

CU-2024-250

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

An easement area being a portion of that certain tract of land as described in Document Number 2011E0070865, as recorded in the office of the Recorder of Deeds for Jackson County, Missouri, lying in the Southeast Quarter of Section 6, Township 49 North, Range 32 West and being more particularly described as follows:

Commence at a T-post found marking the Northwest corner of said tract described in Document Number 2011E0070865, thence run South 01 degrees 50 minutes 51 Seconds West for a distance of 878.89 feet to a T-post found marking the Southwesterly most corner of said tract; thence run North 88 degrees 37 minutes 30 seconds East for a distance of 1113.10 feet to the Southwest corner of an existing 6 foot chain link fence with barbed wire and the Point of Beginning; thence run North 01 degrees 48 minutes 00 seconds East for a distance of 30.24 feet to a 5/8" rebar set; thence South 87 degrees 50 minutes 25 seconds East for a distance of 68.42 feet to a 5/8" rebar set; thence run South 01 degrees 34 minutes 11 seconds West for a distance of 29.17 feet to the Southeast corner of said fence; thence run North 88 degrees 43 minutes 51 seconds West along said fence for a distance of 68.54 feet to the Point of Beginning. The above-described easement contains 0.04 acres (2034.1 square feet), more or less.

CU-2024-250

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Plan Commission Public Hearing Summary from July 18, 2024

Staff Report

Zoning map of surrounding area

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Application

Aerial of Property

Site Plan

Picture of tower

CU-2024-250

ATTACHMENT 3: LIST OF CONDITIONS

Condition Use Permit subject to the following Conditions:

1. The commercial communication lattice tower shall not exceed a height of 147 feet as measured from ground level.
2. The lattice tower shall be galvanized finish or painted gray or light blue unless other standards are required by the Federal Aviation Agency.
3. The lattice tower shall only be illuminated if required by the Federal Communication Commission and/or the Federal Aviation Agency.
4. 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.

Randy Diehl gave the staff report:

RE: CU-2024-250

Applicant: American Tower Asset Sub, LLC

Location: 1320 Blue Ridge Boulevard

Area: 2,500 square feet

Request: Renewal of a Conditional Use Permit for the continual operation of a 147-foot monopole for wireless communications.

Zoning Classification: District HI (Heavy Industrial)

Current Land Use and Zoning in the Area:

Comments: This is a renewal of CU-2001-155 (Ordinance 3150) adopted by the Jackson County Legislature, June 11, 2001, which amended Ordinance 2918 approved July 6, 1999. The permit was for a period of 25 years subject to 10 conditions.

Six of those conditions from the original permit have been removed. Three of the conditions were related to the actual construction of the tower. The other three have been eliminated due to changes to the State Statutes in 2016 limiting certain provisions by jurisdictional authorities.

Requiring screening
Providing space to local authorities
Limiting the duration of the permit

Sheet Number C-103, Tower Elevation shows the top of the highest antenna at an elevation of 159'. It should be noted that the antenna is not part of the tower structure.

County Plan:

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

Recommendation:

Staff recommends APPROVAL of CU-2024-250 subject to the following conditions:

Conditions:

1. The commercial communication lattice tower shall not exceed a height of 150 feet as measured from ground level.
2. The lattice tower shall be galvanized finish or painted gray or light blue unless other standards are required by the Federal Aviation Agency.
3. The lattice tower shall only be illuminated if required by the Federal Communication Commission and/or the Federal Aviation Agency.
4. 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 other questions for Randy?*

Mr. Lake: How many more years are we going to extend this?

Mr. Diehl: State law does not allow us to set term limits on these. The ones that have been renewed are perpetual. Some applications request a term that run with the lease of the property.

Mr. Horn: How many of these do we have in the County, and do they all basically look the same?

Mr. Diehl: We have about 10 or 12 towers in the unincorporated area.

Mr. Horn: I ask because there are some that look like trees.

Mr. Diehl: Those type of stipulations, looking like a tree or if it's at a place of worship to look like a cross, are no longer allowed.

Mr. Lake: Is this over by the substation?

Mr. Diehl: It's across the street from a cemetery. It actually sits of Lincoln Cemetery's property.

Mr. Farrar: I believe one of the previous requirements was to screen it.

Mr. Diehl: Yes, that requirement has been removed as well.

Mr. Antey: Some still have trees around them from the original applications from years ago.

