

# FILED

MAY 11 2006



Aquila

Missouri Public  
Service Commission

SPECIAL USE PERMIT  
APPLICATION

## 1.0 SPECIAL USE PERMIT APPLICATION

### 1.1 REQUEST FOR SPECIAL USE PERMIT

Aquila, Inc. (Aquila) has prepared a Special Use Permit (SUP) application and is submitting it on behalf of itself, as lessee and operator, and the City of Peculiar, Missouri (City) as owner. Aquila, on behalf of the City, requests a SUP for an electric service facility pursuant to Article 8 – Special Use Permits, Cass County, Missouri Zoning Order Subdivision Regulations dated February 1, 2005, Appendix A, Group 49, SIC No. 491, Electric Services and Power Generation – including wind systems. This Zoning Order was adopted under the authority granted by R.S.Mo. 64.211 (and 64-905) et. seq. as amended. According to the Zoning Order, Appendix A, Electric Services & Power Generation (Group No. 49, SIC Code 491) is a permitted use on property zoned as an Agricultural District (A), as long as a SUP is obtained. The subject property is currently zoned as “A”. The SUP is being requested for the 345 and 161 kilovolt (kV) substation known as the Aquila Peculiar 345kV Substation (Facility). The Facility is located approximately one-half mile west of 71 Highway and one-half mile south of the intersection of 203rd Street and Knight Road in Cass County (Figure 1-1). A detailed project description is located in Section 2.0 of this application.

While City is the owner of the Facility as of the date of this application, it is possible ownership may change during Cass County review of this application due to action by the Missouri courts concerning a Chapter 100 bond transaction. If the courts ultimately find the Chapter 100 bond transaction to be invalid, ownership of the Facility will revert from City to Aquila.

The portion of property for which the SUP is being requested is approximately 7.5 acres and is generally located in the northwest corner of the northwest quarter of Section 5, Township 45 North, Range 32 West (Survey Drawing - Appendix A). The legal description for this 7.5 acre parcel is located on the Survey Drawing in Appendix A. This 7.5-acre property is located within the southern portion of a larger parcel currently owned by the City of Peculiar (Appendix A), which is approximately 55.05 acres. The remainder of the property is not subject to this SUP request as it is anticipated to remain undeveloped, with the exception of the existing transmission lines and gravel access road.

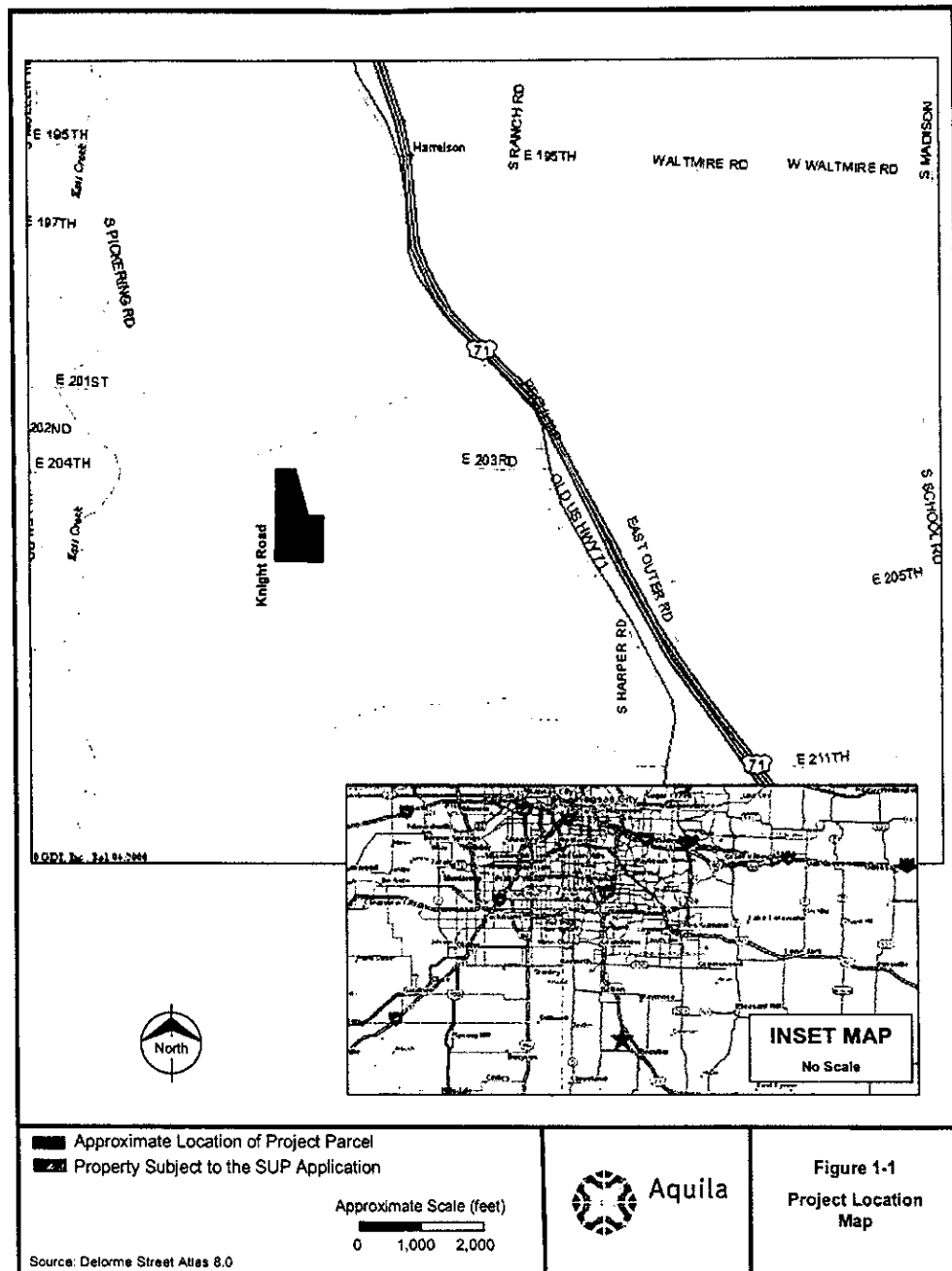
Aquila is also requesting a variance in the height restrictions for the two lightning masts (lightning rods) which are 101 feet tall.

