



# Economic Development Incentive Policy

**LS** **LEE'S SUMMIT**  
MISSOURI®

**Adopted by ordinance #7588 on;**  
**February 19, 2015**

**Amended on;**  
**October 1, 2015 (Ord. #7725)**  
**January 4, 2018 (Ord. #8322)**  
**January 14, 2020 (Ord. #8801)**  
**April 26, 2022 (Ord. #9408)**  
**August 8, 2023 (Ord. #9723)**

**Administrative Updates;**  
**June 21, 2016**  
**June 26, 2017**  
**June 6, 2018**

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## INTRODUCTION AND PURPOSE

To meet the community's needs and protect existing resources entrusted to the City by its residents, the City Council has developed policies that regulate economic development for the purpose of maintaining or improving the general welfare of the City. The purpose of this document is to inform a prospective investor of the types and uses of incentives that are available to fund development projects within the City. Additionally, the policies contained are guiding statements intended to outline processes, procedures, and reflect the general consensus of the Mayor and City Council.

## ECONOMIC DEVELOPMENT VISION

A vision statement is intended to describe a desired future outcome. This vision guides our decision making, allowing for a consistent review and discussion of economic development and the use of incentives. The Mayor, City Council, City staff and community partners intend to guide and direct resources to achieve this vision. In 2013, the Mayor and City Council, with input from our community partners, adopted the following vision;

**Economic Development Vision Statement of the  
Lee's Summit City Council:**

*Lee's Summit will build upon and promote its unique downtown, educational excellence and cultural heritage to create and nurture a business environment which fosters entrepreneurship, commercial and neighborhood redevelopment, and the attraction and retention of high quality jobs in targeted businesses. In doing so, the tax base will grow ensuring the City's continued ability to deliver an outstanding quality of life and services to both businesses and residents.*

The Economic Development Vision emphasizes five areas of focus: Downtown, Entrepreneurship, Redevelopment, Attraction and Retention, and Targeted Businesses. These areas of focus represent a strategic need that is part of a broader economic development strategy. **These areas of focus inform us as to 'how' the community should develop; through investment in Downtown Lee's Summit, entrepreneurship, redevelopment, and the attraction and retention of targeted jobs and businesses.** Strategic Economic Development is one of the seven goals of the Ignite Strategic Plan. Through this goal there are four objectives that can be fulfilled through the use of incentives; define and plan for a diversified economic base, focus recruitment and retention efforts, implement economic development plans and ensure fiscal sustainability.

## USE OF INCENTIVES

The City of Lee’s Summit is prepared to strategically and responsibly consider the use of incentive programs to meet our economic development goals and outcomes. It is the City’s philosophy to be accommodating to targeted businesses that support our vision as outlined by the City Council and advances the City’s strategic plan framework of the Ignite! Strategic Plan. In accordance with our areas of focus and targeted outcomes, the City of Lee’s Summit may provide a level of incentive as outlined in the following matrix.

Availability of Incentives								
Areas of Focus						Guidelines		
Incentives	Downtown	Entrepreneurship	Redevelopment	Attraction/ Retention	Targeted Businesses	Minimum Investment	*Incentive	
	TIF	X		X	X	X	\$5m New / \$3m Existing	**25%
	CID	X		X	X	X	Public Improvement Required	up to 1 cent
	NID	X		X	X	X	Public Improvement Required	Special Assessment
	TDD	X		X	X	X	Public Improvement Required	up to 1 cent
	Chapter 100	X		X	X	X	\$5m New / \$3m Existing	50% - 10 yrs
	Chapter 353	X		X	X	X	\$5m New / \$3m Existing	50% - 10 yrs
	LCRA	X		X	X	X	\$500k	50% - 10 yrs
	Sales Tax Reimbursement			X	X	X	\$250k (Public Improvements)	up to 1/2 cent
	Site Specific Incentives	X	X	X	X	X	TBD	TBD

\* If request is below the listed amount City staff may proceed with review and presentation to Council. If request exceeds listed amount a conceptual presentation shall first be made to the City Council before proceeding with request.

\*\* The value of the incentive is calculated by multiplying the cap amount and the total private development cost. Private development costs and activities are items that will not have public ownership.

## STRATEGIC DIRECTION

The Mayor, City Council, and community partners have worked to clearly identify targeted development outcomes and targeted areas for development to communicate the City's economic development goals. **These outcomes, or goals, have been created to inform prospective investors of 'what' is desired by development that may make use of incentives.**

### Targeted Outcomes

The City is seeking investment that supports or benefits;

- **The development and maintenance of infrastructure**

*Development projects are encouraged to exhibit a public benefit through improvement, creation, or expansion of public infrastructure. In particular there is an interest for opportunities where the expansion of public infrastructure may create new economic development areas. This can include the development of bridges, streets, signals, stormwater facilities, removal of blight, water and sewer utilities.*

- **Attracts or retains targeted businesses**

*The City of Lee's Summit currently enjoys a residential base comprised of highly educated and highly skilled individuals. Creating employment opportunities that allow these individuals to advance their careers within the City of Lee's Summit is a priority. We seek employers that will leverage our existing strengths and workforce resources. We also seek economic sectors that have strong growth potential in the future. The City strives to be a regional hub that provides a fertile environment for the development of **professional services, science and technology industries, healthcare, manufacturing, the arts, and entrepreneurship.***

*To be considered a targeted business, the business shall help create an environment where work opportunities exist to support family households. A quality life is a combination of good income, health, family, and leisure activities. These life experiences are more likely to occur when the workplace is in Lee's Summit. A common measurement of quality jobs is income. Indexes such as compensation that equals or exceeds the average pay for Jackson County, Missouri workers, is often used as a standard.*

- **Preserves or enhances residential developments**

*The City of Lee's Summit strives to provide a high quality of life for its residents. Residential development projects should provide an environment that attracts residents by incorporating quality design standards. We are seeking future residential communities that offer housing choices to attract next generations as well as supporting today's lifestyles. Residential developments that are incentivized should improve livability by **enhancing the accessibility toneeds and services.** Careful consideration will be given to the impact on other taxing jurisdictions.*

- **Encourages and Provides for business retention or expansion**

*Retaining our existing economic base is vital to providing reliable municipal services. The City of Lee's Summit seeks to promote an environment that will encourage growth and sustainability of the existing economic base. This can be accomplished through partnership opportunities with those looking to grow their business.*

- **Helps generate a positive community image**

*The City of Lee's Summit seeks to be recognized as a community that possesses high quality commercial and residential development that is well planned, meets diverse needs, and exceeds community expectations. This approach has helped identify Lee's Summit as a vibrant city with a dynamic spirit of cooperation among its diverse citizens, businesses, organizations, education systems, and local government. For this reason, projects are expected to meet or exceed the City of Lee's Summit development and design requirements of the Unified Development Ordinance (UDO).*

## TARGETED AREAS FOR DEVELOPMENT/REDEVELOPMENT

The Mayor and City Council have established targeted areas for development or redevelopment. **These targeted areas were defined to help inform investors of 'where' development and redevelopment is most desired.** While incentive requests may be considered for projects outside of these targeted areas, these are identified as the City's priority locations.

