

**CITY OF JOPLIN
COUNCIL AGENDA ITEM**

ITEM

Council Bill 2022-525 – Approving Amended Project Area 4 of the 32nd Street Place Tax Increment Financing (TIF) Redevelopment Plan

MEETING DATE

August 1, 2022

ORIGINATING DEPT

Finance

ATTACHMENTS

CB 2022-525 Ordinance; Exhibit “A” First Amendment to 32nd Street Place Redevelopment Plan

REVIEWED BY

Department Head: Leslie Haase; Planning Director: Troy Bolander; City Attorney: Peter Edwards; City Manager: Nick Edwards

SUMMARY

This Council Bill approves the amended Project Area 4 of the 32nd Street Place TIF Redevelopment Plan.

BACKGROUND

On May 12, 2022, the Developer filed a proposed First Amendment to the 32nd Street Place TIF Plan. The First Amendment provides for reconfiguration of the boundaries of Project Areas 3 and 4 within the existing Redevelopment Area. The Developer has indicated that this change is necessary to accommodate the construction of the proposed apartment complex. The Developer’s original intent was to build up to 300 apartment units in two phases in Project Area 3 along with two single story office buildings.

As proposed by the First Amendment, the two office buildings will be deleted and the number of apartment units to be constructed will be 244 units in a series of 4-story and 2-story structures. The Developer has stated that the original site plan had to be revised in this manner due to the existing topography. A new site plan included with the First Amendment shows Project Area 3 being expanded in size and Project Area 4 being reduced in size to accommodate the redesigned apartment development. The movie theater that was originally proposed in Project Area 4 has been deleted and the Developer has indicated that it may be replaced with a future second phase of the apartment development or retail, restaurant, and/or office uses. The Developer has noted in the First Amendment that no changes are being made to the overall TIF project budget, reimbursable project costs, or land uses included in the Redevelopment Plan.

Originally, CB 2020-541 approved Project Area 4 and tabled it until the Developer was ready to activate the project. With the amended Project Area 4, this bill will never come off the table. When the Developer is ready to activate this Project Area, this ordinance will be brought back before you for final approval and activation.

FUNDING SOURCE

Not applicable for this item.

RECOMMENDATION

Staff recommends approval of this council bill on first reading and then tabling this item until the Developer is ready to activate this Project Area.

**FIRST AMENDMENT TO THE 32ND STREET PLACE
TAX INCREMENT FINANCING REDEVELOPMENT PLAN**

JOPLIN, MISSOURI

SUBMITTED BY:

Woodsonia Joplin, LLC

PREPARED BY:

Rouse Frets White Goss Gentile Rhodes, P.C.
4510 Belleview Avenue
Suite 300
Kansas City, Missouri 64111

Original Plan Filed October 1, 2020
First Amendment Filed May __, 2022

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EXHIBITS

Exhibit 1 Legal Description of Redevelopment Project Area 3 and Redevelopment Project Area 4

Exhibit 2 Site Plan

I. INTRODUCTION

This First Amendment to the 32nd Street Place Tax Increment Financing Redevelopment Plan (the “First Amendment”) shall amend the 32nd Street Place Tax Increment Financing Redevelopment Plan as approved by Ordinance No. 2020-210 on December 28, 2020 (the 32nd Street Place Tax Increment Financing Redevelopment Plan as amended by the First Amendment shall hereinafter be referred to as the “Plan” or “Redevelopment Plan”).

The First Amendment, if approved, will reconfigure the boundaries of Project Areas 3 and 4 within the existing Redevelopment Area. This change is necessary to accommodate the construction of the proposed apartment complex. The original intent was to build up to 300 units in two phases of 150 units in Project Area 3, together with two proposed single story office buildings. The two office buildings will be deleted and the number of apartment units will be approximately 244 units in a series of 4-story and 2-story complexes. The original Site Plan had to be revised due to the existing topography. The new Site Plan is shown on Exhibit 2. Project Area 4 is being reduced in size to accommodate the apartment development. The proposed movie theater in Project Area 4 is deleted and could be replaced with a future second phase of the multi-family project or future retail / restaurant and/or office uses. Please note that no changes are being made to the project budget, reimbursable project costs, or land uses included in the TIF Plan.

