



**SECOND AMENDMENT  
TO THE  
43<sup>RD</sup> AND MAIN  
TAX INCREMENT FINANCING PLAN**

**I. Introduction**

The Second Amendment to the 43<sup>rd</sup> and Main Tax Increment Financing Plan (the "Second Amendment") shall amend the 43<sup>rd</sup> and Main Redevelopment Plan as approved by the Ordinance No. 980227 on March 24, 1994, and the First Amendment to 43<sup>rd</sup> & Main Redevelopment Plan by Ordinance No. 941149 on September 18, 1994 (collectively referred to herein as the "Plan"). The Second Amendment shall provide for the expansion of the boundaries as established in the Plan to include the properties in the Southmoreland neighborhoods. The expansion would allow for the Tax Increment Financing revenues generated within the redevelopment area to provide funds to facilitate grants and/or loans to residential property owners within the neighborhood for rehabilitation, repairs and improvements. The Tax Increment Financing funds would continue to be used for public infrastructure improvements within the area. The intent of the Plan remains unchanged other than those changes specifically mentioned herein.

**II. Specific Plan Text Amendments**

In accordance with this Second Amendment the Plan shall be amended as follows:

**Amendment No. 1: Section I.A., Summary**

Add as the last sentence to the first paragraph of Section I.A. the following sentence:

The Plan also provides for the establishment of a neighborhood grant and/or loan program for property owners with the Redevelopment Area to facilitate residential rehabilitation, repairs and improvements.

**Amendment No. 2: Section I.B., Redevelopment Area**

Delete all of Subsection B of Section I of the Plan, and insert the following in its stead:

Redevelopment Area: The Redevelopment Area is described as an area generally bounded by Kansas City & Westport Belt RR right-of-way, Baltimore Street and Main Street on the West, Gillham Road and Rockhill Road on the East, 39<sup>th</sup> and 41<sup>st</sup> Street on the North and 45<sup>th</sup> and 46<sup>th</sup> Street on the South, in Kansas City, Jackson County, Missouri, as legally described in Exhibit 1A (the "Redevelopment Area").

**Amendment No. 3: Section IX Existing Conditions**

Delete the second sentence of Section IX in its entirety and insert in lieu there of the following:

The Redevelopment Area is an improved area within the boundaries of Kansas City, Missouri in which more than 77% of the structures in the five (5) census tract block groups are thirty- five (35) years or older.

**III. Plan Exhibit Amendments**

**Amendment No. 1: Exhibit 1 Redevelopment Area Legal Description**

Delete Exhibit 1, entitled “Location and Legal Description of the Redevelopment Area” and insert the attached Exhibit 1, entitled ‘Location and Legal Description of the Redevelopment Area’.

**Amendment No. 2: Exhibit 2, Site Plan**

Delete Exhibit 2, entitled “43<sup>rd</sup> and Main Redevelopment Area Project Area/Site Plan” and insert the attached Exhibit 2, entitled “43<sup>rd</sup> and Main Redevelopment Area Project Area/Site Plan”.

**Amendment No. 3: Exhibit 8A, Conservation Area Study**

Add the attached Exhibit 8A, entitled “Conservation Area Study”, as a supplement to Exhibit 8 of the Plan.

**Amendment No. 4: Exhibit 9, Estimated Development Schedule**

Change the date on the line “All Project Ordinances Approved by City Council” from February 2003 to March 2004 and,

Change the date on the line entitled “Redevelopment Plan Cases” from February 2023 to March 2023 and,

