
From: David Cox <dcox0712@gmail.com>
Sent: Saturday, April 24, 2021 3:42 PM
To: Adam Mickelson; Marge Vogt; Wes McCoy; Kevin Gilmore; Karin Brownlee; Larry Campbell; John Bacon
Subject: Benefit district that only benefits Cedar Creek

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon,

Please see the letter being distributed by the esteemed Cedar Creek HOA at an open house there today. It's as if they see how much they will benefit from the roads. If that is the case, can anyone please help me understand why all of the home there aren't included in the benefit district? As for my family and my neighbor in Prairie Brook, we have no need for quicker access to either end of their fine neighborhood and the "multi-hundred thousand dollar homes" it includes.

If the city has declined to see the overall benefit to the city at large, why has it been proposed that I need to chip in over \$11,000 to the cause. According to a description I've seen on the Olathe site, a benefit district is intended to protect residents in established areas from paying for development in new areas. Based on this, I would argue that we should be shielded from paying to develop the now undeveloped lands between our neighborhood and theirs.

This is shady at best and I hope you all see through it and will fight this as fervently as we will.



October 16, 2020

**CEDAR CREEK DEVELOPMENT IS COMMITTED TO FURTHER
DEVELOPMENT OF MAIN TRAFFICWAYS, WITH HOMEOWNERS
PAYING ONLY THEIR FAIR SHARE**

As Olathe's "Crown Jewel," the Cedar Creek Community is known for its amenities, its picturesque Shadow Glen Golf Club, its multi-hundred thousand dollar custom homes, and its beautiful scenery. And Cedar Creek Development is committed to expanding the community and providing additional homesites for people who would like to call Cedar Creek home.

As part of its efforts to further expand the community, Cedar Creek Development has been in discussions with the City of Olathe for several years to facilitate and fund construction of the City's Main Trafficways, including College Boulevard, Cedar Creek Parkway, and Bluestem Parkway to strengthen, improve, and serve the Cedar Creek Community. The **Cedar Creek Homeowners' Association and Cedar Creek Development are in lockstep with their goal of having these roadways built as soon as possible at the lowest, fairest cost to Cedar Creek Homeowners.**

Unfortunately, Cedar Creek Development has been forced to litigate the rights of Cedar Creek homeowners against the City of Olathe, which has attempted to place the full cost of building these roadways on Cedar Creek homeowners through assessments, despite the fact that these arterial roadways or "Main Trafficways" serve the City at large.

To that end, Cedar Creek Development continues to request that the City of Olathe reach a resolution that will ensure these roads are built quickly with all parties paying their fair share. Please contact us at (913) 829-6500 if you have any questions or concerns.

WWW.CEDARCREEK-KC.COM
25775 W. 103RD STREET, OLATHE, KANSAS 66061
PHONE (913) 829-6500 | FAX (913) 829-6537

BENEFIT DISTRICTS

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The City designates Benefit District areas as a fair method to:

- Pay for infrastructure associated with new development.
- Protect residents in established areas from an obligation to pay for development in new areas.

General Obligation Bonds (GO Bonds) are issued by the City for construction of public improvements.

- The costs are assessed to the properties that benefit from the development.
- The City retires the GO Bonds through the payments of special assessments.

Examples of Benefit District development include:

- Arterial roadways
- Water lines
- Sanitary sewers

[Active Benefit District List](#)[Petition Instructions and Applications](#)[Benefit District Maps](#)[City Council Policy PI-5: Financing of Public](#)

Regards,

David R Cox

From: Rick Marriott <rickmarriott65@gmail.com>
Sent: Wednesday, April 28, 2021 1:13 PM
To: Adam Mickelson; John Bacon; Karin Brownlee; Kevin Gilmore; Larry Campbell; Marge Vogt; Wes McCoy
Subject: Benefit District(s)....College Blvd.....What happened??

Mayor and Council Members:

First off, I appreciate your service to our great city and believe you want the best for us taxpayers but I'm not understanding several components of the "College Blvd" situation/issues. I just received a post card in the mail **yesterday** regarding a very important meeting regarding the Proposed Cedar Creek Benefit Districts - a Public Meeting Notice to be held on April 29 (**today**). Wow!! Not much notice.

That said, what happened to the proposal to fix College Blvd about 1-2 years ago – as I recall, the council approved this proposal but then it seemed to "disappear". What happened?? I believe this particular proposal had been adopted by the council – calling for College Blvd to be 4 lanes (**NOT 2**). In addition, there was NO "Benefit District" and no additional taxes. The city was going to pay for this very important project. This proposal/project seemed like a true answer to make College much safer and also seemed like the Council listened to the people and approved – truly a win for all of us. What in the world happened??

I've lived in Cedar Creek for over 20 years and haven't seen anything as preposterous as this proposed benefit district. Am I missing something here?

Rick Marriott

E: rickmarriott65@gmail.com

Cell: 913-488-6100

From: Chris R <chrisrah1@gmail.com>
Sent: Monday, April 26, 2021 2:59 PM
To: Larry Campbell; Karin Brownlee; Kevin Gilmore; Wes McCoy; Adam Mickelson; Marge Vogt; John Bacon; Dean Vakas; john.resman@house.ks.gov; Beverly.Gossage@senate.ks.gov; Michael Wilkes; Susan Sherman; Nate Baldwin
Subject: Benefit District

Hello,

I am writing to express my concern and displeasure with the Benefit District and the impact it would have on my family.

I live in Cedar Creek and do not feel as though it's my responsibility to pay for an additional road(s) that will only benefit the developer and city.

I do not want or need the road.

I implore the City council and other representatives to do the right thing and not allow this to happen.

If the developer wants to build roads, that's the cost of doing business, and they should have that burden, but I should not have to pay for it.

PLEASE DO THE RIGHT THING AND NOT ALLOW THIS!!

Chris Rahimian
Home Owner
Cedar Creek - Hidden Lake Estates
10535 South Red Bird Street, Olathe, KS 66061
816-223-9699

From: Susan & Alan Wilson <saw14625@yahoo.com>
Sent: Monday, April 26, 2021 9:05 AM
To: John Bacon; Larry Campbell; Karin Brownlee; Kevin Gilmore; Wes McCoy; Adam Mickelson; Marge Vogt
Subject: Benefit Districts

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mayor and City Council Members

My name is James Wilson. I live in Cedar Creek. I am writing to let you know how unhappy I and others within Cedar Creek are with the City of Olathe. You are in the process of forcing the Developer into opening benefit districts to assess a special tax on some of the people within Cedar Creek.

We found out about this from a neighbor who saw this on the City's sight. We have received no notice. This is something you have been trying to push through and get completed with our knowledge and no time to prepare. You know that the Developer has just over 50% of the remaining land and if you wait any longer you will no longer be able to force and get the Developer to open these benefit Districts. It's not or never for you.

I lived in Overland Park for 21 years before recently moving back to Olathe. I owned a \$500K home in OP. I now own a home about \$750K home. I am now already more than double the tax I was paying in OP. And now the City is going to assess a special tax on top of the higher taxes of \$32K for streets that the city and the Developer should be paying for. The City is also taxing us for two benefit districts. One of these districts is not even in my area and are roads we will not use. This is the most wrong thing I have seen any City do to residents in my lifetime. It's just absolutely wrong, and please don't tell me we have done this in the past. It was wrong then, it's wrong now, it will be wrong anytime in the future.

We have obtained council and will fight this in court. This needs to be stopped before it comes to this. There is no need for myself, other Cedar Creek residents, and the City to spend large amounts of money going to court. This needs to be stopped now!!

James & Susan Wilson
10522 S Red Bird Street
Olathe, KS 66061

From: M Carey <mlcarey78@gmail.com>
Sent: Wednesday, April 28, 2021 6:34 PM
To: John Bacon
Subject: Benefits District

Follow Up Flag: Follow up
Flag Status: Flagged

Mr Bacon,

I am sure you have recieved a bevy of emails pertaining to this petition for the benefits district effecting the Cedar Creek and Prairie Brook residents, however I just wanted to offer my two cents.

My husband, Jeff, and I live in Prairie Brook and we are raising five kids ranging in age from 17 down to 3. I myself went to Prairie Center, Oregon Trail, and Olathe North. It may seem as no consequence, but my husband and I just brought home our 5th child a little more than a year ago via international adoption (which you may or may not know comes with hefty costs, not to mention the simple costs of raising five kids). When my husband and I married I was adamant that I wanted to live here and raise our family in Olathe.

Growing up in West Olathe (off of Lakeshore) I know you can't imagine it, but we had our water hauled and it had to be stored in a cistern under our porch. I grew up taking "military showers", essentially getting wet, turn the water off while you wash you hair/body, turn it back on to rinse....sometimes it got pretty cold. Along came the city and a benefit district and water lines were laid down. What do you know? I could leave the water on and not freeze. It was glorious! Did this benefit my family? Absolutely! Did we have to pay for it? Yes! However, we got something out of it.

Sir, as you know, the point of a benefit district, is to actually benefit the citizens of Olathe. I surely benefited from running water my entire shower. I will spare you the other points of how ludicrous the map is. How odd it is that some residents are effected financially while others are not. Lastly, the plain and simple fact that if developers want these roads built so they can make millions building and selling homes, then they should include the price of the road in the lot prices when they sell. There are tons more points I could give you, but I'm sure you get the idea. We, the existing homeowners in this area, get ZERO benefit from this, only financial burden.

If somehow the City of Olathe passes this and doesn't step up to protect its citizens from this I can't begin to tell you how disappointed I will be, not to mention the stress of how in the heck we're going to pay for it. If Olathe isn't careful, you're going to see taxpayers leaving the city to live elsewhere (especially with the rise in our property taxes over the years). Have you seen how people are fleeing California and New York? They even lost seats in The House. Please take the time to read this and the numerous other emails I am sure you're receiving.

I appreciate your time,
Mollie Carey
10750 S Carbondale St, Olathe, KS 66061

From: Jeffrey Carey <jeffreycc22@gmail.com>
Sent: Wednesday, April 28, 2021 7:27 PM
To: John Bacon
Subject: Cedar Creek Benefit District - College/Clare Road

Follow Up Flag: Follow up
Flag Status: Flagged

Mr Bacon,

I am writing to you regarding the above referenced proposed benefit district. My wife Mollie and I live in the Prairie Brook subdivision along with our 5 children. We moved into our house just a little under 12 years ago and have truly enjoyed our community. Since we were married we have lived in Olathe and have always thought it to be a great place to live and raise children for many reasons.

We were truly shocked, for several reasons, when we learned last week about the petition for a benefit district of which we would be a part. The first reason is we found out because a neighbor somehow stumbled upon it and informed other people. How is it ethical to burden citizens with significant financial costs without informing them and allowing for input? Second, the petition lacks common sense and fairness. Only one party stands to truly gain from the construction and it was the only party responsible for the petition. Cedar Creek Development only represents 105 of the lots/parcels/tracts of land in the district. The other 513 owners were not consulted and do not want this approved. How is it reasonable to place liabilities of \$8K-\$45k+ on a small number of Olathe citizens? On the City of Olathe's own website it states one of the primary goals of benefit districts is to "Protect residents in established areas from an obligation to pay for development in new areas". Prairie Brook has been fully built out for nearly a decade and some homes are 15 yrs old. Our neighbors and HOA do not stand to benefit from the roads being built/expanded and this proposal directly contradicts what is stated on Olathe's website. Again, how is this fair and just?

The last week has been very frustrating as we've learned more about this plan and how it can affect our family and our finances. I would ask that you take the time to review the petition and review the map of the benefit district. Why are a handful of houses in Prairie Brook not included? Why is the airport to our West not included? Why are the subdivisions just South of PB not included. Why does the map look like a form of single celled organism? Perhaps it's because this was the only way for the developer to hold 50% of the square feet and submit the petition without public notice? Again, how is this fair and reasonable?

If this petition is approved, my wife and I will be forced to reconsider where we raise our family. If the City Council sees this benefit district as fair and just then who knows what comes next. I hope that you take the time to review the petition and ask yourself if you'd be ok being a landowner in the district?

Best Regards,
Jeffrey Carey
Prairie Brook Subdivision Resident
10750 S Carbondale St
Olathe, KS 66061

From: Richard Etzkorn <rdezkorn@att.net>
Sent: Monday, April 26, 2021 11:01 AM
To: John Bacon; Larry Campbell; Adam Mickelson; Karin Brownlee; Wes McCoy; Kevin Gilmore; Marge Vogt
Subject: Cedar Creek Benefit District

Hello,

We are property owners in the Prairie Brook subdivision. It has come to our attention and dismay that Cedar Creek Development LLC has applied for a Benefit District with the City of Olathe which is proposing the majority of property owners in the Prairie Brook subdivision be included in this Benefit District to pay \$1.01/sq foot of property they own. We are among the majority of our neighborhood who believe this is completely unfair. There are numerous reasons this is unfair to our homeowners and HOA including, but not limited to, the following:

1. The property chosen is random including some property owners but not all.
2. We will derive very little benefit from these roads. The main beneficiaries of the College Blvd and Cedar Creek Parkway improvements are those persons who live in all of the Cedar Creek communities; not Prairie Brook.
3. The building of Clare road will decrease the property values of many homes in our neighborhood. Our community has been here for more than a decade and has been just fine without Clare Road expansion.
4. The developers are fighting for roads so they can build thousands of homes all along these roads. This has no benefit to us. Making our neighborhood pay for some of the cost of these road improvements is a way to decrease their expenses and increase their profit in their development business.
5. The city and developer should pay for improvement of College Blvd which is a major road in Olathe; not a select few residents.
6. The developer applying for this benefit district is Cedar Creek Development LLC. However, a limited number of current homeowners in the Cedar Creek Communities are included in this benefit district. Why is that?
7. This proposal is one of the largest assessments a developer has brought to the City of Olathe for roads.
8. A benefit district should include all people who will benefit, not just a select few. The benefit district should only include the developers land as they stand to profit from the improvements.
9. The assessment is excessive and clearly more than the benefit derived.

We encourage you to strongly consider our numerous and strong arguments against the approval of this outrageous proposal.

Thank you for your consideration.

Sincerely,

Richard and Diane Etzkorn

From: Chris Corkran <chrisc@creativebenefitconsultantsllc.com>
Sent: Monday, April 26, 2021 11:40 AM
Subject: Benefit District for Cedar Creek

Importance: High

To whom it may concern,

My name is Chris Corkran and I am a resident of Hidden Lake Estates located in Cedar Creek, Olathe KS. We have lived here since 2018 and have loved being a part of the community of HLE.

However, we have recently been informed that we are scheduled to be a part of two separate but concurrent benefit districts for road additions and improvements. The overall spend for us for these two districts will cost us around \$42000 in assessed taxes to fund these projects.

While we understand and appreciate the need for growth and improvements, we feel like being a part of two different BD is completely uncalled for. There is no reason why our neighborhood should be assessed money for anything to do with College Blvd expansion as that is a main artery road and should be paid for by the City. There is absolutely no reason for us to be assessed for an extension of Clare Blvd as that does nothing to benefit our neighborhood. One could argue that the BD for Bluestem addition would be the only road that would potentially benefit our neighborhood.

There are a few things that we would like to see happen with this situation:

- Removal of Hidden Lake Estates from the College/Clare Benefit District
- Reduction in cost per square foot for the Bluestem Benefit District
- Assurance that HLE won't be included in future benefit districts as we would have been 'maxed' out from participating in one of the BD

Please know that there are a bunch of upset homeowners in the area and we are preparing to vocalize our frustrations at various meetings, city council events and the media. We hope it doesn't get to that point and the City and the developer will do the right thing by helping to address this situation.

Thank you for your time and consideration.

We look forward to a positive resolution to this situation.

**** Please note, we are currently 7 to 10 business days for firm rates and 2 business days for revisions ****

Chris Corkran
President/CEO
Creative Benefit Consultants LLC
25055 W 105th Terr
Olathe, KS 66061

chrisc@creativebenefitconsultantsllc.com

Mobile: (913) 481-0988

<https://creativebenefitconsultantsllc.com/>

[Schedule a Meeting with Creative Benefit Consultants](#)



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From: Allison Block <allieblock@gmail.com>
Sent: Thursday, April 22, 2021 12:38 PM
To: John Bacon
Subject: Benefit District Objection

Follow Up Flag: Follow up
Flag Status: Flagged

My name is Allison Block, home owner in the Prairie Brook subdivision at 11014 S Barth Rd in Olathe. I'm writing to object to the proposed benefit district that would provide no practical benefit to my neighborhood, family or the city at large.

As documented in the news media, the Cedar Creek developer and residents have resisted paying for road improvements to College Blvd that almost exclusively benefit themselves. They are now attempting to shift financial responsibility from themselves, where financial responsibility belongs, to residents and businesses in surrounding areas that do not make use of this section of road.

This proposed benefit district would incur \$11000 against my family, plus increases to HOA fees for tax increases on common areas within our neighborhood, while the road would provide no practical benefit to my family and neighborhood or the city at large.

I encourage the city to follow precedent and compel the developer to pay road and other infrastructure costs relating to development activities and spare Prairie Brook residents from the selfish motives of Duggan Shadwick Doerr and Kurlbaum, developers of Cedar Creek, driving this unjust and inequitable process.

You may reach me at 913-206-7336.

Thank you,
Allison Block

From: Mike Doerfler <mike.doerfler@gmail.com>
Sent: Tuesday, April 27, 2021 5:52 PM
To: John Bacon
Subject: Benefit District Questions

Good afternoon Mr. John Bacon, I have just received notification that I live in an area that is part of the proposed Cedar Creek benefit districts. I don't understand how the benefit district boundaries were drawn to include my home in the Prairie Brook subdivision. It appears to be a Cedar Creek developer asking the city of Olathe to take money from Olathe residents to finance the improvements to infrastructure needed to make his development project.

If you would have said this project was being paid for solely by the City of Olathe I would have been disappointed in the decision and thought it was a waste of money. I am not understanding how the existing usage patterns of the roads indicate the need for expansion.

The existing home owners in the eastern area of the benefit district have no need for another road to connect College Blvd and W. Valley Parkway. The S. Valley Parkway to W. Valley Parkway roadway appears to be lightly used by the existing residents. I would want to know what traffic records indicate the need to expand College Blvd past Cedar Creek Elementary to 4 lanes with the current traffic.

I am sure you must make lots of difficult decisions with running Olathe on how to finance all of the work that the community needs to maintain what it currently has and to grow. I have largely been happy with the decisions Olathe has made, but if the decision is made to create this benefit district to have me and the other existing homeowners finance a private developer's project for expensive homes I will consider this a significant tax increase imposed on me and vote accordingly.

Thank you for your time.

Michael Doerfler

24536 W 110TH ST

OLATHE, KS 66061

From: Todd Eiter <todd.eiter@gmail.com>
Sent: Wednesday, April 28, 2021 9:17 PM
To: John Bacon
Subject: Cedar Creek Benefit District

Follow Up Flag: Follow up
Flag Status: Flagged

John,

My name is Todd Eiter and I live in the Prairie Brook community west of K7 and south of College Blvd. We recently heard about a proposed benefit district that would widen College for less than a mile, add another lane on each side, and add a connection from College going north. I would like to know that you're reading the concerns from me and my neighbors. I'm an optimist so I'll say that you really do care that a developer is trying to stick our community with a \$3MM bill for something that has no discernable benefit for any of us in the Prairie Brook community. I could understand if our main thoroughfare, College blvd, was damaged, if we had a sizable traffic jam problem, if there was the need for a bridge to traverse something like a stream or train tracks, or if this would bring new commercial zoning for restaurants and shopping. But in this petition there is frankly and literally nothing of the kind in place. This would widen College Blvd just to dead end it into the same neighborhood side streets that it already goes to. The roads that are going north from College Blvd are also neighborhood streets and should be paid for by that community when it is built. In this situation there is simply no benefit to my neighbors and myself. There are a considerable number of retired citizens in our community. The assessment is simply too great a burden on them. As for the rest of us we have deep concerns about home values, what with the massive nearly 40% increase in property taxes. One would not need to strain to envision the negative hit with such high taxes. I fully and wholeheartedly oppose this benefit district. I hope you're hearing our concerns and will vote against this proposal.

Thank you,

Todd

From: Gene Michaelis <gehsgolf@sbcglobal.net>
Sent: Wednesday, April 28, 2021 4:41 PM
To: John Bacon; Larry Campbell; Adam Mickelson; Karin Brownlee; Wes McCoy; Kevin Gilmore; mvogt@olathe.org
Subject: Cedar Creek Benefit District

Follow Up Flag: Follow up
Flag Status: Flagged

We are contacting you to voice our opinions on 2 benefit district proposals submitted by Cedar Creek Development company, LLC. We, too, have a commitment in the city of Olathe. We have been residents for over 40 years.

There are several concerns about the determination of the area within the benefit districts and fairness of the assessment determination. We feel that some of these assessments are unreasonable.

- The identification of the properties within the benefit district under both proposals appear to be determined with the primary objective being the developer retaining the majority ownership thereby allowing this to be brought with no discussion, input or agreement with the property owners. The district more reflects the objective of minimizing the Cedar Creek property owners and the developer's future development plans from special assessments.
- The developer's exclusion of the Cedar Creek Southglen and the majority of the Valley Ridge and The Meadows subdivisions on the south side of College Avenue while including Prairie Brook subdivision on the north side of College defies logic and one cannot state that those living north of College benefit while those living south do not.
- This is made more confusing by the developer including the Cedar Creek Elementary School and the Villa portion of the Valley Ridge/ Meadows while excluding the larger single family homes in these 2 subdivisions.
- The developer has also not included the airport located on the north side of College and all of the Cedar Creek subdivisions located along Cedar Niles from the benefit district.
- The inclusion of the common areas of the Prairie Brook subdivision in the benefit district (and the resulting estimated assessment of approximately \$870,000) also makes no sense and cannot be adequately justified.
- The assessment of the Prairie Brook subdivision also does not reflect the indisputable fact that the primary benefit of these proposed plans are for those traveling from the Cedar Creek communities east, not from Prairie Brook area traveling west.
- By creating these benefit districts now, the developer is effectively shielding the undeveloped lots west of Prairie Brook toward Hidden Lakes (Cedar Creek development) from paying their fair share of these costs when this area is clearly the primary benefactor of these improvements.

In summary, I believe these proposals, if approved, would set a dangerous precedent of assessing an established subdivision, not developed by the beneficiary developer, thereby creating a competitive advantage for his future development plans. Additionally it will establish the process of special assessments on property owners who have already paid via home cost for aspects of the Clare Road development (right of way, etc.) along with annual local taxes, a part of which is dedicated to infrastructure such as this. I hope these proposals are given serious consideration by you and the entire City Council and denied or modified to one that fairly reflects the true beneficiaries of these.

Respectfully,
Gene and Regina Micahelis
10945 S. Wrangler St.

From: Shelly Little <shellylittle47@yahoo.com>
Sent: Friday, April 23, 2021 11:17 AM
To: John Bacon
Subject: Cedar Creek Benefit district

Follow Up Flag: Follow up
Flag Status: Flagged

Hello

Please know that as residents of the impacted Benefit district within Hidden Lake Estates in Cedar Creek, we are opposed to the extent of inclusion in what is considered a "benefit". This appears to be a pile on of all needed infrastructures in the surrounding area of which 1) we benefit directly from perhaps Bluestem. 2) college and Clare are roads that classify as main thoroughfares benefiting a larger group of homeowners.

These expansions and those who benefit are grossly misaligned. The financial impact is heavily weighted unfairly on a select few.

We have agreed to pay our way, but this 1.49 taxation rate is simply wrong. These benefit districts need to be reviewed and a deeper dive made into exactly who will benefit, not just a select few homeowners.

Sincerely

Shelly Little
Resident
Hidden Lake Estates
Cedar Creek

Sent from my iPhone

From: Damien Gingrich <djlgingrich@gmail.com>
Sent: Thursday, April 22, 2021 9:09 PM
To: John Bacon
Subject: Cedar Creek Benefit District Petition - Objection

Follow Up Flag: Follow up
Flag Status: Flagged

Greetings,

I am a resident of Prairie Brook neighborhood in Olathe, KS and writing to you to echo the voices of many residents of this neighborhood who are vehemently opposed to the Cedar Creek Benefit District Petition. I'm hopeful that you also share some of the concerns that have been raised by Prairie Brook residents and residents of similarly impacted neighborhoods along with their HOAs.

The concerns are plentiful and appreciate the opportunity for this to be discussed with those directly impacted before proceeding with the project that will be of most benefit to the developer and Cedar Creek. Most of Cedar Creek is not included in the Benefit District because of this same developer's past failed efforts to get them to pay for the required improvements in order for the project to move forward.

What is not understood is how Prairie Brook is included in the first place but even more curious, the entirety of the neighborhood is not included. More curious still is how neither Cedar Creek proper nor South Glen (directly south of Prairie Brook on College Blvd)– which is part of Cedar Creek. What would the developer stand to gain by gerrymandering the boundary?

The clause in the Petition from developer: "we further propose such improvement be made without notice or hearing as required by K.S.A. 12-6a 04(a)" is not right and likely should be more reason to stop this in its tracks. Something about this doesn't seem right, which is why we need to pause or better yet veto the whole Petition and do not allow this developer to move forward with these abusive tactics.

