



**Wichita-Sedgwick County Metropolitan Area Planning Department**

May 26, 2015

Selective Site Consultants, Inc.  
c/o Justin Anderson  
9900 W. 109th St., Ste 300  
Overland Park, KS, 66210

**REFERENCE: CON2015-00005** – City Conditional Use request for a wireless communication Facility with a 100-foot wireless, galvanized steel, monopole cell tower on property generally located west of Seneca Street on the north side of 47th Street South.

Dear Applicant:

At its regular meeting on May 21, 2014, the Wichita - Sedgwick County Metropolitan Area Planning Commission (MAPC) considered the above captioned request. The action of the MAPC was to APPROVE the request, subject to the following conditions:

- A. This request must have the approval by the FAA in determining the proposed wireless communication facility with its 100-foot tall monopole tower pose no hazard to air navigation or interferes with other radio/communication frequencies; Form FAA 7460-1 Notice of Proposed Construction or Alteration. The applicant shall submit a current copy of FAA approval to the MAPD and the Code Enforcement Office prior to the issuance of a building permit.
- B. All requirements of Art. III Sec. III.D.6.g. of the Unified Zoning Code shall be met.
- C. 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.
- D. The support structure shall be a monopole design, as shown on the elevation and that generally conforms to the approved site elevation and that is silver or gray or a similar unobtrusive color with a matte finish to minimize glare.
- E. The support structure shall not exceed 100 feet in height and shall be designed and constructed to accommodate communication equipment for at least two (2) wireless service providers.

City Hall • 10th Floor • 455 North Main • Wichita, Kansas 67202-1688

T 316.268.4421 F 316.268.4390

[www.wichita.gov](http://www.wichita.gov)

**REFERENCE:** City Conditional Use request for a wireless communication facility with a 100-foot wireless, galvanized steel, monopole cell tower on property generally located west of Seneca Street on the north side of 47<sup>th</sup> Street South.

May 26, 2015

Page 2

- F. The tower site shall be developed in general conformance with the approved revised site and a landscape plan. These plans must show the type and size of fencing around the site, parking, all light poles, lights, power poles, cabinets, equipment or buildings within the fenced in site or in the immediate area if it is to be used by the site. The plan must identify existing and/or proposed trees and shrubs, give their total numbers and their general size to determine if it meets screening requirements of the Unified Zoning Code (UZC) Art. IV, Sec. IV-B.3.b.1. Evergreens will be planted a minimum size of 5-foot at the time of their planting, but be taller than 5-foot when mature and planted on 15-foot centers. The site plan must identify the all utility and or access easements. If it is proposed it must be recorded. If a surface is needed for the drive/access easement, it must be approved by the Zoning Administrator. All improvements and construction of the facility/tower shall be completed within a year and before the facility becomes operational.
- G. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations. Provide Public Works and the MABCD with any required plans for review and approval of the site.
- H. 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.

**NOTICE:** The public hearing on planning items is conducted by the MAPC under provisions of State Law. Adopted policy is that the City Council will not take additional testimony on zoning related applications and other issues for which the MAPC has held a public hearing. However, interested parties may file a written statement with the City Clerk by 5:00 p.m. on the Wednesday preceding this meeting, providing new facts on the issue or alleging an unfair hearing. The Council will determine from such statements whether to return the issue to the MAPC for reconsideration or to reverse their recommendation.

Property owners may also file written protest petitions on zoning related items heard by the MAPC. In order to be considered a "valid" petition, the signatures must reflect the correct and entire ownership of the property, the property must be at least partially within 200 feet of the property for which the application was filed, and must be submitted to the City Clerk within 14 days of the conclusion of the MAPC hearing, by June 4, 2015, at 5 PM. Such petitions may cause the application to be disapproved, if the land area encompassed by the protesting owners exceeds 20% of the land area within 200 feet of the perimeter of the application area, unless the Council overrides such a protest and approves the application by a vote of six (6) of its members.

If there are no valid protests or appeals of the recommendation of the MAPC the recommendation of the MAPC is final. If appeals or protest petitions are filed, your application will be forwarded to the July 7, 2015, City Council meeting as a non-consent item for final action. This meeting will be at 9 AM, 1st Floor City Hall, 455 N Main Street.

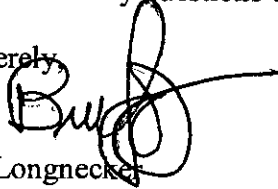
**REFERENCE:** City Conditional Use request for a wireless communication facility with a 100-foot wireless, galvanized steel, monopole cell tower on property generally located west of Seneca Street on the north side of 47<sup>th</sup> Street South.

May 26, 2015

Page 3

This is a reminder that the zoning notification signs should now be removed from the property. If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Longnecker", with a long horizontal flourish extending to the right.

