


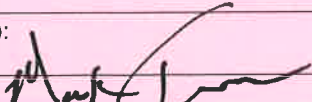
# REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/Ord No.: 5056

Sponsor(s): None

Date: November 28, 2017

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance  Project/Title: <u>Conditional Use Permit – Eco-Sites - CU-2017-225</u>																			
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="313 493 1195 804"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td></td> <td>\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td></td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td></td> <td>\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td></td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>FROM ACCT</td> <td></td> </tr> <tr> <td></td> <td>TO ACCT</td> <td></td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> OTHER FINANCIAL INFORMATION:  <input checked="" type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: _____ Estimated Use: \$ _____ Prior Year Budget (if applicable): _____ Prior Year Actual Amount Spent (if applicable): _____		Amount authorized by this legislation this fiscal year:		\$	Amount previously authorized this fiscal year:		\$	Total amount authorized after this legislative action:		\$	Amount budgeted for this item * (including transfers):		\$	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT			TO ACCT	
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	TO ACCT																			
PRIOR LEGISLATION	Prior ordinances and (date): _____  Prior resolutions and (date): _____																			
CONTACT INFORMATION	RLA drafted by Randy Diehl, Administrator, Development Division, 881-4577																			
REQUEST SUMMARY	Requesting A Conditional Use Permit for a period of 40 years in District AG (Agricultural) to construct a 110 foot communication tower and facility in a 2,117 square foot area on a 3.83 ± acre site. The proposed location is located in Section 32, Township 49, Range 30, Jackson County, Missouri, aka 27900 SE AA Highway, in Jackson County, Missouri, and specifically described on Attachment to RLA-1. The Jackson County Plan Commission on November 16, 2017 held a public hearing and accepted testimony pertaining to the Conditional Use Permit. There was no opposition to the request for the Conditional Use Permit. This request conforms to the general intent and purpose of the Unified Development Code. Therefore, the Plan Commission voted 8 to 0 to recommend <u>APPROVAL</u> for a 20 year period provided the following conditions are met (see attachment RLA-2)																			
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)																			
ATTACHMENTS	See Attachment to RLA-3																			
REVIEW	Department Director: Brian D. Gaddie, P.E. Director of Public Works    Finance (Budget Approval): <i>If applicable</i> Division Manager: 	Date:    Date:  Date: 11/20/17																		

County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the \_\_\_\_\_ Fund in \_\_\_\_\_.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # \_\_\_\_\_.
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

**ATTACHMENT TO RLA-2**

Conditional Use Permit for a period of 40 (forty) years with the following Conditions:

Conditions:

1. The commercial communication tower shall not exceed a height of 110 feet as measured from ground level.
2. The tower and appurtenances shall be installed according to manufacturer's specifications using sound engineering and safety practices.
3. The tower shall be structurally designed so that at least three (3) other wireless co locators would be allowed space on the tower.
4. The tower shall be galvanized finish or painted gray or light blue unless other standards are required by the Federal Aviation Agency.
5. The tower shall only be illuminated if required by the Federal Communication Commission and/or the Federal Aviation Agency.
6. Any antenna or tower that is not operated for a continuous period of twelve (12) months shall be considered abandoned and the owner of such antenna/tower or property owner shall remove the antenna or tower within 90 days.

**ATTACHMENT TO RLA-3:**

Attachments

Plan Commission Public Hearing Summary from November 16, 2017  
Location Map  
Staff Report  
Names/Addresses of Surrounding Property Owners  
Copy of letter to said property owners  
Map showing current zoning district in area  
County Code Chapter 240 – Unified Development Code  
County Master Plan – “Strategy for the Future”  
Application  
Pictures of Property  
Site plan and elevations of site

CU-2017-225

**ATTACHMENT TO RLA 1:**

**Description:**

A 36.50 foot by 58 foot Lease Area, situated in the Southwest Quarter of Section 32, Township 49, Range 30 West, in Jackson County, Missouri, more particularly described as follows:

Commencing at the Southwest Corner of Lot 79, Autumn Chase 7<sup>th</sup> Plat, said corner also being on the North right of way line of SE Steeple Lane; thence along said North right of way line, South 87 degrees, 30 minutes, 12 seconds East, a distance of 300.00 feet to the Southwest corner of Lot 76 of said Plat; thence continuing along said North right of way, South 87 degrees, 30 minutes, 12 seconds East, a distance of 45.40 feet; thence leaving said North right of way line, North 00 degrees, 00 minutes, 00 seconds East, a distance of 256.83 feet to the Point of Beginning, thence continuing North 00 degrees, 00 minutes, 00 seconds East, a distance of 58.00 feet; thence North 90 degrees, 00 minutes, 00 seconds East, a distance of 36.50 feet; thence South 00 degrees, 00 minutes, 00 seconds East, a distance of 58.00 feet; thence North 90 degrees, 00 minutes, 00 seconds West, a distance of 36.50 feet to the Point of Beginning. Containing 2,117 square feet.

**RE: CU-2017-225**

**Randy Diehl gave the staff report:**

**Applicant:** Pamcorp, LLC  
for Eco-Site, LLC  
2018 E Mimosa  
Springfield, MO 65804

**Property Owners:** KCP&L  
c/o Mike Bier 2<sup>nd</sup> Floor  
4400 Front Street  
Kansas City, MO 64120

**Location:** Section 32, Township 49, Range 30, Jackson County, Missouri,  
aka 27900 SE AA Highway.

**Area:** 2,117 ± square feet within a 3.83 ± acre site.

**Request:** A Conditional Use Permit for a period of 40 years for a 110 foot  
communication tower (Monopole).

**Zoning Classification:** District AG (Agricultural)

**Current Land Use and Zoning in Area:**

The zoning to the west is Agricultural. There is Light Industrial zoning to the east across Adams Dairy Parkway. The majority of the surrounding area is within the City of Blue Springs.

