



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

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Title: Waiving certain provisions of Section 74-3 “Application for approval of development plan; amendments” of the Code of Ordinances, for the Westside Owner-Occupant Residential Property Chapter 353 Development Plan to simplify the notice requirements

Sponsors:

Indexes:

Code sections:

Attachments: 1. No Fact Sheet, 2. Authenticated Ordinance 220662

Date	Ver.	Action By	Action	Result
8/11/2022	1	Council	Passed	Pass
8/10/2022	1	Neighborhood Planning and Development Committee	Adv and Do Pass	Pass
8/4/2022	1	Council		

ORDINANCE NO. 220662

Waiving certain provisions of Section 74-3 “Application for approval of development plan; amendments” of the Code of Ordinances, for the Westside Owner-Occupant Residential Property Chapter 353 Development Plan to simplify the notice requirements

WHEREAS, §§ 353.010 et seq. authorizes the City to approve of urban renewal plans for the development of blighted areas; and

WHEREAS, the City has enacted §§ 74-1 through 74-10 of the Code of Ordinances providing a process for the review of 353 plans and requiring that an urban renewal corporation submit certain documents to the 353 Advisory Board at the time of the application; and

WHEREAS, § 74-3(a)(5) of the Code requires an applying urban renewal corporation to certify they have “given written notice to each person or entity having any recorded property interest and to each occupant and business in the project area at the address of such occupant or business within the area encompassed by the development plan;” and

WHEREAS, the Westside Redevelopment Corporation has prepared the Westside Owner-Occupant Residential Property Chapter 353 Development Plan (the “Plan”) for submission to the 353 Advisory Board; and

WHEREAS, the Westside Redevelopment Corporation is requesting to waive § 74-3(a)(5) of the Code for the Plan; and

WHEREAS, the Plan is intended to address the rapid gentrification and displacement of long-term owner-occupants in the Westside neighborhood; and

WHEREAS, the Plan only provides abatement for owner-occupied residential property; and

WHEREAS, notification under § 74-3(a)(5) requires notice to interest holders of properties that do not qualify for the Plan, like, unimproved lots, which is excessively costly and unnecessary given that properties do not qualify; and

WHEREAS, Developer has previously notified (1) each owner of improved real property in the area encompassed by the Plan at the address for such owner as reported by the Jackson County Assessment Department, and (2) each occupant and business in the area encompassed by the Plan at the address of such occupant or business; and

WHEREAS, notification can be made to those who have a recorded interest in qualifying parcels at the time the owner-occupant applies to participate in the Plan; and

WHEREAS, the City Council believes that the notice requirements of § 74-3(a)(5) are overly burdensome in this particular context and that later, more tailored notification is sufficient; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That § 74-3(a)(5) of the Code of Ordinances, which requires an urban redevelopment corporation to provide “Certification that the urban redevelopment corporation has given written notice to each person or entity having any recorded property interest and to each occupant and business in the project area at the address of such occupant or business within the area encompassed by the development plan” with an application to the Kansas City Chapter 353 Advisory Board is hereby waived for the Westside Owner-Occupant Residential Property Chapter 353 Development Plan, if the plan is submitted to the 353 Advisory Board by January 30, 2023.

Approved as to form and legality:

Emalea Black
Associate City Attorney