

**THE NEW YORK LIFE BUILDING  
TAX INCREMENT FINANCING PLAN  
KANSAS CITY, MISSOURI**

**APPROVED BY THE  
TAX INCREMENT FINANCING COMMISSION  
OCTOBER 12, 1994**

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## **REQUIRED PLAN ELEMENTS**

### **I. GENERAL DESCRIPTION**

A. **Summary.** The New York Life Building Tax Increment Financing Plan (the "Plan") calls for through the rehabilitation of the New York Life Building, together with all necessary utilities, street improvements and appurtenances necessary to adequately address the conditions qualifying the Redevelopment Area as a Blighted Area.

B. **Redevelopment Area.** The Redevelopment Area is located on the northeast corner of Baltimore Avenue and 9th Street (the "Redevelopment Area") in Kansas City, Jackson County, Missouri (the "City") as described in Exhibit 1 attached hereto.

C. **Redevelopment Projects.** The development activities within the Redevelopment Area will be undertaken as a single redevelopment project (the "Redevelopment Project"), which will be approved by ordinance in conformance with Missouri's Tax Increment Financing Statute. This Plan will be implemented by rehabilitation of the New York Life Building as described on the site plan attached as Exhibit 2 and described in the specific objectives of the Plan set forth in Exhibit 3. It is envisioned that this Plan will be amended from time to time, as determined necessary by the Tax Increment Financing Commission and the City Council, in order to incorporate additional projects which further the revitalization efforts within the Redevelopment Area.

D. **Redevelopment Plan Objectives.** The general objectives of the Redevelopment Plan are:

1. To eliminate conditions which cause the Redevelopment Area to be designated as a Blighted Area and to eliminate and prevent the recurrence thereof.
2. To enhance the tax base of the City and the other Taxing Districts by developing the Redevelopment Area to its highest and best use, encouraging private investment in the surrounding area, increasing employment opportunities and to discourage residents, commerce, industry and manufacturing from moving to another state.
3. To increase employment and housing opportunities in the City.
4. To stimulate development which would not occur without Tax Increment Financing assistance.

Specific objectives of the Plan are set forth in Exhibit 3.

### **II. ESTIMATED REDEVELOPMENT PROJECT COSTS**

Estimated redevelopment project costs for the Project are projected to be approximately \$26,186,620 over the life of the Plan. The Plan proposes that approximately \$15,879,000 in Redevelopment Project Costs be reimbursable from the Special Allocation Fund. The reimbursable Project Costs include those shown set forth in Exhibit 4.

The Commission has determined that certain planning and special services expenses of the Commission that are not direct project costs are nonetheless reasonable and necessary for the operation of the Commission and are incidental costs to the project. These incidental costs will be

recovered by the Commission from the Special Allocation Fund in an amount not to exceed five percent (5%) of the PILOTS and Economic Activity Taxes paid annually into the fund.

### **III. ANTICIPATED SOURCES OF FUNDS**

Anticipated sources and amounts of funds to pay Redevelopment Project Costs and amount to be available from those sources are shown on Exhibit 5. The expected sources of funds to be used to reimburse eligible expenses include PILOTS and Economic Activity Tax proceeds.

If bonds are issued, bond proceeds will be deposited in a special construction fund for use in payment of Reimbursable Project Costs. If property is acquired by the Commission and sold or leased to a selected Developer, land disposition or lease proceeds will be utilized by the Commission for payment of Reimbursable Project Costs.

A. Payment in Lieu of Taxes. The total Payment in Lieu of Taxes ("PILOTS") generated over the duration of the Plan is estimated to be approximately \$12,426,000. The resulting Payments in Lieu of Taxes available to pay redevelopment project costs by year are shown in Exhibit 6.

Calculations of expected proceeds of PILOTS are based on current real property assessment formulas and current property tax rates, both of which are subject to change due to many factors, including statewide reassessment, the effects of real property classification for real property tax purposes, and the roll back in tax levies resulting from reassessment or classification. Furthermore calculations are based on increases in assessments of 4% every other year that can be expected to result from inflation with no levy increases, which would also increase PILOTS.

The amount of PILOTS in excess of the funds deemed necessary by the Commission for implementation of this Plan, may be declared as surplus by the Commission. The declared surplus will be made available for distribution to the various Taxing Districts in the Redevelopment Area in the manner provided by the Act.

B. Economic Activity Taxes. Over the life of the Plan, the total Economic Activity Tax revenues are estimated to be approximately \$6,906,000. Of the total additional revenue from taxes imposed by the municipality or other taxing districts and which are generated by economic activities within the Redevelopment Project Area, as defined in Section 99.845.3, fifty percent (50%), or approximately \$3,453,000 over the life of the Plan, will be made available upon annual appropriation, to pay eligible Redevelopment Project Costs. Those Economic Activity Taxes available to pay project costs are shown in Exhibit 6.

Anticipated Economic Activity Taxes are based upon projected net earnings taxes paid by businesses and employees, as well as sales tax. It is assumed that net earnings and sales tax revenues will increase due to inflation at a rate of 2% a year in addition to the assumed increases due to job creation and business expansion. The estimated PILOTS and Economic Activity Tax revenues are set forth in Exhibit 6 attached hereto.

The amount of Economic Activity Taxes in excess of the funds deemed necessary by the Commission for implementation of this Plan, may be declared as surplus by the Commission. The declared surplus will be made available for distribution to the various Taxing Districts in the Redevelopment Area in the manner provided by the Act.

The Plan requires that all affected businesses and property owners shall be identified and that the Commission shall be provided with documentation regarding payment of Economic

Activity Taxes. The Commission shall make available information to the City of Kansas City regarding the identity and location of the affected businesses. It shall be the obligation and intent of the City of Kansas City to determine the Economic Activity taxes and to appropriate such funds into the Special Allocation Fund, no less frequently than yearly and no more frequently than quarterly, in accordance with the Act.

#### **IV. EVIDENCE OF THE COMMITMENTS TO FINANCE**

Any proposal submitted by a developer to implement this Plan shall include evidence of commitments to finance the Redevelopment Project Costs in addition to those allowable project costs to be paid out of the Special Allocation Fund. Such evidence shall be a part of this Plan and be attached hereto as Exhibit 7.

