



The City of Lee's Summit

Final Agenda

Community and Economic Development Committee

Wednesday, June 13, 2018

4:00 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Public Comments
5. **Business**

- A. [2018-2113](#) Approval of March 21, 2018 Action Letter
- B. [2018-2107](#) Review of Velocity Lee's Summit programs, services, and funding and AN ORDINANCE APPROVING A PUBLIC SERVICE AGREEMENT BY AND BETWEEN VELOCITY LEE'S SUMMIT, INC. AND THE CITY OF LEE'S SUMMIT, MISSOURI FOR SERVICES TO BE PROVIDED TO THE CITY AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY.

Presenter: Jon Cundiff | President | Velocity Lee's Summit

- C. [2018-1985](#) Application #PL2018-088 UNIFIED DEVELOPMENT ORDINANCE (UDO) Amendment #67, Article 5 Zoning Districts, Article 8 Accessory Uses, Article 9 Uses with Conditions, and Article 10 Special Use Permits to Allow Massage Therapist In-Home as a Conditional Use for a Home Occupation; City of Lee's Summit Applicant

Presenter: Robert McKay, AICP, Director of Planning and Special Projects

- D. [2018-2037](#) Application PL#2018-089 UNIFIED DEVELOPMENT ORDINANCE (UDO) Amendment #68 Article 5 Zoning Districts and Article 9 Uses Permitted with Conditions to allow Indoor Climate Controlled Self Storage Facilities as a "C" Conditional Use in CP-2, Planned Community Commercial, CS, Commercial Service, and AZ, Airport Zoning districts and Municipal Fire Stations as a "C" Conditional Use in all zoning districts; City of Lee's Summit Applicant

Presenter: Robert McKay, AICP, Director of Planning and Special Projects

- E. [TMP-0928](#) UNIFIED DEVELOPMENT ORDINANCE (UDO) Amendment #69 Sidewalk Payment in Lieu of Construction.

Presenter: Presenter: Josh Johnson

- F. [2018-2108](#) Presentation and overview of Targeted Planning Areas of the Economic Development Incentive Policy.

Presenter: Mark Dunning, Assistant City Manager

6. Roundtable

7. Adjournment

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 #: 2018-2113, **Version:** 1

Approval of March 21, 2018 Action Letter



The City of Lee's Summit
Action Letter
Community and Economic Development Committee

Wednesday, March 21, 2018

4:30 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

CALL TO ORDER

ROLL CALL

Present: 5 - Vice Chair Diane Forte
Vice Chair Diane Seif
Councilmember Trish Carlyle
Councilmember Fred DeMoro
Liaison Donnie Funk

Absent: 1 - Councilmember Craig Faith

APPROVAL OF AGENDA

A motion was made by Councilmember Carlyle, seconded by Vice Chair Seif, to approve the agenda as published. The motion carried unanimously.

APPROVAL OF ACTION LETTER

[2018-1909](#) Approval of the February 21, 2018 Community and Economic Development Committee action letter.

ACTION: A motion was made by Councilmember Carlyle, seconded by Vice Chair Seif, to approve the action letter from the February 21, 2018 CEDC meeting. The motion carried by a unanimous vote.

PUBLIC COMMENTS

BUSINESS

[2018-1960](#) Lee's Summit 2018-19 Community Development Block Grant Action Plan

ACTION: A motion was made by Councilmember Carlyle, seconded by Councilmember DeMoro, to recommend CDBG funding in the amount of \$354,769 as presented, and if the final amount granted changes then the allocation shall be adjusted based on a sliding scale proportionate to the difference in funding. The motion carried by a unanimous vote.

ROUNDTABLE

ADJOURNMENT

For your convenience, City Council agendas, as well as videos of City Council and Council Committee meetings, may be viewed on the City's Internet site at "www.cityofls.net".

Packet Information

File #: 2018-2107, **Version:** 1

Review of Velocity Lee's Summit programs, services, and funding and AN ORDINANCE APPROVING A PUBLIC SERVICE AGREEMENT BY AND BETWEEN VELOCITY LEE'S SUMMIT, INC. AND THE CITY OF LEE'S SUMMIT, MISSOURI FOR SERVICES TO BE PROVIDED TO THE CITY AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY.

Issue/Request:

Review of Velocity Lee's Summit programs, services, and funding

Key Issues:

Velocity Lee's Summit is an independent 501c3 non profit organization who serves Lee's Summit entrepreneurs. Previously, the Lee's Summit City Council commissioned the Market Center of Ideas Task Force with the goal of seeking robust programming and support for Lee's Summit entrepreneurs with the purpose of growing and creating local jobs. In 2015, The Lee's Summit City Council and the Market Center of Ideas entered into a public service agreement (PSA) and funded the Task Force with \$30,000. Since that time, and following a brand change renaming the group as Velocity Lee's Summit, the Board of Directors continues to serve growth oriented entrepreneurs and early stage businesses.

Velocity is seeking to renew the PSA for a three year period with a total funding amount of \$210,000. Attached is a draft PSA and ordinance for review.

Proposed City Council Motion:

I move to recommend to City Council approval of AN ORDINANCE APPROVING A PUBLIC SERVICE AGREEMENT BY AND BETWEEN VELOCITY LEE'S SUMMIT, INC. AND THE CITY OF LEE'S SUMMIT, MISSOURI FOR SERVICES TO BE PROVIDED TO THE CITY AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY.

Jon Cundiff | President | Velocity Lee's Summit



Your Connection To The Lee's Summit Entrepreneurial Ecosystem.

Get involved

[VIEW EVENTS](#)[JOIN NEWSLETTER](#)

Defining the problem ?

- The **LS** job market is **changing**
- The **LS** entrepreneur is **underserved**
- **Start ups** are lured away
- **Entrepreneurs** don't believe the **government is providing support**
- **Entrepreneurs** want the government to promote a **business-friendly environment**

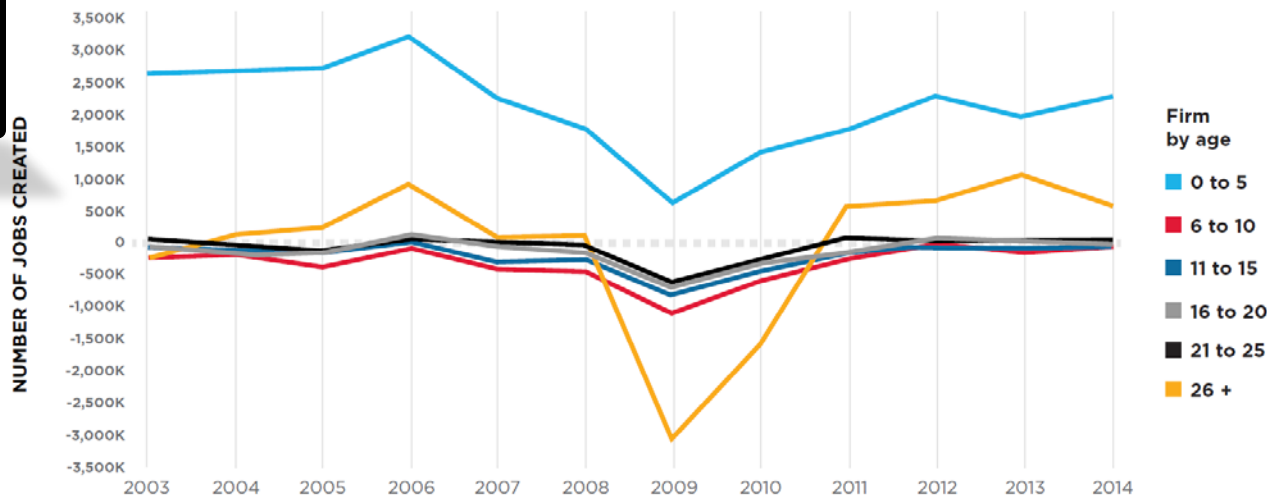
Job Growth

Economic growth is about new jobs...

“New and young firms are the primary source of job creation in the U.S. economy...”

(KC SourceLink, *We Create Jobs*, 2018)

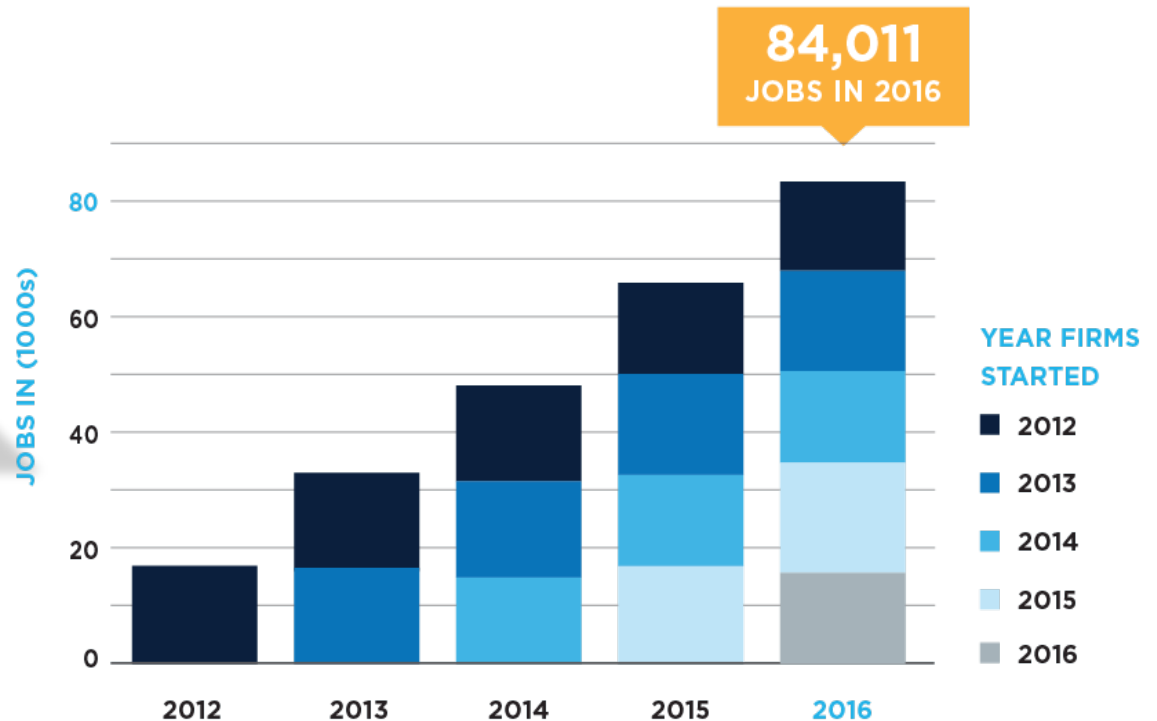
NATIONAL NET JOB CREATION BY NEW BUSINESSES



Source: U.S. Census Bureau Business Dynamic Statistics and the Ewing Marion Kauffman Foundation in 2017 State of Entrepreneurship Report.

KC new jobs growth

84,011 jobs created between '12 –'16 by first-time employers equaled 65% of all new jobs in KC metro¹



¹ KCSOURCELINK (2018). We Create Jobs report

Startup activity

KC Metro entrepreneur development

- Kansas City has been rising in nationwide entrepreneurial development and startup activity ranking.
- How and when will Lee's Summit participate?

Metro Rankings—Startup Activity Index ³

Rank 2017	Index	2017 Metro Area	Rank 2016	Change in Rank
2	3.95	Austin-Round Rock-San Marcos	1	-1
10	1.59	Denver-Aurora-Broomfield	8	-2
11	1.55	Dallas-Fort Worth-Arlington	12	1
15	0.56	Kansas City	19	4
26	-1.24	St. Louis	36	10

³ Kauffman Foundation (May 2017). The Kauffmann Index Startup Activity

Kansas City and St. Louis	Discovery	Idea	Startup	Growth	Total
Community-Led	2,000	13,432	28,243	18,092	61,766
Economic Development-Led	40	83	888	4,482	5,493
University-Led	256	1,386	3,411	1,962	7,014
Total	2,295	14,901	32,542	24,536	74,273
	3%	20%	44%	33%	100%

**Where job
growth
happens**

74,273 *Entrepreneur Development
activities in Kansas City and St Louis ²*

83% *participation occurred through
community-led activities ²*

²Harrington, Ken (2017). Entrepreneurial Ecosystem Momentum and Maturity

Entrepreneur Eco-system

- **Community-led organizations :**
 - Focus on the individual
 - Are **not** part of an economic development entity or university

- **Activities include:**
 - education programs
 - speaker/panelist events
 - mentoring services
 - grant funding competitions
 - networking and social events

Economic Development

Creates strong regional or local economies

Connects the public and private sectors

Influences public policy, offering tax incentives

Attracts established companies

Communicates the image of the region



LEE'S SUMMIT C H A M B E R

Small business connections, government relations and leadership development



LEE'S SUMMIT ECONOMIC DEVELOPMENT COUNCIL

Attracting and retaining larger business and redevelopment projects



DOWNTOWN LEE'S SUMMIT MAIN STREET

Merchants, retailers & events in our downtown business district



LEE'S SUMMIT V E L O C I T Y

Provides support and resources to startups and entrepreneurs

**Lee's Summit
Collaborative
Partners
Fueling the
Economy**

**We're on the
same page...**

CEDC's and City of Lee's Summit's Economic Development Vision Statement:

“Lee's Summit will build upon and promote its unique downtown, educational excellence and cultural heritage to ***create and nurture a business environment which fosters entrepreneurship***, commercial and neighborhood redevelopment, and the attraction and retention of high quality jobs in targeted businesses. In doing so, the **tax base will grow ensuring the City's continued ability to deliver an outstanding quality of life and services to both businesses and residents.**³

³ City of Lee's Summit website, Community and Economic Development Committee

**We're on the
same page...**

Velocity Lee's Summit purpose:

Nonprofit corporation ***established by Mayor*** and through a Task Force to provide high quality mentoring and leadership services, administrative support, and low cost facilities ***to growth oriented companies to result in positive business activity and job creation and revenue in Lee's Summit.***

Velocity's Strategic Plan



Velocity's 2017 Events



- (6) Speaker & panel events
- (5) Networking events
- (29) Startup company pitches
- (1) Pitch crawl
- (3) GEW events
- (16) Expert topic speakers
- (1) Professional advisor workshop

**Over 600
attendees to
2017 Velocity
events**



Upcoming Velocity Events

- (6) Speaker & panel events
- (5) Networking events
- (29) Startup company pitches
- (2) Pitch crawls – July & Dec
- (3) GEW events
- (16) Expert topic speakers
- (1) Professional advisor workshop

**Over 1000
attendees to
2018 Velocity
events**

3 year budget

	2018		2019		2020	
Revenue	\$	%	\$	%	\$	%
PSA Partnership with City of Lee's Summit	\$75,000	61.98%	\$70,000	51.51%	\$65,000	38.71%
Grants	\$25,000	20.66%	\$35,000	25.75%	\$65,000	38.71%
Private Funding/Contributions	\$15,000	12.40%	\$24,000	17.66%	\$30,000	17.86%
Event Sponsorships	\$6,000	4.96%	\$6,900	5.08%	\$7,935	4.73%
Total Revenue	\$121,000		\$135,900		\$167,935	
Expense	\$	%	\$	%	\$	%
Events and seminars	\$5,000	4.13%	\$5,000	3.68%	\$5,000	2.98%
Accounting, professional service, insurance	\$4,500	3.72%	\$4,500	3.31%	\$5,000	2.98%
Facility	\$5,800	4.79%	\$5,800	4.27%	\$5,800	3.45%
Mentorship	\$10,000	8.26%	\$10,000	7.36%	\$10,000	5.95%
Marketing, social media, and public relations	\$6,000	4.96%	\$6,000	4.42%	\$7,000	4.17%
Website development and management	\$4,200	3.47%	\$4,200	3.09%	\$5,000	2.98%
Program and speakers	\$5,000	4.13%	\$6,000	4.42%	\$7,200	4.29%
Sponsorships	\$3,600	2.98%	\$3,600	2.65%	\$3,600	2.14%
Supplies	\$1,250	1.03%	\$1,250	0.92%	\$1,250	0.74%
Community and regional partnerships	\$35,000	28.93%	\$35,000	25.75%	\$42,000	25.01%
Startup business development and support	\$35,000	28.93%	\$35,000	25.75%	\$42,000	25.01%
Staff	\$0	0.00%	\$18,000	13.25%	\$30,000	17.86%
	\$0	0.00%	\$0	0.00%	\$0	0.00%
Total Expense	\$115,350	95.33%	\$134,350	98.86%	\$163,850	97.57%
Net Income	\$5,650	4.67%	\$1,550	1.14%	\$4,085	2.43%

Tracking success

Economic impacts and measures of success

Job Growth

- Gross numbers including average wage track
- Internship placement

Velocity funding

- Private - sponsorship and contributions
- Public grants

Business growth

- Startup companies founded through Velocity's resources and due to grant funding

Collaboration, collision and connection

- Event attendance
- Pitch competitions
- Social media followers
- Direct inquiries
- Community partners
- Institutions of education

Programs

- Mentorship
- Peer-to-peer
- Professional advisor partnership

Takeaways...

- **Startups = 65% of net new job growth**
- **More jobs = higher tax base**
- **Tax base growth accelerates with a multiplier effect when LS residents root business, employ, earn, and spend locally...Velocity of money in our City**
- **Velocity is Lee's Summit's sole entrepreneur development and resource entity**
- **Velocity is community partner status worthy**

PUBLIC SERVICE AGREEMENT BY AND BETWEEN
VELOCITY LEE'S SUMMIT, INC. AND THE CITY OF LEE'S SUMMIT, MISSOURI

This Agreement, made and entered into this ____ day of June, 2018, is by and between the Velocity Lee's Summit, Inc., a Missouri not for profit corporation (hereinafter "Velocity,") and the City of Lee's Summit, Missouri, a Missouri constitutional charter city (hereinafter "City.")

WITNESSETH:

WHEREAS, Velocity is a nonprofit corporation which was organized to provide high quality mentoring and leadership services, administrative support, and low cost facilities to growth oriented companies that will result in positive business activity and job creation in Lee's Summit, Missouri; and,

WHEREAS, City, through its Mayor and City Council, adopted an Economic Development Vision Statement that "Lee's Summit will build upon and promote its unique downtown, education excellence, and cultural heritage to create and nurture a business environment which fosters entrepreneurship, commercial and neighborhood redevelopment, and the attraction and retention of high quality jobs in targeted businesses. In doing so, the tax base will grow ensuring the City's continued ability to deliver an outstanding quality of life and services to both businesses and residents;" and,

WHEREAS, City has determined that Velocity's purpose is in direct furtherance of the City's Economic Development Vision Statement regarding entrepreneurs and growth in business and industry and provides a service to City; and,

WHEREAS, as a recently formed not for profit entity, Velocity is in need of funds for administrative expenses, including insurance, business development and communications, website support and oversight, educational programming, grant funding, partnerships, events, and other miscellaneous general operating expenses, in order to successfully achieve its objectives; and,

WHEREAS, City has determined that it is in the best interest of the City, and important to the promotion of the attraction and retention of entrepreneurs and the new and growing businesses and industries of Lee's Summit, Missouri to allocate funds to Velocity as compensation for the performance of Services pursuant to this Agreement.

NOW, THEREFORE, in consideration of the mutual undertakings and mutual benefits from the services set forth herein, Velocity and City agree as follows:

I. SCOPE OF SERVICES

Velocity will organize its efforts and work to fulfill its purpose of providing high quality mentoring and leadership services, administrative support, and low cost facilities to growth oriented companies that will result in positive business activity and job creation in Lee's Summit, Missouri through various events, meetings, and other initiatives to be determined by the Board of Directors.

II. TERM AND TIME OF PERFORMANCE

The term of this Agreement shall be for one year beginning July 1, 2018 and ending until June 30, 2019. This Agreement shall automatically renew for not more than two additional one year terms subject to the terms of this Agreement unless otherwise modified in writing prior to the expiration of any term. This Agreement may be terminated upon the giving of either party of thirty days' notice prior to the expiration of any term.

III. COMPENSATION AND METHOD OF PAYMENT

City hereby agrees to compensate Velocity for the services as outlined in Section I, above, in a lump sum amount of SEVENTY-FIVE THOUSAND AND 00/100 DOLLARS (\$75,000.00) on July 1, 2018; and if renewed, SEVENTY THOUSAND AND 00/100 DOLLARS (\$70,000) on July 1, 2019; and SIXTY-FIVE THOUSAND AND 00/100 DOLLARS (\$65,000) on July 1, 2020 upon execution of this Agreement. Said amount includes reimbursement for all expenses incurred by Velocity in providing the Services outlined herein. All compensation for Services are subject to annual appropriation by City.

IV. AUDIT, INSPECTION OF RECORDS, AND PERFORMANCE REVIEW

Velocity shall permit an authorized representative of the City to inspect and audit all data and records of Velocity related to its performance under this Agreement.

Velocity shall submit an accounting of all funds spent by Velocity for the fiscal year ending June 30, 2019 on or before September 30, 2019.

V. SUBCONTRACTS

Velocity and City hereby agree that this Agreement shall not be assigned, transferred, conveyed or otherwise disposed of without the prior consent of the other party to the Agreement.

VI. NON-DISCRIMINATION PROVISIONS

Velocity will not discriminate against any employee or applicant for employment because of race, color, creed, religion, ancestry, national origin, sex, sexual orientation, disability or other handicap, or age.

VII. COMPLIANCE WITH THE LAW

All parties shall comply with all applicable federal, state and local laws, ordinances, codes and regulations.

VIII. CONFLICT OF INTEREST/POLITICAL ACTIVITY

The elected officials, public officials, employees, and agents of City shall comply with all applicable laws and regulations relating to conflicts of interest with regard to the work and compensation covered by this Agreement.

Velocity shall not use the compensation paid through this Agreement for political activities or legislative activities. For purposes of this Agreement, the terms "political activities" and "legislative activities" shall have the meanings ascribed to them by the Internal Revenue Service.

IX. INDEPENDENT CONTRACTOR

Velocity is not authorized or empowered to make any commitments or incur any obligation on behalf of City, but merely to provide the Services provided for herein as an independent contractor.

X. INDEMNIFICATION

Velocity shall indemnify, release, defend, become responsible for and forever hold harmless City, its officers, agents, employees, elected officials, and attorneys, each in their individual and official capacities, from and against any and all lawsuits, suits, actions, costs, claims, demands, damages, disability, losses, expenses, including reasonable attorneys' 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, omission, or intentional act of Velocity or its agents, employees, or subcontractors, arising out of or in any way connected with the subject matter of this Agreement and the work and operations expressly authorized herein; provided, however, that Velocity need not save harmless City from claims, demands, losses, and expenses arising out of the sole negligence of the City, its employees, or its agents. In addition, the City shall not be liable or responsible in any manner to any subcontractor with whom Velocity has contracted for additional services under the terms of this Agreement.

