



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

File Number	PL2026-130
File Name	SPECIAL USE PERMIT for a convalescent, nursing or retirement home
Applicant	Hawthorn Equity, LLC
Property Address	800 and 820 SE Battery Dr
Planning Commission Date	August 13, 2026
Heard by	Planning Commission and City Council
Analyst	Hector Soto, Jr., AICP, Senior Planner

Public Notification

Pre-application held: January 7, 2026, and March 18, 2026
Neighborhood meeting conducted: June 17, 2026
Newspaper notification published on: July 25, 2026
Radius notices mailed to properties within 300 feet on: July 27, 2026
Site posted notice on: July 27, 2026

Table of Contents

1. Project Data and Facts	2
2. Land Use	3
3. Project Proposal	4
4. Unified Development Ordinance (UDO)	5
5. Comprehensive Plan	6
6. Analysis	7
7. Recommended Conditions of Approval	11

Attachments

Special Use Permit (SUP) Use Narrative, dated June 23, 2026 – 4 pages
Preliminary Development Plan, uploaded July 21, 2026 – 16 pages
Criteria for Special Use Permit
Neighborhood Meeting Notes, uploaded June 23, 2026
Photographs of Surrounding Properties, uploaded May 21, 2026 – 10 pages
Location Map

1. Project Data and Facts

Project Data	
Applicant/Status	Hawthorn Equity, LLC / Applicant
Applicant's Representative	David Tregemba
Location of Property	800 and 820 SE Battery Dr
Size of Property	1.08 acres (47,400 sq. ft.) – 800 SE Battery Dr 0.80 acres (34,724 sq. ft.) – 820 SE Battery Dr +/- 1.88 acres (82,124 sq. ft.)
Number of Lots	1 lot
Building Area	9,530 sq. ft.
Dwelling Units	16 units
Zoning	CP-2 (Planned Community Commercial)
Comprehensive Plan Designation	Residential 3 (Higher Intensity Residential)
Procedure	The Planning Commission makes a recommendation to the City Council on the special use permit. The City Council takes final action on the special use permit in the form of an ordinance. Duration of Validity: A special use permit shall be valid for a specific period of time identified in the permit.

Current Land Use

The proposed 1.88-acre project site is composed of two (2) undeveloped commercially-zoned parcels at the southwest corner of SE Shenandoah Dr and SE Battery Dr.



Figure 1 - Aerial view of subject site (outlined in red).

Description of Applicant's Request

The applicant requests special use permit (SUP) approval for a 16-bed memory care and assisted living facility. The development consists of a single, 1-story, 9,530 sq. ft. building. The applicant requests a 40-year SUP time period; staff recommends a 30-year SUP time period.

The applicant requests a modification to the building side setback. Staff support the modification request.

The application for the associated preliminary development plan (Appl. #PL2026-131) is on this same agenda for consideration.

2. Land Use

Description and Character of Surrounding Area

The subject property is located in the southwest quadrant of the intersection of SE Shenandoah Dr and SE Battery Dr. The project site is bordered to the south and the east by existing senior living facilities. To the west is an undeveloped 2.5-acre commercial parcel. The project site sits at a transition point between higher density residential and public/semi-public uses (i.e., a library and hospital) along US 50 Hwy frontage to single-family residential subdivisions to the north.



Figure 2 - Area map showing subject property (outlined in red) and surrounding area.

Adjacent Land Uses and Zoning

North (across SE Shenandoah Dr):	Single-family residential / R-1 (Single-family Residential)
South:	Senior living facility / CP-2
East (across SE Battery Dr):	Senior living facility / RP-4 (Planned Apartment Residential)
West:	Undeveloped parcel / CP-2

Site Characteristics

The subject 1.88-acre project site has frontage along both SE Shenandoah Dr and SE Battery Dr. Access to the site is provided from SE Battery Dr. Topographically, the site slopes from south to north.