Bill Longnecker  
Senior Planner

BL: mc

Copies to: Jeff Blubaugh, WCC IV Mail Stop 1-13  
Case Bell, CL IV, Mail Stop 1-13

**CONDITIONAL USE RESOLUTION NO. CON2015-00005**

**WHEREAS**, TDFW, LLC (owner) and Verizon Wireless, c/o Marion S Crable (applicant); 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 “a wireless communication facility”, on a 75-foot x 75-foot leased site and an access-utility easement located within approximately 2.00-acres zoned LC Limited Commercial (“LC”), described as:

A 75 foot by 75 foot land space situated in the Southeast Quarter of Section 18, Township 28 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas, more particularly described as follows: COMMENCING at the Southeast corner of said Section 18 (found ¾” Bar); thence along the South line of said Southeast Quarter, South 88 degrees 55’21” West, a distance of 319.46 feet; thence leaving said South line North 00 degrees 00’ 00” East, a distance of 190.67 feet to the POINT OF BEGINNING; thence continuing North 00 degrees 00’00” East, a distance of 75.00 feet; thence North 90 degrees 00’ 00” East, a distance of 75.00 feet; thence South 00 degrees 00’ 00” East a distance of 75.00 feet; thence North 90 degrees 00’00” West a distance of 75.00 tot the POINT OF BEGINNING

&

Non-Exclusive Access/Utility Easement - An irregular shaped Non-Exclusive Access/Utility Easement situated in the Southeast Quarter of Section 18, Township 28 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas, more particularly described as follows: COMMENCING at the Southeast corner of said Section 18 (Found ¾” Bar); thence along the South line of said Southeast Quarter, South 88 degrees 55’ 21” West, a distance of 319.46 feet; thence leaving said South line North 00 degrees 00’ 00” East, a distance of 170.67 feet to the POINT OF BEGINNING; thence continuing North 00 degrees 00’ 00” East, a distance of 20.00 feet; thence North 90 degrees 00’ 00” East, a distance of 75.00 feet; thence North 00 degrees 00’ 00” West, a distance of 31.00 feet; thence South 90 degrees 00’00” East, a distance of 15.00 feet; thence South 00 degrees 00’00” East, a distance of 130.73 feet; thence South 39 degrees 44’52” West, a distance of 24.90 feet; thence South 00 degrees 06’44” East, a distance of 20.39 feet to the North Right of Way line West 47th South as it presently exists; thence along said Right of Way line, South 88 degrees 55’21” West, a distance of 30.02 feet; thence leaving said Right of Way line, North 00 degrees 00’ 00” East, a distance of 31.83 feet; thence North 39 degrees 44’ 52” East, a distance of 24.87 feet; thence North 00 degrees 00’ 00” East, a distance of 68.88 feet; thence North 90 degrees 00’ 00” west, a distance of 60.00 feet to the POINT OF BEGINNING; generally located north of 47<sup>th</sup> Street South and west of Seneca Street, Wichita, Sedgwick County, Kansas.

**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 May 21, 2015, 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 Conditional Use for a “wireless communication facility”, on a 75-foot x 75-foot leased site and an access easement located within approximately 2.00-acres zoned LC

Limited Commercial ("LC"), described as:

A 75 foot by 75 foot land space situated in the Southeast Quarter of Section 18, Township 28 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas, more particularly described as follows: COMMENCING at the Southeast corner of said Section 18 (found 3/4" Bar); thence along the South line of said Southeast Quarter, South 88 degrees 55'21" West, a distance of 319.46 feet; thence leaving said South line North 00 degrees 00' 00" East, a distance of 190.67 feet to the POINT OF BEGINNING; thence continuing North 00 degrees 00'00" East, a distance of 75.00 feet; thence North 90 degrees 00' 00" East, a distance of 75.00 feet; thence South 00 degrees 00' 00" East a distance of 75.00 feet; thence North 90 degrees 00'00" West a distance of 75.00 tot the POINT OF BEGINNING

&

Non-Exclusive Access/Utility Easement - An irregular shaped Non-Exclusive Access/Utility Easement situated in the Southeast Quarter of Section 18, Township 28 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas, more particularly described as follows: COMMENCING at the Southeast corner of said Section 18 (Found 3/4" Bar); thence along the South line of said Southeast Quarter, South 88 degrees 55' 21" West, a distance of 319.46 feet; thence leaving said South line North 00 degrees 00' 00" East, a distance of 170.67 feet to the POINT OF BEGINNING; thence continuing North 00 degrees 00' 00" East, a distance of 20.00 feet; thence North 90 degrees 00' 00" East, a distance of 75.00 feet; thence North 00 degrees 00' 00" West, a distance of 31.00 feet; thence South 90 degrees 00'00" East, a distance of 15.00 feet; thence South 00 degrees 00'00" East, a distance of 130.73 feet; thence South 39 degrees 44'52" West, a distance of 24.90 feet; thence South 00 degrees 06'44" East, a distance of 20.39 feet to the North Right of Way line West 47th South as it presently exists; thence along said Right of Way line, South 88 degrees 55'21" West, a distance of 30.02 feet; thence leaving said Right of Way line, North 00 degrees 00' 00" East, a distance of 31.83 feet; thence North 39 degrees 44' 52" East, a distance of 24.87 feet; thence North 00 degrees 00' 00" East, a distance of 68.88 feet; thence North 90 degrees 00' 00" west, a distance of 60.00 feet to the POINT OF BEGINNING; generally located north of 47<sup>th</sup> Street South and west of Seneca Street, Wichita, Sedgwick County, Kansas.