#### **V. ANTICIPATED TYPE AND TERMS OF OBLIGATIONS**

Without excluding other methods of financing, Bonds may be issued pursuant to this Plan for a term not to exceed 23 years from the adoption of the ordinance approving a redevelopment project within a redevelopment area, at an interest rate determined by the Issuing Body. In order to market such Bonds, it is estimated that available Project revenues must equal 125% - 175% of the annual debt service payments required for the retirement of the Bonds. Revenues received in excess of 100% of funds necessary for the payment of principal and interest on the Bonds or for reserves, sinking funds, or reimbursable project costs may be used to call Bonds in advance of their maturities or may become available for distribution annually to the Taxing Districts. Bonds may be sold in one or more series in order to implement this Plan. All obligations shall be retired no later than 23 years after the adoption of the ordinance approving the redevelopment project, the costs of which are to be paid from the proceeds thereof. No redevelopment project may be approved by Ordinance adopted more than ten years from the adoption of the ordinance approving the redevelopment plan under which the project is authorized. Therefore the latest date of retirement of the Bonds, if the ordinance approving the redevelopment plan is adopted in 1994, will be 2016.

#### **VI. MOST RECENT EQUALIZED ASSESSED VALUATION**

The total initial equalized assessed valuation of the area selected for the Redevelopment Project, according to the Kansas City Assessor's records, is \$121,600. The current combined tax levy for commercially assessed property is projected to be \$9.85 (including replacement surcharge tax) per \$100 assessed valuation on land and \$9.10 (including replacement surcharge tax) per \$100 assessed valuation on improvements. The current annual property tax revenue is approximately \$11,975.

The Total Initial Equalized Assessed Valuation of the area selected for the redevelopment project will be determined when the Redevelopment Project is approved by ordinance. The municipality or the Commission may then issue tax increment bonds to finance redevelopment within the Redevelopment Project. PILOTS measured by subsequent increases in property tax revenue which would have resulted from increased valuation had Tax Increment Financing not been adopted, will be segregated from taxes resulting from the Total Initial Equalized Assessed Valuation as defined herein, and deposited in a special allocation fund earmarked for bond retirement or payment of Redevelopment Project Costs as defined herein.

## **VII. ESTIMATED EQUALIZED ASSESSED VALUATION AFTER REDEVELOPMENT**

Upon completion of the Redevelopment Project, the assessed valuation of the area selected for Redevelopment Projects is anticipated to be approximately \$7,646,720. The increase in assessed valuation therefore is anticipated to be approximately \$7,252,120. The resulting Payments in Lieu of Taxes available to pay Redevelopment Project Costs by year are shown in Exhibit 6. When complete will yield an estimated \$684,000 in additional real property taxes annually.

## **VIII. GENERAL LAND USE**

The property within the Redevelopment Area consists of a vacant commercial building. The proposed general land use for the Redevelopment Area is envisioned to be for commercial use. The Site Plan, Exhibit 2, attached hereto and made part of this Redevelopment Plan, designates the intended predominant land use categories for which tracts in the area will be sold, leased, or otherwise conveyed. The Redevelopment Project shall be subject to the applicable provisions of the Municipality's Zoning Ordinance as well as other codes and ordinances as may be amended from time to time.

## **STATUTORY FINDINGS**

### **IX. EXISTING CONDITIONS**

The Redevelopment Area, including the Redevelopment Project contained therein, qualifies as a "Blighted Area" under Missouri's Tax Increment Financing Statute. The Redevelopment Area contains a single building built circa 1890 which is currently vacant and in severely deteriorated condition. This area contains conditions which are detrimental to the public health, safety, morals, or welfare and these conditions include a predominance of substandard structures, inadequate parking and poor vehicular access, deterioration of site improvements, under-utilization of parcels, and improper subdivision or obsolete platting.

These physical conditions preclude any further development and will continue to jeopardize health, safety and welfare without the adoption of this Tax Increment Financing Plan. Further, this Plan is feasible only if the specified Redevelopment Project is designated as such under Missouri's Tax Increment Financing Statute.

A study of the Redevelopment Area has been conducted documenting existing conditions and is attached as Exhibit 8.

### **X. "BUT FOR TIF"**

The Redevelopment Area has not been subject to growth and development by private enterprise and would not reasonably be anticipated to be developed without the adoption of the Redevelopment Plan. The best and most economically viable use for the property in the Redevelopment Area is for the rehabilitation of the existing commercial structure. Because of the existing condition of the property within the Redevelopment Area, the property has not been subject to growth or development in the past. The cost of curing the existing conditions and construction of the improvements contemplated by the Plan make it not economically viable, if



fully borne by the developer. The use of Tax Increment Financing makes the Plan feasible and thus attractive to private enterprise investment.

#### **XI. CONFORMANCE TO THE COMPREHENSIVE PLAN**

The Plan is generally consistent and conforms with the City's Comprehensive Plan. The Plan generally conforms with the guidelines set forth in the Downtown 2000 Plan and with the Land Clearance for Redevelopment Authority's Urban Renewal Plan for the Central Business District.

#### **XII. ESTIMATED DATE OF COMPLETION**

The completion of the redevelopment project and retirement of obligations incurred to finance redevelopment costs will be completed no later than twenty-three (23) years from the adoption of the ordinance approving the redevelopment project within the Redevelopment Area, provided that no ordinance approving a redevelopment project shall be adopted later than ten (10) years from the adoption of the ordinance approving this Redevelopment Plan.

The Development Schedule is set forth in the attached Exhibit 9.

#### **XIII. RELOCATION ASSISTANCE PLAN**

Relocation assistance will be available to all eligible displaced occupants in conformance with the Relocation Assistance Plan as set forth in Exhibit 10 or as may be required by other state, federal or local laws.

### **OTHER PLAN CONDITIONS AND CONSIDERATIONS**

#### **XIV. ACQUISITION AND DISPOSITION**

A. Acquisition and Clearance. To achieve the redevelopment objectives of this Plan, property or interests therein, including easements and rights-of-way, identified on Exhibit 11, "Land Acquisition and Disposition Map", attached hereto, and made a part of this Plan, may be acquired by purchase, donation, lease or eminent domain in the manner provided for corporations in Chapter 523, R.S.Mo. by the Municipality or the Commission. The property acquired by the Municipality or the Commission may be cleared, and either (1) sold or leased for private redevelopment or (2) sold, leased, or dedicated for construction of public improvements or facilities. The Municipality or the Commission may determine that to meet the redevelopment objectives of the Redevelopment Plan, other properties listed on said map and not scheduled for acquisition should be acquired or certain property currently listed for acquisition should not be acquired. No property for a redevelopment project shall be acquired by eminent domain later than five (5) years from adoption of the ordinance approving the redevelopment Plan under which such project is authorized.

Individual structures may be exempted from acquisition if they are located so as not to interfere with the implementation of the objectives of this Redevelopment Plan or the Redevelopment Projects implemented pursuant to the Redevelopment Plan and their owner(s) agree to rehabilitate or redevelop their property, if necessary, in accordance with the objectives of

this Redevelopment Plan.

