



City of Roeland Park

4600 W. 51st Street
Roeland Park, KS 66205
(913) 722-2600

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

DATE: October 20 2022

TO: Board of County Commissioners of Johnson County, Kansas
Board of Education of Unified School District No. 512

FROM: City of Roeland Park, Kansas
Kelley Nielsen, City Clerk

RE: Public Hearing on Project Plan for Project Area in Redevelopment District No. 4

On December 5, 2022, the City of Roeland Park, Kansas (the "City") will hold a public hearing on a Project Plan for the project area in Redevelopment District No. 4. Enclosed please find a resolution of the governing body of the City providing notice of the public hearing.

Copies of the Project Plan are available for inspection during regular office hours in the office of the City Clerk in City Hall, at City Hall, 4600 W. 51st Street, Roeland Park, Kansas.

CITY OF ROELAND PARK, KANSAS

Attachment


CERTIFICATE OF MAILING

I, Kelley Nielsen, City Clerk for the City of Roeland Park, Kansas (the "City"), do hereby certify that on October 25 2022, the City Clerk's office sent a copy of Resolution No. 699 calling a public hearing on the Project Plan for the project area in Redevelopment District No. 4 via certified mail, to the Johnson County, Kansas Board of County Commissioners and the U.S.D. 512 Board of Education.

The City, as sole owner and occupant of such property, waived certified mail notice of such public hearing.

Copies of the certified mail receipts are attached hereto.

Dated: October 25, 2022



Kelley Nielsen, City Clerk

(Published in *The Legal Record* on November 8 and November 15, 2022)

RESOLUTION NO. 698

A RESOLUTION CALLING AND PROVIDING FOR THE GIVING OF NOTICE OF A PUBLIC HEARING ON THE ADVISABILITY OF CREATING A COMMUNITY IMPROVEMENT DISTRICT IN THE CITY OF ROELAND PARK, KANSAS AND REGARDING THE CITY'S INTENT TO LEVY A COMMUNITY IMPROVEMENT DISTRICT SALES TAX WITHIN SUCH DISTRICT.

WHEREAS, K.S.A. 12-6a26 *et seq.* (the "Act") authorizes the governing body of any city or county to create community improvement districts to finance projects within such defined area of the city or county and to levy a community improvement district sales tax and/or levy special assessments upon property within the district to finance projects; and

WHEREAS, a petition (the "Petition") was filed with the City Clerk on August 17, 2022, proposing the creation of a community improvement district ("CID") under the Act and the imposition of a community improvement district sales tax in order to pay the costs of the Projects (defined herein); and

WHEREAS, the Petition was signed by the required number of owners of record, whether resident or not, as required by the Act; and

WHEREAS, the City of Roeland Park, Kansas (the "City") intends to create the CID and to levy a community improvement district sales tax in an amount equal to two percent (2.00%) as requested in the Petition (the "CID Sales Tax"); and

WHEREAS, the City Council (the "Governing Body") hereby finds and determines it to be necessary to direct and order a public hearing on the advisability of creating the CID, approving the Projects described herein and levying the CID Sales Tax, pursuant to the authority of the Act; and further to provide for the giving of notice of said hearing in the manner required by the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS, AS FOLLOWS:

SECTION 1. Petition. The Governing Body hereby finds and determines that the Petition meets the requirements of the Act.

SECTION 2. Public Hearing. It is hereby authorized, ordered and directed that the Governing Body shall hold a public hearing, in accordance with the provisions of the Act, on the advisability of creating the CID, approving the Projects, whether to impose the CID Sales Tax and such other matters related thereto, such public hearing to be held on **December 5, 2022**, at 6:00 p.m., or as soon thereafter as the matter can be heard, at Roeland Park City Hall, 4600 W. 51st Street, Roeland Park, Kansas, under the authority of the Act.

