


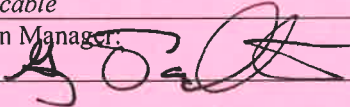
# REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/Ord No.: 4987

Sponsor(s): None

Date: June 12, 2017

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance  Project/Title: <u>Conditional Use Permit – Crown Castle CU-2017-222</u>											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="293 489 1175 802"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>FROM ACCT  TO ACCT</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
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											
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 renewal of a Conditional Use for a 160 foot monopole communication tower in District AG (Agricultural), subject to conditions, on 6,400 square feet (0.15 ± acres). The 6,400 square feet are located in Section 23, Township 50, Range 31, Jackson County, Missouri, at 2100 N. Twyman Road (tower address: 2120 N. Twyman Road), in Jackson County, Missouri, and specifically described on Attachment to RLA-1. The Jackson County Plan Commission on May 18, 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 5 to 0 to recommend <u>APPROVAL</u> 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 	Date:  										
	Finance (Budget Approval): <i>If applicable</i>	Date:  										
	Division Manager: 	Date: 6/5/17										

County Counselor's Office:	Date:
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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-3:**

Attachments

Plan Commission Public Hearing Summary from May 18, 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

Conditional Use Permit CU-2017-017

RSMO 67.5094.1

Letters regarding illumination and painting from FAA

**CU-2017-222**

**ATTACHMENT TO RLA 1:**

**Description:**

An 80 foot by 80 foot Tower Parcel, situated in the Northeast Quarter of the Northeast Quarter of Section 23, Township 50 North, Range 31, West in Jackson County, Missouri, more particularly described as follows:

Commencing at the Northwest Corner of the said Northeast Quarter of the Northeast Quarter (Fid. Axle); thence along the West line of said Quarter Quarter, South 00 degrees, 04 minutes, 16 seconds West, a distance of 145.08 feet; thence leaving said West line, North 90 degrees, 00, minutes, 00 seconds East, a distance of 310.48 feet to the Point of Beginning; thence continuing North 90 degrees, 00, minutes, 00 seconds East, a distance of 80.00 feet; thence South 00 degrees, 00 minutes, 00 seconds East, a distance of 80 feet; thence North 90 degrees, 00, minutes, 00 seconds West, a distance of 80.00 feet; thence North 00 degrees, 00 minutes, 00 seconds West, a distance of 80 feet to the point of Beginning. Containing 6,400 square feet (.015 acres).

**ATTACHMENT TO RLA-2**

Conditional Use Permit for a with the following Conditions:

1. The commercial communication lattice tower shall not exceed a height of 160 feet as measured from ground level.
2. The lattice tower and appurtenance shall be installed according to manufacturer's specifications using sound engineering and safety practices.
3. The lattice tower shall be structurally designed so that at least four (4) other wireless co locators would be allowed space on the tower.
4. The lattice tower shall be galvanized finish or painted gray or light blue unless other standards are required by the Federal Aviation Agency.
5. The lattice 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.

**RE: CU-2017-222**

**Randy Diehl gave the staff report:**

**Applicant:** Crown Castle  
One City Place Drive, Suite 490  
St. Louis, MO 63141

**Property Owners:** Henderson Michael J  
5234 Granny White Trace  
Nashville TN 37220-1713

Nancy D Greer  
20527 W 95th Street  
Lenexa, KS 66220

William H Greer  
3621 Longmorn  
Longview, TX 75604

**Location:** Section 23, Township, 50, Range 31, Jackson County, Missouri,  
aka 2100 N. Twyman Road (tower address 2120 N. Twyman Road).

**Area:** 6,400± square feet (0.15 acres)

**Request:** A renewal of a Conditional Use Permit for a 160 monopole commercial  
communication tower.

**Zoning Classification:** District GB (General Business)

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

The zoning in the north and west is Agricultural and has sparse residential tracts. The land use to the south is also residential but is zoned LB, Local Business. The land use to the east to Fort Osage High School Complex and is zoned AG, Agricultural.

**Comments:** This is a renewal of CU-1997-017. Ordinance 2655 was adopted by the Jackson County legislature, May 12, 1997. The permit was for a period of 20 years subject to 9 conditions.

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

Recommendation

Staff recommends APPROVAL of CU-2017-222 subject to the following conditions:

Conditions:

1. The commercial communication lattice tower shall not exceed a height of 180 feet as measured from ground level.
2. The lattice tower and appurtenances shall be installed according to manufacturer's specifications using sound engineering and safety practices.
3. The lattice tower shall be structurally designed so that at least three (3) other wireless co locators would be allowed space on the tower.
4. The lattice tower shall be galvanized finish or painted gray or light blue unless other standards are required by the Federal Aviation Agency.
5. The lattice 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.

Respectfully submitted,

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator

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

Mr. Haley: what is the threshold for the FAA regarding lights?

Mr. Diehl: 200 feet or higher requires a beacon.

*Is the applicant here?*

Curtis Holland, with Polsinelli Law Firm representing Crown Castle.

Mr. Antey: *Do you have anything to add to the report?*

Mr. Holland: We are in agreement with the stipulations and are here to answer any questions.

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

*There were none*

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?*

William Bohnert, Jr. 2423 N Twyman Road, I've been a neighbor of the tower for 20 years. I was at the last hearing. I feel they haven't been a good neighbor. There isn't a fence around the property. This allows individuals to cross in front of the tower and enter the property to the west and set up targets to shoot. There's no fencing at the road for this facility. We were promised it would be screened with trees. There are no trees on the South side. It's supposed to be painted gray, however it's painted red and white. There's a proliferation of antennas on top. There's supposed to be collaboration with the School District. I wanted to know if any of these issues would be addressed.

Mr. Antey: As for the security issue, the application is only for 6,400 square feet, which is the fenced in area of the compound. The whole parcel of land wouldn't be secured, just the facility.

Mr. Tarpley: What is the size of the lot outside the fenced area?

Mr. Bohnert: The parcel is about 5 acres in size.

Mr. Tarpley: What would you recommend to satisfy your concerns?

Mr. Bohnert: There's no security at the road to stop people from going across to hunt or shoot at targets.

Mr. Antey: So if the tower wasn't there, there would be no hunting or shooting?

Mr. Bohnert: If there was a gate at the road.

Mr. Antey: If the land was vacant and didn't have a gate? How does the proposed use of the property, that small usage, how would that influence someone coming onto the property? Wherever there is not a gate. I understand your concern with firearms in the proximity of the school, I don't know if the cell tower or its facilities have any bearing on that.

Mr. Bohnert: Trespassers go right through the gate at the cell tower.

Mr. Tarpley: Is that a legal range or just people shooting?

Mr. Bohnert: That property has changed hands, I do have pictures of tracts through the property.



Mr. Haley: Has anyone talked to the Sheriff's Office about that?

Mr. Bohnert: My brother thought that someone fired past their house reported it to the Sheriff's Office.

Mr. Crawford: How often does this happen?

Mr. Bohnert: Not as frequently as before.

Mr. Crawford: Do believe this driveway would be here if it wasn't for the cell tower?

Mr. Bohnert: There's no reason for it to be there.

Mr. Crawford: Is there any other access to the property?

Mr. Bohnert: There's no fence, so someone could just drive across it.

Mr. Crawford: So the only reason for the driveway is for the cell tower?

Mr. Bohnert: It was originally access to the property. There was a house there a long time ago.

Mr. Crawford: Where is your property?

Mr. Bohnert: I have property to the north, the family farm. My sister lives north on the tower. I live about a quarter mile on the east side of the road.

Mr. Tarpley: Which direction are the people shooting?

Mr. Bohnert: To the north.

Mr. Tarpley: Are they setting up targets?

Mr. Bohnert: They set them up.

Mr. Haley: It sounds more like a law enforcement issue.

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

Mr. Antey: I have a couple of questions for the applicant's representative and also for Randy. The color of the tower, is it required?

Mr. Diehl: I believe it is a requirement of either the FCC or FAA.

