

## **BILL NO. 26-053**

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AN ORDINANCE APPROVING REZONING FROM DISTRICT AG (AGRICULTURAL) TO DISTRICT CP-2 (PLANNED COMMUNITY COMMERCIAL) AND A PRELIMINARY DEVELOPMENT PLAN ON APPROXIMATELY 9 ACRES OF LAND GENERALLY LOCATED AT THE SOUTHEAST INTERSECTION OF NE LEE'S SUMMIT ROAD AND NE DOUGLAS STREET, ALL IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 33, UNIFIED DEVELOPMENT ORDINANCE OF THE CODE OF ORDINANCES FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2025-195 submitted by Dahmer Brothers Investments, LLC requesting approval of a rezoning from AG (Agricultural District) to CP-2 (Planned Community Commercial District) and preliminary development plan on land generally located at the southeast intersection of NE Lee's Summit Rd and NE Douglas St was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, the Unified Development Ordinance provides for the approval of a rezoning and preliminary development 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 rezoning and preliminary development plan on February 26, 2026, and rendered a report to the City Council recommending that the rezoning and 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 March 24, 2026, and rendered a decision to approve the rezoning and 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 rezoning and preliminary development plan is hereby approved on the following described property:

Rezoning from AG to CP-2:

Beginning at the northwest corner of Douglas Corporate Center; thence South 87 degrees 46 minutes 12 seconds East, a distance of 118.13 feet; thence North 01 degree 38 minutes 18 seconds East, a distance of 20.00 feet; thence South 87 degrees 46 minutes 30 seconds East, a distance of 80.00 feet; thence South 01 degree 28 minutes 47 seconds West, a distance of 813.88 feet; thence on a curve to the left having a radius of 1,295.27 feet, a central angle of 31 degrees 54 minutes 10 seconds, with an initial tangent bearing of North 13 degrees 25 minutes 47 seconds West, an arc distance of 721.22 feet; thence North 43 degrees 30 minutes 16 seconds East, a distance of 249.49 feet to the point of beginning. The above-described tract contains 141,375 square feet or 3.25 acres;

And

Preliminary Development Plan:

All that part of Lot 4 of Douglas Corporate Center, located in the City of Lee's Summit, Jackson County, Missouri, being more particularly described as follows: Beginning at the northeast corner of said Lot 4; thence South 09 degrees 19 minutes 02 seconds West, a

## **BILL NO. 26-053**

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distance of 1252.03 feet; thence North 87 degrees 54 minutes 18 seconds West, a distance of 121.20 feet; thence North 01 degree 28 minutes 47 seconds East, a distance of 428.98 feet; thence on a curve to the left having a radius of 1295.27 feet; a central angle of 31 degrees 54 minutes 10 seconds, with an initial tangent bearing of North 13 degrees 25 minutes 47 seconds West, an arc distance of 721.22 feet; thence North 43 degrees 30 minutes 16 seconds East, a distance of 249.49 feet; thence South 87 degrees 46 minutes 12 seconds East, a distance of 118.13 feet; thence North 01 degree 38 minutes 18 seconds East, distance of 20.00 feet; thence South 87 degrees 46 minutes 14 seconds East, a distance of 371.95 feet to the point of beginning. The above-described tract contains 398,057 square feet, or 9.14 acres.

SECTION 2. That the following conditions of approval apply:

1. A modification shall be granted to the minimum 20' parking lot setback from the right-of-way, to allow a minimum 15' parking lot setback for Lot 2 and a minimum 14' parking lot setback for Lot 4 along the NE Douglas St right-of-way.
2. Development shall be in accordance with the preliminary development plan dated January 27, 2026; landscape plan dated December 9, 2025; architectural renderings and elevations dated December 9, 2025; and design guidelines prepared by the developer dated December 2, 2025.
3. Development of Lot 5 shall require separate preliminary development plan approval under a future application.
4. Development shall be in accordance with the recommended road improvements included in the TIA dated, February 12, 2026, prepared by Erin Ralovo, P.E., Senior Staff Engineer.

SECTION 3. That rezoning of the property from AG to CP-2 shall be as depicted on the rezoning exhibit dated December 9, 2025, and appended hereto as Attachment A. Development shall be in accordance with the preliminary development plan dated January 27, 2026, appended hereto as Attachment B; landscape plan dated December 9, 2025, appended hereto as Attachment C; design criteria handbook dated December 2, 2025, appended hereto as Attachment D; architectural renderings and elevations dated December 9, 2025, appended hereto as Attachment E; and the Transportation Impact Analysis, dated February 12, 2026, appended hereto as Attachment F.

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.

**BILL NO. 26-053**

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PASSED by the City Council of the City of Lee's Summit, Missouri, this \_\_\_\_\_day of \_\_\_\_\_, 2026.

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Mayor *William A. Baird*

ATTEST:

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City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

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Mayor *William A. Baird*

ATTEST:

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

APPROVED AS TO FORM:

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