

GENERAL

Ordinance Fact Sheet

130394

Brief Title: Granting a temporary construction easement and an appurtenant easement related to Beacon Hill Student Housing Project over City-owned land

Approval Deadline: 5/23/13

Reason: To further the Beacon Hill Student Housing project

Ordinance Number

Details

Positions / Recommendations

<p>Reason for Legislation The developer of the Beacon Hill Student Housing Project currently proposes clearing the City-owned land on the west side of Troost Avenue across from the site of the proposed student housing project to construct an improved pedestrian pathway. The pathway would be a convenient pedestrian link between the housing and the various health sciences schools on the University’s Hospital Hill campus. The developer is Beacon Hill Student Housing Developers, L.C.</p> <p>To be able to construct this pedestrian pathway on City-owned land, a temporary construction easement is needed. To be able to make this pedestrian pathway available for its intended purpose, the appurtenant easement is needed.</p>	<p>Sponsor(s) City Manager and John A. Wood, Director, Neighborhoods and Housing Services Department</p>						
<p>Discussion (including relationship to other Council actions) The site of the proposed student housing project lies along the east side of Troost Avenue from 24th Street to just north of Beacon Hill Lane. The site of the proposed pedestrian pathway is directly across the street on the west side of Troost Avenue and lies to the south of the site of Health Department building. The land is unimproved and is owned by the City.</p> <p>This student housing project consists of both a housing facility currently designed to accommodate approximately 250 occupants and a structured parking garage.</p> <p>The following summarizes the Council’s, City’s and MDFB’s prior actions related to this student housing project: - Res. No. 120329 (adopted 4/12/12): expressed the Council’s priority support of the Student Housing Project and authorized the City Manager to take all steps necessary to move the Student Housing Project forward, including making application to the Missouri Development Finance Board (“MDFB”) for contribution tax credits (“Tax Credits”),</p>	<p>Programs, Departments, or Groups Affected Department of Neighborhoods and Housing Services Department; General Services Department and Land Clearance Redevelopment Authority</p>						
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Details

Policy / Program Impact

<ul style="list-style-type: none"> - Comm. Sub. for Ord. No. 120405 (5/10/12) which recognized BSHSD as the developer of the Student Housing Project, recognized the Student Housing Project as a significant project of the City in cooperation with the University of Missouri - Kansas City (“UMKC”), and authorized the City Manager (a) to execute an agreement with BSHSD for the development of the Student Housing Project as well as to assemble the necessary land for the Student Housing Project, which land was then owned by both the Housing and Economic Development Financial Corporation and the City and (b) to enter into a ground leasing agreement with BSHSD for the land; - Ord. No. 120435 on May 10, 2012, which authorized an application in the amount of \$5,000,000.00 be submitted to MDFB to support the Student Housing Project and authorized the City Manager to execute a tax credit agreement with the MDFB and BSHSD in connection with the Tax Credits; - City and BSHSD entered into a Development Agreement (5/24/12), which established that BSHSD would, among other obligations, perform the design, engineering and construction of the Student Housing Projects and use its best efforts to attain the University of Missouri System (“UMS”) as lessee or sub-lessee of the Student Housing Project under a long term ground lease; - MDFB approved the City’s application for Tax Credits in the sum of \$4,492,830.00 for the construction of the parking facilities (12/18/12); and - City and BSHSD entered into a 2nd Development Agreement, which restated their prior respective commitments to perform the obligations set forth in the previous agreements and added certain other requirements for complete implementation of the Student Housing Project; among which was that “BSHSD or its designee shall have the primary right to acquire from the City an easement over, across, under and through City owned property generally described as the north 100 feet of the vacant tract of land located at the Northwest corner of East 25th Street and Troost Avenue said vacant tract lying immediately south of the City Health Department, as may be beneficial to the Project, including but not limited to, right to construct and use of a pedestrian promenade which connects the Project to the UMKC Hospital Hill Campus, and to construct and use storm water and other infrastructure improvements <p>The appurtenant easement can be terminated with 120 days written notice if the site of the student housing project is no longer used for student housing.</p> <p>Is this ordinance good for the children? Yes. The granting of the easements will further the student housing project, which will provide housing for families with children.</p> <p>How will this ordinance contribute to a sustainable Kansas City? The development and construction of this student housing project will serve as a further catalyst to the future development of Beacon Hill and will help anchor future revitalization in this portion of the City’s urban core.</p>	<p>Policy or Program Change</p>	<p>9 No Yes</p>
	<p>Operational Impact Assessment</p>	
	<p>Finances</p>	
	<p>Cost and Revenue Projections</p>	<p>Cost of Legislation</p> <p>\$ -0-</p> <p>Increase/Decrease in Revenue Expected Annually</p> <p>No increase or decrease</p>
	<p>Fund Sources</p>	

Applicable Dates:

Reviewed By:

Fact Sheet Prepared By:

Galen Beaufort, Senior Associate City Attorney

Reference Numbers