed at the time of final site plan submittal.

Parking

The submitted plan provides 325 parking spaces for the mix of uses proposed. This includes angled parking spaces along Johnson Drive, a small surface parking lot adjacent to street-level retail on the east side of the site and four level parking garage. Access to the parking garage and surface parking would be both from Johnson Drive and Beverly Avenue. The parking garage will connect to the 2nd-4th floors of the building. It is anticipated that the parking in the ground level of the structure will be reserved for the public while the upper levels will be reserved for residents.

Staff Notes-Parking: The Johnson Drive Design Guidelines support structured parking and minimizing the amount of surface parking in redeveloping areas of the city. The Main Street District 1 zone does not require any off-street parking in the Downtown District (410.190.A). At the time of the creation of this zoning district the City conducted a study of the existing traffic and parking conditions in the Downtown area to determine if the public on-street parking and off-street private parking was sufficient to support the mix of permitted uses. It was determined that it would be. Staff recently requested parking demand studies in this area of the City. The studies confirm that sufficient parking is still available and that spillover demand from new businesses can easily be absorbed by the surrounding public parking on Johnson Drive which is less than half full. In addition, most of the surrounding businesses are closed by 6:00 PM at the time of peak demand of other uses.

The applicant has also provided data of parking demand observed at other similar developments in their project narrative. They estimate that 1 stall/1 bedroom unit and 1.5 stalls/two bedroom units is sufficient to meet the needs for residential parking without building unnecessary stalls that would remain unused. The 38 surface parking stalls and 52 public garage stalls exceed the parking ratio required in other zoning

districts for the remaining retail and offices uses in the project.

Additional details will be necessary with final plans to ensure parking decks and surface lots are screened from the view of surrounding roadways to the fullest extent possible.

A request for the city to reserve a clear air space in perpetuity along the south facade of the parking garage on city owned property has been made by the developer. If granted, this would allow for the structure to be built closer to the property line without incurring additional costs required to upgrade the wall to a higher fire resistance. In addition it would allow for a more appealing architectural treatment (open vs. closed). This request will be considered through the development agreement process. No action from the Planning Commission or City Council is required with the preliminary site plan.

Traffic Generation

Access into the site is proposed from two access points, one on Johnson Drive and one on Beverly Avenue. The Johnson Drive access will serve the surface parking lot and the parking garage. The Beverly Avenue access will serve the parking garage. The amount of traffic expected to be generated by the site has been estimated using standard traffic engineering practices. Compared to the previous office use, the proposed residential project is expected to generate more trips during the morning and evening peak hours but with a reversal and concentration in the direction of flow. This reflects the expectation that residents leave their homes in the morning and come home in the evening whereas the office was a work destination with clients coming and going throughout the day. Additional data regarding the impact of the 10,000 sq feet of commercial uses has not yet been provided by the applicant.

The City's on-call engineers at Olsson Associates have reviewed the Trip Generation Assessment and the proposed preliminary site plans. They are generally satisfied with the preliminary project design but recommend reserving the right to make further comment until the final study is provided. Any further comments for the applicant to address will be required to be resolved before the study or final site plan are accepted.

On Site/Off-Site Public Improvements

The developer is responsible for installation of on-street parking and streetscaping (sidewalk, street trees, benches, bike racks, street lights, etc) around the perimeter of the development. Any necessary off-site improvements identified in review of the final traffic and stormwater studies will also be the responsibility of the applicant.

Staff Notes-Public Improvements: A minimum 8-foot wide sidewalk clear zone along Johnson Drive must be provided in addition to adequate space for a streetscape amenity zone (street trees, tree wells, street lights, signage, etc.) Additional details are needed with final plans to ensure the Johnson Drive frontage provides adequate sidewalk dimensions to ensure a comfortable pedestrian environment for a successful retail and walking atmosphere. A minimum 5-foot wide sidewalk clear zone along Beverly Avenue is required for the same reasons. Additional street right-of-way dedication will be required with final plans and plats.

Signs

As a mixed use development, the subject property is encouraged to establish a private sign criteria as an alternative to the specific sign requirements of this district.

Staff Notes-Signs: The city's sign code indicates criteria shall be for the purpose of ensuring harmony and visual quality throughout the development. The size, colors, materials, styles of lettering, appearance of logos, types of illumination and location of signs must be set out in such criteria. Signs may wait to be addressed in this manner until final development plans are submitted.

Stormwater Management

The subject property generally drains southeasterly to below-ground stormwater infrastructure along Beverly Avenue collected in a 5'x5' inlet. The city recently installed an a reinforced concrete box (RCB) interceptor along Johnson Drive to collect and re-route stormwater heading to the site from the north side of Johnson Drive. Off-site drainage from the west of the building will be routed in an enclosed pipe system south of the proposed building to allow it to continue to mimic existing conditions. The proposed development results in a slight reduction in the overall impervious surface therefore no detention is required for the project.

The City's on-call engineers at Olsson Associates have reviewed the Preliminary Stormwater Study and the proposed preliminary site plans for storm water control. They are generally satisfied with the preliminary project design but recommend reserving the right to make further comment until the final study is provided. Any further comments for the applicant to address will be required to be resolved before the study or final site plan are accepted.

Sustainable design and construction practices

The Mission Sustainability Commission has developed a rating and certification system for development projects. The proposed plans were reviewed by the Sustainability Commission with the applicant at their May 1st meeting and received a favorable opinion. The final scoring will be provided to the Planning Commission at the time of Final Site Plan review.

Code Review: Consideration of Site Plans (440.160)

Site plans shall be approved upon determination of the following criteria:

1. The site is capable of accommodating the building(s), parking areas and drives with appropriate open space.

-The building, parking area, driveways, and open space have been designed to meet codes and guidelines.

2. The plan provides for safe and easy ingress, egress and internal traffic circulation.

-There is adequate space on the site to allow for circulation of residents, customers, and the public with no impact to traffic on adjacent public streets. A traffic/trip generation study was submitted for review and any further comments can be addressed at final site

plan review.

3. The plan is consistent with good land planning and site engineering design principles.

-The proposed project is in preliminary conformance with the Johnson Drive design guidelines for building placement and massing.

4. An appropriate degree of harmony will prevail between the architectural quality of the proposed building(s) and the surrounding neighborhood.

-The proposed project is subject to the design guidelines for the downtown district which will ensure architectural harmony as the final site plan is prepared. The design concept expressed at preliminary site plan indicates a Spanish Mission style architecture similar to buildings in the surrounding neighborhood.

5. The plan represents an overall development pattern that is consistent with the Comprehensive Plan and other adopted planning policies.

-The proposed mixed use building is consistent with the intent of the Comprehensive Plan to encourage greater density and mix of uses in the downtown District.

6. Right-of-way for any abutting thoroughfare has been dedicated pursuant to the provisions of Chapter 455.

-Any required right-of-way changes for this site to accommodate such things as public sidewalks and on-street parking will be addressed with preparation of a revised final plat.

Staff Recommendation

The proposed development conforms with the Comprehensive plan, meets the overall intent of the "MS1" zoning district, and complies with the required findings for Section 405.090 and 440.160. Therefore, Staff recommends the Planning Commission recommend approval of the Preliminary Site Development Plan for Case # 17-04 Mission Trails to the City Council with the following stipulations:

1. Approval of the requested deviation to height to allow a maximum building height of five stories and or 65 feet.
2. Approval of the requested deviation to allow for residential and offices uses on the ground floor with the condition that retail and service uses be required to make up the majority of the Johnson Drive frontage.
3. A final traffic study and final stormwater drainage design plan must be submitted for review with the final site plan. The appropriate text, maps, drawings and tables must be included.
4. Staff reserves the right to provide additional comments or stipulations on development plans until all traffic or storm drainage related concerns have been addressed.

Project Narrative

Date April 10, 2017

Revised May 12, 2017

Mission Trails

Mission Kansas

Residential Mixed-Use

Johnson Drive and Beverly Avenue

The Preliminary Plan application for Mission Trails is a residential mixed use development, located on the southwest corner of Johnson Drive and Beverly Avenue and is currently the location of a single level office building. Immediately on the corner is the restaurant referred to as The Bar. The proposed development consists of a five level residential building, surrounding interior amenities courtyard, with a four level parking garage located behind The Bar and on Beverly Avenue.

We respectfully request the approval of the submitted Preliminary Plans and the additional following conditions:

1. Installation of a diagonal streetscape parking on Johnson Drive, with additional ROW to be provided and Plated with the Final Plan approval.
2. Deviation from the allowed (3) three-story and 45 feet height, to (5) five story and 65 feet in allowed building height.
3. Request for an open air or no building easement, on the southern adjacent city property for approximately 8-9 feet on the south side of the parking garage to permit this side to remain open to the south. This area is currently approximately 30 feet of grass to the Community Center parking lot. Building Code will require 10 foot clearance from property line on each side of the Parking garage to remain open (not a 3 hour rate wall with no openings) and the existing property width would not permit both sides to remain open.
4. Deviation from the strict language of the Design Guidelines, to permit the street frontage retail at a reasonable depth along Johnson Drive. The interpretation that the entire first level be retail or office is not appropriate for the foot print of this building. The depth of the building is over 270 feet. Traditional industry standards for retail depths vary from 40 to 80 feet. The surrounding retail along Johnson Drive is also within this parameter.

The residential portion of the project will consist of 200 units in approximately 203,125 SF. The retail/restaurant on the south east corner will be approximately 5,000 SF surrounding a covered 2,500 square-foot courtyard area. The Retail presence on Johnson Drive will consist of the leasing office, a style bar, massage therapy and fitness center. This will equate to ground level retail of approximately

10,000 SF not including the 2,500 SF open covered courtyard. Total gross building area would be 213,215 SF

Parking consists of the addition of 21 diagonal street parking, continuing the current development theme within downtown, 17 reserve spaces for the restaurant area on the entrance drive, and a parking garage consisting of 287 parking stalls for a total of 325 Parking stalls. The residential parking will be gated upper level structured parking of 235 parking spaces that will connect direct to the 2-4 floor levels. The parking garage spaces there are currently 52 public parking spaces on the ground level that connects to Beverly Avenue. The 52 public parking spaces are still in discussion with city for quantity needed and public financing.

The Downtown District does not have any specific parking requirements, however based on the developers past experience, they are proposing providing 1 parking stall for each one bedroom apartment or studio, and 1.5 parking stalls for each two bedroom apartment. Which would require a total of 225 parking spaces based on the current apartment mix?

EPC has developed several Mixed Use projects and the parking requirements have varied from project to project based on Municipality requirements. The current projects under design and construction, where permitted, has now established the current standard of 1 parking stall per 1 bedroom and 1.5 parking stalls per 2 bedrooms. The most common requirement has been one parking stall per bedroom. Based on practical experience and review of their stabilized properties this requirement has proved to be excessive with stalls remaining empty. This is of particular concern when the parking for the residences is structured parking.

EPC's first structured garage residential project was Village at Mission Farms. It was parked at a required ratio of 1stall/1BR and 2 stalls/2BR at a 45/55 split. The result was a 1.6 space per apartment ratio and was over parked by approximately 40 spaces or roughly 20%.

Their 51 Main projects had a lower requirement at 1 stall/1BR and 1.75 stalls/2BR at a 65/35 split and was a 1.3 spaces per unit ratio and was over parked by approximately 25 spaces or roughly 10%.

The Mission Trails project is proposed at the current standard of 1 stall/1BR and 1.5 stall /2BR at a 75/25 split and was roughly a 1.2 spaces per unit ratio with provided parking.

The exterior design is a Mission style with stone bases, stucco, Spanish concrete tile roofs and synthetic wood timber canopy elements. The massing of the building is sensitive to the streetscape environment and has only four stories on the southeast corner and the fifth level, where provided are stepped back from the front to reduce the overall façade massing. The Mission style is consistent with the existing architectural character of the Sylvester Powell center to the South of this project site and in particular the Capital Federal building at the corner of Johnson Drive and Nall. The overall street presence enhances a pedestrian scale for a walkable public streetscape as well as the courtyard providing for covered amenity areas that provides for public gatherings as well as restaurant users and for the

enjoyment of the surrounding neighborhood. The retail presence has a variety of exterior entrances and protected canopies for signage identification and an anticipated blade sign program.

The interior residence amenity courtyard is anticipated to have a pool, BBQ grills and trellises and fire pits of the residences. The trash and loading dock are internal and enclosed and accessed off of the interior drive from Johnson Drive.

PRELIMINARY DEVELOPMENT PLAN

MISSION TRAILS

MISSION, KANSAS

kloverarchitects
INCORPORATED

10955 LOWELL AVENUE, SUITE 700 • OVERLAND PARK, KS 66210
ph: 913.649.8181 • fx: 913.649.1275 • www.klover.net

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RELATED DOCUMENTS: This Drawing is a single component of an integrated set of Construction Documents, General and Supplementary Conditions of the Contract, General Requirements, Specifications and other drawings may affect the work described. Failure to review and integrate the design intent of the whole of the Construction Documents does not release the Contractor from providing a complete Project.

COMPLY WITH all laws, codes, ordinances and regulations with authorities having jurisdiction and with requirements of the Landlord, if applicable. Do not start work until all permits and required approvals are obtained.

VERIFY ACTUAL CONDITIONS and dimensions prior to construction. Commencement of work constitutes verification and acceptance of all existing conditions. Variation of a material or equipment item to that included by others constitutes acceptance of that Work, and assumption of responsibility for satisfactory installation.

DIMENSIONS SHOWN on to finish face of a material unless otherwise indicated. CLIMATE & MOISTURE dimensions - DO NOT SCALE drawings unless otherwise directed.



