

# COMMUNITY PROJECT/ZONING

## Ordinance Fact Sheet

Case Nos. 132-S-42 & 594-S-2

### Brief Title

### Approval Deadline

To consider amending the Westport Planning Area Plan on about 3.35 acres and an amendment to the Ellison-Knickerbocker PIEA Plan.

### Details

### Positions/Recommendations

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
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| <b>Specific Address</b><br>Generally bounded by W. 34 <sup>th</sup> Street on the north, W. 36 <sup>th</sup> Street on the south, Wyandotte Street on the east and Pennsylvania Avenue on the west.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Reason for Legislation</b><br><b>a)</b> To consider amending Westport Planning Area Plan by changing the recommended land use on 3.35 acres from Office to Mixed Use.<br><b>b)</b> To consider approval of the Second Amended and Restated Ellison/Knickerbocker PIEA Plan on about 12 acres, , and declare the area blighted and insanitary and in need of redevelopment and rehabilitation pursuant to the Missouri Planned Industrial Expansion Authority (PIEA) Law                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Discussion</b><br><b>EXISTING CONDITIONS:</b><br><br>The existing First Amended Ellison/Knickerbocker PIEA Planning Area is generally located within the boundaries of 34 <sup>th</sup> Street south to 36 <sup>th</sup> Street and from Wyandotte Street west to Pennsylvania Avenue. The Second Amended Ellison/Knickerbocker PIEA Planning Area (the "Amended Planning Area") expands the existing Planning Area to the north with the addition of seven properties.<br><br><b>PLAN REVIEW &amp; ANALYSIS:</b><br><br><b>Case No. 132-S-42</b> is a request to consider amending the Westport Planning Area Plan, on about 4 acre tract of land, generally bounded by W. 34 <sup>th</sup> Street on the north, W. 34 <sup>th</sup> Terrace on the south, Broadway Boulevard on the east and Washington Street on the west by changing the recommended land use from Office to Mixed Use. Staff supports this change in land use.<br><br><b>Case No. 594-S-2:</b><br>The property to be added (the "Expansion Area") is generally bounded by 34 <sup>th</sup> Street on the north, Broadway Boulevard on the east, W. 34 <sup>th</sup> Terrace on the south, and Pennsylvania Avenue on the west. The Expansion Area includes; the Missouri Gas Energy Headquarters; a small one-story medical office building; a two-story residential duplex; and a one-story retail parcel. The MGE building is an eight-story concrete structure built in 1984 and consists of almost 117,000 square feet of office space. Missouri Gas Energy occupies 95% of the building currently, but will be |

|                                                  |                                                                                                                                                                                                                                                                                                                               |
|--------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Sponsor</b>                                   | Jeffrey Williams, AICP, Director<br>Department of City Planning and Development                                                                                                                                                                                                                                               |
| <b>Programs, Departments, or Groups Affected</b> | 4th District (Glover & Marcason)                                                                                                                                                                                                                                                                                              |
| <b>Applicants / Proponents</b>                   | <b>Applicant</b> Planned Industrial Expansion Authority<br>20 E 5 <sup>th</sup> Street, Suite 200<br>Kansas City, Missouri<br><br><b>City Department</b><br>City Development<br><b>Other</b>                                                                                                                                  |
| <b>Opponents</b>                                 | <b>Groups or Individuals</b><br><br><b>Basis of opposition</b>                                                                                                                                                                                                                                                                |
| <b>Staff Recommendation</b>                      | <input checked="" type="checkbox"/> For<br><input type="checkbox"/> Against<br><br><b>Reason Against</b>                                                                                                                                                                                                                      |
| <b>Board or Commission Recommendation</b>        | City Plan Commission (7-0) 05-05-2015<br><b>By</b> Aye: (Archie, Baker-Hughes, Burnette, Crowl, Martin, May & Macy).<br><input checked="" type="checkbox"/> For <input type="checkbox"/> Against <b>No action taken</b><br><br><input type="checkbox"/> For, with revisions or conditions (see details column for conditions) |
| <b>Council Committee Actions</b>                 | <input type="checkbox"/> Do pass<br><input type="checkbox"/> Do pass (as amended)<br><input type="checkbox"/> Committee Sub.<br><input type="checkbox"/> Without Recommendation<br><input type="checkbox"/> Hold<br><input type="checkbox"/> Do not pass                                                                      |

