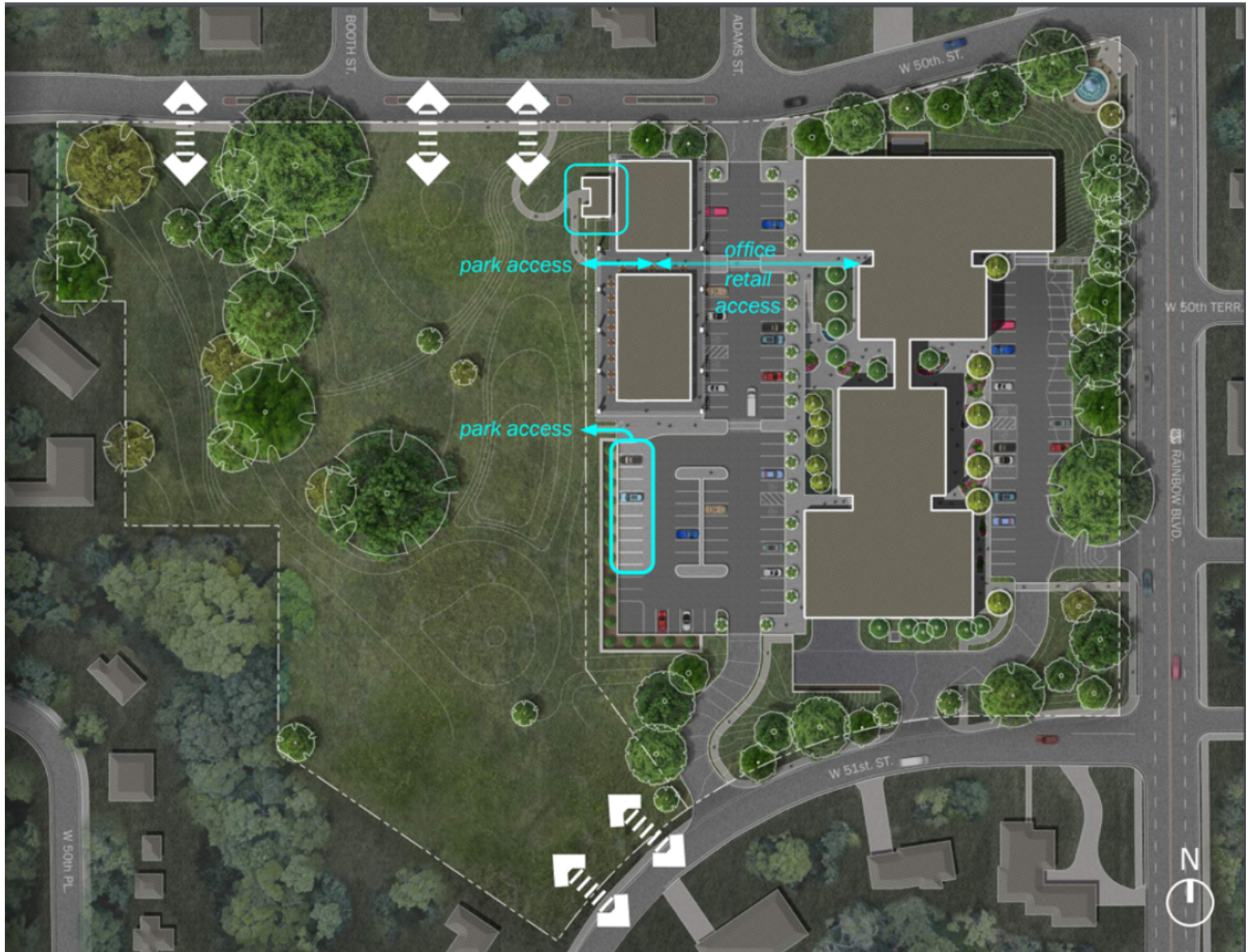


New Feature Park Development Consideration

News Release Date

03-03-2023



NEW FEATURE PARK DEVELOPMENT

Background

Over the last several years, Westwood has undertaken significant work in planning for the future of our City. Much of this work is reflected in the following studies:

- [2015 Urban Land Institute \(ULI\) Technical Assistance Panel Study](#)
- [2017 Comprehensive Plan](#)
- [2021 Urban Land Institute Technical Assistance Panel Study](#)

- [2022 City Facilities Assessment and Feasibility Analysis](#)

Following the 2022 City Facilities Assessment and Feasibility Analysis, the City also conducted resident surveys and held an open house, soliciting and obtaining very good feedback from our residents on options the City might consider that would allow Westwood to acquire the former Westwood View Elementary site, develop a feature park for our community, and also pursue development that can enable the City to continue to provide the services and amenities our residents expect.

