

## Legislation Details (With Text)

**File #:** BILL NO. 17-01  
**Name:**  
**Type:** Ordinance  
**Status:** Passed  
**File created:** 12/15/2016  
**In control:** City Council - Regular Session  
**On agenda:** 1/5/2017  
**Final action:** 1/5/2017  
**Title:** AN ORDINANCE AUTHORIZING THE EXECUTION OF A BREAK IN LIMITED ACCESS LICENSE AGREEMENT BETWEEN THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION AND THE CITY OF LEE'S SUMMIT, MISSOURI, FOR A BREAK IN ACCESS ON M-291 HIGHWAY.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance, 2. Break in Access license

Date	Ver.	Action By	Action	Result
1/5/2017	1	City Council - Regular Session	adopted and numbered	Pass

AN ORDINANCE AUTHORIZING THE EXECUTION OF A BREAK IN LIMITED ACCESS LICENSE AGREEMENT BETWEEN THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION AND THE CITY OF LEE'S SUMMIT, MISSOURI, FOR A BREAK IN ACCESS ON M-291 HIGHWAY.

Issue/Request:

AN ORDINANCE AUTHORIZING THE EXECUTION OF A BREAK IN LIMITED ACCESS LICENSE AGREEMENT BETWEEN THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION AND THE CITY OF LEE'S SUMMIT, MISSOURI, FOR A BREAK IN ACCESS ON M-291 HIGHWAY

Key Issues:

The preliminary development plan for the new Quik Trip at Mulberry and NE M-291 Hwy was approved with conditions that require off-site transportation improvements described in the traffic impact analysis provided in association with the application. Among those conditions of approval was a roadway connection from Windsor Drive to M-291 Highway (known as Windsor Connection). This transportation improvement was also contingent upon approval by the Missouri Highways and Transportation commission.

On December 8, 2016, the Development Agreement for the off-site improvements for QuikTrip store #0191 was approved by City Council. The development agreement requires that the Windsor Connection be constructed as part of the Development in compliance with the approved preliminary development plan.

Windsor Connection needs a Missouri Highway and Transportation Commission approved break in access along M-291 Hwy, an access controlled right-of-way.

Missouri Highway and Transportation Commission (MHTC) will only consider break in access applications for public roadways by a municipality. The City of Lee's Summit submitted an application for a break in access for Windsor Connection, a public roadway, to MHTC for consideration in coordination with QuikTrip. MHTC has reviewed the application and supports the attached MHTC agreement granting approval.

This license grants the break in access to the City of Lee's Summit.

Proposed City Council Motion:

FIRST MOTION: I move for a second reading AN ORDINANCE AUTHORIZING THE EXECUTION OF A BREAK IN LIMITED ACCESS LICENSE AGREEMENT BETWEEN THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION AND THE CITY OF LEE'S SUMMIT, MISSOURI, FOR A BREAK IN ACCESS ON M-291 HIGHWAY

SECOND MOTION: I move for adoption of AN ORDINANCE AUTHORIZING THE EXECUTION OF A BREAK IN LIMITED ACCESS LICENSE AGREEMENT BETWEEN THE MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION AND THE CITY OF LEE'S SUMMIT, MISSOURI, FOR A BREAK IN ACCESS ON M-291 HIGHWAY

Recommendation:

Staff recommends approval