Mr. Antey: *Is the applicant here?*

Lawrence Fleming: 10 Presidential Way, Woburn, MA 01801. I represent American Tower.

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

Mr. Fleming: No.

Mr. Lake: What type of communications are you doing on the tower?

Mr. Fleming: Wireless communication for Verizon and T-Mobile. Cell service. Wi-Fi as we well.

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. Crawford moved to take under advisement. Mr. Lake seconded.

Discussion under advisement

Mr. Monaco moved to approve. Mr. Lake seconded.

Mr. Lake	Approve
Mr. Farrar	Approve
Me. Smead	Approve
Mr. Monaco	Approve
Mr. Horn	Approve
Mr. Crawford	Approve
Ms. Ryerkerk	Approve
Chairman Antey	Approve

Motion Carried 8 – 0

STAFF REPORT

PLAN COMMISSION

July 18, 2024

RE: CU-2024-250

Applicant: American Tower Asset Sub, LLC

Location: 1320 Blue Ridge Boulevard

Area: 2,500 square feet

Request: Renewal of a Conditional Use Permit for the continual operation of a 147-foot monopole for wireless communications.

Zoning Classification: District HI (Heavy Industrial)

Current Land Use and Zoning in the Area:

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Providing space to local authorities
Limiting the duration of the permit

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County Plan:

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Recommendation:

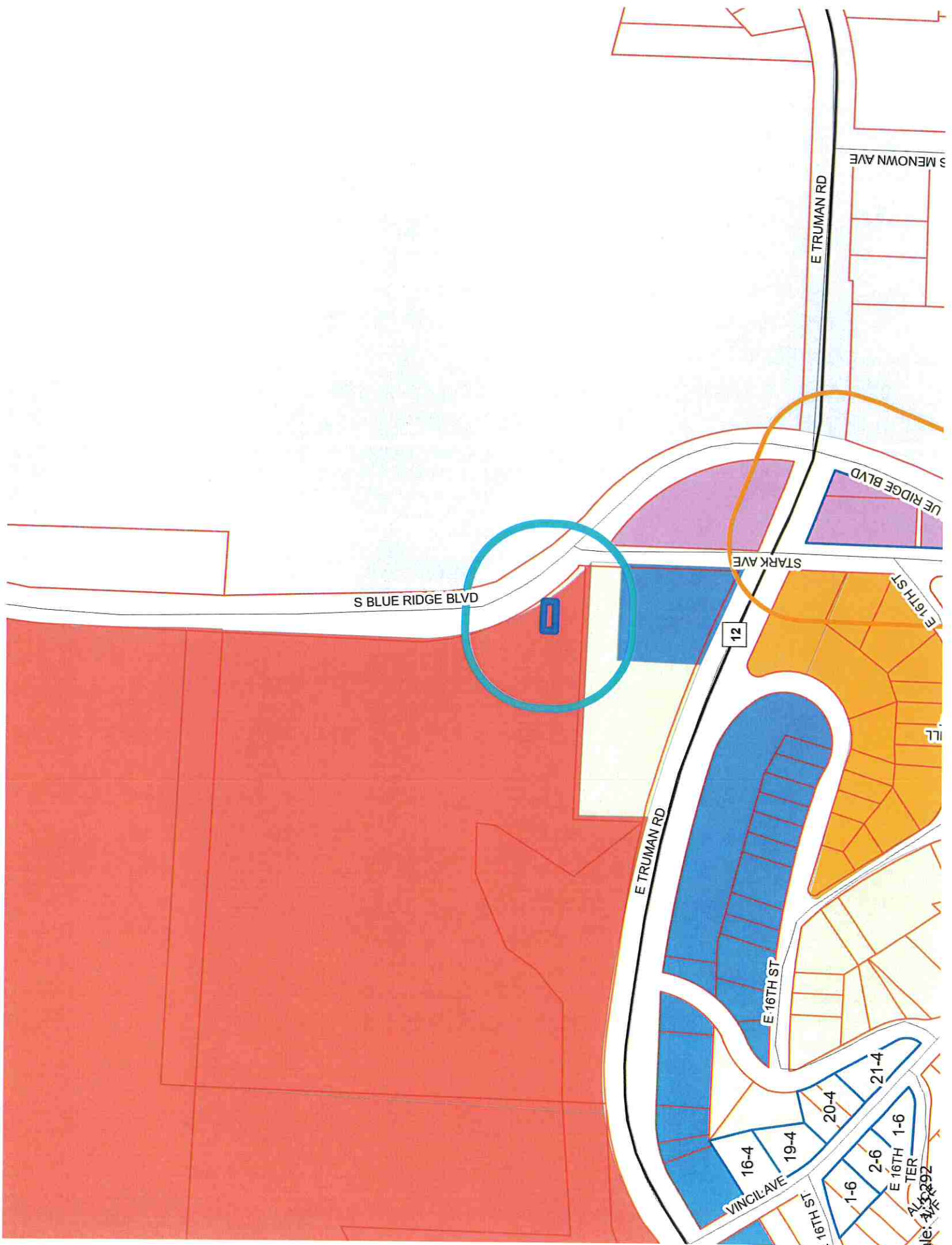
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Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator



S BLUE RIDGE BLVD

12

STARK AVE

E TRUMAN RD

E 16TH ST

VINCILAVE

E 16TH ST

16-4
19-4
20-4
21-4
1-6
2-6
1-6

E TRUMAN RD

S MENDOW AVE

UE RIDGE BLVD

E 16TH ST

AL 11-292
file: 11-292

CU-2024-250

Property Owners Within 185 feet

Parcel	owner	address	city	state	zip
27-230-01-14-01-0-00-000	WINNER ROAD PROPERTIES LLC	2345 GRAND BLVD STE 2200	KANSAS CITY	MO	64108
27-230-06-19-00-0-00-000	LANDMARK MORTGAGE CO	300 W 11ST STREET	KANSAS CITY	MO	64105
27-340-02-05-00-0-00-000	SBKA LLC	1101 S SEYMOUR RD	GRAIN VALLEY	MO	64029
27-340-02-06-01-0-00-000	DOUGLAS INVESTMENT CO AMERICAN TOWER ASSET SUB, LLC	2632 W PASEO 10 PRESIDENTIAL WAY	KANSAS CITY WOBBURN	MO MA	64108-3012 01801



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

July 3, 2024

RE: Public Hearing: CU-2024-250
American Tower Asset Sub LLC

Dear Property Owner:

You are hereby invited to participate in a public hearing to be held by the Jackson County Plan Commission on a request by American Tower Asset Sub LLC, requesting the renewal of a Conditional Use Permit for the continual operation of a 147-foot monopole for wireless communications in District AG (Agriculture) at 1320 Blue Ridge Boulevard.

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, July 18, 2024 at 8:30 a.m. in the Large Conference Room, 2nd Floor, Historic Truman Courthouse, 112 W. Lexington, Independence, MO.
3, 2024

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 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- 2024-250

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: **AMERICAN TOWER ASSET SUB, LLC**
Address: 10 Presidential Way, Woburn, MA 01801
Phone: (781) 926-4500
 - b. Owner(s) Name: **DOUGLAS INVESTMENT CO.**
Address: 2632 W Paseo Blvd, Kansas City, MO 64108-3012
Phone: (816) 221-3075

- c. Agent(s) Name: Lawrence Fleming
Address: American Tower, 10 Presidential Way, Woburn, MA 01801
Phone: (781) 926-7354
- d. Applicant's interest in Property: **Perpetual Easement Holder**

2. A CONDITIONAL USE PERMIT IS HEREBY REQUESTED for the following described use: Telecommunication Tower and Facilities for a period of 25 ^{PERPETUAL} years; property described as follows: a tract of land 2,500 square feet/acres in size located at 1320 S BLUE RIDGE BLVD, KANSAS CITY, MO 64126.

Present Zoning District: Heavy Industrial (HI)

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

4. Present Use of Property: Cemetery with Existing Telecommunications Tower and Facilities

5. Proposed Use of Property: Cemetery with Telecommunications Tower and Facilities

6. Estimated Time Schedule for Development: N/A, this is an existing facility where applicant is seeking to renew existing conditional use permit with no new construction proposed.

7. What effect will your proposed development have on the surrounding properties? **The Telecommunications Tower and Facilities provide critical wireless cellular telephone and internet connectivity to the surrounding community. Proximity to the tower provides enhanced speed and connectivity, which generates economic advantages for users, and can facilitate emergency services communication. The abutters to the Property consist of a 193 acre cemetery, three undeveloped woodland tracks, and a warehouse.**

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:

a. Water N/A _____

b. Sewage disposal N/A _____

c. Electricity KP&L pole within 100' of site, impact negligible _____

d. Heating N/A _____

e. Fire and Police protection Jackson County _____

10. Describe existing road width and condition: 12' wide concrete access road off of Blue Ridge Blvd (Public Right-of-Way), 8" thick within right of way and 4" thick within Property, with 16' locked steel access gate. Roadway in good condition.

