



The City of Lee's Summit

Final Agenda

City Council - Regular Session

Tuesday, May 21, 2019

6:00 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

(816) 969-1000

REGULAR SESSION NO. 28

Preliminaries:

- A. Invocation
- B. Pledge of Allegiance
- C. Call to Order
- D. Roll Call

1. Approval of Agenda

2. Approval of Consent Agenda:

Items on the Consent Agenda are routine business matters or proposed ordinances approved unanimously by the Council on First Reading. Consent agenda items may be removed by any Councilmember for discussion as part of the regular agenda.

- A. [BILL NO. 19-110](#) An Ordinance Calling an Election to Authorize the Issuance of General Obligation Bonds for the City of Lee's Summit, Missouri, Related to Public Safety.
(Note: First reading by City Council on May 14, 2019. Passed by unanimous vote.)

Presenter: Mark Dunning, Assistant City Manager
David Bushek, Chief Counsel of Economic Development & Planning
Bette Wordelman, Finance Director

3. Council Roundtable

Council Roundtable is reserved for items of general interest, community announcements and other such information. Council may ask for clarification or give direction about agenda items or discuss items of an emerging nature.

4. Proclamations:

- A. [2019-2723](#) National Public Works Week May 19 - 25, 2019
Presenter: Public Works and Water Utility Department staff
- B. [2019-2789](#) Proclamation: Emergency Medical Services Week May 19 - 25, 2019
Presenter: Dan Manley, Interim Fire Chief

5. Public Hearings:

Proposed ordinances considered after a public hearing will be read for the first time and forwarded to a future City Council meeting for second reading, unless deemed to be an emergency as defined in Sec. 3.13(f) of the Lee's Summit Charter. Five affirmative votes are required for approval of second reading.

- A. [2019-2715](#) Public Hearing: Application #PL2019-091 - Special Use Permit renewal for automotive sales - Lighthouse Automotive, 1 SE 30th Street; Sam DiGiovanni, applicant.

Presenter: Josh Johnson, AICP, Assistant Director of Plan Services
Sam DiGiovanni, Applicant

- 1) [BILL NO. 19-112](#) An Ordinance granting a Special Use Permit renewal for auto sales in District CP-2 on land located at 1 SE 30th Street for a period of ten (10) years, all in accordance with Chapter 33, the Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit, Missouri.

Presenter: Josh Johnson, AICP, Assistant Director of Plan Services
Sam DiGiovanni, Applicant

6. Public Comments:

Anyone wishing to address the Mayor and Council during Public Comments will be limited to 3 minutes. Each speaker must fill out a Public Comment Card. The Public Comment Cards are located at the entrance of Council Chambers. After completion, the card is to be given to the City Clerk. Please be concise with comments and respect the 3 minute time limit.

7. Proposed Ordinances Forwarded from Committee:

The following proposed ordinances were considered by a Council Committee and are presented to the Council for two readings and adoption.

- A. [BILL NO. 19-113](#) An Ordinance approving the City of Lee's Summit Entitlement Community Development Block Grant (CDBG) 2019-2020 Annual Action Plan. (CEDC 3/13/19)

Presenter: Heping Zhan, Assistant Director of Planning and Special Projects

8. Proposed Ordinances - First Reading:

The proposed ordinances presented for first reading may include items with a previous hearing; an item brought directly to the City Council without a recommendation from a Council Committee; or, items forwarded from citizen Boards or Commissions. Five affirmative votes are required for approval of second reading.

- A. [BILL NO. 19-114](#) An Ordinance approving a development agreement between Clayton Properties, Inc and The City of Lee's Summit, Missouri for the Woodside Ridge Development.

Presenter: David Bushek, Chief Counsel of Economic Development and Planning

- B. [BILL NO. 19-115](#) An Ordinance accepting final plat entitled "Summit Orchard, Lots 4A-4E", as a subdivision to the City of Lee's Summit, Missouri.

Presenter: Josh Johnson, AICP, Assistant Director of Plan Services
Steve Rich, Applicant

9. Committee Reports

Committee chairs report on matters held in Committee.

10. Council Comments:

(NOTE: Total time for Council Comments will be limited to 5 minutes.)

11. Staff Roundtable

Staff Roundtable is reserved for items of general interest, community announcements and other such information; however, staff may ask for clarification or direction from the council related to items on the agenda or for items of an emergency nature for which insufficient time exists for adding to the agenda.

12. Adjournment

Unless determined otherwise by the Mayor and City Council, no new agenda items shall be considered after 11:00 p.m.

For your convenience, City Council agendas, as well as videos of City Council and Council Committee meetings, may be viewed on the City's Legislative Information Center website at "lsmo.legistar.com"

Packet Information

File #: BILL NO. 19-110, **Version:** 1

An Ordinance Calling an Election to Authorize the Issuance of General Obligation Bonds for the City of Lee's Summit, Missouri, Related to Public Safety.

(Note: First reading by City Council on May 14, 2019. Passed by unanimous vote.)

Issue/Request:

An Ordinance Calling an Election to Authorize the Issuance of General Obligation Bonds for the City of Lee's Summit, Missouri, Related to Public Safety

Key Issues:

City staff has prepared this ordinance and ballot language for the proposed public safety related "No Tax Increase" bond initiatives as identified by the Mayor and City Council for the August 6, 2019 special election. The Mayor and Council directed staff to prepare this ordinance with the initiatives noted below during the May 7, 2019 City Council consideration of the proposed bond initiatives. Initiatives within the attached ordinance/ballot question which total \$19,475,000 have been reviewed and approved by the City's bond counsel and now include:

- * New Fire Station #4 (land, building and fire apparatus) - \$7,000,000
 - * New Fire Station #5 (land and building) - \$5,000,000
 - * Police In-car video replacement system and Body worn cameras - \$1,000,000
 - * Renovations and improvements to the Police & Courts facility - \$5,500,000
 - * Fiber optic and wireless communications network to enhance communications and public safety - \$975,000
- (see additional detailed information provided below regarding relationship to public safety)

- City Hall is the hub of the City's communications network, and connectivity between City Hall and Fire, Police and other facilities to maintain public safety is the primary motivation to undertake these communications improvements.

- Communication interconnectivity among the numerous City facilities (all types including City Hall, water facilities, public works facilities, fire, police, parks) is critical to a reliable communications network for public safety, both in terms of every-day public safety operations and in crisis situations resulting from serious weather events, natural disasters, fires, terrorism, public violence, shooting incidents and other life-threatening situations that require an immediate response and reliable communications.

- Much of the network communications improvements relate directly to the other items in the combined question, including (1) communications improvements to the new fire stations, (2) enhanced communications with the Police Station, and (3) improved wireless networked communications throughout the entire system to operate the new Police car video systems and body worn cameras.

- The Longview Recreation Center network improvements have a public safety component as the facility also serves as a storm shelter.

Proposed City Council Motion:

I move for adoption of an ordinance Calling an Election to Authorize the Issuance of General Obligation Bonds for the City of Lee's Summit, Missouri, Related to Public Safety.

Background:

On January 15, 2019 City staff provided the Mayor and City Council with a presentation regarding the City's debt issuance capacity. The Mayor and City Council directed City staff prepare a listing of potential No Tax Increase (NTI) bond projects that could be considered for an August 2019 NTI bond election to maintain the City's current tax levy. The Mayor and City Council directed staff to work with the Community and Economic Development Committee (CEDC) to develop a recommendation(s) to present to the Mayor and City Council for an August NTI election. City staff presented proposed projects & initiatives to the CEDC on March 13th and to the Mayor and Council at the April 9, 2019 Work Session as well as the May 7, 2019 Regular Session meetings. The Mayor and City Council directed staff to prepare ordinances for NTI bond initiatives related to public safety and curb replacement. The proposed ordinances and ballot language has been reviewed and approved by the City's bond counsel.

The City has strived to maintain a consistent tax levy for debt service since the late 1990s. The City's tax levy is currently \$0.4697 per \$100.00 assessed valuation. The residents and the City benefit from the level maintenance of the tax levy through the avoidance of expensive tax elections, stability of tax revenues for support of infrastructure improvements, and stable tax bills for residents. The City plans to continue coordinating its funding needs and debt issuance to correspond with that tax levy cap.

In order to maintain a level tax levy for debt service for Calendar Year 2020 and after, it is necessary to place a ballot issue before the voters in 2019. We need to increase debt service requirements by at least approximately \$1.3 million based on a 3% annual increase in assessed valuation for Calendar Year 2020 alone to maintain the current debt service levy. The amount of debt service obligation required to maintain our current debt service levy is, in large part, based on changes in our assessed valuation. The examples below show the significant impact that changes in assessed valuation have on our debt service. As you can see, the decision on the size of debt obligation to issue is a moving target. It is also impacted by changes in interest rates. Further, we do not typically receive our final assessed valuation from Jackson and Cass Counties until late September so we have a narrow window of time from October 1 to December 31 to respond and issue bonds in the event of a large unexpected increase.

3% increase in assessed valuation for 2019, 2020, 2021=\$1.3 million for 2020, \$10.3 million cumulative spend through 2022

5% increase in assessed valuation for 2019, 2020, 2021=\$1.7 million for 2020, \$12.1 million cumulative spend through 2022

7% increase in assessed valuation for 2019, 2020, 2021=\$2.1 million for 2020, \$14 million cumulative spend through 2022

To make our debt levy target manageable, the ballot issue should include authorization for bond issuance large enough to provide accommodation for unpredictable changes in assessed valuation and interest rates. Once we have authorization from the voters, we can manage our financing needs and the structure of each bond issue to match up our debt service requirements to the levy thereby avoiding large swings in our debt service levy.

Staff has prepared informational project sheets and estimates for some of the recently discussed projects

which are attached to this packet form as well as a spreadsheet summarizing the potential projects.

Voter approval of an amount in the range of \$23 to \$30 million should meet the financing needs and allow the flexibility needed to maintain the debt levy. The Mayor and City Council chose not to pursue the full estimated bonding capacity at this time as the Citizen Strategic Plan is underway, therefore leaving some capacity for future community needs which may be considered through a future No Tax Increase bond initiative. The deadline for entities to certify elections to the Election Authority for an August 6, 2019 Special Election is May 28, 2019.

Timeline:

Proposed schedule for NTI bond issue moving forward:

May 14, 2019 - Mayor and City Council consider 1st reading of ordinance calling for August 6, 2019 NTI bond issue election.

May 21, 2019 - Mayor and Council consider adoption of ordinance calling for August 6, 2019 NTI bond issue election.

Prior to May 28, 2019 - City Clerk certification to Election Authority

Mark Dunning, Assistant City Manager
David Bushek, Chief Counsel of Economic Development & Planning
Bette Wordelman, Finance Director

Recommendation:

Staff recommends approval of this ordinance.

BILL NO. 19-110

AN ORDINANCE CALLING AN ELECTION TO AUTHORIZE THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE CITY OF LEE'S SUMMIT, MISSOURI, RELATED TO PUBLIC SAFETY.

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

SECTION 1. The City Council of the City of Lee's Summit, Missouri (the "City"), finds it necessary and hereby declares its intent to borrow \$19,475,000 for the purpose of acquiring land, making certain improvements and acquiring equipment for public safety purposes (the "Projects").

SECTION 2. An election is hereby ordered to be held in the City of Lee's Summit, Missouri, on the public election date on Tuesday, August 6, 2019, on the following question:

Shall the City of Lee's Summit, Missouri, issue its general obligation bonds in the amount of \$19,475,000 for the purpose of acquiring land, making certain improvements and acquiring equipment for public safety purposes including (a) the acquisition, construction, furnishing and equipping of a new fire station and the purchase of associated apparatus to replace Fire Station No. 4, (b) the acquisition, construction, furnishing and equipping of a new fire station to replace Fire Station No. 5, (c) the acquisition and installation of new police automobile video systems and police body-worn camera systems, (d) renovations and improvements to enhance facility security, public access, customer service and operational efficiency in the Police and Courts Municipal Building and (e) purchasing and installing new infrastructure to renovate, improve and upgrade the City's wireless and fiber optic communications network among City Hall and other City facilities?

SECTION 3. The voter approval of the Bonds will authorize the levy and collection of an annual tax in addition to the other taxes provided for by law on all taxable tangible property in the City, sufficient to pay the interest and principal of the Bonds as they fall due and to retire the same within twenty (20) years from the date thereof.

SECTION 4. The form of Notice of Election showing said question, a copy of which is attached hereto and made a part hereof, is hereby approved.

SECTION 5. The City Clerk is hereby authorized and directed to notify the Board of Election Commissioners of Jackson County, Missouri, and the County Clerk of Cass County, Missouri, of the passage of this Ordinance no later than 4:00 P.M. on Tuesday, May 28, 2019, and to include in said notification all of the terms and provisions required by Chapter 115, RSMo, as amended.

SECTION 6. The City expects to make expenditures on and after the date of passage of this Ordinance in connection with the Projects, and the City intends to reimburse itself for such expenditures with the proceeds of the Bonds. The maximum principal amount of Bonds expected to be issued for the Projects is set forth in Section 1.

BILL NO. 19-110

SECTION 7. This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED by the City Council of the City of Lee's Summit, Missouri, this ____ day of _____, 2019.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED by the Mayor of said City this _____ day of _____, 2019.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:

City Attorney Brian W. Head

BILL NO. 19-110

NOTICE OF ELECTION

CITY OF LEE'S SUMMIT, MISSOURI

Notice is hereby given to the qualified voters of the City of Lee's Summit, Missouri, that the City Council has called an election to be held on August 6, 2019, commencing at 6:00 A.M. and closing at 7:00 P.M., on the question contained in the following sample ballot:

OFFICIAL BALLOT
ELECTION – AUGUST 6, 2019
CITY OF LEE'S SUMMIT, MISSOURI

Shall the City of Lee's Summit, Missouri, issue its general obligation bonds in the amount of \$19,475,000 for the purpose of acquiring land, making certain improvements and acquiring equipment for public safety purposes including (a) the acquisition, construction, furnishing and equipping of a new fire station and the purchase of associated apparatus to replace Fire Station No. 4, (b) the acquisition, construction, furnishing and equipping of a new fire station to replace Fire Station No. 5, (c) the acquisition and installation of new police automobile video systems and police body-worn camera systems, (d) renovations and improvements to enhance facility security, public access, customer service and operational efficiency in the Police and Courts Municipal Building and (e) purchasing and installing new infrastructure to renovate, improve and upgrade the City's wireless and fiber optic communications network among City Hall and other City facilities?

YES
NO

INSTRUCTIONS TO VOTERS: If you are in favor of the question, place an X in the box opposite "YES." If you are opposed to the question, place an X in the box opposite "NO."

The election will be held at the following polling places in the City:

PRECINCT

POLLING PLACE

DATED: _____, 2019.

Board of Election Commissioners of Jackson
County, Missouri

Cass County Clerk

| 2019 No Tax Increase Bond Projects | | | Identified Projects |
|--|---------------|-------------|--|
| Projects (not listed in any particular order) | Amount | Timeframe | |
| New Fire Station #4 (land, building, fire apparatus) | \$7,000,000 | 2 - 3 years | \$7,000,000 (flexibility on apparatus) |
| New Fire Station #5 (land and building) | \$5,000,000 | 2 - 3 years | \$5,000,000 |
| Police In Car Video Replacement & Body Worn Cameras | \$1,000,000 | 1 year | \$1,000,000 |
| Police/Courts Building Security Renovations | \$5,500,000 | 2.5 years | \$5,500,000 |
| Network Infrastructure Priorities Phase I | \$975,000 | 1 - 2 years | \$975,000 |
| City Curb Replacement | Any available | Flexible | \$450,000 |
| 2019 NTI bond issue total | | | \$19,925,000 |

2019 No Tax Increase Bond Issue Project Information

Project Name: Fire Station #4

Estimated Project Costs: \$7,000,000 (Capital expense including land, building and fire apparatus)

Project Timeframe: This would be in conjunction with the larger overall scope of the re-development of the norther portion of the City regarding fire protection. This is anticipated to begin within a 2-3 year period.

Project Scope/Details: This project is the second part of the redeployment of first response units in the northern portion of the City. Station #4 has long since reached its maximum capacity and also due to its age and location, is in need of replacement as noted in the 2015 and 2019 Standards of Cover and the 2016 accreditation report, sections 2B.5, 6B.1 and 6B.4. With an additional station in the northern portion of the City, it is intended that the location of new Station 4 would be re-located, effectively creating 2 fire response areas out of the area that was previously served by current Fire Station #4.

Project Narrative (describe project value to public): This project will replace an existing station that is in need of replacement. This will also serve to redistribute Fire Department response apparatus to better serve the current population and development and provide a much more efficient location to serve the northern area of the City in anticipation of a large amount of future development. This approach addresses two concerns in the replacement of an aging and outdated fire station, as well as prepare for future growth and expansion of services in the northern portion of the City.

2019 No Tax Increase Bond Issue Project Information

Project Name: Fire Station #5

Estimated Project Costs: \$5,000,000 (Capital expense including land and building)

Project Timeframe: This project would replace current Fire Station #5 within 2-3 years

Project Scope/Details: Current Fire Station #5 has reached its capacity and can no longer accommodate additional units for further development or population expansion. This Station also does not conform to current standards on accommodations for personnel, technology advances, or health and wellness changes that have occurred for cancer prevention. Additionally the location of the current fire station #5 is not ideal to a long-term deployment plan, as described in the 2015 and 2019 Standards of Cover, and within the 2016 accreditation report sections 6B.1 and 6B.4.

Project Narrative (describe project value to public): This project will replace an existing station that has exceeded its service life. This will also serve to redistribute Fire Department response apparatus to better serve the current population and development and provide a much more effective location to serve the southern area of the City in anticipation of a large amount of future development. This approach addresses two concerns in the replacement of an aging and outdated fire station, as well as prepare for future growth and expansion of services in the southern portion of the City.

2019 No Tax Increase Bond Issue Project Information

Project Name: Police in car video system replacement and body worn camera

Estimated Project Costs: \$1,000,000

Project Timeframe: One (1) year

Project Scope/Details: Complete replacement of the current audio and video recording system in the patrol cars. Addition of body worn cameras and data storage solution.

Project Narrative (describe project value to public):

In car camera and body-worn camera systems are commonplace with policing in America. The camera systems provide transparency for the community and safety for law enforcement. In addition, both are great tools for capturing and documenting evidence of crime.

Our current system is unreliable and outdated technology. Picture quality, audio clarity, and range have all advanced. In addition, the degree of recording coverage has expanded with new technology. The courts have set expectations for securing and providing this electronic evidence. Failing to provide this evidence or losing this evidence due to antiquated systems leads to mistrust.

As of 2017, our current provider no longer supported the maintenance of our data server because of its age. In 2018, we discovered that the server hardware was no longer able to update because of its age. If the server were to fail, we would have no way of recovering the audio and video stored.

Society today has an expectation for transparency. Courts and Prosecutors rely on video and audio technology more today than ever. In many instances, it is more valuable than eyewitness testimony. Both systems have proven to provide additional evidence and perspective in critical situations.

2019 No Tax Increase Bond Issue Project Information

Project Name: Police/Courts Building Security Renovations

Estimated Project Costs: \$5.5 million

Project Timeframe: 2.5 years post-funding

Project Scope/Details: The police building was constructed just over twenty years ago. While the building remains structurally sound, security needs have become more heightened and it does not meet standards for security for police, the courts, or the prosecutor's office. A study was commissioned in January, 2019, for Treanor Architects to evaluate the building and produce recommendations for renovations, to address:

- Enhancing facility security and public access
- Improving customer service to the public through better design
- Increasing operational efficiency
- Meeting the needs of a workforce growing in diversity
- Providing work space that meets modern demands, thereby improving recruitment and retention of staff

While the study is not yet complete, the initial estimate to make building improvements to meet these needs is \$5.5 million.

Project Narrative (describe project value to public):

Unfortunately, threats to government facilities, to include police and courts, have grown over the past two decades. Modern police buildings have restricted public access, yet still provide a welcoming environment for the variety of police services needed. Modern courts have screening procedures yet public access for routine matters, such as obtaining court records or paying fines. The structure of the current Police and Courts Building in Lee's Summit does not meet these needs. However, renovations could work within the current facility to provide good security along with an excellent citizen experience.

Within the Police and Courts Building, workspaces have grown, operational structures have adapted, and laws have changed with have created a need to rethink space design. Ideally, buildings should be structured to provide a "flow" that maximizes operational efficiency. Over time, as buildings age, spaces move, are retrofitted, and personnel structures change and prior designs suffer as a result. The Police and Courts Building needs to be restructured to meet contemporary needs.

The Police Department workforce is becoming more diverse. The number of women working for the police department is growing and the current locker room facilities need to be expanded. It is anticipated that this growth will continue in the coming years.

The work spaces for the Police and Courts are functionally good, although there is room for improvement to provide conveniences similar to comparator jurisdictions nearby. This becomes important for the recruitment and retention of staff.

2019 No Tax Increase Bond Issue Project Information

Project Name: Network Infrastructure Priorities Phase I

Estimated Project Costs: \$975,000

Project Timeframe: 1 – 2 years

Project Scope/Details:

Replace existing aerial fiber with new buried fiber:

- Along Douglas from fire station one, to police headquarters.
- From The intersection of Hamblen Rd and Bailey Rd to Public Works operations.

Lay new fiber network to complete network connectivity to all city facilities.

- Connect Water via 3rd, Ward and Persels
- Connect Fire Station 2, via Scruggs and Colbern Rd.
- Connect Harris Park via Jefferson
- Longview Rec Center, via 3rd St.

Project Narrative (describe project value to public):

There are two components to these projects. Those include replacement of aging existing infrastructure, and development of new infrastructure.

The City currently owns aerial fiber runs that connect several critical facilities, including Police Headquarters, City Hall, Animal Control and Public Works Operations. These lines are showing their age and we have been notified by our contractors that repairs and splices are now difficult because the glass fibers have become brittle, and will soon reach a point where a repair might not be able to be made. The lines are also aerial, attached to existing telecommunication and power poles. These aerial lines run in areas where there is significant tree cover, increasing the likelihood of downed limbs severing the network connections. The first component of this would be to bury fiber optic in the following locations:

- Along Douglas from fire station one, to police headquarters.
- From The intersection of Hamblen Rd and Bailey Rd to Public Works operations.

City Hall is the hub of the City's communications network, and connectivity between City Hall and Fire, Police and other facilities to maintain public safety is the primary motivation to undertake these communications improvements.

Communication interconnectivity among the numerous City facilities (all types including City Hall, water facilities, public works facilities, fire, police, parks) is critical to a reliable communications network for public safety, both in terms of every-day public safety operations and in crisis situations resulting from serious weather events, natural disasters, fires, terrorism, public violence, shooting incidents and other life-threatening situations that require an immediate response and reliable communications.

Much of the network communications improvements relate directly to the other items in the combined question, including (1) communications improvements to the new fire stations, (2) enhanced

communications with the Police Station, and (3) improved wireless networked communications throughout the entire system to operate the new Police car video systems and body worn cameras. For example, this allows for watching live-time video at City facilities for personnel with in-vehicle or body-worn cameras that are out on an emergency call.

The Longview Recreation Center network improvements have a public safety component because that facility also serves as a storm shelter.

The City currently leases fiber network from the LS R7 school district to connect several of its facilities. The balance of phase of I is to implement city owned fiber to connect city facilities for IT needs, as well as support the growing need for fiber networks in other departments. Including Public Works, Police, and Fire.

Packet Information

File #: 2019-2723, **Version:** 1

National Public Works Week May 19 - 25, 2019

Issue/Request:

Mayor Baird is issuing a proclamation in honor of National Public Works Week May 19 - 25, 2019.

Public Works and Water Utility Department staff

PROCLAMATION



WHEREAS, public works services provided in our community are an integral part of our citizens' everyday lives; and,

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as the Airport, water, sewers, streets and highways, and public buildings; and,

WHEREAS, the health, safety, and comfort of this community greatly depends on these facilities and services; and,

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skill of public works officials; and,

WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the peoples' attitude and understanding of the importance of the work they perform; and,

WHEREAS, the year 2019 marks the 59th annual National Public Works Week sponsored by the American Public Works Association and this year's theme is "It Starts Here".

NOW, THEREFORE, I, William A. Baird, by virtue of the authority vested in me as Mayor of the City of Lee's Summit, Missouri, do hereby proclaim May 19 through May 25, 2019 as

NATIONAL PUBLIC WORKS WEEK

and call upon our citizens and civic organizations to acquaint themselves with the issues involved in providing public services and to recognize the contributions made by public works officials each day to our health, safety, comfort and quality of life.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the City of Lee's Summit, Missouri, this day of May 2019.

MAYOR WILLIAM A. BAIRD

Packet Information

File #: 2019-2789, **Version:** 1

Proclamation: Emergency Medical Services Week May 19 - 25, 2019

Dan Manley, Interim Fire Chief

PROCLAMATION

WHEREAS, emergency medical services is a vital public service; and,

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and,

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and,

WHEREAS, emergency medical services has grown to fill a gap by providing important, out of hospital care, including preventative medicine, follow-up care, and access to telemedicine; and,

WHEREAS, the emergency medical services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and,

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and,

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week.

NOW, THEREFORE, I, William A. Baird, by virtue of the authority vested in me as Mayor of the City of Lee's Summit, Missouri, do hereby proclaim the week of May 19 - 25, 2019 as

EMERGENCY MEDICAL SERVICES WEEK

with the theme, *EMS Strong: Beyond the Call*, I encourage the community to observe this week with appropriate programs, ceremonies and activities.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the City of Lee's Summit, Missouri, this 16th day of May 2019.

MAYOR WILLIAM A. BAIRD

Packet Information

File #: 2019-2715, **Version:** 1

Public Hearing: Application #PL2019-091 - Special Use Permit renewal for automotive sales - Lighthouse Automotive, 1 SE 30th Street; Sam DiGiovanni, applicant.

Issue/Request:

A special use permit allowing automotive sales on the subject property was originally approved for Pickard Motors in 2000. A 10 year renewal was subsequently approved in 2010, which is set to expire on September 21, 2020. Ownership of the property has recently changed hands. The applicant (the new property owner) requests a 10 year renewal of a special use permit to continue operation of automotive sales at 1 SE 30th St under the name of Lighthouse Automotive. The applicant has been operating at this location alongside Pickard Motors for the past 3 years under a lease, but now owns the property and will be the primary tenant. Pickard Motors will continue to maintain a small presence on the site.