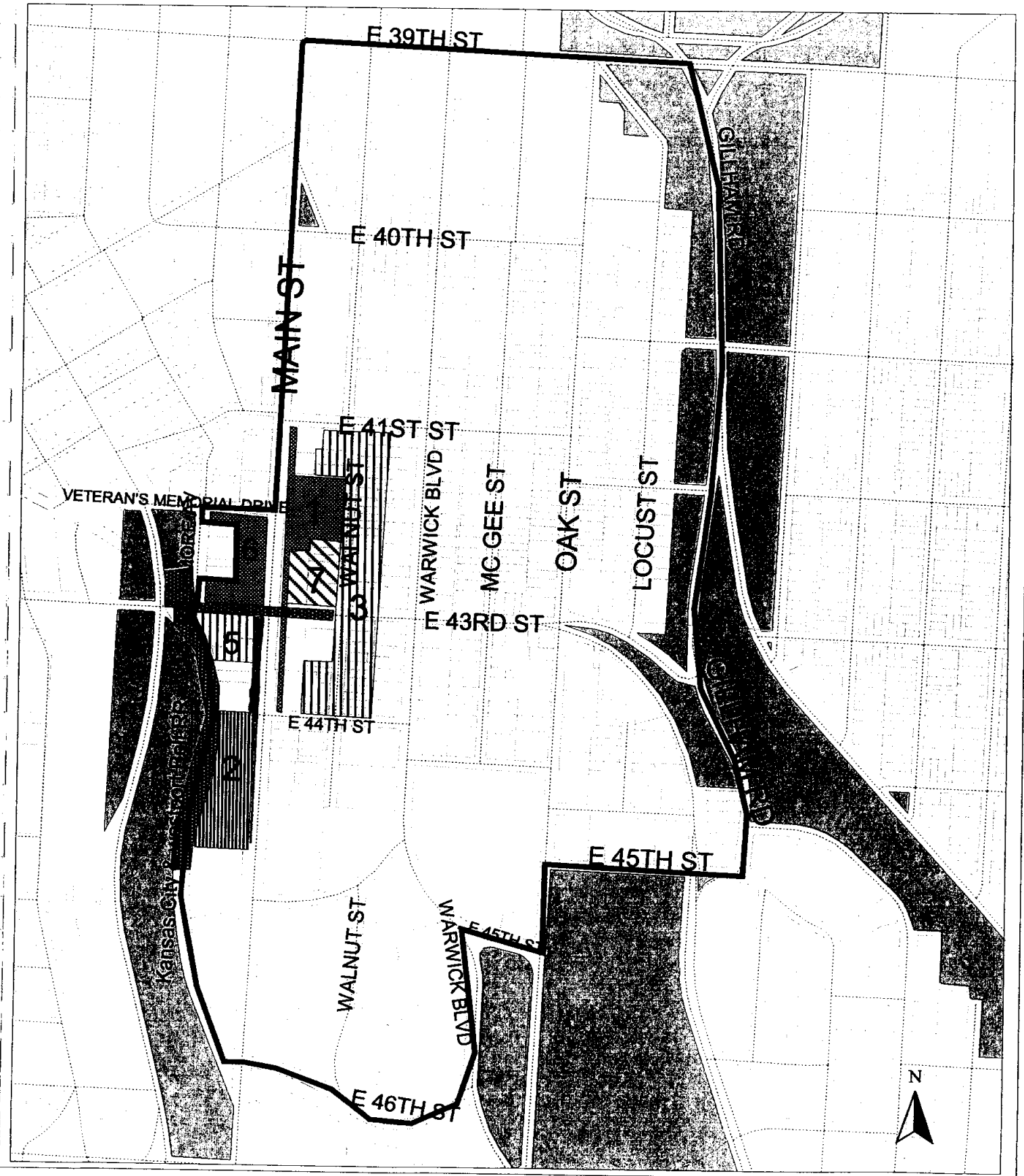
Add the line entitled “Housing Program” and add the date of “Spring 2004”.

## **EXHIBIT 1A: ENTIRE REDEVELOPMENT AREA LEGAL DESCRIPTION**

The area is legally described as follows:

Beginning at the center line of 39<sup>th</sup> Street and center line of Main Street; thence easterly along 39<sup>th</sup> Street to center line of Gillham Road; thence southerly along said center line to West Gillham Road; thence southerly to the intersection with 45<sup>th</sup> Street; thence westerly along the center line of 45<sup>th</sup> Street to the center line of Oak Street; thence southerly along said center line to the center line of 45<sup>th</sup> Street; thence westerly along said center line to the center line of Warwick Street; thence south/southwesterly along said center line to the centerline of 46<sup>th</sup> Street; thence westerly along said center line to the east right-of-way line of Kansas City & Westport Belt Railroad right-of-way, and its easterly extension to the easterly right-of-way line of the Kansas City and Westport Belt Railroad; thence proceeding north/northwesterly along said right-of-way line to the center line of 43<sup>rd</sup> Street; thence easterly along said center line to the center line of Baltimore Avenue; thence northerly along said center line to the westerly extension of the north lot line of Lot 17, STEPHENS SMITH'S SUBDIVISION; thence easterly along the north lot line of said Lot 17 to the east lot line of Lot 18, STEPHENS SMITH'S SUBDIVISION; thence northerly along the east lot lines of Lots 18 through 22, STEPHEN SMITH'S SUDIVISION, to a point 40 feet north of the south lot line of said Lot 22; thence westerly along a line 40 feet north of and parallel to the south lot line of said Lot 22, STEPHEN SMITH'S SUBDIVISION, to the center line of Baltimore Avenue; thence north along said center line to the center line of the Vietnam Veteran's Memorial Drive; thence easterly along said center line to the center line of Main Street; thence north along said center line to the point of beginning, now all included in a part of Kansas City, Jackson county, Missouri.

