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**File #: 230677**

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ORDINANCE NO. 230677

Approving a modification of the incentivized project construction timeline for the Tilden Station Project located generally at 1 East 135th Street.

WHEREAS, the City Council initially approved the Martin City Neighborhood Urban Renewal Area ("The Plan") by Ordinance No. 090420, passed on June 25, 2009, to eliminate and prevent the spread, development and recurrence of the blighted conditions within the Martin City Neighborhood Urban Renewal Plan ("Plan Area"); and

WHEREAS, pursuant to Land Clearance Redevelopment Authority ("LCRA") Resolution No. 5-3-21, adopted May 26, 2021, the LCRA approved a project (the "Project") located generally at 1 East 135th Street ("Project Area") and approved a tax incentive package for the Project to include sales tax exemption on construction materials and a ten-year abatement of the increase in property taxes at 75% abatement in years 1-10; and

WHEREAS, subsequent to the approval of the Project by LCRA, the implementation of the Project was delayed by reason of causes including litigation involving the previous property owner that prevented conveyance of title, and delays in taxing authorities recombining separate parcels into one tax parcel; and

WHEREAS, pursuant to LCRA Resolution No. 8-7-23, on August 4, 2023, the LCRA approved a Sale/Leaseback and Redevelopment Contract (the "Redevelopment Contract") for the implementation of the Project; and

WHEREAS, on April 13, 2023, Council approved Ordinance No. 230316, enacting Code § 74-12, which provides default construction timelines for incentivized projects; and

WHEREAS, Code § 74-12 provides that construction at the Project must be substantially complete by June 1, 2024; and

WHEREAS, the construction delay for the Project is due to no fault of Martin City Venture LLC ("Redeveloper"), and Redeveloper has represented that it cannot complete construction of the Project by June 1, 2024; and

WHEREAS, the Redevelopment Contract provides for completion of the Project by June 30, 2026, subject to approval by the Council of the modification of the construction timeline under Code § 74-12 to June 30, 2026; and

WHEREAS, the Council believes that the public purpose supporting the Project remains unchanged and the incentives remain appropriate; and

WHEREAS, Code § 74-12 provides that Council may modify the construction timelines for projects; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That pursuant to Code § 74-12, the timeline for the substantial completion of the Tilden Station Project, located generally at 1 East 135th Street, is hereby modified to require substantial completion by June 30, 2026.

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Approved as to form:



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Emalea Black  
Associate City Attorney



Authenticated as Passed



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Quinton D. Williams, Mayor

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Marilyn Sanders, City Clerk

AUG 24 2023

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Date Passed