As mentioned in many official City communications, the City has generated great interest from the development community on possible partnerships. While these have primarily revolved around the current City Hall site, City officials have received one proposal that could provide a pathway for the City to acquire the former Westwood View site, develop it as a feature park and green space for our community, and also utilize our frontage on Rainbow for a supporting development.

The Karbank group is an established brand in our area with its office, restaurant, and retail development in our neighboring city, Mission Woods (located at State Line and Shawnee Mission Parkway). The 1900 Building, as an example, has hosted events for the Westwood View Educational Enhancement Fund, and is home to the Restaurant at 1900. Further information on Karbank can be found at www.karbank.com.

March 2024 - City of Westwood Files Motion to Dismiss Appeal of Declaratory Judgment on Property Petition; Requests Expedited Treatment

[The City's official press release issued March 26, 2024 is available here.](#)

February 2024 - Court Rules in Favor of City's Request for Declaratory Judgment on Petition

[The City's official press release issued February 26, 2024 is available here.](#)

[The District Court Judge's February 23, 2024 ruling is available here.](#)

January 2024 - City Council Determines Petition is Invalid; Files for Declaratory Judgment in District Court

[The City's official press release issued January 19, 2024 is available here.](#)

[An FAQ on the status of the citizen petition is available here.](#)

December 2023 - Petition Received Challenging Park Project

[The City's official press release issued December 22, 2023 is available here.](#)

November 6, 2023 Planning Commission Meeting

The Planning Commission will consider approval of the final development plan, which will be the final step in the Planning Commission's role in the project review and consideration.

October 2023 City Council Meeting

The City Council met to make the final decision on all components of the proposed development.

The [rezoning and preliminary development plan](#) were approved by the Governing Body - the Mayor and City Council - by a vote of five (5) to one (1). The following related documents were also considered and were approved unanimously:

- [Development Agreement](#)
- [Donation Agreement](#) and [Declaration of Covenants & Restrictions](#)
- [First Rights Agreement](#)
- [Final Plat](#)

All of these documents in their approved form are available via the links provided in the text above.

October 2023 Planning Commission Meeting

The Planning Commission met to conduct an initial review of the Final Development Plan at this meeting but won't act on the Final Development Plan until November, to allow time for the City Council to consider approving the Preliminary Development Plan on October 12th. The Planning Commission also reviewed the plat and recommended approval of it to the Governing Body.

For more information on the difference between a preliminary and final development plan, see the glossary of development terms linked below.

[The slides shown at the meeting highlighting the differences between the preliminary and final development plan are available here.](#)

September 2023 City Council Meeting

The City Council held a public hearing on the creation of a Tax Increment Financing (TIF) district, which is the structure that the City is proposing to allow money from the development to pay for the creation of the park. Ultimately, the City Council approved the creation of this TIF District, which now enables the City Council to later consider a TIF Project Plan to capture the added value from the Karbank development to fund the City Park and related expenses.

[The Council also reviewed drafts of the Development Agreement, Donation Agreement, and First Rights Agreement, all available here in the agenda packet ahead of the meeting.](#) They will

consider acting on these drafts at their October regular meeting.

[For more information on TIF, look at the glossary of development terms available here.](#)

September 2023 Planning Commission Meeting

The Planning Commission concluded the public hearing process for the rezoning application and the related preliminary development plan application. Following a presentation by Karbank of the updated plans - revised to be responsive to community feedback - another opportunity for public comment on the proposal was allowed by the Planning Commission Chair. Ultimately, the Planning Commission voted 7 - 2 in favor of recommending conditional approval to the City Council, for consideration at the City Council's October regular meeting. The conditions relate to incorporating the findings and recommendations of the traffic study into the plan, preserving and replacing trees, and exploring in earnest inclusion of public park access to bathrooms in the pavilions on the development side (exterior access doors facing into the park).

[The updated concepts as presented at the September public hearing can be accessed via this link.](#)

[The full traffic study can be found via this link.](#)

[The meeting packet for the public hearing can be accessed via this link.](#)

August 2023 Planning Commission Meeting

A public hearing was opened as part of Karbank's rezoning and preliminary development plan application. The preliminary development plan continued to evolve as Karbank continued to refine their proposal for this site. As was noted at the July 10th Planning Commission presentation, the materials shown at that time were placeholders as the final materials for the exterior of the structures was selected. The materials shown at this meeting were a glazed terracotta rainscreen in multiple colors. (Karbank has since switched the material and colors based on community feedback.)

