

**Barry Towne TIF Plan: Public hearing to consider the 3rd Amendment to the Barry Towne TIF Plan and the termination of the designation of Redevelopment Project Areas VIII and IX. (Dan Moye)**

**Purpose:** The purpose of this hearing is for the TIF Commission to consider recommending to the City Council of Kansas City, Missouri (the “City Council”) approval of the 3rd Amendment of the Barry Towne TIF Plan (“the Plan”) and the termination of the designation of Redevelopment Project Areas VIII and IX described herein.

The Plan was approved by the City Council of Kansas City, Missouri by Ordinance No. 960307 (referred to herein as the “Plan”), and Ordinance No. 011203 (referred to herein as the “First Amendment”), and Ordinance No. 040807 (referred to herein as the “Second Amendment”).

Redevelopment Project Area VIII was approved by Ordinance No. 960311. Redevelopment Project Area IX was approved by Ordinance No. 960310.

**Redevelopment Plan Area:** The Redevelopment Area consists of approximately 345 acres generally located at the intersection of U.S. Route 169 and N.W. Barry Road and described as being generally bounded by U.S. Route 169 on the east, the extension of 80th Street on the South, Missouri Route 152 on the north, and N.W. Stagecoach Road (north of N.W. Barry Road) and Hickory Road (South of N.W. Barry Road) on the west (the “Redevelopment Area”) in the that portion of Kansas City, Missouri (the “City”) located in Clay County.

**Notices:** Notices regarding the public hearing were sent to all affected taxing jurisdictions by certified mail on March 25, 2016. Staff published notice in a newspaper of general circulation within the area for the proposed development, including publication in The Kansas City Star on April 22, 2016 and May 4, 2016.

Staff prepared and delivered notices by certified mail regarding the public hearing on April 29, 2016 to the person or persons in whose names the general taxes for the last preceding year were paid on each lot, block, tract or parcel of land located within the redevelopment project or plan area, which shall be subject to payments in lieu of taxes and economic activity taxes.

**Modifications Proposed by the 3rd Amendment to the Plan**

Modifications to the TIF Plan Boundary. The Third Amendment provides (a) for a modification to the legal description of the Redevelopment Area, (b) the elimination of all improvements contemplated by or funded with tax increment financing generated by

Redevelopment Project Areas VIII and IX, (c) for a modification to the legal description of Project Area VI, and (d) for a modification to the legal description of Project Area X.

The intent of the Plan remains unchanged other than those changes specifically mentioned herein.

**Statutory Findings:** It is Staff's recommendation that the 3rd Amendment does not alter the previous required statutory findings made by the Commission and the City. Specifically,

- **Economic Development Area:** The 3rd Amendment does not alter the Commission's and City's previous finding that the Redevelopment Area on the whole is an economic development area and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. This amendment would not change these findings.
- **Finding the Area Conforms to the City's Comprehensive Plan:** The changes contemplated by the 3rd Amendment are of a nature that they do not alter the TIF Commission's and City's previous finding that the Barry Towne TIF Plan conforms with the City's FOCUS Plan and the applicable Area Plan.
- **Redevelopment Schedule:** The 3rd Amendment does not alter the Commission's and City's finding that the estimated date of completion of any redevelopment project described by the Plan and retirement of obligations incurred to finance redevelopment project costs identified by the Plan shall not occur later than twenty-three (23) years after such redevelopment project is approved by ordinance.
- **Relocation Plan:** The changes contemplated by the 3rd Amendment are of a nature that they do not alter the previous relocation assistance plan that is a part of the Barry Towne TIF Plan. The 3rd Amendment does not contemplate the relocation of any businesses or residents.
- **Gambling Establishment:** The 3rd Amendment does not include development or redevelopment of any gambling establishment.
- **Acquisition by Eminent Domain:** The 3rd Amendment does not contemplate that any property located within a Redevelopment Project Area will be acquired by eminent domain later than five (5) years from the adoption of the Ordinance approving such Redevelopment Project.

- **Date to Adopt Redevelopment Project:** The 3rd Amendment does not provide for the adoption of an Ordinance approving any Redevelopment Project later than ten (10) years from the adoption of the Plan.