Clearance and demolition activities will, to the greatest extent possible, be timed to coincide with redevelopment activities so that tracts of land do not remain vacant for extended periods of time and so that the adverse effects of clearance activities may be minimized.

The Municipality or the Commission may devote property that it has acquired to temporary uses prior to such time as property is needed for redevelopment. Such uses may include, but are not limited to, parking or other uses the Municipality or the Commission may deem appropriate.

B. Assemblage and Disposition of Land. Land assemblage shall be conducted for (1) sale, lease or conveyance to private developers or (2) sale, lease, conveyance or dedication for the construction of public use, improvements or facilities. The terms of conveyance shall be incorporated in appropriate disposition agreements that may contain more specific planning and design controls than those stated in this Plan.

## **XV. AFFIRMATIVE ACTION**

It is the Commission's policy to encourage participation in the bidding process by minority and women owned business concerns. The Commission has developed an affirmative action process and a minority business enterprise (MBE) participation goal of 15% and a women business enterprise (WBE) participation goal of 5% for both professional services and consultants and a similar goal for all construction activity within all phases of the redevelopment projects.

The Tax Increment Financing Commission has also adopted policies calling for 15% minority and 5% women employment participation in all construction phases of TIF projects. All Developers, General Contractors and Subcontractors shall be required to take affirmative actions to accomplish these minimum goals and shall be required to cooperate with the Commission in preparing their Affirmative Action Plans and certifying the levels of employment accomplished under the Plan.

The Commission's Affirmative Action Policy is set forth in the attached Exhibit 12.

## **XVI. DESIGN REVIEW PROCESS**

The Commission has adopted a design review process that shall be carried out to review all proposed improvements in the Redevelopment Area. This Design Review Process is attached hereto as Exhibit 13.

The following design controls shall apply to the Plan:

A. General: New development shall be designed and constructed so that it is integrated into and complements the surrounding environment. Any buildings that remain shall be made to conform to the development guidelines as approved by the Commission.

B. Pedestrian Walkways, Streets and Open Walk Spaces: Streets, pedestrian paths or open walk spaces shall be designed as an integral part of the overall site design, properly related to existing and proposed buildings and City streetscape elements.

C. Parking: Parking areas shall be designed with careful regard given to orderly arrangement, landscaping, ease of access, and as an integral part of the total site design.

Vehicular access to the parking areas shall minimize conflicts with other vehicular and pedestrian movements. Ingress and egress points shall be well distanced from intersections in order to avoid congestion and interference with traffic.

D. Landscape Design: A coordinated landscape program shall be developed in the Redevelopment Area to incorporate the landscape treatment sought for open spaces, roads, sidewalks, and parking areas into a coherent and integrated arrangement.

## **XVII. ENTERPRISE ZONE**

In the event mandatory abatement is sought or received pursuant to Section 135.215, R.S.Mo., as amended, such abatement shall not serve to reduce payments in lieu of taxes that would otherwise have been available pursuant to Section 99.845, R.S.Mo. without Commission approval. Said designation shall not relieve the assessor or other responsible official from ascertaining the amount of equalized assessed valuation of all taxable property annually as required by Section 99.855, R.S.Mo..

## **XVIII. PROVISION OF PUBLIC FACILITIES**

Adequate public facilities and utilities will be assured to service the Redevelopment Project Areas.

## **XIX. REQUEST FOR PROPOSALS**

Requests for proposals have been sent to developers. A developer will be selected to implement this Plan or components thereof (the "Developer"). If a Developer is selected who does not now own all the property required to implement the Plan, the Developer, the Commission and the City will be required to identify the funds necessary for the acquisition or lease, of the property by purchase or eminent domain. The proposal of the Developer(s) selected must include evidence of financial commitments sufficient to complete the project. That proposal will then be attached to this Plan as Exhibit 7 and become a part of the Plan.

## **XX. TAX INCREMENT FINANCING**

This Plan is adopted pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Missouri Revised Statutes, Section 99.800 through 99.865, 1990 (the "Act"). The Act enables municipalities to finance redevelopment costs with the revenue generated from PILOTS or Economic Activity Taxes. This Plan shall be filed of record against all properties in approved redevelopment project areas.

## **XXI. PROVISIONS FOR AMENDING THE TAX INCREMENT PLAN**

This Redevelopment Plan or Projects may be amended pursuant to the provisions of the Act.

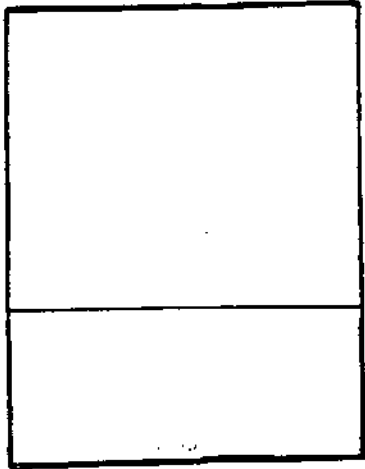
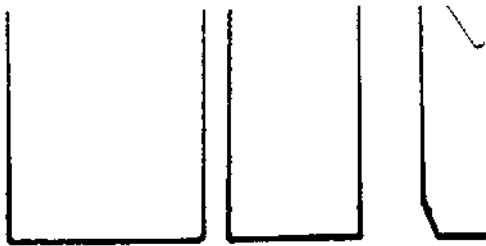
**EXHIBIT 1**  
**LEGAL DESCRIPTION**  
**OF THE REDEVELOPMENT AREA**

All that part of Government Lot 2 of the Northwest 1/4 of Section 5, Township 49, Range 33, in Kansas City, Jackson County, Missouri, described as follows:

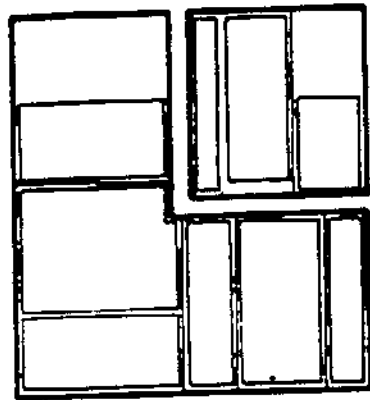
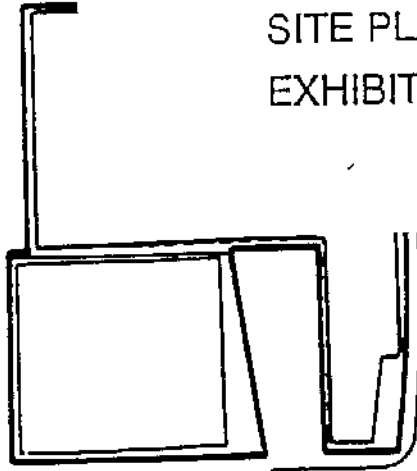
Beginning at a point on the North line of 9th Street as established by ordinance No. 19374 approved May 7, 1880, that is 30 feet North of the South line of said Lot 2 and 120 feet East of the East line of Baltimore Avenue as established by Ordinance No. 5253 approved April 9, 1872; thence North, parallel with said East line, 160 feet to a point 190 feet North of the South line of said Government Lot 2; thence West parallel with the North line of 9th Street, 120 feet to said East line of Baltimore Avenue; thence South along said East line 160 feet to the North line of 9th Street; thence East along said North line 120 feet to the point of beginning.

