

Legislation Details (With Text)

File #: BILL NO. 23-214
Name:
Type: Ordinance
Status: Passed
File created: 10/26/2023
In control: City Council - Regular Session
On agenda: 11/7/2023
Final action: 11/14/2023
Title: An Ordinance approving the Assignment Agreement among NLV Farm Office, LLC, Brittany Harrington and the City of Lee's Summit, Missouri, for the property designated as Redevelopment Project M, containing the Farm Office and the Dairy Manager House as Historic Preservation Improvements, pursuant to the New Longview Tax Increment Financing Plan.
 (Note: First read by Council on November 7, 2023. Passed by unanimous vote.)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance, 2. Exhibit A: Assignment Agreement, 3. Supporting document: Developer Remodeling Narrative, 4. Supporting document: Farm Houses Site Plan

Date	Ver.	Action By	Action	Result
11/14/2023	1	City Council - Regular Session	adopted and numbered	Pass
11/7/2023	1	City Council - Regular Session	advanced to second reading	Pass

An Ordinance approving the Assignment Agreement among NLV Farm Office, LLC, Brittany Harrington and the City of Lee's Summit, Missouri, for the property designated as Redevelopment Project M, containing the Farm Office and the Dairy Manager House as Historic Preservation Improvements, pursuant to the New Longview Tax Increment Financing Plan.

(Note: First read by Council on November 7, 2023. Passed by unanimous vote.)

Issue/Request:

Approval of an Assignment Agreement to allow NLV Farm Office, LLC, a subsidiary of Sunflower Development, to transfer the property designated as Redevelopment Project M of the New Longview Tax Increment Financing Plan, which contains the historic preservation improvements consisting of the Farm Office and Dairy Manager House, to the proposed buyer Brittany Harrington and allow her to receive an assignment of the right to receive TIF reimbursement for this property.

Key Issues:

Approval of the assignment and transfer of the property containing the historic preservation improvements consisting of the Farm Office and Dairy Manager House to a buyer to allow for redevelopment of the property and the structures, and reimbursement to the property owner from TIF revenues.

Proposed City Council Motion:

I move for adoption of an Ordinance Approving an Assignment Agreement among NLV Farm Office, LLC, Brittany Harrington and the City of Lee's Summit, Missouri, for the property designated as Redevelopment Project M, containing the Farm Office and the Dairy Manager House as Historic Preservation Improvements, pursuant to the New Longview Tax Increment Financing Plan.

Background:

The New Longview Tax Increment Financing Redevelopment Plan was adopted by the Lee's Summit City Council on December 21, 2015, through the approval of Ordinance No. 7778. On January 22, 2019, the Council approved Ordinance No. 8548 which approved the Second Amendment to the Second Amended and Restated Longview Farm Tax Increment Financing Plan, the First Amendment to the New Longview Tax Increment Financing Plan, and the First Amendment to the TIF Contract between the City and M-III Longview, LLC, to revise the amounts and priority of funding for improvements to Longview Lake and the Pergola.

The Property is subject to that certain Tax Increment Financing Redevelopment Contract between the City and Developer dated March 28, 2016, as amended by the First Amendment dated June 17, 2019, and as may be further amended by the parties (the "TIF Contract"). The property that is proposed for sale is also designated as "Redevelopment Project M" pursuant to the Redevelopment Plan. The TIF Contract was assigned from M-III to Box Real Estate Development, LLC pursuant to an Assignment Agreement dated January 31, 2022.

Section 7.02 of the TIF Contract provides that, prior to the issuance of a Certificate of Substantial Completion for an Historic Preservation Improvement, the Developer's rights and obligations with respect to that Historic Preservation Improvement and the property on which it is located may not be assigned, in whole or in part, to any entity other than the Sunflower Development Group, LLC, without the prior approval of the City Council. The property located on the east side of Longview Boulevard across from the historic barns, contains the Farm Office and Dairy Manager House which are Historic Preservation Improvements under the TIF Contract which are eligible for TIF reimbursement in a specific order of priority..

Impact/Analysis:

Attached is a document provided by the proposed buyer which explains the planned remodeling improvements to the property and the Historic Preservation Improvements.

The Farm Office and Dairy Manager House are scheduled to have these reimbursements:

- From the 2003 TIF Plan: \$150,000 as the fifth order of priority
- From the 2015 TIF Plan: \$1,200,000 as the fourth order of priority

The total possible reimbursement for the Farm Office and Dairy Manager House from both TIF Plans is \$1,350,000.

David Bushek, Chief Counsel of Economic Development & Planning
Mark Moberly, Sunflower Development
Brittany Harrington, proposed buyer