**Comments:** KCP&L owns the 3.83 acres that will contain the compound facility. Missouri Public Service originally acquired the property in 1963. Under the 1960 Zoning Order, public utility services was a permitted use within District D, Agricultural.

**County Plan:** The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT).

**Recommendation:**

Staff recommends APPROVAL of CU-2017-225 for a period of forty (40) years subject to the following conditions:

**Conditions:**

1. The commercial communication tower shall not exceed a height of 110 feet as measured from ground level.
2. The tower and appurtenances shall be installed according to manufacturer's specifications using sound engineering and safety practices.

3. The tower shall be structurally designed so that at least three (3) other wireless co locators would be allowed space on the tower.
4. The tower shall be galvanized finish or painted gray or light blue unless other standards are required by the Federal Aviation Agency.
5. The tower shall only be illuminated if required by the Federal Communication Commission and/or the Federal Aviation Agency.
6. Any antenna or tower that is not operated for a continuous period of twelve (12) months shall be considered abandoned and the owner of such antenna/tower or property owner shall remove the antenna or tower within 90 days.

Mr. Antey: This is the basic conditions for towers.

**Mr. Antey: Are there any questions for Randy?**

Mr. Tarpley: Where is the tower going to sit?

Mr. Diehl: The blue area on the aerial is the location of the compound. The tower will sit toward the middle of that area. The location also meets the set-backs requirements for the tower.

Mr. Tarpley: That would be 55 feet?

Mr. Diehl: Yes

Mr. Antey: How far will it be from the high voltage lines?

Mr. Diehl: According to the drawing, the tower is approximately 65 feet from that line.

Mr. Tarpley: Is there any maintenance agreements to maintain the tower?

Mr. Diehl: Not with the County, that would be between the owner of the compound and the lease holder.

Mr. Haley: Is the purpose to tie in to other towers, to eliminate dead spots?

Mr. Diehl: I would defer that question to the applicant's representative.

Ms. Mershon: Why 40 years?

Mr. Diehl: Different applicants have requested different lengths of time. This was the time limit on the application.

Mr. Antey: If we remember, one of the last permits we had there are new laws that are effect that tie are hands as to time limits.

**Mr. Antey: Is the applicant here?**

Grady Walquist, 2018 E. Mimosa, Springfield, Mo. I represent Eco-Site. I would like to point out that KCP&L is also going to be using this tower. This tower will be able to hold 4 carriers. The lease with KCP&L is for a 40 years term. As for the other question, the first carrier will be T-Mobile, and yes there is a dead spot. This is the third location we looked at.

**Mr. Antey: Are there any other questions for the applicant?**

**Mr. Antey: Is there anyone else who is in favor of this application?**

**Mr. Antey: Is there anyone who is opposed or has questions regarding this application?**

Mr. Crawford moved to take under advisement. Ms. Mershon seconded.

Mr. Tarpley: I'm surprised there is no one here in opposition.

Mr. Antey: I like that they have looked at other locations, and that they will be inside the sub-station. It's not going anywhere, and seems like a good location for it.

Mr. Crawford: I agree. That fact that you have a utility station and the tower using the same space. Unlike the last tower we had, this doesn't have the public access.

Motion to take under advisement.

*Discussion under advisement*

Mr. Haley moved to approve. Mr. Gibler seconded.

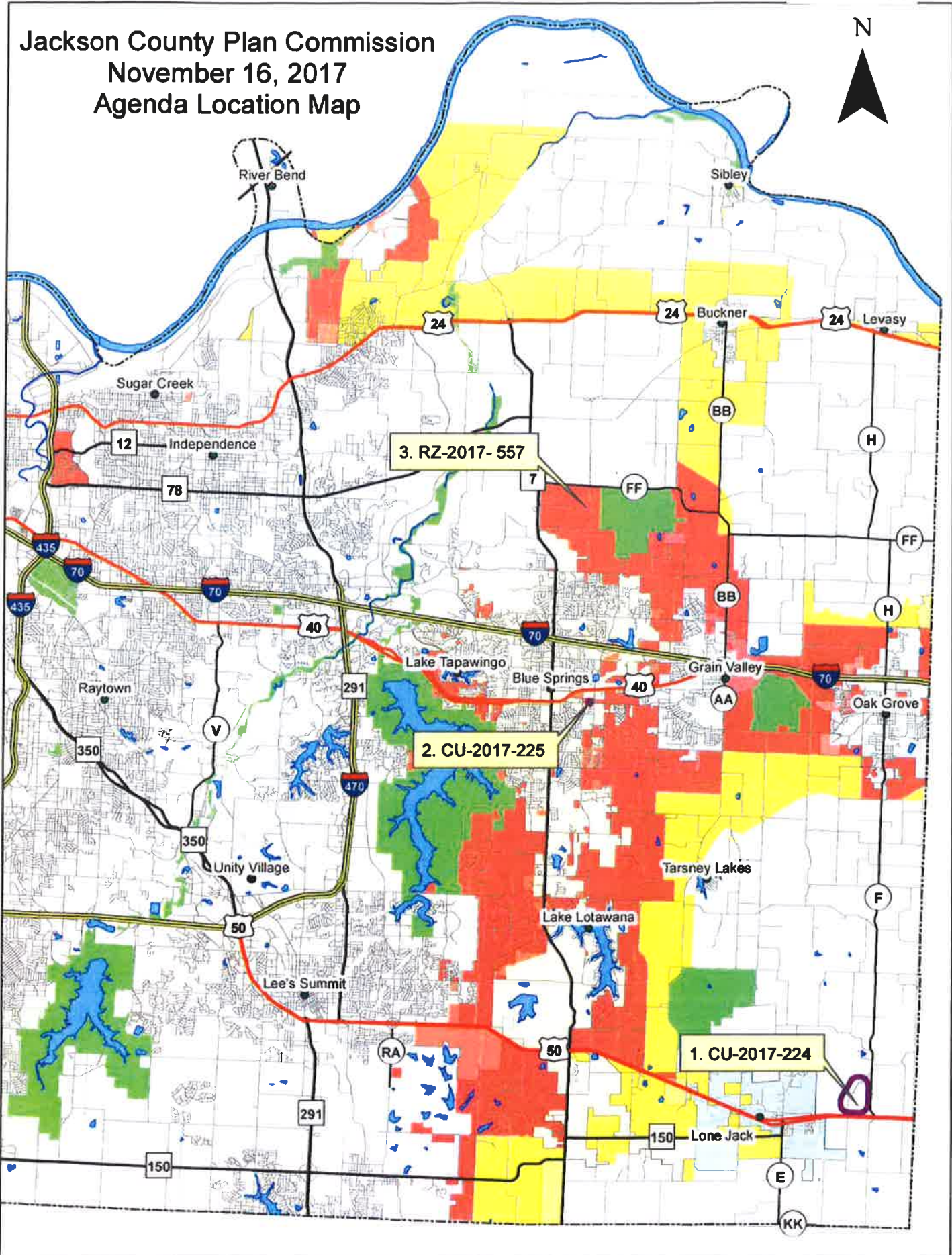
Mr. Tarpley	Approve
Mr. Gibler	Approve
Mr. Haley	Approve
Mr. Crawford	Approve
Mrs. Mershon	Approve
Ms. Querry	Approve
Mr. Akins	Approve
Chairman Antey	Approve