Special Considerations

None

3. Project Proposal**Site Design**

Land Use	
Impervious Coverage:	34%
Pervious:	66%
TOTAL	100%

Parking

Proposed		Required	
Total parking spaces:	20	Total parking spaces required:	13
Accessible spaces provided:	2	Accessible spaces required:	1
Parking Reduction requested?	No	Off-site Parking requested?	No

Existing Setbacks (Perimeter)

Yard	Required Minimum	Proposed
Front	15' (Building) / 20' (Parking)	33'-0" (Building) / 5'-3" (Parking) – east; 134'-6" (Building) / 97'-4" (Parking) – north;
Side	10' (Building) / 6' (Parking) from non-residential	11'-0" (Building) / 10'-6" (Parking) – west; 70'-4" (Building) / 38'-9" (Parking) – south

Structure(s) Design

Number and Use of Building(s)
1 building
Building Size
9,530 sq. ft.
Number of Stories
1 story
Floor Area Ratio
0.12 (0.55 max FAR in CP-2 zoning district)

4. Unified Development Ordinance (UDO)

Section	Description
6.830	Special Use (Convalescent, nursing or retirement home)
4.190	Zoning (CP-2 – Planned Community Commercial District)

The UDO allows for a convalescent, nursing or retirement home as a primary land use in all residential zoning districts and most commercial zoning districts (inclusive of the CP-2 zoning district) with approval of a special use permit. The subject property is zoned CP-2. The CP-2 Community Commercial District is established to provide a location for a full-range of retail and office development serving the general needs of the community, but also makes allowances for limited residential uses in the form of loft dwelling units and some group living facilities.

Use Conditions for “Convalescent, nursing or retirement home”.

Section 6.830 of the UDO lists the following use conditions for the subject land use:

1. The property shall have a minimum lot area of 40,000 square feet and shall have a minimum lot width of 200 feet. **The proposed facility complies with this requirement. The subject property has approximately 82,124 sq. ft. of lot area, and has approximately 360 feet of lot width along SE Battery Dr.**
2. Not less than 500 square feet of lot area is provided for each patient/resident. **The proposed facility complies with this requirement. With a lot area of 82,124 sq. ft. (1.88 acres), the subject property has the lot size to accommodate up to 164 residents, which exceeds the capacity of the proposed facility with a total of 16 residents.**
3. Side yards shall be increased to double the side yard required in the district. **The proposed facility does not comply with this requirement. The building is subject to a minimum 20’ side yard setback, which is double the standard 10’ side yard setback for the CP-2 district. The proposed building is set back 11’ from the side (west) property line. A modification shall be required for the proposed side yard setback, which is addressed later in the staff report.**
4. The architecture of the facility shall maintain a residential character. **The proposed facility complies with this requirement as the building reflects a contemporary farmhouse aesthetic. The building is 1 story in height and incorporates a number of gables to provide visual interest for the roofline. The building exterior will primarily use cementitious lap siding, cementitious board & batten siding, and cultured stone.**

Neighborhood Meeting

The applicant hosted a neighborhood meeting on June 17, 2026, from 6:00 PM to 8:00 PM at Mid-Continent Library (East Lee's Summit – SE Blue Pkwy). Six (6) members of the public attended.

Topics and concerns discussed included:

- Impact on area traffic and public utility infrastructure (sanitary sewer, storm water and water);
- Impact on emergency services; and
- Impact on existing area trees (existing trees fall outside of project site).

5. Comprehensive Plan

Focus Areas	Goals, Objectives & Policies
Strong Neighborhoods & Housing Choice	Objective: Preserve and protect existing housing stock.
Land Use & Community Design	Objective: Plan for purposeful growth, revitalization and redevelopment.

The use fulfills identified housing and land use goals in the Ignite! Comprehensive Plan. The Ignite! Comprehensive Plan projects that the age cohort with the largest increase in population by the year 2040 in Lee's Summit will be residents age 65+. Between 2020 and 2040, the population of residents 65 years and older is projected to increase from 14,800 to 27,100 (a 90% increase). Housing needs for this age cohort will naturally grow as its population grows, with many aging adults seeking aging in place opportunities where they can remain in their community and close to family, friends, and activities. Approval of the subject SUP and associated preliminary development plan adds 16 beds serving the city's senior population to the city's housing stock inventory and therefore continues to offer area seniors increased housing choices.