Approved subject to the following conditions:

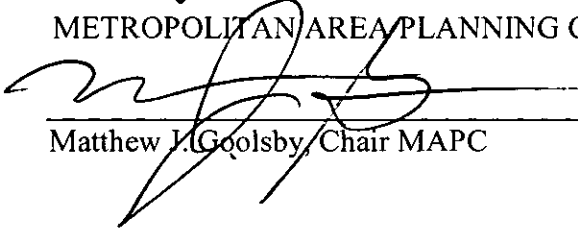
- A. This request must have the approval by the FAA in determining the proposed wireless communication facility with its 100-foot tall monopole tower pose no hazard to air navigation or interferes with other radio/communication frequencies; Form FAA 7460-1 Notice of Proposed Construction or Alteration. The applicant shall submit a current copy of FAA approval to the MAPD and the Code Enforcement Office prior to the issuance of a building permit.
- B. All requirements of Art. III Sec. III.D.6.g. of the Unified Zoning Code shall be met.
- C. 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.
- D. The support structure shall be a monopole design, as shown on the elevation and that generally conforms to the approved site elevation and that is silver or gray or a similar unobtrusive color with a matte finish to minimize glare.
- E. The support structure shall not exceed 100 feet in height and shall be designed and constructed to accommodate communication equipment for at least two (2) wireless service providers.
- F. The tower site shall be developed in general conformance with the approved revised site and a landscape plan. These plans must show the type and size of fencing around the site, parking, all light poles, lights, power poles, cabinets, equipment or buildings within the fenced in site or in the immediate area if it is to

be used by the site. The plan must identify existing and/or proposed trees and shrubs, give their total numbers and their general size to determine if it meets screening requirements of the Unified Zoning Code (UZC) Art. IV, Sec. IV-B.3.b.1. Evergreens will be planted a minimum size of 5-foot at the time of their planting, but be taller than 5-foot when mature and planted on 15-foot centers. The site plan must identify the all utility and or access easements. If it is proposed it must be recorded. If a surface is needed for the drive/access easement, it must be approved by the Zoning Administrator. All improvements and construction of the facility/tower shall be completed within a year and before the facility becomes operational.

- G. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations. Provide Public Works and the MABCD with any required plans for review and approval of the site.
- H. 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 21<sup>st</sup> day of May 2015.

METROPOLITAN AREA PLANNING COMMISSION

  
Matthew J. Goolsby, Chair MAPC

ATTEST:

  
John L. Schlegel, Secretary



**BACKGROUND:** The applicant, Verizon Wireless, is seeking a conditional use to permit the construction of a 100-foot tall, wireless, galvanized steel, undisguised monopole tower within a 50-foot (x) 50-foot lease site on the undeveloped, LC Limited Commercial (LC) zoned 2.00-acre property. The lease site is located approximately 190 feet north of 47<sup>th</sup> Street South and 185 feet west of Seneca Street. The site has access onto 47<sup>th</sup> Street South via a proposed access-utility easement. The LC zoning district allows, new undisguised ground-mounted wireless communication facilities of up to 120 feet in height. The site is located within Airport Hazard Zone Area D, which allows a 300-foot maximum height; the site's base zoning, LC, does not permit 300-foot maximum height. The site is not designated on the "Properties Eligible for an Administrative Permit for a Wireless Communication Facility Map," thus the conditional use request.

LC zoned single-family residences (built 1935, 1940) and what appears to be a nonconforming trailer park abut and are adjacent to the north side of the site. LC and SF-5 Single-Family Residential (SF-5) zoned single-family residences (built 1935, 1940 and 1970) and undeveloped land abut and are adjacent to the west side of the site. A LC zoned Sonic fast food restaurant abuts the east side of the site, with LC zoned auto repair and a small strip building located further east across Seneca Street. LC zoned properties located south of the site, across 47<sup>th</sup> Street South, are developed as a Kwik Shop convenience store, auto repair and undeveloped land. SF-5 zoned single-family residences (built late 1970s – mid 1980s) are located southwest of the site. Both the east abutting Sonic and the south adjacent Kwik Shop sites are shown on the "Properties Eligible for an Administrative Permit for a Wireless Communication Facility Map."