Motion Carried 8 – 0.



Jackson County Plan Commission  
November 16, 2017  
Agenda Location Map

N



**STAFF REPORT**

**PLAN COMMISSION  
November 16, 2017**

**RE: CU-2017-225**

**Applicant:** Pamcorp, LLC  
for Eco-Site, LLC  
2018 E Mimosa  
Springfield, MO 65804

**Property Owners:** KCP&L  
c/o Mike Bier 2<sup>nd</sup> Floor  
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Respectfully submitted,

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator



CU-2017-225  
ECO-SITES LLC

SE US 40 HWY

SE INDUSTRIAL DR

1305

955

1350

SE ADAMS DAIRY PKWY

SE CENTRAL DR

SE STEEPLE LN

SE FOX RUN CT

SE BUGLE CT

SE STEEPLE DR

SE KINGS CROSS RD

425

SE SUNNYSIDE SCHOOL RD

SE GRACE CIR

SE DALE'S CT

SE GINGERBREAD LN

SE 2 ST

SE SOUTH AVE

MOORE

SE CHICAGO ST

CU-2017-225  
ECO-SITES LLC



SE AA HWY

SE AUTUMN CT



CU-2017-225  
ECO-SITES LLC

SE AA HWY

SE AUTUMN CT

Plan Commission November 19, 2017  
 CU-2017-225

Property Owners Within 185 feet

parcel_number	owner *	address	city	state	zip
41-220-04-55-00-0-00-000	CITY OF BLUE SPRINGS	903 W MAIN ST	BLUE SPRINGS	MO	64015
41-220-04-57-00-0-00-000	CUMMINGS NATHANIAL	521 SE STEEPLE LN	BLUE SPRINGS	MO	64014
41-220-04-58-00-0-00-000	LAPIS LAZULI PROPERTIES LLC	4224 NE PORT DR	LEES SUMMIT	MO	64064
36-800-03-06-00-0-00-000	ROBERT E & DORIS A BROOKS FAMILY TRUST	465 SE M AA HWY	BLUE SPRINGS	MO	64014
41-220-04-56-00-0-00-000	THOMPSON JANET IRENE HARTMAN	525 SE STEEPLE LN	BLUE SPRINGS	MO	64014
36-800-03-07-00-0-00-000	KCP&L	PO BOX 418679	KANSAS CITY	MO	64141-9679

JACKSON COUNTY, MISSOURI  
CONDITIONAL USE PERMIT APPLICATION

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County Planning and Development Division, 303 W. Walnut, Independence, MO 64050 by the deadline on the Plan Commission Calendar.
2. Application must be typed or printed in a legible manner.
3. A scaled map of the property, correlating with the legal description, and clearly showing the property's location must accompany application. Refer to Section 24003.22, pertaining to Site Plan Review within the Unified Development Code.
4. All applicable sections must be completed. If you need more space to provide information, please use separate 8 1/2"x11" paper, reference the application number and attach it to the application. Incomplete applications will not be accepted and will be returned to the applicant.
5. The filing fee \$350.00 (non-refundable) must accompany application.  
(Check payable to: Manager of Finance)

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Conditional Use Permit Number CU- 2017-223

Date filed \_\_\_\_\_ Date of hearing \_\_\_\_\_

Date advertised \_\_\_\_\_ Date property owners notified \_\_\_\_\_

Date signs posted \_\_\_\_\_

Hearings: Heard by \_\_\_\_\_ Date \_\_\_\_\_ Decision \_\_\_\_\_

              Heard by \_\_\_\_\_ Date \_\_\_\_\_ Decision \_\_\_\_\_

              Heard by \_\_\_\_\_ Date \_\_\_\_\_ Decision \_\_\_\_\_

BEGIN APPLICATION HERE:

1. Data on Applicant(s) and Owner(s):
  - a. Applicant(s) Name: ICC Site LLC  
 Address: 240 Leigh Farm Rd, Suite 230  
Durham, NC 27707  
 Phone: 919-335-5739
  - b. Owner(s) Name: Kansas City Power & Light Co. Mike Bir. 2nd floor  
 Address: 4400 E Front Street, Kansas City, MO 64120  
 Phone: 816-719-0363
  - c. Agent(s) Name: Brendy Leckly