XI. CANCELLATION, TERMINATION, OR SUSPENSION

- A. This Agreement may be terminated at any time by the written, mutual agreement of the parties. City may terminate this Agreement immediately if funds are not appropriated for the Services described herein. City shall have the right to terminate this Agreement in the event that Velocity is in default or violation of the terms or provisions of this Agreement and fails to cure each default or violation in the manner specified in subsection "B" below.
- B. In the event of such default or violation by Velocity, City shall send to Velocity by certified mail a Notice Demand to Cure Default, explaining the specific nature and extent of the default or violation. Velocity shall cure or remedy the violation or default within twenty (20) working days after receipt of said Notice, unless a longer time is agreed to by both parties in writing. In the event that the violation or default is not cured or remedied within twenty (20) working days or the agreed upon longer time, City may exercise its option to terminate this Agreement upon five (5) days written notice.

thereafter. Termination as aforesaid shall not relieve Velocity of any liability to City for damages sustained by City by virtue of any breach of this Agreement.

XII. NOTICE

Any notice required by this Agreement is deemed to be given if it is mailed by United States certified mail, postage prepaid, and is addressed as hereinafter specified:

Notice to City shall be addressed to:

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

Notice to Velocity shall be addressed to:

President
Velocity Lee's Summit, Inc.

XIII. AMENDMENTS

In order to provide necessary flexibility for the most effective execution of this Agreement, whenever both City and Velocity mutually agree, changes to this Agreement may be effected by placing them in written form and incorporating them into this Agreement as an amendment.

XIV. SEVERABILITY

It is mutually agreed that in case any provision of this Agreement is determined by a court of law to be unconstitutional, illegal, or unenforceable, it is the intention of the parties that all the other provisions of this Agreement shall remain in full force and effect.

XV. ENTIRE AGREEMENT

This Agreement constitutes the entire agreement between the parties with respect to its subject matter and any prior agreements, understandings, or other matters, whether oral or written, are hereby merged into and made a part hereof, and are not of further force or effect.

[REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date and year first above written.

CITY OF LEE'S SUMMIT, MISSOURI
Missouri Constitutional Charter City

Velocity Lee's Summit, INC.
Missouri Not for Profit Corporation

Stephen A. Arbo, City Manager

Jon Cundiff, President

ATTEST:

ATTEST:

Trisha Fowler Arcuri, City Clerk

Rick Viar, Secretary

APPROVED AS TO FORM:

Nancy Yendes
Chief Counsel of Infrastructure and Planning

BILL NO. 18-

AN ORDINANCE APPROVING A PUBLIC SERVICE AGREEMENT BY AND BETWEEN VELOCITY LEE'S SUMMIT, INC. AND THE CITY OF LEE'S SUMMIT, MISSOURI FOR SERVICES TO BE PROVIDED TO THE CITY AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SAME BY AND ON BEHALF OF THE CITY.

WHEREAS, Velocity Lee's Summit, Inc. (hereinafter "Velocity") is a Missouri not for profit corporation which has established as its purpose to provide high quality mentoring and leadership services, administrative support, and low cost facilities to growth oriented companies that will result in positive business activity and job creation in Lee's Summit, Missouri; and,

WHEREAS, the City of Lee's Summit (hereinafter "City") by and through its Mayor and City Council, adopted an Economic Development Vision Statement which supports, among other aspects, the creation and nurturing of a business environment which fosters entrepreneurship and attraction and retention of high quality jobs in targeted businesses; and,

WHEREAS, the City has determined that Velocity's purpose is in direct furtherance of the City's Economic Development Vision Statement regarding entrepreneurs and growth in business and industry and provides a service to the City; and,

WHEREAS, the City has determined that it is in the best interest of the City, and important to the promotion of the attraction and retention of entrepreneurs and the new and growing businesses and industries of Lee's Summit, Missouri, to allocate funds to Velocity as compensation for the performance of services in connection therewith.

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

SECTION 1. That the Public Service Agreement by and between Velocity Lee's Summit, Inc. and the City of Lee's Summit, Missouri, a true and accurate copy of the same being attached hereto as Exhibit A and incorporated herein by reference be and the same is hereby approved, and the City Manager is hereby authorized to execute the same by and on behalf of the City of Lee's Summit, Missouri.

SECTION 2. 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.

SECTION 3. That should any section, sentence, or clause of this ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences or clauses.

PASSED by the City Council of Lee's Summit, Missouri this ____ day of _____, 2015.

Mayor *William A. Baird*

BILL NO. 18-

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said City this _____ day of _____, 2018.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

Chief Counsel of Infrastructure and Planning
Nancy Yendes

Packet Information

File #: 2018-1985, **Version:** 1

Application #PL2018-088 UNIFIED DEVELOPMENT ORDINANCE (UDO) Amendment #67, Article 5 Zoning Districts, Article 8 Accessory Uses, Article 9 Uses with Conditions, and Article 10 Special Use Permits to Allow Massage Therapist In-Home as a Conditional Use for a Home Occupation; City of Lee's Summit Applicant

There have been several applications submitted with requests to provide in-home Massage Therapy as a home occupation. In 2006 a UDO amendment was adopted requiring a special use permit for an in-home massage therapy to be conducted as a home occupation which is both time consuming and expensive compared to other home occupations that are allowed by right. When in-home massage therapy was initially brought to our attention for consideration concerns were raised about the potential neighborhood impacts. Since that time a number of in-home massage therapy uses have been approved through the Special use process with no concerns being voiced by the neighborhoods in which located.

This proposed amendment would convert the in-home massage therapy from a "Special Use" to a "Conditional Use" as a home occupation. The same Article 8 home occupation conditions would apply plus the additional conditions established in Article 9 for the conditional use. These uses have not posed issues within single-family neighborhoods and along with limiting the hours of operation and the length of time imposed between client sessions, traffic concerns have been minimized as well. Massage therapists must also meet all state licensing requirements and Chapter 28 Division 2 of the Code of Ordinances of the City of Lee's Summit.

Article 5 - Amends Table 5-1 by changing the "S" to a "C" for in-home massage therapist

Article 8 - Amends prohibited home occupations for massage therapy by replacing the SUP restriction with the Conditional Use restriction

Article 9 - Adds the same conditions from Article 10 Special Use Permits

Article 10 - Removes the SUP requirements which have been transferred to Article 9

Staff will be prepared to discuss the proposed amendments to Articles 5, 8, 9 and 10 at your meeting.

Staff recommends forwarding the proposed amendment on to the Planning Commission for public hearing

Robert McKay, AICP, Director of Planning and Special Projects

Article 5. ZONING DISTRICTS

Use is permitted by right	P
Use is permitted by right but with conditions	C
Use may be permitted as a Special Use	S
Per approved Plan	*
Use is not permitted	

	AG	RDR	RLL	R-1	RP-1	RP-2	RP-3	RP-4	PRO	NFO	PO	CP-1	CP-2	CBD	CS	PI	AZ	PMIX
Martial Arts Studio											P	P	P	C	P	P		
Massage Therapist (In-home as home occupation) (Amend. #6746)				CS														
Massage Therapy/Parlor (as defined herein) (Amend. #3)											C	C	C	C	C			*
Manufactured Home Sales															S	S		*
Motorcycle Sales, Rental or Service (No Outdoor Display) (Amend. #3)												P	P		P	P		*
Musical Instrument Store											P	P	P	P				*
Outdoor Gun Club, Skeet or Trap Shoot or Archery Range	S															S		*
Pawn Shop (Amend. #33)													C					
Paint or Wallpaper Store												P	P	P	P			*
Personal Enrichment School or Tutoring											P	P	P		P		P	*
Pet Grooming (Amend. #5)												P	P	P	P	P	P	
Pet Motel or Training (Amend. #5)													P		P	P	P	*
Pet Motel or Training with Outdoor Exercise Area (Amend. #58)													C		P	P	P	*
Photocopying and Duplicating Services											P	P	P	P	P		P	*
Photography Service										P	P	P	P	P	P		P	*
Plumbing and Heating Equipment Dealers													P		P	P	P	*
Produce Stand, Outdoor (off-site)												S	S		S	S		*
Radio or TV Repair											P	P	P	P	P		P	*
Recording Studio													P	P	P			*

9. Deliveries of materials to and from the premises in conjunction with the home occupation shall not require the use of vehicles other than parcel post or similar parcel service vehicles;
10. Noise, vibration, smoke, odors, heat or glare as a result of a home occupation, which would exceed that normally produced by a single residence, shall not be permitted;
11. The home occupation shall not utilize more than one private commercial vehicle limited to 1 ton capacity. The vehicle shall be capable of being parked or stored inside the garage and shall be required to be kept in said garage when not in use for the home occupation (Amend. #13);
12. Retail sales on the premises shall be secondary to the major operation of the home occupation;
13. The primary use of the building in which the home occupation is situated shall clearly be the dwelling used by the person as his/her private residence;
14. Home occupations shall maintain required licenses mandated by applicable local, state and/or federal laws;
15. Persons intending to operate a home occupation should notify the HOA, Home Owners Association, of their intent prior to beginning operations. Said notification is to provide the HOA with notice of intent only.

C. Permitted home occupations.

Home occupations shall be approved by the Director upon his/her determination that the requirements of this ordinance can be satisfied. In the event a home occupation is denied by the Director, the reasons for the denial shall be given to the applicant in writing. Such decision for denial may be appealed to the City Council within 14 days of the date on the letter from the Director.

D. Prohibited home occupations. The following uses by the nature of the investment or operation have a tendency once started to rapidly increase beyond the limits permitted for home occupations and thereby impair the use and value of a residentially zoned area for residential purposes. Therefore, the following uses shall be specifically prohibited as home occupations, except as further indicated below. (Amend. #16)

1. Sales to the public on the premises not secondary thereto;
2. Equipment rental;
3. Automobile and other motor vehicle repair services and/or sales;
4. Radio, television and similar electronic devices, small appliances and small engine repair services;
5. Physicians, dentists;
6. Chiropractor, except when located within a home on a lot that is a minimum of one acre in size and where access to a collector street from the residential driveway is no greater distance than one lot depth or 250 feet whichever is less. (Amend. #9)
7. Upholstery and furniture making;
8. Horse pasturing (does not include the accessory use of same)

9. Pet grooming, except when: (Amend. #17)
 - a. Only one (1) animal is groomed or kept on the premises at a time, except for pets owned by the groomer; and
 - b. Only one person shall perform grooming services on the premises; and
 - c. All grooming activities shall be by appointment only; and
 - d. No animal runs, kennels or cages shall be kept on the premises in conjunction with the grooming business except for portable kennels necessary to transport the animal to and from the grooming appointment; and
 - e. No more than five (5) animals shall be groomed per day.
 10. Animal grooming (except as provided in 8 above) (Amend. #17), boarding, and/or related services;
 11. Uses requiring storage or use of highly flammable, toxic or other hazardous materials;
 12. Printing and/or typesetting services;
 13. Photographic studio with multiple employees in excess of the standard home occupation allowance, where photographs are taken on the premises, except when:
 - a. located within a home on a lot that is a minimum of one acre in size, and
 - b. where access to a collector street from the residential driveway is no greater distance than one lot depth or 250 feet whichever is less. (Amend. #9) (Amend. #62)
 14. Massage therapy, (to be conducted in the Licensed Massage Therapist's home) except when operated as a Conditional Use under Article 9 of this Chapter. unless specifically approved as a Special Use under Article 10 of this Chapter. (Amend. #67, 16)
- E. Any proposed home occupation not specifically prohibited in this Section may be permitted provided that all conditions listed above are observed.

Section 8.110. Hospital – related accessory uses

The following uses are accessory uses within a hospital when located within the main hospital building and designed to serve hospital personnel, visitors or patients: residential quarters for staff and employees; nursing or convalescent quarters; storage and utility buildings; food service and vending machines; laundry and dry cleaning pickup and delivery; and flower and gift shops.

Heliports shall be allowed as an accessory use at a regional hospital, provided the following conditions are met:

- A. A heliport plan is submitted to the Director which includes all approach and departure paths as necessary to assure safe and adequate landing and take-off area and shall be supplemented by a favorable report by the local airport district office of the Federal Aviation Administration (FAA).
- B. Adequate safety provisions shall be provided and indicated by plans that control or restrict access to the landing and take-off areas by the general public.
- C. Landing and take-off areas shall be surfaced in such a manner as to avoid dust or dirt from blowing onto neighboring property.

Article 9. USES PERMITTED WITH CONDITIONS

Section 9.220. Dance Club

- A. Provided the front entrance of the facility is 300 feet or greater distance from any school, church or residential district or use. (Amend.1)

Section 9.230. Drug Store (Pharmacy) with drive up window/facility

- A. Provided there is a minimum of 3 car stacking measured from the point of service delivery, i.e., drive-up window or pneumatic tube, etc., and
- B. Provided on-site traffic circulation is not impeded by the required car stacking mentioned above.

Section 9.240. Dry Cleaners with drive-up window or drive-through facility

- A. Provided there is a minimum of 2 car stacking measured from the point of service delivery, i.e., drive-up window, door or pneumatic tube, etc., and
- B. Provided on-site traffic circulation is not impeded by the required car stacking mentioned above.

Section 9.250. Electric repair shop-(see repair services-non automotive)

Section 9.260. Fast food restaurant with drive thru (see restaurant drive-through)

Section 9.270. Horse riding stable, track or polo field (commercial)

A commercial horse riding stable, track or polo field:

- A. Shall be located on a site of at least ten (10) acres, and
- B. All structures shall be located at least two hundred (200) feet from any property.

Section 9.280. Martial Arts Studio (Amend.#25)

- A. Limited to 12 students per class
- B. Limited to one (1) class at a time
- C. One (1) hour minimum time lapse between classes to lessen the parking impact on surrounding businesses

Section 9.290. Massage Therapist (in-home as Home Occupation)

- A. Adherence to Code of Ordinances. Massage therapy to be conducted as a home occupation where the therapy is to take place in the home of the licensed massage therapist shall meet all requirements of Chapter 28 Division 2 of the Code of Ordinances of the City of Lee's Summit.
- B. Inspections. The massage facility shall be available for inspection in accordance with Chapter 28 Division 2 of the Code of Ordinances of the City of Lee's Summit.

Article 9. USES PERMITTED WITH CONDITIONS

C. Intensity of use. There shall be only one licensed therapist per address operating at the home. No more than one room shall be used for massage therapy and the appointment times shall be spaced out during the day to eliminate patients waiting for their massage therapy appointment.

D. Hours of operation. Hours of operation shall be limited to 7:00 a.m. to 9:00 p.m.

~~Section 9.290.~~Section 9.300.**Massage Therapy/Parlor Therapist/Massage Facility**

- A. See Definitions in Article 2 of this Chapter
- B. See Chapter 28 Division 2 of the Code of Ordinances for licensing requirements

~~Section 9.300.~~Section 9.310.**Pawn shop (Amend. #33)**

A pawn shop shall be allowed provided that the following conditions can be met:

- A. A minimum of 5,280 feet distance between similar businesses;
- B. A minimum distance of 1,500 feet from any church, school, day care facility, public park or hospital; and
- C. A minimum distance of 500 feet from any residential district or use

Note: All distances shall be measured from the front door of the pawn shop to the property line of the other use.

- D. Lighting requirements – light levels shall be in accordance with the following standards:
 - 1. Indoor-lobby – Light levels of sufficient intensity to provide for high resolution video data recording from the digital video surveillance cameras in accordance with the camera manufacturer's specifications
 - 2. Outdoor – Minimum lighting levels of 5 footcandles shall be maintained at the stores entrance or shall be sufficiently lit to provide for high resolution video data recording of outside activity within 50 feet of the store entrance
- E. Video surveillance camera(s), two-color digital high definition, required:
 - 1. To maintain view of cash register counter
 - 2. To maintain view of all public and/or employee entrances into building/tenant space
 - 3. To maintain view of customers leaving via a door mounted pin hole camera, to be positioned at a height of between 4 and 5 feet from the bottom of the door
 - 4. Capable of providing a minimum storage of 30 days of video surveillance data
- F. Alarm system required.
 - 1. Alarm system shall be monitored off-site
 - 2. Silent panic alarm shall be provided at each cash register
 - 3. Employees shall be provided a remote alarm to wear on their person
- G. Automatic door lock required. An automatic door lock capable of being locked from the cash transaction counter shall be provided
- H. Visibility maintained.

~~Section 10.400. Massage therapy, in home. (Amend. #16) (Amend. #41)~~

- ~~A. Adherence to Code of Ordinances. Massage therapy to be conducted as a home occupation where the therapy is to take place in the home of the licensed massage therapist shall meet all requirements of Chapter 28 Division 2 of the Code of Ordinances of the City of Lee's Summit.~~
- ~~B. Inspections. The massage facility shall be available for inspection in accordance with Chapter 28 Division 2 of the Code of Ordinances of the City of Lee's Summit.~~
- ~~C. Intensity of use. There shall be only one licensed therapist per address operating at the home. No more than one room shall be used for massage therapy and the appointment times shall be spaced out during the day to eliminate patients waiting for their massage therapy appointment.~~
- ~~D. Hours of operation. Hours of operation shall be limited to 7:00 a.m. to 9:00 p.m.~~

~~Section 10.410.~~Section 10.400. Mining

A. Permits.

1. Open face quarry, sand or gravel pit for the purpose of removing, screening, crushing, washing, or storage of clay, stone, gravel; concrete batching plant; asphalt plant; and related industries.
 - a. No permit shall be issued until the location, development plan and method of operation, including necessary structures, have been submitted to and approved in writing by the Commission and Governing Body.
 - b. Such operation shall make provision for the preservation or restoration of the ground surface and cover and shown on the Development Plan.
 - c. The special use permit shall not exceed five (5) years but may be renewed by the Governing Body after public hearing.
2. Underground mine.
 - a. No permit shall be issued until the location, development plan and method of operation, including necessary structures, have been submitted to and approved in writing by the Commission and Governing Body.
 - b. The permit shall be for a limited period of time not to exceed ten (10) years, and shall be subject to regulations and restrictions prescribed by the Governing Body.

B. Prior to initiation of mining activities an application for a Special Use Permit must be submitted that provides the following:

1. Written stipulations that the activity will not have any harmful impacts on the environment (air, water, natural landscape), neighboring residents and businesses, or to livestock.
2. A specific development plan indicating the extent of the area proposed to be mined and time schedule for completion of mining operations.
3. Information as to how the operation will be buffered and methods to assure that no harmful off-site impacts will occur.
4. A transportation plan detailing routes to be used by vehicles serving the site, weight

Packet Information

File #: 2018-2037, **Version:** 1

Application PL#2018-089 UNIFIED DEVELOPMENT ORDINANCE (UDO) Amendment #68 Article 5 Zoning Districts and Article 9 Uses Permitted with Conditions to allow Indoor Climate Controlled Self Storage Facilities as a "C" Conditional Use in CP-2, Planned Community Commercial, CS, Commercial Service, and AZ, Airport Zoning districts and Municipal Fire Stations as a "C" Conditional Use in all zoning districts; City of Lee's Summit Applicant

Staff recently received requests for Indoor Climate Controlled Self Storage Facilities in other than (PI) Planned Industrial Districts. Currently mini-warehouse facilities are only allowed as a "SUP" Special Use Permit in PI zoning districts. However, these new indoor climate controlled facilities can be designed to mimic an office building and therefore fit into a commercial zoning category with similar office and commercial buildings. Staff is requesting these type of uses be allowed as a "C" Conditional Use to restrict their appearance and activities in CP-2, CS and AZ districts and allow them by right in PI. Please refer to the attachment for the conditions being recommended for this type of use in CP-2, CS, and AZ zoning districts.

It was recently brought to our attention that Fire Stations were not specifically listed in Table 5-1 List of Permitted, Conditional and Special Uses of the UDO. This amendment specifically includes them as conditional uses in all zoning districts. Fire Stations have been treated as Utility Building and Services and thereby allowed in all zoning districts except PRO Planned Residential Office and NFO, Neighborhood Fringe Office. Although they can broadly meet the definition of a Utility staff recommends adding them as a separate use going forward.

Staff recommends UDO Amendment #68 be forwarded to the Planning Commission for public hearing.

Robert McKay, AICP, Director of Planning and Special Projects

Article 5. ZONING DISTRICTS

Use is permitted by right	P
Use is permitted by right but with conditions	C
Use may be permitted as a Special Use	S
Per approved Plan	*
Use is not permitted	

	AG	RDR	RLL	R-1	RP-1	RP-2	RP-3	RP-4	PRO	NFO	PO	CP-1	CP-2	CBD	CS	PI	AZ	PMIX
Stationery Store											P	P	P	P				*
<u>Storage Facility – Indoor Climate Controlled</u>													<u>C</u>		<u>C</u>	<u>P</u>	<u>C</u>	* -
Tattoo Parlor/Permanent cosmetic services/Body Piercing Studio (Amend. #3 and 50)													P			P		*
Television or Radio Broadcast Station													P	P	P	P		*
Theater (except Drive-In)													P	P	P			*
Theater, Drive-In	S														S	S		*
Theater, Performing Arts (Amend. #1)	S										P	P	P		S	S		*
Title Loan Business (Amend. #33)											C	C	C	C	C	C		C*
Travel Agency or Tour Operator											P	P	P	P	P		P	*
Travel Trailer Camp	S	S	S															*
Truck Sales and Lease (Amend. #3)													S		S	S		*
Unsecured Loan Business (Amend. #33)											C	C	C	C	C	C		C*
Used Merchandise Store (excluding pawn shops)												P	P	P	P	P		*
Veterinarian	C											C	C		C	C	C	*
Yoga Studio											P	P	P	C	P	P		
Manufacturing, Industrial, Transportation and Storage																		
Apparel and Other Fabric Products															P	P		*
Asphalt Plant																S		*

Article 9. USES PERMITTED WITH CONDITIONS

- D. A maximum of four (4) unrelated guests or a family are permitted;
- E. The owner must obtain a Business License with the City;
- F. The owner shall pay License Taxes in accordance with Chapter 28; Division 7;
- G. The owner or local representative must provide their contact information to the City;
- H. Chapter 17, Article IX , Section 17-254, Regulations Regarding Control of Noise and Sound, must be posted in each room for rent;
- I. Units must be provided with:
 - 1. A functioning fire extinguisher;
 - 2. A smoke alarm in each bedroom;
 - 3. Child-proofed electrical outlets;
 - 4. A map identifying escape routes;
 - 5. Emergency contact information for the owner.
 - 6. Carbon Monoxide detection as require by code.

