

## Legislation Details (With Text)

<b>File #:</b>	BILL NO. 20-73	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed
<b>File created:</b>	3/16/2020	<b>In control:</b>	City Council - Regular Session
<b>On agenda:</b>	4/14/2020	<b>Final action:</b>	4/28/2020
<b>Title:</b>	An Ordinance approving a Development Agreement between DTLS Apartments, LLC, and the City of Lee's Summit, Missouri for the Downtown Cityscape project. (NOTE: First reading by City Council on April 14, 2020. Passed by unanimous vote.)		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Ordinance, 2. Development Agreement, 3. Sewer Improvement Maps		

Date	Ver.	Action By	Action	Result
4/28/2020	1	City Council - Regular Session	adopted and numbered	Pass
4/14/2020	1	City Council - Regular Session	advanced to second reading	Pass

An Ordinance approving a Development Agreement between DTLS Apartments, LLC, and the City of Lee's Summit, Missouri for the Downtown Cityscape project.  
(NOTE: First reading by City Council on April 14, 2020. Passed by unanimous vote.)

### Issue/Request:

Approval of a Development Agreement to arrange for the construction of public improvements associated with the Cityscape Downtown project.

### Key Issues:

Sewer improvements to increase capacity to accommodate the Cityscape project and traffic improvements to serve the site.

### Proposed City Council Motion:

I move for adoption of an Ordinance approving a Development Agreement between DTLS Apartments LLC and the City of Lee's Summit, Missouri for the Downtown Cityscape project.

### Background:

On January 8, 2018, the City Council approved Ordinance No. 8531 which approved a rezoning from District R-1 to District PMIX and a Preliminary Development Plan for land located at the northwest corner of NW Pryor Road and NW Lowenstein Drive. Section 4.3 of Ordinance No. 8531 provides that the developer shall execute a development agreement with the City to address the road improvements described in the Traffic Impact Analysis dated October 30, 2018 and other public improvements for the project, and that no building permits shall be issued until written proof is provided to the City that the development agreement has been recorded with the Jackson County Recorder of Deeds.

Developer has submitted sewer plans which have been reviewed by City staff and are expected to be approved for construction by the time this Development Agreement is approved by the City Council. The Development Agreement is necessary to control the issuance of building permits and occupancy permits based on the completion of the public improvements. This meeting packet includes maps showing the location of the sewer improvements to be constructed by Developer to increase downstream capacity to accommodate the apartment project.

Impact/Analysis:

Developer will be responsible for funding and constructing the public improvements and the City will not incur any payment obligations under this Development Agreement.

Timeline:

Start: Developer has already started demolition of the site and will have commenced the public improvements when this Agreement is executed.

Finish: the public improvements are expected to be completed this calendar year.

David Bushek, Chief Counsel of Economic Development & Planning

Staff recommends approval of this ordinance.