Address: 2018 E Mimosa  
Springfield, MO 65807  
Phone: 972-467-6290

d. Applicant's interest in Property: Agent for Eric S. Taylor

2. A CONDITIONAL USE PERMIT IS HEREBY REQUESTED for the following described use: 1116 foot commercial center for a period of 40 years; property described as follows: a tract of land 3.83 ~~square feet~~ acres in size located at 27700 SE 11th Highway Road. Present Zoning District Agriculture

3. Legal Description of Property: (Write Below or Attached 9)

(#Hatched)  
\_\_\_\_\_  
\_\_\_\_\_

4. Present Use of Property: KCP&L sub station

5. Proposed Use of Property: KCP&L sub station, adding next manhole for FMobile + KCP&L communications equipment

6. Estimated Time Schedule for Development: 60-90 days

7. What effect will your proposed development have on the surrounding properties?  
No adverse effect. Area will have better communications service.
8. Is any portion of the property within the established flood plain as shown on the FEMA Flood Boundary Map? No  
 If so, will any improvements be made to the property which will increase or decrease the elevation? No
9. Describe the source/method which provides the following services, and what effect the development will have on same:
- a. Water None required
  - b. Sewage disposal None required
  - c. Electricity Provided on site
  - d. Heating None required
  - e. Fire and Police protection The site is serviced by town trucks. No effect.
10. Describe existing road width and condition: An existing 24ft wide gravel road provides access etc. Paved in
11. What effect will proposed development have on existing road and traffic conditions? After construction is complete, little to no additional traffic to road from site.
12. Are any state, federal, or other public agencies approvals or permits required for the proposed development? Yes  
 If so, describe giving dates of application and status (include permit numbers and copies of same, if issued): FAT

Verification: I (We) hereby certify that all of the foregoing statements contained in any papers and/or plans submitted herewith are true to the best of my (our) knowledge and belief.

Signature \_\_\_\_\_ Date \_\_\_\_\_  
Property Owner(s) Chris Koal 9/19/17  
\_\_\_\_\_  
Applicant(s): Douglas Wellfist 9/19/17  
\_\_\_\_\_  
Contract Purchaser(s): \_\_\_\_\_  
\_\_\_\_\_

STATE OF MISSOURI  
COUNTY OF JACKSON

On this 19th day of September, in the year of 2017, before me  
the undersigned notary public, personally appeared Chris Koal

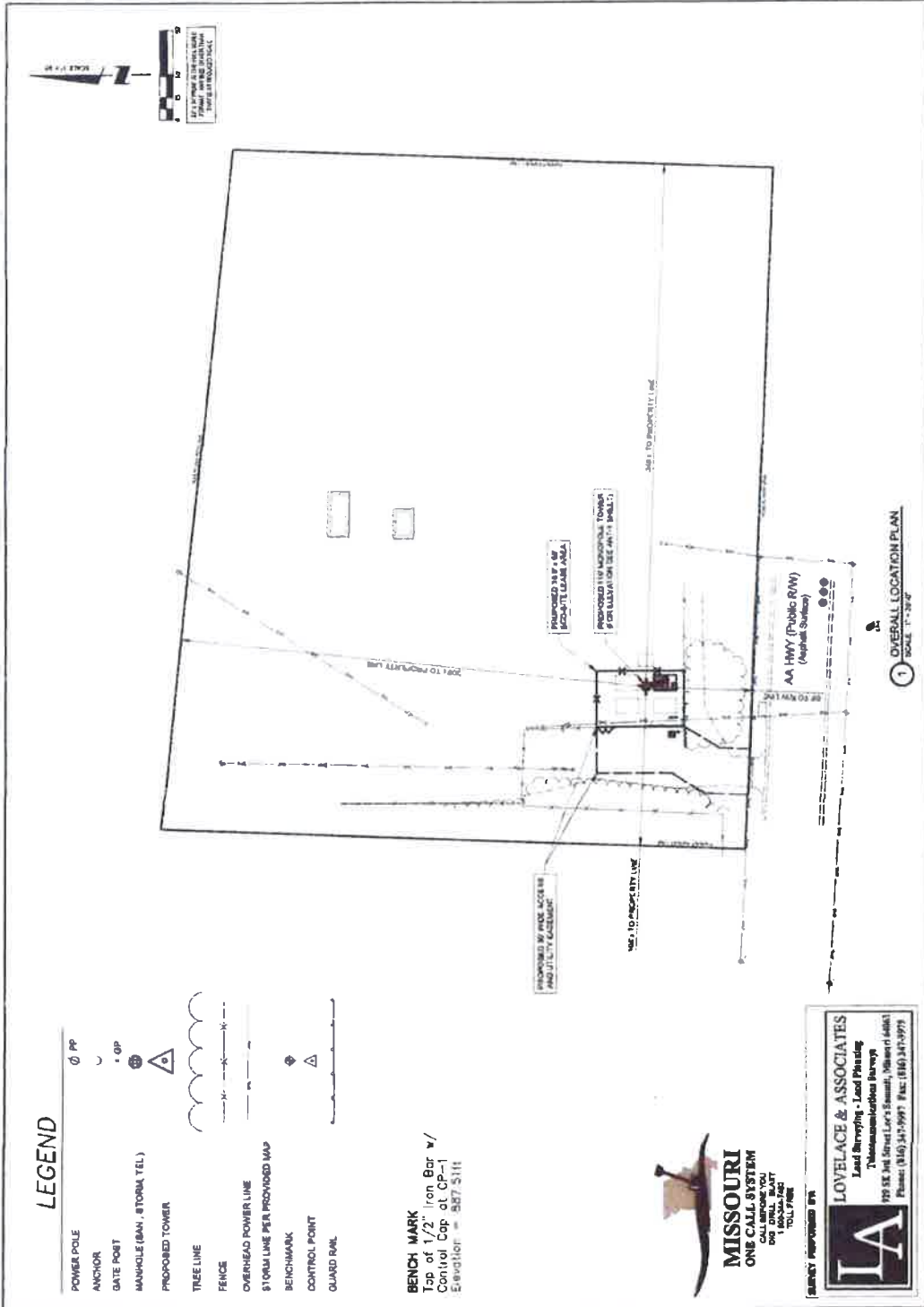
known to me to be the person(s) whose names(s) is/are subscribed to the within instrument and  
acknowledged that he/she/they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

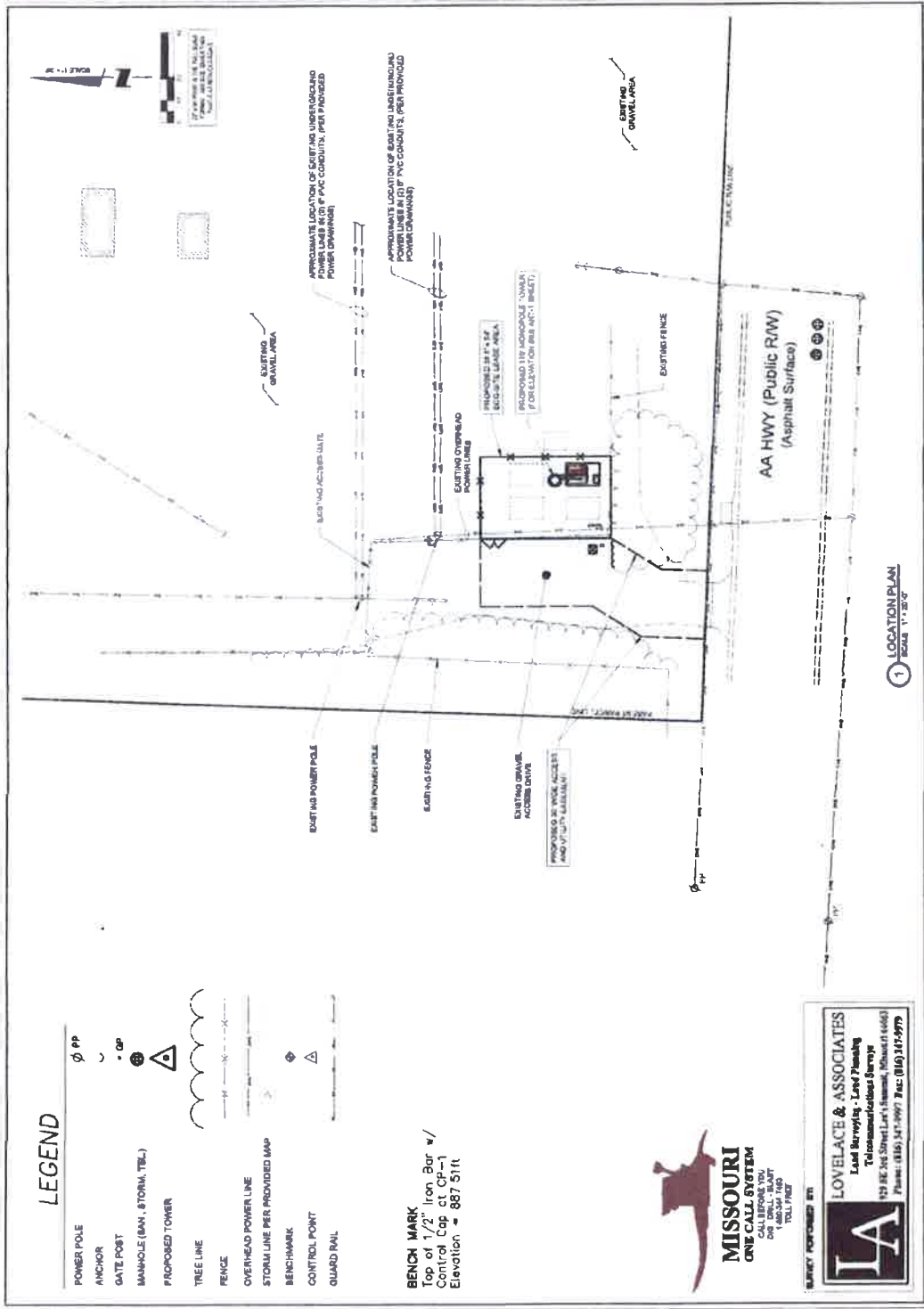
Notary Public [Signature] Commission Expires 11-13-17