II. PLAN TEXT AMENDMENTS

The Redevelopment Plan shall be amended as follows:

1. **Amendment No. 1:** The first paragraph of Section II. B. Redevelopment Plan shall be deleted in its entirety and replaced with the following:

B. Redevelopment Plan. During this unprecedented time dealing with the COVID-19 crisis, the Applicant is pleased to be able to present this Plan for consideration by the City. Notwithstanding the challenges present to the entire retail industry today, the Applicant is confident of the success of this Plan. The Applicant is proposing to construct a new shopping center in the City. It will be anchored by a Menards Home Improvement Store (“Menards”), which is not currently located in the City. The store will consist of approximately 213,300 square feet of retail space and a 49,430 square foot warehouse. The Plan also provides for construction of future housing, retail and commercial space. The Applicant also proposes to construct approximately 244 units of multifamily apartments, together with a 7,500 square foot clubhouse/leasing office with a pool and a dog park. The applicant also proposes to renovate an additional 8,600 square feet of office space for the relocation of BKD from its current location in the Redevelopment Area as well as the 59,000 square foot Holiday Inn property. The proposed uses are subject to change, depending on the state of the economy and the needs of the City.

III. PLAN EXHIBIT AMENDMENTS

2. **Amendment No. 2:** Delete Exhibit 1, Redevelopment Project Area 3 and Redevelopment Project Area 4 and insert the revised Exhibit 1, Legal Description of Redevelopment Project Area 3 and Redevelopment Project Area 4, as attached hereto.
3. **Amendment No. 3:** Delete Exhibit 2, Site Plan of Redevelopment Area, in its entirety and insert the revised Exhibit 2, Site Plan of Redevelopment Area, as attached hereto.

EXHIBIT 1

**LEGAL DESCRIPTION OF REDEVELOPMENT PROJECT AREA 3
AND REDEVELOPMENT PROJECT AREA 4**

REDEVELOPMENT PROJECT AREA 3

LEGAL DESCRIPTION

All that part of the Northwest Quarter and the Northeast Quarter of Section 19, Township 27 North, Range 32 West, in the City of Joplin, Newton County, Missouri, being more particularly described as follows: commencing at the northwest corner of said Section 19, thence South 88 degrees 29 minutes 34 seconds East, with the north line of the Northwest Quarter of said Section 19, a distance of 1669.62 feet; thence South 01 degree 30 minutes 26 seconds West, a distance of 40.00 feet to the intersection of the south right-of-way line of E. 32nd Street and east right-of-way line of S. Hammons Boulevard; thence South 01 degrees 05 minutes 13 seconds West, with the east right-of-way line of S. Hammons Boulevard, a distance of 6.72 feet; thence South 88 Degrees 54 minutes 47 seconds East for a distance of 1.00 feet; thence continuing with the east right-of-way line of S. Hammons Boulevard on a curve to the left having a radius of 29.00 feet, a central angle of 89 degrees 49 minutes 07 seconds, with an initial tangent bearing of North 88 degrees 33 minutes 13 seconds West, an arc distance of 45.46 feet; thence South 01 degree 37 minutes 40 seconds West, continuing with the east right-of-way line of S. Hammons Boulevard, a distance of 300.62 feet to a point of curvature; thence continuing with the east right-of-way line of S. Hammons Boulevard on a curve to the left having a radius of 294.50 feet, a central angle of 14 degrees 35 minutes 05 seconds, an arc distance of 74.96 feet; thence South 12 degrees 57 minutes 24 seconds East, a distance of 16.19 feet to the point of beginning; thence South 88 degrees 25 minutes 48 seconds East, and no longer with the east right-of-way of Hammons Boulevard, a distance of 1119.88 feet to a point on the southwesterly line of the Kansas City Southern Railway property; thence South 50 degrees 51 minutes 36 seconds East, with the southwesterly line of the Kansas City Southern Railway property, a distance of 1501.72 feet; thence South 01 degree 23 minutes 26 seconds West, and no longer with the southwesterly line of the Kansas City Southern Railway property, a distance of 12.65 feet; thence North 50 degrees 51 minutes 36 seconds West, a distance of 612.23 feet; thence North 88 degrees 25 minutes 49 seconds West, a distance of 652.76 feet; thence North 88 degrees 25 minutes 48 seconds West, a distance of 473.07 feet; thence North 01 degree 34 minutes 12 seconds East, a distance of 18.92 feet; thence North 63 degrees 13 minutes 15 seconds West, a distance of 103.00 feet; thence North 88 degrees 25 minutes 48 seconds West, a distance of 106.34 feet; thence South 26 degrees 46 minutes 58 seconds West, a distance of 69.40 feet; thence North 88 degrees 25 minutes 48 seconds West, a distance of 147.57 feet; thence South 01 degree 34 minutes 45 seconds West, a distance of 156.63 feet; thence on a curve to the right having a radius of 1205.54 feet, a central angle of 18 degrees 36 minute 31 seconds, with an initial tangent bearing of South 11 degrees 42 minutes 52 seconds East, an arc distance of 391.54 feet; thence South 88 degrees 27 minutes 31 seconds West, a distance of 380.89 feet to a point on the east right-of-way line of S. Hammons Boulevard; thence North 10 degrees 36 minutes 02 seconds East, with the east right-of-way line of S. Hammons Boulevard, a distance of 154.05 feet to a point of curvature; thence continuing with the east right-of-way line of S. Hammons Boulevard on a curve to the left having a radius of 565.00 feet, a central angle of 06 degrees 28 minutes 35 seconds, an arc distance of 63.87 feet; thence North 04 degrees 07 minutes