Section 9.430. Storage Facility, Indoor Climate Controlled

- 1. All activities shall be carried on inside the structure
- 2. Four (4) sided architecture shall be required
- 3. No outside storage of any kind shall be permitted on the premises
- 4. PO district requirements shall be used for building placement, including minimum lot size, height, setbacks, signage, and landscaping
- 5. Required parking spaces shall be determined per each application

Section 9.420, Section 9.440. Swimming pools, subdivision

- A. Subdivision swimming pools to be located on platted tracts or common areas within an existing subdivision shall be allowed as a permitted use with conditions provided:
 - 1. The swimming pool, including concrete apron or deck structure and any associated mechanical equipment or other pool appurtenances, is setback from all property lines by a minimum distance of twenty feet; and
 - 2. A medium impact screen is provided per Article 14 of this Chapter along any common property line shared with a residential dwelling; and
 - 3. Lighting of the swimming pool area, except by low level bollard type lighting or wall pack with 90 degree cutoffs, shall only be provided by Special Use Permit, SUP (see Article 10 of this Chapter).
- B. Subdivision swimming pools to be located on a platted lot (or lots) within an existing subdivision shall be allowed as a permitted use with conditions provided:
 - 1. The lot(s) on which the swimming pool is to be located is either owned or is to be owned and under the control of the homes association; and

Article 5. ZONING DISTRICTS

Use is permitted by right	P
Use is permitted by right but with conditions	C
Use may be permitted as a Special Use	S
Per approved Plan	*
Use is not permitted	

	AG	RDR	RLL	R-1	RP-1	RP-2	RP-3	RP-4	PRO	NFO	PO	CP-1	CP-2	CBD	CS	PI	AZ	PMIX
Civic or Fraternal Organization											C	C	C	C	C	C		*
<u>Fire Station - Municipal</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>*</u>
Governmental Administration Building											P	P	P	P	P	P	P	*
Library											P	P	P	P				*
Museum or Art Gallery											P	P	P	P				*
Penal or Correctional Institution																		*
Post Office											P	P	P	P	P	P	P	*
Recreational Facility or Area (Non-Commercial)	S	S	S	S	S	S	S	S			S	S	S	S	S	S		*
Reservoir, Water Supply or Storage Facility	S	S	S	S	S	S	S	S			S	S	S	S	S	S		*
Sewage Treatment Facility	S																	*
School	P	P	P	P	P	P	P	P			P	P	P	P				*
Swimming Pool (Commercial)												S	S					*
Swimming Pool, subdivision (Amend. #12)	C	C	C	C	C	C												*
Swimming Pool, public (Amend. #12)	S	S	S	S	S	S	S	S		S	S	S	S	S	S			*
Telecommunication Tower/ Antenna Mount (Amend. #3)	S	S	S								S	S	S	S	S	S		*
Utility Building and Services	C	C	C	C	C	C	C	C			C	C	C	C	C	C	C	*

ACCESSORY USES (SEE ARTICLE 8)

Article 9. USES PERMITTED WITH CONDITIONS

Section 9.220. Dance Club

- A. Provided the front entrance of the facility is 300 feet or greater distance from any school, church or residential district or use. (Amend.1)

Section 9.230. Drug Store (Pharmacy) with drive up window/facility

- A. Provided there is a minimum of 3 car stacking measured from the point of service delivery, i.e., drive-up window or pneumatic tube, etc., and
- B. Provided on-site traffic circulation is not impeded by the required car stacking mentioned above.

Section 9.240. Dry Cleaners with drive-up window or drive-through facility

- A. Provided there is a minimum of 2 car stacking measured from the point of service delivery, i.e., drive-up window, door or pneumatic tube, etc., and
- B. Provided on-site traffic circulation is not impeded by the required car stacking mentioned above.

Section 9.250. Electric repair shop-(see repair services-non automotive)

Section 9.260. Fast food restaurant with drive thru (see restaurant drive-through)

Section 9.270. Fire Station – Municipal

- A. Shall front on a collector or arterial classified street
- B. Shall be architecturally compatible with surrounding development

Section 9.270.Section 9.280.Horse riding stable, track or polo field (commercial)

A commercial horse riding stable, track or polo field:

- A. Shall be located on a site of at least ten (10) acres, and
- B. All structures shall be located at least two hundred (200) feet from any property.

Section 9.280.Section 9.290.Martial Arts Studio (Amend. #25)

- A. Limited to 12 students per class
- B. Limited to one (1) class at a time
- C. One (1) hour minimum time lapse between classes to lessen the parking impact on surrounding businesses

Section 9.290.Section 9.300.Massage Therapist/Massage Facility

- A. See Definitions in Article 2 of this Chapter

Packet Information

File #: TMP-0928, **Version:** 2

UNIFIED DEVELOPMENT ORDINANCE (UDO) Amendment #69 Sidewalk Payment in Lieu of Construction.

Background:

Currently, applicants seeking relief from sidewalk improvements must ask for a modification from City Council to remove the requirement. The proposed amendment allows, under certain criteria, the applicant to pay the City in lieu of constructing sidewalk for construction at a later date or in another area of the same Council district.

Presenter: Josh Johnson

Recommendation:

Staff recommends moving the proposed UDO amendment forward to Planning Commission for public hearing.

Committee Recommendation:

Staff recommends UDO Amendment #69 be forwarded to the Planning Commission for public hearing.

ARTICLE 16. SUBDIVISIONS

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Division I: General subdivision information and requirements

Section 16.010. Application of subdivision regulations

Except as otherwise noted in this Chapter for minor subdivisions, the regulations contained herein apply to the division of a lot, tract or parcel of land into two (2) or more lots, tracts, parcels or other divisions of land for the purpose of sale or building development, whether immediate or future, including the resubdivision or replatting of land or lots. Where no new streets or access easements, on or off-site, are involved, the division of land into parcels of ten (10) or more acres for agricultural purposes shall not require a subdivision plat.

Section 16.020. Subdivision requirements and enforcement

The Director shall be responsible for enforcing the following requirements regarding the subdivision and platting of property:

- A. No subdivision (except a minor subdivision as defined herein) may be developed in the City until both a preliminary and a final plat have been submitted and approved and all applicable conditions of this Chapter have been satisfied.
- B. No person shall create a minor subdivision, plat amendment, resurvey or any other similar act within the City, except in conformance with the provisions of this Chapter.
- C. No lot, tract or parcel of land shall be divided by a metes and bounds description for the purpose of sale, transfer, or lease except in conformity with these requirements.
- D. No subdivision shall contain a lot that is less than the minimum dimensions set out in the applicable zoning district regulations.
- E. No lot, tract or parcel of land as part of any plat or replat of any subdivision shall be sold or offered for sale, traded or otherwise conveyed unless the plat or replat first shall have been approved in accordance with the provisions of this Chapter and recorded in the Office of the Recorder of Deeds of Jackson or Cass County, as the case may be.
- F. No building permit shall be issued for the construction of any building or structure located on a lot, tract or parcel or plat divided or sold in violation of the provisions of this Chapter.
- G. No building permit shall be issued for a lot that is not platted as required by this Chapter.
- H. No person shall change any recorded subdivision plat if the change affects any street layout shown on the plat, or area reserved for public use, or any lot line, or if it affects any map legally recorded prior to the effective date of this Chapter, unless the parcel shall be approved by the City under the procedures established by this Chapter.
- I. No changes, erasures, modifications or revisions shall be made to any plat after approval has been given by the Governing Body unless the plat is first resubmitted for review and approval as required by this Chapter.

Article 16. Subdivisions

Section 16.030. Building or construction on property lines

No building or structure shall be constructed across a property line in the City. If a building or structure is to be constructed on or across two (2) or more separately platted or subdivided lots, the lots must be replatted into a single lot in accordance with the provisions of this Article before a building permit is issued for the project.

Section 16.040. Insurance

Throughout the duration of the development of any subdivision, the subdivider shall secure and maintain insurance of the types and in the amounts as are required herein. The subdivider shall provide certificates of insurance confirming the required protection on forms acceptable to the City. The City shall be notified by receipt of written notice from the insurer at least thirty (30) days prior to material modification or cancellation of any policy listed on the certificates.

Section 16.050. Conditions, dedications and modifications stated on plat

All conditions of approval of a subdivision that run with the land, the acceptance of dedications of land by the Governing Body, and all modifications granted by the Governing Body shall be clearly stated on the final plat prior to its recording.

Section 16.060. Modifications

The requirements of this Article may be modified only through approval of a preliminary development plan by the Governing Body in accordance with the procedure set forth in Article 4, or through approval of a variance by the Board of Adjustments in accordance with the procedure set forth in Article 17.

Section 16.070. Condominium Plats

- A. Any proposed development of property using the condominium form of ownership shall be treated by the City, for all purposes under the UDO and the City Building Code, the same as a physically identical development under a different form of ownership.
- B. In addition to any submission requirements for a plat application, the Director may require an applicant proposing the condominium form of ownership to submit with the application the condominium declaration and the condominium plat that are prepared in conformance with Chapter 448 of the Missouri Statutes. This information may be used to evaluate the application under the procedures, standards and criteria that are applicable to the application under the UDO.

Division II: Platting

Section 16.080. General Application Requirements

- A. Plat application requirements. Unless otherwise indicated in this Chapter or by the Director, all applications for preliminary plat, final plat, or minor plat approval shall contain the following items and materials:
1. Date prepared;
 2. Name, address and telephone number of the applicant and the name, address and telephone number of the landowner if different than the applicant;
 3. Affidavit testifying to proof of ownership or of authorization of agent, pursuant to Article 4;
 4. Name, address and telephone number of all persons preparing any technical studies, maps, drawings and documents submitted with the application;
 5. Any technical studies that may be required by the Director pursuant to Article 4;
- B. Plat submission requirements. Unless otherwise indicated in this Chapter or by the Director, each preliminary plat, final plat, or minor plat submitted for approval shall contain the following on the drawing:
1. Proposed name of subdivision. Name shall not duplicate or closely approximate the name of any existing subdivision;
 2. Date prepared;
 3. Maximum sheet size shall be 24" x 36" with one inch border; (Amend.#37)
 4. Graphic, engineering scale not to exceed 1:100, unless approved by the Director. All plats shall be drawn to a standard engineer's scale;
 5. North arrow. Plat shall be oriented so north is to the top or to the left side of sheet;
 6. Vicinity map with north arrow indicating the location of the property within the City.

Section 16.090. Preliminary plat; when required

A preliminary plat shall be required for the approval of any subdivision of land that is not a minor subdivision. Approval of the preliminary plat is required before the final plat may be considered.

Section 16.100. Preliminary plats; application — contents and submission requirements

- A. Pre-application conference. A pre-application conference shall be required for all preliminary plats, pursuant to Article 4.
- B. Preliminary plat submission. After the pre-application conference, the subdivider shall prepare and submit the number of copies of the preliminary plat as required by the Director.

Article 16. Subdivisions

C. Contents. The preliminary plat shall contain the following information:

1. All general plat application requirements and plat submission requirements listed in Section 16.080.
2. A legal description which accurately describes the limits of the property to be subdivided.
3. Names, addresses, and phone numbers of the developer and the engineer, surveyor, planner, or landscape architect preparing the plat.
4. **Existing conditions**. Provide information on the existing conditions on the proposed subdivision site and adjacent to the site within one hundred eighty-five (185) feet of the plat boundaries:
 - a. Location and limits of the 1% Annual Chance Flood, as set forth on the current FEMA maps with reference to the panel number. Elevations shall be provided if shown on the FEMA map.
 - b. Existing streams, bodies of water, and surface drainage channels.
 - c. Location, massing and pattern of existing vegetation.
 - d. Topography with contours at 2-foot intervals. In areas where grades are gentle, the Director may require a lesser contour interval.
 - e. Location of all oil and gas wells, whether active, inactive, or capped, if any, based on available information,
 - f. Special features (such as ponds, dams, steep slopes or unusual geology) or unusual historical features (such as former landfills, fill areas or lagoons) must be identified by the applicant, to the best of his/her knowledge or belief based on available information. The applicant, at the Director's discretion, may be required to provide professional analysis of these conditions to address health, safety and general welfare questions related to the proposed subdivision.
 - g. The location and size of retention basins, detention basins and drainage structures, such as culverts, paved or earthen ditches or storm water sewers and inlets.
 - h. Location, width and name of any existing or platted street (public or private), alley or any other dedicated rights-of-way.
 - i. Location, width and dimensions of existing utility easements, with document reference if dedicated by separate document;
 - j. Existing and proposed buildings (not including single family homes), which exist on plans on file with the City. Existing single and two-family buildings may be shown in approximate location and general size and shape.
 - k. Location and size of all existing utility lines and storm water management/detention facilities;
 - l. Names of abutting subdivisions and owners of abutting parcels of unsubdivided land;
 - m. Surrounding land uses and zoning districts of adjacent properties.

5. Proposed development.

- a. Layout, number and approximate dimensions of lots and approximate lot areas.
- b. Location, right-of-way width, pavement width, radii, centerline, and grade of proposed streets and alleys, both public and private. Private streets shall be shown as common area tracts.
- c. Names of proposed streets. Every street shall have one suffix (such as Drive, Street or Circle) and a directional prefix (NE, NW, SE, SW). Street names shall not duplicate or closely resemble the name of any existing street, except that street names shall continue existing street names where appropriate, based on the addressing grid.
- d. Location and width of proposed sidewalks and pedestrian walkways;
- e. Location and width of proposed easements;
- f. Building setback lines from streets with dimensions.
- g. Location and approximate dimensions of culverts and bridges;
- h. Location of driveways, curb cuts, median breaks and turn lanes;
- i. The general location and approximate size of all proposed utility lines, including water, storm water, and sanitary sewers;
- j. A sanitary sewer impact statement that will address the proposed discharge into the existing sanitary sewer receiving system, if required by the City Engineer;
- k. Appropriate water service demand data (including, but not limited to, planned land usage, densities of proposed development, pipe sizes, contours and fire hydrant layout) to allow for the preliminary analysis of the demand for water service if required by the City Engineer;
- l. Information (proposed size, nature and general location) on all proposed storm water management facilities and detention facilities. A preliminary storm water report shall be submitted unless the requirement is waived by the City Engineer. All preliminary storm water reports shall include:
 - (1) current and proposed land use assumptions,
 - (2) identification of the watershed in which the project is located,
 - (3) identification of offsite drainage areas,
 - (4) surrounding property information,
 - (5) any other pertinent information about the site which may influence storm water runoff,
 - (6) proposed storm water facilities,
 - (7) the downstream effects of the development
 - (8) calculations for the 100%, 10%, and 1% storms. All calculations must be submitted with the report; a summary table is not acceptable.

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- (9) If the storm water report indicates that detention is not required, supporting calculations evaluating the downstream effects must be provided.
 - (10) All reports shall be signed and sealed by a Professional Engineer registered in the State of Missouri.
 - m. Location and size of proposed open space for public use proposed to be dedicated or reserved and any conditions of such dedication or reservation; parks, playgrounds, churches, or school sites or other special uses of land to be considered for public use, or to be reserved by deed or covenant for the use of all property owners in the subdivision.
 - n. Proposed topography at two foot (2') intervals, including general drainage patterns.
- D. **Phasing:** A phasing schedule for the entire project shall accompany the preliminary plat, if such project is to be final platted in more than one phase. The phasing schedule shall include, but is not limited to, clearly defined areas for phasing, estimated dates for completed phases, and utility design.
- E. **Supplementary requirements.**
- 1. **Sketch Plat.** When a subdivision is a portion of a larger area planned as a phased and related development, a sketch plat of the entire development shall be submitted with the preliminary plat of the portion first to be subdivided. An approved conceptual development plan, pursuant to Article 4, may substitute for a sketch plat. The sketch plat shall include the following information:
 - a. Name of subdivision, location, north arrow, and acreage.
 - b. Graphic, engineering scale, not to exceed 1:100, unless specifically approved by the Director.
 - c. Existing topography with contours at 5-foot intervals.
 - d. The proposed development by phase of construction, identifying for each phase and for the total development: the proposed use; the density by number of dwelling units per gross residential acre; the approximate gross floor area of commercial and industrial use; and the floor area ratio (FAR) of commercial and industrial use.
 - e. General street layout.
 - f. General lot and parcel layout.
 - g. Preliminary water and sanitary sewer calculations.
 - h. The proposed location of major public uses, such as schools, open spaces, and recreation space.
 - 2. **Additional Information.** The Director may require such additional information as is needed for the Commission and/or Governing Body to determine that the preliminary plat presented is in accordance with the Ordinance's purposes, that the City's public health, safety and general welfare are provided for and protected, that adequate public facilities are available, or will be available, to support the need for public facilities generated by the proposed subdivision, and to ensure that adjacent and neighboring subdivisions are compatible with one another. Such additional information may be provided by such studies as

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the Director shall require. An adjacency compatibility statement shall be submitted for all preliminary plats for single family detached residential developments, in accordance with the requirements of Article 4. 3.

3. **Appeal.** The process for appealing the Director's requirement for additional studies shall be as set forth in Article 4.
- F. **Common Property Maintenance Plan.** The written plan approved along with the approval of the preliminary development plan for the development, or if the development was not subject to the preliminary development plan requirements of this Chapter, then a written plan in such form as may be prescribed by the Director, that demonstrates that all common property, if any, will be owned and maintained in accordance with Article 5 of this Chapter, shall be submitted with the application for preliminary plat approval.

Section 16.110. Consideration of preliminary plats

- A. **Review of plats.** The Director shall coordinate review and analysis of the preliminary plat application by the City staff. The results of this analysis shall be compiled by the Director into a staff report prepared for the Commission's consideration.
- B. **Action by Commission.**
 1. No application shall be submitted to the Commission until it is deemed complete pursuant to this Section.
 2. Within sixty (60) days after the submission of a completed preliminary plat application to the Commission, the Commission shall approve, conditionally approve or disapprove the preliminary plat; otherwise the plat is deemed approved by the Commission, except that the Commission, with the consent of the applicant for the approval, may extend the sixty (60) day period.
 3. The subdivider or his representative shall be present at the Commission meeting at which the preliminary plat is considered. Continuance within the initial sixty (60) day period, approval, conditional approval or disapproval of the preliminary plat shall be by motion of the Commission. Continuance for more than the initial sixty (60) day period shall be by motion of the Commission and with the consent of the applicant.
 4. If the plat is disapproved, the Commission shall state the reasons for the action and requirements that must be met to obtain the approval of the Commission.
 5. As part of the consideration of a preliminary plat with more than one phase, the Commission may recommend the imposition of conditions upon the filing of the phases that it deems necessary to ensure the orderly development of the plat.
 6. The Commission shall consider whether the preliminary plat is consistent with the approved preliminary development plan for the property, if any, and any modifications granted by the Governing Body pursuant to Article 4
 7. No modifications shall be granted by the Commission as part of a preliminary plat approval, unless such modifications have been granted by the Governing Body pursuant to an application for preliminary development plan approval for a planned district, following the procedures set forth in Article 4, or granted by the Board of Adjustments pursuant to an application filed under Article 17.

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C. Appeal to the Governing Body.

1. If the Commission disapproves, conditionally approves, tables, or continues consideration of the preliminary plat without the consent of the applicant, the applicant may request that the preliminary plat be submitted to the Governing Body. This request shall be made in writing to the Director within five (5) business days of the Commission action. Upon receipt of the request, the Director shall forward the proposed plat to the Governing Body, together with the report of the Commission, stating the reason or reasons for the action taken.
2. Except as provided below, the Governing Body may then approve, conditionally approve, or disapprove the preliminary plat, thereby overriding the decision of the Commission. The Governing Body may also remand the plat back to the Commission for reconsideration.

D. Request for review by the Governing Body.

1. If the Commission approves, disapproves, conditionally approves, tables, or continues consideration of the plat without the consent of the applicant, three (3) Governing Body members may request review of the preliminary plat within five (5) days of Commission action, by notifying the City Clerk in writing. The City Clerk will place the request for review on the subsequent Governing Body agenda.
2. If a majority of the Governing Body agrees, the preliminary plat shall be reviewed. The Governing Body may then approve, conditionally approve, or disapprove the preliminary plat, thereby overriding the decision of the Commission. The Governing Body may also agree to return the plat to the Commission for reconsideration.
3. If a majority of the Governing Body does not agree to review the plat, the decision of the Commission shall control.

E. Criteria for approval. The Commission, or Governing Body on appeal or upon a request for review, shall not approve the preliminary plat unless it finds that the subdivider has presented clear and convincing evidence that:

1. All submission requirements have been satisfied;
2. The proposed preliminary plat conforms to the requirements of this Chapter, the applicable zoning district regulations, the approved preliminary development plan, including any modifications requested and approved pursuant to Article 4 as part of the preliminary development plan, and any other applicable provisions of the City Code;
3. The subdivision represents an overall development pattern that is consistent with the Comprehensive Plan, as amended, including all of its component plans and studies, the Capital Improvement Plan, and other plans and policies adopted by the Commission or the Governing Body;
4. The plat contains a sound, well-conceived parcel and land subdivision layout that is consistent with good land planning and site engineering design principles;
5. The spacing and design of proposed streets, curb cuts, intersection locations, medians and traffic signalization and the number of ingress and egress points

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to the land covered by the plat are consistent with good traffic engineering design and public safety considerations;

6. Services and facilities are available and adequate to meet the demand for facilities and services generated by the use of the land covered by the plat; and
7. The subdivision will be compatible with proposed and existing adjacent development.
8. In considering any preliminary plat application, the Commission and the Governing Body may also give consideration to criteria applicable to preliminary development plans set forth in Article 4.

Section 16.120. Subdivision approval; preliminary development plan as substitute for preliminary plat

Where a preliminary development plan is required, an approved preliminary development plan may substitute for a preliminary plat where the preliminary development plan contains all information required for preliminary plats as set forth in this Article.

Section 16.130. Effect of preliminary plat approval

- A. Two-year effective period. The approval of the preliminary plat shall be effective for a period of two (2) years from the date of Commission or Governing Body approval. If no final plat has been submitted for approval within two (2) years from the date of approval of the preliminary plat, the preliminary plat approval shall terminate and be null and void. If the preliminary plat is phased over two or more final plats, and there is a lapse of two years or more between the approval of any final plat and the submission of the next final plat, the preliminary plat approval shall terminate and be null and void. If a preliminary plat becomes null and void, a preliminary plat must again be submitted to the Director and approved in compliance with this Article and all other Codes and Ordinances of the City in effect at the time of resubmittal.
- B. Extension of time period. Requests for extension of the time period specified above shall be made in writing to the Director prior to the expiration date. Extensions may only be granted by one of the following:
 1. The Director may administratively grant a one (1) year extension provided no changes have been made to any city ordinance or regulation that would require a change in the preliminary plat. Denial by the Director to administratively grant a one (1) year extension for any reason may be appealed to the Governing Body.
 2. The Governing Body, upon appeal from the Director's decision to deny a preliminary plat extension, may grant a one (1) year extension upon finding that such extension will not impact the city's ability to administer current ordinances or regulations.
- C. Authorization to prepare final plat. The approval of the preliminary plat does not constitute an acceptance of the subdivision, but rather is deemed to be an authorization to proceed with the preparation of the final plat. The preliminary plat must be approved or conditionally approved before the final plat can be considered. Preliminary and final plats may be considered simultaneously at the discretion of the Director.