SECTION 3. Proposed CID Projects. The general nature of the proposed CID projects described in the Petition to be constructed within the CID (the "Projects") includes but is not limited to:

(1) within the district, the acquisition, improvement, construction, demolition, removal, renovation, reconstruction, rehabilitation, maintenance, restoration, replacement, renewal, repair, installation, relocation, furnishing, equipping or extension of:

(A) buildings, structures and facilities;

(B) sidewalks, streets, roads, interchanges, highway access roads, intersections, alleys, parking lots, bridges, ramps, tunnels, overpasses and underpasses, traffic signs and signals, utilities, pedestrian amenities, abandoned cemeteries, drainage systems, water systems, storm systems, sewer systems, lift stations, underground gas, heating and electrical services and connections located within or without the public right-of-way, water mains and extensions and other site improvements;

(C) parking garages;

(D) streetscape, lighting, street light fixtures, street light connections, street light facilities, benches or other seating furniture, trash receptacles, marquees, awnings, canopies, walls and barriers;

(E) parks, lawns, trees and other landscape;

(2) within or without the district, costs for infrastructure located outside the district but contiguous to any portion of the district and such infrastructure is related to a project within the district or substantially for the benefit of the district.

SECTION 4. Estimated Cost. The total estimated cost of the proposed Projects is \$76,749,377 of which \$1,000,000 plus the City's administrative fees are to be funded by the CID Sales Tax ("Reimbursable Project Costs").

SECTION 5. Method of Financing, Community Improvement District Sales Tax and Special Assessments. The Project will be privately financed. The Reimbursable Project Costs will be financed on a pay as you go basis, i.e., the Reimbursable Project Costs will be paid for by the developer of the Projects without the issuance of notes or bonds, and such developer will be reimbursed for the Reimbursable Project Costs as moneys are deposited in the CID fund through the imposition of the CID Sales Tax, as further set forth in a development agreement to be entered into between the City and the developer. No special assessments will be imposed within the CID in conjunction with the Projects.


SECTION 6. Map and Legal Description of Proposed CID. The legal description of the property to be contained in the proposed CID is set forth on **Exhibit A** attached hereto and incorporated by reference herein. A map generally outlining the boundaries of the proposed CID is attached as **Exhibit B** hereto, and incorporated by reference herein.

SECTION 7. Notice of Hearing. The City Clerk is hereby authorized, ordered and directed to give notice of said public hearing by publication of this Resolution in the official City newspaper. Such publication shall be at least once each week for two consecutive weeks. The second publication shall be at least 7 days prior to the date of the hearing. The City Clerk is hereby further ordered and directed to mail a copy of this Resolution, via certified mail, to all property owners within such proposed CID at least 10 days prior to the date of the hearing.

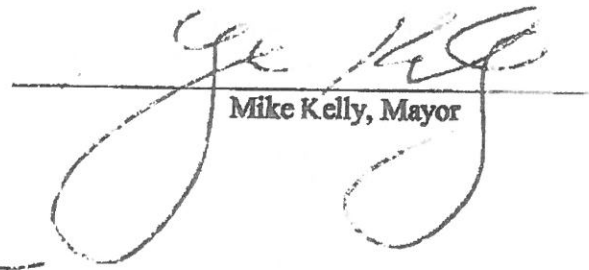
SECTION 8. Effective Date. This Resolution shall take effect and be in full force immediately after its adoption by the Governing Body of the City.

ADOPTED on October 24, 2022.


Attest:



Kelley Nielsen, City Clerk



Mike Kelly, Mayor



Steve E. Mauer, City Attorney

EXHIBIT A
LEGAL DESCRIPTION OF PROPOSED
COMMUNITY IMPROVEMENT DISTRICT

All of that part of the North Half of Section 4, Township 12 South, Range 23 East, situate in the City of Roeland Park, Johnson County, Kansas, being described as follows:

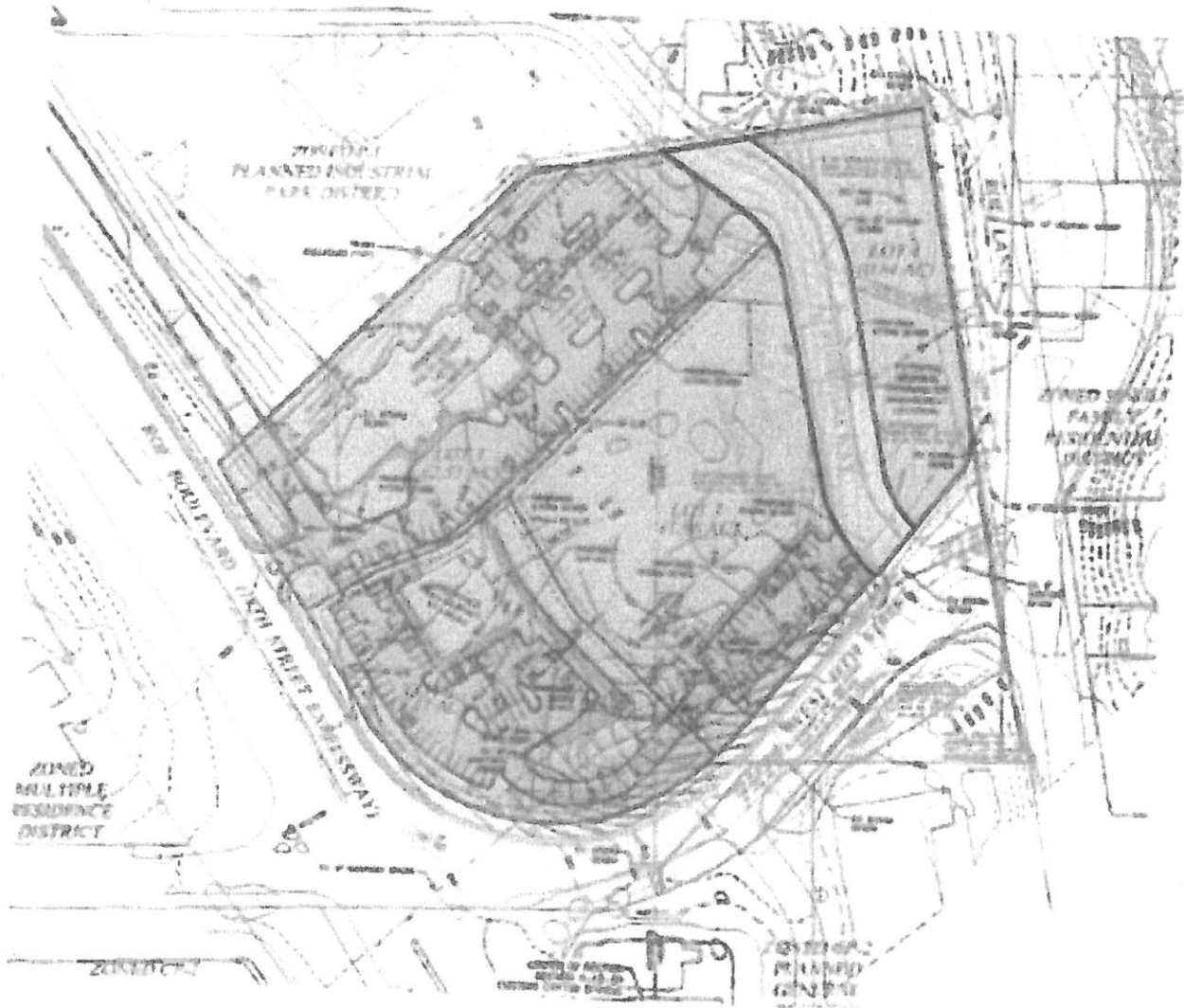
Commencing at the Northeast corner of the Northwest Quarter of said Section 4; thence South 2°31'58" East, along the East line of the Northwest Quarter of said Section 4, a distance of 594.35 feet to the Point of Beginning; thence North 78°00'03" East, departing the East line of the Northwest Quarter of said Section 4, a distance of 247.12 feet to a point on the Western right-of-way line of Roe Lane, as now established; thence South 12°03'57" East, along the Western right-of-way line of said Roe Lane, a distance of 317.23 feet to a point of intersection in the Western right-of-way line of said Roe Lane; thence South 12°03'57" East, departing the Western right-of-way line of said Roe Lane, a distance of 100.00 feet; thence South 63°47'03" West a distance of 79.73 feet; thence Southwesterly, along a curve to the left that is non-tangent with the exit of the last described course, having a radius of 300.00 feet, a central angle of 25°01'43", and an arc distance of 131.05 feet to a point on the Northwestern right-of-way line of W. 48th Street, as now established; thence along the Northwestern right-of-way line of said W. 48th Street the following (5) courses: 1) Southwesterly along a curve to the right that is non-tangent with the exit of the last described course, having an initial tangent bearing of South 38°45'18" West, a radius of 300.00 feet, a central angle of 1°58'16", and an arc distance of 10.32 feet; 2) South 36°46'32" West a distance of 112.40 feet; 3) South 52°33'03" West a distance of 4.61 feet; 4) Southwesterly along a curve to the right that is non-tangent with the exit of the last described course, having an initial tangent bearing of South 43°02'55" West, a radius of 210.00 feet, a central angle of 19°00'11", and an arc distance of 69.65 feet; 5) South 52°33'03" West a distance of 34.42 feet to the intersection with the Northeastern right-of-way line of Roe Boulevard, as now established; thence along the Northeastern right-of-way line of said Roe Boulevard the following three (3) courses: 1) North 20°45'27" West a distance of 8.36 feet; 2) Westerly and Northwesterly along a curve to the right that is non-tangent with the exit of the last described course, having a radius of 210.00 feet, a central angle of 76°28'50", and an arc distance of 280.32 feet; 3) thence North 32°26'59" West a distance of 275.64 feet; thence North 44°06'13" East, departing the Northeastern right-of-way line of said Roe Boulevard, a distance of 396.21 feet; thence North 78°00'03" East a distance of 126.88 feet to the Point of Beginning. Containing 322,276 square feet, or 7.40 acres, more or less.