Hours of operation are 9am-6pm Monday through Friday; 9am-3pm Saturday; and closed Sunday. Internet sales are the primary driver for the operation. A staff of 2 operates the business.

There is no expansion of facilities proposed as part of the special use permit renewal. There are no open code enforcement cases on the subject property.

Josh Johnson, AICP, Assistant Director of Plan Services
Sam DiGiovanni, Applicant

Recommendation: Staff recommends **APPROVAL** of the special use permit renewal for automotive sales, subject to the following:

1. The special use permit shall be granted for a period of 10 years

Committee Recommendation: At the April 25, 2019, Planning Commission meeting, a motion was made by Board Member Funk, seconded by Board Member Dial, that this application be recommended for approval subject to staff's letter of April 19, 2019, specifically recommendation item 1 to the City Council - Regular Session. The motion carried unanimously.

The City of Lee's Summit
Action Letter
Planning Commission

Thursday, April 25, 2019

5:00 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

Call to Order

Roll Call

Present: 7 - Board Member Carla Dial
Board Member Jason Norbury
Board Member Don Gustafson
Board Member Donnie Funk
Board Member Jeff Sims
Board Member Jake Loveless
Board Member Mark Kitchens

Absent: 2 - Board Member Dana Arth
Board Member John Lovell

Approval of Agenda

A motion was made by Board Member Funk, seconded by Board Member Dial, that this agenda be approved. The motion carried unanimously.

Public Comments

There were no public comments at the meeting.

Approval of Consent Agenda

[TMP-1212](#) An ordinance accepting final plat entitled "Winterset Valley, 13th Plat, Lots 1472 thru 1487", as a subdivision to the city of Lee's Summit, Missouri.

A motion was made by Board Member Funk, seconded by Board Member Gustafson, that this Final plat be recommended for approval to the City Council. The motion carried unanimously.

[2019-2707](#) Minutes of the April 11, 2019, Planning Commission meeting

A motion was made by Board Member Funk, seconded by Board Member Gustafson, that the minutes be approved. The motion carried unanimously.

Public Hearings

Planning Commission

Action Letter

April 25, 2019

[2019-2695](#) Public Hearing: Application #PL2019-071 - Preliminary Development Plan - Paragon Star Village, approximately 36 acres generally located at the northeast corner of I-470 and NW View High Dr; Paragon Star, LLC, applicant.
(Note: This item is to be continued to June 4, 2019, per the applicant's request.)

A motion was made by Board Member Funk, seconded by Board Member Sims, that this application be continued to the Planning Commission, due back on 5/9/2019. The motion carried unanimously.

[2019-2716](#) Appl. #PL2019-075 - REZONING from AG to CP-2 and RP-4, CONCEPTUAL DEVELOPMENT and PRELIMINARY DEVELOPMENT PLAN - Summit Village North and Aria, approximately 62 acres generally located at the northwest corner of NE Douglas St and NW Colbern Rd; Aria LS, LLC, applicant (continued to a date certain of May 23, 2019, at staff's request)

A motion was made by Board Member Funk, seconded by Board Member Sims, that this application be continued to the Planning Commission, due back on 5/23/2019. The motion carried unanimously.

[2019-2715](#) Appl. #PL2019-091 - SPECIAL USE PERMIT renewal for automotive sales - Lighthouse Automotive, 1 SE 30th Street; Sam DiGiovanni, applicant

Chairperson Norbury opened the hearing at 5:06 p.m. and asked those wishing to speak, or provide testimony, to stand and be sworn in.

Mr. Sam DiGiovanni, owner of Lighthouse Automotive, stated that he had purchased this property from the Picard family, who had owned it for about 15 years. He intended to continue to operate the pre-owned vehicle business as it had been for those years. He had made a few improvements to the building's appearance but did not plan any changes to it or to the property. The cars for sale would be a little more upscale.

Following Mr. DiGiovanni's presentation, Chairperson Norbury asked for staff comments.

Mr. Soto entered Exhibit (A), list of exhibits 1-14 into the record. He displayed an aerial and zoning map showing the location at the southeast corner of 30th Street and the old M-291 highway, now the outer road that ran parallel to the present M-291. It was directly north of Sunbelt Rentals, which was zoned CS [Commercial Services], as was the office-warehouse use to the east; which were shown on the map in light pink. A PI zoned MGE facility was further to the east. . The golf course to the south was zoned AG. The property consisted of the existing 1,248 square foot building and its 37 parking and display spaces. The proposed hours of operation were 9:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 3:00 p.m. Saturday. Additional photos showed the existing facility. He confirmed Mr. DiGiovanni's testimony that no expansion of the building or parking lot was planned in the near future.

The current 10-year Special Use Permit was originally granted on September 21, 2000. It was renewed for another 10 years on November 4, 2010. In that time only one violation had occurred when vehicles were parked and displayed on grass, in September of 2018. This was addressed promptly and the case was closed on October 17, 2018. Mr. Soto remarked that this was a common occurrence with car dealerships. They were required to park and display vehicles on asphalt or concrete. Staff recommended approval of the SUP renewal, for a period of 10 years.

Planning Commission

Action Letter

April 25, 2019

Following Mr. Soto's comments, Chairperson Norbury asked if there was anyone present wishing to give testimony, either in support for or opposition to the application. Seeing none, he then opened the hearing for questions for the applicant or staff.

Regarding the violation, Mr. Loveless asked the applicant if the business was currently in compliance with the statute, and Mr. DiGiovanni replied that it was.

Chairperson Norbury asked Mr. Soto if the new Special Use Permit was necessary because the property's ownership had changed. Mr. Soto replied that a change in ownership did not require a new SUP. It could be transferred. In this case, the permit would expire in 2020 and the applicant wanted to go ahead and renew it now. Typically a renewal of an SUP that was current would go into effect when it was approved by the City Council.

Chairperson Norbury asked if there were further questions for the applicant or staff. Hearing none, he closed the public hearing at 5:17 p.m. and asked for discussion among the Commission members, or for a motion.

Mr. Funk made a motion to recommend approval of Application PL2019-091, Special Use Permit renewal for automotive sales: Lighthouse Automotive, 1 SE 30th Street; Sam DiGiovanni, applicant; subject to staff's letter of April 19, 2019, specifically Recommendation Item 1. Ms. Dial seconded.

Chairperson Norbury asked if there was any discussion of the motion. Hearing none, he called for a vote.

A motion was made by Board Member Funk, seconded by Board Member Dial, that this application be recommended for approval subject to staff's letter of April 19, 2019, specifically recommendation item 1 to the City Council - Regular Session. The motion carried unanimously.

Other Agenda Items

Roundtable

There were no roundtable items at the meeting.

Adjournment

There being no further business, Chairperson Norbury adjourned the meeting at 5:20 p.m.

For your convenience, Planning Commission agendas, as well as videos of Planning Commission meetings, may be viewed on the City's Legislative Information Center website at "lsmo.legistar.com"

City of Lee's Summit

Development Services Department

April 19, 2019

TO: Planning Commission
PREPARED BY: Hector Soto, Jr, AICP, Planning Manager
CHECKED BY: Kent D. Monter, P.E., Development Engineering Manager
RE: **PUBLIC HEARING – Appl. #PL2019-091 – SPECIAL USE PERMIT renewal for automotive sales – Lighthouse Automotive, 1 SE 30th Street; Sam DiGiovanni, applicant**

Commentary

A special use permit allowing automotive sales on the subject property was originally approved for Pickard Motors in 2000. A 10 year renewal was subsequently approved in 2010, which is set to expire on September 21, 2020. Ownership of the property has recently changed hands. The applicant (the new property owner) requests a 10 year renewal of a special use permit to continue operation of automotive sales at 1 SE 30th St under the name of Lighthouse Automotive. The applicant has been operating at this location alongside Pickard Motors for the past 3 years under a lease, but now owns the property and will be the primary tenant. Pickard Motors will continue to maintain a small presence on the site.

Hours of operation are 9am-6pm Monday through Friday; 9am-3pm Saturday; and closed Sunday. Internet sales are the primary driver for the operation. A staff of 2 operates the business.

There is no expansion of facilities proposed as part of the special use permit renewal. There are no open code enforcement cases on the subject property.

Recommendation

Staff recommends **APPROVAL** of the special use permit renewal for automotive sales, subject to the following:

1. The special use permit shall be granted for a period of 10 years.

Zoning and Land Use Information

Location: 1 SE 30th St

Legal Description: Lot 1, Shamrock Park, 1st Plat, Lots 1-8

Current Zoning: CP-2 (Planned Community Commercial District)

Surrounding zoning and use:

North (across 30th Street): CS (commercial services) – equipment rental

South: CP-2 (planned community commercial) – vacant parcel; AG (agricultural) – golf course

East: CS – office-warehouse

West: M-291 Hwy

Site Characteristics. The property is developed and has operated as a used car dealer since 2001.

Description and Character of Surrounding Area. The subject area sits along the M-291 Hwy corridor, immediately north of Shamrock Hills golf course. The development along SE 29th Terr and SE 30th St (Shamrock Park) is commercial and industrial in nature.

Project Information

| |
|--|
| Current Use: used auto dealer |
| Number of Lots: 1 |
| Land Area: 28,791 sq. ft. (0.66 acres) |
| Building Area: 1,248 sq. ft. (existing) |
| FAR: 0.04 |
| Number of Buildings: 1 (existing) |
| Number of Stories: 1 |
| Parking Spaces: 37 (existing) |

Public Notification

| |
|---|
| Neighborhood meeting conducted: n/a |
| Newspaper notification published: April 6, 2019 |
| Radius notices mailed to properties within 185 feet: April 8, 2019 |

Process

| |
|--|
| Procedure: The Planning Commission makes a recommendation to the City Council on the special use permit renewal request. The City Council takes final action on the special use permit. |
| Duration of Validity: A special use permit shall be valid for a specific period of time if so stated in the permit. |

Unified Development Ordinance

| Applicable Section(s) | Description |
|-----------------------------|--------------------|
| 6.620, 6.640, 6.650, 6.1050 | Special Use Permit |
| 4.190 | Zoning Districts |

Comprehensive Plan

| Focus Areas | Goals, Objectives and Policies |
|------------------------|--------------------------------|
| Overall Area Land Use | Objective 1.1 Objective 1.4 |
| Economic Development | Objective 2.1 Objective 2.2 |
| Commercial Development | Objective 4.1 |

Background

- September 21, 2000 – The City Council approved a rezoning (Appl. #2000-135) from AG to CP-2 by Ordinance No. 5030 and a special use permit (Appl. #2000-136) for auto sales for a period of 10 years by Ordinance No. 5031.
- January 9, 2001 – The Planning Commission approved the final development plan (Appl. #2000-262) for Pickard Motors.
- November 4, 2010 – The City Council approved a special use permit renewal (Appl. #2010-054) for a period of 10 years, to expire on September 21, 2020, by Ordinance No. 6990.

Analysis of the Special Use Permit

Ordinance Requirements. Under the Unified Development Ordinance (UDO) a special use permit is required for outdoor sale or lease of motor vehicles/equipment. According to Section 6.1050, of the UDO the following conditions apply to outdoor sales of motor vehicles:

1. **Vehicles or equipment must be set back at least ten (10) feet from all property lines or in compliance with the district's setback lines, whichever is greater.** A modification was previously granted to allow the existing parking lot to be located 8.9' from the east property line. This is an existing condition and thus does not require a modification.
2. **No fencing is permitted in the area forward of the main building or within the front yard setback if no building exists on the premises.** There is an existing single-rail steel pipe barrier around the perimeter of the property for security purposes.
3. **All display or storage area must be paved and the vehicles or equipment arranged in an orderly manner with at least three (3) feet between each vehicle.** This requirement is met.

Time Period. The applicant requests renewal of the special use permit for a period of 10 years. Staff supports the requested time period.

Attachments:

1. Copy of originally approved site plan, dated November 20, 2000
2. Table of SUPs for Car, Truck, Boat & Trailer Sales
3. Photos of adjacent properties – 3 pages
4. Location Map

GENERAL NOTES

- 1. All Work Is To Be Performed As Outlined On The Drawing... 2. The Contractor Shall Be Responsible For... 3. The Contractor Shall Be Responsible For... 4. The Contractor Shall Be Responsible For... 5. The Contractor Shall Be Responsible For... 6. The Contractor Shall Be Responsible For... 7. The Contractor Shall Be Responsible For... 8. All Debris And Waste Materials Shall Be Removed... 9. All Electrical And Mechanical Design Shall Be Provided By Others...

STORM WATER DETENTION CALC.

Basin Area: 1.55 Acres (Name: Development For Lots 1 + 2)
Runoff Coefficient: Below: (1.15)(0.2) = 0.20
Alter: (1.15)(0.2) = (0.90)(0.9) + 0.08
Intensity Of Rainfall: Below: 0.75 min 25 Years Design
Alter: 8.3 in/hr

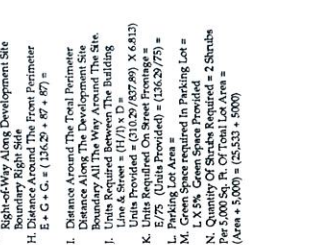
Table with columns: VOLUME, POTENTIAL NAME, COMMON NAME, SIZE, INITIAL NUMBER, PU'S. Rows include various tree species like American Red Oak, Sugar Maple, etc.

PLANT LIST SCHEDULE

Table with columns: VOLUME, POTENTIAL NAME, COMMON NAME, SIZE, INITIAL NUMBER, PU'S. Rows include various tree species like American Red Oak, Sugar Maple, etc.

LEGAL DESCRIPTION

Beginning at the Southwest Corner of WASHINGTON BUSINESS AND COMMERCIAL CENTER, A COMMERCIAL CENTER, LOT 1, AS SHOWN ON A PLAT OF THE SOUTHWEST CORNER OF WASHINGTON BUSINESS AND COMMERCIAL CENTER, A COMMERCIAL CENTER, LOT 1, AS SHOWN ON A PLAT...



PLANT GRAPHICAL LEGEND



25,533 SQ. FT. 100.00%
Gross Building Area (Existing Floor Plate)
1,200 SQ. FT. 4.70%
Total Gross Building Area (Total Floor Plate)
17,470 SQ. FT. 68.08%
Impervious Area (Driveways, Walks, etc.)
19,842 SQ. FT. 77.87%
Total Impervious Area
6,977 SQ. FT. 26.62%
Green Space
4 Shrub Req'd.
24 Shrub Supplied
28 Extra Parking Stalls

RECEIVED NOV 20 2000 PLANNING AND DEVELOPMENT ISSUED FOR PHASE I Preliminary Planning

RELEASED FOR INFORMATION Only To Be Used For Preliminary Planning Only

PHASE I Preliminary Planning
RELEASING: 10/25/00
PERMIT: 10/25/00
FOR: 10/25/00

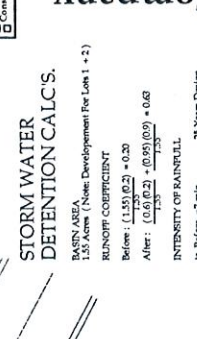
Lee's Summit, Missouri
Pickard Motors Company
Sites 3015 South 291 Hy.

Architecture & Planning Management & Planning
Architect: Donald W. Lawrence, AIA
Date: October 20, 2000

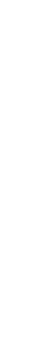
GENERAL SITE NOTES

- 1. All Surveying Shall Be Performed To The Nearest 1/4" AS SHOWN ON THE DRAWING... 2. The Contractor Shall Be Responsible For... 3. The Contractor Shall Be Responsible For... 4. The Contractor Shall Be Responsible For... 5. The Contractor Shall Be Responsible For...

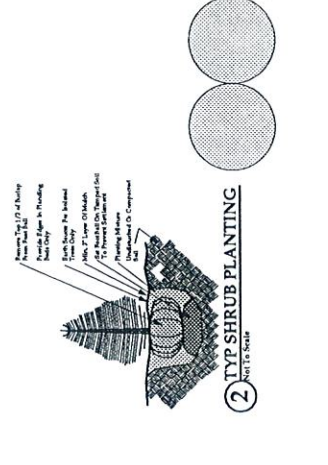
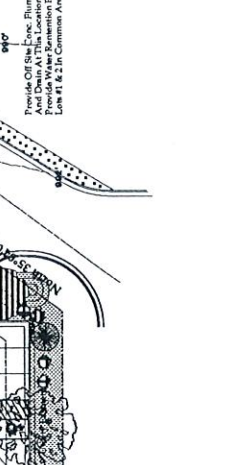
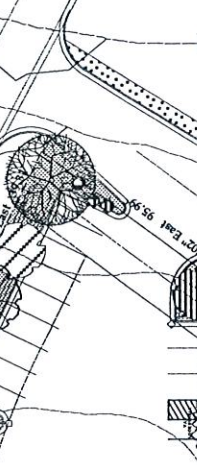
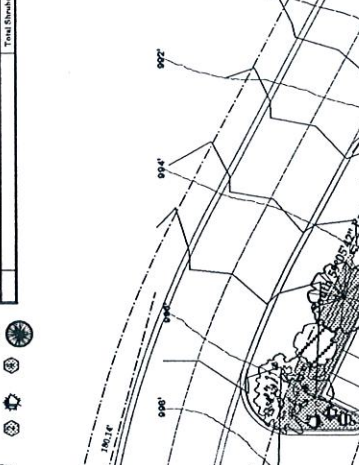
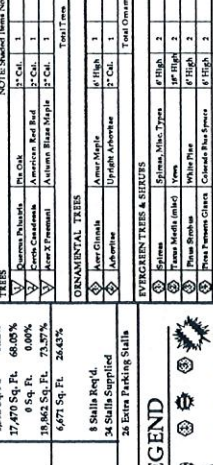
LANDSCAPE SITE PLAN
SCALE 1" = 20'
291 HIGHWAY



TYP TREE PLANTING



TYP SHRUB PLANTING



SP-2 Lot #1



Special Use Permits for Car, Truck, Boat & Trailer Sales

| Appl. No. | Type of Sales | Applicant/Business | Address | Ord. No. | Ord. Date | Years Granted | Expiration Date | Current Status |
|------------|---------------|------------------------------|--------------------------------|----------|------------|---------------|-----------------|----------------|
| PL2018-078 | Cars | Fenton Nissan | 1001 SE Oldham Pkwy | 8436 | 8/9/2018 | 20 | 8/9/2038 | In effect |
| PL2018-034 | Cars | McCarthy Chevrolet | 1000 SE Century Dr | 8396 | 6/7/2018 | 13.5 | 11/17/2031 | In effect |
| PL2017-257 | Cars/trucks* | Geunie Auto Repair | 520 SW 3rd St. | 8382 | 4/12/2018 | 5 | 4/12/2023 | In effect |
| PL2016-218 | Cars/trucks | KC Motors | 704 and 708 SE Oldham Ct. | 8101 | 2/16/2017 | 10 | 2/16/2027 | In effect |
| PL2016-168 | Cars | Pinnacle Investments | 516 SW 3rd St | 8022 | 11/17/2016 | 5 | 12/12/2021 | In effect |
| PL2016-077 | Cars* | Midwest Tire Service | 190 NW Oldham Pkwy | 7941 | 8/4/2016 | 7 | 4/16/2023 | In effect |
| PL2015-197 | Cars | Lee's Summit Honda | 301 NE Colbern Rd | 7818 | 2/18/2016 | 13.5 | 5/13/2029 | In effect |
| PL2015-181 | Cars | Cable Dahmer Kia | 400 NE Colbern Rd | 7828 | 3/3/2016 | 30 | 3/3/2046 | In effect |
| PL2015-042 | Cars | Lee's Summit Subaru | 2001 NE Independence | 7654 | 6/18/2015 | 21 | 8/17/2036 | In effect |
| PL2015-002 | Cars/Trucks | Auto Dreams | 1231 SE Century Drive | 7607 | 4/2/2015 | 10 | 4/2/2025 | In effect |
| PL2014-155 | Cars | HMH Autosport | 713 SE M-291 Hwy. | 7853 | 2/19/2015 | 10 | 3/3/2025 | In effect |
| PL2014-105 | Cars/trucks* | Auto Clinic | 957 SE Oldham Pkwy | 7552 | 12/18/2014 | 10 | 11/18/2024 | In effect |
| PL2014-004 | Cars* | Pit Stop Auto Detailing | 1000 SE Blue Pkwy | 7445 | 4/3/2014 | 10 | 4/3/2024 | In effect |
| PL2013-134 | Cars* | Dad's Garage | 1308 SW Market St | 7418 | 1/9/2014 | 5 | 1/9/2019 | In effect |
| PL2013-131 | Cars | Capital Motors | 1703 NE Rice Rd | 7411 | 12/19/2013 | 10 | 12/19/2023 | In effect |
| PL2013-122 | Cars | Pinnacle Investments | 516 SW 3rd St | 7407 | 12/12/2013 | 3 | 12/12/2016 | Expired |
| PL2013-114 | Cars* | Empire Auto Glass | 1300 SW Market St | 7383 | 10/10/2013 | 5 | 10/10/2018 | In effect |
| PL2013-094 | Cars | Summit Autoplex | 712 NW O'Brien Rd | 7381 | 10/10/2013 | 10 | 10/10/2023 | In effect |
| PL2013-053 | Cars | Volkswagen of Lee's Summit | 2225 NE Independence Ave | 7352 | 8/15/2013 | 20 | 8/15/2033 | In effect |
| PL2013-014 | Cars/Trucks | Instant Auto | 2151 NE Independence Ave | 7332 | 5/16/2013 | 10 | 5/16/2023 | In effect |
| PL2012-099 | Cars* | Sinclair of Lee's Summit | 520 SW 3rd Street | 7263 | 12/6/2012 | 5 | 12/6/2017 | In effect |
| PL2012-011 | Cars* | Roberts Chevrolet | 945 SE Oldham Pkwy | 7158 | 3/15/2012 | 20 | 11/17/2031 | In effect |
| PL2011-163 | Cars | Dave Cross Motors | 1120 NW Blue Pkwy | 7163 | 3/22/2012 | 20 | 3/22/2032 | In effect |
| PL2011-111 | Cars/trucks | Roberts Chevrolet | 950 SE Broadway Drive | 7111 | 11/17/2011 | 20 | 11/17/2031 | In effect |
| PL2011-097 | Cars/trucks* | Jay Hatfield Mobility | 1115 SW Oldham Parkway | 7106 | 11/3/2011 | 7 | 11/3/2018 | In effect |
| 2010-048 | Cars* | Herrington Automotive | 201 SE Green Street | 6981 | 10/7/2010 | 5 | 10/7/2015 | Expired |
| 2010-054 | Cars | Pickard Auto Sales | 1 SE 30th St | 6990 | 11/4/2010 | 10 | 9/21/2020 | In effect |
| 2010-027 | Trucks | KC Wholesale | 4244 NE Port Drive | 6948 | 6/17/2010 | 10 | 6/17/2020 | In effect |
| 2009-091 | Cars/trucks | KGP Properties, LLC | 453 SE Oldham Pkwy | 6857 | 11/19/2009 | 10 | 11/19/2019 | In effect |
| 2009-059 | Boats | Summit Boats and Gear | 1012-A NE Jib Court | 6836 | 10/1/2009 | 10 | 10/1/2019 | In effect |
| 2009-003 | Cars* | Midwest Tire Service | 190 NW Oldham Pkwy | 6779 | 4/16/2009 | 7 | 4/16/2016 | Expired |
| 2007-238 | Cars/trucks | McLarty Satellite Parking | 1101 SE Oldham Pkwy | 6581 | 02/07/2008 | 12 | 11/16/2020 | In effect |
| 2007-151 | Cars/trucks | PRO Leasing Investments, LLC | 1343 NW Main Street | 6511 | 10/18/2007 | 10 | 10/18/2017 | In effect |
| 2007-051 | Cars/trucks | Nissan | 1025 SE Oldham Pkwy | 6426 | 6/21/2007 | 20 | 6/21/2027 | In effect |
| 2007-010 | Cars/trucks | Bob Sight Ford | 607-615 NW Blue Pkwy | 6384 | 4/26/2007 | 20 | 4/26/2027 | In effect |
| 2006-255 | Trailers | Croft Trailer, Inc | 2401 SE M-291 Hwy | 6327 | 1/4/2007 | 20 | 1/4/2027 | In effect |
| 2006-223 | Cars | Cooper Auto Service | 501 SE Oldham Pkwy | 6350 | 3/1/2007 | 10 | 3/1/2017 | In effect |
| 2006-149 | Cars/trucks | Blue Ridge Mazda | 975 SE Oldham Pkwy | 6288 | 10/19/2006 | 20 | 10/19/2026 | In effect |
| 2006-093 | Cars/trucks | Lee's Summit Subaru | 2031-2055 NE Independence Ave. | 6257 | 8/17/2006 | 30 | 8/17/2036 | In effect |
| 2006-075 | Cars | Wise Rental | 1650 SW Market St | 6320 | 12/21/2006 | 10 | 12/21/2016 | Expired |
| 2003-098 | Cars | Lee's Summit Mitsubishi | 1001 SE Oldham Pkwy | 5561 | 7/17/2003 | 20 | 7/17/2023 | In effect |
| 2000-095 | Cars | Jay Wolfe Dodge | 1051 SE Oldham Parkway | 5066 | 11/16/2000 | 20 | 11/16/2020 | In effect |
| 2000-148 | Cars | Ray Adams Toyota | 501 NE Colbern Road | 5020 | 8/17/2000 | 30 | 8/17/2030 | In effect |
| 1999-010 | Cars | Stadium Honda | 401 NE Colbern Rd. | 4782 | 5/13/1999 | 30 | 5/13/2029 | In effect |
| 1987-052 | Cars | Dave Cross Motors | 700 NW Blue Pkwy. | 3067 | 11/10/1987 | 30 | 11/10/2017 | In effect |

* Accessory use

Summary:

- 5 for 30 years 1987-2016 - new car dealerships in 470/Colbern area-Toyota, Honda, Subaru, Kia; plus Dave Cross (on Chipman)
- 11 for 20 years 2000-2013 - new car dealerships on 50 Hwy-Dodge, Mitsubishi, Mazda, Nissan, Roberts Chevrolet; plus Summit Ford, Croft Trailer, Dave Cross
- 1 for 21 years 2015
- 2 for 13.5 years
- 1 for 12 years 2008
- 1 for 10 years 2017
- 14 for 10 years 2004-2015 - used cars, boats, wholesale, accessory to repair use
- 3 for 7 years 2009-2016
- 1 for 5 years 2016 - used cars
- 5 for 5 years 2010-2018 - used cars-accessory
- 1 for 3 years 2013 - used cars

