

AN ORDINANCE GRANTING A SPECIAL USE PERMIT RENEWAL FOR TELECOMMUNICATIONS TOWER IN DISTRICT AGRICULTURE ON LAND LOCATED AT 1310 NE COLBERN ROAD FOR A TERM TO EXPIRE ON APRIL 15, 2025, ALL IN ACCORDANCE WITH ARTICLE 10 WITHIN THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application 2015-122, submitted by Crown Castle/Global Signal Acquisitions, requesting approval of the special use permit renewal, was referred to the Planning Commission as required by the Unified Development Ordinance No. 5209; and,

WHEREAS, on April 15, 1999 by Ordinance No. 4765, the City Council granted a special use permit for a telecommunications tower for a period of 15 years on land located at 1310 NE Colbern Road, and said permit expired on April 15, 2014; and,

WHEREAS, Application #PL2015-122, submitted by Crown Castle/Global Signal Acquisitions, requesting a special use permit renewal for telecommunication tower in District AG on land located at 1310 NE Colbern Road, 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 October 13, 2015, 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 November 5, 2015 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 Sections 10.050 of the Unified Development Ordinance to allow a telecommunications tower in District AG with a Special Use Permit is hereby granted for a period of 10 years from the previous expiration date, to expire on April 15, 2024, with respect to the following described property:

A tract of land in Tract B, Lewis Estates, a platted subdivision of land in the City of Lee's Summit, Jackson County, Missouri being more particularly described as follows:

Commencing at the SW corner of Tract B, Lewis Estates, a platted subdivision of land in the City of Lee's Summit, Jackson County, Missouri; thence N 1°38'13"E, along the W line of said Tract B, a distance of 1079.32'; thence S 88°21'47"E, perpendicular to the last described course, a distance of 25.00' to the true point of beginning; thence S 88°21'47"E, a distance of 32.00'; thence S 1°38'13"W, a distance of 32.00'; thence N 88°21'47"W, a distance of 32.00'; thence N 1°38'13"E, a distance of 32.00' to the true point of beginning, containing 1,024 square feet, more or less.

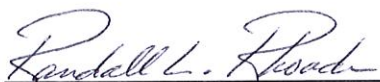
SECTION 2. That the following conditions of approval apply:

1. The special use permit renewal shall be granted to expire April 15, 2025.

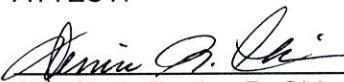
SECTION 3. That failure to comply with all of the provisions contained in this ordinance shall constitute violations of both this ordinance and the City's Unified Development Ordinance, enacted by Ordinance No. 5209 and amended from time to time.

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.

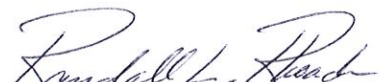
PASSED by the City Council of the City of Lee's Summit, Missouri, this 5th day of November, 2015.


Mayor Randall L. Rhoads

ATTEST:


City Clerk Denise R. Chisum

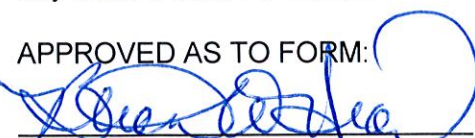
APPROVED by the Mayor of said city this 10th day of November, 2015.


Mayor Randall L. Rhoads

ATTEST:


City Clerk Denise R. Chisum

APPROVED AS TO FORM:


City Attorney Brian W. Head

AUG 17 2015

AUG 17 2015

more particularly described as follows:

COMMENCING at the Northeast Corner of Lot 237, AMBER HILLS 5TH PLAT (Found 1/2" Bar with Cop 134636), said corner also being on the South Right of Way line of NE COLBURN ROAD (Public Right of Way), as it presently exists; thence along said South Right of Way line, North 85°17'05" West, a distance of 154.78 feet to the Northwest Corner of Lot 236, AMBER HILLS 6TH PLAT (Found 1 1/2" Bar with Cop); thence leaving said South Right of Way line, North 74°06'22" West, a distance of 408.25 feet to the Southeast Corner said Tract B, LEWIS ESTATES, said corner also being on the North Right of Way line of said NE COLBURN ROAD (Public Right of Way) as it presently exists; thence along the East line of said Tract B, North 01°49'55" East, a distance of 1071.09 feet; thence leaving said East line, North 89°29'30" West, a distance of 71.59 feet to the POINT OF BEGINNING; thence South 00°30'30" West, a distance of 50.59 feet; thence North 89°29'30" East, a distance of 59.49 feet to the POINT OF BEGINNING. Containing 3.515 square feet (0.062 acres).