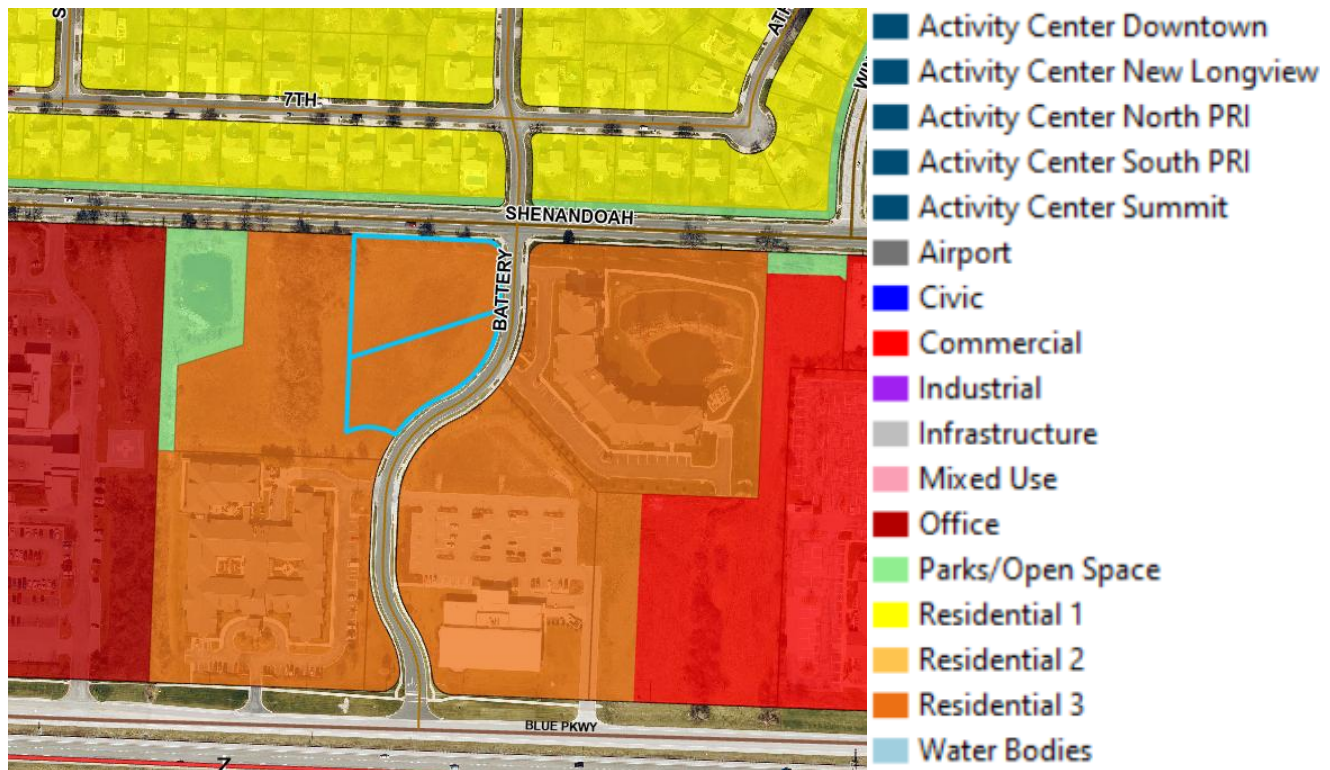


Figure 3 - Ignite! Comprehensive Plan Future Land Use Map. Project site outlined in blue.

6. Analysis

Review Criteria

The application was reviewed in accordance with Section 6.650 of the Lee's Summit UDO, which establishes the approval criteria applicable to this request. This section of the UDO identifies 16 criteria for consideration when evaluating an SUP application. These criteria generally fall into the categories of consistency with the Comprehensive Plan, compatibility with surrounding development, impacts on public health, safety, and welfare, adequacy of public facilities and services, compliance with applicable development standards, and the effectiveness of site design measures intended to mitigate potential impacts.

For ease of reference, the complete list of applicable review criteria and approval standards contained in Section 6.650 of the UDO is included as an attachment to this staff report. Staff's findings and recommendations are based upon an evaluation of the application against these criteria and standards.