# NEW YORK LIFE BUILDING REDEVELOPMENT AREA

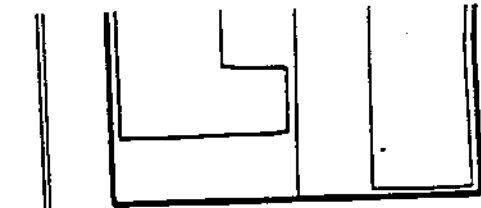
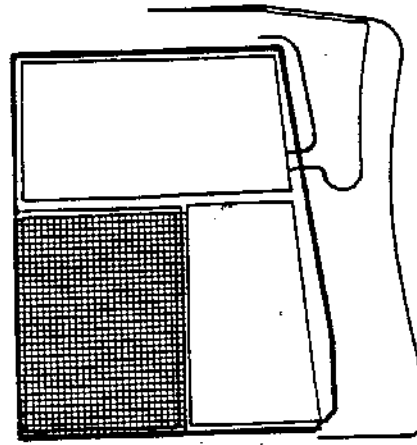
## SITE PLAN EXHIBIT 2



8TH



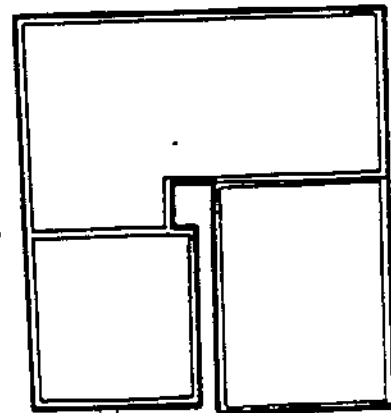
9TH



ST.



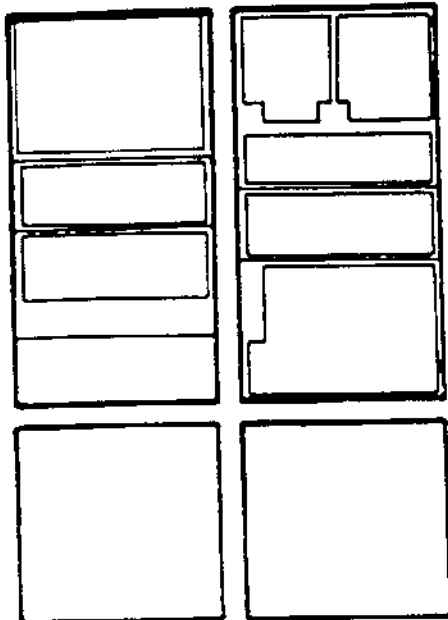
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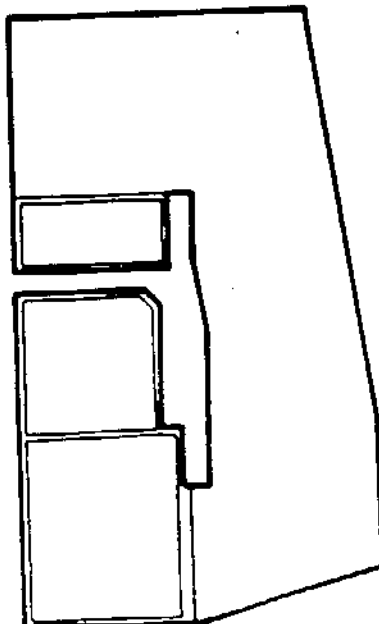
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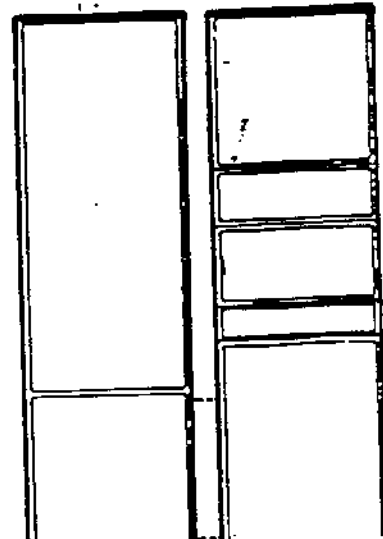
REDEVELOPMENT AREA



BALTIMORE



MAIN



WALNUT

JULY, 1992  
PREPARED FOR:  
THE TAX INCREMENT  
FINANCING COMMISSION

### **EXHIBIT 3**

#### **SPECIFIC OBJECTIVES OF REDEVELOPMENT PLAN**

1. Rehabilitation of the New York Life Building.
2. Preservation of the architecturally significant New York Life Building in a manner which conforms to its designation on the National Historic Register.
3. Enhancement of the tax base by inducing development of the Redevelopment Area to its highest and best use, benefit taxing districts and encourage private investment in surrounding areas.
4. Promotion of health, safety, order, convenience, prosperity and the general welfare, as well as an increase in efficiency and economy in the process of development.
5. Provision of business opportunities in the Redevelopment Area and Kansas City.
6. Stimulation of construction employment opportunities and increased demand for secondary and support services for the surrounding commercial area.

EXHIBIT 4

ESTIMATED REDEVELOPMENT PROJECT COSTS

	AMOUNT	REIMBURSABLE EXPENSES
<b>A. COMMISSION EXPENSES*</b>		
1. Estimated Reimbursable Costs for Plan Implementation		
A. Legal	\$50,000	\$50,000
B. Agenda	\$2,000	\$2,000
C. Staff Time	\$40,000	\$40,000
D. Miscellaneous	\$4,000	\$4,000
2. Final Development Plan Approval Fees (\$ .05 per square foot @ 210,780 s.f.)	\$10,500	\$10,500
3. Plan and Project Administration and Developer/Consultant/TIF Commission Expenses (including expenses for affirmative action administration)	\$230,000	\$230,000
Subtotal Commission Expenses & Fees	\$336,500	\$336,500
<b>B. REDEVELOPMENT PROJECT /</b>		
1. Acquisition**	\$360,000	\$40,000
2. Demolition	\$500,000	\$500,000
3. Site Preparation	\$79,300	\$79,300
4. Rehabilitation	\$19,068,320	\$9,080,700
5. <del>Rehabilitation</del> <sup>2</sup> Parking	\$5,842,500 <sup>\$4,480,000</sup>	\$5,842,500 <sup>\$4,480,000</sup>
Subtotal Redevelopment Project Expenses	\$25,850,120	\$15,542,500
<b>TOTAL ESTIMATED PROJECT EXPENSES</b>	<b>\$26,186,620</b>	<b>\$15,879,000</b>

*Demol Garage*

ASSUMPTIONS:

\* In addition, up to 5% of the annual PILOTS and Economic Activity Taxes deposited in the Special Allocation Fund may be retained by the TIF Commission to cover incidental expenses incurred by the TIF Commission. This amount will be figured and allocated prior to allocation of any other reimbursable costs.