PROPERTY DESCRIPTION- EXISTING TOWER EASEMENT (AS SURVEYED)

A 2.861 square foot (0.07± acres) Existing Tower Easement, situated in Trout B, LEWIS ESTATES, in Jackson County, Missouri, more particularly described as follows:

COMMENCING at the Northeast Corner of Lot 237, AMBER HILLS 6TH PLAT (found 1/2" Bar with Cap L34B36), said corner also being on the South Right of Way line of NE COLEBURN ROAD (Public Right of Way), as it presently exists; thence along said South Right of Way line, North 88°17'05" West, a distance of 154.76 feet to the Northwest Corner of Lot 236, AMBER HILLS 6TH PLAT (found 1/2" Bar with Cap); thence leaving said South Right of Way line, North 74°08'22" West, a distance of 408.25 feet to the Southeast Corner said Tract B, LEWIS ESTATES, said corner also being on the North Right of Way line of said NE COLEBURN ROAD (Public Right of Way) as it presently exists; thence along the East line of said Tract B, North 01°49'55" East, a distance of 1071.09 feet; thence leaving said East line, North 89°29'30" West, a distance of 71.59 feet to the POINT OF BEGINNING; thence South 00°30'30" West, a distance of 50.59 feet; thence North 89°29'30" West, a distance of 35.06 feet; thence North 00°30'30" West, a distance of 20.81 feet; thence North 89°29'30" West, a distance of 31.42 feet; thence North 00°30'30" West, a distance of 59.49 feet to the POINT OF BEGINNING.

 PROPERTY DESCRIPTION- ADDITIONAL AREA (AS SURVEYED) |

more particularly described as follows:

COMMENCING at the Northeast Corner of Lot 237, AMBER HILLS 6TH PLAT (Found 1/2" Bar with Cap L59B36), said corner also being on the South Right of Way line of NE COLBERT ROAD (Public Right of Way), as it presently exists; thence along said South Right of Way line, North 88°7'05" West, a distance of 154.76 feet to the Northwest Corner of Lot 235, AMBER HILLS 6TH PLAT (Found 1/2" Bar with Cap); thence leaving said South Right of Way line, North 74°08'22" West, a distance of 405.25 feet to the Southeast Corner said Tract B, LEWIS ESTATES, said corner also being on the North Right of Way line of said NE COLBERT ROAD (Public Right of Way) as it presently exists; thence along the East line of said Tract B, North 01°48'55" East, a distance of 1071.09 feet; thence leaving said East line, North 88°29'30" West, a distance of 71.59 feet; thence South 00°30'30" West, a distance of 50.58 feet; thence North 89°29'30" West, a distance of 35.08 feet to the POINT OF BEGINNING; thence continuing North 89°29'30" West, a distance of 31.42 feet; thence North 00°30'30" East, a distance of 20.81 feet; thence South 89°29'30" East, a distance of 31.42 feet; thence South 00°30'30" West, a distance of 20.81 feet to the POINT OF BEGINNING. Containing 654 square feet (0.02+ acres).

NECESSARY NON-EXCLUSIVE ACCESS/UTILITY EASEMENT (AS SURVEYED)

A 20 foot with Non-Exclusive Access/Unity Easement, situated in Tract B, LEWIS ESTATES, in Jackson County, Missouri, lying 10.00 feet on each side of the easement described centerline.