OWNER
6201 JOHNSON INC.
4520 MADISON AVE. APT. 300
KANSAS CITY, MO 64111
PHONE: (816) 268-2434

FLOOD NOTE:
THIS PROPERTY LIES WITHIN FLOOD ZONE X, DEFINED AS BEING OUTSIDE THE LIMITS OF THE 0.2% ANNUAL CHANCE FLOODPLAIN AS SHOWN ON THE FLOOD INSURANCE RATE MAP PREPARED BY THE U.S. DEPT. OF HOUSING AND URBAN DEVELOPMENT FEDERAL EMERGENCY MANAGEMENT AGENCY FOR JOHNSON COUNTY, KANSAS AND INCORPORATED AREAS, MAP NO. 2009IC0023G, PANEL 23 OF 161 AND DATED AUGUST 3, 2009.

LEGAL DESCRIPTION:
PROPOSED LOT 1 OF DOWNTOWN MISSION, A SUBDIVISION IN THE NORTHWEST 1/4 OF THE SOUTHWEST QUARTER OF SECTION 8-12-25, IN THE CITY OF MISSION, JOHNSON COUNTY, KANSAS, CONTAINING 2.816 ACRES MORE OR LESS.

MISSION TRAILS

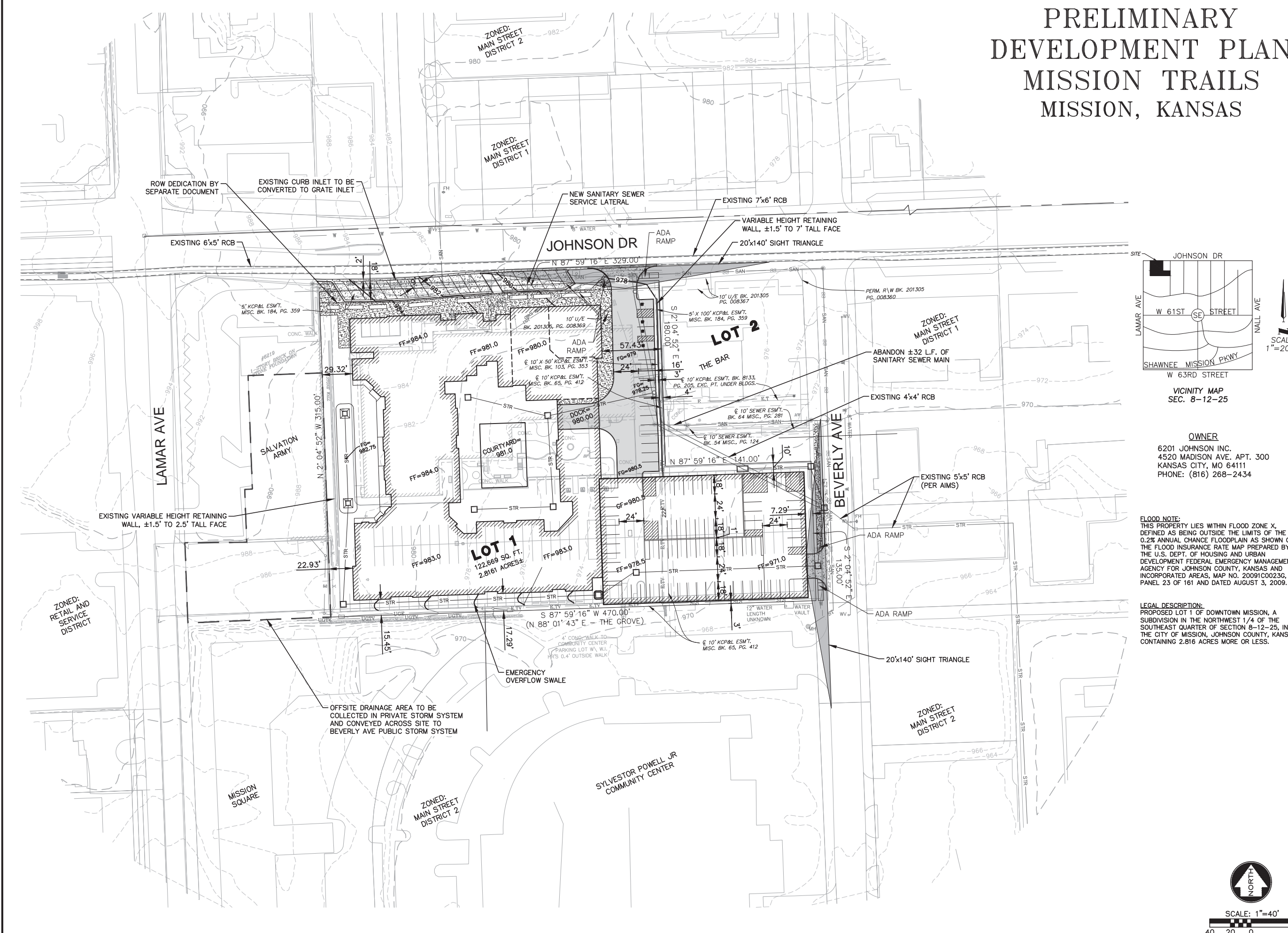
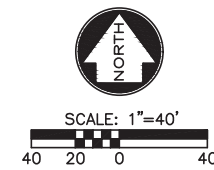
JOHNSON DRIVE
MISSION, KS

project number	17042.001	
drawing issuance	PDP SUBMITTAL 04.10.17	
drawing revisions	No. Description Date	
1	CITY COMMENTS	5/12/17

professional seal

drawing title
CIVIL
PRELIMINARY DEVELOPMENT PLAN
drawing number

C100



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THE ARCHITECT DISCLAIMS responsibility for the existing building structure, site conditions, existing conditions of utility lines, or other factors not shown on this drawing. The Architect's services are limited to the design of the landscape plan. The obligation is assumed by the Architect for the benefit of any other entity.

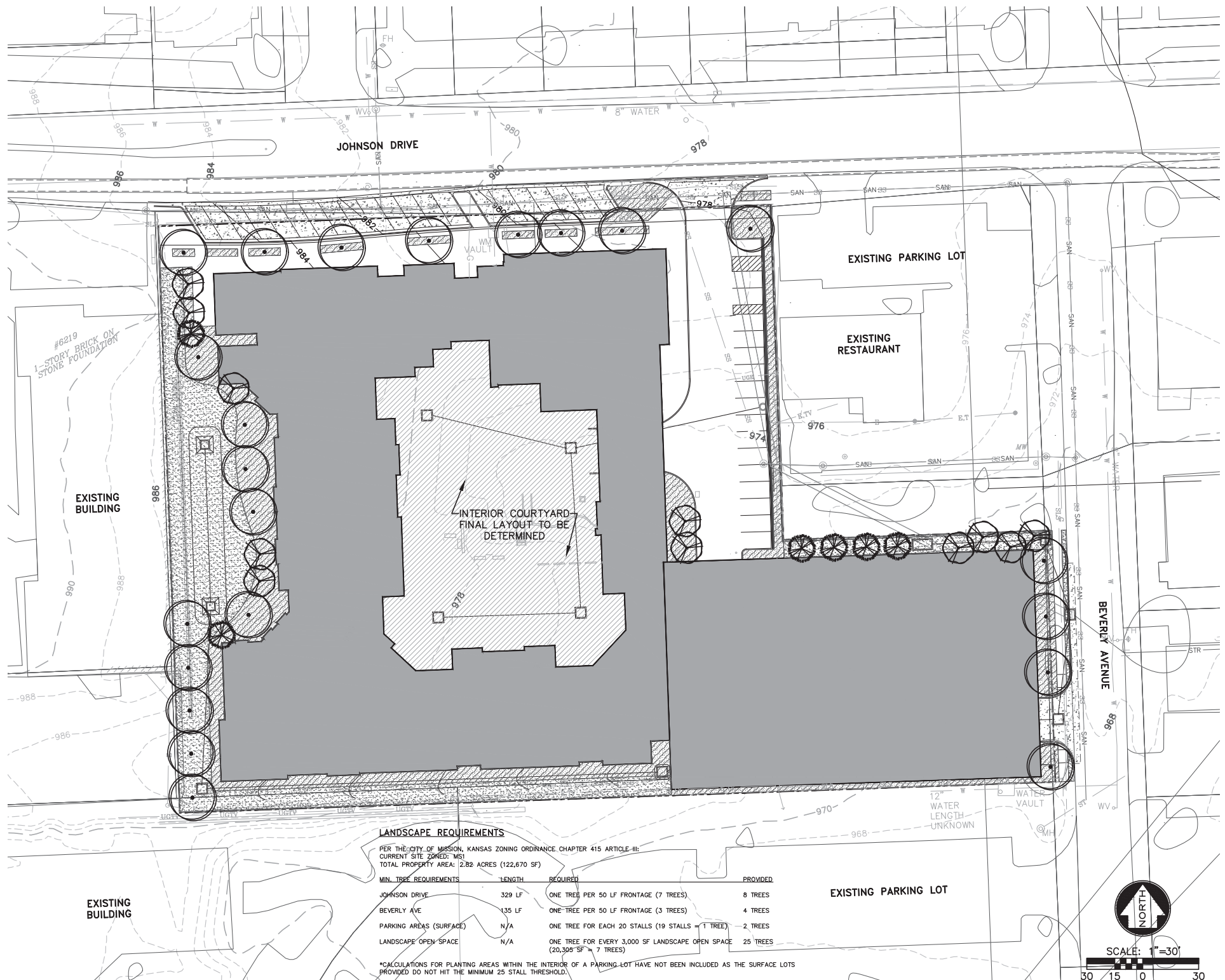
RELATIVE DIMENSIONS: This drawing is a single component of an integrated set of Construction Documents. The Architect's obligations to the Client, General Contractors, Subcontractors and other parties may differ from those stated herein. It is the responsibility of the Client to ensure that the Construction Documents are coordinated and consistent throughout the project.

CONTRACTOR SHALL verify all dimensions and conditions with existing conditions and with requirements of the Landmark. It is the contractor's responsibility to ensure that the construction documents are coordinated and consistent throughout the project.

VERIFY ALL CONDITIONS AND DIMENSIONS PRIOR TO CONSTRUCTION. Measurement of wall conditions, including all conditions of existing conditions, including a condition of existing items to be installed by others, including conditions of lot lines, and measurement of responsibility for installation conditions.

INDICATING SHOWN on to both face of a material when otherwise indicated.

CURB & BERM: dimension - 18" MIN SIZE unless otherwise indicated.



LANDSCAPE PLAN NOTES:

1. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UNDERGROUND AND OVERHEAD UTILITIES, IRRIGATION PIPING AND DRAINAGE STRUCTURES BEFORE COMMENCING WORK. INFORMATION SHOWN ON PLAN IS FROM AVAILABLE INFORMATION AND ALL LOCATIONS SHOWN SHOULD BE CONSIDERED APPROXIMATE. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGE TO ANY OF THE PREVIOUSLY LISTED ITEMS.
2. CONTRACTOR SHALL VERIFY ALL PLANT MATERIAL QUANTITIES PRIOR TO PLANTING. ANY DISCREPANCIES WITH THE PLAN SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT. THE PLAN QUANTITIES SHALL SUPERCEDE SCHEDULED QUANTITIES.
3. CONTRACTOR SHALL VERIFY ALL PLANT QUANTITIES SHOWN PRIOR TO PLANTING. QUANTITIES PROVIDED ARE FOR CONVENIENCE ONLY AND CONTRACTOR IS RESPONSIBLE FOR VERIFYING AND INSTALLING THE QUANTITY OF PLANT MATERIALS SHOWN ON THE PLANS. ANY DISCREPANCIES SHALL BE REPORTED TO THE LANDSCAPE ARCHITECT. ALL PLANT MATERIAL TO BE SPACED AS SHOWN, UNLESS OTHERWISE NOTED.
4. LOCATION AND PLACEMENT OF ALL PLANT MATERIAL SHALL BE STAKED OR LAID OUT IN THE FIELD AND APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
5. NO SUBSTITUTION (INCL. CULTIVARS) SHALL BE ACCEPTED WITHOUT WRITTEN AUTHORIZATION FROM THE LANDSCAPE ARCHITECT PRIOR TO PLANTING.
6. ALL PLANT MATERIAL SHALL BE OF EXCELLENT QUALITY, FREE OF DISEASE & INFESTATION—TRUE TO TYPE, VARIETY, SIZE SPECIFIED, & FORM PER ANSA STANDARDS.
7. ALL TREES & MULCH BEDS (UNLESS ROCK MULCH) SHALL RECEIVE 3" MIN. OF SHREDDED DARK BROWN PREMIUM HARDWOOD MULCH, AS DETAILED. ADD PREEN OR SNAPSHOT TO BEDS BEFORE & AFTER MULCHING FROM MARCH 1 TO OCTOBER 1. IF WINTER INSTALLATION, RETURN NEXT SPRING & INSTALL PREEN/SNAPSHOT WITH NEW MULCH.
8. TREE TIES SHALL BE DEWITT 20" STRAPS FOR TREE STAKING. USE 10 GAUGE ELECTRIC WIRE. TREES AND STAKES SHALL BE STRAIGHT, PLUMB AND TIGHT. TREE STAKES TO BE REMOVED WINTER OF YEAR 2 AFTER INSTALLATION.
9. CONTRACTOR SHALL THOROUGHLY WATER—IN EACH PLANT IMMEDIATELY FOLLOWING INSTALLATION AND CONTINUE WATERING UNTIL SUBSTANTIAL COMPLETION. CONTRACTOR REQUIRED TO COORDINATE WATERING WITH THE OWNER AFTER SUBSTANTIAL COMPLETION.
10. ALL AREAS OF THE SITE DISTURBED DURING CONSTRUCTION THAT ARE NOT DESIGNATED AS BEDS / PAVEMENT AREAS SHALL BE SODDED WITH 90% TURF-TYPE TALL FESCUE AND 10% BLUEGRASS MIX SOD.
11. ALL LANDSCAPED AND TURF AREAS, INCLUDING STREETSCAPE PLANTERS AND TREES, SHALL BE IRRIGATED WITH AN AUTOMATED SYSTEM. THE CONTRACTOR SHALL PROVIDE A DESIGN TO COVER THE NEW LANDSCAPE AREAS WITH HEAD TO HEAD COVERAGE. ONLY RAINBIRD OR HUNTER IRRIGATION PARTS & EQUIPMENT ARE TO BE USED. DRIP IS PERMITTED. THE DESIGN SHALL PROVIDE ALL PIPES, HEADS, VALVES, CONTROLLER, WIRE, AND SLEEVES. SLEEVES SHALL BE INSTALLED BY THE GENERAL CONTRACTOR AND COORDINATED WITH THE LANDSCAPE / IRRIGATION CONTRACTOR. 4" PVC SLEEVES RECOMMENDED. PLACE SLEEVES AND MARK CLEARLY ABOVE GROUND FOR EASE OF FINDING. COORDINATE BACKFLOW, TAP & METER WITH THE GENERAL CONTRACTOR (GC) AND THE GC'S LICENSED PLUMBER. THE IRRIGATION DESIGN / SUBMITTALS SHALL BE SUBMITTED TO THE OWNER AND OWNER'S REPRESENTATIVE & LA FOR APPROVAL PRIOR TO ORDERING OR INSTALLING ANY MATERIALS FOR THE IRRIGATION SYSTEM. GC SHALL MAKE SURE THAT THE METER & BACKFLOW ARE COVERED IN THE BID, AS THE IRRIGATION CONTRACTOR IS LIKELY TO EXCLUDE THESE ITEMS FROM THE IRRIGATION BED. COORDINATE THESE ITEMS AND SLEEVES.
12. NO TREES SHALL BE PLANTED OVER TOP OF ANY UTILITY LINES OR PIPES. CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS PRIOR TO PLANTING AND ANY MODIFICATIONS TO TREE LOCATIONS SHALL BE COORDINATED WITH THE LANDSCAPE ARCHITECT AND APPROVED BY THE CITY PRIOR TO PLANTING.
13. ALL PLANT MATERIALS AND IRRIGATION SYSTEM SHALL BE GUARANTEED FOR 1 YEAR FROM DATE OF SUBSTANTIAL COMPLETION, UNLESS OTHERWISE INDICATED IN THE SPECIFICATIONS. PLANT MATERIALS WILL BE ONE TIME REPLACEMENT AND RECORDS KEPT BY THE LANDSCAPE CONTRACTOR FOR ALL REPLACEMENTS.
14. CONTRACTOR SHALL REPORT SUBSURFACE SOIL OR DRAINAGE PROBLEMS TO THE LANDSCAPE ARCHITECT.
15. IN THE EVENT OF WORK IN OR ON THE JCW SANITARY MAIN, ANY TREES OR PLANTING PLACED WITHIN THE SEWER EASEMENT MAY BE REMOVED WITHOUT REPLACEMENT OR COMPENSATION THEREOF AND SHALL BE REPLACED BY THE PROPERTY OWNER AS REQUIRED BY THE CITY.
16. THIS LANDSCAPE PLAN IS DESIGNED TO BE IN CONFORMANCE WITH THE CITY OF MISSION, KANSAS ZONING CODE. THE LANDSCAPE ARCHITECT WILL COORDINATE CLOSELY WITH THE CITY OF MISSION, KANSAS TO MAKE SURE FINAL DEVELOPMENT AND PERMIT PLANS ARE IN CONFORMANCE WITH THIS CODE.

2 LANDSCAPE NOTES

NTS

CONCEPT PLANT SCHEDULE

	SHADE TREE 2.5" Caliper Ginkgo biloba / Maidenhair Tree Quercus imbricaria / Shingle Oak Tilia cordata 'Chancellor' / Chancellor Linden Tilia cordata 'Greenspire' / Greenspire Littleleaf Linden	22
	ORNAMENTAL TREE 2" Caliper/6'-7' Height Acer griseum / Paperbark Maple Amelanchier x grandiflora 'Autumn Brilliance' / 'Autumn Brilliance' Serviceberry Malus x 'Royal Raindrops' / Royal Raindrops Crabapple	11
	EVERGREEN TREE 6'-7' Height Juniperus virginiana 'Taylor' / Taylor Eastern Redcedar Picea abies / Norway Spruce Pinus flexilis 'Vanderwolf's Pyramid' / Vanderwolf's Pyramid Pine	6
	PLANTING BEDS (1 TO 3 GALLON MATERIALS) Perennial Materials spaced 18"-36" O.C. (typ.)	10,459 sf
	FESCUE SOD Drought-tolerant fescue blend	9,846 sf

3 CONCEPT PLANT SCHEDULE

NTS

LANDSCAPE REQUIREMENTS

PER THE CITY OF MISSION, KANSAS ZONING ORDINANCE CHAPTER 415 ARTICLE III:
CURRENT SITE ZONED: MS1
TOTAL PROPERTY AREA: 2.82 ACRES (122,670 SF)

MIN. TREE REQUIREMENTS	LENGTH	REQUIRED	PROVIDED
JOHNSON DRIVE	329 LF	ONE TREE PER 50 LF FRONTAGE (7 TREES)	8 TREES
BEVERLY AVE	135 LF	ONE TREE PER 50 LF FRONTAGE (3 TREES)	4 TREES
PARKING AREAS (SURFACE)	N/A	ONE TREE FOR EACH 20 STALLS (19 STALLS = 1 TREE)	2 TREES
LANDSCAPE OPEN SPACE	N/A	ONE TREE FOR EVERY 3,000 SF LANDSCAPE OPEN SPACE (20,305 SF = 7 TREES)	25 TREES

*CALCULATIONS FOR PLANTING AREAS WITHIN THE INTERIOR OF A PARKING LOT HAVE NOT BEEN INCLUDED AS THE SURFACE LOTS PROVIDED DO NOT HIT THE MINIMUM 25 STALL THRESHOLD.

1 LANDSCAPE PLAN

1" = 30'

MISSION TRAILS

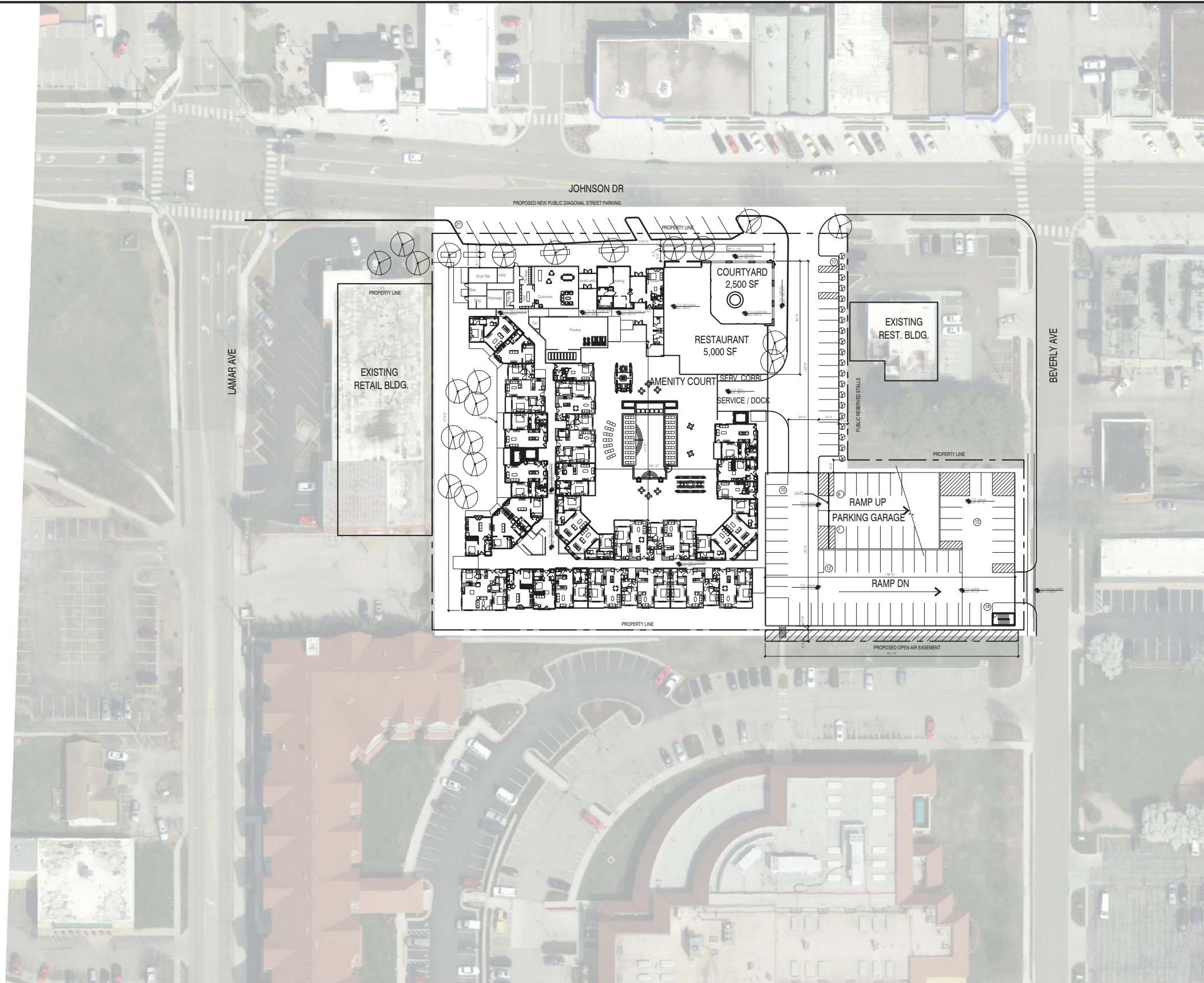
JOHNSON DRIVE
MISSION, KS

project number
17042.001
drawing issuance
PDP SUBMITTAL 04.10.17
drawing revisions
No. Description Date
1 CITY COMMENTS 5/12/17

professionalseal

drawing title
PRELIMINARY LANDSCAPE PLAN
drawing number

L100



SITE DATA	
SITE ACREAGE:	2.820
5 STORY BUILDING WOOD FRAMING ON POOLUM	
TOTAL UNITS:	200
RESTAURANT:	5,000 SF
COMMERCIAL:	5,000 SF
RESIDENTIAL:	203,125 SF
TOTAL SF:	213,125 SF
COURTYARD NOT INCLUDED: 2,500 SF	
PARKING REQUIRED:	
200 UNITS	= 225 STALLS
@ 1 PER 1 BED & 1.5 PER 2 BED	
RETAIL / REST. PARKING	
@ 10 PER 1000 SF	= 50 STALLS
TOTAL REQ:	275 STALLS
PARKING PROVIDED:	
SURFACE STALLS:	38 STALLS
GARAGE STALLS:	287 STALLS
TOTAL PARKING:	325 STALLS
PARKING GARAGE BREAKDOWN:	
OPEN GARAGE PARKING:	52 STALLS
APARTMENT PARKING:	235 STALLS

kloverarchitects
INCORPORATED

10855 LOWELL AVENUE, SUITE 700 • OVERLAND PARK, KS 66210
ph: 913.649.8181 • fx: 913.649.1275 • www.klover.net

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COMPLY with all laws, codes, ordinances and regulations with authorities having jurisdiction and with requirements of the Lenders, if applicable. Do not start Work until all permits and required approvals are obtained.

VERIFY ACTUAL CONDITIONS and dimensions prior to construction. Commencement of work constitutes verification and acceptance of all existing conditions. Application of a material or equipment item to Work installed by others constitutes acceptance of that Work, and assumption of responsibility for satisfactory installation.

