

BILL NO. 23-049

AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN BLACKWELL 55, LLC, RESERVE AT BLACKWELL, LLC, RESIDENCES AT BLACKWELL, LLC, ONE TWENTY, LLC, AND THE CITY OF LEE'S SUMMIT, MISSOURI, FOR THE BLACKWELL MIXED-USE DEVELOPMENT.

WHEREAS, on November 9, 2021, the City Council concluded a public hearing for Application #PL2021-282 for a rezoning from AG to RP-1, RP-4 and CP-2 and a Preliminary Development Plan on land located at 2840 SE Blue Pkwy for the proposed Streets of Blue Parkway Mixed-Density Residential development, on approximately 62.40 acres, which will be developed as the Blackwell Mixed-Use Development which is expected to consist of 77 single family homes, 122 townhomes units, 268 multi-family units, and 1 commercial lot, along with related infrastructure (the "Project"); and,

WHEREAS, on November 16, 2021, the City Council approved Ordinance No. 9292 which approved the rezoning and preliminary development plan for the Project, and said Ordinance in Section 2.13 required that the developer shall execute a mutually satisfactory development agreement with the City, which addresses, at a minimum, the traffic-related improvements included in the Transportation Impact Analysis (TIA) and the off-site sanitary sewer improvements; and,

WHEREAS, the City Council desires to approve a development agreement to provide for the construction of traffic improvements described in the Traffic Impact Analysis as referenced in Ordinance No. 9292 and the sewer improvements to serve 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 for the Blackwell Mixed-Use Development, 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 All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.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.

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PASSED by the City Council of the City of Lee's Summit, Missouri, this _____day of _____, 2023.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this _____ day of _____, 2023.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*

EXHIBIT A

DEVELOPMENT AGREEMENT

[*ATTACHED*]