26 seconds East, continuing with the east right-of-way line of S. Hammons Boulevard, a distance of 430.03 feet to a point of curvature; thence continuing with the east right-of-way line of S. Hammons Boulevard on a curve to the left having a radius of 545.00 feet, a central angle of 02 degrees 29 minutes 46 seconds, an arc distance of 23.74 feet; thence North 01 degree 37 minutes 40 seconds East, continuing with the east right-of-way line of S. Hammons Boulevard, a distance of 305.84 feet to a point of curvature; thence continuing with the east right-of-way line of S. Hammons Boulevard on a curve to the left having a radius of 545.00 feet, a central angle of 14 degrees 35 minutes 05 seconds, an arc distance of 138.73 feet; thence North 12 degrees 57 minutes 24 seconds West, continuing with the east right-of-way line of S. Hammons Boulevard, a distance of 9.4 feet to the point of beginning. The above described tract contains 972,567 square feet, or 21.29 acres. The basis of bearing for the above real property description is Missouri State Plane West Zone, NAD 83.

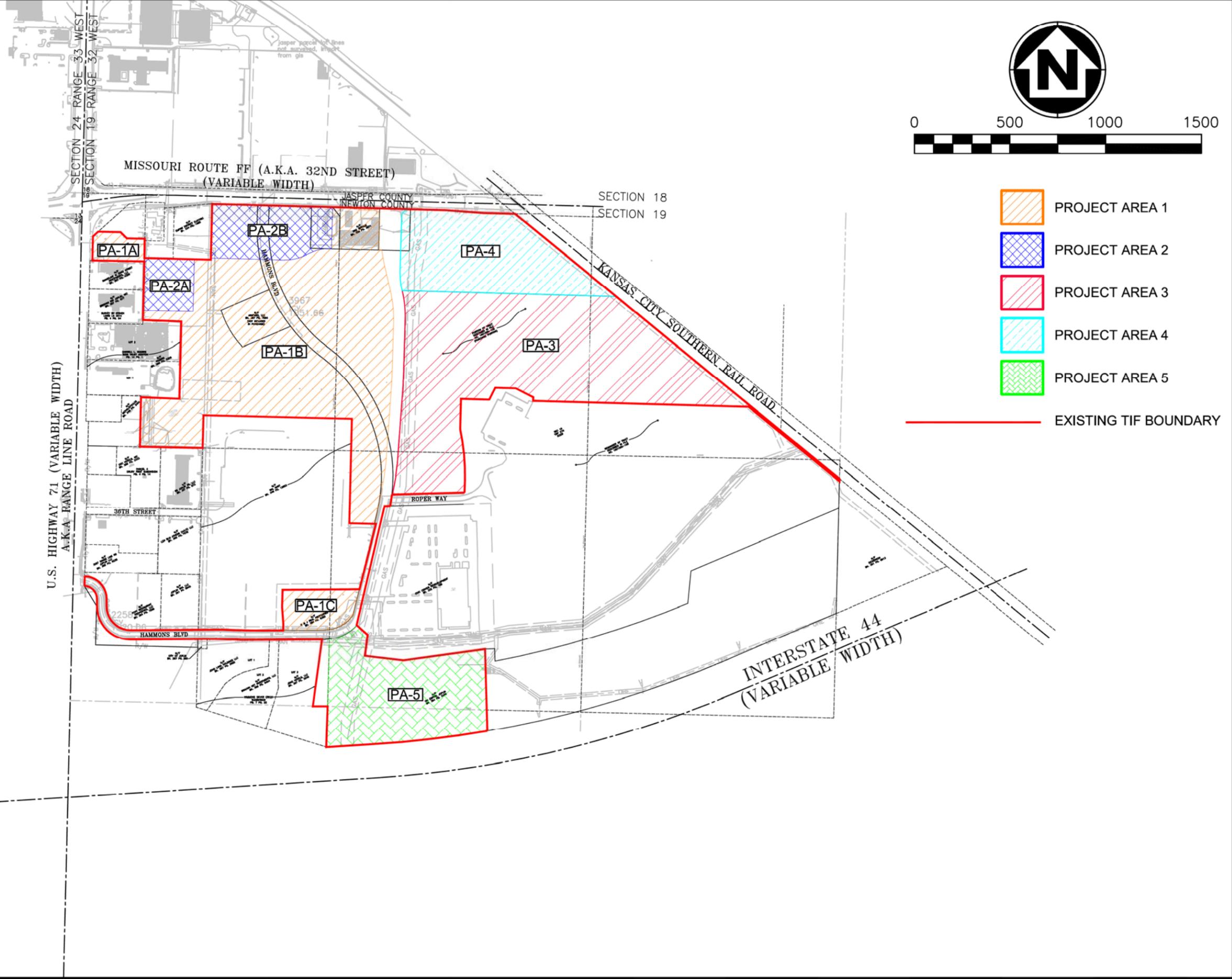
REDEVELOPMENT PROJECT AREA 4

LEGAL DESCRIPTION

All that part of the Northwest Quarter and the Northeast Quarter of Section 19, Township 27 North, Range 32 West, in the City of Joplin, Newton County, Missouri, being more particularly described as follows: commencing at the northwest corner of said Section 19, thence South 88 degrees 29 minutes 34 seconds East, with the north line of the Northwest Quarter of said Section 19, a distance of 1669.62 feet; thence South 01 degree 30 minutes 26 seconds West, a distance of 40.00 feet to the intersection of the south right-of-way line of E. 32nd Street and east right-of-way line of S. Hammons Boulevard, said point being the point of beginning; thence South 88 degrees 29 minutes 34 seconds East, with the south right-of-way line of E. 32nd Street, a distance of 197.36 feet; thence South 85 degrees 37 