

BILL NO. 26-091

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A CONVALESCENT, NURSING OR RETIREMENT HOME IN DISTRICT CP-2 ON LAND LOCATED AT 5101 NE LAKEWOOD WAY FOR A PERIOD OF FORTY (40) YEARS, ALL IN ACCORDANCE WITH ARTICLE 6 OF THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2025-339, submitted by Lee's Summit Senior Living Community, LLC, requesting a special use permit for a convalescent, nursing or retirement home in District CP-2 on land located at 5101 NE Lakewood Way, was referred to the Planning Commission to hold a public hearing; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the request on March 12, 2026, and April 23, 2026, and rendered a report to the City Council containing findings of fact and a recommendation that the special use permit be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on May 12, 2026, and rendered a decision to grant said special use permit.

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

SECTION 1. That a special use permit is hereby approved in District CP-2 on the following described property:

ALL THAT PART OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 48, RANGE 31 IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 48, RANGE 31, SAID POINT LYING 1630.07 FEET SOUTH OF THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE SOUTH 02 DEGREES 24 MINUTES 42 SECONDS WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER A DISTANCE OF 995.69 FEET (DEED READS 995.91 FEET) TO THE NORTH RIGHT OF WAY LINE OF BOWLIN ROAD; THENCE NORTH 88 DEGREES 16 MINUTES 57 SECONDS WEST ALONG THE NORTH RIGHT OF WAY LINE OF BOWLIN ROAD A DISTANCE OF 372.37 FEET (DEED READS NORTH 88 DEGREES 16 MINUTES 57 SECONDS WEST A DISTANCE OF 372.23 FEET); THENCE CONTINUING ALONG THE NORTH RIGHT OF WAY LINE OF BOWLIN ROAD AND THE EAST RIGHT OF WAY LINE OF U.S. INTERSTATE HIGHWAY 470 AS FOLLOWS; THENCE NORTH 01 DEGREES 43 MINUTES 01 SECONDS EAST A DISTANCE OF 30.00 FEET; THENCE NORTH 88 DEGREES 16 MINUTES 59 SECONDS WEST A DISTANCE OF 210.12 FEET; THENCE NORTH 43 DEGREES 37 MINTES 04 SECONDS WEST A DISTANCE OF 137.30 FEET TO A POINT LOCATED 690.00 FEET EAST OF STA 755+40 OF THE CENTERLINE OF INTERSTATE 470 AS NOW ESTABLISHED; THENCE NORTH 17 DEGREES 59 MINUTES 21 SECONDS WEST A DISTANCE OF 170.88 FEET TO A POINT LOCATED 630.00 FEET EAST OF CENTERLINE STA 757+00; THENCE NORTH 29 DEGREES 15 MINUTES 44 SECONDS WEST A DISTANCE OF 285.18 FEET TO A POINT LOCATED 480.00 FEET EAST OF CENTERLINE STA 759+0040; THENCE NORTH 46 DEGREES 40 MINUTES 00 SECONDS WEST A DISTANCE OF 184.58 FEET TO A POINT LOCATED 341.25 FEET EAST OF CENTERLINE STA 760+60; THENCE NORTH 15 DEGREES 19 MINUTES 37 SECONDS WEST A DISTANCE OF 463.37 FEET TO A POINT LOCATED 205.00 FEET EAST OF STA 765+00; THENCE NORTH 01 DEGREES 29 MINUTES 56 SECONDS EAST A DISTANCE OF 121.38 FEET (DEED READS 121.56 FEET) TO A POINT LOCATED 205.00 FEET EAST OF CENTERLINE STA 766+21.56 ; THENCE LEAVING THE

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EAST RIGHT OF WAY LINE OF U.S. INTERSTATE HIGHWAY 470, SOUTH 73 DEGREES 08 MINUTES 55 SECONDS EAST A DISTANCE OF 1077.29 (DEED READS 1077.15 FEET); THENCE NORTH 67 DEGREES 49 MINUTES 27 SECONDS EAST A DISTANCE OF 143.23 FEET TO THE POINT OF BEGINNING. EXCEPT THAT PART TAKEN FOR STREETS OR ROADS.

SECTION 2. That the following conditions of approval apply:

1. The special use permit shall be granted for a period of forty (40) years from the date of approval.

SECTION 3. 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 4. That failure to comply with all of the provisions contained in this ordinance shall constitute violations of both this ordinance and the City's Unified Development Ordinance, enacted by Ordinance No. 5209 and amended from time to time.

SECTION 5. 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.

ATTEST:

Mayor *J. Beto Lopez*

City Clerk *Trisha Fowler Arcuri*

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

ATTEST:

Mayor *J. Beto Lopez*

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*