

## **AMENDED BILL NO. 25-139**

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AN ORDINANCE GRANTING A SPECIAL USE PERMIT RENEWAL FOR A RETIREMENT HOME IN DISTRICT CP-2 ON LAND LOCATED AT 1088 NE INDEPENDENCE AVENUE FOR A PERIOD OF TWENTY (20) YEARS FROM THE DATE OF ADOPTION, ALL IN ACCORDANCE WITH ARTICLE 6 OF THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, on November 21, 2002, by Ordinance No. 5439, the City Council granted a special use permit, Application #2002-176, for a retirement home for a period of 20 years on land located at 1088 NE Independence Ave, and said permit expired on November 21, 2022; and

WHEREAS, Application #PL2025-110, submitted by NorthStar Healthcare Income, Inc., requesting a special use permit renewal for a retirement home in District CP-2 on land located at 1088 NE Independence Ave, 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 July 10, 2025, 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 August 5, 2025, 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:

*Lot 1, Lee's Summit Retirement Residence, a subdivision of record in Lee's Summit, Jackson County, Missouri*

SECTION 2. That the following conditions of approval apply:

1. The special use permit shall be granted for a period of twenty (20) years from the date adoption, to expire on August 12, 2025.

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.

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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 \_\_\_\_\_, 2025.

\_\_\_\_\_  
Mayor *William A. Baird*

ATTEST:

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

APPROVED by the Mayor of said city this \_\_\_\_ day of \_\_\_\_\_, 2025.

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Mayor *William A. Baird*

ATTEST:

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

APPROVED AS TO FORM:

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