



## Agenda

### Neighborhood Planning and Development Committee

Lee Barnes Jr., Chair  
Andrea Bough, Vice Chair  
Dan Fowler  
Brandon Ellington  
Teresa Loar

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**Wednesday, September 29, 2021**

**1:30 PM**

**26th Floor, Council Chamber**

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#### PUBLIC OBSERVANCE OF MEETINGS

Members of the City Council may attend this meeting via videoconference.

Any closed session may be held via teleconference.

The public can observe this meeting at the links provided below.

Applicants and citizens wishing to participate have the option of attending each meeting or they may do so through the videoconference platform ZOOM, using this link:

<https://us02web.zoom.us/j/84530222968>

The public can observe this meeting at the links provided below.

Applicants and citizens wishing to participate have the option of attending each meeting or they may do so through the videoconference platform ZOOM, using this link:

<https://us02web.zoom.us/j/84530222968>

#### **210856**

Rezoning an area of about 1.2 acres generally located at the southeast corner of E. 3rd Street and Oak Street from District DC-15 to District UR, and approving a development plan, which also acts as a preliminary plat, to allow for construction of a multi-family residential building.  
(CD-CPC-2021-00095)

**Attachments:** [Fact Sheet](#)

#### **Lucas**

#### **210873**

Amending Chapter 2, Code of Ordinances, by repealing Section 2-1693, "Housing trust fund" and replacing it with a new Section 2-1693 of like title, for the purpose of establishing a governing body to review Housing Trust Fund ("HTF") applications, with reporting requirements, funding allocation direction and prioritization of fund use; and requiring the application process to begin within 90 days.

**Attachments:** [No Fact Sheet](#)

**Robinson, Lucas and Parks-Shaw**

**210876** Authorizing the Director of Housing and Community Development to amend Central City Economic Development (“CCED”) funding agreements with Emmanuel Family & Child Development Center and Emergency Shelter for Children, Urban Neighborhood Initiative, Inc, Linwood Property, Inc. and Ivanhoe Neighborhood Council, to allow for pre-payment of up to 50% of eligible expenses; and requiring those organizations provide a written report every 90 days to the City Manager detailing how the pre-paid expenses were spent.

**Attachments:** [No Fact Sheet](#)

**210880** Detaching from the City approximately .62 acres generally located on the north side of N.E. 76th Street between N. Agnes Avenue on the east and N. Kansas Avenue on the west, at the address generally known as 3000 N.E. 76th Street, upon the annexation of said property by the City of Gladstone, Missouri.

**Attachments:** [Fact Sheet Gladstone](#)  
[Gladstone Annex Fiscal](#)

HELD IN COMMITTEE

**190954** Accepting the recommendations of the Tax Increment Financing Commission as to the Performing Arts Campus Tax Increment Financing Plan and denying the Performing Arts Campus Tax Increment Financing Plan.

**Attachments:** [Fact Sheet](#)  
[RFWG Hotel BRAVO PowerPoint Presentation - NPD 9.29.21 \(935167xA006D\)](#)

**190955** Approving and designating Project 1 of the Performing Arts Campus Tax Increment Financing Plan as a Redevelopment Project; and adopting tax increment financing therefor.

**Attachments:** [No Fact Sheet](#)

**190956** Approving and designating Project 2 of the Performing Arts Campus Tax Increment Financing Plan as a Redevelopment Project; and adopting tax increment financing therefor.

**Attachments:** [No Fact Sheet](#)

**Bough**

- 210565** Amending Chapter 74, Code of Ordinances, by enacting a new Article VII that establishes the City's comprehensive policy for the approval of new community improvement districts and existing community improvement districts; and repealing Second Committee Substitute for Resolution No. 120605 and Resolution No. 130844.

**Attachments:** [fact sheet](#)  
[CID Ordinance Fact Sheet - FINAL](#)

ADDITIONAL BUSINESS

1. There may be a general discussion regarding current Neighborhood Planning and Development Committee issues

2. Closed Session

- Pursuant to Section 610.021 subsection 1 of the Revised Statutes of Missouri to discuss legal matters, litigation, or privileged communications with attorneys;
- Pursuant to Section 610.021 subsection 2 of the Revised Statutes of Missouri to discuss real estate;
  - Pursuant to Section 610.021 subsections 3 and 13 of the Revised Statutes of Missouri to discuss personnel matters;
- Pursuant to Section 610.021 subsection 9 of the Revised Statutes of Missouri to discuss employee labor negotiations;
- Pursuant to Section 610.021 subsection 11 of the Revised Statutes of Missouri to discuss specifications for competitive bidding;
- Pursuant to Section 610.021 subsection 12 of the Revised Statutes of Missouri to discuss sealed bids or proposals; or
- Pursuant to Section 610.021 subsection 17 of the Revised Statutes of Missouri to discuss confidential or privileged communications with auditors.

3. Those who wish to comment on proposed ordinances can email written testimony to [public.testimony@kcmo.org](mailto:public.testimony@kcmo.org). Comments received will be distributed to the committee and added to the public record by the clerk.

The city provides several ways for residents to watch City Council meetings:

- Livestream on the city's website at [www.kcmo.gov](http://www.kcmo.gov)
- Livestream on the city's YouTube channel at <https://www.youtube.com/watch?v=3hOuBIg4fok>
- Watch Channel 2 on your cable system. The channel is available through Time Warner Cable (channel 2 or 98.2), AT&T U-verse (channel 99 then select Kansas City) and Google Fiber on Channel 142.
- To watch archived meetings, visit the City Clerk's website and look in the Video on Demand section: [http://kansascity.granicus.com/ViewPublisher.php?view\\_id=2](http://kansascity.granicus.com/ViewPublisher.php?view_id=2)

The City Clerk`s Office now has equipment for the hearing impaired for use with every meeting. To check out the equipment please see the secretary for each committee. Be prepared to leave your Driver`s License or State issued Identification Card with the secretary and she will give you the equipment. Upon returning the equipment your license will be returned

Adjournment



Legislation Text

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**File #: 210856, Version: 1**

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ORDINANCE NO. 210856

Rezoning an area of about 1.2 acres generally located at the southeast corner of E. 3rd Street and Oak Street from District DC-15 to District UR, and approving a development plan, which also acts as a preliminary plat, to allow for construction of a multi-family residential building. (CD-CPC-2021-00095)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, commonly known as the Zoning and Development Code, is hereby amended by enacting a new section to be known as Section 88-20A-1297, rezoning an area of approximately 1.2 acres generally located at the southeast corner of E. 3rd Street and Oak Street from District DC-15 (Downtown Core 15) to District UR (Urban Redevelopment), said section to read as follows:

Section 88-20A-1297. That an area legally described as:

File No. B19-3016 DeFeo Apartments April 15, 2021 V\_PP\_93016 Preliminary Plat Property Description All of Lots 393, 394 and 395, Block 35, together with all of Lots 396 and 397, Block 36, together with all that part of Vacated Fourth Street right of way, all as established in Town of Kansas, a subdivision in Kansas City, Jackson County, Missouri, and as vacated in Document 1965B0506737, all in Fractional Section 32, Township 50 North, Range 32 West, more particularly described by Patrick Ethan Ward, MOPLS-2005000071, of Olsson, MOLC-366, as follows: BEGINNING at the Northwest corner of Block 35, Town of Kansas, a subdivision in Kansas City, Jackson County, Missouri; thence North 75 degrees 36 minutes 37 seconds East, on the North line of said Block 35, a distance of 142.65 feet to the Northeast corner of Lot 395 of said Block 35; thence South 14 degrees 33 minutes 00 seconds East, on the Easterly line of said Lot 395, and on the East line of Lots 394 and 393 of said Block 35, and on the Southeasterly extension of said East line, and on the East line of Lots 396 and 397 of Block 36 of said Town of Kansas, a distance of 350.79 feet to the Southeast corner of said Lot 397; thence South 75 degrees 37 minutes 44 seconds West, departing said East lines, on the South line of said Lot 397, a distance of 142.21 feet to the Southwest corner of said Lot 397; thence North 14 degrees 37 minutes 22 seconds West, on the West line of said Lot 397, and on the West line of said Lot 396 and its Northwesterly extension, and on the West line of said Block 35, a distance of 350.74 feet to the point of beginning, containing 49,960 Square Feet or 1.1469 Acres, more or less.

is hereby rezoned from District DC-15 (Downtown Core 15) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 88-20A-1297, which is attached hereto and made a part hereof, and which is hereby adopted as a part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

Section B. That a development plan for the area legally described above is hereby approved, subject to

the following conditions:

1. The proposed development is located in an area where the Charles B. Wheeler Downtown Airport (MKC) height zoning restrictions apply. No structure in this area shall be constructed which exceeds these restrictions. The development would penetrate the horizontal airspace surface which is a horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of specified radii from the center of each end of the runway. Potential penetration of this surface will require evaluation by the FAA. In addition, the development will be situated inside MKC's Traffic Pattern Airspace which extends 4.0 Nm (nautical miles) from the runway centerline. Per FAR Part 77, Objects Affecting Navigable Airspace, the proponent/developer shall file an on-line Form 7460-1, Notice of Proposed Construction or Alteration. 7460s must be submitted a minimum of 45 days prior to the start date of the proposed construction or alteration. The FAA's Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) website can be accessed at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp> <<https://oeaaa.faa.gov/oeaaa/%20external/portal.jsp>>. The proponent/developer is recommended to comply with Chapters 3, 4, and 5 of FAA Advisory Circular (AC) 70/7460-1, Obstruction Marking and Lighting, as amended.
2. The buildings shall comply with all requirements of wall rating and opening protection per 602 and 705.8 of International Building Code 2018 edition with respect to property lines and lot lines.
3. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance, and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
4. The developer shall submit covenants, conditions and restrictions to the Land Development Division for approval by the Law Department for the maintenance of private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts, prior to recording the plat.
5. The developer shall obtain the executed and recorded City approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.
6. The developer shall grant a BMP and/or surface drainage easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
7. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system and manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be

- submitted, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to recording the plat.
8. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division prior to issuance of a building permit to connect the private system to the public sewer main and depending on adequacy of the receiving system, make other improvements as may be required.
  9. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri.
  10. The developer shall integrate into the existing streetlight system any relocated streetlights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.
  11. The developer shall submit verification of vertical and horizontal sight distance for the drive connection to public right-of-way to the Land Development Division and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met, prior to issuance of any certificate of occupancy.
  12. The developer shall secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit, whichever occurs first.
  13. The south half of Third Street shall be improved to City standards as required by Chapter 88, to current standards, including curbs, gutters, sidewalks, streetlights, relocating any utilities as may be necessary and adjusting vertical grades for the road, and obtaining a required permit from the Land Development Division for said improvement prior to recording the plat or prior to issuance of a building permit, whichever occurs first.
  14. The east half of Oak Street shall be improved to City standards as required by Chapter 88, to current standards, including curbs, gutters, sidewalks, streetlights, relocating any utilities as may be necessary and adjusting vertical grades for the road, and obtaining a required permit from the Land Development Division for said improvement prior to recording the plat or prior to issuance of a building permit, whichever occurs first.
  15. The developer shall grant a City approved pedestrian right-of-way easement, for the portions of the public sidewalks approved to be outside of the street right-of-way, to the City as required by the Land Development Division, prior to recording the plat.
  16. The developer shall secure approval of a streetscape plan from Development Management Division staff prior to a building permit. The plan shall include all vertical and horizontal obstructions within and adjacent to the right-of-way along the project frontage including but not limited to signage, sidewalks, driveways, landscaping, and shall demonstrate compliance with applicable policies and regulations.
  17. The developer shall secure approval of a street tree planting plan from the City Forester and

plant according to said plan prior to recording the final plat.

18. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.
19. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
20. The developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy.
21. The plan is revised to show short-term bicycle parking as required of 88-420-09 prior to request for ordinance.
22. The applicant shall state the number of shared parking in the preliminary plat and the site plan prior to request for ordinance. The agreement shall be recorded per code requirement prior to final certificate of occupancy.
23. The project will meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
24. Fire hydrant distribution shall follow IFC-2018 Table C102.1.
25. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC2018 § 507.5.1.1)
26. The developer is responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash-in-lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash-in-lieu of dedicating all or a portion of the required area, the amount due shall be based upon the (2021) acquisition rate of (\$48,801.37) per acre. This requirement shall be satisfied prior to recording the final plat (if dedicating private open space) or a certificate of occupancy (if only electing to pay money-in-lieu).
27. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way.
28. At the time of final plat submittal, provide the following language on the plat: PRIVATE OPEN SPACE: Tract contains (insert number of) private open space acres which are hereby reserved at the election of the developer in lieu of the required parkland dedication for (insert number and type of units) pursuant to Section 88-408-E of the Zoning and Development Code. A total of (insert number of) acres are required to satisfy the parkland request for this final plat.

29. At the time of final plat submittal, the locations reserved to meet the parkland dedication requirements shall be platted into private open space tracts.
30. At the time of final plat submittal, provide the following language on the final plat: PAYMENT IN LIEU OF PARKLAND: The developer elects to pay the City of Kansas City, Missouri, a sum of \$ in lieu of required parkland dedicating for (# single family units, duplex units, multi-family units) pursuant to Section 88-408-C of the Zoning and Development Code.
31. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development. South of River contact -Sean Allen -816-513-0318 North of River contact Dan Richardson - 816-513-4883.
32. Before abandoning Water Easement No. 260, the developer must submit water main extension plans to connect the water main on Locust Street from 4th Street to 3rd Street.
33. No Permanent structures shall be built on top of a Water Easement (No. 260). (Please provide documentation that Water Easement No. 260 has been vacated)

A copy of said development plan is on file in the office of the City Clerk with this ordinance and is made a part hereof.

Section C. That the Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices and hearings required by the Zoning and Development Code have been given and had.

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I hereby certify that as required by Chapter 88, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

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Secretary, City Plan Commission

Approved as to form and legality:

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Sarah Baxter  
Assistant City Attorney

# COMMUNITY PROJECT/REZONING

## Ordinance Fact Sheet

**Case No.** CD-CPC-2021-00095

### Rezoning

The applicant is proposing rezoning from District DC-15 (Downtown Core 15) to District UR (Urban Redevelopment) and approval of a development plan, which also act as a preliminary plat to allow for construction of a multi-family residential building on about 1.2 acres, generally located at the southeast corner of E. 3rd Street and Oak Street. (CD-CPC-2021-00095)

### Details

**Location:** generally located at the southeast corner of E. 3rd Street and Oak Street.

**Reason for Legislation:** Rezoning to UR require City Council approval.

**The Commission recommended that this application be approved with the following conditions:**

- The proposed development is located in an area where the Charles B. Wheeler Downtown Airport (MKC) height zoning restrictions apply. No structure in this area should be constructed which exceeds these restrictions. The development would penetrate the Horizontal Airspace Surface which is a horizontal plane 150 feet above the established Airport Elevation, the perimeter of which is constructed by swinging arcs of specified radii from the center of each end of the runway. Potential penetration of this surface will require evaluation by the FAA. In addition, the development will be situated inside MKC's Traffic Pattern Airspace which extends 4.0 Nm (nautical miles) from the runway centerline. Per FAR Part 77, Objects Affecting Navigable Airspace, the proponent/developer shall file an on-line Form 7460-1, Notice of Proposed Construction or Alteration. 7460s must be submitted a minimum of 45 days prior to the start date of the proposed construction or alteration. The FAA's Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) website can be accessed at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>. The proponent/developer is recommended to comply with Chapters 3, 4, and 5 of FAA Advisory Circular (AC) 70/7460-1, Obstruction Marking and Lighting, as amended.
- The Buildings shall comply with all requirements of wall rating and opening protection per 602 and 705.8 of International Building Code 2018 edition with respect to property lines and lot

### Positions/Recommendations

<b>Sponsors</b>	Jeffrey Williams, AICP, Director Department of City Planning & Development
<b>Programs, Departments or Groups Affected</b>	4 <sup>th</sup> District (Shields, Bunch)
<b>Applicants / Proponents</b>	<b>Applicant</b> Steven William Herzberg HIVE Design Collaborative, Inc.
	<b>City Department</b> City Planning & Development
	<b>Other</b>
<b>Opponents</b>	<b>Groups or Individuals</b>
	<b>Basis of Opposition</b>
<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> <b>For</b>
	<input type="checkbox"/> <b>Against</b>
	<b>Reason Against</b>
<b>Board or Commission Recommendation</b>	City Plan Commission (5-0) 8-17-2021 By Baker, Beasley, Crowl, Enders, Rojas)
	<input type="checkbox"/> <b>For</b> <input type="checkbox"/> <b>Against</b> <input type="checkbox"/> <b>No Action Taken</b>
	<input checked="" type="checkbox"/> <b>For, with revisions or conditions</b> (see details column for conditions)
<b>Council Committee Actions</b>	<input type="checkbox"/> <b>Do Pass</b>
	<input type="checkbox"/> <b>Do Pass (as amended)</b>
	<input type="checkbox"/> <b>Committee Sub.</b>
	<input type="checkbox"/> <b>Without Recommendation</b>
	<input type="checkbox"/> <b>Hold</b>
	<input type="checkbox"/>

lines.

3. The owner/developer must submit plans for grading, siltation, and erosion control to Land Development Division for review and acceptance, and secure a Site Disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.

4. The developer must submit covenants, conditions and restrictions to the Land Development Division for review by the Law Department for approval for the maintenance of private open space and enter into a covenant agreement for the maintenance of any stormwater detention area tracts, prior to recording the plat.

5. The developer must obtain the executed and recorded city approved grading, temporary construction, drainage/sewer, or any other necessary easements from the abutting property owner(s) that may be required prior to submitting any public improvements crossing properties not controlled by the developer and include said document(s) within the public improvement applications submitted for permitting.

6. The developer must grant a [BMP and/or Surface Drainage Easement] to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.

7. The developer shall submit a Storm Drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system. Manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to recording the plat.

8. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division prior to issuance of a building permit to connect private system to the public sewer main and depending on adequacy of the receiving system, make other improvements may be required.

9. The developer shall cause the area to be platted and processed in accordance with Chapter

Do not pass

88, Code of Ordinances of the City of Kansas City, Missouri, as amended, commonly known as the Development Regulations.

10. The developer must integrate into the existing street light system any relocated existing street lights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.

11. The developer shall submit verification of vertical and horizontal sight distance for the drive connection to public right-of-way to the Land Development Division and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met, prior to issuance of any certificate of occupancy.

12. The developer must secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit whichever occurs first.

13. That the south half of Third Street shall be improved to City standards as required by Chapter 88, to current standards, including curbs and gutters, sidewalks, street lights, relocating any utilities as may be necessary and adjusting vertical grades for the road, etc., and obtaining required permit from Land Development Division for said improvement prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first.

14. That the east half of Oak Street shall be improved to City standards as required by Chapter 88, to current standards, including curbs and gutters, sidewalks, street lights, relocating any utilities as may be necessary and adjusting vertical grades for the road, etc., and obtaining required permit from Land Development Division for said improvement prior to recording the plat or prior to issuance of a Building Permit, whichever occurs first.

15. The developer must grant a city approved pedestrian right-of-way easement, for the portions of the public sidewalks approved to be outside of the street right-of-way, to the City as required by the Land Development Division, prior to recording the plat.

16. The developer shall secure approval of a streetscape plan from Development Management Division staff prior to building permit. The plan shall include all vertical and horizontal obstructions

within and adjacent to the right-of-way along the project frontage including but not limited to signage, sidewalks, driveways, landscaping, etc. and shall demonstrate compliance with applicable policies and regulations.

17. The developer shall secure approval of a street tree planting plan from the City Forester and plant according to said plan prior to recording the final plat.

18. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to Certificate of Occupancy.

19. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to Certificate of Occupancy.

20. That the developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to Certificate of Occupancy.

21. The expectation is the project will meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)

22. Fire hydrant distribution shall follow IFC-2018 Table C102.1

23. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC2018 § 507.5.1.1)

24. The developer is responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash-in-lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash-in-lieu of dedicating all or a portion of the required area, the amount due shall be based upon the (2021) acquisition rate of (\$48,801.37) per acre. This requirement shall be satisfied prior to recording the final plat (if dedicating private open space) or certificate of occupancy (if only electing to pay money-in-lieu).

25. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks & Recreation

Department's Forestry Division prior to beginning work in the public right-of-way.

26. At the time of final plat submittal, provide the following language on the plat: PRIVATE OPEN SPACE: Tract contains (insert number of) private open space acres which are hereby reserved at the election of the developer in lieu of the required parkland dedication for (insert number and type of units) pursuant to Section 88-408-E of the Zoning and Development Code. A total of (insert number of) acres are required to satisfy the parkland request for this final plat.

27. At the time of final plat submittal, the locations reserved to meet the parkland dedication requirements shall be platted into private open space tracts.

28. At the time of final plat submittal, provide the following language on the final plat: PAYMENT IN LIEU OF PARKLAND: The developer elects to pay the City of Kansas City, Missouri, a sum of \$ in lieu of required parkland dedicating for (# single family units, duplex units, multi-family units) pursuant to Section 88-408-C of the Zoning and Development Code.

29. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development. South of River contact – Sean Allen -816-513-0318 North of River contact Dan Richardson – 816-513-4883.

30. Before you can abandon Water Easement No. 260 you must submit Water Main Extension Plans to connect the Water Main on Locust Street from 4th Street to 3rd Street.

31. No Permanent structures shall be built on top of a Water Easement (No. 260). (Please provide documentation the that Water Easement NO. 260 has been vacated)

**See Staff Report for more information.**

Continued from Page 1

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

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

Continued from Page 2

**Fact Sheet Prepared By:**      **Date:** 8/26/2021

Xue Wood  
Planner

**Reviewed By:**                      **Date:** 8/26/2021

Joe Rexwinkle, AICP  
Division Manager  
Development Management

**Initial Application Filed:** 5/13/2021

**City Plan Commission:** 8/17/2021

**Revised Plans Filed:** 7/29/2021

**Reference Numbers:**

Case No. CD-CPC-2021-00095



Legislation Text

**File #: 210873, Version: 1**

ORDINANCE NO. 210873

Amending Chapter 2, Code of Ordinances, by repealing Section 2-1693, “Housing trust fund” and replacing it with a new Section 2-1693 of like title, for the purpose of establishing a governing body to review Housing Trust Fund (“HTF”) applications, with reporting requirements, funding allocation direction and prioritization of fund use; and requiring the application process to begin within 90 days.