minutes 49 seconds East, continuing with the south right-of-way line of E. 32nd Street, a distance of 200.25 feet; thence South 88 degrees 29 minutes 34 seconds East, continuing with the south right-of-way line of E. 32nd Street, a distance of 164.03 feet to a point on the southwesterly line of the Kansas City Southern Railway property; thence South 50 degrees 51 minutes 36 seconds East, with the southwesterly line of the Kansas City Southern Railway property and no longer with the south right-of-way line of E. 32nd Street, a distance of 683.53 feet; thence North 88 degrees 25 minutes 48 seconds West, and no longer with the southwesterly line of the Kansas City Southern Railway property, a distance of 1119.88 feet to a point on the east right-of-way line of S. Hammons Boulevard; thence North 12 degrees 57 minutes 24 seconds West, with the east right-of-way line of S. Hammons Boulevard, a distance of 16.19 feet to a point of curvature; thence continuing with the east right-of-way line of S. Hammons Boulevard on a curve to the right having a radius of 294.50 feet, a central angle of 14 degrees 35 minutes 05 seconds, an arc distance of 74.96 feet; thence North 01 degree 37 minutes 40 seconds East, continuing with the east right-of-way line of S. Hammons Boulevard, a distance of 300.62 feet to a point of curvature; thence continuing with the east right-of-way line of S. Hammons Boulevard on a curve to the right having a radius of 29.00 feet, a central angle of 89 degrees 49 minutes 07 seconds, an arc distance of 45.46 feet; thence South 88 degrees 54 minutes 47 seconds East for a distance of 1.00 feet; thence North 01 degrees 05 minutes 13 seconds East, continuing with the east right-of-way line of S. Hammons Boulevard, a distance of 6.72 feet to the point of beginning. The above-described tract contains 361,686.12 square feet, or 8.30 acres. The basis of bearing for the above real property description is Missouri State Plane West Zone, NAD 83.