Summaries of each geographic area and map can be found in the following section.

### Douglas/Tudor Rd. Targeted Planning Area:

**Boundary description:** NE Douglas St. on the east, US 50 Highway on the west, Chipman Rd. to the south and Colbern Rd. to the north

**General overview:** This area includes multiple large acreage - undeveloped tracts currently zoned for Planned Mixed Use, Planned Industrial and Planned Office uses. The Union Pacific rail line bisects the targeted planning area. Infrastructure improvements within this area include the re-alignment of NW Blue Parkway near Unity Village along with associated water and sewer line relocations, construction of the Tudor Road bridge connecting NE Douglas Street to NW Ward Rd. Sewer and water infrastructure exists to serve the general area. Significant efforts are underway to continue mixed-use development in and around the Summit Technology Campus with the recently completed Missouri Innovation Campus and Holiday Inn Express, and current construction of the 308 unit luxury multi-family Summit Square Apartments. Many of the properties are served by major roads providing excellent frontage to the properties, including Douglas Street, Chipman Road, Ward Road, Blue Parkway and Colbern Road.

Highway frontage exists along both sides of the I-470 corridor. One rail spur exists to undeveloped **property immediately south of I-470. The NW Main Street area is currently a 'metal building area' and much of the property is owned by a single property owner (Lowenstein).**

### I-470 North Targeted Planning Area:

**Boundary description:** I-470 Corridor north of Colbern Road to the north City limits

**General overview:** This area is largely undeveloped primarily due to the approximate 1,100 acres owned by Property Reserve, Inc. on the east side of I-470. Some undeveloped acreage exists on the north side of Colbern Rd. however development of this area would likely require significant sewer and traffic improvements. Within the Ralph Powell Rd. corridor various new development opportunities exist and infrastructure is available to these undeveloped parcels. The Wilshire Care Center continues to expand its footprint with additional residential independent living units currently under construction on the north side of Strother Rd. Some undeveloped lots exist within the Lakewood Business Park and commercial growth could occur on the NE corner of I-470 & Bowlin Rd (Captain's Wharf). Other undeveloped areas in this corridor would prove to be challenging to develop due primarily to topography.

### **Airport Targeted Planning Area:**

**Boundary description:** I-470 on the east and south, Lee's Summit Road on the west, Strother Road and Lakewood Residential subdivision on the north

**General overview:** The City owns a significant portion of the Targeted Planning Area for the Municipal Airport where fuel sales and hanger rental is available. Airport improvements include a 5,500 ft. grooved concrete runway with a 4,000 ft. cross wind runway, improved airfield lighting, and heated hangar space availability for business and corporate aircraft and/or itinerant stays. Parcels along the I-470 corridor, east of the Airport are prepared for new development with infrastructure in place. Undeveloped parcels exist on the north and west sides of the Airport, however infrastructure to these areas would be necessary. Large lot residential developments exist along much Lee's Summit Road. St. Michael the Archangel Catholic High School has recently been constructed and opened located south of Strother Rd and east of Lee's Summit Road.

### **I-470 Chipman/Colbern Targeted Planning Area:**

**Boundary description:** Colbern Rd/City Limits on the north, US 50 Highway on the east, Chipman Rd. on the south and View High/City Limits on the west.

**General overview:** West of US 50 Highway and north of I-470 land reclamation is occurring and much of the undeveloped area is undermined. South of I-470 opportunities for development exist along the west side of Pryor Rd. however relocation of transmission electrical lines would be necessary, and a fair amount of this area is undermined further west of Pryor Rd. The City is pursuing a Conceptual Development Plan for this area to create the framework for an envisioned mixed-use development. The target planning area is bisected by the Rock Island rail line which was recently acquired by Jackson County, Missouri for multi-purpose recreation/transportation uses and Cedar Creek.

### **View High Corridor Targeted Planning Area:**

**Boundary description:** City limits on north, railroad and residential subdivisions to the east, Longview Road on the south and View High on the west.

**General overview:** Development efforts are continuing with the approved Paragon Star project (soccer complex/mixed use development at the View High/I-470 interchange with planned infrastructure improvements also being pursued. The Summit Church (Lee's Summit United Methodist Church) recently completed construction of a new Church at View High and Chipman Rd. Large lot residential and undeveloped parcels exist along View High Drive. Recent approval of the Village at View High mixed-use development at the northeast quadrant of View High Drive and 3<sup>rd</sup> Street present opportunities for development in this area. Longview Farm continues to see development and redevelopment with construction commencing on a 7 screen B & B Movie Theater and adjacent commercial development. Stabilization work has been completed on the Longview Farm Barns and homes in this area with the overall vision to rehabilitate many of the historic structures of Longview Farm.

### **Downtown Core Targeted Planning Area:**

**Boundary description:** City's Downtown Core as generally defined within the boundaries of Chipman Road, 291 North, and US 50 Hwy.

**General overview:** The Lee's Summit United Methodist Church continues to be marketed for sale at 2<sup>nd</sup> and Douglas Streets and the former Lee's Summit Journal Building at 5<sup>th</sup> & Douglas Streets is available for re-use. The Downtown area has seen significant investment and activity including completion of the Historic Museum, multiple offerings of dining and drinking establishments and event space. A plan has been approved to convert the former Post Office into a coworking space with many additional opportunities for redevelopment or reinvestment within this targeted area.

### **M-291 North Corridor Targeted Planning Area:**

**Boundary description:** North M-291 Commercial corridor from US 50 Hwy to Colbern Rd.

**General overview:** The corridor is mostly developed with redevelopment opportunities present. The old Sears building has been redeveloped into an At-Home furnishings store, Hy-Vee Grocery Store expansion and renovation, completion of a new Generation 3 QuikTrip at Mulberry & 291, construction of a new PetSmart store within the Ritter Plaza area near the Wal-Mart. A new Community America Credit Union is under construction where a convenience and gas store once existed. Additional opportunities for redevelopment or reinvestment exist in this corridor.

