

## Legislation Details (With Text)

<b>File #:</b>	BILL NO. 22-70	<b>Name:</b>	
<b>Type:</b>	Ordinance	<b>Status:</b>	Passed
<b>File created:</b>	3/30/2022	<b>In control:</b>	City Council - Regular Session
<b>On agenda:</b>	4/12/2022	<b>Final action:</b>	4/19/2022
<b>Title:</b>	An Ordinance Approving the First Amendment to the Development Agreement for the Bailey Road Middle School Between the Lee's Summit R-7 School District and the City of Lee's Summit, Missouri. (Note: First read by City Council on April 12, 2022.)		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Ordinance, 2. Exhibit A to Ordinance: First Amendment, 3. Development Agreement (Executed)		

Date	Ver.	Action By	Action	Result
4/19/2022	1	City Council - Regular Session	adopted and numbered	Pass
4/12/2022	1	City Council - Regular Session	advanced to second reading	Pass

An Ordinance Approving the First Amendment to the Development Agreement for the Bailey Road Middle School Between the Lee's Summit R-7 School District and the City of Lee's Summit, Missouri.  
(Note: First read by City Council on April 12, 2022.)

### Issue/Request:

An Ordinance authorizing the execution of the First Amendment to the Development Agreement between the Lee's Summit R-7 School District and the City of Lee's Summit, Missouri for the development of Middle School #4, which will allow for temporary occupancy while the School District finishes the required sewer improvements.

### Key Issues:

Temporary relief from the sewer requirements which will allow school occupancy with adequate sewer service while the permanent sewer improvements are completed.

### Proposed City Council Motion:

I move for adoption of an Ordinance Approving the First Amendment to the Development Agreement for the Bailey Road Middle School Between the Lee's Summit R-7 School District and the City of Lee's Summit, Missouri.

### Background:

On July 23, 2020 the Planning Commission approved a Preliminary Development Plan for Lee's Summit R-7 Middle School #4, to be located at 1001 SE Bailey RD. Condition #5 of the approval requires the execution of a

mutually satisfactory development agreement between Lee's Summit R-7 School District and the City of Lee's Summit prior to the release of building permits for the project. The development agreement addressed minimum off-site public infrastructure required prior to the building receiving occupancy. The minimum improvements include traffic signals, turn lanes, a future box culvert, water main extensions, sanitary sewer extensions, and sanitary sewer upsizing, which are detailed within the attached agreement.

The Development Agreement was approved by Ordinance No. 8997 and was executed on November 11, 2020. The School District has been working on the public improvements, but needs additional time to complete the required sewer improvements. The final sewer improvements will not be finished in time for the anticipated occupancy of the building.

Impact/Analysis:

The amendment will allow occupancy as requested by the School District based on temporary sewer improvements that will be adequate to serve the facility in the judgement of the City's Water Utility Department.

Other Information/Unique Characteristics:

In accordance with Missouri State Statutes, the Planning Commission has the approval authority for the "location, extent and character" of the new middle school as a public facility in the City. For this reason, the Preliminary Development Plan was not brought before City Council for approval.

David Bushek, Chief Counsel of Economic Development & Planning

Recommendation: Staff recommends approval of the ordinance.