Mr. Antey: Is the color required by the FAA.

Mr. Holland: Normally when a tower is marked like this, it is requirement by the FAA. There is a rule that if it's over 200 feet, it needs to be lit. In certain cases, towers would need to be painted. I can't answer the question of why it's painted red and white. I will have to find out the answer to that. My assumption is that, it's required by the FAA for other reasoning. In cases of being near an airport, the rules would be more restrictive. It

may be required for those types of reasons. I will find out from my client, why it is painted these colors. They did not initially build the tower, they acquired it. With regards to the access, I think your comments were to the point. We only control the small compound area. We don't control the remainder of the parent parcel. To the extent that this is happening, we have no control other than that, it's a separate issue with the land owner. That people travelling across the property and shooting guns, has no relationship with the tower being there. That would be a law enforcement issue.

Mr. Crawford: I understand that this small parcel outlined in blue is what we are talking about, who maintains the driveway?

Mr. Holland: The driveway serves the facility and is maintained by Crown Castle pursuant to the easement.

Mr. Crawford: Without a gate, I can see where this gentleman is coming from.

Mr. Holland: If I heard right, there are people traveling across the property, outside of our fenced and secured area. I don't if they are driving or walking across the property. It's not normal for us to provide a fence or gate at the property entrance. I don't know how a gate without a fence would stop anybody from crossing over it. We do gate and secure the compound area. All our equipment is within that fenced area. We are concerned with people having access with our facility and we don't have this issue here. What happens on the remainder of the property is something we can control. The focus here today is whether or not the conditions of the permit are being met. I believe we are in compliance with the conditions set forth. There is a continuing need for the facility, it serves its purpose and provides wireless service. Most people now have some sort of device that require antennas. You can't, under law, regulate the kind of antennas, or how many or added. Those are technological issues regulated by the FCC, and federal law doesn't allow local jurisdictions to delve into those questions or issues. This is no different than the hundreds of thousands of towers all over the county. The antennas are no different than anywhere else.

Mr. Tarpley: Are there are general maintenance requirements?

Mr. Holland: In most cases we would rather not have it painted because of the maintenance. We would typically use a galvanized pole, which doesn't require the maintenance or the coloring. We prefer not to paint them, unless required to do so. These are unmanned facilities, however they do receive regular maintenance by technicians for adjustments, additions and changes as respect to the equipment. There is always upgrades, equipment changes and improvements.

Mr. Haley: Item 4 states that it will be painted.

Mr. Antey: The FAA would supersede any requirements and I suspect that is the case.

Mr. Holland: I will ask my client for any information regarding the paint.

Mr. Crawford: Mr. Bohnert, if the driveway wasn't there, is there a ditch that prevent people from crossing over?

Mr. Bohnert: It would be a deterrent, unless you had a four wheel drive or ATV.

Mr. Crawford: Are there any trees that would prevent someone from crossing?

Mr. Bohnert: There are some.

Mr. Crawford: Would you be opposed to putting a gate on the driveway?

Mr. Holland: I can't answer that question without speaking to my client. I think it's speculation to attribute trespassing on the parent parcel and the areas outside the portion outside of our control and the driveway to the facility. We have a non-exclusive easement to use the driveway. Yes, we maintain it. Again, I would need to check with my client to see there is a true reason to add a gate. I'm not sure how effective that would be from stopping people from using it. If people want to cross the property and shoot they'll find a way.

Mr. Tarpley: I would like to address to Counsel. Isn't there a liability if someone puts up a gate? A property owner could be liable if someone hits it of a chain?

Mr. Haden: Anyone can sue anyone for anything. A gate that just blocks a road where the access is to step around it, I question there would be any liability over that. All it's doing is preventing a vehicle from getting in there. I'm thinking that Mr. Hollands client doesn't have the right to put a gate up there.

Mr. Tarpley: My point exactly. Mr. Bohnert should approach the land owner, the applicant only has control over a very small portion of the land.

Mr. Haden: The applicant has an easement and an agreement to maintain it. I doubt the agreement has the right to instill a gate.

Mr. Holland: It's non-exclusive, and putting a up gate would make it exclusive.

Mr. Antey: I would like see if there is anyone who would like to testify.

Mr. Tarpley: I would like to ask (Mr. Bohnert), have you talked to the owner of the property?

Mr. Bohnert: The owners a live out of state.

Mr. Tarpley: Do think a gate would keep people from crossing the property?

Mr. Bohnert: Personally, yes

Mr. Tarpley: The problem is that the applicant doesn't control the property.

Mr. Antey: That's the issued that I have, if the property owner quit using this and the tower was removed, and now there's an empty tract of land. The owner used it for access for a tractor, he probably wouldn't have a gate. The trespass wouldn't cease due to the cell tower being gone.

Mr. Holland: By law the owner has a right to have access onto the property. Whether a gate exists or not, that won't stop people from accessing it. I believe the solution for the trespass is law enforcement.

Mr. Antey: Is there any new evidence. We've discussed the paint, the gate and the activity going on across it.

Mr. Bohnert: I would like to mention that the original plan was to be a silver colored tower with no light on it. Why do we have a distraction of a light close to my sister's home. The flashing lights causes sleeping problems.

Mr. Antey: I think that's an avenue we need to address within the conditions of this permit. The color should be grey Unless required by the FAA. If that's the reason, I can't imagine the applicant taking it upon themselves to paint it red and white and put a beacon on the top of it. Let's spend the extra money to do that. If we find that there is no justification from the FAA, then it's out of compliance with these conditions.

Mr. Haden: Randy are those conditions within the current permit?

Mr. Diehl: Yes

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

Mr. Crawford: I move we take this under advisement.

Mr. Gibler: I second

Mr. Haden: I suggest that if you are requiring any addition information from the applicant, you want to keep it open for the additional evidence.

Mr. Holland: I agree with the Chairman, that more than likely the paint and beacon exist due to FAA requirements, and if not, then it should be painted and the beacon disabled.

Mr. Antey: Hold on, we have a motion and a second on the floor. We need to approve that or not and go back into the public hearing.

Mr. Crawford: I still would like to go into advisement.

Mr. Antey: All in favor of going into advisement?

All : Aye, no Nay

Mr. Antey: I think we have all the conditions in place. If it's found that the tower shouldn't be painted, then that's an enforcement issue. As for the gate, it's a right to have easy access. And I think that just because there's a small facility on it, doesn't have anything to do with the fact that people are accessing the property illegally. I don't think that a secured gate makes a difference. They'll find a way to get on there.

Mr. Haley: The conditions hold, I'm happy.

Mr. Crawford: I do agree. There's two issues, the paint on the tower and the driveway.  
Mr. Chairman, I move to come out of advisement.

Mr. Tarpley: I second

Mr. Antey: All in favor of coming out of advisement?

All : Aye, no Nay

Mr. Antey: Are there any additional questions?

Mr. Tarpley: Jay, do you think the maintenance requirements are covered under the six conditions?

Mr. Haden: I would think that Mr. Holland will check with his client and advise staff.

Mr. Holland: We'll have an answer to this by the next meeting. I believe that both the paint and light would have been required by the FAA, otherwise the tower would not have been painted and the light installed.

Mr. Tarpley: I move we approve with the six conditions as recommended by staff.