### **US 50 Hwy Corridor Targeted Planning Area:**

**Boundary description:** US 50 Hwy Commercial corridor from Chipman Rd south and east to City limits.

**General overview:** This area contains many opportunities for redevelopment as well as new development. Interchange improvements are currently under construction for the South M-291 & US 50 Hwy interchange and the new Blackwell Rd. & US 50 Hwy interchange is nearing completion. Redevelopment opportunities include: Old Lee's Summit Hospital, former Adesa & Calmar sites and mixed-use opportunities including large square footage light industrial opportunities within The Grove (South M-291 & Bailey Road area) which has received preliminary development plan approval. Lee's Summit Medical Center is currently under construction with a 3<sup>rd</sup> floor addition and the Village Cooperative residential project recently completed. With the Blackwell interchange and frontage road improvements there is great potential for new development in the eastern portion of US 50 Hwy however water and sewer infrastructure will likely be challenging south of US 50 towards Smart Road. A lift station would be necessary to sewer the annexed property referenced above.

### **South M-291 Targeted Planning Area:**

**Boundary description:** M-291 South corridor (south of US 50 Hwy) to the railroad tracks on the east, south to the southern City limits.

**General overview:** Redevelopment of the existing Pine Tree Plaza shopping center has recently received approval, and redevelopment opportunities exist with the South M-291 corridor immediately south of US 50 Hwy with the Adesa and Calmar sites and The Grove mixed-use development. A new Wal-Mart opened in March of 2017 north of M-150 on SW Market Street. A significant portion of this planning area lacks sewer, transportation and water infrastructure to support development, specifically towards southern Lee's Summit.

**Activity Centers Identified in the Ignite! Comprehensive Plan**

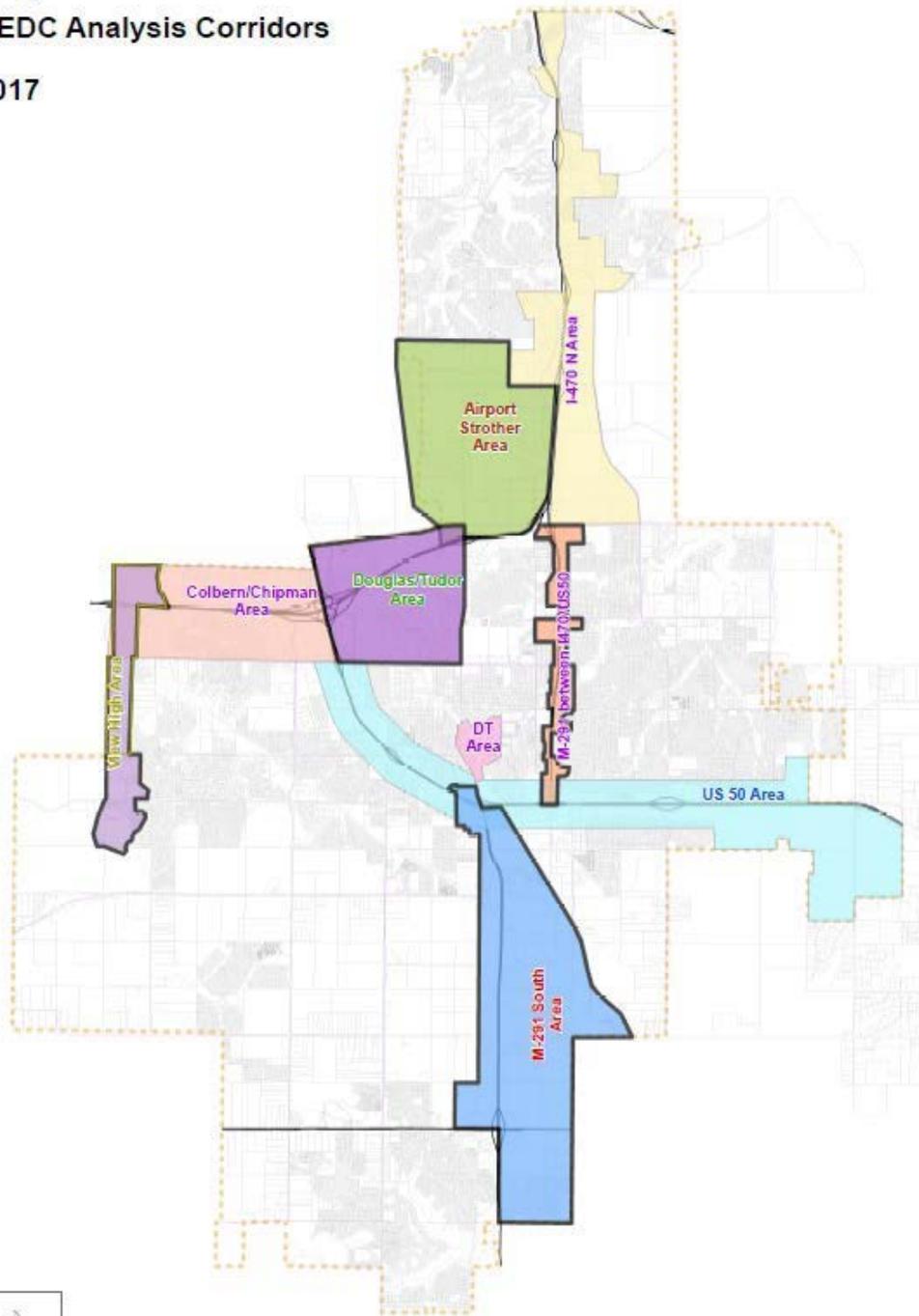
Additional information can be found at [igniteourfuture.net](http://igniteourfuture.net).

# TARGETED AREAS FOR DEVELOPMENT

## City of Lee's Summit

CEDC Analysis Corridors

2017



## ECONOMIC DEVELOPMENT POLICY STATEMENTS

The City Council of the City of Lee's Summit is the approving body for all projects that make use of economic development incentives. It is the City Council's responsibility to balance the needs for economic development and a positive financial condition for the provision of City services. The City Council reserves its power to judiciously review the merits of all development projects on a case by case basis. Under no circumstance will incentives be approved without consent from a majority of the City Council.