WHEREAS, the City Council established a Housing Trust Fund through passage of Committee Substitute for Ordinance No. 180719 on December 20, 2018, to help implement neighborhood revitalization, housing development, and preservation projects; and

WHEREAS, on June 20, 2019, by Committee Substitute for Resolution No. 190022, the City Council adopted the Five-Year Housing Policy, which set forth five bold Ideas to include the creation/preservation of 5,000 additional single family and multifamily housing units by December 2023 and to establish a \$75 million catalytic housing development (trust) fund to create and preserve units; and

WHEREAS, on January 28, 2021, the City Council adopted Committee Substitute for Ordinance No. 201038, as amended, requiring projects which are primarily residential in nature and are seeking economic incentives in the nature of the capture and redirection, abatement or exemption of taxes or other City financing contain a minimum number of affordable housing units; and

WHEREAS, the City Council adopted the City’s stimulus spending plan “RecoverKC” on May 27, 2021, pursuant to Committee Substitute for Ordinance No. 210392, in which the City Council allocated \$12,500,000.00 to the Housing Trust Fund; and

WHEREAS, persons of low and moderate-income experience continued difficulty in locating and maintaining adequate, safe and sanitary affordable housing within the City, and the housing crisis has been exacerbated by the COVID-19 pandemic; and

WHEREAS, there is a need for Council to establish procedures and policies for administering the HTF;  
NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 2, Code of Ordinances, is hereby amended by repealing Section 2-1693, “Housing trust fund” and replacing it with a new Section 2-1693 of like title and subject matter, said section to read as follows:

**Sec. 2-1693. Housing Trust Fund.**

(a) *Creation and Purpose.* The Housing Trust Fund (“HTF”) is created for the following purposes:

- (1) To promote, preserve, and create long-term affordable housing for very low, low, and moderate-income households;
- (2) To abate large scale displacement of low-and moderate-income persons caused by gentrification, historical trends, or other development;
- (3) To provide opportunities for tenants and/or public entities to purchase rental housing in order to maintain perpetual affordability of that housing;
- (4) To provide broad opportunities for persons to transition from rental to ownership of housing;
- (5) To promote the rehabilitation and avoid, where possible, demolition of housing for low-and moderate-income persons;
- (6) To distribute grants or loans to organizations that promote, retain, or create long-term affordable housing;
- (7) To distribute "capacity grants" to community development corporations (CDC) and other nonprofit entities exempt from federal income tax obligations under 501  
<[https://library.municode.com/mo/kansas\\_city/codes/code\\_of\\_ordinances?](https://library.municode.com/mo/kansas_city/codes/code_of_ordinances?)
- (8) To distribute grants or loans to nonprofit organizations that provide representation in court to the public in housing-related issues, including but not limited to matters involving evictions and the Abandoned Housing Act;
- (9) To promote the general welfare by providing a direct and immediate benefit to the public through aiding low- and moderate-income persons by offering methods to acquire safe and healthy affordable housing benefits as the need is ever present and the federal funding source on which the city has relied for several decades is depleting;
- (10) To promote the general welfare by removing, where possible, blighted, dilapidated and substandard properties from the city's inventory and offering rehabilitation opportunities, thus reducing the city's ongoing maintenance costs and adding additional tax revenue for the city;
- (11) To promote the general welfare by stabilizing and improving property values in those areas where property rehabilitation and occupancy of vacant housing occurs and through the creation of jobs through housing rehabilitation and expanding opportunities to leverage additional public and private investments; and
- (12) To aid in blight remediation through the rehabilitation and construction of safe and viable housing for low- and moderate-income persons and to reduce the number of dilapidated and substandard housing.

*(b) Administration by Housing and Community Development Department.* The Housing and Community Development Department shall be responsible for developing and updating an application process for the use of the HTF. Up to 5% of the annual allocation to the HTF may be utilized for administrative expenses to manage applications, reporting, and compliance.

*(c) Applications and Award.*

- (1) Applications shall be accepted on at least a bi-annual basis, with projects reviewed as part of a competitive bi-annual RFP process. All projects shall submit proposals to be reviewed during the annual window(s).
- (2) The application evaluation criteria shall prioritize projects that maximize the following:
  - (a) Number of units created per HTF dollar invested;
  - (b) Total number of months of affordability, with longer periods of guaranteed affordability given higher priority; and
  - (c) Affordability threshold, with higher priority for projects at lower income levels.
- (3) *Funding Allocation Minimums.* The following sets forth the funding allocation that shall be followed by the City in determining awards to applicants:
  - (a) A minimum of 20% of awards shall be made for Affordable Rental Preservation, at or below 60% Average Median Income (AMI).
  - (b) A minimum of 20% of awards shall be made for Affordable Rental Creation, at or below 60% AMI.
  - (c) A minimum of 10% of awards shall be made to create/support Dedicated Transitional Housing for the Homeless; and
  - (d) A minimum of 10% of awards shall be made for Homeownership support programs and/or retention programs for residents of distressed census tracts at income levels below 60% AMI. Programs that provide a path for resident tenants to transition to ownership shall be eligible.
- (4) *Maximum Awards.*
  - (a) The maximum award given to for-profit developers is 20% of the development cost (loan) or 10% for a grant.
  - (b) The maximum award given to non-profit developers is 30% of the development cost (loan) or 15% for a grant.
- (5) *Affordability requirement.* All units using HTF funds to support, preserve, or create such units shall be kept affordable for at least 20 years in accordance with the following definition: “Affordable housing shall be defined as housing that a household having income at or below sixty percent (60%) of the HUD Median Family Income (“MFI”) for all households within the Kansas City metropolitan area would be able to afford if it were to expend not more than thirty percent (30%) of such income for the mortgage or rent, including utilities.”

- (6) Funds may be deployed in projects that include market rate units, solely for an eligible use.
- (7) Awards may be made in form of a grant or low or zero-interest loan.
- (8) All funded projects must be started within one year of when funding is received; or else award recipient must promptly return all received HTF funds to City.

(d) *City Council.* Once applications are evaluated, HTF recommendations shall be presented to the City Council, which may accept, reject or adjust recommendations. In no case shall HTF funding be provided to any project which did not submit an application through the designated application process.

(e) *Annual Report to Council.* The Housing and Community Development Department shall provide a written annual report to Council and the City Manager, which includes the following information:

- (1) Number of applications received and funded;
- (2) Descriptions of the funded projects;
- (3) Number of units funded (total units and at various income levels) and unit sizes;
- (4) Total cost to residents based on subsidy, commuting time and utilities;
- (5) Cost per unit created/preserved;
- (6) Average timeline for the unit to become available once funded;
- (7) Remaining years of affordability for previously funded units (averages and totals);
- (8) Percentage of awards that go to non-profit/community organizations vs. commercial developers; and
- (9) Recommendations for change to future application processes, guidelines and program governance.

Section 2. That the Housing and Community Department shall open the initial application process no later than 90 days after the passage of this ordinance.

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Approved as to form and legality:

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Joseph Guarino  
Assistant City Attorney



**No Fact Sheet  
Provided for  
Ordinance No.**

**210873**



Legislation Text

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**File #: 210876, Version: 1**

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ORDINANCE NO. 210876

Authorizing the Director of Housing and Community Development to amend Central City Economic Development (“CCED”) funding agreements with Emmanuel Family & Child Development Center and Emergency Shelter for Children, Urban Neighborhood Initiative, Inc, Linwood Property, Inc. and Ivanhoe Neighborhood Council, to allow for pre-payment of up to 50% of eligible expenses; and requiring those organizations provide a written report every 90 days to the City Manager detailing how the pre-paid expenses were spent.

WHEREAS, the City Council has previously appropriated CCED funds and approved funding agreements between the City and Emmanuel Family & Child Development Center and Emergency Shelter for Children, Urban Neighborhood Initiative, Inc., Linwood Property, Inc., and Ivanhoe Neighborhood Council through Ordinance Nos. 190006, Committee Substitute for 190651, Second Committee Substitute for 190662 and 190007; and

WHEREAS, the City now desires to allow for a prepaid disbursement of up to 50% of budgeted funds for eligible expenses, including pre-development costs, with the remainder of funds distributed through a reimbursement process; and

WHEREAS, these changes do not change total funding agreement amounts or appropriations; and

WHEREAS, because these funding agreements have already been executed and have already received Council authorization, further Council authorization and written contract amendments are necessary to make changes to the payment structures; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

That the Director of Housing and Community Development is hereby authorized to amend Central City Economic Development (“CCED”) funding agreements with Emmanuel Family & Child Development Center and Emergency Shelter for Children, Urban Neighborhood Initiative, Inc, Linwood Property, Inc. and Ivanhoe Neighborhood Council, to allow for pre-payment of up to 50% of eligible expenses, requiring those organizations provide a written report every 90 days to the City Manager detailing how the pre-paid expenses were spent.

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Approved as to form and legality:

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Joseph Guarino  
Assistant City Attorney

**No Fact Sheet  
Provided for  
Ordinance No.**

**210876**



Legislation Text

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**File #: 210880, Version: 1**

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ORDINANCE NO. 210880

Detaching from the City approximately .62 acres generally located on the north side of N.E. 76th Street between N. Agnes Avenue on the east and N. Kansas Avenue on the west, at the address generally known as 3000 N.E. 76th Street, upon the annexation of said property by the City of Gladstone, Missouri.

WHEREAS, the City of Kansas City and the City of Gladstone have begun a joint effort to detach from Kansas City and concurrently annex into Gladstone the property generally located on the north side of N.E. 76th St. between N. Agnes Avenue on the east and N. Kansas Avenue on the west, at the address generally known as 3000 N.E. 76th Street; and

WHEREAS, the property to be concurrently annexed by Gladstone and detached by Kansas City abuts Gladstone; and

WHEREAS, the current structure on the property is located in a manner that places it within the jurisdictions of Gladstone and Kansas City; and

WHEREAS, it is the in the best interest of each municipality to complete this action; and

WHEREAS, it is the intent of Kansas City and Gladstone to concurrently detach this property from Kansas City and annex such property into Gladstone, according to the terms of Section 71.011, Revised Statutes of Missouri; and

WHEREAS, there are no residents living in the area to be detached by Kansas City and concurrently annexed by Gladstone; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the following property, generally located on the north side of N.E. 76th Street, between N. Agnes Avenue on the east and N. Kansas Avenue on the west, at the address generally known as 3000 N.E. 76th Street, within the City of Kansas City, Clay County, Missouri, and more specifically described as follows:

Tract A depicted on the Lot Split Survey, recorded in Clay County, Missouri as Instrument No. 2005016594, in Book F, Page 180, on April 15, 2005, more fully described as a tract of land being part of the Southeast Quarter of the Northwest Quarter of Section 18, Township 51 North, Range 32 West in Kansas City, Clay County, Missouri, being more particularly described as follows: Commencing at the Southwest corner of the East-Half of said Northwest Quarter; thence North 00 degrees 18 minutes 37 seconds East along the West line of said East-Half, a distance of 842.38 feet to the Point of Beginning of the tract of land herein to be described, said point also being on the South line of Kansas City, Missouri city limit; thence continuing North 00 degrees 18 minutes 37 seconds East along said West line, a distance of 139.73 feet; thence South 89 degrees 20 minutes 18 seconds West parallel with said South line of Kansas City city

limit, a distance of 181.43 feet to the West Right-of-Way line of Agnes Avenue; thence South 09 degrees 40 minutes 09 seconds East along said West Right-of-Way line, a distance of 142.03 feet to said South line of said Kansas City city limit; thence North 89 degrees 20 minutes 18 seconds West along said South line, a distance of 206.04 feet to the Point of Beginning. Said tract contains 27,071 square feet or 0.62 acres, more or less;

is hereby declared to be detached from the City of Kansas City, Missouri, upon the annexation of the same property by the City of Gladstone, Missouri, according to the terms of Section 71.011, RSMo.

Section 2. That the reasons for and purposes to be accomplished by this detachment from the City of Kansas City and concurrent annexation of the City of Gladstone are that it will allow for better coordination of property maintenance enforcement for the benefit of the citizens and property owners in the affected area.

Section 3. That the City of Gladstone, Missouri shall file a certified copy of this ordinance simultaneously with the filing of a certified copy of the related annexation ordinance adopted by the City of Gladstone in the office of the County Clerk of Clay County, the Clay County Assessor, the Recorder of Deeds of Clay County, and the Clerk of the Circuit Court of Clay County, at the cost of the City of Gladstone.

