



Board of Aldermen Request for Action

MEETING DATE: 6/4/2024

DEPARTMENT: Development

AGENDA ITEM: Resolution 1364, Fairview Crossing North Development Agreement

REQUESTED BOARD ACTION:

A motion to approve Resolution 1364, approving a Development Agreement for Fairview Crossing North.

SUMMARY:

The City and more particularly the Developer of Fairview Crossing and Fairview Crossing North, has been working with MODOT for more than 2 years to identify all the construction requirements necessary for their permit approval. Multiple Traffic Impact Studies (TIS) have been submitted and multiple meetings with MODOT have occurred to obtain its' approvals for permits for construction of the various access points to both subdivisions. The developer has now met the MODOT requirements for obtaining a permit to construct the access and intersection requirements for the new 147th Street.

Before MODOT will issue the final permit, the developer must execute a development agreement with the City that requires a new, northbound right-turn lane on 169 Highway into 147th Street. The terms of that agreement's trigger are based upon MODOT's requirement of this new turn lane when certain levels of traffic are met from all the businesses inside both Fairview Crossing subdivisions. At this point, staff believes that with this agreement, MoDOT's requests have all been met, at least to allow 147th Street to open to 169 Highway. Staff has agreed to present this agreement for Board approval to expedite the issuance of the MODOT construction permit for the 147th and 169 Highway intersection.

PREVIOUS ACTION:

Resolution 1194 was approved on March 7, 2023 for the Final Plat for Fairview Crossing North subdivision.

POLICY ISSUE:

Complies with the Comprehensive Plan as well as city ordinances.

FINANCIAL CONSIDERATIONS:

No financial impact is expected.

ATTACHMENTS:

- Ordinance
- Resolution
- Staff Report
- Other:

- [Contract](#)
- Plans
- Minutes

RESOLUTION 1364

**A RESOLUTION APPROVING A DEVELOPMENT AGREEMENT FOR
FAIRVIEW CROSSING NORTH**

WHEREAS, the developer of Fairview Crossing North and Fairview Crossing has been in negotiations with MODOT since 2022 on various requirements for connection to 169 Highway; and

WHEREAS, MODOT requested, and the developer has agreed to enter into a development agreement with the City that provides the timing and construction requirements for constructing this turn lane. The specific requirements are from MoDOT and when the triggers are met with future building development inside the subdivision, construction will be required. This is the final step for the developer to obtain its' construction permit from MODOT for its' access to 169 Highway via the new 147th Street; and,

WHEREAS, the attached Development Agreement is solely for the purpose of developer being able to obtain the final construction permit for the 147th Street entrance and is a new requirement from MODOT.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERMEN OF
THE CITY OF SMITHVILLE, MISSOURI, AS FOLLOWS:**

**THAT THE ATTACHED DEVELOPMENT AGREEMENT FOR FAIRVIEW
CROSSING NORTH SUBDIVISION IS HEREBY APPROVED.**

PASSED AND ADOPTED by the Board of Aldermen and **APPROVED** by the Mayor of the City of Smithville, Missouri, the 4th day of June, 2024.

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk