

## Legislation Details (With Text)

**File #:** BILL NO. 17-272  
**Name:**  
**Type:** Ordinance  
**Status:** Agenda Ready  
**File created:** 12/5/2017  
**In control:** City Council - Regular Session  
**On agenda:** 12/14/2017  
**Final action:**  
**Title:** AN ORDINANCE AUTHORIZING THE FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN TOWNSEND SUMMIT, LLC AND THE CITY OF LEE'S SUMMIT, MISSOURI FOR THE SUMMIT ORCHARD DEVELOPMENT.  
 (Note: First Read by Council on December 14, 2017.)  
**Sponsors:** Development Services, Weisenborn, Mike  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Ordinance, 2. Exhibit A

Date	Ver.	Action By	Action	Result
12/21/2017	1	City Council - Regular Session	adopted and numbered	Pass
12/14/2017	1	City Council - Regular Session	advanced to second reading	Pass

AN ORDINANCE AUTHORIZING THE FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN TOWNSEND SUMMIT, LLC AND THE CITY OF LEE'S SUMMIT, MISSOURI FOR THE SUMMIT ORCHARD DEVELOPMENT.  
 (Note: First Read by Council on December 14, 2017.)

Issue/Request:  
 AN ORDINANCE AUTHORIZING THE FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN TOWNSEND SUMMIT, LLC AND THE CITY OF LEE'S SUMMIT, MISSOURI FOR THE SUMMIT ORCHARD DEVELOPMENT

Proposed City Council Motion:  
 I move for a second reading of AN ORDINANCE AUTHORIZING THE FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT BETWEEN TOWNSEND SUMMIT, LLC AND THE CITY OF LEE'S SUMMIT, MISSOURI FOR THE SUMMIT ORCHARD DEVELOPMENT

Background:  
 On May 19, 2016, the City Council of the City of Lee's Summit ("City") concluded a public hearing for Application #PL2016-039, for a preliminary development plan for the development of approximately 46.30 acres of land generally lying at the northeast corner of NW Ward Road and NW Chipman Road, on property owned by the Developer ("Property"), which will be developed as Summit Orchard ("Development"). Following the public hearing for the Development, the Council voted to approve the application for the Development subject to the Developer entering into a development agreement with the City to provide for the certain Improvements necessary for the Development. On September 6, 2016, the City and Townsend Summit, LLC ("Developer") entered into a Development Agreement with a Memorandum of Development Agreement being recorded with the Jackson County, Missouri Recorder's Office as Instrument Number 2016E0083148. This agreement called for the Developer to design and construct a traffic signal located at the intersection of NW

Ward Rd and NW Tudor Rd. However, the City is moving forward with this project before the Summit Orchard Development would normally do this work. On December 7, 2017, the City Council approved an ordinance authorizing the execution of an agreement by and between the City of Lee's Summit, Missouri, and Emery Sapp & Sons, Inc., for the preliminary design services for NW Ward Road from NW Tudor Rd to NW Blue Parkway (RFQ No. 49832272-DB) which included design and construction of a traffic signal located at the intersection of NW Ward Rd and NW Tudor Rd. Because the City is completing this project in advance of the time the Developer would normally do the work, this Amendment is advisable to remove the work the City is doing from a requirement of the Developer and clarify the remaining responsibilities of the Development.

Recommendation: Staff recommends **APPROVAL** of the ordinance.

Committee Recommendation: [Enter Committee Recommendation text Here]