

## **LCRA RESOLUTION NO. 2024-1**

### **A RESOLUTION OF THE LAND CLEARANCE FOR REDEVELOPMENT AUTHORITY OF LEE'S SUMMIT, MISSOURI, RECOMMENDING THAT THE CITY COUNCIL APPROVE THE BAYBERRY CROSSING 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, 28, 2024, the proposed Bayberry Crossing 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 project located southeast of the intersection of Melody Lane and SE 5<sup>th</sup> Terrace in Lee's Summit, Missouri consisting of the design, renovation, construction, and financing of site and building improvements to the Bayberry Crossing Shopping Center, which is approximately 55,000 square feet of inline commercial space and accompanying site improvements (the "**LCRA Redevelopment Project Area**"); and

WHEREAS, the LCRA Redevelopment Project Area is located within the "US 50 / M-291 Highway Urban Renewal Area", which was approved in June of 2014 by the City Council and adopted by Ordinance 7472, which determined that certain real property within the Missouri Highway 291 and US Highway 50 corridors was blighted and designated a land clearance for redevelopment authority urban renewal area; and

WHEREAS, 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

WHEREAS, on February 28, 2023, 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; and

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 6 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 LCRA Redevelopment Area and the LCRA Redevelopment Project Area for the LCRA Plan is a blighted area, in that the area has a predominance of insanitary or unsafe conditions and conditions which endanger life or property by fire or other causes, and therefore constitutes an economic and social liability in its present condition and use, in that the property exhibits site and structural deterioration, and suffers from economic underutilization.

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

1. The LCRA Plan is in conformance with the Comprehensive Plan of the City, in that the property is and has been used as the Bayberry Crossing shopping center for over two decades, the property is zoned in the CP-2 District, and the zoning is consistent with the Ignite Comprehensive Plan which calls for “Commercial” use of the property.

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.

3. The City’s Comprehensive Plan presents a “workable program” as required by the LCRA Act for the LCRA Redevelopment Project Area 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;

C. designate Bayberry Crossing Baceline, LLC, as the developer of record for the LCRA Plan and enter into a redevelopment agreement with the developer of record for implementation of the LCRA Plan with respect to the redevelopment in the LCRA Redevelopment Project Area.

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 will 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 28<sup>th</sup> DAY OF FEBRUARY, 2024.

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