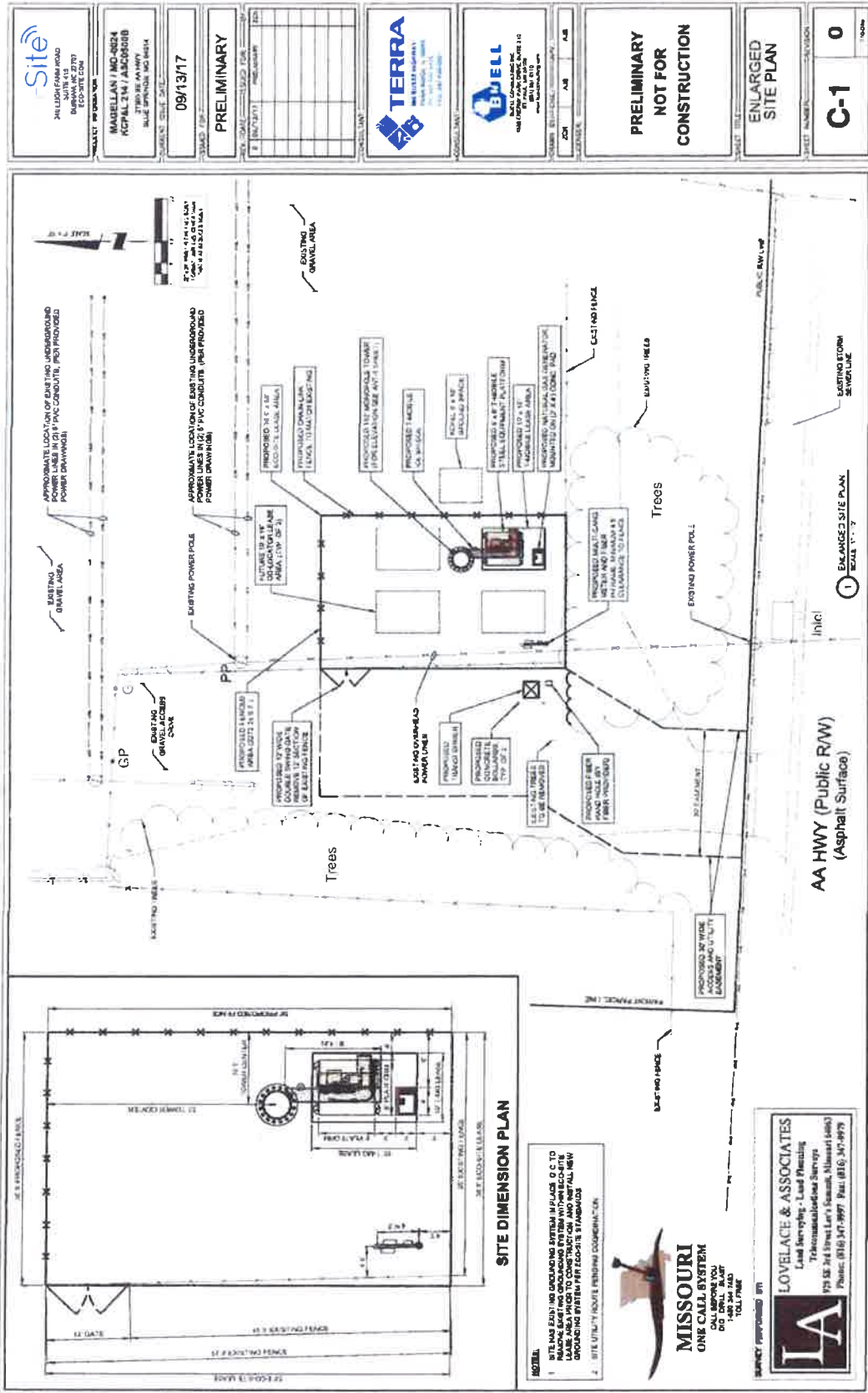


<p>Site 3400 N. Highway 277W Springfield, MO 65804 Tel: 417-875-2200</p>	<p>MAGELLAN / MO-0024 KCP-11 214 / A505008 MAGELLAN / MO-0024 KCP-11 214 / A505008</p>	<p>08/13/17</p>	<p>PRELIMINARY</p>	<p>TERRA Engineering &amp; Construction 1000 N. Highway 277W Springfield, MO 65804 Tel: 417-875-2200</p>	<p>BUELL Engineering &amp; Construction 1000 N. Highway 277W Springfield, MO 65804 Tel: 417-875-2200</p>	<p>PRELIMINARY NOT FOR CONSTRUCTION</p>	<p>OVERALL LOCATION PLAN</p>	<p>LP-1 0</p>
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<p><b>-Site</b> 2401 E. STATE ROAD DUPONT, NC 27109 336.293.2224</p>	<p><b>BRIGGELLAN / MO-9034</b> KCPULL 2147 / ADC93803 2700 W. STATE ROAD MILLSBORO, MO 65064</p>	<p>09/13/17</p>	<p>PRELIMINARY</p>	<p><b>TERRA</b> LAND SURVEYING &amp; ENGINEERING 1000 S. MAIN ST. SUITE 100 MILLSBORO, MO 65064 336.293.2224</p>	<p><b>Bjell</b> SURVEYING &amp; ENGINEERING 1000 S. MAIN ST. SUITE 100 MILLSBORO, MO 65064 336.293.2224</p>	<p><b>PRELIMINARY NOT FOR CONSTRUCTION</b></p>	<p>LOCATION PLAN</p>	<p><b>LP-2</b> 0</p>
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**Site**  
MILLINGTON ROAD  
DARWIN, MO 64709  
EGG-SPEC.COM

PROJECT INFORMATION  
MAGELLAN / MO-0024  
ACPHL 214 / ASC00018  
2700 MILL HWY  
MILLINGTON, MO 64504

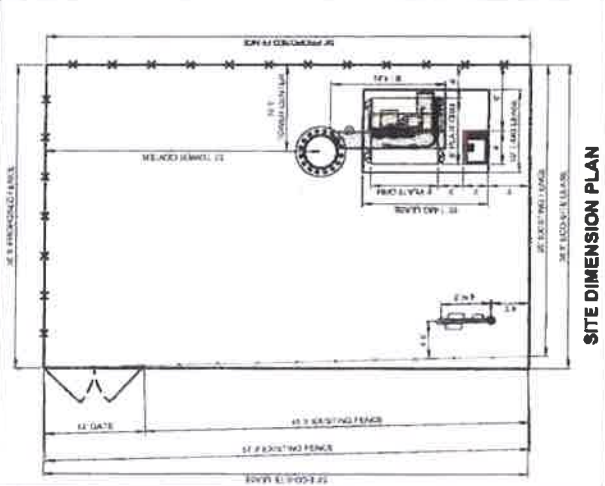
DATE: 09/13/17  
SHEET: PRELIMINARY

NO.	DATE	DESCRIPTION
1	09/13/17	PRELIMINARY



**PRELIMINARY  
NOT FOR  
CONSTRUCTION**

ENLARGED  
SITE PLAN  
C-1 0



**NOTES**  
1. SITE HAS EXISTING UNDERGROUND SYSTEM IN PLACE. SEE C-1 TO UNDERGROUND SYSTEM PLAN FOR EXISTING AND PROPOSED UNDERGROUND SYSTEM PER EGG-SPEC STANDARDS.  
2. SITE UTILITY ROUTE BEING DETERMINED.