Google Maps 20 SE 30 St



Image capture: Sep 2018 © 2019 Google

Lee's Summit, Missouri



Street View - Sep 2018



Google Maps 21 SE 30 St

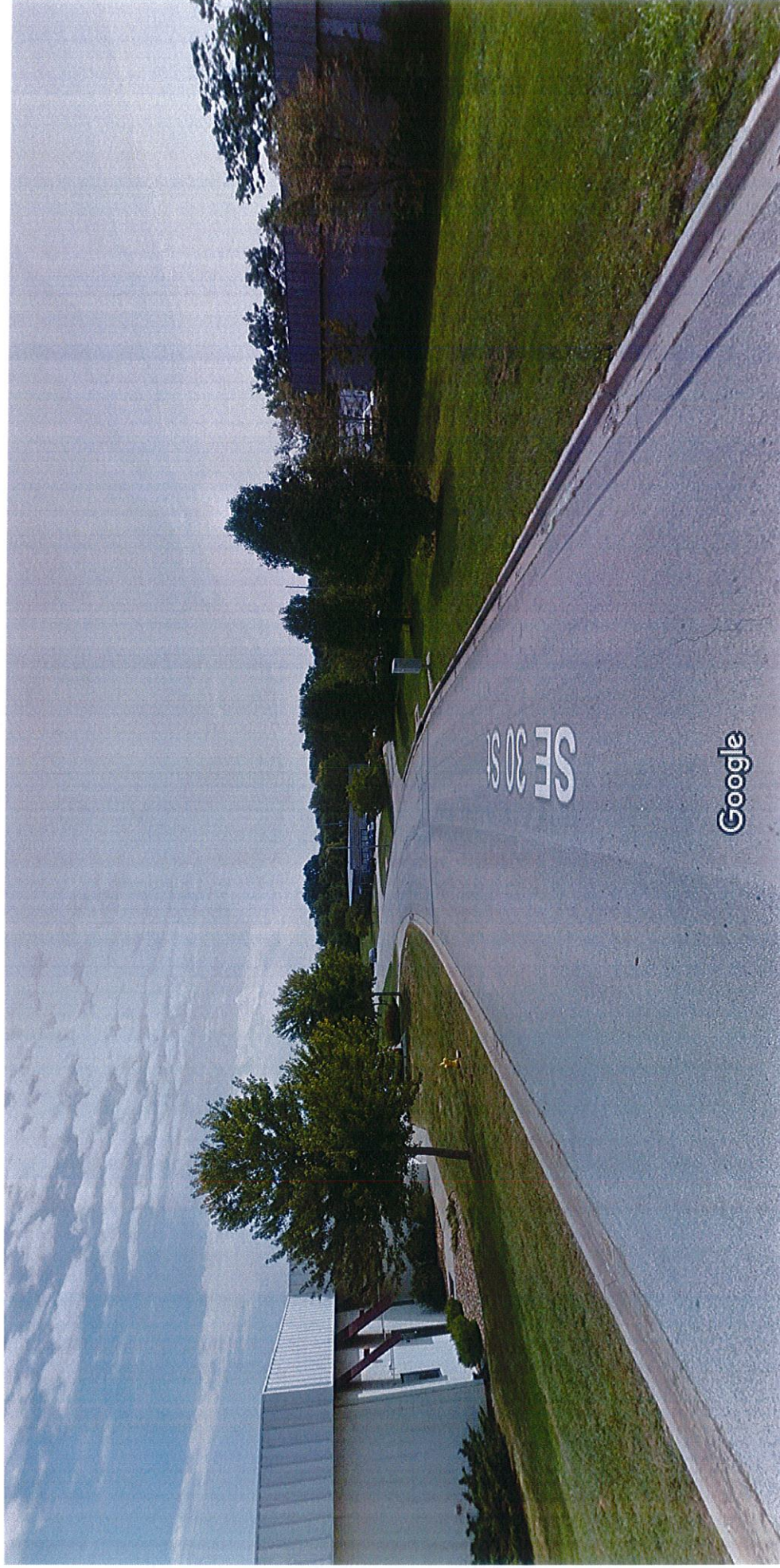


Image capture: Sep 2018 © 2019 Google

Lee's Summit, Missouri



Street View - Sep 2018



Google Maps 3161 SW M 291 Hwy



Image capture: Sep 2018 © 2019 Google

Lee's Summit, Missouri



Street View - Sep 2018



**PL2019-091 SUP for auto sales
Lighthouse Automotive
1 SE 30th St**



Packet Information

File #: BILL NO. 19-112, **Version:** 1

An Ordinance granting a Special Use Permit renewal for auto sales in District CP-2 on land located at 1 SE 30th Street for a period of ten (10) years, all in accordance with Chapter 33, the Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit, Missouri.

Proposed City Council Motion:

I move for a second reading of an ordinance granting a Special Use Permit renewal for auto sales in District CP-2 on land located at 1 SE 30th Street for a period of ten (10) years, all in accordance with Chapter 33, the Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit, Missouri.

Josh Johnson, AICP, Assistant Director of Plan Services
Sam DiGiovanni, Applicant

BILL NO.

AN ORDINANCE GRANTING A SPECIAL USE PERMIT RENEWAL FOR AUTO SALES IN DISTRICT CP-2 ON LAND LOCATED AT 1 SE 30TH STREET FOR A PERIOD OF TEN (10) YEARS, ALL IN ACCORDANCE WITH CHAPTER 33, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, on September 21, 2000 by Ordinance No. 5031 the City Council granted a special use permit for auto sales for a period of ten (10) years on land located at 1 SE 30th Street (formerly 3025 SE M-291), and said permit expired on September 21, 2010; and,

WHEREAS, on November 4, 2010 by Ordinance No. 6990 the City Council granted a special use permit renewal for auto sales for a period of ten (10) years on land located at 1 SE 30th Street, and said permit is set to expire on September 21, 2020; and,

WHEREAS, Application #PL2019-091, submitted by Sam DiGiovanni, requesting a special use permit renewal for auto sales in District CP-2 on land located at 1 SE 30th Street, was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the request on April 25, 2019, and rendered a report to the City Council containing findings of fact and a recommendation that the special use permit renewal be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on May 21, 2019, and rendered a decision to grant said special use permit.

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

SECTION 1. That the application pursuant to Section 6.1050 of the Unified Development Ordinance to allow auto sales in District CP-2 with a Special Use Permit is hereby granted for a period of ten (10) years from the approval date of this ordinance, with respect to the following described property:

Lot 1, Shamrock Park, a recorded subdivision in Lee's Summit, Jackson County, Missouri.

SECTION 2. That the following conditions of approval apply:

1. The special use permit shall be granted for a period of 10 years.

SECTION 3. That failure to comply with all of the provisions contained in this ordinance shall constitute violations of both this ordinance and Chapter 33, the Unified Development Ordinance, of the Code of Ordinances of the City of Lee's Summit.

SECTION 4. That this ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

BILL NO.

PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2019.

Mayor William A. Baird

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2019.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney Brian Head

City of Lee's Summit

Development Services Department

April 19, 2019

TO: Planning Commission
PREPARED BY: Hector Soto, Jr, AICP, Planning Manager
CHECKED BY: Kent D. Monter, P.E., Development Engineering Manager
RE: **PUBLIC HEARING – Appl. #PL2019-091 – SPECIAL USE PERMIT renewal for automotive sales – Lighthouse Automotive, 1 SE 30th Street; Sam DiGiovanni, applicant**

Commentary

A special use permit allowing automotive sales on the subject property was originally approved for Pickard Motors in 2000. A 10 year renewal was subsequently approved in 2010, which is set to expire on September 21, 2020. Ownership of the property has recently changed hands. The applicant (the new property owner) requests a 10 year renewal of a special use permit to continue operation of automotive sales at 1 SE 30th St under the name of Lighthouse Automotive. The applicant has been operating at this location alongside Pickard Motors for the past 3 years under a lease, but now owns the property and will be the primary tenant. Pickard Motors will continue to maintain a small presence on the site.

Hours of operation are 9am-6pm Monday through Friday; 9am-3pm Saturday; and closed Sunday. Internet sales are the primary driver for the operation. A staff of 2 operates the business.

There is no expansion of facilities proposed as part of the special use permit renewal. There are no open code enforcement cases on the subject property.

Recommendation

Staff recommends **APPROVAL** of the special use permit renewal for automotive sales, subject to the following:

1. The special use permit shall be granted for a period of 10 years.

Zoning and Land Use Information

Location: 1 SE 30th St

Legal Description: Lot 1, Shamrock Park, 1st Plat, Lots 1-8

Current Zoning: CP-2 (Planned Community Commercial District)

Surrounding zoning and use:

North (across 30th Street): CS (commercial services) – equipment rental

South: CP-2 (planned community commercial) – vacant parcel; AG (agricultural) – golf course

East: CS – office-warehouse

West: M-291 Hwy

Site Characteristics. The property is developed and has operated as a used car dealer since 2001.

Description and Character of Surrounding Area. The subject area sits along the M-291 Hwy corridor, immediately north of Shamrock Hills golf course. The development along SE 29th Terr and SE 30th St (Shamrock Park) is commercial and industrial in nature.

Project Information

| |
|--|
| Current Use: used auto dealer |
| Number of Lots: 1 |
| Land Area: 28,791 sq. ft. (0.66 acres) |
| Building Area: 1,248 sq. ft. (existing) |
| FAR: 0.04 |
| Number of Buildings: 1 (existing) |
| Number of Stories: 1 |
| Parking Spaces: 37 (existing) |

Public Notification

| |
|---|
| Neighborhood meeting conducted: n/a |
| Newspaper notification published: April 6, 2019 |
| Radius notices mailed to properties within 185 feet: April 8, 2019 |

Process

| |
|--|
| Procedure: The Planning Commission makes a recommendation to the City Council on the special use permit renewal request. The City Council takes final action on the special use permit. |
| Duration of Validity: A special use permit shall be valid for a specific period of time if so stated in the permit. |

Unified Development Ordinance

| Applicable Section(s) | Description |
|-----------------------------|--------------------|
| 6.620, 6.640, 6.650, 6.1050 | Special Use Permit |
| 4.190 | Zoning Districts |

Comprehensive Plan

| Focus Areas | Goals, Objectives and Policies |
|------------------------|--------------------------------|
| Overall Area Land Use | Objective 1.1 Objective 1.4 |
| Economic Development | Objective 2.1 Objective 2.2 |
| Commercial Development | Objective 4.1 |

Background

- September 21, 2000 – The City Council approved a rezoning (Appl. #2000-135) from AG to CP-2 by Ordinance No. 5030 and a special use permit (Appl. #2000-136) for auto sales for a period of 10 years by Ordinance No. 5031.
- January 9, 2001 – The Planning Commission approved the final development plan (Appl. #2000-262) for Pickard Motors.
- November 4, 2010 – The City Council approved a special use permit renewal (Appl. #2010-054) for a period of 10 years, to expire on September 21, 2020, by Ordinance No. 6990.

Analysis of the Special Use Permit

Ordinance Requirements. Under the Unified Development Ordinance (UDO) a special use permit is required for outdoor sale or lease of motor vehicles/equipment. According to Section 6.1050, of the UDO the following conditions apply to outdoor sales of motor vehicles:

1. **Vehicles or equipment must be set back at least ten (10) feet from all property lines or in compliance with the district's setback lines, whichever is greater.** A modification was previously granted to allow the existing parking lot to be located 8.9' from the east property line. This is an existing condition and thus does not require a modification.
2. **No fencing is permitted in the area forward of the main building or within the front yard setback if no building exists on the premises.** There is an existing single-rail steel pipe barrier around the perimeter of the property for security purposes.
3. **All display or storage area must be paved and the vehicles or equipment arranged in an orderly manner with at least three (3) feet between each vehicle.** This requirement is met.

Time Period. The applicant requests renewal of the special use permit for a period of 10 years. Staff supports the requested time period.

Attachments:

1. Copy of originally approved site plan, dated November 20, 2000
2. Table of SUPs for Car, Truck, Boat & Trailer Sales
3. Photos of adjacent properties – 3 pages
4. Location Map

Special Use Permits for Car, Truck, Boat & Trailer Sales

| Appl. No. | Type of Sales | Applicant/Business | Address | Ord. No. | Ord. Date | Years Granted | Expiration Date | Current Status |
|------------|---------------|------------------------------|--------------------------------|----------|------------|---------------|-----------------|----------------|
| PL2018-078 | Cars | Fenton Nissan | 1001 SE Oldham Pkwy | 8436 | 8/9/2018 | 20 | 8/9/2038 | In effect |
| PL2018-034 | Cars | McCarthy Chevrolet | 1000 SE Century Dr | 8396 | 6/7/2018 | 13.5 | 11/17/2031 | In effect |
| PL2017-257 | Cars/trucks* | Geunie Auto Repair | 520 SW 3rd St. | 8382 | 4/12/2018 | 5 | 4/12/2023 | In effect |
| PL2016-218 | Cars/trucks | KC Motors | 704 and 708 SE Oldham Ct. | 8101 | 2/16/2017 | 10 | 2/16/2027 | In effect |
| PL2016-168 | Cars | Pinnacle Investments | 516 SW 3rd St | 8022 | 11/17/2016 | 5 | 12/12/2021 | In effect |
| PL2016-077 | Cars* | Midwest Tire Service | 190 NW Oldham Pkwy | 7941 | 8/4/2016 | 7 | 4/16/2023 | In effect |
| PL2015-197 | Cars | Lee's Summit Honda | 301 NE Colbern Rd | 7818 | 2/18/2016 | 13.5 | 5/13/2029 | In effect |
| PL2015-181 | Cars | Cable Dahmer Kia | 400 NE Colbern Rd | 7828 | 3/3/2016 | 30 | 3/3/2046 | In effect |
| PL2015-042 | Cars | Lee's Summit Subaru | 2001 NE Independence | 7654 | 6/18/2015 | 21 | 8/17/2036 | In effect |
| PL2015-002 | Cars/Trucks | Auto Dreams | 1231 SE Century Drive | 7607 | 4/2/2015 | 10 | 4/2/2025 | In effect |
| PL2014-155 | Cars | HMH Autosport | 713 SE M-291 Hwy. | 7853 | 2/19/2015 | 10 | 3/3/2025 | In effect |
| PL2014-105 | Cars/trucks* | Auto Clinic | 957 SE Oldham Pkwy | 7552 | 12/18/2014 | 10 | 11/18/2024 | In effect |
| PL2014-004 | Cars* | Pit Stop Auto Detailing | 1000 SE Blue Pkwy | 7445 | 4/3/2014 | 10 | 4/3/2024 | In effect |
| PL2013-134 | Cars* | Dad's Garage | 1308 SW Market St | 7418 | 1/9/2014 | 5 | 1/9/2019 | In effect |
| PL2013-131 | Cars | Capital Motors | 1703 NE Rice Rd | 7411 | 12/19/2013 | 10 | 12/19/2023 | In effect |
| PL2013-122 | Cars | Pinnacle Investments | 516 SW 3rd St | 7407 | 12/12/2013 | 3 | 12/12/2016 | Expired |
| PL2013-114 | Cars* | Empire Auto Glass | 1300 SW Market St | 7383 | 10/10/2013 | 5 | 10/10/2018 | In effect |
| PL2013-094 | Cars | Summit Autoplex | 712 NW O'Brien Rd | 7381 | 10/10/2013 | 10 | 10/10/2023 | In effect |
| PL2013-053 | Cars | Volkswagen of Lee's Summit | 2225 NE Independence Ave | 7352 | 8/15/2013 | 20 | 8/15/2033 | In effect |
| PL2013-014 | Cars/Trucks | Instant Auto | 2151 NE Independence Ave | 7332 | 5/16/2013 | 10 | 5/16/2023 | In effect |
| PL2012-099 | Cars* | Sinclair of Lee's Summit | 520 SW 3rd Street | 7263 | 12/6/2012 | 5 | 12/6/2017 | In effect |
| PL2012-011 | Cars* | Roberts Chevrolet | 945 SE Oldham Pkwy | 7158 | 3/15/2012 | 20 | 11/17/2031 | In effect |
| PL2011-163 | Cars | Dave Cross Motors | 1120 NW Blue Pkwy | 7163 | 3/22/2012 | 20 | 3/22/2032 | In effect |
| PL2011-111 | Cars/trucks | Roberts Chevrolet | 950 SE Broadway Drive | 7111 | 11/17/2011 | 20 | 11/17/2031 | In effect |
| PL2011-097 | Cars/trucks* | Jay Hatfield Mobility | 1115 SW Oldham Parkway | 7106 | 11/3/2011 | 7 | 11/3/2018 | In effect |
| 2010-048 | Cars* | Herrington Automotive | 201 SE Green Street | 6981 | 10/7/2010 | 5 | 10/7/2015 | Expired |
| 2010-054 | Cars | Pickard Auto Sales | 1 SE 30th St | 6990 | 11/4/2010 | 10 | 9/21/2020 | In effect |
| 2010-027 | Trucks | KC Wholesale | 4244 NE Port Drive | 6948 | 6/17/2010 | 10 | 6/17/2020 | In effect |
| 2009-091 | Cars/trucks | KGP Properties, LLC | 453 SE Oldham Pkwy | 6857 | 11/19/2009 | 10 | 11/19/2019 | In effect |
| 2009-059 | Boats | Summit Boats and Gear | 1012-A NE Jib Court | 6836 | 10/1/2009 | 10 | 10/1/2019 | In effect |
| 2009-003 | Cars* | Midwest Tire Service | 190 NW Oldham Pkwy | 6779 | 4/16/2009 | 7 | 4/16/2016 | Expired |
| 2007-238 | Cars/trucks | McLarty Satellite Parking | 1101 SE Oldham Pkwy | 6581 | 02/07/2008 | 12 | 11/16/2020 | In effect |
| 2007-151 | Cars/trucks | PRO Leasing Investments, LLC | 1343 NW Main Street | 6511 | 10/18/2007 | 10 | 10/18/2017 | In effect |
| 2007-051 | Cars/trucks | Nissan | 1025 SE Oldham Pkwy | 6426 | 6/21/2007 | 20 | 6/21/2027 | In effect |
| 2007-010 | Cars/trucks | Bob Sight Ford | 607-615 NW Blue Pkwy | 6384 | 4/26/2007 | 20 | 4/26/2027 | In effect |
| 2006-255 | Trailers | Croft Trailer, Inc | 2401 SE M-291 Hwy | 6327 | 1/4/2007 | 20 | 1/4/2027 | In effect |
| 2006-223 | Cars | Cooper Auto Service | 501 SE Oldham Pkwy | 6350 | 3/1/2007 | 10 | 3/1/2017 | In effect |
| 2006-149 | Cars/trucks | Blue Ridge Mazda | 975 SE Oldham Pkwy | 6288 | 10/19/2006 | 20 | 10/19/2026 | In effect |
| 2006-093 | Cars/trucks | Lee's Summit Subaru | 2031-2055 NE Independence Ave. | 6257 | 8/17/2006 | 30 | 8/17/2036 | In effect |
| 2006-075 | Cars | Wise Rental | 1650 SW Market St | 6320 | 12/21/2006 | 10 | 12/21/2016 | Expired |
| 2003-098 | Cars | Lee's Summit Mitsubishi | 1001 SE Oldham Pkwy | 5561 | 7/17/2003 | 20 | 7/17/2023 | In effect |
| 2000-095 | Cars | Jay Wolfe Dodge | 1051 SE Oldham Parkway | 5066 | 11/16/2000 | 20 | 11/16/2020 | In effect |
| 2000-148 | Cars | Ray Adams Toyota | 501 NE Colbern Road | 5020 | 8/17/2000 | 30 | 8/17/2030 | In effect |
| 1999-010 | Cars | Stadium Honda | 401 NE Colbern Rd. | 4782 | 5/13/1999 | 30 | 5/13/2029 | In effect |
| 1987-052 | Cars | Dave Cross Motors | 700 NW Blue Pkwy. | 3067 | 11/10/1987 | 30 | 11/10/2017 | In effect |

* Accessory use

Summary:

- 5 for 30 years 1987-2016 - new car dealerships in 470/Colbern area-Toyota, Honda, Subaru, Kia; plus Dave Cross (on Chipman)
- 11 for 20 years 2000-2013 - new car dealerships on 50 Hwy-Dodge, Mitsubishi, Mazda, Nissan, Roberts Chevrolet; plus Summit Ford, Croft Trailer, Dave Cross
- 1 for 21 years 2015
- 2 for 13.5 years
- 1 for 12 years 2008
- 1 for 10 years 2017
- 14 for 10 years 2004-2015 - used cars, boats, wholesale, accessory to repair use
- 3 for 7 years 2009-2016
- 1 for 5 years 2016 - used cars
- 5 for 5 years 2010-2018 - used cars-accessory
- 1 for 3 years 2013 - used cars

Google Maps 20 SE 30 St



Image capture: Sep 2018 © 2019 Google

Lee's Summit, Missouri



Street View - Sep 2018



Google Maps 21 SE 30 St



Image capture: Sep 2018 © 2019 Google

Lee's Summit, Missouri



Street View - Sep 2018



Google Maps 3161 SW M 291 Hwy



Image capture: Sep 2018 © 2019 Google

Lee's Summit, Missouri



Street View - Sep 2018



**PL2019-091 SUP for auto sales
Lighthouse Automotive
1 SE 30th St**



Packet Information

File #: BILL NO. 19-113, **Version:** 1

An Ordinance approving the City of Lee's Summit Entitlement Community Development Block Grant (CDBG) 2019-2020 Annual Action Plan.
(CEDC 3/13/19)

Issue/Request:

Approval of the 2019-2020 CDBG Annual Action Plan

Key Issues:

To receive CDBG funding from HUD for the 2019-20 program year, the City is required to submit an Annual Action Plan that lays out the community's goals and objectives for the program and programs and projects to be funded to implement the 2015-19 Consolidated Plan. The City Council needs to adopt the proposed 2019-20 Action Plan by ordinance.

Proposed City Council Motion:

FIRST MOTION: I move for second reading of an ordinance approving the City of Lee's Summit Entitlement Community Development Block Grant (CDBG) 2019-2020 Annual Action Plan.

SECOND MOTION: I move for adoption of an ordinance approving the City of Lee's Summit Entitlement Community Development Block Grant (CDBG) 2019-2020 Annual Action Plan.

Background:

Lee's Summit is an Entitlement City under the Community Development Block Grant (CDBG) program through the U.S. Department of Housing and Urban Development (HUD). An annual grant is provided to the City to meet the Three National Objectives of the CDBG program: Benefiting low-to-moderate income persons, address slum or blight, and meeting urgent needs. For the 2019-20 program year, CDBG grant amount will be \$373,739.00 for the Lee's Summit program, a decrease of \$16,470.00 or about 4% from last year's \$390,209.00. In addition, the City has surplus funds totaling \$16,023.60 remaining from various prior year programs and projects due to cost savings or cancellations. These surplus funds need to be reallocated to other programs and projects.

To receive this grant, HUD requires that the City submit an Annual Action Plan each year outlining programs and projects and grant allocation to implement the community goals and objectives established in the City's Consolidated Plan (a 5-year master plan of the program). The City conducts an open public process each year to solicit funding requests from local government and non-profit agencies and prioritizes the requests and adopts a plan for implementation of programs and projects approved for funding.

The CEDC held a public hearing on March 13, 2019 as a part of this open public process. During CEDC public hearing, grant applicants had an opportunity to present their proposals and funding needs and staff presented funding allocation recommendations, based on the 2018-19 program year grant amount instead of the true 2019-20 grant amount because Federal Appropriations had not been released at the time. The CEDC approved a recommendation for the City Council to adopt by ordinance the 2019-20 Annual Action Plan with the staff recommended funding levels, with necessary adjustments to funding allocations based on the official grant amount for 2019-2020. A 30-day public review and comment period was provided starting March 15 through April 19, 2019. No public comments were received by the City

during the public comment period.

Impact/Analysis:

HUD will provide \$373,739.00 CDBG grant funds to the City for the 2019-20 program year. In addition, the City has a total of \$16,023.60 CDBG funds remaining from prior years that need to be reallocated to help fund the 2019-20 programs/projects. The CDBG Program provides annual funding from the federal government to support local housing and support service programs benefiting low-to-moderate income persons and families, which are normally heavily dependent upon grants, donations and other private resources. The program will also help cover part of the City's administrative cost of operating the CDBG Program.

Timeline:

Start: 7/1/2019____

Finish: For public service programs 6-30-2020 and for construction 12-31-2020____

Other Information/Unique Characteristics:

Funds allocated shall be spent before 6/30/2020 for Public Service programs. Funds allocated for construction related projects/programs should follow the 18-month rule based on the date of the grant agreement, however, may be extended if the project reasonably needs more time to complete.

Heping Zhan, Assistant Director of Planning and Special Projects

Recommendation: Staff recommends approval of THE CITY OF LEE'S SUMMIT ENTITLEMENT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2019-2020 ANNUAL ACTION PLAN by ordinance.

Committee Recommendation: The Community and Economic Development Committee approved a recommendation unanimously for City Council consideration, as presented tonight.

BILL NO. 18-

AN ORDINANCE APPROVING THE CITY OF LEE'S SUMMIT ENTITLEMENT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2019-2020 ANNUAL ACTION PLAN

WHEREAS, in August of 1994, the City of Lee's Summit, Missouri was designated as an Entitlement Community eligible to receive Community Development Block Grant (CDBG) funding by the Department of Housing and Urban Development (HUD); and,

WHEREAS, the City adopted the 2015-2019 Consolidated Plan on or about May 21, 2015, as required by HUD; and,

WHEREAS, during the months of January and February 2019, the City received applications for funding from the CDBG program; and,

WHEREAS, on March 13, 2019, the City Council Community and Economic Development Committee held a public hearing to receive comments related to the needs of the community and to hear requests from applicants for funding, and to review the applications with requests for funding from the CDBG funds received by the City as an Entitlement Community and the recommendations made by Staff; and,

WHEREAS, the City has prepared a 2019-2020 Annual Action Plan based on the identified needs and recommended strategies established in the 2015-2019 Consolidated Plan, as required by HUD; and,

WHEREAS, the City desires to reallocate remaining unused funds from prior CDBG program years to be incorporated in the upcoming 2019-2020 program year; and

WHEREAS, the City desires to adopt an Annual Action Plan for the 2019-2020 CDBG program year.