\*\* Reimbursable acquisition costs shall include those costs incurred related to provision of a clear title, including the cost of any condemnation activities, and acquisition costs in excess of the estimated acquisition costs shown here. In the event the amount of reimbursable acquisition costs for acquisition expenses exceeds the \$40,000 shown above or the total cost of acquisition exceeds \$360,000, reimbursement of acquisition costs may come from the amounts shown for repayment of other reimbursable costs.

\*\*\* In order for the project to succeed and for the downtown in general to redevelop it will be necessary to provide sufficient parking at a competitive cost within reasonable proximity to the building and to the area surrounding the redevelopment site. The provision of parking facilities is a necessary and incidental cost on and of site of the redevelopment project for reimbursement under this Plan.

10/18/94

## EXHIBIT 5

### A. SOURCE OF FUNDS FOR ALL ESTIMATED REDEVELOPMENT PROJECT COSTS

1.	Estimated Amount of Reimbursable Costs from PILOTS and Operation and Activity Taxes within proposed Redevelopment Project Areas	\$15,542,500
2.	Estimated Private Investment and other Sources within proposed Redevelopment Project Areas	<u>\$10,644,120</u>
	<b>TOTAL</b>	<b>\$26,186,620</b>

### B. BONDS

The total estimated amount of PILOTS and Economic Activity Taxes over twenty-three years available to reimburse project costs is \$15,879,000. The Commission may dedicate part or all of this amount to help support the issuance of bonds to defray the cost of the projects. This Plan does not anticipate issuance of bonds.



EXHIBIT 6  
 NEW YORK LIFE BUILDING  
 TAX INCREMENT FINANCING PLAN  
 TIF REVENUE PROJECTIONS

YEAR	EATS	PILOTS	ANNUAL TOTAL	CUMULATIVE TOTAL
1995	\$1,000	\$0	\$1,000	\$1,000
1996	\$115,000	\$458,000	\$573,000	\$574,000
1997	\$129,000	\$458,000	\$587,000	\$1,161,000
1998	\$133,000	\$477,000	\$610,000	\$1,771,000
1999	\$135,000	\$477,000	\$612,000	\$2,383,000
2000	\$137,000	\$497,000	\$634,000	\$3,017,000
2001	\$140,000	\$497,000	\$637,000	\$3,654,000
2002	\$143,000	\$517,000	\$660,000	\$4,314,000
2003	\$146,000	\$517,000	\$663,000	\$4,977,000
2004	\$148,000	\$539,000	\$687,000	\$5,664,000
2005	\$152,000	\$539,000	\$691,000	\$6,355,000
2006	\$154,000	\$560,000	\$714,000	\$7,069,000
2007	\$158,000	\$560,000	\$718,000	\$7,787,000
2008	\$160,000	\$584,000	\$744,000	\$8,531,000
2009	\$165,000	\$584,000	\$749,000	\$9,280,000
2010	\$167,000	\$607,000	\$774,000	\$10,054,000
2011	\$171,000	\$607,000	\$778,000	\$10,832,000
2012	\$173,000	\$632,000	\$805,000	\$11,637,000
2013	\$178,000	\$632,000	\$810,000	\$12,447,000
2014	\$182,000	\$658,000	\$840,000	\$13,287,000
2015	\$185,000	\$658,000	\$843,000	\$14,130,000
2016	\$189,000	\$684,000	\$873,000	\$15,003,000
2017	\$192,000	\$684,000	\$876,000	\$15,879,000
<b>TOTAL</b>	<b>\$3,453,000</b>	<b>\$12,426,000</b>	<b>\$15,879,000</b>	

09/28/94

**EXHIBIT 7**

**DEVELOPER'S PROPOSAL**

To be inserted as a part of the Plan upon approval by the Commission.

## EXHIBIT 8

### EXISTING CONDITIONS SURVEY

#### DATA PERTAINING TO NEW YORK LIFE BUILDING PROJECT

#### PREPARED BY THE TAX INCREMENT FINANCING COMMISSION OF KANSAS CITY, MISSOURI

SEPTEMBER 1994

## I. INTRODUCTION

### A. Purpose of This Report

The purpose of this report is to present evidence supporting designation of the New York Life Building Redevelopment Area (the "Redevelopment Area") as a Real Property Tax Increment Allocation Redevelopment Area.

### B. Eligibility Criteria

The Real Property Tax Increment Allocation Redevelopment Act, Missouri Revised Statutes, Section 99.800 et seq., 1986, as amended (the "Act"), provides that a Real Property Tax Increment Allocation Redevelopment Plan can be implemented by the Tax Increment Financing Commission if the governing body of a community determines by ordinance, that an area qualifies under the Act as:

1. a blighted area;
2. a conservation area; or
3. an economic development area; and

that the area 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.

This report is intended to show evidence that the Redevelopment Area qualifies as a Blighted Area. The Act defines a "Blighted Area" as follows:

"[A]n area which, by reason of the predominance of defective or inadequate street layout, insanitary or unsafe conditions, deterioration of site improvements, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, retards the provision of housing accommodations or constitutes an economic or social liability or a menace to the public health, safety, morals, or welfare in its present condition and use."

## II. REDEVELOPMENT AREA

### A. General Location

The New York Life Building Redevelopment Area is located on the southwest quarter of that block bound by 8th Street on the north, Main Street on the east, 9th Street on the south and Baltimore Avenue on the west (the "Redevelopment Area"). This block is located within the Central Business District of Kansas City, Jackson County, Missouri.

Exhibit A shows the location of the New York Life Building Redevelopment Area.

B. Description of the New York Life Building

The New York Life Building was built in 1888 for use as the regional headquarters for the New York Life Insurance Company. The building consists of two 10 story arms linked together by a 12 story tower. It was the first building in Kansas City to have a substantial steel interior skeleton and it was the tallest building in Kansas City at the time of its construction.

C. Current Use

The building is currently vacant and suffering from exposure to the elements due to insufficient roofing. (Exhibit B describes in detail the existing land uses).

III. **Conditions Qualifying Redevelopment Area As A Blighted Area**

A. Structural Deterioration and Damage

EDC staff has reviewed the exterior of the building and Gastinger and Walker Architects, Inc. were hired to do a thorough review of both the exterior and interior of the New York Life Building. These reviews identified signs of significant deterioration due primarily to exposure to the elements, past incomplete rehabilitation projects and vandalism.

1. Exterior Conditions: From the exterior, the following conditions were observed: loose mortar and open joints; accumulation of dirt and debris; discoloration of the building surface; corrosion, cracks in the brick, particularly a 10+ foot vertical crack on the north facade; spalling and deteriorating brick surfaces; missing bricks; deteriorating windows; peeling paint in the entry; deteriorating roof flashing.

2. Interior Conditions: In the interior are signs of past occupation by homeless persons, some vandalism, damage from rain and humidity, pigeon infestation, debris left over from the previous attempts to rehabilitate the building and dirt that has accumulated over time. In the entry, besides the prevalent dirt and debris, hardware is missing, holes have been cut in the floor and marble floors, walls and ornaments are chipped and cracked. In the lobby there is peeling paint, fallen plaster, missing hardware, dirt, debris and pigeon droppings, and signs of water damage attributable to the leaking skylight. The elevators are seriously damaged or deteriorated. All the plumbing and restroom facilities were removed during the previous uncompleted rehabilitation efforts. The stairs are rusted and do not meet current building code. Floors have suffered from water damage, gypcrete is cracked and spalled on the 5th through 10th floors and many of the floors have buckled. Ceilings and walls exhibit spalling and fallen plaster. The skylight needs reglazing, and it is rusted, dirty and covered with pigeon droppings. The basement shows signs of damage from humidity, water infiltration and vandalism, and surfaces are spalled and peeling.

3. Roof: The east wing was reroofed over 60% of the area during the last renovation effort. The area which was not reroofed has been left exposed for an area approximately 10 feet wide the entire width of the east wing between the old and new roofing. The penthouse tower roof is in poor condition with several areas

of roof tile broken and falling off onto the lower roof. The roof edge condition is flashed with an ornate copper flashing which has peeled away from the roof edge along the west side of the roof exposing the roof edge to further deterioration.

Exhibit C shows pictures of the Project Area.

B. Insanitary Conditions

Insanitary conditions exist within the New York Life Building which are considered a health hazard. This hazard is the large amount of pigeon droppings on and in the building, particularly in the first floor lobby, the penthouse area and at the window sills in the north and south interior of the H plan. Timothy Boles of McCloud, pest control specialists, examined the building and noted the possibility of hazardous bacteria and airborne spores associated with the abundance of pigeon droppings. Possible health hazards resulting from these conditions include Histoplasmosis, Cryptococcosis, Oxyuriasis, Pigeon ornithosis, Encephalitis, Salmonellosis, and Ectoparasites.

C. Obsolescence

When the New York Life Building was erected in 1888 it was at the cutting edge of technology. That technology is now obsolete and the building does not comply with current safety and building codes. The building fails to meet the building code requirements for highrise structures which require an automatic sprinkler system, alarm and communication systems, central control station and smoke control system be installed to insure fire safety. The elevators do not meet current code and need to be separated from the rest of the building with a one hour fire wall. The building fails to meet the 1991 Uniform Plumbing Code, and in fact lacks restroom and plumbing fixtures. It also fails to meet current building code requirements related to seismic activities and the Americans with Disabilities Act.

D. Public Improvements

The sidewalks around the building are in fair to poor condition. Several areas have broken curbs, cracked and spalled sidewalks expose existing steel reinforcing rods.

E. Historical/Architectural Significance

The Redevelopment Area contains a single building. This building was built in 1888 as the regional headquarters for the New York Life Insurance Company. The building is listed on the National Historic Register and is considered to be one of the most architecturally significant buildings in the Kansas City area.

Exhibit D is a copy of the Historic Inventory Record.

F. Economic Liability

The property is currently the subject of a bankruptcy suit. Two past efforts to rehabilitate the property have failed.

#### **IV. REPORT OF FINDINGS:**

**Finding Number 1:** The New York Life Building Project Area qualifies as a Blighted Area under the State's Tax Increment Financing statute.

The structure suffers from deterioration, insanitary conditions and obsolescence and there exist conditions which endanger life and property and constitute an economic and social liability and a menace to the public health, safety, morals, or welfare in its present condition and use. The building was left gutted by earlier, unsuccessful rehabilitation attempts and it has deteriorated to the extent that, in its current state, the building is unusable. Currently the building is vacant and has been subject to exposure to the weather, animal occupation (human and non-human), and vandalism. Without the assistance available under the Tax Increment Financing Plan, the building will become severely blighted.

**Finding Number 2:** The redevelopment project area has not been subject to growth and redevelopment by private enterprise.

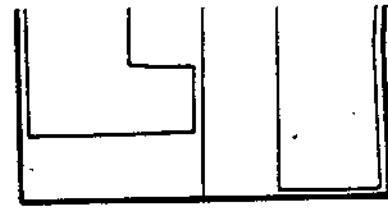
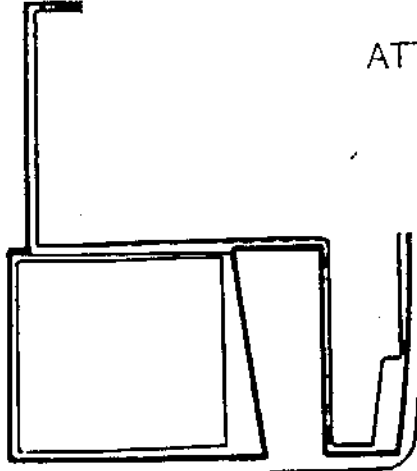
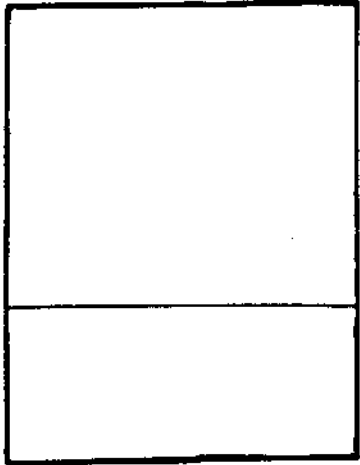
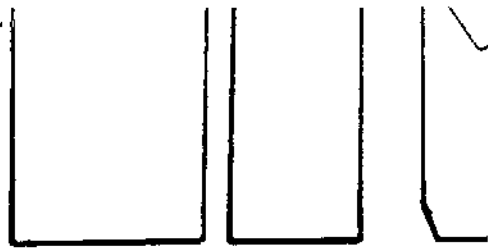
Developers have tried to renovate this historically and architecturally significant building for residential use and hotel use, with neither attempt being successful and the building remaining vacant. The property is currently subject to the bankruptcy laws and ownership is unclear. This situation clearly demonstrates that redevelopment is unfeasible without assistance.