### General Policies

1. **Reimbursement Ratio:** Most favorable consideration will be given to projects that fall within the reimbursement ratio that has historically been approved by the City Council for the requested type of incentive. "Reimbursement ratio" means the projected dollar value of the requested incentives to the developer, divided by the total estimated project costs, including land acquisition costs.
2. All proposed projects that are to receive incentives must be consistent with the City's Comprehensive Plan and must comply with all applicable City zoning regulations.
3. **Public Benefit:** Most favorable consideration will be given to projects that advance the Future Plan Elements of the Ignite! Comprehensive Plan.
4. If a project requires the approval of a Preliminary Development Plan, any intent to seek incentives shall be made known to City Staff and the City Council prior to any action being taken by the City Council on the Preliminary Development Plan. Failure to notify City Staff of the intent to seek incentives may disqualify a project from consideration for incentives.
5. The City's 'annual appropriation', or General Fund, guarantee will not be pledged for economic development projects.
6. The City Council will not consider or grant incentives for projects that have already received any type of building permit or infrastructure permit. This provision shall not pertain to the following permits:
  - a. Building permits necessary for repairs to existing buildings or their systems in efforts to maintain public safety
  - b. Infrastructure permits necessary for repairs to existing infrastructure in efforts to maintain public safety.
  - c. Demolition permits necessary to maintain public safety.
  - d. Demolition permits to clear abandoned tenant space prior to shopping center renovation or rehabilitation, where the owner has requested public incentives for such renovation or rehabilitation.
  - e. Land disturbance permits
7. The disbursement of incentives will be subject to an annual evaluation to ensure that the performance of the development project is commensurate with the amount of incentives granted.
8. At any time, the City of Lee's Summit, may request an independent, third-party review, and financial analysis of the proposed development project. This review may include an

analysis of cost and benefits, return on investment, general financials, feasibility, and require legal assistance from the City's Economic Development Counsel. This review /analysis and legal assistance from the City's Economic Development Counsel is to be provided at no cost to the City and is to be structured through a funding agreement as provided by City Administration.

9. At any time, the City Council of the City of Lee's Summit, may request review of available credit that may be used by the applicant for the purpose of development.

10. The City Council will receive comments, or a statement of impact, from the Lee's Summit School District, or any other taxing jurisdiction, if provided to City staff in writing during the review and processing of the proposal.

11. Incentive requests shall incorporate information to differentiate public vs private improvements/costs within the proposal or project budget.

12. The utilization of incentives on previous projects shall not form the basis for new incentive considerations and requests. Each project is a distinct and unique project and shall be based on its own merits.

### **Consideration Criteria for Residential Projects**

The following criteria shall be applied toward the consideration of incentive application requests for residential projects:

1. **Blight Clearance:** Most favorable consideration will be given to projects that reduce or eliminate undesirable or blighted conditions on the targeted property. The level of incentive requested shall be commensurate with the costs related to the remediation of the blighting conditions.
2. **Public Improvements:** Most favorable consideration will be given to projects that cause the construction of public improvements that have a general public benefit. The level of incentive requested should be commensurate with the costs related to the extraordinary public improvement costs. Extraordinary public infrastructure costs are generally considered to be costs related to off-site public infrastructure necessary to support the proposed development.
3. **Statement of Need ("But For Test"):** Most favorable consideration will be given to projects where the company proves that (a) the project would not be undertaken without the requested incentive or (b) the project provides substantially enhanced features or amenities if the requested incentive is provided.
4. **Tax Stabilization:** Most favorable consideration will be given to projects that immediately generate direct or indirect new tax revenues for the City and other taxing jurisdictions, accounting for real property taxes, personal property taxes, and franchise (gross receipts) taxes.

### **Consideration Criteria for Industrial Projects**

The following criteria shall be applied toward the consideration of incentive application requests for Industrial Projects:

1. **Level of Abatement:** Most favorable consideration will be given to projects that request abatement of no more than 50% of the real or personal property taxes.

2. **Duration of Abatement:** Most favorable consideration will be given to projects where the abatement (a) lasts no longer than needed to provide the minimum amount of abatement to induce the company to undertake the project and (b) is commensurate with the duration of incentive packages that have historically been provided by Lee's Summit and other municipalities on the Missouri side of the Kansas City metropolitan statistical area.
3. **Blight Clearance and Public Benefits:** Most favorable consideration will be given to projects that reduce or eliminate undesirable or blighted conditions on the targeted property.
4. **Tax Stabilization:** Most favorable consideration will be given to projects that immediately generate direct or indirect new tax revenues for the City and other taxing jurisdictions, accounting for sales taxes, personal property taxes, real property taxes, lodging and tourism taxes and franchise (gross receipts) taxes.
5. **Sustainable / Green Development:** Most favorable consideration will be given to projects that incorporate sustainable or green development or renewable or energy-saving practices.
6. **Statement of Need ("But For Test"):** Most favorable consideration will be given to projects where the company proves that (a) the project would not be undertaken without the requested incentive or (b) the project provides substantially enhanced features or amenities if the requested incentive is provided.
7. **Size of Project and Total Investment:**
  - a. **Redevelopment** – Most favorable consideration will be given to projects that invest at least \$5 million in total project costs.
  - b. **Business Expansion** – Most favorable consideration will be given to expansion projects that invest at least 50% of the original project costs after adjusting for inflation.
8. **Company Equity:** Most favorable consideration will be given to projects where at least 15% of the total project costs is funded from company equity rather than private bank loans.
9. **New job creation:** Most favorable consideration will be given to projects (a) that create new jobs in the City, which are not relocated from another location in the City, and (b) where the average compensation of such jobs meets or exceeds the average pay of workers in Jackson County, Missouri (see **Exhibit B**).
10. **Job retention:** Most favorable consideration will be given to projects where (a) the company proves that the requested incentive will retain jobs in the City that would otherwise leave the City for another jurisdiction and (b) the average compensation of such jobs meets or exceeds the average pay of workers in Jackson County, Missouri (see **Exhibit B**).

**11. Public Improvements:** Most favorable consideration will be given to projects that cause the construction of public improvements that have a general public benefit.

**12. Targeted Businesses and Industries:** Most favorable consideration will be given to projects that cause the construction of facilities which are targeted businesses in accordance with the Strategic Direction of the Incentive Policy.



# APPENDIX

## Guidelines & Resources



## OVERVIEW OF FINANCIAL TOOLS AND INCENTIVES

### **Purpose**

Economic development incentives are a means to increase the financial viability of a proposed project by either increasing available revenue sources to fund the project or by reducing the overall costs of the project. This is accomplished through new revenue sources (Special Assessments or new taxes), Tax Abatements, or Tax Redirection for businesses in exchange for specific desirable actions or investments that might not otherwise be financially feasible. To qualify for incentives, a project must demonstrate an ability to meet the City's targeted outcomes as defined in the Ignite Strategic and Comprehensive Plans.

### **Special Taxing Districts**

The City may establish or approve the establishment of special districts that can impose special assessments and/or taxes in order to pay for public improvements and/or to eliminate blight. These districts are typically geographic areas such as a neighborhood or corridor that are contiguously connected. The most common special taxing districts are Neighborhood Improvement Districts (NID), Community Improvement Districts (CID), and Transportation Development Districts (TDD).

