

## ORDINANCE NO. 180810

Authorizing the City Manager to execute an amendment to the Chapter 353 Redevelopment Contract for the Second and Delaware Chapter 353 Development Plan.

WHEREAS, Second and Delaware, LLC submitted to the City, via the Kanas City Chapter 353 Advisory Board (the "Board"), an application for the approval of a development plan which contemplated the redevelopment of a tract of land generally bound by W. and E. Sixth Street on the north, Main Street on the east, W. Second Street on the south, and the Market Station apartment complex on the west (the "Second and Delaware Chapter 353 Development Plan"), with such redevelopment to be undertaken by the Second and Delaware Redevelopment Corporation (the "Developer"), an urban redevelopment corporation organized under and pursuant to the Urban Redevelopment Corporations Law; and

WHEREAS, the Second and Delaware Chapter 353 Development Plan provides for redevelopment of a vacant and blighted site into an energy efficient 275-unit multifamily project, and contemplates estimated dates for the achievement of certain project milestones; and

WHEREAS, the City Council approved the Second and Delaware Chapter 353 Development Plan and authorized the City Manager to execute the Chapter 353 Redevelopment Contract by adoption of Committee Substitute for Ordinance No. 150331, on June 11, 2015; and

WHEREAS, the City and Developer executed the Chapter 353 Redevelopment Contract on or about October 15, 2015; and

WHEREAS, the Developer timely commenced construction and was expected to meet the estimated project milestone dates; and

WHEREAS, an ongoing legal dispute with the original general contractor ultimately resulted in the cessation of construction for a period of time; and

WHEREAS, the Developer has since identified a new general contractor and has again commenced construction on the Project; and

WHEREAS, the litigation delays have negatively impacted the Developer's ability to meet the estimated project milestone dates; and

WHEREAS, as the dates were only estimates and construction has resumed, the City Council deems it advisable that the estimated dates within the Chapter 353 Redevelopment Contract should be updated to accurately reflect project milestone dates; and

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WHEREAS, the Developer proposes to complete construction by the third quarter of 2020, and achieve stabilized occupancy by the second quarter of 2021; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City Manager is authorized to execute an amendment to the Chapter 353 Redevelopment Contract for the purposes of updating the project time schedule as set forth herein.

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Approved as to form and legality:



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Brian T. Rabineau  
Assistant City Attorney



Authenticated as Passed



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Sly James, Mayor



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Marilyn Sanders, City Clerk

OCT 25 2018

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Date Passed