EXHIBIT 2

SITE PLAN



- PROJECT AREA 1
- PROJECT AREA 2
- PROJECT AREA 3
- PROJECT AREA 4
- PROJECT AREA 5
- EXISTING TIF BOUNDARY

ANDERSON ENGINEERING
 EMPLOYEE OWNED

AE

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REVISIONS		DRAWING INFO.	
NO.	DESCRIPTION	BY	DATE

DRAWN BY: KRB	CHECKED BY: KRB
LICENSE NO. LC-62	DATE: 2020-09-22
FIELD BOOK: 20JO10011	JOB NUMBER: 20JO10011

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WOODSONIA REAL ESTATE INC.
PROJECT AREAS
 CITY OF JOPLIN
 NEWTON COUNTY, MISSOURI

SHEET NUMBER _____ OF _____

AN ORDINANCE approving Redevelopment Project 4 of the 32nd Street Place Tax Increment Financing Redevelopment Plan and adopting Tax Increment Financing therein.

WHEREAS, on December 28, 2020, the City Council of the City of Joplin, Missouri (the "City") adopted Ordinance No. 2020-210 approving the 32nd Street Place Tax Increment Financing Redevelopment Plan (the "Redevelopment Plan"), all pursuant to the provisions of the Real Property Tax Increment Allocation Act, Sections 99.800 to 99.865, RSMo (the "Act"); and

WHEREAS, on August 1, 2022, the City Council of the City adopted Ordinance No. 2022-_____ approving the First Amendment to the 32nd Street Place Tax Increment Financing Redevelopment Plan (the "First Amendment"), all pursuant to the provisions of the Act; and

WHEREAS, the Redevelopment Plan, as amended by the First Amendment, contemplates implementation through 8 separate Redevelopment Projects including the adoption of tax increment financing in the area designated as Redevelopment Project Area 4.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That the area selected for Redevelopment Project 4 legally described in Exhibit A attached hereto is approved and designated as a Redevelopment Project (hereinafter referred to as "Redevelopment Project 4"). Redevelopment Project 4 includes only those parcels of real property and improvements thereon which will be directly and substantially benefited by the Redevelopment Project improvements therein.

Section 2. That tax increment allocation financing is hereby adopted for taxable real property in the above-described area selected for Redevelopment Project 4. Pursuant to the Act, after the total equalized assessed valuation of the taxable real property in Redevelopment Project 4 exceeds the certified total initial equalized assessed valuation of the taxable real property in Redevelopment Project 4, the ad valorem taxes, and payments in lieu of taxes, if any, arising from the levies upon the taxable real property in Redevelopment Project 4 by taxing districts and tax rates determined in the manner provided in subsection 2 of Section 99.855 of the Act, as amended, each year after the effective date of the ordinance until redevelopment project costs have been paid shall be divided as follows:

- a. That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized value of each such taxable lot, block, tract or parcel of property in the area selected for Redevelopment Project 4 shall be allocated to and, when collected, shall be paid by the Newton 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.

