



**City of Mission  
Special City Council Meeting  
Wednesday, November 4, 2020  
6:00 p.m.**

This meeting will be held virtually via Zoom.

Information for the public on how to participate will be available at [missionks.org/calendar](https://missionks.org/calendar) prior to the meeting.

**AGENDA**

1. A Resolution of the Governing Body of the City of Mission, Kansas establishing the date and time of public hearings regarding (1) The division of Rock Creek Redevelopment District No. 3 (Mission Mart and Bowl) into two redevelopment districts and (2) the adoption of a tax increment financing redevelopment project plan for Rock Creek Redevelopment District No. 3A, all pursuant to K.S.A. 12-1770 et seq.
2. Adjournment



**NOTICE OF SPECIAL GOVERNING BODY MEETING**  
**OFFICE OF THE CITY CLERK**  
**MISSION, KANSAS**

**TO:** Ronald E. Appletoft, Mayor

You are hereby notified that there will be a special meeting of the Governing Body at 6:00 p.m., Wednesday, November 4, 2020 via the virtual platform Zoom for the purpose of discussing the item listed below:

1. A Resolution of the Governing Body of the City of Mission, Kansas establishing the date and time of public hearings regarding (1) The division of Rock Creek Redevelopment District No. 3 (Mission Mart and Bowl) into two redevelopment districts and (2) the adoption of a tax increment financing redevelopment project plan for Rock Creek Redevelopment District No. 3A, all pursuant to K.S.A. 12-1770 et seq.

Witness my hand and the seal of said city this 27th day of October 2020.

State of Kansas        )  
Johnson County ss. )  
City of Mission        )

DocuSigned by:  
*Audrey McClanahan*  
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\_\_\_\_\_  
Audrey M. McClanahan, City Clerk



**NOTICE FOR SPECIAL GOVERNING BODY MEETING**

**TO:** Ronald E. Appletoft, Mayor

You are hereby requested, in accordance with K.S.A. 14-111, to call a special meeting of the Governing Body of Mission, Kansas, to be held via the virtual platform Zoom on Wednesday, November 4, 2020 at 6:00 p.m. for the purpose of discussing the item listed below:

1. A Resolution of the Governing Body of the City of Mission, Kansas establishing the date and time of public hearings regarding (1) The division of Rock Creek Redevelopment District No. 3 (Mission Mart and Bowl) into two redevelopment districts and (2) the adoption of a tax increment financing redevelopment project plan for Rock Creek Redevelopment District No. 3A, all pursuant to K.S.A. 12-1770 et seq.

Dated this 27th day of October 2020

DocuSigned by:  
*Arcie Rothrock*  
14FFDF8410E84DF...

Councilmember

DocuSigned by:  
*Ken Davis*  
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Councilmember

DocuSigned by:  
*Alvin King*  
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Councilmember

<b>City of Mission</b>	Item Number:	1.
<b>ACTION ITEM SUMMARY</b>	Date:	November 4, 2020
<b>Administration</b>	From:	Laura Smith

Action items require a vote to recommend the item to the full City Council for further action.

**RE:** Hearing dates for the division of Rock Creek Redevelopment District No. 3 and Tax Increment Financing Project Plan for Mission Bowl Apartments, LLC.

**RECOMMENDATION:** Review and approve a resolution establishing the date and time of public hearings regarding (1) The division of Rock Creek Redevelopment District No. 3 (Mission Mart and Bowl) into two redevelopment districts and (2) the adoption of a tax increment financing redevelopment project plan for Rock Creek Redevelopment District No. 3A, all pursuant to K.S.A. 12-1770 et seq.

**DETAILS:** Earlier this summer Mission Bowl Apartments, LLC submitted an application for a preliminary development plan for the construction of a five-story, 168 unit multi-family housing development on the site of the former Mission Bowl bowling alley at 5399 Martway Street. This application was approved by the City Council at their September 16th meeting. Mission Bowl Apartments, LLC has submitted a Tax Increment Financing (TIF) project plan associated with redevelopment of the site.

