

## ORDINANCE 2227

AN ORDINANCE APPROVING AN AMENDMENT TO THE SPECIAL USE PERMIT FOR CLARIDGE COURT TO INCREASE THE NUMBER OF NURSING HOME BEDS FROM 40 to 45 LOCATED ON PROPERTY DESCRIBED AS FOLLOWS: 8101 MISSION ROAD, PRAIRIE VILLAGE, KANSAS.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PPRAIRIE VILLAGE:

**Section I. Existing Special Use Permit.** A Special Use Permit was originally approved at 8101 Mission Road by the City Council July 5, 1988 for a senior residential project that included 135 senior apartments and 40 nursing home beds. The application was identified as Special Use Permit No. 88-7 and the approved ordinance was No. 1630.

**Section II. Planning Commission Recommendation.** At its regular meeting on July 6, 2010, the Prairie Village Planning Commission held a public hearing, found the findings of fact to be favorable and recommended that the City Council approve the request for an amendment to the Special Use Permit for Claridge Court to increase the number of nursing home beds from 40 to 45 at 8101 Mission Road subject to the 11 conditions listed in the minutes of the Planning Commission for that date.

**Section III. Findings of the Governing Body.** The Governing Body found the findings of fact to be favorable as contained in the minutes of the July 6, 2010, meeting of the Planning Commission relating to the application for a Special Use Permit, docketed as PC2010-05 and approved an amendment to the Special Use Permit to increase the nursing home beds from 40 to 45 at 8101 Mission Road subject to the following conditions:

1. That the amendment to be approved to increase the number of nursing home beds from 40 to 45.
2. That the applicant submits a Storm Drainage Master Plan to Public Works for review and approval.
3. That the applicant prepares and submit a detailed landscape plan for review and approval by Staff.
4. That any outdoor lighting installed shall be in accordance with the lighting ordinance.
5. That the applicant protects existing street trees during the demolition and installation of new improvements.
6. That the Special Use Permit to be approved for an indefinite period of time.
7. If the applicant is found to be in non-compliance with the conditions of the Special Use Permit, the permit will become null and void within 90 days of notification of non-compliance, unless the non-compliance is corrected.
8. The site plan be as approved by the Planning Commission on July 6, 2010.

9. That the conditions of the variance granted by the Board of Zoning Appeals on July 6, 2010 be met.
10. That off-site parking be maintained at Mission Bible Church or an equivalent location and the applicant provide a copy of the agreement to the City.
11. That the applicant review the exit on Somerset Drive and remove or relocate any site obstacles as determined by Public Works.

**Section IV. Granting of Special Use Permit.** Be it therefore ordained that the City of Prairie Village grant an amendment to the Special Use Permit to increase the number of nursing home beds from 40 to 45 at 8101 Mission Road, Prairie Village, Kansas subject to the eleven specific conditions listed above.

**Section V. Take Effect.** That this ordinance shall take effect and be in force from and after its passage, approval and publication in the official City newspaper as provided by law.

PASSED AND ADOPTED THIS 19<sup>th</sup> DAY OF JULY, 2010.

CITY OF PRAIRIE VILLAGE, KANSAS


By: \_\_\_\_\_

Ronald L. Shaffer, Mayor

ATTEST:

APPROVED AS TO FORM:

  
Joyce Hagen Mundy  
City Clerk

  
Catherine P. Logan  
City Attorney

I hereby certify that the foregoing is a true and correct copy of the original ordinance; that said ordinance was passed on the 19<sup>th</sup> day of July, 2010; that the record of the final vote on its passage is found on page 120 of journal 48; that it was published in the Legal Record on the 27<sup>th</sup> day of July, 2010.

  
City Clerk