### **Tax Abatement**

Tax abatement is offered through a variety of programs geared to job creation, private investment, and redevelopment. Typically, property taxes continue to be paid on land and improvements based on their value prior to the new investment. All, or a portion, of the incremental increase in property taxes is abated for an established period of time. This incentive is sometimes referred to by the respective Missouri Statute as Chapter 99 (Land Clearance for Redevelopment Authority), Chapter 100 (Industrial Development Bonds), or Chapter 353 (Urban Redevelopment Corporation).

### **Tax Redirection**

All taxes owed and a portion of all of the incremental increase in taxes resulting from the redevelopment is captured and redirected to pay redevelopment project costs. Taxing jurisdictions continue to receive the taxes based on the pre-development value. This is most commonly applied through a Tax Increment Financing (TIF) project, which may also capture new economic activity taxes after the TIF is approved. All new Business Personal Property taxes created immediately flow to the respective taxing jurisdictions while the TIF is in existence.

## DEFINITIONS AND GUIDELINES

### Community Improvement District (CID)

A CID is a separate political subdivision or not for profit organization that can be created for the purpose of issuing bonds, levying taxes and applying special assessments to finance public improvements, public services or blight removal.

#### Eligible Revenues and Financing Tools: (Authorized by Sections 67.1401 to 67.1561 RSMo.)

- Special Assessments: If approved by owners collectively owning more than 50% of the assessed value, and by more than 50% per capita of property owners in the districts.
- Property Tax: Additional property taxes may be approved by majority vote of qualified voters in the district boundary.
- Sales Tax: Additional sales tax may be imposed up to a maximum of 1% if approved by majority vote of qualified voters in the district.
- Fees and Rents
- Grants, Gifts, or Donations

Common Uses for CID:	
<u>Improvements</u>	<u>Services</u>
Parks Convention Centers Parking Lots Sidewalks Streets Bridges Storm Water Facilities Sanitary Sewer Facilities	Economic, Planning, Marketing or other Studies Waste Collection / Disposal Recreational and Cultural Activities Special Events Cleaning and Maintenance of Public/Private property Security Facility Operation Blight Removal

As permitted by the State statutes listed above, the City has developed the following guidelines as criteria for granting the use of this financing tool.

#### Guidelines:

- May be used in coordination with other development tools or as a standalone entity. When a CID/TDD/NID is used to create supplemental revenue to support a primary economic tool such as a TIF, the supplement should relate to public benefits. The City discourages the use of CID/TDD/NID when the sole purpose is to remedy private maintenance and repair costs.
- The amount of incentive granted will be determined based upon the merits of the project for a total of up to 1% per \$100 of assessed value or \$0.01 of sales tax revenue.
- If pursuing a blighted CID:
  - Public improvements related to the redevelopment project shall be considered a priority.
  - Projects that exceed the minimum architectural standards of the UDO shall be considered a priority.
- A specific Development Agreement outlining project goals and performance standards may be required.

**Transportation Development District (TDD)**

Similar to a CID, a TDD operates as a separate political subdivision that may be created for the purpose of issuing bonds, levying taxes, and applying special assessments to finance transportation-related improvements.

Eligible Revenues and Financing Tools: (Authorized by Sections 238.200 to 238.275 RSMo.)

- **Special Assessments:** May be imposed for improvements that specifically benefit properties within the TDD. Majority voter approval is required. More than one special assessment may be imposed within the district.
- **Property Tax:** May be levied with the approval of at least 4/7ths of qualified voters and may not exceed the annual rate of \$0.10 per \$100 of assessed valuation.
- **Sales Tax:** May be imposed in increments of 1/8 of 1% up to a full 1% upon approval of a majority of qualified voters.

Common Uses for TDD:	
Bridges	Roads
Highways	Interchanges
Intersections	Signing
Signalization	Parking Lots
Bus Stops	Terminals
Hangars	Rest Areas
Docks	Airports
Railroads	Mass Transit

As permitted by the State statutes listed above, the City has developed the following guidelines as criteria for granting the use of this financing tool.

Guidelines:

- May be used in coordination with other development tools or as a 'stand-alone' entity. When a CID/TDD/NID is used to create supplemental revenue to support a primary economic tool (such as a TIF), the supplement should relate to public benefits. The City discourages the use of CID/TDD/NID when the sole purpose is to remedy private maintenance and repair costs.
- The amount of incentive granted will be determined based upon the merits of the project for a total of up to 1% per \$100 of assessed value or \$0.01 of sales tax revenue.

**Neighborhood Improvement District (NID)**

A Neighborhood Improvement District (NID) may be created in an area desiring certain public-use improvements that are paid for by special assessments to property owners in the area in which the improvements are made. The kind of projects that can be financed through an NID must be for facilities used by the public, and must confer a benefit on property within the NID.

Eligible Revenues and Financing Tools: (Authorized by Sections 67.453 to 67.745 RSMo.)

- Special Assessments: Financing source comes from the sale of bonds and can be privately funded. Project improvements may be financed with general obligation bonds issued by the City, although this approach is not preferred by the City. Maximum bond term is 20 years.
- Bonds: The bonds are to be repaid by special assessments (sales taxes or property taxes) generated from the properties within the district.

Common Uses for NID:	
Property Acquisition	Streets
Gutters	Sidewalks
Water, Gas, and Utility Mains	Street Lights
Parks and Playgrounds	Storm Water Facilities
Sanitary Sewer	Off- Street Parking
Engineering and Legal Fees	Maintenance of the project

As permitted by the State statutes listed above, the City has developed the following guidelines as criteria for granting the use of this financing tool.

Guidelines:

- May be used in coordination with other development tools or as a standalone entity. When a CID/TDD/NID is used to create supplemental revenue to support a primary economic tool (such as a TIF), the supplement should relate to public benefits. The City discourages the use of CID/TDD/NID when the sole purpose is to remedy private maintenance and repair costs.
- The amount of incentive granted will be determined based upon the merits of the project for a total of up to 1% per \$100 of assessed value.
- Private financing is preferred over the issuance of public debt.

## Land Clearance for Redevelopment Authority (LCRA)

The LCRA Law at Sections 99.300 to 99.750, RSMo, enables municipalities to encourage the redevelopment of real property in blighted areas. The LCRA has numerous powers to undertake land clearance projects to facilitate redevelopment, including the power to provide tax abatements and to acquire and dispose of both real and personal property. The LCRA can develop, reconstruct, rehabilitate, repair and improve all types of public and private improvements and facilities. The LCRA may issue bonds to fund any of its corporate purposes.

