

ORDINANCE NO. 940728

**Approving and designating Redevelopment Project H3 of the First Amendment to the Eleventh Street Corridor Tax Increment Financing Plan as a Redevelopment Project and adopting tax increment financing therefor.**

WHEREAS, the City Council of Kansas City, Missouri by Ordinance No. 54556 passed on November 24, 1982 and thereafter amended in certain respects by Committee Substitute for Ordinance No. 911076, as amended, passed on August 29, 1991, created the Tax Increment Financing Commission of Kansas City, Missouri (the "Commission"); and

WHEREAS, on December 10, 1992, the City Council adopted Ordinance No. 921355, which accepted the recommendations of the Commission as to the Eleventh Street Corridor Tax Increment Financing Plan ("Original Redevelopment Plan") and designated the Original Redevelopment Area to be a conservation area; and

WHEREAS, on \_\_\_\_\_, the City Council passed Ordinance No. 940721, which approved the First Amendment to the Eleventh Street Corridor Tax Increment Financing Plan ("Amended Redevelopment Plan") and designated the Amended Redevelopment Area as a conservation area; and

WHEREAS, the Amended Redevelopment Plan and ordinance contemplate the implementation of the Amended Redevelopment Plan through sixteen (16) separate Redevelopment Projects in addition to those called for in the Original Redevelopment Plan and the adoption of tax increment financing in each of the areas selected for such Redevelopment Projects; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. All terms used in this ordinance shall be construed as defined in Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended.

Section 2. The area selected for Redevelopment Project H3 legally described as follows:

Beginning at the intersection of the west right-of-way line of Bank Street and the North right-of-way line of West 9th Street; thence west along the north right-of-way line of West 9th Street to the center line of the north-south alley lying between Washington Street and Bank Street; thence north along the center line of the north-south alley lying between Washington Street and Bank Street a distance of 75 feet; thence east along a line 75 feet north of and parallel to the north right-of-way line of West 9th Street to the west right-of-way line of Bank Street; thence south along the west right-of-way line of Bank Street to the point of

1925

beginning, all now included in and a part of Kansas City, Jackson County, Missouri.

is approved and designated as the First Amendment to the Eleventh Street Corridor Tax Increment Financing Plan Redevelopment Project H3 ("Project H3").

Section 3. Tax increment allocation financing is hereby adopted for taxable real property in the above described area selected for Project H3. After the total equalized assessed valuation of the taxable real property in Project H3 exceeds the certified total initial equalized assessed valuation of the taxable real property in Project H3, the ad valorem taxes, and payment in lieu of taxes, if any, arising from the levies upon the taxable real property in such project by taxing districts and tax rates determined in the manner provided in subsection 2 of Section 99.855 each year after the effective date of the ordinance until redevelopment costs have been paid shall be divided as follows:

1. That portion of taxes levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract or parcel of real property in the area selected for the Project H3 shall be allocated to and, when collected, shall be paid by the Jackson County Collector and the City Treasurer to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing;

2. Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in the area selected for Project H3 over and above the initial equalized assessed value of each such unit of property in the area selected for Project H3 shall be allocated to and, when collected, shall be paid to the City Treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the City for the purpose of paying Redevelopment Project Costs and obligations incurred in the payment thereof. Any payments in lieu of taxes which are not paid within sixty (60) days of the due date shall be deemed delinquent and shall be assessed a penalty of one percent (1%) per month.

Section 4. In addition to the payments in lieu of taxes described in subsection 2 of Section 3 above, fifty percent (50%) of the total additional revenue from taxes which are imposed by the City or taxing districts, and which are generated by economic activities within the area selected for Project H3 over the amount of such taxes generated by economic activities within such area in the calendar year prior to the adoption of this ordinance, while tax increment financing remains in effect, but excluding taxes

1000

940728

imposed on sales of charges for sleeping rooms paid by transient guests of hotels and motels, licenses, fees or special assessments and personal property taxes, other than payments in lieu of taxes, shall be allocated to, and paid by the collecting officer to the City Treasurer or other designated financial officer of the City, who shall deposit such funds in a separate segregated account within the Special Allocation Fund.

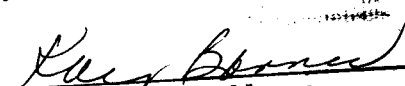
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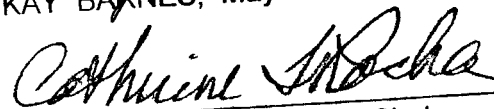
Approved as to form and legality:

  
Acting City Attorney



Authenticated as Passed

  
KAY BARNES, Mayor

  
Catherine T. Rocha, City Clerk

DATE PASSED **NOV 26 2002**

Sponsor

Vicki L. Noteis, Director  
City Planning and Development  
Dept.

