

## **BILL NO. 21-56**

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AN ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BETWEEN CLAYTON PROPERTIES GROUP, INC., AND THE CITY OF LEE'S SUMMIT, MISSOURI, FOR THE OSAGE RESIDENTIAL PROJECT.

WHEREAS, on December 10, 2019, the City Council approved Ordinance No. 8784 which approved the rezoning and preliminary development plan for the residential development called The Osage to be constructed by or at the direction of Clayton Properties Group, Inc., a Tennessee corporation doing business as Summit Homes, on approximately 32 acres located at the southwest corner of SW M-150 Highway and SW Pryor Road which is projected to consist of 32 single-family lots, 22 two-family structures, 21 four-family structures and 16 common area tracts, along with related infrastructure, which was subject to the Developer complying with the Transportation Impact Analysis dated November 7, 2019 (the "TIA") as prepared by the City Traffic Engineer; and,

WHEREAS, the City Council desires to approve a development agreement to provide for the construction of traffic improvements described in the Traffic Impact Analysis as referenced in Ordinance No. 8784.

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

SECTION 1. The Development Agreement for the Osage Residential Project which is attached hereto as Exhibit A and incorporated herein by reference (the "Agreement"), is hereby approved and the City Manager is authorized and directed to execute the Agreement in substantial compliance with the attached Agreement. The Council hereby finds that the conditions set forth in Ordinance No. 8784, regarding the construction of the traffic improvements as set forth in the TIA should be modified such that the required transportation improvements should be substantially complete prior to the issuance of a temporary or final certificate of occupancy for any residential structure in the project.

SECTION 2. City officers and agents of the City are each hereby authorized and directed to take such action and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance and the Development Agreement.

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 All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

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SECTION 4. This Ordinance shall be in full force and effect from and after its passage, adoption, and approval by the Mayor.

PASSED by the City Council of the City of Lee's Summit, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mayor *William A. Baird*

ATTEST:

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mayor *William A. Baird*

ATTEST:

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney *Brian W. Head*

EXHIBIT A  
DEVELOPMENT AGREEMENT

**[ATTACHED]**