The site is located within the existing Rock Creek TIF District #3, which was first established in 2006 as the Rock Creek TIF District, and then reconstituted as the Rock Creek TIF District #3 in 2019 when the original TIF district was separated into five smaller districts. The project plan calls for reducing the size of the TIF District even further to incorporate just this site and the proposed redevelopment project.

The next step, to formally consider this proposed TIF project plan, is to adopt a resolution setting a date for a public hearing to consider the creation of the separate TIF District (the carve out district) and the proposed project plan itself. State statutes require at least 30 days between the date that the resolution setting the public hearing is adopted and when the public hearing is actually held. In order to meet the statutory timeline requirements a special meeting on November 4, 2020 is required.

The Resolution included in the packet has a map detailing the new proposed district. A copy of the TIF Project Plan is also included for reference. The Council will have until the December 16, 2020 City Council meeting to review and discuss the TIF request and an associated Development Agreement. Actions taken prior to December 16 will not commit the City Council to any specific incentive.

**CFAA CONSIDERATIONS/IMPACTS: N/A**

Related Statute/City Ordinance:	K.S.A. 12-1770 et seq
Line Item Code/Description:	N/A
Available Budget:	N/A

(Published in *The Legal Record* on December 8, 2020)

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS ESTABLISHING THE DATE AND TIME OF PUBLIC HEARINGS REGARDING (1) THE DIVISION OF ROCK CREEK REDEVELOPMENT DISTRICT NO. 3 (MISSION MART AND BOWL) INTO TWO REDEVELOPMENT DISTRICTS AND (2) THE ADOPTION OF A TAX INCREMENT FINANCING REDEVELOPMENT PROJECT PLAN FOR ROCK CREEK REDEVELOPMENT DISTRICT NO. 3A, ALL PURSUANT TO K.S.A. 12-1770 ET SEQ.**

**WHEREAS**, the City of Mission, Kansas (the “City”), is a city of the second class organized and existing under the constitution and laws of the State of Kansas; and

**WHEREAS**, the City established the Rock Creek Redevelopment District, approved by the City on January 11, 2005 and amended on February 8, 2006, by the City Council’s (the “Governing Body”) passage of Ordinance No. 1190 and Ordinance No. 1195, respectively; and

**WHEREAS**, pursuant to Ordinance No. 1508 passed by the Governing Body on November 18, 2019, the City divided the Rock Creek Redevelopment District into five separate redevelopment districts, including Rock Creek Redevelopment District No. 3 (Mission Mart and Bowl) (“Redevelopment District No. 3”); and

**WHEREAS**, the City has not previously considered or adopted any redevelopment project plans within Redevelopment District No. 3; and

**WHEREAS**, the City is considering dividing Redevelopment District No. 3 into two separate redevelopment districts pursuant to K.S.A. 12-1771(h); and

**WHEREAS**, the City is considering the adoption of a Tax Increment Financing Redevelopment Project Plan for Rock Creek Redevelopment District No. 3A (the “Project Plan”) in accordance with K.S.A. 12-1770 *et. seq.*, as amended; and

**WHEREAS**, on October 26, 2020, the City’s Planning Commission found that the Project Plan is consistent with the intent of the City’s comprehensive plan for development; and

**WHEREAS**, the Governing Body desires to establish December 16, 2020 as the date for the public hearings to consider dividing Redevelopment District No. 3 into two redevelopment districts and adoption of the Project Plan.

**NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF MISSION, KANSAS:**

**Section 1.** Notice is hereby given that public hearings will be held by the Governing Body commencing at 7:00 p.m., or as soon thereafter as may be heard, on **December 16, 2020**, to consider (a) the division of Redevelopment District No. 3 into two redevelopment districts, and (b) the adoption of the Project Plan. In consideration of the COVID-19 social distancing recommendations, this meeting will be held and the public may participate virtually via Zoom (<https://zoom.us/join>). Please note all statements in the “chat” feature of Zoom are made visible to the group. Information will be posted, prior to the meeting, on how to join at

<https://www.missionks.org/calendar.aspx>. Written comments may also be submitted prior to the public hearing by emailing [amcclanahan@missionks.org](mailto:amcclanahan@missionks.org) or via regular mail to 6090 Woodson, Mission, Kansas 66202, Attention: City Clerk. Please contact the Administrative Offices, 913-676-8350, with any questions or concerns.

**Section 2.** A map of the two proposed redevelopment districts is attached hereto as *Exhibit A*. The legal descriptions of the two proposed redevelopment districts are attached hereto as *Exhibit B*. Each such proposed redevelopment district shall consist of one project area that will be coterminous with the boundaries of the respective redevelopment district.

**Section 3.** The district plans for the proposed redevelopment districts are described in a general manner as follows:

**Rock Creek Redevelopment District No. 3A.** A redevelopment district containing one project area consisting of some or all of the following uses: one or more commercial or residential facilities and all related infrastructure improvements, including storm water improvements within and around the Rock Creek channel, streets, sanitary and storm sewers, water lines and all related expenses to redevelop and finance the project and all other associated public and private infrastructure.

**Rock Creek Redevelopment District No. 3B.** A redevelopment district containing one project area consisting of some or all of the following uses: one or more commercial or residential facilities and all related infrastructure improvements, including storm water improvements within and around the Rock Creek channel, streets, sanitary and storm sewers, water lines and all related expenses to redevelop and finance the project and all other associated public and private infrastructure.

**Section 4.** The Governing Body will consider the findings necessary for the division of Redevelopment District No. 3 into the two redevelopment districts after the conclusion of the public hearing.

**Section 5.** Descriptions and maps of the proposed redevelopment districts and the Project Plan, including a summary of the feasibility study, relocation assistance plan and financial guarantees of the prospective developer and a description and map of the area to be redeveloped or developed, are available for inspection in the offices of the City Clerk, City Hall, 6090 Woodson, Mission, Kansas, Monday through Friday (other than holidays) between 8:00 a.m. and 5:00 p.m. or by email to [amcclanahan@missionks.org](mailto:amcclanahan@missionks.org).

**Section 6.** The City Clerk is hereby authorized and directed to publish this Resolution once in the official City newspaper not less than one week or more than two weeks preceding December 16, 2020, the date set for the public hearings. The City Clerk is also authorized to mail a copy of this Resolution via certified mail, return receipt requested, to the Board of Johnson County Commissioners, the Board of Education of any school district levying taxes on the property within Redevelopment District No. 3, and to each owner and occupant of land within Redevelopment District No. 3, not more than 10 days following the date of the adoption of this Resolution.

**Section 7.** This Resolution shall become effective upon its adoption by the Governing Body.

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**ADOPTED** by the Governing Body and **SIGNED** by the Mayor this 4<sup>th</sup> day of November, 2020.