# 43RD AND MAIN REDEVELOPMENT AREA PROJECT AREAS/SITE PLAN EXHIBIT 2



**EXHIBIT 8A (Attach to Exhibit 8)**

**CONSERVATION AREA STUDY**

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**43<sup>RD</sup> AND MAIN TIF DISTRICT**

NORTH: 39<sup>TH</sup> STREET

SOUTH: EAST 46<sup>TH</sup> & 45<sup>TH</sup> STREETS

EAST: GILLHAM ROAD

WEST: MAIN STREET

EFFECTIVE DATE OF THE  
CONSERVATION STUDY:  
FEBRUARY 19, 2004

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## EXECUTIVE SUMMARY

<b>43<sup>RD</sup> AND MAIN TIF DISTRICT</b>	
Location	Area bounded by 39 <sup>th</sup> Street on the north, Gillham Rd. on the east, 45 <sup>th</sup> /46 <sup>th</sup> Streets on the south and Westport RR Beltway on the west.
Effective date of the Conservation Study	February 19, 2004
Date of the Report	February 25, 2004
Conservation Area Criteria	
1) 50% or more of the structures are 35 years or older	The median year structure built for all the census tracts within the study area is 1958.
2) Potential for blight	<ul style="list-style-type: none"><li>• Evidence of dilapidation of improvements</li><li>• Vacant properties in deterioration</li><li>• Vacant lots</li><li>• Lack of curbs and paved driveways</li></ul>



## **GENERAL INFORMATION**

### **Identification of Study Area**

The study area is approximately 166 acres located in the Jackson County, Kansas City area. It is described as an area generally bounded by Warwick Street on the West, Gillham Road on the East, 39<sup>th</sup> Street on the North and 45<sup>th</sup>/46<sup>th</sup> Streets on the South.

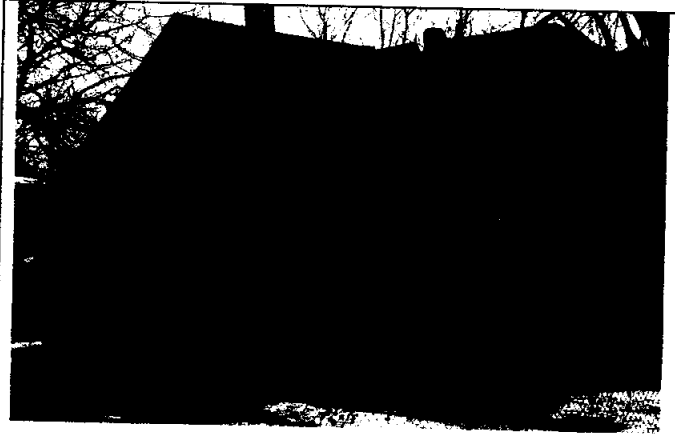
### **Purpose of the Study**

The purpose of this conservation area study is to analyze the area and determine if the area is a conservation area as defined under the Missouri TIF Statute, Section 99.805(3).

# Photographs



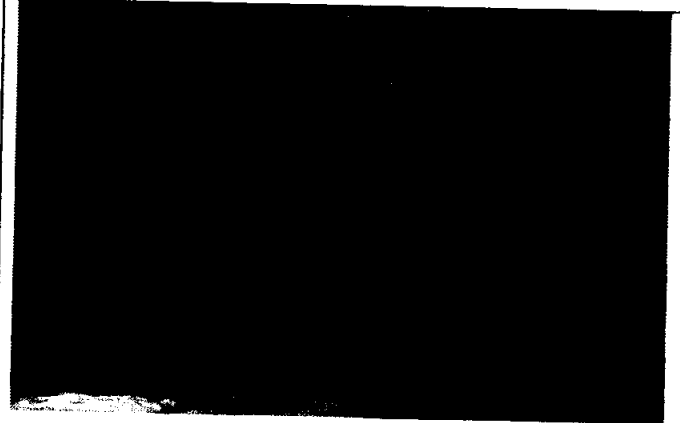
1. Alley way Between oak and Locust on East 41<sup>st</sup> Street



