

LCRA RESOLUTION NO. 2019-1

A RESOLUTION OF THE LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY OF LEE'S SUMMIT, MISSOURI, RECOMMENDING THAT THE CITY COUNCIL APPROVE THE 2ND AND DOUGLAS LCRA REDEVELOPMENT PLAN AND TAKE OTHER ACTIONS TO IMPLEMENT THE REDEVELOPMENT PLAN.

WHEREAS, the Land Clearance for Redevelopment Authority of Lee's Summit, Missouri ("LCRA"), has been duly formed pursuant to Section 99.330 of the Revised Statutes of Missouri ("RSMo");

WHEREAS, on February 27, 2019, the proposed 2nd and Douglas LCRA Redevelopment Plan (the "LCRA Plan") was submitted to the LCRA Board of Commissioners to consider in a public hearing in accordance with the Land Clearance for Redevelopment Authority Act as set forth in Sections 99.300 through 99.715 (the "LCRA Act") which calls for a single redevelopment project that is proposed to consist of land acquisition, demolition of structures, engineering, site preparation, construction of public infrastructure improvements, and the design and construction of private improvements consisting of an approximately 274 unit apartment complex along with structured and surface parking and other site improvements;

WHEREAS, the **Redevelopment Area** for the LCRA Plan, which contains approximately 3.69 acres, is bounded by Douglas Street on the northeast, 2nd Street on the southeast, Main Street on the southwest and 1st Street on the Northwest, in Lee's Summit, Missouri;

WHEREAS, on February 9 and 16, 2019, the City published notice in the *Lee's Summit Tribune* of the scheduled LCRA Board of Commissioners public hearing to consider the merits of the LCRA Plan, in compliance with Section 99.430.1(8), RSMo;

WHEREAS, on February 20, 2019, notice of the LCRA Board of Commissioners meeting at which the public hearing will be held for consideration of the LCRA Plan was posted in compliance with the Missouri Sunshine Law, Sections 610.010 to 610.225, RSMo, and the special notice requirements set forth in Section 67.2725, RSMo;

WHEREAS, on February 27, 2019, at 3:00 p.m., the LCRA Board of Commissioners opened the public hearing to consider the proposed LCRA Plan, and after hearing testimony and receiving evidence, the LCRA closed the public hearing to consider the proposed LCRA Plan;

WHEREAS, the public hearing conducted by the LCRA Board of Commissioners to consider the LCRA Plan was open to the public, a quorum of the LCRA Board of Commissioners were present and acted throughout, and the proper notice of such hearing was given in accordance with all applicable laws including Chapter 610, RSMo; and

WHEREAS, after considering the evidence and testimony received at the public hearing, the LCRA Board of Commissioners now desires to recommend that the City Council make required findings and take certain actions to adopt and implement the LCRA Plan.

NOW, THEREFORE, be it resolved by the Board of Commissioners for the Land Clearance for Redevelopment Authority for the City of Lee's Summit:

1. **Findings.** In accordance with the LCRA Act, the LCRA Board of Commissioners makes the following findings and recommends that the City Council by ordinance make the following findings regarding the LCRA Plan:

A. The LCRA Plan sets forth all required elements of a “redevelopment plan” and an “urban renewal plan” as required by the LCRA Act, which are set forth in detail in Section 5 of the LCRA Plan, and the redevelopment work described in the LCRA Plan qualifies as an “urban renewal project” under the LCRA Act.

B. The Redevelopment Area remains a blighted area as previously determined by the City Council, in that:

1. The City Council found that the Redevelopment Area, as a parcel in the larger downtown area, is a blighted area pursuant to the LCRA Act through the adoption of Ordinance No. 7228 on September 10, 2012.