### Eligible Revenues and Financing Tools:

1. **“Certificate of Qualification” for real property tax abatement:** The LCRA may abate up to 100% of the real property taxes on the incremental increase in assessed value of both land and improvements for up to 10 years. During the abatement period, the property owner continues to pay taxes attributable to the base land and improvement value.
2. **Sales and Use Tax Exemption on construction materials:** The City or LCRA may own the redevelopment property and lease it to the company during the construction period. The company receives a sales tax exemption certificate from the City which is used to purchase construction materials for the project on a tax-exempt basis.
3. **Redevelopment Plan for Extended Tax Abatement:** The LCRA or City may own the project site and lease it to the company for an extended period for the purpose of providing tax abatement. The maximum duration is 25 years pursuant to the Missouri Constitution.
4. **Tailored Incentive Packages:** LCRA powers and incentive tools may be combined in various ways to create a tailored incentive package to meet the needs of unique or large-scale projects. Other incentive tools may be used in combination with LCRA to create an incentive package that suits the particular needs of a project or redevelopment area.
5. **Targeted Incentive Areas:** The City may designate certain areas as targeted land clearance project areas or redevelopment areas. In these areas, the City may invite the development community to submit redevelopment proposals that meet certain investment criteria, employment criteria and other redevelopment parameters in order to receive designated tax abatement or other incentive benefits.

Common Uses for LCRA:	
Land Acquisition	Land Assembly and Disposal
Building Construction	Building Rehabilitation, Repair and Reconstruction
Blight Clearance Activities	Public Improvements in Redevelopment Areas

## **Guidelines:**

Pursuant to the statutory purposes of the LCRA Act, the City Council has developed the following guidelines and policy statements for evaluating the requested use of LCRA incentives. The LCRA and the City Council shall assign such weight and consideration to these guidelines as deemed appropriate for each particular application and project. These statements are intended to provide guidance, but do not carry the force of law to bind the City Council on any particular application or requested use of LCRA tools or incentives.

1. **Level of Abatement:** Most favorable consideration will be given to projects that request abatement of no more than 50% of the real or personal property taxes.
2. **Duration of Abatement:** Most favorable consideration will be given to projects where the abatement (a) lasts no longer than needed to provide the minimum amount of abatement to induce the company to undertake the project and (b) lasts no longer than 10 years.
3. **Blight Clearance and Public Benefits:** Most favorable consideration will be given to projects that reduce or eliminate undesirable or blighted conditions on the targeted property.
4. **Tax Stabilization:** Most favorable consideration will be given to projects that immediately generate direct or indirect new tax revenues for the City and other taxing jurisdictions, accounting for sales taxes, personal property taxes, real property taxes, lodging and tourism taxes and franchise (gross receipts) taxes.
5. **Sustainable / Green Development:** Most favorable consideration will be given to projects that incorporate sustainable or green development or renewable or energy-saving practices.
6. **Statement of Need (“But For Test”):** Most favorable consideration will be given to projects where the company proves that (a) the project would not be undertaken without the requested LCRA incentive or (b) the project provides substantially enhanced features or amenities if the requested LCRA incentive is provided.
7. **Size of Project and Total Investment:**
  - a. **Redevelopment** – (1) For certificates of qualification, most favorable consideration will be given to projects that invest at least \$500,000 in total project costs. (2) For all other LCRA incentives, most favorable consideration will be given to projects that invest at least \$5 million in total project costs.
  - b. **Business Expansion** – Most favorable consideration will be given to expansion projects that invest at least 50% of the original project costs after adjusting for inflation.

8. **Company Equity:** Most favorable consideration will be given to projects where at least 15% of the total project costs is funded from company equity rather than private bank loans.
9. **New job creation:** Most favorable consideration will be given to projects (a) that create new jobs in the City, which are not relocated from another location in the City, and (b) where the average compensation of such jobs meets or exceeds the average pay of workers in Jackson County, Missouri.
10. **Job retention:** Most favorable consideration will be given to projects where (a) the company proves that the requested incentive will retain jobs in the City that would otherwise leave the City for another jurisdiction and (b) the average compensation of such jobs meets or exceeds the average pay of workers in Jackson County, Missouri.
11. **Public Improvements:** Most favorable consideration will be given to projects that cause the construction of public improvements that have a general public benefit.
12. **Targeted Businesses and Industries:** Most favorable consideration will be given to projects that cause the construction of facilities which are targeted businesses in accordance with the Strategic Direction of the Incentive Policy (see page 5).
13. **Historic Preservation:** Most favorable consideration will be given to projects that encourage rehabilitation and redevelopment of structures that are listed on any historic register or within any historic district as defined by local, state, or federal governments.

#### **Implementation Conditions**

The following conditions will be applied in the approving ordinance or the redevelopment contract, as applicable to each approved incentive:

- **Coordination with Zoning Approvals:** The incentives will be conditioned upon construction and operation of the project as set forth on the approved preliminary development plan or other applicable zoning approval pursuant to the Unified Development Ordinance (UDO).
- **Change in Use:** A change in the use of the property or ownership of the property will trigger a reconsideration and possible revocation of the approved LCRA incentive, unless otherwise stated in the approving ordinance or redevelopment contract.
- **Data Reporting:** The applicant may be required to provide reports about the number of jobs created or retained at the project on an annual basis, the salaries of the workers, the amount of investment, and other criteria as applicable to the project and the requested incentive.
- **No reconsideration:** Unless otherwise stated in the approving ordinance or the redevelopment contract, the approved incentive will not be considered for renewal at the end of the incentive term.
- **Duration of Certificate of Qualification:** Starting in January 2020, the measurement

of abatement for certificates of qualification shall be the “targeted amount approach,” meaning that abatement shall last until a stated dollar amount of tax abatement has been achieved and thereafter the property shall return to the tax rolls as fully taxable property, with the property owner making a payment in lieu of taxes in the final year of abatement to achieve the exact amount of approved abatement.

- **Amendments to Certificates of Qualification (prior to January 2020):** For certificates of qualification approved prior to January 2020, the original applicant may request to amend the incentive to apply the measurement of abatement as set forth in the prior bullet for the remainder of the abatement term.

**Industrial Development Bonds (Chapter 100)**

Chapter 100 bonds may be used to provide sales tax exemption on construction materials, a tax abatement for real and personal property, and to finance public and private improvements.

Eligible Revenues and Financing Tools: (Authorized by Section 27 & 27(b), Missouri Constitution)

- Personal Property Abatement: The City holds title to machinery or equipment which allows for City ownership and tax exemption.
- Real Property Tax Abatement: The property is owned by the City during the bond term and thus is exempt from taxes. A payment in lieu of tax (PILOT) agreement may be required to modify the level of abatement.
- Sales Tax Exemption: Purchases of materials used in the construction of the facility may be structured such that the City's sales tax exemption is used.

Common Uses for Chapter 100 Bonds:	
Land Acquisition Building Construction	Purchase of Machinery or Equipment Building Rehabilitation

As permitted by the State statutes listed above, the City has developed the following guidelines as criteria for granting the use of this financing tool.