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Approved as to form and legality:

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Bret R. Kassen  
Assistant City Attorney







Legislation Text

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**File #: 190954, Version: 1**

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ORDINANCE NO. 190954

Accepting the recommendations of the Tax Increment Financing Commission as to the Performing Arts Campus Tax Increment Financing Plan and denying the Performing Arts Campus Tax Increment Financing Plan.

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 City Council of Kansas City, Missouri 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, Ordinance No. 130986, passed on December 19, 2013, and Committee Substitute for Ordinance No. 140823, passed on June 18, 2015, created the Tax Increment Financing Commission of Kansas City, Missouri (the "Commission"); and

WHEREAS, the Performing Arts Campus Tax Increment Financing Plan (the "Redevelopment Plan") was proposed to the Commission; and  
WHEREAS, after all proper notice was given, the Commission met in public hearing regarding the Redevelopment Plan on October 24, 2019, at which time, after receiving the comments of all interested persons and taxing districts, the Commission approved Resolution No. 10-20-19 ("Resolution") recommending to the City Council the denial of the Redevelopment Plan; and

WHEREAS, the Redevelopment Plan provides for the (i) construction of an approximately 123,600 square-foot, 13 story hotel that shall contain approximately 145 guest rooms, 9,500 square feet of restaurant space, a fitness center and a rooftop bar and (ii) renovation of a 35,238 square-foot space to be used as a performing arts rehearsal hall (collectively, the "Project Improvements"). The Plan further provides for the construction or reconstruction of such other public infrastructure improvements, which may consist of streetscape, signage, signaling, sidewalks and curbs and such other related public infrastructure improvements that support and enhance the Project Improvements (collectively, the "Public Improvements"); and

WHEREAS, the proposed redevelopment area described by the Plan is a non-contiguous area that is generally bounded by: (i) W. 16th Street on the north, Baltimore Avenue on the east, W. 17th Street on the south and an alley between Wyandotte Street and Baltimore Avenue on the west, and (ii) the I-35 ramp on the north, Broadway Boulevard on the east, W. 16th Street on the south and Washington Street on the west in Kansas City, Jackson County, Missouri (the "Redevelopment Area"); NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the recommendations of the Commission concerning the Redevelopment Plan as set forth in the Resolution are hereby accepted and the Redevelopment Plan, a copy of which is attached hereto, is hereby denied and the Redevelopment Projects contained therein are hereby rejected.

Section 2. That all terms used in this ordinance, not otherwise defined herein, shall be construed as defined in Section 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the "Act").

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Approved as to form and legality:

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Katherine Chandler  
Assistant City Attorney

# GENERAL

## Ordinance Fact Sheet

**190954**

Ordinance Number

Brief Title	Approval Deadline	Reason
Performing Arts Campus TIF Plan		

<p><b>Specific Address</b></p> <p>The proposed redevelopment area described by the Plan is a non-contiguous area that is generally bound by: (i) W. 16<sup>th</sup> Street on the north, Baltimore Avenue on the east, W. 17<sup>th</sup> Street on the south and an alley between Wyandotte Street and Baltimore Avenue on the west, and (ii) the I-35 ramp on the north, Broadway Boulevard on the east, W. 16<sup>th</sup> Street on the south and Washington Street on the west in Kansas City, Jackson County, Missouri.</p> <p><b>Reason For Legislation</b></p> <p>The Tax Increment Financing Commission recommends that the City Council of Kansas City, reject the Performing Arts Campus TIF Plan.</p> <p><b>Discussion</b></p> <p>The Redevelopment Plan contemplates (i) the construction of an approximately 123,600 square-foot, 13 story hotel that shall contain approximately 145 guest rooms, 9,500 square feet of restaurant space, a fitness center and a rooftop bar and (ii) the renovation of a 35,238 square-foot space to be used as a performing arts rehearsal hall.</p> <p>The Plan further provides for the construction or reconstruction of such other public infrastructure improvements within the Redevelopment Area, which may consist of streetscape, signage, signaling, sidewalks and curbs and such other related public infrastructure improvements that support and enhance the Project Improvements.</p>
<p><b>Details</b></p>

<b>Positions/Recommendations</b>	
Sponsor	Tax Increment Financing Commission
Programs, Departments, or Groups Affected	
Applicants / Proponents	<p>Applicant Tax Increment Financing Commission</p> <p>City Department</p> <p>Other</p> <p>Basis of opposition</p>
Staff (TIF Staff) Recommendation	<p><input checked="" type="checkbox"/> For</p> <p><input type="checkbox"/> Against</p> <p>Reason Against</p>
Board or Commission Recommendation	<p>By Tax Increment Financing Commission</p> <p><input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No action taken</p> <p><input type="checkbox"/> For, with revisions or conditions (see details column for conditions)</p> <p><input type="checkbox"/> Not Applicable</p>
Council Committee Actions	<p><input checked="" type="checkbox"/> Do pass</p> <p><input type="checkbox"/> Do pass (as amended)</p> <p><input type="checkbox"/> Committee Sub.</p> <p><input type="checkbox"/> Without Recommendation</p> <p><input type="checkbox"/> Hold</p> <p><input type="checkbox"/> Do not pass</p>

(Continued on reverse side)

<p><b>Estimated Redevelopment Project Costs:</b> The total cost to implement the Project Improvements and Public Improvements is estimated to</p>
---

<p><b>Policy/Program Impact</b></p> <p>Policy or Program Change</p>	<p><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes</p>
---	--

be \$132,193,556. The Redeveloper and third parties will finance \$81,250,500 through a combination of equity and conventional debt. Tax Increment Financing will be utilized to reimburse up to \$20,377,855 of the Redevelopment Project Costs, Super TIF Revenue will be utilized to reimburse up to \$28,745,061 of the Redevelopment Project Costs and CID Sales Tax Revenue will be utilized to reimburse the remaining \$1,820,140 of Redevelopment Costs.

**Projections and Application of Payments in Lieu of Taxes and Economic Activity Taxes.** See attachment.

<b>Operational Impact Assessment</b>	Not Applicable

**Finances**

<b>Cost &amp; Revenue Projections -- Including Indirect Costs</b>	
<b>Financial Impact</b>	
<b>Fund Source (s) and Appropriation Account Codes</b>	
<b>Is this Ordinance or Resolution Good for the Children?</b>	Yes.

**Applicable Dates:**

TIF Commission recommended denial of the Performing Arts Campus TIF Plan on 10.24.19.

**Fact Sheet Prepared by:**

Heather A. Brown, Executive Director, Tax Increment Financing Commission

**Reviewed by:**

**Reference Numbers**

# Performing Arts Campus Tax Increment Financing Plan

Project 1 Hotel Bravo, 16<sup>th</sup> & Wyandotte  
Project 2 Renovation of 16<sup>th</sup> & Broadway as a  
Performing Arts Rehearsal Hall

**Ordinances 190954, 190955, & 190956**  
**NPD Committee | September 29, 2021**

Greenwood Management, LLC  
September 29, 2021



# NEW MODEL FOR INCENTIVES

## Shared Success

- 20-Year TIF Period, not 23 years
- 42% of all new incremental revenue to Taxing Districts
- \$1.0 million/year during TIF
- \$4 million/year after

Project 1  
HOTEL  
BRAVO

# NEW MODEL FOR INCENTIVES

## More Shared Success

Parking Revenues (\$350,000-600,000/year) Avg: \$450,000 per year

- Redirected by Council
- “Love Thy Neighbor” Program (20%)
  - Assisting citizens to remain in their homes
  - Helping homeowners resolve housing code violations
- Shared Success Fund (40%)
  - Funding for qualified projects in economically distressed areas
- Visit KC (40%)
  - Partially replace lodging tax plus developer’s enhanced membership fee (secured by LOC) to make Visit KC whole

Project 1  
HOTEL  
BRAVO

# NEW MODEL FOR INCENTIVES

## Even More Shared Success

### Jobs / Careers

- 106 Full-Time Union Construction Jobs 16 months and MBE/WBE participation
- 100+ Full-Time Equivalent Hotel Employees

### Public Purpose

- Enhance the Reputation and Mission of the Kauffman Center
- Expand KC's Attraction for Tourists and Conventions