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

SECTION 1. That the City of Lee's Summit 2014-15 Annual Action Plan be amended to reallocate funds in the total amount of \$12,200 from HUD #570 – Developing Potential Security and Alarm Systems to be used under the City of Lee's Summit 2019-2020 CDBG Annual Action Plan.

SECTION 2. That the City of Lee's Summit 2017-18 Annual Action Plan be amended to reallocate funds in the total amount of \$1,323.60 from HUD #640 – ReDiscover Parenting with Love and Logic (\$535.35) and HUD #642 – Center for Conflict Resolution Community Mediation Services (\$788.25) to be used under the City of Lee's Summit 2019-2020 Annual Action Plan.

BILL NO. 18-

SECTION 3. That the City of Lee's Summit 2018-19 Annual Action Plan be amended to reallocate funds in the total amount of \$2,500.00 HUD #666 – Center for Conflict Resolution Community Mediation Services to be used under the City of Lee's Summit 2019-2020 Annual Action Plan.

SECTION 4. That the 2019-2020 Annual Action Plan, a true and accurate copy being attached hereto as Exhibit "A" and incorporated herein by reference be and the same hereby is approved as the City of Lee's Summit's CDBG Entitlement Community 2019-2020 Annual Action Plan.

SECTION 5. That the Mayor and/or City Manager or their designees, as appropriate, are hereby authorized and directed to take such further action, and to execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance.

SECTION 6. That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 7. That this Ordinance shall be in full force and effect from and after the date of its passage and approval.

PASSED by the City Council for the City of Lee's Summit. Missouri, this _____ day of _____ 2019.

Mayor William A. Baird

ATTEST:

City Clerk *Trisha Fowler Arcuri*

BILL NO. 18-

APPROVED by the Mayor of said city this _____ day of _____,
2019.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

Chief Counsel of Econ. Dev. & Planning, *David Bushek*



LEE'S SUMMIT
MISSOURI

Community Development Block Grant

2019-2020

Action Plan

- AP-05 Executive Summary
- PR-05 Lead & Responsible Agencies
- AP-10 Consultation
- AP-12 Participation
- AP-15 Expected Resources
- AP-20 Annual Goals and Objectives
- AP-35 Projects
- AP-50 Geographic Distribution
- AP-55 Affordable Housing
- AP-60 Public Housing
- AP-65 Homeless and Other Special Needs Activities
- AP-75 Barriers to affordable housing
- AP-85 Other Actions
- AP-90 Program Specific Requirements

May 2019



Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

This Action Plan covers the program year 2019-2020, the fifth or the final year of the 2015-2019 Consolidated Plan period of the Community Development Block Grant Program. The 2015-2019 Consolidated Plan identified the following high priority needs:

- Mental Health/Substance Abuse Assistance
- Food Services for Persons of Special Needs
- Affordable Housing and Home Repairs
- Transitional Housing and Domestic Violence Shelters
- Rental Housing - Landlord Awareness/Education
- Sidewalk Improvement in Older Neighborhoods
- Public Transit/Transportation
- Public Facility Improvements for Non-profit Agencies
- Workforce Training Systems
- Commercial Property Improvement for Economic Development
- Expansion of Abuse Center Capacity
- Urgent Needs of LMI Persons and Families
- Assistance for First Time Homebuyers
- Daycare/Respite Care for Persons of Special Needs
- Foster Small Businesses and Startups
- Marketing Social Services
- Housing for the Developmentally Disabled
- Local Emergency Homeless Housing
- Sanitary and Storm Sewer Upgrade

The 2019-20 Action Plan continues to reflect a local partnership between the City government and not-for-profit service and housing agencies to implement the goals and objectives as established in the Consolidated Plan by supporting services, programs and projects that will make a difference in serving the needy in the community. The City followed the standard public process established in the City's Citizen Participation Plan including public awareness campaign, solicitation of CDBG funding requests from local service and housing agencies, evaluation and prioritization of funding needs, a public hearing, a 30-day public review and comment period and the approval of the governing body.

Recommended funding allocation focuses on sustaining on-going programs that have proven to address the critical needs of the community as identified in the Consolidated Plan and to help achieve its goals and objectives. CDBG funds also help agencies to leverage other resources in support of their programs. Funded programs and projects on the non-public-service side focus on the upkeep of the community's affordable housing and home ownership.

A public hearing was held for public input on the Action Plan draft and funding recommendations (based on the 2018-19 funding amount before the 2019-20 funding level was announced by HUD) and the information was also distributed for public review and comment for no less than 30 days following the public hearing. Public comments, if received, are summarized in the appendices.

Due to limited funding from this program, not all the priority needs, as identified in the Consolidated Plan, will be addressed by the programs and projects to be funded this program year. Local agencies are urged to explore alternative resources to support and expand their programs.

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

Through this plan and its commitment of financial support, the City strives to accomplish the following objectives:

- continue the level of support for agencies and programs that have received CDBG funding in prior years to maintain the level of service benefiting persons with special needs;
- continue to support the agency and program benefiting children of low income families;
- continue to support services for children exposed to domestic violence and adults with mental health and substance abuse issues; and,
- continue to provide financial assistance to LMI homeowners for the upkeep of their homes through the Minor Home Repair Program and to the local public housing agency to implement its CIP.

The outcomes of the above listed programs and projects will benefit a total of about 469 individuals and households, improve 43 affordable housing units and improve services.

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

The majority of the programs and projects included in this Action Plan have been funded and in operation for some years. Most of the agencies offering these programs and services utilizing the Community Development Block Grant have proven to be solid in terms of their performance as well as their impact on the community's well-being, even though a number of them experienced capacity issues in recent years. The City has in place a system of monitoring and evaluation of subrecipient performances and levels of performance have been taken into account during the evaluation and prioritization of funding allocation.

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

The public outreach and consultation process for this Action Plan consists of a public awareness campaign via press release, solicitation of requests for funding, public hearing and a 30-day public review and comment period.

A press release was posted on the City's website on December 19, 2018. The press release specifically stated:

- Applications for the 2019-20 CDBG program year would be available on January 7, 2019;
- Applications would be accepted from January 7 through February 8, 2019; and
- A public hearing would be held on March 13, 2019.

On February 23, 2019, a public notice was published in Lee's Summit Tribune announcing the Community and Economic Development Committee public hearing scheduled for March 13, 2019 to hear funding request proposals from local agencies, staff evaluation and prioritization of the proposals, staff funding recommendations, public comments and committee discussions and recommendations for consideration by the full City Council.

On March 13, 2019, the City Council Community and Economic Development Committee held a public hearing on the draft 2019-20 Action Plan and funding allocation proposals based on the City's 2018-19 grant amount as well as re-allocation proposals of funds remaining from prior year programs and projects in the amount of \$16,023.60. The CEDC approved a recommendation for the City Council adoption of the Action Plan with funding levels, with a recommendation that Staff adjust the allocation amounts to individual activities using a percentage increase or decrease across the board based on the final grant amount as provided by HUD, so long as the adjustments do not go over the threshold of a substantial change and the applicant's requested funding amount.

The 30-day public review and comment period started on March 15 and ended on April 19. Hard copies were made available for public access at two local public libraries and City Hall locations. The draft Action Plan was also made available on the City's website. No public comments were received by the City.

After HUD announced the 2019-20 grant amount, adjustments were applied to all activities. The final Action Plan with these adjustments was presented to the City Council for adoption by ordinance on May 7, 2019.

LEE'S SUMMIT MISSOURI

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|------|----|
| 2018 | 50 |
| 2017 | 15 |
| 2016 | 1 |

Press Releases

Wednesday, December 19, 2018 | Views: 153 | Categories: City of Lee's Summit Press Releases

Community Development Block Grant Application Period Begins Jan. 7, 2019

The City of Lee's Summit will be accepting applications for funding for the 2019-20 Community Development Block Grant program from qualified agencies Jan. 7, 2019 through Feb. 8, 2019. The grant funds are provided to the City annually by the U.S. Department of Housing and Urban Development to meet the needs of low-to-moderate income individuals and families, address slum or blight, and meet urgent needs.

Application forms and information will be available on the [City's website](#) Jan. 2, 2019. Qualified agencies include public agencies and nonprofit organizations. Individuals are not eligible to apply. The program year starts July 1, 2019 and ends June 30, 2020.

Once qualified agencies submit applications for eligible projects and programs, the City conducts a selection and allocation process to ensure funds are used to achieve community goals, objectives and priorities established in the Consolidated Plan. The Community and Economic Development Committee will hold a public hearing in March. Applicants will present their proposals and funding requests and the public will be given the opportunity to provide feedback. The committee will then recommend a funding allocation plan to City Council.

Lee's Summit was designated as an Entitlement Community under the Community Development Block Grant program, which gives the City authority to administer the grant in our community. The City of Lee's Summit was awarded \$390,209 for 2018-19. The City's 2019-20 grant funding has yet to be announced.

For questions about the Community Development Block Grant program, call 816-969-1200 or email planning@cityofls.net.

Previous: Overnight Fire Damages Duplex | Next: Dylan Eppert Named City of Lee's Summit Employee of the Year

Latest Press Releases

Press Release for Application

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

No public comments were received by the City.

6. Summary of comments or views not accepted and the reasons for not accepting them

No public comments were received by the City.

7. Summary

Through a comprehensive public process, the 2019-20 Action Plan was developed to address the priority needs of the community as identified in the 2015-19 Consolidated Plan and the 2019-20 Community Development Block Grant funds and CDBG funds remaining from prior year's projects and programs are allocated to support public service programs and non-public service projects/programs that help the community meet the goals and objectives of the Consolidated Plan. During this process, the City realizes that limited CDBG funding, made available to the community through the U.S. Department of Housing and Urban Development, will not address all of the priority needs of the community. Local agencies are working harder than ever to pool other resources so that more needs are met and the community responses have been very supportive of their efforts.

The funding provided through the CDBG program is making a difference for our community and we continue to use this valuable resource to support the most needed programs.

DRAFT

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

| Agency Role | Name | Department/Agency |
|--------------------|------|-----------------------------|
| CDBG Administrator | | Planning & Special Projects |

Table 1 – Responsible Agencies

Narrative (optional)

Consolidated Plan Public Contact Information

Heping Zhan, AICP

Assistant Director of Planning & Special Projects

City of Lee's Summit, MO 64063

T: 816-969-1609

F: 816-969-1619

E: Heping.Zhan@cityofls.net

AP-10 Consultation – 91.100, 91.200(b), 91.215(I)

1. Introduction

The City of Lee's Summit Planning & Special Projects department coordinates the consultation process for the Community Development Block Grant Program 2015-2019 Consolidated Plan and the subsequent Annual Action Plans. The consultation process for the final Annual Action Plan of the Consolidated Plan period included community awareness campaign through the City's press release and social media information dissemination, newspaper advertising, public hearing, and public review and comment period.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(I))

The City of Lee's Summit has actively worked with local and regional agencies to meet community needs. The City has worked closely in consultation, strategic planning as well as in financial support through its CDBG program to address affordable housing, public housing, transitional housing, mental health, domestic violence, drug abuse prevention, and other public service agencies. Through the annual CDBG action plan process, the City works with these agencies to identify priority needs, service gaps as well as overlap of services to ensure critical services receive funding priority.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

Lee's Summit is a part of the service area of the Greater Kansas City Coalition to End Homelessness (GKCCEH), the designated regional Continuum of Care (CoC) serving the Jackson County, Missouri and Wyandotte County, Kansas area. and has been working with the network over the years as needed.

In evaluating the role of Lee's Summit in addressing homelessness, GKCCEH and their embrace of the Housing First approach were considered as a means of assessment. Effective attainment of this approach can be measured by the implementation of policy and provision of funding that ultimately leads to the creation of permanent and sustainable housing for all homeless individuals. Within Lee's Summit there are many services in the community that are supported by the City in their efforts to actively prevent and reduce homelessness. The following programs, offered through the City of Lee's Summit's CDBG program in the past and current years, help in the initial housing and home ownership of low- to moderate-income families and to make home repairs for low- and moderate-income families:

- First-Time Homebuyers Program, and
- Minor Home Repair Program.

Other contributors to the prevention of homelessness include:

- Hope House: An emergency shelter in Lee's Summit that serves victims of domestic violence, including children.
- ReDiscover Mental Health: Provides mental health services to individuals as well as families in different settings.
- Hillcrest Transitional Housing: Works to house homeless individuals, families, and youths in an environment that encourages working and the development of life skills.
- Lee's Summit Social Services: Provides emergency assistance to low-to moderate-income individuals and families.
- Lee's Summit Housing Authority: Local public housing agency.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

Lee's Summit does not receive ESG funds.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities

Table 2 – Agencies, groups, organizations who participated

| | | |
|---|--|--|
| 1 | Agency/Group/Organization | Coldwater of Lee's Summit |
| | Agency/Group/Organization Type | Services-Children |
| | What section of the Plan was addressed by Consultation? | Non-Homeless Special Needs |
| | Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination? | The agency was notified of the funding application process, submitted funding a request to meet high priority special needs, and attended the public hearing. The agency's funding request will be met and the supported program will benefit persons in need of service. |
| 2 | Agency/Group/Organization | HOPE HOUSE, INC |
| | Agency/Group/Organization Type | Services-Victims of Domestic Violence |
| | What section of the Plan was addressed by Consultation? | Homeless Needs - Families with children Non-Homeless Special Needs |
| | Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination? | The agency was notified of the funding application process, submitted funding a request to meet high priority special needs, and attended the public hearing. The agency's funding request will be met and the supported program will benefit persons in need of service. |
| 3 | Agency/Group/Organization | REDISCOVER MENTAL HEALTH |
| | Agency/Group/Organization Type | Services-Health |
| | What section of the Plan was addressed by Consultation? | Non-Homeless Special Needs |
| | Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination? | The agency was notified of the funding application process, submitted funding requests to meet high priority special needs, and attended the public hearing. The agency's funding requests will be partially met based on last year's actual needs and the programs will benefit persons in need of service. |

| | | |
|---|--|---|
| 5 | Agency/Group/Organization | LEE'S SUMMIT HOUSING AUTHORITY |
| | Agency/Group/Organization Type | PHA |
| | What section of the Plan was addressed by Consultation? | Public Housing Needs |
| | Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination? | The agency was notified of the funding application process, submitted a funding request to meet the agency's funding need to continue its program to rehab existing public housing units, and attended the public hearing. The agency's funding request was recommended for approval and the supported program will benefit persons in need of service. |
| 6 | Agency/Group/Organization | Hillcrest Transitional Housing of Eastern Jackson County |
| | Agency/Group/Organization Type | Services - Housing Services-homeless |
| | What section of the Plan was addressed by Consultation? | Homeless Needs - Families with children Homelessness Needs - Veterans |
| | Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination? | The agency learned about the funding application process through the City's press release, submitted a funding request to meet its need for case management, and attended the public hearing. The agency's funding request will be partially met due to funding limitations and the supported program will benefit persons in need of service. |

Identify any Agency Types not consulted and provide rationale for not consulting

N/A.

Other local/regional/state/federal planning efforts considered when preparing the Plan

| Name of Plan | Lead Organization | How do the goals of your Strategic Plan overlap with the goals of each plan? |
|-------------------|--|--|
| Continuum of Care | the Greater Kansas City Coalition to End Homelessness (GKCCEH) | The Strategic Plan supports the overall goals of the plan of the CoC. |

Table 3 – Other local / regional / federal planning efforts

Narrative (optional)

DRAFT

AP-12 Participation – 91.105, 91.200(c)

**1. Summary of citizen participation process/Efforts made to broaden citizen participation
Summarize citizen participation process and how it impacted goal-setting**

A press release was posted on December 19, 2018. The press release specifically stated:

- Applications for the 2019-20 CDBG program year would be available online on January 7, 2018;
- Applications would be accepted from January 7 through February 8, 2019; and
- A public hearing would be held by the City Council Community and Economic Development Committee on March 13, 2019.

A legal public notice was published in Lee's Summit Tribune for the public hearing. The public hearing provided an opportunity for public participation and the 30-day public comment period from March 15 through April 19 before the City Council approval of the final plan gave the public another opportunity to review the information and submit input.

Citizen Participation Outreach

| Sort Order | Mode of Outreach | Target of Outreach | Summary of response/attendance | Summary of comments received | Summary of comments not accepted and reasons | URL (If applicable) |
|------------|-------------------|------------------------------|---|--|---|---|
| 1 | Internet Outreach | Non-targeted/broad community | Public awareness/informational campaign only. | Public comments will be provided, if received. | Explanation will be provided, if public comments are received and not accepted. | http://cityofls.net/City-of-Lees-Summit/About-the-City/News-Releases/articleType/ArticleView/articleId/4199/Community-Development-Block-Grant-CDBG-App |

| Sort Order | Mode of Outreach | Target of Outreach | Summary of response/attendance | Summary of comments received | Summary of comments not accepted and reasons | URL (If applicable) |
|------------|---------------------------|------------------------------|---|--|--|---------------------|
| 3 | Public Hearing | Non-targeted/broad community | All funding applicants presented their programs and funding requests during the public hearing. Staff presented application review and prioritization results and funding allocation recommendations. | Public comments will be provided, if received. | Explanation will be provided, if comments are received and not accepted. | |
| 4 | Public review and comment | Non-targeted/broad community | Draft Action Plan with Funding Allocation Recommendations were made available at various public places/locations as well as online. | Public comments will be provided, if received. | Explanation will be provided, if comments are received and not accepted. | |

| Sort Order | Mode of Outreach | Target of Outreach | Summary of response/attendance | Summary of comments received | Summary of comments not accepted and reasons | URL (if applicable) |
|------------|------------------|------------------------------|--------------------------------|------------------------------|--|---------------------|
| 5 | Newspaper Ad | Non-targeted/broad community | N/A | N/A | N/A | |

Table 4 – Citizen Participation Outreach

DRAFT

Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

The Community Development Block Grant is the only known resource to be available to the City of Lee's Summit from various federal resources to address the identified community needs. Local agencies will have opportunities to apply for the ESG grant through the State of Missouri and other types of grants as they are available. Public housing needs may also be met with other HUD grants to be awarded to the Lee's Summit Housing Authority. Local agencies will continue to make efforts and explore new funding sources for their programs to meet client needs.

Anticipated Resources

| Program | Source of Funds | Uses of Funds | Expected Amount Available Year 1 | | | | Expected Amount Available Remainder of ConPlan \$ | Narrative Description |
|-----------------------------|------------------|--|----------------------------------|--------------------|--------------------------|-----------|---|--|
| | | | Annual Allocation: \$ | Program Income: \$ | Prior Year Resources: \$ | Total: \$ | | |
| CDBG | public - federal | Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services | 373,739 | 0 | 16,024 | 389,763 | 0 | CDBG allocation to be expected from HUD for program year 2019-20. Surplus funds unexpended from prior years will also be available for redistribution. |
| General Fund | public - local | Admin and Planning | 0 | 0 | 0 | 0 | 0 | |
| Public Housing Capital Fund | public - federal | Housing | 0 | 0 | 0 | 0 | 0 | |
| Other | private | Housing | 0 | 0 | 0 | 0 | 0 | |
| Other | private | Public Services | 0 | 0 | 0 | 0 | 0 | |

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The City is offering CDBG assistance to agencies and programs to fill budget gaps. Agencies and programs should primarily rely on other funding sources or in-kind donations and use CDBG assistance as a way to extend the services. For CDBG, the City will continue to cover a portion of the administrative cost with its general fund. Lee's Summit Housing Authority leverages other federal funds for capital expenses. Other subrecipients combine CDBG allocations with a variety of other funding sources, including in-kind donations, local grants, local churches, local charities, private foundations, private fundraisers, State funding resources, etc. The City does not require funding match for any of the CDBG funded programs and projects.

DRAFT

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

N/A.

Discussion

No further discussion.

DRAFT

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

| Sort Order | Goal Name | Start Year | End Year | Category | Geographic Area | Needs Addressed | Funding | Goal Outcome Indicator |
|------------|---|------------|----------|---|-----------------|---|-------------------|--|
| 1 | CDBG Program Planning/Administration | 2015 | 2019 | Planning and Administration | | Affordable Housing and Home Repairs CDBG Administration and Planning | CDBG: \$74,703 | Other: 2 Other |
| 2 | Services for Victims of Domestic Violence | 2015 | 2019 | Homeless Non-Homeless Special Needs | Communitywide | Mental Health/Substance Abuse Assistance Transitional Housing & Domestic Violence Shelters Expansion of Abuse Center Capacity | CDBG: \$19,400 | Public service activities other than Low/Moderate Income Housing Benefit: 130 Persons Assisted |
| 3 | Emergency Needs of LMI Persons/Families | 2015 | 2019 | Non-Homeless Special Needs | Communitywide | Urgent Needs of LMI Persons and Families | CDBG: \$7,760 | Public service activities other than Low/Moderate Income Housing Benefit: 26 Persons Assisted |

| Sort Order | Goal Name | Start Year | End Year | Category | Geographic Area | Needs Addressed | Funding | Goal Outcome Indicator |
|------------|--|------------|----------|--------------------------------------|--------------------------------|---|--------------------|--|
| 4 | Services for Mental Health and Substance Abuse | 2015 | 2019 | Non-Homeless Special Needs | Old Town Area Communitywide | Mental Health/Substance Abuse Assistance | CDBG: \$6,900 | Public service activities other than Low/Moderate Income Housing Benefit: 215 Persons Assisted |
| 5 | Public Housing | 2015 | 2019 | Affordable Housing Public Housing | | Affordable Housing and Home Repairs | CDBG: \$160,000 | Rental units rehabilitated: 33 Household Housing Unit |
| 6 | Home Repairs | 2015 | 2019 | Affordable Housing | Communitywide | Affordable Housing and Home Repairs | CDBG: \$99,000 | Homeowner Housing Rehabilitated: 10 Household Housing Unit |
| 7 | Homeless Prevention/Emergency Shelter | 2015 | 2019 | Affordable Housing Homeless | Communitywide | Transitional Housing & Domestic Violence Shelters Local Emergency Homeless Housing | CDBG: \$22,000 | Other: 55 Other |

Table 6 – Goals Summary

Goal Descriptions

| | | |
|---|-------------------------|--|
| 1 | Goal Name | CDBG Program Planning/Administration |
| | Goal Description | Various activities and associated expenses for the general administration of the CDBG program, including staff time, advertising, staff training, and planning activities as allowed by HUD regulations. Lee's Summit Housing Authority desires to utilize CDBG grant combined with the agency's funds to support a development specialist to advance its strategic plan goals of increasing affordable housing in Lee's Summit. |
| 2 | Goal Name | Services for Victims of Domestic Violence |
| | Goal Description | Hope House provides emergency shelter and services for moms and children running away from domestic violence. The agency expressed a continuing need financially to support its Children's Therapy services. |
| 3 | Goal Name | Emergency Needs of LMI Persons/Families |
| | Goal Description | Coldwater of Lee's Summit provides free snack lunches in backpacks to local elementary school children who are chronically hungry for weekends. |
| 4 | Goal Name | Services for Mental Health and Substance Abuse |
| | Goal Description | Agencies providing services for persons with mental health issues and substance abuse problems expressed a need for financial support to its programs to meet an unmet community need. |
| 5 | Goal Name | Public Housing |
| | Goal Description | Provide assistance to Lee's Summit Housing Authority for Phase II of its bathroom rehab project at its Duncan Estates public housing complex. |
| 6 | Goal Name | Home Repairs |
| | Goal Description | Continue to fund the minor home repair program to provide financial assistance to LMI homeowners who need critical repairs to their homes. This also implements the community's strategy for the upkeep of the affordable housing stock. |

| | | |
|---|-------------------------|--|
| 7 | Goal Name | Homeless Prevention/Emergency Shelter |
| | Goal Description | Hillcrest Transitional Housing provides short-term shelter for families that experience homelessness. Supportive services are provided to help these families to get on their feet by learning basic life skills and financial management skills and helping them find employment and permanent residence. |

DRAFT

Projects

AP-35 Projects – 91.220(d)

Introduction

This program year, Lee's Summit continues to support existing on-going public service programs by providing an elevated level of CDBG funding. On the Public Service side, all funding requests are met with the capped amount of the annual grant. On the non-public-service side, the City closely monitors and makes necessary adjustment to the level of funding for its minor home repair program and first time homebuyer program. The City continues to work with Lee's Summit Housing Authority to make needed upgrades of its residential units for sustainability and energy efficiency.

Projects

| # | Project Name |
|---|---|
| 1 | CDBG Administration |
| 2 | Coldwater BackSnack Program |
| 3 | Hope House Children's Therapy Services |
| 4 | ReDiscover Case Management |
| 5 | Hillcrest Transitional Housing Case Manager |
| 6 | Lee's Summit Housing Authority Development Specialist |
| 7 | Lee's Summit Housing Authority Duncan Estates Bathroom Rehab Phase II |
| 8 | Minor Home Repair Program |

Table 7 - Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

AP-38 Project Summary
Project Summary Information

DRAFT

| | | |
|----------|--|--|
| 1 | Project Name | CDBG Administration |
| | Target Area | |
| | Goals Supported | CDBG Program Planning/Administration |
| | Needs Addressed | |
| | Funding | CDBG: \$3,870,260 |
| | Description | Activities directly associated with administration of the CDBG program. |
| | Target Date | 12/31/2020 |
| | Estimate the number and type of families that will benefit from the proposed activities | N/A |
| | Location Description | 220 SE Green St. City Hall |
| | Planned Activities | City activities associated with administering the CDBG program. |
| 2 | Project Name | Coldwater BackSnack Program |
| | Target Area | |
| | Goals Supported | Emergency Needs of LMI Persons/Families |
| | Needs Addressed | Urgent Needs of LMI Persons and Families |
| | Funding | CDBG: \$7,760 |
| | Description | Working with Harvesters to provide free weekend snack lunches in backpacks to elementary school chronically hungry children of the Lee's Summit R-7 School District. |
| | Target Date | 6/30/2020 |
| | Estimate the number and type of families that will benefit from the proposed activities | It is estimated that the BackSnack program will benefit 258 children and the CDBG portion of the funding will benefit about 26 for the entire school year. |
| | Location Description | Coldwater will deliver backpacks to the schools located in Lee's Summit. |
| | Planned Activities | Coldwater works with Harvesters and the Lee's Summit R-7 School District to provide free snack lunches in backpacks for weekend meals to school children who are chronically hungry. |
| | Project Name | Hope House Children's Therapy Services |

| | | |
|---|--|--|
| 3 | Target Area | Communitywide |
| | Goals Supported | Services for Victims of Domestic Violence |
| | Needs Addressed | Transitional Housing & Domestic Violence Shelters |
| | Funding | CDBG: \$19,400 |
| | Description | Therapy sessions provided at Hope House for children experiencing domestic violence. |
| | Target Date | 6/30/2020 |
| | Estimate the number and type of families that will benefit from the proposed activities | The agency estimates that 130 children will benefit from this program. |
| | Location Description | At Hope House facility in Lee's Summit. Address is confidential. |
| | Planned Activities | The agency provides counseling sessions to children and family members focusing on issues relevant to children who are exposed to domestic violence. |
| 4 | Project Name | ReDiscover Case Management |
| | Target Area | Old Town Area |
| | Goals Supported | Services for Mental Health and Substance Abuse |
| | Needs Addressed | Mental Health/Substance Abuse Assistance |
| | Funding | CDBG: \$6,900 |
| | Description | ReDiscover works with the Lee's Summit R-7 School District and provides mental health counseling at Lee's Summit Elementary School for at-risk children. The counseling focuses on behavioral health, health, violence prevention, academic achievement, housing or other related risks. |
| | Target Date | 6/30/2020 |
| | Estimate the number and type of families that will benefit from the proposed activities | The agency estimates that this counseling program will benefit 215 children. |
| | Location Description | Lee's Summit Elementary in downtown Lee's Summit. |
| | Planned Activities | Case manager working with the school providing counseling to the students who are identified as at-risk children. |
| | Project Name | Hillcrest Transitional Housing Case Manager |

| | | |
|---------------------------|---|---|
| 5 | Target Area | Communitywide |
| | Goals Supported | Homeless Prevention/Emergency Shelter |
| | Needs Addressed | Transitional Housing & Domestic Violence Shelters Employment Assistance to LMI |
| | Funding | CDBG: \$22,000 |
| | Description | Hillcrest Transitional Housing provides transitional shelters in Lee's Summit and a part of the service is to provide case management counseling sessions to help client families that experience homelessness to get on their feet and get employed and move to a permanent residence. |
| | Target Date | 6/30/2020 |
| | Estimate the number and type of families that will benefit from the proposed activities | The agency estimates that the case management will help about 190 persons, of which about 55 will benefit from CDBG assistance. |
| | Location Description | Hillcrest will provide case management at its Lee's Summit location addressed 501 SW Mission Rd, Lee's Summit, MO 64063. |
| Planned Activities | The Case Manager will provide one-on-one case management counseling to client families residing at the shelter. | |
| 6 | Project Name | Lee's Summit Housing Authority Development Specialist |
| | Target Area | Communitywide |
| | Goals Supported | Public Housing CDBG Program Planning/Administration |
| | Needs Addressed | Affordable Housing and Home Repairs |
| | Funding | CDBG: \$36,000 |
| | Description | Lee's Summit Housing Authority will hire a Development Specialist to work on advancing its strategic plan goals of expanding affordable housing in Lee's Summit. CDBG assistance will help the agency cover part of the cost of salary and benefit of this staff person. |
| | Target Date | 6/30/2020 |
| | Estimate the number and type of families that will benefit from the proposed activities | No persons or families will benefit directly from work by the Development Specialist. Activities carried out by the person will provide needed professional services with planning, communication and implementation of the agency's affordable housing development goals. |

| | | |
|----------|--|--|
| | Location Description | Development Specialist will work at Lee's Summit Housing Authority's office location at 111 SE Grand Ave. |
| | Planned Activities | Conducting professional services associated with planning, communication and implementation of the agency's affordable housing development goals. |
| 7 | Project Name | Lee's Summit Housing Authority Duncan Estates Bathroom Rehab Phase II |
| | Target Area | |
| | Goals Supported | Public Housing |
| | Needs Addressed | Affordable Housing and Home Repairs |
| | Funding | CDBG: \$160,000 |
| | Description | Combining the agency's own capital funds and CDBG funds, Lee's Summit Housing Authority is scheduled to complete Phase II of its bathroom rehab project at Duncan Estates. |
| | Target Date | 12/31/2020 |
| | Estimate the number and type of families that will benefit from the proposed activities | The bathroom rehab Phase II is planned to renovate 33 residential unit bathrooms at Duncan Estates. |
| | Location Description | Duncan Estates public housing complex immediately south of US 50 between Ward Rd and M-291. |
| | Planned Activities | Rehabbing 33 residential unit bathrooms at Duncan Estates, a public housing complex in Lee's Summit. |
| 8 | Project Name | Minor Home Repair Program |
| | Target Area | Communitywide |
| | Goals Supported | Home Repairs |
| | Needs Addressed | Affordable Housing and Home Repairs |
| | Funding | CDBG: \$99,000 |
| | Description | The City's Minor Home Repair program provides up to \$10,000 CDBG grant to qualified homeowners for needed exterior home repairs and/or up to \$3,000 for needed private sanitary sewer repairs. |
| | Target Date | 12/31/2020 |

| | |
|--|---|
| Estimate the number and type of families that will benefit from the proposed activities | 10 |
| Location Description | Varies dependent on final selection of qualified repairs. |
| Planned Activities | Grant funds are provided to qualified owner-occupied homeowners for needed exterior repairs to their homes and sanitary sewer improvements. |

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

The programs to be funded target LMI persons and families and persons with special needs regardless of their location in Lee's Summit. The majority of the agencies to receive CDBG funding are located within or immediately adjacent to the old town area of the community. **2019-20**

Geographic Distribution

| Target Area | Percentage of Funds |
|---------------|---------------------|
| Old Town Area | |
| Communitywide | 100 |

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

Generally, there is no priority given based on geographic location. The programs/projects are funded to serve the needs of targeted clients regardless of geographic locations, so long as the clients are Lee's Summit residents. Some services go beyond the city limits due to the nature of their programs.

Discussion

The City identified two different Geographic Distribution Target Areas for the purpose of the Consolidated Plan: Old Town Area and Communitywide. However, the programs and services to be supported through the CDBG program target the populations that the CDBG program is designed for, without an obvious emphasis on the geographic locations of the clients. As shown above, the City intends to allocate funding for programs and services that do not specifically have a geographic focus. However, most of these programs and services benefit the population located in the Old Town Area or areas adjacent to the this part of the city.

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

For the 2019-20 Action Plan, the City anticipates supporting the Lee's Summit Housing Authority and the City's Minor Home Repair Program at levels specified in the projects section of the plan. This means that the City expects to benefit approximately 43 households through the LSHA's bathroom rehab program at Duncan Estates and 10 households through the Minor Home Repair Program.

The Minor Home Repair Program has been an on-going activity of the City, providing support to LMI homeowners for needed exterior repairs and emergency repairs to private sewer system. In addition, funds are also provided for Lee's Summit Housing Authority to hire a Development Specialist to focus work on planning, communication and implementation of the agency's strategic plan affordable housing development goals.

| One Year Goals for the Number of Households to be Supported | |
|---|----|
| Homeless | 0 |
| Non-Homeless | 43 |
| Special-Needs | 0 |
| Total | 43 |

Table 9 - One Year Goals for Affordable Housing by Support Requirement

| One Year Goals for the Number of Households Supported Through | |
|---|----|
| Rental Assistance | 0 |
| The Production of New Units | 0 |
| Rehab of Existing Units | 43 |
| Acquisition of Existing Units | 0 |
| Total | 43 |

Table 10 - One Year Goals for Affordable Housing by Support Type

Discussion

The Minor Home Repair program is a multi-year program and it is anticipated that during the program year of 2019-20, additional homeowners will be assisted utilizing prior year funds as they come in the process. The anticipated goals referenced above do not reflect these beneficiaries.

AP-60 Public Housing – 91.220(h)

Introduction

The vision of the Lee's Summit Housing is to "Build Communities of distinction that are multi-generational, mixed income, and meet the needs of our most vulnerable citizens".

Our Mission is to "Advocate for affordable housing and respond to unmet housing needs through new construction, restoration of existing assets, and the pursuit of new development opportunities and partnerships".

We will accomplish our mission with an action plan that is based on and measured by TRUST.

T aking care of the community

R aising awareness

U nifying likeminded communities of service

S erving families

T ransforming lives

Strategic Goals Priorities:

- Reducing the waiting lists for affordable housing solutions by developing 100 units of mixed income housing
- Completing a comprehensive housing study in partnership with other organizations
- Getting our voices in the room for housing discussions occurring within the City
- Finding opportunities for funding projects via a City mechanism
- Developing a demonstration project
- Carefully pursuing redevelopment of Lea Haven

Actions planned during the next year to address the needs to public housing

The Lee's Summit Housing Authority (LSHA) has adopted the following action strategies to address the needs of Public Housing and Affordable Housing Development and this year, it will continue to

implement these actions:

- Advocating for the industry and our role within the local Community
- Identify and leverage trends to create a broader range of housing options that together will local housing shortfalls
- Build relationships with partners
- Apply for additional rental vouchers (as they may become available through HUD) and actively administrate the Section 8 Housing Choice Voucher Program.
- Explore leveraging public and private funds to create additional housing opportunities
- Collaborate with the City of Lee's Summit, Jackson County, other for-profit and non-profit organizations in the development of affordable housing
- Collaborate with the Lee's Summit Economic Development Council
- Employ effective management and maintenance policies

Actions to encourage public housing residents to become more involved in management and participate in homeownership

The Lee's Summit Housing Authority has a Resident Housing Commissioner appointed to serve on the Board of Housing Commissioners. Resident Commissioner is a welcomed addition to the Housing Authority Board of Commissioners and I brings a unique perspective and insight to the Board. The Lee's Summit Housing Authority keeps open communications with the residents though a monthly news-letter and twice monthly pot-luck dinners. Residents are also engaged by LSHA management and Board Members. The Lee's Summit Housing Authority maintains an "open door" policy for residents to voice their concerns.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

The Lee's Summit Housing Authority is designated a High Performing Agency by HUD through its Public Housing Management Assessment and Section Eight Management Assessment Programs. LSHA is not designated as "Troubled".

Discussion

Many of the strategies and goals for long-term viability and objectives for addressing the needs of the Lee's Summit Housing Authority and the greater Community are taken directly from the information, strategies and objectives identified in the City of Lee's Summit Consolidated Plan and as may also be identified in additional "Studies" such as the Old Lee's Summit Development Master Plan and Housing Affordability Analysis 2014, Vogt Strategic Insights 2017, Lee's Summit Affordable Housing Needs

Assessment by University of Kansas Urban Planning Students UBPL: 710 Fall of 2017, Census Data, and related market studies.

Many of the physical and operational improvements identified in LSHAs 5-Year Plan are contingent upon current and future funding through the CDBG Program, HUD Funding (CFP & OPFND) and, PILOT waiver by the City.

Many of the strategies to address the need for developing affordable housing opportunities and solutions for the growing Senior population, Veterans and low to moderate income families is dependent upon cooperation by the City of Lee's Summit, the Business Community, Private and Public Investment and the greater Community support.

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

For the 2019-20 Action Plan, the City anticipates supporting the homeless and special needs population by providing continued financial support to local public services such as Hope House, ReDiscover, Coldwater, and other local agencies that critical services to Lee's Summit residents with special needs.

Coldwater of Lee's Summit has requested funds to continue the support of the “BackSnack Program”. This program provides nutritional needs of hungry children. Hope House is continuing its “Children’s Therapy Services Program”. ReDiscover has requested funds for its “Parenting with Love and Logic” Program and "Case Management for At-risk School Children" to help children as well as adults to gain knowledge and skills to handle challenging relationships and situations and to promote mental health.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

Homeless shelter services are provided by the CoC of the Greater Kansas City region and Hillcrest Transitional Housing operates 18 shelter units in Lee's Summit. Our focus is on providing financial assistance to local public service agencies that target residents who are temporarily homeless due to domestic violence or who are potentially becoming homeless due to mental health issues or domestic disputes. Activities receiving CDBG assistance this program year that help reducing chances of people becoming homelessness include services provided by Hope House, ReDiscover, and Coldwater. In addition, CDBG funding is provided to Hillcrest Transitional Housing to provide case management counseling services to its Lee's Summit client families. The City will coordinate and work with CoC for its outreach and assessment efforts.

Addressing the emergency shelter and transitional housing needs of homeless persons

The City’s strategy for addressing the emergency and transitional housing needs of people who are homeless or at risk of homelessness includes opening up opportunities for local agencies and charity organizations that provide emergency shelters and homeless prevention services to qualify for Community Development Block Grant resources. Coordination among different agencies and service providers to assist the homeless and prevent homelessness are currently led by The Greater Kansas City

Coalition to End Homelessness, the regional CoC that covers Lee's Summit.

- **Emergency Shelters & Services**—Currently, Lee's Summit does not provide permanent shelters for chronic homeless. Hillcrest Transitional Housing, a part of the CoC, provides 18 transitional housing units in Lee's Summit currently. CDBG funds are provided to the agency in support of its case management service to their client residents. Shelters and services in the network of the CoC provide coverage for the region including Lee's Summit. In Lee's Summit, emergency shelters are also available for domestic violence victims and their children and people with mental health issues.
- Hope House is a domestic violence shelter providing outreach counseling and emergency shelter for victims of domestic violence (women and their children). It also provides group and individual therapy to victims in Lee's Summit. The City will continue to support its service needs with CDBG funds in 2019-20.
- ReDiscover Mental Health, Inc. provides temporary shelter for homeless persons in two apartments within Lee's Summit. This program operates two respite apartment services for mentally ill adults who have a housing crisis and need temporary shelter. The City will continue to support the agency's service needs in the 2019-20 program year with CDBG allocations.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

The City's strategy for helping people who are homeless, particularly the chronically homeless, transition to stable housing and independent living focuses on better coordination with the regional CoC while maintaining the level of appropriate supportive services and the number of units of permanent supportive housing provided by local agencies. Needs associated with this stage of the process are largely addressed by non-profit organizations like Hillcrest Transitional Housing and local churches. Local churches often provide similar services without any assistance from the CDBG Program, but nonetheless play an important role in helping homeless individuals and families make the transition to permanent housing.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving

assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

Prevention initiatives play a central role in short term and long term strategies to help low-income individuals and families avoid becoming homeless. Local agencies providing housing assistance and emergency shelters have already built into their programs homeless prevention counseling for the people and families they serve. In the 2019-20 program year, the City will direct CDBG funds to several of these programs to alleviate budget shortage. In the meantime, CDBG support will also benefit local agencies and programs that provide services targeting LMI persons and persons with special needs for housing, health, and other social services.

Discussion

The City's CDBG funding distribution process is a competitive one where the City opens funding request opportunities to all local agencies that provide services to meet the priority goals of the Consolidated Plan. Agencies file funding requests based on financial support needs and funding allocations decisions are based on priorities, agency capacities and funding availability.

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

The City of Lee's Summit's adopted public policies and standards pertaining to development as well as housing development and residential investment in the community are designed and updated to promote and protect community values, to ensure quality, to improve sustainability, to protect property values and investments, and to provide equal opportunities for all. The City does not and will not endorse and put in place any public policies that will prevent investment and development of affordable housing. The City provides financial opportunities through the CDBG program for agencies to provide housing choices and home repairs to benefit persons with housing burdens.

In 2018, the City started its Analysis of Impediments to Fair Housing Choice (AI) project. Up to the date of this action plan, the City has conducted the required public awareness, public consultation process, data gathering, citizen engagement, research and analysis. Once completed later in 2019, the City will have a better understanding of the existing and potential impediments to fair housing choice and implement new strategies to address those impediments.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

The City is currently in the process of completing its Analysis of Impediments to Fair Housing Choice. Once completed later this year, it will provide a foundation for the City to implement new policies and plan actions to address barriers that exist. In the meantime, each year, the City utilizes CDBG funds to support local programs and projects, all of which have positive effect of helping to ease or eliminate barriers.

Discussion:

AP-85 Other Actions – 91.220(k)

Introduction:

Coordination of services is extremely important to ensure services are provided efficiently and effectively, especially when resources are scarce. In 2019, the City will start working on its next 5-year Consolidated Plan. This will provide another opportunity to strengthen coordination of services.

Actions planned to address obstacles to meeting underserved needs

The major obstacle to meeting underserved needs is limited funding. The City will continue to encourage public service agencies to actively explore and pursue new funding opportunities. The City will also continue to explore and participate in regional solutions to some of the underserved needs.

Actions planned to foster and maintain affordable housing

Funded programs and projects through the CDBG program for housing related repairs and rehabilitation meet the goal of sustaining the community's affordable housing stock and improving the conditions. In addition, the City will continue to foster and maintain affordable housing through implementation of the Comprehensive Plan that promotes housing diversity and sustainable development.

Actions planned to reduce lead-based paint hazards

- Continue to educate the public regarding the danger of lead-based paint hazards.
- Continue to enforce the requirement for residential rehabilitation contractors to be properly licensed when taking on residential rehabilitation projects.
- Continue to perform lead-based paint hazard inspections for First-Time Homebuyer program.

Actions planned to reduce the number of poverty-level families

The City continues to promote economic development to improve the economic health of the

community and its citizens by:

- Increase business activities.
- Expand job training and employment opportunities.
- Foster small business and startups.
- Invest in needed public infrastructure improvement for economic development.
- Encourage and incentivize business expansion and new business activities.
- Continued to support private agencies for services to help poverty-level population to get on their feet.

Actions planned to develop institutional structure

The City will continue to improve the institutional structure to better serve the needs of the community. Inter-agency coordination will continue to be the focus in order to improve efficiency and avoid duplication of efforts. This year, the City is conducting another round of its strategic planning that involves extensive public involvement to help the City identify priority needs of this community and strategies to meet those needs. This process will certainly help to further strengthen the effort of a community working together to tackle community issues.

Actions planned to enhance coordination between public and private housing and social service agencies

- Continue to provide training for agencies receiving CDBG funding.
- Continue to encourage agencies, private or public, to communicate and coordinate.
- Continue to monitor CDBG subrecipients on performance and provide technical support as needed.

Discussion:

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(I)(1,2,4)

Introduction:

The City's CDBG funded programs and projects are not intended to generate any program income up to today. Funds returned to the line of credit have been normally a result of programs and projects completed or cancelled with a balance of unused funds.

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

| | |
|--|----------|
| 1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed | 0 |
| 2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan. | 0 |
| 3. The amount of surplus funds from urban renewal settlements | 0 |
| 4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan | 0 |
| 5. The amount of income from float-funded activities | 0 |
| Total Program Income: | 0 |

Other CDBG Requirements

| | |
|---|--------|
| 1. The amount of urgent need activities | 0 |
| 2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan. | 80.00% |

Packet Information

File #: BILL NO. 19-114, **Version:** 1

An Ordinance approving a development agreement between Clayton Properties, Inc and The City of Lee's Summit, Missouri for the Woodside Ridge Development.

Issue/Request:

An Ordinance approving a development agreement between Clayton Properties, Inc and the City of Lee's Summit, Missouri for the Woodside Ridge Development.

Key Issues:

Attached is a Development Agreement covering the construction of certain off-site improvements required to serve the Woodside Ridge Development.

On September 6, 2018, the City Council concluded a public hearing for Application #PL2018103, for preliminary development plan of approximately 111.8 acres of land generally lying west of Pryor Road and north of the Sterling Hills residential development.

On September 20, 2018, the City Council adopted Ordinance No. 8470 which approved application #PL2018103, subject to certain conditions of approval, one of which was a requirement that the Developer enter into a development agreement with the City to provide for certain off-site improvements necessary for the Development.

The approval and execution of the attached Development Agreement fulfills the ordinance requirement as required in the preliminary development plan.

Proposed City Council Motion:

I move for a second reading of an Ordinance approving a development agreement between Clayton Properties, Inc and The City of Lee's Summit Missouri, for the Woodside Ridge Development.

David Bushek, Chief Counsel of Economic Development and Planning

Recommendation:

Staff recommends approval

AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CLAYTON PROPERTIES, INC. AND THE CITY OF LEE'S SUMMIT, MISSOURI, FOR THE WOODSIDE RIDGE DEVELOPMENT.

WHEREAS, on September 6, 2018, the City Council concluded a public hearing for Application #PL2018-103, for preliminary development plan of approximately 111.8 acres of land generally lying west of Pryor Road and north of the Sterling Hills residential development;

WHEREAS, following the public hearing for the Development, the Council voted to approve the application for the Development subject to the Developer entering into a development agreement with the City to provide for the certain Improvements necessary for the Development;

WHEREAS, the City Council desires to approve a development agreement to provide for the construction of public improvements for the project.

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

SECTION 1. The Development Agreement which is attached hereto as **Exhibit A** and incorporated herein by reference (the "Agreement"), is hereby approved and the City Manager is authorized and directed to execute the Agreement in substantial compliance with the attached Agreement.

SECTION 2. 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 and the Development Agreement.

SECTION 3. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 4. 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 of the City of Lee's Summit, Missouri, this ____ day of _____, 2019.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

BILL NO. 19-

ORDINANCE NO.

APPROVED by the Mayor of said city this ____ day of _____, 2019.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian Head*

BILL NO. 19-

ORDINANCE NO.

EXHIBIT A

COOPERATIVE AGREEMENT

[*ATTACHED*]

**DEVELOPMENT AGREEMENT BETWEEN
CLAYTON PROPERTIES GROUP, INC., AND THE CITY OF LEE'S SUMMIT,
MISSOURI FOR THE WOODSIDE RIDGE DEVELOPMENT**

THIS AGREEMENT (“**Agreement**”) is made this ___ day of _____, 2019, by and between Clayton Properties Group, Inc. a Tennessee corporation dba Summit Homes, (the “**Developer**”), and the City of Lee’s Summit, Missouri, a municipal corporation (“**City**”).

WHEREAS, on September 6, 2018, the City Council concluded a public hearing for Application #PL2018-103, for preliminary development plan of approximately 111.8 acres of land generally lying west of Pryor Road and north of the Sterling Hills residential development, on property legally described in **Exhibit A** (the “**Property**”), now owned by the Developer, which will be developed as Woodside Ridge (the “**Development**”) as shown in **Exhibit B** which is a proposed phasing map to implement the preliminary development plan;

WHEREAS, following the public hearing for the Development, the Council voted to approve the application for the Development subject to the Developer entering into a development agreement with the City to provide for the certain Improvements, as defined below, necessary for the Development;

WHEREAS, in satisfaction of the City Council's condition of approval, the Developer and the City now desire to enter into this Agreement;

WHEREAS, the parties agree that the obligations assumed by the Developer pursuant to this Agreement are reasonably related to the impact that will be caused by the Development on the public services provided by the City and other public jurisdictions and on facilities that are constructed and maintained by the City and other public jurisdictions; and

WHEREAS, the parties have freely negotiated in good faith and this Agreement reflects the desires of the parties.

NOW, THEREFORE, in consideration of the mutual terms, covenants and conditions contained herein, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. **Definitions.** Words or terms not defined elsewhere in this Agreement shall have the following definitions:

“**Certificate of Final Acceptance**” shall have the meaning assigned in Section 1027 of the Design and Construction Manual as adopted by the City.

“**Certificate of Occupancy**” shall have the meaning assigned in Chapter 7, Lee’s Summit Building Code, as adopted by the City.

“**Certificate of Substantial Completion**” shall have the meaning assigned Section 1027 of the Design and Construction Manual as adopted by the City.

“**City Engineer**” shall mean the City Engineer or its designated representative.

“**Developer**” shall mean Clayton Properties Group, Inc. or its successors and assigns in the Property.

“**Excusable Delays**” shall have the meaning assigned in **Section 2.D**.

“**Fence Improvement**” means a 6’ tall vinyl siding fence to be constructed on Tract E of the Preliminary Development Plan for the Property which runs parallel to the Property line with the Fire Station Property for a distance of approximately 280 feet from the southern boundary of the Property to a point that is adjacent to the southern right-of-way line for NW Shamrock Avenue, at the approximate location shown on **Exhibit C**.

“**Fire Station Property**” means the property owned by the City adjacent to Tract F of the Property on which the City fire station will be constructed by the City.

“**Fire Station Sewer Improvement**” means a sewer improvement constructed at the approximate location depicted on **Exhibit C** (only the main line is depicted) to be constructed by Developer for the City according to the provisions of **Section 2** of this Agreement, which shall have the following specifications:

- 8” PVC (SDR-26) public sanitary sewer main
- Approximately 324 foot long
- Service line connections (wyes, bends, risers)
- 4’ diameter manhole

“**Improvements**” mean the Phase 1 Improvements and the Phase 2 Improvements.

“**Lot**” means each of the lots as set forth on the Preliminary Development Plan.

“**Phase 1 Improvements**” means the following:

Traffic Improvements –

- (1) A southbound right-turn lane with 80 feet of storage plus taper at the intersection of Pryor Road and O’Brien Road as indicated on the Pryor Road and O’Brien Intersection Improvement Plans.
- (2) A eastbound left-turn lane with 150 feet of storage plus taper at the intersection of Pryor Road and O’Brien Road as indicated on the Pryor Road and O’Brien Intersection Improvement Plans.
- (3) A northbound left-turn lane with 200 feet of storage plus taper at the intersection of Pryor Road and Shamrock Avenue.
- (4) A eastbound left-turn lane with 150 feet of storage plus taper at the intersection of Pryor Road and Shamrock Avenue.

Water and Sewer Improvements –

- (1) Replacement of approximately 125 feet of existing 6” public water main located at Ambersham Drive in the Sterling Hill subdivision with 8” water main.
- (2) Approximately 165 feet of 8” sanitary sewer main along Ambersham Drive, connecting to the existing sanitary line located at the intersection of Whitlock Drive and Ambersham Drive in the Sterling Hills subdivision. Connection to the existing sanitary sewer shall be performed in accordance with the approved construction plans for said work.

“Phase 2 Improvements” means the following:

Sewer Improvements – Approximately 190 feet of public sanitary sewer located within the street right-of-way with one manhole to connect to the existing public sanitary system located at the Northeast corner of NW Cody Drive and NW Killarney Lane in the Sterling Hills subdivision.