DIMENSIONS SHOWN are to finish face of a material unless otherwise indicated. OBTAIN & MARK dimensions - NO NO SCALE drawings unless otherwise indicated.

project title

MISSION TRAILS
JOHNSON DRIVE
MISSION, KS

project number
17042.001

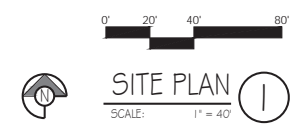
drawing issuance
PDP SUBMITTAL 04.10.17

drawing revisions
No. Description: Date:
PDP RESUBITTAL 05.12.17

professional seal

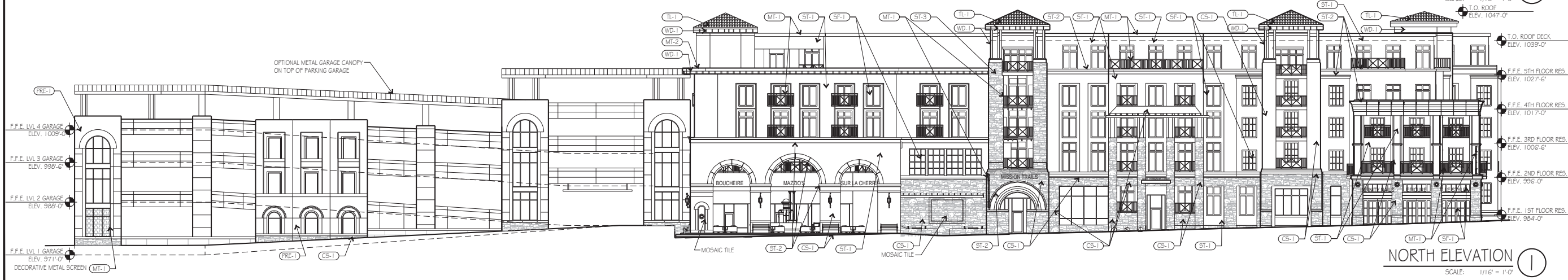
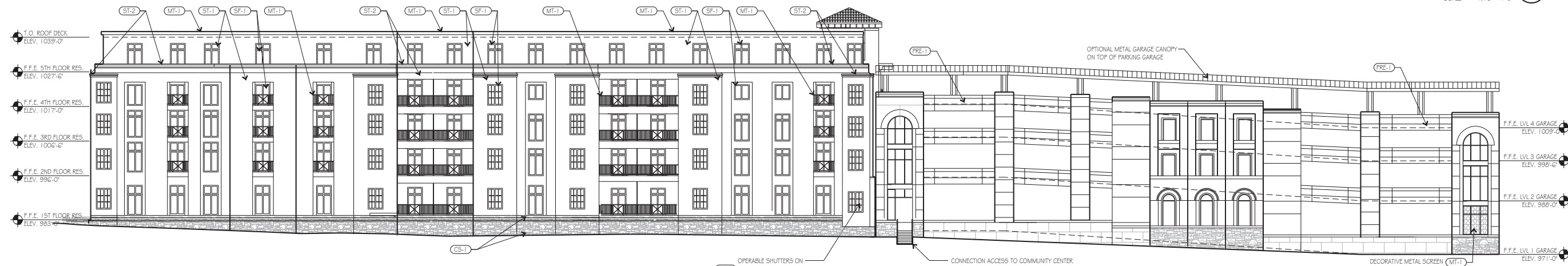
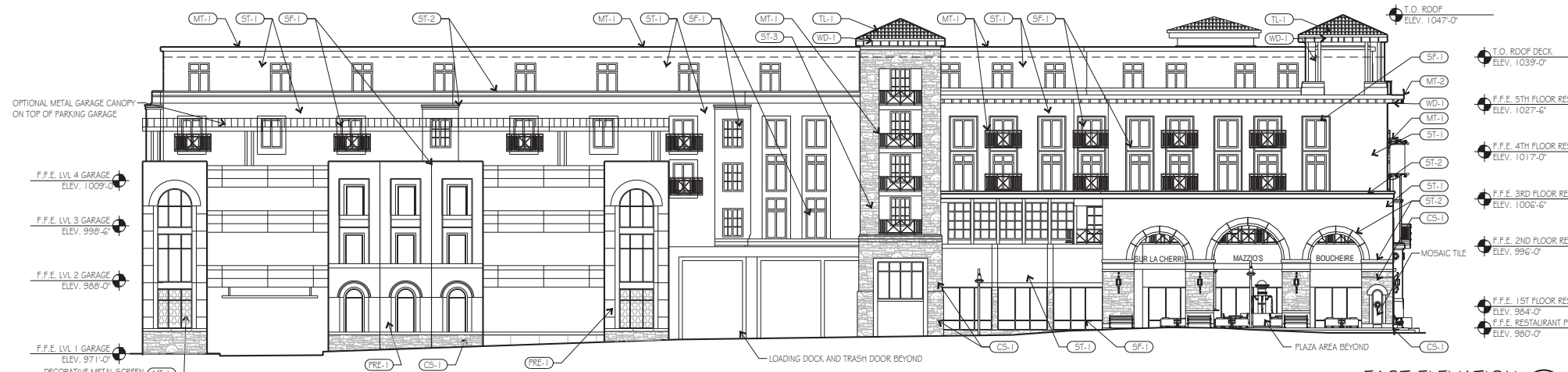
drawing title
ARCHITECTURAL
SITE PLAN

drawing number
AS100



FINISH SCHEDULE				
SYMBOL	MATERIAL	MANUFACTURER	COLOR	TEXTURE / FINISH
CS-1	CAST STONE	TBD	LIMESTONE	TBD
ST-1	STUCCO	TBD	OFF WHITE	TBD
ST-2	STUCCO	TBD	BIEGE	TBD
ST-3	STUCCO	TBD	TBD	TBD
MT-1	ALUMINIUM	TBD	DARK BRONZE	TBD
PRE-1	PRECAST PANEL	TBD	ACID WASH - LIMESTONE	TBD
SF-1	WINDOW FRAMING	TBD	DARK BRONZE	TBD
WD-1	SYNTHETIC WOOD	TBD	TBD	TBD
TL-1	CONC. SPANISH ROOF TILE	TBD	RED	TBD

FACADE MATERIAL %			
	NORTH		SOUTH
GLAZING	14,331 SF	22.8%	16,479 SF
MASONRY	3,272 SF	18.4%	4,636 SF
STUCCO / METAL	2,641 SF	58.8%	10,480 SF
GLAZING	13,100 SF	18.4%	14,331 SF
MASONRY	2,408 SF	8%	4,702 SF
STUCCO / METAL	1,045 SF	73.6%	11,473 SF



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CONTRACTOR shall comply with all laws, codes, ordinances and regulations with authorities having jurisdiction and with requirements of the Insurer, if applicable. Do not start Work until all permits and required approvals are obtained.

VERIFY ACTUAL CONDITIONS and dimensions prior to construction. Commencement of work constitutes verification and acceptance of all existing conditions. Application of a material or equipment item to Work installed by others constitutes acceptance of that item, and assumption of responsibility for satisfactory installation.

DIMENSIONS SHOWN are to finish face of a material unless otherwise indicated. OBTAIN & MARK dimensions - DO NOT SCALE drawings unless otherwise indicated.

project title
 MISSION TRAILS
 JOHNSON DRIVE
 MISSION, KS

project number
 17042.001
 drawing issuance
 PDP SUBMITTAL 04.10.17
 drawing revisions
 No. Description: Date:
 PDP RESUBMITAL 05.12.17

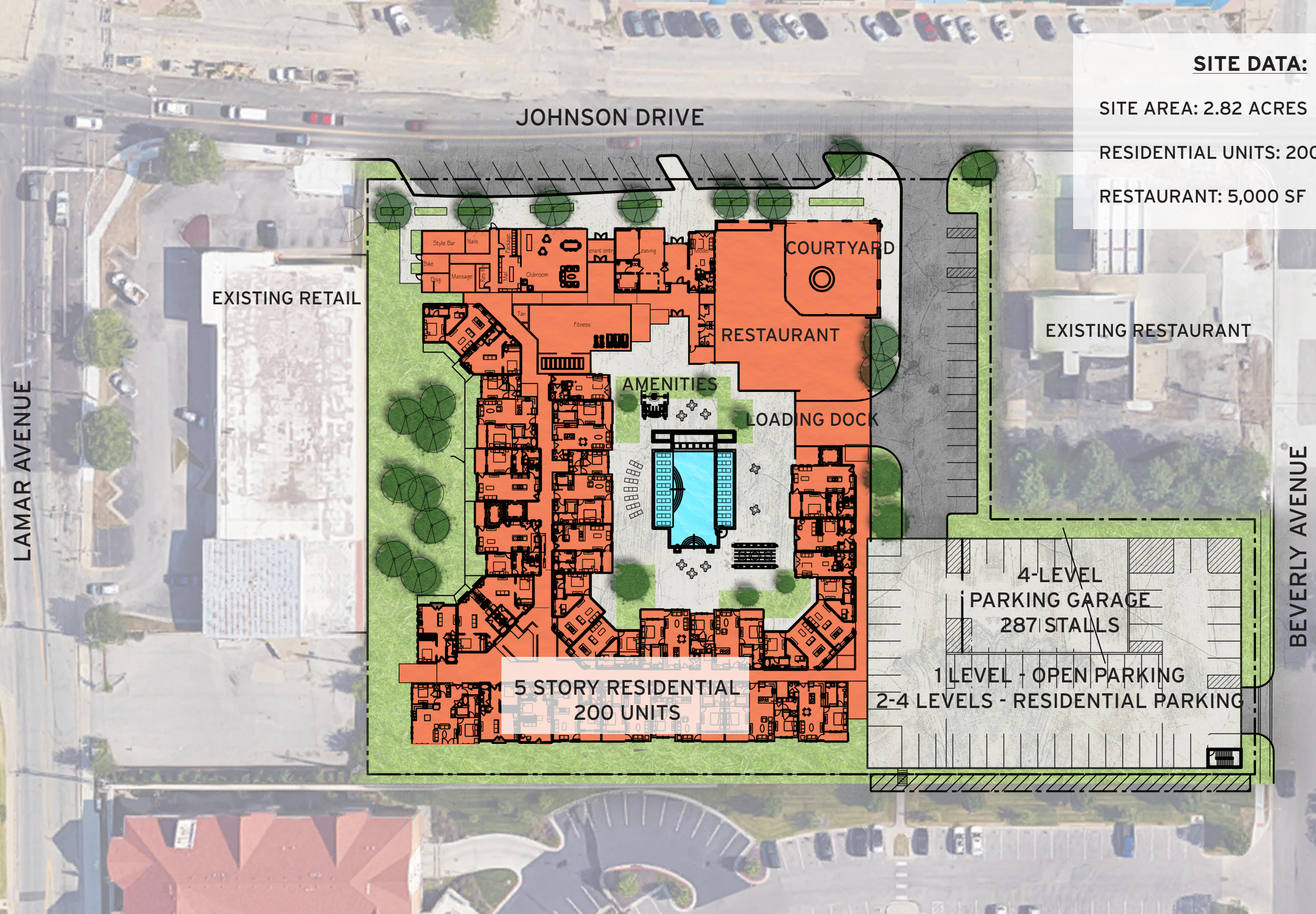
professional seal
 drawing title
 ARCHITECTURAL ELEVATIONS
 drawing number
A200

SITE DATA:

SITE AREA: 2.82 ACRES

RESIDENTIAL UNITS: 200

RESTAURANT: 5,000 SF



COLORED SITE PLAN



VIEW 1



VIEW 2



VIEW FROM MARTWAY ST



VIEW FROM BEVERLY AVE LOOKING WEST



VIEW FROM LAMAR AVE



VIEW FROM BEVERLY AVE LOOKING NORTHWEST



TOP OF TOWER	63'-0"
ROOF LINE	55'-0"
FIFTH FLOOR	43'-6"
FOURTH FLOOR	33'-0"
THIRD FLOOR	22'-6"
SECOND FLOOR	12'-0"
GROUND FLOOR	0'-0"

EAST ELEVATION



TOP OF TOWER	63'-0"
ROOF LINE	55'-0"
FIFTH FLOOR	43'-6"
FOURTH FLOOR	33'-0"
THIRD FLOOR	22'-6"
SECOND FLOOR	12'-0"
GROUND FLOOR	0'-0"

NORTH ELEVATION



WEST ELEVATION



SOUTH ELEVATION



VISION IMAGES



VISION IMAGES



VISION IMAGES



MEMORANDUM

Date: May 22, 2017
To: Planning Commission
From: Danielle Sitzman, City Planner
RE: Mission Trails Tax Increment Financing Redevelopment Project Plan

On April 19, 2017, the Mission City Council established the physical boundaries of 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. The Preliminary Site Development Plan is scheduled for your agenda at this same meeting. Final Site Development plans will be considered by the Planning Commission at a future date.

TIF Redevelopment Project Plan

The Project Plan, submitted by EPC Real Estate Group, proposes demolition of the existing 46,000 square foot building followed immediately by construction of a single 215,000 square foot, five-story wood frame building with approximately 200 residential units (Class A) for lease. The project also includes a structured parking garage with approximately 287 spaces consisting of 52 stalls for retail and public uses and 235 residential stalls. The total number of spaces, including surface parking is 325 stalls. The building will include a clubhouse with a leasing office on the first floor adjacent to an enclosed courtyard with all the amenities. A second open courtyard is planned on the east side of the building. The building will be mixed-use and include approximately 7,5000 square feet of retail/restaurants along with a 2,500 square foot courtyard fronting on Johnson Drive.

Mission Trails is anticipated to be very similar in quality and character to many of EPC's other projects in the Kansas City metro area including: Village at Mission Farms, Highlands Lodge in Overland Park, Mission 106 in Leawood, and The Domain in Lenexa.

Comprehensive Plan

The Comprehensive plan designates the subject property as part of the Downtown District and as appropriate for Downtown District redevelopment. This area is intended to maintain the historic community downtown characterized by small businesses and a pedestrian oriented environment. The ground floor space of buildings is appropriate for retail only. Upper floors of buildings should include housing units and office uses. This district is targeted for retail, food,



MEMORANDUM

and entertainment. Offices and housing are encouraged primarily on upper floors. No new automobile oriented or auto service businesses shall be permitted.

Recommendation

As discussed in the staff review memo of the preliminary site plan PC Case #17-04, deviations may be requested in compliance with processes and standards of the zoning code. Therefore, staff recommends that the Planning Commission approve the Resolution finding that the Mission Trails 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-7 finding that the Mission Trails Tax Increment Financing Redevelopment Project Plan submitted May 22, 2017, is consistent with the comprehensive plan for the development of the City of Mission.

Mission Trails

6201 Johnson Drive
Mission Kansas

Redevelopment Plan



May 9, 2017

Table of Contents

1) Introduction

2) Mission Trails Development Project Plan

- a) The Property
- b) Established Development District
- c) Project Description
- d) Financing Plan
- e) Feasibility Study
 - i) Project Costs
 - ii) Eligible Costs
 - iii) Project Revenues
- f) Summary
- g) City of Mission Minutes
- h) Relocation Plan

3) Conclusion

Exhibit List

Exhibit A: TIF Revenue Projections

Exhibit B: Tax Parcel ID

Exhibit C: Legal Description

Exhibit D: Building Elevation and Site Plan

Exhibit E: EPC Real Estate

1. Introduction:

This Redevelopment Project Plan is presented on behalf of Mission Apartments, LLC to redevelop approximately 2.7 acres incorporated within a redevelopment district established in accordance with the Kansas tax increment financing statutes, K.S.A. 12-1770 by the City of Mission on April 19, 2017 via Ordinance No. 1457.