11. What effect will proposed development have on existing road and traffic conditions? Very little impact on existing road and traffic conditions. The facility is unmanned with periodic maintenance vehicles accessing the site one or twice per year or as needed.

12. Are any state, federal, or other public agencies approvals or permits required for the proposed development? No. _____

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

Date

Property Owner(s)

DOUGLAS INVESTMENT CO

By:

Applicant(s):

AMERICAN TOWER ASSET SUB, LLC

By: Margaret Robinson, VP, USF Legal

Contract Purchaser(s):

STATE OF

Ohio

COUNTY OF

Lucas

On this 29 day of April, in the year of 2024, before me the undersigned notary public, personally appeared Tara K. Johnson

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

Alison H. Day

Commission Expires

7/14/2028

STATE OF

Massachusetts

COUNTY OF

Middlesex

On this 7th day of May, in the year of 2024, before me the undersigned notary public, personally appeared Margaret Robinson

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]

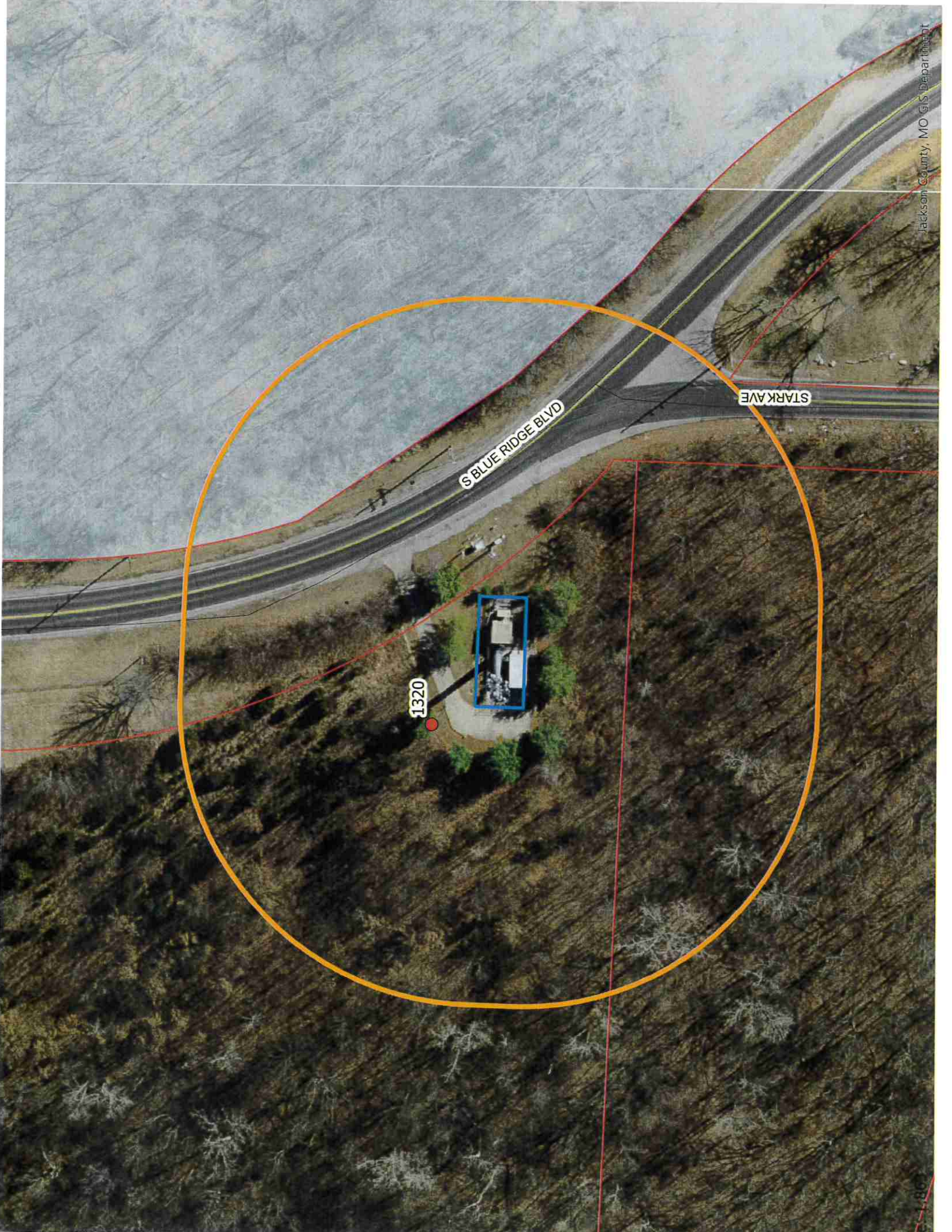
Commission Expires

9/23/2027



Alison H. Day
Notary Public, State of Ohio
My Commission Expires:
07/14/2028





1320

S BLUE RIDGE BLVD

STARK AVE

NOTES:
 THIS SET OF DRAWINGS IS INTENDED TO
 BE USED AS A GUIDE ONLY.
 THE PROJECT WILL NOT RESULT IN ANY
 PROPOSED WORK.
 2. BOUNDARY INFORMATION OBTAINED
 FROM DATATREE ONLINE GIS.

N/A
