CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

October 24, 2016

Greg Ferris
Ferris Consulting
PO Box 573
Wichita, KS 67201

RE: CON2016-00044 – City Conditional Use to permit a 125 tall monopole wireless communication facility on property zoned LC Limited Commercial and generally located north of East Harry Street and east of South Rock Road (1214 S. Rock Rd.)

Dear Mr. Ferris:

At its regular meeting on October 6, 2016, the Wichita - Sedgwick County Metropolitan Area Planning Commission (MAPC) considered the above captioned request. The action of the MAPC was to APPROVE of the request subject to the conditions in the attached resolution.

If you have any questions concerning this application, please contact our office at 316-268-4421.

Sincerely,

Scott Knebel, AICP

SK: mc
Attachment
Copies to:
Dave Dooman, Spangles, 437 N. Hillside, Wichita, KS 67214
George Wyrick, T-Mobile Central, LLC, 4533 Enterprise Dr., Oklahoma City, 73128
Ron Bittner, PI Tower Development, LLC, 7411 Fullerton St., Ste. 110 Jacksonville, FL 32256
Pete Meitzner, WCC II, Mail Stop 1-13
Laura Rainwater, Community Liaisons, Mail Stop 1-135

CONDITIONAL USE RESOLUTION NO. CON2016-00044

WHEREAS, Spangles, Inc., (Owners/Applicants), pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requests a Conditional Use for a Wireless Communication Facility on 0.03 acres zoned LC Limited Commercial described as:

> A Lease Area being a portion of a certain tract of land described in Document #28799010 as recorded in the Register of Deeds Office for Sedgwick County, Kansas, lying in the SW 1/4 of Section 29, Township 27 South, Range 2 East, Sedgwick County, Kansas and being more particularly described as follows:
>
> Commence at a capped rebar (PLS 186) found in place at the NE corner of Lot 4, Triple J Addition, Drawer R-2 2-23 as recorded in said Register's Office; thence S 00°50'42" E along the easterly line of said Lot 4, a distance of 30.06 feet to a point; thence S 89°47'02" W leaving said easterly line a distance of 16.24 feet to a PK Nail set and the Point of Beginning; thence S 00°12'58" E a distance of 70.00 feet to a PK Nail set; thence S 89°47'02" W a distance of 19.00 feet to a PK Nail set; thence N 00°12'58" W a distance of 70.00 feet to a PK Nail set; thence N 89°47'02" E a distance of 19.00 feet to the Point of Beginning, generally located north of Harry Street and east of Rock Road (1214 S. Rock Rd.).

WHEREAS, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission (hereinafter referred to as MAPC) has been given; and

WHEREAS, the MAPC did, at the meeting of October 6, 2016, consider said application; and

WHEREAS, the MAPC has authority to permit a Conditional Use, subject to any special conditions deemed appropriate in order to assure full compliance with the criteria of the Unified Zoning Code.

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Area Planning Commission that this application be approved to allow a Wireless Communication Facility on 0.03 acres zoned LC Limited Commercial described as:

> A Lease Area being a portion of a certain tract of land described in Document #28799010 as recorded in the Register of Deeds Office for Sedgwick County, Kansas, lying in the SW 1/4 of Section 29, Township 27 South, Range 2 East, Sedgwick County, Kansas and being more particularly described as follows:
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Approved subject to the following conditions:

A. The applicant shall obtain all permits necessary to construct the Wireless Communication Facility, and the Wireless Communication Facility shall be erected within one year of approval of the Conditional Use by the MAPC or Governing Body, as applicable.
B. The support structure shall be a "monopole" design that is silver or gray or a similar unobtrusive color with a matte finish to minimize glare.
C. The support structure shall be no taller than 125 feet in height, plus an additional five (5) feet for lightning suppression equipment.
D. The equipment compound shall be screened with a six (6) to eight (8) foot tall solid screening fence.
E. A site plan and elevation drawing indicating the approved design of the Wireless Communication Facility shall be submitted for approval by the Planning Director within 60 days of approval of the Conditional Use by the Governing Body and prior to the issuance of the Conditional Use Resolution.
F. The site shall be developed in general conformance with the approved site plans. All improvements shall be completed before the facility becomes operational.
G. The applicant shall obtain FAA approval regarding "objects affecting navigable airspace" and "impacts to terminal instrument procedures" for the proposed wireless communication facility and shall comply with all conditions of FAA approval. The applicant shall submit a copy of FAA approval to the Metropolitan Area Building and Construction Department prior to the issuance of a building permit.
H. The applicant shall obtain a Wichita Airport Hazard Zoning Permit Exemption for Area B from the Metropolitan Area Building and Construction Department prior to the issuance of a building permit.
I. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
J. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