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Ronald E. Appletoft, Mayor

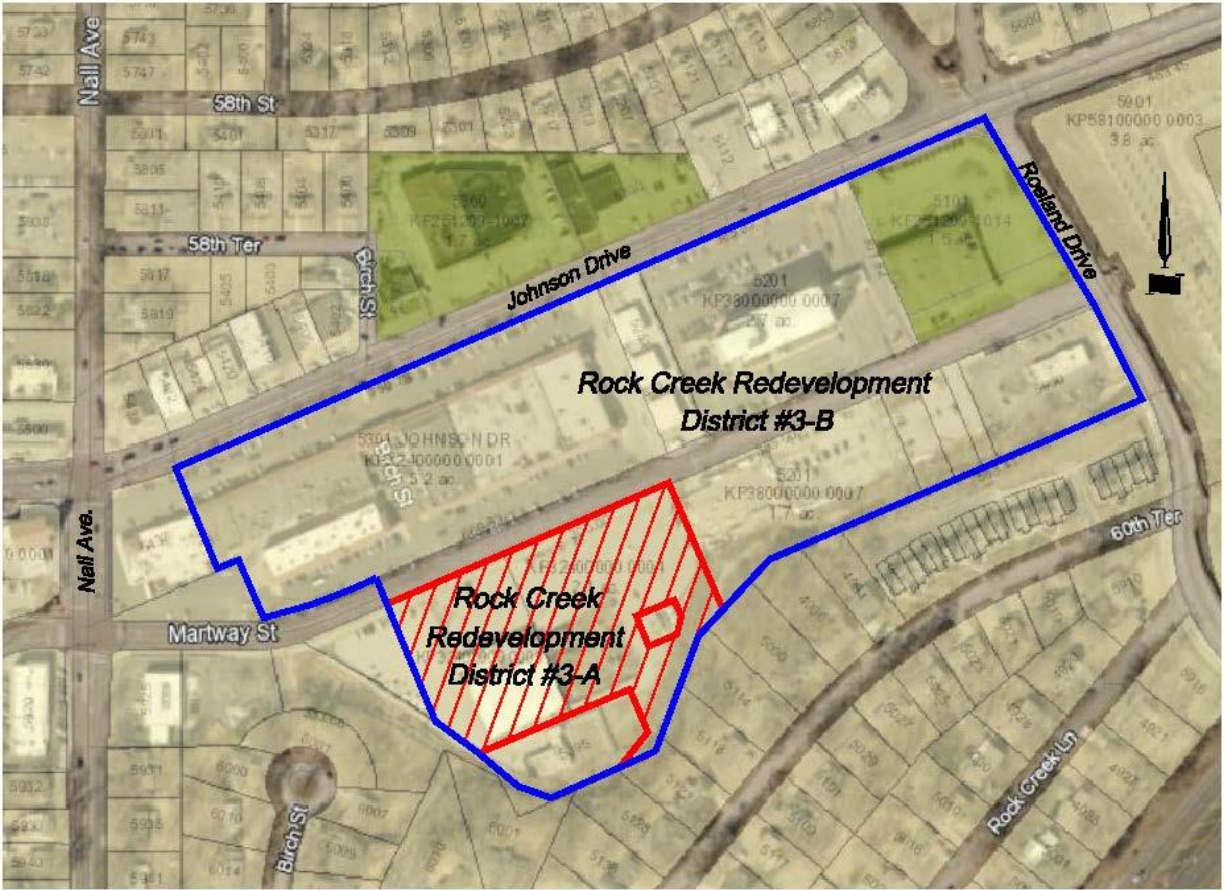
(SEAL)

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Audrey M. McClanahan, City Clerk

**EXHIBIT A**

**MAP OF REDEVELOPMENT DISTRICTS NO. 3A AND 3B**





**EXHIBIT B**

**LEGAL DESCRIPTIONS OF REDEVELOPMENT DISTRICTS NO. 3A AND 3B**

**REDEVELOPMENT DISTRICT NO. 3A:**

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

**REDEVELOPMENT DISTRICT NO. 3B:**

**Parcel Id.: KR251209-1018**

All that part of the South ½ of the Northwest ¼ of Section 9, Township 12, Range 25, in the City of Mission, Johnson County, Kansas, as described as follows:

Commencing at the Northwest corner of the Northwest ¼ of the Southwest ¼ of said Section 9; thence North (assuming bearing of due North-South), a distance of 3.70 feet to a point on the West line of the Southwest ¼ of the Northwest ¼ of said Section 9; thence North 66° 42' 30" East, a distance of 1386.57 feet, said line being 8 feet South and parallel to the center tangent line of Johnson Drive; thence South 23° 18' 10" East, distance of 21 feet to the Southerly right-of-way line of Johnson Drive, as now established, also being the true point of beginning; thence South 23° 18' 10" East, a distance of 5.68 feet; thence North 69° 33' 35" East, a distance of 122.25 feet; thence North 66° 41' 50" East, a distance of 102.14 feet; thence South 73° 53' 09" East, a distance of 34.42 feet to a point on the Westerly right-of-way line of Roeland Drive as now established; thence North 31° 28' 08" West along said Westerly line, a distance of 9.00 feet; thence North 72° 23' 09" West along the right-of-way line as now established; a distance of 37.78 feet to the Southerly right-of-way line of Johnson Drive as now established; thence South 66° 41' 50" West along said Southerly line, a distance of 221.00 feet to the point of beginning; containing 2,487 square feet more or less.

