

## Legislation Details (With Text)

<b>File #:</b>	BILL NO. 16-235	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed
<b>File created:</b>	10/25/2016	<b>In control:</b>	City Council - Regular Session
<b>On agenda:</b>	11/3/2016	<b>Final action:</b>	11/3/2016

**Title:** AN ORDINANCE APPROVING A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND PREMIERLIFE REAL ESTATE HOLDINGS, A MISSOURI NOT FOR PROFIT CORPORATION, OUTLINING THE TERMS AND CONDITIONS OF THE PROPERTY ACQUISITION BY THE CITY OF LEE'S SUMMIT, MISSOURI FOR USE AS THE LOCATION OF A NEW FIRE STATION NO. 3 GENERALLY LOCATED ON NW PRYOR ROAD IN LEE'S SUMMIT, MISSOURI.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance, 2. Memorandum of Understanding

Date	Ver.	Action By	Action	Result
11/3/2016	1	City Council - Regular Session	adopted and numbered	Pass

AN ORDINANCE APPROVING A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND PREMIERLIFE REAL ESTATE HOLDINGS, A MISSOURI NOT FOR PROFIT CORPORATION, OUTLINING THE TERMS AND CONDITIONS OF THE PROPERTY ACQUISITION BY THE CITY OF LEE'S SUMMIT, MISSOURI FOR USE AS THE LOCATION OF A NEW FIRE STATION NO. 3 GENERALLY LOCATED ON NW PRYOR ROAD IN LEE'S SUMMIT, MISSOURI.

Issue/Request:

AN ORDINANCE APPROVING A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND PREMIERLIFE REAL ESTATE HOLDINGS, A MISSOURI NOT FOR PROFIT CORPORATION, OUTLINING THE TERMS AND CONDITIONS OF THE PROPERTY ACQUISITION BY THE CITY OF LEE'S SUMMIT, MISSOURI FOR USE AS THE LOCATION OF A NEW FIRE STATION NO. 3 GENERALLY LOCATED ON NW PRYOR ROAD IN LEE'S SUMMIT, MISSOURI.

Key Issues:

- On November 8, 2016, City of Lee’s Summit voters will consider a bond issue which, if passed, will provide funding for the construction of a new Fire Station No. 3 to replace the current facility located on SW Pryor Road in Lee’s Summit, Missouri.
- Due to the limitations at the station’s current site, it will be necessary to relocate the new Fire Station No. 3 to a larger parcel of property.
- The City of Lee’s Summit and John Knox Village have negotiated the terms of an agreement whereby John Knox Village will donate a parcel of property for the location of the new Fire Station No. 3 in exchange for certain

infrastructure improvements and platting of the property and surrounding lands by the City.

- The Memorandum of Understanding outlines the terms and conditions by which the property transfer will take place as well as the obligations on the parties.

Proposed Committee Motion:

I move to recommend to City Council approval of AN ORDINANCE APPROVING A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND PREMIERLIFE REAL ESTATE HOLDINGS, A MISSOURI NOT FOR PROFIT CORPORATION, OUTLINING THE TERMS AND CONDITIONS OF THE PROPERTY ACQUISITION BY THE CITY OF LEE'S SUMMIT, MISSOURI FOR USE AS THE LOCATION OF A NEW FIRE STATION NO. 3 GENERALLY LOCATED ON NW PRYOR ROAD IN LEE'S SUMMIT, MISSOURI.

Background:

The current Fire Station No. 3 was built in 1970, and was originally designed to house one person. Today, it houses a minimum of three (3) personnel, with a maximum potential of four (4) personnel at any given time. Additionally, given size and space constraints, the Fire Department is unable to properly equip the facility with needed apparatus. The Fire Department's Standards of Cover observed that the facility no longer sufficiently meets the needs of the City and the district it serves.

The current Fire Station No. 3 is similar to the former Fire Station No. 2 located on Colbern Road. Fire Station No. 2 was relocated and rebuilt in 2011 to accommodate the needs of the community to bring it up to current standards and meet anticipated future needs. The relocation of Fire Station No. 3 would be a continuation of this process.