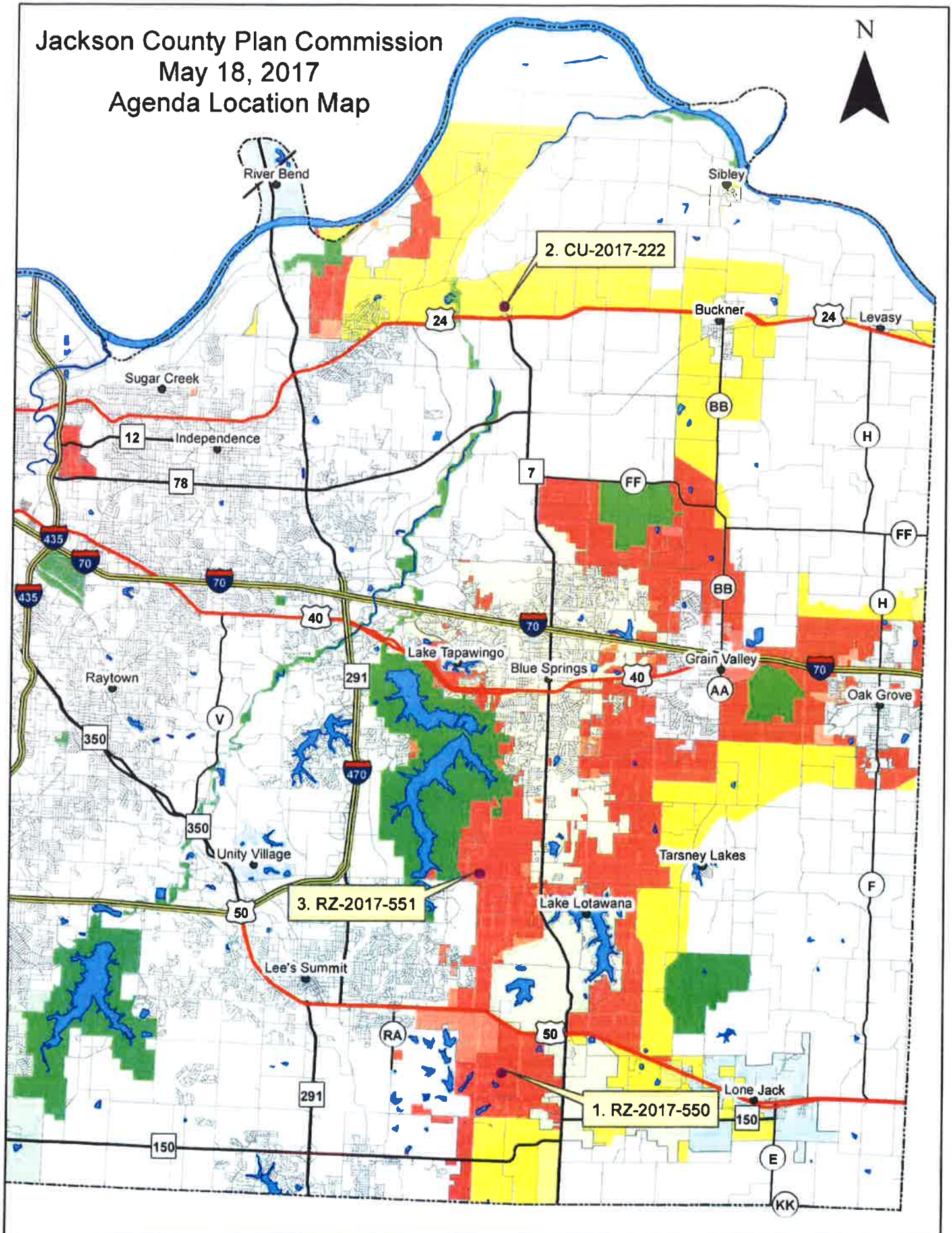
Mr. Haley: Second

Mr. Tarpley	Approve
Mr. Gibler	Approve
Mr. Haley	Approve
Mr. Crawford	Approve
Chairman Antey	Approve

Motion Carried 5 – 0.



Jackson County Plan Commission  
May 18, 2017  
Agenda Location Map



**STAFF REPORT**

**PLAN COMMISSION  
May 18, 2017**

**RE: CU-2017-222**

**Applicant:** Crown Castle  
One City Place Drive, Suite 490  
St. Louis, MO 63141

**Property Owners:** Henderson Michael J  
5234 Granny White Trace  
Nashville TN 37220-1713

Nancy D Greer  
20527 W 95th Street  
Lenexa, KS 66220

William H Greer  
3621 Longmorn  
Longview, TX 75604

**Location:** Section 23, Township, 50, Range 31, Jackson County, Missouri,  
aka 2100 N. Twyman Road (tower address 2120 N. Twyman Road).

**Area:** 6,400± square feet (0.15 acres)

**Request:** A renewal of a Conditional Use Permit for a period of 20 years for a 160  
monopole commercial communication tower.

**Zoning Classification:** District GB (General Business)

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

The zoning in the north and west is Agricultural and has sparse residential tracts. The land use to the south is also residential but is zoned LB, Local Business. The land use to the east to Fort Osage High School Complex and is zoned AG, Agricultural.

**Comments:** This is a renewal of CU-1997-017. Ordinance 2655 was adopted by the Jackson County legislature, May 12, 1997. The permit was for a period of 20 years subject to 9 conditions.

**County Plan:**

The County Plan Development Diagram illustrates this area within the Suburban Development Tier (SDT).

**Recommendation:**

Staff recommends APPROVAL of CU-2017-222 for a period of twenty (20) years subject to the following conditions:

**Conditions:**

1. The commercial communication lattice tower shall not exceed a height of 180 feet as measured from ground level.
2. The lattice tower and appurtenances shall be installed according to manufacturer's specifications using sound engineering and safety practices.
3. The lattice tower shall be structurally designed so that at least three (3) other wireless co locators would be allowed space on the tower.
4. The lattice tower shall be galvanized finish or painted gray or light blue unless other standards are required by the Federal Aviation Agency.
5. The lattice 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.

Respectfully submitted,

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator



CU-2017-222  
Crown Castle

N TWYMAN RD

INDIAN WAY

W US 24 TO M 7 HWY

M 7 HWY TO E US 24

E US 24 HWY



N 7 HWY

M 7 HWY TO W US 24

E US 24 HWY

1 inch = 417 feet

**Legend**

-  300' Notification Area
-  Request





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- 222

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: Darci Grimmer  
 Address: one City Place Drive, Suite 490  
St. Louis mo 63141  
 Phone: (314) 513-0145
  - b. Owner(s) Name: Crown Castle  
 Address: 2000 Corporate Drive, Canonsburg PA 15317  
 Phone: (724) 416-2000
  - c. Agent(s) Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

d. Applicant's interest in Property: Representative for owner

2. A CONDITIONAL USE PERMIT IS HEREBY REQUESTED for the following described use: 160 foot monopole commercial communication tower for a period of 20 years; property described as follows: a tract of land 6,400 square feet/acres in size located at 2100 North Twyman Road.

Present Zoning District Jackson County

3. Legal Description of Property: (Write Below or Attached 9) See attached Survey -

80' x 80' tower parcel, situated in the NE Quarter of the NE Quarter of Section 23, Township 50 North, Range 31 West in Jackson County, Missouri

4. Present Use of Property: telecommunication tower for carriers

5. Proposed Use of Property: Same as above

6. Estimated Time Schedule for Development: Site developed, CUP Renewal

7. What effect will your proposed development have on the surrounding properties?

No additional effect

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? N/A

9. Describe the source/method which provides the following services, and what effect the development will have on same: existing services.

a. Water N/A

b. Sewage disposal N/A

c. Electricity KCP&L

d. Heating N/A

e. Fire and Police protection Local - City of Independence  
fire - 950 N. Spring  
police - 223 N. Memorial Drive

10. Describe existing road width and condition: 20' wide Access & Utility Easement  
10' on each side of road.

11. What effect will proposed development have on existing road and traffic conditions? existing service, NO additional effect

12. Are any state, federal, or other public agencies approvals or permits required for the proposed development? existing N/A

If so, describe giving dates of application and status (include permit numbers and copies of same, if issued): N/A

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)

Darci Summer on  
Behalf of Crown Castle

Date

March 8, 2017

Applicant(s):

Darci Summer

March 8 2017

Contract Purchaser(s): \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

STATE OF Missouri  
COUNTY OF St. Louis

On this 8th day of March, in the year of 2017, before me  
the undersigned notary public, personally appeared Darci Summer

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 Oct 27, 2018



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)