The bearings in this description are based on the Kansas State Plane Coordinate System, North Zone, NAD83.

This description prepared by:
Kellan M. Gregory, KS PLS #1577
Lamp Rynearson
9001 State Line Road
Kansas City, Missouri 64114
Kansas CLS-350

EXHIBIT B

**MAP OF PROPOSED
COMMUNITY IMPROVEMENT DISTRICT**



(Published in *The Legal Record* on November 22, 2022)

RESOLUTION NO. 699

A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS ESTABLISHING THE DATE AND TIME OF A PUBLIC HEARING REGARDING THE ADOPTION OF A REDEVELOPMENT PROJECT PLAN PURSUANT TO K.S.A. 12-1770 ET SEQ.

WHEREAS, the City of Roeland Park, Kansas (the “City”), by the passage of Ordinance No. 1027 on February 21, 2022, created a redevelopment district (“TIF 4” or the “Redevelopment District”) consisting of one redevelopment project area (the “Project Area”), all pursuant to K.S.A. 12-1770 *et seq.*, as amended (the “Act”); and

WHEREAS, the City is considering the adoption of a redevelopment project plan entitled The Rocks Site Tax Increment Financing Redevelopment Project Plan (the “Project Plan”) which provides for the redevelopment of the Project Area within the Redevelopment District; and

WHEREAS, on October 17, 2022, a copy of the Project Plan was delivered by the City to the Board of County Commissioners of Johnson County and to the Board of Education of Unified School District No. 512; and

WHEREAS, on October 18, 2022, the Planning Commission of the City made a finding that the Project Plan is consistent with the intent of the City’s comprehensive plan for the development of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ROELAND PARK, KANSAS:

Section 1. Notice is hereby given that a public hearing will be held by the City to consider the adoption of the Project Plan on **December 5, 2022**, at 6:00 p.m., or as soon thereafter as the matter can be heard, at Roeland Park City Hall, 4600 W. 51st Street, Roeland Park, Kansas.

Section 2. The boundaries of the Redevelopment District are shown on **Exhibit A** attached hereto and incorporated herein. The Project Plan is for the redevelopment of the Project Area, which is shown on **Exhibit A** and legally described on **Exhibit B**.