COMMENCING at the Northeast Corner of Lot 237, AMBER HILLS 6TH PLAT (Found 1/2" Bar with Cap LS#9336), said corner also being on the South Right of Way line of NE COULBURN ROAD (Public Right of Way), as it presently exists; thence along said South Right of Way line, North 89°17'05" West, a distance of 154.76 feet to the Northwest Corner of Lot 236, AMBER HILLS 6TH PLAT (Found 1/2" Bar with Cap); thence leaving said South Right of Way line, North 74°36'22" West, a distance of 408.25 feet to the Southeast Corner said Tract B, LEWIS ESTATES, said corner also being on the North Right of Way line of said NE COULBURN ROAD (Public Right of Way) as it presently exists; thence along the East line of said Tract B, North 01°49'55" East, a distance of 1071.09 feet; thence leaving said East line, North 89°29'30" West, a distance of 151.08 feet to the POINT OF BEGINNING of said centerline; thence South 00°30'30" West, a distance of 60.59 feet to a point hereinafter referred to as POINT "A"; thence South 89°29'30" East, a distance of 41.42 feet to the POINT OF TERMINATION; thence BEGINNING at aforementioned POINT "A"; thence South 01°47'29" West, a distance of 1007.33 feet; to the North Right of Way line of NE COULBURN ROAD (Public R/W) as it presently exists and the POINT OF TERMINATION. Containing 21,988 square feet (0.50± acres).

AS-BUILT SURVEY
PART OF SECTION 20-T444-ESSW
IN ORDER TO ADJUST PROPERTY
IN LOTTERY

FOUR CROWN CASTLES
THE ANIMAL RESERVE LIFE LAKE

877-878-5454
1374 W. COLLEEN RD.
17753 BENTON, MD.

1530 JORNACON WAY, SUITE 300
CARYVILLE, NC 28522

GELINE

SURVEYING INC.
10000 W. 10th Ave., Suite 100
Denver, CO 80231
Tel: 303-751-1000
Fax: 303-751-1001

T **LOWRAGE AND ASSOCIATES, INC.**
ELECTRY CONSULTING AND

A
P.O. BOX 85,
LEWIS CLARK, MO. 64013
TEL: 316-347-9992

CA PROJECT NO. 74332

DATE	00-07-14	FILE NUMBER	00-04-14
------	----------	-------------	----------

1. BEARINGS SHOWN HEREIN ARE BASED ON MISSOURI STATE PLANS COORDINATE SYSTEM OF 1983 (MAG 83).

2. NO SURFACE INVESTIGATION WAS PERFORMED TO LOCATE UNDERGROUND UTILITIES.

ONLY.
A. THIS SUREX DOES NOT REPRESENT A
TO AND ARE FOR OBSERVED EVIDENCE

U.S. ALL VESSEL TOWERS EQUIPPED AND
PROPAGATORS ARE CONTAINED WITH IN THE
EXHIBITORY SURVEY OF THE PARENT PAPER-

FLOOD RISK

Case No. 2008-00096 of the Small Business Administration was filed for Jackson County, Missouri, covering 2008-2009, on subject property in St Louis.

THE VETERAN'S BLOOD SHEDS

1 MONTHS CREDIT TO GROWN CATTLE AND
FIDELITY NATIONAL LIFE INSURANCE COMPANY.

STATE OF MISSISSIPPI

RECEIVED
LOVELACE
JAN 11 1964

[illegible]