This simply cannot move ahead without hearing the concerns of the people this is directly impacting – not benefitting. This will have a tremendously negative financial impact on many Olathe residents, neighborhoods, businesses and Olathe Public Schools.

ATTACHMENT C

Why is the per square foot cost so high compared to previous per square footage costs of benefit districts? Where is the communication from our city leaders that this is happening and why is this happening so quickly? For these reasons, I am reaching out to my city leaders to voice my concern and to get some answers. I also urge you to delay or vote this down altogether, so that you can hear from the people whose lives are being directly impacted, not benefitting and being forced into an exorbitant tax increase.

Thank you for your service and hope we the people can count on you for your support.

Damien and Amy Gingrich
Prairie Brook Residents and Homeowners
Olathe, KS 66061

From: Sandra Wiley <swiley1952@att.net>
Sent: Saturday, April 24, 2021 1:56 PM
To: John Bacon
Subject: Cedar Creek Benefit District Proposal by Cedar Creek Development LLC

Follow Up Flag: Follow up
Flag Status: Flagged

My husband and I are extremely concerned about this proposal. We currently live in Prairie Brook, Olathe, Kansas. 10842 S. Hastings St. We would not derive any benefit from this proposal, yet, if passed, this proposal would add \$9,8000 to our taxes to help pay for the project. We back into a wooded area and if Clare Road goes thru behind our house, it would greatly reduce our property value by destroying the woods so the proposal would actually do us extreme harm. We are a retired couple living on a fixed income. It took us years to save to build our dream home that backs into a wooded area. We cannot afford the additional charge. Also, our HOA would be assessed \$800,000 which in turn would be passed on to us in the amount of \$3,300. We will have to dig into our retirement savings to pay for a road so the developer can make millions building houses behind our area. This proposal is extremely unfair residents of Prairie Brook as we would not derive any benefits whatsoever. Please vote against passing this proposal. If it passes, we will be forced to sell and move as we could not afford to pay these outrageous charges.

Also, the people chosen to pay for this project are random and few are actually Cedar Creek Residents. The developer is just trying to get us to pay for a road that has no benefit to us. The road doesn't even connect to anything but residential areas. It does not connect to K10. We would not even use this road if built. The only one who profits from this is Cedar Creek Development LLC. They should pay for it!

Sincerely,
Richard and Sandra Wiley
10842 S.Hastings St.
Olathe, KS 66061

From: Carrie Viser <cdviser@hotmail.com>
Sent: Monday, April 26, 2021 8:34 PM
To: John Bacon
Subject: Cedar Creek Benefit District Proposal

Hello! I have lived in Prairie Brook subdivision off of College Blvd since July of 2007 and this is the first time I have had to reach out to my city council members.

I am very much against the proposed Cedar Creek benefit district assessment and the funding for roads that do not give any benefit to me or this neighborhood. When looking at the map of the homes included in the proposal it seems to purposely avoid those homeowners that would get any sort of benefit of a widened College Blvd through to the Cedar Creek neighborhood. And the fact that there are even a handful of homes within Prairie Brook not included as they alone would get no assessment and therefore must not be benefitting, to me, highlights the flaw of saying that anyone of us here would receive any benefit.

I am also dismayed at the intent of the developer who petitioned that there would be no notice or hearings regarding this benefit district.

Regards,
Carrie Viser
24299 W 109th Terrace
Olathe, KS 66061

From: John & Maria DeJulio <jmdejulio85@gmail.com>
Sent: Tuesday, April 27, 2021 7:49 PM
To: John Bacon
Cc: Larry Campbell; Karin Brownlee; Kevin Gilmore; Wes McCoy; Adam Mickelson; Marge Vogt
Subject: Cedar Creek Benefit District

Mayor Bacon and Council:

Hope you are all doing well and have remained safe during the pandemic. This time I'm not reaching out to you with firefighter issues, but rather the proposed Cedar Creek/Claire Road Benefit District, and specifically, to encourage you to vote against this proposal.

I live in the Prairie Brook Subdivision (behind Fire Station #6), in the Villa section of that neighborhood. We have recently become aware that there is a proposed benefit district for our area and the expected assessment associated with it. Here are my issues with this proposal:

- #1 - In looking at the information that is on the City's website, the proposed improvements are to the west of our subdivision and do not affect or "benefit" our subdivision or its residents in any way. The district is west of our subdivision, heading into Cedar Creek, where no one in our subdivision would have a reason to drive to.
- #2 - We have already paid for improvements in our area through the excise tax when we purchased our home.
- #3 - The Prairie Brook Subdivision was not developed by the individual (Mr. Douggan), so he is attempting to impose an assessment on property that he has never been involved or associated with.
- #4 - The proposal's assessments also includes the common areas of our subdivision. This means that we not only will be paying for our individual homes, but also for the HOA assessment, thus paying twice.
- #5 - The proposal's assessments also includes the local elementary school, which means that we will end up paying AGAIN for this with eventual bonds that will have to be raised to cover the school district costs.
- #6 - In looking at the Benefit map, I do not understand why the area that is actually going to benefit the most from this is not being assessed, yet areas that will not be affected are expected to pay the cost. The proposed improvements really only benefit the Cedar Creek community; no one else has a reason to drive west on College unless you live in Cedar Creek.

I trust the Council will do the right thing and deny this petition.

John DeJulio

From: jodi shroba <jhawk120@hotmail.com>
Sent: Sunday, April 25, 2021 7:52 PM
To: John Bacon
Subject: Cedar Creek Benefit District

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mayor Bacon,

We are writing to express our concern regarding the proposed Cedar Creek Benefit District. We are residents of Prairie Brook subdivision and after reading this proposal there is zero benefit to the residents of Prairie Brook. A benefits district is created when improvements to infrastructure will be a benefit to the citizens. However, this proposal is unfair and unreasonable to the residents of Prairie Brook. Much of this road work would be west of our subdivision and we would never use these roads, they are not necessary for our daily lives. The only thing this will do for us is bring more traffic, noise, and devalue our homes. Cedar Creek is the largest and wealthiest subdivision in Olathe with over 1,100 single family homes. This road benefits the homeowners of Cedar Creek therefore all the expense of this road should be absorbed by the developers and residents of Cedar Creek. Prairie Brook is a small subdivision with only about 250 homes. Our home will be charged over \$10,000, plus the Prairie Brook HOA is being charged \$800,000. The HOA fees will have to be absorbed by the residents; therefore, our family will be charged over \$13,000 for a road that we will never use. Most residents do not have the financial ability nor desire to absorb the cost of road work for a neighboring subdivision. The developers of Cedar Creek are trying to grow their subdivision and need these roads for their development. The Cedar Creek developers are the only ones that will profit from these roads and should be responsible for improving the infrastructure of their subdivision. We did not want nor feel the need for these roads, and they do nothing to improve our lives or Prairie Brook subdivision.

This assessment is excessive and an unwanted burden on the residents of Prairie Brook. We are asking the members of the city council to reject this proposal and make the developers of Cedar Creek responsible for the cost of this project.

Thank for your time and consideration.

Sincerely,

Tim and Jodi Shroba

From: Joe Marlow <jmarlow750@gmail.com>
Sent: Thursday, April 22, 2021 10:40 AM
To: John Bacon
Subject: Cedar Creek Benefit District

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Bacon-

As a member of the Prairie Brook Board of Directors, I am writing you in regards to the Cedar Creek Benefit District for College Boulevard, etc. I have specific concerns about the Clare Road extension. This is a project that few, if any, in Prairie Brook are supporting and advocating. I am not a "tree hugger"- I believe in and support development and improvements as long as the developments are responsible and actually improve. The Clare Road extension, in my opinion, does not. This project would ruin the pastoral nature of our westside. I urge you to vote no on May 4.

Best regards & happy Earth Day- Joe Marlow

Joe D. Marlow, D.Min.

www.linkedin.com/in/jmarlow1
<https://jmarlow750.blogspot.com>

"The best way to predict the future is to create it." - Peter Drucker

From: Michael Johanning <michaeljohanning@hotmail.com>
Sent: Wednesday, April 7, 2021 5:28 PM
To: John Bacon
Subject: Cedar Creek Benefit District

Follow Up Flag: Follow up
Flag Status: Completed

I am a resident of the Cedar Creek neighborhood. As I'm pretty sure you are aware, the developer is attempting to establish a benefit district in this area. It is my understanding that a benefit district will cause me to have to pay some rather substantial amount for a substantial number of years to support the district. This is unfair and an insult to me as a homeowner in Olathe.

Why should I have to foot part of the bill for the developer? There is no benefit to me whatsoever. The benefit is for the developer so they can sell more lots for more houses. There is benefit to the city since you will collect property taxes on new houses that will be built as a result of having the new streets. Again, there is no benefit to me. So why should I have to pay? This is a ridiculous solution to a problem that does not exist for me.

I have written to my city councilman, Adam Mickelson, regarding this topic, but I fear the process is proceeding in spite of my strenuous objections and the objections of many of my neighbors. I hope you see my side of this. I just do not see how the developer can get away with it. When I have no voice in the decision and they (and probably the city) are able to force another "tax" down my throat, it is not right.

Please be an advocate for me. I have nowhere else to turn if my elected officials cannot (or will not) oppose the developer's attempt to make more profit at my expense. I already bought one of their properties and I already pay taxes on the assessed value of my property. I have paid enough. The developer's attorney has stated publicly that he thinks the fair thing to do is for the costs to be shared by the developer, city, and current property owners. How can he think that is fair to me?

Michael Johanning
23955 W. 115th Ter.
Olathe, KS 66061
913-660-2974

From: Martha Hatfield <martha.hatfield@gmail.com>
Sent: Monday, April 26, 2021 3:22 PM
To: John Bacon
Subject: Cedar Creek Infrastructure benefit district

We live in the Prairie Brook neighborhood in Olathe and want to express our concern about the infrastructure benefit district for Cedar Creek/College Blvd.

Developers have applied for this benefit district to ease access to the developments they are building in the Cedar Creek area. These road changes will not benefit our Prairie Brook neighborhood, and in fact will have a negative impact on us. An extension of Clare Road along the western border of our small neighborhood is not needed or wanted, while the expansion of College Blvd. will be west of our neighborhood and will only benefit Cedar Creek residents well past us to the west.

The benefit district should only include the areas that will benefit from the improvements, not pass the builders development costs along to those who will not benefit.

We believe this benefit district is unfair and would like your help in getting it changed so those who benefit will pay the costs.

Martha and Jeff Hatfield

From: M. R. Wehrly <mrwehrly@gmail.com>
Sent: Wednesday, April 21, 2021 4:44 PM
To: John Bacon
Subject: Cedar Creek Benefit Districts

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr. John Bacon, Mayor of Olathe,

It has just recently come to my attention that there is a proposal for creation of a new Benefit District, known as the Cedar Creek Benefit District, specifically the proposed College Blvd./Clare Rd./Cedar Creek Pkwy Benefit District. I currently live in the Prairie Brook subdivision. According to the map and list my property and the common property of our subdivision is being included in this new Benefit District. If I understand correctly, this will create a Special Assessment of which I will be responsible for something like \$11,000 to \$13,500 or more until paid in full. I strongly object to the creation of this Benefit District and Special Assessment.

Please vote NO on the resolution to create the Cedar Creek Benefit District.
Thank you in advance for your consideration.

Sincerely,
Manfred R. Wehrly, Jr.
10931 S. Belmont Drive
Olathe, KS 66061

From: jimshreve99@gmail.com
Sent: Thursday, April 29, 2021 7:08 AM
To: John Bacon; Larry Campbell; Karin Brownlee; Kevin Gilmore; Wes McCoy; Adam Mickelson; Marge Vogt
Subject: Cedar Creek Benefits District

Follow Up Flag: Follow up
Flag Status: Flagged

Ladies and Gentlemen:

Please do not allow the proposed assessment to proceed.

These improvements offer no benefits to the residents of Prairie Brook.

This is an obvious ploy by the developer to get other people to pay for improvements that mainly benefit him and the residents of Cedar Creek.

Thank you for your attention.

Jim Shreve
24544 W. 110th Street
Olathe, KS 66061
913 961 1579

From: Donna Whitney <dswitney56@gmail.com>
Sent: Wednesday, April 28, 2021 8:58 AM
To: John Bacon
Subject: Cedar Creek Benefit Districts

Mayor Bacon,

Cedar Creek Benefit Districts

I am writing you concerning the 2 benefit district proposals recently submitted by the Cedar Creek Development Company, LLC. As proud residents of Prairie Brook subdivision located at College and Appleridge Lane these proposals are very important to us.

Before I detail my concerns with these proposals, I want to assure you that our commitment to the growth of the city is strong and we remain willing to support this growth through both our general local taxes as well as any special assessment that is logical and whose cost matches the benefits of our community.

This being said, I have several concerns about both the determination of the areas within the benefit district as well as the fairness and reasonableness of the assessment determination.

- The identification of the properties within the benefit district under both proposals appear to be determined with the primary objective being the developer retaining the majority ownership thereby allowing this to be brought with no discussion, input or agreement with the property owners. The district more reflects the objective of minimizing the Cedar Creek property owners and the developer's future development plans from special assessments.
- The developer's exclusion of the Cedar Creek Southglen and the majority of the Valley Ridge and The Meadows subdivisions on the south side of College Avenue while including Prairie Brook subdivision on the north side of College defies logic and one cannot state that those living north of College benefit while those living south do not.
- This is made more confusing by the developer including the Cedar Creek Elementary School and the Villa portion of the Valley Ridge/ Meadows while excluding the larger single family homes in these 2 subdivisions.
- The developer has also not included the airport located on the north side of College and all of the Cedar Creek subdivisions located along Cedar Niles from the benefit district.

ATTACHMENT C

- The inclusion of the common areas of the Prairie Brook subdivision in the benefit district (and the resulting estimated assessment of approximately \$870,000) also makes no sense and cannot be adequately justified.
- The assessment of the Prairie Brook subdivision also does not reflect the indisputable fact that the primary benefit of these proposed plans are for those traveling from the Cedar Creek communities east, not from Prairie Brook area traveling west.
- By creating these benefit districts now, the developer is effectively shielding the undeveloped lots west of Prairie Brook toward Hidden Lakes (Cedar Creek development) from paying their fair share of these costs when this area is clearly the primary benefactor of these improvements.

In summary, I believe these proposals, if approved, would set a dangerous precedent of assessing an established subdivision, not developed by the beneficiary developer, thereby creating a competitive advantage for his future development plans. Additionally it will establish the process of special assessments on property owners who have already paid via home cost for aspects of the Clare Road development (right of way, etc.) along with annual local taxes, a part of which is dedicated to infrastructure such as this. I hope these proposals are given serious consideration by you and the entire City Council and denied or modified to one that fairly reflects the true beneficiaries of these.

Respectively,

Dave and Donna Whitney

[10949 South Wrangler St.](#)

[Olathe, KS](#)

--

D Whitney

From: Lisa Gray <lisakg64@yahoo.com>
Sent: Friday, April 23, 2021 2:13 PM
To: Larry Campbell; Karin Brownlee; John Bacon; Wes McCoy; Adam Mickelson; Marge Vogt;
john.resman@house.ks.gov
Subject: Cedar Creek Benefits District

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon,

I understand that the developer for the Cedar Creek subdivision in Olathe has submitted a petition for 2 benefits districts that will cost each homeowner in the Cedar Creek area many thousands of dollars and the benefit would only be to the developer as he is able to build more houses and earn more money while those of us who actually live in the area are possibly stuck having to pay in the neighborhood of \$1.47 per square foot of our property which for my husband and I would total \$37,000. We moved into our house 4 months ago and were not informed of this possibility when we purchased the house. This amount is very disturbing when our annual property taxes are already \$12,000. We absolutely cannot afford to pay this. Even if it is spread out over 20 years, we would never be able to afford to retire unless we sold the house due to being unable to pay the taxes.

Please ask yourself if any of you would want to be told that you had to pay \$37,000 for taxes without any benefit to you. The proposed roads are not anywhere near our home. Please either deny the developer's request or require that he pay for the benefits district himself since he will be the one to benefit. No one who owns homes in the area want this, just the developer so he should pay.

Thank you,
Ron and Lisa Gray

From: Tina S Patel <tinasach2004@yahoo.com>
Sent: Monday, April 26, 2021 2:44 PM
To: John Bacon
Subject: Cedar Creek Benefits concerns

To whom it may concern:

We are home owners in the Prairie Brook subdivision in Olathe, KS. It has been brought to our attention recently about the Cedar Creek Development Benefit Project. The developer is asking home owners to pay for the construction of the infrastructure in that area. We would like to express our concerns about the unreasonableness of this movement. The improvements spoken of do not specifically benefit Prairie Brook homeowners. We are also concerned of how the expenses were determined and distributed across only some property owners but not all.

We also had specific questions as to would the homeowners be responsible for the expenses if they moved out of the community prior or 2023? These decisions concern us as they were made prior to holding a public hearing or giving homeowners ample notice.

We would like to appeal to this proposed payment on behalf of all the Prairie Brook Homeowners that are affected. We feel we should not be held responsible of this payment as it is an unfair burden placed upon us.

We wish to be informed of future plans and decisions going forward.

Thank you,

Prairie Brook Homeowners,
Sachin and Tina Patel

Tina Patel

From: Dale Terry <sleuthkc@gmail.com>
Sent: Saturday, April 24, 2021 2:06 PM
To: John Bacon; Larry Campbell; Adam Mickelson; Karin Brownlee; Wes McCoy; Kevin Gilmore
Cc: Marge Vogt
Subject: Cedar Creek Development LLC

Follow Up Flag: Follow up
Flag Status: Flagged

As a property owner at 10695 S. Appleridge Ln, Prairiebrook, I am diametrically opposed to the Cedar Creek Development LLC proposal. The new roadway does not benefit me at all and, in fact, could incur significant harm to me. The proposed road to the west of me will provide unwanted access to non Prairiebrook person(s) who could use the access to come on my property and steal or damage my property without my consent. Currently, all traffic entering Prairiebrook must pass by the law enforcement office before continuing into the Prairiebrook area. I believe the law enforcement presence has been a great deterrent to crime.

Please vote no on the proposal.

Dale R Terry
Prairiebrook Homeowner

Sent from my iPad

From: Martha Hatfield <martha.hatfield@gmail.com>
Sent: Monday, April 26, 2021 3:22 PM
To: John Bacon
Subject: Cedar Creek Infrastructure benefit district

We live in the Prairie Brook neighborhood in Olathe and want to express our concern about the infrastructure benefit district for Cedar Creek/College Blvd.

Developers have applied for this benefit district to ease access to the developments they are building in the Cedar Creek area. These road changes will not benefit our Prairie Brook neighborhood, and in fact will have a negative impact on us. An extension of Clare Road along the western border of our small neighborhood is not needed or wanted, while the expansion of College Blvd. will be west of our neighborhood and will only benefit Cedar Creek residents well past us to the west.

The benefit district should only include the areas that will benefit from the improvements, not pass the builders development costs along to those who will not benefit.

We believe this benefit district is unfair and would like your help in getting it changed so those who benefit will pay the costs.

Martha and Jeff Hatfield

From: Tom and Sue England <seandte@gmail.com>
Sent: Tuesday, April 27, 2021 10:10 AM
To: John Bacon
Subject: Cedar Creek Proposed Benefit Districts

Dear Mr. Mayor,

I am writing you as a resident of Olathe, residing in the Cedar Creek development. Shortly, the City Council will consider a petition for the creation of a benefit district within the Cedar Creek development.

It is my understanding that benefit districts for Cedar Creek were initially set up in 2001, and later amended in 2008. These benefit districts were set up so that new plat developments along a new street would be assessed to assist in paying for those streets.

These benefit districts were created because of the topography of Cedar Creek did not allow the arterial street system to be built in the traditional rigid, linear, section line pattern, and the topography dictated that the arterial system be built in a curvilinear design.

Clearly, the traditional design has not been followed by developers for several decades in our metro area, or for that manner, anywhere. Therefore, Cedar Creek today is not much different as to street layout, than most any new development.

The petition presented is clearly an attempt to assist the developer in paying for his latest projects by having the City assess property owners outside of his new developments in order to keep the costs lower for each of his newly developed lots.

The proposed benefit districts do not fairly address properties. For example, We live at 26261 W 110th, and the proposal would say that we benefit from improvements to Cedar Creek Parkway and Clare Road. One look at a map will show anyone that those arterial streets would not benefit us beyond traveling to visit someone along those arterials. Not at all useful to us in shopping, working or traveling from one part to the City or another.

If my wife and I benefit from improvements along College Boulevard, then clearly dozens more properties within Cedar Creek, and even further along our mostly cul-de-sac street, benefit just as much, as College is closer for them than exiting further North to K-10 Highway. Yet, they are not included. The division should be equitable among property owners, not arbitrary as proposed.

The amount asked for by the developer is roughly five times previous Benefit District amounts, and it appears that Shadow Glen golf course the the newly sold airport property, are exempt.

This is not fair to the citizens of Cedar Creek, and is only an attempt by the developer to keep costs lower for his newly developing properties. Now that the developer's first attempts with litigation against the City failed, he is looking at us.

I urge the City Council and yourself to vote against the current proposed Benefit Districts.

If the City Council is to approve a Benefit District, I would urge the City to require developers to stay with the revised Benefit District map dated June 24, 2008 that has already been approved by the City.

Sincerely,

Tom England
26261 W 110th St.

From: Nicole Mallory <ncb879@yahoo.com>
Sent: Thursday, April 22, 2021 12:19 PM
To: John Bacon
Subject: Cedar Creek Benefit Districts

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mayor Bacon:

I am writing to ask you not to support the petition Cedar Creek Benefit Districts; Proposed College Boulevard, Clare Road, Cedar Creek Parkway and Proposed Bluestem/107th.

I have lived in Prairie Brook for eleven years. Imagine living in a neighborhood for eleven years with only one entry point without any issues, when suddenly a greedy developer petitions the city for an assessment tax on Prairie Brook residents and their HOA. Not only is the road improvements that "benefits" Prairie Brook unnecessary, but also an example of the excessive greed of the developer from Cedar Creek. Their petition is passing off the expense of a road expansion and improvement, that benefits only Cedar Creek residents and the developer's profitability, to the residents of Prairie Brook. Additionally, the means by which they have gone about trying to get the funding seems unethical to try and get this approved without the knowledge of both Prairie Brook and Cedar Creek residents, when the developer is the main entity that stands to benefit/capitalize on these road expansions. A tax assessment of tens of thousands of dollars on families is excessive for their capitalistic gain. There is no benefit to Prairie Brook residents. It is not needed or even wanted by the residents of Prairie Brook.

I'm sure you agree that the petition on Prairie Brook residents for an expensive tax assessment is absurd, for a road that is not necessary. My expectations are high that you will oppose the assessment tax.

Sincerely,

Nicole Mallory

10736 S Appleridge Lane

Olathe, KS 66061

913-617-8843

From: Tom Anderson <tomtombruce@gmail.com>
Sent: Tuesday, April 27, 2021 7:24 PM
To: John Bacon
Subject: Cedar Creek/College Blvd Benefit District

My name is Tom Anderson. My wife and I live in the Prairie Brooke residential development. We were recently informed that Prairie Brooke has been included in the Cedar Creek/College Blvd. Benefit District. If this is approved, we will be assessed approximately \$5000.00 on our villa property. Additionally, our HOA will be assessed approximately \$850,000 resulting in a large increase in our HOA fees. We are on a fixed income, as are most of our neighbors in the villa section of Prairie Brooke. We were not expecting this additional expense in our senior years.

We would like to express our opinion that the selection of Prairie Brooke as a Benefit District for road improvements to the west of us is both arbitrary and unfair. It is unfair because we receive absolutely no benefit from the project. Our Prairie Brooke traffic patterns go only east toward the city. Prairie Brooke residents never drive west on College beyond Clare Rd. because there are no commercial businesses to draw us. Likewise, there are no businesses on Valley Parkway, which will become the northern border of Clare Rd. The proposed roads lead only to residential properties. Therefore, it is difficult to understand how city leaders could come to the conclusion that Prairie Brooke residents will benefit in any way from this road project.

The declaration of Prairie Brooke as the only housing development in the area to “benefit” from this road project is unfair. Three additional neighborhoods that border College and Clare Road (South Glen, Valley Ridge, and Cedar Creek) have been excluded from this benefit district. Why are they not included?

The Cedar Creek development is clearly the primary beneficiary, along with any new homes or businesses that are built in this corridor. College Blvd is a “back door” road for Cedar Creek when residents wish to avoid heavy traffic on K10. Evidence of the neighborhood that uses College west of Clare is easily determined by spending time observing the road during rush hour. Only Cedar Creek residents are using College west of Clare Rd. Therefore, it seems Cedar Creek would be the most appropriate area to designate as a Benefit District.

Please reject the current Benefit District proposal for Prairie Brooke.

Thank you for your attention to this important matter.