The applicant's RF Engineer has stated that the proposed facility is needed to provide coverage to an area that has minimal to low coverage. The applicant has provided current coverage and projected coverage maps showing the impact of the site in providing service to the area. The applicant has three mentioned candidate sites, including the proposed site. The other two sites are located the on the abutting east Sonic and the adjacent south Kwik Shop sites. Wireless communication providers are particularly encouraged to seek large park areas (but not limited to) for the new locations for new facilities. The applicant has not made contact with the Park Department in regards to using South Lakes Park, located less than ½-mile west of the site on the south side of 47th Street South.

The proposed tower and associated communication frequencies and wattages must meet standards determined by the Federal Aviation Administration (FAA) to insure it poses no hazard to air navigation or interferes with other radio/communication frequencies; this must be provided to staff prior to building permits being issued. Tower lighting must meet the FAA requirements for aircraft warning. The proposed galvanized surface of the tower will blend into the sky more readily than a red or white paint, which meets the intent of the "Design Guidelines" of the "Wireless Communication Master Plan." The proposed 100-foot tower will be designed for co-location for at least two (2) other providers. The proposed tower is shown with triangular antenna arrays.

**CASE HISTORY:** The four corners of the Seneca Street – 47<sup>th</sup> Street Shown intersection are shown as Light Commercial zoning on the 1958 County zoning map. This map reflects the zoning of County properties within a 3-mile ring of the City of Wichita. The site's area was annexed into the City 1961-1970.

**ADJACENT ZONING AND LAND USE:**

NORTH: LC, SF-5	Single-family residences, trailer park
SOUTH: LC, SF-5	Convenience store, undeveloped land, single-family residences
EAST: LC	Fast food restaurant, auto repair garage, strip commercial building
WEST: LC, SF-5	Single-family residences, undeveloped land

**PUBLIC SERVICES:** No municipally supplied public services are required. The applicant will extend electrical service to the site. The site has a proposed access easement to 47<sup>th</sup> Street South, a paved four-lane arterial street with a center turn lane and traffic lights at this location. The proposed wireless communication facility and its 100-foot tall tower will generate less traffic onto 47<sup>th</sup> Street South than any of the commercial and residential uses in the area.

**CONFORMANCE TO PLANS/POLICIES:** The “2013 Land Use Guide of the Comprehensive Plan” (Plan) identifies the LC zoned site as “urban residential.” The urban residential category encompasses areas that reflect the full diversity of residential development densities and types typically found in large urban municipality. The site’s LC zoning is not appropriate for the urban residential category, but it is not out of character with the LC zoning located on the four sides of the 47<sup>th</sup> Street South – Seneca Street intersection. The local commercial designation reflects the site’s zoning as shown on the 1958 County zoning map. The UZC considers a wireless communication facility a commercial use.

The LC zoning district allows, new undisguised ground-mounted wireless communication facilities of up to 120 feet in height. The site is located within Airport Hazard Zone Area D, which allows a 300-foot maximum height; the site’s base zoning, LC, does not permit 300-foot maximum height. The site is not designated on the “Properties Eligible for an Administrative Permit for a Wireless Communication Facility Map,” thus the conditional use request.

The Wireless Communication Master Plan is an element of the Comprehensive Plan that outlines the guidelines for locating wireless communication facilities. It states that all towers comply with the compatibility setback standards. The applicant’s site plan shows the tower meeting the compatibility setback standards. The Design Guidelines of the Wireless Communication Master Plan indicate that new facilities should: 1) preserve the pre-existing character of the area as much as possible. The proposed 100-foot monopole tower is not the first tower in the general area, as there is a 150-foot tall tower, CON2005-00035, located less than a half-mile northwest of the site as well as a smaller tower located on a USD 259 elementary tower located across the street from CON2005-00035. The proposed tower’s close proximity to the area’s residential development residential areas is supposed to provide improved service to Verizon’s residential and nonresidential customers in this part of Wichita and Sedgwick County; 2) Minimize the height, mass, or proportion. Making the tower shorter may lead to more towers that would be needed to provide the desired coverage; 3) Minimize the silhouette. Monopoles and certain lattice type structures (think City microwave towers) are recommended for up to 150-feet, with antennas mounted flush to the support structure over triangular antenna arrays. However, triangular antenna arrays tend to provide better coverage; 4) Use colors, textures, and materials that blend in with the existing environment. The monopole will have a galvanized surface, which will blend into the sky more readily than red or white paint; 5) Be concealed or disguised as a flagpole, clock tower, or church steeple. These design disguises were not mentioned in the application; 6) Be placed in areas where trees and/or buildings obscure some or all of the facility. The undeveloped site has existing trees,