Mission Apartments, LLC as represented by EPC Real Estate Group (“Developer”) plans to redevelop the 2.7 acre property, last occupied by Pyramid Life Insurance in 2008. The building has been vacant since that time.

On December 20, 2016, EPC Real Estate Group, as developer for Mission Apartments, LLC entered into a contract to purchase the property, which contract remains in place. Following approval of the Redevelopment Plan and further upon closing, which is anticipated to occur during the 4th quarter of 2017, Developer expects to commence complete demolition of the existing 46,000 square foot building followed immediately by construction of a single 215,000 square building and a 287 car parking garage consisting of 52 stalls for retail and public and 235 residential stalls.

This project offers several advantages to the City of Mission. First, it will anchor the west side of the downtown area with a new beautiful structure. Second, the economic benefit of adding 200 Class A apartments (approximately 300 people) will have tremendous economic benefit for local retailers and tax revenue for the City. Third, the parking garage will contain public parking spaces to help accommodate parking in the downtown business district as well as at the Sylvester Powell, Jr. Community Center. Fourth, the building’s architecture will complement the “mission” style of architecture already present at Sylvester Powell and other buildings along Johnson Drive. Lastly, the building’s location along Johnson Drive will entice its residents to have street level experiences on a daily basis. That is to walk and ride bikes as much as possible thus reducing dependence on their automobiles. This not only is a very sustainable approach to living it also significantly adds to the overall sense of community.

In total the Mission Trails project, through the use of private debt and equity and TIF, will constitute and investment of over \$40,000,000.

2. Mission Trails Redevelopment Project Plan

a. The Property

The property included in the established Redevelopment District and subject to this plan is a 2.7 acre area within the City of Mission, Kansas located at 6201 Johnson Drive near the intersection of Johnson Drive and Lamar. A portion of the property fronts Beverly Street. Refer to **Exhibit C** for a complete legal description and **Exhibit B** for a map of the boundaries.

b. Established Redevelopment District

The Project comprises the entirety of an established Redevelopment District approved by the City of Mission on April 19, 2017. Boundaries of the Redevelopment District are shown below.



c. Project Description

Mission Trails will consist of a five-story wood frame building with approximately 200 residential units for lease and a structured parking garage with approximately 287 spaces consisting of 52 stalls for retail and public and 235 residential stalls. The total number of spaces, including surface parking is 325 stalls. It is anticipated that a certain number of the spaces (TBD) will be designated as public parking. The building will include a clubhouse with a leasing office on the first floor adjacent to an enclosed courtyard with all the amenities. A second open courtyard is planned on the west side of the building. The building will be mixed-use and include approximately 5,000 square feet of retail along with a 2,500 square foot courtyard fronting on Johnson Drive. Refer to **Exhibit D** for building elevations.

This project will enhance Mission’s downtown area by bringing more residents living in a high-density environment. Furthermore, the 5,000 square feet of retail/restaurants facing an open courtyard will attract Mission residents to the location and thereby enhance the street environment.

Mission Trails will be very similar in quality and character to many of EPC’s other projects in the Kansas City metro area including: Village at Mission Farms, Highlands Lodge in Overland Park, Mission 106 in Leawood, and The Domain in Lenexa. **Refer to Exhibit E.**

Current zoning for the site is MS-1.

EPC anticipates a schedule of 9 months to complete planning, zoning and development incentive approvals and hope to start construction in January 2018. Construction is estimated to take 18 months.

d. Financing Plan

Mission Trails proposes to finance the Project mostly through private financing, both private debt and equity financing. Tax increment financing will provide necessary assistance for eligible expenses as defined herein.

e. Feasibility Study

As required by the TIF Act, a study has been performed to determine if the project benefits will exceed the cost, and the income derived will be sufficient to pay the cost of the project. EPC Real Estate Group, an experienced developer of multifamily projects in the Kansas City area have provided their expertise and experience in income, expense and cost analysis.

i. Project Costs

<u>Project Costs</u>	
<u>Land</u>	\$3,400,000
<u>Hard Costs</u>	
Demo	\$250,000
Building:	\$24,863,563
Garage	\$3,780,000
Site Costs:	
Onsite:	\$1,500,000
Offsite:	<u>\$500,000</u>
Subtotal Hard Cost	\$34,293,562
<u>Soft Costs</u>	
A&E Fees	\$1,157,000

Legal Fees	\$100,000
Financing Fees and Closing	\$250,000
Permit, Fees, Insurance, FF&E	\$1,894,438
Interest	\$1,240,000
Misc Fees	\$531,000
Marketing, Advertising, Commissions	\$250,000
Studies, Inspections and Testing	\$275,000
Contingencies	<u>\$500,000</u>
Subtotal Soft Costs	<u>\$6,197,438</u>
Total Hard and Soft Costs	<u>\$40,491,832</u>

ii. Eligible Costs

According to the TIF Act, only certain costs are eligible to be financed with TIF, with the primary exclusion being vertical development, subject to certain exceptions. The following costs are eligible expenses:

ELIGIBLE PROJECT COSTS

Hard Costs

Land acquisition	\$3,400,000
Demo	\$250,000
Garage	\$3,780,000
Onsite Site Costs	\$1,500,000
Offsite Site Costs	\$500,000
A&E Costs	\$1,157,000
Legal Fees (Est.)	\$100,000
Financing Fees and Closing	\$250,000
Interest During Construction- TIF Share 28%	\$327,200
Contingencies	<u>\$500,000</u>
Total	\$11,784,200

iii. Project Revenues

TIF Revenues will be generated within the district over a period of 20 years and are estimated to generate a total projected property tax increment of \$9,227,820. This calculation is based on 2016 taxes of \$56,066.08 and an assessed value of \$437,001. The current mill levy rate is 122.308, less School and State of 21.5 for a net mill levy of 100.808.

f. Summary

In summary, this project will have a significant impact on the City of Mission. The existing building has deteriorated over time and continues to be vacant. A Conservation Study, prepared by the

applicant and confirmed by the City, indicates the property qualifies as a “conservation area” per the TIF Act.

g. City of Mission Minutes

Upon the approval of this plan, the City Clerk shall attach the minutes of all City meetings at which the Project was discussed as **Exhibit F**.

h. Relocation Plan

There are no relocations necessitated by the Project Plan.

3. Conclusion

Mission Trails hereby submits the Plan, as well as all Exhibits hereto, which are incorporated by reference, for consideration at a public hearing in accordance with the TIF Act.

**EXHIBIT A
TIF Revenue Projections- Mission Trails**

Year of TIF (1)	Distribution Year (2)	Total Assessed Value (3)	Base Year Assessed Value (4)	Captured Assessed Value (Column 3 - Column 4) (5)	Projected Property Tax Increment (6)
0	2017	\$437,001	\$437,001	\$0	\$0
1	2018	\$437,001	\$437,001	\$0	\$0
2	2019	\$2,278,207	\$437,001	\$1,841,206	\$185,608
3	2020	\$4,556,415	\$437,001	\$4,119,414	\$415,270
4	2021	\$4,647,543	\$437,001	\$4,210,542	\$424,456
5	2022	\$4,740,494	\$437,001	\$4,303,493	\$433,827
6	2023	\$4,835,304	\$437,001	\$4,398,303	\$443,384
7	2024	\$4,932,010	\$437,001	\$4,495,009	\$453,133
8	2025	\$5,030,650	\$437,001	\$4,593,649	\$463,077
9	2026	\$5,131,263	\$437,001	\$4,694,262	\$473,219
10	2027	\$5,233,889	\$437,001	\$4,796,888	\$483,565
11	2028	\$5,338,566	\$437,001	\$4,901,565	\$494,117
12	2029	\$5,445,338	\$437,001	\$5,008,337	\$504,880
13	2030	\$5,554,244	\$437,001	\$5,117,243	\$515,859
14	2031	\$5,665,329	\$437,001	\$5,228,328	\$527,057
15	2032	\$5,778,636	\$437,001	\$5,341,635	\$538,480
16	2033	\$5,894,209	\$437,001	\$5,457,208	\$550,130
17	2034	\$6,012,093	\$437,001	\$5,575,092	\$562,014
18	2035	\$6,132,335	\$437,001	\$5,695,334	\$574,135
19	2036	\$6,254,981	\$437,001	\$5,817,980	\$586,499
20	2037	\$6,380,081	\$437,002	\$5,943,079	\$599,110

Total Projected Property Tax Increment \$9,227,820

Anticipated Assessed and Appraised Values:

Use	# of Units	Year of Completion	Appraisal Value	Assessment Rate	Assessed Value
Apartments	200	2020	\$39,621,000	11.5%	\$4,556,415
Totals			\$39,621,000		\$4,556,415
				Current Mill Levy	122.308
				Less Sch/State	21.500
				Net Mill Levy	100.808

Assumptions:

- a) Development is fully stabilized on 1/1/2021 valuation date.
- b) Fully stabilized development generates property taxes of \$2,551 per unit annually.
- c) Appraised value increases by 2% annually after fully stabilized.
- d) Property tax collection rate will be 100%.
- e) Property tax increment is distributed twice each year.

EXHIBIT B

Tax Parcel ID: KF251208-4005

Legal Desc. 8-12-25 BG 825' W NE CR NW1/4 SE1/4 W 330' S 300' W 167.13' S 75' E 636.73' N 165' W 140' N 210' TO
(abbreviated) POB EX .29 AC & EX .1 AC 3.275 ACS ML

Property Map for KF251208-4005



EXHIBIT C

Legal Description

ALL THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW 1/4 SE 1/4) OF SECTION 8, TOWNSHIP 12, RANGE 25, IN MISSION, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTH LINE OF SAID 1/4 1/4 SECTION 825 FEET WEST OF THE NORTHEAST CORNER THEREOF; THENCE WEST ALONG SAID NORTH LINE 330 FEET; THENCE SOUTH PARALLEL TO THE EAST LINE OF SAID 1/4 1/4 SECTION 300 FEET; THENCE WEST PARALLEL TO THE SAID NORTH LINE 167.13 FEET, MORE OR LESS, TO THE WEST LINE OF SAID 1/4 1/4 SECTION; THENCE SOUTH 75 FEET ALONG SAID WEST LINE; THENCE EAST PARALLEL TO SAID NORTH LINE 636.73 FEET, MORE OR LESS, TO A POINT 685 FEET WEST OF THE SAID EAST LINE; THENCE NORTH PARALLEL TO SAID EAST LINE 165 FEET; THENCE WEST PARALLEL TO SAID NORTH LINE 140 FEET; THENCE NORTH 210 FEET TO THE POINT OF BEGINNING, EXCEPT ANY PART TAKEN, USED OR DEDICATED FOR ROADS OR PUBLIC RIGHT OF WAYS.

EXCEPT THAT PART IN JOHNSON DRIVE, AND EXCEPT THAT PART DESCRIBED AS FOLLOWS:

ALL THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (NW 1/4 SE 1/4) OF SECTION 8, TOWNSHIP 12, RANGE 25, IN MISSION, JOHNSON COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF SAID QUARTER SECTION 375 FEET SOUTH OF THE NORTHWEST CORNER THEREOF; THENCE EAST PARALLEL TO THE NORTH LINE OF SAID QUARTER SECTION 167.13 FEET; THENCE NORTH PARALLEL TO THE EAST LINE OF SAID QUARTER SECTION, 75 FEET; THENCE WEST PARALLEL TO THE NORTH LINE OF SAID QUARTER SECTION 167.13 FEET, MORE OR LESS, TO THE WEST LINE OF SAID QUARTER SECTION; THENCE SOUTH ALONG THE WEST LINE OF SAID QUARTER SECTION 75 FEET, MORE OR LESS, TO THE POINT OF BEGINNING

EXHIBIT D

Building elevation looking east:



View along Johnson Drive looking west. The corner is an open plaza contiguous to retail

Site Plan:



EXHIBIT E

EPC Real Estate Group Description:

In general, EPC specializes in identifying infill locations in both urban and suburban markets. We select locations that are walkable, convenient, and have great access. Downtown Mission, Kansas is exactly that type of neighborhood. EPC designs a product that is not viewed as a typical apartment. Our customer is looking for a special place to live. That is, a building in a walkable community that is constructed of high quality materials and finishes. When combined with the appropriate mix of amenities our projects attract renters of all ages who were not necessarily part of the renter pool for existing apartments.

Developer Organizational Structure: EPC consists of approximately 50 employees. Jobs range from lawn maintenance, sales, leasing, and management. The following shows upper management positions.

Example of two of EPC's recent developments in the KC metro area:

Avenue 80



Project Mix	218 Units – 15,443 SF of Office / Retail
Location	80th & Metcalf, Overland Park, KS <ul style="list-style-type: none">• Adjacent to Historic Downtown Overland Park.• Extremely walkable small town Main Street with Farmers Market.
Unique Features	Four story full garage wrap with office tower integrated into building with street level retail. 5th floor club level for entertaining and meetings.
Status	Commenced: June 2015 Completion: January 2017
Cost	\$42 Million
Developer	EPC

51MAIN



Project Mix	176 Units – 9,000 SF of Retail
Location	51st & Main St, Kansas City, Missouri <ul style="list-style-type: none">• True Neighborhood Main Street environment with many of Kansas City's Favorite Restaurants.
Unique Features	Four to eight story garage wrap with two level courtyard featuring infinity pool. Street level retail complements the already vibrant pedestrian space.
Status	Completed: March 2015, in Lease-Up Stabilized: November 2015
Cost	\$41 Million
Developer	EPC / VanTrust



Terence O'Leary
Steve Coon
Michael McKeen



| Terence O'Leary



| Steve Coon



| Michael McKeen

EPC specializes in identifying opportunities to acquire land and create unique projects in the marketplace that deliver the "WOW Factor". By branding, differentiating and marketing our projects, EPC has had great success with project lease-up and since being formed in 1999.

