

ORDINANCE NO. 120699

Approving an amendment to the Lucas Place Lofts Development Plan.

WHEREAS, the Lucas Place Lofts Redevelopment Corporation, an urban redevelopment corporation organized under and pursuant to the Urban Redevelopment Corporations Law and amendments thereto, did on August 6, 2010, file with the City Clerk an application for the approval of a development plan (the "Development Plan") which contemplated the redevelopment of the historic, 8-story building located at 323 W. 8th Street (including the adjacent surface parking lot directly to the east of the building), which is generally located on the south side of 8th Street between the vacated May Street and Central Street (the "Redevelopment Area"); and

WHEREAS, on September 30, 2010, the Kansas City Council ("City Council") adopted Committee Substitute for Ordinance No. 100751 (the "Ordinance"), effective October 10, 2010, which Ordinance declared the Redevelopment Area to be a blighted area, and that the approval of the Development Plan and construction of the redevelopment project are necessary for the preservation of the public peace, prosperity, health, safety, morals and welfare, and which Ordinance further approved the Development Plan and authorized and directed the Director of Finance of the City ("Director of Finance") to enter into a contract with Redeveloper; and

WHEREAS, on July 20, 2012, Redeveloper filed an application to amend the Development Plan to update information that changed because of the lapse of time between the date of the approval of the 353 Plan and the receipt in June 2012 of a firm commitment from the U.S. Department of Housing and Urban Development to insure a proposed mortgage to fund a portion of the costs of the Redevelopment Project; and

WHEREAS, the City Clerk referred the application to amend the Development plan to the City Plan Commission of Kansas City ("City Plan Commission"); and

WHEREAS, the City Plan Commission did cause to be published a notice for the public hearing on the application to amend the Development Plan in The Daily Record, a newspaper doing the City's printing, not less than ten (10) days prior to the date set for the City Plan Commission public hearing; and

WHEREAS, the City Plan Commission did hold a public hearing on the application to amend the Development Plan; and

WHEREAS, all interested parties were given an opportunity to be heard at the public hearing; and

WHEREAS, the City Plan Commission has made a study and investigation of the proposed amendments to the Development Plan and recommended the approval of the proposed amendments and submitted a report of the same; NOW, THEREFORE,

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BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the amendment to the Development Plan for the Lucas Place Lofts Redevelopment Corporation, a copy of which is on file in the office of the City Clerk with this ordinance and incorporated herein by reference, is hereby approved.

Section 2. That the Council of Kansas City finds and declares that: (i) the amendment to the Development Plan does not change any of the findings and determinations made by the Council of the City in Committee Substitute for Ordinance No. 100751; and (ii) the Development Plan, as amended, contains all required information; and (iii) the Development Plan, as amended, complies with the provisions of Chapter 74 of the Code of Ordinances of the City and other applicable provisions.

I hereby certify that all public notices and hearings required by Chapter 74 of the Code of Ordinances of the City of Kansas City, Missouri, have been given.

Secretary, City Plan Commission

Approved as to form and legality:

Brian T. Rabineau
Assistant City Attorney