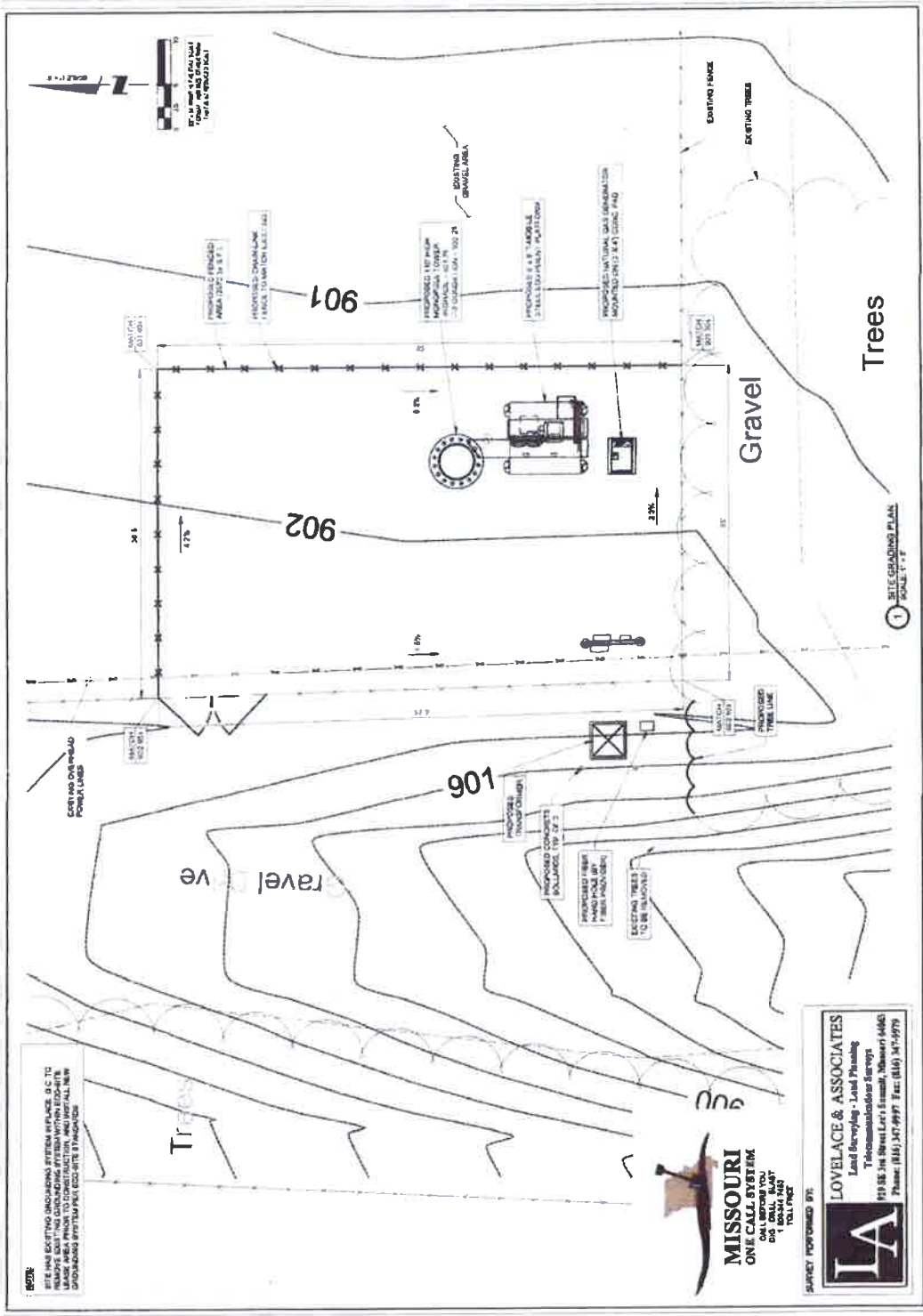
SEARCHED PROPOSED BY:

**LOVELACE & ASSOCIATES**  
Land Servicing - Land Planning  
Technological Services  
193 SE 1/4 First Level's Campus, Missouri (640)  
Phone: (816) 347-9977 Fax: (816) 347-9975