that appear to be primarily un-kept Siberian or Chinese Elms scattered throughout the two-acre site that provide some cover for a 100-foot tall monopole, if they are preserved and cared for. Planting large evergreens and solid screening could provide cover from the ground up to 20-40 feet; 7) Be placed on walls or roofs of buildings. The tower map addresses co-location opportunities on other towers, specifically CON2005-00035's 150-foot tower; 8) Be screened through landscaping, walls, and/or fencing. Planting junipers/evergreens (a minimum of 5 feet tall at the planting, spaced 15 feet apart, center to center of each juniper/evergreen. This spacing will provide solid screening when the junipers/evergreens mature and with proper care provide a more attractive and efficient screening than a 6-8-foot tall wooden privacy fence; and 9) Painting towers red and white instead of using strobe lighting. The applicant has stated that there will be no strobes and that it will be a galvanized steel finish. NOTE: Since the time the Wireless Communication Master Plan was first adopted, the FAA changed their regulations to require daytime strobe lighting; whereas, when the plan was adopted, the FAA allowed painted towers red and white instead of using strobe lighting.

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

- A. This request must have the approval by the FAA in determining the proposed wireless communication facility with its 100-foot tall monopole tower pose no hazard to air navigation or interferes with other radio/communication frequencies; Form FAA 7460-1 Notice of Proposed Construction or Alteration. The applicant shall submit a current copy of FAA approval to the MAPD and the Code Enforcement Office prior to the issuance of a building permit.
- B. All requirements of Art. III Sec. III.D.6.g. of the Unified Zoning Code shall be met.
- C. 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.
- D. The support structure shall be a monopole design, as shown on the elevation and that generally conforms to the approved site elevation and that is silver or gray or a similar unobtrusive color with a matte finish to minimize glare.
- E. The support structure shall not exceed 100 feet in height and shall be designed and constructed to accommodate communication equipment for at least two (2) wireless service providers.
- F. The tower site shall be developed in general conformance with the approved revised site and a landscape plan. These plans must show the type and size of fencing around the site, parking, all light poles, lights, power poles, cabinets, equipment or buildings within the fenced in site or in the immediate area if it is to be used by the site. The plan must identify existing and/or proposed trees and shrubs, give their total numbers and their general size to determine if it meets screening requirements of the Unified Zoning Code (UZO) Art. IV, Sec. IV-B.3.b.1. Evergreens will be planted a minimum size of 5-foot at the time of their planting, but be taller than 5-foot when mature and planted on 15-foot centers. The site plan must identify the all utility and or access easements. If it is proposed it must be recorded. If a surface is needed for the drive/access easement, it must be approved by the Zoning Administrator. All improvements and construction of the facility/tower shall be completed within a year and before the facility becomes operational.
- G. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations. Provide Public Works and the MABCD with any required plans for review and approval of the site.

- H. 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 undeveloped LC zoned site located on the northwest corner of 47<sup>th</sup> Street South and Seneca Street. LC zoned single-family residences (built 1935, 1940) and what appears to be a nonconforming trailer park abut and are adjacent to the north side of the site. LC and SF-5 Single-Family Residential zoned single-family residences (built 1935, 1940 and 1970) and undeveloped land abut and are adjacent to the west side of the site. A LC zoned Sonic fast food restaurant abuts the east side of the site, with LC zoned auto repair and a small strip building located further east across Seneca Street. LC zoned properties located south of the site, across 47<sup>th</sup> Street South, are developed as a Kwik Shop convenience store, auto repair and undeveloped land. SF-5 zoned single-family residences (built late 1970s – mid 1980s) are located southwest of the site. Both the east abutting Sonic and the south adjacent Kwik Shop sites are shown on the “Properties Eligible for an Administrative Permit for a Wireless Communication Facility Map.”
2. **The suitability of the subject property for the uses to which it has been restricted:** The site is zoned LC and is currently undeveloped. The site could be developed for many commercial, office and residential uses by right. The proposed tower would introduce a new use to the area.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** The proposed 100-foot tall, wireless, galvanized steel, monopole would be the first in the immediate area. Its visual impact is undeniable, however the conditions of approval will add landscaping around the site, to help minimize the eye level visual impact. The area’s residence will weigh the touted benefits of the proposed wireless communication facility and its 100-foot tall monopole tower against the site’s visual impact.
4. **Conformance of the requested change to the adopted or recognized Comprehensive Plan:** The “2013 Land Use Guide of the Comprehensive Plan” (Plan) identifies the LC zoned site as “urban residential.” The urban residential category encompasses areas that reflect the full diversity of residential development densities and types typically found in large urban municipality. The site’s LC zoning is not appropriate for the urban residential category, but it is not out of character with the LC zoning located on the four sides of the 47<sup>th</sup> Street South – Seneca Street intersection. The local commercial designation reflects the site’s zoning as shown on the 1958 County zoning map. The UZC considers a wireless communication facility a commercial use.

The LC zoning district allows, new undisguised ground-mounted wireless communication facilities of up to 120 feet in height. The site is located within Airport Hazard Zone Area D, which allows a 300-foot maximum height; the site’s base zoning, LC, does not permit 300-foot

maximum height. The site is not designated on the “Properties Eligible for an Administrative Permit for a Wireless Communication Facility Map,” thus the conditional use request.