“Preliminary Development Plan” shall mean the preliminary development plan for the Development approved by Ordinance No. 8470 on September 20, 2018.

“Staff” shall mean employees of the City of Lee’s Summit.

“Temporary Certificate of Occupancy” shall have the meaning defined in Lee’s Summit Building Code, which is set forth in Chapter 7 of the City of Lee’s Summit Code of Ordinances.

2. **Requirements for Improvements.** Unless otherwise specified herein, the provisions set forth in this Section 2, “Requirements for Improvements” shall be applicable to the financing, design, engineering and construction of the Improvements to be constructed by the Developer as required by this Agreement.
 - A. **Requirement to design, engineer and construct.** The Developer, at its sole cost and expense, shall design, engineer and construct the Improvements. The City shall issue certificates of occupancy for structures in the Development pursuant to the schedule set forth in Section 3, “Timing of Issuance of Certificate of Occupancy” below.
 - B. **Construction Costs.** All costs associated with designing, engineering and constructing the Improvements shall be paid by the Developer. No cost shall be paid by the City for designing, engineering, constructing or managing the construction of any of the Improvements.

Exception: The City may undertake the construction of the Improvements described as “(3) A northbound left-turn lane with 200 feet of storage plus taper at the intersection of Pryor Road and Shamrock Avenue” and “(4) A eastbound left-turn lane with 150 feet of storage plus taper at the intersection of Pryor Road and

Shamrock Avenue” in connection with the City’s development of the Fire Station Property. In the event that the City undertakes this construction, the Developer shall not be obligated to design, engineer, construct or fund the construction of this improvement.

- C. Applicable Standards and Approvals. The Improvements shall be designed, engineered, constructed, placed into service and dedicated to the City in accordance with the ordinances of the City, including, but not limited to, the City’s Design and Construction Manual then in effect at the time the Plans for the Improvements are submitted, and any other applicable rules, requirements and standards established by the City. All such work shall be done in good and workmanlike manner. The Developer shall be responsible for obtaining approval for any portion of the Improvements that require approval of another jurisdiction. The City agrees to cooperate in good faith with the Developer in obtaining said required approvals from other jurisdictions for the Improvements.

- D. Project Schedule. Prior to the construction of the Improvements the Developer shall submit to the City Engineer a proposed Project Schedule for the Improvements to be constructed by the Developer. The Project schedule shall be subject to delays that are not within the control of the Developer such as, without limitation, weather delays, delays due to subsurface conditions, engineering delays, contractor unavailability, strikes and delays caused by the City (“**Excusable Delays**”). No permits will be issued for the Development until the schedule has been reviewed by the City Engineer and staff of departments directly impacted by the timing of such Improvements. If conflicts with the schedule are determined, staff shall return the schedule with comments, to be resubmitted by the Developer. The Developer shall be notified once it is determined that no conflicts exist with the schedule. The Project Schedule shall be incorporated into this Agreement by addendum, and no action of the City Council will be required to incorporate the schedule.

- E. Design Phase. The Developer shall submit all preliminary design documents to the City for approval before proceeding with the construction of the Improvements. On the basis of such approved preliminary design documents, the Developer shall:
 - (1) Prepare detailed drawings, plans, and design data to show the character and scope of the work to be performed by contractors for all Improvements (“**Plans**”).
 - (2) Furnish to the City Engineer copies of such Plans and other documents and design data as may be required to secure approval of such governmental authorities as may have jurisdiction over design criteria applicable to the Improvements.
 - (3) Furnish the number of approval copies of the final Plans for the Improvements as the City may require.

- (4) Ensure that the Plans conform to federal and state laws and City ordinances and regulations.

All final Plans shall be presented to the City Engineer for approval, and no action of the City Council will be required to incorporate the final Plans into this Agreement.

F. Construction.

- (1) The Developer will construct all the Improvements according to the approved Plans. The Developer shall maintain, at its sole cost and expense, the applicable Improvements until such time as said applicable Improvements are accepted by the City Engineer pursuant to Section 2.J, "Dedication" of this Agreement. The Developer shall not do or permit others under it to do any work related to the construction of the Improvements until the Developer has paid for all required City and other governmental required permits and authorizations.
- (2) No building permits for residences will be issued by the City for any Lot in Phase 1 as depicted in Exhibit B until a Certificate of Substantial Completion for all of the Phase 1 Improvements has been issued by the City.

G. Right of Way Acquisition.

- (1) The Developer shall be responsible for acquiring or negotiating for the donation of all right-of-way or easements that are needed from private parties to construct the Improvements, including all necessary temporary construction easements.
- (2) In the event that the Developer is unable, after good faith negotiations, to acquire some or all of the right-of-way or easements necessary for those Improvements over which the City exercises jurisdiction, the Developer may submit a request to the City in the manner prescribed by Section 26, "Notice" below requesting that the City use its authority to acquire the property interests necessary for the Improvements. The City will respond to such a request within thirty (30) days of receipt of same, and in such response the City will indicate whether it agrees to enter into good faith negotiations or exercise its power of eminent domain to acquire the right-of-way or easements necessary for Improvements over which the City exercises jurisdiction. The City is not obligated to use its authority to assist in the acquisition of property interests necessary for the Improvements.
- (3) In the event the City agrees to enter into good faith negotiations or exercise its power of eminent domain to acquire the right-of-way or easements necessary for Improvements over which the City exercises jurisdiction, prior to beginning any work to acquire said right-of-way or easements, the Developer shall first execute an Acquisition Funding Agreement with the City which provides for the terms and conditions under which the Developer

will place all estimated Acquisition Costs in escrow with the City prior to commencement of condemnation for right-of-way or easements. The Acquisitions Costs shall include, but shall not be limited to: the actual price paid for all right-of-way or easements, whether determined by negotiation or eminent domain; expenses related to the establishment of acquisition values of right-of-way or easements, including appraisals; legal fees, other expenses paid to third parties, and expenses incurred by the City related to acquisition of right-of-way or easements, whether through negotiation or eminent domain; and any other reasonable and necessary costs or expenses related to acquisition of the right-of-way or easements. The Acquisition Funding Agreement shall obligate the Developer to reimburse the City in full for all Acquisition Costs that result from the City's use of its authority to acquire any portion of the Improvements.

(4) The Developer shall dedicate or convey, as applicable, to the City, at no cost to the City, all property interests owned by the Developer which are necessary for the Improvements.

- H. Utility Relocation. The parties agree that all costs associated with relocating any existing utilities from any existing public or private easement, as a result of construction of the Improvements, shall be paid by the Developer, and are not the responsibility of the City, except for any Improvements to be constructed by the City under the exceptions in section 2 above. The parties agree that all costs associated with relocating any existing utilities from any existing right-of-way as a result of construction of the Improvements, which are not paid by a utility company, shall be paid by the Developer and are not the responsibility of the City, except as provided above.
- I. Inspections and Revisions. The Developer agrees to permit City employees, agents and contractors to inspect, observe, and oversee the construction of all Improvements in order to ascertain and determine that the standards of the City have been met. The Developer shall obtain the City Engineer's approval of all revisions materially altering the design or specifications of the Improvements.
- J. Dedication. Upon completion, inspection and approval of the Improvements by the City, the Developer will dedicate the Improvements to the City, for its use, operation and maintenance. The City shall be under no obligation to accept the dedication or conveyance of any Improvements constructed pursuant to this Agreement until it has been inspected and approved to the satisfaction of the City Engineer. Upon written notice of the inspection and approval of the City Engineer, the Developer agrees to convey all the Improvements to the City free and clear of all liens and encumbrances or other obligations. Said conveyance shall be by appropriate document, and shall be sufficient, in the opinion of the City Attorney, to convey marketable title of record, as set forth in Title Standard 4 of the Missouri Bar.

K. Fire Station Sewer Improvement.

- (1) Developer will construct or cause to be constructed the Fire Station Sewer Improvement when the Phase 1 Improvements are constructed for the Development. Prior to the commencement of construction of the Phase 1 Improvements, Developer will deliver a construction schedule to the City for the Improvements and the Fire Station Sewer Improvement, which shall be reviewed and approved by the City. After approval by the City, Developer will use commercially reasonable efforts to construct the Improvements and the Fire Station Sewer Improvement in substantial compliance with the approved schedule, subject to Excusable Delays. Developer shall not be liable to the City for any damages or losses that may be incurred by the City as a result of any Excusable Delay.
- (2) The provisions of Section 2.E of this Agreement relating to the Design Phase shall apply to the Fire Station Sewer Improvement.
- (3) The City will pay to Developer as reimbursement for the Fire Station Sewer Improvement (the “**Fire Station Sewer Payment**”) the actual out of pocket third party cost to construct the Fire Station Sewer Improvement, plus 20% overhead and profit, up to a total maximum amount of \$54,000.00 for all costs including overhead and profit. The estimated amount of the Fire Station Sewer Payment is represented in Exhibit D on the Effective Date of this Agreement. The cap above is predicated upon the assumption that no rock, shale, springs, unstable soil or other similar sub-surface conditions will be encountered. In the event any such conditions are encountered that will cause the cap to be exceeded, Developer will notify the City of the existence of the conditions and the estimated additional costs associated therewith. Within ten (10) days thereafter, the parties will agree upon a change order to equitably adjust the amount of the cap. Developer shall provide proof of the actual costs of the Fire Station Sewer Improvement in the form of paid invoices and processed and paid checks. After evaluating the actual cost documentation and determining the amount of the Fire Station Sewer Payment, the City shall make the Fire Station Sewer Payment within fifteen days after a Certificate of Substantial Completion has been issued by the City for the Fire Station Sewer Improvement.

L. Fence Improvement.

- (1) Location. The Fence Improvement shall be constructed by or at the direction of Developer. The precise location of the Fence Improvement shall be selected by Developer, provided that the Fence Improvement shall be constructed entirely on the Property within Tract F and not on the Fire Station Property and not on the border between the Property and the Fire Station Property. All landscaping associated with the Fence Improvement shall be located entirely on the Property and not on the Fire Station Property.

No part of the Fence Improvement or associated landscaping shall be located on the border between the Property and the Fire Station Property.

- (2) **Payment.** Prior to construction of the Fence Improvement, Developer shall provide a final unit cost of the Fence Improvement per linear foot to the City for review and approval. The per unit cost estimate shall include the Fence Improvement only and not any landscaping which may be constructed by Developer in connection with or in the vicinity of the Fence Improvement. The unit costs which is approved by the City shall be applied to calculate the reimbursement payment to be provided by the City pursuant to this paragraph. The estimated amount of the Fence Improvement is represented in **Exhibit D** on the Effective Date of this Agreement. The City shall reimburse Developer for the actual cost to construct the Fence Improvement that is constructed in compliance with the terms and conditions of this Agreement, using the per unit costs that is approved by the City as the basis for calculating the payment. Such reimbursement payment shall be made when the City issues a Certificate of Substantial Completion for the Phase 1 Improvements.
- (3) **Maintenance.** The Fence Improvement and all associated landscaping shall be maintained in a good condition by Developer or assigns in accordance with the City's Property Maintenance Code. The City shall have no obligation to maintain the Fence Improvement or pay for the costs of repairs and maintenance of the Fence Improvement, either during the term or this Agreement or after this Agreement has been terminated.

3. **Timing of Issuance of Certificates of Occupancy.** A Temporary or Final Certificate of Occupancy will not be issued until either a Certificate of Substantial Completion or a Certificate of Final Acceptance has been issued for the Improvements applicable to the building for which the Certificate of Occupancy is being requested.

4. **Indemnification.**

- A. **General Indemnity.** The Developer shall indemnify, release, defend, be responsible for and forever hold harmless the City, its officers, agents, employees, elected officials, and attorneys, each in their official and individual capacities, from and against all lawsuits, suits, actions, costs, claims, demands, damages, disability, losses, expenses, including reasonable attorney's fees and other defense costs or liabilities of any character and from any cause whatsoever, brought because of bodily injury or death received or sustained, or loss or damage received or sustained, by any person, persons, or property arising out of or resulting from any act, error, or omission of the Developer or its officers, agents, employees, or subcontractors, to the extent such loss or injury arises out of or is related to the performance of the Developer's construction obligations under this Agreement; provided, however, that the Developer need not save harmless the City from claims, demands, losses and expenses arising out of or to the extent caused by the negligence or willful misconduct of the City, its employees or agents, or relating to any

Excusable Delays. This indemnification obligation shall survive the termination or expiration of this Agreement.

- B. No Limitations or Waiver. The indemnity required hereunder shall not be limited by reason of the specification of any particular insurance coverage in this Agreement, or by a limitation of the amount or type of damages or compensation payable by or for the Developer under Workers' Compensation, disability or other employee benefit acts, acceptance of insurance certificates required under this Agreement, or the terms, applicability or limitation of any insurance held by the Developer. The City does not, and shall not, waive any rights against the Developer which it may have by reason of this indemnification, because of the acceptance by the City, or the deposit with the City by the Developer, of any of the insurance policies described in this Agreement. In addition, the parties agree that this indemnification by the Developer shall not be limited by reason of whether or not such insurance policies shall have been determined to be applicable to any such damages or claims for damages.
- C. Notification of Claims. With respect to any claims which are subject to indemnity hereunder, the Developer shall immediately notify the City of any and all claims filed against the Developer or the Developer and the City jointly, and shall provide the City with a copy of the same. Such notice shall be given in the manner prescribed by Section 26, "Notice" of the Agreement.
- D. Use of Independent Contractors. The fact that the Developer carries out any activities under this Agreement through independent contractors shall not constitute an avoidance of, or defense to, the Developer's duty of defense and indemnification under this section.

5. **Insurance**.

- A. General Provisions. Prior to commencing construction of the Improvements, the Developer shall file with the City evidence of liability insurance that has been obtained by Developer or Developer's contractors that is consistent with the requirements of the City's Design and Construction Manual and in the amounts set forth below.
- B. Limits and Coverage. Bodily Injury and Property Damage, Commercial General Liability Coverage – Occurrence Form unless otherwise agreed by the City:
 - (1) Commercial General Liability: Minimum \$2,000,000 each occurrence limit for bodily injury and property damage; \$2,000,000 policy aggregate; \$2,000,000 products and completed operations aggregate.
 - (2) Automobile Liability: Minimum \$2,000,000 combined single limit for bodily injury and property damage; applicable to owned, non-owned and hired automobiles.

- (3) Workers' Compensation: As required by state statute; if exempt, must submit letter stating the exemption; employer's liability \$1,000,000 each occurrence.
- (4) Umbrella/Excess Liability: An umbrella or excess liability policy in the minimum amount of \$2,000,000 each occurrence and aggregate; at least as broad as the underlying general liability, automobile liability and employer's liability.

The following endorsements shall attach to the policy:

- (1) The policy shall cover personal injury as well as bodily injury.
- (2) The policy shall cover blanket contractual liability subject to the standard universal exclusions of contractual liability included in the carrier's standard endorsement as to bodily injuries, personal injuries and property damage.
- (3) Broad form property damage liability shall be afforded.
- (4) The City shall be listed as an additional insured.
- (5) Standard form of cross-liability shall be afforded.
- (6) The policy shall not be cancelled, or materially modified so as to be out of compliance with the requirements of this section, or not renewed without thirty (30) days advance written notice of such event being given to the City.

The limits of liability for each policy coverage amount stated above shall be automatically adjusted upward as necessary to remain at all times not less than the maximum amount of liability set forth in Chapter 537.610, RSMo, applicable to political subdivisions pursuant to Section 537.600, RSMo; provided that nothing herein or in any such policy shall be deemed to waive the City's sovereign immunity. The statutory waiver of sovereign immunity for 2019 is \$2,865,330 for all claims arising out of a single accident or occurrence.

- C. Use of Contractors and Subcontractors. The Developer shall not permit any contractor or subcontractor to commence or continue work until they shall have obtained or caused to be obtained all insurance required under this Section and the City's Design and Construction Manual. Said insurance shall be maintained in full force and effect until the completion of construction of the Improvements, and issuance of a Certificate of Substantial Completion by the City.
- D. Workers' Compensation. The Developer shall ensure that all contractors or subcontractors performing work for the Developer obtain and maintain Workers' Compensation Insurance for all employees, and in case any work is sublet, the Developer shall require any subcontractors to provide Workers' Compensation insurance for all subcontractor's employees, in compliance with State laws, and to fully protect the City from any and all claims arising out of occurrences during construction of the Improvements. The Developer agrees to hold harmless,

indemnify and reimburse the City for any damage, loss, costs, payments or expenses of any kind (including the City's reasonable attorney's fees) incurred or sustained by the City as a result of the failure of either the Developer or any contractor or subcontractor of the Developer to obtain and maintain such insurance. The Developer further waives its rights to subrogation with respect to any claim against the City for injury arising out of performance under this Agreement. The Developer shall provide the City with a certificate of insurance indicating Workers' Compensation coverage prior to commencing construction of the Improvements.

6. **Bonds.** The Developer shall, or shall ensure that its contractors shall, provide for the following bonds for the Phase 1 and 2 Improvements and the Fire Station Sewer Improvement, except for any Improvements to be constructed by the City under the exceptions in section 2 above.
 - A. **Performance Bond.** Prior to commencement of construction and ending upon acceptance of the Improvements and the Fire Station Sewer Improvement by the City, the Developer shall, or shall ensure that its contractors shall, maintain a Performance Bond in a form approved by the City Attorney, in an amount equal to the cost of the Improvements and the Fire Station Sewer Improvement covered by such bond, as determined by the City Engineer, conditioned upon the faithful performance of the provisions, terms and conditions of the construction contract. The Performance Bond shall name the City as an obligee and copies of certificates of such bond shall be delivered to the City.
 - B. **Payment Bonds.** Prior to commencement of construction and ending upon acceptance of the Improvements and the Fire Station Sewer Improvement by the City, the Developer shall, or shall ensure that its contractors shall, maintain a Payment Bond in a form approved by the City Attorney, in an amount equal to the cost of the Improvements and the Fire Station Sewer Improvement covered by such bond, as determined by the City Engineer, conditioned upon the faithful payment of the provisions, terms and conditions of the construction contract. The Payment Bond shall name the City as an obligee and copies of certificates of such bond shall be delivered to the City.
 - C. **Maintenance Bonds.** Prior to acceptance and dedication of the Improvements and the Fire Station Sewer Improvement, the Developer shall, or shall ensure that its contractors shall, provide a Maintenance Bond in a form approved by the City Attorney, in an amount equal to fifty percent (50%) of the cost of the Improvements and the Fire Station Sewer Improvement as approved by the City Engineer, which shall be in effect for a term of three (3) years from the date that the City issues a Certificate of Substantial Completion for the Improvements and the Fire Station Sewer Improvement covered by the bond, conditioned upon the faithful performance of the provisions, terms and conditions of the construction contract. The Maintenance Bond shall name the City as an obligee and copies of certificates of such bond shall be delivered to the City.

- D. **Indemnity for Failure to Provide Bonds.** The Developer shall indemnify the City and its officers and employees for any damage or loss incurred or sustained by the City, its officers or employees, as a result of the failure of the Developer or its contractors to provide the bonds set forth in this Section.
7. **Prevailing Wage.** To the extent required by law, the Developer, and all contractors and subcontractors performing work for or on behalf of the Developer with respect to the Improvements and the Fire Station Sewer Improvement, shall pay wages in accordance with, and in all respects comply with, Missouri's Prevailing Wage Law (Sections 290.210 – 290.340, RSMo.) and all other laws relating to the payment of wages. The Developer agrees to hold harmless, indemnify and reimburse the City for any damage, loss, costs, payments or expenses of any kind (including the City's reasonable attorney's fees) incurred or sustained by the City with regard to the failure of the Developer or any contractor or subcontractor to pay prevailing wages as required by law or this Agreement. The Developer shall submit sufficient information to the City's Director of Finance to allow City staff to verify that the Developer, and its contractors and subcontractors, have complied with prevailing wage laws and regulations.
8. **Remedies.** Each party to this Agreement agrees that if it fails to perform when due any act required by this Agreement to be performed, then, in addition to whatever other remedies are available to the non-defaulting parties hereto, the non-defaulting party shall have the right to enforce specific performance of this Agreement against the defaulting party, and such non-defaulting party shall, to the extent permitted by law, be entitled to its reasonable costs, attorneys' fees and court costs in connection with such enforcement.
9. **Rights and Remedies Non-Exclusive.** No right or remedy conferred upon or reserved to any party in this Agreement is intended to be exclusive of any rights or remedies, and each and every right and remedy shall be cumulative and shall be in addition to every right and remedy given now or hereafter existing at law or in equity.
10. **Non-Waiver.** No waiver of any condition or covenant contained in this Agreement or of any breach thereof, shall be taken to constitute a waiver of any subsequent condition, covenant or breach.
11. **Applicable Law.** This Agreement shall be governed by and construed according to the laws of the State of Missouri.
12. **Venue.** In the event this Agreement is litigated, venue shall be proper only in the Circuit Court of Jackson County, and the parties expressly waive any rights to venue inconsistent therewith.
13. **City Requirements and Prior Approval.** The Developer agrees to comply with all applicable laws and City ordinances, including, but not limited to, the City's Unified Development Ordinance, the Design and Construction Manual, and all planning or infrastructure requirements related to the development of the Property. The Developer acknowledges and agrees that the City is not, and shall not be, in any way liable for damages, losses or injuries that may be sustained as a result of the City's review and

approval of any Plans or Plats of or relating to the Development, the Property or the Improvements, or as a result of the issuance of any approvals, permits, certificates or acceptances for the development or use of any portion of the Development, the Property or the Improvements. The Developer further acknowledges and agrees that the City's review and approval of any such Plans or Plats and the issuance of any such approvals, permits, certificates or acceptances does not, and shall not, in any way be deemed to insure the Developer, or any of its successors, assigns, tenants, licensees or any third party, against damage or injury of any kind at any time. The parties agree that execution of this Agreement in no way constitutes a waiver of any requirements of applicable City ordinances or policies with which the Developer must comply and does not in any way constitute prior approval of any future proposal for development.

14. **Recording and Binding Effect.** No building permits shall be issued for any structure in the development until this Agreement has been fully executed. The City shall file a memorandum of this Agreement in the office of the Recorder of Deeds for Jackson County, Missouri ("Office"). This Agreement shall run with the land and be binding on and inure to the benefit of the parties and their respective legal representatives, successors in interest, successors and assigns. Upon certification by the City Engineer of the completion of the Developer's construction obligations under this Agreement, the City Manager, in his sole discretion, shall execute, on behalf of the City, a document suitable for recording in the Office, in such form as is approved by the City Attorney that acknowledges the completion of the Developer's obligations under the Agreement.
15. **Estoppel Letter.** Upon request by Developer made from time to time, the City shall prepare and deliver to Developer an estoppel letter confirming for the benefit of any purchaser or lender whether the Developer is or is not in default under this Agreement and verifying the status of Developer's performance of its obligations under this Agreement.
16. **Representations.** The Developer represents that it owns the property described in **Exhibit A** on the date that this Agreement is executed. Each party represents and warrants that it (a) has made due and diligent inquiry into the facts and matters which are the subject matter of this Agreement; (b) fully understands the legal effect of this Agreement; (c) is duly authorized and empowered to execute, deliver and perform this Agreement according to its terms and conditions; and (d) has not assigned or transferred any claim against the other party that is the subject of this Agreement. The parties agree that the obligations assumed by the Developer pursuant to this Agreement are reasonably related to the impact that will be caused by the Development on the public services provided by the City and other public jurisdictions and on facilities that are constructed and maintained by the City and other public jurisdictions.
17. **No Waiver of Breach.** No waiver of any condition or covenant contained in this Agreement or any breach thereof shall be taken to constitute a waiver of any subsequent condition, covenant or breach.
18. **Rules of Construction.** Each party to this Agreement has received independent legal advice from its attorneys of choice with respect to entering this Agreement and the advisability of agreeing to the provisions herein. Because each party has had its respective

legal counsel review the terms of this Agreement, the normal rules of construction to the effect that any ambiguities in its terms be resolved against the drafting party shall not be employed with regard to issues of its validity, interpretation, performance or enforcement.

19. **Assignment.** The Agreement may not be assigned or transferred, in whole or part, to any other person, firm, corporation, or entity without the prior, express, written consent of the other parties, which consent shall not be unreasonably withheld. The Developer shall request the assignment of the Agreement, with the consent of the City, to any person, firm, corporation, or entity to which any ownership interest in the Property is transferred after the date of execution of this Agreement.
20. **Entire Agreement.** This Agreement and the acts provided for herein is the entire agreement between the parties with respect to the subject matter hereof, the terms and provisions of this Agreement are contractual and not mere recitals and no alterations, amendment, modification, or interpretation hereof shall be binding unless in writing and signed by all parties.
21. **Exhibits.** All Exhibits referenced in this Agreement are incorporated into this Agreement by such reference as if set forth in full in the text of this Agreement.
22. **Headings.** The paragraph headings contained herein are for convenience in reference and are not intended to modify, expand or limit the scope of any provision of the Agreement.
23. **Severability.** Any provision of this Agreement which is not enforceable according to law will be severed herefrom, and the remaining provisions shall be enforced to the fullest extent permitted by law.
24. **Counterparts.** This Agreement may be executed in two or more counterparts, each of which shall be deemed to be an original but all of which together shall be deemed to be one and the same instrument.
25. **Notice.** Any notice required by this Agreement shall be deemed to be given if it is mailed by United States registered mail, postage prepaid, and addressed as hereinafter specified.

Any notice to the City shall be addressed to:

City Manager
City Hall
220 SE Green Street
Lee's Summit, Missouri 64063

With a copy to:

City Attorney
City Hall
220 SE Green Street
Lee's Summit, Missouri 64063

Notices to Developer shall be addressed to:

David Price
Clayton Properties Group, Inc. dba Summit Homes
120 SE 3rd St
Lee's Summit, MO 64082

Each party shall have the right to specify that notice be addressed to any other address by giving to the other party ten (10) days' written notice thereof.

[Remainder of this page intentionally left blank]

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto on the date first above written.

