

## Legislation Details (With Text)

<b>File #:</b>	BILL NO. 20-214	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed
<b>File created:</b>	10/21/2020	<b>In control:</b>	City Council - Regular Session
<b>On agenda:</b>	11/17/2020	<b>Final action:</b>	11/17/2020
<b>Title:</b>	An Ordinance approving a Development Agreement between Woods Custom Homes, LLC, and the City of Lee's Summit, Missouri, for the Woodlawn Estates project and authorizing the City Manager to execute the same. (F&BC 11/9/20)		
<b>Sponsors:</b>	Water Utilities		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Ordinance, 2. Development Agreement, 3. Exhibit A, 4. Exhibit B, 5. Exhibit C, 6. Opinion of Probable Cost Harris to 7 Hwy Water Main.pdf		

Date	Ver.	Action By	Action	Result
11/17/2020	1	City Council - Regular Session	for second reading	Pass
11/17/2020	1	City Council - Regular Session	adopted and numbered	Pass
11/9/2020	1	Finance and Budget Committee	recommended for approval	Pass

An Ordinance approving a Development Agreement between Woods Custom Homes, LLC, and the City of Lee's Summit, Missouri, for the Woodlawn Estates project and authorizing the City Manager to execute the same. (F&BC 11/9/20)

### Issue/Request:

Approval of an Ordinance approving a Development Agreement that provides for the construction of water line improvements and water services in the Woodlawn Estates subdivision, Lake Lotawanna, Mo, and authorizing the City Manager to execute the same.

### Key Issues:

This development is located outside the city limits at the southwest corner of the intersection of Highway 50 and Highway 7. This same area was previously within Public Water Supply District 14 (PWSD #14) but detached in 2007, before the water district was merged with the Lee's Summit Water Utilities (LSWU) service area.

Due to this area being detached from PWSD #14, it is open to being served by either PWSD #15, which is currently serving two buildings adjacent to this property and the area on the east side of Highway 7, or LSWU.

Earlier this year, Lee's Summit Water Utilities was contacted by Woods Custom Homes, LLC and asked if Lee's Summit Water Utilities would have interest and the ability to provide water service to this project.

After performing hydraulic modeling and evaluation of the existing infrastructure, it was determined that the infrastructure was capable of providing water service contingent upon two phases of improvement projects. These improvements include Phase 1, which includes 3000 ft. of 12 inch water main and Phase 2, which includes 2800 ft. of 12 inch water main. Phase 1 is required to be completed prior to development of the residentially zoned lots and Phase

2 is required prior to development of the commercially zoned lots.

Construction of the proposed improvements provides the most efficient manner to loop the existing water improvements located along Highway 50 to the existing improvements located on Herring Rd. In addition, construction of these improvements provides a connection to an existing crossing located under Highway 50.

The agreement provides that if LSWU constructs the Phase 1 improvements, Woods Custom Homes will elect for this previously detached property to be served by Lee's Summit and construct the Phase 2 water main improvements prior to development of the commercially zoned lots.

The addition of this service area and the Phase 1 and Phase 2 Mains completes a loop at the edge of the existing service boundary that will allow for future connections and better service existing customers.

Proposed Council Motion:

FIRST MOTION: I move for second reading of an Ordinance approving a Development Agreement between Woods Custom Homes, LLC, and the City of Lee's Summit, Missouri, for the Woodlawn Estates project and authorizing the City Manager to execute the same.

SECOND MOTION: I move for adoption of an Ordinance approving a Development Agreement between Woods Custom Homes, LLC, and the City of Lee's Summit, Missouri, for the Woodlawn Estates project and authorizing the City Manager to execute the same.

Background:

In 1976 the City of Lee's Summit and Water District #14 entered into a 28 year lease and contract. This contract expired in July of 2004, at which time the District advised the City of their intent to execute the contract provisions that stipulates the District will transfer their assets to the City and that the district be dissolved. In order to allow time for the district and the city to determine the best process to execute these provisions a 6 month extension was approved by both the City and the District in July of 2004. Since that time, both the City and the District have agreed the best process will be to merge the water systems, in accordance with state statutes, of the district and the city into one system owned and operated by the City of Lee's Summit.

On November 16, 2007 in the case of *Lone Summit Development Group, Inc. and Lone Summit Bank v. Public Water Supply District #14*, Case No. 516-CV351 84 removed approximately 147 acres located at the Southwest corner of the intersection of highways 50 & 7. Removing this area created a gap within the water service area.

In March of this year Woods Custom Homes, LLC approached the City about providing service to approximately 103 Acres of the ground which was detached in the law suit. At that time Woods Custom Homes was negotiating with both Lee's Summit and Public Water Supply District 15 (PWSD 15) to possibly serve this area.

In an effort to capture this service area and provide the logical system improvements that are needed, LSWU negotiated with Woods Custom Homes LLC the attached agreement.

Impact/Analysis:

The City will be responsible for design and construction of the Phase 1 water main to the site. The Developer will be responsible for funding and constructing the Phase 2 water main from the site to Herring Road.

The public improvements are the following items:

Phase 1 Water Line: Approximately 3000 LF of 12" waterline, 7 Fire Hydrant Assemblies, 4 12" Valves, 2 Air Release Structures and Miscellaneous Fittings.

Phase 2 Water Line: Approximately 2800 LF of 12" waterline, 6 Fire Hydrant Assemblies, 3 12" Valves, 1 Air Release Structures and Miscellaneous Fittings.

Timeline:

Start: Developer has already started work on the site when this Agreement is executed.

Finish: The public improvements are expected to be completed in December 2020.

Mark Schaufler, Director of Lee's Summit Water Utilities (P)

At the November 9, 2020 Finance and Budget Committee, on motion by Councilmember Forte, second by Councilmember Lopez, the Committee voted unanimously to recommend to the City Council approval of an Ordinance approving a Development Agreement between Woods Custom Homes, LLC, and the City of Lee's Summit, Missouri, for the Woodlawn Estates project and authorizing the City Manager to execute the same.