Project 1  
HOTEL  
BRAVO

# SOMETHING FROM NOTHING

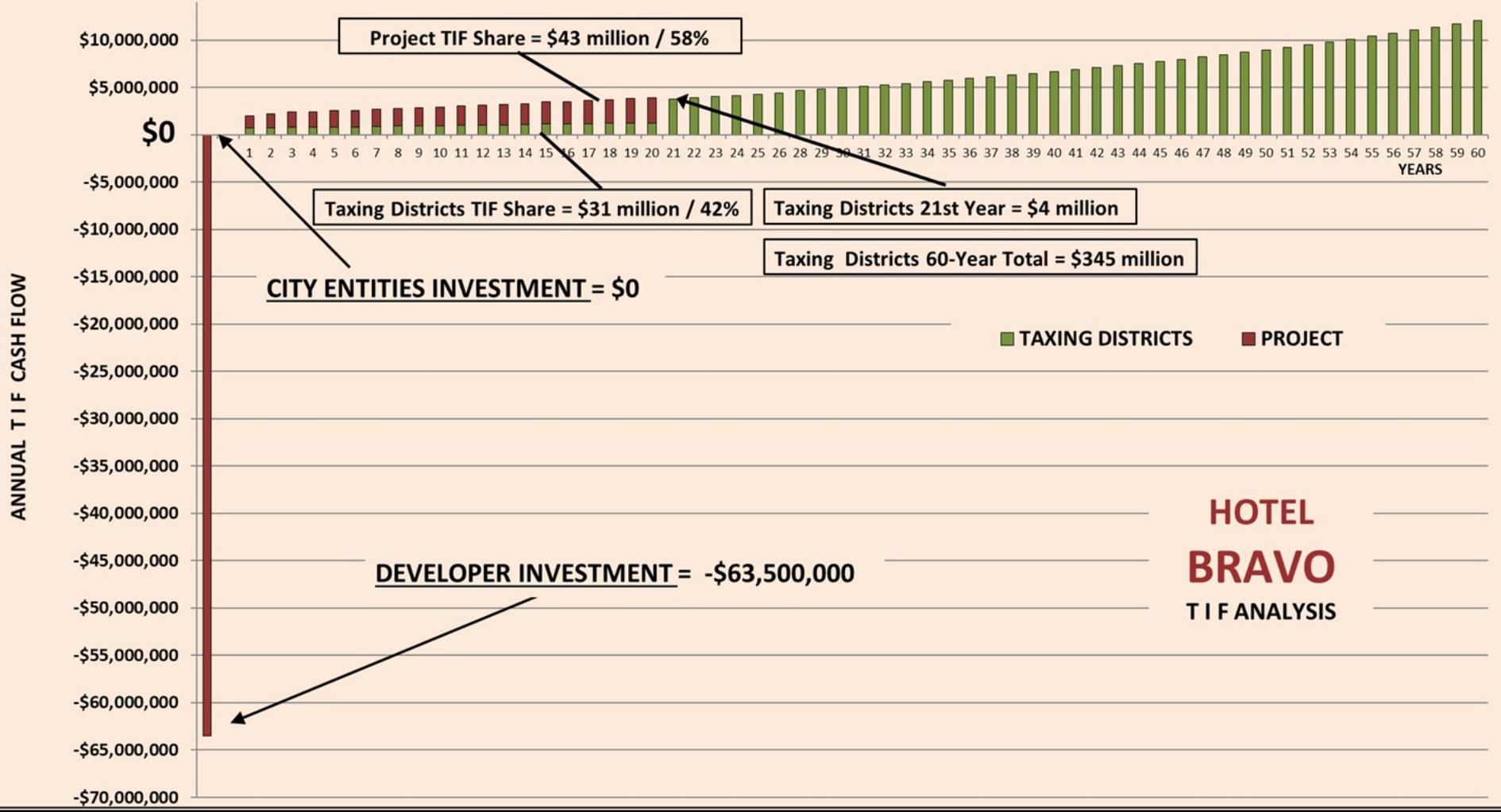
**Current Taxes = \$3,000/year**

**New Tax Base = \$4,000,000/year**

Project 1  
HOTEL  
BRAVO

# Hotel BRAVO Funding Sequence

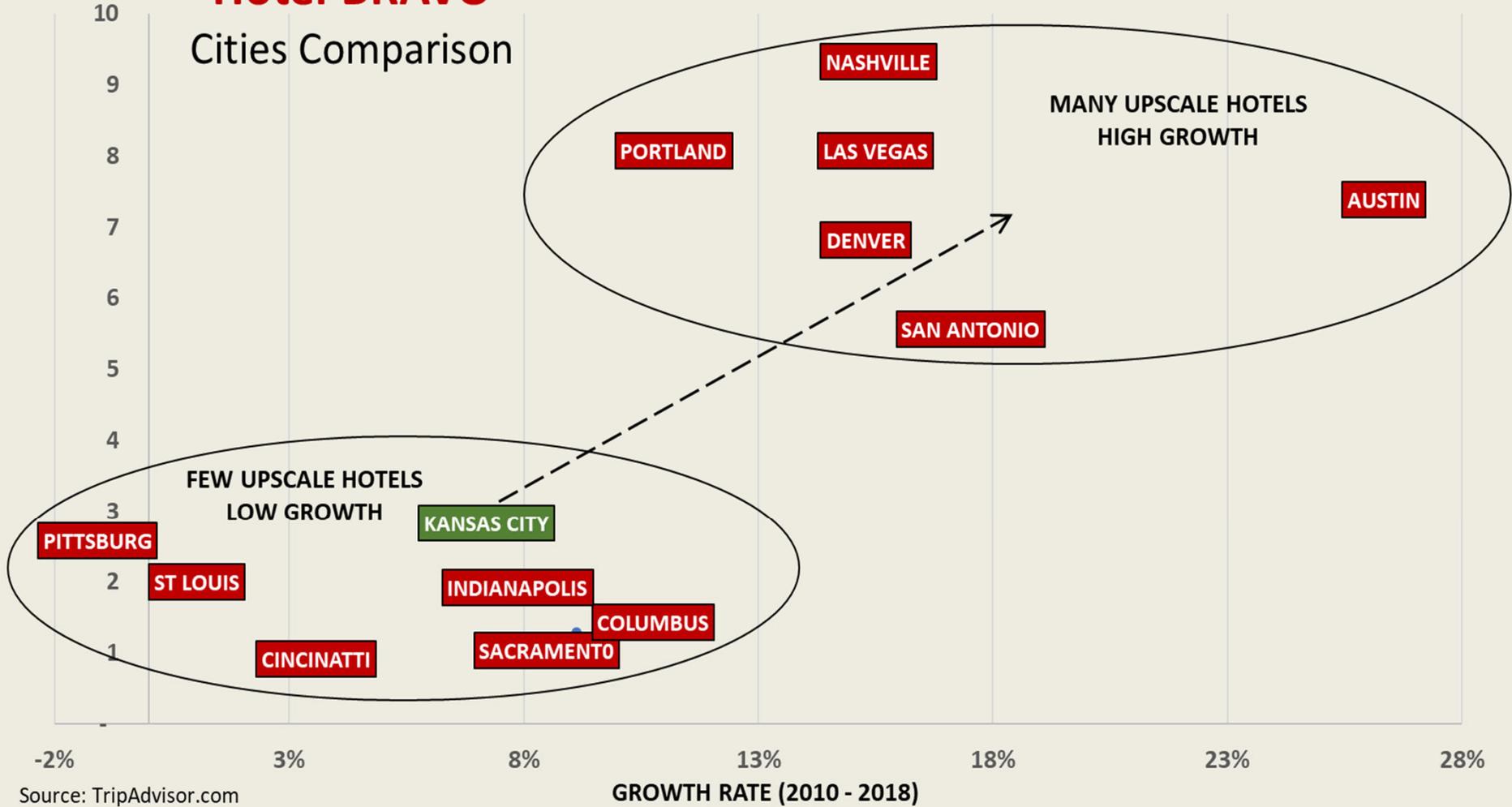
**NO CITY INVESTMENT!**



# Hotel BRAVO

## Cities Comparison

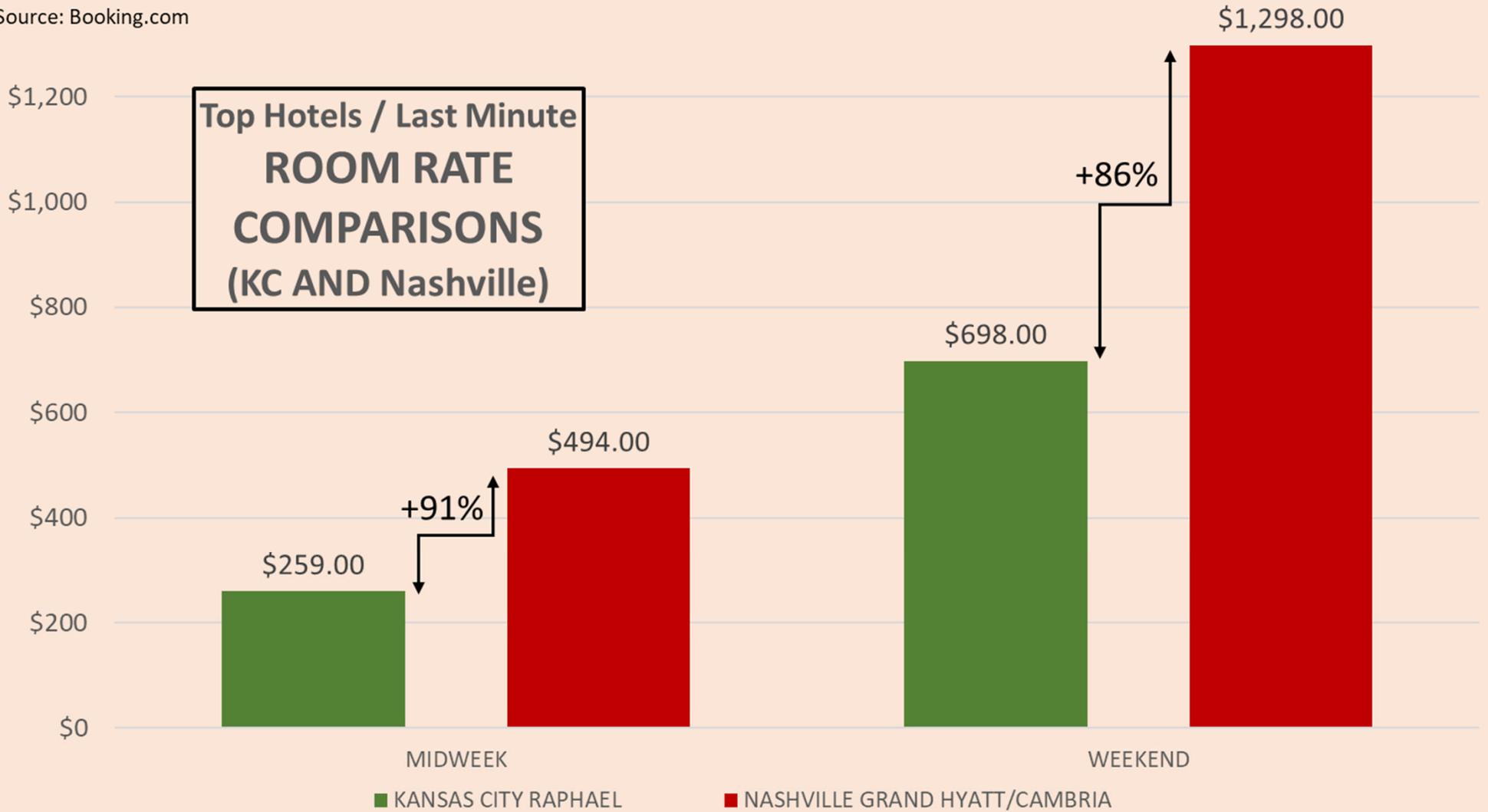
UPSCALE HOTELS PER 1,000,000 POPULATION



Source: TripAdvisor.com

Source: Booking.com

**Top Hotels / Last Minute  
ROOM RATE  
COMPARISONS  
(KC AND Nashville)**



# WORLD-CLASS DESIGN

- Compatible with Kauffman Center
- Enhance Kauffman reputation/market
- Compete with other cities
- Leads all hotels to higher rates



Project 1  
HOTEL  
BRAVO



Interior Concepts

Project 1  
HOTEL  
BRAVO



Interior Concepts

# DEMAND GENERATOR

- Enhance Kauffman Center outreach
- 5-star hotel segment unserved now
- Upscale hotels = higher population growth
- Synergy with Loews Hotel

Project 1  
HOTEL  
BRAVO

# COMMUNITY SUPPORT

June 2019 - "Voters Favored Incentives"

- 2-to-1 in Favor

4 Kansas City Mayors Support Hotel Project

- Wheeler, Barnes, Berkley, and Cleaver



Press

THE KANSAS CITY STAR.

Is Kansas City world-class or second-class?  
Decision on this project will be telltale  
BY MICHAEL RYAN  
AUGUST 31, 2021 05:00 AM

THE CALL



Project 1  
HOTEL  
BRAVO

# MORE COMMUNITY SUPPORT

## Labor Support

- St. Louis-Kansas City Carpenters Regional Council
- Building and Construction Trades Council, AFL-CIO
- Iron Workers Local No. 10

## Professional Trade Association Support

- Western Missouri/Kansas Chapter of the Society of Industrial and Office Realtors

Project 1  
HOTEL  
BRAVO

# MORE SUPPORT

## TIF Commission's "But-For" Consultant

- SB Friedman Development Advisors
  - "Sales tax exemption on construction materials (STECM); Chapter 100
  - Reimbursement of 75% of property taxes (above current predevelopment taxes) generated by the Project for 23 years and structured through Tax Increment Financing (TIF);
  - Abatement of 50% of personal property taxes generated by the Project for 23 years; Chapter 100
  - Full "Super-TIF" reimbursement of hotel, food and beverage, individual income, utility taxes for 23 years; and
  - Full reimbursement of 1% Community Improvement District (CID) sales tax for 23 years."
  - "Incentives provide unleveraged IRR of 9.0%."

Project 1  
HOTEL  
BRAVO

# MORE SUPPORT

## TIF Commission Staff

- “The cost benefit analysis demonstrated positive benefits for each affected taxing jurisdiction.
- The redevelopment area qualifies as a conservation area.
- The proposed plan meets all requirements of the TIF statute.”

Project 1  
HOTEL  
BRAVO

# TIFC Recommendation

## TIF Commission

- October 24, 2019 TIF Commission voted 8 to 3 to recommend the Plan be rejected.