**Finding Number 3:** The Redevelopment Area would not reasonably be anticipated to be developed without the adoption of the Tax Increment Financing Plan.

As stated under Finding Number 2 above, redevelopment of the project has proven unfeasible without assistance. Adoption of the Tax Increment Financing Plan will allow the Developer to recycle those revenues otherwise collected as tax revenues back in to the project. This will allow the Developer to renovate and perpetuate a building which has architectural and historical significance to the Kansas City area. Without such assistance the building will be left vacant and allowed to deteriorate further.

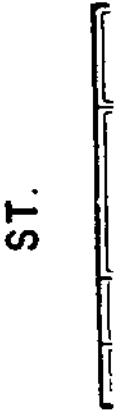
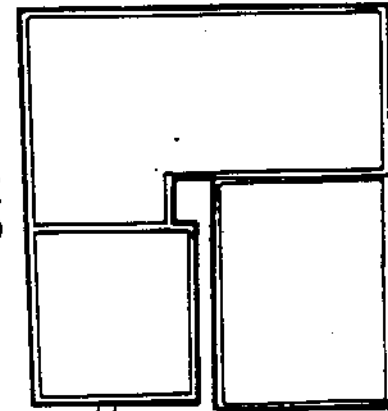
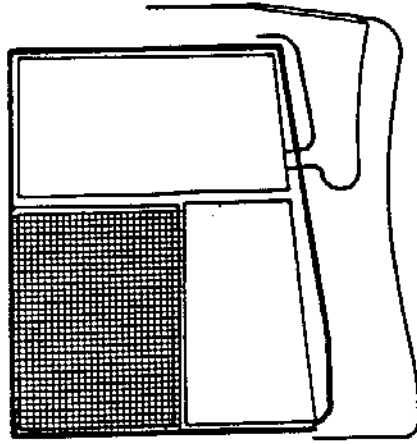
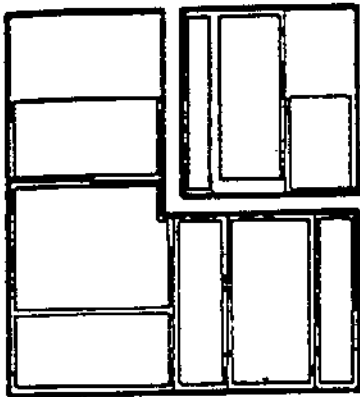
# NEW YORK LIFE BUILDING REDEVELOPMENT AREA

## ATTACHMENT A



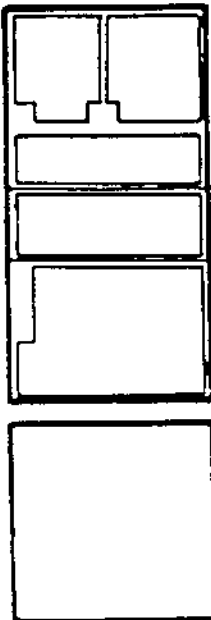
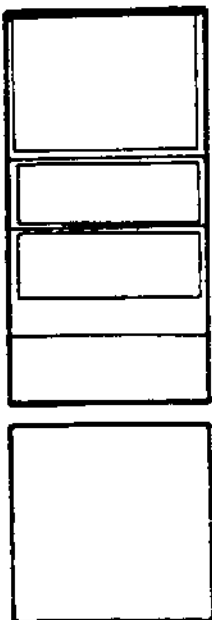
8TH

ST.

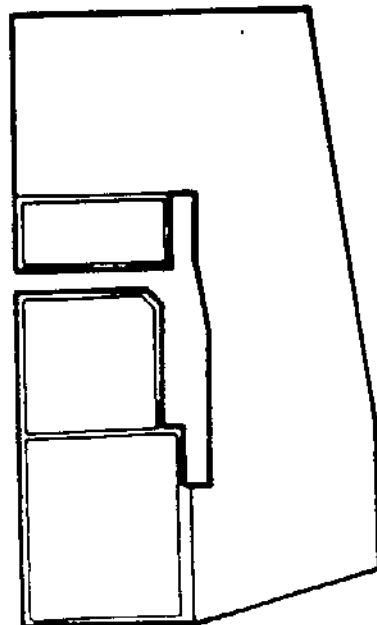


9TH

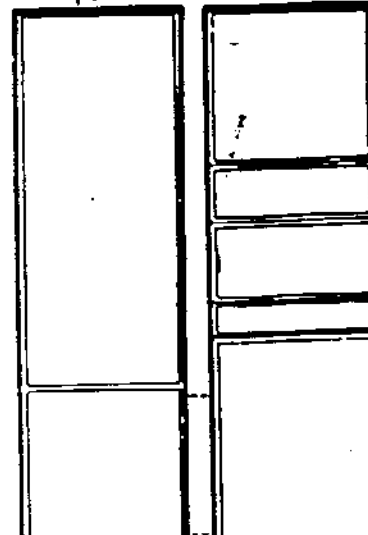
ST.