Sincerely,

Thomas B & Sandra L Anderson
24548 W. 110th St.
Olathe, Ks. 66061
Prairie Brooke

From: Deborah Ling <lingdeborah@yahoo.com>
Sent: Monday, April 26, 2021 3:48 PM
To: John Bacon
Subject: Cedar Creek/College Blvd. Benefit District

Mr. Bacon

I am emailing you to state my concerns over being taxed for the Cedar Creek/College Blvd. Benefit District.

The home owners of Prairie Brook, which is **NOT** a part of Cedar Creek are being added into a Cedar Creek benefit district project and being asked to pay for this new road. The developer applying for this development is Cedar Creek Development LLC.

I live 1 house away from where Clare Rd. would be built to go north of College Blvd. When I built my house, I was told Clare Road would never extend north of Cedar Creek. **The addition of this un-needed road will not only place an unfair tax burden on me, but, will also lower my home value.**

The residents of Prairie Brook will NEVER use this road. There is no reason for us to go north of College Blvd. If anyone from the Prairie Brook neighborhood goes west, it is either go to Cedar Creek Elementary, or to go South on Clare road to Mission Trail Middle school. The VAST Majority of Prairie Brook Traffic goes East on College Blvd. to get on to K-7. There is absolutely **no reason** for us to EVER go north through the middle of a field into no where!. There is NOTHING for us to go west on College Blvd. and certainly no reason we would go North for.

The residents of PRAIRIE BROOK, should not be funding this road. We will NEVER use it and will get NO benefit from it.

Cedar Creek Development, LLC stands to make MILLIONS of dollars from future homesites. If this road is built, they and the city of Olathe should pay for. NOT the residents of PRAIRIE BROOK, who will get NO benefit from it.

Please vote no for the Cedar Creek/College Blvd. Benefit District.

Thank you,

Deborah Ling,

lingdeborah@yahoo.com

913 706 3446

From: John Schoenthaler <jbschoen88@hotmail.com>
Sent: Wednesday, April 21, 2021 1:54 PM
To: John Bacon; Larry Campbell; Karin Brownlee; Kevin Gilmore; Wes McCoy; Adam Mickelson; Marge Vogt
Subject: Clare Road Enhancements

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

To all Olathe Council Members,

I am writing you to let you know that I am NOT supportive of this enhancement, which is scheduled to be reviewed on May 4th. I was not asked if I was supportive or would be willing to help fund this project prior to the petition being submitted. In addition, this road adds ZERO value to me or many other members of Prairie Brooke. This is a colossal waste of money, and as stated before, benefits nobody in our neighborhood.

As I expect you will get emails or calls from other people in my neighborhood, please do what you can to stop this from going through by DENYING the petition. People being asked to pay for something that does not benefit them should at least get the opportunity to weigh in on it or vote on it. Thanks for your attention to this matter.

<https://www.olatheks.org/home/showpublisheddocument/18992/637540023521900000>

[Cedar Creek Benefit Districts | City of Olathe \(olatheks.org\)](#)

John Schoenthaler

Sent from [Outlook](#)

From: Sheryl Dick <sheryljd@gmail.com>
Sent: Thursday, April 22, 2021 3:50 PM
To: John Bacon; Larry Campbell; Adam Mickelson; Karin Brownlee; Wes McCoy; Kevin Gilmore; Marge Vogt
Subject: Clare Road/College Blvd: Petition for Public Improvements

Follow Up Flag: Follow up
Flag Status: Flagged

Mayor Bacon & Olathe City Council Members, I am a senior-citizen resident in the villas at Prairie Brook. I urge you to vote 'NO' on the Petition for Public Improvements filed by John Duggan, Aberdeen Partners, et al.

The proposal does not 'benefit' residents of Prairie Brook in any way only the development planned west of the Prairie Brook subdivision. The costs of improvements to Clare Road north of College should be borne by the developer and residents of the Hidden Lakes Estates development.

Please study this issue carefully as well as the many pleas you will receive during this very short notice that we all had....thank you for your consideration.

Sheryl Dick
10984 S Parish St
Olathe, KS 66061

From: Janalee Doerfler <jmsdoerfler@gmail.com>
Sent: Wednesday, April 28, 2021 9:32 AM
To: John Bacon
Subject: College Blvd Benefits District

4/28/21

Mayor John Bacon

Dear Mayor Bacon

My name is Janalee Doerfler and I am writing to express my concern and lack of support for the College Boulevard Benefit District.

Recently we were made aware of our subdivision being responsible for the benefit of the Cedar Creek District and the expansion of College Boulevard. Based on current projections, this could increase our expenses by almost \$10,000. That number in and of itself is quite extensive for a benefit we will not use, but on top of the current economic situation it is even more troublesome.

Ten years ago, my family and I moved to western Olathe as we loved the open spaces, schools and bang for our buck. We purposely did not buy in Cedar Creek as we did not want to pay for houses and benefits, we would not use.

With this current assessment, Prairie Brook is being lumped into the Cedar Creek improvements. Not only is this a cost to us but research indicated this is one of the highest assessments to be proposed and to homeowners not directly impacted. Further the additional traffic will decrease our property values.

Please consider our request to not assess this to homeowners already struggling for a benefit that will never be realized. Thank you for your time.

Sincerely,

Janalee Doerfler
24536 W 110th Street
Olathe, KS, 66061

From: Angie White <healthmindandbody@hotmail.com>
Sent: Tuesday, April 27, 2021 11:06 AM
To: John Bacon
Subject: Comments on Proposed College Blvd./Clare Rd./Cedar Creek Pkwy Benefit District

Good morning, Mayor Bacon,

I am writing to you about my concerns regarding the proposed Benefit District, within which, my home at 24330 W. 109th Terrace in the Prairie Brook Subdivision is included. If it hadn't been for a Facebook post, my husband and I would not have had any awareness that this was proposed and could cost my family upwards of \$9,000, and also potential increases in our HOA dues by 40-50% what we currently pay. I find the Petitioners approach, asking to waive notice and hearing rights to other property owners, (ie. wanting to keep us homeowners in the dark) to be contemptible and devious. An obvious intentional move on the Petitioner's behalf as a way to decrease their expenses and increase their profit.

A Benefit District and the special assessments it imposes should inure equivalent benefits to the properties. In this case, it does not. Most of us residents, seldom if ever, travel west on College Blvd. The main beneficiaries of this College Blvd. and Cedar Creek Parkway expansion, if any, are those that live in the Cedar Creek Community, not those of us living in Prairie Brook. The property chosen for this Benefit District is random at best, and makes no sense. Those that benefit most should be included in the Benefit District and that certainly is not the residents in Prairie Brook Subdivision.

In addition, the building of Clare Road would decrease property values of many homes in our neighborhood, and a large number of people in our neighborhood are retired individuals who are on a fixed income. Imposing these extra costs on us, along with the decrease in our property value, with no added benefit to our daily lives is unfair. I ask that you consider the source of this petition, and if council does vote to approve the Benefit District that the boundary lines be drawn where they belong and where they truly benefit--surrounding each and only those properties actually owned by the Petitioner.

Sincerely,

Angie White
healthmindandbody@hotmail.com

From: golf1219 <golf1219@gmail.com>
Sent: Tuesday, April 20, 2021 10:24 AM
To: John Bacon
Subject: Concerned Olathe Resident
Attachments: Concerned Tax Payer.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Mayor Bacon - Please see attached letter from a concerned Olathe taxpayer.

Thanks,

Travis

From: Rachelle Galvin <rachellediane@yahoo.com>
Sent: Thursday, April 22, 2021 5:06 PM
To: Marge Vogt; Adam Mickelson; Wes McCoy; Kevin Gilmore; Karin Brownlee; Larry Campbell; John Bacon
Subject: Cedar Creek proposed unfair fees

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon.

I am writing today to my council members to request that you veto the proposed Cedar Creek benefits district. I live in the Prairie Brook neighborhood off of College Boulevard. My primary concern is that a developer is trying to get citizens to fund necessary aspects of his development for which he will profit greatly and citizens in our neighborhood gain nothing. (We do not use College Blvd west of Clare. The only people who use this are residents of the Cedar Creek neighborhood that sits back there). I am also astonished that this developer drew boundary lines of his "benefit district" in a way that makes no sense at all for who would actually benefit, but instead ensures that the LLCs involved can have at least 50% land ownership so that they could even propose this special assessment. Equally deceptive is the fact that he petitioned not to have any notices or hearings in regards to this issue.

I am confident that if you look at this proposed map for this project you will also quickly see just how unfair and nonsensical these boundary lines are. But again, more importantly, I do not think citizens should be responsible for widening public (city) roads and creating new roads so a developer can build new houses.

Thank you for your consideration on this matter.

Sincerely,

Rachelle Galvin
24306 W 108th Ter
Olathe, KS 66061

From: Nikki Ruder <rudern@att.net>
Sent: Thursday, April 29, 2021 11:08 AM
To: Larry Campbell; John Bacon; Karin Brownlee; Wes McCoy; Kevin Gilmore; Marge Vogt
Subject: Cedar Creek/Clare Rd Benefit District
Attachments: Benefit District Disapproval Letter - Ruder.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning, Attached I have written a letter in regards to the new benefit district that has been proposed by Cedar Creek Development LLC. We are asking that you vote against approving this application.

Thank you for your time and attention to this matter that affects our family SIGNIFICANTLY.
Nikki Ruder

Sent from [Mail](#) for Windows 10

From: Marie Mahoney <gmariemahoney@yahoo.com>
Sent: Sunday, April 25, 2021 3:16 PM
To: John Bacon
Subject: Cedar Creek/College Blvd Benefit District

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mayor,

As residences of Prairie Brook, we are strongly against making a **benefit district** for improvements of College and Clare Road for the benefit of better access to Cedar Creek subdivision. We feel this assessment process is wrong on every level. We will derive little benefit from these roads. The main beneficiaries of the improvement are those living in the communities of Cedar Creek, not Prairie Brook. Why should we pay so a developer can build houses along these roads that is no benefit to us? The city should pay for the improvement of College Blvd, a major road in Olathe; not a select few residents. The benefit district should only include the developers land as they stand to profit from the improvements.

When we built our home in 2012, we were fully aware that Clare Road would be built when development was appropriate. We have diligently checked with city planers to to try and be updated as to when Clare would be built. Our last conversation in late 2019 showed nothing was on the 10 year plan. Never in a million years did we ever think we'd have to help pay for road improvements so some developer could build houses.

This assessment is not providing a benefit to our neighborhood. It is excessive and clearly beneficial to a developer. Please do what is right for our city and neighborhood. Vote against this benefit district application.

Sincerely,

Mike and Marie Mahoney

From: Makaela Meadows <mnikodym@aol.com>
Sent: Wednesday, April 21, 2021 8:51 PM
To: John Bacon
Subject: Hidden Lake Estates Benefit district concern.

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Mayor Bacon,

I am writing to inquire and voice my concerns about the two benefit districts that we are a part of the cost we're set to incur. Specifically questioning the items below:

- Why is our neighborhood part of two benefit districts?
- Why is the per square foot cost so high compared to previous per square footage costs of benefit districts?
- Where is/has been the communication from our city leaders that this is happening and why is it all happening so quickly?

There needs to be a delay so we can meet as a neighborhood with our city leaders to get the facts and more importantly so you can hear from the people whose lives you are directly affecting and not necessarily benefitting. Our property is set to be dinged with one of the biggest amounts, which doesn't to be fair given the cost of our land. This is concerning and I would like answers.

Makaela Meadows

From: TC Steele <tcsjar1995@gmail.com>
Sent: Friday, April 23, 2021 10:15 AM
To: John Bacon; Larry Campbell; Karin Brownlee; Kevin Gilmore; Wes McCoy; Adam Mickelson; Marge Vogt
Cc: TC Steele; Julie S
Subject: Hidden Lake Estates Benefit Districts Concern

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning-

Our names are Tim and Julie Steele. We live at 25232 W. 104th Pl. in Hidden Lake Estates of Cedar Creek in Olathe since July 2018. We have been assigned the financial responsibility of two benefit districts and as a result our neighborhood is collectively seeking representation. It has caused a great deal of consternation within our community. Although it is a delicate balance to support development/developers while still protecting citizens, it's our belief that at the end of the day our elected and paid officials are in their positions to protect us and prevent situations like this, a neighborhood seeking representation against the city they love & live in, from arising.

We are not contacting you to debate the purpose or existence of benefit districts or that one might be necessary in this case but rather several concerning items below:

1. Why are we in two benefit districts? This is doubling our financial responsibility. We are surprised that this unique and rarely used concept wasn't revealed by our developer and realtors when we purchased our home.
2. Why is there such a rush to move this forward without more residents' input, especially when most have just become aware of the matter? We have not received communication directly from the city but rather we've had to wade through the depths of the city website to gather information.
3. Why is the tax levy for these benefit districts so much higher compared to historical assessments in similar benefit districts?

Like many of our neighbors, we are flabbergasted at the enormous cost to citizens should this move forward as proposed. Our home would be assessed approximately \$42,000 w/interest over the 20 year period. Some of our neighbors would be well over \$50,000. Frankly, we already pay a significant tax bill, but the difference is that it was known to us when we purchased our homes. Although we understand that our tax bill will likely continue to increase we still chose to purchase this home in Olathe and not another community.

We are available for discussion (contact info below). In the meantime, we see no other choice than to continue to organize within our neighborhood.

Thank you,

Tim and Julie Steele
25232 W 104th Pl

Olathe, KS 66061

HouseOfSteele1@gmail.com

tcsjar1995@gmail.com

913-575-2570

913-575-2038

From: rsm721 <rsm721@aol.com>
Sent: Thursday, April 22, 2021 1:43 PM
To: Marge Vogt; Adam Mickelson; Wes McCoy; Kevin Gilmore; Karin Brownlee; Larry Campbell; John Bacon
Cc: dmonty7265@gmail.com
Subject: huge concern

Follow Up Flag: Follow up
Flag Status: Flagged

Olathe City Council members,

Good afternoon. I am writing today to my council members to request that you veto the proposed Cedar Creek benefits district. I live in the Prairie Brook neighborhood off of College Boulevard. My primary concern is that a developer is trying to get citizens to fund necessary aspects of his development for which he will profit greatly and citizens in our neighborhood gain nothing. (We do not use college west of Clare. The only people who use this are residents of the cedar creek neighborhood that sits back there). I am also astonished that this developer drew boundary lines of his "benefit district" in a way that makes no sense at all for who would actually benefit, but instead ensures that the LLCs involved can have at least 50% land ownership so that they could even propose this special assessment. Equally deceptive is the fact that he petitioned not to have any notices or hearings in regards to this issue.

I am confident that if you look at this proposed map for this project you will also quickly see just how unfair and nonsensical these boundary lines are. But again, more importantly, I do not think citizens should be responsible for widening public (city) roads and creating new roads so a developer can build new houses.

Thank you for your consideration on this matter.

Richard and LuAnne Montgomery
10764 S. Carbondale Street
Olathe, KS 66061

From: Mccall, Kent H <Kent.McCall@charter.com>
Sent: Tuesday, April 20, 2021 3:50 PM
To: John Bacon
Subject: Objection to the Proposed College Blvd./Clare Rd./Cedar Creek Pkwy Benefit District Petition
Importance: High

Good Afternoon Mr. Bacon,

I'm writing to you to express by objection to the Proposed College Blvd./Clare Rd./Cedar Creek Pkwy Benefit District Petition. While I see the benefit of expanding the road to those living in Cedar Creek that drive on that road daily there is no benefit to the land owners that live east of Clare Rd and College Blvd. That would include all of Prairie Brook where I reside.

The Benefit District outlined needs to be redefined. Prairie Brook needs to be removed and more land owners in Cedar Creek to include properties on Cedar Niles Cir, 110th St, 109th St, 108th Ter, etc. should be included.

<https://www.olatheks.org/home/showpublisheddocument/18992/637540023521900000>

As it stands I ask for you to vote NO on May 4th.

Thank you,

Kent McCall
10840 S Appleridge Ln
816.489.1002

The contents of this e-mail message and any attachments are intended solely for the addressee(s) and may contain confidential and/or legally privileged information. If you are not the intended recipient of this message or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message and any attachments. If you are not the intended recipient, you are notified that any use, dissemination, distribution, copying, or storage of this message or any attachment is strictly prohibited.

From: Mark Sheppard <marksheppardjr@gmail.com>
Sent: Wednesday, April 21, 2021 4:36 PM
To: John Bacon
Subject: Olathe - Clare Road extension - Benefit district

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Bacon,

My wife and I were recently made aware of a petition that was signed that created a "benefit district" to pay for the Clare Road extension near Cedar Creek in Western Olathe. We live in the Prairie Brook subdivision, and based on the petition are expected to pay between \$11,000 and \$15,000 dollars in taxes due to the "benefit" we will receive from this new road.

We would like to make very clear that we will not receive any benefit from this project. It would pay for a road that we would rarely, if ever actually use. It is on the West side of our subdivision, and everything we do (work, shopping, restaurants, kids sports) is East of our subdivision. The Prairie Brook subdivision and it's residents do not really want the new road at all, and definitely are not interested in paying for it.

We also have major concerns regarding the origin of the petition. Our understanding is that it was "signed" by 55% of the land area owners. However, the 55% came entirely from the developer (John Duggan). The developer wants to build a road in order to develop more houses in the area, and is trying to make our families pay for their project. They unilaterally signed the petition, indicated on the petition that they didn't intend to notify the other property owners, and decided how much each homeowner should pay for the project. They also left some properties in our subdivision out of the "benefit district," with the thought being that if they included them all, they would not have had the 50% necessary to pass the petition.

I am not a lawyer, and am just listing some of the details I have read and heard this week. I would like to make it very clear that my family loves living in Olathe, and we have no issue paying our fair share of taxes to help grow our community, schools, roads, and other areas. However, it is completely unfair for a developer to use these shady tactics to make our families pay for their project.

My family appreciates anything you can do to make sure this petition does not get approved.

Thank you,

Mark and Heather Sheppard
913-201-1881

From: City of Olathe <olatheks@user.govoutreach.com>
Sent: Wednesday, April 21, 2021 11:25 AM
To: John Bacon
Subject: OlatheConnect Notification to All Councilmembers that a Council Communication has been submitted to OlatheConnect Request #: 36052 [1783461O640217]

You are being notified about a City Council Communication from the OlatheConnect System # 36052 for All Councilmembers. This request has been assigned to Catherine Marks on your behalf. Reply to this email to send a message back to Catherine Marks.

Request type: Concern

Request area: City Council Communication

Description: The proposed Cedar Creek Benefits District will create additional tax burden for my family and that of many (but not all) of my Prairie Brook neighbors. The fact that the city of Olathe has rejected funding for this project speaks volumes, but now we are being told we must pay significant sums to extend Clare Road to connect College and Valley is ludicrous. There is no benefit to my family for this project, though it seems to benefit the Cedar Creek community and obviously the developer.

As I have read more about this, there is documented recommendations to roll this out without notice. The project has been under fire because there are few who will actually benefit and they don't wish to bear the expense. How in the world does that mean that we have to pay for it?

I find it fascinating that while most of Prairie Brook is affected, not all are. Based on my understanding of the "rules", could this be because doing so will affect the % of land owned by Jim Duggan and others and will therefore require signatures from us? This whole thing does not pass the smell test. This appears to be a deal struck in a smoky room somewhere in hopes that no one would be the wiser until it was too late and we had our tax bills in hand.

My next step is to contact local news sources to ensure a bright light shines on this.

Citizen name: David Cox

Email: dcox0712@gmail.com

Phone: 9712264786

Address: 10940 S Belmont Dr

Location: 10922 S HASTINGS ST

Expected Response Date: April 23, 2021

Reply to this email to send a message back to Catherine Marks.

From: City of Olathe <olatheks@user.govoutreach.com>
Sent: Wednesday, April 21, 2021 12:56 PM
To: John Bacon
Subject: OlatheConnect Notification to All Councilmembers that a Council Communication has been submitted to OlatheConnect Request #: 36053 [1783461O640217]

You are being notified about a City Council Communication from the OlatheConnect System # 36053 for All Councilmembers. This request has been assigned to Catherine Marks on your behalf. Reply to this email to send a message back to Catherine Marks.

Request type: Concern

Request area: City Council Communication

Description: Hello,

I live in the PrairieBrook subdivision and found out yesterday about the Cedar Creek benefit district we are somehow responsible for. We don't understand why we are being assessed so Cedar Creek will have better access to their neighborhood. The College Blvd improvements and Clare Rd Extension do nothing for our subdivision. The people who need to pay for these improvements all live west of Clare road. The part that really annoys me is there were no notices sent out about this. Its like it was supposed to be a secret until it was approved and then there would be nothing we could do about it. What do we need to do to keep this unjustified benefit from going through?

Thank You

David and Stephanie Rosenbohm

Citizen name: David Rosenbohm

Email: daveho22@hotmail.com

Phone: 18472548647

Address: 10905 S Appleridge Ln

Location: 10905 S APPLERIDGE LN

Expected Response Date: April 23, 2021

Reply to this email to send a message back to Catherine Marks.

From: City of Olathe <olatheks@user.govoutreach.com>
Sent: Wednesday, April 21, 2021 1:16 PM
To: John Bacon
Subject: OlatheConnect Notification to All Councilmembers that a Council Communication has been submitted to OlatheConnect Request #: 36055 [1783461O640217]

You are being notified about a City Council Communication from the OlatheConnect System # 36055 for All Councilmembers. This request has been assigned to Catherine Marks on your behalf. Reply to this email to send a message back to Catherine Marks.

Request type: Concern

Request area: City Council Communication

Description: We are writing to you regarding the proposed College Blvd/Clare Rd/Cedar Creek Parkway Benefits road project. We are extremely concerned about the impact this unnecessary road will have on both the value of our home, as well as, the quality of our lives given the proposed route is directly in our backyard. We have lived on South Hastings street for 3 years and this is the first we have ever heard of this project, and have never had the opportunity to previously voice our concerns or even vote on whether or not it should move forward.

We have young children and several pets that play in our backyard daily, and a grave concern of ours is their safety while cars are zipping past them mere feet from our property line. The most egregious aspect of all this, is on top of the aforementioned information, we are being asked to pay roughly \$10,000 for this road that we have never been asked if we want, nor would it provide any benefit to us or our community. To find out overnight that 1) there will be a road constructed in our backyard and 2) we will be asked to pay for it is appalling and downright disrespectful for those of us living along the projected route of this road. The increase in noise pollution, as well as the loss of safety for our children and pets to play in our backyard, make this project unfathomable in our eyes.

Furthermore, according to the documentation, only one person has signed on to agree to this project and it happens to be the developer, who has already been turned down by the city to fund this project, and who now seeks to force the costs of funding onto the homeowners from another community who will not benefit from, but will be negatively impacted by this project. He is trying to push this through without the informed consent or knowledge of those that are directly impacted both financially and physically by the proposed project, that he is set to reap the financial benefit from.

Lastly, there is a vast ecosystem behind our house. Deer, turkeys, and many other wildlife depend on the area for survival. We have seen hawks and eagles and a great horned owl back there. This road is unnecessary, and it's current route places my family in extreme danger. Put yourself in our shoes, would you like it if some developer from another community decided to construct a road in your backyard where YOUR CHILDREN PLAY, then have the gall to force you to pay for it?!!!

As one of your constituents, my children and I implore you to vote against this proposed project. We as homeowners, who will be severely negatively impacted by this project do NOT consent to it in any form, financially or physically. If you have any questions, or would like to

ATTACHMENT C

discuss the implications of this project further, please do not hesitate to contact us.

Regards,

Christian & Jennifer Penzero
203-858-4155

Citizen name: Christian Penzero

Email: jpenzero@gmail.com

Phone: 203-858-4155

Address: 10830 S Hastings St

Expected Response Date: April 23, 2021

Reply to this email to send a message back to Catherine Marks.

From: Steven Cooper <s.cooperkc14@att.net>
Sent: Monday, April 26, 2021 5:14 PM
To: John Bacon; Larry Campbell; Adam Mickelson
Subject: Development and Proposed improvements to College Blvd., Clare Road, and Cedar Creek Parkway

Dear Mayor Bacon, Mayor Pro Tem Mr. Campbell, and Rep. Ward 2 Mr. Mickelson,
Please review the following issue.

Benefit District Development: Objection to the New Assessment Proposal for Improvements to College Boulevard, Clare Road, and Cedar Creek Parkway

1. Benefit district areas were set up by the City of Olathe as a **fair** method to pay for infrastructure associated with development in **new** areas. Those benefit districts are supposed help protect residents in **established** areas to avoid paying for proposed infrastructure in those **new** areas. So, why is the City of Olathe planning to assess the Prairie Brook villas, homes and the Prairie Brook HOA for a new development completely west of the Prairie Brook subdivision? That proposed development absolutely does not provide **any additional access nor any benefit to the Prairie Brook subdivision**. The new development, in fact, will dramatically increase the traffic on College Blvd. creating additional noise and road wear. If this new development and new assessment burden is passed by the City, they both will adversely affect the value of our properties.
2. Are there any General Obligation bonds issued by the City of Olathe for the construction of public improvements associated with this new proposed development? If there are any GO bonds, the costs to repay these general obligation bonds are supposed to be **assessed to the properties that directly benefit**. Prairie Brook is not part of development nor is Prairie Brook going to gain **any** benefits associated with this new development. **We, therefore, should not bear any of these costs!**
3. Although the City of Olathe is providing a contribution to this new development, it should directly recoup its contribution from real estate/property taxes assessed to the responsible homeowners residing in these new/future subdivisions.
4. Shouldn't developers of these new subdivisions bear part of the financial burden for this new development?