2. 4025 Locust Street, deterioration of roof and peeling paint



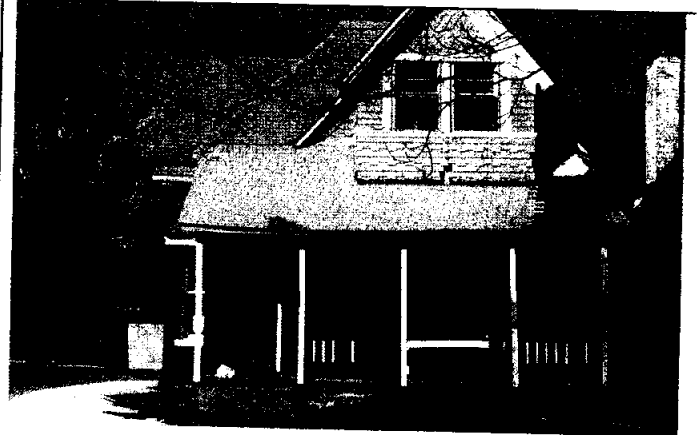
3. 416 E. 41<sup>st</sup> Street, broken windows and exposed back porch.



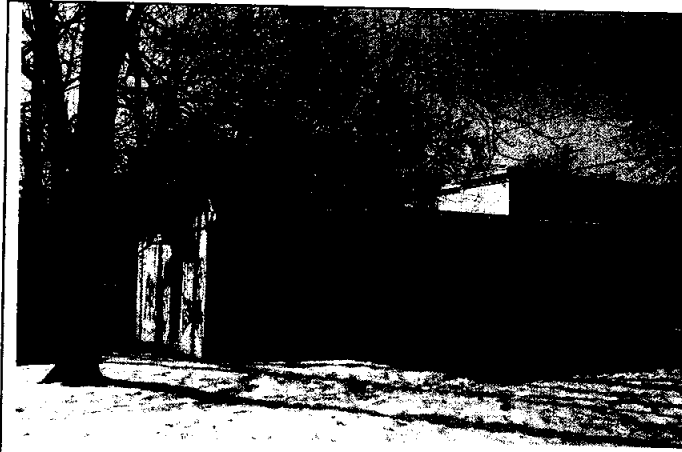
4. 416 E. 41<sup>st</sup> Street, missing support studs for porch area.



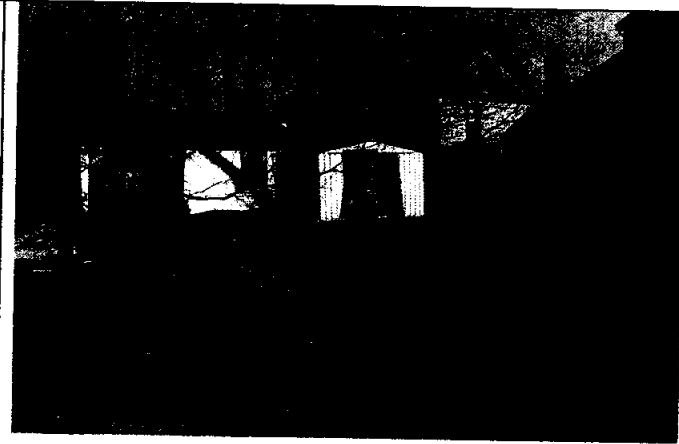
5. NE corner of 42<sup>nd</sup> & Locust Streets, vacant lot



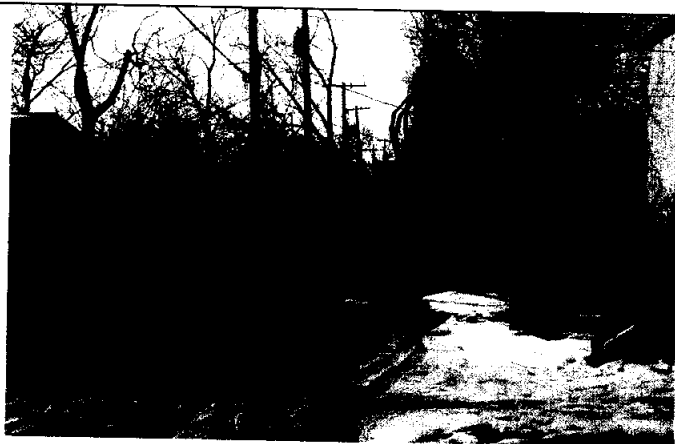
6. 4154 Oak Street, vacant property and unsecured front door.



