

**Ninth Amendment to the
Winchester Center
Tax Increment Financing Plan**

The Winchester Center Tax Increment Financing Plan shall be amended as follows:

- A. Delete Section I, INTENT AND NATURE OF THE AMENDMENT, in its entirety and in lieu thereof insert the following:

I. INTENT AND NATURE OF THE AMENDMENT

The Winchester Center Tax Increment Financing Plan (the “Plan”) has been amended eight (8) times since its initial approval by Ordinance No. 911435. The First Amendment to the Plan, as approved by Ordinance No. 931165 (the “First Amendment”) provides for the expansion of the Redevelopment Area, as originally described by the Plan, to include property located on the southwest corner of 63rd Street Trafficway and Manchester Avenue. The Redevelopment Area, as expanded by the First Amendment, is generally bound by 63rd Street Trafficway on the north, Interstate 435 and Manchester Avenue on the east, 64th and 67th Streets on the south, and the Kansas City Southern Railroad tracks on the west. The expanded area included Redevelopment Project Area 13. The First Amendment provides for the construction of approximately 33,600 square feet of office commercial space together with all necessary appurtenances, utilities and street improvements within Redevelopment Project Area 13.

The Second Amendment to the Plan, as approved by Ordinance No. 941181 (the “Second Amendment”) provides for additional property to be included within the Redevelopment Area. The addition of the property creates Redevelopment Project Area 14. Redevelopment Project Area 14 will consist of the construction of approximately 80,000 square feet of office space at an estimated cost of \$20,000,000.

The Second Amendment further provides for the subdivision of Redevelopment Project Area 5 into three sub-projects to allow greater development flexibility. The Second Amendment additionally permits the use of tax abatement as provided for under the Enterprise Zone designation. The categories of eligible reimbursable project costs are proposed to be expanded to include reimbursement for rock excavation, deck parking and other excessive building costs directly related to site issues, and underground utility work.

Each of the Third Amendment to the Plan, as approved by Ordinance No. 031366 (the “Third Amendment”), the Fourth Amendment to the Plan, as approved by Ordinance No. 050617 (the “Fourth Amendment”) and the Fifth Amendment to the Plan, as approved by Ordinance No. 051235 (the “Fifth Amendment”),

provide for modifications and updates to the Budget of Redevelopment Project Costs.

The Sixth Amendment (the “Sixth Amendment”) to the Plan provided, inter alia, additional funding for (i) a neighborhood improvement program and (ii) Bennington Road between Beacon and 67th Street.

The Seventh Amendment (the “Seventh Amendment”) provided for modifications to the neighborhood improvement program and modifications to the Development Schedule.

The Eighth Amendment (the “Eighth Amendment”) provides for modifications to the neighborhood improvement program.

The Ninth Amendment (the “Ninth Amendment”) provides for modifications to the Development Schedule.

- B.** Delete the First Supplement to Exhibit 6 of the Amended Development Schedule for Improvements Contemplated by the Seventh Amendment” and insert the revised First Supplement to Exhibit 6, as attached hereto.

FIRST SUPPLEMENT TO EXHIBIT 6

**DEVELOPMENT SCHEDULE FOR IMPROVEMENTS CONTEMPLATED
BY THE SEVENTH AMENDMENT**

| <u>Neighborhood Infrastructure Improvements</u> | <u>Commencement</u> | <u>Completion</u> |
|--|--------------------------------|---|
| Bennington Road Improvements | Spring 2018 | Winter 2019 |
| <u>Neighborhood Program</u> | <u>Commencement</u> | <u>Completion</u> |
| | April 2013 | April 2024, with an option by the Commission to extend completion for up to 1 additional year |



Legislation Text

File #: 220390

ORDINANCE NO. 220390

Accepting the recommendations of the Tax Increment Financing Commission and approving the Ninth Amendment to the Winchester Center Tax Increment Financing Plan; and directing the City Clerk to send a copy of this ordinance to Jackson County.

WHEREAS, pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the "Act"), the City Council of Kansas City, Missouri (the "Council") by Ordinance No. 54556 passed on November 24, 1982, and thereafter repealed and amended in certain respects by Committee Substitute for Ordinance No. 911076, as amended, passed on August 29, 1991, Ordinance No. 100089, passed on January 28, 2010, Ordinance No. 130986, passed on December 19, 2013, and Committee Substitute for Ordinance No. 140823, as amended, passed on June 18, 2015 (the "Authorizing Ordinances") created the Tax Increment Financing Commission of Kansas City, Missouri (the "Commission"); and

WHEREAS, on December 19, 1991, the City Council passed Ordinance No. 911435, which accepted the recommendations of the Commission as to the approval of the Winchester Center Tax Increment Financing Plan ("Redevelopment Plan" or "Plan") and the designation of the Redevelopment Area described therein to be a conservation area; and

WHEREAS, the Redevelopment Plan has been amended 8 times; and

WHEREAS, on April 12, 2022, the Commission, upon the recommendation of its Housing Committee, passed Resolution No. 4-13-22, which recommended that the Council ratify the Commission's approval of extending the time for funding improvements in connection with the neighborhood improvement program to April 2024, by approving the Ninth Amendment to the Plan; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the recommendations of the Commission regarding the Ninth Amendment to the Plan are hereby accepted and the Ninth Amendment, a copy of which is attached hereto, is hereby approved.

Section 2. That all terms used in this Ordinance, not otherwise defined herein, shall be construed as defined in the Act.

Section 3. That the Council finds that:

- (a) Good cause has been shown for amendment of the Redevelopment Plan, and that the previous findings of the City Council with respect to the Redevelopment Plan are not affected by the Ninth Amendment and apply equally to the Ninth Amendment;
- (b) The Redevelopment Area, described in the Redevelopment Plan, as by the Ninth Amendment, is a conservation area, as a whole, has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of the Redevelopment Plan, as amended by the Ninth Amendment, and the utilization of tax increment financing;
- (c) The areas selected as Redevelopment Projects include only those parcels of real property and improvements which will be directly and substantially benefited by the public improvements described by the Redevelopment Plan, as amended by the Ninth Amendment;
- (d) The Redevelopment Plan, as amended by the Ninth Amendment, and each Redevelopment Project, conform to the comprehensive plan for the development of the City as a whole;
- (e) The estimated dates of completion of the respective Redevelopment Projects and retirement of any obligations incurred to finance Redevelopment Project Costs have been stated in the Redevelopment Plan, as amended by the Ninth Amendment, and are not more than 23 years from the passage of any ordinance approving a Redevelopment Project authorized by the Plan, as amended;
- (f) The Redevelopment Plan, as amended by the Sixth Amendment, includes a plan for relocation assistance for businesses and residences;
- (g) The Ninth Amendment does not alter the cost-benefit analysis previously incorporated within the Redevelopment Plan.
- (h) The Redevelopment Plan, as amended by the Ninth Amendment does not include the initial development or redevelopment of any gambling establishment; and
- (i) A study has been completed and the findings of such study satisfy the requirements set out in subdivision (1) of Section 99.810, RSMo.

Approved as to form and legality:


Emalea Black
Assistant City Attorney

220390



Authenticated as Passed


Quinton Lucas, Mayor

Marilyn Sanders, City Clerk

MAY 12 2022

Date Passed