

BILL NO. 26-

AN ORDINANCE APPROVING A PRELIMINARY DEVELOPMENT PLAN FOR 1.88 ACRES OF LAND LOCATED AT 800 and 820 SE BATTERY DR, 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 #PL2026-131 submitted by Hawthorn Equity, LLC, requesting approval of a preliminary development plan on land located at 800 and 820 SE Battery Dr 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 a public hearing for the consideration of the preliminary development plan on August 13, 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 September 22, 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:

SEC-10 TWP-47 RNG-31---BEG SW COR NW 1/4 SD SEC TH N 02 DEG 08 MIN 13 SEC E 827.10' TH S 87 DEG 52 MIN 00 SEC E 74.22' TH N 02 DEG 08 MIN 00 SEC E 236.73' TH S 87 DEG 41 MIN 11 SEC E 225.97' TH N 83 DEG 00 MIN 25 SEC E 111.30' TH S 87 DEG 41 MIN 11 SEC E 400.03' TH ALG TANGENT CURV RI 364' RAD 1738' TH S 75 DEG 41 MIN 11 SEC E 106.47' TH ALG TANGENT CURV LF 377.41' RAD 1802' TH S 87 DEG 41 MIN 11 SEC E 738.82' TH S 87 DEG 41 MIN 11 SEC E 149.25' TO TRU POB TH S 87 DEG 41 MIN 11 SEC E 195.75' TH S 02 DEG 13 MIN 32 SEC W 360.52' TH ALG CURV LF CHORD BEARING N 69 DEG 43 MIN 05 SEC E 2.21' RAD 100' TH ALG CURV RI CHORD BEARING S 85 DEG 18 MIN 31 SEC E 89.38' RAD 100' TH ALG CURV LF CHORD BEARING S 29 DEG 22 MIN 09 SEC W 51.36 RAD 225' TH N 87 DEG 37 MIN 03 SEC W 65.02' TH N 87 DEG 37 MIN 03 SEC W 315' TH N 02 DEG 13 MIN 32 SEC E 156.69' TH N 72 DEG 23 MIN 02 SEC E 126.44' TH N 02 DEG 18 MIN 49 SEC E 208.66' TO POB.

SECTION 2. That the following conditions of approval apply:

1. A modification shall be granted to the minimum 20' parking lot setback requirement from right-of-way, to allow a 5'-3" parking lot setback from the SE Battery Dr right-of-way.
2. Development shall be in accordance with the preliminary development plan

BILL NO. 26-

uploaded July 21, 2026.

SECTION 3. That development shall be in accordance with the preliminary development plan uploaded July 21, 2026, 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.

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*