2. The LCRA Plan is also accompanied by a site-specific Blight Study set forth as Exhibit 5, demonstrating that the Redevelopment Area is still a blighted area as such term is defined in Section 99.805(1), RSMo, due to the presence of deteriorating site improvements and that the property is an economic liability in its present condition and use. The LCRA Plan is also accompanied by an affidavit which is set forth in Exhibit 9, signed by the Developer, attesting to the conditions of the Redevelopment Area which qualify the area as a blighted area.

C. Redevelopment of the Redevelopment Area is necessary and in the interests of the public health, safety, morals and welfare of the residents of the City.

D. The LCRA Plan is in conformance with the Comprehensive Plan of the City based on the following:

1. The Old Lee’s Summit Development Master Plan (February 2004) (the “**Downtown Plan**”) is the portion of the City’s comprehensive plan that sets forth land use recommendations and goals for the downtown area including the Redevelopment Area. The Redevelopment Area is designated as part of the “Downtown Core” (see Map III.2) under the Downtown Plan, but the parcel does not have a site-specific land use designation. The Downtown Plan indicates at page 48 that one of the City’s goals for the Downtown Core is to encourage the market absorption of between 300 and 450 dwelling units, which could occur on several parcels in the Downtown Core. The LCRA Plan is therefore in conformity with Downtown Plan as the City’s Comprehensive Plan document for the Redevelopment Area.

2. The proposed land uses and building requirements in the Redevelopment Area are designed with the general purpose of accomplishing, in conformance with the Comprehensive Plan, a coordinated, adjusted and harmonious development of the community and its environs which, in accordance with present and future needs, will promote health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency and economy in the process of development. The LCRA Plan provides for adequate parking, the promotion of healthful and convenient distribution of population, the provision of adequate public facilities, the promotion of sound design and arrangement and the efficient expenditure of public funds, the prevention of the recurrence of unsanitary and unsafe dwelling accommodations, and blight clearance.

3. The City's Comprehensive Plan, and in particular the Downtown Plan, presents a "workable program" as required by the LCRA Act for this property in that it provides for an official plan of action for effectively dealing with the problem in insanitary, blighted, deteriorated or deteriorating areas within the community and for the establishment and preservation of a well-planned community with well-organized residential neighborhoods of decent homes and suitable living environment for adequate family life, for utilizing appropriate private and public resources to eliminate and prevent the development or spread of insanitary, blighted, deteriorated or deteriorating areas, to encourage needed urban rehabilitation, to provide for the redevelopment of blighted, insanitary, deteriorated and deteriorating areas, and undertaking such activities as may be suitably employed to achieve the objectives of such a program.

2. **Recommendations.** The LCRA Board of Commissioners recommends that the City Council take the following actions with respect to the LCRA Plan:

A. adopt an ordinance to make the findings recommended in Section 1 above regarding approval of the LCRA Plan;

B. approve the LCRA Plan; and

C. designate DTLs Apartments, LLC, as the developer of record for the LCRA Plan and enter into a redevelopment contract with the developer for implementation of the LCRA Plan.

3. **Delegation of Authority, Powers and Functions.** The LCRA Board of Commissioners hereby delegates the authority, powers and functions of the LCRA with respect to implementation of the LCRA Plan and carrying out the purposes and the intent of this Resolution:

A. The LCRA Board of Commissioners hereby delegates to the City of Lee's Summit, Missouri, all of the authority, powers and functions of the LCRA as granted to the LCRA under the LCRA Act with respect to the planning and undertaking of the LCRA Plan and the land clearance project authorized therein within the Redevelopment Area, and the City with thereby be authorized to carry out and perform such authority, powers and functions for the LCRA.

B. The Chairman and other officers of the LCRA Board of Commissioners are authorized and directed to take such actions and execute such documents as are deemed necessary or desirable to carry out the intent of this Resolution and to implement the LCRA Plan.

APPROVED BY THE LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY FOR THE CITY OF LEE'S SUMMIT THIS 27th DAY OF FEBRUARY, 2019.

By: _____
Chair of the Board of Commissioners
for the Land Clearance for Redevelopment
Authority of Lee's Summit, Missouri