

BILL NO. 22-177

AN ORDINANCE APPROVING THE CHAPTER 353 REDEVELOPMENT PLAN FOR THE LEE'S SUMMIT DOWNTOWN MARKET PLAZA REDEVELOPMENT AREA, AND APPROVING A COOPERATIVE AGREEMENT BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND THE LEE'S SUMMIT DOWNTOWN MARKET PLAZA REDEVELOPMENT CORPORATION TO IMPLEMENT THE REDEVELOPMENT PLAN.

WHEREAS, the City, working with Lane4 Property Group, Inc. (the "Developer"), has prepared the Chapter 353 Redevelopment Plan for the Lee's Summit Downtown Market Plaza Redevelopment Area (the "Redevelopment Plan") pursuant to Section 353.010, *et seq.*, the Urban Redevelopment Corporations Law (the "Act"); and,

WHEREAS, on August 26, 2022, the City furnished each political subdivision whose boundaries for ad valorem taxation purposes include any portion of the real property to be affected by tax abatement in the Redevelopment Plan with a written statement of the impact on ad valorem taxes such tax abatement will have on such political subdivisions and written notice of the public hearing to be held by the City Council in accordance with City Ordinance No. 3475 and Sections 353.060 and 353.110, RSMo; and,

WHEREAS, a public hearing was held before the Lee's Summit City Council on Tuesday, September 6, 2022, in the City Council Chambers at Lee's Summit City Hall, 220 SE Green Street, Lee's Summit, Missouri, at which all interested persons and taxing districts affected by the Redevelopment Plan were afforded an opportunity to make comments regarding adoption of the Redevelopment Plan; and,

WHEREAS, having heard and considered the comments and other evidence adduced at the public hearing and the recommendations of City staff, the City Council desires to approve the Redevelopment Plan; and,

WHEREAS, it is desirable and in the public interest that the Lee's Summit Downtown Market Plaza Redevelopment Corporation (the "Corporation") undertake and administer implementation of the Redevelopment Plan; and,

WHEREAS, the City Council also desires to authorize the execution of a Redevelopment Agreement between the City and the Corporation for implementation of the Redevelopment Plan.

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

SECTION 1. It is hereby found and determined by the City Council as follows:

A. That the area legally described in Exhibit A to the Redevelopment Plan ("Redevelopment Area") is a blighted area under the provisions of the Act, as documented by the Blight Study for the Downtown Market Plaza Redevelopment Area dated August 30, 2022, attached as Exhibit E to the Redevelopment Plan, in that the Redevelopment Area, by reason of the predominance of unsafe conditions, deterioration of site improvements, and the existence of conditions which endanger life or property by fire and other causes, retards the provision of housing accommodations and constitutes

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an economic or social liability and a menace to the public health, safety, and welfare in its present condition and use.

B. That each political subdivision whose boundaries for ad valorem taxation purposes include any portion of the Redevelopment Area has been furnished with a written statement of the impact on ad valorem taxes such tax abatement will have on such political subdivision and written notice of the public hearing that was held by the City Council in accordance with City Ordinance No. 3475 and the Act.

SECTION 2. The Redevelopment Plan, which is attached hereto as Exhibit A and incorporated herein by reference, is hereby approved.

SECTION 3. The Redevelopment Agreement between the City and the Corporation (the "Agreement"), attached hereto as Exhibit B and incorporated herein by reference, is hereby approved and the City Manager is authorized to execute the Agreement on behalf of the City.

SECTION 4. The Corporation is granted all of the rights, powers and immunities provided by law for use by an urban redevelopment corporation pursuant to law, including the power of eminent domain, upon the execution of the Agreement. The development rights of the Corporation, including the rights of tax abatement, shall expire twenty (20) years after the effective date of this Ordinance, unless further extended by legislative action of the City Council.

SECTION 5. The partial tax relief allowed pursuant to the Act pertaining to the Redevelopment Area as described in the Redevelopment Plan is hereby granted to the Corporation and its grantees, successors and assigns, upon the execution of the Agreement and the transfer of any property to the Corporation in the Redevelopment Area, or certain portions thereof, as limited and restricted in the Redevelopment Plan and the Agreement.

SECTION 6. Approval of the Redevelopment Plan and the Agreement is made only for purposes of the provisions of the Act and does not constitute approval of development under the Unified Development Ordinance as set forth in Chapter 33 of the Code of Ordinances for the City.

SECTION 7. City officers and agents of the City are each hereby authorized and directed to take such action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance. The City Council may take further legislative action with respect to the granting of tax abatement pursuant to the Act or for other purposes to provide guidance and directives to the Corporation in the implementation of the Redevelopment Plan.

SECTION 8. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

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

PASSED by the City Council for the City of Lee's Summit, Missouri, this _____ day of _____, 2022.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2022.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*

**EXHIBIT A
REDEVELOPMENT PLAN**

[Attached]

**EXHIBIT B
REDEVELOPMENT AGREEMENT**

[Attached]