As residents of the Prairie Brook Villas, we object to the assessment based on the above list.

Please reply to us regarding this important issue.

Thank you.

Steven and Marjorie Cooper

24507 W. 110th Street

Olathe KS 66061

s.cooperkc14@att.net

563-340-2095

From: Mccall, Kent H <Kent.McCall@charter.com>
Sent: Thursday, April 29, 2021 11:25 AM
To: Marge Vogt; Wes McCoy; Karin Brownlee; Kevin Gilmore; Larry Campbell; John Bacon; Adam Mickelson
Cc: Lana McCall
Subject: Further Objection to the Proposed College Blvd./Clare Rd./Cedar Creek Pkwy Benefit District Petition
Importance: High

All – As I've stated in previous correspondence there's no benefit to the communities east of Claire Rd on the existing proposal. Prairie Brook should only be included in the extension of Claire Rd and we have already paid an excise tax on our lot to pay for our share. \$3 Million dollar assessment on our small community is excessive compared to the benefit received.

I'm in the College/Clare/Cedar Creek Parkway Benefit District and I already have access to College and Cedar Niles. How do I benefit?

The improvements to College Boulevard would create more pedestrian and bicycle connectivity and roadway capacity on College Boulevard between Cedar Niles and Clare Road. The improvements would include enhanced sight distance, wider drive lanes, turn lanes, sidewalks and streetlights.

As it stands I ask for you to vote NO on May 4th.

Thank you,

Kent McCall
10840 S Appleridge Ln
816.489.1002

From: Mccall, Kent H
Sent: Monday, April 26, 2021 4:09 PM
To: 'mvogt@olatheks.org' <mvogt@olatheks.org>
Subject: RE: Objection to the Proposed College Blvd./Clare Rd./Cedar Creek Pkwy Benefit District Petition
Importance: High

Good Afternoon Mrs. Vogt,

Following up on my opposition to the proposed Benefit District. Per the definition of a benefit district Prairie Brook should be considered established. We've been in our home for over 12 years. Many much longer in this neighborhood.

As it stands I ask for you to vote NO on May 4th.

Thank you,

Kent McCall
10840 S Appleridge Ln
816.489.1002

From: McCall, Kent H
Sent: Wednesday, April 21, 2021 4:17 PM
To: 'mvogt@olatheks.org' <mvogt@olatheks.org>
Cc: 'Lana McCall' <liltwincats@gmail.com>
Subject: RE: Objection to the Proposed College Blvd./Clare Rd./Cedar Creek Pkwy Benefit District Petition

Good Afternoon Mrs. Vogt,

Following up on my opposition to the proposed Benefit District.

As it stands I ask for you to vote NO on May 4th.

Thank you,

Kent McCall
10840 S Appleridge Ln
816.489.1002

From: McCall, Kent H
Sent: Tuesday, April 20, 2021 4:01 PM
To: 'mvogt@olatheks.org' <mvogt@olatheks.org>
Cc: 'Lana McCall' <liltwincats@gmail.com>
Subject: Objection to the Proposed College Blvd./Clare Rd./Cedar Creek Pkwy Benefit District Petition
Importance: High

Good Afternoon Mrs. Vogt,

I'm writing to you to express my objection to the Proposed College Blvd./Clare Rd./Cedar Creek Pkwy Benefit District Petition. While I see the benefit of expanding the road to those living in Cedar Creek that drive on that road daily there is no benefit to the land owners that live east of Clare Rd and College Blvd. That would include all of Prairie Brook where I reside.

The Benefit District outlined needs to be redefined. Prairie Brook needs to be removed and more land owners in Cedar Creek to include properties on Cedar Niles Cir, 110th St, 109th St, 108th Ter, etc. should be included.
<https://www.olatheks.org/home/showpublisheddocument/18992/637540023521900000>

As it stands I ask for you to vote NO on May 4th.

Thank you,

Kent McCall
10840 S Appleridge Ln
816.489.1002

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and/or legally privileged information. If you are not the intended recipient of this message or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message and any attachments. If you are not the intended recipient, you are notified that any use, dissemination, distribution, copying, or storage of this message or any attachment is strictly prohibited.

From: City of Olathe <noreply@user.govoutreach.com>
Sent: Wednesday, April 21, 2021 12:55 PM
To: Cathy Marks
Subject: OlatheConnect You have been assigned a new Request #: 36053

Follow Up Flag: Follow up
Flag Status: Completed

Request # 36053 from the OlatheConnect System has been assigned to you.

Request type: Concern

Request area: City Council Communication

Citizen name: David Rosenbohm

Description: Hello,

I live in the PrairieBrook subdivision and found out yesterday about the Cedar Creek benefit district we are somehow responsible for. We don't understand why we are being assessed so Cedar Creek will have better access to their neighborhood. The College Blvd improvements and Clare Rd Extension do nothing for our subdivision. The people who need to pay for these improvements all live west of Clare road. The part that really annoys me is there were no notices sent out about this. Its like it was supposed to be a secret until it was approved and then there would be nothing we could do about it. What do we need to do to keep this unjustified benefit from going through?

Thank You

David and Stephanie Rosenbohm

Location: 10905 S APPLERIDGE LN

Expected Close Date: April 23, 2021

[Access the request](#)

Note: This message is for notification purposes only. Please do not reply to this email.

From: Molly Narendran <molly.narendran@gmail.com>
Sent: Thursday, April 22, 2021 12:06 PM
To: John Bacon
Subject: opposition to benefit district

Follow Up Flag: Follow up
Flag Status: Flagged

I am a resident of Prairie Brook subdivision, I am very disappointed to see the proposal for a benefit district for our neighborhood. Extending Clare road to the north is NOT a benefit to our neighborhood, nor is extending College to the west. It is extremely unfair to ask us to pay for these roads when they are not needed by our neighborhood residents. Not only are they not needed, they are not wanted. We like our single entry neighborhood, it provides extra safety and security young families desire. If approved, these roads should be paid for by the developer or the residents they BENEFIT - Cedar Creek for College and the new villas in Hidden Lakes for Clare. The boundaries that are drawn are clearly an attempt to get funding from anyone but the developer and questionable at best. The fact that not all of Prairie Brook is included tells me that there is some "funny math" happening in regards to property. And the fact that a large portion of Cedar Creek that will benefit from College widening is not included in the benefit district. That reeks of "funny math" here.

I realize that Olathe is growing and I am all for improvements, but to "improve" and push the cost onto people that don't benefit is frustrating especially with the price tag associated with this build. This is not the Olathe I chose when deciding where we wanted to raise our family.

What is really frustrating to me is that we're looking at adding a road that is not necessary with Clare road north of College, while we are limping along with Clare road south of College to 119th street that is in poor shape and far too narrow. It is the most efficient way to get to our Middle School and High School and extremely dangerous. Many many young drivers take this road daily, it's extremely busy in the mornings and afternoons, I feel like it is only a matter of time before there is an accident on this road. Widening that is far more beneficial to the neighborhoods and our community than adding Clare road north. This is something many would be willing to pay for when considering the safety for drivers and busses.

I hope that while this is being considered, the opinions of the affected residents are taken into consideration rather than letting a developer that has been fighting the City on this for over a year bully us into paying his bill. I understand that there is a lawsuit in play, how can this be moved to new payers? The buck is being passed to us and that's unacceptable.

Molly Narendran
Prairie Brook resident.

From: Ryan Block <ryanblockkc@gmail.com>
Sent: Thursday, April 22, 2021 8:45 AM
Subject: Opposition to Cedar Creek Benefit District

Follow Up Flag: Follow up
Flag Status: Flagged

My name is Ryan Block, home owner in the Prairie Brook subdivision at 11014 S Barth Rd in Olathe. I'm calling to object to the proposed benefit district that would provide no practical benefit to my neighborhood, family or the city at large.

As documented in the news media, the Cedar Creek developer and residents have resisted paying for road improvements to College Blvd that almost exclusively benefit themselves. They are now attempting to shift financial responsibility from themselves, where financial responsibility belongs, to residents and businesses in surrounding areas that do not make use of this section of road.

This proposed benefit district would incur \$11000 against my family, plus increases to HOA fees for tax increases on common areas within our neighborhood, while the road would provide no practical benefit to my family and neighborhood or the city at large.

I encourage the city to follow precedent and compel the developer to pay road and other infrastructure costs relating to development activities and spare Prairie Brook residents from the selfish motives of Duggan Shadwick Doerr and Kurlbaum, developers of Cedar Creek, driving this unjust and inequitable process.

You may reach me at 972-821-8268.

**Thank you,
Ryan Block**

From: Anne Phelan <phelanjanda@icloud.com>
Sent: Friday, April 23, 2021 4:49 PM
To: Marge Vogt; Adam Mickelson; Wes McCoy; Kevin Gilmore; Karin Brownlee; Larry Campbell; John Bacon
Cc: John Phelan, ICE; Anne Phelan
Subject: Our comments on: Proposed College Blvd./Clare Rd./Cedar Creek Pkwy Benefit District Petition

Follow Up Flag: Follow up
Flag Status: Flagged

April 23, 2021

John and Anne Phelan
24668 W. 110th St
Olathe, KS 66061

Members of the City Council of Olathe

Mayor John Bacon
Larry Campbell
Karin Brownlee
Kevin Gilmore
Wes McCoy
Adam Mickelson
Marge Vogt

RE: Comments on Proposed College Blvd./Clare Rd./Cedar Creek Pkwy Benefit District Petition

Dear Council members:

Only through neighborhood social media posts linking to the City of Olathe website did we recently learn that the City received petitions on April 7, 2021 for two benefit districts in the Cedar Creek area. Our property, at 24668 W. 110th St., falls within the proposed College Blvd./Clare Rd./Cedar Creek Pkwy Benefit District (Cedar Creek Benefit District). We appreciate the Council affording us an opportunity to be heard at its May 4, 2021 meeting, even though the Petitioners requested no notice and public hearing be afforded to us.

While Petitioners may represent more than 50% of the land area in the supposed benefit district they propose, they do not represent the collective interests of the actual residents of these communities. We hope the Council is wise enough to realize the Petitioners' motives are not to benefit us and our properties, but rather to backhandedly impose the financial burden that belongs to them upon us in order to further the interests in developing Cedar Creek.

Our request: We ask that the Council resolve not to include our home and others in the Prairie Brook neighborhood within the boundaries Petitioners' proposed Cedar Creek Benefit District.

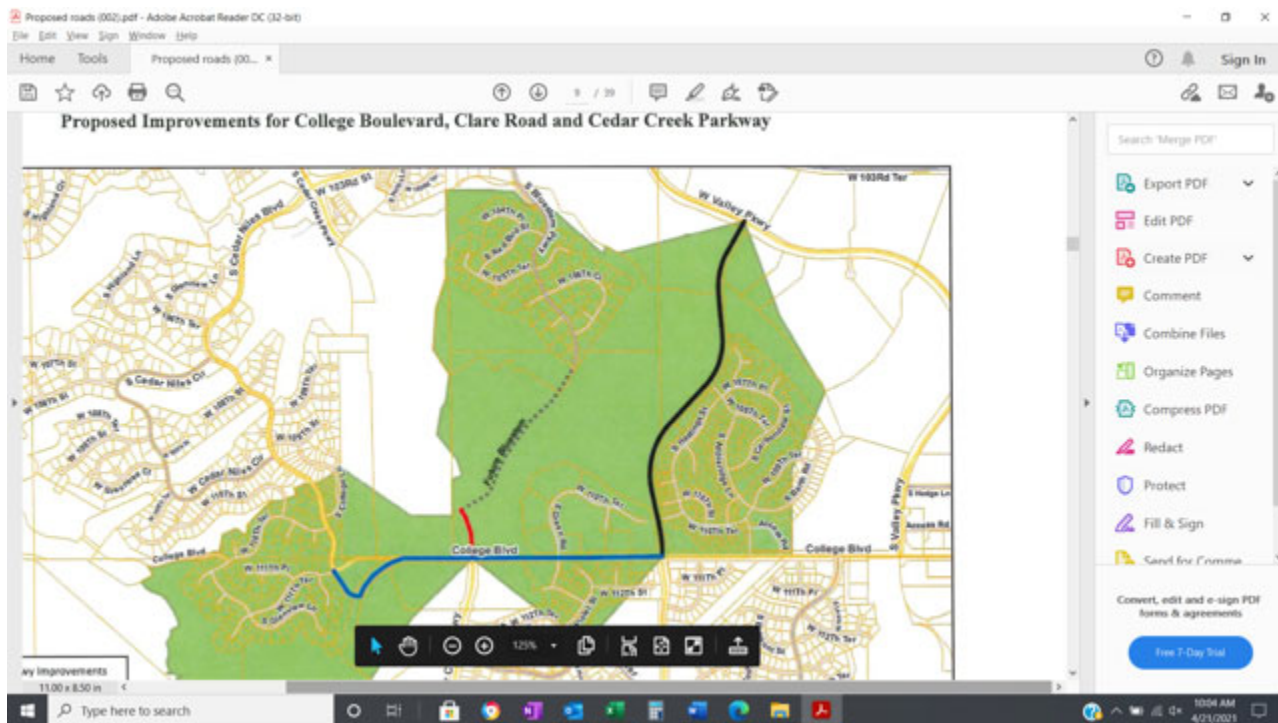
We ask to be excluded from the proposed Cedar Creek Benefit District because:

1. Special assessments must ensure equivalent benefits to properties
2. Prairie Brook properties simply do not benefit
3. Proposed assessments are grossly in excess of any supposed benefit we could plausibly receive
4. Even if forced to pay a special assessment for a perceived benefit we don't want, the boundaries of the proposed district are too arbitrary to approve as designed

1. Special Assessments Must Ensure Equivalent Benefits

The law on special benefit districts from the State Supreme Court is well settled that special assessments can only imposed on properties to which a benefit is inured, only in an amount equivalent to that benefit, and amounts in excess of the benefit represent unconstitutional government takings of private property.

The criteria for the threshold question of whether a property can be included in a benefit district is whether the property to be assessed will be benefitted. The policy behind special benefit districts is that the property upon which special assessments are imposed are peculiarly benefitted, and as a result of that benefit the owners ultimately do not pay anything in excess of the resulting value of the benefit received by reason of such improvement. The imposition of an assessment on an owner of private property at the cost of public improvements substantially in excess of the special benefits accrued to the property owner is, to the extent of such excess, a taking of private property for public use under the guise of taxation, without compensation. Costs assessed must result in imposing substantially equal burdens or shares of the cost upon property similarly benefitted.



2. Proposed assessments are grossly in excess of any supposed benefit we could plausibly receive

Special benefit districts must be fair and equitable. The imposition of an assessment on an owner of private property at the cost of public improvements substantially more than the special benefits accrued to the property owner is, to the extent of such excess, a taking of private property for public use under the guise of taxation without compensation.

For our property, 24668 W. 110th St., we are tasked with contributing \$5,679.63 towards Petitioners' private interest project. We have lived in Prairie Brook for almost nine years. We moved to this Villa in Olathe, a much smaller home to prepare for our retirement (which we did last year). We have no reason to drive west on College Boulevard past our neighborhood. Roads leading to our neighborhood are already four lane, separated by a median, with sidewalks. I find the proposed project to be more of a detriment than any supposed benefit. I struggle to perceive any plausible way the value of our property increases by \$5,679.63 the day the project is finished. I struggle to conceive of any non-financial supposed benefit we stand to receive coming anywhere close to the staggering \$5,679.63 Petitioners want us to contribute to their project.

These tremendous amounts, for projects the residents of our community do not want – only developers – would simply be taking our money under the guise of taxation without commensurate compensation.

3. Even if forced to pay a special assessment for a perceived benefit we don't want, the boundaries of the proposed district are too arbitrary to approve as designed

Special benefit districts must be fair and equitable. Costs assessed must result in imposing substantially equal burdens or shares of the cost upon property similarly benefitted.

But the proposed special benefit district is not fair. It is not equitable. The proposed costs assessed result in imposing substantially unequal burden on the property owners in Prairie Brook compared to similarly situated properties. For that reason, we vehemently urge the Council to vote against forcing area residential property owners who will be here paying taxes long after the current petitioning owners have sold their newly developed land.

Even if area residential properties uninterested in Petitioners' project are forced to fund Petitioners' private financial pursuits, the boundaries of the proposed benefit district are drawn in such an incredibly arbitrary manner the Council risks blatant violation of the statutory and judicially established fair and equitable public policy behind special benefit districts. The proposed boundaries do not identify properties that stand to benefit from Petitioner's private project. The proposed boundaries merely create the greatest possible distribution of Petitioners' costs among local residents.

It is inexplicable that several lots in the Prairie Brook neighborhood only partially benefit from these proposed developments, where proposed boundary lines slice through around 10 properties in the neighborhood. As draft, is it anything but arbitrary to suggest a portion of a homeowner's lot benefits from an expansion of College Boulevard while another portion of the same lot does not? It is inexplicable that nearly 25 lots in Prairie Brook are excluded entirely, where we all use the same access roads on College Boulevard to enter our neighborhood. It is inexplicable that just across College Boulevard, none of South Glen neighborhood homes are forced to contribute the project. South Glen property owners drive the same lengths of College Boulevard as the residents of Prairie Brook and are of equal proximity to the proposed project. If they don't benefit, neither do

we! Had even the remaining 20-25 properties within Prairie Brook been included, your Petitioners would likely have fallen below the 50% area ownership they needed to petition to you for this benefit district. I'm here as one of the unfortunate homeowners who will live adjacent to the Clare road expansion. If anything, this project will reduce our home value and sell ability due to the increased noise and closeness to our property.

Consider the Source

Finally, we ask that the Council consider the source, and the manner in which the proposed benefit district application was submitted. The City has already declined to fund Petitioners' private interest project. If the City refuses to pay, Council members surely understand why we object to being forced to do so, too. I find it insulting that owners of Petitioners and its parent companies, The Holland Corporation, Inc. and CC Partners, VI, LLC have the audacity to propose we residents help funds their greater than \$30 million dollar private interest project yet cannot find the time to submit annual filings to the Secretary of State to keep their companies in good standing.

Not surprisingly, petitioners asked you waive notice and hearing rights to other property owners. We find no reason to make such a request unless Petitioners are concerned the real residents of the proposed district do not want, do not need, and do not benefit from Petitioners' project. If Petitioners truly believed we would gain a nearly \$5,700 benefit, it should take no issue with us being notified. If Council votes to approve a special benefit district for the funding of Petitioners' project, we ask Council draw the boundary lines to include all those homeowners where they belong and where they truly benefit.

John and Anne Phelan

From: Linda Iliff <lindariliff@gmail.com>
Sent: Saturday, April 24, 2021 4:55 PM
To: John Bacon; Larry Campbell; Adam Mickelson; Karin Brownlee; Wes McCoy; Kevin Gilmore; Marge Vogt
Subject: Petition for Public Improvements College Blvd/Clare Road

Follow Up Flag: Follow up
Flag Status: Flagged

My husband died in October, 2020. I wish he was here every day. He would know so much more to tell you since he was the city engineer for Blue Springs, Missouri and Public Works Director for Jackson County, Missouri. What Mr. John Duggan on behalf of Aberdeen Partners LLC and others are asking for is unfair to us homeowners in Prairie Brook to pay more taxes. I strongly want you all to vote against this petition. Why would this make any sense to any of you? Why would we be expected to come up with thousands of dollars so that these people can make more money from an area they plan to develop. We will gain nothing from this development or anything other than more traffic.

The assessment is excessive and clearly more than the benefit derived. The value of our properties will likely go down and this developer wants us to pay for his development. Clare Road should be a city expense and the streets in the developments should be paid for by the developer and passed on to those who plan to buy in this new development-not the established neighbors. Where do these people come up with these ideas-are they just scammers?

Thank you and again, please turn down this petition. Where am I supposed to come up with this kind of money?

Linda R. Iliff
10992 S Parish St.
Olathe, KS 66061

From: Larry Sloan <sloanld1947@gmail.com>
Sent: Sunday, April 25, 2021 12:46 PM
To: John Bacon
Cc: Larry Campbell; Adam Mickelson; Karin Brownlee; Wes McCoy; Kevin Gilmore; Marge Vogt
Subject: Petition for Public Improvements of College Blvd and Clare Rd Benefit District

Follow Up Flag: Follow up
Flag Status: Flagged

Ladies and Gentlemen of the Olathe City Government, I am contacting you to ask you to please disapprove the Petition for Public Improvements filed by John Duggan on behalf of Aberdeen Partners LLC et al./Cedar Creek LLC

The majority beneficiaries of the proposal are the developers and future owners of currently undeveloped portions of the benefit district at minimal, if any expense to themselves while transferring the expense to homeowners within the district who will receive minimal, if any benefit. When we built our Villa at Prairie Brook we were told that eventually there would be a road to the west that extended north from College Blvd but we assumed that the cost of such a road would be borne by all developed and unimproved properties, not inequitably direct at homeowners who derive little to no benefit.

The Clare Road extension will be a residential street for the eventual inhabitants of the undeveloped properties and, as such, should be paid for by those that stand to derive benefit, the developer and eventual residents. College Blvd is a major road in Olathe and improvements to College Blvd should be borne by the entire City.

Larry and Dianna Sloan
10936 S Wrangler St
Olathe, KS 66061

From: Terry Bertholf <tbertholf@yahoo.com>
Sent: Thursday, April 22, 2021 5:03 PM
To: Larry Campbell; Adam Mickelson; Karin Brownlee; rmwmccoy@olatheks.org; Kevin Gilmore; Marge Vogt; John Bacon
Subject: Petition for Public Improvements of College/Clare Road Benefit District

Follow Up Flag: Follow up
Flag Status: Flagged

Please reject the Petition for Public Improvements that has been filed by Mr. John Duggan on behalf of Aberdeen Partners LLC and others. The proposed "benefit" district (Proposal) benefits the owners and developers of unimproved portions of the benefit district at the expense of affected homeowners and other businesses within the district who will receive virtually no benefit from the Proposed Public "Improvements". My wife and I have long expected that Clare Road could be eventually extended north of College Boulevard, but the Proposed cost sharing is inequitable. The Proposal has the effect of instantly devaluing our property while dramatically enhancing the value of unimproved properties within the district.

College Boulevard is a major intercity thoroughfare that benefits the entire community, and the cost of improvements should be borne by the entire City. The Clare Road extension will be a residential street that will benefit only properties that are currently unimproved, and the cost should be substantially paid by the developers and future owners.

Terry and Linda Bertholf
24574 W. 110th Street
Olathe, Ks 6061

From: Richelle Marting <richelle.marting@outlook.com>
Sent: Tuesday, April 27, 2021 11:46 AM
To: John Bacon
Subject: Please Vote "No" Against Cedar Creek Special Benefit District
Attachments: Letter to Council 04.27.2021.pdf

Mr. Bacon,

I am an Olathe resident in the Prairie Brook neighborhood, included in the proposed Cedar Creek benefit district filed with the City April 7. We are very concerned at the possibility of an initial \$9,700 special assessment on our property, on top of excise taxes already paid for development, and in addition to the thousands of additional dollars we'll be forced to pay as HOA dues for 20 years as a result of being included in the proposed district. I hope the Council will consider the unanimous sentiment of our Prairie Brook neighbors that we do not benefit from the proposed work. When the roads are "improved" as proposed, our neighborhood will only detriment.

I hope you will read and take into consideration our attached letter detailing our concerns. In summary, as residents at 24218 W 109th Terr, we strongly oppose being included in a benefit district to fund Petitioner's private development pursuits, where we will be left for two decades paying the cost while developers run away with their profits for the following reasons:

1. The amount of a special assessment must be nearly equivalent to the benefit inured to a property
2. Prairie Brook properties simply do not benefit from this project
3. Proposed assessments are grossly in excess of any supposed benefit we could plausibly receive
4. Even if forced to pay a special assessment for a perceived benefit we don't want, the boundaries of the proposed district are too arbitrary for the Council to approve as designed

Thank you,

Drew and Richelle Marting

From: Laura Gordon <lauragordon78@gmail.com>
Sent: Wednesday, April 28, 2021 6:51 PM
To: John Bacon; Larry Campbell; Adam Mickelson; Karin Brownlee; Wes McCoy; Kevin Gilmore; Marge Vogt
Subject: Proposed "Benefit" District - Prairie Brook

Follow Up Flag: Follow up
Flag Status: Flagged

All-

I am a resident of Prairie Brook subdivision in northwest Olathe. I am writing to voice my concerns about the proposed Benefit district to finance development in Cedar Creek. My home is not in the benefit district, but I would have to pay my share of the more than \$800,000 that is proposed to be levied against our HOA. In addition, my parents live in the villas that are included in the benefit district. Like many in the villas, they are retired and on a fixed income.

From the city website, benefit districts are described as being levied against the development that directly benefits so that established developments do not pay for new development. Can you please help me understand how Prairie Brook is not an established development? Also, since these districts are assessed against those who benefit, can you explain how our HOA benefits? How does an HOA drive on a road? (Please know I'm not trying to be sarcastic, I genuinely want to understand).