Nancy D. Greer  
Nancy D. GREER

4/6/2017

Applicant(s):

\_\_\_\_\_  
\_\_\_\_\_

Contract Purchaser(s):

\_\_\_\_\_  
\_\_\_\_\_

STATE OF KANSAS  
COUNTY OF Johnson

On this 6th day of April, in the year of 2017, before me the undersigned notary public, personally appeared Nancy D. Greer

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 7-15-18

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)

Michael J. Jella

April 4, 2017

Applicant(s):

Contract Purchaser(s):

STATE OF Tennessee

COUNTY OF Davidson

On this 4th day of April, in the year of 2017, before me the undersigned notary public, personally appeared Michael Henderson

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

Angela Schmidt

Commission Expires

11-5-19



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)

William H Greer  
Patricia M. Greer

4/10/17  
4/10/17

Applicant(s):

\_\_\_\_\_  
\_\_\_\_\_

Contract Purchaser(s):

\_\_\_\_\_  
\_\_\_\_\_

STATE OF Texas  
COUNTY OF Gregg

On this 10 day of April, in the year of 2017, before me the undersigned notary public, personally appeared William H Greer  
Patricia M Greer

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 Erin Beamer

Commission Expires 1/3/18



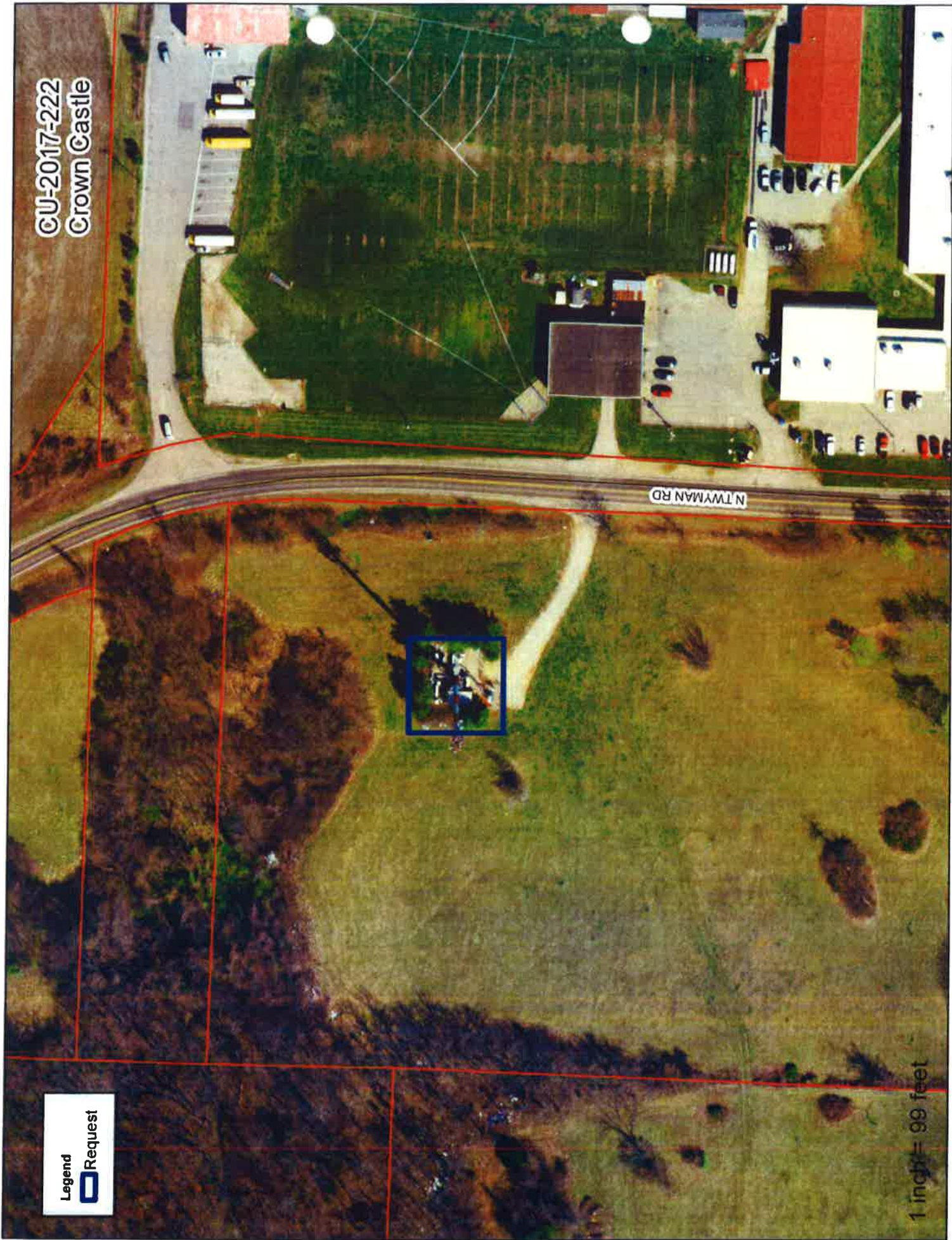


CU-2017-222  
Crown Castle

N. TWYMAN RD



1 inch = 99 feet





Existing CUP 1997

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

AN ORDINANCE approving a conditional use permit for the construction of a 160-foot monopole commercial communication tower.

**ORDINANCE 2655, April 8, 1997**

**INTRODUCED BY Dennis Waits, County Legislator**

**BE IT ORDAINED** by the County Legislature of Jackson County, Missouri as follows:

Section 1. A conditional use permit for 20 years for the construction of a 160-foot monopole commercial communication tower, subject to restrictions attached, under the Unified Development Code, is hereby approved as to a certain tract of land described as follows:

A 4 ± acre tract generally located north of US Highway 24 on the west side of Twyman Road and more specifically,

Commencing at the southwest corner of the north one-half of the northeast quarter of the northeast quarter of Section 23, Township 50, Range 31, Jackson County, Missouri; thence N 02°02'21" E along the west line of the northeast quarter of the northeast quarter of said Section 23, a distance of 278.38 feet to a point; thence S 87°57'39" E, perpendicular to the last described course, a distance of 60.00 feet to the Point of Beginning; thence N 02°02'21" E, parallel to the west line of the northeast quarter of the northeast quarter of said Section 23, a distance of 400.00 feet to a point; thence S 87°57'39" E, a distance of 439.31 feet to a point in the centerline of Twyman Road as now established; thence S 02°03'55" W, along the centerline of said Twyman Road, a distance of 400.00 feet to a point; thence N 87°57'39" W, perpendicular to the west line of the northeast quarter of the northeast quarter of said Section 23, a distance of 439.12 feet to the point of beginning, and containing 175,686.15 square feet, more or less.

Section 2. The Legislature, pursuant to the application of Sprint PCS (CU-97-017), requesting approval embodied in this ordinance and with notice that the Jackson County Planning Commission favorably recommended approval of this application in a public hearing on March 20, 1997, does adopt this ordinance pursuant to the Jackson County Charter authorizing the Legislature to exercise legislative power pertaining to planning and zoning.



Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

*Jim P. Hallen*

*Judith L. Schumaker*  
County Counselor

I hereby certify that the attached Ordinance, Ordinance #2655 introduced on April 8, 1997, was duly passed on May 12, 1997 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9

Nays 0

Abstaining 0

Absent 0

This Ordinance is hereby transmitted to the County Executive for her signature.

5.13.97  
Date

*Mary Jo Brogato*  
Mary Jo Brogato, Clerk of Legislature

I hereby approve the attached Ordinance #2655.