Section 16.140. Final plats; applications – contents and submission requirements

- A. Requirement. After approval of the preliminary plat, the subdivider shall prepare and submit the number of copies of the final plat as required by the Director, along with all other required supplementary information.
- B. Contents. The final plat shall contain the following information:
1. All general application requirements and plat submission requirements listed in Section 16.080.
 2. Name and address of developer and surveyor preparing the plat.
 3. A legal description which describes the limits of the property and meets the accuracy requirements of the Missouri Minimum Standards for Property Boundary Surveys as adopted by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects.
 4. Coordinates, based on the Missouri Coordinate System 1983, on the corners of the plat boundary, the control station, station coordinates, and grid factor used in accordance with the regulations of the Missouri Department of Natural Resources.
 5. Sufficient data (distances and directions) to positively locate the surveyed parcel within the United States Public Land Survey, or within the recorded subdivision. All section and land corners referenced on the plat and legal description shall be identified as to what was physically found or set, e.g., aluminum monument, ½" iron bar. Monumentation shall be in accordance with the regulations of the Missouri Department of Natural Resources.
 6. Total acreage of the proposed subdivision.
 7. Location of lots, streets, alleys, sidewalks, tracts and other features with accurate bearings and dimensions of all lines and the length and radius of all curves, along with all other information necessary to reproduce the plat on the ground. All bearings shall be shown to the nearest second of arc and all dimensions, lengths and radii shall be shown to the nearest hundredth of a foot between all corners, angle points and points of curvature.
 8. Area in square feet for each lot, parcel, or tract.
 9. Location of any oil and/or gas wells, if any, based on available information.
 10. Lot numbers and tract identification for each lot and tract, and block numbers or letters, if applicable. Consecutive lot numbering is preferred over block numbering.
 11. Location, right-of-way width, bearing and distance, and length and radius of all street and alley centerlines, both public and private. Private streets shall be shown as common area tracts.
 12. Names of proposed streets. Every street shall have one suffix (such as Drive, Street, or Circle) and a directional prefix (NE, NW, SE, SW). Street names shall not duplicate or closely resemble the name of any existing street, except that street names shall continue existing street names where appropriate, based on the addressing grid.

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13. Location and width of proposed sidewalks. Easements shall be provided if public sidewalks are to be located on private property.
14. Location, purpose and width of all existing and proposed easements. Existing easements dedicated by separate document shall include references to the County recording data, including date, instrument number, and book and page number, if any.
15. Building setback lines on the front of all lots and the side streets of corner lots, including dimensions..
16. Statements dedicating all easements, streets, sidewalks, alleys and other public areas. Language shall be added to every plat in which an easement is dedicated, stating that the grantor, on behalf of himself, his heirs, his 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.
17. Statement establishing ownership and maintenance responsibility for all common area tracts, private easements, or other non-public areas.
18. Signature blocks for the following certificates, with the corresponding name typed, printed or stamped beneath the signature.
 - a. Signatures of the owner or owners and notary public.
 - b. Certification by a Registered Land Surveyor that the survey was executed in accordance with the current Missouri Minimum Standards for Property Boundary Surveys.
 - c. Certificate of approval to be signed and dated by Mayor, City Clerk, Commission Secretary, City Engineer, Director of Planning and Development, and County Assessor or GIS Department. If the plat consists of more than one sheet, the certifications for city approval shall be repeated on each sheet, in approximately the same location on each sheet.
19. Location and limits of the 1% Annual Chance Flood, as set forth on the current FEMA maps, with reference to the panel number. Elevations shall be provided if shown on the FEMA map.
20. Information required to be recorded on the final plat or a reference to documents required to be recorded with the final plat. Such information shall include but not be limited to covenants that run with the land and conditions of final plat approval imposed by the Governing Body.
21. Notes shall be included on the plat specifying that individual lot owner(s) shall not change or obstruct the drainage flow lines on the lots covered by the Master Drainage Plan, unless specific application is made and approved by the City Engineer.

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Sample language for final plats is shown in the box below:

Legal description: (An accurate legal description of the property being subdivided, including total acreage.)

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 _____.

Easements: An easement or license is hereby granted to the City of Lee's Summit, Missouri, to locate, construct and maintain, or to authorize the location, construction and maintenance of poles, wires, anchors, conduits, and/or structures for water, gas, sanitary sewer, 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 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, 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: Roads and streets shown on this plat and not heretofore dedicated to public use as thoroughfares are hereby so dedicated.

Building Lines: 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.

Common Area: Tracts ____ are common areas to be owned and maintained by the __[name of Homes Association or Property Owners Association]__.

In testimony whereof, the undersigned owners have hereunto set their hands this _____ day of _____, 20____.

STATE OF
COUNTY OF

On this _____ day of _____, _____, before me personally appeared the above persons, to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal at my office in said County and State the date and year last written above.

Notary Public

My Commission Expires: _____

This is to certify that the within plat of "Name of Plat including plat and lot numbers" 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. _____

(Name) – Mayor Date

(Name) – City Clerk Date

(Name) - Planning Commission Sec. Date

(Name) – City Engineer Date

(Name) – Director of Planning and Development

Jackson County Assessor/GIS Dept. Date

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- C. Supplementary Information. The following supplementary documents and information shall be submitted with the final plat: (Amend.#37)
1. **Engineering Plans.** An application for engineering approval pursuant to the Design and Construction Manual. All applications for engineering approval shall be accompanied by the number of copies of the following as required by the City Engineer:
 - a. Engineering drawings with the information required in the Design and Construction Manual;
 - b. Plans, profiles and details for streets, curb and gutters, sidewalks, storm and sanitary sewers, and water lines;
 - c. A written benchmark description and elevation;
 - d. A storm water Master Drainage Plan that contains detailed plans for storm drainage, storm water detention, and grading plans, as specified in the Design and Construction Manual.
 - e. A designation of easements, if applicable.
 - f. All other requirements relating to the submission of engineering plans, as specified in the Design and Construction Manual.
 2. **Covenants and Restrictions.** Any private restrictions affecting the subdivision or any part of the subdivision. If the plat contains any common property, the covenants and restrictions shall conform to the common property regulations in Article 5.

Section 16.150. Consideration of final plats

- A. Review of plats. The Director shall coordinate review and analysis of the final plat application by the City staff. The results of this analysis shall be compiled by the Director and a staff report prepared for the Commission's consideration.
- B. Action by Commission.
1. The Commission shall consider and make a recommendation to the Governing Body on the final plat within thirty (30) days after the application is submitted to the Commission. The Commission may recommend approval of the final plat if the subdivider presents clear and convincing evidence that the final plat substantially conforms to the approved preliminary plat, the plat conforms to all applicable requirements of the Code and any modifications granted pursuant to this Article and all submission requirements have been satisfied.
 2. If no recommendation is made by the Commission within thirty (30) days after the date of submission of the application, the Commission shall be deemed to have recommended approval of the final plat, as filed, to the Governing Body. The period for Commission recommendation, however, may be extended by written approval of the subdivider or his agent, or if the subdivider or his agent orally agrees to a continuance to a date certain on the record at a meeting of the Commission.
- C. Governing Body action upon Commission recommendation. Following review and recommendation by the Commission, the final plat shall be transmitted to the

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Governing Body for final action. The actions of the Governing Body shall be by ordinance, which shall include approval of the final plat for recording. Upon approval by the Governing Body by ordinance duly passed, such approval shall be endorsed by the Mayor under the hand of the City Clerk and the seal of the City.

- D. Criteria for approval. The Governing Body shall not approve the final plat unless it finds that the subdivider has presented clear and convincing evidence that the final plat substantially conforms to the approved preliminary plat, the plat conforms to all applicable requirements of the Code and any modifications granted pursuant to this Chapter, all submission requirements have been satisfied, and the subdivider has satisfied all conditions attached to approval of the preliminary plat.
- E. Common Property Requirements. No final plat shall be recorded by the developer until the Director and the City Attorney shall have reviewed and approved the declaration of covenants and restrictions pertaining to common property as prepared in accordance with Article 5 of this Chapter. No building permit shall be issued for any lot in the subdivision until the Director has received verification from the applicant of the existence and good standing of the condominium or property owners' association required by Article 5 of this Chapter. The City Attorney is authorized to undertake any actions at law as may be reasonably required to rescind, invalidate, or void a final plat if such verification is not submitted.

Section 16.160. Conditions stated on plat and endorsement of plat

- A. Final Plat Copies. After approval of a final plat by the Governing Body, the subdivider shall prepare and submit for recording purposes, the number of copies of the final plat as required by the Director, properly signed and acknowledged by appropriate persons.
- B. Conditional Approval.
 - 1. If the plat is conditionally approved, the Governing Body shall clearly state the conditions of approval to be satisfied.
 - 2. The Director shall not endorse the final plat until all conditions for approval imposed by the Governing Body on such final plat are satisfied.

Section 16.170. Recordation of plats

The approved plat shall be recorded at the appropriate county recorder of deeds office at the subdivider's expense.

Section 16.180. Effect of failure to timely record a final plat

Except as provided below, if a final plat is not recorded within one (1) year of the date of the Governing Body's approval of the final plat, the approval shall become null and void and a new final plat must be submitted to the Commission and the Governing Body for their consideration.

Section 16.190. Final Plat Extensions (Amend. #25)

Requests for final plat extension shall be made in writing to the Director prior to the one (1) year expiration date provided above. Final plat extensions may only be granted by one of the following:

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- A. 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. Denial by the Director to administratively grant a one (1) year extension for any reason may be appealed to the Governing Body.
- B. The Governing Body, upon appeal from the Director's decision to deny a final plat extension, may grant the one (1) year extension upon finding that such extension will not impact the city's ability to administer current ordinances or regulations.
- C. The Governing Body, in addition to the one year extension above, may grant one (1) additional one year extension, provided that additional engineering plans may be required by the City Engineer to comply with current City ordinances and regulations.

Section 16.200. Minor subdivisions (Minor plats); when allowed

Minor plats may include:

- A. A division of land into no more than three (3) lots.
- B. An adjustment in boundaries between the owners of adjoining platted lots.
- C. An adjustment of building lines.
- D. A resurvey to combine two (2) or more lots or tracts into no more than three new lots.
- E. A resurvey of up to three (3) lots containing two-, three- or four-family residential structures, for the purpose of subdividing the dwelling units for individual ownership of each unit. Common area(s) previously created on a final plat may be re-subdivided on such a minor resurvey, but no common area shall be created on a minor plat.

Section 16.210. Minor plat; application — contents and submission requirements

- A. Requirement. The subdivider or surveyor shall submit the minor plat to the Director for review.
- B. Contents. The minor plat shall contain the following information:
 - 1. All general application requirements and plat submission requirements listed in Section 16.080.
 - 2. Name and address of developer and surveyor preparing the plat.
 - 3. A legal description which accurately describes the limits of the property and meets the accuracy requirements of the Missouri Minimum Standards for Property Boundary Surveys as adopted by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects.
 - 4. Coordinates, based on the Missouri Coordinate System 1983, on the corners of the plat boundary, the control station, station coordinates, and grid factor used in accordance with the regulations of the Missouri Department of Natural Resources.
 - 5. Sufficient data (distances and directions) to positively locate the surveyed parcel within the United States Public Land Survey, or within the recorded

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subdivision. All section and land corners referenced on the plat and legal description shall be identified as to what was physically found or set, e.g., aluminum monument, ½" iron bar. Monumentation shall be in accordance with the regulations of the Missouri Department of Natural Resources.

6. Total acreage of the proposed subdivision.
7. Location of lots, streets, alleys, sidewalks, tracts and other features with accurate bearings and dimensions of all lines and the length and radius of all curves, along with all other information necessary to reproduce the plat on the ground. All bearings shall be shown to the nearest second of arc and all dimensions, lengths and radii shall be shown to the nearest hundredth of a foot between all corners, angle points and points of curvature.
8. Area in square feet for each lot, parcel, or tract.
9. Location of any oil and/or gas wells, if any, based on available information.
10. Lot numbers and tract identification for each lot and tract.
11. Location, right-of-way width, bearings and distances, and length and radius of all street and alley centerlines.
12. Names of existing and proposed streets.
13. Location and width of existing and proposed sidewalks.
14. Location, purpose and width of all existing and proposed easements. Existing easements shall include references to the recorded document number, including book and page if any.
15. Exact location of all existing structures and physical improvements, when requested.
16. Building setback lines.
17. Signature blocks for the following certifications, with the corresponding name typed, printed or stamped beneath the signature:
 - a. Signature of the owner or owners and notary public.
 - b. Certification by a Registered Land Surveyor that the plat was executed in accordance with the current Missouri Minimum Standards for Property Boundary Surveys
 - c. Certification of approval to be signed by City Clerk, City Engineer, Director of Planning and Development, and County Assessor or GIS Department. If the plat consists of more than one sheet, the certifications for city approval shall be repeated on each sheet, in approximately the same location on each sheet.

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Sample signature block for minor plats is shown below:

This is to certify that the minor plat of "*** (Name of Plat)" was submitted to and duly approved by the City of Lee's Summit, pursuant to the Unified Development Ordinance No. 5209:

(Name) – City Engineer

Date

(Name) – Director of Planning and Development

Date

(Name) – City Clerk

Date

Jackson County Assessor/GIS Dept.

Date

18. Statement dedicating all easements. Language shall be added to every plat in which an easement is dedicated, stating that the grantor, on behalf of himself, his heirs, his 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.
 19. Location and limits of the 1% Annual Chance Flood, as set forth on the current FEMA maps, with reference to the panel number. Elevations shall be provided if shown on the FEMA map.
 20. Notes shall be included on the plat specifying that individual lot owner(s) shall not change or obstruct the drainage flow lines on the lots covered by the Master Drainage Plan, unless specific application is made to and approved by the City Engineer.
- C. Supplementary Information. The following supplementary documents and information shall be submitted with the minor plat: (Amend. #37)
1. Engineering plans, if required. (See Final Plat section above.)

Section 16.220. Consideration, approval and recordation of minor plats

- A. Review of Minor Plats. The Director shall coordinate review and analysis of the minor plat by the City staff.
- B. Approval by City Staff. The Director and City Engineer or his/her designee may approve the minor plat if the subdivider presents clear and convincing evidence that the minor plat conforms to all applicable requirements of the municipal Code and any modifications granted pursuant to this Section, and that all submission requirements have been satisfied. The Director may refer a proposed minor plat to the Commission and Governing Body.
- C. Recordation of Plat. After approval by City staff, the subdivider shall prepare and submit for recording purposes, the number of copies of the minor plat as required by the Director, properly signed and acknowledged by appropriate persons. The approved plat shall be recorded at the appropriate county recorder of deeds office at the subdivider's expense.

Section 16.230. Minor plat; general requirements

- A. Lot Size. All lots platted or any remaining platted or unplatted land shall meet all zoning requirements for lot sizes. All RLL, R-1, RP-1 and RP-2 zoned lots proposed to be platted through the minor plat process or any remaining platted or unplatted land resulting therefrom shall meet the following requirements:
1. Lots created or resulting from a minor plat shall meet or exceed the minimum lot size requirements of the individual zoning district in which located; and
 2. Lots created or resulting from a minor plat shall be not less than 80% of the average size of the existing lots within the neighborhood or subdivision in which located, as determined by the Director. Once the initial average lot size has been determined, it shall become and remain the standard by which all other such lots resulting from minor plats within the same neighborhood shall be compared i.e., new lots shall not be used to recalculate an average lot size each time a minor plat is requested; and
 3. For purposes of calculating the area of existing lots, all lots within the same subdivision shall be used to determine the average lot size. If no such subdivision exists then all existing lots within a 500 foot radius or other such measurement, as determined by the Director, shall be used for the average lot size determination. If the applicant for the minor plat disagrees with the Director's determination he/she may file a written appeal with the City Clerk to place such appeal before the Governing Body within 10 calendar days of the Director's determination.
 4. Lots created or resulting from a minor plat not meeting the 80% area requirement in (2) above may only be approved through the final plat process requiring both Commission and Governing Body review.
- B. Public Improvements. No building permit shall be issued for a lot or tract resulting from a minor plat unless all required public improvements for the minor plat have been substantially completed, as provided in this Article.
- C. Dedication Requirements. A minor plat may not include a new street to be dedicated to the city. A minor plat may include the dedication of additional right-of-way on an existing dedicated street, subject to the approval of the City Engineer. A minor plat may include the dedication of utility easements.

Division III: Minimum design standards

Section 16.240. Blocks

- A. **Block Length.** In general, block lengths are determined by intersecting streets and shall be provided at such intervals as to serve cross traffic adequately and to meet existing streets or customary subdivision practices in the neighborhood.
1. Maximum block length in residential areas shall be based on land use and zoning district, as shown in Table 16-1 below. Block length in non-residential areas shall be subject to the provisions of the Access Management Code.

Table 16-1		
Land Use	Zoning District	Maximum Block Length
Single family residential	R-1	700
Single family residential	RP-1	600
Single family (1/2 acre lot minimum)	RLL	900
Single family (1 acre lot minimum)	RDR	1,500
Duplex	RP-2	640
Multi-family residential on individual lots	RP-3	800

2. Blocks up to 10% longer than the maximum listed above may be administratively approved if the requirements above cannot be met due to physical constraints, such as topography, drainageways, and existing surrounding streets.
 3. Provision of mid-block connections, in the form of sidewalks, pedestrian walkways, bicycle paths, trails, or alleys, shall be a factor in considering blocks longer than the above maximum lengths. Spacing of pedestrian walkways should be 600 feet or less. Pedestrian ways through the block may be required to serve nearby public facilities or to access common areas. Such pedestrian ways shall be paved and shall have a minimum width of five (5) feet, and shall generally be located within common areas to be maintained by the homeowners or property owners association.
- B. **Intersection Spacing.** Blocks adjacent to collectors and arterials shall have minimum intersection spacing in compliance with the Access Management Code.
- C. **Block Width.** The width of the block shall normally be sufficient to allow two (2) tiers of lots of appropriate depth. Where only one tier of lots is necessary because the subdivision abuts an arterial or collector street, a landscaped common area tract should generally be provided adjacent to the arterial or collector street. Such tract should be a minimum of twenty (20) feet in width, with berms and landscaping as needed to provide appropriate screening.

Section 16.250. Lots

- A. The minimum lot requirements shall be governed by this Chapter.
- B. Side lines of lots shall be approximately at right angles to street lines or radial to curved street lines.
- C. Single-tier lots shall not have access to both front and rear streets. Single-tier lots should be avoided when possible.
- D. Each lot in a subdivision shall have a minimum of fifty (50) feet of frontage on a public or private street, except that lots on a cul-de-sac or eyebrow shall have a minimum chord of 37.64 feet and a minimum arc distance of 38.59 feet at the front property line. The cul-de-sac or eyebrow minimums are based on a fifty (50) foot radius and a sixty-five (65) foot width at the thirty (30) foot building line.

Section 16.260. Driveways

- A. Access – General. Access to individual lots shall not be allowed from an arterial or collector street when access from a local or access street is available. In the absence of a local or access street, the lot shall only have access from the street with the lowest functional classification, in conformance with the Access Management Code.
- B. Access – Corner Lots.
 - 1. Access to corner lots shall be placed as far from the nearest street intersection as possible to achieve the maximum available corner clearance and avoid the intersection functional area.
 - 2. Access shall not be located within an intersection sight triangle.
 - 3. Access may be obtained from each abutting street, so long as such street is not an arterial or collector and the location of such access complies with all other conditions of this section.

Section 16.270. Streets

- A. Street Connectivity.
 - 1. Arrangements of major streets in the subdivision shall conform as nearly as possible to the Comprehensive Plan as adopted by the City and provisions shall be made for the extension of arterial and collector streets. Except for cul-de-sacs or eyebrows, streets shall connect with streets already dedicated in adjacent subdivisions, shall be provided for future connections to adjoining unsubdivided tracts, or shall be a reasonable projection of streets in the nearest subdivided tracts.
 - 2. All new developments shall be designed to discourage the use of local and residential collector streets by non-local traffic, while maintaining the overall connectivity with the surrounding system of roadways. This may be accomplished through the use of modified grid systems, T-intersections, roadway jogs, or other appropriate traffic calming or street design measures within the development.
- B. Cul-de-sacs. Cul-de-sacs and eyebrows will be permitted where topography or other conditions justify their use, and provisions shall be made for adequate traffic circulation, subject to the following limitations:

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1. The total number of cul-de-sac lots in a subdivision shall be no more than 10% of the total number of lots in the subdivision. The number of cul-de-sac lots may be increased to 20% if provisions are made for pedestrian and bicycle connectivity by way of interconnecting walkways, trails or bikeways, with connections to other public or private sidewalks. "Bulbs" or "eyebrows" containing 4 lots or less shall not be subject to the 10% limit.
 2. For all cul-de-sacs, a turnaround shall be provided at the closed end, with an outside curb radius of at least thirty-nine (39) feet and a right-of-way radius of not less than fifty (50) feet.
 3. Cul-de-sacs shall be no longer than five hundred (500) feet and the maximum number of dwelling units on a cul-de-sac shall be twenty (20) (except as provided below).
 4. Cul-de-sacs longer than 500 feet, but no longer than 1,000 feet, may be permitted if the subdivider submits clear and convincing evidence to the City that the property is limited by one or more of the following, to such an extent that it is impracticable to provide the area a second means of access that would avoid the cul-de-sac or allow the cul-de-sac to meet the cul-de-sac length limit (e.g., by providing a loop road into the area of the cul-de-sac, or extending the cul-de-sac to connect to another road in the subdivision). The maximum number of dwelling units on a cul-de-sac over 500 feet shall not exceed thirty (30) dwelling units.
 - a. Difficult terrain (such as steep slopes) that make it difficult to provide a second means of access.
 - b. Floodplain through the property that makes it impracticable to extend or connect the street.
 - c. Physical limitations (such as a highway abutting the property or major utilities such as a transmission main).
 - d. Remnant parcel where other properties adjoining the area have already been subdivided or developed in a manner that precludes connecting to a surrounding existing or potential road system.
 5. Water lines serving cul-de-sacs shall be designed to meet the requirements of the Design and Construction Manual.
 6. Cul-de-sac length shall be measured from the center point of the bulb of the cul-de-sac, along the centerline of the right-of-way, to the centerline of the right-of-way of the nearest intersecting street that is not a cul-de-sac.
- C. Ingress and Egress. There shall be an adequate number of points of ingress to and egress from the subdivision to ensure sound traffic engineering design, smooth traffic flow into and out of all portions of the subdivision (based upon the projected traffic generation from the subdivision and projected traffic on streets adjacent to a subdivision), and the public's safety. In determining whether the subdivision provides for an adequate number of points of ingress and egress, all relevant factors shall be considered, including but not limited to the following:
1. **Residential Subdivisions**. One (1) point of ingress to and egress from the subdivision shall be required for a residential area generating no more than 500 average daily trips (ADT), or fifty (50) single family homes. A residential area generating more than 500 ADT shall have at least two points of access. A

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transportation impact study will be required if the subdivision generates 100 or more trips in a peak hour, and the city traffic engineer shall determine whether the number and location of access points are appropriate based on the study and sound traffic engineering design.

