

## **BILL NO. 17-216**

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AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR TELECOMMUNICATIONS TOWER IN DISTRICT PI ON LAND LOCATED AT 465 SE OLDHAM PKWY, ALL IN ACCORDANCE WITH ARTICLE 10 WITHIN THE UNIFIED DEVELOPMENT ORDINANCE, FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

WHEREAS, Application #PL2017-142, submitted by Skyway Tower, requesting a special use permit for telecommunication tower in District PI on land located at 465 SE Oldham Pkwy, 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 September 12, 2017, 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 October 5, 2017, 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 District PO 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:

*BROWNING INDUSTRIAL PARK EAST BLK.G LOT 1 LOT 1 , in Lee's Summit, Jackson County, Missouri.*

SECTION 2. That the following conditions of approval apply:

1. A modification shall be granted to the requirement that the tower be painted, to allow the tower to be galvanized as shown on the plans.
2. A modification shall be granted to the requirement that landscaping be planted to screen the view of the tower base and accessory structures/equipment, to allow that no landscaping be planted around the perimeter of the tower.
3. To comply with the requirements of the UDO, the tower shall maintain setbacks from all property lines a distance at least equal to the height of the tower as measured from the base of the structure to its highest point.
4. Approval of the special use permit is contingent upon approval of the preliminary development plan (Appl. #PL2017-143), for the telecommunication tower.

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.

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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 \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

\_\_\_\_\_  
Mayor *Randall L. Rhoads*

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

APPROVED by the Mayor of said city this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ATTEST:

\_\_\_\_\_  
Mayor *Randall L. Rhoads*

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

APPROVED AS TO FORM:

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