Background and History

- June 9, 1987 – The City Council approved a rezoning (Appl. #1987-022) from AG (then A) to CP-2 (then C-P) by Ordinance No. 2994.
- October 13, 1987 – The City Council approved the final plat (Appl. #1987-140) titled *Brookeplace, 1st Plat* by Ordinance No. 3059.
- June 2, 2011 – The City Council approved the final plat (Appl. #PL2011-040) titled *Magnolia Place at Charleston Park, 1st Plat* by Ordinance No. 7060.

Compatibility

The proposed facility is bordered by single-family residential across SE Shenandoah Dr to the north; a senior living facility to the south; a senior living facility across SE Battery Dr to the east; and a vacant, commercially-zoned parcel to the west. SE Shenandoah Dr is a collector street that serves as a buffer and line of demarcation between the single-family residential development to the north and more intense land uses that line the north side of the US 50 Hwy corridor between SE Todd George Pkwy and SE Blackwell Rd. Permitted commercial uses by right under the subject property's existing CP-2 zoning can range from low-intensity office development up through high-intensity convenience store/gas stations and drive-through restaurants. In comparison, the proposed senior living facility develops the site with a relatively low-intensity residential use adjacent to single-family development.

Architecturally, the proposed building has a contemporary farmhouse architectural style. The palette of materials includes cultured stone, cement fiber board lap siding, cement fiber board & batten, and a combination of standing seam metal and asphalt shingle roofing. The proposed residential building form is compatible with adjacent senior living facilities and uses an exterior material palette common to residential development in the city and complementary to existing non-residential uses in the area.



Figure 4 - East elevation (building entrance).



Figure 5 – Photo reference of similar design.

Adverse Impacts

Approval of the proposed senior living facility is not expected to detrimentally impact the surrounding area. Stormwater management for the development will employ the use of on-site detention between the parking lot and street near the northeast corner of the property.

Public Services

The proposed senior living facility has access to area infrastructure. Sanitary sewer service will connect to a sewer manhole located near the southeast corner of SE Shenandoah Dr and SE Battery Dr. Water service will be provided by an existing 8" water main that runs along the site's SE Battery Dr frontage. It should be noted that a 12" medical critical water line providing service to Lee's Summit Medical Center runs diagonal through the northern portion of the subject senior living facility site. The medical critical water line is not impacted by the proposed development; the proposed senior living facility site was designed around the location of the medical critical water line.

From a traffic perspective, access to the development will be provided via two drive connections to SE Battery Dr. SE Battery Dr is a local street that connects with SE Shenandoah Dr to the north and SE Blue Pkwy to the south. Both SE Shenandoah Dr and SE Blue Pkwy are collector streets that ultimately feed SE Todd George Pkwy to the west and SE Blackwell Rd to the east. The existing area road network has sufficient capacity to absorb traffic generation from the proposed development. No improvements to the existing area street network are required to be constructed as a part of the proposed development.

Modifications

Building Side Setback (UDO Section 6.830). The applicant requests a modification. Staff supports the request.

- Required – Minimum 20' setback from the side property line (2x the minimum 10' side yard setback for the CP-2 zoning district)
- Proposed – 11' setback from west (side) property line

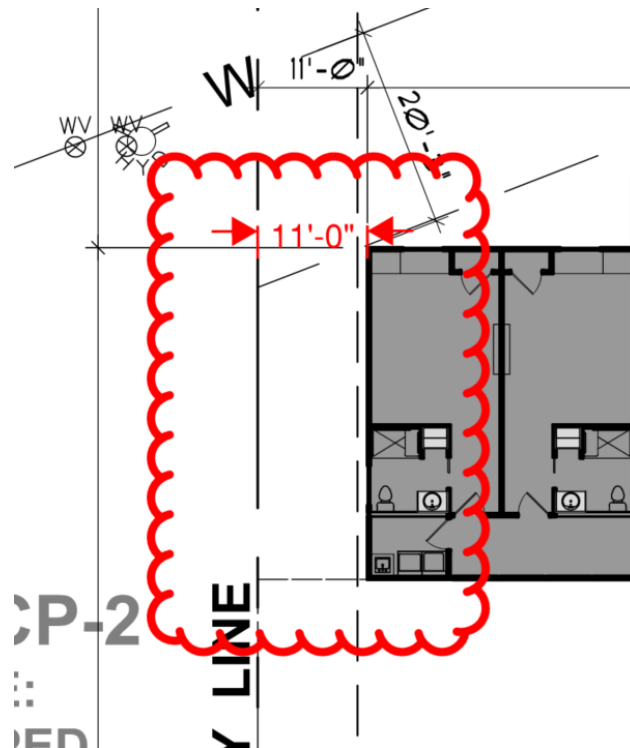


Figure 6 - Area of parking setback modification clouded in red.