2. **Nonresidential Subdivisions.** The adequacy of the number of points of ingress to and egress from nonresidential subdivisions shall be determined as a part of and based on the consideration of the site plan for the proposed development. The plat for such development shall show the same number of ingress and egress points as are shown on the approved site plan. If no site plan has been approved, all approvals of the preliminary plats shall be conditioned upon the final plat being consistent with the site plan with respect to the number of points of ingress to and egress from the subdivision.

3. **General Factors.**

- a. Traffic accumulation. The level of traffic using each point of ingress to and egress from the subdivision should not exceed the level of traffic that the type of street proposed (i.e., residential local or access street, residential collector, etc.) is designed to accommodate.
- b. Access for emergency vehicles. The points of ingress to and egress from the subdivision should be adequate to ensure that emergency vehicles can gain access to all proposed uses within the subdivision whenever necessary.
- c. Intersection of points of ingress to and egress from the subdivision with streets abutting the subdivision. The impact of injecting traffic from the proposed subdivision into the existing street network shall be mitigated by location, design, and control measures consistent with the standards of traffic engineering.
- d. Access to major street. The proposed subdivision or each section of the proposed subdivision with fifty (50) or more lots shall have direct access to a major street (i.e., residential collector or arterial) within or abutting the proposed subdivision.
- e. With respect to
 - (1) a subdivision that is a portion of a larger area planned as a phased and related development and for which a sketch plat must be submitted with the preliminary plat of the area first to be subdivided, and
 - (2) to a final plat for a subdivision that covers an area that is less than that covered by the related preliminary plat,

the determination of the adequacy of points of ingress and egress shall be made independently for and considering the cumulative effect of each proposed phase of the development or subdivision, as the case may be.

D. Future Street System.

1. Where the plat to be submitted includes only part of the tract owned or intended for development by the subdivider, a tentative plan of a proposed future street system, including all points of ingress to and egress from the subdivision, for the unsubdivided portion shall be prepared and submitted by

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the subdivider, as part of the requirement for preliminary plats.

2. When a tract is subdivided into larger than required minimum size building lots or parcels, such lots or parcels shall be so arranged as to permit the continuous location and opening of future streets and appropriate resubdivision.
- E. Angle of Intersection. Streets shall be laid out so as to intersect as nearly as possible at right angles, except where topography or other conditions justify variations. The minimum angle of intersection of streets generally shall be eighty degrees (80°).
- F. Offsets. Streets entering the opposite sides of a cross-street shall either be directly across from each other or offset by at least one hundred (100) feet from the right-of-way of a residential local or residential access street to the nearest right-of-way of another residential local or residential access street. Spacing requirements for all other streets shall be in accordance with the regulations set forth in the Access Management Code.
- G. Limited Access. If a commercial or residential subdivision abuts or contains an existing or proposed limited access highway or arterial street, the Commission may require a public street parallel to the highway or arterial, or cross access easements across the lots, as necessary for compliance with the Access Management Code, for adequate protection of residential properties, to afford separation of through and local traffic, and to provide safe, attractive roadways.
- H. Design Standards. For all streets hereafter dedicated and accepted in any subdivision, the minimum standards for *right-of-way width*, *pavement width*, *street grades*, and *street alignment* shall be as set out in the "Design and Construction Manual."
- I. Alleys. Except where justified by special conditions, such as the continuation of an existing alley in the same block, alleys will not be approved in residential districts. Alleys, where provided, shall not be less than twenty (20) feet wide. Intersecting alleys shall have corner cutoffs of at least twenty (20) feet on a side. Dead-end alleys shall be avoided wherever possible, but if unavoidable, such dead-end alleys may be approved if adequate turnaround facilities are provided at the closed end.
- J. Half Streets. Dedication of half streets will not be approved except in the public interest.
- K. Private Streets. Except where justified by special conditions, private streets will not be approved. Should the Governing Body approve a subdivision containing a private street, the private street shall be shown on the plat as a common area tract, and the provisions of Article 5 concerning common property shall apply.
- L. Curb Radii. Where two (2) residential streets intersect at approximately right angles, so that the smallest angle of intersection is not less than eighty (80°) degrees, the curb at each block corner shall be rounded with a radius of twenty-five (25) feet. At all other intersections or where residential street intersects with a divided arterial or arterial street, or where two (2) or more divided arterials or arterials meet, cross, or otherwise intersect in any combination, the curb radii at such intersections shall be subject to the approval of the City Engineer.
- M. Sight Distance. No landscaping or screening materials, signs, parked vehicles, or other objects other than essential directional signs, traffic control devices, and utility

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structures approved by the City shall interfere with the line of sight between a height of two (2) feet and eight (8) feet above the adjoining street or driveway pavement, within the triangular area formed by lines 25 feet in length along the edges of the pavement of intersecting streets or a driveway intersecting a street, from their point of intersection.

- N. Street Name and Traffic Signs. The subdivider shall procure street name and traffic (regulatory) signs, including posts and signs, and install said signs in conformance with the Design and Construction Manual and the approved engineering plans. (Amend. #25)

Section 16.280. Sidewalks

A. Location Requirements.

1. On local and access streets in residential areas, sidewalks shall be constructed on one side of the street if the single family density is 1.5 to 4.0 dwelling units per gross acre excluding common area and on both sides of the street if the density is over 4.0 dwelling units per gross acre. Sidewalks are not required on either side of a local or access street in a residential area if the density is less than 1.5 dwelling units per acre. On cul-de-sac streets serving single family development where sidewalks are required only on one side of the street, the sidewalks need not extend around the bulb of the cul-de-sac. Duplex and multi-family development shall require sidewalks on both sides of the street.
2. On all other streets (including, but not limited to, major and minor arterials, industrial and commercial collectors, and residential collectors), sidewalks shall be required on both sides of the street.

- B. Water Line Conflict. When a sidewalk is required on one side of a street, the sidewalk should be placed on the opposite side of the street from the water line, where feasible.

- C. Sidewalk Width. Minimum sidewalk width shall be five (5) feet. Construction standards shall be in accordance with the "Design and Construction Manual."

Section 16.290. Easements

- A. Location. An easement for utilities, at least seven and one-half (7-1/2) feet wide, shall be provided alongside and rear lot lines where necessary to form a continuous right-of-way at least fifteen (15) feet in width. If necessary for the extension of main water or sewer lines or similar utilities, including storm or sewer lines, easements of greater width will be required along lot lines or across lots.
- B. Connectivity. Utility easements shall connect with easements established on adjoining properties.
- C. Pole Guys. Additional easements for pole guys should be provided at the outside of turns. Where possible, lot lines shall be arranged to bisect the exterior angle so that pole guys will fall along the side lot lines.
- D. Storm Sewers. Utility easements for public storm sewers shall be required. Easements shall not be required for open drainage courses.
- E. General Utility Easements. The subdivider shall be required to work out all easements required by all public utility companies, including but not limited to gas, electric, telephone, water and sewer. The subdivider shall provide documentation

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to the City showing he/she has sent copies of the preliminary and final plat to the utility companies and asked for their input prior to approval by the City.

- F. Street Lighting Consideration. Placement of utility easements in residential subdivisions shall take into consideration City of Lee's Summit street lighting standards.
- G. Vacation of Conflicting Easements. Existing easements that are recorded and/or platted but not needed and public roadways that conflict with the proposed use or plat must be vacated prior to final plat approval.
- H. Dedication of Easements. The following language or similar language shall be added to every document in which an easement is dedicated to the City of Lee's Summit:

“Grantor, on behalf of himself, his heirs, his 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.”

This would not prohibit the City from agreeing to vacate the easement at a later date for no monetary consideration to the Grantor, including his heirs, assigns and successors in interest.

Section 16.300. Dedications for public sites and open spaces

- A. Dedication Procedures. All areas to be reserved for or dedicated to public use shall be indicated on the preliminary plat in order that it may be determined when, if, and in what manner such areas will be dedicated to or acquired by the appropriate agency and shall conform as nearly as possible to the recommendations of the Comprehensive Plan.
- B. Revisions. All streets, alleys, sidewalks, easements, and other public sites, when approved by ordinance, shall not thereafter be changed without the approval of the Governing Body by ordinance following recommendation of the Commission.

Section 16.310. Planned mixed use developments

Planned Mixed Use Developments are to be reviewed on their individual merits upon specific application of a developer. Any conflicting regulations herein may be waived to carry out intent of plan.

Section 16.320. Adoption of administrative guidelines

- A. Authorization. The Director is authorized, as deemed necessary, to prepare administrative guidelines to augment, implement and provide further details and examples of methods and manners of complying with the minimum design standards of this Section, and to assist City staff, the Commission and Governing Body in evaluating whether a proposed subdivision complies with the minimum design standards.
- B. Procedure. No later than fourteen (14) days in advance of the effective date as set by the Director, of an administrative guideline, the Director shall provide a copy of the administrative guideline to each member of the Governing Body. Upon receipt of the administrative guideline, any member of the Governing Body may request a review of the administrative guideline, and a majority may approve all or a portion of

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such guidelines by resolution. Any portion reviewed by the Governing Body and not so approved shall not take effect. If the Governing Body does not request review, the administrative guideline shall take effect on the date set by the Director. All administrative guidelines that take effect in this manner and have not been previously adopted by the Governing Body shall be adopted by the Governing Body, by resolution, annually.

Division IV: Minimum public improvements

Section 16.330. Required public improvements (Amend. #28)

All subdivision-related public improvements required by this Chapter must be completed as a condition precedent to the approval of the final plat, unless security is provided pursuant to Section 16.340. 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, or until satisfactory security is provided pursuant to Section 16.340.

Section 16.340. Plat Approval and Security in Lieu of Constructing Public Improvements (Amend. #28)

- A. Authority. The City Council may grant approval of a plat prior to completion of all subdivision-related public improvements if the developer complies with the requirements of this section.
- B. Security. Upon approval of the City Council and in lieu of completion of all subdivision-related public improvements previous to the final approval of a plat, the City shall accept, at the option of the developer, an escrow secured with cash or an irrevocable letter of credit deposited with the city to secure the completion of all public improvements prior to the final approval of a plat. The City may accept a surety bond rather than an escrow secured with cash or an irrevocable letter of credit and such bond shall be in an amount and with surety and other reasonable conditions, providing for and securing the actual construction and installation of the public improvements and utilities within a period specified in the ordinance approving the Final Plat and expressed in the bond. The form of any bond, letter of credit or escrow agreement allowed under this section is subject to the approval of the City Attorney and the Director of Finance, and all such documents shall be filed with the Director of Finance. Any escrow or bond posted in compliance with this section may be enforced by all appropriate legal and equitable remedies. In addition, the City may accept, in lieu of completion of all subdivision-related public improvements previous to the final approval of a plat, an assessment or other method whereby the City is put in an assured position to do the necessary work for construction and installation of the subdivision-related public improvements at the cost of the owners of the property within the subdivision. Any surety or financial institution proposed to be used under this section is subject to the approval of the Director of Finance with regard to the issue of sufficient financial capability.
- C. Transfer of Title of Subdivision Property. In the event a developer who, pursuant to this section, has posted an escrow, letter of credit, or bond, transfers title of the subdivision property prior to full release of the escrow, letter of credit, or bond, a replacement escrow or letter of credit from the successor developer shall be

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accepted in the form allowed under this section and in the amount of the escrow or letter of credit held by the City at the time of the property transfer. Upon receipt of the replacement escrow or letter of credit, the original escrow or letter of credit shall be released in full and the prior developer shall be released from all further obligations with respect to the subdivision-related public improvements if the successor developer assumes all of the outstanding obligations of the previous developer. A surety bond may be accepted from the successor developer in the form allowed under this section and in the amount of the bond held by the City at the time of the property transfer, and upon receipt of the replacement bond, the original bond shall be released in full, and the prior developer shall be released from all further obligations with respect to the subdivision-related public improvements.

- D. Release of Escrow or Bond. Any escrow or bond amount held by the City to secure actual construction and installation on each component of the public improvements or utilities shall be released within thirty days of completion of each category of public improvement or utility work to be installed, minus a maximum retention of five percent which shall be released upon completion of all improvements and utility work. Any such category of public improvement or utility work shall be deemed to be completed upon certification by the City Engineer that the project is complete in accordance with the ordinances of the City including the filing of all documentation and certifications required, in complete and acceptable form. The release shall be deemed effective when the escrow funds or bond amount are duly posted with the United States Postal Service or other agreed-upon delivery service or when the escrow funds or bond amount are hand delivered to an authorized person or place as specified by the owner or developer.

Section 16.350. Permanent markers and monuments

- A. Permanent reference points. The subdivider shall cause a registered land surveyor to install permanent reference points on all perimeter corners of the property and shall tie all property corners to the quarter section. The construction and placement of permanent markers shall conform to the current "Minimum Standards for Property Boundary Surveys, 10 CSR 30-2, Missouri Code of Regulations" (as amended).
- B. Permanent markers. Permanent markers shall be placed at points of curvature and points of tangency on street lines and at each angle point on the boundary of the subdivision. In situations where conditions prohibit the placing of markers in the locations prescribed above, offset markers will be permitted. Permanent monuments shall be placed at all quarter section points within the subdivision or on its perimeter.

Section 16.360. Streets

Classification of streets shall be as adopted in the City of Lee's Summit's Comprehensive Plan as shown on the Thoroughfare Master Plan. The required street improvements that will be accepted and maintained shall be as determined by the City Code and the Design and Construction Manual.

Section 16.370. Sidewalks

Sidewalks shall be constructed and installed in conformance with the minimum design standards set forth in Division III of this Article. The determination as to whether a sidewalk is required adjacent to a particular lot shall be made by the City, with

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consideration given to the recorded plat for the lot in question, adjacent recorded plats, engineering plans, water line locations, and the design standards set forth in this Article.

A. Responsibility for Construction.

1. Where a sidewalk is required adjacent to a buildable lot, sidewalks shall be constructed by the builder prior to occupancy of any structure on that lot.
2. When a sidewalk is required adjacent to either a common area tract, or any unplatted land, or any land where no structure is intended to be built, the developer shall construct the sidewalk at the time the street is constructed.

B. Escrow. Should construction or installation of the sidewalks be impossible because of weather or other conditions, the person or legal entity responsible for the construction of the sidewalk shall deposit with the City a cash sum in an amount equal to the construction cost of said sidewalk.

C. Optional Payment in Lieu of Construction

1. If the property owner feels a hardship exists that reasonably precludes the construction of a sidewalk, the property owner may submit a written request to the Director of Development Services ("Director") for payment in lieu of construction of sidewalk together with such information and studies as the Director may deem necessary to consider the request. Upon filing a complete application, this request will be reviewed and approved or denied by the Director based on the following criteria:

- a. The currently adopted City Capital Improvement Plan includes public improvements in the same area which would certainly result in damage, deconstruction and/or replacement of the proposed sidewalk; or
- b. The street is generally unimproved or built to an interim standard, typically characterized without curb and gutter unless such construction was intentional and in combination with sidewalk accommodation ; or
- c. Practical barriers exist to the construction of sidewalk or reasonably obstruct sidewalk connectivity including significant slopes or space limited, grade separated, rail, waterway or freeway crossings ; or
- d. Adjacent properties have been developed without sidewalk and the nearest existing sidewalk connection to the subject property exceeds 660 feet; or
- e. Another jurisdiction prohibits sidewalks along their right-of-way.

If the Director approves the request or such request is granted by the City Council by appeal, the property owner shall submit payment as calculated in Section B. to the City Finance Department and when such payment is

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received in full the sidewalk obligation for development shall be considered met.

If the Director denies the request, the property owner may file an appeal to the City Council within 10 days of the denial. The City Council may consider an appeal to determine if the denial was arbitrary and capricious and the appellant shall submit sufficient facts and evidence to establish that the Director has acted in such fashion. If the City Council finds by an affirmative vote that the Director did act in an arbitrary and capricious fashion, a payment in lieu of construction shall be allowed.

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2. The payment shall be calculated as the average unit price from all bids received by the City on Public Works projects in the most recent preceding two calendar years in which projects were competitively bid.

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3. The payment shall be held by the City of Lee's Summit Finance Department in an account for the City to use for sidewalk construction only.

4. Use of monies paid in lieu of sidewalk construction. At a time to be determined by the City Manager and/or Director of Public Works, collected monies in lieu sidewalk construction of shall be used to construct sidewalk in the same City Council District as the property from where the payment was collected if it is not used to construct sidewalk adjacent to said property.

Section 16.380. Street name and traffic signs

The subdivider shall install street name signs at all street intersections and traffic (regulatory) signs in conformance with the Design and Construction Manual and the approved engineering plans.

Section 16.390. Sanitary sewers

A sanitary sewer system shall be constructed by the subdivider in accordance with the Design and Construction Manual. When public sewers are not available, the subdivider shall construct a sewage collection system in accordance with the requirements of Jackson or Cass County, as the case may be, and the Missouri Department of Natural Resources. The maintenance bond requirements will be the same for a public sewer or individual collection system. A Certificate of Substantial Completion must be issued prior to the issuance of building permits.

Section 16.400. Sanitary sewers to adjacent property

Sanitary sewers shall be extended to the subdivision boundary line to serve adjacent property, except where adjacent property can be served by future sewer extension

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through dedicated right-of-way. These sewers shall be of adequate size to serve the upstream basin, as determined by the City Engineer.

Section 16.410. Storm sewers

All storm sewers constructed within the City shall be in accordance with the Design and Construction Manual. Storm water detention facilities and/or sedimentation facilities shall be constructed prior to the issuance of building permits and shall be maintained as required to control off-site drainage impacts. All storm drainage calculations shall be made in accordance with the Design and Construction Manual. Detention facilities on private property shall be maintained in accordance with the provisions set forth elsewhere in this Chapter.

Section 16.420. Abutting streets

Abutting streets shall be improved in accordance with the Thoroughfare Master Plan where necessary. Such improvements may include street widening, street resurfacing or replacement, installation of curbs and gutters, sidewalks, and storm water management facilities.

Section 16.430. Water service

- A. Requirements. Water lines shall be constructed by the subdivider in accordance with "American Water Works Association Standards" and the Design and Construction Manual.
- B. Building Permit Issuance.
 - 1. Water lines, hydrants, and base course for streets must be installed prior to issuance of building permits, pursuant to the International Fire Code.
 - 2. A Certificate of Substantial Completion must be issued prior to the issuance of building permits.

Section 16.440. Power distribution and telephone lines

- A. Power distribution lines. In all subdivisions, power distribution lines shall be installed underground adjacent to lots proposed for residential, commercial or industrial use, except in the case of a minor plat or replat containing three (3) or fewer lots where overhead lines are in existence on abutting property. Power lines classed as transmission or three-phase feeder need not be placed underground. All installations shall be in conformance with the minimum standards and practices of the power company having jurisdiction.
- B. Telephone lines. In all subdivisions, telephone lines shall be installed underground adjacent to lots proposed for residential use, except in the case of a lot split or other division of land or replat containing three (3) or fewer lots where overhead telephone lines are in existence on abutting property.

Section 16.450. Construction commencement

Construction of a public improvement project may commence only after the following requirements are fully met:

- A. the City Engineer approves a final engineering submittal;

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- B. inspection fees are paid to the assigned Public Works Inspector (fees shall be in amounts established by the Design and Construction Manual); and
- C. the Public Works inspectors have been notified forty-eight (48) hours prior to anticipated commencement of construction.

Section 16.460. As-built mylars with engineering certificates

- A. Submittal Requirements. As-built mylars must be received by the City before final acceptance of any improvement project. The mylars must include results of a post-construction survey. The post-construction survey shall include the following:
 - 1. Elevation of all sewer structures including pipe inverts and structure top elevations;
 - 2. Final adjusted stationing of all sewer structures and water line valves, hydrants and blow-off assemblies; and
 - 3. Final adjusted contours as shown in the grading plans and master drainage plan.
- B. Certification. As-built mylars must include a certification by a professional engineer licensed in the State of Missouri stating that the drawings are as-built and conform to construction records and post-construction survey information.

Division V: Acceptance of Public Improvements

Section 16.470. Improvement inspections

All required subdivision improvements shall be subject to inspection and approval by the City Engineer.

Section 16.480. Acceptance of improvements

A Certificate of Final Acceptance for required public improvements will be issued, provided the requirements set forth in the Design and Construction Manual are fully met within the time frame established therein.

Section 16.490. Partial acceptance of work

The City may accept and make use of any completed section of the public improvement work without obligating the City to accept the remainder of the public improvement work or any portion thereof. The warranty period for the accepted section shall not start until the project is complete and the City has issued the Certificate of Final Acceptance.

Packet Information

File #: 2018-2108, **Version:** 1

Presentation and overview of Targeted Planning Areas of the Economic Development Incentive Policy.

Issue/Request:

In 2015 Targeted Planning Areas for development/redevelopment were established by the Community and Economic Development Committee (CEDC) and the City Council to assist with gaining a better understanding of the opportunities and challenges within each area. Staff will be providing a high-level review of each Targeted Area to highlight current activity as well as opportunities and challenges within each area.

Key Issues:

Periodically staff presents an overview of activity within each of the 9 identified Targeted Planning Areas contained within the adopted Economic Development Incentive Policy. It has been some time since the last presentation occurred with the CEDC. The purpose of the presentation and discussion is to create greater awareness of the different Targeted Planning Areas and the level of activity taking place, opportunities and challenges that are present within each area. Attached is a combined map representing each Targeted Planning Area and staff will be prepared to provide an overview for each area at the CEDC meeting.