Guidelines:

- Typically incentives considered under the Chapter 100 program will be at an abatement level of 50% over a 10 year period for new development and redevelopment.
- For business equipment/personal property the incentive will be considered at an abatement level of 50% over a 5 year period.
- To qualify for site specific incentives over the 50% base level of participation for the initial 10 years and/or abatement beyond the initial 10 years, the applicant must demonstrate extraordinary qualifications.

Extraordinary Qualification Criteria:

- Creates jobs where average compensation is equal to or exceeds the average pay of workers in Jackson County, Missouri.
- Creates additional direct general fund revenue taxes that exceed the amount that is to be abated.
- Rehabilitates structures as listed in any historic register or within any historic district as defined by local, state, or federal governments.

**Urban Redevelopment Corporations (Chapter 353)**

Chapter 353 allows for tax abatement of incremental real property taxes provided as an incentive for the clearance, re-planning, reconstruction, or rehabilitation of blighted areas.

Eligible Revenues and Financing Tools: (Authorized by Section. 27 & 27(b), Missouri Constitution)

- Property Tax Abatement: 100% of the taxes on the increase in assessed value of the land and 100% of the taxes on the value of the improvements for 10 years and 50% of the taxes on the increase in assessed value of the land and improvements for the next 15 years. The level of abatement may be modified by an agreement to make payments in lieu of taxes (PILOTs).

Common Uses for Chapter 353 Bonds:	
Land Acquisition Building Construction	Blight Removal Activities Building Rehabilitation

As permitted by the State statutes listed above, the City has developed the following guidelines as criteria for granting the use of this financing tool.

Guidelines:

- Typically, incentives considered under the Chapter 353 will be at an abatement of 50% over a 10 year period for new development, redevelopment, and business equipment expansions.
- To qualify for site specific incentives over the 50% base level of participation for the initial 10 years and/or abatement beyond the initial 10 years, the applicant must demonstrate extraordinary qualifications.

## Development Agreements

The City of Lee's Summit negotiates agreements to reimburse developers local taxes that are generated from the development (real property, personal property, and sales). Public purpose must be identified (e.g. public infrastructure requirements, economic development, elimination of blight, etc.).

Traditionally these agreements are used to finance public improvements for which there is already a need but no public funds available.

Eligible Revenues and Financing Tools: (Authorized by City Charter of Lee's Summit, Missouri)

- **Sales Tax Reimbursement:** The City may pledge a portion of the new sales taxes expected to be generated by the development to fund infrastructure improvements.
- **Developer Participation:** In this type of agreement the developer provides partial or total funding to expedite an unfunded public improvement that will benefit the development.

<b>Common Uses for Development Agreements:</b>	
<u>Improvements</u>	
Intersection Improvements Traffic Signals Regional Stormwater Detention Facilities	Street Widening Streetscape Improvements

As permitted by the City Charter listed above, the City has developed the following guidelines as criteria for granting the use of this financing tool.

Guidelines:

- Sales tax reimbursement will only be authorized to fund public improvement projects directly related to the development.
- Sales Tax Reimbursement shall be limited to funding from the General Fund and base level of participation at ½ cent over a 10 year period for public improvement projects.

**Tax Increment Financing (TIF)**

TIF is an economic development tool that provides a means for local governments to finance the redevelopment of designated areas determined to be blighted or conservation areas (near blight), or economic development areas. TIF allows future increases in real property and economic activity taxes to be captured and redirected to fund the redevelopment.

Eligible Revenues and Financing Tools: (Authorization Sections 99.800 to 99.865 RSMo.)

Payments in Lieu of Tax (PILOTS): State Statutes authorizes the redirection of 100% of the incremental increase in property taxes to the TIF special allocation fund. The tax increment produced as a result of increased assessed property values over the base level. Taxing jurisdictions will continue to receive taxes based on the property values prior to the redevelopment.

- Economic Activity Taxes (EATs): State Statutes authorize the redirection of 50% of the incremental increase in taxes generated by economic activities within the project, such as new sales, utility, food, and beverage taxes.
- Bonds: The City may also issue obligations to pay for Redevelopment Project Costs and pledge the funds in the special allocation fund to retire the obligations. Maximum bond term is 23 years but may be longer when there are multiple project areas that are collectively more than 23 years (maximum of 33 years from plan adoption).

Common Uses for TIF:	
Professional Services	Plans and Specifications
Land Acquisition	Site preparation
Public Improvements	Private Improvements

As permitted by the State statutes listed above, the City has developed the following guidelines as criteria for granting the use of this financing tool.

Guidelines:

- Typically, incentives considered utilizing TIF will be at an amount not to exceed 25% of the total private development costs.
- To qualify for site specific incentives over the 25% base level of participation, the applicant must demonstrate extraordinary qualifications.

## **Local Incentive Tools**

When a development or redevelopment project achieves or delivers the targeted outcomes defined in this document, a local incentive tool may be granted in addition to traditional incentives at the base level amount. These local incentives are intended to encourage development projects that have extraordinary qualifications or needs and return on investment. The amount of incentive granted will be negotiated based upon the merits of the project.

### **Extraordinary Qualification Criteria:**

- Creates jobs where average compensation is equal to or exceeds the average pay of workers in Jackson County, Missouri. (See Exhibit B)
- Creates additional direct general fund revenue taxes that exceed the amount that is to be abated.
- Rehabilitates structures as listed in any historic register or within any historic district as defined by local, state, or federal governments.

### **Guidelines:**

- Sales tax reimbursements shall only be considered for public improvements

## **APPLICATION AND REVIEW PROCESS**

### **Purpose**

A predefined process and procedure will ensure that project review is consistent and efficient in an effort to have a uniform review process.

### **Process**

1. Applicants shall request a pre-application meeting with the City Manager's office to review the general scope of the proposed project. The purpose of the meeting is to discuss the request, determine what tools may be available, and to determine the process for the project to move forward.
2. Applicants shall notify, in writing, the City of Lee's Summit, and may also notify the Lee's Summit Economic Development Council, of their intent to pursue a development project that will make use of incentives. The letter shall include a project narrative, a completed application on a form provided by the City Manager's Office, as well as any supporting information discussed in the Pre-Application conference.
3. There shall be an application conference(s) with City staff to review the proposal prior to final documents being prepared for either a conceptual presentation to the City Council, or proceeding with the statutory requirements outlined by each incentive.
4. After review of the required submittals and application conference(s), a conceptual presentation is made to the City Council to solicit feedback and direction on the proposal. The City Council may provide direction to the applicant and staff directly after the conceptual presentation or may choose to request additional information or presentations to be scheduled at a future regular session meeting of the City Council. This step may be omitted if the request for incentive(s) is at, or below, the base level as referenced in the Availability of Incentives Matrix.
5. Should a request for incentive(s) be determined to require a funding agreement, the funding agreement may be placed on the same agenda as the conceptual presentation or future City Council regular session meeting as appropriate.
6. All statutory requirements for a specific incentive tool(s) shall be followed.