BALTIMORE



MAIN



WALNUT



JULY, 1992  
PREPARED FOR:  
THE TAX INCREMENT  
FINANCING COMMISSION

Office of Historic Preservation, P.O. Box 176, Jefferson City, Missouri 65101

# HISTORIC INVENTORY

<b>42-B</b>		<b>4 Present Name(s)</b> New York Life Bldg.		42-B
City <b>Jackson</b>		<b>5 Other Name(s)</b> 20 West Ninth St Bldg.		
Map of Negatives CBD #35-15 Landmarks Commission				Jackson  20 W. 9th
<b>6 Site Location</b> O W 9th		<b>16 Thematic Category</b>		
<b>7 or Town</b> N Rural, Township & Vicinity C MO 64105		<b>17 Date(s) or Period</b> 1887-90		
<b>8 Plan with North Arrow</b> 		<b>18 Style or Design</b> Renaissance Revival		
		<b>19 Architect or Engineer</b> McKim, Mead, and White		
<b>9 miles</b> UTM		<b>20 Contractor or Builder</b>		
<b>10 Site:</b> Building <input checked="" type="checkbox"/>		<b>21. Original Use, if apparent</b> commercial		
<b>11 Structural Eligible?</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		<b>22 Present Use</b> commercial		
<b>12 Historic Eligible?</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		<b>23 Ownership</b> Public <input type="checkbox"/> Private <input checked="" type="checkbox"/>		
<b>13 District Potential?</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		<b>24. Owner's Name &amp; Address, if known</b>		
<b>14 of Established District</b> h/Balt Ave Historic District		<b>25 Open to Public?</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
<b>15 Description of Important Features</b> structure consists of two 10 story arms linked together by a tory tower. The first three stories are surfaced with nstone. The main (south) entrance consists of a central flanked by granite Ionic columns. A breeze eagle tops the ance.		<b>26 Local Contact Person or Organization</b> Landmarks Commission		
<b>16 and Significance</b> - building was erected to serve as regional headquarters for the New York Life - rance Company. Upon completion it was the largest building in Kansas City. New York firm of McKim, Mead, and White was assisted locally by Van Brunt and - Frederick E. Hill served as construction architect. The eagle group above (cont.)		<b>27. Other Surveys in Which Included</b>		
<b>17 sion of Environment and Outbuildings</b> Commercial buildings are to the east, west and south of - building. To the south also, and to the north are parking facilities.		<b>28. Preservation Underway?</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
<b>18 s of Information</b> 3057		<b>29 Endangered? By What?</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
		<b>30. Foundation Material</b>		
		<b>31. Wall Construction</b> masonry & steel		
		<b>32. Roof Type &amp; Material</b> flat & hipped; tile		
		<b>33. No. of Bays</b> Front 5 Side 8		
		<b>34. Wall Treatment</b> brick; stone		
		<b>35. Plan Shape</b> H		
		<b>36. Changes (Explain in #42)</b> Addition <input type="checkbox"/> Altered <input type="checkbox"/> Moved <input type="checkbox"/>		
		<b>37. Condition</b> Interior <u>excellent</u> Exterior <u>excellent</u>		
		<b>38. Visible from Public Road?</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
		<b>39. Distance from and Frontage on Road</b> 120 feet on West 9th		
		<b>40. Prepared by</b> Miczczuk/Piland		
		<b>41. Organization</b> Landmarks Commission		
		<b>42. Date</b> 7/7/75 <b>43. Revision Date(s)</b> 9/17/80		



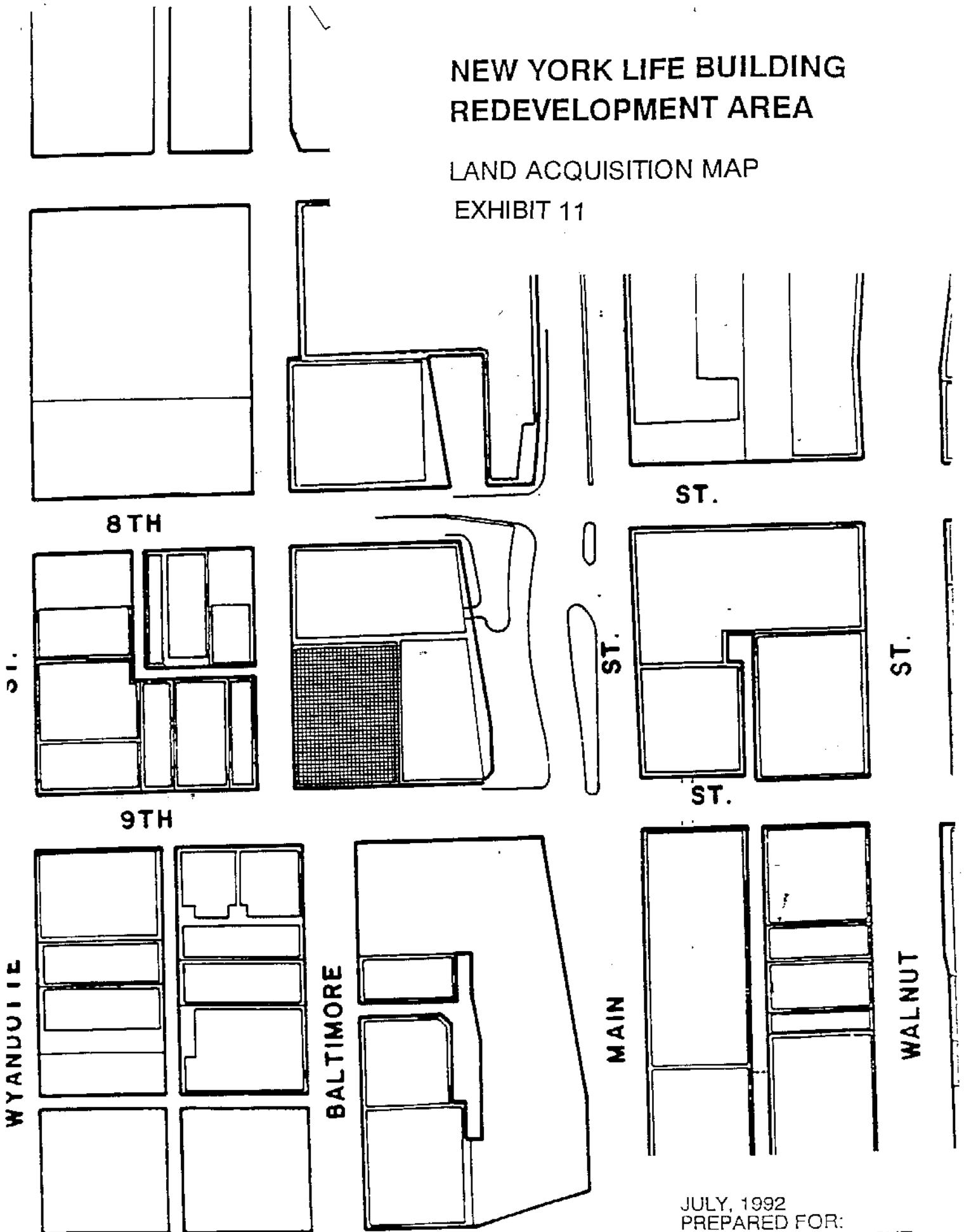
**EXHIBIT 10**  
**RELOCATION PLAN**

**Under separate cover.**

# NEW YORK LIFE BUILDING REDEVELOPMENT AREA

## LAND ACQUISITION MAP

### EXHIBIT 11



JULY, 1992  
PREPARED FOR:  
THE TAX INCREMENT  
FINANCING COMMISSION

**EXHIBIT 12**

**AFFIRMATIVE ACTION POLICY**

Under separate cover.

**EXHIBIT 13**  
**DESIGN REVIEW PROCESS**

**Under separate cover.**

**EXHIBIT 14**  
**DEFINITION OF TERMS**

**Under separate cover.**