Mark Dunning, Assistant City Manager

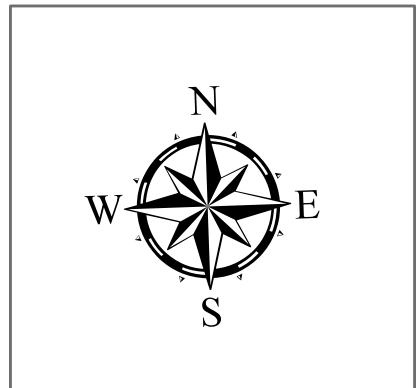
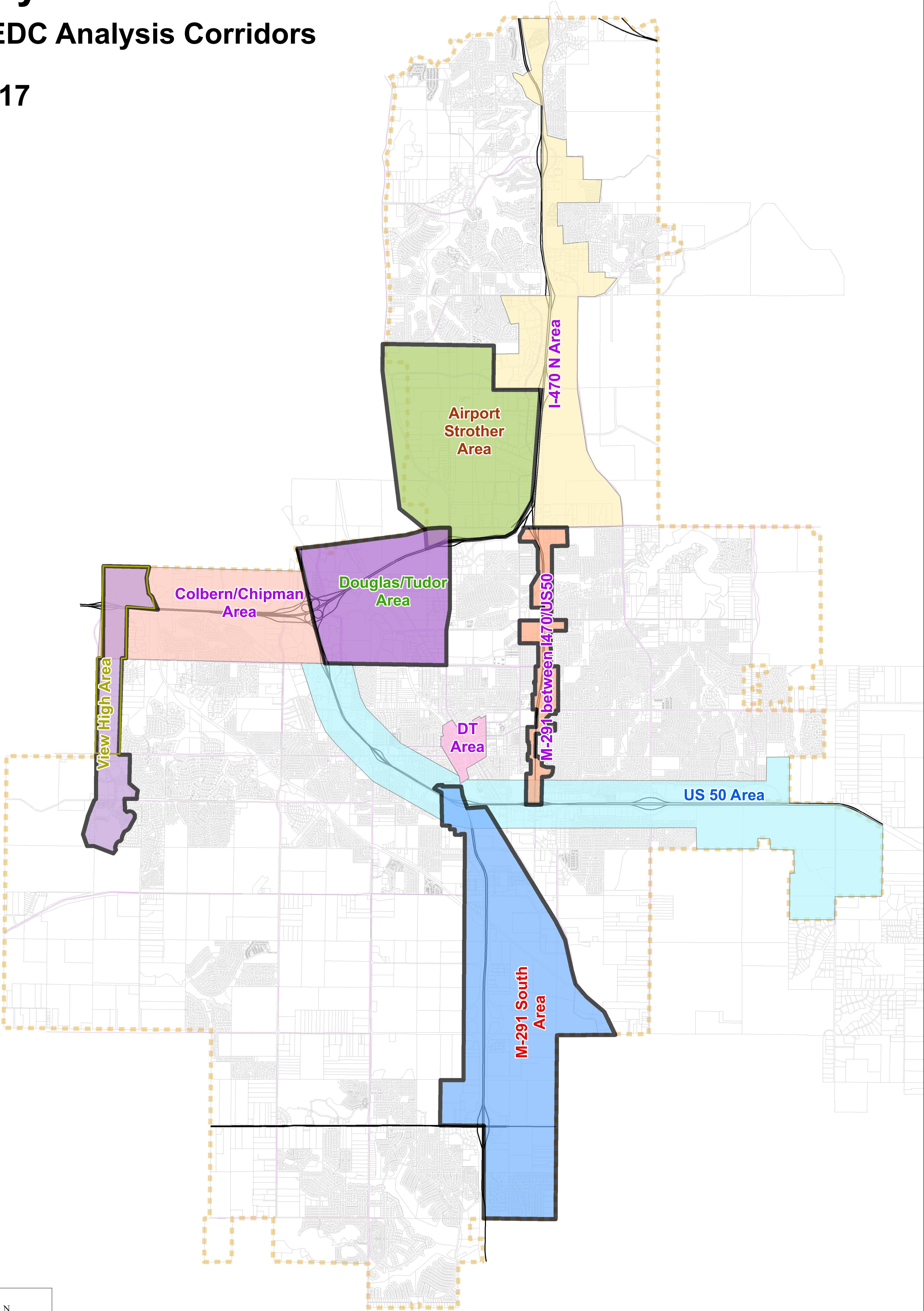
Committee Recommendation:

Informational presentation - no recommendation necessary.

City of Lee's Summit

CEDC Analysis Corridors

2017





Economic Development Incentive Policy



LEE'S SUMMIT
MISSOURI

Adopted by ordinance #7588 on;
February 19, 2015

Amended on;

October 1, 2015 (Ord. #7725)
January 4, 2018 (Ord. #8322)

Administrative Updates;

June 21, 2016

June 26, 2017

June 6, 2018

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ECONOMIC DEVELOPMENT VISION

The purpose of every vision statement is to describe a desired future outcome. This vision guides our decision making to allow for a consistent review and discussion of economic development and the use of incentives. It is the intent of the Mayor and City Council, City staff, and community partners to help align and direct resources to obtain this vision. In 2013, the Mayor and City Council, with input from our community partners, adopted the following vision;

Economic Development Vision Statement of the Lee's Summit City Council:

Lee's Summit will build upon and promote its unique downtown, educational excellence and cultural heritage to create and nurture a business environment which fosters entrepreneurship, commercial and neighborhood redevelopment, and the attraction and retention of high quality jobs in targeted businesses. In doing so, the tax base will grow ensuring the City's continued ability to deliver an outstanding quality of life and services to both businesses and residents.

The Economic Development Vision emphasizes five areas of focus: Downtown, Entrepreneurship, Redevelopment, Attraction and Retention, and Targeted Businesses. The areas of focus represent a strategic need that is part of a broader economic development strategy. **These areas of focus inform us as to 'how' the community should develop; through investment in Downtown Lee's Summit, entrepreneurship, redevelopment, and the attraction and retention of targeted jobs and businesses.**

USE OF INCENTIVES

The City of Lee's Summit is prepared to strategically and responsibly consider the use of incentive programs to meet our economic development goals and outcomes. It is the City's philosophy to be accommodating to targeted businesses that support our vision that has been outlined by the City Council. In accordance with our areas of focus and targeted outcomes, the City of Lee's Summit may provide a level of incentive as outlined in the following matrix.

Availability of Incentives							
	Areas of Focus					Guidelines	
	Downtown	Entrepreneurship	Redevelopment	Attraction/ Retention	Targeted Businesses	Minimum Investment	*Incentive
Incentives	TIF	X		X	X	\$5m New / \$3m Existing	**25%
	CID	X		X	X	Public Improvement Required	up to 1 cent
	NID	X		X	X	Public Improvement Required	Special Assessment
	TDD	X		X	X	Public Improvement Required	up to 1 cent
	Chapter 100	X		X	X	\$5m New / \$3m Existing	50% - 10 yrs
	Chapter 353	X		X	X	\$5m New / \$3m Existing	50% - 10 yrs
	LCRA	X		X	X	\$500k	50% - 10 yrs
	Sales Tax Reimbursement		X	X	X	\$250k (Public Improvements)	up to 1/2 cent
	Site Specific Incentives	X	X	X	X	TBD	TBD

* If request is below the listed amount City staff may proceed with review and presentation to Council. If request exceeds listed amount a conceptual presentation shall first be made to the City Council before proceeding with request.

** The value of the incentive is calculated by multiplying the cap amount and the total private development cost. Private development costs and activities are items that will not have public ownership.

STRATEGIC DIRECTION

The Mayor, City Council, and community partners have worked to clearly identify targeted development outcomes and targeted areas for development to communicate the City's economic development goals. **These outcomes, or goals, have been created to inform prospective investors of 'what' is desired by development that may make use of incentives.**

Targeted Outcomes

The City is seeking investment that supports or benefits;

- **The development and maintenance of infrastructure**

Development projects are encouraged to exhibit a public benefit through improvement, creation, or expansion of public infrastructure. In particular there is an interest for opportunities where the expansion of public infrastructure may create new economic development areas. This can include the development of bridges, streets, signals, stormwater facilities, removal of blight, water and sewer utilities.

- **Attracts or retains targeted businesses**

The City of Lee's Summit currently enjoys a residential base comprised of highly educated and highly skilled individuals. Creating employment opportunities that allow these individuals to advance their careers within the City of Lee's Summit is a priority. We seek employers that will leverage our existing strengths and workforce resources. We also seek economic sectors that have strong growth potential in the future. The City strives to be a regional hub that provides a fertile environment for the development of technology and healthcare industries, manufacturing, and entrepreneurship.

To be considered a targeted business, the business shall help create an environment where work opportunities exist to support family households. A quality life is a combination of good income, health, family, and leisure activities. These life experiences are more likely to occur when the workplace is in Lee's Summit. A common measurement of quality jobs is income. Indexes such as compensation that equals or exceeds the average pay for Jackson County, Missouri workers, is often used as a standard.

- **Preserves or enhances residential developments**

The City of Lee's Summit strives to provide a high quality of life for its residents. Residential development projects should provide an environment that attracts residents by incorporating quality design standards. We are seeking future residential communities that offer housing choices to attract next generations as well as supporting today's lifestyles. Residential developments that are incentivized should improve livability by enhancing the accessibility to needs and services. Careful consideration will be given to the impact on other taxing jurisdictions.

- **Allows for business retention or expansion**

Retaining our existing economic base is vital to providing reliable municipal services. The City of Lee's Summit seeks to promote an environment that will encourage growth and sustainability of the existing economic base. This can be accomplished through partnership opportunities with those looking to grow their business.

- **Helps generate a positive community image**

The City of Lee's Summit seeks to be recognized as a community that possesses high quality commercial and residential development that is well planned, meets diverse needs, and exceeds community expectations. This approach has helped identify Lee's Summit as a vibrant city with a dynamic spirit of cooperation among its diverse citizens, businesses, organizations, education systems, and local government.

TARGETED AREAS FOR DEVELOPMENT/REDEVELOPMENT

The Mayor and City Council has established targeted areas for development or redevelopment. **These targeted areas were defined to help inform investors of 'where' development and redevelopment is most desired.** Incentive requests may be considered for projects outside of these targeted areas. Summaries of each geographic area and map can be found in the following section.

Douglas/Tudor Rd. Targeted Planning Area:

Boundary description: NE Douglas St. on the east, US 50 Highway on the west, Chipman Rd. to the south and Colbern Rd. to the north

General overview: This area includes multiple large acreage - undeveloped tracts currently zoned for Planned Mixed Use, Planned Industrial and Planned Office uses. The Union Pacific rail line bisects the targeted planning area. Infrastructure improvements within this area include the re-alignment of NW Blue Parkway near Unity Village along with associated water and sewer line relocations, construction of the Tudor Road bridge connecting NE Douglas Street to NW Ward Rd. Sewer and water infrastructure exists to serve the general area. Significant efforts are underway to continue mixed-use development in and around the Summit Technology Campus with the recently completed Missouri Innovation Campus and Holiday Inn Express, and current construction of the 308 unit luxury multi-family Summit Square Apartments. Many of the properties are served by major roads providing excellent frontage to the properties, including Douglas Street, Chipman Road, Ward Road, Blue Parkway and Colbern Road. Highway frontage exists along both sides of the I-470 corridor. One rail spur exists to undeveloped property immediately south of I-470. The NW Main Street area is currently a 'metal building area' and much of the property is owned by a single property owner (Lowenstein).

I-470 North Targeted Planning Area:

Boundary description: I-470 Corridor north of Colbern Road to the north City limits

General overview: This area is largely undeveloped primarily due to the approximate 1,100 acres owned by Property Reserve, Inc. on the east side of I-470. Some undeveloped acreage exists on the north side of Colbern Rd. however development of this area would likely require significant sewer and traffic improvements. Within the Ralph Powell Rd. corridor various new development opportunities exist and infrastructure is available to these undeveloped parcels. The Wilshire Care Center continues to expand its footprint with additional residential independent living units currently under construction on the north side of Strother Rd. Some undeveloped lots exist within the Lakewood Business Park and commercial growth could occur on the NE corner of I-470 & Bowlin Rd (Captain's Wharf). Other undeveloped areas in this corridor would prove to be challenging to develop due primarily to topography.

Airport Targeted Planning Area:

Boundary description: I-470 on the east and south, Lee's Summit Road on the west, Strother Road and Lakewood Residential subdivision on the north

General overview: The City owns a significant portion of the Targeted Planning Area for the Municipal Airport where fuel sales and hanger rental is available. Airport improvements include a 5,500 ft. grooved concrete runway with a 4,000 ft. cross wind runway, improved airfield lighting, and heated hanger space availability for business and corporate aircraft and/or itinerant stays. Parcels along the I-470 corridor, east of the Airport are prepared for new development with infrastructure in place. Undeveloped parcels exist on the north and west sides of the Airport, however infrastructure to these areas would be necessary. Large lot residential developments exist along much Lee's Summit Road. St. Michael the Archangel Catholic High School has recently been constructed and opened located south of Strother Rd and east of Lee's Summit Road.

I-470 Chipman/Colbern Targeted Planning Area:

Boundary description: Colbern Rd/City Limits on the north, US 50 Highway on the east, Chipman Rd. on the south and View High/City Limits on the west.

General overview: West of US 50 Highway and north of I-470 land reclamation is occurring and much of the undeveloped area is undermined. South of I-470 opportunities for development exist along the west side of Pryor Rd. however relocation of transmission electrical lines would be necessary, and a fair amount of this area is undermined further west of Pryor Rd. The City is pursuing a Conceptual Development Plan for this area to create the framework for an envisioned mixed-use development. The target planning area is bisected by the Rock Island rail line which was recently acquired by Jackson County, Missouri for multi-purpose recreation/transportation uses and Cedar Creek.

View High Corridor Targeted Planning Area:

Boundary description: City limits on north, railroad and residential subdivisions to the east, Longview Road on the south and View High on the west.

General overview: Development efforts are continuing with the approved Paragon Star project (soccer complex/mixed use development at the View High/I-470 interchange with planned infrastructure improvements also being pursued. The Summit Church (Lee's Summit United Methodist Church) recently completed construction of a new Church at View High and Chipman Rd. Large lot residential

and undeveloped parcels exist along View High Drive. Recent approval of the Village at View High mixed-use development at the northeast quadrant of View High Drive and 3rd Street present opportunities for development in this area. Longview Farm continues to see development and redevelopment with construction commencing on a 7 screen B & B Movie Theater and adjacent commercial development. Stabilization work has been completed on the Longview Farm Barns and homes in this area with the overall vision to rehabilitate many of the historic structures of Longview Farm.

Downtown Core Targeted Planning Area:

Boundary description: City's Downtown Core as generally defined within the boundaries of Chipman Road, 291 North, and US 50 Hwy.

General overview: The Lee's Summit United Methodist Church continues to be marketed for sale at 2nd and Douglas Streets and the former Lee's Summit Journal Building at 5th & Douglas Streets is available for re-use. The Downtown area has seen significant investment and activity including completion of the Historic Museum, multiple offerings of dining and drinking establishments and event space. A plan has been approved to convert the former Post Office into a coworking space with many additional opportunities for redevelopment or reinvestment within this targeted area.

M-291 North Corridor Targeted Planning Area:

Boundary description: North M-291 Commercial corridor from US 50 Hwy to Colbern Rd.

General overview: The corridor is mostly developed with redevelopment opportunities present. The old Sears building has been redeveloped into an At-Home furnishings store, Hy-Vee Grocery Store expansion and renovation, completion of a new Generation 3 QuikTrip at Mulberry & 291, construction of a new PetSmart store within the Ritter Plaza area near the Wal-Mart. A new Community America Credit Union is under construction where a convenience and gas store once existed. Additional opportunities for redevelopment or reinvestment exist in this corridor.

US 50 Hwy Corridor Targeted Planning Area:

Boundary description: US 50 Hwy Commercial corridor from Chipman Rd south and east to City limits.

General overview: This area contains many opportunities for redevelopment as well as new development. Interchange improvements are currently under construction for the South M-291 & US 50 Hwy interchange and the new Blackwell Rd. & US 50 Hwy interchange is nearing completion. Redevelopment opportunities include: Old Lee's Summit Hospital, former Adesa & Calmar sites and mixed-use opportunities including large square footage light industrial opportunities within The Grove (South M-291 & Bailey Road area) which has received preliminary development plan approval. Lee's Summit Medical Center is currently under construction with a 3rd floor addition and the Village Cooperative residential project recently completed. With the Blackwell interchange and frontage road improvements there is great potential for new development in the eastern portion of US 50 Hwy however water and sewer infrastructure will likely be challenging south of US 50 towards Smart Road. A lift station would be necessary to sewer the annexed property referenced above.

South M-291 Targeted Planning Area:

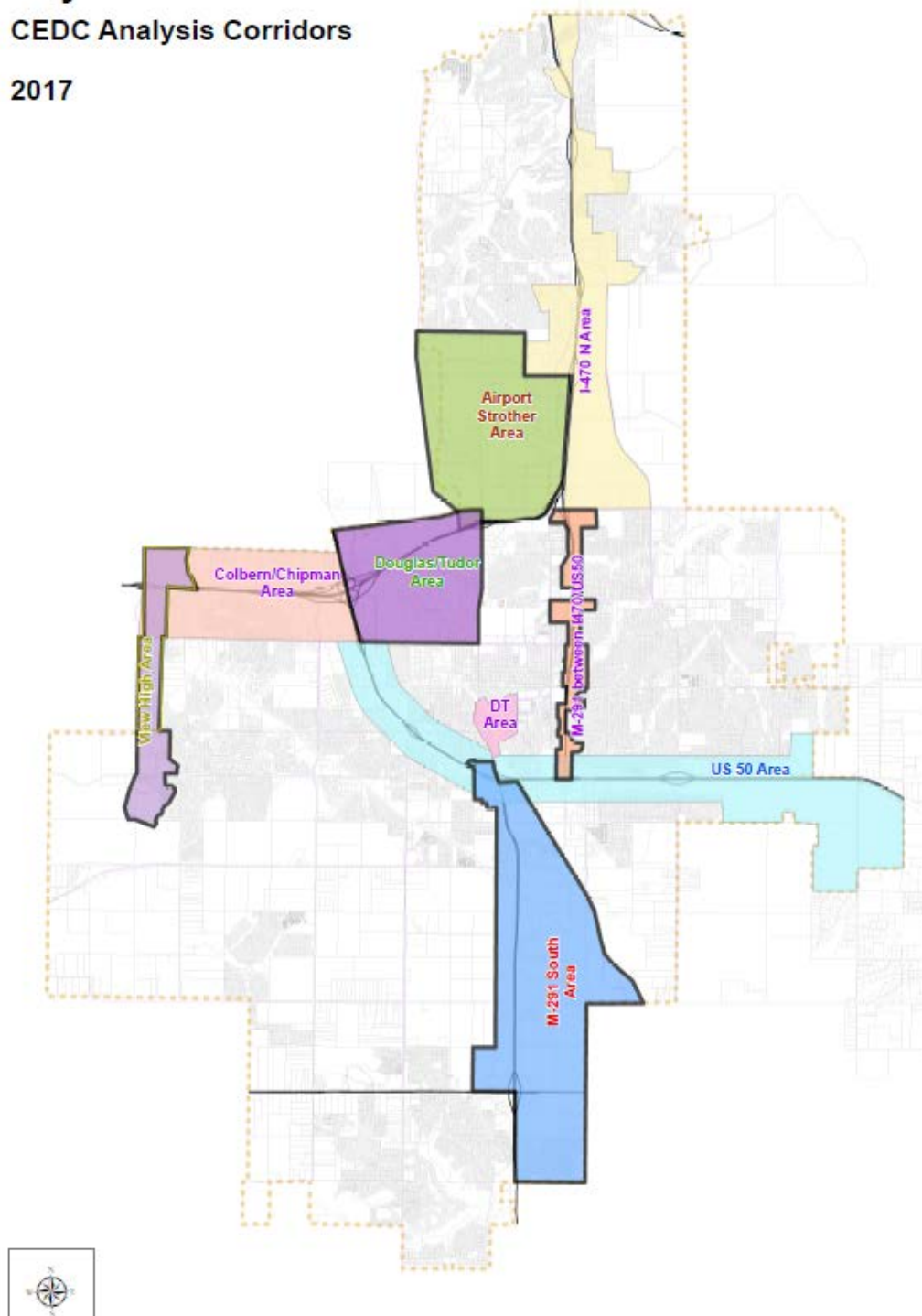
Boundary description: M-291 South corridor (south of US 50 Hwy) to the railroad tracks on the east, south to the southern City limits.

General overview: Redevelopment of the existing Pine Tree Plaza shopping center has recently received approval, and redevelopment opportunities exist with the South M-291 corridor immediately south of US 50 Hwy with the Adesa and Calmar sites and The Grove mixed-use development. A new Wal-Mart opened in March of 2017 north of M-150 on SW Market Street. A significant portion of this planning area lacks sewer, transportation and water infrastructure to support development, specifically towards southern Lee's Summit.

TARGETED AREAS FOR DEVELOPMENT**City of Lee's Summit**

CEDC Analysis Corridors

2017





APPENDIX

Guidelines & Resources



COMMUNITY PROFILE

In 2015, Lee's Summit celebrated its 150th anniversary. The sesquicentennial marked the founding the of the 11-block area that was the Town of Strother back in 1865. Decades and decades later, Lee's Summit finds itself a booming suburb, just miles southeast of Kansas City.

A town of 97,000-plus that stretches over 65-square-miles, Lee's Summit's proximity to Interstate 470, U.S. 50, Missouri 291 and Missouri 150 make it a regional destination for residents, businesses and tourists; hefty population growth in the last 30 years has been met with a thriving business environment where more than 4,300 businesses call Lee's Summit home. Plentiful educational opportunities exist from pre-k through high-school, the Missouri Innovation Campus and higher education offerings and thriving nationally accredited parks and recreation system in addition to multiple lakes provides dozens of opportunities to stay healthy and enjoy the outdoors.

The City of Lee's Summit, along with vital partners from the Lee's Summit Economic Development Council, Chamber of Commerce and Downtown Lee's Summit Main Street have worked in tandem to market a message that would differentiate Lee's Summit. Our community is our DNA.

Lee's Summit's community spirit approach to business represents a collaborative, pro-business atmosphere, which we (and our business partners) have found to be conducive in attracting and retaining business investment and job creation. We believe this is how it's supposed to be.

Demographics

Like many suburban communities across the United States, Lee's Summit began to experience its transformation from a rural, mostly agrarian community to a suburban community in the decades after the Second World War. As the city grew, its population nearly doubled every decade. In 1980, the population was approximately 28,000. By 1990 the population had reached 46,500. From 1990 to 2000, the city experienced a 53 percent increase in population, and another 29 percent increase from 2000 to 2010. Today, the population is just over 97,000. The median age is 38. The median household income is \$80,494. And, 85% of high school students attend college.

Transportation Corridors

The City is well-served by several interstate, federal and state highways. Interstate 470, which rings the southeastern portion of the metropolitan area connecting Interstate 70 to Interstate 435, dissects Lee's Summit. U.S. Highway 50, and Missouri Routes 291 and 150 also go through Lee's Summit providing access to Kansas City and the surrounding area. Significant road improvements throughout the community over the past 10 years have enhanced safety, alleviated traffic congestion, and opened areas for development. An active railroad still plays a role in the City's transportation, access and development and the recent acquisition of the Rock Island Railroad corridor by Jackson County, Missouri provides additional multi-modal opportunities for connectivity within the region.

Employment and Economy

The City has a broad spectrum of employers including companies that manufacture everything from plastic containers to tools to electronic components. In addition to manufacturing, there is a wide variety of services such as customer service centers for pharmaceuticals and telecommunications firms, data management and processing centers, and educational institutions. There are 16 businesses in Lee's Summit with 250 employees or more, with eight of these businesses employing over 500.

The health sector has become a major component of the Lee's Summit economy with two regional hospitals having been built within the last nine years. Saint Luke's East Hospital, built in 2005, is a state-

of-the-art, 201-bed facility situated on a 40-acre campus on the corner of Interstate 470 and Douglas. Lee's Summit Medical Center is a full-service acute care facility with 80 beds located at U.S. Highway 50 and Todd George Parkway. In addition to these hospitals, there are numerous physician offices and clinics that have made Lee's Summit one of the regional hubs for advanced medical care in western Missouri.

The City has seen its retail base increase significantly over the past decade. Summit Woods Crossing, an 800,000 square foot power center, opened in 2001 at the southwestern corner of the Interstate 470 and U.S. Highway 50 interchange. Tenants include Lowe's, Kohl's, Best Buy, Target, and Bed Bath & Beyond, as well as specialty stores and restaurants. Summit Fair, a 486,000 square foot open-air life style center, opened in 2009. Anchored by a Macy's, JC Penney, Dick's Sporting Goods and H & M, the center also includes several nationally known junior tenants.

CITY OF LEE'S SUMMIT MAYOR AND CITY COUNCIL



Mayor Bill Baird

District 1



Rob Binney



Diane Forte

District 2



Trish Carlyle



Craig Faith

District 3



Phyllis Q. Edson



Beto Lopez

District 4



Fred DeMoro



Bob Johnson

Community Partners

The City has numerous partnerships to enhance service delivery in an effort to accomplish community and stakeholder goals. In addition to education providers and civic groups, key economic development partners include: Lee's Summit Economic Development Council; Lee's Summit Chamber of Commerce; and Downtown Lee's Summit Main Street.

Lee's Summit Economic Development Council

The LSEDC is a public-private sector partnership devoted to improving the economic well-being of residents and businesses in Lee's Summit through its mission: *"To attract and retain business investment and jobs by partnering with allies to create and market a high-quality-of-life, pro-business community."*

The LSEDC provides a wide range of services which are designed to assist those wanting to invest in our community. Services include:

- Site Location Services
- Business Assistance Programs
- Research and Analysis
- Incentive Identification and Application
- Workforce Development



Lee's Summit Chamber of Commerce

The Chamber is dedicated to *"... create opportunities for business success through networking and advocacy, as well as business and professional development. We provide leadership by serving as a catalyst for the economic growth and prosperity of the Lee's Summit community."*

The Chamber's singular goal is to ensure that there is no better place to live or do business than right here in Lee's Summit. Services include:

- Tourism Promotion
- Entrepreneur Assistance
- Community and Business Marketing
- Business Development



Downtown Lee's Summit Main Street

Downtown Lee's Summit Main Street (DLSMS) is a partner focused on revitalization efforts in four areas: Design; Economic Restructuring; Organization; and Promotions. It is a comprehensive and balanced approach with an underlying goal of promoting and strengthening the downtown core and preserving its historic character.

The mission of Downtown Lee's Summit Main Street is to *"promote and strengthen its economically strong and diverse Downtown Core through a master plan of:*

- *community education and awareness*
- *cooperative utilization of business resources*
- *continuity in design and historical preservation and*
- *continued growth of the economic base"*



ECONOMIC DEVELOPMENT POLICY STATEMENT

The City Council of the City of Lee's Summit is the approving body for all projects that make use of economic development incentives. It is the City Council's responsibility to balance the needs for economic development and a positive financial condition for the provision of City services. The City Council reserves its power to judiciously review the merits of all development projects on a case by case basis. Under no circumstance will incentives be approved without consent from a majority of the City Council.

The purpose of this document is to inform the prospective investor of the types and uses of incentives that are available to fund development projects within the City. Additionally, the policies contained are guiding statements intended to outline processes, procedures, and reflect the general consensus of the Mayor and City Council.

OVERVIEW OF FINANCIAL TOOLS AND INCENTIVES

Purpose

Economic development incentives are a means to reduce or redirect taxes for businesses in exchange for specific desirable actions or investments that might not otherwise be financially feasible. To qualify for incentives, a project must demonstrate an ability to meet the City's targeted outcomes.

CATEGORIES

Special Taxing Districts

The City may establish or approve the establishment of special districts that can impose special assessments and/or taxes in order to pay for public improvements and/or to eliminate blight. These districts are typically geographic areas such as a neighborhood or corridor that are contiguously connected. The most common special taxing districts are Neighborhood Improvement Districts (NID), Community Improvement Districts (CID), and Transportation Development Districts (TDD).

Property Tax Abatement

Tax abatement is offered through a variety of programs geared to job creation, private investment, and redevelopment. Typically, property taxes continue to be paid on land and improvements based on their value prior to the new investment. All, or a portion, of the incremental increase in property taxes is abated for an established period of time. This incentive is sometimes referred to by the respective Missouri Statute as Chapter 99 (Land Clearance for Redevelopment Authority), Chapter 100 (Industrial Development Bonds), or Chapter 353 (Urban Redevelopment Corporation).

Tax Increment Financing (TIF)

All taxes owed and a portion of all of the incremental increase in taxes resulting from the redevelopment is captured and redirected to pay redevelopment project costs. Taxing jurisdictions continue to receive the taxes based on the pre-development value. A Tax Increment Financing (TIF) project may also capture new economic activity taxes after the TIF is approved. All new Business

Personal Property taxes created immediately flow to the respective taxing jurisdictions while the TIF is in existence.

Definitions and Guidelines

Community Improvement District (CID)

A CID is a separate political subdivision or not for profit organization that can be created for the purpose of issuing bonds, levying taxes and applying special assessments to finance public improvements, public services or blight removal.

Eligible Revenues and Financing Tools: (Authorized by Sections 67.1401 to 67.1561 RSMo.)

- Special Assessments: If approved by owners collectively owning more than 50% of the assessed value, and by more than 50% per capita of property owners in the districts.
- Property Tax: Additional property taxes may be approved by majority vote of qualified voters in the district boundary.
- Sales Tax: Additional sales tax may be imposed up to a maximum of 1% if approved by majority vote of qualified voters in the district.
- Fees and Rents
- Grants, Gifts, or Donations

Common Uses for CID:	
Improvements	Services
Parks	Economic, Planning, Marketing or other Studies
Convention Centers	Waste Collection / Disposal
Parking Lots	Recreational and Cultural Activities
Sidewalks	Special Events
Streets	Cleaning and Maintenance of Public/Private property
Bridges	Security
Storm Water Facilities	Facility Operation
Sanitary Sewer Facilities	Blight Removal

As permitted by the State statutes listed above, the City has developed the following guidelines as criteria for granting the use of this financing tool.

Guidelines:

- May be used in coordination with other development tools or as a standalone entity. When a CID/TDD/NID is used to create supplemental revenue to support a primary economic tool such as a TIF, the supplement should relate to public benefits. The City discourages the use of CID/TDD/NID when the sole purpose is to remedy private maintenance and repair costs.
- The amount of incentive granted will be determined based upon the merits of the project for a total of up to 1% per \$100 of assessed value or \$0.01 of sales tax revenue.
- If pursuing a blighted CID, public improvements related to the redevelopment project shall be considered a priority.

Transportation Development District (TDD)

Similar to a CID, a TDD operates as a separate political subdivision that may be created for the purpose of issuing bonds, levying taxes, and applying special assessments to finance transportation-related improvements.

Eligible Revenues and Financing Tools: (Authorized by Sections 238.200 to 238.275 RSMo.)

- **Special Assessments:** May be imposed for improvements that specifically benefit properties within the TDD. Majority voter approval is required. More than one special assessment may be imposed within the district.
- **Property Tax:** May be levied with the approval of at least 4/7ths of qualified voters and may not exceed the annual rate of \$0.10 per \$100 of assessed valuation.
- **Sales Tax:** May be imposed in increments of 1/8 of 1% up to a full 1% upon approval of a majority of qualified voters.

Common Uses for TDD:	
Bridges	Roads
Highways	Interchanges
Intersections	Signing
Signalization	Parking Lots
Bus Stops	Terminals
Hangars	Rest Areas
Docks	Airports
Railroads	Mass Transit

As permitted by the State statutes listed above, the City has developed the following guidelines as criteria for granting the use of this financing tool.

Guidelines:

- May be used in coordination with other development tools or as a 'stand alone' entity. When a CID/TDD/NID is used to create supplemental revenue to support a primary economic tool such as a TIF, the supplement should relate to public benefits. The City discourages the use of CID/TDD/NID when the sole purpose is to remedy private maintenance and repair costs.
- The amount of incentive granted will be determined based upon the merits of the project for a total of up to 1% per \$100 of assessed value or \$0.01 of sales tax revenue.

Neighborhood Improvement District (NID)

A Neighborhood Improvement District (NID) may be created in an area desiring certain public-use improvements that are paid for by special assessments to property owners in the area in which the improvements are made. The kind of projects that can be financed through an NID must be for facilities used by the public, and must confer a benefit on property within the NID.

Eligible Revenues and Financing Tools: (Authorized by Sections 67.453 to 67.745 RSMo.)

- **Special Assessments:** Financing source comes from the sale of bonds and can be privately funded. Project improvements may be financed with general obligation bonds issued by the City. Maximum bond term is 20 years.
- **Bonds:** The bonds are to be repaid by special assessments (sales taxes or property taxes) generated from the properties within the district.

Common Uses for NID:	
Property Acquisition	Streets
Gutters	Sidewalks
Water, Gas, and Utility Mains	Street Lights
Parks and Playgrounds	Storm Water Facilities
Sanitary Sewer	Off- Street Parking
Engineering and Legal Fees	Maintenance of the project

As permitted by the State statutes listed above, the City has developed the following guidelines as criteria for granting the use of this financing tool.

Guidelines:

- May be used in coordination with other development tools or as a standalone entity. When a CID/TDD/NID is used to create supplemental revenue to support a primary economic tool such as aTIF, the supplement should relate to public benefits. The City discourages the use of CID/TDD/NID when the sole purpose is to remedy private maintenance and repair costs.
- The amount of incentive granted will be determined based upon the merits of the project for a total of up to 1% per \$100 of assessed value.

Land Clearance for Redevelopment Authority (LCRA)

LCRA Law enables municipalities to curb urban blight and encourage redevelopment of real property. LCRA has the power to acquire and dispose of both real and personal property by purchase, lease, eminent domain, grant, bequest, devise or gift. LCRA has the power to issue taxable or tax-exempt bonds to fund any of its corporate purposes. LCRA, once created locally, is a separate political entity required to comply with all Missouri laws applicable to political subdivisions.

Eligible Revenues and Financing Tools: (Authorized by Sections 99.300-99.715 RSMo.)

- **Property Tax Abatement:** A maximum of 100% of the taxes on the increase in assessed value of both land and improvements for 10 years. During the abatement period, the property owner continues to pay taxes on the land and improvements that existed prior to redevelopment.
- **Bonds:** Can be issued to finance redevelopment and blight remediation.

Common Uses for LCRA:	
Land Acquisition Building Construction Blight Removal Activities	Land Disposal Building Rehabilitation

As permitted by the State statutes listed above, the City has developed the following guidelines as criteria for granting the use of this financing tool.

Guidelines:

- Typically incentives considered under the LCRA will be at an abatement level of 50% over a 10 year period for new development and redevelopment. To qualify for site specific incentives over the 50% base level of participation, the applicant must demonstrate extraordinary needs or qualifications.

Site-Specific Incentives

When a development or redevelopment project achieves or delivers the targeted outcomes defined in this document, a site-specific incentive may be granted in addition to traditional incentives at the base level amount. These site-specific incentives are intended to encourage redevelopment projects that have extraordinary needs or qualifications and return on public investment. At least one of the below criteria must be met for consideration.

Extraordinary Qualification Criteria:

- Creates jobs where average compensation meets or exceeds the average pay of workers in Jackson County, Missouri. (See exhibit C)
- Creates additional direct general fund revenue taxes that exceed the amount that is to be abated.
- Rehabilitates structures as listed on any historic register or within any historic district as defined by local, state, or federal governments.

Industrial Development Bonds (Chapter 100)

Chapter 100 bonds may be used to provide a tax abatement for real and personal property, and to finance.

Eligible Revenues and Financing Tools: (Authorized by Section 27 & 27(b), Missouri Constitution)

- Personal Property Abatement: The City purchases machinery or equipment which allows for City ownership and tax exemption.
- Real Property Tax Abatement: The property is owned by the City during the bond term and thus is exempt from taxes. A payment in lieu of tax (PILOT) agreement may be required to modify the level of abatement.
- Sales Tax Exemption: Purchases of materials used in the construction of the facility may be structured such that the City's sales tax exemption is used.

Common Uses for Chapter 100 Bonds:	
Land Acquisition Building Construction	Purchase of Machinery or Equipment Building Rehabilitation

As permitted by the State statutes listed above, the City has developed the following guidelines as criteria for granting the use of this financing tool.

Guidelines:

- Typically incentives considered under the Chapter 100 program will be at an abatement level of 50% over a 10 year period for new development and redevelopment.
- For business equipment/personal property the incentive will be considered at an abatement level of 50% over a 5 year period.
- To qualify for site specific incentives over the 50% base level of participation for the initial 10 years and/or abatement beyond the initial 10 years, the applicant must demonstrate extraordinary qualifications.

Urban Redevelopment Corporations (Chapter 353)

Chapter 353 allows for tax abatement of incremental real property taxes provided as an incentive for the clearance, re-planning, reconstruction, or rehabilitation of blighted areas.

Eligible Revenues and Financing Tools: (Authorized by Section. 27 & 27(b), Missouri Constitution)

- Property Tax Abatement: 100% of the taxes on the increase in assessed value of the land and 100% of the taxes on the value of the improvements for 10 years and 50% of the taxes on the increase in assessed value of the land and improvements for the next 15 years. The level of abatement may be modified by an agreement to make payments in lieu of taxes (PILOTs).

Common Uses for Chapter 353 Bonds:	
Land Acquisition	Blight Removal Activities
Building Construction	Building Rehabilitation

As permitted by the State statutes listed above, the City has developed the following guidelines as criteria for granting the use of this financing tool.

Guidelines:

- Typically incentives considered under the Chapter 353 will be at an abatement of 50% over a 10 year period for new development, redevelopment, and business equipment expansions.
- To qualify for site specific incentives over the 50% base level of participation for the initial 10 years and/or abatement beyond the initial 10 years, the applicant must demonstrate extraordinary qualifications.

Site Specific Incentives

When a development or redevelopment project achieves or delivers the targeted outcomes defined in this document, a site specific incentive may be granted in addition to traditional incentives at the base level amount. These site specific incentives are intended to encourage development projects that have extraordinary qualifications and return on public investment. At least one of the following criteria must be met for consideration.

Extraordinary Qualification Criteria:

- Creates jobs where average compensation meets or exceeds the average pay of workers in Jackson County, Missouri. (See exhibit C)
- Creates additional direct general fund revenue taxes that exceed the amount that is to be abated.
- Rehabilitates structures as listed in any historic register or within any historic district as defined by local, state, or federal governments.

Development Agreements

The City of Lee's Summit negotiates agreements to reimburse developers local taxes that are generated from the development (real property, personal property, and sales). Public purpose must be identified (e.g. public infrastructure requirements, economic development, elimination of blight, etc.).

Traditionally these agreements are used to finance public improvements for which there is already a need but no public funds available.

Eligible Revenues and Financing Tools: (Authorized by City Charter of Lee's Summit, Missouri)

- Sales Tax Reimbursement: The City may pledge a portion of the new sales taxes expected to be generated by the development to fund infrastructure improvements.
- Developer Participation: In this type of agreement the developer provides partial or total funding to expedite an unfunded public improvement that will benefit the development.

Common Uses for Development Agreements:	
Improvements	
Intersection Improvements Traffic Signals Regional Stormwater Detention Facilities	Street Widening Streetscape Improvements

As permitted by the City Charter listed above, the City has developed the following guidelines as criteria for granting the use of this financing tool.

Guidelines:

- Sales tax reimbursement will only be authorized to fund public improvement projects directly related to the development.
- Sales Tax Reimbursement shall be limited to funding from the General Fund and base level of participation at ½ cent over a 10 year period for public improvement projects.

Tax Increment Financing (TIF)

TIF is an economic development tool that provides a means for local governments to finance the redevelopment of designated areas determined to be blighted or conservation areas (near blight), or economic development areas. TIF allows future increases in real property and economic activity taxes to be captured and redirected to fund the redevelopment.

Eligible Revenues and Financing Tools: (Authorization Sections 99.800 to 99.865 RSMo.)

- **Payments in Lieu of Tax (PILOTS):** The tax increment produced as a result of increased assessed property values over the base level. State Statutes authorizes the redirection of 100% of the incremental increase in property taxes to the TIF special allocation fund. Taxing jurisdictions will continue to receive taxes based on the property values prior to the redevelopment.
- **Economic Activity Taxes (EATs):** State Statutes authorize the redirection of 50% of the incremental increase in taxes generated by economic activities within the project, such as new sales, utility, food, and beverage taxes.
- **Bonds:** The City may also issue obligations to pay for Redevelopment Project Costs and pledge the funds in the special allocation fund to retire the obligations. Maximum bond term is 23 years but may be longer when there are multiple project areas that are collectively more than 23 years (maximum of 33 years from plan adoption).

Common Uses for TIF:	
Professional Services	Plans and Specifications
Land Acquisition	Site preparation
Public Improvements	Private Improvements

As permitted by the State statutes listed above, the City has developed the following guidelines as criteria for granting the use of this financing tool.

Guidelines:

- Typically incentives considered utilizing TIF will be at an amount not to exceed 25% of the total private development costs.
- To qualify for site specific incentives over the 25% base level of participation, the applicant must demonstrate extraordinary qualifications.

Site Specific Incentives

When a development or redevelopment project achieves or delivers the targeted outcomes defined in this document, a site specific incentive may be granted in addition to traditional incentives at the base level amount. These site specific incentives are intended to encourage development projects that have extraordinary qualifications or needs and return on investment. The amount of incentive granted will be negotiated based upon the merits of the project.

Extraordinary Qualification Criteria:

- Creates jobs where average compensation is equal to or exceeds the average pay of workers in Jackson County, Missouri. (See Exhibit C)
- Creates additional direct general fund revenue taxes that exceed the amount that is to be abated.
- Rehabilitates structures as listed in any historic register or within any historic district as defined by local, state, or federal governments.

Guidelines:

- Sales tax reimbursements shall only be considered for public improvements

APPLICATION AND REVIEW PROCESS

Purpose

A predefined process and procedure will ensure that project review is consistent and efficient in an effort to have a uniform review process.

Overview of Application and Approval Process

If the applicant of a proposed project requests an incentive at the base level, or below, as referenced in the Availability of Incentives matrix, the developer or applicant may proceed with the statutory requirements outlined by each incentive. These statutory requirements may require a presentation to a Tax Increment Finance Commission, a petition process, funding agreement, or blight determination. For more information on these requirements please contact the City Manager's office.

If the applicant of a proposed project requests an incentive above the base level then the following guidelines will be used as the process for the review of the proposal.

Policy

1. Applicants shall notify, in writing, the City of Lee's Summit and may also notify the Lee's Summit Economic Development Council of their intent to pursue a development project that will make use of incentives above the base level. The pre-approval checklist, identified as Exhibit A to this document, shall accompany this letter at the time of submittal. In conjunction with the submission of the pre-approval checklist, an acceptable representation of the proposed project shall be submitted to accompany the incentive request.
2. There shall be pre-application conference(s) with City staff to review the proposal prior to a conceptual presentation to the City Council.
3. After review of the required submittals and pre-application conference(s), a conceptual presentation is made to the City Council to solicit feedback and direction on the proposal. The City Council may provide direction to the applicant and staff directly after the conceptual presentation or may choose to request additional information or presentations to be scheduled at a future regular session meeting of the City Council.
4. Should a request for incentive(s) be determined to require a funding agreement, the funding agreement may be placed on the same agenda as the conceptual presentation or future City Council regular session meeting as appropriate.

GUIDELINES FOR DEVELOPERS AND APPLICANTS

Purpose

To assist in the decision making process, the City of Lee's Summit has identified needed information that will help ensure each project is thoroughly reviewed in its entirety.

Policy

1. At any time, the City of Lee's Summit, may request an independent, third-party review, and financial analysis of the proposed development project. This review may include an analysis of cost and benefits, return on investment, general financials, feasibility, and require legal assistance from the City's Economic Development Counsel. This review /analysis and legal assistance from the City's Economic Development Counsel is to be provided at no cost to the City and is to be structured through a funding agreement similar to the one enclosed as Exhibit B.
2. At any time, the City Council of the City of Lee's Summit, may request review of available credit that may be used by the applicant for the purpose of development.

GENERAL POLICIES

Purpose

To meet the community's needs and protect resources entrusted to the City by its residents, the City Council may develop policies that regulate economic development for the purpose of maintaining or improving the general welfare of the City.

Policy

1. Before review by the City Council, all proposed projects that are to receive incentives must be consistent with the City's Comprehensive Plan and must comply with all applicable City zoning.
2. The City's 'annual appropriation', or General Fund, guarantee will not be pledged for economic development projects.
3. The City Council will not consider or grant incentives for projects that have received any type of building permit or infrastructure permit. This provision shall not pertain to various permits including:
 - a. Building permits necessary for repairs to existing buildings or their systems in efforts to maintain public safety
 - b. Infrastructure permits necessary for repairs to existing infrastructure in efforts to maintain public safety.
 - c. Demolition permits necessary to maintain public safety
 - d. Land disturbance permits
4. The disbursement of incentives will be subject to an annual evaluation to ensure that the performance of the development project is commensurate with the amount of incentives granted.
5. The City Council will receive comments, or a statement of impact, from the Lee's Summit School District, or any other taxing jurisdiction, if provided to City staff in writing during the review and processing of the proposal.
6. Incentive requests involving the redirection of taxes shall incorporate information to differentiate public vs private improvements/costs within the proposal or project budget.



Exhibit A
Financial Incentive Pre-Application Worksheet

DATE: _____ APPLICANT: _____

ADDRESS: _____

PHONE #: _____ EMAIL: _____

CONTACT PERSON: _____

DEVELOPMENT CENTER

PROJECT NAME: _____

PROJECT TYPE:

Check all that apply and fill in the SIC/NAICS code, if known.

- ☐ Industrial, Manufacturing, Technology SIC/NAICS code: _____
 - ☐ New building, no existing Missouri operations
 - ☐ New building, other Missouri operations already in existence
 - ☐ Expanding existing facility
 - ☐ Retaining existing facility
- ☐ Retail/Restaurant/Hotel SIC/NAICS code: _____
 - ☐ New freestanding building
 - ☐ New multi-use tenant building
 - ☐ Remodel, addition or expansion of existing building
- ☐ Office
 - ☐ New freestanding building
 - ☐ New multi-use tenant building
 - ☐ Remodel, addition or expansion of existing building
- ☐ Residential
 - ☐ New freestanding residential units
 - ☐ New residential units in a multi-use building
 - ☐ Remodel, addition or expansion of existing building
- ☐ Downtown
 - ☐ Remodel, addition or expansion of existing building
 - ☐ Exterior façade improvement
 - ☐ Construction of new building
- ☐ Other _____

PROPERTY FOR WHICH INCENTIVES ARE BEING SOUGHT

Attach map and legal description of property.

