

BILL NO. 26-101

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR LAND LOCATED AT 900 NW WARD RD, ALL IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 33, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2026-070 submitted by Rush Funplex, requesting approval of a preliminary development plan in District PMIX on land located at 900 NW Ward Rd. was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, the Unified Development Ordinance provides for the approval of a preliminary development plan by the City following public hearings by the Planning Commission and City Council; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held public hearings for the consideration of the preliminary development plan on May 14, 2026, and rendered a report to the City Council recommending that the preliminary development plan be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on June 2, 2026, and rendered a decision to approve the preliminary development plan for said property.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That a preliminary development plan is hereby approved on the following described property:

LOT 10A, SUMMIT FAIR LOTS 10A-10C

SECTION 2. That the following conditions of approval apply:

1. A modification shall be granted to the minimum 50% clear glass fenestration requirement for the pedestrian view zone along the street-facing facade of a building, to allow 1.67% clear glass fenestration for the pedestrian view zone along the east building façade facing NW Ward Rd.
2. Development shall be in accordance with the preliminary development plan dated April 14, 2026, and the building elevations contained therein, except that the east façade of The Rush Funplex building shall follow the design alternate presented to City Council on June 2, 2026.
3. Road improvements shall be constructed as recommended in the Transportation Impact Analysis conducted by staff dated April 27, 2026.

SECTION 3. Development shall be in accordance with the preliminary development plan revision dated April 14, 2026, including the building elevations contained therein, appended hereto as Attachment A; and the recommended road improvements in the Transportation Impact Analysis dated April 27, 2026, appended as Attachment B.

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SECTION 4. Nonseverability. All provisions of this ordinance are so essentially and inseparably connected with, and so dependent upon, each other that no such provision would be enacted without all others. If a court of competent jurisdiction enters a final judgment on the merits that is not subject to appeal and that declares any provision or part of this ordinance void, unconstitutional, or unenforceable, then this ordinance, in its collective entirety, is invalid and shall have no legal effect as of the date of such judgment.

SECTION 5. That failure to comply with all of the provisions contained in this ordinance shall constitute violations of both this ordinance and Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit.

SECTION 6. That this ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2026.

Mayor J. Beto Lopez

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this ____ day of _____, 2026.

Mayor J. Beto Lopez

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*