

BILL NO. 25-207

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A TELECOMMUNICATION TOWER IN DISTRICT AG (AGRICULTURAL) ON LAND LOCATED AT 1310 NE COLBERN RD, ALL IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 33, THE UNIFIED DEVELOPMENT ORDINANCE OF LEE'S SUMMIT CODE OF ORDINANCES, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, on April 15, 1999, by Ordinance No. 4765, the City Council granted a special use permit, Application #1999-007, for a 100'-tall telecommunications tower for 15 years on land located at 1310 NE Colbern Rd, and said permit expired on April 15, 2014; and

WHEREAS, on November 10, 2015, by Ordinance No. 7741, the City Council granted a special use permit, Application #PL2015-122, for a 100'-tall telecommunications tower for 10 years on land located at 1310 NE Colbern Rd, and said permit expired on April 15, 2025; and

WHEREAS, Application #PL2025-157, submitted by Global Signal Acquisitions II, LLC, requesting a special use permit for a 100'-tall telecommunication tower in District Ag (Agricultural) on land located at 1310 NE Colbern Rd, was referred to the Planning Commission to hold a public hearing; and

WHEREAS, the Unified Development Ordinance provides for the approval of a special use permit by the City following public hearings by the Planning Commission and City Council, and

WHEREAS, after due public notice in the manner- prescribed by law, the Planning Commission held a public hearing for the consideration of the special use permit on October 9 2025, and rendered a report to the City Council recommending 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 4, 2025, and approved a motion for a second ordinance reading to approve the special use permit for said property; and

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 6.1200 of the Unified Development Ordinance to allow for telecommunication towers in District Ag with a special use permit is hereby granted, with respect to the following described property:

TRACT B, LEWIS ESTATES, A SUBDIVISION IN LEE'S SUMMIT, JACKSON COUNTY, MISSOURI

SECTION 2. That the following conditions of approval apply:

1. The special use permit shall be granted in perpetuity from the date of City Council approval.

SECTION 3. Use of the property subject to the special use permit shall be in accordance with the site plan appended hereto as Attachment A.

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SECTION 4. That failure to comply with all of the provisions contained in this ordinance shall constitute violations of both this ordinance and Chapter 33, the City's Unified Development Ordinance, of the Code of Ordinances for the City of Lee's Summit.

SECTION 5. 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 6. 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 7. 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.

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*