Case No. 89-2006-0306  
Ex 90  
AF  
5-1-06



Aquila

SPECIAL USE PERMIT  
APPLICATION





## **1.2 PURPOSE AND NEED**

An electric substation is the electric equivalent of a highway interchange or road intersection with traffic signals – it interconnects transmission and/or distribution lines of equal or varying voltages, thereby tying the grid's transmission line segments together, and allow reliable operation of the transmission network as power moves from generating plants to its ultimate destination (the customer). Transformers are used to connect power lines of different voltages, so that power may flow from one voltage to another. If there is too much traffic (e.g., power flow), switches and circuit breakers are used to isolate the lines and interrupt the flow of power (analogous to use of traffic signals to control traffic at congested intersections or control access to highways). Without substations to protect the grid, a transmission line overload could not be prevented or isolated, the grid could not operate reliably, and reliable electric service to customers would greatly suffer.

The Peculiar 345/161 kV Substation interconnects the existing Aquila 345 kV transmission grid to the existing Aquila 69 kV and upgraded 161 kV transmission grid in northern Cass County. This allows Aquila to construct the 161 kV transmission grid required in this area to support existing load and load growth in the Raymore/Peculiar area for both Aquila's load and the rural electric cooperative load. This also provides additional required support for the existing Aquila 161 kV transmission grid in the Belton/Martin City area. Load growth in northern Cass County has been substantial as new homes and subdivisions have been platted and built, necessitating construction of electric infrastructure to support that growth. This substation is a major part of that infrastructure, and is designated critical infrastructure in accordance with various Homeland Security requirements (see Section 2.4).

Grid system stability is necessary to provide continuous electric service to customers of Aquila, such as Whiteman Air Force Base that is located in Missouri. Whiteman Air Force Base is an essential component of our national security and is imperative they have an un-interrupted supply of electricity.



### **1.3 COMPLETED APPLICATION FORM**

A completed and signed Application Form has been included within this application package and is located after page 1-4 of Section 1.0. The required filing fee is also provided.

### **1.4 LAND USE COMPATIBILITY**

The Facility appears to be consistent with current site and neighboring land uses. The subject property and neighboring properties contain a high-voltage electric transmission line and water supply pipeline. As noted above in Section 1.1, an electric service facility is an acceptable use on agricultural zoned lands, which the subject site is currently zoned, subject to obtaining a special use permit.