I also recently viewed a FOX4 news story from last fall about a proposed benefit district in this same area proposed for Cedar Creek—evidently these residents did not want to pay. My understanding is that there is now a lawsuit involving the city and Cedar Creek. I find it very interesting that there is now a proposal for our neighborhood....how is the city not in a conflict of interest for the new proposed benefit district when they directly benefit (in that the lawsuit would presumably go away) if the proposal is approved?

Is it common for these districts to be proposed with a very slim majority of property holders? Can you please provide examples? It is obvious the developer drew the map so he could be the majority property owner. How else is it logical that my neighbor benefits and I don't?

Is it common for multiple proposals to be made to finance the same roads—ie, when a proposal draws negative attention it is simply redrawn with another set of property?

Can you give recent examples where an establishment neighborhood has been included in a benefit district like this one?

The documents clearly state that there was an attempt to not provide notice to homeowners—that screams shady political dealings. Every newsletter I receive from the city makes a point to discuss ethics and civic pride in some manner—please let your actions support your words.

I ask that you remember that you represent your constituents and put yourself in our shoes. How would you feel if this happened to you or your parents?

I appreciate your time and look forward to tomorrow evening's meeting.

Laura Gordon
10878 S Barth Rd

Sent from Laura's iPhone

From: City of Olathe <olatheks@user.govoutreach.com>
Sent: Monday, April 26, 2021 1:34 PM
To: John Bacon
Subject: OlatheConnect Notification to All Councilmembers that a Council Communication has been submitted to OlatheConnect Request #: 36117 [1783461O640217]

You are being notified about a City Council Communication from the OlatheConnect System # 36117 for All Councilmembers. This request has been assigned to Catherine Marks on your behalf. Reply to this email to send a message back to Catherine Marks.

Request type: Concern

Request area: City Council Communication

Description: My name is Molly Carella and I'm contacting you to oppose the College Blvd/Clare Rd/Cedar Creek Parkway Benefit District Proposal and ask that you vote no on May 4.

I live in a neighborhood called Prairie Brook, which falls within the proposed district, and my home would be assessed \$10,000 for this project. There is no benefit to my home or Prairie Brook from the proposal, and it seems to me to be something that the petitioner, who is a real estate developer called Cedar Creek Development Company, tried to initiate so that it can build more Cedar Creek neighborhoods and homes without having to pay for the necessary infrastructure to support them. The proposal is largely about widening College Blvd., beginning about a half mile west of Prairie Brook and continuing into the Cedar Creek neighborhood. But people in Prairie Brook rarely travel on this section of College Blvd. because the only thing there is the new Cedar Creek neighborhood under construction and another existing Cedar Creek neighborhood—there is no commercial activity or business or anything else that draws traffic from Prairie Brook in either direction on that section of College. There is simply no benefit to me or anyone in Prairie Brook to expand College Blvd in this way—let alone in the staggering amount of the \$10,000 my home would be assessed—but it's a huge boon to the Cedar Creek developer and those Cedar Creek neighborhoods.

In fact, the Cedar Creek developer is actually including fliers in its new homes for sale that specifically discuss this issue and how the new roads will “strengthen, improve, and serve the Cedar Creek Community” as well as “serve the City at large”, even though the developer is claiming the opposite in the benefit petition—that the project will serve Prairie Brook (flier attached). The same can be said about the proposed expansion of Clare Rd to Valley—there's just nothing that this provides to me or the Prairie Brook neighborhood, and in fact, it will eliminate a huge and desirable area of green space that currently abuts many homes in the neighborhood.

It's also an understatement to say that the developer used a lot of creative license in coming up with the boundaries for the proposed benefit district so that it could say it was a majority landowner. Even a quick glance at the map shows this—the existing Cedar Creek neighborhoods are almost entirely excluded, as are the under-construction Cedar Creek homes. The airport is not included and neither are a handful of homes in Prairie Brook. Presumably, if any of these areas were included in the petition, the Cedar Creek Development company would not be a majority landholder.

ATTACHMENT C

The entire proposal has been underhanded from the beginning, and it's my understanding that this is just the latest tactic this Cedar Creek developer has taken to avoid taking responsibility for its own construction and trying to lay the financial burden on anyone other than itself. I hope you vote no on May 4. You can reach me at 785-760-3231 or mollyschimmels@yahoo.com.

Thank you,
Molly Carella

Citizen name: Molly Carella

Email: mollyschimmels@yahoo.com

Phone: 785-760-3231

Address: 10833 S. Carbondale St.

Expected Response Date: April 28, 2021



Reply to this email to send a message back to Catherine Marks.

From: Ruth Creeden <rcreeden2@hotmail.com>
Sent: Wednesday, April 28, 2021 2:16 PM
To: John Bacon; Larry Campbell; Karin Brownlee; Kevin Gilmore; Wes McCoy; Adam Mickelson; Marge Vogt
Subject: Proposed Cedar Creek Benefit District

To each of the following:

John Bacon
Larry Campbell
Karin Brownlee
Kevin Gilmore
Wes McCoy
Adam Mickelson
Marge Vogt

>>> We are contacting you to express our total opposition to our property - as well as all properties in the Prairie Brook Subdivision - being included in the proposed Cedar Creek Benefit District.

>>> We see minimal to no benefit to any of the proposed road projects and to expect us to pay an additional \$ 9835.70 assessment tax for something that will not add any value to our property or development is clearly unjust and unfair.

>>> These projects clearly benefit the Cedar Creek developers as well as current and future Cedar Creek residents vs residents living to the east of Clare Road. Therefore, it seems this would be a cost they should be asked to incur.

>>> None of the proposed road projects provide access to anything except the existing Cedar Creek development, which currently is comprised of residential homes and a private golf course. Thus the proposed roads are not thoroughfares; instead roads designed for use by and of benefit to Cedar Creek residents (current and future) and golf course members. Therefore again, it would seem that any costs associated with these projects should be the responsibility of developers and primary users.

>>> In addition, by excluding certain properties in the Prairie Brook development as well as a majority of the properties south of College Boulevard and West of Clare Road appears to be a blatant attempt by the developers to maintain the 55% ownership petition requirement. Also noticeably absent are the existing properties in the Cedar Creek developers which would certainly benefit from the College Boulevard improvement as that feeds into the back entrance to Cedar Creek and is frequently used by those residents. If you doubt this I would suggest setting up a traffic count study to observe such usage.

>>> Again, we are 100% opposed to this proposal. It is an unfair and unjust attempt to pass along a development cost that will be of no benefit and in fact negatively affect our property values.

>>> Thank you for your attention and consideration. We will be in attendance at the April 29th informational meeting and look forward to your comments.

>> Sincerely,

>>> Frank and Ruth Creeden

>>> 10966 South Appleridge Lane

>>> Olathe, KS 66061

From: Janean Welch <janean.welch@nef1.org>
Sent: Thursday, April 29, 2021 12:15 PM
To: John Bacon
Subject: Proposed cedar creek benefit district- Please Vote NO

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Bacon,

I would like to implore you to vote NO to the unfair proposed cedar creek benefit district. I own a home in Prairie Brook Subdivision and here are many reasons this is unfair and of no benefit to me or any homeowner in the Prairie Brook Subdivision:

- The boundaries were clearly manipulated to benefit the Cedar Creek Developer so he could reach the percentage needed to sign the petition. Parts of Prairie Brook are excluded including leaving out parts of the subdivision and drawing boundaries through some residents yards leaving the front or backyard out of the boundary. Does this mean that the last street in the subdivision or a resident's back/front yard does not benefit from this proposal but the rest of the neighborhood does? That's ODD!
- There are homeowners benefiting but not paying. Example the South Glen section of cedar creek. They use that section of road to utilize their own amenities.
- It is unfair because 99% of the time when I or frankly the majority of Prairie Brook pull out of the neighborhood we take a left headed East away from Cedar Creek.
- Cedar Creek home values are higher due to the prestige of its name. Prairie Brook is not associated with that neighborhood or privy to that benefit so I would take a hit on my home value with the proposed tax increase from this so called benefit.
- This proposal will also increase my HOA dues on top of the \$9,423.43 I would pay because it will cost my neighborhood approximately \$850,000 for green space..by the way how can green space benefit from this proposal anyway?

I can go on and on. I understand that growth can be good but in this case this benefit only seems to be designed to benefit the Cedar Creek developer and possibly get the city out of a law-suit. I would expect more out of my city government and hope you and the other city council members would vote NO to this proposal.

Sincerely,
Janean Welch

From: Debbie Mays <debbiemays@att.net>
Sent: Tuesday, April 27, 2021 3:24 PM
To: John Bacon; Larry Campbell; Karin Brownlee; Kevin Gilmore; Wes McCoy; Adam Mickelson; Marge Vogt
Cc: Gary E. Mays; Debbie Mays
Subject: Proposed Cedar Creek Benefit District Proposal dated April 7, 2021

To the Olathe City Government:

Re: Proposed Cedar Creek Benefit District Proposal dated April 7, 2021

We built our home and moved into the Prairie Brook subdivision in 2011. We are extremely opposed to the Cedar Creek benefit district proposal, which includes Prairie Brook, for the following reasons:

- Per the Olathe web site: The City designates Benefit District areas as a fair method to:
 - Protect residents in established areas from an obligation to pay for development in new areas.
 - Our development, Prairie Brook, was started in 2005 and was substantially completed in 2015, where the developer then turned it over to the residents. The neighborhood is 16 years old and qualifies as an established area. Therefore, it should not be included in the proposed benefit district.
 - When we built our home in 2011, we paid the City of Olathe an excise tax to cover the cost of Clare Road access. Where did these funds go? If the city of Olathe requires Prairie Brook to have another access point, why wasn't this completed earlier? The delay to complete Clare Road access has increased the cost exponentially, and we have already paid for this access.
- The proposal includes an increase in taxes in excess of \$3 million for the Prairie Brook homeowners. In addition, the green space in Prairie Brook will be taxed approximately \$850,000 which will in turn be passed on to the homeowners through the Homes Owners Association. The average homeowner will be taxed approximately \$10,000 for each home, based on property size, plus an additional \$3,300 for the green space, at 3% interest over 20 years. This equates to a \$15,000 - \$20,000 devaluation of each home in Prairie Brook. Prairie Brook has excellent road and highway access eastbound on College Boulevard, which is a divided four lane road, to K-7 and K-10. The expansion of College Boulevard westbound leads directly into the Cedar Creek Development and in no way benefits the residents of Prairie Brook. The residents of Prairie Brook will not benefit from additional westbound expansion and should not be taxed.
- The City of Olathe will gain tax revenue and the builder will receive free access for development, resulting in considerable profits. Where is the benefit to Prairie Brook? All we will receive is a loss in home value through special assessment.
- The Cedar Creek Parkway improvements also do not benefit anyone except the Cedar Creek Development yet, the majority of the Cedar Creek development is not included in the benefit district even though they will be direct beneficiaries of continued development and access. Why are they not being designated as part of the special assessments for their area?
- The City of Olathe stated they sent out postcards to the Prairie Brook residents regarding the possibility of these developments at the beginning of April. Not one resident has received this communication. We understand that legally neither the City of Olathe nor the developer were obligated to disclose any of the proposed plans and they did this as a courtesy. However, as a plan that will devalue our homes by thousands of dollars, we believe the residents should play an integral part in this process.

We understand there is a lawsuit pending between the Cedar Creek developer and the City of Olathe for the cost of the proposed road improvements. The developer and the City of Olathe should pay for the road improvements required for

ATTACHMENT C

expansion, because the developer will profit from the sale of homes and the City will enjoy hundreds of millions of increased property tax revenue. It appears the developer is attempting to mitigate his costs and settle the lawsuit by unjustly including Prairie Brook in the benefit district. Many of the residents, including ourselves, are retired, on fixed income, and cannot afford to nor should we be required to pay for a developer's business plan. This monetary obligation will create a sizeable financial burden on our quality of life as residents of Olathe.

In summary, Prairie Brook will in no way benefit from the proposed road improvements. The entire benefit resides with the Cedar Creek development and the City of Olathe. As such, the developer and the entire City of Olathe should pay for any road improvements. We respectfully ask that you **do not approve** the proposed Cedar Creek benefit district.

Respectfully,

Gary & Debbie Mays

10925 S Belmont Drive
Olathe, KS 66061
Home: 913-780-9594
Cell: 913-706-8900

From: Brent Wood <brentawood@gmail.com>
Sent: Tuesday, April 27, 2021 7:08 PM
To: John Bacon
Subject: Proposed Cedar Creek Benefit District

Mayor Bacon,

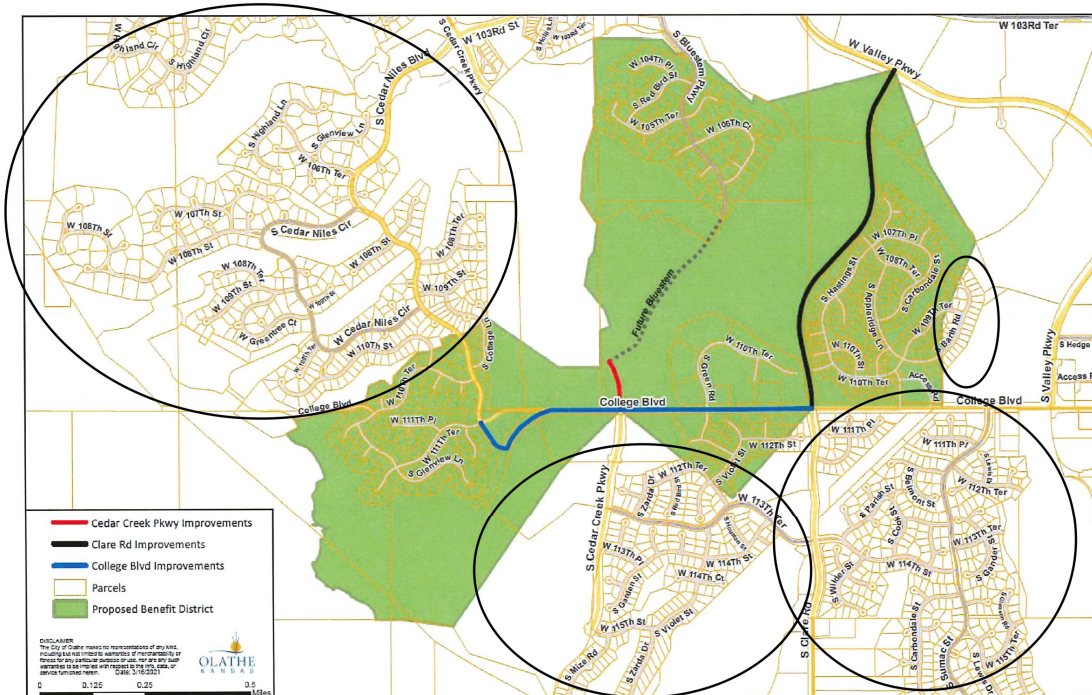
I am writing to you today to officially register our objection to the proposed Cedar Creek Benefit District currently being considered by the City Council. My wife Heidi and I, along with our two children - Matt, 18, and Katie, 15 - reside in the Prairie Brook subdivision located just inside the far eastern edge of the proposed district. We have lived here since the house was constructed back in 2008.

We understand that development requires infrastructure, and infrastructure requires funding. We are not opposed to either; economic development requires public improvements.

We do not, however, understand the rationale behind the developer's decision to draw the proposed district's boundaries in a seemingly arbitrary manner. Furthermore, we are disheartened at the developer's request for "such improvement to be made without notice and hearing as required by K.S.A. 12-6a04 (a)". Put simply, we do not consider this to be effective governing.

Below is a map of the proposed benefit district. I have marked up the map with circles/ovals to highlight the portions of the region that were NOT included in the benefit district:

Proposed Improvements for College Boulevard, Clare Road and Cedar Creek Parkway

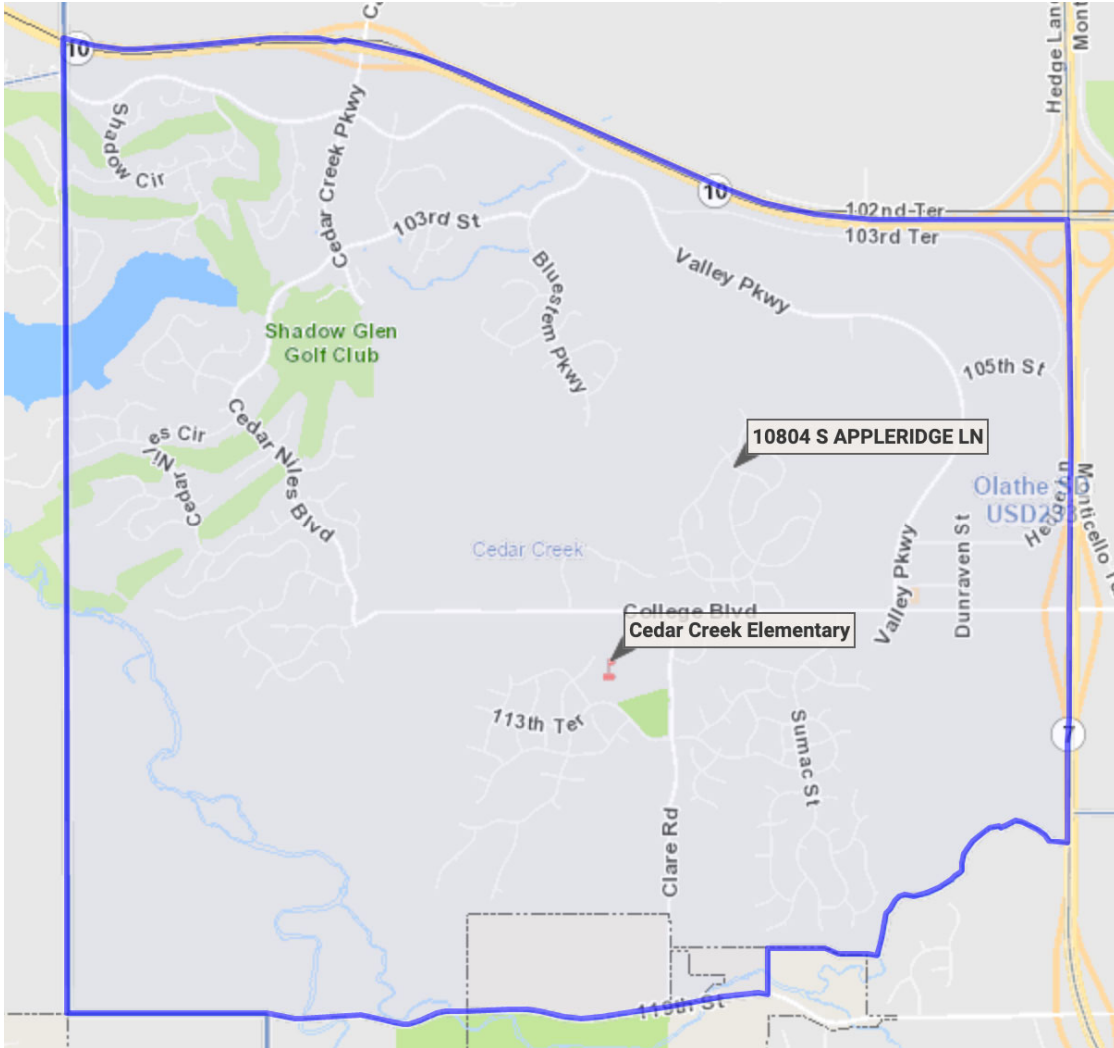


Residents of the neighborhoods and subdivisions that were not included will undoubtedly "benefit" from any future development within the district. The new roadways will be used by everyone living within this map, whether to access the local elementary school (see below) or to have easier access westbound K-10 at the Cedar Creek Pkwy ramp(s). It is

ATTACHMENT C

notable that the Cedar Creek developer chose to exclude the vast majority of residents of Cedar Creek when drawing the district boundaries.

As a contrast to the above map, I have included another map below. This map shows the attendance boundary for the Cedar Creek Elementary school located at College Boulevard and Clare Road. This school is what ties all of the neighborhoods in this area together; it is the anchor. Everyone living in these neighborhoods has, or will, send their young children to Cedar Creek Elementary at some point.



If the school benefits us all, then any development due north of the school across College Boulevard certainly will too. We will all benefit. Yet only a select few of us are slated to bear the financial burden. This is not right; this is not fair.

We have a tremendous amount of respect for public servants and the responsibilities you are tasked with, in the name of Olathe's prosperity. We only ask for transparency and fairness. This process, to this point, feels inadequate on both counts. It feels rushed.

We are asking you, and the Council as a whole, to decline the petition for the establishment of the benefit district as it is currently drawn. More time is needed in order to fairly determine who will benefit from the proposed improvements, and therefore who should shoulder the cost.

Thank you for taking the time to read this request, and for considering its arguments.

Very respectfully,

Brent & Heidi Wood
10804 S Appleridge Ln
Olathe

From: John B <beerbasket@comcast.net>
Sent: Wednesday, April 28, 2021 10:25 AM
To: ammickelson@olatheks.org; John Bacon; rmccoy@olatheks.org; Karin Brownlee
Cc: John Brehm
Subject: Proposed Cedar Creek Benefit Districts

My name is John Brehm and I am President of the Prairie Brook Villas HOA.

I want to strenuously object to this proposal made by Mr. John Duggan. We will see no benefit if this petition is approved.

I am not aware of any owners in Prairie Brook, either single family homes or Villas, that are in favor of this proposal.

Many Villa owners are retired and are on fixed income. This proposal will create undo expenses in their budgets.

College Boulevard improvement will have no added value to our residents as we all drive east and not west. Same can be said for Clair road as it will not be a convenient access for most owners.

The property chosen for this district is random. It includes some properties but not others.

The developer is fighting for roads so he can build 1000 or so new homes, which is no value to Prairie Brook residents.

The city should pay for College Boulevard improvements, a major road in Olathe.

John Brehm

From: Lauren Worley <laurenmworley@gmail.com>
Sent: Thursday, April 22, 2021 12:39 PM
To: Marge Vogt; Adam Mickelson; Wes McCoy; Kevin Gilmore; Karin Brownlee; Larry Campbell; John Bacon
Subject: Proposed cedar creek benefits district

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon. I am writing today to my council members to request that you veto the proposed Cedar Creek benefits district. I live in the Prairie Brook neighborhood off of college boulevard. My primary concern is that a developer is trying to get citizens to fund necessary aspects of his development for which he will profit greatly and citizens in our neighborhood gain nothing. (We do not use college west of Clare. The only people who use this are residents of the cedar creek neighborhood that sits back there). I am also astonished that this developer drew boundary lines of his "benefit district" in a way that makes no sense at all for who would actually benefit, but instead ensures that the LLCs involved can have at least 50% land ownership so that they could even propose this special assessment. Equally deceptive is the fact that he petitioned not to have any notices or hearings in regards to this issue.

I am confident that if you look at this proposed map for this project you will also quickly see just how unfair and nonsensical these boundary lines are. But again, more importantly, I do not think citizens should be responsible for widening public (city) roads and creating new roads so a developer can build new houses.

Thank you for your consideration on this matter.
Lauren Worley
24303 w 108th ter
Olathe, KS 66061

From: Tim Zerger <tjzerger@gmail.com>
Sent: Friday, April 23, 2021 10:27 AM
To: Tim S Zerger; John Bacon; Larry Campbell; Karin Brownlee; Kevin Gilmore; Wes McCoy; Adam Mickelson; Marge Vogt
Subject: Proposed Petition for Public Improvement for Cedar Creek Development Company.

Follow Up Flag: Follow up
Flag Status: Flagged

April 23, 2021

City Commissioners
City of Olathe

Subject: Proposed Petition for Public Improvement for
Cedar Creek Development Company.

Dear Ladies and Gentlemen,

I am contacting you concerning the Proposed Petition for Public Improvement for Cedar Creek Development Company, Mr. John Duggan, 25775 W 103rd St, Olathe, and the Engineering Firm, Schlagel and Associates, Lenexa. This subject will be discussed at the Olathe City Council Meeting on April 29th at 6:30. This is a \$ 31,911,048 proposed project that I am being asked to help fund for streets, curbs, sewer, etc. This area runs from Clair Road west to West Cedar Niles Blvd in Cedar Creek. Clair Road is west of my housing development, Prairie Brook.

I am asking you to vote **NO!!** Mr Duggan and the Cedar Creek Development Company are asking me to help fund something that does not impact me personally. I am finding it hard to understand how, and why, they expect me to pay for something that does not benefit me at all. I am east of the proposed area. Currently, when I leave the Prairie Brook Housing Development, I never go west towards Cedar Creek so why am I being asked to pay for College Blvd improvements and Clair Road expansion when I will never be using those?

If this passes, I am expected to pay a Special Assessment of \$ 5,327. On top of this, I already pay personal property taxes on my home and part of that goes to Olathe Public Schools. The Olathe Public Schools is also listed so some of my taxes will go to this through the school system also. Our HOA is listed and because of this, my HOA dues will go up to cover this cost so it just isn't my \$ 5,327. It will cost me even more. If this was in your neighborhood, you would not be in favor of this either. I again ask you to vote **NO or have the Prairie Brook Housing Development's name removed**. Thank you for your service and looking into this.