- b. 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 Redevelopment Project 4, and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property shall be allocated to and, when collected, shall be paid to the City Treasurer who shall deposit such payment in lieu of taxes into a special fund called the "Special Allocation Fund" of the City for the purpose of paying redevelopment project costs and any obligations incurred in the payment thereof; provided that payments in lieu of taxes shall be subject to the provisions of Section 99.845.1(3) of the Act, as amended, regarding the blind pension fund tax and the merchants' and manufacturers' inventory replacement tax and Section 99.845.15 of the Act regarding property tax levied under Section 205.971 RSMo.

Section 3. That in addition to the payments in lieu of taxes described in subsection b of Section 2 above, fifty percent (50%) of the total additional revenue from taxes, penalties and interest which are imposed by the City or taxing districts, and which are generated by economic activities within the area selected for Redevelopment Project 4 over the amount of such taxes generated by economic activities within such area in the calendar year prior to the adoption of this ordinance, while tax increment financing remains in effect, but excluding those taxes, licenses, fees, or special assessments identified in Section 99.845.3 of the Act, other than payments in lieu of taxes, and penalties and interest thereon shall be allocated to, and paid by the local political subdivision collecting officer to the City Treasurer or other designated financial officer of the City, who shall deposit such funds in a separate segregated account within the Special Allocation Fund.

Section 4. That this ordinance shall be in full force and effect from and after its passage and approval by the Mayor and City Council.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this _____ day of _____, _____, by a vote of _____.

Douglas W. Lawson, Mayor

ATTEST:

Holly Nagy, City Clerk

Council Bill No. 2022-525 (Continued)

APPROVED AS TO FORM:

Peter C. Edwards, City Attorney

Exhibit A

Legal Description of Redevelopment Project Area 4

All that part of the Northwest Quarter and the Northeast Quarter of Section 19, Township 27 North, Range 32 West, in the City of Joplin, Newton County, Missouri, being more particularly described as follows: commencing at the northwest corner of said Section 19, thence South 88 degrees 29 minutes 34 seconds East, with the north line of the Northwest Quarter of said Section 19, a distance of 1669.62 feet; thence South 01 degree 30 minutes 26 seconds West, a distance of 40.00 feet to the intersection of the south right-of-way line of E. 32nd Street and east right-of-way line of S. Hammons Boulevard, said point being the point of beginning; thence South 88 degrees 29 minutes 34 seconds East, with the south right-of-way line of E. 32nd Street, a distance of 197.36 feet; thence South 85 degrees 37 minutes 49 seconds East, continuing with the south right-of-way line of E. 32nd Street, a distance of 200.25 feet; thence South 88 degrees 29 minutes 34 seconds East, continuing with the south right-of-way line of E. 32nd Street, a distance of 164.03 feet to a point on the southwesterly line of the Kansas City Southern Railway property; thence South 50 degrees 51 minutes 36 seconds East, with the southwesterly line of the Kansas City Southern Railway property and no longer with the south right-of-way line of E. 32nd Street, a distance of 683.53 feet; thence North 88 degrees 25 minutes 48 seconds West, and no longer with the southwesterly line of the Kansas City Southern Railway property, a distance of 1119.88 feet to a point on the east right-of-way line of S. Hammons Boulevard; thence North 12 degrees 57 minutes 24 seconds West, with the east right-of-way line of S. Hammons Boulevard, a distance of 16.19 feet to a point of curvature; thence continuing with the east right-of-way line of S. Hammons Boulevard on a curve to the right having a radius of 294.50 feet, a central angle of 14 degrees 35 minutes 05 seconds, an arc distance of 74.96 feet; thence North 01 degree 37 minutes 40 seconds East, continuing with the east right-of-way line of S. Hammons Boulevard, a distance of 300.62 feet to a point of curvature; thence continuing with the east right-of-way line of S. Hammons Boulevard on a curve to the right having a radius of 29.00 feet, a central angle of 89 degrees 49 minutes 07 seconds, an arc distance of 45.46 feet; thence South 88 degrees 54 minutes 47 seconds east for a distance of 1.00 feet; thence North 01 degrees 05 minutes 13 seconds East, continuing with the east right-of-way line of S. Hammons Boulevard, a distance of 6.72 feet to the point of beginning. The above-described tract contains 361,686.12 square feet, or 8.30 acres. The basis of bearing for the above real property description is Missouri State Plane West Zone, NAD 83.