7. 301 E. 41<sup>st</sup> Street



8.300 E. 41<sup>st</sup> Street, unpaved driveway and deteriorating garage.



9. 41<sup>st</sup> Street between Oak & McGee, dilapidated garage.



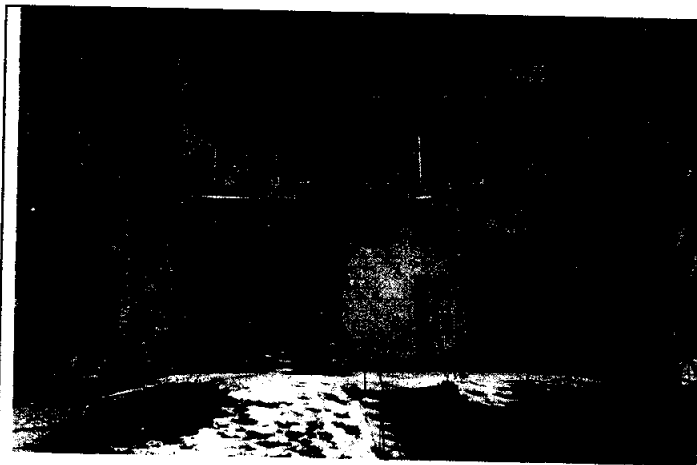
10. 4158 Oak Street, House conversion to commercial add-on frontage.



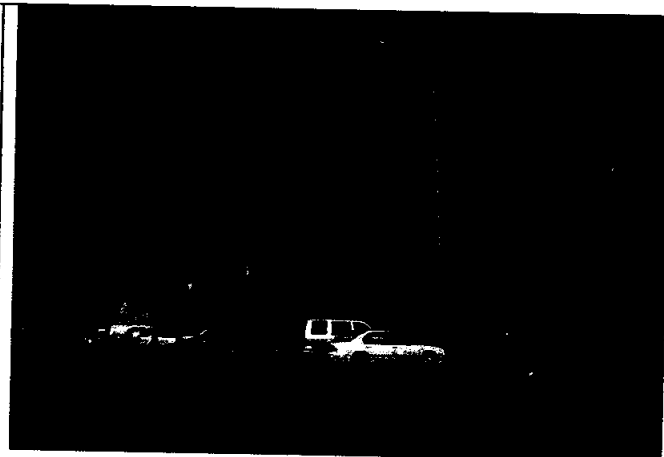
11. 4000 Block of Warwick, west side



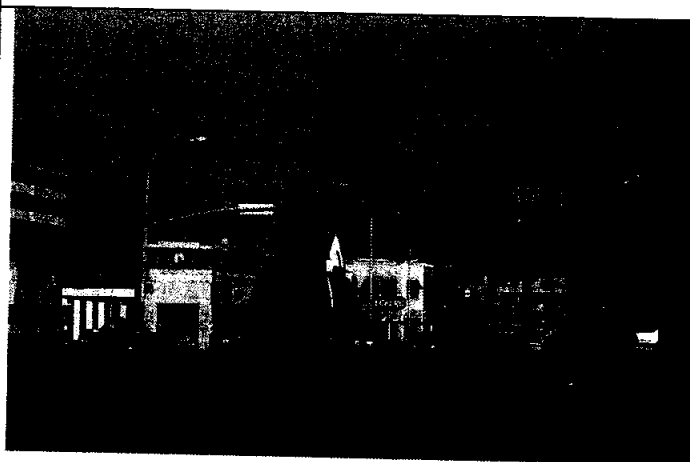
12. 4000 Block of Warwick-east side, crowded off-street parking lot.



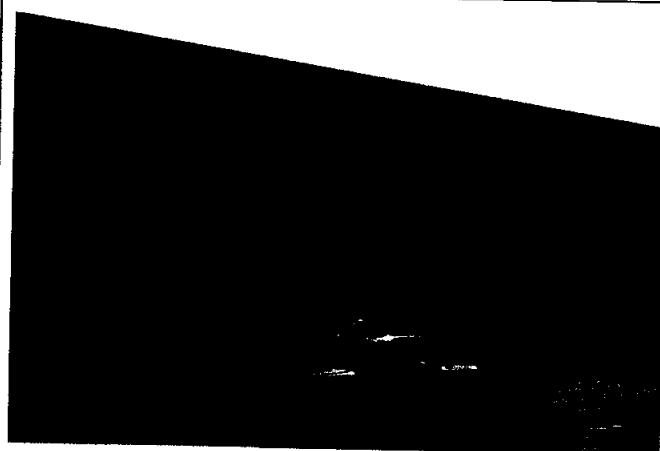
13. 3952 Warwick



14. 40<sup>th</sup> & Main, east side, limited customer and employee parking.