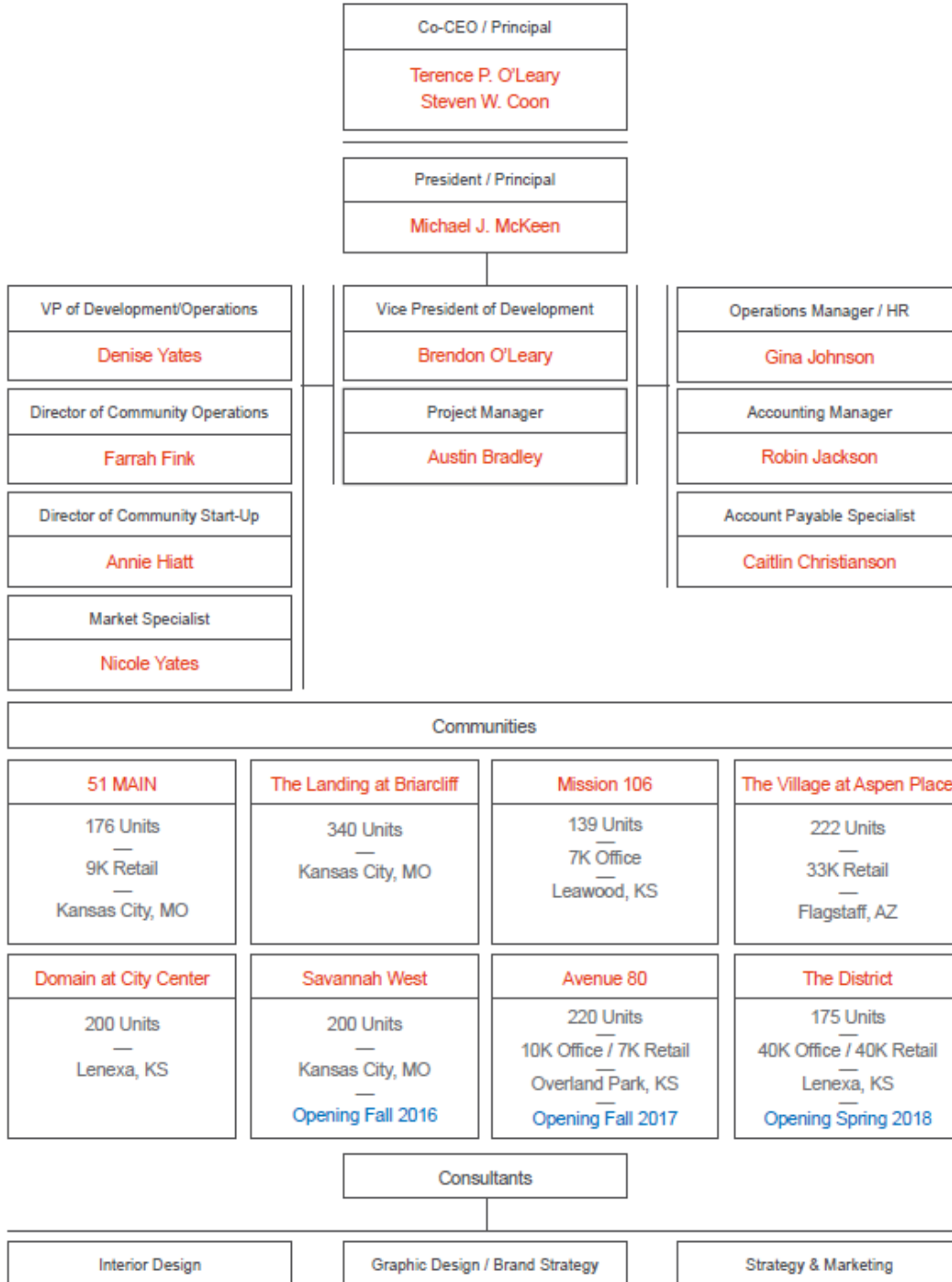
Terence P. O'Leary and Steven W. Coon, as principals of EPC, provide full development services on each project including planning and zoning approvals, design, construction management, leasing and sales. With over 60 years of combined experience, Terry and Steve provide the ability to interpret market demand factors, procure land, and develop almost any type of commercial or residential project. Both are directly involved in all aspects of the project and pride themselves in the ability to assemble a team of experts to execute all facets of the development. As developers, EPC understands its responsibility for environmentally conscious development and as a result incorporates many of the industries best practices in its designs.

Vision

The EPC vision is centered on an in depth understanding of market demand factors unique to a site and designing a project to match that demand. Our core belief is recognizing that there is always a better way to plan, build and market property.

Awards and Recognition

EPC's first project, BarreWoods, won the Kansas City Apartment Association's highest achievement, "Outstanding Overall Apartment Property" three consecutive years, 2006 - 2008. BarreWoods also won thirteen Awards of Excellence, more than any other apartment property in the Kansas City metropolitan area.



**CITY OF MISSION, KANSAS
PLANNING COMMISSION**

RESOLUTION NO. 07

A RESOLUTION FINDING THAT THE MISSION TRAILS TAX INCREMENT FINANCING REDEVELOPMENT PROJECT PLAN SUBMITTED MAY 22ND, 2017 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 Mission Trails Tax Increment Financing Redevelopment Project Plan, submitted to the City and reviewed by the Planning Commission at its regularly scheduled meeting on May 22, 2017, is consistent with the comprehensive plan for the development of the City of Mission, Kansas all in accordance with Kansas law.

ADOPTED by the Planning Commission May 22, 2017.

Mike Lee, Chair

ATTEST:

Nora Tripp
Planning Commission Secretary



MEMORANDUM

Date: May 22, 2017
To: Planning Commission
From: Danielle Sitzman, City Planner
RE: Mission Gateway Third Amended Tax Increment Financing Redevelopment Project Plan

On February 8, 2006, the Mission City Council established the physical boundaries of 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 site.

Included in this packet is the third amended 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. Final Site Development plans were approved by the Planning Commission on March 27, 2017.

TIF Redevelopment Project Plan

The amended Project Plan proposes a mixed-use center consisting of approximately 194,903 square feet of junior anchor and small shop retail and restaurants, an approximately 200 room hotel, and approximately 168 market-rate multi-family residential units, as well as a parking garage and all associated infrastructure. The Project will provide living, working, shopping, and entertainment opportunities, culminating in an integrated and cohesive community that brings the Property to its highest and best use. The Project will be critical to the City's continued revitalization of its economy and progress in the redevelopment of the West Gateway and East Gateway areas. It is contemplated that the Project will be constructed in three (3) phases anticipated as follows:

Phase 1: The first phase of the Project is proposed to include: (i) construction of approximately 55,594 square feet of "small-shop" commercial or restaurant uses; (ii) construction of approximately 168 apartment units; (iii) construction of related site work; and (iv) construction of surface parking sufficient for such uses pursuant to the City's applicable ordinances.

Phase 2: The second phase of the Project is proposed to include: (i) construction of a parking garage serving the entirety of the Project and (ii) construction of an approximately 200-room hotel including a restaurant consisting of approximately 15,624 square feet.

Phase 3: The third phase of the Project is proposed to include approximately 123,685 square



MEMORANDUM

feet of junior-anchor/"big box" commercial retail space, which may also include "small-shop" commercial or restaurants as tenants are identified.

Additionally, the Project is being designed to accommodate the construction of office uses in the event that office users can be identified in the market.

Comprehensive Plan

The Comprehensive plan designates the subject property as part of the East Gateway District and as appropriate for mixed-use high density re-development to include a pedestrian-friendly mix of neighborhood and community office uses, retail-commercial and service-commercial uses institutional, civic, and medium to high density residential uses intermixed through compatible site planning and building design. According to the Comprehensive Plan, residential uses may be located on upper floors of a building's business use, or may include attached residential structures or apartment/condominium buildings or hotels, commingled in the same structures or nearby to promote diversity and a successful pedestrian environment. Given the close proximity of residential uses, all business developments should be well-planned and designed to ensure a high level of compatibility. Non-residential uses are expected to be limited to compact, pedestrian/community oriented services rather than large-scale or automotive oriented uses. Site designs should include a tight network of streets, wide sidewalks, regular street tree planting, buildings oriented toward the street frontages with close setbacks to the street, and accommodation of on-street parking. Off-street parking is to be located behind non-residential structures and rear or underground garage access is required of residential structures.

Recommendation

Therefore, staff recommends that the Planning Commission approve the Resolution finding that the Third Amended Mission Gateway 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-8 finding that the Third Amended Mission Gateway Tax Increment Financing Redevelopment Project Plan submitted May 22, 2017, is consistent with the comprehensive plan for the development of the City of Mission.

MISSION GATEWAY

**THIRD AMENDED TAX INCREMENT FINANCING
REDEVELOPMENT PROJECT PLAN**

SUBMITTED TO THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS
PURSUANT TO K.S.A. § 12-1770 *et seq.*

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EXHIBIT LIST

- Exhibit A – Legal Description of the Subject Property
- Exhibit B – Map Exhibit of the Subject Property
- Exhibit C – Ordinance No. 1190 and Ordinance No. 1195
- Exhibit D – Detailed Budget
- Exhibit E – TIF Bond Proforma
- Exhibit F – City of Mission Meeting Minutes

I. INTRODUCTION

In accordance with the Kansas Tax Increment Financing Act, K.S.A. 12-1770 *et seq.* (the “**Act**”), this Third Amended Mission Gateway Tax Increment Financing Redevelopment Project Plan (this “**Project Plan**”) has been submitted to facilitate the redevelopment of an approximately 17 acre site (the “**Property**”) bounded by Johnson Drive on the North, Roe Avenue on the East, Shawnee Mission Parkway on the South, and Roeland Drive on the West in the City of Mission, Kansas (the “**City**”). In the 1980s, the site was developed and utilized as a traditional enclosed shopping mall, and as that concept fell out of favor in the market, vacancy rates rose and the viability of that particular use came into question despite desirable local demographics.

In 2005, The Gateway Developers, LLC (the “**Original Developer**”) purchased the Property and worked closely with the City to formulate a redevelopment plan to demolish the existing mall and construct a modernized concept that would bring the Property to its highest and best use. This plan served both the Original Developer’s goals of creating a long-term stable asset and the City’s goals of rectifying a blighted, outdated use at the City’s front door and replacing it with a dense mixed-use project. It also facilitated an important City-wide goal of making it possible install critical flood mitigation infrastructure that would enable redevelopment of both the Property and a substantial portion of the City that continuously faced flood issues.

In January of 2006, the Original Developer obtained initial approval of a tax increment financing (“**TIF**”) district for the Property. A TIF redevelopment project plan was then approved that September 2006, and that plan was amended by a later iteration in January 2008, which included a destination aquarium as the focal point. Shortly after this approval, the national economy began to rapidly decline, and market factors beyond the Original Developer’s control delayed commencement of this project. In 2013, a second amended redevelopment project plan was approved for the project, which omitted the destination aquarium in favor of a modern mixed-use concept.

In 2016, the Original Developer transferred its interest in the Property to Aryeh Realty, LLC (the “**Developer**”), which now proposes to re-envision the redevelopment plan and submit this Project Plan for the City’s consideration. This Project Plan proposes a mixed-use center consisting of an approximately 194,903 square feet of junior anchor and small shop retail and restaurants, an approximately 200 room hotel, and approximately 168 market-rate multi-family residential units, as well as a parking garage and all associated infrastructure (the “**Project**”). The Project will provide living, working, shopping, and entertainment opportunities, culminating in an integrated and cohesive community that brings the Property to its highest and best use. The Project will be critical to the City’s continued revitalization of its economy and progress in the redevelopment of the West Gateway and East Gateway areas. It is contemplated that the Project will be constructed in three (3) phases:

- Phase 1: The first phase of the Project is proposed to include: (i) construction of approximately 55,594 square feet of “small-shop” commercial or restaurant uses; (ii) construction of approximately 168 apartment units; (iii) construction of related site work; and (iv) construction of surface parking sufficient for such uses pursuant to the City’s applicable ordinances (collectively referred to herein as “**Phase 1**”).
- Phase 2: The second Phase of the Project is proposed to include: (i) construction of a parking garage serving the entirety of the Project and (ii) construction of an approximately 200-room

hotel including a restaurant consisting of approximately 15,624 square feet (collectively referred to herein as “Phase 2”).

- Phase 3: The third phase of the Project is proposed to include approximately 123,685 square feet of junior-anchor/“big box” commercial retail space, which may also include “small-shop” commercial or restaurants as tenants are identified (referred to herein as “Phase 3”).

Additionally, the Project is being designed to accommodate the construction of office uses in the event that office users can be identified in the market.

This Project Plan is premised on the need for a combination of public and private financing. As is well understood, the redevelopment of the Project has been ongoing for over a decade, and during that time, a total of approximately \$43,194,337 in land acquisition, demolition, and predevelopment costs have been incurred in an effort to get the Project off the ground. Market conditions have continued to create difficulties for the Project, and absent the availability of TIF, it is not economically viable to undertake the Project. Accordingly, the Developer hereby proposes that the City approve this Project Plan and authorize the financing described herein. This public-private partnership will be to the shared benefit of all stakeholders – from the City and the Developer, to neighbors of the Project, and the citizens of the City that have a vested interest in seeing the Project move forward.