It is further recommended in the Fire Department's Standards of Cover that an ambulance be located in the service area of Fire Station No. 3. If the bond election passes, and the City is able to construct a new Fire Station No. 3 to house an ambulance as well as other needed apparatus, it is proposed that Rescue #7 move from its current location at Station No. 7 off of Scherer Road to the new Fire Station No. 3, or, in the alternative, explore the possibility of acquiring and staffing an additional ambulance for the facility.

Several property sites were considered for the potential relocation of Fire Station No. 3. The location recommended best meets the current and future growth trends and needs for the service area. Additionally, the acquisition of the recommended property is also the most fiscally feasible option for the City.

City staff and representatives of PremierLife Real Estate Holdings (a.k.a. John Knox Village) have met and negotiated the terms for the conveyance of a parcel of property located on the west side of NW Pryor Road near the intersection of the current NW Shamrock Avenue, pending the outcome of the no tax increase bond initiative. In exchange for the conveyance of the property, at no cost to the City, the City would agree to provide certain infrastructure and other needed development processes and improvements, including:

- City of Lee's Summit will provide platting services of property currently owned by PremierLife Real Estate Holdings, generally bounded by the Sterling Hills subdivision to the south and NW O'Brien Road to the north, covering approximately 20 acres. The parcel to be conveyed to the City for the relocation of Fire Station #3 lies within this area.
- City of Lee's Summit will provide certain road improvements, including:

- Construction of NW Shamrock Avenue from NW Pryor Road to the western limits of public right-of-way dedicated to the City along the north side of the parcel to be conveyed to the City for use as a future Fire Station No. 3.
  - Construction of a driveway with shared access easement between the parcel to be conveyed to the City for use as a future Fire Station No. 3 and the adjacent parcel between said parcel and NW Pryor Road (a tier one frontage lot), said shared access driveway and easement to be located from the proposed NW Shamrock Avenue right-of-way towards the south property line, and to be formally identified during the platting process.
  - Construction of a driveway apron/stub in alignment with the shared driveway noted in Section 2.b located along the north side of proposed NW Shamrock Avenue.
  - Construction of a northbound left-turn lane along NW Pryor Road at the intersection of NW Shamrock Avenue.
- City of Lee's Summit will install utility extensions, to include water, sewer electric and gas, which will be adequate to support future development to to the area to be platted, including and terminating at the parcel to be conveyed to the City.
  - City of Lee's Summit will conduct a sewer capacity analysis of the relevant portion of the current Cedar Creek Interceptor based upon a conceptual development plan prepared by John Knox Village to determine if there will be any sewer capacity impediments for future development in the surrounding area west of Pryor Road. Said analysis shall constitute an informational report to assist with the future development of any remaining property in the area and will not constitute a commitment on the City to allow future development or to take responsibility for remediating any potential impediments.
  - City of Lee's Summit will provide a right of first refusal to PremierLife Real Estate Holdings or its successor in interest for the proposed Fire Station #3 in the event that the property and facility no longer provide a public use to the City.
  - City will initiate re-zoning of the newly platted area, or that portion identified by PremierLife, including the parcel to be conveyed to City, to P-MIX.
  - City agrees that, during the period of its ownership of the parcel to be conveyed to it by PremierLife, that the parcel shall only be used for purposes of housing a Fire Station, and shall be utilized for no other public purpose.
  - City of Lee's Summit will provide John Knox Village the opportunity to provide input regarding the exterior design standards for the new Fire Station #3.

The attached Memorandum of Understanding formally outlines these considerations and, if executed, would constitute a binding legal agreement by and between the parties.

Impact/Analysis:

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Timeline:

Other Information/Unique Characteristics:

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Presenter: Assistant Chief Brian Austerman

Recommendation: Staff recommends approval of AN ORDINANCE APPROVING A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF LEE'S SUMMIT, MISSOURI AND PREMIERLIFE REAL ESTATE HOLDINGS, A MISSOURI NOT FOR PROFIT CORPORATION, OUTLINING THE TERMS AND CONDITIONS OF THE PROPERTY ACQUISITION BY THE CITY OF LEE'S SUMMIT, MISSOURI FOR USE AS THE LOCATION OF A NEW FIRE STATION NO. 3 GENERALLY LOCATED ON NW PRYOR ROAD IN LEE'S SUMMIT, MISSOURI.

Committee Recommendation: [Enter Committee Recommendation text Here]