Tim Zerger 24647 W. 110th St. Olathe, Ks. 66061

M: 913.593.4112 Email: tjzerger@gmail.com

From: sandra askey <skaskey@outlook.com>
Sent: Wednesday, April 21, 2021 9:51 AM
To: Adam Mickelson; John Bacon
Subject: proposed benefit district in Cedar Creek

Adam,

I sent you an email and called. Those of us affected by the proposed benefit district in and around Cedar Creek need to be made aware of this proposal. Last time the developer wanted to change zoning we received a letter in the mail and were able to meet as a group to discuss and protest it. This time we are hearing about it from a neighbor.

I want you to know we strongly disagree with the proposal to pay for widening College Blvd. I believe the city was responsible for that improvement. If you look at the benefit map few of the the houses along Cedar Niles are in that district although a vast majority of houses in CC use College Blvd to access K7 and further east on College.

We also strongly disagree with paying for any north south road that will benenefit the developer. I believe this road is Bluestem RD. I can't imagine anyone living in western Cedar Creek would use Bluestem Rd to get anywhere. That road will benefit the new houses being built not us. We're asking you to please deny the developer and the city this tax assessment.

Residents impacted by benefit districts and proposals should be made aware of upcoming meetings by mail instead of from a neighbor. We have not received anything about this proposal which will greatly affect the price of our home.

It is also frustrating that the tax is based on the size of the lot not the value of the house. That seems like a very old way of taxing. You ran on a platform of lowering taxes. This assessment would be over 22,000 dollars on our house which is appraised for 420,000.

Thank you for your prompt reply to this letter,

Sandra and Philip Askey
26235 W 110 Ter
Sent from [Mail](#) for Windows 10

From: David Kendrick <dkendr01@gmail.com>
Sent: Thursday, April 29, 2021 8:28 AM
To: Marge Vogt; Adam Mickelson; Wes McCoy; Kevin Gilmore; Karin Brownlee; Larry Campbell; John Bacon
Subject: Proposed benefit districts near Cedar Creek and College Blvd

Follow Up Flag: Follow up
Flag Status: Flagged

I'm requesting all Olathe City Council Members vote **AGAINST** the proposed College Blvd./Clare Rd./Cedar Creek Pkwy benefit district filed on April 7, 2021. As a current resident of the Prairie Brook subdivision in Olathe I believe there are little to no benefit to any residents of Prairie Brook, yet the vast majority of our subdivision is being included in the boundaries of this benefit district. This will burden each resident with a high cost to be paid, according to the terms of this district.

The petitioner for this benefit district has previously made attempts to request that the City of Olathe finance this and had entered into litigation with the city over this matter. Since the original effort to finance this was not successful the developer decided to pursue a benefit district to pay for this and draw boundaries that were most favorable to him, allowing him to maintain 55% majority land ownership to avoid gaining home owner approval and signatures to support this effort. I understand that benefit districts are allowable under state law but they are intended to be used to pay for new development where there is actual benefit being provided to those assessed.

The benefits listed on the Olathe Website indicate that the improvements include the following:

1. College Boulevard (from Cedar Niles to Clare Rd)
2. Cedar Creek Pkwy (from Bluestem to College Blvd)
3. Clare Rd (from College to Valley Pkwy)

All of these proposed benefits do not actually provide much, if any, benefit to Prairie Brook residents. All of these are west of Prairie Brook and, as such, provide no additional access to any shopping or other businesses to which residents would drive. The only access and benefit will provide is to residential homes within the Cedar Creek community. I have lived in Prairie Brook for over 12 years and I have never needed additional access to the west of Prairie Brook.

I understand that the developer does not want to pay for the road improvements that will primarily only benefit his new development efforts in building a new neighborhood within Cedar Creek since this will affect his profits but that should be expected as a cost of doing business and should not be added as a financial burden to Olathe residents that largely will not utilize these roads often, if ever. The developer has the option of proportionately increasing lot prices to cover the expenses related to building and expanding these roads.

The cost of this benefit district assessment is extremely high. There is an expected personal assessment of \$12,000 plus an expected increase of our Home Owner's Association dues to cover the assessment of approximately another \$4000. When factoring in the ~3% interest that will also be charged, the total cost of this ends up being over \$20,000 (more than \$1000/year). That's a steep cost to the residents of a subdivision that has been established for over a decade.

I realize that many of my fellow Prairie Brook residents have also written and contacted the city council and mayor as I am doing so I appreciate you reading and considering my viewpoint, along with theirs.

Thank you,

David Kendrick
24317 W. 108th Terr.
Olathe, KS 66061
(913) 768-0450

From: Shannon Bond <sixinarow007@gmail.com>
Sent: Wednesday, April 28, 2021 7:21 PM
To: John Bacon; Larry Campbell; Karin Brownlee; Kevin Gilmore; Wes McCoy; Adam Mickelson; Marge Vogt
Subject: Proposed Cedar Creek "non" Benefit District

Follow Up Flag: Follow up
Flag Status: Flagged

Good evening,

My family and I are residents in Prairie Brook subdivision on the west side of Olathe. I am very concerned and disappointed in the proposed benefit district on behalf of the Cedar Creek developers. I have read some of your responses to other neighbors and find them lacking in insight and empathy as actual human beings. I will apologize now because all my nice words have been used up and I'm just plain ole tired and ticked.

Truthfully - what the heck are you even thinking when it comes to this bs "cut and paste and omit the ones who actually benefit" district? You know who lives in our neighborhood? A large population of retired people on fixed incomes (the villas). You know who else lives here? A lot of small business owners. The very same small business owners who were crushed by shutdowns this last year and subjected to different rules than the big box corporations. I personally work in the wedding industry - yeah - an industry hugely and still currently affected by shutdowns along with the rest of the food and beverage industry. You know what went down in 2020? My income - but you know what still went up? My property taxes. During a freaking pandemic. Thanks Johnson County - we feel the love.

When we moved over to Olathe from the People's Republic of Lawrence 9 years ago, we looked at a lot of different variables. When we looked at Prairie Brook, we had a sanitary sewer special assessment tax. We also had the Claire Rd excise tax. These were things among others that we took into account and budgeted for when we made the decision to move into the Prairie Brook neighborhood. We (and each of our neighbors) paid \$15k (21 cents per square foot in that excise tax) and now we are going to be assessed even more? For roads that either already exist or won't benefit Prairie Brook in any form or fashion?

#1 Valley Parkway - already exists and is 1 block away from our entrance.

#2 College already exists so why would we shoulder the burden of expanding that roadway when it will be the developer of CEDAR CREEK who is bringing more traffic to force it to need 4 lanes?

#3 - the Cedar Creek improvement road - wth - why are we on the hook for that "benefit"?

#4 - Bluestem Improvements - I mean - just no. Zero benefit to our neighborhood.

This stinks to high heaven of crooked, backroom politics and I have to wonder how much is related to the ongoing litigation with the developer for the benefit of Cedar Creek. YOUR OWN WEBSITE states that benefit districts `` Protect residents in established areas from an obligation to pay for development in new areas." I mean... you might want to take that down if you don't plan on following your own rules...here is your website and here is bullet point #2. Didn't even have to scroll down.

<https://www.olatheks.org/government/economic-development/economic-incentive-programs/benefit-districts>

This "benefit district" sets a dangerous precedent for big developers to buy up 51% of the land surrounding existing neighborhoods and force them to either pay for the new developers' improvements or be forced out of their homes if they cannot shoulder that burden.

ATTACHMENT C

Good grief, for once in this craptastic year, do something for the people you represent instead of big corporations/developers. We are human beings, we have kids to raise, businesses to keep afloat and are stretched so thin you can see through to the other side - not someone else's ATM. Ask yourself - who is this really benefiting? The city couldn't find enough benefit to build these proposed roads when you will be getting all the new tax revenue to chip in more than \$5.4 million but we are expected to pay \$32million? How is that in any way fair for the city to place those obligations on the backs of homeowners? But...let's remember, not ALL homeowners because I remind you that Cedar Creek and Southglen are strangely exempt from the district. Smells kind of fishy, eh?

This "benefit" district is a sham.

If you read this entire email, thank you. If you are irritated, sorry not sorry - so are we. Please don't reply with some cut and paste email response, I've already read the ones you have sent my neighbors - polite decline. I would prefer a meme or no response so I can pretend that you actually read this and are ruminating on how this farce even got this far or are marveling in my outstanding persuasive writing skills.

Sincerely yet still ticked off,

Shannon Bond

From: Mccall, Kent H <Kent.McCall@charter.com>
Sent: Wednesday, April 21, 2021 4:12 PM
To: John Bacon
Cc: Lana McCall
Subject: RE: Objection to the Proposed College Blvd./Clare Rd./Cedar Creek Pkwy Benefit District Petition

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon Mr. Bacon,

Following up on my opposition to the proposed Benefit District.

As it stands I ask for you to vote NO on May 4th.

Thank you,

Kent McCall
10840 S Appleridge Ln
816.489.1002

From: Mccall, Kent H
Sent: Tuesday, April 20, 2021 3:50 PM
To: 'jbacon@olatheks.org' <jbacon@olatheks.org>
Subject: Objection to the Proposed College Blvd./Clare Rd./Cedar Creek Pkwy Benefit District Petition
Importance: High

Good Afternoon Mr. Bacon,

I'm writing to you to express my objection to the Proposed College Blvd./Clare Rd./Cedar Creek Pkwy Benefit District Petition. While I see the benefit of expanding the road to those living in Cedar Creek that drive on that road daily there is no benefit to the land owners that live east of Clare Rd and College Blvd. That would include all of Prairie Brook where I reside.

The Benefit District outlined needs to be redefined. Prairie Brook needs to be removed and more land owners in Cedar Creek to include properties on Cedar Niles Cir, 110th St, 109th St, 108th Ter, etc. should be included.

<https://www.olatheks.org/home/showpublisheddocument/18992/637540023521900000>

As it stands I ask for you to vote NO on May 4th.

Thank you,

Kent McCall
10840 S Appleridge Ln
816.489.1002

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From: Mccall, Kent H <Kent.McCall@charter.com>
Sent: Monday, April 26, 2021 4:04 PM
To: John Bacon
Subject: RE: Objection to the Proposed College Blvd./Clare Rd./Cedar Creek Pkwy Benefit District Petition
Attachments: Benefit Districts.jpg

Importance: High

Good Afternoon Mr. Bacon,

Following up on my opposition to the proposed Benefit District. Per the definition of a benefit district Prairie Brook should be considered established. We've been in our home for over 12 years. Many much longer in this neighborhood.

As it stands I ask for you to vote NO on May 4th.

Thank you,

Kent McCall
10840 S Appleridge Ln
816.489.1002

From: Mccall, Kent H
Sent: Wednesday, April 21, 2021 4:12 PM
To: 'jbacon@olatheks.org' <jbacon@olatheks.org>
Cc: 'Lana McCall' <liltwincats@gmail.com>
Subject: RE: Objection to the Proposed College Blvd./Clare Rd./Cedar Creek Pkwy Benefit District Petition

Good Afternoon Mr. Bacon,

Following up on my opposition to the proposed Benefit District.

As it stands I ask for you to vote NO on May 4th.

Thank you,

Kent McCall
10840 S Appleridge Ln
816.489.1002

From: Mccall, Kent H
Sent: Tuesday, April 20, 2021 3:50 PM
To: 'jbacon@olatheks.org' <jbacon@olatheks.org>
Subject: Objection to the Proposed College Blvd./Clare Rd./Cedar Creek Pkwy Benefit District Petition
Importance: High

Good Afternoon Mr. Bacon,

ATTACHMENT C

I'm writing to you to express my objection to the Proposed College Blvd./Clare Rd./Cedar Creek Pkwy Benefit District Petition. While I see the benefit of expanding the road to those living in Cedar Creek that drive on that road daily there is no benefit to the land owners that live east of Clare Rd and College Blvd. That would include all of Prairie Brook where I reside.

The Benefit District outlined needs to be redefined. Prairie Brook needs to be removed and more land owners in Cedar Creek to include properties on Cedar Niles Cir, 110th St, 109th St, 108th Ter, etc. should be included.

<https://www.olatheks.org/home/showpublisheddocument/18992/637540023521900000>

As it stands I ask for you to vote NO on May 4th.

Thank you,

Kent McCall

10840 S Appleridge Ln
816.489.1002

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From: Gary Mays <gmays@att.net>
Sent: Tuesday, April 27, 2021 3:48 PM
To: Debbie Mays; John Bacon; Larry Campbell; Karin Brownlee; Kevin Gilmore; Wes McCoy; Adam Mickelson; Marge Vogt
Cc: Debbie Mays
Subject: Re: Proposed Cedar Creek Benefit District Proposal dated April 7, 2021

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From: Debbie Mays <debbiemays@att.net>
Sent: Tuesday, April 27, 2021 3:23 PM
To: jbacon@olatheks.org; lcampbell@olatheks.org; kbrownlee@olatheks.org; kpgilmore@olatheks.org; rwmccoy@olatheks.org; amickelson@olatheks.org; mvogt@olatheks.org
Cc: Gary E. Mays; Debbie Mays
Subject: Proposed Cedar Creek Benefit District Proposal dated April 7, 2021

To the Olathe City Government:

Re: Proposed Cedar Creek Benefit District Proposal dated April 7, 2021

We built our home and moved into the Prairie Brook subdivision in 2011. We are extremely opposed to the Cedar Creek benefit district proposal, which includes Prairie Brook, for the following reasons:

- Per the Olathe web site: The City designates Benefit District areas as a fair method to:
 - Protect residents in established areas from an obligation to pay for development in new areas.
 - Our development, Prairie Brook, was started in 2005 and was substantially completed in 2015, where the developer then turned it over to the residents. The neighborhood is 16 years old and qualifies as an established area. Therefore, it should not be included in the proposed benefit district.
 - When we built our home in 2011, we paid the City of Olathe an excise tax to cover the cost of Clare Road access. Where did these funds go? If the city of Olathe requires Prairie Brook to have another access point, why wasn't this completed earlier? The delay to complete Clare Road access has increased the cost exponentially, and we have already paid for this access.
- The proposal includes an increase in taxes in excess of \$3 million for the Prairie Brook homeowners. In addition, the green space in Prairie Brook will be taxed approximately \$850,000 which will in turn be passed on to the homeowners through the Homes Owners Association. The average homeowner will be taxed approximately \$10,000 for each home, based on property size, plus an additional \$3,300 for the green space, at 3% interest over 20 years. This equates to a \$15,000 - \$20,000 devaluation of each home in Prairie Brook. Prairie Brook has excellent road and highway access eastbound on College Boulevard, which is a divided four lane road, to K-7 and K-10. The expansion of College Boulevard westbound leads directly into the Cedar Creek Development and in no way benefits the residents of Prairie Brook. The residents of Prairie Brook will not benefit from additional westbound expansion and should not be taxed.
- The City of Olathe will gain tax revenue and the builder will receive free access for development, resulting in considerable profits. Where is the benefit to Prairie Brook? All we will receive is a loss in home value through special assessment.

ATTACHMENT C

- The Cedar Creek Parkway improvements also do not benefit anyone except the Cedar Creek Development yet, the majority of the Cedar Creek development is not included in the benefit district even though they will be direct beneficiaries of continued development and access. Why are they not being designated as part of the special assessments for their area?
- The City of Olathe stated they sent out postcards to the Prairie Brook residents regarding the possibility of these developments at the beginning of April. Not one resident has received this communication. We understand that legally neither the City of Olathe nor the developer were obligated to disclose any of the proposed plans and they did this as a courtesy. However, as a plan that will devalue our homes by thousands of dollars, we believe the residents should play an integral part in this process.

We understand there is a lawsuit pending between the Cedar Creek developer and the City of Olathe for the cost of the proposed road improvements. The developer and the City of Olathe should pay for the road improvements required for expansion, because the developer will profit from the sale of homes and the City will enjoy hundreds of millions of increased property tax revenue. It appears the developer is attempting to mitigate his costs and settle the lawsuit by unjustly including Prairie Brook in the benefit district. Many of the residents, including ourselves, are retired, on fixed income, and cannot afford to nor should we be required to pay for a developer's business plan. This monetary obligation will create a sizeable financial burden on our quality of life as residents of Olathe.

In summary, Prairie Brook will in no way benefit from the proposed road improvements. The entire benefit resides with the Cedar Creek development and the City of Olathe. As such, the developer and the entire City of Olathe should pay for any road improvements. We respectfully ask that you **do not approve** the proposed Cedar Creek benefit district.

Respectfully,

Gary & Debbie Mays

10925 S Belmont Drive
Olathe, KS 66061
Home: 913-780-9594
Cell: 913-706-8900

From: slvsg <slvsg@aol.com>
Sent: Friday, April 23, 2021 1:16 PM
To: Adam Mickelson; Wes McCoy; Kevin Gilmore; Karin Brownlee; Larry Campbell; John Bacon
Subject: Re: Veto Cedar Creek Benefit District

Follow Up Flag: Follow up
Flag Status: Flagged

[Sent from the all new AOL app for iOS](#)

On Friday, April 23, 2021, 1:11 PM, slvsg <slvsg@aol.com> wrote:

Hello!

We are asking that our council please VETO the proposed Cedar Creek benefits district. As there are NO benefits to any of us in the proposed benefit group, this DOES NOT qualify as a valid benefit assessment petition!

We live in the Prairie Brook neighborhood off of College Blvd. Our primary concern is that a developer is trying to get citizens to fund necessary aspects of his development for which he will profit greatly and citizens in our neighborhood gain nothing. (We do not use College Blvd west of Clare. The only people who use this are residents of the Cedar Creek neighborhood that sits back there). It is obvious that the developer drew boundary lines of his "benefit district" in a way that makes no sense at all for who would actually benefit, but instead ensures that the LLCs involved can have at least 50% land ownership so that they could even propose this special assessment. Equally deceptive is the fact that he petitioned not to have any notices or hearings in regards to this issue.

We are confident that if you look at this proposed map for this project you will also quickly see just how unfair and nonsensical these boundary lines are. But again, more importantly, I do not think citizens should be responsible for widening public (city) roads and creating new roads so a developer can build new houses.

We are also questioning the dollar amount proposed for this street project. It seems vastly out of line if you compare it to all previous Olathe Street projects and also compared to the other street project proposed by this developer.

Thank you for your consideration on this matter.

Bruce and Sarah Goodman
24563 West 110th Terrace
Olathe KS
913-839-3382

[Sent from the all new AOL app for iOS](#)

From: The McFarlands <hcaandrn@aol.com>
Sent: Wednesday, April 28, 2021 8:29 AM
To: John Bacon; Larry Campbell; Adam Mickelson; Karin Brownlee; Wes McCoy; Kevin Gilmore; Marge Vogt
Subject: Regarding the Proposed Cedar Creek Development Benefit District

Dear Mayor and City Council Members,

As a homeowner in the Prairie Brook subdivision, I recently became aware of the request by Cedar Creek Development to make improvements to Cedar Creek. I wanted to share with you that I AM OPPOSED TO THE CEDAR CREEK DEVELOPMENT BENEFIT DISTRICT.

The proposed plans are of no benefit to my family. We have no reason to travel west on College Blvd. We have no reason to travel into the Cedar Creek Subdivision - I have no family or friends in the subdivision. In fact, the only time I have been in the Cedar Creek subdivision is when I vote. When that occurs, I travel east on College Blvd and then left on Valley Parkway. This is and always will be most direct route from our house.

I would like to know how the developer, planners, and city council members believe that this proposal is of any benefit to the Prairie Brook subdivision. It only benefits residents of the various neighborhoods in the Cedar Creek development. It will make it easier for those Cedar Creek residents near K-10 to travel to Cedar Creek elementary. For those Cedar Creek residents living south of College Blvd. will use the proposed street to travel to amenities (pool, tennis, golf, club house) that are located in the north area of Cedar Creek. Why are they not being asked to pay for this? Why are you asking a neighborhood (of much lower priced houses) to pay for something that benefits current and future homes in Cedar Creek?

If the city of Olathe thinks that the street is necessary, why aren't they paying for it? If the developer thinks the street is necessary for future development of Cedar Creek, why isn't the developer paying for it and including the cost in the price of new home construction in the area? This road will only serve to devalue the Prairie Brook subdivision. On a personal note, the cost (my share would be over \$10,000 plus the increase in HOA dues to cover the HOA's portion of the assessment) comes at a really bad time for many. My husband lost his job due to the Covid pandemic a year ago today. I am sure that it has affected others as well.

Why did we just receive notification about this so late? My post card announcing this plan came in the mail yesterday, yet the meeting is tomorrow. I feel that the city was hoping we would not know about this and could easily pass it without our knowledge. That is not fair, and I feel really let down by the city of Olathe. IT IS JUST NOT FAIR TO ASK US TO PAY FOR SOMETHING THAT DOES NOT BENEFIT US WHILE NOT ASKING THOSE IT DOES BENEFIT TO PAY.

Respectfully,

Caroline McFarland

From: Jocelyn Biehn <chargis500@aol.com>
Sent: Thursday, April 22, 2021 1:22 PM
To: Marge Vogt; Adam Mickelson; Wes McCoy; Kevin Gilmore; Karin Brownlee; Larry Campbell; John Bacon
Subject: Regarding the unacceptable assessments proposed for the Cedar Creek Benefits District

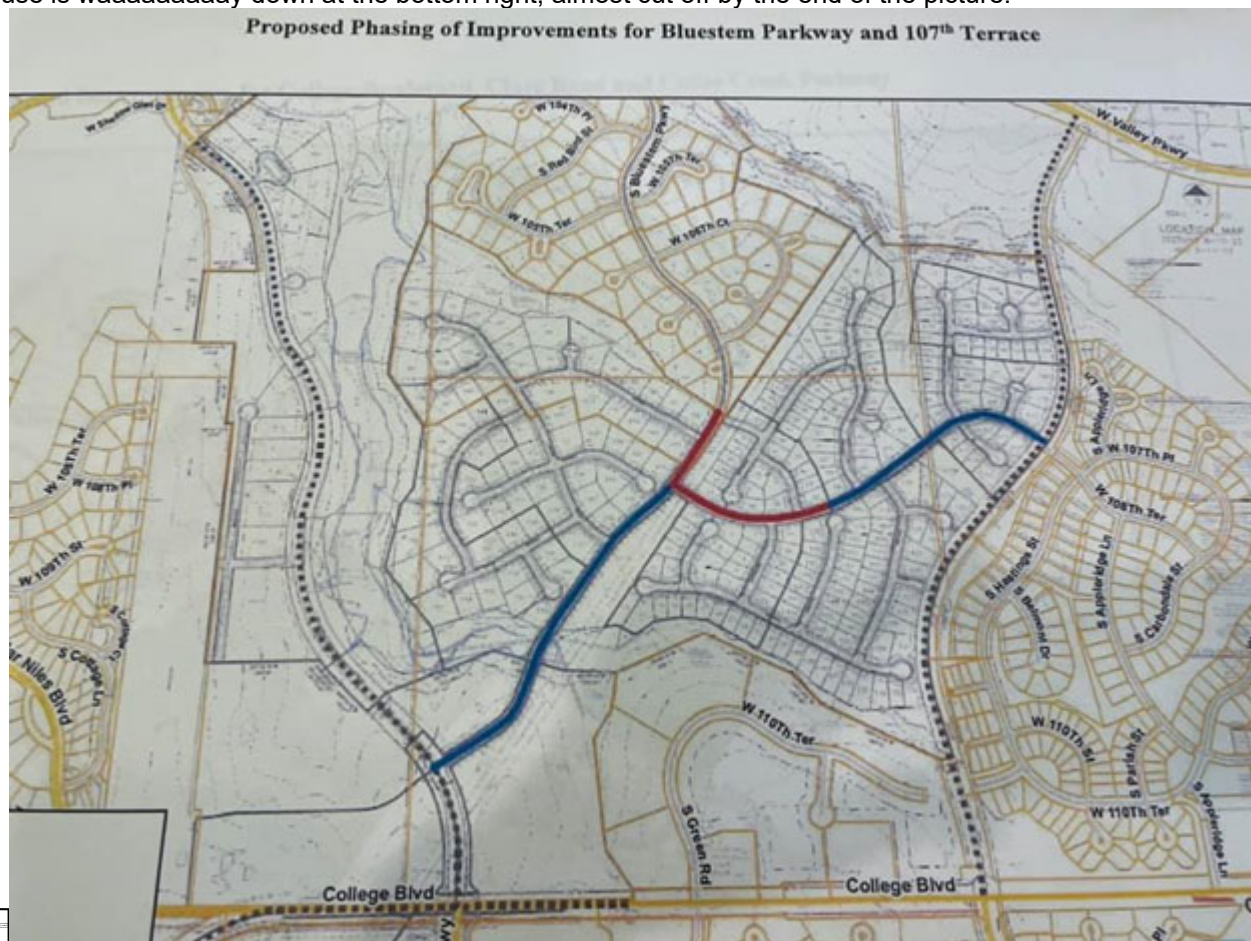
Follow Up Flag: Follow up
Flag Status: Flagged

To Whom it May Concern,

I would like to express my concern and outrage at the proposed CEDAR CREEK Benefits District. As a resident of the *Prairie Brook* association, imagine the surprise of almost ALL of the homeowners in our neighborhood to find out that we are being asked to pay for a road that will offer us ZERO benefit. Not only are we being asked to foot the bill for a road that has nothing to do with our neighborhood, but the way in which the developer is trying to sneak this past us reeks of unethical behavior.