CITY OF LEE’S SUMMIT, MISSOURI

By: _____
Stephen A. Arbo, *City Manager*

Attest:

Trisha Fowler Arcuri, *City Clerk*

Approved as to form:

Brian Head, *City Attorney*

Notary for City of Lee's Summit

STATE OF MISSOURI)
) ss.
COUNTY OF JACKSON)

BE IT REMEMBERED, that on this ____ day of _____, 2019, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Stephen A. Arbo, the City Manager of the City of Lee's Summit, Missouri, a City duly incorporated and existing under and by virtue of the laws of the State of Missouri, who are personally known to me to be the same person who executed, as such official, the within instrument on behalf of and with the authority of said City, and such persons duly acknowledged the execution of the same to be the act and deed of said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

NOTARY PUBLIC

My Commission Expires:

[SEAL]

Clayton Properties Group, Inc.

By: _____

Name: _____

Title: _____

Notary for Clayton Properties Group, Inc.

STATE OF _____)
) ss.
COUNTY OF _____)

BE IT REMEMBERED, that on this ____ day of _____, 2019, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came _____, the manager of Clayton Properties Group, Inc., who is personally known to me to be the same person who executed the within instrument on behalf of said corporation and such person duly acknowledged the execution of the same to be his/her the act and deed of the corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

NOTARY PUBLIC

My Commission Expires:

[SEAL]

END OF DOCUMENT

EXHIBIT A

LEGAL DESCRIPTION FOR PROPERTY

Property Description

A tract of land in the Northeast Quarter and Southeast Quarter of Section 2, Township 47 North, Range 32 West of the 5th Principal Meridian in Lee's Summit, Jackson County, Missouri being bounded and described as follows: Commencing at the Southeast corner of said Southeast Quarter; thence North 02°53'56" East, along the East line of said Southeast Quarter, 1,328.34 feet; thence North 87°49'43" West, along the South line of the North Half of of said Southeast Quarter, said line also being the North line and it's Easterly extension of STERLING HILLS 1ST PLAT, a subdivision of land in said Lee's Summit, Jackson County, Missouri, 580.00 feet to the Point of Beginning of the tract of land to be herein described; thence continuing North 87°49'43" West along said line and the North line of STERLING HILLS 3RD PLAT, a subdivision of land in said Lee's Summit, Jackson County, Missouri , 2,048.70 feet to the Southwest corner of the North Half of said Southeast Quarter, said corner also being a point on the East line of STERLING HILLS 5TH PLAT, a subdivision of land in said Lee's Summit, Jackson County, Missouri; thence North 03°05'41" East, along the West line of said Southeast Quarter, said line also being the East line of said STERLING HILLS 5TH PLAT, 1,325.87 feet to the Northwest corner of said Southeast Quarter; thence North 03°26'14" East, along the West line of said Northeast Quarter, said line also being the East line of WINTERSET WOODS 3RD PLAT, a subdivision of land in said Lee's Summit, Jackson County, Missouri, 665.72 feet to the Northwest corner of the South Half of the South Half of said Northeast Quarter, said corner also being a point on the South line of THE FORESTS OF BROOKRIDGE ESTATES SECOND PLAT, a subdivision of land in said Lee's Summit, Jackson County, Missouri; thence South 87°37'42" East, along the South line of said THE FORESTS OF BROOKRIDGE ESTATES SECOND PLAT and the South line of THE FORESTS OF BROOKRIDGE ESTATES THIRD PLAT, a subdivision of land in said Lee's Summit, Jackson County, Missouri 1,210.45 feet to the Southeast corner of said THE FORESTS OF BROOKRIDGE ESTATES THIRD PLAT; thence North 03°27'53" East, along the East line of said THE FORESTS OF BROOKRIDGE ESTATES THIRD PLAT, 765.70 feet to the Southwest corner of Lot 1, VILLAGE CARE CENTER PLAT, a subdivision of land in said Lee's Summit, Jackson County, Missouri; thence South 87°23'49" East, along the South line of said Lot 1, 1,343.72 feet to a point on the West right-of-way line of NW Pryor Road, as now established, said point also being the Northeast corner of Lot 1, FOREST LAKE AT JOHN KNOX VILLAGE 1ST PLAT, a subdivision of land in said Lee's Summit, Jackson County, Missouri; thence South 03°27'53" West, along said West right-of-way line, 243.74 feet; thence South 87°23'49" East, continuing along said West right-of-way line, 20.00 feet; thence South 03°27'53" West, continuing along said West right-of-way line, 237.99 feet; thence North 86°32'07" West, 499.90 feet; thence South 03°27'53" West, 70.20 feet; thence North 86°32'07" West, 200.00 feet; thence South 03°27'53" West, 221.62 feet to a point on the North line of the South Half of the South Half of said Northeast Quarter; thence South 87°37'42" East, 200.04 feet to the Northwest corner of Lot 1, JOHN KNOX RETIREMENT VILLAGE 9TH/ PLAT, a

subdivision of land in said Lee's Summit, Jackson County, Missouri; thence South 03°27'53" West, along the West line of said Lot 1, 362.00 feet to the Southwest corner of said Lot 1, said corner also being a point on the North right-of-way line of O'Brien Road, as now established; thence continuing South 03°27'53" West, 38.00 feet to a point on the South right-of-way line of said O'Brien Road; thence South 04°27'07" West, 289.53 feet; thence North 85°32'53" West, 175.00 feet; thence South 04°27'07" West, 425.00 feet; thence South 85°32'53" East, 175.00 feet; thence South 04°27'07" West, 484.59 feet; thence South 02°53'56" West, 60.12 feet; thence continuing South 02°53'56" West along said line, 325.85 feet to the Point of Beginning. Containing 4,872,919 square feet or 112.13 acres, more or less.

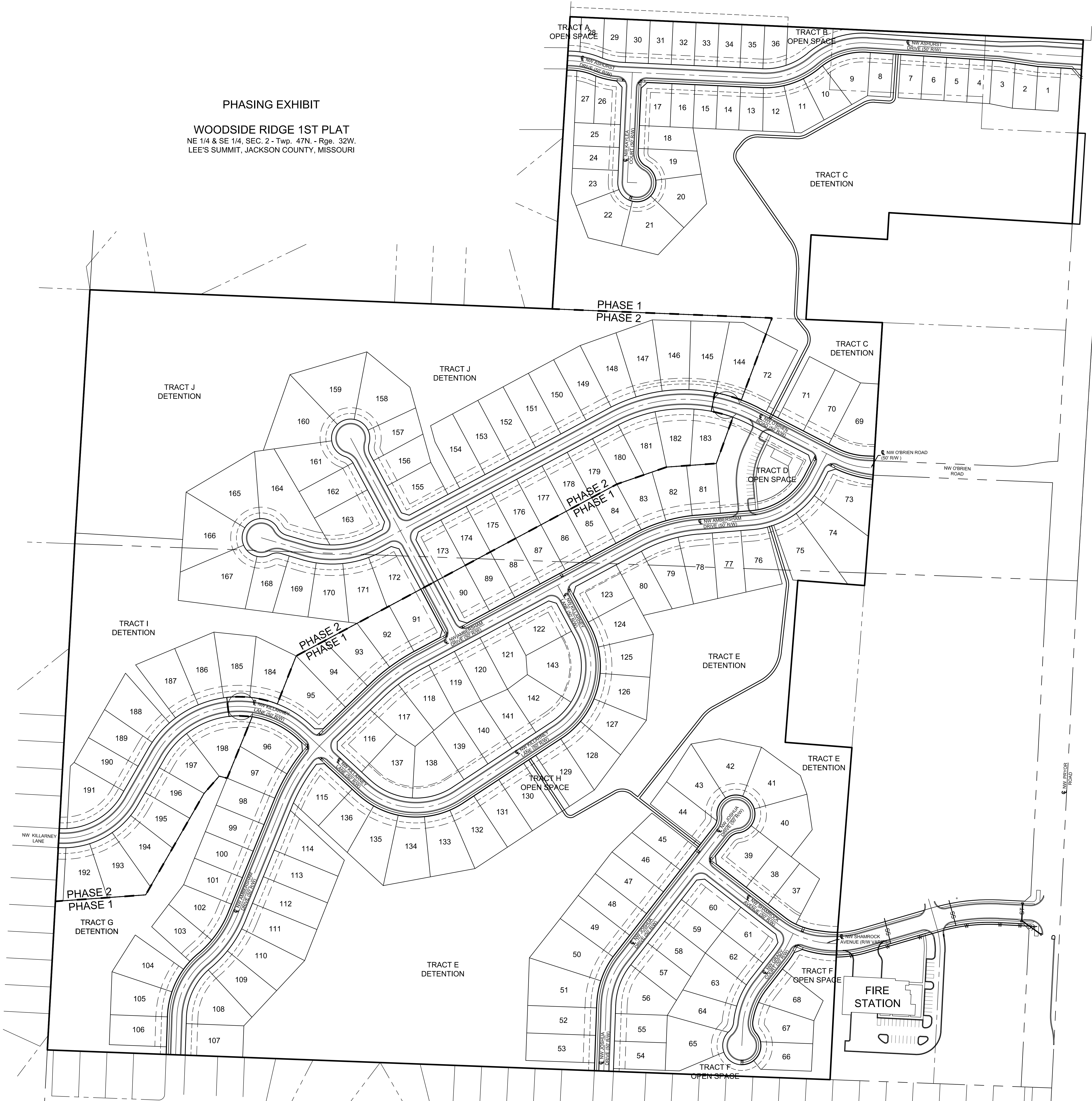
EXHIBIT B

PHASING MAP

[Attached]

PHASING EXHIBIT

WOODSIDE RIDGE 1ST PLAT
 NE 1/4 & SE 1/4, SEC. 2 - Twp. 47N. - Rge. 32W.
 LEE'S SUMMIT, JACKSON COUNTY, MISSOURI



DWG: F:\2018\1001-1500\018-1140-A\40-Design\Exhibits\19-02-01 Phasing Exhibit\Phasing Exhibit_A81140.dwg USER: chalmquist
 DATE: Feb 01, 2019 12:28pm

drawn by: CH
 designed by: JS
 checked by: JS
 QA/QC by: JS
 project no.: A18-1140
 date: 2019.02.01

olsson
 Olsson - Civil Engineering
 1301 Burlington Street
 North Kansas City, MO 64116
 TEL 816.381.1177
 FAX 816.381.1886
 www.olson.com

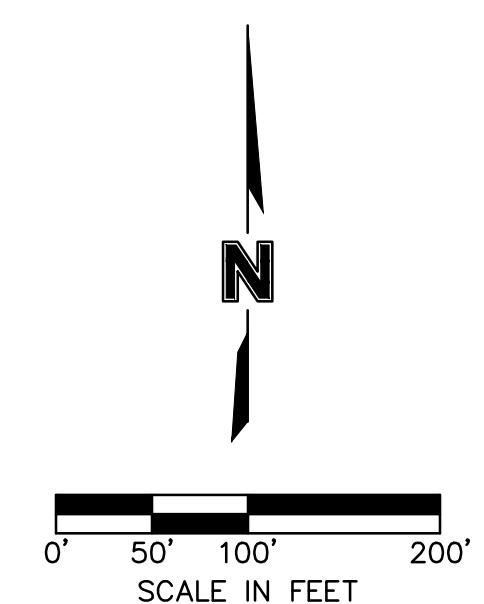


EXHIBIT C

LOCATION OF FIRE STATION SEWER IMPROVEMENT AND FENCE IMPROVEMENT

[Attached]

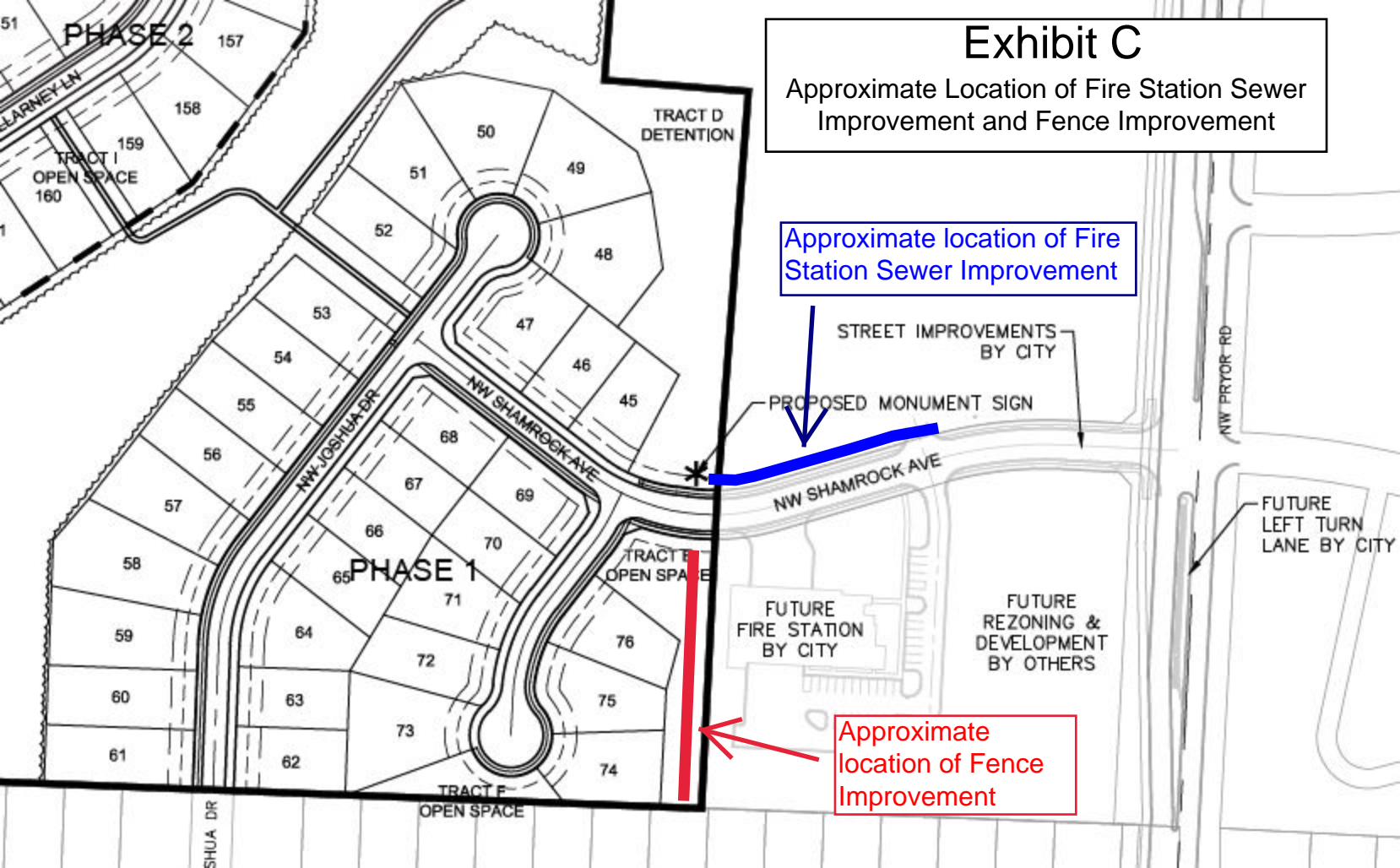


Exhibit C

Approximate Location of Fire Station Sewer Improvement and Fence Improvement

Approximate location of Fire Station Sewer Improvement

STREET IMPROVEMENTS BY CITY

PROPOSED MONUMENT SIGN

NW SHAMROCK AVE

PHASE 1

FUTURE FIRE STATION BY CITY

FUTURE REZONING & DEVELOPMENT BY OTHERS

Approximate location of Fence Improvement

FUTURE LEFT TURN LANE BY CITY

EXHIBIT D

ESTIMATED FIRE STATION SEWER IMPROVEMENT AND FENCE COSTS

[Attached]

EXHIBIT "D"



Opinion of Probable Cost

Woodside Ridge - Fire Station
Scope of Work

April 9, 2019

| <u>Description</u> | <u>Quantity</u> | <u>Unit</u> | <u>Unit Price</u> | <u>Extension</u> | |
|---|-----------------|-------------|-------------------|------------------|-----------------|
| Sanitary Sewer Extension For Fire Station (City of LS) | 1 | LS | \$20,460.00 | \$20,460 | |
| (See attached for details) | | | | | |
| Bonding and Permit Fee | 3.0% | | | \$614 | |
| Professional Services | 10% | | | \$2,046.00 | |
| Misc. Extras and Overruns | 10% | | | \$2,046.00 | |
| | | | | <u>\$25,166</u> | |
| Overhead | 5% | | | \$1,258.29 | |
| Profit | 15% | | | \$3,963.61 | |
| | | | Total | \$30,388 | \$30,388 |
| <u>Description</u> | <u>Quantity</u> | <u>Unit</u> | <u>Unit Price</u> | <u>Extension</u> | |
| Fire Station Privacy Fence for Landscaping Buffer | 300 | LFT | \$52.00 | \$15,600 | |
| Bonding and Permit Fee | 0.0% | | | \$0 | |
| Professional Services | 0% | | | \$0.00 | |
| Misc. Extras and Overruns | 5% | | | \$780.00 | |
| | | | | <u>\$16,380</u> | \$16,380 |
| Total Amount | | | | | \$46,768 |

EXHIBIT "D"



Woodside Ridge Cost Sharing
Project No.: A18-1140
April 8, 2019
For: Summit Homes

Opinion of Probable Cost Cost for Fire Station Sanitary Sewer Based on Final Plans

| ITEM OF WORK | QUANTITY | UNIT | UNIT COST | COST |
|--|----------|------|--------------------------------------|--------------------|
| SANITARY SEWERS-TO FIRE STATION | | | | |
| Mains | | | | |
| 8" PVC (SDR-26) | 324.00 | L.F. | \$40.00 | \$12,960.00 |
| Connection of Sanitary Laterals to Main | | | | |
| 4" Lateral to 8" Main | 2.00 | Ea. | \$1,500.00 | \$3,000.00 |
| Manholes | | | | |
| 4' dia. | 1.00 | Ea. | \$4,500.00 | \$4,500.00 |
| | | | Total | \$20,460.00 |
| | | | Extras (10%) and Permits (3%) | \$2,659.80 |

Estimate Information

| | |
|--------------------------------------|---|
| Dwg. name: (type drawing name) | Survey/GIS info: (Olsson topo, flown, etc.) |
| N Weather delays included | N Environmental reports available |
| N Geotechnical information available | N Site visit conducted |
| N Rock excavation included | N Private utility information available |
| Y Storm drainage study available | N Import/Export locations available |

Final construction costs may be impacted by input from local, state, and federal regulatory authorities. Estimate does not include state or federal regulatory permit fees or potential mitigation cost for stream and wetland impacts.

Construction costs are subject to unit cost increases due to inflation and market factors beyond control of or unknown to consultant at time of estimate.

We do not guarantee that our opinions will not differ materially from negotiated prices or bids. If assurances as to probable construction costs are desired, an independent estimator or contractor should be employed.

Packet Information

File #: BILL NO. 19-115, **Version:** 1

An Ordinance accepting final plat entitled "Summit Orchard, Lots 4A-4E", as a subdivision to the City of Lee's Summit, Missouri.

Proposed City Council Motion:

I move for a second reading of an Ordinance accepting final plat entitled "Summit Orchard, Lots 4A-4E", as a subdivision to the City of Lee's Summit, Missouri.

Josh Johnson, AICP, Assistant Director of Plan Services
Steve Rich, Applicant

Committee Recommendation: At the May 9, 2019, Planning Commission meeting, a motion was made by Board Member Funk, seconded by Board Member Sims, that the Consent Agenda be approved as presented, inclusive of Appl. #PL2019-124 - FINAL PLAT - Summit Orchard, Lots 4A-4E; Townsend Summit, LLC, applicant. The motion carried unanimously.

BILL NO.

AN ORDINANCE ACCEPTING FINAL PLAT ENTITLED "SUMMIT ORCHARD, LOTS 4A-4E", AS A SUBDIVISION TO THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application PL2019-124, submitted by Townsend Summit, LLC, requesting approval of the final plat entitled "Summit Orchard, Lots 4A-4E", was referred to the Planning Commission as required by Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit; and,

WHEREAS, the Planning Commission considered the final plat on May 9, 2019, and rendered a report to the City Council recommending that the plat be approved.

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

SECTION 1. That the final plat entitled "Summit Orchard, Lots 4A-4E" is a subdivision in Section 31, Township 48N, Range 31W and Section 36, Township 48N, Range 32W, in Lee's Summit, Missouri more particularly described as follows:

Lot 4 of Summit Orchard, 1st Plat, Lots 1-4 & Tract A.

SECTION 2. That the proprietor of the above described tract of land ("Proprietor") has caused the same to be subdivided in the manner shown on the accompanying plat, which subdivision shall hereafter be known as "Summit Orchard, Lots 4A-4E".

SECTION 3. That the roads and streets shown on this plat and not heretofore dedicated to public use as thoroughfares shall be dedicated as depicted on the plat. The City Council hereby authorizes the Director of Development Services, on behalf of the City of Lee's Summit, Missouri, to accept the land or easements dedicated to the City of Lee's Summit for public use and shown on the accompanying plat, upon the subdivider filing and recording a final plat in accordance with Article 7, Subdivisions, Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit; which plat shall conform to the accompanying plat, and hereby authorizes acceptance of the public improvements required by this ordinance and Article 7 of the UDO of the City, upon the Director of Public Works certifying to the Director of Development Services and the City Clerk that the public improvements have been constructed in accordance with City standards and specifications.

SECTION 4. That the approval granted by this ordinance is done under the authority of Section 89.410.2 of the Revised Statutes of Missouri and Section 7.340 of the UDO because all subdivision-related public improvements required by the UDO have not yet been completed. In lieu of the completion and installation of the subdivision-related public improvements prior to the approval of the plat, the Proprietor has, in accordance with Section 7.340 of the UDO, deposited a **Cash Escrow** to secure the actual construction and installation of said public improvements, and the City hereby accepts same. No building permit shall be issued until the required public improvements are available to each lot for which a building permit is requested in accordance with the Design and Construction Manual.

SECTION 5. That an easement shall be granted to the City of Lee's Summit, Missouri, to locate, construct and maintain or to authorize the location, construction, and maintenance of

BILL NO.

poles, wires, anchors, conduits, and/or structures for water, gas, sanitary sewer, storm sewer, surface drainage channel, electricity, telephone, cable TV, or any other necessary public utility or services, any or all of them, upon, over, or under those areas outlined or designated upon this plat as "Utility Easements" (U.E.) or within any street or thoroughfare dedicated to public use on this plat. Grantor, on behalf of himself, his heirs, his assigns and successors in interest, shall waive, to the fullest extent allowed by law, including, without limitation, Section 527.188, RSMo. (2006), any right to request restoration of rights previously transferred and vacation of any easement granted by this plat.

SECTION 6. That building lines or setback lines are hereby established as shown on the accompanying plat and no building or portion thereof shall be constructed between this line and the street right-of-way line.

SECTION 7. That individual lot owner(s) shall not change or obstruct the drainage flow lines on the lots.

SECTION 8. That the final plat substantially conforms to the approved preliminary plat and to all applicable requirements of the Code.

SECTION 9. That the City Council for the City of Lee's Summit, Missouri, does hereby approve and accept, as a subdivision to the City of Lee's Summit, Missouri, the final plat entitled "Summit Orchard, Lots 4A-4E", attached hereto and incorporated herein by reference.

SECTION 10. That this ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

PASSED by the City Council for the City of Lee's Summit, Missouri, this _____ day of _____, 2019.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED by the Mayor of said City this ____ day of _____, 2019.

BILL NO.

Mayor William A. Baird

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:

City Attorney Brian Head

The City of Lee's Summit
Action Letter - Draft
Planning Commission

Thursday, May 9, 2019
5:00 PM
City Council Chambers
City Hall
220 SE Green Street
Lee's Summit, MO 64063

Call to Order

Present: 6 - Board Member Jason Norbury
Board Member Don Gustafson
Board Member Donnie Funk
Board Member Jeff Sims
Board Member John Lovell
Board Member Mark Kitchens

Absent: 3 - Board Member Carla Dial
Board Member Dana Arth
Board Member Jake Loveless

Roll Call

Approval of Agenda

A motion was made by Board Member Funk, seconded by Board Member Gustafson, this agenda be approved. The motion carried unanimously.

Public Comments

There were no public comments at the meeting.

Approval of Consent Agenda

[TMP-1216](#) Appl. #PL2019-124 - FINAL PLAT - Summit Orchard, Lot 4A-4E; Townsend Summit, LLC, applicant

A motion was made by Board Member Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 5/21/2019. The motion carried unanimously.

[2019-2740](#) Minutes of the April 25, 2019, Planning Commission meeting

A motion was made by Board Member Funk, seconded by Board Member Sims, that the minutes be approved. The motion carried unanimously.

Public Hearings

[2018-2219](#) Continued Appl. #PL2018-101 - REZONING from PI to PMIX and PRELIMINARY DEVELOPMENT PLAN - Woodland Glen, approximately 24 acres located at the northeast corner of SW Ward Rd and SW Scherer Rd; John Duggan, applicant

Planning Commission

Action Letter - Draft

May 9, 2019

A motion was made by Board Member Funk, seconded by Board Member Gustafson, that this application be recommended for approval to the City Council - Regular Session, due back on 6/4/2019. The motion carried unanimously.

[2019-2753](#) Appl. #PL2019-097 - REZONING from AG to RLL - Sanko Acres, 5220 NE Maybrook Rd; Nathan Sanko, applicant

A motion was made by Board Member Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 6/4/2019. The motion carried unanimously.

[2019-2695](#) Appl. #PL2019-071 - Preliminary Development Plan - Paragon Star Village, approximately 36 acres generally located at the northeast corner of I-470 and NW View High Dr; Paragon Star, LLC, applicant

A motion was made by Board Member Funk, seconded by Board Member Sims, that this application be continued to the Planning Commission, due back on 5/23/2019. The motion carried unanimously.

[2019-2746](#) Appl. #PL2019-058 - Unified Development Ordinance (UDO) Amendment #4 - Article 6 Use Standards - Division III Special Use Permits - Subdivision 2 Specified Special Uses - amendment to the regulations for telecommunication towers/antennas; City of Lee's Summit, applicant

A motion was made by Board Member Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 6/4/2019. The motion carried unanimously.

2019-2744 Appl. #PL2019-134 - Unified Development Ordinance Amendment #5 - Article 5 Overlay Districts - Division VIII EnVision LS Area Development Plan (ADP) Design Standards; and Article 15 Rules of Interpretation and Definitions - Division II Definitions - establishment of an appeals process for prohibited uses and amendment to definitions; City of Lee's Summit, applicant

A motion was made by Board Member Funk, seconded by Board Member Sims, that this application be recommended for approval as amended to the City Council - Regular Session, due back on 6/4/2019. The motion carried unanimously.