Ordinance Number

**Details****CONTINUED:****REZONING TO UR:**

In compliance with City policy, the plan states that "Rezoning to District UR (Urban Redevelopment) will be required for all redevelopment seeking PIEA abatement unless the developer follows the Department of the Interior Standards or rezoning is waived by the City Planning Department Director. Rezoning to UR or granting of a waiver must be complete prior to the commencement of any PIEA incentives under this plan."

**EMINENT DOMAIN:**

The plan states that PIEA does not anticipate exercising the power of eminent domain within the expansion area, except perhaps to clear title, and will limit the use of eminent domain to five years from the approval of the amended plan. Should eminent domain be necessary to acquire real property in the future, the Amended Plan shall be amended and require approval of the PIEA and the City Council. Any use of eminent domain shall satisfy the requirements of Chapter 523, RSMo.

**BLIGHT STUDY:**

City staff does not participate in the determination of blight. The presentation on blight will be given by the PIEA consultant or Economic Development Corporation staff. The following information has been provided.

The plan states that the following existing conditions leading to the finding of blight, and further, that these factors have led to economic liability and underutilization of 3535 Broadway Boulevard.

- Deteriorating Site Improvements. Due to the age and deferred maintenance of improvements within the 2nd Amended Redevelopment Area, significant site improvement deterioration has occurred. The most common examples of structural deterioration found in the 2nd Amended Redevelopment Area involved deterioration of roofs, masonry walls, and windows, failure of finishes, and deterioration of driveways and surface parking.
- Insanitary or Unsafe Conditions. Due to the presence of

**Policy/Program Impact**

|                                      |                                                          |
|--------------------------------------|----------------------------------------------------------|
| <b>Policy or Program Change</b>      | <input type="checkbox"/> No <input type="checkbox"/> Yes |
| <b>Operational Impact Assessment</b> |                                                          |

**Finances**

|                                                                   |  |
|-------------------------------------------------------------------|--|
| <b>Cost &amp; Revenue Projections -- Including Indirect Costs</b> |  |
| <b>Financial Impact</b>                                           |  |
| <b>Fund Source (s) and Appropriation Account Codes</b>            |  |

**Fact Sheet Prepared By:**

Olofu O. Agbaji  
Staff Planner

Date: 06-05-2015

**Reviewed by:**

Diane M. Binckley, Division Manager  
Development Management

Date: 06-08-2015

**Reference Numbers**

**Cases No. 132-S-42 & 594-S-2**

Initial application filed: 03-20-2015

Revised plan submitted: 06-05-2015

**CONTINUED:**

The blighting factors stated above have led to the following:

Economic Liability/Underutilization. Due to the age of the facilities, deterioration of improvements, the presence of insanitary and unsafe conditions throughout the 2<sup>nd</sup> Amended Redevelopment Area, and the declining assessed values and vacancies, the 2<sup>nd</sup> Amended Ellison/Knickerbocker PIEA Redevelopment Area represents an economic liability or an economic underutilization to itself and the surrounding areas.

The Blight Study, dated February 13, 2015, accompanies the General Development Plan and was completed by STERRETT URBAN LLC. The study concludes that the area is blighted as defined by RSMo 100.310.

**SIGNAGE:**

Within the Expansion Area, in exchange for tax abatement, or any other assistance from PIEA, on any tracts owned by the owner or leaseholder of a legally established freestanding outdoor advertising sign, the developer agrees to remove the freestanding outdoor advertising sign upon the expiration of any lease which existed at the time this Amended Plan was approved, and no new freestanding outdoor advertising signs will be allowed.