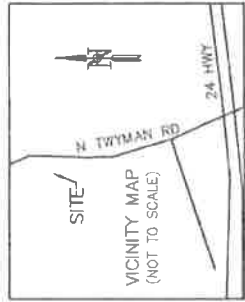
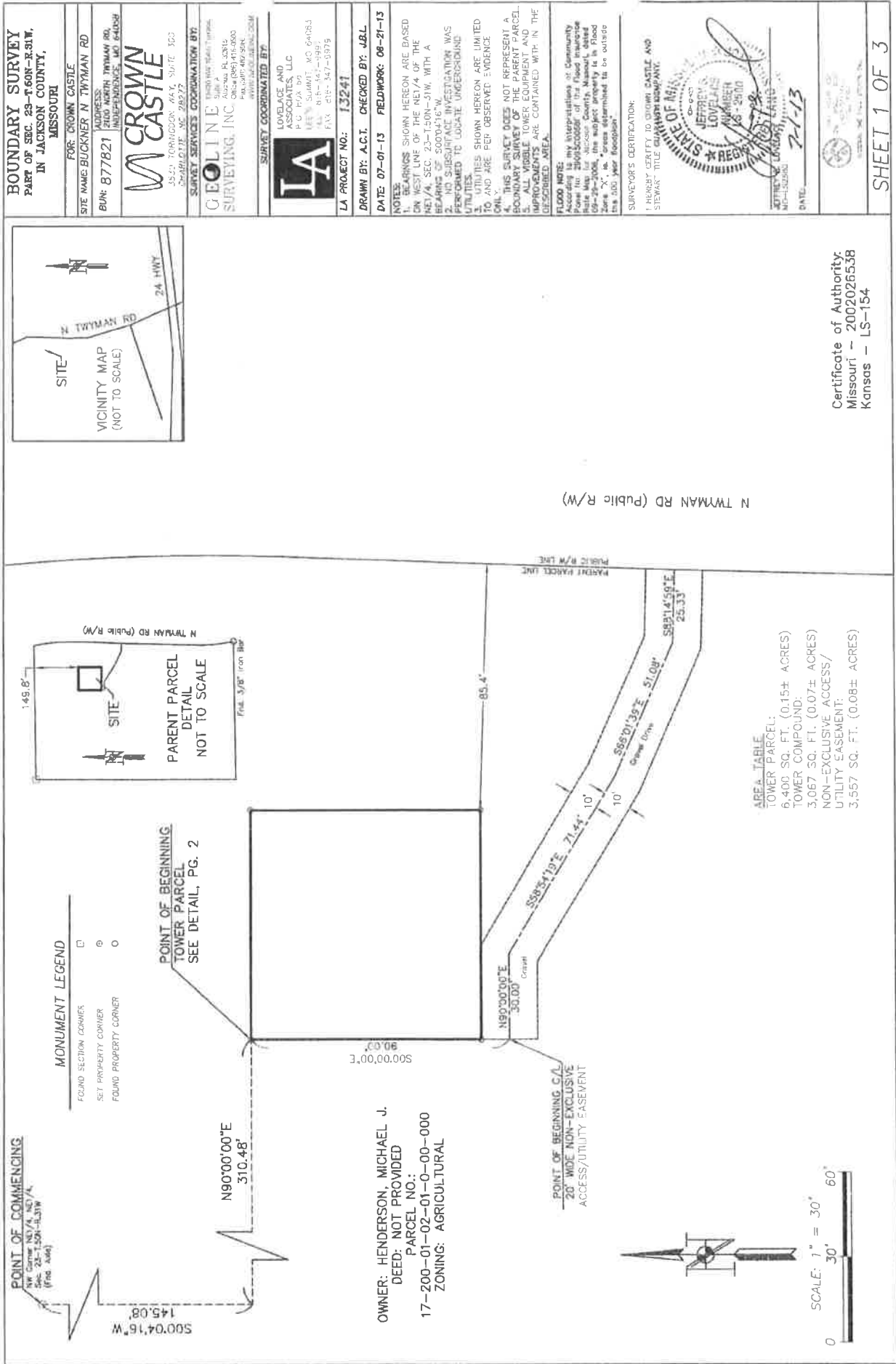
5-19-97  
Date

*Katheryn J. Shields*  
Katheryn J. Shields, County Executive

**ATTACHMENT TO RLA  
CU-97-017 (SPRINT PCS)**

A CUP for a Twenty (20) year period subject to:

1. The commercial communication monopole shall not exceed a height of 160 feet as measured from ground level.
2. The monopole and appurtenances shall be installed according to manufacturers specifications using sound engineering and safety practices.
3. The building permit application shall include an engineering report specifying the following information:
  - (a) Detailed Structural plans for the monopole tower signed and sealed by a Missouri Registered Engineer; and
  - (b) An engineer's certification that anticipated levels of electro magnetic radiation to be generated by facilities on the site, including the effective radiated power (ERP) or the antenna, shall be within the guidelines established by the Federal Communication Commission (FCC).
4. An evergreen pine with a minimum three inches caliber at three feet (3') above the grade shall be planted on 10 foot centers along the perimeter of the chain link fence for the tower compound area.
5. A Notice of Proposed Construction or Alteration of Objects that may effect the Navigable Airspace must be filed with the Federal Aviation Agency (FAA). Information regarding the disposition of the FAA Notice will be submitted subsequent to application for a building permit.
6. The monopole tower shall be structurally designed so that at least three users would be allowed space on the tower. The applicant shall make a good faith effort to offer space to the Jackson County Sheriff's Department and Fort Osage School District. The County Legislature shall have the right to revoke the conditional use permit if such offering is not made.
7. The monopole tower shall be a galvanized finish or painted gray or light blue unless other standards are required by the Federal Aviation Agency.
8. The monopole tower shall only be illuminated as required by the Federal Communications Commission and/or the Federal Aviation Agency.
9. Any antenna or monopole 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.



**BOUNDARY SURVEY**  
PART OF SEC. 23-150N-31W,  
IN JACKSON COUNTY,  
MISSOURI

FOR: CROWN CASTLE  
SITE NAME: BUCKNER N TWYMAN RD  
BUN: 877821  
ADDRESS: 2100 NORTH TWYMAN RD,  
INDEPENDENCE, MO 64050

**CROWN CASTLE**  
9525 TORRINGTON, 645X, SUITE 100  
22460117, MO, 64272

**SURVEY SERVICES COORDINATED BY:**  
**GEOLINE**  
SURVEYING, INC.  
1000 W. STATE ST., SUITE 100  
JACKSON, MISSOURI 64401  
PHONE: (816) 251-2000  
FAX: (816) 251-2001

**SURVEY COORDINATED BY:**  
LOWELAGE AND ASSOCIATES, LLC  
1000 W. STATE ST., SUITE 100  
JACKSON, MISSOURI 64401  
PHONE: (816) 251-2000  
FAX: (816) 251-2001

**LA PROJECT NO.: 13241**  
**DRAWN BY: A.C.T. CHECKED BY: J.B.L.**  
**DATE: 07-01-13 FIELDWORK: 06-21-13**

**NOTES:**  
1. BEARINGS SHOWN HEREON ARE BASED ON THE LINE OF THE NE 1/4 OF THE SECTION 23-150N-31W, WITH A BEARING OF S00°16'W.  
2. NO SUBSURFACE INVESTIGATION WAS PERFORMED TO LOCATE UNDERGROUND UTILITIES.  
3. UTILITIES SHOWN HEREON ARE LIMITED TO AND ARE PER OBSERVED EVIDENCE.  
4. THIS SURVEY DOES NOT REPRESENT A BOUNDARY SURVEY OF THE PARENT PARCEL.  
5. ALL VISIBLE TOWER EQUIPMENT AND IMPROVEMENTS ARE CONTAINED WITHIN THE DESCRIBED AREA.  
**FLOOD NOTE:** The jurisdiction of Community Development Department of the Jackson County State Map for Jackson County, Missouri, dated 09-29-2008, the subject property is in Flood Zone "X", i.e. "Areas determined to be outside the 100 year floodplain".

