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10101 Hillwood Parkway  
Fort Worth, TX 76177

Aeronautical Study No.  
2023-ACE-1793-OE

Issued Date: 09/19/2023

Andrew Donchez  
Somera Road Inc.  
1300 Martin Street  
Nashville, TN 37203

**\*\* 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:	Building BLOCK H, LOT 2
Location:	KANSAS CITY, MO
Latitude:	39-06-05.22N NAD 83
Longitude:	94-35-54.14W
Heights:	749 feet site elevation (SE) 120 feet above ground level (AGL) 869 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure 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 structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M, Obstruction Marking and Lighting, red lights-Chapters 4,5(Red),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Air Missions (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

See attachment for additional condition(s) or information.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before October 19, 2023. In the event an interested party files a petition for review, it must contain a full statement of the basis upon which the petition is made. Petitions can be submitted to the Manager of the Rules and Regulations Group via e-mail at OEPetitions@faa.gov, via mail to Federal Aviation Administration, Air

Traffic Organization, Rules and Regulations Group, Room 425, 800 Independence Ave, SW, Washington, DC 20591, or via facsimile (202) 267-9328. FAA encourages the use of email to ensure timely processing.

This determination becomes final on October 29, 2023 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Rules and Regulations Group via telephone – 202-267-8783.

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, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, 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 includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

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.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

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

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

If we can be of further assistance, please contact Luke Wray, at (817) 222-4559, or [luke.w.wray@faa.gov](mailto:luke.w.wray@faa.gov). On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-ACE-1793-OE.

**Signature Control No: 577769852-599682610**

( DNH )

Mike Helvey

Manager, Obstruction Evaluation Group

Attachment(s)

Additional Information

Map(s)

Part 77 - Title 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace

#### **LOCATION OF PROPOSED BUILDING**

The existing building is located approximately 0.80 NM south of the approach end of RWY 01 at Charles B Wheeler Downtown Airport (MKC), Kansas City, MO.

#### **OBSTRUCTION STANDARD EXCEEDED**

The building is identified as exceeding the obstruction standards of 14 CFR Part 77 as applied to MKC:

77.17 (a)(5) The surface of a takeoff and landing area of an airport or any imaginary surface established under 77.19, 77.21, or 77.23.

77.19 (d) Approach surface. A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of each runway based upon the type of approach available or planned for that runway end. Exceeds RWY 01 surface by 27 feet.

#### **AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:**

- > The structure has no effect on any existing or proposed IFR arrival/departure routes, operations, or procedures.
- > The structure has no effect on any existing or proposed IFR en route routes, operations, or procedures.
- > The structure has no effect on any existing or proposed IFR minimum flight altitudes.

#### **AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:**

- > The structure does not penetrate those altitudes normally considered available to airmen for VFR en route flight.
- > The structure would lie within climb and descent area of the TPA but does not penetrate this surface.

#### **BASIS FOR DECISION**

The structure would exceed the Part 77 approach surface as indicated above but would not create a substantial adverse effect. The study did not identify any IFR arrival, departure, or en route effects. There would be no effects on any existing or proposed en route VFR operations. There are no physical or electromagnetic effects on the operation of air navigation and communications facilities. The study did not disclose any effects on any airspace and routes used by the military. It would not impact MKC airport or any other existing or planned public-use or military airports would be impacted.

## DETERMINATION - NO HAZARD TO AIR NAVIGATION

The cumulative impact of the structure is not considered significant. Our study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the structure affect the capacity of any known existing or planned public-use or military airport.

Therefore, it is determined that the structure does not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and is not a hazard to air navigation.

## CONDITIONS

The incorporation of marking and lighting on this existing building would provide additional conspicuity for pilots flying in this vicinity and is the primary factor for issuing a Determination of No Hazard. Although the recommended marking and lighting portion of this determination is advisory, if the proponent decides not to mark and light this structure IAW AC 70/7460-1, we reserve the right to change its determination to a Determination of Hazard (DOH).

When the building is appropriately marked and lighted, a 7460-2, Supplemental Notice Part 2 filing must be submitted.

List of commonly used acronyms:

ACE, Central Region  
ADS-B, Automatic Dependent Surveillance-Broadcast  
AEA, Eastern Region  
AGL, Above Ground Level  
ALP, Airport Layout Plan  
AMDT, Amendment  
AMSL, Above Mean Sea Level  
ANE, New England Region  
ANM, Northwest Mountain Region  
ARP, Airport Reference Point  
ASN, Aeronautical Study Number  
ASO, Southern Region  
ASR, Airport Surveillance Radar  
ATC, Air Traffic Control  
ATCRB, Air Traffic Control Radar Beacon  
ATO, Air Traffic Organization  
AWOS, Automated Weather Observing System  
BUEC, Backup Emergency Communication  
CAT, Category of aircraft  
CFR, Code of Federal Regulations  
CG, Climb Gradient  
CW, Clockwise  
DA, Decision Altitude

dB, Decibel  
dBm, Decibel-Milliwatts  
DER, Departure End of Runway  
DME, Distance Measuring Equipment  
DNE, Do Not Exceed  
DoD, Department of Defense  
FAA, Federal Aviation Administration  
FAR, Federal Aviation Regulation  
FCC, Federal Communications Commission  
FT, Feet  
GPS, Global Positioning System  
IAW, In Accordance With  
ICA, Instrument Climb Area  
IFP, Instrument Flight Procedures  
IFR, Instrument Flight Rules  
ILS, Instrument Landing System  
LNAV, Lateral Navigation  
LOC, Localizer  
LP, Localizer Performance without Vertical Guidance  
LPV, Localizer performance with Vertical guidance  
LSCS, Light Signal Clearance Surface  
MALSR, Medium Intensity Approach Lighting System with Runway Alignment Indicator Lights  
MDA, Minimum Descent Altitude  
MVA, Minimum Vectoring Altitude  
N/A, Not Applicable  
NA, Not Available  
NAS, National Airspace System  
NAVAID, Navigational Aid  
NDB, Non-directional Beacon  
NEH, No Effect Height  
NOTAM, Notice to Air Mission  
NM, Nautical Miles  
OAS, Obstacle Authoritative Source  
OE, Obstruction Evaluation  
OEG, Obstruction Evaluation Group  
ORIG, Original  
PAPI, Precision Approach Path Indicator  
RADAR, Radio Detection and Ranging  
REIL, Runway End Identifier Lights  
RFI, Radio Frequency Interference  
RNAV, Area Navigation  
RNP, Required Navigation Performance  
ROW, Right Of Way  
RPZ, Runway Protection Zone  
RSS, Radar Support System  
RVR, Runway Visual Range  
RWY, Runway  
SDF, Step Down Fix  
SE, Site Elevation

SIAP, Standard Instrument Approach Procedure  
SM, Statute Mile  
SSC, System Support Center  
STD, Standard  
TACAN, Tactical Air Navigation System  
TERPS, Terminal Enroute Procedures  
TPA, Traffic Pattern Airspace  
TRACON, Terminal Radar Approach Control Facility  
UHF, Ultra High Frequency  
VASI, Visual Approach Slope Indicator  
VFR, Visual Flight Rules  
VNAV, Vertical Navigation  
VHF, Very High Frequency  
VOR, VHF Omni-directional Radio





