

BILL NO. 18-30

AN ORDINANCE RESCINDING ORDINANCE NO. 8094 AND APPROVING A DEVELOPMENT AGREEMENT AND LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY REDEVELOPMENT PROJECT, BRIDGE SPACE PROJECT, PURSUANT TO THE PROVISIONS OF THE LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY LAW, SECTIONS 99.300 TO 99.660 RSMo.

WHEREAS, in 1961, City of Lee's Summit held a special election where the qualified voters voted in favor of accepting the provisions of §99.300 through §99.660 RSMo as amended, known and cited as the "Land Clearance for Redevelopment Authority Law" of the State of Missouri; and,

WHEREAS, on September 1, 2009, the Mayor of Lee's Summit appointed members to reactivate the Land Clearance for Redevelopment Authority within Lee's Summit; and,

WHEREAS, on April 25, 2012, the City Council adopted Ordinance No. 7228 establishing the Downtown Lee's Summit Urban Renewal Area known as "Project No. MO. R-47 Lee's Summit, Missouri" to include the subject property described as *Lots 3, 4 and 5, Block 11 Town of Lee's Summit, Parcel No. 61-340-23-14-00-0-00-000 in Lee's Summit, Jackson County, Missouri*; and,

WHEREAS, on December 6, 2016, SF003, LLC submitted a Financial Pre-Application Incentive Worksheet application; and,

WHEREAS, on December 8, 2016, the City Council adopted Ordinance No. 8038 approving the Cowork Lee's Summit preliminary development plan; and,

WHEREAS, on January 5, 2017, SF003, LLC presented a conceptual financial incentive request to the Council and received direction to proceed with a Land Clearance for Redevelopment Authority redevelopment application; and,

WHEREAS, on January 25, 2017 the Land Clearance for Redevelopment Authority considered the Redevelopment Project Application recommending approval of an estimated annual real property tax abatement of \$25,512 (twenty-five thousand, five-hundred and twelve dollars) for a period of 8 years, for a total of \$204,096.00 (two-hundred four thousand and ninety-six dollars); and,

WHEREAS, on February 9, 2017, the City Council having heard and considered the objections, protests, comments and other information presented, voted to adopt Bill No. 17-40 (Ordinance No. 8094) approving the "Cowork Lee's Summit LCRA Redevelopment Project" now known as "Bridge Space"; and,

WHEREAS, on January 24, 2018, the Land Clearance for Redevelopment Authority reconsidered the manner in which the approved abatement for the project is to be implemented and recommends approval of an estimated annual real property tax abatement of \$20,017 (twenty thousand, and seventeen dollars) for a period of 10 years for a total of \$200,170.00 (two-hundred thousand one-hundred seventy dollars); and,

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WHEREAS, on February 15, 2018, the City Council having heard and considered the objections, protests, comments, and other information presented, voted to rescind Ordinance No. 8094 and directed City Staff to present an ordinance approving the "Bridge Space Cowork project" with an abatement of 100% of the incremental property taxes for a period of 10 years; and,

WHEREAS, the parties have freely negotiated in good faith and the attached Development Agreement reflects the desires of the parties.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That Ordinance No. 8094 adopted by the City Council on February 9, 2017 is hereby repealed.

SECTION 2. That the Bridge Space Cowork LCRA Redevelopment Project ("the "Project") is hereby approved to be constructed on property described as *Lots 3, 4 and 5, Block 11 Town of Lee's Summit, Parcel No. 61-340-23-14-00-0-00-000 in Lee's Summit, Jackson County, Missouri* said property which is situated within the Downtown Urban Renewal Area as referenced in Attachment A of Ordinance No. 7228.

SECTION 3. That the City Council finds the following with respect to the redevelopment project:

- A. The Project conforms to the City's Comprehensive Plan for the development of the City of Lee's Summit as a whole.
- B. The Project is sufficiently complete in accordance with statutory requirements of the Land Clearance for Redevelopment Authority Law.
- C. The Project provides for a coordinated and harmonious development that will promote health, safety, morals, order, convenience, prosperity and general welfare within the community.
- D. The Project contains a financial analysis, and schedule for completing the Plan in accordance with statutory requirements of the Land Clearance for Redevelopment Authority Law.

SECTION 4. That the Project is approved for real property tax abatement for an estimated annual amount of \$20,017 for a 10 year period if said Project is constructed in accordance with the approved final development plan.

SECTION 5. That the Development Agreement (LCRA) by and between SF003 LLC, the Land Clearance for Redevelopment Authority for the City of Lee's Summit and the City of Lee's Summit, Missouri, or a substantially similar form attached hereto and incorporated herein by reference as "Exhibit 1" is hereby approved.

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SECTION 6. That the City Manager is hereby authorized and directed to execute the Development Agreement and any and all document required to execute this Ordinance.

SECTION 7. That should the use of the property change from its intended use as a coworking space during the term of the abatement, the Land Clearance for Redevelopment Authority and City Council shall reconsider the approved abatement and may terminate said abatement in whole or in part.

SECTION 8. That upon substantial completion of the Redevelopment Project, and determining conformance with the conditions established the City shall issue a Certificate of Qualification of Tax Abatement with Jackson County, Missouri authorizing the real property tax abatement and shall seek to terminate the abatement once the approved abatement amount has been achieved but in no case shall the abatement run longer than 10 years.

SECTION 9. That this ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

PASSED by the City Council of the City of Lee's Summit, Missouri, this ____ day of _____, 2018.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2018.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*