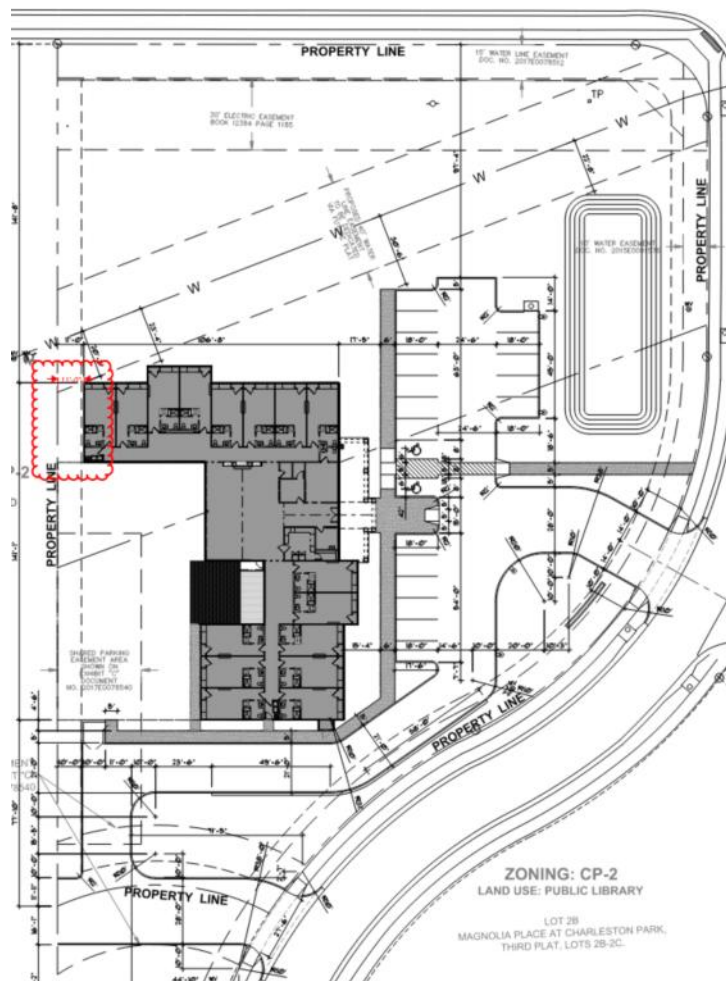


Figure 7 – Site overview. Area of side yard modification clouded in red.

- Recommended – The requested building side setback modification is tied to conditions of the project site. The low point of the site is in the northeast corner. The on-site detention basin is correspondingly located near the northeast corner of the site between the parking lot and the east property line along SE Battery Dr. The location of the detention basin requires the parking lot and building to be pushed to the west and results in the northern building wing to be set back only 11' from the west property line versus the minimum 20' setback. It should be noted that the proposed building meets the standard 10' side yard setback for a commercial (e.g., office or retail) building in the CP-2 zoning district and meets the standard 10' side yard setback for a standard multi-family residential building. All other portions of the proposed building are located over 55' from the west property line. Staff supports the modification request in light of existing site conditions.

Time Period

The applicant requests the SUP be granted for a 40-year time period. The typical time periods granted for SUPs range from 20-30 years on new construction, with some granted for up to 40 years. Staff recommends approval of the SUP for a period of 30 years to remain consistent with previously approved time periods.

Recommendation

With the conditions of approval below, the application meets the goals of the Ignite! Comprehensive Plan, Design and Construction Manual (DCM) and the requirements of the UDO.

7. Recommended Conditions of Approval

Site Specific

1. A modification shall be granted to the minimum 20' side yard setback requirement, to allow an 11' building setback from the west property line.
2. The special use permit shall be granted for a period of thirty (30) years from the date of approval.