**Exhibit A**  
**Financial Incentive Application Worksheet**

DATE: \_\_\_\_\_ APPLICANT: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE #: \_\_\_\_\_ EMAIL: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_

DEVELOPMENT SERVICES

PROJECT NAME: \_\_\_\_\_

**PROJECT TYPE:**

Check all that apply and fill in the SIC/NAICS code, if known.

Industrial, Manufacturing, Technology

SIC/NAICS code: \_\_\_\_\_

- New building, no existing Missouri operations
- New building, other Missouri operations already in existence
- Expanding existing facility
- Retaining existing facility

Retail/Restaurant/Hotel

SIC/NAICS code: \_\_\_\_\_

- New freestanding building
- New multi-use tenant building
- Remodel, addition or expansion of existing building

Office

- New freestanding building
- New multi-use tenant building
- Remodel, addition or expansion of existing building

Residential

- New freestanding residential units
- New residential units in a multi-use building
- Remodel, addition or expansion of existing building

Downtown

- Remodel, addition or expansion of existing building
- Exterior façade improvement
- Construction of new building
- Other \_\_\_\_\_

PROPERTY FOR WHICH INCENTIVES ARE BEING SOUGHT

Attach map and legal description of property.

ADDRESS: \_\_\_\_\_

CURRENT PROPERTY OWNER: \_\_\_\_\_

WILL APPLICANT BE PURCHASING THE PROPERTY: \_\_\_\_\_ YES \_\_\_\_\_ NO

TOTAL ACRES: \_\_\_\_\_ BUILDING SQ. FT. \_\_\_\_\_

**INVESTMENT**

Total new investment: \$ \_\_\_\_\_

Acquisition of land/existing buildings: \$ \_\_\_\_\_  
 Annual lease of land/existing buildings: \$ \_\_\_\_\_  
 Preparation of plans, studies, surveys: \$ \_\_\_\_\_  
 Site preparation costs: \$ \_\_\_\_\_  
 Building improvements: \$ \_\_\_\_\_  
 Site improvements: \$ \_\_\_\_\_  
 Utilities/Infrastructure Costs: (streets, sewer, etc.): \$ \_\_\_\_\_

**TIMELINE**

Calendar year in which applicant plans to begin construction: \_\_\_\_\_  
 Approximate opening date: \_\_\_\_\_

**WAGE & BENEFITS**

	Job Category (executive, professional, clerical, general labor, etc.)	# new full- time employees	# new part- time employees	Average hourly wage/employee
<b>Year 1</b>				
<b>Year 2</b>				

% of health care premium paid for by the employer: \_\_\_\_\_

**TYPE OF FINANCIAL INCENTIVE DESIRED**

TAX REDIRECTION OR ABATEMENT

- Tax Increment Financing
- Chapter 100 Industrial Revenue Bonds
- Chapter 353 Tax Abatement
- Chapter 99 Land Clearance for Redevelopment Authority (LCRA)

SPECIAL TAXING DISTRICTS

- Neighborhood Improvement District
- Community Improvement District
- Transportation Development District

LOCAL INCENTIVE TOOLS

- Sales Tax Reimbursement Agreements
- Cost-Share Development Agreements

**Exhibit B**

**Proposed Chapter 100, 353, TIF and LCRA Abatement Guidelines**

	Number of Jobs					
	5	7	10	15	20	25
	<b>Wages</b>					
100% CAW	10 yr / 50%	10 yr / 50%	10 yr / 50%	10 yr / 50% + 2 yr / 50%	10 yr / 75% + 2 yr / 75%	10 yr / 100% + 2 yr / 100%
105% CAW	10 yr / 55%	10 yr / 55%	10 yr / 55%	10 yr / 55% + 2 yr / 50%	10 yr / 75% + 2 yr / 75%	10 yr / 100% + 2 yr / 100%
110% CAW	10 yr / 60%	10 yr / 60%	10 yr / 60%	10 yr / 60% + 2 yr / 50%	10 yr / 75% + 2 yr / 75%	10 yr / 100% + 2 yr / 100%
120% CAW	10 yr / 65%	10 yr / 65%	10 yr / 65%	10 yr / 65% + 2 yr / 50%	10 yr / 75% + 2 yr / 75%	10 yr / 100% + 2 yr / 100%
130% CAW	10 yr / 70%	10 yr / 70%	10 yr / 70%	10 yr / 70% + 2 yr / 50%	10 yr / 75% + 2 yr / 75%	10 yr / 100% + 2 yr / 100%
140% CAW	10 yr / 75%	10 yr / 75%	10 yr / 75% + 2 yr / 50%	10 yr / 75% + 5 yr / 50%	10 yr / 75% + 5 yr / 75%	10 yr / 100% + 5 yr / 100%
150% CAW	10 yr / 80%	10 yr / 80%	10 yr / 75% + 2 yr / 50%	10 yr / 80% + 5 yr / 50%	10 yr / 75% + 5 yr / 75%	10 yr / 100% + 5 yr / 100%
160% CAW	10 yr / 85%	10 yr / 85%	10 yr / 75% + 2 yr / 50%	10 yr / 85% + 5 yr / 50%	10 yr / 75% + 5 yr / 75%	10 yr / 100% + 5 yr / 100%
170% CAW	10 yr / 90%	10 yr / 90%	10 yr / 75% + 2 yr / 50%	10 yr / 90% + 5 yr / 50%	10 yr / 75% + 5 yr / 75%	10 yr / 100% + 5 yr / 100%
180% CAW	10 yr / 95%	10 yr / 95%	10 yr / 75% + 2 yr / 50%	10 yr / 95% + 5 yr / 50%	10 yr / 75% + 5 yr / 75%	10 yr / 100% + 5 yr / 100%
190% CAW	10 yr / 100%	10 yr / 100%	10 yr / 75% + 2 yr / 50%	10 yr / 100% + 5 yr / 50%	10 yr / 75% + 5 yr / 75%	10 yr / 100% + 5 yr / 100%

Base: 10 yr / 50% abatement for companies creating a minimum of 10 jobs

CAW = County Average Wage [for All Industries Public & Private in Jackson County, Missouri as determined by the most recent published information from the Missouri Economic Research & Information Center \(MERIC\)](#)

Job Creation: Number of net new Full Time Employees in 24 months after beginning new/expanded operations