

Request for Legislative Action

Ord. #5760

Date: June 15, 2023

Completed by County Counselor's Office

Action Requested:	Ordinance	Res.Ord No.:	5760
Sponsor(s):		Legislature Meeting Date:	6/15/2023

Introduction

Action Items: ['Authorize']

Project/Title:

CU-2023-245 – Public Television 19

Request Summary

Requesting the renewal of a Conditional Use Permit for a period of 25 years to locate a 150 foot microwave antenna on 10.00 ± acres in District GB (General Business) at 2100 Stark Avenue.

Staff recommends approval because the change in zoning is consistent with the intent and purpose of the County Plan and complies with the Unified Development Code requirements.

The Jackson County Plan Commission held a public hearing on June 1, 2023, and accepted testimony pertaining to the rezoning request. There was no opposition to the request.

The Plan Commission voted 5 to 0 to recommend APPROVAL to the County Legislature.

Contact Information

Department:	Public Works	Submitted Date:	6/6/2023
Name:	Randy D. Diehl	Email:	RDiehl@jacksongov.org
Title:	Development Administrator	Phone:	816-881-4577

Budget Information

Amount authorized by this legislation this fiscal year:			\$ 0
Amount previously authorized this fiscal year:			\$ 0
Total amount authorized after this legislative action:			\$
Is it transferring fund?			No
Single Source Funding:			
Fund:	Department:	Line Item Account:	Amount:
			!Unexpected End of Formula

Request for Legislative Action

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
Prior Resolution	
Resolution:	Resolution date:

Purchasing	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	No
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in this RLA?	

Compliance	
Certificate of Compliance	
Not Applicable	
Minority, Women and Veteran Owned Business Program	
Goals Not Applicable for following reason: not spending money	
MBE:	.00%
WBE:	.00%
VBE:	.00%
Prevailing Wage	
Not Applicable	

Fiscal Information
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Request for Legislative Action

History

Submitted by Public Works requestor: Randy D. Diehl on 6/6/2023. Comments:

Approved by Department Approver Kristina J. Miller on 6/7/2023 1:28:23 PM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 6/7/2023 2:14:03 PM. Comments:

Approved by Compliance Office Approver Ikeela Alford on 6/7/2023 2:26:50 PM. Comments:

Approved by Budget Office Approver David B. Moyer on 6/7/2023 2:32:08 PM. Comments:

Approved by Executive Office Approver Sylvya Stevenson on 6/8/2023 8:47:27 PM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 6/14/2023 10:42:15 AM. Comments:

CU-2023-245

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

The East 10 acres of the South 20 acres of the East Half of the Northeast Quarter of Section 7, Township 49, Range 32, in Jackson County, Missouri, except that part in Route 78 (23rd Street) and except that part conveyed to by Warranty Deed I-0327005 in Book I-838 at Page 966 in the Office of the Records of Jackson County, Missouri

CU-2023-245

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Plan Commission Public Hearing Summary from June 1, 2023

Staff Report

Zoning map of surrounding area

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Application

Aerial of Property

CU-2023-245

ATTACHMENT 3: LIST OF CONDITIONS

Condition Use Permit for a period of 25 (twenty-five) years with the following Conditions:

- 1) The free-standing tower for microwave antennas shall not exceed a height of 150 feet.

Randy Diehl gave the staff report:

RE: CU-2023-245

Applicant: Public Television 19

Location: 2100 Stark Avenue

Area: 10.00 ± acres

Request: Renewal of a Conditional Use Permit for a period of 25 years to locate a 150 foot free-standing tower for microwave antennas.

Zoning Classification: District GB (General Business)

Comments:

This is the second renewal for this site since the adoption of the Unified Development Code in 1995. The initial Special Use Permit was granted August 1981. The permit was amended in 1982 to increase the height of the tower to 150 feet. Since installation there have been complaints or concerns regarding these units.

There are two other towers on the property. Staff believes these towers may have been constructed between 1966 and 1974 when Blue Summit was incorporated as a jurisdiction and therefore are grandfathered under the current code.