Adopted this 6th Day of October, 2016

METROPOLITAN AREA PLANNING COMMISSION

David W. Foster, MAPC Chair

ATTEST:

Dale Miller, Secretary

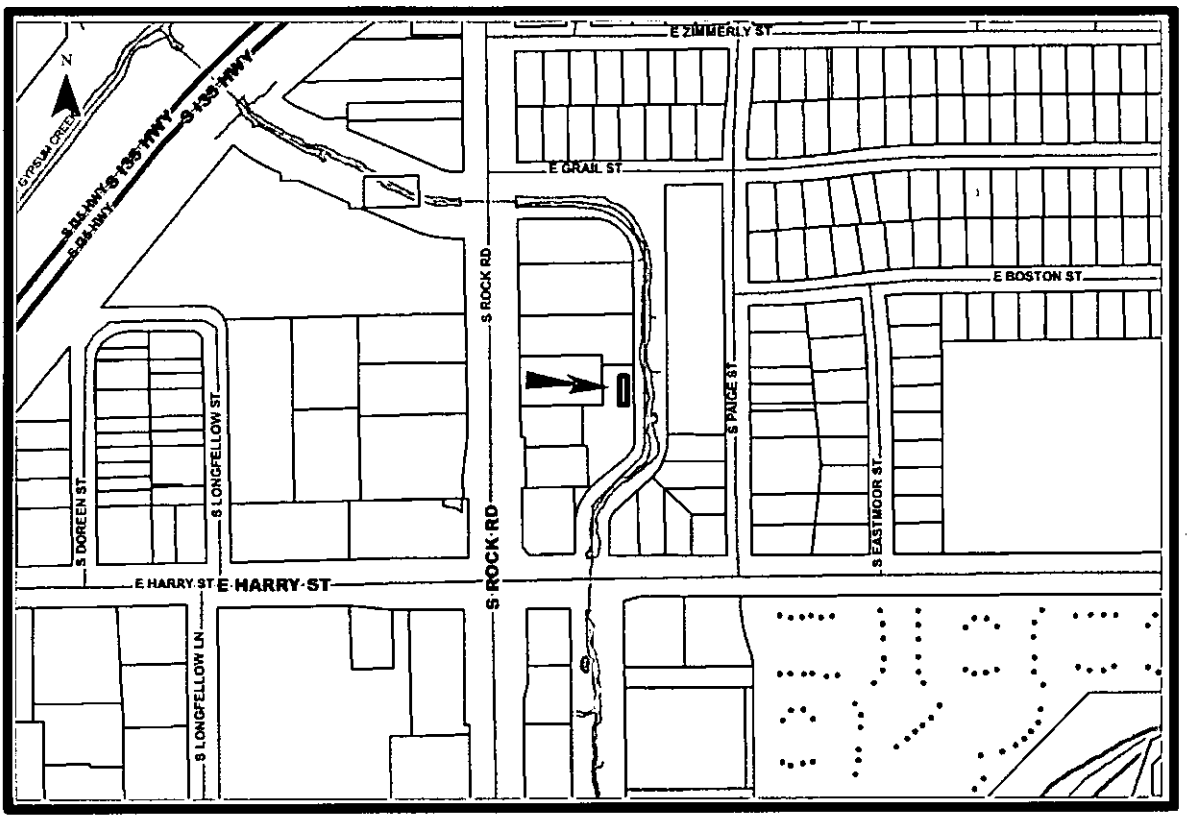
WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING

AGENDA ITEM NO. 11

STAFF REPORT

MAPC October 6, 2016
DAB II October 10, 2016

CASE NUMBER:	CON2016-00044
APPLICANT/AGENT:	Spangles, Inc. c/o Dave Dooman (Owner); T-Mobile Central, LLC c/o George Wyrick and PI Tower Development, LLC c/o Ron Bittner (Applicants); Ferris Consulting c/o Greg Ferris (Agent)
REQUEST:	Conditional Use for a Wireless Communication Facility
CURRENT ZONING:	LC Limited Commercial
SITE SIZE:	0.03 acres
LOCATION:	North of Harry Street and east of Rock Road (1214 S. Rock Rd.)
PROPOSED USE:	125-foot high monopole tower



BACKGROUND: The applicant is seeking a Conditional Use to permit the construction of a 125-foot high monopole tower for use by T-Mobile. The subject property is zoned LC Limited Commercial and is located north of Harry Street and east of Rock Road at 1214 S. Rock Rd. Wireless Communication Facilities over 120 feet in height in the LC zoning district require a Conditional Use.

The tower is proposed to be located within a 0.03 acre lease area as shown on the attached site plan. Access to the site is proposed via a 20-foot wide ingress/egress and utility easement to Rock Road. The tower is proposed to be located in the center of lease area. The equipment compound is proposed to have building and/or equipment pads for four telecommunication providers. Since the equipment compound is located within 150 feet of residential zoning, screening of the equipment compound is required. The proposed tower location conforms to all setback requirements of the Compatibility Height Standard. Due the proximity of McConnell Air Force Base, Federal Aviation Administration (FAA) has limited the height of the tower to 130 feet.

The character of the surrounding area primarily commercial at the arterial intersection of Harry Street and Rock Road. Property to the north is zoned LC and developed primarily with restaurant and convenience retail uses. Properties to the west are zoned B Multi-Family Residential and are developed with apartments.

CASE HISTORY: The subject property is platted as part of the Triple J Addition, which was recorded November 1, 1973. A Use Exception to permit a self-service car wash was granted September 25, 1979; however, the facility was not constructed within the one-year time frame granted by the Board of Zoning Appeals.

ADJACENT ZONING AND LAND USE:

NORTH:	LC	Commercial strip center
SOUTH:	LC	Fast food restaurant, convenience store
EAST:	B	Apartments
WEST:	LC	Restaurant, retail

PUBLIC SERVICES: No municipally-supplied public services are required. The applicant will extend electrical and phone service to the site. The site has access to Rock Road, an arterial street.

CONFORMANCE TO PLANS/POLICIES: The Wireless Communication Master Plan outlines the guidelines for locating Wireless Communication Facilities. The proposed tower conforms with the following Design Guidelines of the Wireless Communication Master Plan: 1) is consistent with the existing commercial character of the area; 2) minimizes the silhouette by its monopole design; 3) uses colors and materials that blend in with the existing environment 4) is placed in an area where buildings obscure some of the facility from view; and 5) is screened through fencing. The Unified Zoning Code currently requires Supplementary Use Regulations pertaining to collocation requirements for Wireless Communication Facilities that are inconsistent with recently enacted changes to State Law; therefore, approval of the Conditional Use can only be granted by the City Council, since a waiver of Supplementary Use Regulations would be required.

RECOMMENDATION: Based upon the information available prior to the public hearings, planning staff recommends that the request be APPROVED subject to the following conditions:

A. The applicant shall obtain all permits necessary to construct the Wireless Communication Facility, and the Wireless Communication Facility shall be erected within one year of approval of the Conditional Use by the Governing Body.
B. The support structure shall be a "monopole" design that is silver or gray or a similar unobtrusive color with a matte finish to minimize glare.
C. The support structure shall be no taller than 125 feet in height, plus an additional five (5) feet for lightning suppression equipment.
D. The equipment compound shall be screened with a six (6) to eight (8) foot tall solid screening fence.
E. A site plan and elevation drawing indicating the approved design of the Wireless Communication Facility shall be submitted for approval by the Planning Director within 60 days of approval of the Conditional Use by the Governing Body and prior to the issuance of the Conditional Use Resolution.
F. The site shall be developed in general conformance with the approved site plans. All improvements shall be completed before the facility becomes operational.
G. The applicant shall obtain FAA approval regarding "objects affecting navigable airspace" and "impacts to terminal instrument procedures" for the proposed wireless communication facility and shall comply with all conditions of FAA approval. The applicant shall submit a copy of FAA approval to the Metropolitan Area Building and Construction Department prior to the issuance of a building permit.
H. The applicant shall obtain a Wichita Airport Hazard Zoning Permit Exemption for Area B from the Metropolitan Area Building and Construction Department prior to the issuance of a building permit.
I. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
J. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The character of the surrounding area primarily commercial at the arterial intersection of Harry Street and Rock Road. Properties to the north, south, and west are zoned LC and developed primarily with restaurant and convenience retail uses. Properties to the west are zoned B Multi-Family Residential and are developed with apartments.