Section 3. Copies of the Project Plan, including a summary of the feasibility study, relocation assistance plan and financial guarantees of the developer, and a description and map of the Redevelopment District and the Project Area are available for inspection in the offices of the City Clerk, Roeland Park City Hall, 4600 W. 51st Street, Roeland Park, Kansas, Monday through Friday (other than holidays) between 9:00 a.m. and 5:00 p.m.

Section 4. The City Clerk shall send a copy of this Resolution via certified mail, return receipt requested, to the Board of County Commissioners of Johnson County, Kansas, to the Board of Education of Unified School District No. 512, and to each owner and occupant of land within the Project Area. Such copies shall be sent not more than 10 days following the date of adoption of this Resolution. The City Clerk shall also cause this Resolution and all exhibits hereto to be published once in the official City newspaper not less than one week nor more than two weeks preceding the date fixed for the public hearing.

Section 5. This Resolution shall become effective upon its adoption by the governing body of the City.

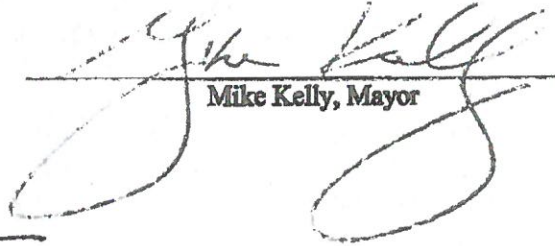
ADOPTED by the governing body of the City of Roeland Park, Kansas on October 24, 2022.

[SEAL]

Attest:



Kelley Nielsen, City Clerk



Mike Kelly, Mayor



Steve E. Manser, City Attorney

EXHIBIT A

MAP OF REDEVELOPMENT DISTRICT AND PROJECT AREA

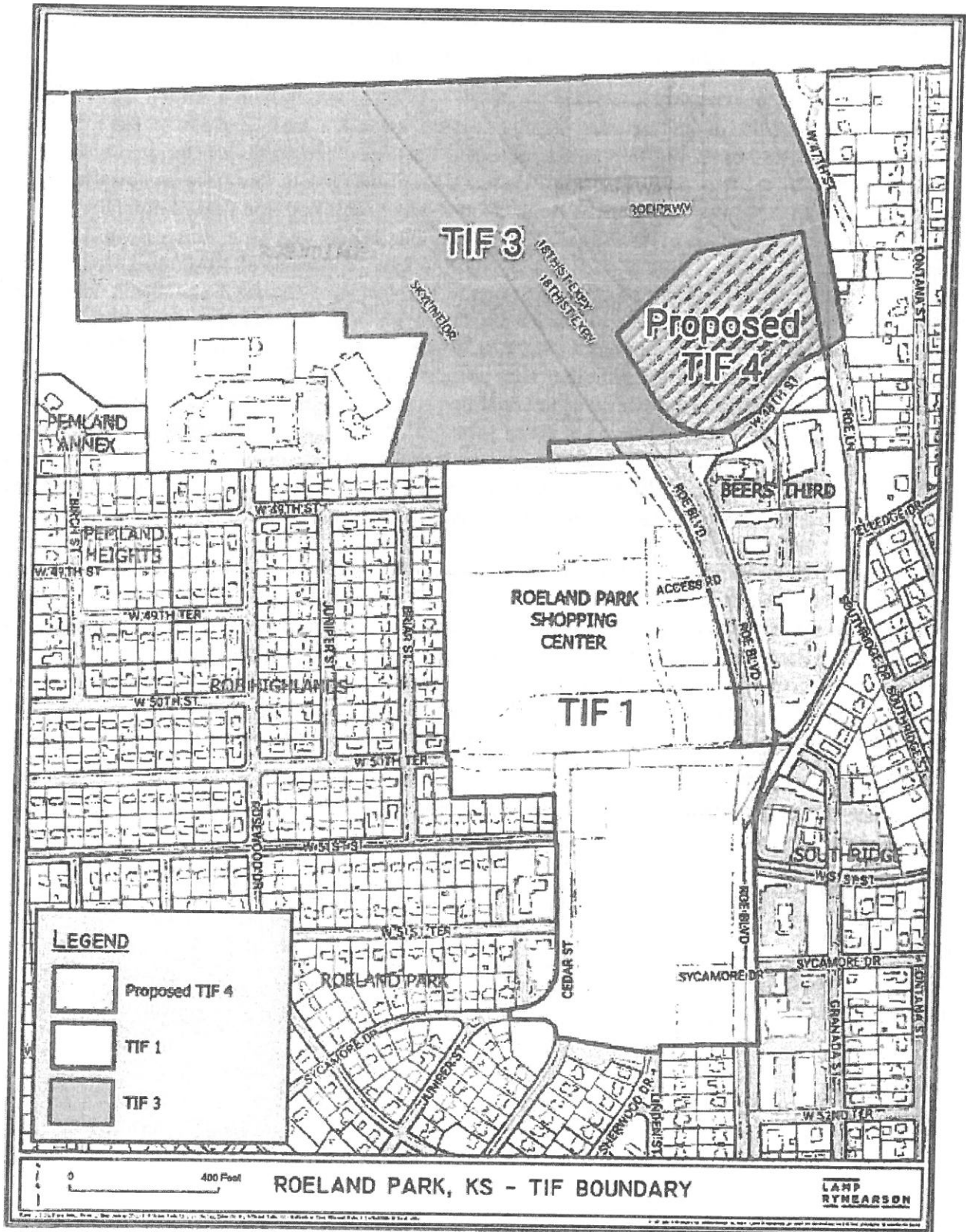


EXHIBIT B

LEGAL DESCRIPTION OF REDEVELOPMENT DISTRICT AND PROJECT AREA

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Commencing at the Northeast corner of the Northwest Quarter of said Section 4; thence South 2°31'58" East, along the East line of the Northwest Quarter of said Section 4, a distance of 594.35 feet to the Point of Beginning; thence North 78°00'03" East, departing the East line of the Northwest Quarter of said Section 4, a distance of 247.12 feet to a point on the Western right-of-way line of Roe Lane, as now established; thence South 12°03'57" East, along the Western right-of-way line of said Roe Lane, a distance of 317.23 feet to a point of intersection in the Western right-of-way line of said Roe Lane; thence South 12°03'57" East, departing the Western right-of-way line of said Roe Lane, a distance of 100.00 feet; thence South 63°47'03" West a distance of 79.73 feet; thence Southwesterly, along a curve to the left that is non-tangent with the exit of the last described course, having a radius of 300.00 feet, a central angle of 25°01'43", and an arc distance of 131.05 feet to a point on the Northwestern right-of-way line of W. 48th Street, as now established; thence along the Northwestern right-of-way line of said W. 48th Street the following (5) courses: 1) Southwesterly along a curve to the right that is non-tangent with the exit of the last described course, having an initial tangent bearing of South 38°45'18" West, a radius of 300.00 feet, a central angle of 1°58'16", and an arc distance of 10.32 feet; 2) South 36°46'32" West a distance of 112.40 feet; 3) South 52°33'03" West a distance of 4.61 feet; 4) Southwesterly along a curve to the right that is non-tangent with the exit of the last described course, having an initial tangent bearing of South 43°02'55" West, a radius of 210.00 feet, a central angle of 19°00'11", and an arc distance of 69.65 feet; 5) South 52°33'03" West a distance of 34.42 feet to the intersection with the Northeastern right-of-way line of Roe Boulevard, as now established; thence along the Northeastern right-of-way line of said Roe Boulevard the following three (3) courses: 1) North 20°45'27" West a distance of 8.36 feet; 2) Westerly and Northwesterly along a curve to the right that is non-tangent with the exit of the last described course, having a radius of 210.00 feet, a central angle of 76°28'50", and an arc distance of 280.32 feet; 3) thence North 32°26'59" West a distance of 275.64 feet; thence North 44°06'13" East, departing the Northeastern right-of-way line of said Roe Boulevard, a distance of 396.21 feet; thence North 78°00'03" East a distance of 126.88 feet to the Point of Beginning. Containing 322,276 square feet, or 7.40 acres, more or less.

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