In case you haven't seen the more detailed photo of the proposed project which would add almost \$1000/year to *my* property taxes, here it is, in all its glory:

My house is waaaaaaaay down at the bottom right, almost cut off by the end of the picture.



I would ask that you please vote no on the proposed boundaries for the following reasons:

ATTACHMENT C

1 – The residents of Prairie Brook are OVERWHELMINGLY against a second entrance/exit point to our neighborhood – having just one point of entrance/exit allows for very purposeful driving - the people coming into our neighborhood BELONG in our neighborhood or have specific business there. A second entrance/exit point will only serve to provide a short cut for those trying to avoid the proposed Claire/College intersection in order to get to the highway easier – this would not only cause unwanted neighborhood traffic but logically we could assume that those looking for a shortcut are probably not following speed limits as closely as those willing to travel the major thoroughfares. We are a neighborhood full of kids playing outside - the lack of traffic keeps our streets safe. Furthermore, property values for all of the current Prairie Brook residents that back up to this proposed road are going to drop – so they want to decrease property value and increase property taxes? Hardly seems logical.

2 – The road being proposed is of absolutely no use to the residents of our neighborhood – Valley road is not far enough away from us to warrant needing a faster way to get there and there are little to no businesses on that road that are causing a huge demand to get there *faster*. The only businesses I would wager that most of us use are those located right at the corner of College/Valley (groomer, animal hospital and dry cleaner) – why would we take a back way to get to those places? This road is clearly being built as part of the CEDAR CREEK community (just look at the NAME of the proposal) - to help CEDAR CREEK residents connect to their association facilities faster and easier – let THEM pay for it, which brings me to my next point -

3 – I'm seeing a giant amount of new homes that will be developed – perhaps, rather than trying to offset their costs by putting it on the backs of residents who have no need for this road and, quite frankly, would rather not see ANY of those homes built, the developer should foot the bill themselves, assess the cost of this road to the new residents of these proposed homes, or have the City of Olathe foot the entire bill. I'm not here to help a developer avoid having to spend money so that he can increase his profits. The City of Olathe will be collecting property taxes from these new homes – if they aren't going to make the developer pay for the road, *they* should be paying for it.

4 – The cost of this tiny road is astronomical – I would go as far to say that it seems suspicious. This reads as a developer who is trying to make up for a loss elsewhere. How can this ONE tiny street cost \$32 MILLION dollars – it absolutely stinks of corruption.

5 – Let's think for a moment why SOME of the properties in Prairie Brook were NOT included in this “special assessment” – could it POSSIBLY be that the developer knew he wouldn't own a majority of the property and would then have to seek homeowner approval? I've included the screenshot where they ask for it to be made without notice:

6. We further propose that such improvement be made without notice and hearing as required by K.S.A. 12-4404 (a).

Riddle me this, how does this road “benefit” *me* more than the neighbors a few houses down or across the street? Again, if this is how the developer operates, I would hope that you would not only deny this proposal but seriously question his work ethic and whether or not the city of Olathe should even entertain ANY of his proposals.

I moved here from Southern California almost 5 years ago – if this proposal goes through, my property taxes will be HIGHER than the ones I was paying in CALIFORNIA. Let that sink in for a minute. I urge you, I BEG you to please vote a resounding NO on this proposal and tell the developer that if he wants to build these homes, he's going to have to foot the bill – I'm guessing that his costs would come WAAAAAYYYYYY down if he is going to have to pay for the roads that are needed to build his unwanted homes.

WE DO NOT WANT ANY PART OF THIS.

If a signed petition from the residents of Prairie Brook is needed, I will be more than happy to head that effort.

Thank you for your consideration - please do the right thing.

Jocelyn Biehn
Chargis500@aol.com
714-904-0334

From: Brian Murray <bmmurray007@yahoo.com>
Sent: Friday, April 23, 2021 9:31 AM
To: Marge Vogt; Adam Mickelson; Wes McCoy; Kevin Gilmore; Karin Brownlee; Larry Campbell; John Bacon
Subject: Stop The Cedar Creek Benefits District Scam

Follow Up Flag: Follow up
Flag Status: Flagged

Hello

I am writing to urge you to vote against approval of the Cedar Creek benefits district proposal before you at the May 4 City Council meeting. My wife and I are homeowners in the Prairie Brook subdivision. We were shocked and appalled to learn that we might be obligated to pay many thousands of dollars for improvements to road access into the Cedar Creek neighborhood. It is clear that this proposal is a ruse to improve the value of and to provide street access to the currently undeveloped lots owned by the Cedar Creek developer, John Duggan. Mr. Duggan has a very bad reputation in Olathe and is known for shady practices and legal tricks to get his way. We refuse to be a part of his scam to get us to pay for increasing his property values, while receiving none of the benefits.

The Prairie Brook homeowners had absolutely no input, notice, or right to vote on the costs and scope of this proposal. The only reason the homeowners in our subdivision found out in time to protest this was because a perceptive resident posted a notice and warning on Facebook.

Our subdivision has nothing to do with Cedar Creek and would not receive any benefits from the road improvements into and within Cedar Creek. Please reference the benefits district map, and you can clearly see that "so called "road improvements" are not a part of the regular traffic flow into and out of Prairie Brook. These roads will benefit Cedar Creek, its developer, and its residents, not those of Prairie Brook.

The estimated cost of this proposal is an exorbitantly high \$31 million, which is as much as all of Olathe's active street project benefit districts in the tax years 2019-2033 combined. The cost of this proposal is shared by a small sliver of current Cedar Creek homeowners, but the vast majority of the homeowners in Prairie Brook are included. How is this fair? I am subject to the assessment, but the homeowner next door to me falls just outside of the district, so he is not. How is this fair? Who drew this map, and why weren't we consulted?

There is a long history of Olathe and the Duggan group regarding who will be responsible for road improvements into and within Cedar Creek. This is clearly an attempt by this developer to increase the value of his undeveloped lots by forcing homeowners outside of his subdivision to decrease the costs of his development. Our family's monthly budget is already stretched thin and this increased cost would cause us to make some difficult budget cuts. We strongly urge you to vote against this proposal or make the Cedar Creek property developer and homeowners pay for this and leave us out of it.

You should be aware that Fox 4 News has been contacted and plans to do a story on this scam.

I would appreciate a call from you to discuss this matter before the council vote.

Thanks,
Brian and Amy Murray
913 972 3985

From: Michael Galvin <thegalvins@hotmail.com>
Sent: Thursday, April 22, 2021 5:08 PM
To: Marge Vogt; Adam Mickelson; Wes McCoy; Kevin Gilmore; Karin Brownlee; Larry Campbell; John Bacon
Subject: Unfair Road Fees

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Council Members,

I am writing today to my council members to request that you veto the proposed Cedar Creek benefits district. I live in the Prairie Brook neighborhood off of College Boulevard. My primary concern is that a developer is trying to get citizens to fund necessary aspects of his development for which he will profit greatly and citizens in our neighborhood gain nothing. (We do not use College Blvd west of Clare. The only people who use this are residents of the Cedar Creek neighborhood that sits back there). I am also astonished that this developer drew boundary lines of his "benefit district" in a way that makes no sense at all for who would actually benefit, but instead ensures that the LLCs involved can have at least 50% land ownership so that they could even propose this special assessment. Equally deceptive is the fact that he petitioned not to have any notices or hearings in regards to this issue.

I am confident that if you look at this proposed map for this project you will also quickly see just how unfair and nonsensical these boundary lines are. But again, more importantly, I do not think citizens should be responsible for widening public (city) roads and creating new roads so a developer can build new houses.

Thank you for your consideration on this matter.

Sincerely,

Michael Galvin
24306 W 108th Ter
Olathe, KS 66061

From: Dave and Leslie Akehurst <akehurstdl@gmail.com>
Sent: Thursday, April 22, 2021 3:23 PM
To: Marge Vogt; Adam Mickelson; Wes McCoy; Kevin Gilmore; Karin Brownlee; Larry Campbell; John Bacon
Subject: Vote No Against Proposed College Blvd./Clare Road/Cedar Creek Pkwy Benefit District Petition

Follow Up Flag: Follow up
Flag Status: Flagged

We are residents of the Prairie Brook subdivision. We are extremely upset to learn a developer is attempting to add Prairie Brook to his proposed benefit district.

We are referring to the "Proposed College Blvd./Clare Rd./Cedar Creek Pkwy. Benefit District Petition." We strongly oppose this petition and ask that you vote no to prevent its passage.

David and Leslie Akehurst
24669 W. 110th Street
Olathe

From: R A BROWN <kbirdinc@swbell.net>
Sent: Monday, April 26, 2021 4:34 PM
To: John Bacon
Subject: RE: CEDAR CREEK BENEFIT DISTRICT ?????

We are writing to let you know that we, along with all the other residents of Prairie Brook, are strenuously opposed to this proposal. Clearly the only "benefit" here is for Cedar Creek communities and Cedar Creek Development.

We do not understand why Prairie Brook appears to have been selected to foot the entire bill. Prairie Brook is surrounded by Cedar Creek communities and yet none of those residents are being asked to pay thousands of dollars per residence in this proposal. None of this so-called benefit district is a benefit for Prairie Brook.

Prairie Brook does not need Clare Rd opened: it is a road that leads to another road in Cedar Creek. If we want to drive on Valley View, we can get on it down by the bank. Bluestem and Cedar Creek Parkway are not even near Prairie Brook. We do believe since the City Council has already approved adding hundreds of homes behind the Cedar Creek Elementary School the last part of College Blvd will need to be widened. That is a project for the city and developer: not Prairie Brook.

This developer's plan is for the benefit of his pockets and for the Cedar Creek communities. They already have thousands of homes and want to add hundreds more. That is no benefit for Prairie Brook. We believe it is more a disadvantage for Prairie Brook. Currently there is a lot of traffic which makes it more difficult to enter College Blvd. When the developer gets finished building all the proposed homes we will be crowded with cars and people.

This proposal is unacceptable. Cedar Creek communities and Cedar Creek Development need to pay their own bills.

Kerry and Roberta Brown

24521 W 110th Street

913-393-0391

From: Sheryl Dick <sheryljd@gmail.com>
Sent: Friday, April 23, 2021 7:32 AM
To: John Bacon; Larry Campbell; Adam Mickelson; Karin Brownlee; Wes McCoy; Kevin Gilmore; Marge Vogt
Subject: Re: Clare Road/College Blvd: Petition for Public Improvements

Follow Up Flag: Follow up
Flag Status: Flagged

Additional points to consider re: Petition for Improvements filed by John Duggan for **College Blvd, Clare Road and Bluestem St:**

1. The map was arbitrarily drawn and does not include key beneficiaries Shadow Glen, the airport, nor Cedar Creek residents. As I further understand it, the line cuts through the Prairie Brook subdivision in a haphazard manner just to attain a certain percentage needed by the developer!
2. Residents of Prairie Brook should not have to pay for a part of College Blvd or Bluestem St we do not use....it is west of our entrance and used by Cedar Creek residents.
3. It would mean a double tax for Prairie Brook residents if we have to pay the HOA's tax in addition!

Again, thank you for your consideration.

Sheryl Dick
10984 S Parish St, Olathe

On Thu, Apr 22, 2021 at 3:49 PM Sheryl Dick <sheryljd@gmail.com> wrote:

Mayor Bacon & Olathe City Council Members, I am a senior-citizen resident in the villas at Prairie Brook. I urge you to vote 'NO' on the Petition for Public Improvements filed by John Duggan, Aberdeen Partners, et al.

The proposal does not 'benefit' residents of Prairie Brook in any way only the development planned west of the Prairie Brook subdivision. The costs of improvements to Clare Road north of College should be borne by the developer and residents of the Hidden Lakes Estates development.

Please study this issue carefully as well as the many pleas you will receive during this very short notice that we all had....thank you for your consideration.

Sheryl Dick
10984 S Parish St
Olathe, KS 66061

From: Jeffrey Carey <jeffreycc22@gmail.com>
Date: Wednesday, April 28, 2021 at 7:36 PM
To: Marge Vogt <MVogt@OLATHEKS.ORG>
Subject: Cedar Creek Benefit District - College/Clare Road

Ms. Vogt

I am writing to you regarding the above referenced proposed benefit district. My wife Mollie and I live in the Prairie Brook subdivision along with our 5 children. We moved into our house just a little under 12 years ago and have truly enjoyed our community. Since we were married we have lived in Olathe and have always thought it to be a great place to live and raise children for many reasons.

We were truly shocked, for several reasons, when we learned last week about the petition for a benefit district of which we would be a part. The first reason is we found out because a neighbor somehow stumbled upon it and informed other people. How is it ethical to burden citizens with significant financial costs without informing them and allowing for input? Second, the petition lacks common sense and fairness. Only one party stands to truly gain from the construction and it was the only party responsible for the petition. Cedar Creek Development only represents 105 of the lots/parcels/tracts of land in the district. The other 513 owners were not consulted and do not want this approved. How is it reasonable to place liabilities of \$8K-\$45k+ on a small number of Olathe citizens? On the City of Olathe's own website it states one of the primary goals of benefit districts is to "Protect residents in established areas from an obligation to pay for development in new areas". Prairie Brook has been fully built out for nearly a decade and some homes are 15 yrs old. Our neighbors and HOA do not stand to benefit from the roads being built/expanded and this proposal directly contradicts what is stated on Olathe's website. Again, how is this fair and just?

The last week has been very frustrating as we've learned more about this plan and how it can affect our family and our finances. I would ask that you take the time to review the petition and review the map of the benefit district. Why are a handful of houses in Prairie Brook not included? Why is the airport to our West not included? Why are the subdivisions just South of PB not included. Why does the map look like a form of single celled organism? Perhaps it's because this was the only way for the developer to hold 50% of the square feet and submit the petition without public notice? Again, how is this fair and reasonable?

If this petition is approved, my wife and I will be forced to reconsider where we raise our family. If the City Council sees this benefit district as fair and just then who knows what comes next. I hope that you take the time to review the petition and ask yourself if you'd be ok being a landowner in the district?

Best Regards,
Jeffrey Carey
Prairie Brook Subdivision Resident
10750 S Carbondale St
Olathe, KS 66061 Cedar

From: Shannon Bond <sixinarow007@gmail.com>

Date: Wednesday, April 28, 2021 at 7:21 PM

To: John Bacon <JBacon@OLATHEKS.ORG>, Larry Campbell <LCampbell@OLATHEKS.ORG>, Karin Brownlee <KBrownlee@OLATHEKS.ORG>, Kevin Gilmore <KPGilmore@OLATHEKS.ORG>, Wes McCoy <RWMccoy@OLATHEKS.ORG>, Adam Mickelson <amickelson@olatheks.org>, Marge Vogt <MVogt@OLATHEKS.ORG>

Subject: Proposed Cedar Creek "non" Benefit District

Good evening,

My family and I are residents in Prairie Brook subdivision on the west side of Olathe. I am very concerned and disappointed in the proposed benefit district on behalf of the Cedar Creek developers. I have read some of your responses to other neighbors and find them lacking in insight and empathy as actual human beings. I will apologize now because all my nice words have been used up and I'm just plain ole tired and ticked.

Truthfully - what the heck are you even thinking when it comes to this bs "cut and paste and omit the ones who actually benefit" district? You know who lives in our neighborhood? A large population of retired people on fixed incomes (the villas). You know who else lives here? A lot of small business owners. The very same small business owners who were crushed by shutdowns this last year and subjected to different rules than the big box corporations. I personally work in the wedding industry - yeah - an industry hugely and still currently affected by shutdowns along with the rest of the food and beverage industry. You know what went down in 2020? My income - but you know what still went up? My property taxes. During a freaking pandemic. Thanks Johnson County - we feel the love.

When we moved over to Olathe from the People's Republic of Lawrence 9 years ago, we looked at a lot of different variables. When we looked at Prairie Brook, we had a sanitary sewer special assessment tax. We also had the Claire Rd excise tax. These were things among others that we took into account and budgeted for when we made the decision to move into the Prairie Brook neighborhood. We (and each of our neighbors) paid \$15k (21 cents per square foot in that excise tax) and now we are going to be assessed even more? For roads that either already exist or won't benefit Prairie Brook in any form or fashion?

#1 Valley Parkway - already exists and is 1 block away from our entrance.

#2 College already exists so why would we shoulder the burden of expanding that roadway when it will be the developer of CEDAR CREEK who is bringing more traffic to force it to need 4 lanes?

#3 - the Cedar Creek improvement road - wth - why are we on the hook for that "benefit"?

#4 - Bluestem Improvements - I mean - just no. Zero benefit to our neighborhood.

This stinks to high heaven of crooked, backroom politics and I have to wonder how much is related to the ongoing litigation with the developer for the benefit of Cedar Creek. YOUR OWN WEBSITE states that benefit districts `` Protect residents in established areas from an obligation to pay for development in new areas." I mean... you might want to take

ATTACHMENT C

that down if you don't plan on following your own rules...here is your website and here is bullet point #2. Didn't even have to scroll down.

<https://www.olatheks.org/government/economic-development/economic-incentive-programs/benefit-districts>

This "benefit district" sets a dangerous precedent for big developers to buy up 51% of the land surrounding existing neighborhoods and force them to either pay for the new developers' improvements or be forced out of their homes if they cannot shoulder that burden.

Good grief, for once in this craptastic year, do something for the people you represent instead of big corporations/developers. We are human beings, we have kids to raise, businesses to keep afloat and are stretched so thin you can see through to the other side - not someone else's ATM. Ask yourself - who is this really benefiting? The city couldn't find enough benefit to build these proposed roads when you will be getting all the new tax revenue to chip in more than \$5.4 million but we are expected to pay \$32million? How is that in any way fair for the city to place those obligations on the backs of homeowners? But...let's remember, not ALL homeowners because I remind you that Cedar Creek and Southglen are strangely exempt from the district. Smells kind of fishy, eh?

This "benefit" district is a sham.

If you read this entire email, thank you. If you are irritated, sorry not sorry - so are we. Please don't reply with some cut and paste email response, I've already read the ones you have sent my neighbors - polite decline. I would prefer a meme or no response so I can pretend that you actually read this and are ruminating on how this farce even got this far or are marveling in my outstanding persuasive writing skills.

Sincerely yet still ticked off,

Shannon Bond

On 4/28/21, 6:51 PM, "Laura Gordon" <lauragordon78@gmail.com> wrote:

All-

I am a resident of Prairie Brook subdivision in northwest Olathe. I am writing to voice my concerns about the proposed Benefit district to finance development in Cedar Creek. My home is not in the benefit district, but I would have to pay my share of the more than \$800,000 that is proposed to be levied against our HOA. In addition, my parents live in the villas that are included in the benefit district. Like many in the villas, they are retired and on a fixed income.

From the city website, benefit districts are described as being levied against the development that directly benefits so that established developments do not pay for new development. Can you please help me understand how Prairie Brook is not an established development? Also, since these districts are assessed against those who benefit, can you explain how our HOA benefits? How does an HOA drive on a road? (Please know I'm not trying to be sarcastic, I genuinely want to understand).

I also recently viewed a FOX4 news story from last fall about a proposed benefit district in this same area proposed for Cedar Creek—evidently these residents did not want to pay. My understanding is that there is now a lawsuit involving the city and Cedar Creek. I find it very interesting that there is now a proposal for our neighborhood....how is the city not in a conflict of interest for the new proposed benefit district when they directly benefit (in that the lawsuit would presumably go away) if the proposal is approved?

Is it common for these districts to be proposed with a very slim majority of property holders? Can you please provide examples? It is obvious the developer drew the map so he could be the majority property owner. How else is it logical that my neighbor benefits and I don't?

Is it common for multiple proposals to be made to finance the same roads—ie, when a proposal draws negative attention it is simply redrawn with another set of property?

Can you give recent examples where an establishment neighborhood has been included in a benefit district like this one?

The documents clearly state that there was an attempt to not provide notice to homeowners—that screams shady political dealings. Every newsletter I receive from the city makes a point to discuss ethics and civic pride in some manner—please let your actions support your words.

I ask that you remember that you represent your constituents and put yourself in our shoes. How would you feel if this happened to you or your parents?

I appreciate your time and look forward to tomorrow evening's meeting.

Laura Gordon
10878 S Barth Rd

Sent from Laura's iPhone

ATTACHMENT C

From: M Carey <mlcarey78@gmail.com>
Date: Wednesday, April 28, 2021 at 6:52 PM
To: Marge Vogt <MVogt@OLATHEKS.ORG>
Subject: Cedar Creek Benefits District

Ms. Vogt,

I am sure you have received a bevy of emails pertaining to this petition for the benefits district effecting the Cedar Creek and Prairie Brook residents, however, I just wanted to offer my two cents.

My husband, Jeff, and I live in Prairie Brook and we are raising five kids ranging in age from 17 down to 3. I myself went to Prairie Center, Oregon Trail, and Olathe North. It may seem as no consequence, but my husband and I just brought home our 5th child a little more than a year ago via international adoption (which you may or may not know comes with hefty costs, not to mention the simple costs of raising five kids). When my husband and I married I was adamant that I wanted to live here and raise our family in Olathe.

Growing up in West Olathe (off of Lakeshore) I know you can't imagine it, but we had our water hauled and it had to be stored in a cistern under our porch. I grew up taking "military showers", essentially getting wet, turn the water off while you wash your hair/body, turn it back on to rinse....sometimes it got pretty cold. Along came the city and a benefit district and water lines were laid down. What do you know? I could leave the water on and not freeze. It was glorious! Did this benefit my family? Absolutely! Did we have to pay for it? Yes! However, we got something out of it.

Madam, as you know, the point of a benefit district, is to actually benefit the citizens of Olathe. I surely benefited from running water my entire shower. I will spare you the other points of how ludicrous the map is. How odd it is that some residents are effected financially while others are not. Lastly, the plain and simple fact that if developers want these roads built to make millions building and selling homes, they should include the price of the road in the lot prices when they sell. There are tons more points I could give you, but I'm sure you get the idea. We, the existing homeowners in this area, get ZERO benefits from this, only financial burden.

If somehow the City of Olathe passes this and doesn't step up to protect its citizens from this I can't begin to tell you how disappointed I will be, not to mention the stress of how in the heck we're going to pay for it. If Olathe isn't careful, you're going to see taxpayers leaving the city to live elsewhere (especially with the rise in our property taxes over the years). Have you seen how people are fleeing California and New York? They

ATTACHMENT C

even lost seats in The House. Please take the time to read this and the numerous other emails I am sure you're receiving.

I appreciate your time,

Mollie Carey

10750 S Carbondale St, Olathe, KS 66061



ReplyForward

From: Kevin Heiman <heimankl@yahoo.com>

Date: Wednesday, April 28, 2021 at 9:27 PM

To: Marge Vogt <MVogt@OLATHEKS.ORG>

Subject: CEDAR CREEK BENEFIT DISTRICTS

As a resident impacted by this proposal, I do not support the proposal and feel the value to me as a homeowner east of the improvements, this is of no value to my property much less of any benefit to our transportation needs.

I am all for improvements to continual growth, however the real beneficiaries are the Cedar creek community which is excluded for the most part, and the new development west of Prairie Brook.

Thank you

Kevin and Dawn Heiman

24659 W 110th terrace

From: Todd Eiter <todd.eiter@gmail.com>
Date: Wednesday, April 28, 2021 at 9:20 PM
To: Marge Vogt <MVogt@OLATHEKS.ORG>
Subject: Cedar Creek Benefit District

Ms. Vogt,

My name is Todd Eiter and I live in the Prairie Brook community west of K7 and south of College Blvd. We recently heard about a proposed benefit district that would widen College for less than a mile, add another lane on each side, and add a connection from College going north. I would like to know that you're reading the concerns from me and my neighbors. This smells like a developer is trying to stick our community with a \$3MM bill for something that has no discernable benefit for any of us in the Prairie Brook community. I could understand if our main thoroughfare, College blvd, was damaged, if we had a sizable traffic jam problem, if there was the need for a bridge to traverse something like a stream or train tracks, or if this would bring new commercial zoning for restaurants and shopping. But in this petition there is frankly and literally nothing of the kind in place. This would widen College Blvd just to dead end it into the same neighborhood side streets that it already goes to. The roads that are going north from College Blvd are also neighborhood streets and should be paid for by that community when it is built. In this situation there is simply no benefit to my neighbors and myself. There are a considerable number of retired citizens in our community. The assessment is simply too great a burden on them. As for the rest of us we have deep concerns about home values, what with the massive nearly 40% increase in property taxes. One would not need to strain to envision the negative hit with such high taxes.

I fully and wholeheartedly oppose this benefit district. I hope you're hearing our concerns and will vote against this proposal.