County Plan:

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

Recommendation:

Staff recommends APPROVAL of CU-2023-245 for a twenty-five (25) year period provided the following conditions are met:

- 1) The free-standing tower for microwave antennas shall not exceed a height of 150 feet.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Mr. Antey: Are there any questions for Randy?

There were none.

Mr. Antey: Is the applicant here?

Jeff Evans: I'm with Channel 19. The taller tower is our broadcast tower which is 1200 feet.

Mr. Diehl: This is one that's grandfathered.

Mr. Evans: The other tower, 400 foot, belongs to American Tower. Verizon uses it.

Mr. Tarpley: How many buildings are on the property?

Mr. Evans: There are three.

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

There were none.

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

There were none.

Motion to take under advisement.

Mr. Tarpley moved to take under advisement. Mr. Johnson seconded.

Discussion under advisement

Mr. Tarpley moved to approve. Mr. Crawford seconded.

Mr. Tarpley	Approve
Mr. Crawford	Approve
Ms. Ryerkerk	Approve
Mr. Johnson	Approve
Chairman Antey	Approve

Motion Carried 5 – 0

STAFF REPORT

PLAN COMMISSION
May 18, 2023

RE: CU-2023-245

Applicant: Public Television 19

Location: 2100 Stark Avenue

Area: 10.00 ± acres

Request: Renewal of a Conditional Use Permit for a period of 25 years to locate a 150 foot free-standing tower for microwave antennas.

Zoning Classification: District GB (General Business)

Comments:

This is the second renewal for this site since the adoption of the Unified Development Code in 1995. The initial Special Use Permit was granted August 1981. The permit was amended in 1982 to increase the height of the tower to 150 feet. Since installation there have been complaints or concerns regarding these units.

County Plan:

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

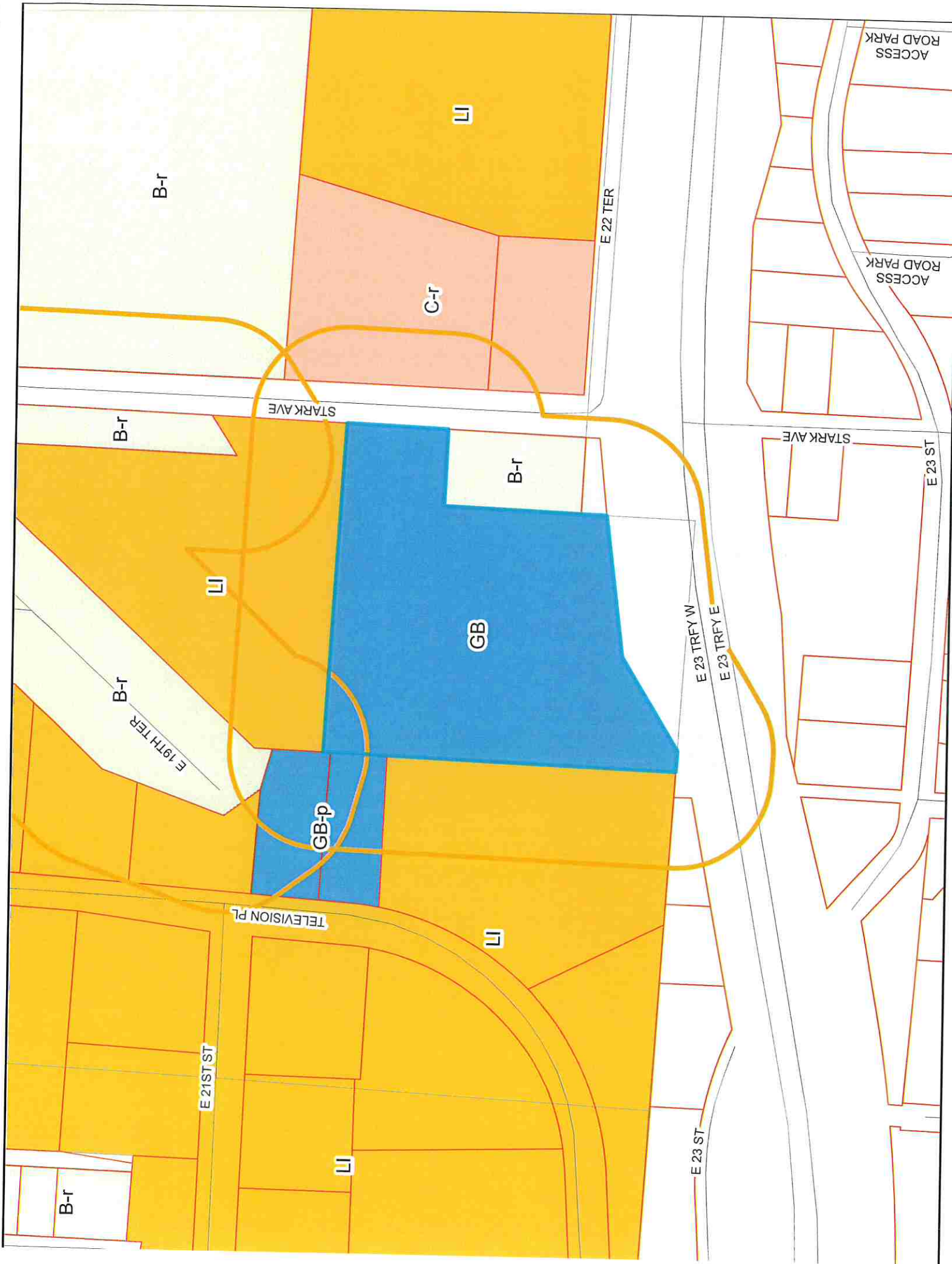
Recommendation:

Staff recommends APPROVAL of CU-2023-244 for a twenty-five (25) year period provided the following conditions are met:

- 1) The free-standing tower for microwave antennas shall not exceed a height of 150 feet.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator



Plan Commission May 18, 2023
CU-2023-245
Property Owners Within 185 feet

Parcel	owner	address	city	state	zip
27-410-20-39-02-0-00-000	A-TEAM AUTOMATION, LLC	2111 TELEVISION PL	KANSAS CITY	MO	64126
27-410-20-38-00-0-00-000	STEEDE KIM & SUSAN & AARON	2031 TELEVISION PL	KANSAS CITY	MO	64126
27-520-05-15-00-0-00-000	WATKINS MARION O	2121 STARK	KANSAS CITY	MO	64126
27-410-20-19-02-1-00-000	BLUE RIDGE MOBILE HOME PARK	1914 TERRACINA DR #130	SACRAMENTO	CA	95834
27-440-02-01-00-0-00-000	MABIE CHARLES E	8600 E 23RD ST	KANSAS CITY	MO	64129
27-410-20-39-01-0-00-000	A-TEAM AUTOMATION, LLC	2111 TELEVISION PL	KANSAS CITY	MO	64126
27-410-20-40-00-0-00-000	GNT LLC	10201 N WABASH AVE	KANSAS CITY	MO	64155
27-410-20-25-02-1-00-000	GRAVES SPENCER REV TRUST	WARWICK BLVD 508	KANSAS CITY	MO	64111
27-520-05-14-02-0-00-000	WATKINS MARION O	2121 STARK	KANSAS CITY	MO	64126
27-520-05-11-00-0-00-000	LAND TRUST OF JACKSON CO	4035 CENTRAL ST	KANSAS CITY	MO	64111
27-410-20-18-00-0-00-000	PUBLIC TELEVISION 19 INC	125 E 31ST ST	KANSAS CITY	MO	64108-3299
27-410-20-17-00-0-00-000					
27-410-20-15-00-0-00-000					



JACKSON COUNTY Public Works Department

Jackson County Technology Center
303 West Walnut Street
Independence, Missouri 64050
jacksongov.org