 LINCOLN INVESTMENT CO
 PARCEL #: 27-310-028-05-00

N/A
 DOUGLAS INVESTMENT CO
 PARCEL #: 27-340-02-08-01-00-000

N/A
 DAN REALTY COMPANY
 PARCEL #: 27-340-03-01-0

N/A
 LINKDOWN
 PARCEL #: N/A

N/A
 SBK, LLC
 PARCEL #: 27-340-02-05-00-0-00-000

EXISTING
 COMPOUND

EXISTING
 TOWER



- SURVEY LEGEND**
- EXISTING PROPERTY
 - EXISTING ADJ. PROPERTY
 - EXISTING EASEMENT
 - XXX--- EXISTING CONTOUR (MAJOR)
 - XXX--- EXISTING CONTOUR (MINOR)
 - XXX--- EXISTING TREELINE
 - XXX--- EXISTING CHAINLINK FENCE
 - XXX--- EXISTING BUILDING
 - XXX--- EXISTING STORM DRAIN
 - XXX--- EXISTING ROAD (DIRT)
 - XXX--- EXISTING ROAD (STONE)
 - XXX--- EXISTING ROAD (PAVED)
 - XXX--- EXISTING CONCRETE
 - XXX--- EXISTING LEASE AREA

1 OVERALL SITE PLAN



SCALE: 1"=200' (11X17)
 1"=100' (22X34)

AMERICAN TOWER*
 ATC TOWER SERVICES
 1 FENTON DAMM STREET
 CARY, NC 27511
 PHONE: (919) 488-0112
 COA: 2015011232

THESE DRAWINGS AND ANY INSTRUMENTS ACCOMPANYING THESE DRAWINGS SHALL BE THE PROPERTY OF AMERICAN TOWER. THEIR USE AND REPRODUCTION FOR ANY OTHER PROJECT OR FOR WHICH THEY WERE PREPARED, ANY USE OR DISCLOSURE OF THESE DRAWINGS OR INSTRUMENTS TO ANY OTHER PARTY WITHOUT THE WRITTEN CONSENT OF AMERICAN TOWER IS STRICTLY PROHIBITED. THE PROJECT CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES. ANY PRIOR REVISIONS OF THESE DRAWINGS SHALL BE INDICATED BY A REVISION TABLE ATTACHED TO THESE DRAWINGS. THE DRAWING IS TO BE USED IN CONJUNCTION WITH THE INSTRUMENTS ACCOMPANYING IT.

