

ORDINANCE NO. 974

**AN ORDINANCE APPROVING AND ADOPTING A
REDEVELOPMENT PROJECT PLAN FOR THE
WOODSIDE VILLAGE REDEVELOPMENT DISTRICT
WITHIN THE CITY PURSUANT TO K.S.A. 12-1770, *et seq.*,
AS AMENDED (WOODSIDE PROJECT) AND
AMENDING ORDINANCE NO. 940**

WHEREAS, pursuant to K.S.A. 12-1770 *et seq.*, as amended (the "Act"), the City of Westwood, Kansas (the "City") is authorized to assist in the development and redevelopment of eligible areas in order to promote, stimulate and develop the general and economic welfare of the City

WHEREAS, pursuant to the Act, after a duly noticed public hearing on September 13, 2011, the governing body of the City found that a conservation area exists on certain property generally located between the east boundary of the Woodside Tennis and Racquet Club on the East, the north property line of residences located along West 49th Terrace on the south, Rainbow Boulevard on the West and the Johnson County/Wyandotte County, Kansas line on the North, and the City adopted Ordinance No 919 on September 13, 2011 to create and establish a redevelopment district thereon (the "District"); and

WHEREAS, pursuant to the Act, after a duly noticed public hearing on December 20, 2011, the governing body of the City adopted Ordinance No. 923 making findings and approving a redevelopment project plan for Redevelopment Project Area 1 (North) and Redevelopment Project Area 2 (South) within the District (the "2011 Redevelopment Project Plan"); and

WHEREAS, pursuant to the Act, after a duly noticed public hearing on October 10, 2013, the governing body of the City adopted Ordinance No. 940 making findings and approving a redevelopment project plan for Redevelopment Project Area 1 (North) and Redevelopment Project Area 2 (South) within the District (the "2013 Redevelopment Project Plan"); and

WHEREAS, the portion of the 2013 Redevelopment Project Plan relating to the Redevelopment Project Area 2 (South) has not been implemented and Woodside Redevelopment, LLC, a Kansas limited liability company ("Developer") has requested that the City consider termination of that portion of the 2013 Redevelopment Project Plan relating to the Redevelopment Project Area 2 (South) and approve a new redevelopment project plan for Redevelopment Project Area 2 (South) (the "2016 Redevelopment Project Plan"); and

WHEREAS, a comprehensive feasibility study has been completed on the 2016 Redevelopment Project Plan which indicates that the benefits, tax increment revenue and other available revenues under K.S.A. 12-1774(a)(1) expected to be derived from the redevelopment project in the District are expected to exceed or be sufficient to pay for the redevelopment project costs; and

WHEREAS, a copy of the proposed 2016 Redevelopment Project Plan for the District has been delivered to the Board of County Commissioners of Johnson County, Kansas, and to the

Board of Education of Unified School District No. 512, Shawnee Mission, Kansas, all in accordance with the Act; and

WHEREAS, the Planning Commission of the City has reviewed the proposed 2016 Redevelopment Project Plan and has found and determined on January 18, 2016 that the proposed 2016 Redevelopment Project Plan is consistent with the intent of the comprehensive plan for development of the City;

WHEREAS, pursuant to the Act and Resolution No. 54-2016 of the City, adopted on September 8, 2016, the City has declared its intention to consider the 2016 Redevelopment Project Plan for the District and has provided for a public hearing to consider adoption of the 2016 Redevelopment Project Plan; and

WHEREAS, notice of the public hearing was duly given in accordance with the Act;

WHEREAS, pursuant to the Act and Resolution No. 54-2016 and after providing notice of a public hearing as required by the Act, a public hearing was held commencing on October 13, 2016, to consider adoption of the 2016 Redevelopment Project Plan, a representative of the City presented the proposed 2016 Redevelopment Project Plan and all interested parties were given an opportunity to be heard;

WHEREAS, the governing body of the City hereby finds and determines that it is advisable to terminate that portion of the 2013 Redevelopment Project Plan relating to the Redevelopment Project Area 2 (South) and approve a the new 2016 Redevelopment Project Plan in lieu thereof for Redevelopment Project Area 2 (South);

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD, KANSAS, AS FOLLOWS:

Section 1. Pursuant to the Act, the 2016 Redevelopment Project Plan as on file in the office of the City Clerk for the District set forth in Ordinance No. 919 is hereby adopted and approved.

Section 2. This Ordinance shall be in full force and effect from and after its passage and publication once in the official newspaper of the City. In accordance with the Act, following publication of this Ordinance, the City Clerk is authorized and directed to send a copy of the description of the land within the District, a copy of this Ordinance and a map indicating the boundaries of the District to the County Clerk, County Assessor, County Treasurer and Board of County Commissioners of Johnson County, Kansas, and the Board of Education of Unified School District No. 512 of Shawnee Mission, Kansas.


Section 3. The City hereby terminates that portion of the 2013 Redevelopment Project Plan relating to Redevelopment Project Area 2 (South); and Ordinance No. 940 and any and all other ordinances of the City in conflict herewith are hereby amended to conform to the provisions of this Ordinance. The remaining portions of the 2013 Redevelopment Project Plan shall remain in full force and effect.

THIS ORDINANCE is hereby passed by a two-thirds vote of the Governing Body of the City of Westwood, Kansas this 13th day of October, 2016.

CITY OF WESTWOOD, KANSAS



By:  _____
John M. Yé, Mayor

By:  _____
Frederick L. Sherman, City Clerk

APPROVED AS TO FORM:

By:  _____
Ryan Denk, City Attorney