(816) 881-4530
Fax: (816) 881-4448

May 3, 2023

RE: Public Hearing: CU-2023-244 & 245
Public Television 19

Dear Property Owner:

You are hereby invited to participate in a public hearing to be held by the Jackson County Plan Commission requesting the renewal of a Conditional Use Permit for a period of 25 years to locate 3 satellite dish earth stations and the renewal of a Conditional Use Permit for a period of 25 years to locate a 150 foot microwave antenna on 10.00 ± acres in District GB (General Business) at 2100 Stark Avenue. You are being notified pursuant to 24003.5 Chapter 240 (Unified Development Code) of the Jackson County Code, as being an adjacent property within 185' of the subject property.

The public hearing on this matter will be held by the Plan Commission on Thursday, May 18, 2023 at 8:30 a.m. in the Large Conference Room, 2nd Floor, Historic Truman Courthouse, 112 W. Lexington, Independence, MO.

If you know of any interested party who may not have received a copy of this letter, it would be appreciated if you would inform them of the time and place of the hearing.

If you have any questions concerning this matter, please contact the Development Division at 881-4577.

Sincerely,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Frank White, Jr., County Executive

JACKSON COUNTY, MISSOURI
CONDITIONAL USE PERMIT APPLICATION

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County 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)
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TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Conditional Use Permit Number CU- 2023-245

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: Public Television 19, Inc.
Address: 125 E 31st Street
Kansas City, MO 64108
Phone: 816-756-3580
 - b. Owner(s) Name: Kliff Kuehl
Address: 125 E 31st Street Kansas City, MO 64108
Phone: 816-756-3580 x 4232
 - c. Agent(s) Name: _____

Address: _____

Phone: _____

d. Applicant's interest in Property: _____

2. A CONDITIONAL USE PERMIT IS HEREBY REQUESTED for the following described use: 150 foot Tower For Microwave Antenna (Exhibit B) for a period of 25 years; property described as follows: a tract of land 10 ~~square feet~~ acres in size located at 2100 Stark Ave. Road.

Present Zoning District GB - General Business

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

4. Present Use of Property: Telecommunications

5. Proposed Use of Property: Telecommunications

6. Estimated Time Schedule for Development: Existing Structure

7. What effect will your proposed development have on the surrounding properties?
No Change
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 KC Water
 - b. Sewage disposal Septic
 - c. Electricity Evergy
 - d. Heating Electric
 - e. Fire and Police protection Intercity Fire Department
10. Describe existing road width and condition: 18 ft Wide Asphalt
11. What effect will proposed development have on existing road and traffic conditions? No Change
12. Are any state, federal, or other public agencies approvals or permits required for the proposed development? FCC License, FAA Registration
If so, describe giving dates of application and status (include permit numbers and copies of same, if issued): FCC License 0003229739, FAA Registration 1057465 (Documents Attached)

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

Property Owner(s)

Kelly Kuehl

Date

Applicant(s):

[Signature]

04/07/2023

Contract Purchaser(s):

STATE OF Missouri
COUNTY OF Clay County

On this 7th day of April, in the year of 2023, before me
the undersigned notary public, personally appeared Jeff Evans

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 Christy

Commission Expires July 21, 2024

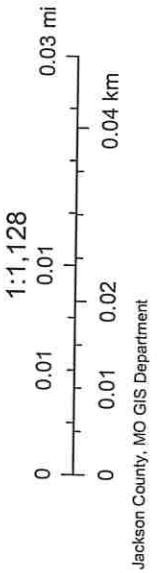




3/29/2023

 Tax Parcels

Address Points



Renewal of License Authorization

This is to notify you that your Application for Renewal of License 0000160440, was granted on 01/21/2022 for a term expiring on 02/01/2030.

This is your License Renewal Authorization for station KCPT

Facility ID: 53843

Location: KANSAS CITY,MO

Public Television 19, Inc.

125 EAST 31ST STREET

KANSAS CITY, MO 64108

This Authorization must be uploaded to its online public inspection file with the station's License Certificate and any subsequent modifications.

