

BILL NO. 17-146

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A SENIOR INDEPENDENT LIVING FACILITY, BLOOM LIVING, IN DISTRICT CP-2 (PLANNED COMMUNITY COMMERCIAL) ON LAND LOCATED AT THE SOUTHWEST CORNER OF SE SHENANDOAH DR. AND SE BATTERY DR. FOR A PERIOD OF THIRTY (30) YEARS, ALL IN ACCORDANCE WITH ARTICLE 10 WITHIN THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2017-096 submitted by Complete, LLC, requesting a special use permit for a senior independent living facility, Bloom Living, in District CP-2 (Planned Community Commercial) on land located at the southwest corner of SE Shenandoah Dr. and SE Battery Dr., 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 June 13, 2017, 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 July 13, 2017, 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 the application pursuant to Section 10.020.B of the Unified Development Ordinance to allow a senior independent living facility in District CP-2 with a Special Use Permit is hereby granted for a period of 30 years, with respect to the following described property:

*A Tract of Land in the North Half of Section 10, Township 47, Range 31, in Lee's Summit, Jackson County, Missouri more fully described as follows:
Commencing at the Southwest Corner of the Northwest Quarter of Said Section 10;
Thence North 02 degrees 08 Minutes 13" East a distance of 827.10 feet along the west line of said Northwest Quarter; Thence South 87 degrees 52 minutes 00 seconds East, 74.22 feet to the Northwest Corner of Tract B in Charleston Park 3rd Plat, a Subdivision in Lee's Summit, Jackson County, Missouri; Thence North 02 degrees 08 minutes 00 seconds East a distance of 236.73 feet along the East right of Way Line of Todd George Road to the South Right of Way Line of Shenandoah Drive; Thence South 87 degrees 41 minutes 11 seconds East a distance of 225.97 feet along the South Line of Ashton at Charleston Park 1st plat, as subdivision in Lee's Summit, Jackson County, Missouri; Thence North 83 degrees 00 minutes 25 seconds East a distance of 111.30 feet along the south line of said 1st plat; Thence South 87 degrees 41 minutes 11 seconds East a distance of 400.03 feet along the south line of said 1st Plat; Thence Easterly 364.00 feet along a Tangent Curve to the Right Having a Radius of 1738.00 feet along the South line of said 1st Plat and Ashton At Charleston Park 2nd Plat a subdivision in Lee's Summit, Jackson County, Missouri; Thence South 75 degrees 41 minutes 11 seconds east 106.47 feet along the south line of said 2nd plat; Thence Easterly 377.41 feet along a tangent curve to the left having a radius of 1802.00 feet along the south line of said 2nd plat and Ashton at Charleston Park 3rd Plat a subdivision in Lee's Summit, Jackson County, Missouri; Thence South 87 degrees 41 minutes 11 seconds East a distance of 738.82 feet along the South Line of Ashton at*

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Charleston Park 3rd Plat through 6th Plat, Subdivisions all of Record in Lee's Summit, Jackson County, Missouri; Thence continuing South 87 degrees 41 minutes 11 seconds East a distance of 149.25 feet along the South line of said 3rd Plat to the Point of Beginning;

Thence South 87 degrees 41 minutes 11 seconds East, a distance of 195.75 feet along the South line of said 3rd Plat; Thence South 02 degrees 13 minutes 32 seconds West, a distance of 360.52 feet to a point of curvature; thence along a curve to the left having a radius of 100.00 feet, a central angle of 01 degrees 15 minutes 59 seconds, a chord bearing of North 69 degrees 43 minutes 05 seconds East, a chord length of 2.21 feet and an arc length of 2.21 feet to a point of curvature; thence along a curve to the right having a radius of 100.00 feet, a central angle of 51 degrees 12 minutes 46 seconds, a chord bearing of South 85 degrees 18 minutes 31 seconds East, a chord length of 86.44 feet and an arc length of 89.38 feet to a point of curvature; thence along a curve to the left having a radius of 225.00 feet, a central angle of 13 degrees 04 minutes 47 seconds, a chord bearing of South 29 degrees 22 minutes 09 seconds West, a chord length of 51.25 feet and an arc length of 51.36 feet to a point; Thence North 87 degrees 37 minutes 03 seconds West, a distance of 65.02 feet; Thence North 87 degrees 37 minutes 03 seconds West, a distance of 315.00 feet; Thence North 02 degrees 13 minutes 32 seconds East, a distance of 156.69 feet; Thence North 72 degrees 23 minutes 02 seconds East, a distance of 126.44 feet; Thence North 02 degrees 18 minutes 49 seconds East, a distance of 208.66 feet, said point being the Point of Beginning, and containing 2.4217 acres, more or less.

And Tract A, Magnolia Place at Charleston Park 1st Plat containing 0.9106 acres more or less.

SECTION 2. That the following conditions of approval apply:

1. The special use permit shall be granted for a period of thirty (30) years.

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

SECTION 4. 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 _____, 2017.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

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APPROVED by the Mayor of said city this _____ day of _____, 2017.

Mayor *Randall L. Rhoads*

ATTEST:

City Clerk *Denise R. Chisum*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*