CALL 800-222-5464
TOLL FREE
1-800-222-5464

THE BATTLE FOR THE SOUTH

05-07716

BOUNDARY SURVEY

PART OF SECTION 28-1488-231W
IN JACKSON COUNTY, MISSOURI

PARCEL NAME: PRINCE LEE LAKE

OWNER: 877854 LEE'S COUNTRY, INC.
1225 S. BENTLEY RD.
CHAMBERS, MO 64603

CROWN
2520 LORRAINE WAY, SUITE 200
CHAMBERS, MO 64603

SURVEY SERVICES CORPORATION, INC.
2520 LORRAINE WAY, SUITE 200
CHAMBERS, MO 64603

GEOLINE
SURVEYING, INC.
2520 LORRAINE WAY, SUITE 200
CHAMBERS, MO 64603

STATE OF MISSOURI
JACKSON COUNTY
RECORDS & CLERK
OFFICE OF THE CLERK
JACKSON COUNTY, MISSOURI
JACKSON, MISSOURI 64401

LA
LORRAINE AND
ADJACENT LOTS
P.O. BOX 78
LEE'S SUMMIT, MO 64663
TEL: 816-347-1991
FAX: 816-347-3815

LA PROJECT NO.: 14332

DATE OF SURVEY: 08-04-14
DRAWN BY: AGT. CHECKED BY: JCL

NOTES:
1. BEARINGS SHOWN HEREON ARE BASED
ON THE SURVEY OF THE ADJACENT
CRS. 100' W. 1/2 SEC. 28, T. 148N., R. 23W.,
AND SUBSURFACE BENCHMARK WAS
REPERMANENT TO LOCATE UNDERGROUND
UTILITIES.
2. UTILITIES SHOWN HEREON ARE LIMITED
TO WHAT WAS OBSERVED AND ARE NOT
GUARANTEED.
3. THIS SURVEY DOES NOT REPRESENT A
REMARKET SURVEY OF THE PARENT PARCEL.
4. ALL EASEMENTS ARE CONTAINED WITHIN THE
RECORDED AREA.

PLANNING & CODES ADMINISTRATION
AUG 17 2015

RECEIVED

SCALE: 1" = 140' 280'

NE COLBURN RD

SE COR. TRACT D, LEWIS ESTATES

PARCEL NO. 52-800-02-16-00-00-000

OWNER: JUBONG PARK AND JAMSON PARK

DEED: 11809-1957

TRACT B, LEWIS ESTATES

TRACT A, LEWIS ESTATES

TRACT C, LEWIS ESTATES

TRACT D, LEWIS ESTATES

TRACT E, LEWIS ESTATES

TRACT F, LEWIS ESTATES

TRACT G, LEWIS ESTATES

TRACT H, LEWIS ESTATES

TRACT I, LEWIS ESTATES

TRACT J, LEWIS ESTATES

BOUNDARY LEGEND

ROUND PROPERTY CORNER

SET PROPERTY CORNER

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

POINT OF BEGINNING

RECEIVED

AUG 17 2015

PROPERTY DESCRIPTION: OVERALL TOWER EASEMENT (AS SURVEYED)

A 50.59 foot by 69.49 foot Overall Tower Easement, situated in Tract B, LEWIS ESTATES, in Jackson County, Missouri, more particularly described as follows:

Planning & Codes Admin

COMMENCING at the Northeast Corner of Lot 237, AMBER HILLS 6TH PLAT (Found 1/2" Bar with Cap LS#836), said corner also being on the South Right of Way line of NE COLBERN ROAD (Public Right of Way), as it presently exists; thence along said South Right of Way line, North 88°17'05" West, a distance of 154.76 feet to the Northwest Corner of Lot 236, AMBER HILLS 6TH PLAT (Found 1/2" Bar with Cap); thence leaving said South Right of Way line, North 74°06'22" West, a distance of 408.25 feet to the Southeast Corner of said Tract B, LEWIS ESTATES, said corner also being on the North Right of Way line of said NE COLBERN ROAD (Public Right of Way) as it presently exists; thence along the East line of said Tract B, North 01°49'55" East, a distance of 1071.09 feet; thence leaving said East line, North 89°29'30" West, a distance of 71.59 feet to the POINT OF BEGINNING; thence South 00°30'30" East, a distance of 50.59 feet; thence North 89°29'30" West, a distance of 69.49 feet; thence North 00°30'30" East, a distance of 50.59 feet; thence South 89°29'30" East, a distance of 59.49 feet to the POINT OF BEGINNING. Containing 3.515 square feet (0.002± acres).

PROPERTY DESCRIPTION: EXISTING TOWER EASEMENT (AS SURVEYED)

A 2.861 square foot (0.07± acres) Existing Tower Easement, situated in Tract B, LEWIS ESTATES, in Jackson County, Missouri, more particularly described as follows:

COMMENCING at the Northwest Corner of Lot 237, AMBER HILLS 6TH PLAT (Found 1/2" Bar with Cap LS#836), said corner also being on the South Right of Way line of NE COLBERN ROAD (Public Right of Way), as it presently exists; thence along said South Right of Way line, North 88°17'05" West, a distance of 154.76 feet to the Northwest Corner of Lot 236, AMBER HILLS 6TH PLAT (Found 1/2" Bar with Cap); thence leaving said South Right of Way line, North 74°06'22" West, a distance of 408.25 feet to the Southeast Corner of said Tract B, LEWIS ESTATES, said corner also being on the North Right of Way line of said NE COLBERN ROAD (Public Right of Way) as it presently exists; thence along the East line of said Tract B, North 01°49'55" East, a distance of 1071.09 feet; thence leaving said East line, North 89°29'30" West, a distance of 71.59 feet to the POINT OF BEGINNING; thence South 00°30'30" East, a distance of 50.59 feet; thence North 89°29'30" West, a distance of 69.49 feet; thence North 00°30'30" East, a distance of 50.59 feet; thence South 89°29'30" East, a distance of 59.49 feet to the POINT OF BEGINNING.