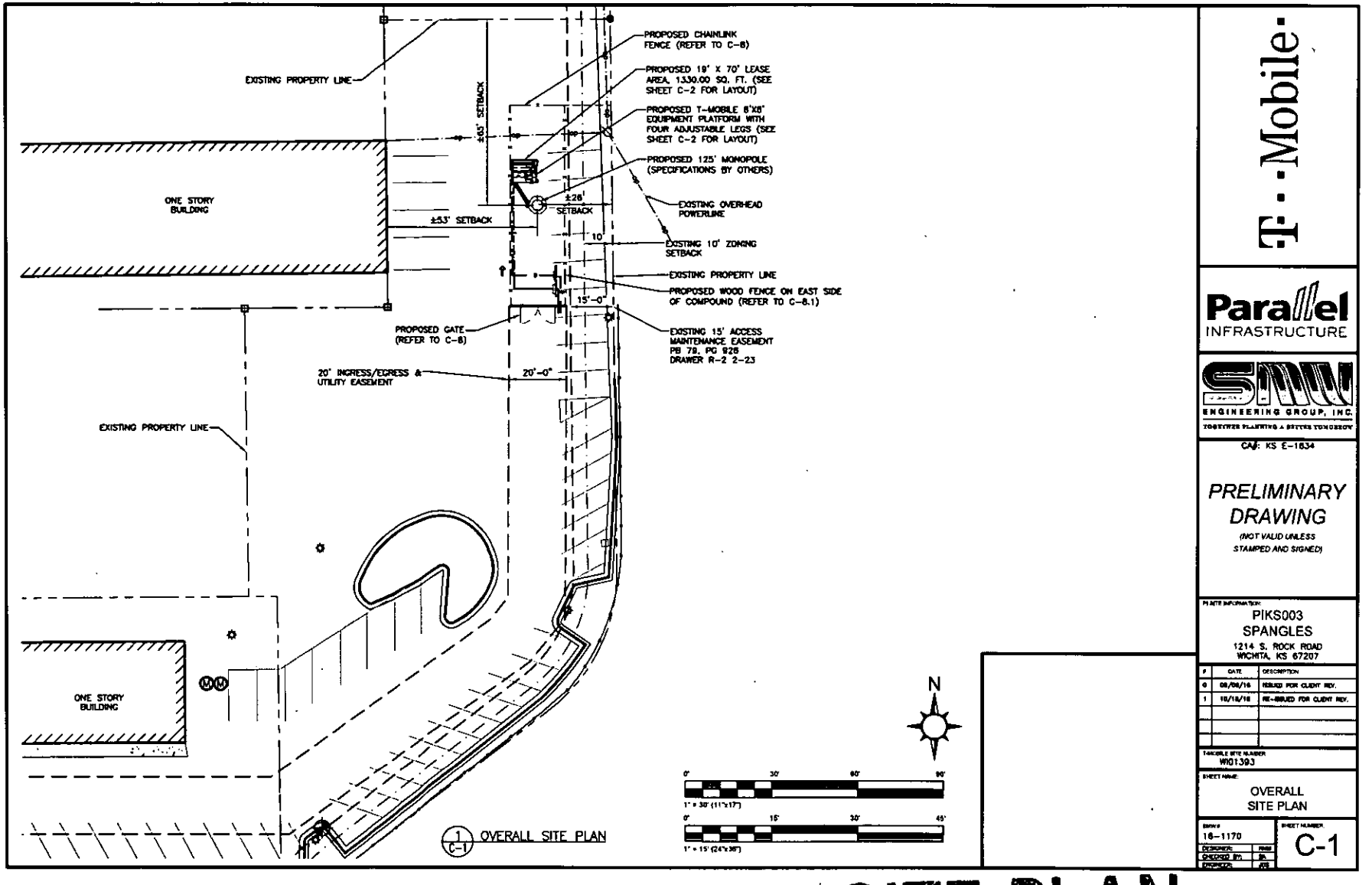
2. The suitability of the subject property for the uses to which it has been restricted: The site is zoned LC and is currently used as parking and service access. The parking provided on the site is in excess of requirements and service access will still be provided after construction of the tower. A Conditional Use may be granted to permit a Wireless Communication Facility in the LC zoning district; however, the facility should conform to the guidelines of the Wireless Communication Plan. The proposed facility conforms to the plan's guidelines.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: The proposed tower location conforms to all setback requirements of the Compatibility Height Standard.

