



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution#: 240995  
Submitted Department/Preparer: Please Select  
Revised 8/3/23

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

### Executive Summary

Consider approval of 49<sup>th</sup> & Montgall PIEA General Development Plan.

### Discussion

Onyx Development Corporation ("Onyx"), the proponent of the 49<sup>th</sup> & Montgall PIEA General Development Plan, is a Missouri nonprofit corporation organized to redevelop blighted property east of Troost Avenue in Kansas City, Missouri. Onyx is planning to construct independent living structures for senior citizens on properties that have been non-revenue generating, non-tax producing status for 20 to 25 years. Most of the parcels in the Plan Area had been owned by Land Bank of Kansas City. Land Bank recently transferred the properties to Onyx which is pursuing the development plan to construct independent living structures for senior citizens.

### Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes   0 No
2. What is the funding source?  
The ordinance has no impact on the adopted city budget or Kansas City's finances.
3. How does the legislation affect the current fiscal year?  
The legislation does not affect the current fiscal year but will release the city from needing to cut grass or remove illegally dumped trash and debris.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.  
The legislation will release the city of any obligation to cut grass or remove illegally dumped trash and debris in the future.

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

The legislation has the affect of returning parcels that have been in nonrevenue generating, nontax producing status for a substantial number of years to productive use and to address Kansas City's critical need for affordable housing. Furthermore, returning the property to productive use will generate construction jobs and greatly deter the illegal dumping that otherwise plagues the area.

### Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund.  Yes  No
2. This fund has a structural imbalance.  Yes  No
3. Account string has been verified/confirmed.  Yes  No

### Additional Discussion (if needed)

Click or tap here to enter text.

## Citywide Business Plan (CWBP) Impact

1. View the [FY23 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?  
Housing and Healthy Communities (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
- Maintain and increase affordable housing supply to meet the demands of a diverse population
  - Broaden the capacity and innovative use of funding sources for affordable housing
  - Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
  - Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
  - Address the various needs of the City's most vulnerable population
  - Utilize planning approaches to improve the City's neighborhoods

## Prior Legislation

There are no prior related ordinances or resolution related to this particular matter

## Service Level Impacts

This legislation will relieve the City of Kansas City of the need to cut the grass or remove the illegally dumped trash, debris, appliances, etc. that has plagued this area for a lifetime.

## Other Impacts

1. What will be the potential health impacts to any affected groups?  
Senior citizens will have the opportunity to purchase affordable homes in a planned community where lawn maintenance and snow removal will be provided uniformly by a homeowner association.
2. How have those groups been engaged and involved in the development of this ordinance?  
The board of directors and executive director of the proponent are senior citizens.
3. How does this legislation contribute to a sustainable Kansas City?  
This legislation will turn land that has been nonrevenue generating, nontax producing status to productive status and provide much-needed, independent living structures for senior adults that are affordable.
4. Department staff certifies the submission of any applicable Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), Non-Discrimination documents, and Letters of Intent to Subcontract (LOIs) to CREO prior to the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

Click or tap here to enter text.

5. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

6. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?

No(Press tab after selecting)

ORDINANCE NO. \_\_\_\_\_

Approving the 49<sup>th</sup> and Montgall PIEA General Development Plan on an irregular shaped tract approximately four acres generally located east of Prospect Avenue to Montgall Avenue between 49<sup>th</sup> and 51<sup>st</sup> Street in Kansas City, Missouri, and declaring said area to be blighted and in need of redevelopment and rehabilitation. (CD-CPC- 2023-00061)

WHEREAS, the Planned Industrial Expansion Authority of Kansas City, Missouri (the “Authority”) did prepare or cause to be prepared the 49<sup>th</sup> and Montgall 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 of the 49<sup>th</sup> and Montgall PIEA General Development Plan on June 20, 2023, as evidenced by its disposition of the case and its written recommendations submitted to the City; and

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; and

WHEREAS, on October 6, 2016, the City did pass Second Committee Substitute for Ordinance No. 160383, as amended, which Ordinance No. 160383, as amended, enacted guidelines on the City’s use of abated and exempted real property taxes in funding economic development projects; and