Thank you,

Todd

From: City of Olathe <noreply@user.govoutreach.com>
Sent: Thursday, April 22, 2021 8:49 AM
To: Cathy Marks
Subject: OlatheConnect You have been assigned a new Request #: 36064

Follow Up Flag: Follow up
Flag Status: Completed

Request # 36064 from the OlatheConnect System has been assigned to you.

Request type: Concern

Request area: City Manager

Citizen name: Ryan Block

Description: My name is Ryan Block, home owner in the Prairie Brook subdivision at 11014 S Barth Rd in Olathe. I'm calling to object to the proposed benefit district that would provide no practical benefit to my neighborhood, family or the city at large.

As documented in the news media, the Cedar Creek developer and residents have resisted paying for road improvements to College Blvd that almost exclusively benefit themselves. They are now attempting to shift financial responsibility from themselves, where financial responsibility belongs, to residents and businesses in surrounding areas that do not make use of this section of road.

This proposed benefit district would incur \$11000 against my family, plus increases to HOA fees for tax increases on common areas within our neighborhood, while the road would provide no practical benefit to my family and neighborhood or the city at large.

I encourage the city to follow precedent and compel the developer to pay road and other infrastructure costs relating to development activities and spare Prairie Brook residents from the selfish motives of Duggan Shadwick Doerr and Kurlbaum, developers of Cedar Creek, driving this unjust and inequitable process.

You may reach me at 972-821-8268.

Thank you,
Ryan Block

Expected Close Date: April 26, 2021

[Access the request](#)

Note: This message is for notification purposes only. Please do not reply to this email.

From: City of Olathe <noreply@user.govoutreach.com>
Sent: Wednesday, April 28, 2021 3:11 AM
To: Cathy Marks
Subject: OlatheConnect Request #: 36129 is due tomorrow

Follow Up Flag: Follow up
Flag Status: Completed

Request # 36129 from the OlatheConnect System is due tomorrow.

Request type: Concern

Request area: City Manager

Reported by: Tim Zerger

Description: April 27, 2021 Mr. Michael Wilkes City of Olathe Manager Subject: Proposed Petition for Public Improvement for Cedar Creek Development Company. Mr. Wilkes, I am contacting you concerning the Proposed Petition for Public Improvement for Cedar Creek Development Company, Mr. John Duggan, 25775 W 103rd St, Olathe, and the Engineering Firm, Schlagel and Associates, Lenexa. This subject will be discussed at the Olathe City Council Meeting on April 29th at 6:30. This is a \$ 31,911,048 proposed project that I am being asked to help fund for streets, curbs, sewer, etc. This area runs from Clair Road west to West Cedar Niles Blvd in Cedar Creek. Clair Road is west of my housing development, Prairie Brook. Mr Duggan and the Cedar Creek Development Company are asking me to help fund something that does not impact me personally. I am finding it hard to understand how, and why, they expect me to pay for something that does not benefit me at all. I am east of the proposed area. Currently, when I leave the Prairie Brook Housing Development, I never go west towards Cedar Creek so why am I being asked to pay for College Blvd improvements and Clair Road expansion when I will never be using those? If this passes, I am expected to pay a Special Assessment of \$ 5,327. On top of this, I already pay personal property taxes on my home and part of that goes to Olathe Public Schools. The Olathe Public Schools is also listed so some of my taxes will go to this through the school system. Our HOA is listed and because of this, my HOA dues will go up to cover this cost so it just isn't my \$ 5,327 I'm concerned about. They are asking for \$ 800,000 from our HOA. It will cost me even more. If this was in your neighborhood, you would not be in favor of this either. This is totally unfair and not right. I again ask you to agree with us and have the Prairie Brook Housing Development's name removed. I have sent this to the Olathe Commissioners already but our Lawyer said to send this to you as well. Thank you for your service and looking into this very unfair act. Tim Zerger 24647 W. 110th St. Olathe, Ks. 66061 M: 913.593.4112 Email: tjzerger@gmail.com

Expected Close Date: 04/29/2021

[Access the request](#)

From: City of Olathe <noreply@user.govoutreach.com>
Sent: Wednesday, April 28, 2021 3:26 AM
To: Cathy Marks
Subject: OlatheConnect Request #: 36121 Due Today

Follow Up Flag: Follow up
Flag Status: Completed

Request # 36121 from the OlatheConnect System is due today.

Request type: Concern

Request area: City Manager

Reported by: Martha Hatfield

Description: We live in the Prairie Brook neighborhood in Olathe and want to express our concern about the infrastructure benefit district for Cedar Creek/College Blvd. Developers have applied for this benefit district to ease access to the developments they are building in the Cedar Creek area. These road changes will not benefit our Prairie Brook neighborhood, and in fact will have a negative impact on us. An extension of Clare Road along the western border of our small neighborhood is not needed or wanted, while the expansion of College Blvd. will be west of our neighborhood and will only benefit Cedar Creek residents well past us to the west. The benefit district should only include the areas that will benefit from the improvements, not pass the builders development costs along to those who will not benefit. We believe this benefit district is unfair and would like your help in getting it changed so those who benefit will pay the costs. Martha and Jeff Hatfield

Expected Close Date: 04/28/2021

[Access the request](#)

From: City of Olathe <noreply@user.govoutreach.com>
Sent: Wednesday, April 28, 2021 3:11 AM
To: Cathy Marks
Subject: OlatheConnect Request #: 36117 Due Today

Follow Up Flag: Follow up
Flag Status: Completed

Request # 36117 from the OlatheConnect System is due today.

Request type: Concern

Request area: City Council Communication

Reported by: Molly Carella

Description: My name is Molly Carella and I'm contacting you to oppose the College Blvd/Clare Rd/Cedar Creek Parkway Benefit District Proposal and ask that you vote no on May 4. I live in a neighborhood called Prairie Brook, which falls within the proposed district, and my home would be assessed \$10,000 for this project. There is no benefit to my home or Prairie Brook from the proposal, and it seems to me to be something that the petitioner, who is a real estate developer called Cedar Creek Development Company, tried to initiate so that it can build more Cedar Creek neighborhoods and homes without having to pay for the necessary infrastructure to support them. The proposal is largely about widening College Blvd., beginning about a half mile west of Prairie Brook and continuing into the Cedar Creek neighborhood. But people in Prairie Brook rarely travel on this section of College Blvd. because the only thing there is the new Cedar Creek neighborhood under construction and another existing Cedar Creek neighborhood—there is no commercial activity or business or anything else that draws traffic from Prairie Brook in either direction on that section of College. There is simply no benefit to me or anyone in Prairie Brook to expand College Blvd in this way—let alone in the staggering amount of the \$10,000 my home would be assessed—but it's a huge boon to the Cedar Creek developer and those Cedar Creek neighborhoods. In fact, the Cedar Creek developer is actually including fliers in its new homes for sale that specifically discuss this issue and how the new roads will "strengthen, improve, and serve the Cedar Creek Community" as well as "serve the City at large", even though the developer is claiming the opposite in the benefit petition—that the project will serve Prairie Brook (flier attached). The same can be said about the proposed expansion of Clare Rd to Valley—there's just nothing that this provides to me or the Prairie Brook neighborhood, and in fact, it will eliminate a huge and desirable area of green space that currently abuts many homes in the neighborhood. It's also an understatement to say that the developer used a lot of creative license in coming up with the boundaries for the proposed benefit district so that it could say it was a majority landowner. Even a quick glance at the map shows this—the existing Cedar Creek neighborhoods are almost entirely excluded, as are the under-construction Cedar Creek homes. The airport is not included and neither are a handful of homes in Prairie Brook. Presumably, if any of these areas were included in the petition, the Cedar Creek Development company would not be a majority landholder. The entire proposal has been underhanded from the beginning, and it's my understanding that this is just the latest tactic this Cedar Creek developer has taken to avoid taking responsibility for its own construction and trying to lay the financial burden on anyone other than itself. I hope you vote no on May 4. You can reach me at 785-760-3231 or mollyschimmels@yahoo.com. Thank you, Molly Carella

Expected Close Date: 04/28/2021

[Access the request](#)

From: City of Olathe <noreply@user.govoutreach.com>
Sent: Tuesday, April 27, 2021 3:10 AM
To: Cathy Marks
Subject: OlatheConnect Request #: 36105 Due Today

Follow Up Flag: Follow up
Flag Status: Completed

Request # 36105 from the OlatheConnect System is due today.

Request type: Concern

Request area: City Manager

Reported by: Jodi Shroba

Description: Dear Mr Wilkes, We are writing to express our concern regarding the proposed Cedar Creek Benefit District. We are residents of Prairie Brook subdivision and after reading this proposal there is zero benefit to the residents of Prairie Brook. A benefits district is created when improvements to infrastructure will be a benefit to the citizens. However, this proposal is unfair and unreasonable to the residents of Prairie Brook. Much of this road work would be west of our subdivision and we would never use these roads, they are not necessary for our daily lives. The only thing this will do for us is bring more traffic, noise, and devalue our homes. Cedar Creek is the largest and wealthiest subdivision in Olathe with over 1,100 single family homes. These roads benefit the homeowners of Cedar Creek therefore all the expense of these roads should be absorbed by the developers and residents of Cedar Creek. Prairie Brook is a small subdivision with only about 250 homes. Our home will be charged over \$10,000 , plus the Prairie Brook HOA is being charged \$800,000. The HOA fees will have to be absorbed by the residents, therefore our family will be charged over \$13,000 for a road that we will never use. Most residents do not have the financial ability nor desire to absorb the cost of road work for a neighboring subdivision. The developers of Cedar Creek are trying to grow their subdivision and need these roads for their development. The Cedar Creek developers are the only ones that will profit from these roads and should be responsible for improving the infrastructure of their subdivision. We did not want nor feel the need for these roads, and they do nothing to improve our lives or Prairie Brook subdivision. This assessment is excessive and an unwanted burden on the residents of Prairie Brook. We are asking the members of the city council to reject this proposal and make the developers of Cedar Creek responsible for the cost of this project. Thank you for your time and consideration. Sincerely, Tim and Jodi Shroba

Expected Close Date: 04/27/2021

[Access the request](#)

From: City of Olathe <noreply@user.govoutreach.com>
Sent: Tuesday, April 27, 2021 3:10 AM
To: Cathy Marks
Subject: OlatheConnect Request #: 36092 Due Today

Follow Up Flag: Follow up
Flag Status: Completed

Request # 36092 from the OlatheConnect System is due today.

Request type: Concern

Request area: City Manager

Reported by: Sandra Wiley

Description: My husband and I are extremely concerned about this proposal. We currently live in Prairie Brook, Olathe, Kansas. 10842 S. Hastings St. We would not derive any benefit from this proposal, yet, if passed, this proposal would add \$9,8000 to our taxes to help pay for the project. We back into a wooded area and if Clare Road goes thru behind our house, it would greatly reduce our property value by destroying the woods so the proposal would actually do us extreme harm. We are a retired couple living on a fixed income. It took us years to save to build our dream home that backs into a wooded area. We cannot afford the additional charge. Also, our HOA would be assessed \$800,000 which in turn would be passed on to us in the amount of \$3,300. We will have to dig into our retirement savings to pay for a road so the developer can make millions building houses behind our area. This proposal is extremely unfair to residents of Prairie Brook as we would not derive any benefits whatsoever. Please vote against passing this proposal. If it passes, we will be forced to sell and move as we could not afford to pay these outrageous charges. Also, the people chosen to pay for this project are random and few are actually Cedar Creek Residents. The developer is just trying to get us to pay for a road that has no benefit to us. The road doesn't even connect to anything but residential areas. It does not connect to K10. We would not even use this road if built. The only one who profits from this is Cedar Creek Development LLC. They should pay for it! Sincerely, Richard and Sandra Wiley 10842 S.Hastings St. Olathe, KS

Expected Close Date: 04/27/2021

[Access the request](#)

From: City of Olathe <noreply@user.govoutreach.com>
Sent: Tuesday, April 27, 2021 3:10 AM
To: Cathy Marks
Subject: OlatheConnect Request #: 36082 Due Today

Follow Up Flag: Follow up
Flag Status: Completed

Request # 36082 from the OlatheConnect System is due today.

Request type: Concern

Request area: City Manager

Reported by: Tim and Julie Steele

Description: Good morning- Our names are Tim and Julie Steele. We live at 25232 W. 104th Pl. in Hidden Lake Estates of Cedar Creek in Olathe since July 2018. We have been assigned the financial responsibility of two benefit districts and as a result our neighborhood is collectively seeking representation. It has caused a great deal of consternation within our community. Although it is a delicate balance to support development/developers while still protecting citizens, it's our belief that at the end of the day our elected and paid officials are in their positions to protect us and prevent situations like this, a neighborhood seeking representation against the city they love & live in, from arising. We are not contacting you to debate the purpose or existence of benefit districts or that one might be necessary in this case but rather several concerning items below: 1. Why are we in two benefit districts? This is doubling our financial responsibility. We are surprised that this unique and rarely used concept wasn't revealed by our developer and realtors when we purchased our home. 2. Why is there such a rush to move this forward without more residents' input, especially when most have just become aware of the matter? We have not received communication directly from the city but rather we've had to wade through the depths of the city website to gather information. 3. Why is the tax levy for these benefit districts so much higher compared to historical assessments in similar benefit districts? Like many of our neighbors, we are flabbergasted at the enormous cost to citizens should this move forward as proposed. Our home would be assessed approximately \$42,000 w/interest over the 20 year period. Some of our neighbors would be well over \$50,000. Frankly, we already pay a significant tax bill, but the difference is that it was known to us when we purchased our homes. Although we understand that our tax bill will likely continue to increase we still chose to purchase this home in Olathe and not another community. We are available for discussion (contact info below). In the meantime, we see no other choice than to continue to organize within our neighborhood. We also sent this correspondence to our Mayor and City Council members. Thank you, Tim and Julie Steele
25232 W 104th Pl
Olathe, KS 66061
HouseOfSteele1@gmail.com tcsjar1995@gmail.com 913-575-2570 913-575-2038

Expected Close Date: 04/27/2021

[Access the request](#)

From: City of Olathe <noreply@user.govoutreach.com>
Sent: Tuesday, April 27, 2021 3:10 AM
To: Cathy Marks
Subject: OlatheConnect Request #: 36078 Due Today

Follow Up Flag: Follow up
Flag Status: Completed

Request # 36078 from the OlatheConnect System is due today.

Request type: Concern

Request area: City Manager

Reported by: Damien Gingrich

Description: Cedar Creek Benefit District Petition - Objection

Expected Close Date: 04/27/2021

[Access the request](#)

From: City of Olathe <noreply@user.govoutreach.com>
Sent: Wednesday, April 28, 2021 7:41 PM
To: Cathy Marks
Subject: OlatheConnect You have been assigned a new Request #: 36161

Follow Up Flag: Follow up
Flag Status: Completed

Request # 36161 from the OlatheConnect System has been assigned to you.

Request type: Concern

Request area: City Manager

Citizen name: Jeffrey Crey

Description: I am writing to you regarding the above referenced proposed benefit district. My wife Mollie and I live in the Prairie Brook subdivision along with our 5 children. We moved into our house just a little under 12 years ago and have truly enjoyed our community. Since we were married we have lived in Olathe and have always thought it to be a great place to live and raise children for many reasons. We were truly shocked, for several reasons, when we learned last week about the petition for a benefit district of which we would be a part. The first reason is we found out because a neighbor somehow stumbled upon it and informed other people. How is it ethical to burden citizens with significant financial costs without informing them and allowing for input? Second, the petition lacks common sense and fairness. Only one party stands to truly gain from the construction and it was the only party responsible for the petition. Cedar Creek Development only represents 105 of the lots/parcels/tracts of land in the district. The other 513 owners were not consulted and do not want this approved. How is it reasonable to place liabilities of \$8K-\$45k+ on a small number of Olathe citizens? On the City of Olathe's own website it states one of the primary goals of benefit districts is to "Protect residents in established areas from an obligation to pay for development in new areas". Prairie Brook has been fully built out for nearly a decade and some homes are 15 yrs old. Our neighbors and HOA do not stand to benefit from the roads being built/expanded and this proposal directly contradicts what is stated on Olathe's website. Again, how is this fair and just? The last week has been very frustrating as we've learned more about this plan and how it can affect our family and our finances. I would ask that you take the time to review the petition and review the map of the benefit district. Why are a handful of houses in Prairie Brook not included? Why is the airport to our West not included? Why are the subdivisions just South of PB not included. Why does the map look like a form of single celled organism? Perhaps it's because this was the only way for the developer to hold 50% of the square feet and submit the petition without public notice? Again, how is this fair and reasonable? If this petition is approved, my wife and I will be forced to reconsider where we raise our family. If the City Council sees this benefit district as fair and just then who knows what comes next. I hope that you take the time to review the petition and ask yourself if you'd be ok being a landowner in the district?

Best Regards,

Jeffrey Carey

Prairie Brook Subdivision Resident

10750 S Carbondale St

Olathe, KS 66061 Cedar

Expected Close Date: April 30, 2021

[Access the request](#)

Note: This message is for notification purposes only. Please do not reply to this email.

From: City of Olathe <noreply@user.govoutreach.com>
Sent: Wednesday, April 28, 2021 6:56 PM
To: Cathy Marks
Subject: OlatheConnect You have been assigned a new Request #: 36160

Follow Up Flag: Follow up
Flag Status: Completed

Request # 36160 from the OlatheConnect System has been assigned to you.

Request type: Concern

Request area: City Manager

Citizen name: Mollie Carey

Description: Mr. Wilkes,

I am sure you have received a bevy of emails pertaining to this petition for the benefits district effecting the Cedar Creek and Prairie Brook residents, however, I just wanted to offer my two cents.

My husband, Jeff, and I live in Prairie Brook and we are raising five kids ranging in age from 17 down to 3. I myself went to Prairie Center, Oregon Trail, and Olathe North. It may seem as no consequence, but my husband and I just brought home our 5th child a little more than a year ago via international adoption (which you may or may not know comes with hefty costs, not to mention the simple costs of raising five kids). When my husband and I married I was adamant that I wanted to live here and raise our family in Olathe.

Growing up in West Olathe (off of Lakeshore) I know you can't imagine it, but we had our water hauled and it had to be stored in a cistern under our porch. I grew up taking "military showers", essentially getting wet, turn the water off while you wash your hair/body, turn it back on to rinse....sometimes it got pretty cold. Along came the city and a benefit district and water lines were laid down. What do you know? I could leave the water on and not freeze. It was glorious! Did this benefit my family? Absolutely! Did we have to pay for it? Yes! However, we got something out of it.

Sir, as you know, the point of a benefit district, is to actually benefit the citizens of Olathe. I surely benefited from running water my entire shower. I will spare you the other points of how ludicrous the map is. How odd it is that some residents are effected financially while others are not. Lastly, the plain and simple fact that if developers want these roads built to make millions building and selling homes, they should include the price of the road in the lot prices when they sell. There are tons more points I could give you, but I'm sure you get the idea. We, the existing homeowners in this area, get ZERO benefits from this, only financial burden.

If somehow the City of Olathe passes this and doesn't step up to protect its citizens from this I can't begin to tell you how disappointed I will be, not to mention the stress of how in the heck we're going to pay for it. If Olathe isn't careful, you're going to see taxpayers leaving the city to live elsewhere (especially with the rise in our property taxes over the years). Have you seen how people are fleeing California and New York? They even lost seats in The House. Please take the time to read this and the numerous other emails I am sure you're receiving.

I appreciate your time,
Mollie Carey
10750 S Carbondale St, Olathe, KS 66061

Expected Close Date: April 30, 2021

[Access the request](#)

Note: This message is for notification purposes only. Please do not reply to this email.

From: City of Olathe <noreply@user.govoutreach.com>
Sent: Thursday, April 22, 2021 12:40 PM
To: Cathy Marks
Subject: OlatheConnect You have been assigned a new Request #: 36071

Follow Up Flag: Follow up
Flag Status: Completed

Request # 36071 from the OlatheConnect System has been assigned to you.

Request type: Concern

Request area: City Manager

Citizen name: Allison Block

Description: My name is Allison Block, home owner in the Prairie Brook subdivision at 11014 S Barth Rd in Olathe. I'm writing to object to the proposed benefit district that would provide no practical benefit to my neighborhood, family or the city at large.

As documented in the news media, the Cedar Creek developer and residents have resisted paying for road improvements to College Blvd that almost exclusively benefit themselves. They are now attempting to shift financial responsibility from themselves, where financial responsibility belongs, to residents and businesses in surrounding areas that do not make use of this section of road.

This proposed benefit district would incur \$11000 against my family, plus increases to HOA fees for tax increases on common areas within our neighborhood, while the road would provide no practical benefit to my family and neighborhood or the city at large.

I encourage the city to follow precedent and compel the developer to pay road and other infrastructure costs relating to development activities and spare Prairie Brook residents from the selfish motives of Duggan Shadwick Doerr and Kurlbaum, developers of Cedar Creek, driving this unjust and inequitable process.

You may reach me at 913-206-7336.

Thank you,
Allison Block

Expected Close Date: April 26, 2021

[Access the request](#)

Note: This message is for notification purposes only. Please do not reply to this email.

From: City of Olathe <noreply@user.govoutreach.com>
Sent: Thursday, April 22, 2021 12:39 PM
To: Cathy Marks
Subject: OlatheConnect You have been assigned a new Request #: 36070

Follow Up Flag: Follow up
Flag Status: Completed

Request # 36070 from the OlatheConnect System has been assigned to you.

Request type: Concern

Request area: City Manager

Citizen name: Nicole Mallory

Description: I am writing to ask you not to support the petition Cedar Creek Benefit Districts; Proposed College Boulevard, Clare Road, Cedar Creek Parkway and Proposed Bluestem/107th.

I have lived in Prairie Brook for eleven years. Imagine living in a neighborhood for eleven years with only one entry point without any issues, when suddenly a greedy developer petitions the city for an assessment tax on Prairie Brook residents and their HOA. Not only is the road improvements that "benefits" Prairie Brook unnecessary, but also an example of the excessive greed of the developer from Cedar Creek. Their petition is passing off the expense of a road expansion and improvement, that benefits only Cedar Creek residents and the developer's profitability, to the residents of Prairie Brook. Additionally, the means by which they have gone about trying to get the funding seems unethical to try and get this approved without the knowledge of both Prairie Brook and Cedar Creek residents, when the developer is the main entity that stands to benefit/capitalize on these road expansions. A tax assessment of tens of thousands of dollars on families is excessive for their capitalistic gain. There is no benefit to Prairie Brook residents. It is not needed or even wanted by the residents of Prairie Brook.

I'm sure you agree that the petition on Prairie Brook residents for an expensive tax assessment is absurd, for a road that is not necessary. My expectations are high that you will oppose the assessment tax.

Sincerely,

Nicole Mallory
10736 S Appleridge Lane
Olathe, KS 66061
913-617-8843

Expected Close Date: April 26, 2021

[Access the request](#)

Note: This message is for notification purposes only. Please do not reply to this email.

From: City of Olathe <noreply@user.govoutreach.com>
Sent: Thursday, April 22, 2021 12:18 PM
To: Cathy Marks
Subject: OlatheConnect You have been assigned a new Request #: 36069

Follow Up Flag: Follow up
Flag Status: Completed

Request # 36069 from the OlatheConnect System has been assigned to you.

Request type: Concern

Request area: City Manager

Citizen name: Molly Narendran

Description: I am a resident of Prairie Brook subdivision, I am very disappointed to see the proposal for a benefit district for our neighborhood. Extending Clare road to the north is NOT a benefit to our neighborhood, nor is extending College to the west. It is extremely unfair to ask us to pay for these roads when they are not needed by our neighborhood residents. Not only are they not needed, they are not wanted. We like our single entry neighborhood, it provides extra safety and security young families desire. If approved, these roads should be paid for by the developer or the residents they BENEFIT - Cedar Creek for College and the new villas in Hidden Lakes for Clare. The boundaries that are drawn are clearly an attempt to get funding from anyone but the developer and questionable at best. The fact that not all of Prairie Brook is included tells me that there is some "funny math" happening in regards to property. And the fact that a large portion of Cedar Creek that will benefit from College widening is not included in the benefit district. That reeks of "funny math" here.

I realize that Olathe is growing and I am all for improvements, but to "improve" and push the cost onto people that don't benefit is frustrating especially with the price tag associated with this build. This is not the Olathe I chose when deciding where we wanted to raise our family.

What is really frustrating to me is that we're looking at adding a road that is not necessary with Clare road north of College, while we are limping along with Clare road south of College to 119th street that is in poor shape and far too narrow. It is the most efficient way to get to our Middle School and High School and extremely dangerous. Many many young drivers take this road daily, it's extremely busy in the mornings and afternoons, I feel like it is only a matter of time before there is an accident on this road. Widening that is far more beneficial to the neighborhoods and our community than adding Clare road north. This is something many would be willing to pay for when considering the safety for drivers and busses.

I hope that while this is being considered, the opinions of the affected residents are taken into consideration rather than letting a developer that has been fighting the City on this for over a year bully us into paying his bill. I understand that there is a lawsuit in play, how can this be moved to new payers? The buck is being passed to us and that's unacceptable.

Molly Narendran
Prairie Brook resident.

Expected Close Date: April 26, 2021

[Access the request](#)

Note: This message is for notification purposes only. Please do not reply to this email.