[The updated concepts as presented at the August public hearing can be accessed via this link.](#)

[The meeting packet for the public hearing can be accessed via this link.](#)

July 2023 Presentation of Revised Site Plan and Request for Public Hearing at Planning Commission

Karbank presented an updated site plan and conceptual designs for the proposed development at 50th and Rainbow to the Planning Commission on Monday July 10th. It's important to note that some features of the design have and will continue to change as Karbank conducts soil testing, survey work, and finalizes required civil engineering, traffic, and stormwater management analyses.

Some highlights of the preliminary conceptual design include:

- 3 buildings total (two along Rainbow Boulevard and one next to the proposed feature park)
- 3.5 acres of parkland on the backside of the development
- Mature trees along Rainbow Boulevard intended to remain
- Developer committed to highest quality of green building standards (ex - LEED certification).
- The scale and character of the buildings will mimic the surrounding neighborhood.

[The updated concepts as presented at the July Planning Commission meeting can be accessed via this link.](#)

June 2023 City Goes Under Contract for Purchase of Former Westwood View and Sale and Rainbow Frontage

Since that March 2023 presentation, the City entered into a purchase agreement on June 8th allowing the subject properties to go under contract for both the purchase of the former Westwood View property with the Shawnee Mission School District and the sale of the City's Rainbow Blvd. frontage - including Joe Dennis Park - to Karbank. The City and Karbank are now in a due diligence phase where details of the development and financial arrangement can be negotiated and for the physical sites to be tested and examined to determine the feasibility and cost of developing the park and mixed-use project. At this time, there is no fixed development agreement in place; however, a development agreement is being negotiated at this time and will go before the City Council when ready for consideration.

March 2023 Presentation of Concept and Karbank Request for Exclusivity Agreement

Karbank Real Estate Company requested to present its proposal to the community and was granted by the Mayor the opportunity to do so at the March 9, 2023 City Council meeting. ([A link to the proposal presented at the meeting is available via this link.](#)) Following that presentation, the City Council entered into a “funding and exclusivity agreement” that establishes a general timeline for considering plans, allowing for due diligence by both the City and Karbank, and requiring that Karbank deposit funds with the City to pay for the City’s costs in working with financial consultants and other specialists to evaluate Karbank’s proposal. Although the details of the proposal are still being fine-tuned, the broad outline of Karbank’s proposal includes the following:

- Karbank would acquire the former Westwood View site at its cost, demolish the old school at its cost, and convey a large majority of the property to the City, with the understanding that it be dedicated for park and green space purposes.
- In exchange, the City would convey the site of the current Dennis Park and the former Westwood Christian church site (5050 Rainbow) to Karbank, and Karbank would also pay off the City’s debt on 5050 Rainbow. On these sites, Karbank intends to construct a mixed-

use development consisting primarily of office space, with a few residential units and limited retail, with underground parking and separate outside restroom facilities that would serve the new park. The proposal would not be for an apartment complex.

- The City will pursue a tax increment financing (TIF) district related to the park and redevelopment projects; however, the TIF would be structured as a “public benefit TIF” such that TIF proceeds would not be used to reimburse Karbank’s private development costs, but would instead be directed to infrastructure, public improvements, and to the City for use in developing and programming the new City park. Per state law, the School District’s state levy and capital outlay levies would not be impacted.

The funding agreement, ultimately approved by the City Council on March 9, 2023, allows the City and Karbank to further define these arrangements and consider plans, but does not commit the City to actually approving any development. ([The funding and exclusivity agreement approved by the City Council can be accessed via this link to the meeting packet.](#))

Supporting Documents

KarbankProposalPresentation230309.pdf 6.96 MB

Karbank Concept Presentation July 2023 37.44 MB

Karbank Development FAQ.pdf 125.76 KB

Karbank Development Brochure.pdf 126.96 KB

Karbank Proposal Presentation 230807 50.17 MB

Message from the Mayor Re: Consideration of Karbank Proposal 2023 1.61 MB

Karbank Glossary 1.72 MB

Karbank Development FAQ 2.0 3.51 MB

September Planning Commission Presentation - Karbank 9 MB

50th and Rainbow Traffic Study 7 MB

pdp_-_fdp_significant_changes.pdf 6.62 MB

Press Release Petition Review 141.4 KB

Press Release Petition Declared Invalid 98.71 KB

Court Ruling Press Release 240226 176.63 KB

Court Ruling Granting Declaratory Judgment 474.36 KB

Press Release Motion to Dismiss Appeal 172.28 KB