13. 40<sup>th</sup> & Main, east side-northerly view, unsafe street parking.



14. 39<sup>th</sup> & Main, east side-southerly view, unsafe street parking

# CONSERVATION AREA ANALYSIS

## CONSERVATION AREA

### DEFINED

Section 99.805(3) R.S.MO of Missouri's Tax Increment Financing Statute defines a "Conservation Area" as follows:

*Any improved area within the boundaries of a redevelopment area located within the territorial limits of a municipality in which fifty percent or more of the structures in the area have an age of thirty-five years or more. Such an area is not yet a blighted area but is detrimental to the public health, safety, morals, or welfare and may become a blighted area because of any one or more of the following factors: Dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; abandonment; excessive vacancies; overcrowding of structures and community facilities; lack of ventilation, light or sanitary facilities; inadequate utilities; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; and lack of community planning. A conservation area must meet at least three of the foregoing factors for projects approved on or after December 23, 1997.*

The elements of the TIF Statute provide the basis for determining whether the Redevelopment Area constitutes a conservation area. The definition is comprised of two primary issues: (1) The 35 year age threshold for 50% or more of the structures within the Redevelopment Area, and (2) the area's detriment to the public health, safety, morals, or welfare due to its potential for blight, as exhibited by one or more of the potentially blighting factors listed in the preceding paragraph. Throughout this report we will refer to the study area photographs included on pages 6 through 8.

## ISSUE 1: IMPROVEMENT AGE

To qualify as a conservation area, at least 50% of the improvements within the study area should be at least 35 years or more, which in this case would imply that 50% of the improvements should have been built in or before 1969. The following table, obtained from Census 2000 data, indicates that the percentage of structures built within the census tracts in the study area is prior to or in 1969 is well over 50%.

**DP-4 Profiles of Selected Housing Characteristics - Census 2000**  
**Summary File 3 (SF 3) - Sample Data**

	Block Group 1, Census Tract 67	Block Group 2, Census Tract 67	Block Group 3, Census Tract 67	Block Group 2, Census Tract 66	Block Group 3, Census Tract 66
% of structures built before 1969	87.2%	93.3%	91%	87.9%	77%

U.S. Census Bureau  
Census 2000

## ISSUE 2: POTENTIAL BLIGHTING FACTORS

The conservation area is intended to preempt the deterioration of an area into blight in citing the potential of blight that may be exhibited by one or a combination of the 14 factors. The following is a discussion of each of the building improvements and the site improvements relative to the relevant factors observed.

### FACTOR 1: DILAPIDATION

Evidence of dilapidation was evidenced throughout the study area. Significant examples of dilapidation of building improvements are represented by Photographs 3,4 and 9.

### FACTOR 2: OBSOLESCENCE

Functional obsolescence is a loss in value caused by a design problem viewed by today's standards. Common examples are outdated building components or materials, an inefficient floor plan, mechanical inadequacies, or an over-improvement for the present use. Photograph 10 is an example.

### FACTOR 3: DETERIORATION

This factor is intended to address the level of the maintenance of the improvements, and is difficult to segregate from the conclusions under Factor 1 and Factor 13. This potential blighting factor is best posed to the building improvements that are still utilized, thus not yet dilapidated. Photograph 8 shows the need to update garage and pave the driveway.

### FACTOR 4: ILLEGAL USE OF INDIVIDUAL STRUCTURES

Photograph 12 indicates off-site parking on grass.

**FACTOR 5: EXCESSIVE VACANCIES**

Photographs 6 and 7 indicate vacant properties that are in deterioration.

**FACTOR 6: DEPRECIATION OF PHYSICAL MAINTENANCE**

Photographs 2-4, and 13 show the depreciation of physical maintenance.

**FACTOR 7: PRESENCE OF STRUCTURES BELOW MINIMUM CODE STANDARDS**

**FACTOR 8: ABANDONMENT**

**FACTOR 9: OVERCROWDING OF STRUCTURES AND COMMUNITY FACILITIES**

**FACTOR 10: LACK OF VENTILATION, LIGHT, OR SANITARY SEWERS**

**FACTOR 11: INADEQUATE UTILITIES**

**FACTOR 12: EXCESSIVE LAND COVERAGE**

**FACTOR 13: DELETERIOUS LAND USE OR LAYOUT**

**FACTOR 14: LACK OF COMMUNITY PLANNING**