II. AMENDED TAX INCREMENT FINANCING REDEVELOPMENT PROJECT PLAN

A. Subject Property

As noted above, the Property subject to this Project Plan consists of approximately 17 acres bordered by Shawnee Mission Parkway, Roe Avenue, Johnson Drive, and Roeland Drive located within the City of Mission, Kansas. A legal description and map of the subject property are attached hereto as **Exhibit A** and **Exhibit B**, respectively.

B. Established Redevelopment District

The Property is within an established Redevelopment District approved by the City on January 11, 2006 and amended on February 8, 2006, by adoption of Ordinance No. 1190 and Ordinance No. 1195, copies of which are attached hereto as **Exhibit C**. The approved District Plan designates the subject property as a portion of Project Area 1, providing in pertinent part:

Project Area 1. Redevelopment of the existing Mission Mall shopping center and adjacent property consisting of one or more commercial and residential facilities and all related infrastructure improvements including storm water improvements within the Rock Creek channel, streets, sanitary and storm sewers, water lines and all related expenses to redevelop and finance the redevelopment project.

As described herein, this Project Plan is consistent with the established Redevelopment District.

C. Description of the Proposed Project

As described above, this Project Plan proposes a mixed-use center consisting of an approximately 194,903 square feet of junior anchor and small shop retail and restaurants, an approximately 200 room

hotel, and approximately 168 market-rate multi-family residential units, as well as a parking garage and all associated infrastructure. The Project will provide living, working, shopping, and entertainment opportunities, culminating in an integrated and cohesive community that brings the Property to its highest and best use. The Project will be critical to the City's continued revitalization of its economy and progress in the redevelopment of the West Gateway and East Gateway areas. It is contemplated that the Project will be constructed in three (3) phases:

- Phase 1: Proposed to include: (i) construction of approximately 55,594 square feet of "small-shop" commercial or restaurant uses; (ii) construction of approximately 168 apartment units; (iii) construction of related site work; and (iv) construction of surface parking sufficient for such uses pursuant to the City's applicable ordinances.
- Phase 2: Proposed to include: (i) construction of a parking garage serving the entirety of the Project and (ii) construction of an approximately 200-room hotel including one or more restaurants consisting of approximately 15,624 square feet.
- Phase 3: Proposed to include construction of approximately 123,685 square feet of junior-anchor/"big box" commercial retail space, but may also include "small-shop" commercial or restaurant uses.

Additionally, the Project is being designed to accommodate the construction of office uses in the event that office users can be identified in the market.

D. Financing Plan

The viability of this Project is dependent upon a combination of private and public financing mechanisms. In addition to private equity and debt, TIF and Community Improvement District ("CID") financing and other public sources may be utilized as approved by the City. As contemplated herein, it is envisioned that the Developer will commence construction of the Project on the assumption that all incentive revenue streams will be disbursed to the Developer on a "pay-as-you-go" basis. If at any point it becomes marketable to issue special obligation bonds, the Developer and the City shall work together in good faith in support of such issuance, and eligible costs of the Project may be paid by the revenues of such bond issuance. It is important to note that the current iteration of the Project Plan envisions the use of special obligation bonds only, meaning that no City support, backing, or credit of the bonds will occur unless otherwise specifically authorized by the City.

As detailed in Section E below, the total estimated cost to complete the Project is approximately \$170,132,564. Financing of this amount shall be provided by (A) TIF financing; (B) eligible CID financing; and (C) costs not financed with the above funding sources will be financed through private equity and debt.

E. Feasibility Study

Pursuant to the Act, a study has been performed to determine whether the Project's estimated benefits will exceed its cost, and that the income therefrom will be sufficient to pay the costs of the Project. Various consultants and members of the development team with experience and expertise in the actual design, development, financing, management and leasing of projects of similar scope and nature were utilized for the feasibility study. Further, outside resources were 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 study are as follows:

1. **Project Costs.** The total estimated cost to complete the Project is \$170,132,564.¹ Below is a summary of the estimated costs, as determined from contract prices, engineering estimates and the Developer’s estimates. A detailed budget is included as Exhibit D.

ESTIMATED TOTAL COSTS

	<u>Total</u>
Land, Demolition & Predevelopment	\$43,194,337
Site Work, Infrastructure & Parking	\$23,509,584
Hard Costs	\$71,880,708
Soft Costs	\$21,814,251
Mezzanine Loan Closing Costs	\$506,527
Construction Loan Closing Costs	\$2,922,433
Interest Reserve	\$6,304,724
Total:	\$170,132,564

2. **Eligible Costs.** Pursuant to the Act, only certain costs are eligible for TIF financing and reimbursement. Of the total project costs listed above, \$79,568,061 (or 46.77%) qualifies under the Act as “Eligible Redevelopment Project Costs,” meaning that only those costs may be financed using TIF revenues. The viability of the Project as planned hinges on obtaining TIF financing and reimbursement for the Eligible Redevelopment Project Costs, which are set forth by category and amount below (and noted in further detail in Exhibit D):

ESTIMATED ELIGIBLE REDEVELOPMENT PROJECT COSTS²

	<u>TIF Eligible</u>	<u>Eligible %</u>
Land, Demolition & Predevelopment	\$43,194,337	100.00%
Site Work, Infrastructure & Parking	\$23,509,584	100.00%
Hard Costs	\$2,441,242	3.40%
Soft Costs	\$7,642,139	35.03%
Mezzanine Loan Closing Costs	\$144,707	28.57%
Construction Loan Closing Costs	\$834,893	28.57%
Interest Reserve	\$1,801,159	28.57%
Total:	\$79,568,061	46.77%

¹ This amount is subject to change as actual costs are ascertained and incurred. Costs are exclusive of private interest incurred to finance such costs.

² This amount is subject to change as actual costs are ascertained and incurred. This Project Plan contemplates that all TIF revenue generated hereby will be available to repay Eligible Redevelopment Project Costs, whether on a “pay-as-you-go” basis or by the issuance of TIF bonds. Costs are exclusive of private interest costs incurred to finance such Eligible Redevelopment Project Costs, which shall be reimbursable with TIF revenues if incurred to finance any Eligible Redevelopment Project Costs.

3. Project Revenues

Gross TIF revenues generated over a period of 20 years, as provided under the Act, are estimated to be \$57,609,726. The estimated TIF revenues presume a 1.5% annual escalation in property taxes and a 2% annual increase in sales revenues. At a 6% net present value (“NPV”) rate, these revenues have a present-day value of approximately \$30,132,244. If bonds are issued at any point, applicable bond factors, such as interest rate, coverage, and debt-service reserve requirements, will be calculated based on the requirements of the purchaser of the bonds.

The Project will generate TIF revenues from the following sources permitted by the Act:

- a) *Ad Valorem* Tax Increment Revenues – the differential between the *ad valorem* taxes generated by real property within the TIF District as of the date the TIF District was established and future *ad valorem* taxes which will be generated after the redevelopment, (less *ad valorem* taxes not allowed to be captured pursuant to the Act); and
- b) City Sales Tax – the portion of the City’s Sales Tax undedicated for other purposes, which is currently 1%, plus the portion of the Johnson County sales tax committed to the City, which for the purposes of this Project Plan is assumed to be an additional 0.0107624%.
- c) Transient Guest Tax – all transient guest taxes generated from the hotel within the Project, at the City’s current transient guest tax rate of 9%.

A. Ad Valorem Tax Increment Captured

The assessed value of the Property in at the time the TIF district was created in 2006 was \$1,811,390. This assessed value serves as the base against which future Project values can be compared in order to determine the amount of *Ad Valorem* Tax Increment Revenues that will be generated by the Project. Upon completion of the Project, it is estimated that the Property will have an assessed value of \$10,516,088, growing annually with inflation at an assumed 1.5%. The cumulative difference between the projected assessed value and the base assessed value creates a tax increment of \$20,661,011 over the TIF collection period (with an estimated net-present value of \$10,794,081 assuming a 6% rate).

These conclusions are based on and confirmed against anticipated Project Costs, published tax appraisals for similar developments in Johnson County, and the valuation methodology historically utilized by the Johnson County Appraiser’s Office for comparable property.

B. City Sales Tax Revenue Captured

It is estimated that sales within the Project will be \$82,307,294 at stabilization in Year 3, growing 2% annually thereafter for the duration of the Project Plan. Based upon the undedicated portion of the City Sales Tax of 1%, plus the portion of the County sales tax committed to the City, TIF revenues derived from City Sales Tax are anticipated to generate sales tax increment of \$18,229,536 over the TIF collection period (with an estimated net-present value of \$9,618,423 assuming a 6% rate).

C. Transient Guest Tax Captured

The hotel within the Project is estimated to produce room sales of \$8,697,264 at stabilization in Year 3, growing by 3% annually thereafter. All such sales will be subject to City's 9% transient guest tax rate. Over the course of the TIF collection period, these transient guest tax revenues are estimated to generate \$18,719,179 (with an estimated net-present value of \$9,719,740 assuming a 6% rate).

4. Tax Increment Revenues and Special Obligation Bond Financing

Based on the Project's captured *Ad Valorem* Tax Increment, City Sales Tax, and transient guest tax revenues for a period of 20 years, such revenue stream is estimated to generate \$57,609,726 over the course of the 20-year TIF collection period, which at a 6% NPV rate is estimated to have a present-day value of \$30,132,244. **Exhibit E** sets forth a principal and interest schedule along with the relevant calculations and assumptions utilized to reach these figures. As noted above, bond factors will be agreed upon if and when bonds are issued in support of the Project. The balance of any TIF revenue remaining after the repayment of any special obligations issued in support of the Project may be utilized by the Developer to repay any outstanding Eligible Redevelopment Project Costs on a pay-as-you-go basis, or via a subsequent bond issuance at the discretion of the City.

5. Summary of the TIF Revenues and Project Costs

Based on the Plan's (1) estimated project costs (2) Estimated TIF revenues, and (3) private debt/equity and other financial incentives, the net TIF revenues will be sufficient to pay the costs of the Project, as contemplated under the Act, when supplemented by private debt, equity, and such other financial incentives.

6. City of Mission Meetings and Minutes

Upon approval of this Project Plan by the City, the City Clerk will attach the minutes of all City meetings where the Project was discussed as **Exhibit F**.

7. Impact on Outstanding Bonds

If bonds are issued in support of the Project, such bonds shall be payable solely from TIF revenues (or other incentive revenues) generated within the Project. Accordingly, it is anticipated that there will be no impact on bonds payable from revenues described in (a)(1)(D) of K.S.A. 12-1774 and amendments thereto caused by the Project.

8. Significant Contribution to Economic Development in the City

The redevelopment of the Property as proposed herein will provide significant economic benefits for the City by, among other things, creating a substantial commercial activity within a previously blighted area of the City.

In particular, demolition of the former shopping mall on the Property served a vital public purpose of facilitating a City-wide drainage project that benefitted the entire area surrounding the Property. In the future, the Project will provide new shopping and living opportunities, employment for

the City's residents, and it will further the City's aim of redeveloping the East and West Gateway target areas. In addition, the Project will create viable long-term sales and property tax revenues for the City, as well as employment and commerce. It is anticipated that the Project will also be a catalyst to further revitalization within the City, with the net result of the Project being a revitalized economy for the City as a whole. The benefits derived from the Project will far exceed any costs thereof.

There are also immediate and long-term quantifiable monetary benefits to the City from the Project. The following table provides calculations as to financial benefits both during and after the TIF collection period:

City Financial Benefits During TIF Period:

	<u>Annual at Stabilization</u>	<u>Cumulative Over TIF Period</u>
.25% Street Sales Tax:	\$205,768	\$5,102,511
.375% Park Sales Tax:	\$308,652	\$7,653,767
Business License/Franchise Fees:	\$10,200	\$257,833
Stormwater Debt Repayment:	\$599,596	\$11,991,916
Total:	\$1,124,216	\$25,006,027

Annual City Financial Benefits After TIF Period:

	<u>Annual After TIF Period</u>
Annual Sales Tax Revenue:	\$1,987,445
Annual Transient Guest Tax Revenue:	\$1,332,590
Annual City Property Tax:	\$253,576
Annual City Share of County Sales Tax:	\$13,163
Annual Business License Fees:	\$15,157
Total Annual Revenue After TIF:	\$3,601,931

To put these figures in perspective, at stabilization, it is estimated that the annual revenues generated by the Project (after deducting TIF revenues) will comprise approximately 9.81% of the City's entire budget. The revenues at stabilization would also support approximately 22.14% of the City's debt-service payments on other City-wide obligations. At completion of the TIF collection period, it is estimated that the Project will produce revenues sufficient to support 22.00% of the City's budget.

The Project will also generate substantial job creation and annual visitation, which will produce spin-off economic benefits. Estimates are as follows:

Job/Visitation Creation

Est. Jobs Created (1 Employee/1,000 SF):	459
Estimated Annual Visitors:	2,500,000
Estimated Overnight Visitors:	65,000

F. Relocation Plan

The Developer, Aryeh Realty, LLC, or the City owns all of the Property in fee simple. These properties were acquired through negotiated arms-length transactions; thus, any funds required for relocation were included in the purchase price. Certain relocation payments were made to tenants that occupied the Property at the time it was purchased by the Developer, which are among the predevelopment costs to be reimbursed with TIF revenues.

III. CONCLUSION

Based on the foregoing, the City and Developer hereby submit this Project Plan for public hearing and due consideration.