The Wireless Communication Master Plan is an element of the Comprehensive Plan that outlines the guidelines for locating wireless communication facilities. The proposed site mostly conforms to the guidelines of the Wireless Communication Master Plan for locating wireless communication facilities. Wireless communication providers are particularly encouraged to seek large park areas (but not limited to) for the new locations for new facilities. The applicant has not made contact with the Park Department in regards to using South Lakes Park, located less than ½-mile west of the site on the south side of 47th Street South. The proposed wireless communication facility with its 100-foot tall tower is supposed to provide improved service to the Verizon customers in this part of Wichita and Sedgwick County. The UZC considers a wireless communication facility a commercial type of use.

5. **Impact of the proposed development on community facilities:** FAA approval should ensure that the proposed tower is not a hazard to air navigation (including the need or not for lighting) and that the tower does not interfere with other radio/communication frequencies. Traffic coming to and leaving the site will be less than the surrounding uses.

WICC 47TH & SENECA  
PART OF THE SE 1/4, SECTION 18, T28S, R1E,  
IN SEDGWICK COUNTY, KANSAS

PROPERTY DESCRIPTION: LESSOR LAND SPACE

A 75 feet by 75 feet Land Space situated in the Southeast Quarter of Section 18, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas, more particularly described as follows:

COMMENCING at the Southeast Corner of said Section 18 (Found 3/4" Bar); thence along the South line of said Southeast Quarter, South 88°55'21" West, a distance of 294.46 feet; thence leaving said South line, North 00°00'00" East, a distance of 190.20 feet to the POINT OF BEGINNING; thence continuing North 00°00'00" East, a distance of 50.00 feet; thence North 90°00'00" East, a distance of 50.00 feet; thence South 00°00'00" East, a distance of 50.00 feet; thence North 90°00'00" West, a distance of 50.00 feet to the POINT OF BEGINNING. Containing 2,500 square feet.

PROPERTY DESCRIPTION: LESSOR NON-EXCLUSIVE ACCESS/UTILITY EASEMENT

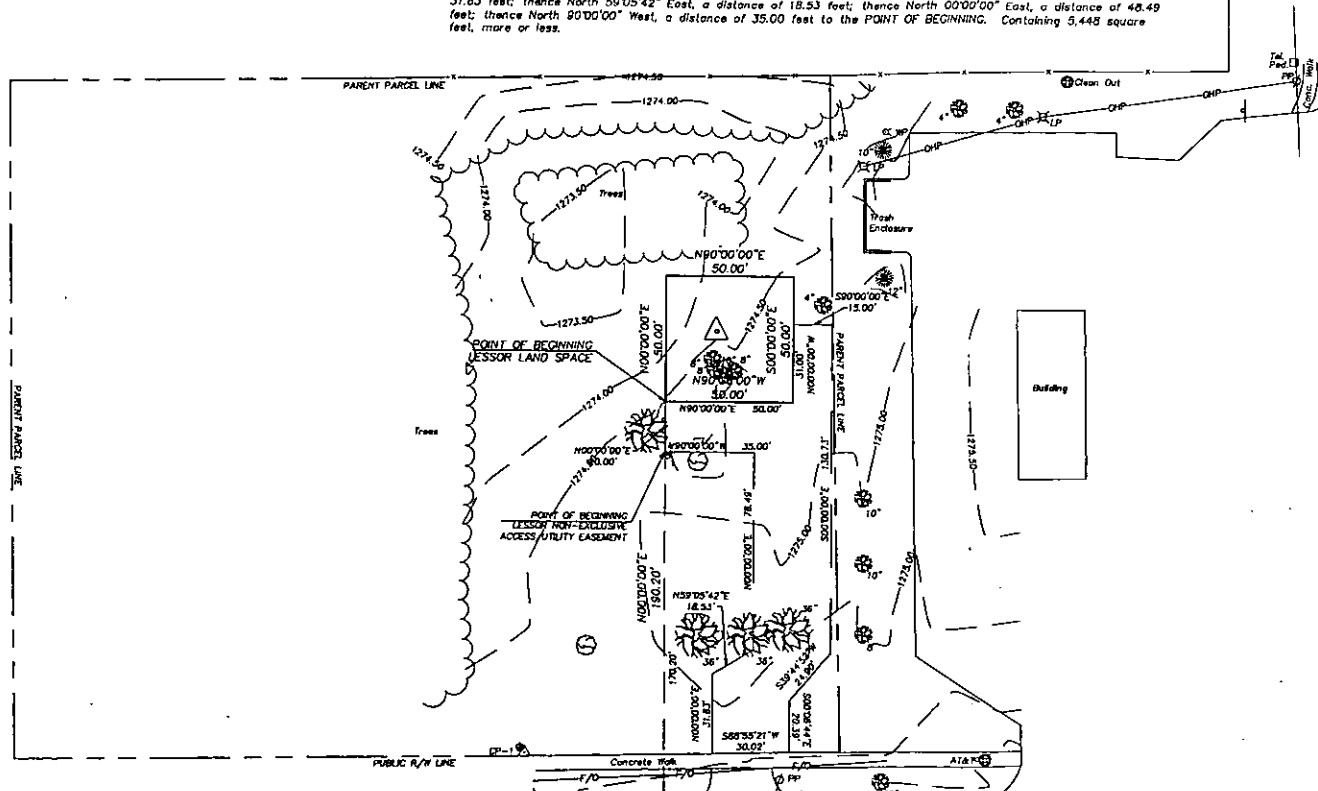
An irregular shaped Non-Exclusive Access/Utility Easement situated in the Southeast Quarter of Section 18, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas, more particularly described as follows:

COMMENCING at the Southeast Corner of said Section 18 (Found 3/4" Bar); thence along the South line of said Southeast Quarter, South 88°55'21" West, a distance of 294.46 feet; thence leaving said South line, North 00°00'00" East, a distance of 170.20 feet to the POINT OF BEGINNING; thence continuing North 00°00'00" East, a distance of 20.00 feet; thence North 90°00'00" East, a distance of 50.00 feet; thence North 00°00'00" West, a distance of 31.00 feet; thence South 90°00'00" East, a distance of 13.00 feet; thence South 00°00'00" East, a distance of 130.73 feet; thence South 39°44'52" West, a distance of 24.90 feet; thence South 00°06'44" East, a distance of 20.39 feet to the North Right of Way line of W 47TH STREET 5 as it presently exists; thence along said Right of Way line, South 88°55'21" West, a distance of 30.02 feet; thence leaving said Right of Way line, North 00°00'00" East, a distance of 31.83 feet; thence North 90°05'42" East, a distance of 18.53 feet; thence North 00°00'00" East, a distance of 48.49 feet; thence North 90°00'00" West, a distance of 35.00 feet to the POINT OF BEGINNING. Containing 5,448 square feet, more or less.

PROPOSED CELL TOWER DATA  
Center of Tower  
Lat 37°36'30.697" North  
Long 97°21'11.638" West  
Ground Elevation = 1274ft

BENCH MARK  
Top of 1/2" Iron Bar w/  
Control Cap at CP-1  
Elevation = 1275.08ft

LEGEND	
POWER POLE	PP
LIGHT POLES	LP
TELEPHONE PEDESTAL	TP
WELL PUMP	WP
SIGN	—
BENCHMARK	◆
CONTROL POINT	△
SECTION CORNER	□
MANHOLE (SAN., STORM, TEL.)	⊙
TOWER POINT	⊙
TREE (DIA.)	⊙
PINE TREE (DIA.)	⊙
BUSH	⊙
TREE LINE	—
OVERHEAD POWER LINE	OP
UNDERGROUND FIBER OPTIC LINE	F/O



Property information shown hereon was provided by Old Republic National Title Insurance Company, File No. 0661606, effective May 1, 2014 at 7:00 am.

Schedule B information affecting Land Space and associated Right of Ways is noted unless shown hereon.

Schedule B information not shown hereon: NONE

Notes:

Bearings shown hereon are based on Kansas State Plane Coordinate System of 1983 (NAD 83).

Coordinates were derived using GPS Static Survey methods and post processed data with Magellan/Astech receivers and "Locus System" processor software.

The purpose of this survey is to establish and describe a Land Space and associated Right of Ways. This is not a boundary survey of the Parent Parcel.

\*\* An utility locate was requested in September of 2014, as Ticket No. 14399705.

The utilities as shown on this drawing were developed from the information available (existing utility maps, aboveground observations and/or surface markings placed on the ground by the utility company or a representative thereof). This company has made no attempt to excavate or go below surface to locate utilities and does not extend or imply a warranty or liability as to the exact location of or complete inventory of utilities in this area. It shall be the contractor's responsibility to verify the location and depth of all utilities (whether shown or not) prior to excavation or construction and to protect said utilities from damage.

SE 1/4 Cor. Section 18-T28S-R1E  
(Found 3/4" Bar)

PROPERTY DESCRIPTION: Parent Parcel as Provided

The East 549 feet of the South 319.17 feet of the SE/4 of the SE/4 of Section 18, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas;

EXCEPT the East 225 feet thereof; AND EXCEPT that part as condemned in Case No. 92 C 465, in the District Court of Sedgwick County, Kansas, for road purposes;

AND EXCEPT that part commencing at the Southeast corner of the SE/4 of Section 18, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas; thence west along the South line of said SE/4, a distance of 225.00 feet; thence north parallel to the East line of said SE/4, a distance of 40.00 feet to the point of beginning; thence west along the North line of that part condemned in Case 92 C 465, a distance of 164.00 feet; thence south parallel to the West line of that part condemned in Case 92 C 465, a distance of 10.00 feet; thence west parallel to the South line of said SE/4, a distance of 160.00 feet; thence north parallel to the East line of said SE/4, a distance of 20.00 feet; thence east parallel to the South line of said SE/4, a distance of 324.00 feet; thence south parallel to the East line of said SE/4, a distance of 10.00 feet to the point of beginning.