[2019-2693](#) Appl. #PL2019-151 - Unified Development Ordinance (UDO) Amendment #6 - Article 8 Site Standards - Division I Design Standards - Subdivision 4 Other Required Design Standards - amendment to trash enclosure and ground-mounted mechanical screening material requirements; City of Lee's Summit, applicant

A motion was made by Board Member Funk, seconded by Board Member Sims, that this application be recommended for approval to the City Council - Regular Session, due back on 6/4/2019. The motion carried unanimously.

Other Agenda Items

There were no other agenda items at the meeting.

Roundtable

Director of Development Services, Ryan Elam, reminded the Planning Commissioners of the joint Planning Commission and City Council meeting Tuesday May 14, 2019 at 6:00 PM.

Adjournment

There being no further business, Chairperson Norbury adjourned the meeting @ 6:59 PM.

For your convenience, Planning Commission agendas, as well as videos of Planning Commission meetings, may be viewed on the City's Legislative Information Center website at "lsmo.legistar.com"

City of Lee's Summit

Development Services Department

May 3, 2019

TO: Planning Commission
PREPARED BY: Hector Soto, Jr., AICP, Planning Manager
CHECKED BY: Kent D. Monter, P.E., Development Engineering Manager
RE: **Appl. #PL2019-124 – FINAL PLAT – Summit Orchard, Lot 4A-4E;
Townsend Summit, LLC, applicant**

Commentary

This final plat is a replat of Summit Orchard, 1st Plat, Lot 4 for a future commercial phase of the Summit Orchard development. The proposed plat creates five (5) lots from the existing Lot 4 and establishes the necessary easements for an internal drive network and utilities. The proposed final plat is consistent with the layout depicted on the preliminary development plan.

Subdivision-Related Public Improvements

In accordance with UDO Section 7.340, prior to an ordinance being placed on a City Council agenda for the approval of a final plat, all subdivision-related public improvements shall be constructed and a Certificate of Final Acceptance shall be issued. In lieu of completion of the public improvements and the issuance of a certificate, financial security (an escrow secured with cash, an irrevocable letter of credit, or a surety bond) may be provided to the City to secure the completion of all public improvements.

A Certificate of Final Acceptance has not been issued for the subdivision-related public infrastructure, nor has any form of financial security been received to secure the completion of the public improvements. This application will be placed on hold following Planning Commission action until the infrastructure requirements are met.

Recommendation

Staff recommends **APPROVAL** of the final plat.

Zoning and Land Use Information

Location: NE corner of NW Chipman Rd and NW Ward Rd

Zoning: PMIX (Planned Mixed Use District)

Surrounding zoning and use:

North: PMIX – Summit Square apartments currently under construction

South (across NW Chipman Rd): R-1 – single-family residential

East: PMIX – Summit Square apartments

West: PMIX – Summit Technology campus

Project Information

Current Use: vacant ground

Proposed Use: future Summit Orchard commercial phase

Land Area: 2.6 acres (113,256 sq. ft.) – Lot 4A
6.1 acres (265,716 sq. ft.) – Lot 4B
4.3 acres (187,308 sq. ft.) – Lot 4C
0.9 acres (39,204 sq. ft.) – Lot 4D
2.1 acres (91, 478 sq. ft.) – Lot 4E
16.06 total acres (699,738 sq. ft.)

Number of Lots: 5

Process

Procedure: The Planning Commission makes a recommendation to the City Council on the final plat within thirty (30) days after the application is submitted to the Planning Commission. The City Council takes final action on the final plat in the form of an ordinance.

Duration of Validity: Final plat approval shall become null and void if the plat is not recorded within one (1) year from the date of City Council approval.

The Director may administratively grant a one (1) year extension, provided no changes have been made to any City ordinance, regulation or approved engineering plans that would require a change in the final plat.

The City Council may grant one additional one (1) year extension, provided that additional engineering plans may be required by the City Engineer to comply with current City ordinances and regulations.

Unified Development Ordinance

| Applicable Section(s) | Description |
|-----------------------|-----------------------------------|
| 4.240 | PMIX (Planned Mixed Use District) |
| 7.140, 7.150 | Final Plats |

Background

- May 20, 1999 – The City Council approved the rezoning from PI (then M-1) to PMIX (then PUD) and the preliminary development plan (Appl. #1999-014) for the 333-acre Summit Technology Campus by Ord. #4793. The plan included the site of the Summit Technology Campus, portions of Summit Fair, Summit Place, Summit Innovation Center, and the proposed Summit Orchards.
- August 24, 2006 – The City Council approved a rezoning (Appl. #2005-271) from CP-2 and PMIX to PMIX and a preliminary development plan (Appl. #2005-272) for the Summit Fair shopping center by Ord. #6262. The site encompasses 58.7 acres generally bounded by NW Chipman Road on the south, US-50 Hwy. on the west, and NW Blue Parkway on the east and north.
- December 12, 2006 – The Planning Commission approved the preliminary plat (Appl. #2006-230) for *Summit Fair, Lots 1-13 and Tracts A-F*.
- April 13, 2007 – A preliminary development plan (Appl. #2007-073) was submitted to the Planning & Development Department for the proposed 725,240 sq. ft. Summit Fair Phase II shopping center development. The proposed Summit Fair Phase II site encompassed approximately 90 acres generally bounded by I-470 on the north, Ward Road on the south, Blue Parkway on the west and the railroad right-of-way on the east. The application was

withdrawn by the applicant prior to the application being considered by the Planning Commission or the City Council.

- May 1, 2008 – The City Council approved the final plat (Appl. #2007-243) of *Summit Fair, 2nd Plat, Lots 8, 10-14 and Tract C* by Ord. #6622.
- January 30, 2009 – The minor plat (Appl. #2008-181) of *Fleck, Lucy and Lilly, Lots 1 & 2* was recorded with Jackson County. Lot 2 is an undeveloped 1-acre parcel that will be incorporated into the Summit Place development.
- July 10, 2014 – The City Council approved a rezoning from PI to PMIX and preliminary development plan (Appl. #PL2011-119) for the Summit Place development by Ord. #7496. The Summit Place development is located on the west 43 acres of the 90-acre site previously proposed for Summit Fair Phase II.
- June 4, 2015 – The City Council approved a preliminary development plan (Appl. #PL2015-034) for approximately 38 acres comprising the Summit Innovation Center development, located at the northeast corner of NW Ward Road and the future NW Tudor Road extension, by Ord. #7637.
- May 19, 2016 – The City Council approved a preliminary development plan (Appl. #PL2016-039) for the Summit Orchards mixed use development, approximately 46 acres in size, generally located at the northeast corner of NW Chipman Road and NW Ward Road, by Ord. #7885.
- August 18, 2016 – The City Council approved the final plat (Appl. #PL2016-120) of *Summit Orchard, 1st Plat, Lots 1-4 & Tract A* by Ordinance No. 7946.

Code and Ordinance Requirements to be met Following Approval

The items in the box below are specific to this subdivision and must be satisfactorily addressed in order to bring this plat into compliance with the Codes and Ordinances of the City.

Engineering

1. All required engineering plans and studies, including water lines, sanitary sewers, storm drainage, streets and erosion and sediment control shall be submitted along with the final plat and approved prior to the approval of the final plat. All public infrastructure must be substantially complete, prior to the issuance of any building permits.
2. A Master Drainage Plan (MDP) shall be submitted and approved in accordance with the City's Design and Construction Manual for all areas of the development, including all surrounding impacted areas, along with the engineering plans for the development. The MDP shall address drainage level of service issues on an individual lot basis.
3. All Engineering Plan Review and Inspection Fees shall be paid prior to approval of the associated engineering plans and prior to the issuance of any infrastructure permits or the start of construction (excluding land disturbance permit.)
4. All subdivision-related public improvements must have a Certificate of Final Acceptance prior to approval of the final plat, unless security is provided in a manner set forth in the City's Unified Development Ordinance (UDO) Section 7.340. If security is provided, building permits may be issued upon issuance of a Certificate of Substantial Completion of the public infrastructure as outlined in Section 1000 of the City's Design and Construction Manual.

5. The As-graded Master Drainage Plan shall be submitted to and accepted by the City prior to the issuance of a Certificate of Substantial Completion and prior to the issuance of any building permits for the development.
6. All permanent off-site easements, in a form acceptable to the City, shall be executed and recorded with the Jackson County Recorder of Deeds prior to the issuance of a Certificate of Substantial Completion or approval of the final plat. A certified copy shall be submitted to the City for verification.
7. Any cut and/or fill operations, which cause public infrastructure to exceed the maximum/minimum depths of cover shall be mitigated by relocating the infrastructure vertically and/or horizontally to meet the specifications contained within the City's Design and Construction Manual.
8. All ADA sidewalk ramps shall be constructed by the developer at the time the street is constructed.
9. All sidewalks adjacent to a common area tract, unplatted land or any land where no structure is intended to be built, and is required, shall be constructed by the developer at the time the street is constructed.

Planning

10. Revise the approval certification paragraph above the Mayor's signature line to reflect the updated plat title.
11. A final plat shall be approved and recorded prior to any building permits being issued.

Attachments:

1. Final Plat, date stamped April 26, 2019
2. Location Map

SUMMIT ORCHARD, LOTS 4A-4E

REPLAT OF LOT 4, SUMMIT ORCHARD-FIRST PLAT, LOTS 1-4 & TRACT "A",
A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY,
MISSOURI

DESCRIPTION:
THIS IS A REPLAT OF LOT 4, SUMMIT ORCHARD - FIRST PLAT, LOTS 1-4 & TRACT "A", A SUBDIVISION IN THE CITY OF LEE'S SUMMIT, JACKSON COUNTY, MISSOURI.

PLAT DEDICATION:
THE UNDERSIGNED OWNER(S) OF THE PROPERTY DESCRIBED HEREIN HAS/HAVE CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THIS PLAT AND THE PROPERTY SHALL HEREAFTER BE KNOWN AS "SUMMIT ORCHARD, LOTS 4A-4E"

EASEMENT DEDICATION:
AN EASEMENT OR LICENSE IS HEREBY GRANTED TO THE CITY OF LEE'S SUMMIT, MISSOURI TO LOCATE, CONSTRUCT, AND MAINTAIN, OR AUTHORIZE THE LOCATION, CONSTRUCTION, AND MAINTENANCE OF POLES, WIRES, ANCHORS, CONDUITS, AND/OR STRUCTURES FOR WATER, GAS, STORM SEWER, SURFACE DRAINAGE CHANNEL, ELECTRICITY, TELEPHONE, CABLE TELEVISION, OR ANY OTHER NECESSARY PUBLIC UTILITY OR SERVICES, ANY OR ALL OF THEM, UPON, OVER, OR UNDER THOSE AREAS OUTLINED OR DESIGNATED UPON THIS PLAT AS-UTILITY EASEMENT (U/E) OR WITHIN ANY STREETS OR THOROUGHFARE DEDICATED TO PUBLIC USE ON THIS PLAT, INCLUDING A SANITARY SEWER EASEMENT (SS/E). GRANTOR, ON BEHALF OF ITSELF AND ITS ASSIGNS AND SUCCESSORS IN INTEREST, HEREBY WAIVES, TO THE FULLEST EXTENT ALLOWED BY LAW, INCLUDING, WITHOUT LIMITATION, SECTION 527.188, RSMo (2006), ANY RIGHT TO REQUEST RESTORATION OF RIGHTS PREVIOUSLY TRANSFERRED AND VACATION OF THE EASEMENT HEREIN GRANTED.

STREETS/ROAD, RIGHT-OF-WAY DEDICATION:
STREETS, ROADS, AND THOROUGHFARES SHOWN ON THIS PLAT AND NOT HERETOFORE DEDICATED TO PUBLIC USE ARE SO HEREBY DEDICATED.

BUILDING/SETBACK LINES:
BUILDING OR SETBACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THE ACCOMPANYING PLAT AND NO BUILDING OR PORTION THEREOF SHALL BE CONSTRUCTED BETWEEN THIS LINE AND THE RIGHT-OF-WAY LINES.

DRAINAGE:
INDIVIDUAL LOT OWNER(S) SHALL NOT CHANGE OR OBSTRUCT THE DRAINAGE FLOW PATHS ON THE LOTS, UNLESS SPECIFIC APPLICATION IS MADE AND APPROVED BY THE CITY ENGINEER.

OIL/GAS WELLS:
ACCORDING TO AN ENVIRONMENTAL IMPACT STUDY OF ABANDONED OIL AND GAS WELLS IN LEE'S SUMMIT, MISSOURI IN 1995, BY EDWARD ALTON MAY, JR., PE, THERE ARE NO OIL AND GAS WELLS WITHIN THE PROPERTY SHOWN HEREON.

FLOOD INFORMATION:
ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP, 29095C0417G, DATED JANUARY 20, 2017, THIS PROPERTY LIES WITHIN ZONE "X", AREA OF MINIMAL FLOOD HAZARD.

ACCESS EASEMENT:
THE LOTS WITHIN THIS PLAT ARE SUBJECT TO CERTAIN ACCESS EASEMENTS CREATED BY, AND IN ACCORDANCE WITH THE TERMS OF, THAT CERTAIN RECIPROCAL EASEMENT AND OPERATING AGREEMENT THAT IS BEING RECORDED AGAINST THE LOTS WITHIN THIS PLAT ON OR ABOUT THE DATE HEREOF.

PUBLIC COMMON AREA EASEMENT:
PUBLIC COMMON AREA EASEMENTS SHALL BE DEFINED AND MAINTAINED IN ACCORDANCE WITH THE SEPARATE DOCUMENT TITLED "ACCESS EASEMENT AGREEMENT" WHICH SHALL BE RECORDED WITH THE RECORDER OF DEEDS BY THE DEVELOPER. THE DEVELOPER SHALL MAINTAIN THE PUBLIC COMMON AREA EASEMENTS IN ACCORDANCE WITH SAID SEPARATE DOCUMENT.

IN TESTIMONY WHEREOF:
THE UNDERSIGNED PROPRIETOR OF THE ABOVE TRACT OF LAND HAS CAUSED THESE PRESENTS TO BE SIGNED THIS _____ DAY OF _____, 2019

BY: _____
STEVEN W RICH, VICE PRESIDENT
TOWNSEND SUMMIT, LLC

STATE OF _____)
)S.S.
COUNTY OF _____)

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 2019, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED STEVEN W RICH, TO ME PERSONALLY KNOWN, AND WHO BEING BY ME DULY SWORN BY ME DID SAY THAT HE IS THE VICE PRESIDENT OF TOWNSEND SUMMIT, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND THAT SAID INSTRUMENT WAS SIGNED ON BEHALF OF SAID TOWNSEND SUMMIT, LLC, AND THAT SAID INSTRUMENT WAS SIGNED ON BEHALF OF SAID LLC AND AS THE FREE ACT AND DEED OF SAID LLC.

IN WITNESS WHEREOF:
I HAVE HERUNTO SET MY HAND AND AFFIXED MY SEAL THE DATE LAST ABOVE WRITTEN ABOVE

NOTARY PUBLIC MY COMMISSION EXPIRES _____

APPROVED:
PUBLIC WORKS / ENGINEERING

CITY OF LEE'S SUMMIT:
MAYOR AND CITY COUNCIL CERTIFICATION:
THIS IS TO CERTIFY THAT THE ACCOMPANYING PLAT OF "SUMMIT ORCHARD, LOTS 4A-4E", WAS SUBMITTED TO AND DULY APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI THIS _____ DAY OF _____, 20____, BY ORDINANCE NO. _____

WILLIAM A BAIRD, MAYOR DATE _____

TRISHA FOWLER ARCURI, CITY CLERK DATE _____

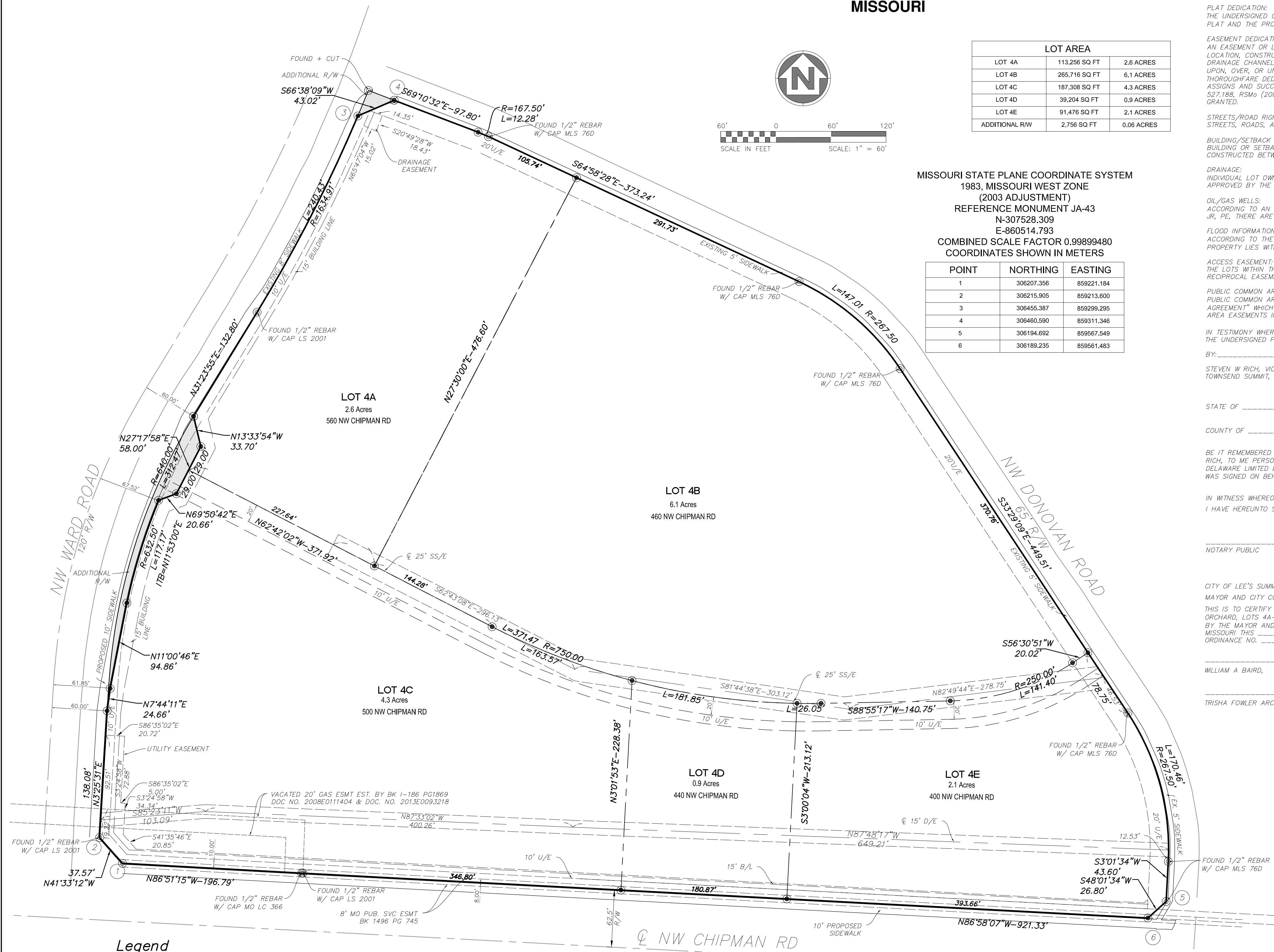
DANA ARTH, SECRETARY DATE _____

I HEREBY CERTIFY THAT THIS PLAT IS BASED ON AN ACTUAL SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT IT MEETS OR EXCEEDS THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS ESTABLISHED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS, AND LANDSCAPE ARCHITECTS, AND THE MISSOURI DEPARTMENT OF AGRICULTURE AND RESOURCE ASSESSMENT AND THAT THE RESULTS OF SAID SURVEY ARE SHOWN HEREON TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

| LOT AREA | | |
|----------------|---------------|------------|
| LOT 4A | 113,256 SQ FT | 2.6 ACRES |
| LOT 4B | 265,716 SQ FT | 6.1 ACRES |
| LOT 4C | 187,308 SQ FT | 4.3 ACRES |
| LOT 4D | 39,204 SQ FT | 0.9 ACRES |
| LOT 4E | 91,476 SQ FT | 2.1 ACRES |
| ADDITIONAL R/W | 2,756 SQ FT | 0.06 ACRES |

MISSOURI STATE PLANE COORDINATE SYSTEM
1983, MISSOURI WEST ZONE
(2003 ADJUSTMENT)
REFERENCE MONUMENT JA-43
N-307528.309
E-860514.793
COMBINED SCALE FACTOR 0.99899480
COORDINATES SHOWN IN METERS

| POINT | NORTHING | EASTING |
|-------|------------|------------|
| 1 | 306207.356 | 859221.184 |
| 2 | 306215.905 | 859213.600 |
| 3 | 306455.387 | 859299.295 |
| 4 | 306460.590 | 859311.346 |
| 5 | 306194.692 | 859567.549 |
| 6 | 306189.235 | 859561.483 |



- Legend**
- S — EXISTING SANITARY SEWER
 - SW — PROPOSED SIDEWALK
 - ⊙ = FOUND MONUMENT AS NOTED
 - ⊙ = SET 1/2" IRON BAR W/ PLASTIC CAP STAMPED AE LC-62
 - = ADDITIONAL RIGHT OF WAY
 - SS/E = SANITARY SEWER EASEMENT
 - U/E = UTILITY EASEMENT

FOR: TOWNSEND SUMMIT, LLC

ANDERSON ENGINEERING
EMPLOYEE OWNED

ENGINEERS • SURVEYORS • LABORATORIES • DRILLING
941 W 141ST TERR. STE A • KANSAS CITY, MO 64145 • PHONE (816) 777-0400
A LICENSED MISSOURI ENGINEERING & SURVEYING CORPORATION - LC 62

| SECTION | TOWNSHIP | RANGE | COUNTY | STATE | DATE | JOB NO. |
|---------|----------|-------|---------|----------|----------|-----------|
| 37 | 48N | 31W | JACKSON | MISSOURI | 03/15/19 | 19C010001 |
| 36 | 48N | 32W | JACKSON | MISSOURI | 03/15/19 | 19C010001 |

DRAWING NO. 19C010001 DRAWN BY: CM CHECKED BY: SC

SCOTT G CHRISMAN MO PLS 2594

PL2019-124 FINAL PLAT Summit Orchard, Lots 4A-4E





5/3/19
John V. Huss
Mo PE E20579

Summit Orchard Lot 4 Infrastructure Improvements
2-May-19

Opinion of Probable Cost

| Sanitary Sewer | | | | | |
|----------------|--------------------------------|-------|----------|-------------|--------------|
| Item No. | Description | Units | Quantity | Unit Price | Cost |
| 1 | Mobilization (7%) | LS | 1 | \$ 5,498.78 | \$ 5,498.78 |
| 2 | 8" PVC Sewer | LF | 843 | \$ 48.00 | \$ 40,464.00 |
| 3 | 6" PVC Sewer Service | LF | 338 | \$ 55.00 | \$ 18,590.00 |
| 4 | Sanitary Manhole | EA | 3 | \$ 4,500.00 | \$ 13,500.00 |
| 5 | Service Tee | EA | 9 | \$ 500.00 | \$ 4,500.00 |
| 6 | Connection to Existing Manhole | EA | 1 | \$ 1,500.00 | \$ 1,500.00 |

Total Estimated Cost - Sanitary Sewer \$ 84,052.78

| Water Main | | | | | |
|------------|---------------------------------|-------|----------|-------------|--------------|
| Item No. | Description | Units | Quantity | Unit Price | Cost |
| 1 | Mobilization (7%) | LS | 1 | \$ 5,091.24 | \$ 5,091.24 |
| 2 | 8" PVC C900 Water Main | LF | 1,348 | \$ 34.00 | \$ 45,832.00 |
| 3 | Fire Hydrant Assembly | EA | 2 | \$ 3,500.00 | \$ 7,000.00 |
| 4 | 8" Gate Valve & Box | EA | 2 | \$ 1,250.00 | \$ 2,500.00 |
| 5 | Directional Drill 8" Water Main | LF | 100 | \$ 150.00 | \$ 15,000.00 |
| 6 | Connect to Existing Main | EA | 2 | \$ 1,200.00 | \$ 2,400.00 |

Total Estimated Cost - Water Main \$ 77,823.24

| Paving - Chipman and Ward Decel Lanes, Ward Left Turn Pocket, Chipman and Replace Walks | | | | | |
|---|---|-------|----------|--------------|--------------|
| Item No. | Description | Units | Quantity | Unit Price | Cost |
| 1 | Mobilization (7%) | LS | 1 | \$ 15,210.09 | \$ 15,210.09 |
| 2 | Remove Existing Curb and Gutter | LF | 826 | \$ 5.00 | \$ 4,130.00 |
| 3 | Remove Inlet / Fill existing Pipe | ea | 1 | \$ 1,500.00 | \$ 1,500.00 |
| 4 | Remove Sidewalk | SY | 383 | \$ 4.00 | \$ 1,532.00 |
| 5 | Revise Inlet to J. Box | ea | 1 | \$ 2,000.00 | \$ 2,000.00 |
| 6 | Curb Inlet | ea | 2 | \$ 5,000.00 | \$ 10,000.00 |
| 7 | 15" RCP | EA | 235 | \$ 52.00 | \$ 12,220.00 |
| 8 | 8" PC Conc Pav't w / integral curb / base | SY | 1,141 | \$ 65.00 | \$ 74,165.00 |
| 9 | 8" Colored Stamped Concrete Median | SY | 25 | \$ 75.00 | \$ 1,875.00 |
| 10 | 6" PC Concrete Trail with base | SF | 11,970 | \$ 6.00 | \$ 71,820.00 |
| 11 | 8" Valley Gutter | SY | 493 | \$ 65.00 | \$ 32,045.00 |
| 12 | ADA Ramps | EA | 4 | \$ 1,500.00 | \$ 6,000.00 |

Total Estimated Cost - Sanitary Sewer \$ 232,497.09

Total Public Work \$ 394,373.11

THE BEST PLACE TO WORK WITH AND THE BEST PLACE TO WORK FOR