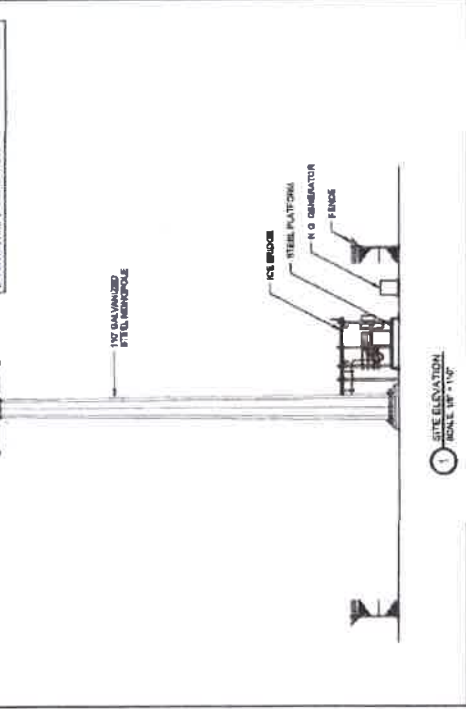
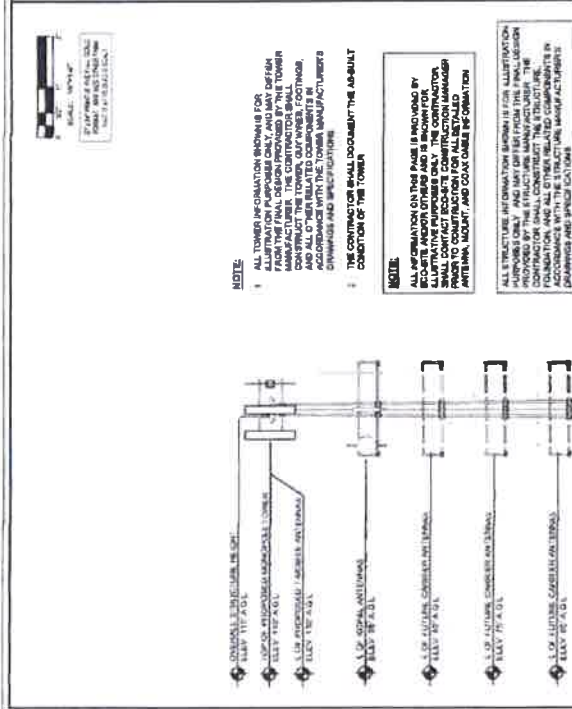
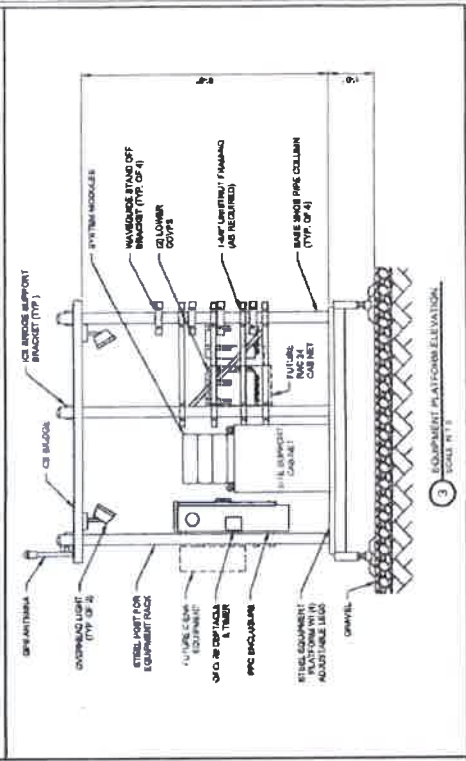
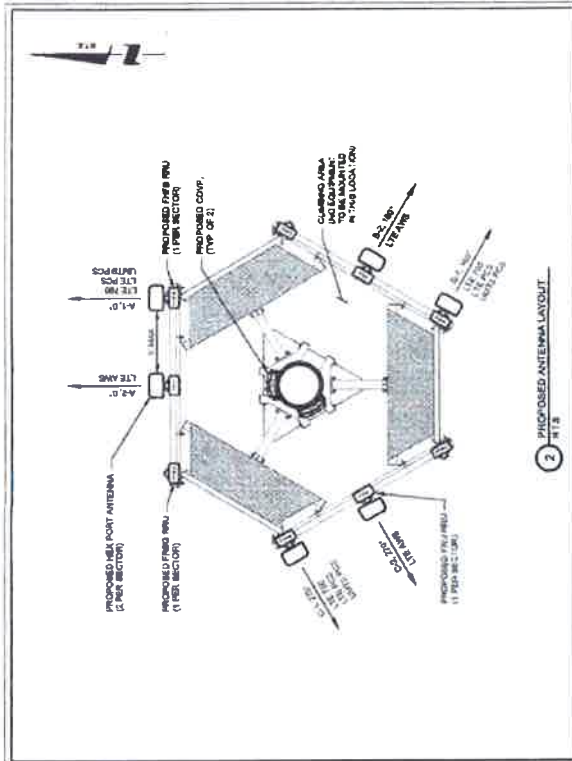
AA HWY (Public R/W)  
(Asphalt Surface)

1 ENLARGED SITE PLAN  
SCALE 1" = 17'

 THE SITES CONSULTING GROUP, INC. 2003 S. W. 11th Ave. Suite 101 Fort Lauderdale, FL 33304	MANUEL / MOORE / KOPPEL / MOSE PROJECT ARCHITECTS 1380 N. W. 12th Street Suite 100, Ft. Lauderdale, FL 33304	09/13/17	PRELIMINARY	 TERRA 10000 N.W. 11th Street Ft. Lauderdale, FL 33322	 BELL 11000 N.W. 11th Street Ft. Lauderdale, FL 33322	PRELIMINARY NOT FOR CONSTRUCTION	SITE GRADING PLAN (SHEET X OF X)	<b>C-2</b> <b>0</b> <small>11/13/2014</small>
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		<b>PROJECT INFORMATION</b> MAG ELLAN / MO-0804 KPOLL 294 / ABC00008 27000 BEANWORTH BIRMINGHAM, AL 35214		<b>PERMIT DATE</b> 08/13/17		<b>PROJECT TYPE</b> PRELIMINARY		<b>DATE</b> 08/13/17	
				<b>OWNER</b> CHA... A... J...		<b>PRELIMINARY NOT FOR CONSTRUCTION</b>		<b>SITE ELEVATION</b> ANT-1 0	



**NOTE:**  
 1. ALL TOWER INFORMATION SHOWN IS FOR INFORMATIONAL PURPOSES ONLY. THE CONTRACTOR SHALL VERIFY ALL INFORMATION PROVIDED BY THE TOWER MANUFACTURER, THE CONTRACTOR SHALL VERIFY ALL INFORMATION PROVIDED BY THE TOWER MANUFACTURER, AND ALL OTHER RELATED COMPONENTS IN ACCORDANCE WITH THE TOWER MANUFACTURER'S SPECIFICATIONS AND REQUIREMENTS.

**NOTE:**  
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1 SITE ELEVATION  
 SCALE: 1/8" = 1'-0"

3 EQUIPMENT PLATFORM ELEVATION  
 SCALE: 1/8" = 1'-0"