REV.	DESCRIPTION	BY	DATE
1	FOR CONSTRUCTION	EB	04/00/24

ATC SITE NUMBER
305873
 ATC SITE NAME:
MAYWOOD MO 6

SITE ADDRESS:
 1300 E. BRIDGE BLVD
 KANSAS CITY, MO 64128

SEAL

Digitally Signed: 2024-05-10

DATE DRAWN: 04/00/24
 ATC JOB NO.: 14860227_E1

OVERALL SITE PLAN

SHEET NUMBER:
C-101
 REVISION:
0



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REV.	DESCRIPTION	BY	DATE
1	FOR CONSTRUCTION	EB	04/00/24

ATC SITE NUMBER:
305873

ATC SITE NAME:
MAYWOOD MO 6

SITE ADDRESS:
1320 BLUE RIDGE BLVD
KANSAAS CITY, MO 64226

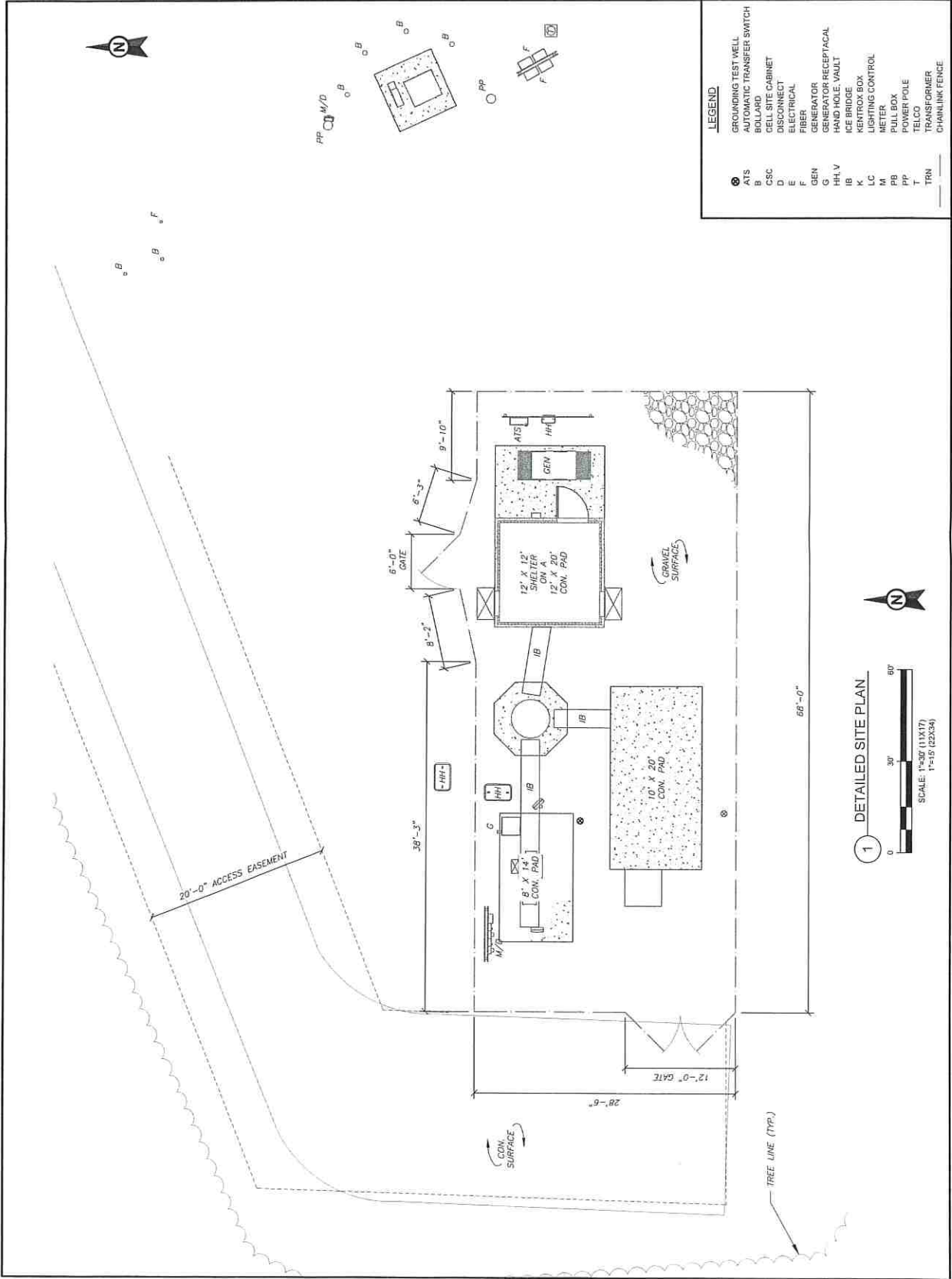


Digitally Signed: 2024-05-10

DATE DRAWN: 04/00/24
ATC JOB NO: 14800232_E1

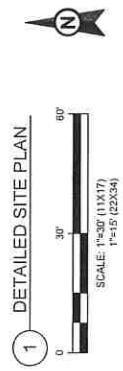
DETAILED SITE PLAN

SHEET NUMBER: **C-102** REVISION: **0**



LEGEND

⊙	ATS	GROUNDING TEST WELL
B	BOLLARD	AUTOMATIC TRANSFER SWITCH
CSC	BELL SITE CABINET	
D	DISCONNECT	
E	ELECTRICAL	
F	GENERATOR	
G	GENERATOR RECEPTACLE	
HH, V	HAND HOLE VAULT	
IB	ICE BRIDGE	
K	KENTROX BOX	
LC	LIGHTING CONTROL	
M	METER	
PB	PULL BOX	
PP	PULL POLE	
T	TELCO	
TRN	TRANSFORMER	
	CHAINLINK FENCE	



1 DETAILED SITE PLAN



THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATIONS AND INSTRUMENTS OF SERVICE ARE THE PROPERTY OF AMERICAN TOWER SERVICES AND PUBLICATION SHALL BE RESTRICTED TO THE ORIGINAL SITE. ANY REPRODUCTION OR TRANSMISSION OF THESE DRAWINGS TO ANY OTHER PARTY WITHOUT THE WRITTEN PERMISSION OF AMERICAN TOWER SERVICES IS STRICTLY PROHIBITED. TITLE TO THESE DOCUMENTS SHALL REMAIN THE PROPERTY OF AMERICAN TOWER SERVICES. AMERICAN TOWER SERVICES DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED HEREIN. AMERICAN TOWER SERVICES SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY OR FOR ANY CONSEQUENCES ARISING FROM THE USE OF THESE DRAWINGS OR INSTRUMENTS OF SERVICE. AMERICAN TOWER SERVICES SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY OR FOR ANY CONSEQUENCES ARISING FROM THE USE OF THESE DRAWINGS OR INSTRUMENTS OF SERVICE. AMERICAN TOWER SERVICES SHALL NOT BE RESPONSIBLE FOR ANY DAMAGE TO PERSONS OR PROPERTY OR FOR ANY CONSEQUENCES ARISING FROM THE USE OF THESE DRAWINGS OR INSTRUMENTS OF SERVICE.

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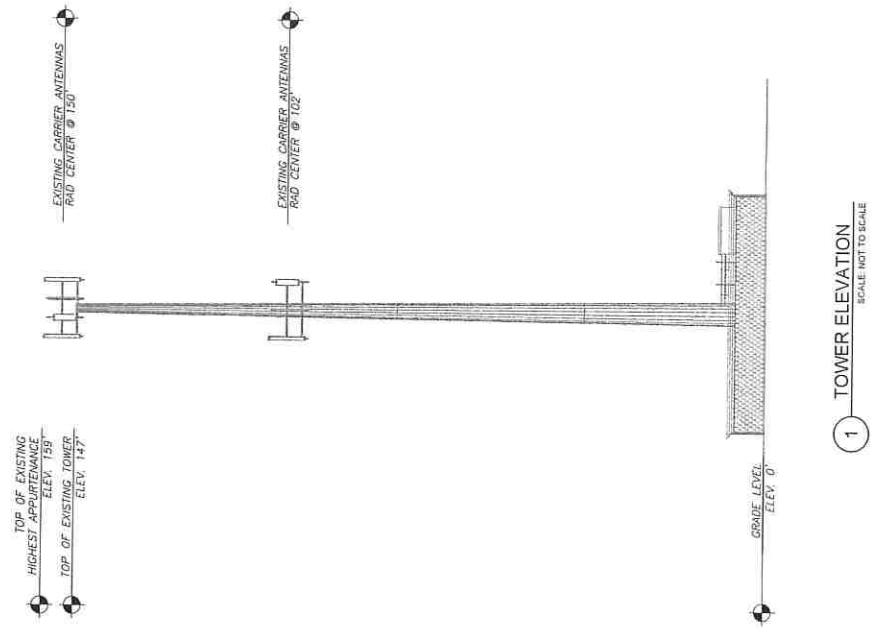


Digitally Signed: 2024-05-10

DATE DRAWN: 04/09/24
ATC JOB NO: 14960227_E1

TOWER ELEVATION

SHEET NUMBER: **C-103** REVISION: **0**



1 TOWER ELEVATION
SCALE: NOT TO SCALE



