



Legislation Text

File #: 240622, Version: 1

ORDINANCE NO. 240622

Sponsor: City Manager

Approving and designating Redevelopment Project Area 8 of the Arlington Road Tax Increment Financing Plan as a Redevelopment Project Area; and adopting tax increment financing therefore.

WHEREAS, pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the “Act”), the City Council of Kansas City, Missouri (the “City Council”) 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, Ordinance No. 100089, as amended, passed on January 28, 2010, and Ordinance No. 130986, passed on December 19, 2013, Committee Substitute for Ordinance No. 140823, as amended on, June 18, 2015 and Committee Substitute for Ordinance No. 230524, passed on June 22, 2023, created the Tax Increment Financing Commission of Kansas City, Missouri (the “Commission”); and

WHEREAS, on November 6, 2014, the City Council passed Committee Substitute for Ordinance No. 140916 approving the Arlington Road Tax Increment Financing Plan (the “Redevelopment Plan”), and designated the area described therein as a redevelopment area (the “Redevelopment Area”); and

WHEREAS, the City Council, by Ordinance No. 150758, accepted the recommendations of the Commission, and approved the First Amendment to the Redevelopment Plan on September 17, 2015; and

WHEREAS, the City Council, by Ordinance No. 160241, accepted the recommendations of the Commission, and approved the Second Amendment to the Redevelopment Plan on April 7, 2016; and

WHEREAS, the City Council, by Ordinance No. 170865, accepted the recommendations of the Commission, and approved the Third Amendment to the Redevelopment Plan on November 9, 2017; and

WHEREAS, the City Council, by Ordinance No. 180280, accepted the recommendations of the Commission, and approved the Fourth Amendment to the Redevelopment Plan on June 21, 2018; and

WHEREAS, the City Council, by Ordinance No. 190996, accepted the recommendations of the Commission, and approved the Fifth Amendment to the Redevelopment Plan on December 19, 2019; and

WHEREAS, the City Council, by Ordinance No. 210981, accepted the recommendations of the Commission, and approved the Sixth Amendment to the Redevelopment Plan on November 10, 2021; and

WHEREAS, the City Council, by Ordinance No. 220090, accepted the recommendations of the Commission, and approved the Seventh Amendment to the Redevelopment Plan on February 3, 2022; and

WHEREAS, the City Council, by Ordinance No. 221033, accepted the recommendations of the Commission, and approved the Eighth Amendment to the Plan on December 8, 2022; and

WHEREAS, a Ninth Amendment to the Redevelopment Plan (the "Ninth Amendment") and a new Redevelopment Project Areas 8 were each proposed to the Commission and the Commission, having been duly constituted in accordance with Section 99.820.3 of the Act, and its members appointed, after proper notice was given, met in public hearing, and after receiving the comments of all interested persons and taxing districts, closed the public hearing on July 10, 2024, and adopted Resolution No. 07-2-24 recommending approval of the Ninth Amendment to the Redevelopment Plan and Resolution 7-3-24 recommending the approval and designation of Redevelopment Project Area 8; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That 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. That the area selected for Redevelopment Project Area 8 is legally described as follows:

Part of Hunt Midwest Business Park-Seventh Plat, a subdivision of land Recorded as Instrument Number 2024004241 in Book J at Page 39.1 in the Clay County Recorder of Deeds Office also being part of Tract E-2 of a lot split recorded as Instrument Number 2022015145 in Book I at Page 168.2 in said Clay County Recorder of Deeds Office along with an unplatted piece of land all falling within the West Half of Section 35 and Southeast Corner of Section 34, Township 51 North, Range 32 West of the 5th Principal Meridian and the East Half of Section 3 and Northwest Corner of Section 2, Township 50 North, Range 32 West of the 5th Principal Meridian in Kansas City, Clay County, Missouri being bounded and described by or under the direct supervision of Jeffrey P. Means P.L.S. 2000147866, as a tax increment financing area as follows: Beginning at the Northeast corner of Tract L of said Hunt Midwest Business Park-Seventh Plat; thence South 41°02'08" West on the Easterly line of said Tract L, 597.16 feet; thence South 00°00'00" East on said Easterly line, 847.67 feet; thence South 34°37'23" East on said Easterly line, 264.19 feet; thence leaving said Easterly line North 89°33'41" West, 292.30 feet; thence South 19°59'06" East, 715.16 feet; thence South 00°15'10" West, 339.90 feet to a point on the North line of TIF Area 2; thence continuing on the exterior of said TIF Area 2 for the following three calls North 89°31'27" West, 373.15 feet; thence South 00°25'29" West, 785.00 feet; thence South 89°33'08" East, 937.57 feet to a point on the exterior line of TIF Area 7; thence leaving the exterior line of said TIF Area 2 South 00°00'00" East on said exterior line of said TIF Area 7, a distance of 772.42 feet; thence South 88°41'54" East on said exterior line of TIF Area 7, a distance of 833.97 feet; thence leaving said exterior line of TIF Area 7 South 01°18'06" West, 450.00 feet; thence North 88°41'54" West, 649.72 feet; thence South 02°27'36" East, 22.53 feet; thence South 69°00'37" West, 353.66 feet to a point on the Southerly line of Tract K of said Hunt Midwest Business Park-Seventh Plat; thence South 82°54'45" West on said Southerly line, 229.08 feet; thence North 11°42'53" West on said Southerly line, 420.70 feet; thence South 52°54'38" West on said Southerly line, 1,272.13 feet; thence South 60°10'53" West on said Southerly line, 60.00 feet to the Southwest corner of said Tract K also being the Southeast corner of Lot 39 of said Hunt Midwest Business Park-Seventh Plat; thence South 71°00'48" West on the Southerly line of said Lot 39, a distance of 716.87 feet; thence North 89°18'02" West on said Southerly line, 534.67 feet to a point on the Westerly line of said Lot 39; thence North 00°42'01" East on said Westerly line, 242.57 feet; thence North 89°27'50" West on said Westerly line, 7.24

feet to the Southwest corner of the East Half of the Northeast corner of Section 3, Township 50 North, Range 32 West of the 5th principal meridian; thence North 00°44'11" East on said Westerly line, 2,643.50 feet to the Southwest corner of said East Half of said Northeast Quarter also being the Northwest corner of said Lot 39; thence South 89°13'15" East on said Westerly line, 31.02 feet to the Southwest corner of Lot 41 of said Hunt Midwest Business Park-Seventh Plat; thence North 00°23'38" East on the Westerly line of said Lot 41, a distance of 2,008.81 feet; thence North 64°28'03" East, 1,239.99 feet; thence South 89°54'49" East, 682.66 feet; thence North 56°39'53" East, 1,060.40 feet to a point on the existing Westerly right-of-way line of the Norfolk and Western Railroad as now established; thence Southeasterly on said existing Westerly right-of-way line along a curve to the left having an initial tangent bearing of South 41° 37'47" East with a radius of 2,080.08 feet, a central angle of 06°27'47" and an arc distance of 234.63 feet; thence leaving said existing Westerly right-of-way line South 41°02'08" West, 681.42 feet to the Point of Beginning. Containing 11,705,296 square feet or 268.72 acres, more or less all lying above the Winterset Ledge of limestone rock. In areas where the Winterset Ledge is absent, lying above the Bethany Falls Ledge. all other areas where no ledge is present lying above the Elevation 720 (NAVD88). Except all those portions within dedicated right-of-way.

Section 3. That tax increment allocation financing is hereby adopted for taxable real property in the above-described area selected for Redevelopment Project Area 8. After the total equalized assessed valuation of the taxable real property in Redevelopment Project Area 8 exceeds the certified total initial equalized assessed valuation of the taxable real property in Redevelopment Project Area 8, 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 project 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 Area 8 shall be allocated to and, when collected, shall be paid by the Clay 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 Area 8 over and above the initial equalized assessed value of each such unit of property in the area selected for Project Area 8 shall be allocated to and, when collected, shall be paid to the City Treasurer who shall deposit such payments 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. That 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 and certain taxing districts, and which are generated by economic activities within the area selected for Project Area 8 over the amount of such taxes generated by economic activities within such area in the calendar year prior to the passage of this ordinance, while tax increment financing remains in effect, but excluding certain taxes, fees and special

assessments specifically identified by the Act, 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, which are necessary to the payment of Redevelopment Project Costs identified by the Redevelopment Plan, in a separate segregated account within the Special Allocation Fund for the purpose of paying Redevelopment Project Costs.

Approved as to form:

Emalea Black
Associate City Attorney