WHEREAS, Section 9 of Ordinance No. 160383, as amended, provides that notwithstanding the guidelines set forth therein, the Council retains its discretion to authorize the capture and redirection, or abatement or exemption, in whole or in part, of ad valorem real property taxes to the full extent authorized by any provision of law;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the Council declares the area of approximately 4.0 acres generally located generally located east of Prospect Avenue to Montgall Avenue between 49<sup>th</sup> and 51<sup>st</sup> Street in Kansas City, Missouri, and more specifically described on **Exhibit A** attached hereto and incorporated herein by reference, to be a blighted area as defined in Section 100.310, RSMo, and more specifically finds that there is a predominance of insanitary and unsafe conditions, deterioration of site improvements, and/or 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 the 49<sup>th</sup> and Montgall PIEA General Development Plan prepared by the Authority and recommended to the Council is intended to and shall affect and be

applicable to only the real property specifically described in Section 1 above and is hereby approved. A copy of said General Development Plan is attached to this ordinance and is made a part hereof.

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

Section 4. That the 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 5. That the ad valorem tax exemption benefits as authorized in Section 100.570, RSMo, are hereby extended to the General Development Plan area to the extent and in the manner as provided for in said General Development Plan and subject to the execution of a development agreement with the Authority and the developer.

Section 6. That pursuant to Section 9 of Second Committee Substitute for Ordinance No. 160383, as amended, the City Council hereby authorizes the abatement of ad valorem real property taxes to the full extent authorized by Section 100.570, RSMo with respect to any project in the General Development Plan area providing affordable housing or housing at deeper levels of affordability, as such terms are defined in Code Section 74-11.

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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.

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Secretary, City Plan Commission

Approved as to form and legality:

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[Emalea Black]  
Assistant City Attorney



EXHIBIT A

LEGAL DESCRIPTION

49<sup>th</sup> & Montgall PIEA Planning Area  
Legal Description

The 49<sup>th</sup> & Montgall PIEA Planning Area is generally bound by Dr. Martin Luther King, Jr. Boulevard and E. 49<sup>th</sup> Street on the north, the eastern property line of those properties fronting Montgall Avenue and E. 49<sup>th</sup> Street on the east, the eastern right-of-way of U.S. Highway 71 on the south and west, and Prospect Avenue on the west in Kansas City, Jackson County, Missouri, and more specifically described as follows:

BEGINNING at the intersection of the Easterly right-of-way line of Montgall Avenue, as now established and the Southerly right-of-way line of E. 49<sup>th</sup> Street as now established; thence Easterly along the Southerly right-of-way line of E. 49<sup>th</sup> Street to a point of intersection with the Northwesterly corner of Lot 69, LEBANON, a subdivision in Kansas City, Jackson County, Missouri; thence Southerly along the Westerly boundary of said Lot 69 and of Lots 70 through 83, LEBANON, a subdivision in Kansas City, Jackson County, Missouri, to a point of intersection with the Southwesterly point of Lot 83, LEBANON, a subdivision in Kansas City, Jackson County, Missouri; thence Westerly along the Westerly prolongation of the Southerly boundary of said Lot 83 to a point of intersection with the Westerly right-of-way line of Montgall Avenue, as now established; thence Northwesterly along said right-of-way to a point of intersection with the Southerly point of parcel 31-430-11-28-00-0-00-000 (this and all subsequent Parcel numbers referenced herein are based on the parcel identification numbers used by the Jackson County, Missouri Assessment Department); thence Northwesterly along the Southerly boundary of said parcel to a point of intersection with the Easterly right-of-way line of Prospect Avenue, as now established; thence Northerly along said right-of-way line of Prospect Avenue to a point of intersection with the Northerly boundary of parcel 31-430-10-23-00-0-00-000; thence Easterly along said Northerly boundary of parcel 31-430-10-23-00-0-00-000 and continuing Easterly along the Northerly boundary of parcel 31-430-10-25-00-0-00-00, to a point of intersection with the Westerly right-of-way line of Montgall Avenue, as now established; thence Southerly along said Westerly right-of-way line of Montgall Avenue to a point of intersection with the Southerly right-of-way line of E. 49<sup>th</sup> Street as now established; thence Easterly along the prolongation of the Southerly right-of-way line of E. 49<sup>th</sup> Street to the Point of Beginning.