4. Conformance of the requested change to the adopted or recognized Comprehensive Plan: The Wireless Communication Master outlines the guidelines for locating Wireless Communication Facilities. The proposed tower conforms with the following Design Guidelines of the Wireless

Communication Master Plan: 1) is consistent with the existing commercial character of the area; 2) minimizes the silhouette by it monopole design; 3) uses colors and materials that blend in with the existing environment 4) is placed in areas where buildings obscure some of the facility from view; 5) is screened through landscaping, walls, and/or fencing. The Unified Zoning Code currently requires Supplementary Use Regulations pertaining to collocation requirements for Wireless Communication Facilities that are inconsistent with recently enacted changes to State Law; therefore, approval of the Conditional Use can only be granted by the City Council, since a waiver of Supplementary Use Regulation would be required.

5. Impact of the proposed development on community facilities: FAA approval and a Wichita Airport Hazard Zoning Permit Exemption should ensure that the proposed tower does not detrimentally impact the operation of airports in the vicinity.



T-Mobile

Parallel INFRASTRUCTURE

SMW ENGINEERING GROUP, INC.

CA#: KS E-1834

PRELIMINARY DRAWING

(NOT VALID UNLESS STAMPED AND SIGNED)

PLANS INFORMATION:

PIKS003
SPANGLES
1214 S. ROCK ROAD
WICHITA, KS 67207

#	DATE	DESCRIPTION
0	08/08/16	ISSUED FOR CLIENT REV.
1	10/18/16	RE-ISSUED FOR CLIENT REV.

T-MOBILE SITE NUMBER
WI01393

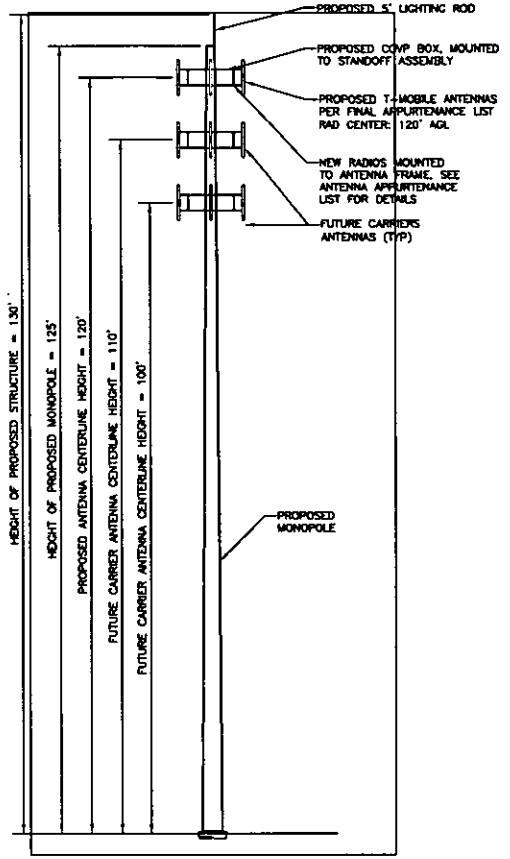
SHEET NAME:
OVERALL SITE PLAN

DRAWN BY: 16-1170
CHECKED BY: SK
APPROVED: JVS

SHEET NUMBER: C-1

SITE PLAN

APPROVED 10-24-16 BY SK



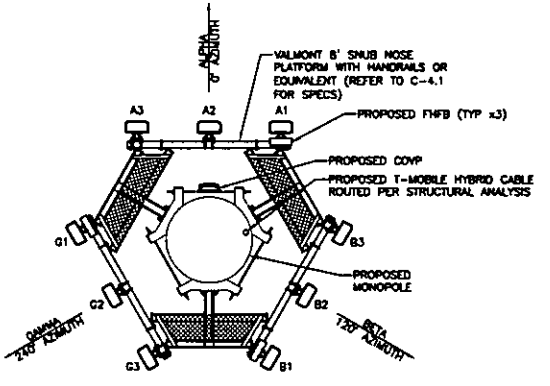
NOTES:
1. SMW HAS NOT PERFORMED A STRUCTURAL ANALYSIS OF THE EXISTING TOWER OR PROPOSED ANTENNA MOUNT. REFER TO STRUCTURAL ANALYSIS OR STRUCTURAL LETTER BY OTHERS FOR ADDITIONAL INFORMATION.