**SURVEYOR'S CERTIFICATION:**  
I HEREBY CERTIFY TO CROWN CASTLE AND STEWART TITLE COMPANY THAT I AM A LICENSED SURVEYOR IN THE STATE OF MISSOURI.  
JEFFREY S. LOVELAGE  
REGISTERED SURVEYOR  
NO. 16-25100  
EXPIRES 7-1-13

**Certificate of Authority:**  
Missouri - 2002026538  
Kansas - LS-154

**SHEET 1 OF 3**

**AS-BUILT SURVEY**  
PART OF SEC. 23-T6ON-831W,  
IN JACKSON COUNTY,  
MISSOURI

FOR: CROWN CASTLE  
SITE NAME: BUCKNER N TRYMAN RD  
ADDRESS: 3100 NORTH TRYMAN RD,  
INDEPENDENCE, MO 64220  
BUN: 877821

**CROWN CASTLE**  
2330 TORRECON BLVD, SUITE 300  
INDEPENDENCE, MO 64220  
SURVEY SERVICES COORDINATION BY:

**GEOLINE SURVEYING, INC.**  
SECTION 10th Terrace,  
Anchorage, AL 22815  
OFFICE: (417) 438-6000  
WWW.GEOLINE.COM

**SURVEY COORDINATED BY:**  
LOVELACE AND ASSOCIATES, LLC  
1000 S. W. 10th St.  
LEES SUMMIT, MO 64083  
TEL: 816-337-2497  
FAX: 816-337-9975

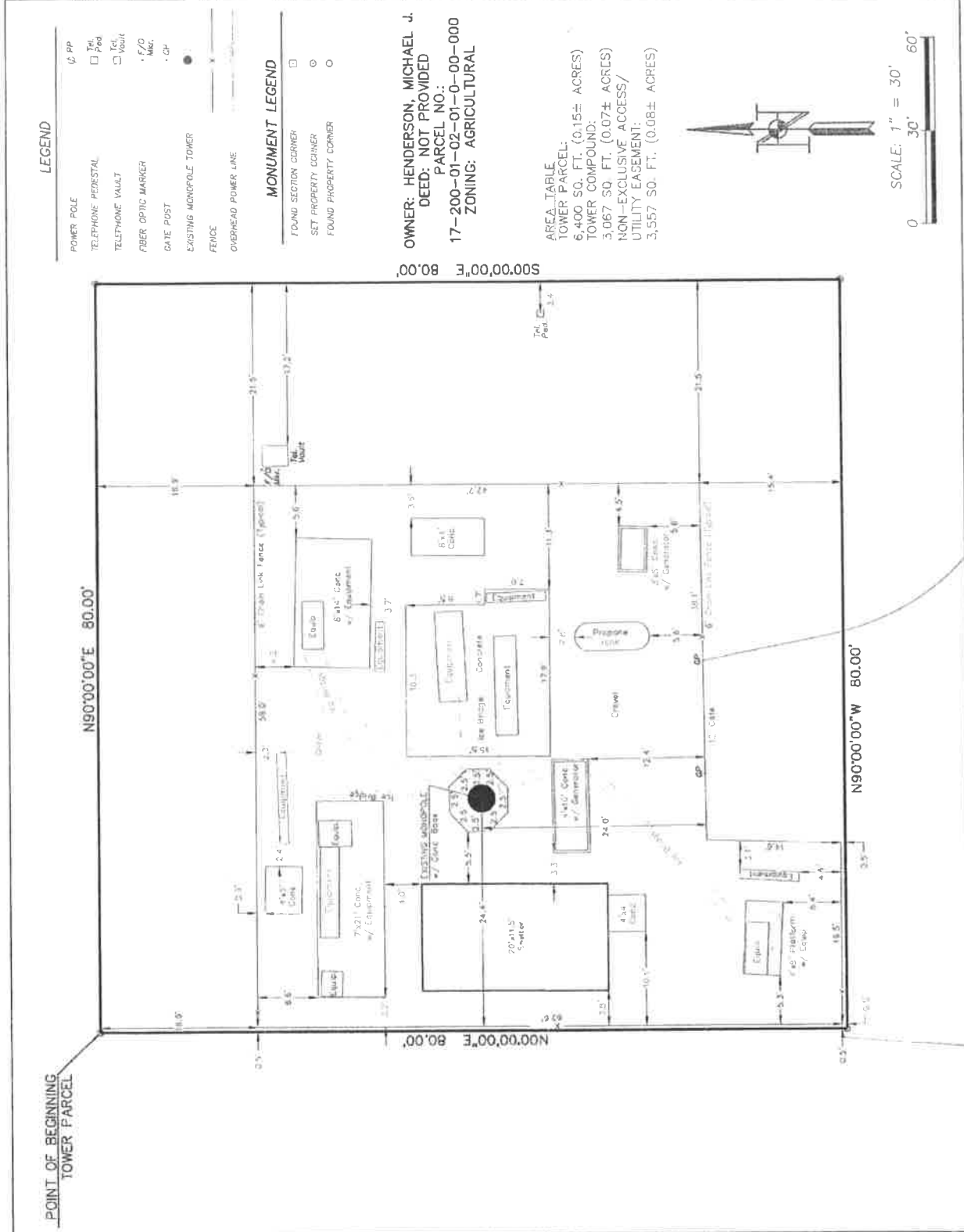
**LA PROJECT NO: 13241**  
DRAWN BY: A.C.T. CHECKED BY: J.E.L.  
DATE: 07-01-13 FIELDWORK: 06-21-13

**NOTES:**  
1. BEARINGS SHOWN HEREON ARE BASED ON WEST LINE OF THE NE1/4 OF THE NE1/4, SEC. 23-T6ON-831W, WITH A BEARING OF S89°50'31"W. WITH A DISTANCE OF 100.00 FEET. A SUBSURFACE INVESTIGATION WAS PERFORMED TO LOCATE UNDERGROUND UTILITIES.  
2. UTILITIES SHOWN HEREON ARE LIMITED TO AND ARE PER OBSERVED EVIDENCE ONLY.  
3. THIS SURVEY DOES NOT REPRESENT A BOUNDARY SURVEY OF THE PARENT PARCEL.  
4. ALL MOBILE TOWER EQUIPMENT AND IMPROVEMENTS ARE CONTAINED WITH IN THE DESCRIBED AREA.  
**FLOOD NOTE:** Jurisdiction of Community According to Flood Insurance Rate Map for Jackson County, Missouri, dated 09-20-2006, the subject property is in Flood Zone "X", i.e. "areas determined to be outside the 500 year floodplain".

**SURVEYOR'S CERTIFICATION:**  
I, JEFFREY B. LOVELACE, No. 10000, MISSOURI REGISTERED SURVEYOR, DO HEREBY CERTIFY THAT I AM THE SURVEYOR OF THIS SURVEY.  
JEFFREY B. LOVELACE  
NO. 10000  
MISSOURI REGISTERED SURVEYOR  
DATE: 7-1-13

0 30' 60'  
SCALE: 1" = 30'

SHEET 2 OF 3











## Missouri Revised Statutes

Chapter 67  
Political Subdivisions, Miscellaneous Powers~~67.5092~~

## Section 67.5094.1

~~67.5096~~

August 28, 2016

**Prohibited acts by authority.**

67.5094. In order to ensure uniformity across the state of Missouri with respect to the consideration of every application, an authority shall not:

- (1) Require an applicant to submit information about, or evaluate an applicant's business decisions with respect to its designed service, customer demand for service, or quality of its service to or from a particular area or site;
- (2) Evaluate an application based on the availability of other potential locations for the placement of wireless support structures or wireless facilities, including without limitation the option to collocate instead of construct a new wireless support structure or for substantial modifications of a support structure, or vice versa; provided, however, that solely with respect to an application for a new wireless support structure, an authority may require an applicant to state in such applicant's application that it conducted an analysis of available collocation opportunities on existing wireless towers within the same search ring defined by the applicant, solely for the purpose of confirming that an applicant undertook such an analysis; for collocation to any certified historic structure as defined in section ~~253.545~~, in addition to all other applicable time requirements, there shall be a thirty-day time period before approval of an application. During such time period, an authority shall hold one or more public hearings on collocation to a certified historic structure;
- (3) Dictate the type of wireless facilities, infrastructure or technology to be used by the applicant, including, but not limited to, requiring an applicant to construct a distributed antenna system in lieu of constructing a new wireless support structure;
- (4) Require the removal of existing wireless support structures or wireless facilities, wherever located, as a condition for approval of an application;
- (5) With respect to radio frequency emissions, impose environmental testing, sampling, or monitoring requirements or other compliance measures on wireless facilities that are categorically excluded under the Federal Communication Commission's rules for radio frequency emissions under 47 CFR 1.1307(b)(1) or other applicable federal law, as the same may be amended or supplemented;
- (6) Establish or enforce regulations or procedures for RF signal strength or the adequacy of service quality;
- (7) Establish or enforce regulations or procedures for environmental safety for any wireless communications facility that is inconsistent with or in excess of those required by OET Bulletin 65, entitled Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields, Edition 97-01, released August, 1997, and Supplement A: Additional Information for Radio and Television Broadcast Stations;
- (8) In conformance with 47 U.S.C. Section 332(c)(7)(b)(4), reject an application, in whole or in part, based on perceived or alleged environmental effects of radio frequency emissions;
- (9) Impose any restrictions with respect to objects in navigable airspace that are greater than or in conflict with the restrictions imposed by the Federal Aviation Administration;
- (10) Prohibit the placement of emergency power systems that comply with federal and state environmental requirements;
- (11) Charge an application fee, consulting fee, or other fee associated with the submission, review, processing, and approval of an application that is not required for similar types of commercial development within the authority's jurisdiction. Fees imposed by an authority for or directly by a third-party entity providing review or technical consultation to the authority must be based on actual, direct, and reasonable administrative costs incurred for the review, processing, and approval of an application. Except when mutually agreeable to the applicant and the authority, total charges and fees shall not exceed five hundred dollars for a collocation application or one thousand five hundred dollars for an application for a new wireless support structure or for a substantial modification of a wireless support structure. Notwithstanding the foregoing, in no event shall an authority or any third-party entity include within its charges any travel expenses incurred in a third-party's review of an application and in no event shall an applicant be required to pay or reimburse an authority for consultation or other third-party fees based on a contingency or result-based arrangement;
- (12) Impose surety requirements, including bonds, escrow deposits, letters of credit, or any other type of financial surety, to ensure that abandoned or unused facilities can be removed unless the authority imposes similar requirements on other permits for other types of commercial development or land uses;
- (13) Condition the approval of an application on the applicant's agreement to provide space on or near the wireless support structure for authority or local governmental services at less than the market rate for space or to provide other services via the structure or facilities at less than the market rate for such services;
- (14) Limit the duration of the approval of an application;
- (15) Discriminate or create a preference on the basis of the ownership, including ownership by the authority, of any property, structure, or tower when promulgating rules or procedures for siting wireless facilities or for evaluating applications;
- (16) Impose any requirements or obligations regarding the presentation or appearance of facilities, including, but not limited to, those relating to the kind or type of materials used and those relating to arranging, screening, or landscaping of facilities if such regulations or obligations are unreasonable;
- (17) Impose any requirements that an applicant purchase, subscribe to, use, or employ facilities, networks, or services owned, provided, or operated by an authority, in whole or in part, or by any entity in which an authority has a competitive, economic, financial, governance, or other interest;
- (18) Condition the approval of an application on, or otherwise require, the applicant's agreement to indemnify or insure the authority in connection with the authority's exercise of its police power-based regulations; or
- (19) Condition or require the approval of an application based on the applicant's agreement to permit any wireless facilities provided or operated, in whole or in part, by an authority or by any entity in which an authority has a competitive, economic, financial, governance, or other interest, to be placed at or collocated with the applicant's wireless support structure.



HENDERSON (250-9)



U.S. Department of Transportation  
Federal Aviation Administration

Federal Aviation Administration  
ATTN: ACE-530  
401 E. 12th Street, Room 1601  
Kansas City, MO 64106

IN REPLY REFER TO  
**AERONAUTICAL STUDY**  
**NO. 97-ACE-0458-OE**

**DETERMINATION OF NO HAZARD TO AIR NAVIGATION**

<b>SPONSOR</b>	David Hinton (Site #KC03XC250-9) c/o WirelessCo, L.P. dba Sprint PCS 8001 College Boulevard, Suite 100 Overland Park, KS 66210		<b>CONSTRUCTION LOCATION</b>	
			PLACE NAME	
			Independence, MO	
<b>CONSTRUCTION PROPOSED</b>	<b>DESCRIPTION</b>	Antenna Tower Freq. & ERP: 1930-1945 MHz @ 400 watts	LATITUDE	LONGITUDE
			39°08'24.4"	94°17'34.4"
			HEIGHT (IN FEET)	
			ABOVE GROUND	ABOVE MSL
			158 feet	1068 feet

An aeronautical study of the proposed construction described above has been completed under the provisions of Part 77 of the Federal Aviation Regulations. Based on the study, it is found that the construction would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the construction would not be a hazard to air navigation provided the following conditions are met:

Conditions:

See attached Narrative, paragraph 4a and 4b, "Conditions."

Supplemental notice of construction is required any time the project is abandoned (use the enclosed FAA form), or

- At least 48 hours before the start of construction (use the enclosed FAA form).
- Within five days after the construction reaches its greatest height (use the enclosed FAA Form).

This determination expires on April 8, 1998, unless:

- (a) extended, revised or terminated by the issuing office;
- (b) the construction is subject to the licensing authority of the Federal Communications Commission and an application for a construction permit is made to the FCC on or before the above expiration date. In such case the determination expires on the date prescribed by the FCC for completion of construction, or on the date the FCC denies the application.

**NOTE:** Request for extension of the effective period of this determination must be postmarked or delivered to the issuing office at least 15 days prior to the expiration date.

This determination is subject to review if an interested party files a petition on or before September 28, 1997. In the event a petition for review is filed, it should be submitted in triplicate to the Manager, Airspace and Rules Division, ATA-400, Federal Aviation Administration, Washington, D.C. 20591, and contains a full statement of the basis upon which it is made.

This determination becomes final on October 8, 1997, unless a petition for review is timely filed, in which case the determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review.

An account of the study findings, aeronautical objections, if any, registered with the FAA during the study, and the basis for the FAA's decision in this matter will be found on the following page(s).

If the structure is subject to the licensing authority of the FCC, a copy of this determination will be sent to that Agency.

This determination, issued in accordance with FAA Part 77, concerns the effect of this proposal on the safe and efficient use of the navigable airspace by aircraft and does not relieve the sponsor of any compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

SIGNED Jack L. Skelton TITLE Manager, Airspace Branch  
 ISSUED IN Kansas City, Missouri ON August 29, 1997

**AERONAUTICAL STUDY NO. 97-ACE-0458-OE**  
**Independence, Missouri**

No impact. Plans-on-file for new public-use airports or aeronautical facilities in the area were reviewed. Independence/E. Jackson Co. Airport is a planned airport.

- e. The cumulative impact resulting from the proposed construction or alteration of a structure, when combined with the impact of other existing or proposed structures, follows:

The effect of the proposal when combined with other towers is not considered to be significant.

**4. CIRCULARIZATION AND COMMENTS RECEIVED**

The proposal was circularized June 3, 1997, to all known aviation interests and to non-aeronautical interests that may be affected by the proposal. No responses objecting to the proposal were received.

**5. DETERMINATION - NO HAZARD**

It is determined the proposed construction would have no substantial adverse effect on the safe and efficient use of the navigable airspace by aircraft.

