

BILL NO. 18-76

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A TELECOMMUNICATION TOWER IN DISTRICT AG ON LAND LOCATED AT 5740 NE LAKEWOOD WAY, ALL IN ACCORDANCE WITH ARTICLE 10 WITHIN THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2018-027, submitted by American Tower Asset Sub II, LLC, requesting a special use permit for a telecommunication tower in District AG on land located at 5740 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 April 24, 2018, and rendered a report to the City Council to recommend approval; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on May 17, 2018, 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 10.050 of the Unified Development Ordinance to allow a telecommunications tower in with a Special Use Permit is hereby granted, with respect to the following described property:

All that part of the West Half of the Southeast Quarter of Section 32, Township 49 N, Range 31 W, in Lee's Summit, Jackson County, Missouri, described as follows: Commencing at the Northwest corner of said SE ¼ Section; thence S 2°19'42" W (this and subsequent bearings are based on the Missouri State Plane coordinate system, West Zone, Metro Mon. No. JA-29) along the west line of said Quarter Section, 887.00 ft.; thence S 87°50'27" E and parallel with the North line of said Quarter Section, 1006.89 ft. to a point on the Easterly right-of-way line of Interstate Route I-470 and true Point of Beginning; thence continuing S 87°50'27" E, 277.38 ft. to a point on the Westerly right-of-way line of NE Lakewood Way (formerly Missouri Route 00); thence southerly along said Westerly right-of-way of NE Lakewood Way the following courses and distances; S 5°37'40" E, 50.76 ft. thence S 1°29'25" W, 150.00 ft.; thence S 9°05'06" W, 151.33 ft.; thence S 1°29'25" W, 100.00 ft.; thence S 6°06'16" E, 151.33 ft.; thence S 1°29'25" W, 7.73 ft. to a point on the Easterly right-of-way line of Interstate Route I-470; thence N 49°00'11" E along said Easterly right-of-way line, 59.05 ft.; thence N 19°44'12" W, 534.88 ft.; thence N 29°05'32" W, 87.33 ft. to the true Point of Beginning, containing 1.97 acres , in Lee's Summit, Jackson County, Missouri.

SECTION 2. 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 3. 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.

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PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2018.

Mayor William A. Baird

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this _____ day of _____, 2018.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian Head*