ADDRESS: _____

CURRENT PROPERTY OWNER: _____

WILL APPLICANT BE PURCHASING THE PROPERTY: _____ YES _____ NO

TOTAL ACRES: _____ Building Sq. Ft. _____

INVESTMENT

Total new investment: \$ _____

Acquisition of land/existing buildings: \$ _____
 Annual lease of land/existing buildings: \$ _____
 Preparation of plans, studies, surveys: \$ _____
 Site preparation costs: \$ _____
 Building improvements: \$ _____
 Site improvements: \$ _____
 Utilities/Infrastructure Costs: (streets, sewer, etc.): \$ _____

TIMELINE

Calendar year in which applicant plans to begin construction: _____

Approximate opening date: _____

WAGE & BENEFITS

	Job Category (executive, professional, clerical, general labor, etc.)	# new full-time employees	# new part-time employees	Average hourly wage/employee
Year 1				
Year 2				

% of health care premium paid for by the employer: _____

TYPE OF FINANCIAL INCENTIVE DESIRED

TAX REDIRECTION OR ABATEMENT

- ☐ Tax Increment Financing
- ☐ Chapter 100 Industrial Revenue Bonds
- ☐ Chapter 353 Tax Abatement
- ☐ Chapter 99 Land Clearance for Redevelopment Authority (LCRA)

Special Assessment, Property Tax, Sales Tax

- ☐ Neighborhood Improvement District
- ☐ Community Improvement District
- ☐ Transportation Development District

Local Incentive Tools

- ☐ Sales Tax Reimbursement Agreements
- ☐ Cost-Share Development Agreements

EXHIBIT B

TAX INCREMENT FINANCING FUNDING AGREEMENT

THIS TAX INCREMENT FINANCING FUNDING AGREEMENT ("Agreement") is entered into this _____ day of _____, 2017 by **CITY OF LEE'S SUMMIT, MISSOURI** (the "City"), and _____, a _____ (the "Company").

RECITALS

A. The City is a constitutional charter city incorporated and exercising governmental functions and powers pursuant to the Constitution and the Statutes of the State of Missouri. The principal office of the City is located at the City Hall, 220 SE Green St., Lee's Summit, Missouri 64063.

B. The Tax Increment Financing Commission of Lee's Summit, Missouri (the "Commission") was created pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 et seq. (R.S.Mo.1982, as amended) (the "Act"), and under Ordinance No. 3724, adopted by the City Council of the City. The principal office of the Commission is located at City Hall, 220 SE Green St., Lee's Summit, Missouri 64063.

C. The Company is a _____ engaged in the business of _____ with offices at _____.

D. The Commission has been requested by the Company to consider a potential plan for economic development-based financing for the Company related to the development of _____ (the "Plan"), which Plan may include, without limitation, a tax increment financing plan within the City, in accordance with the Act, or any other local or state economic development-based financing tool or option that is or may become available to the City and, if such Plan is approved by the City, the City and the Commission may be requested to provide such other services and assistance as may be required to implement and administer the Plan through its completion.

E. The Commission and the City do not have a source of funds to finance costs incurred by them, in the form of additional City staff time, legal, fiscal, planning, transportation and engineering consultants, direct out-of-pocket expenses and other costs, resulting from services rendered in connection with the review, evaluation, processing and consideration applications for tax increment financing assistance authorized by the Act, or any other local or state economic development-based financing tool or option that is or may become available to the City.

F. If the Company's Plan is approved by the City Council and if sufficient revenues are generated by the redevelopment contemplated by the Plan, Commission and City costs covered by this Agreement and paid by Company shall be reimbursed to Company from monies deposited into the Special Allocations Fund pursuant to 99.845 R.S.Mo.

AGREEMENT

1. Services to be Performed by the Commission and/or the City. The City (or, if directed by the City, the Commission) shall:

a. Prepare or consult with the Company on the preparation of and consider the Plan in accordance with the provisions of the Act, give all notices, make all publications and hold hearings as required by the Act on behalf of the City or the Commission;

b. Provide necessary staff, legal, financial, engineering and transportation assistance to prepare and present the Plan to the Commission and the City (including all staff reports, consultant reports and other third party reports, analysis and other information) and to permit consideration of the Plan by the Commission and the City, to prepare any resolutions or motions and, if the Commission recommends approval of the Plan, to prepare and present required ordinances to the City Council of the City.

c. Apply to the appropriate local or state agencies, authorities or entities as necessary or as required by the Plan, or as requested by the Company and approved by the City.

d. Provide any other assistance requested by the Company and agreed to by the City in connection with the Plan.

e. If the City Council of the City approves the Plan, provide the necessary staff and legal assistance to prepare and negotiate a definitive agreement between the Company and the City for implementation of the Plan; and

f. If a definitive agreement is entered into, provide the necessary staff and legal assistance to administer such agreement and Plan until funds are available in the Special Allocation Fund.

2. Initial Deposit. The City acknowledges receipt of an initial deposit of funds (the "Deposit") from the Company in the amount equal to (1) the Full Funding Level as required in Table 1 based on the incentive amount being requested, or (2) the Minimum Initial Deposit as specified in Table 1. If the amount of the Deposit is in the amount of the Minimum Initial, then Developer shall also deposit with City an irrevocable standby letter of credit (the "Letter of Credit") in an amount equal to the difference between the Full Funding Level and the Deposit. The Letter of Credit shall be in the form attached hereto as Exhibit ___, and shall be subject to draw by the City as provided herein. The City shall disburse the Deposit as set forth in Section 4 and shall bill the Company pursuant to Section 3 to re-establish the Deposit so that there is always a cash balance equal to the Minimum Initial Deposit amount. Further, prior to consideration or approval by the City Council of any ordinance, Company shall deposit with the City an amount equal to an amount determined by City staff to be sufficient to cover costs incurred during the City Council process from which additional disbursements may be made as required.

The Full Funding Level is only an estimate of expenses to be incurred through the TIF application process. The Company will be billed for actual out-of-pocket or City authorized third party consultant costs for services as set forth in Section 1. The City shall bill the Company monthly, or at such other interval or times as City shall determine to be appropriate, pursuant to Section 3 to re-establish the Deposit.

Table 1

Incentive Requested:	Less Than \$5,000,000	\$5,000,000 to \$25,000,000	\$25,000,000 to \$100,000,000	More Than \$100,000,000
Minimum Initial Deposit	\$25,000	\$50,000	\$50,000	\$50,000
Letter of Credit	n/a	n/a	\$100,000	\$225,000
Full Funding Level:	\$25,000	\$50,000	\$150,000	\$275,000

3. Additional Funding. The City shall submit from time to time an itemized statement for administrative expenses and actual out-of-pocket expenses necessary to perform its obligations hereunder or for any additional obligations or expenditures incurred by the City or Commission. Subject to the remaining provisions of this Section 3, such statements may be submitted upon execution of consultant contracts relating to the Plan or as expenses are incurred by the City in connection with the City's and/or Commission's review and consideration of the Plan. The Company may be billed in advance for the full amount of third party consultant contracts expenses upon approval of the contract by the City Manager or the City Council. The Company shall pay the City the amounts set forth on such statements (the "Additional Funds") within ten (10) days of receipt thereof or before final consideration of the application; provided, however, that as to any amounts billed in advance for any contract or consultant fees, City shall have the right to elect not to execute any such contract or to engage or authorize such consultant or contractor to proceed until such advance billing amount is paid by the Company.

If any such amounts are not so paid when due, the unpaid balance shall accrue interest at the rate of two percent (2%) per month from the date billed until paid, but in no event shall such interest rate exceed twenty-four percent (24%) per annum. Further the Commission and City shall be relieved of any and all obligations hereunder (including without limitation any obligation to review or consider the Plan) until all such amounts (with interest) are paid, or the City may terminate this Agreement pursuant to Section 6.a.

In addition, if such funds (including any advance-billed costs) are not so received, all work by staff and third party consultants on the TIF application shall cease until full payment is made, including penalties, and the fund balance is restored to the Deposit amount as set forth in Section 2 or, prior to any consideration or approval by the City Council, an amount sufficient to cover anticipated costs incurred during final consideration process is deposited as provided herein. Company acknowledges and agrees that the City shall have the right to delay final consideration of the Plan, or consideration or approval by the City Council of any ordinances with respect to the Plan or the projects contemplated therein, until all outstanding expenses have been paid and the fund balance is sufficient to cover all remaining cost anticipated to be incurred by or on behalf of the City through the anticipated conclusion of such final consideration process, including but not limited to meeting expenses, court reporting, attorneys' fees and other third party consultant preparation and attendance.

If at any time any amounts (including advance billings) are unpaid beyond the time periods set forth herein, or if at any time the City shall determine that it desires to hold on deposit the Full Funding Amount, City shall have the right to draw on the Letter of Credit and to hold the amounts so drawn as part of the Deposit.

4. Disbursement of Funds.

a. The City shall disburse the Deposit and Additional Funds for reimbursement for costs to the City on or before the thirty (30th) day of each month, and for consulting fees and the payment of all out-of-pocket expenses incurred by the Commission and/or the City in connection with the performance of its obligations under this Agreement as payment for such expenses become due. Upon reasonable notice, the Commission and/or City shall make its records available for inspection by Company with respect to such disbursements.

b. All of the services set forth in Section 1 are eligible redevelopment costs under the Act and as such are reimbursable from the Special Allocation Fund, but only to the extent ultimately set forth in the approved Plan and the redevelopment contract to be entered into in connection with any implementation of the Plan.

5. Plan Administration. In addition to the services set forth in Section 1, the Commission and/or City will be required to provide services from time to time for the continuing administration of the

Plan and management of the Special Allocation Fund. The Commission and/or City may be reimbursed from the Special Allocation Fund for meeting expenses at \$250 per meeting and, upon appropriate itemization, staff time and expenses. In addition, the City may retain monies deposited in the Special Allocation Fund each year, in an amount equal to the documented expenses of the Commission and/or the City that are reasonable or incidental to the general operations of the Commission and/or City with respect to administration of the Plan.

6. Termination.

a. In the event the Company fails to perform any of its obligations herein, the City may terminate this Agreement, and any other agreement between the parties, at its sole discretion upon ten (10) days written notice to the Company. Termination by the City shall also terminate any duties and obligations of the Commission and the City with respect to this Agreement, including, but not limited to, the Commission's or City's processing of Company's application and/or Plan. Upon such termination, the City shall retain the Deposit and Additional Funds, if any, necessary to reimburse all outstanding expenses incurred by the City and/or the Commission pursuant to this Agreement and any monies due and owing to the City and/or the Commission pursuant to any other agreement and shall pay all remaining refundable Deposit and Additional Funds, if any, to the Company within ninety (90) days of such termination.

b. The parties hereto acknowledge that the Company may determine to abandon the Plan. Upon notice of abandonment by the Company, this Agreement shall terminate and the City may terminate any other agreement between the parties and shall retain the Deposit and Additional Funds, if any, necessary to reimburse its staff time accumulated to the date of termination and outstanding expenses incurred pursuant to this Agreement and any monies due and owing to the Commission or the City pursuant to any other agreement and shall pay all remaining refundable Deposit and Additional Funds, if any, to the Company within sixty (60) days of such termination.

c. In the event the Deposit and Additional Funds are insufficient to reimburse the City for the outstanding expenses of the City and/or the Commission payable hereunder, the Company shall reimburse the City as set forth in Section 3.

7. Subsequent Redevelopers. In the event the Commission or City selects another redeveloper pursuant to a request for proposals or other bid process to carry out the Plan, the City shall require the subsequent redeveloper to assume all obligations of the Company under this Agreement as of the date it is designated as redeveloper and to reimburse the Company for its expenditures hereunder.

8. Notice. Any notice, approval, request or consent required by or asked to be given under this Agreement shall be deemed to be given if it is in writing and mailed by United States mail, postage prepaid, or delivered by hand, and addressed as follows:

To the City:

City Manager
City of Lee's Summit, Missouri
220 SE Green St.
Lee's Summit, MO 64063

With a copy to:

City Attorney
City of Lee's Summit, Missouri

220 SE Green St.
Lee's Summit, MO 64063

To the Company:

With a copy to:

Each party may specify that notice be addressed to any other person or address by giving to the other party ten (10) days prior written notice thereof.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized representatives the day and year first above written.

CITY OF LEE'S SUMMIT, MISSOURI

By: _____
Its: _____

Attest:

By: _____
Its: City Clerk

Approved as to form:

City Attorney

[COMPANY]

By: _____
Its: _____

Attest:

By: _____
Its: _____

STATE OF MISSOURI)

) ss.

COUNTY OF JACKSON)

On this . day of _____, 200__, before me, a Notary Public in and for said State, personally appeared _____, _____ of the **CITY OF LEE'S SUMMIT, MISSOURI**, who is personally known to me to be the same person who executed, as such official, the within instrument on behalf of said City and such person duly acknowledged to me that she executed the same for the purposes therein stated and that the execution of the same to be the free act and deed of said City.

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

Notary Public

My Commission Expires:

STATE OF _____)

) ss.

COUNTY OF _____)

On this . day of _____, 200__, before me, a notary public, appeared _____, _____, to me personally known, who being by me duly sworn, did say that he/she is the _____ of _____, a _____, and that said instrument was signed on behalf of said _____ by authority of its _____ and said _____ acknowledged said instrument to be the free act and deed of said _____.

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

Notary Public

My Commission Expires:

Exhibit A

[Date]

Irrevocable Letter of
Credit Number _____

Beneficiary:

City of Lee's Summit, Missouri
220 SE Green St.
Lee's Summit, MO 64063
Attention: City Manager

Ladies and Gentlemen:

We hereby issue in your favor our irrevocable Standby Letter of Credit for the account of _____ (the "Company"), for an amount not exceeding in the aggregate U.S. Dollars _____ **U.S. _____ ** (the "Stated Amount"). This Letter of Credit is issued to you pursuant to the terms of that certain Tax Increment Financing Funding Agreement, dated as of _____, between you and the Company (the "Funding Agreement").

The Stated Amount is available to you, hereunder, against presentation to us of your appropriately completed drawing certificate(s) in the form of Exhibit 1 or Exhibit 2, attached hereto. Only one drawing may be made hereunder.

If a drawing is received by us prior to 12:00 Noon, Kansas City, Missouri time, on a Business Day, and provided that such drawing conforms to the terms and conditions hereof, payment of the drawing amount shall be made to the Beneficiary in immediately available funds by 3:00 P.M., Kansas City, Missouri time, on the same Business Day. If a drawing is received by us after 12:00 Noon, Kansas City, Missouri time, on a Business Day, and provided that such drawing conforms to the terms and conditions hereof, payment of the drawing amount shall be made to the Beneficiary in immediately available funds by 1:00 P.M., Kansas City, Missouri time, on the next succeeding Business Day. Drawing Certificate(s) may be presented hereunder by facsimile transmission (facsimile number _____). If transmitted via facsimile, the original of any such transmitted Drawing Certificate shall be immediately sent to us by overnight courier, however, the Beneficiary and the Corporation agree that we are authorized to act upon any facsimile transmission of a Drawing Certificate without the need to follow up for the receipt of the original Drawing Certificate.

If a demand for payment made hereunder by the Beneficiary does not conform to the terms and conditions of this Letter of Credit, we shall give the Beneficiary prompt notice that the demand for payment was not made in accordance with the terms and conditions of this Letter of Credit, stating the reasons therefor, and we will upon the Beneficiary's instructions hold any such non-conforming demand at the disposal of the Beneficiary or return same to the Beneficiary. Upon being notified of a non-conforming demand, the Beneficiary may attempt to correct such demand to the extent that they are entitled to do so.

As used in this Letter of Credit "Business Day" shall mean any day other than a Saturday, Sunday or a day on which banking institutions in the state of Missouri are required or authorized by law to close.

This Letter of Credit expires at our office located at _____ with our close of business on _____, or any extended date as hereinafter provided for; provided, however,

that if on such date you are subject to a court order that prohibits or otherwise restricts your ability to draw on this Letter of Credit, then such expiry date shall be automatically extended without amendment to the date which is thirty (30) days after the date on which such order is dismissed (the "Expiry Date").

It is a condition of this Letter of Credit that the Expiry Date will be deemed automatically extended, without amendment, for successive periods of one year, unless at least sixty five (65) days prior to any Expiry Date we notify you in writing by hand delivery or by courier of our intention not to extend the Expiry Date. Upon receipt of such notice you may then make one drawing hereunder for up to the then available Stated Amount by the presentation to us of your appropriately completed Drawing Certificate in the form of Exhibit 2, attached hereto.

Notwithstanding any reference in this Letter of Credit to other documents, instruments or agreements or references in such other documents, instruments or agreements to this Letter of Credit, this Letter of Credit sets forth in full the terms of our undertaking and any such documents, instruments or agreements shall not be deemed incorporated herein by such reference.

Except as otherwise expressly stated herein, this Letter of Credit is issued subject to the Uniform Customs and Practice for Documentary Credits (1993 Revision), International Chamber of Commerce Publication Number 500, the "UCP". It is hereby agreed that Article 41 of the UCP will not apply to this Letter of Credit. This Letter of Credit shall be deemed to be a contract made under the laws of the state of New York and shall, as to matters not governed by the UCP, be governed by and construed in accordance with the laws of the state of New York.

We hereby agree with you that Drawing Certificates drawn under and in compliance with the terms of this Letter of Credit will be duly honored by us on due presentation to us.

Communications to us regarding this Letter of Credit must be in writing and must be addressed to us at _____, specifically referring therein to this Letter of Credit by number.

Very truly yours,

By: _____
Name: _____
Title: _____
Tel: _____
Fax: _____

Exhibit 1 to Letter of Credit Number _____

Drawing Certificate

To: _____

Re: Your Letter of Credit No. _____

The undersigned, a duly authorized officer of the City of Lee's Summit, Missouri, the "Beneficiary" of the captioned Letter of Credit (the "Credit"), hereby certifies to you with respect to the Credit that:

(1) Demand is hereby made under the Credit for payment of US\$[amount to be inserted].

(2) The above amount is being demanded pursuant to the terms of that certain Tax Increment Financing Funding Agreement, dated as of _____, between us and the Company (as defined in the Credit), and as the same may be from time to time amended, modified or supplemented.

Payment of this demand is required to be made in immediately available funds, by wire transfer, to the Beneficiary in accordance with the following payment instructions:

[insert payment instructions]

In Witness Whereof, the Beneficiary has executed and delivered this Drawing Certificate as of [date to be inserted].

CITY OF LEE'S SUMMIT, MISSOURI

By: _____
Name & Title _____

Exhibit 2 to Letter of Credit Number _____

Drawing Certificate

To: _____

Re: Your Letter of Credit No. _____

The undersigned, a duly authorized officer of the City of Lee's Summit, Missouri, the "Beneficiary" of the captioned Letter of Credit (the "Credit"), hereby certifies to you with respect to the Credit that:

(1). The Beneficiary has received a notice from the issuer of the Credit that the Expiry Date referred to in the Credit will not be extended beyond [Expiry Date in effect on the date of the Drawing Certificate to be inserted].

(2). There are less than sixty-five (65) days prior to the Expiry Date of the Credit and the Beneficiary has not received a replacement Letter of Credit satisfactory to the Beneficiary. The Beneficiary is therefore demanding payment of US\$[amount to be inserted] from the issuer under the Credit.

(3) The amount demanded will be used to satisfy obligations of the Company (as defined in the Credit) under the terms of that certain Tax Increment Financing Funding Agreement, dated as of _____, between us and the Company, and as the same may be from time to time amended, modified or supplemented.

Payment of this demand is required to be made in immediately available funds, by wire transfer, to the Beneficiary in accordance with the following payment instructions:

[insert payment instructions]

In Witness Whereof, the Beneficiary has executed and delivered this Drawing Certificate as of [date to be inserted].

CITY OF LEE'S SUMMIT, MISSOURI

By: _____
Name & Title _____

Exhibit C

Proposed Chapter 100, 353, TIF and LCRA Abatement Guidelines

Wages	Number of Jobs					
	5	7	10	15	20	25
	100% CAW	10 yr / 50%	10 yr / 50%	10 yr / 50%	10 yr / 50% + 2 yr / 50%	10 yr / 75% + 2 yr / 75% + 2 yr / 100%
	105% CAW	10 yr / 55%	10 yr / 55%	10 yr / 55%	10 yr / 55% + 2 yr / 50%	10 yr / 75% + 2 yr / 75% + 2 yr / 100%
	110% CAW	10 yr / 60%	10 yr / 60%	10 yr / 60%	10 yr / 60% + 2 yr / 50%	10 yr / 75% + 2 yr / 75% + 2 yr / 100%
	120% CAW	10 yr / 65%	10 yr / 65%	10 yr / 65%	10 yr / 65% + 2 yr / 50%	10 yr / 75% + 2 yr / 75% + 2 yr / 100%
	130% CAW	10 yr / 70%	10 yr / 70%	10 yr / 70%	10 yr / 70% + 2 yr / 50%	10 yr / 75% + 2 yr / 75% + 2 yr / 100%
	140% CAW	10 yr / 75%	10 yr / 75%	10 yr / 75% + 2 yr / 50%	10 yr / 75% + 5 yr / 50%	10 yr / 75% + 5 yr / 75% + 5 yr / 100%
	150% CAW	10 yr / 80%	10 yr / 80%	10 yr / 75% + 2 yr / 50%	10 yr / 80% + 5 yr / 50%	10 yr / 75% + 5 yr / 75% + 5 yr / 100%
	160% CAW	10 yr / 85%	10 yr / 85%	10 yr / 75% + 2 yr / 50%	10 yr / 85% + 5 yr / 50%	10 yr / 75% + 5 yr / 75% + 5 yr / 100%
	170% CAW	10 yr / 90%	10 yr / 90%	10 yr / 75% + 2 yr / 50%	10 yr / 90% + 5 yr / 50%	10 yr / 75% + 5 yr / 75% + 5 yr / 100%
	180% CAW	10 yr / 95%	10 yr / 95%	10 yr / 75% + 2 yr / 50%	10 yr / 95% + 5 yr / 50%	10 yr / 75% + 5 yr / 75% + 5 yr / 100%
	190% CAW	10 yr / 100%	10 yr / 100%	10 yr / 75% + 2 yr / 50%	10 yr / 100% + 5 yr / 50%	10 yr / 75% + 5 yr / 75% + 5 yr / 100%

Base: 10 yr / 50% abatement for companies creating a minimum of 10 jobs

CAW = County Average Wage for All Industries Public & Private in Jackson County, Missouri
as determined by the most recent published information from the Missouri Economic
 Research & Information Center (MERIC)

Job Creation: Number of net new Full Time Employees in 24 months after beginning new/
 expanded operations