**Parcel Id.: KF251209-1011 and KF251209-1014**

Commencing at the northwest corner of the northwest ¼ of the Southwest ¼ of Section 9, Township 12, Range 25, in Johnson County, Kansas; thence North 3.70 feet to a point on the west line of the southwest ¼ of the northwest ¼ of said section; thence deflecting to the right from the last described course 66 degrees 41 minutes 50 seconds, a distance of 1332.57 feet, said line being 9.0 feet south and parallel to

the center tangent line of an 18 foot wide brick slab (formerly U.S. Highway No. 50) and now known as Johnson Drive; thence southeasterly 90 degrees to the last described course a distance of 21 feet to the point of beginning; thence continuing on the last described course a distance of 250 feet; thence in a northeasterly direction along a course which makes an angle of 90 degrees to the last described course, a distance of 335.74 feet to the westerly line of Roeland Drive; thence deflecting to the left 98 degrees 09 minutes 58 seconds a distance of 251.72 feet to the southerly right of way line of said Johnson Drive; thence southwesterly along a line which is 30 feet from the center line of said Johnson Drive 300 feet to the point of beginning; and

All that part of the South  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of Section 9 , Township 12, Range 25, in the City of Mission, in said county and state, described as follows: from the Northwest corner of the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of said Section 9; run thence North (this and all subsequent bearing being in relation to the West line of the Southwest  $\frac{1}{4}$  of said Section 9, as having an assumed bearing of due North-South), 3.70 feet to a point in a line that is 9.0 feet Southerly distance at right angles to the center tangent line of an 18 foot brick slab known as Johnson Drive formerly U.S. Highway No. 50; run thence North 66 degrees 41 minutes 50 seconds East along said line, 1386.57 feet; run thence South 23 degrees 18 minutes 10 seconds East, 271.0 feet to the true point of beginning of the tract of land herein described; thence North 66 degrees 41 minutes 50 seconds East 281.75 feet to the Westerly right of way line of Roeland Drive as now established; thence South 31 degrees 28 minutes 08 seconds East along said Westerly right of way line, 53.21 feet to the Northerly right of way line of Martway Street, as now established; thence South 66 degrees 51 minutes 57 seconds West along said Northerly right of way line, 289.31 feet; thence North 23 degrees 18 minutes 10 seconds West 51.82 feet to the point of beginning,

EXCEPT

All that part of the South  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of Section 9, Township 12, Range 25, in the City of Mission, Johnson County, Kansas, described as follows: from the Northwest corner of the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of said Section 9; thence run North (this and all subsequent bearings being in relation to the West line of the Southwest  $\frac{1}{4}$  of said Section 9 as having an assumed bearing of due North-South) 3.70 feet to a point in a line that is 9.0 feet Southerly distance, at right angles to the center tangent line of an 18 foot wide brick slab known as Johnson County, formerly U.S. Highway No. 50; run thence North 66 degrees 41 minutes 50 seconds East along said line, 1332.57 feet; run thence South 23 degrees 18 minutes 10 seconds East, 21.0 feet to the Southerly right of way line of said Johnson Drive, as now established, also being the true point of beginning of the tract of land herein described; thence continuing South 23 degrees 18 minutes 10 seconds East, 250.00 feet; thence North 66 degrees 41 minutes 50 seconds East, 54.0 feet; thence North 23 degrees 18 minutes 10 seconds West 250.00 feet to the Southerly right of way line of said Johnson Drive; thence South 66 degrees 41 minutes 50 seconds West along said Southerly right of way line 54.0 feet to the point of beginning.