**6. CONDITIONS**

- a. The obstruction be appropriately lighted and monitored in accordance with FAA Advisory Circular 70/7460-1J, effective 1/1/96, "Obstruction Marking and Lighting," Chapters 3, 4, 5, and 13. The circular is available free of charge from the Department of Transportation, Subsequent Distribution Section, M-494.3, 400 7th Street SW, Washington, DC 20590.
- b. Within five days after the structure reaches its greatest height, A SURVEY IS REQUIRED. The survey must be expressed in geodetic latitude/longitude to the nearest hundredth of a second with an accuracy not to exceed plus or minus 15 feet horizontally. Height information must give site elevation and overall completed height of the object and be expressed to the nearest tenth of a foot with an accuracy not to exceed plus or minus 3 feet vertically. The spheroid basis of origin (NAD 83) must be specified. The certification of an approved surveyor is required with his seal on the document. This can best be accomplished in letter form providing the above information is included.

**7. LIMITATIONS**

This determination does not include temporary construction equipment such as cranes, derricks, etc., which may be used during the actual construction phase of this proposal. Such equipment, which has a height greater than the proposed structure and a height which would



Federal Aviation Administration  
 Central Regional Office  
 901 Locust Street ACE-520-  
 Kansas City, MO 64106

Aeronautical Study No.  
 2002-ACE-74-OE  
 Prior Study No.  
 97-ACE-0458-OE

Issued Date: 2/21/2002

GRANT SOLOMON, REGULATORY  
 VERIZON WIRELESS  
 ONE VERIZON PLACE GA3B1REG  
 ALPHARETTA, GA 30004-8511

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Antenna Tower  
 Location: INDEPENDENCE, MO  
 Latitude: 39-8-24.4 NAD 83  
 Longitude: 94-17-34.4  
 Heights: 158 feet above ground level (AGL)  
 1068 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does exceed obstruction standards but would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

As a condition to this Determination, the structure should continue to be marked and/or lighted utilizing paint/red lights.

See attachment for additional condition(s) or information.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission if the structure is subject to their licensing authority.

This aeronautical study included evaluation of a 158 foot AGL structure that exists at this time. Action will be taken to ensure aeronautical charts are updated to reflect this existing height and the most current coordinates/elevation as indicated in the above description.

If we can be of further assistance, please contact our office at (816)329-2524.  
On any future correspondence concerning this matter, please refer to  
Aeronautical Study Number 2002-ACE-74-OE.

Signature Control No: 70769-75619

(EBO)

Brenda S. Mumper  
Specialist

Attachment(s)  
Additional Information  
Frequency Data

cc: NACO w/map

**Additional Information for ASN 2002-ACE-74-OE**

Aeronautical Study No. 2002-ACE-74-OE

The existing structure is identified as exceeding FAA Obstruction Standards as follows as applied to the planned Independence/East Jackson County Airport in Independence, MO:

A height exceeding the horizontal surface (150 ft. above airport elevation within a radius of 10,000 ft.); exceeds by 186 ft.

The proposal is to side-mount an antenna on an existing tower that was previously studied under Aeronautical Study No. 97-ACE-0458-OE. The antenna will not increase the height of the existing structure; therefore, the proposal will not have substantial adverse effect and will not be a hazard to air navigation.



Frequency Data for ASN 2002-ACE-74-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
870	891	MHz	500	W



Federal Aviation Administration  
Central Regional Office  
901 Locust Street-ACE-520  
Kansas City, MO 64106

Aeronautical Study No.  
2005-ACE-2045-OE  
Prior Study No.  
2002-ACE-74-OE

Issued Date: 09/16/2005

Kristen Lutz  
Sprint Spectrum, L.P. (KL)  
1 International Blvd. Ste. 800  
Mahwah, NJ 07495

**\*\* MARKING & LIGHTING RECOMMENDATION \*\***

The Federal Aviation Administration has completed an evaluation of your request concerning:

Structure: Lighting Study  
Location: INDEPENDENCE, MO  
Latitude: 39-8-24.4 NAD 83  
Longitude: 94-17-34.4  
Heights: 158.0 feet above ground level (AGL)  
1068 feet above mean sea level (AMSL)

Based on this evaluation, we are unable to accommodate your request.

This evaluation concerns the effect of the marking and/or lighting changes on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (816)329-2524. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2005-ACE-2045-OE.

Signature Control No: 431501-405468



(M&L)

Brenda S. Mumper  
Specialist

Attachment(s)  
Frequency Data

**Form 7460-1 for ASN: 2005-ACE-2045-OE**

**Overview**

**Study (ASN):** 2005-ACE-2045-OE  
**Prior Study:** 2002-ACE-74-OE  
**Status:** Determined  
**Letters:** Determination   
 Marking & Lighting 

**Received Date:** 07/29/2005  
**Entered Date:** 07/29/2005  
**Completion Date:** 09/16/2005  
**Expiration Date:**  
**Map:** View Map

**Sponsor Information**

**Sponsor:** Sprint Spectrum, L.P. (KL)  
**Attention Of:** Kristen Lutz  
**Address:** 1 International Blvd. Ste. 800  
**Address2:**  
**City:** Mahwah  
**State:** NJ  
**Postal Code:** 07495  
**Country:** USA  
**Phone:** (201)684-4296  
**Fax:** (201)684-4223

**Sponsor's Representative Information**

**Representative:**  
**Attention Of:** Kristen Lutz  
**Address:** 1 International Blvd Suite 800  
**Address2:**  
**City:** Mahwah  
**State:** NJ  
**Postal Code:** 07495  
**Country:** US  
**Phone:** 201-684-4297  
**Fax:** 201-684-4297

**Construction Info**

**Notice Of:** Existing  
**Duration:** Permanent (Months: 0 Days: 0)  
**Work Schedule:**  
**Date Built:**

**Structure Summary**

**Structure Type:** Lighting Study  
**Other Description:** KC03XC250  
**NACG Number:**  
**FCC Number:**

**Structure Details**

**Latitude (NAD 83):** 39° 08' 24.40" N  
**Longitude (NAD 83):** 94° 17' 34.40" W  
**Datum:** NAD 83  
**Accuracy:**  
**Marking/Lighting:** None  
**Other Description:**  
**Name:** KC03XC250  
**City:** INDEPENDENCE  
**State:** MO  
**Nearest Airport:** MM01  
**Distance to Structure:** 10953 feet  
**On Airport:** No  
**Direction to Structure:** 141.36  
**Description of Location:** INDEPENDENCE, MO  
**Description of Proposal:** RE-FILING FAA TO REQUEST  
 OMISSION OF MARKING &  
 LIGHTING.

**Height and Elevation**

	Proposed	DNE	DET
<b>Site Elevation:</b>	910		
<b>Structure Height:</b>	158	0	158
<b>Total Height (ASML):</b>	1068	0	1068

**Frequencies**

Low Freq	High Freq	Unit	ERP	Unit
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1850	1910	MHz	1640	W
1930	1990	MHz	1640	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W

Plan Commission  
May 18, 2017  
CU-2017-222

**Ord. 4987**

CROWN CASTLE  
ONE CITY PLACE DRIVE, STE 490  
ST LOUIS MO 63141

17-200-01-02-01-0-00-000

Owners MICHAEL J HENDERSON  
5234 GRANNY WHITE TRACE  
NASHVILLE TN 3722

17-200-01-14-00-0-00-000

Owners NANCY GREER  
20527 W 95<sup>TH</sup> STREET  
LENEXA KS 66220

Owners WILLIAM GREER  
3621 LONGMORN  
LONGVIEW TX 75604

**Certified Mail – Return Receipt**  
**Property Owners within 300 feet**

09-800-04-08-00-0-00-000  
DE BARONI INGUANEZ MARCEL  
2212 N TWYMAN RD  
INDEPENDENCE MO 64058

09-800-04-04-02-0-00-000  
DE BARONI INGUANEZ MARCEL

17-200-01-01-00-0-00-000  
FORT OSAGE SCHOOL DIST R-1  
2101 N TWYMAN ROAD  
INDEPENDENCE MO 64058

17-200-01-14-00-0-00-000  
GREGORY DANIEL S & CAROL S  
23910 E 24 HWY  
INDEPENDENCE MO 64056