EXHIBIT A – LEGAL DESCRIPTION

Lot 1, The Gateway First Plat, Part of the West half of Section 9, Township 12 South, Range 25 East, City of Mission, Johnson County, Kansas, less any portions in dedicated public street right of way (if any), more particularly described as:

All that part of the West half of Section 9, Township 12 South, Range 25 East, in the City of Mission, Johnson County, Kansas, described as follows:

COMMENCING at the Southwest corner of the Northwest Quarter of Section 9, Township 12 South, Range 25 East; thence North 1 degree 49 minutes 20 seconds West along the West line of the Northwest Quarter of said Section 9 a distance of 349.28 feet (339.15 feet Deed) to a point; thence North 88 degrees 10 minutes 40 seconds East a distance of 1740.63 feet (1742.10 feet Deed) to a point on the East right of way line of Roeland Drive, the POINT OF BEGINNING; thence North 33 degrees 29 minutes 13 seconds West along the East right of way line of Roeland Drive a distance of 358.19 feet to a point on the South right of way line of Johnson Drive; thence North 67 degrees 34 minutes 47 seconds East along the South right of way line of Johnson Drive a distance of 143.70 feet to a point; thence North 68 degrees 09 minutes 28 seconds East along the South right of way line of Johnson Drive a distance of 434.76 feet to a point; thence South 21 degrees 50 minutes 32 seconds East along the South right of way line of Johnson Drive a distance of 1.53 feet to a point; thence North 72 degrees 37 minutes 31 seconds East along the South right of way line of Johnson Drive a distance of 342.82 feet to a point; thence in a Northeasterly direction along the South right of way line of Johnson Drive and along a curve to the right, having a radius of 297.25 feet, through a central angle of 9 degrees 19 minutes 18 seconds, an arc distance of 48.36 feet to a point of compound curvature; thence in a Southeasterly direction along the South right of way line of Johnson Drive and along a curve to the right, having a radius of 106.25 feet, through a central angle of 85 degrees 00 minutes 09 seconds, an arc distance of 157.63 feet to a point of compound curvature, said point also lying on the West right of way line of Roe Avenue; thence in a Southeasterly direction along the West right of way line of Roe Avenue and along a curve to the right, having a radius of 397.25 feet, through a central angle of 9 degrees 59 minutes 48 seconds, an arc distance of 69.31 feet to a point; thence South 3 degrees 03 minutes 14 second East along the West right of way line of Roe Avenue a distance of 111.19 feet to a point; thence South 2 degrees 07 minutes 38 seconds East along the West right of way line of Roe Avenue a distance of 200.66 feet to a point; thence South 1 degree 54 minutes 32 seconds East along the West right of way line of Roe Avenue a distance of 42.62 feet to a point on the Northwesterly right of way line of Shawnee Mission Parkway (also known as US Highway 56) as established in Book 200706 at Page 003864; thence South 37 degrees 23 minutes 58 seconds West along the Northwesterly right of way line of said Shawnee Mission Parkway a distance of 936.45 feet to the point of intersection of the Northwesterly right of way line of Shawnee Mission Parkway and the East right of way line of Roeland Drive; thence North 52 degrees 36 minutes 02 seconds West along the East right of way line of Roeland Drive a distance of 44.00 feet to a point; thence in a Northwesterly direction along the East right of way line of Roeland Drive and along a curve to the right, having a radius of 260.50 feet, through a central angle of 53 degrees 32 minutes 02 seconds, an arc distance of 243.40 feet to a point of reverse curvature; thence in a Northwesterly direction along the East right of way line of Roeland Drive and along a curve to the left, having a radius of 490.00 feet, through a central angle of 34 degrees 25 minutes 13 seconds, an arc distance of 294.37 feet to a point; thence North 33 degrees 29 minutes 13 seconds West along the East right of way line of Roeland Drive a distance of 125.55 feet to the POINT OF BEGINNING and containing 721,889 Square Feet or 16.572 Acres, more or less.

EXHIBIT B – MAP EXHIBIT

FIG. F:\PROJECT\2005\204\Survey\Draw\51304_0013.dwg USR mjg/ghr
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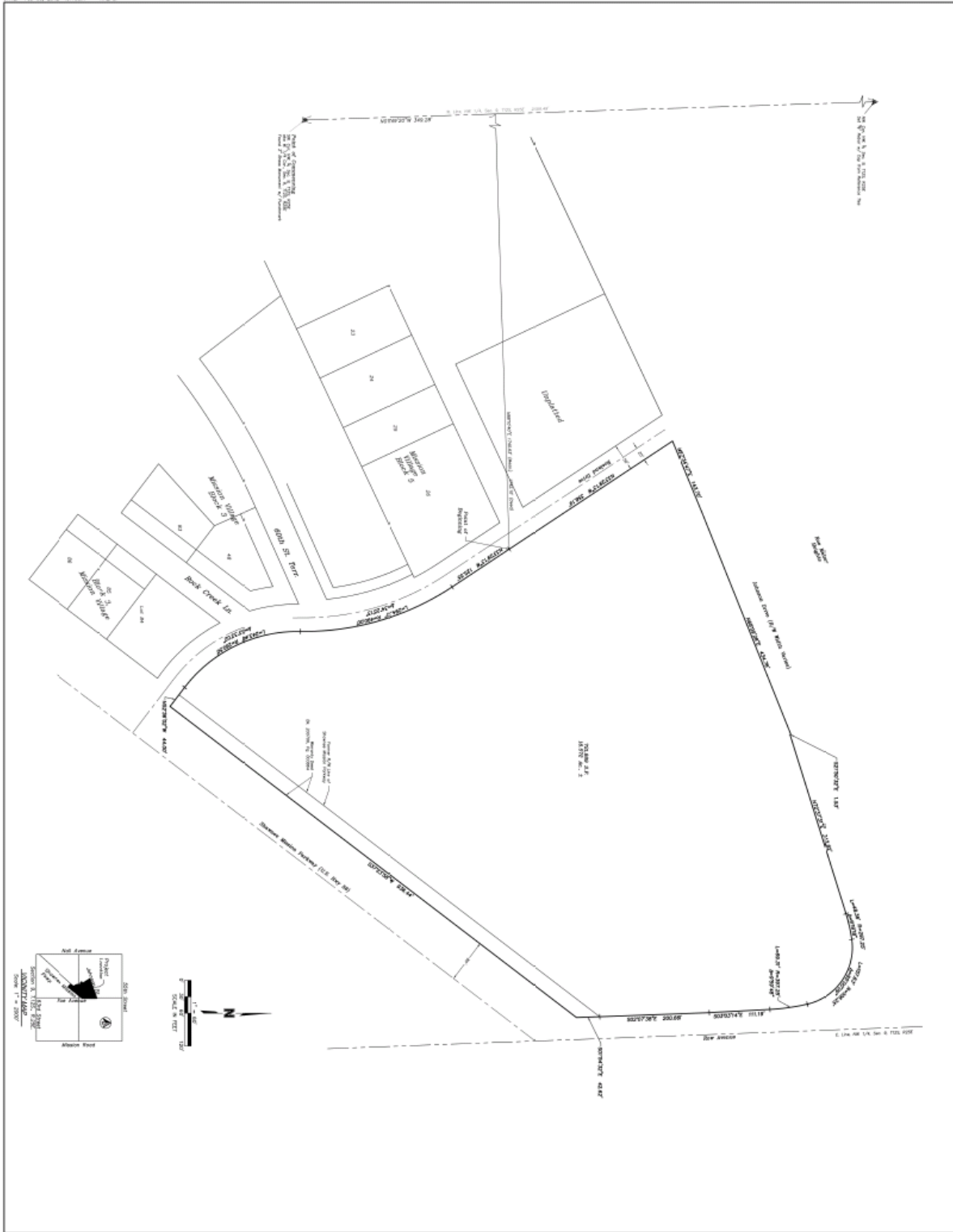


EXHIBIT C – ORDINANCE NO. 1190 AND ORDINANCE NO. 1195

EXHIBIT D – DETAILED BUDGET

<u>Land, Demolition & Predevelopment Costs</u>	<u>Total</u>	<u>TIF Eligible</u>	<u>% TIF Eligible</u>
Land, Demolition & Predevelopment Costs	\$43,194,337	\$43,194,337	100.00%
Total Land Costs	\$43,194,337	\$43,194,337	100.00%
<u>Site Work, Infrastructure & Parking</u>			
Hard Costs - Parking Garage (1,041 Spaces)	\$15,010,155	\$15,010,155	100.00%
Sitework	\$7,999,429	\$7,999,429	100.00%
Offsite	\$500,000	\$500,000	100.00%
	\$23,509,584	\$23,509,584	100.00%

Hard Costs

Hard Costs Retail (Roeland)	\$2,858,931	\$0	0.00%
Hard Costs Retail (Johnson)	\$1,532,995	\$0	0.00%
Hard Costs Junior Anchors	\$9,130,000	\$0	0.00%
Hard Costs Hotel (includes Restaurant & Spa)	\$23,745,480	\$0	0.00%
Hard Costs Residential	\$21,515,252	\$0	0.00%
Payment & Performance Bonds	\$523,457	\$149,543	28.57%
Insurance/Builders Risk	\$866,178	\$247,453	28.57%
General Contractor Fee	\$2,830,020	\$808,492	28.57%
Tenant Improvements	\$4,552,800	\$0	0.00%
Contingency	\$4,325,595	\$1,235,754	28.57%
Total Hard Costs	\$71,880,708	\$2,441,242	3.40%

Total Hard Construction Costs: \$82,292,242

Building Costs: \$58,782,658

Soft Cost TIF Eligibility %: 28.57%

Soft Costs

Architecture/Engineering Services	\$3,701,739	\$1,057,528	28.57%
Legal	\$775,000	\$221,405	28.57%
Platting	\$75,000	\$21,426	28.57%
Civil Engineer (includes geo-tech and survey)	\$29,000	\$8,285	28.57%
Testing & Special Inspections	\$150,000	\$42,853	28.57%
Real Estate Taxes	\$418,686	\$418,686	100.00%
Residential Marketing and FF&E	\$358,000	\$102,275	28.57%
Project Branding & Marketing	\$50,000	\$14,284	28.57%
City Assessment	\$1,800,000	\$1,800,000	100.00%
Hotel Pre Opening	\$1,000,000	\$0	0.00%
Hotel Supplies	\$400,000	\$0	0.00%

	<u>Total</u>	<u>TIF Eligible</u>	<u>% TIF Eligible</u>
Hotel FFE	\$3,400,000	\$0	0.00%
Hotel Operator Technical Services Fee	\$200,000	\$0	0.00%
Development Fee	\$3,413,725	\$3,413,725	100.00%
Project Staffing	\$2,250,000	\$0	0.00%
Residential Staffing	\$150,000	\$0	0.00%
Permit & Fees	\$796,053	\$227,420	28.57%
Accounting (Audit, etc.)	\$50,000	\$14,284	28.57%
Developer Reimbursements	\$300,000	\$85,705	28.57%
Leasing Commissions	\$1,747,048	\$0	0.00%
Soft Cost Contingency	\$750,000	\$214,263	28.57%
Total Soft Costs	\$21,814,251	\$7,642,139	35.03%
<u>Mezzanine Loan Closing Cost</u>			
Mortgage Broker Fee	\$63,860	\$18,244	28.57%
Bank Fee	\$127,719	\$36,487	28.57%
Title Insurance	\$95,790	\$27,366	28.57%
Mortgage Recording Tax	\$19,158	\$5,473	28.57%
Legal (Owner and Lender)	\$200,000	\$57,137	28.57%
3rd Parties	\$0	\$0	28.57%
Mezzanine Loan Closing Cost	\$506,527	\$144,707	28.57%
<u>Construction Loan Closing Cost</u>			
Mortgage Broker Fee	\$425,331	\$121,510	28.57%
Bank Fee	\$850,663	\$243,021	28.57%
Title Insurance	\$637,997	\$182,266	28.57%
Mortgage Recording Tax	\$108,442	\$30,980	28.57%
Legal (Owner and Lender)	\$500,000	\$142,842	28.57%
Construction Monitoring	\$150,000	\$42,853	28.57%
3rd Parties	\$250,000	\$71,421	28.57%
Construction Loan Closing Cost	\$2,922,433	\$834,893	28.57%
<u>Interest Reserve</u>			
Construction Loan Interest Reserve	\$3,000,000	\$857,052	28.57%
Bond Payment Reserve	\$2,155,249	\$615,720	28.57%
Mezzanine Loan Interest Reserve	\$1,149,475	\$328,387	28.57%
Total Financing Costs	\$6,304,724	\$1,801,159	28.57%
TOTAL DEVELOPMENT COSTS	\$170,132,564	\$79,568,061	46.77%

EXHIBIT E – TIF BOND PROFORMA

EXHIBIT F – CITY OF MISSION MEETING MINUTES

**CITY OF MISSION, KANSAS
PLANNING COMMISSION**

RESOLUTION NO. 08

A RESOLUTION FINDING THAT THE MISSION GATEWAY THIRD AMENDED TAX INCREMENT FINANCING REDEVELOPMENT PROJECT PLAN SUBMITTED MAY 22ND, 2017 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 Mission Gateway Third Amended Tax Increment Financing Redevelopment Project Plan, submitted to the City and reviewed by the Planning Commission at its regularly scheduled meeting on May 22, 2017, is consistent with the Comprehensive Plan for the development of the City of Mission, Kansas all in accordance with Kansas law.

ADOPTED by the Planning Commission May 22, 2017.

Mike Lee, Chair

ATTEST:

Nora Tripp
Planning Commission Secretary