# GENERAL

## Ordinance Fact Sheet

940728

Ordinance Number

### Brief Title

Eleventh Street Corridor Tax

Increment Financing Plan -

Project H3

### Approval Deadline Reason

### Details

#### SPECIFIC ADDRESS

The Eleventh Street Corridor TIF Plan an area generally located between 6<sup>th</sup> Street on the north, Wyandotte Street on the east, 13<sup>th</sup> and Bee Line Streets on the south and Interstate 29 on the west, in Kansas City, Jackson County, Missouri. Project H3 is located at the northwest corner of 9<sup>th</sup> and Bank Streets.

#### REASON FOR PROJECT

Project H3 is one of 29 projects proposed for redevelopment within the Eleventh Street Corridor Redevelopment Area. Approval of Project H3 provides for the deposition into the TIF Special Allocation Fund 100% of the PILOTS and 50% of the economic activity taxes generated by the project. The TIF revenue stream will be use to reimburse costs eligible project costs for public improvements, such as parking, streetscape improvements and historic preservation, as provided for under the Eleventh Street Corridor TIF Plan, as amended.

#### DISCUSSION (Including relationship to other Council actions)

**Eleventh Street Corridor TIF Plan:** The Eleventh Street Corridor TIF Plan provides a mechanism to conserve and revitalize a historic section of the central business district. The Plan provides for the use of TIF revenues from the rehabilitation of historic buildings such as the Poindexter, Centennial, Thayer Place and Fashionbilt Buildings to finance the costs of parking garages necessary to address parking needs and thereby retain business in the Central Business District. In addition to encouraging historic preservation and construction of parking, the Plan provides that approximately 30% of the incremental taxes will be available to small business/property owners to undertake façade, parking and streetscape improvements.

**Results of the Plan To Date:** As of April 30, 2002 total investment exceeded \$141.7 million. The result of the Plan has been the construction and rehabilitation of 6,255 parking spaces; 77,000 square feet of green/open space; 3,500 square feet of retail space; 1,750,431 in office space; 4,500 lineal feet of streetscape improvement; 1 000 lineal feet of both sanitary sewers and storm

### Position / Recommendations

sewers. The redevelopment has created 48,487 new jobs and retained 14,110 jobs with total payrolls well in excess of \$1.8 billion. The TIF Commission has certified \$28,125,627 in reimbursable project costs of which \$9,144,968 has been reimbursed as of November 1, 2002.

**Requested Action:** Approval of the project ordinances prior to December 10, 2002 is required in order to comply with the state statute. The Eleventh Street Corridor TIF Plan was approved ten years ago on December 10, 1992 by Ordinance Number 921355. The State TIF statute requires that all projects be approved within 10 years of the approval date of the TIF Plan. This requirement went into affect on August 28, 1991. To date only fifteen of the twenty nine projects has been activated, so it is now the appropriate time to approve the remaining fourteen project ordinances

**10 Year Approval Considerations:** TIF revenues from the balance of the projects are intended to reimburse project costs for public improvements, such as parking, streetscape improvements and historic preservation, as provided for under the Eleventh Street Corridor TIF Plan, as amended. All the properties denoted as projects are owned or controlled by the redeveloper and its affiliates and therefore does not contain any future condemnation actions. Activation of these projects does not weaken the effectiveness of economic development activities within the redevelopment area, as a significant amount of the activity has already been undertaken. It is also important to note that the risk regarding reimbursement from TIF lies solely with the redeveloper and that the City does not bear any risk to the general fund.

**Future Approvals:** Approval of the balance of the projects does not exempt any future projects from following all applicable TIF policies or procedures. The Redeveloper will still be required to follow all the terms and conditions set forth in the TIF Plan and Redeveloper Agreement (e.g., design review, MBE/WBE policy) and come back to the TIF Commission and City for the necessary reviews prior to approval of certification of reimbursements of funds from the Special Allocation Fund.

<b>Sponsor</b>	Vicki L. Noteis, Director City Planning and Development Dept.
<b>Programs, Departments, or Groups Affected</b>	City-Wide Council District 2 <sup>nd</sup> (Danaher, Cooper) Other Districts (school, etc.,) Kansas City, Missouri School District, Jackson County
<b>Applicants / Proponents</b>	Applicant Tax Increment Financing Commission  City Department  Other
<b>Opponents</b>	Groups or Individuals  Basis of opposition
<b>Staff Recommendation</b>	Approval of Project H3 of the Eleventh Street Corridor Tax Increment Financing Plan
<b>Board of Commission Recommendation</b>	By Tax Increment Financing Commission  TIF Resolution No. 11-10-02 Date: November 13, 2002
<b>Council Committee Actions</b>	

Fact Sheet Prepared by: Laura Whitener  
Director,  
Tax Increment Financing  
Commission

Date: November 14, 2002



**Request for Ordinance/Resolution**

City of Kansas City, Missouri  
Case No. 424-S-1: The First Amendment to the Eleventh  
Street Corridor Tax Increment Financing Plan  
Redevelopment Project H3  
Request for ☒ Ordinance

