

## **BILL NO. 25-125**

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AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR LAND LOCATED AT 3620 SW WARD ROAD FOR 150 & WARD APARTMENTS, 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 #PL2024-319 submitted by Milhaus, requesting approval of a preliminary development plan in District PMIX on land located at 3620 SW 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 April 24, 2025, 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 July 8, 2025, 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:

A tract of land being part of the Southeast Quarter of Section 25, Township 47 North, Range 32 West, in the City of Lee's Summit, Jackson County, Missouri, being more particularly described as follows:

Commencing at the Southeast corner of said Southeast Quarter;  
Thence North 02°36'29" East, along the East line of said Southeast Quarter, 575.15 feet; Thence North 87°23'31" West, 80.02 feet to the West Right-of-Way line of SW Ward Road, as now established, said point also being the Point of Beginning; Thence on a curve to the to the right having an initial tangent bearing South 54°41'29" West, a radius of 35.00 feet and an arc length of 22.75 feet; Thence North 88°03'54" West, 5.35 feet; Thence on a curve to the left, tangent to the last described course, having a radius 57.46 feet and an arc length of 87.14 feet; Thence South 05°03'17" West, 137.84 feet; Thence on a curve to the right, tangent to the last described course, having a radius of 28.54 feet and an arc length of 43.27 feet; Thence North 88°03'54" West, 759.59 feet; Thence North 01°56'06" East, 49.98 feet; Thence on a curve to the left, tangent to the last described course, having a radius of 138.80 feet and an arc length of 104.30 feet; Thence North 41°07'14" West, 31.46 feet to the South Right-of-Way line of SW Arborwalk Boulevard, as now established; Thence along said South Right-of-Way line the following ten courses; Thence on a curve to the left, having an initial tangent North 43°36'02" East, having a radius of 430.00 feet and an arc length of 131.07 feet;

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Thence North 26°08'12" East, 110.99 feet; Thence on a curve to the right, tangent to the last described course, having a radius of 470.00 feet and an arc length of 434.56 feet; Thence on a curve to the right, tangent to the last described course, having a radius of 75.00 feet and an arc length of 129.34 feet; Thence South 02°04'46" East, 62.45 feet; Thence South 87°28'08" East, 50.00 feet; Thence North 02°31'52" East, 57.00 feet; Thence on a curve to the right, tangent to the last described course, having a radius of 70.00 feet and an arc length of 109.96 feet; Thence South 87°28'08" East, 265.53 feet; Thence on a curve to the right, tangent to the last described course, having a radius of 40.00 feet and an arc length of 63.79 feet to the West Right-of-Way line of said SW Ward Road; Thence along said West Right-of-Way line the following three courses; Thence South 04°28'39" West, 211.75 feet; Thence South 07°28'42" West, 158.69 feet to the Point of Beginning. Contains 499,350 square feet or 11.46 acres more or less.

SECTION 2. That the following conditions of approval apply:

1. Development shall be in accordance with the preliminary development plan with an upload date of June 23, 2025.
2. A modification shall be granted to UDO Sec. 5.510.B.4.a(2) to allow one-third of the units be served by an ADA-compliant elevator in lieu of requiring one out of every three buildings to include an ADA-compliant elevator.
3. A modification shall be granted to UDO Sec. 5.510.B.4.b(3)(a) to allow primary entrances and facades to be oriented towards parking lots or garages.
4. A modification shall be granted to UDO Sec. 5.510.B.4.c(6) to reduce the required percent of windows or doorways on walls facing a public street from 20% to 11% for Building Type C and 17% for Building Types A and B.
5. A modification shall be granted to UDO Sec. 8.620.B.1 to reduce the required parking lot setback adjacent to the right-of-way for the SW Arborwalk Boulevard roundabout from 20-ft. to 0-ft.
6. A 5-ft. wide ADA-compliant sidewalk shall be constructed along the SW Arborwalk Boulevard frontage.

SECTION 3. Development shall be in accordance with the preliminary development plan submitted June 23, 2025, including the building elevations contained therein, appended hereto as Attachment A.

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.

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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 \_\_\_\_\_, 2025.

\_\_\_\_\_  
Mayor *William A. Baird*

ATTEST:

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Mayor *William A. Baird*

ATTEST:

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney *Brian W. Head*