**Parcel Id.: KP38000000 0007 – 5201 Johnson Drive**

Lots 7, 8, 9, 10, 21 through 23, except the East 10 feet thereof, and the east 95 feet of Lot 20, MISSION VILLAGE BLOCK 5, a subdivision in the City of Mission, Johnson County, Kansas, according to the recorded plat.

**Parcel Id.: KP38000000 0005 and KP38000000 0006**

Lots 5 and 6, MISSION VILLAGE BLOCK 5, a subdivision in the City of Mission, Johnson County, Kansas.

**Parcel Id.: KP32400000 0001**

Lot 1, MISSION MART, a subdivision in the City of Mission, Johnson County, Kansas.

**Parcel Id.: KP38000000 0023B; KP38000000 0024; KP38000000 0025; and KP38000000 0025A**

All of Lots 24, 25 and 26, and the East 10 feet of Lot 23, all in Block 5, MISSION VILLAGE, a Subdivision in the City of Mission, Johnson County, Kansas, more particularly described as follows: Beginning at the Northeasterly corner of said Lot 26, thence South 31 degrees 28 minutes 08 seconds East, along the Easterly line of said Lot 26, 137.74 feet to a point of curvature; thence Southeasterly along said Easterly line, on a curve to the right being tangent to the last described course having a radius of 440 feet, and an arc length of 48.65 feet to the Southeasterly corner of said Lot 26; thence South 66 degrees 41 minutes 50 seconds West along the Southerly line of said Lots 23 thru 26, 413.42 feet; thence North 23 degrees 03 minutes 34 seconds West, 185.87 feet to a point on the Northerly line of said Lot 23; thence North 66 degrees 51 minutes 26 seconds East, along the Northerly line of said Lots 23 thru 26, 389.09 feet to the point of beginning.

# TAX INCREMENT FINANCING REDEVELOPMENT PROJECT PLAN

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## ROCK CREEK REDEVELOPMENT DISTRICT NO. 3A

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

RECEIVED  
Oct 13, 2020  
City Clerk

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**EXHIBITS**

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

## I. INTRODUCTION

### A) Redevelopment District

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

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

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

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

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

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

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

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

## **B) Redevelopment Project Area**

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

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

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

## **C) Redevelopment Project**

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

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

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

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

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

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

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

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

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



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

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

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

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

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

## **II. REDEVELOPMENT PROJECT PLAN**

### **A) Description and Map of Project Area**

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

### **B) Reference to District Plan**

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

### **C) Description of Buildings and Facilities**

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

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

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

## D) Feasibility Study

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

### 1. Project Costs

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

### 2. Eligible Costs

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

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

### 3. Project Revenues

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

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

#### Ad Valorem Tax Increment Captured

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

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

#### Local Sales Tax Revenues Uncaptured

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

#### 4. Tax Increment Revenues

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

#### 5. Significant Contribution to Economic Development of the City

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

#### 6. Sufficiency of Tax Increment Revenues Compared to Projects Costs

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

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

#### 7. Effect on Outstanding Special Obligation Bonds

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

### **E) Relocation Plans**

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

relocation or displacement of any persons, families or businesses.

**F) Meetings and Minutes**

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

**III. CONCLUSION**

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

*[Remainder of Page Intentionally Left Blank]*

## **EXHIBIT A**

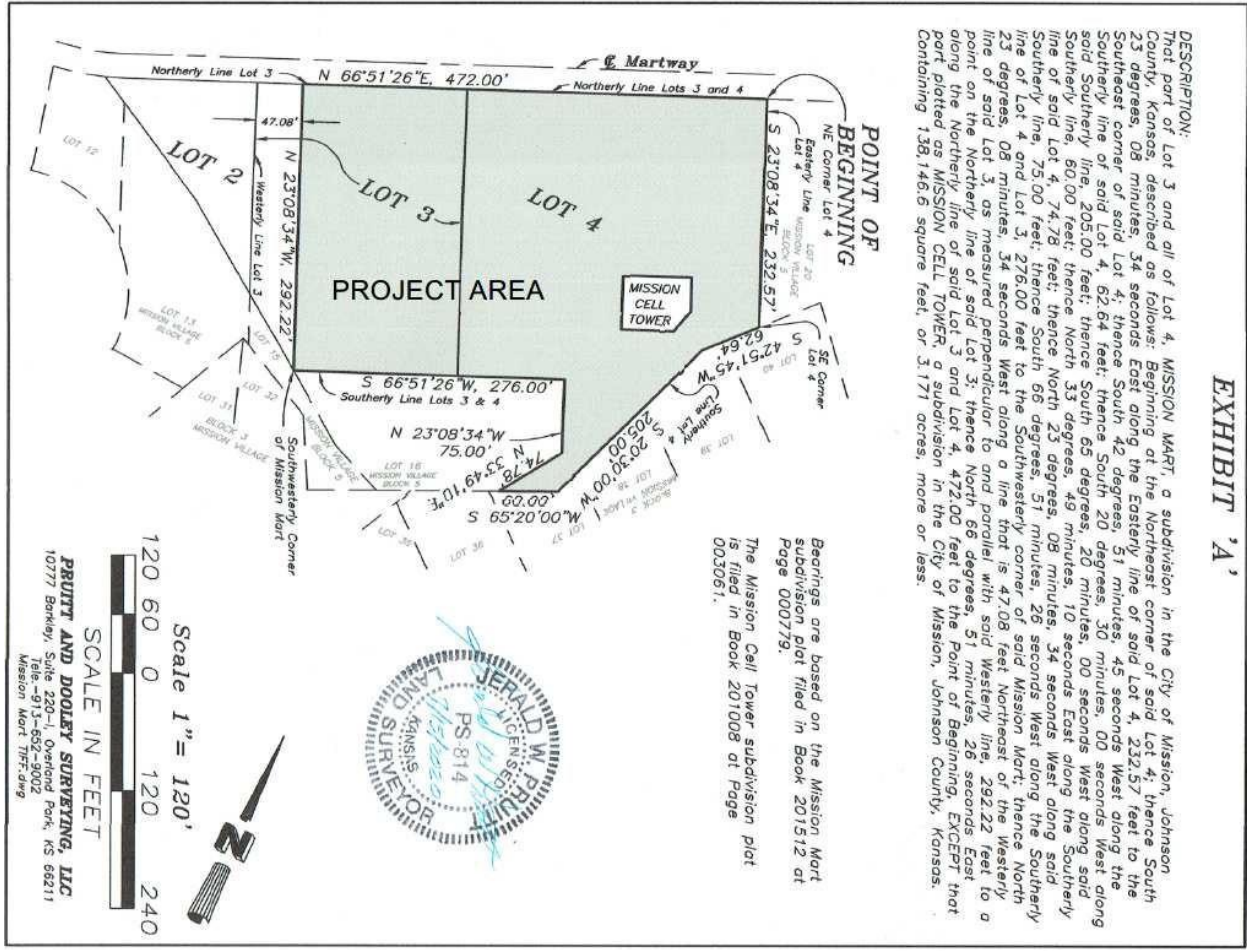
### **Legal Description of Redevelopment Project Area**

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

**EXHIBIT B**

**Map of Project Area**

(Rock Creek Redevelopment District No. 3A)