Project 1  
HOTEL  
BRAVO

Hon. Quinton Lucas, Mayor  
Heather Hall, Councilwoman  
Kevin O'Neill, Councilman  
Dan Fowler, Councilman  
Teresa Loar, Councilwoman  
Melissa Robinson, Councilwoman  
Brandon Ellington, Councilman  
Eric Bunch, Councilman  
Katheryn Shields, Councilwoman  
Ryana Parks-Shaw, Councilwoman  
Lee Barnes, Jr., Councilman  
Kevin McManus, Councilman  
Andrea Bough, Councilwoman

Re: Performing Arts Center Hotel

Mayor Lucas and Councilmembers:

We urge approval of the Performing Arts Center Hotel for the following reasons:

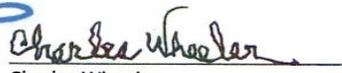
- The hotel will complement Kauffman Center for the Performing Arts and enhance Kansas City's ability to attract conventions.
- The Performing Arts Center Hotel site currently produces no tax revenue because title is held by a nonprofit entity and the property is vacant. The site will remain vacant unless this iconic project is approved. Approval of this project will immediately generate revenue for the taxing jurisdictions where otherwise there is none.
- Unlike other projects, there is no request that KCMO taxpayers build a garage, guarantee debt or pay anything in connection with the Performing Arts Center Hotel.
- The project will finally make use of the 1100 parking spaces in the adjacent garage which will generate revenue that can be devoted to issues like affordable housing.

This project will keep the momentum in downtown Kansas City going. For those reasons, we recommend approval.

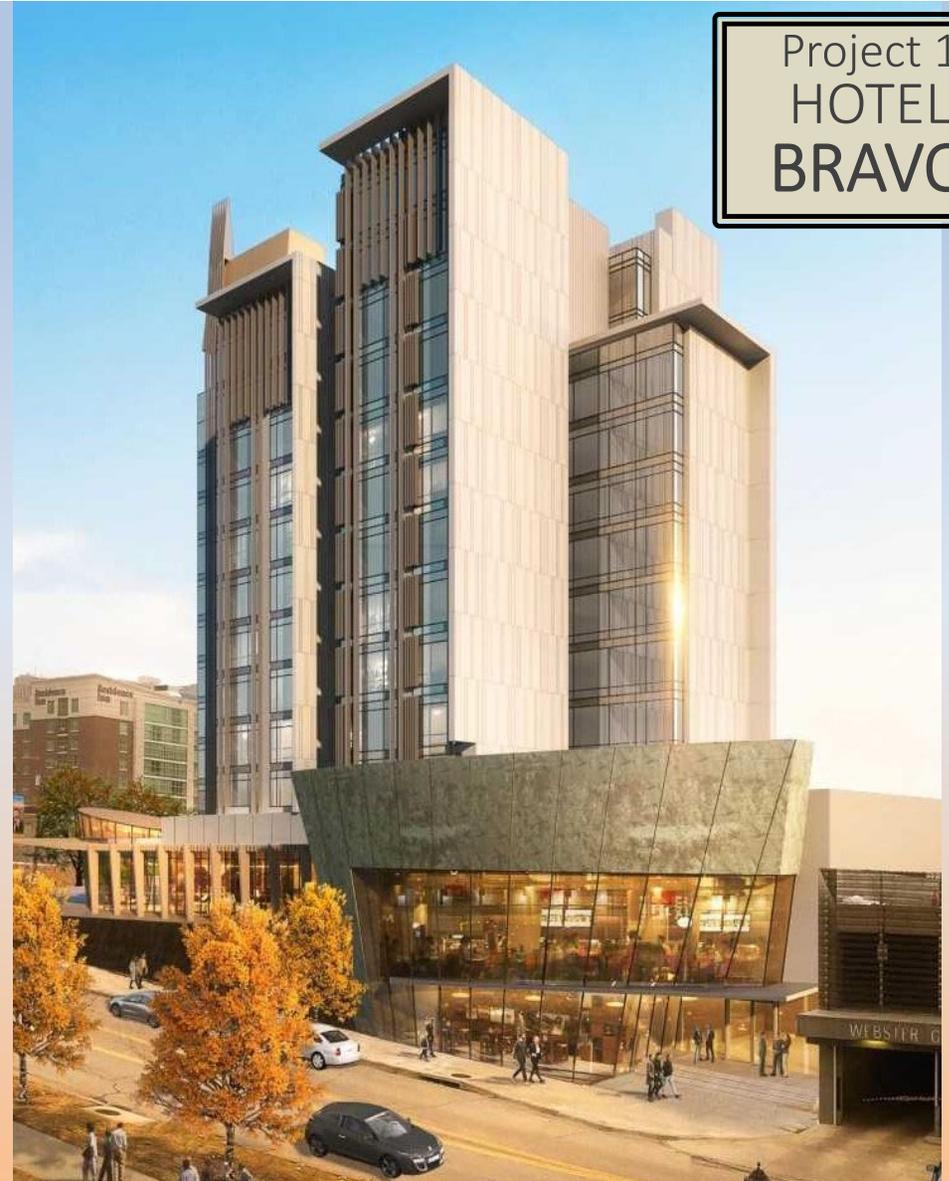
  
Kay Barnes

  
Emanuel Cleaver

  
Richard Berkley

  
Charles Wheeler

# Project 1 HOTEL BRAVO



## Endorse Project

“The Western Missouri/Kansas Chapter of the Society of Industrial and Office Realtors met on September 23, 2021, and approved a resolution, urging the Mayor and City Council to approve the Performing Arts Campus Tax Increment Financing Plan...”



St. Louis - Kansas City Carpenters Regional Council



1401 Hampton Avenue, Saint Louis, MO 63139-3159

(314) 644-4800 (800) 332-7188

May 22<sup>nd</sup>, 2020

Dear Commissioners:

We are always concerned about where the next project will come from to employ our members. Especially in these uncertain times. We support the performing arts center hotel because this project:

Has committed to using union labor.

Requires no infusion of city cash.

Requires no construction of a parking garage, and requires no credit enhancement of any bond issue by the city. In other words, no risk to the city.

In addition, the project will comply with the 75% cap adopted by the council while continuing to add construction dollars and providing jobs to working families across the metro.

Sincerely,

Joe L. Hudson

Political Director / Contractor Relations

St. Louis - Kansas City Carpenters' Regional Council 8955 E. 38th Terr.

Kansas City, MO. 64129



Project 1  
HOTEL  
BRAVO

Greater Kansas City Building and Construction Trades Council, AFL-CIO  
Affiliated With The Building and Construction Trades Department  
400 SOUTH MAIN  
INDEPENDENCE, MISSOURI 64050

Dave Coleman Alise Martiny  
President Business Manager/  
Kevin King Secretary  
Vice President  
Greg Chastain  
Treasurer  
Richard Sargent II Sergeant-At-Arms



Financial

August 31, 2021

Mayor Lucas, Council Members and City Manager:  
414 E. 12<sup>th</sup> Street  
Kansas City, MO 64106

Mayor Lucas, Council Members and City Manager:

The Greater Kansas City Building and Construction Trades Council strongly support the Development of the Bravo Hotel formally known as the Performing Arts Hotel. We believe a new luxury hotel would continue to showcase our downtown area and be a catalyst for continued growth.

The K.C. Building Trades support the hotel for several reasons.

1. The developer and contractor have committed to using union labor on the project.
2. The project requires no infusion of city cash.
3. The project requires no credit enhancement of a bond issued by the city so there is no risk to the city.
4. The project will add construction dollars and jobs to working families in our community.

We ask that you support the Bravo Hotel and thank you for your hard work especially in the most difficult times for our city.

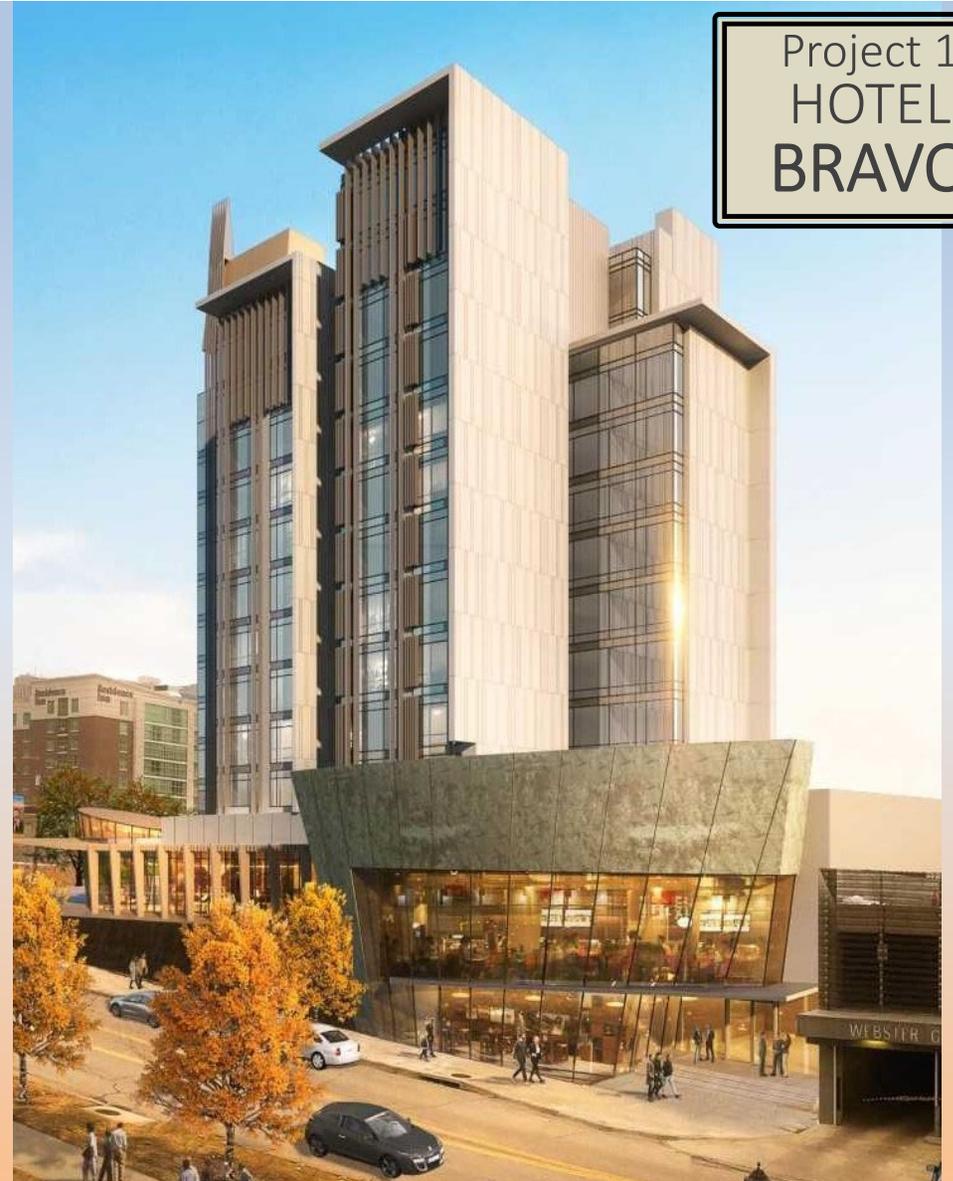
Sincerely,

Alise Martiny

Business Manager/Financial Secretary  
Greater Kansas City Building Trades Council

Office (816) 836-8485 • Fax (816) 836-8486 • E-mail: [info@buildkc.org](mailto:info@buildkc.org) • [www.buildkc.org](http://www.buildkc.org)

Project 1  
HOTEL  
BRAVO





International Association of  
**Bridge, Structural, Ornamental & Reinforcing Iron Workers Local No. 10**  
Affiliated With AFL-CIO  
1000 East 10th Street • Kansas City, Missouri 64106 • (816) 842-8917 • Fax (816) 842-8969

Topeka  
2730 SW 57th St #9  
Topeka, KS 68609  
(785) 233-4027  
(785) 267-1514 Fax

Springfield  
1949-C South Glenstone  
Springfield, MO 65804  
(417) 883-3098  
(417) 883-9851 Fax

Dear Mayor Lucas and members of the City Council:

On behalf of Ironworkers Local 10 I wanted to express our support for the Hotel Bravo. Only a first-class hotel on this site will complement the world-renowned Kauffman Performing Arts Center which our members were proud to have been part of the team that built such an impressive project. Additionally, I believe the Hotel Bravo is a great deal for Kansas City for the following reasons:

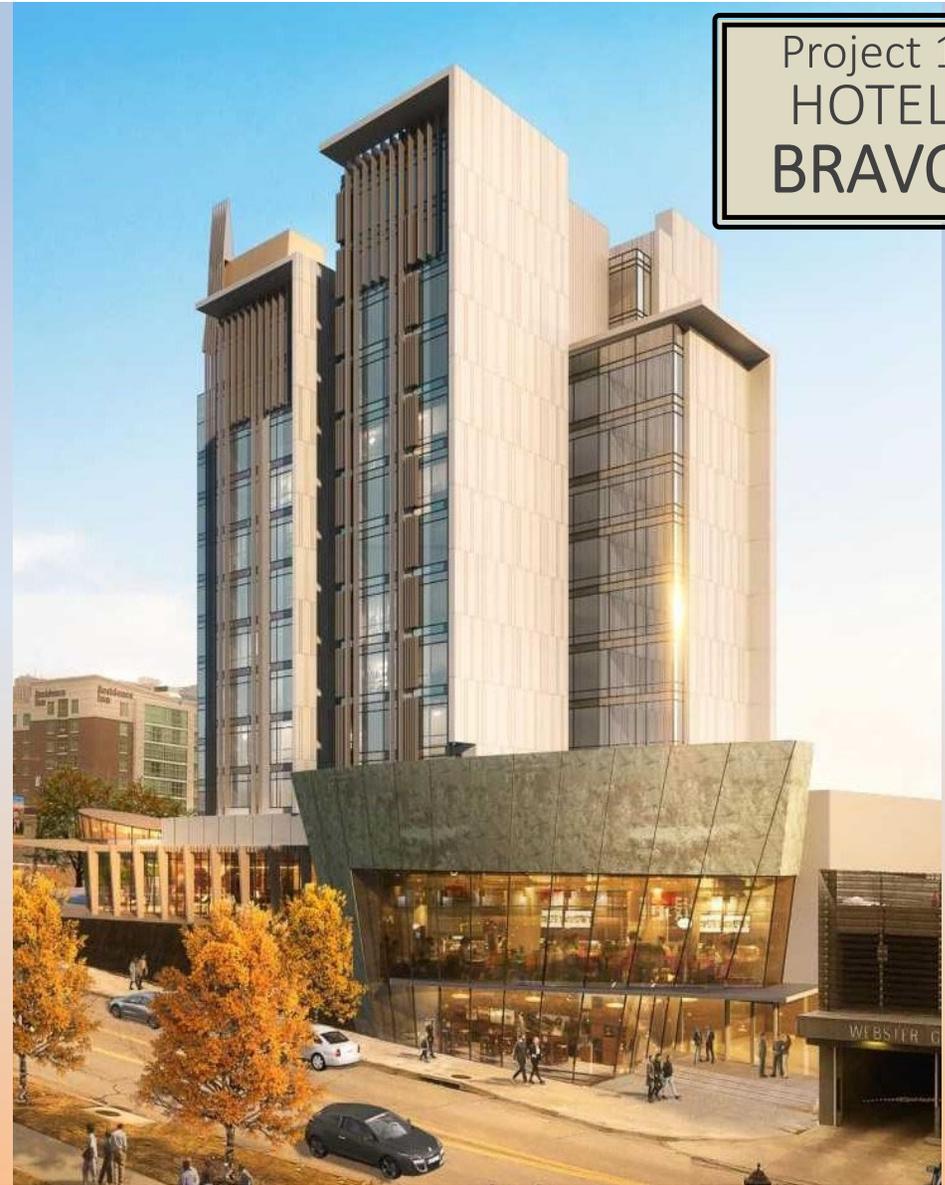
1. The Hotel does not impact the cities debt or bond rating as the entire risk is on the developers!
2. The developers have agreed to build this hotel with a 100% union workforce!
3. No new parking garage is needed as the owners intend to use the rarely used Performing Arts Center garage and contribute 100% of their parking revenues to the city!
4. Taxing jurisdictions including the KCPD as well as the city will get revenues from the day Hotel Bravo opens!

For these reasons we are proud to support the Hotel Bravo and ask that you approve the project in the coming weeks.

Respectfully,

David E Coleman  
Business Manager  
Iron Workers Local 10

Project 1  
**HOTEL  
BRAVO**



# THE KANSAS CITY STAR.

## Is Kansas City world-class or second-class? Decision on this project will be telltale

BY MICHAEL RYAN

AUGUST 31, 2021 05:00 AM

“What’s the difference between a world-class and a second-class?”

It might very well be decisions such as this.”

“Kansas City now has an opportunity see Hotel Bravo built adjacent to the Kauffman Center for the Performing Arts – which developers intend to become the city’s only five-star hotel.

And without spending or risking a dime of taxpayer money.

Let me repeat that for my incentives-weary friends: without spending or risking a dime of taxpayer money.”

“The council and mayor have a chance to get it over the finish line ... .”



Project 1  
HOTEL  
BRAVO

# Hotel Super-TIF

## Incentives Comparison

<b>HOTEL</b>	<b>Super TIF</b>	<b>CID</b>	<b>PILOTs</b>	<b>Term</b>	<b>Bonds or Pay-Go</b>	<b>City Guarantee</b>	<b>Garage Provided</b>	<b>Free Land</b>
Loews	Yes	Yes	100%	23 Years	Bonds	Yes	Yes	Yes
President	Yes	No	100%	23 Years	Bonds	Yes	Yes	No
Phillips	Yes	No	100%	23 Years	Pay-Go	N/A	No	No
Briarcliff	Yes	No	100%	23 Years	Bonds	No	Yes	No
Union Hill	Yes	No	90%	23 Years	Pay-Go	N/A	No	No
21c Museum	Yes	Yes	100%*	23 Years	Pay-Go	N/A	No	No
<b>BRAVO</b>	<b>Yes</b>	<b>Yes</b>	<b>75%</b>	<b>20 years</b>	<b>Bonds</b>	<b>No</b>	<b>No</b>	<b>No</b>

# OPTIONS

Project 1  
HOTEL  
BRAVO

“YES”

“NO”

- World Class Attraction
  - Support Kauffman Center, Loews Hotel, Convention Center, New KCI, Light Rail, Chiefs, Royals, P&L, etc.
- 100+ Jobs/Careers and Training
- \$1.0 M/year to Taxing Districts during TIF
- \$4 M/year Tax Base
- Tax on Out-of-Towners
- Shared Success Fund/ “Love Thy Neighbor” Program
  - TIF period = \$5,400,000 total
  - Post-TIF = \$ 600,000+/year



# REQUEST

- NPD Committee recommendation that Ordinance No. 190954 be advanced and passed.
- Ordinance Nos. 190955 and 190956 to be held in Committee until Project construction is substantially complete.



Legislation Text

**File #: 190955, Version: 1**

ORDINANCE NO. 190955

Approving and designating Project 1 of the Performing Arts Campus Tax Increment Financing Plan as a Redevelopment Project; and adopting tax increment financing therefor.

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 created the Tax Increment Financing Commission of Kansas City, Missouri (the "Commission"); and

WHEREAS, the City Council accepted the recommendations of the Commission, and rejected the Performing Arts Campus Tax Increment Financing Plan (the "Redevelopment Plan") and did not designate the Redevelopment Area as a conservation area; 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 Project 1 legally described as follows:

The South 267 feet of Lot 1, Performing Arts District, a subdivision in Kansas City, Jackson County, Missouri.

is approved and designated by the Performing Arts Campus Tax Increment Financing Plan as the Performing Arts Project 1.

Section 3. That tax increment allocation financing is hereby adopted for taxable real property in the above described area selected for the Performing Arts Campus Project 1. After the total equalized assessed valuation of the taxable real property in the Performing Arts Campus Project 1 exceeds the certified total initial equalized assessed valuation of the taxable real property in the Performing Arts Campus Project 1, 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 Performing Arts Campus Project 1 shall be allocated to and, when collected, shall be paid by the Jackson 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 the Performing Arts Campus Project 1 over and above the initial equalized assessed value of each such unit of property in the area selected for the Performing Arts Campus Project 1 shall be allocated to and, when collected, shall be paid to the City Treasurer who shall deposit such payments in lieu of taxes, which are necessary to the payment of the Performing Arts Campus Project 1 Costs identified by the Redevelopment Plan, 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 or taxing districts, and which are generated by economic activities within the area selected for the Performing Arts Campus Project 1 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.

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Approved as to form and legality:

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Katherine Chandler  
Assistant City Attorney

**No Fact Sheet  
Provided for  
Ordinance No.**

**190955**



Legislation Text

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**File #: 190956, Version: 1**

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ORDINANCE NO. 190956

Approving and designating Project 2 of the Performing Arts Campus Tax Increment Financing Plan as a Redevelopment Project; and adopting tax increment financing therefor.

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 created the Tax Increment Financing Commission of Kansas City, Missouri (the "Commission"); and

WHEREAS, the City Council accepted the recommendations of the Commission, and rejected the Performing Arts Campus Tax Increment Financing Plan (the "Redevelopment Plan") and did not designate the Redevelopment Area as a conservation area; 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 Project 2 legally described as follows:

All of Lots 8 and 9, Balis Addition, a subdivision in Kansas City, Jackson County, Missouri.

All of Lots 1, 2, 3, 4, 10 and all of Lot 11, Balis Addition, a subdivision in Kansas City, Jackson County, Missouri, and all of Lots 4, 5, and 6, Ford and Whitworth's Addition, a subdivision in Kansas City, Jackson County, Missouri.

is approved and designated by the Performing Arts Campus Tax Increment Financing Plan as the Performing Arts Campus Project 2.

Section 3. That tax increment allocation financing is hereby adopted for taxable real property in the above described area selected for the Performing Arts Campus Project 2. After the total equalized assessed valuation of the taxable real property in the Performing Arts Campus Project 2 exceeds the certified total initial equalized assessed valuation of the taxable real property in the Performing Arts Campus Project 2, 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 Performing Arts Campus Project 2 shall be allocated to and, when

collected, shall be paid by the Jackson 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 the Performing Arts Campus Project 2 over and above the initial equalized assessed value of each such unit of property in the area selected for the Performing Arts Campus Project 1 shall be allocated to and, when collected, shall be paid to the City Treasurer who shall deposit such payments in lieu of taxes, which are necessary to the payment of the Performing Arts Campus Project 2 Costs identified by the Redevelopment Plan, 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 or taxing districts, and which are generated by economic activities within the area selected for the Performing Arts Campus Project 2 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.

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Approved as to form and legality:

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Katherine Chandler

Assistant City Attorney

**No Fact Sheet  
Provided for  
Ordinance No.**

**190956**



Legislation Text

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**File #: 210565, Version: 2**

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COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 210565

Amending Chapter 74, Code of Ordinances, by enacting a new Article VII that establishes the City’s comprehensive policy for the approval of new community improvement districts and existing community improvement districts; and repealing Second Committee Substitute for Resolution No. 120605 and Resolution No. 130844.