☐ Resolution (Special Instructions Below)

To be entered by the City Clerk

Legislative Control No.	Date
Docketing Date	6/9/94
Committee Assignment	P&Z

Before using this form see Administrative Regulation 4-1, Procedures for Handling Ordinance Requests

Date 5-27-94	Request Made By Robert L. Collins, Director	Department City Planning and Development
Desired Docketing Date	If Emergency, Give Reason (See Sec. 15 of Charter)	
Emergency Measure Required? <input type="checkbox"/> Yes <input type="checkbox"/> No		

**Justification for Proposed Legislation**

Approving and designating Project H3 of the First Amendment to the Eleventh Street Corridor Tax Increment Financing Plan as a Redevelopment Project and adopting tax increment financing therefor.

The area selected for Redevelopment Project H3 is legally described as follows:

(Legal description to be provided to Law Department by TIF attorney)

**Resolution Special Instructions:**

Parchment Resolutions Required? Yes <input type="checkbox"/> Number No <input type="checkbox"/>	Wish to Review and Approve this Ordinance prior to its introduction. Requestor Does <input type="checkbox"/> Does Not <input type="checkbox"/>	If this is a Resolution, does the Sponsor desire the adoption on the first reading? Yes <input type="checkbox"/> No <input type="checkbox"/>	Date: 6/2/94 Richard L. DeHart Director's Signature
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**To be Used by the Finance Department**

Budget and Systems Date:	Account Numbers and Appropriation Balances Checked Date:	Fund Availability Approved Date:
Division Head Signature	Supervisor of Accounts Signature	Director of Finance Signature
Distribution: White City Clerk Blue City Clerk Green City Manager Canary City Counselor Pink Finance Dept. Goldenrod Department	EXHIBIT ATTACHED: _____ EXHIBIT NOT ATTACHED: _____	Date: 6/7 City Manager's Signature

Handwritten notes and scribbles at the top of the page, possibly including a date or initials.

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Sponsor: Robert L. Collins, Director of City Development  
Prepared by: Kathleen A. Hauser, Acting City Attorney

COMMITTEE REPORT NO. 1

Date \_\_\_\_\_

**PLANS & ZONING**

\_\_\_\_\_ Committee

Recommends Attached Ordinance/Res.:

☐ Do Pass ☐ Do Not Pass

☐ Be Adopted ☐ W/O Recommendation

Other action: \_\_\_\_\_

Chairman \_\_\_\_\_

Vice Chairman \_\_\_\_\_

Member \_\_\_\_\_

Member \_\_\_\_\_

Cathy Gordon Committee Secy.

☐ Present ☐ Ayes ☐ Abstain

☐ Absent ☐ Nays \_\_\_\_\_

(Name)

First Reading JUN 09 1994

**PLANS & ZONING**

\_\_\_\_\_ Committee

Second Reading \_\_\_\_\_

**PLANS & ZONING**

**HOLD** (Off Agenda) JUN 15 1994 *gh*

COMMITTEE REPORT NO. 2

Date \_\_\_\_\_

\_\_\_\_\_ Committee

Recommends Attached Ordinance/Res.:

☐ Do Pass ☐ Do Not Pass

☐ Be Adopted ☐ W/O Recommendation

Chairman \_\_\_\_\_

Vice Chairman \_\_\_\_\_

Member \_\_\_\_\_

Member \_\_\_\_\_

\_\_\_\_\_ Committee Secy.

☐ Present ☐ Ayes ☐ Abstain

☐ Absent ☐ Nays \_\_\_\_\_

(Name)

Third Reading \_\_\_\_\_

Passed \_\_\_\_\_

Effective \_\_\_\_\_



**ADVANCED**

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Sponsor: Robert Collins, Director of City Development  
Prepared by: Kathy Hauser, Assistant City Attorney

COMMITTEE REPORT NO. 1

Date 11-25-02  
PZEP Committee

Recommends Attached Ordinance/Res.:

☒ Do Pass ☐ Do Not Pass

☐ Be Adopted ☐ W/O Recommendation

Other action: ADVANCED

Chairman [Signature]

Vice Chairman Troy Nash

Member Mary Williams Neal

Member V. Thompson

Committee Secy.

3 Present 3 Ayes      Abstain

1 Absent      Nays Cooper  
(Name)

First Reading     

Committee

Second Reading 11-26-02

COMMITTEE REPORT NO. 2

Date       
     Committee

Recommends Attached Ordinance/Res.:

☐ Do Pass ☐ Do Not Pass

☐ Be Adopted ☐ W/O Recommendation

Chairman     

Vice Chairman     

Member     

Member     

Committee Secy.

     Present      Ayes      Abstain

     Absent      Nays       
(Name)

Third Reading     

Passed NOV 26 2002

Effective

