

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 100283

Approving the Metro North Mall PIEA General Development Plan for an area of approximately 100 acres generally bounded by N.W. Barry Road on the south, U.S. Highway 169 on the west, N.W. 88th Street on the north and N. Baltimore Avenue and N. Wyandotte Avenue on the east, and declaring the area included in such plan to be a blighted area in need of redevelopment and rehabilitation pursuant to the Missouri Planned Industrial Expansion Authority Law. (679-S)

WHEREAS, the Planned Industrial Expansion Authority of Kansas City, Missouri did prepare or cause to be prepared the Metro North Mall PIEA General Development Plan and recommended that the Council approve the finding of blight and approve the General Development Plan for the area; and

WHEREAS, the City Plan Commission has reviewed and recommended approval of the finding of blight and of the Metro North Mall PIEA General Development Plan on April 20, 2010, as evidenced by its disposition of the case and its written recommendations submitted to the city on April 20, 2010; and

WHEREAS, on May 19, 2010, the Council held a public hearing on the Metro North Mall PIEA General Development Plan, after the required public notices were given and all interested parties were afforded a reasonable opportunity to express their views respecting the proposed plan at the public hearing.

WHEREAS, the Council has reviewed the blight study for the Metro North Mall PIEA Planning Area prepared by Sterrett Urban, LLC on March 26, 2010, with a revised date of May 19, 2010;

WHEREAS, Section 100.400, RSMo, authorizes the Council to make a finding that an area is a blighted area and approve a general development plan for such area if the Council finds that the plan is feasible and in conformity with the general plan for the development of the community as a whole; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Council finds the Metro North Mall PIEA Planning Area, which area contains approximately 100 acres generally bounded by N.W. Barry Road on the south, U.S. Highway 169 on the west, N.W. 88th Street on the north and N. Baltimore Avenue and N. Wyandotte Avenue on the east, and is more specifically described by metes and bounds as follows:

Tracts 1, 2, 3, 4, 5, 6 and 8, METRO NORTH, in Kansas City, Clay County, Missouri, as is shown on the recorded plat thereof recorded in Plat Book 16 at Pages 44 thru 47 of Deed Records of Clay County, Missouri,

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to be a blighted area as defined in Section 100.310, RSMo, and more specifically finds that there is a predominance of defective and inadequate street layout, insanitary and unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, and the existence of conditions which endanger life and property by fire and other causes in such planning area and as a result of the predominance of those conditions the planning area in its present condition and use constitutes an economic and social liability and a serious menace to the public health, safety, morals, and welfare.

Section 2. That Metro North Mall PIEA General Development Plan is hereby found to be feasible and in conformance with the general plan for the development of the community as a whole.

Section 3. That the Council has duly made the findings necessary for compliance with Section 100.300-100.620, RSMo.

Section 4. That a copy of the Metro North Mall PIEA General Development Plan is attached to this ordinance and is made a part hereof and is hereby approved subject to the following revisions:

1. Page 27 – Development Strategy. Add the following sentence to the end of the third paragraph: “In addition, any development proposal must address remediation of the blighting conditions found in the separate Blight Analysis.”
2. Page 31 – Proposed Street Changes. Delete the first sentence under “Proposed Street Changes” and replace with the following sentence: “No specific street changes or street grade changes are proposed for the Planning Area; however, street layout must be updated as necessary to accommodate specific projects approved for redevelopment and to ensure blighting conditions are remedied.”
3. Page 32 – Proposed Changes in Public Facilities. Delete the first sentence under “Proposed Changes in Public Facilities” and replace with the following sentence: “No specific changes are proposed to public facilities located within the Planning Area; however, public facilities must be updated as necessary to accommodate specific projects approved for redevelopment and to ensure blighting conditions are remedied.”
4. Page 36 – Eminent Domain. At the end of the sentence in the second paragraph insert the following “provided, however, the PIEA’s use of eminent domain shall be for the purpose of remediating the blighting conditions referenced in the separate Blight Analysis as required by Chapter 523, RSMo.”

Section 5. That the ad valorem tax exemption benefits as authorized in Section 100.570, RSMo, may be extended to the plan area to the extent and in the manner as provided for in the General Development Plan, subject to the approval of the City Council in a separate action, and subject to the execution of a development agreement between the Planned Industrial Expansion Authority and the developer.

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I hereby certify that as required by Chapter 100, RSMo, as amended, all public notices have been given and public hearings held, as required by law.

Secretary, City Plan Commission

Approved as to form and legality:

Heather A. Brown
Assistant City Attorney