**EXHIBIT 'A'**

# EXHIBIT C

## Preliminary Site Plan

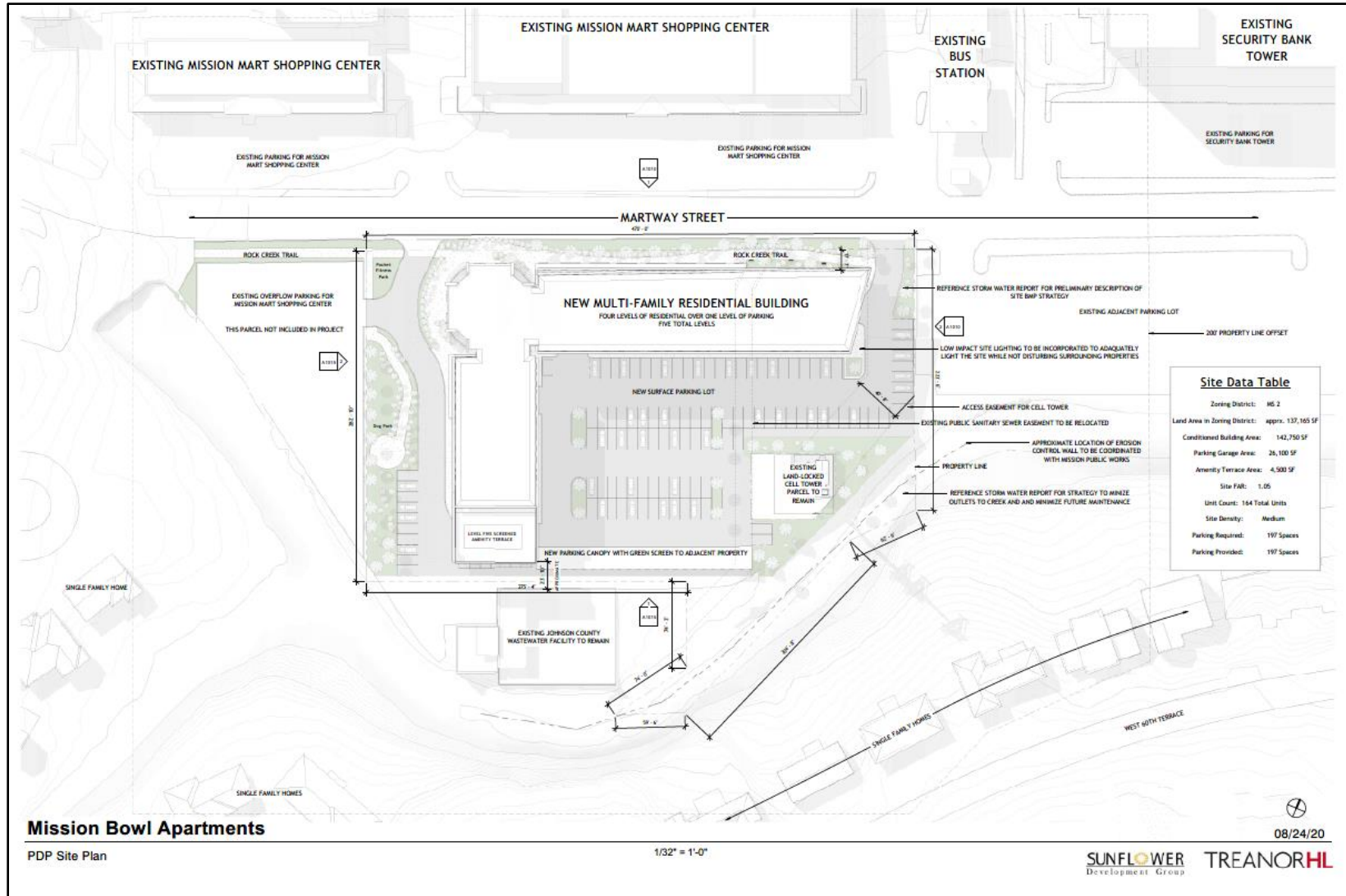


Exhibit C

**EXHIBIT D**

**Ordinance No. \_\_\_\_\_**

[CITY CLERK TO ATTACH]



**EXHIBIT E**

**Estimated Budget**

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

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**EXHIBIT F**

**TIF Revenue Projections**

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

**EXHIBIT G**

**Meeting Minutes**

[CITY CLERK TO ATTACH]