The Cass County, Missouri Comprehensive Plan Update 2005 (Plan - dated February 1, 2005) designates the property as a Multi-Use Tier. Multi-Use Tier is described by the Plan (p. 28) as follows:

*"The Multi-Use Tier is representative of development areas within Cass County that exhibit the following characteristics:*

- *Positioned as transition areas from urban to rural densities*
- *Located along rural highways, major arterials and intersections, or close enough to such major roads to provide access for more intense levels of non-agricultural traffic, and*
- *Predominantly developed for a mix of land uses: residential, industrial and commercial purposes."*

The northern portion of the property that is not subject to the SUP request currently consists of open agricultural lands and some forested areas associated with two intermittent streams that traverse the property. Surrounding areas are also designated as Multi-Use Tiers by the Plan, although the Grand Oaks Farms residential development immediately north of 203<sup>rd</sup> Street may be designated as an Urban Service Tier. The remaining portion of the property that is not subject to this SUP application is anticipated to remain as its' current use, agriculture.



Adjacent properties within 100 feet of the Facility property are zoned as agricultural and residential.

It is believed that construction and operation of the Facility does not adversely impact local infrastructure (roads, schools, etc.) as the majority of the workers are from the region and commute to the Facility from their existing homes.

### **1.5 CERTIFIED LIST OF PROPERTY OWNERS WITHIN 1,000 FEET**

A certified list of property owners within 1,000 feet of the entire 55.05-acre parcel is provided as Figure 1-2.

### **1.6 TITLE REPORT**

Provided in Appendix B.

CASS COUNTY  
SPECIAL USE PERMIT APPLICATIONReturn Form to:

Office of Zoning Administration

Cass County Courthouse

102 East Wall Street

Harrisonville, MO 64701

(816) 380-8131[(816) 380-8130 Fax]For Office Use Only

Case ID.: \_\_\_\_\_

Public Hearing Date: \_\_\_\_\_

Date Advertised: \_\_\_\_\_

Date Notices Sent: \_\_\_\_\_

## APPLICANT INFORMATION:

Applicant: Aquila, Inc. Phone: 816/467-3143Address: 20 W. 9th St, Kansas City, MO Zip: 64105Owner: City of Peculiar, Missouri Phone: 816/779-5212Address: 600 Schug Ave, Peculiar, MO Zip: 64078

## PROPERTY INFORMATION:

Location of Property: 8901 East 203rd Street Peculiar, MOLegal Description: see Appendix A Drawing 7.50 Acre Legal DescriptionPresent Zoning Classification: Agricultural Acreage: 7.50Present Use of Property: Electric ServicesProposed Land Use Activity: Electric Services

Article, Section and sub-section (if applicable) allowing for said Special Use to be applied for: \_\_\_\_\_

Appendix A, Group 49, SIC Case Code 491

# CASS COUNTY, MISSOURI - PROCEDURES MANUAL

## Article 11 - Special Uses

### ADJACENT ZONING AND LAND USE:

	Land Use	Zoning
North	<u>Residential</u>	<u>Residential</u>
South	<u>Agricultural</u>	<u>Agriculture</u>
East	<u>Agricultural</u>	<u>Agriculture</u>
West	<u>Agricultural</u>	<u>Agriculture</u>

Should this Special Use be valid only for a specific time period? Yes \_\_\_\_\_ No X

If Yes, what length of time? \_\_\_\_\_

DOES THE PROPOSED SPECIAL USE MEET THE FOLLOWING STANDARDS? IF YES, ATTACH A SEPARATE SHEET EXPLAINING WHY.	Yes	No
Does the proposed Special Use complies with all applicable provisions of the regulations, including intensity of use regulations, yard regulations and use limitations?	X	
Does the proposed Special Use at the specified location will not adversely affect the welfare or convenience of the public?	X	
Does the proposed Special Use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located?	X	
Does the location and size of the Special Use, the nature and intensity of the operation involved or conducted in connection with it, and the location of the site with respect to streets giving access to it have been planned so that the Special Use will not dominate the immediate neighborhood so as to hinder development and use of neighboring property in accordance with the applicable zoning district regulations?	X	
Off-street parking and loading areas will be provided in accordance with the standards set forth in the zoning regulations, and such areas will be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect?	X	
Adequate utility, drainage, and other such necessary facilities will be provided?	X	
Adequate access roads or entrance and exit drives will be provided and designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys?	X	
Adjoining properties and the general public will be adequately protected from any hazardous or toxic materials, hazardous manufacturing processes, obnoxious odors or unnecessarily intrusive noises?	X	

**ATTACHMENTS REQUIRED:**

1. A site plan as specified in Section of the Zoning Regulations as well as any other information which would be helpful to the Planning Board in consideration of the application.
  2. List of property owners located within 1,000 feet of the property.
- 
1. Site Plan is provided in Appendix C
  2. List of property owners follows in Section 1.0

  
Applicant's Signature

1.18.06  
Date

20 West 9th St., KC, MO 64105  
Address

816/467-3143  
Area Code Telephone Number