WHEREAS, the Community Improvement District Act, Section 67.1401, RSMo, et seq., (“CID Act”) allows property owners to voluntarily form a district in which certain taxes and special assessments are levied in return for local benefits; and

WHEREAS, the City Council is charged by the CID Act with conducting a public hearing for determining whether a lawfully petitioned community improvement district (“CID”) should be established; and

WHEREAS, Second Committee Substitute for Resolution No. 120605 was adopted by the City Council on March 7, 2013, for the purpose of establishing the City’s policy for approval of new CIDs; and

WHEREAS, Resolution No. 130844 was adopted on November 7, 2013, and amended said policy; and

WHEREAS, Resolution No. 200309 was adopted on April 30, 2020, and directed the City Manager to make recommendations to the City’s existing CID policy to ensure existing policy adequately reflected Council’s priorities and provided sufficient guidance to Council in approving new CIDs; and

WHEREAS, the City Manager engaged and surveyed community stakeholders and presented its recommendations to Council focusing on limiting the sales tax burden, reducing the use of single parcel CIDs, increasing the public benefit, and improving transparency and communication; and

WHEREAS, this ordinance reflects a comprehensive City CID policy that consolidates prior policy directives, recommendations from the audit released by the City Auditor in April of 2021, and adopted resolutions with the City Manager’s recommendations; NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the following Resolutions are hereby repealed in their entirety:

- (a) Second Committee Substitute for Resolutions No. 120605; and
- (b) Resolution No. 130844.

Section 2. That Chapter 74, Code of Ordinances of Kansas City, Missouri, is hereby amended by enacting a new Article VII entitled “Community Improvement Districts” to read as follows:

CHAPTER 74

ARTICLE VII.  
COMMUNITY IMPROVEMENT DISTRICTS

**Sec. 74-301. Generally.**

(a) *Purpose.* A community improvement district (“CID”) is a separate legal entity, either a political subdivision or not-for-profit corporation, which is established to pay for public improvements or private projects through a sales and use tax, special assessment, or real property tax.

(b) *Application.* The provisions contained in this Article are in addition to any requirements contained in the Community Improvement District Act, Sections 67.1401 to 67.1571, RSMo.

**Sec. 74-302. Requirements to Establish a CID.**

(a) *Petition.* The petition shall:

- (1) Inform the property owners of the right to initiate a petition to terminate the proposed CID as provided by section 67.1481, RSMo.
- (2) Provide that the City Auditor shall have the right to examine or audit the records of the CID and shall require that the CID make such records available to the City Auditor within ten (10) days after a written request for the same is made.
- (3) Estimate the revenue to be used for benefits to the public and describe such benefits.

(b) *Board Composition.* No CID shall be approved unless at least one (1) board member is a member or representative of a neighborhood association or other community group existing within or adjacent to the boundaries of the proposed CID, or, alternatively, is approved by the City Manager or their designee. Such board member shall have no financial interest in any real property or business operating within the CID.

(c) *Term.* CIDs shall be limited to a term of twenty (20) years. However, if the petition provides that sales tax revenue will be used to repay debt issued to fund capital improvements, blight removal, or both, the term may be up to twenty-seven (27) years.

(d) *Blight Determination.* Any CID requesting a finding of blight or relying on a prior determination of blight for the purposes of exercising the additional powers under Section 67.1461.2, RSMo., shall submit with its petition:

- (1) A blight study, outlining the blighting factors and conditions, which blight study shall have been completed no more than five (5) years prior to the date upon which the petition is submitted to the city clerk, and which shall identify, to the extent reasonably deemed possible by the consultant doing the blight study, the owner(s) of the property at such time as the blighting factors and conditions might reasonably have been determined to first occur and remain unabated;
- (2) Information on the maintenance of the property including, among other things, any capital

maintenance outlays, during the five (5) years preceding the submission of the petition;

- (3) Official documentation notarized by the county wherein the CID is proposed to be located, denoting the total assessed valuation of each parcel located within the proposed CID for each of the five (5) immediately preceding tax years;
- (4) A construction budget, with respect to any proposed physical improvements, that is structured to address and remediate the cited blighting factors and conditions identified in the submitted blight study. Such budget shall specify which expenditures are associated with exterior improvements, public improvements, or other improvements; and
- (5) A time schedule clearly setting forth timelines for commencement and completion of remediation of cited blighting factors or conditions.

(e) *City Manager Execution.* The City Manager shall not execute any petition on behalf of the City as a property owner seeking to establish a CID unless authorized by the City Council.

(f) *Cooperative Agreement.* Each CID shall enter into a cooperative agreement with the City that addresses, among other things, requirements of this chapter and state statute. If the CID is established as a political subdivision and takes title to any real property, whether by purchase, gift, grant, bequest, devise or otherwise, the agreement shall address, or shall be amended to address, whether and to what extent the CID shall be required to make payments in lieu of taxes.

### **Sec. 74-303. Criteria for Review for Establishment of a CID**

(a) Prior to approving a petition to establish a CID, City Council shall consider, among other things:

- (1) Alignment with City goals expressed in the City's Comprehensive Plan, Area Plans, and economic development policies;
- (2) Benefits to the community with preference for petitions that allocate at least ten percent (10%) of the CID's total projected sales tax revenues toward community benefits and services;
- (3) Whether there are any existing CIDs within the boundaries of the proposed CID and if such existing CIDs support the establishment of the proposed CID;
- (4) The current tax rate and a breakdown of taxes being imposed within the proposed CID boundaries, how the proposed overall tax rate compares to neighboring cities in Missouri, and any impact on the City's ability to impose additional taxes. Such information shall be provided by the Finance Department; and
- (5) Whether a shorter term is desirable based upon the nature of improvements and services and the projected budget.

(b) Prior to approving a petition to establish a CID with the additional powers under Section 67.1461.2, RSMo. related to blighted areas, City Council shall consider, among other things:

- (1) Whether the completion of exterior improvements and public improvements is prioritized above all other improvements;

(2) Whether any petitioner was the owner of property within the proposed CID boundaries at such time as the blighting factors and conditions might reasonably have been determined to first occur and remain unabated. For purposes of this provision, any current property owner sharing one or more common partners, members, directors or officers with the property owner(s) identified as being responsible for the blighting factors and conditions shall be deemed the same owner(s); and

(3) Whether more than twenty-five percent (25%) of the costs of remediation of blighting conditions located on the interior of any private property shall be funded by public revenues.

(c) Prior to the public hearing to establish a proposed CID, petitioners or their representatives shall provide a detailed letter or memorandum to City Council addressing the criteria contained in this section.

#### **Sec. 74-304. Reporting Requirements.**

(a) Annual reports and proposed annual budgets submitted to the City pursuant to Section 67.1471, RSMo, shall, among other things, provide a detailed breakdown of the CID revenue used or to be used toward public infrastructure improvements, exterior improvements, interior improvements, and other improvements and services.

(1) Annual reports shall also include the name and contact information of each current board member to be entered into the City's Granicus board and commissions system. Additionally, the annual report shall identify the board member required by Section 74-302(b), if applicable.

(b) The City Clerk shall notify the City Council by communications to be included on the City Council's agenda each time a CID files its proposed annual budget and annual report with the City Clerk.

(c) City staff shall annually report to the Neighborhood, Planning, and Development Committee on or around October 1 of each year those CIDs that failed to submit their proposed annual budgets and annual reports within the time limits provided by Section 67.1471, RSMo, whether the work performed conformed to previously submitted budgets, and whether the CID adhered to the terms of its cooperative agreement with the City.

(d) When requested by a councilmember, CIDs will be given the opportunity to appear before the Neighborhood, Planning, and Development Committee to report on its activities.

#### **Sec. 74-305. Fees and Fines.**

(a) *Fees.*

(1) Upon receipt of an invoice from the City, each CID shall reimburse the City for the reasonable and actual expenses incurred by the City to:

a. Review budgets and reports of the CID required to be submitted to the City annually and report to City Council regarding such review.

b. Review and approve the petition of a CID formed after passage of this ordinance.

c. Review and approve the amended petition of an existing CID.

(2) Such reimbursement shall not exceed one and one-half percent (1.5%) of the revenues collected by the CID in the preceding year.

(b) *Fines.* Any CID that fails to submit its proposed annual budgets and annual reports within the timeframe provided by Section 67.1471, RSMo. shall be subject to a fine of \$100 for every thirty (30) days delinquent, up to a maximum total fine of \$3,000.

(c) *Ineligibility.* Any CID with unpaid fees or fines pursuant to this section shall be ineligible to amend its petition, including to extend its term, until such fees or fines have been paid.

(d) *Waiver.* The Director of City Planning and Development may waive the provisions of this section upon a finding of good cause.

Section 3. That Sections 74-302 and 74-303 shall not apply to any proposed CID having submitted its petition to the City Clerk prior to the date upon which this ordinance is adopted; or any proposed CID having begun circulation of its petition prior to the date upon which this ordinance is adopted as attested to by a person directing that the petition be submitted to the City Clerk, and provided further that such petition is submitted within ninety (90) days following the date upon which this ordinance is adopted. Instead, such proposed CIDs must comply with any City polices in effect prior to adoption of this ordinance.

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Approved as to form and legality:

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Eluard Alegre  
Assistant City Attorney



# GENERAL Ordinance Fact Sheet

<b>Brief Title:</b>	<b>Approval Deadline</b>
Amending Chapter 74, Code of Ordinances, by enacting Sections 74-301 through 74-305 for the purpose of establishing the City's comprehensive policy for Community Improvement District formation, powers, and duties.	

<b>Reason:</b>
To codify existing CID policies and new recommendations based on staff, Council, and community input.

<b>Details</b>
<p><b>Reason for Legislation:</b></p> <p>To codify existing CID policies and new recommendations based on staff, Council, and community input.</p> <p><b>Discussion (explain all financial aspects of the proposed legislation, including future implications, any direct/indirect costs, specific account numbers, ordinance references, and budget page numbers.)</b></p> <p>The City first enacted its Community Improvement District policy in 2002 as a tool for redevelopment and neighborhood stabilization. CIDs have come under greater scrutiny in recent years with increased use, especially in the case of single-beneficiary CIDs. Resolution 160784 directed the City Manager to propose amendments to the City's CID policy, resulting in an October 2017 policy proposal memo. Recently, Resolution 200309 called upon the City Manager to make CID policy recommendations informed by community stakeholders' feedback. Since this resolution was passed, the City Planning and Development Department, Office of Economic Development, and DataKC have worked together to synthesize a list of policy proposals. Some of the major changes are as follows:</p> <ol style="list-style-type: none"> <li>1. <b>Sec. 74-302</b> Requiring additional documentation for any proposed CID requesting a blight determination including a blight study, documentation from the county denoting the valuation of parcels of land in the proposed boundaries, a construction budget, and capital maintenance layouts.</li> <li>2. <b>Sec. 74-303</b> Imposing additional requirements for overlapping CIDs, board member composition, single beneficiary CIDs, and use of revenue.</li> <li>3. <b>Sec. 74-305</b> Establishing a fee structure to reimburse the City for costs associated with reviewing CID petitions and reports, as well as a fine structure for failure to submit annual reports.</li> </ol>

<b>Positions/Recommendations</b>	
<b>Sponsor</b>	Councilwoman Bough
<b>Programs, Departments, or Groups Affected</b>	
<b>Applicants / Proponents</b>	
<b>Opponents</b>	
<b>Staff Recommendation</b>	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No action taken  <input type="checkbox"/> For, with revisions or conditions ( see details column for conditions)
<b>Board or Commission Recommendation</b>	<input type="checkbox"/> Do pass <input type="checkbox"/> Do pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not pass
<b>Council Committee Action</b>	

	<p><b>Policy or Program Change</b></p> <p><b>Operational Impact Assessment</b></p> <p><b>Finances</b></p> <p><b>Costs &amp; Revenue Projections - Including Indirect Costs</b></p> <p><b>Financial Impact</b></p> <p><b>Fund Source(s) and Appropriation Account Codes</b></p> <p><b>Is this Ordinance or Resolution Good for the Children</b></p>	<p><input type="checkbox"/> No    <input type="checkbox"/> Yes</p>

**Applicable Dates:**

**Prepared by:** Luke Smith, City Manager's Office

**Reviewed by:** Kerrie Tyndall, City Manager's Office, Eluard Alegre, Law

**Reference Numbers**