PROPERTY DESCRIPTION: ADDITIONAL AREA (AS SURVEYED)

A 20.81 foot by 31.42 foot Additional Area, situated in Tract B, LEWIS ESTATES, in Jackson County, Missouri, more particularly described as follows:

COMMENCING at the Northeast Corner of Lot 237, AMBER HILLS 6TH PLAT (Found 1/2" Bar with Cap LS#836), said corner also being on the South Right of Way line of NE COLBERN ROAD (Public Right of Way), as it presently exists; thence along said South Right of Way line, North 88°17'05" West, a distance of 154.76 feet to the Northwest Corner of Lot 236, AMBER HILLS 6TH PLAT (Found 1/2" Bar with Cap); thence leaving said South Right of Way line, North 74°06'22" West, a distance of 408.25 feet to the Southeast Corner of said Tract B, LEWIS ESTATES, said corner also being on the North Right of Way line of said NE COLBERN ROAD (Public Right of Way) as it presently exists; thence along the East line of said Tract B, North 01°49'55" East, a distance of 1071.09 feet; thence leaving said East line, North 89°29'30" West, a distance of 71.59 feet; thence South 00°30'30" West, a distance of 50.59 feet; thence North 89°29'30" East, a distance of 20.81 feet; thence North 00°30'30" East, a distance of 31.42 feet; thence South 89°29'30" West, a distance of 20.81 feet to the POINT OF BEGINNING. Containing 654 square feet (0.02± acres).

PROPERTY DESCRIPTION: NON-EXCLUSIVE ACCESS/UTILITY EASEMENT (AS SURVEYED)

A 20 foot by Non-Exclusive Access/Utility Easement, situated in Tract B, LEWIS ESTATES, in Jackson County, Missouri, lying 10.00 feet on each side of the following described centerline:

COMMENCING at the Northeast Corner of Lot 237, AMBER HILLS 6TH PLAT (Found 1/2" Bar with Cap LS#836), said corner also being on the South Right of Way line of NE COLBERN ROAD (Public Right of Way), as it presently exists; thence along said South Right of Way line, North 88°17'05" West, a distance of 154.76 feet to the Northwest Corner of Lot 236, AMBER HILLS 6TH PLAT (Found 1/2" Bar with Cap); thence leaving said South Right of Way line, North 74°06'22" West, a distance of 408.25 feet to the Southeast Corner of said Tract B, LEWIS ESTATES, said corner also being on the North Right of Way line of said NE COLBERN ROAD (Public Right of Way) as it presently exists; thence along the East line of said Tract B, North 01°49'55" East, a distance of 1071.09 feet; thence leaving said East line, North 89°29'30" West, a distance of 151.08 feet to the POINT OF BEGINNING of said centerline; thence South 00°30'30" West, a distance of 60.58 feet to a point hereinafter referred to as POINT "A"; thence South 89°29'30" East, a distance of 41.42 feet to the POINT OF TERMINATION; thence BEGINNING at aforementioned POINT "A"; thence South 01°47'29" West, a distance of 1007.53 feet, to the North Right of Way line of NE COLBERN ROAD (Public R/W) as it presently exists and the POINT OF TERMINATION. Containing 21,988 square feet (0.50± acres).

BOUNDARY SURVEY
PART OF SECTION 28--TOWN--EAST
IN JACKSON COUNTY, MISSOURI

FOR CHAIN CERTIFICATE

DATE 07/28/15

BY CROWN

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

30.00 TOWNSHIP W. 30.00 E.

#PL2015-122 - SPECIAL USE PERMIT RENEWAL
TELECOMMUNICATION TOWER, 1310 NE COLBERN RD.
CROWN CASTLE/GLOABAL SIGNAL ACQUISITIONS, APPL.