2. IF THE TOWER STRUCTURAL ANALYSIS SHOWS THE NEED FOR TOWER REINFORCEMENT REFER TO TOWER REINFORCEMENT DESIGN PRIOR TO THE INSTALLATION OF ANY PROPOSED EQUIPMENT.
3. REFER TO TOWER STRUCTURAL ANALYSIS FOR PROPOSED CABLE ROUTING AND ATTACHMENT DETAILS.
4. TOWER ELEVATION SHOWN IS NOT DRAWN TO SCALE AND IS INTENDED ONLY FOR REFERENCE PURPOSES. REFER TO ORIGINAL TOWER DESIGN FOR ADDITIONAL INFORMATION.
5. CONTRACTOR TO VERIFY FINAL RF DATA BEFORE STARTING CONSTRUCTION

1 / C-4 TOWER ELEVATION
NOT TO SCALE

T-MOBILE ANTENNA, EQUIPMENT, AND CABLE SCHEDULE

ANTENNA SECTOR	ANTENNA POSITION	ANTENNA TYPE	ANTENNA AZIMUTH	RAD CENTER	ANTENNA MODEL	RADIO/EQUIP MODEL	ANTENNA CABLE DESCRIPTION
ALPHA	A1	GSM	0°	120'	CELLMAX CMA-BDHH/6521/0-6/RMU/TB05	(1) FHFB	(1) 1.58" HYBRID CABLE (275')
	A2	UMTS	0°	120'	CELLMAX CMA-BDHH/6521/0-6/RMU/TB05	--	--
	A3	LTE	0°	120'	NOKIA FASB RAS	(1) COVP	--
BETA	B1	GSM	120°	120'	CELLMAX CMA-BDHH/6521/0-6/RMU/TB05	(1) FHFB	SHARED
	B2	UMTS	120°	120'	CELLMAX CMA-BDHH/6521/0-6/RMU/TB05	--	--
	B3	LTE	120°	120'	NOKIA FASB RAS	--	--
GAMMA	G1	GSM	240°	120'	CELLMAX CMA-BDHH/6521/0-6/RMU/TB05	(1) FHFB	SHARED
	G2	UMTS	240°	120'	CELLMAX CMA-BDHH/6521/0-6/RMU/TB05	--	--
	G3	LTE	240°	120'	NOKIA FASB RAS	--	--

CONTRACTOR TO VERIFY FINAL RF DATA SHEET BEFORE STARTING CONSTRUCTION



2 / C-4 PROPOSED ANTENNA ORIENTATION PLAN
NOT TO SCALE

T-Mobile

Parallel INFRASTRUCTURE

SMW ENGINEERING GROUP, INC.
TOGETHER PLANNING A BETTER TOMORROW

CA#: KS E-1634

PRELIMINARY DRAWING
(NOT VALID UNLESS STAMPED AND SIGNED)

PIKS003
SPANGLES
1214 S. ROCK ROAD
WICHITA, KS 67207

#	DATE	DESCRIPTION
0	08/08/16	ISSUED FOR CLIENT REV.

T-MOBILE SITE NUMBER
WI01393

SHEET NAME
TOWER ELEVATION & ANTENNA PLAN

DRAWN: 16-1170
DESIGNED: KMM
CHECKED BY: SA
APPROVED: JCS

SHEET NUMBER
C-4

SITE PLAN

APPROVED 10-24-16 BY