NOTE: The parent parcel graphically shown hereon, in full or in part, is the same as that described above.

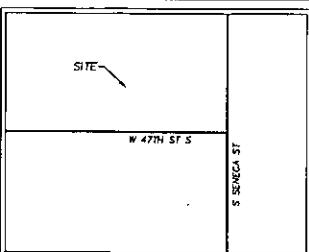
APPROVED  
JEFFREY B. LOVELACE  
SURVEYOR  
SITE PLAN

CERTIFICATION:

I HEREBY CERTIFY THAT A SURVEY WAS MADE BY ME, OR UNDER MY DIRECT SUPERVISION, ON THE GROUND OF THE LAND SPACE, AND ASSOCIATED RIGHT OF WAY PREMISES HEREIN DESCRIBED, AND THE RESULTS OF SAID SURVEY ARE REPRESENTED HEREON TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

JEFFREY B. LOVELACE KS-LS1326  
DATE: \_\_\_\_\_

01-19-15: REVISED A/E  
12-11-14: ADDED A/E AND TITLE



SURVEY COORDINATED BY:

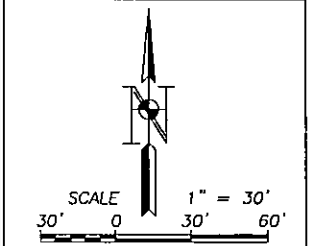
LOVELACE AND ASSOCIATES, LLC  
P.O. BOX 68  
LEE'S SUMMIT, MO 64063  
TELEPHONE: 816-347-9997  
FAX: 816-347-9979

SURVEY PROVIDED BY:

LOVELACE AND ASSOCIATES, LLC  
P.O. BOX 68  
LEE'S SUMMIT, MO 64063  
TELEPHONE: 816-347-9997  
FAX: 816-347-9979

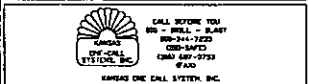
SURVEY PROVIDED FOR:

SSC  
9900 W. 109TH STREET,  
SUITE 300  
OVERLAND PARK, KS 66210  
TELEPHONE: 913-438-7700



FLOOD NOTE:

According to my interpretations of Community Flood Insurance Rate Map No. 2017300503E of the Flood Insurance Rate Map for Sedgwick County, Kansas, dated 02-02-2007, the subject property is in Flood Zone "X", i.e. "areas determined to be Outside 500 year flood plain".



SITE I.D.: NA

SITE NAME: WCC 47TH & SENECA

SITE LOCATION:  
CITY OF MICHITA,  
SEGDWICK COUNTY, KS

LA PROJECT NO.: 14391

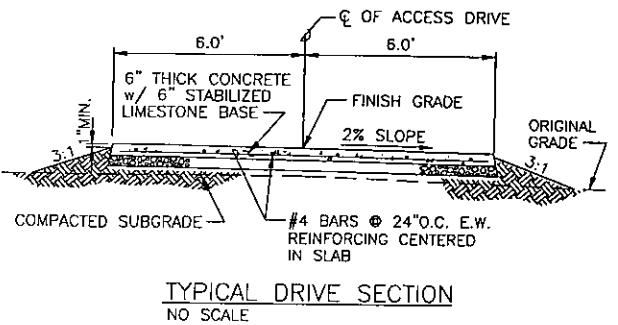
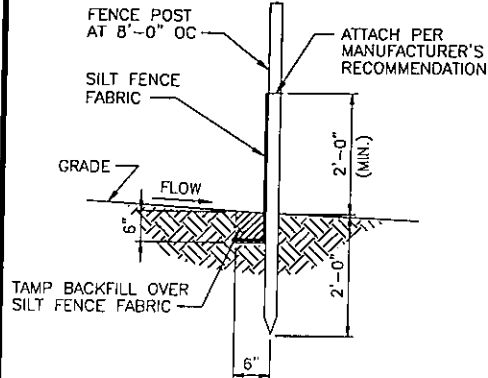
DRAWN BY: A.C.T.

CHECKED BY: J.B.L.

DATE: 10-01-14

FIELDWORK DATE: 09-25-14

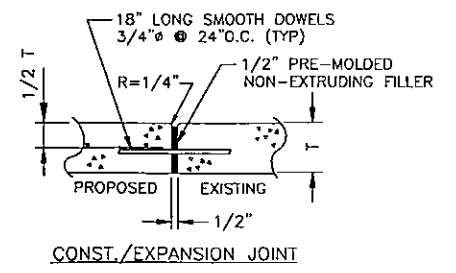
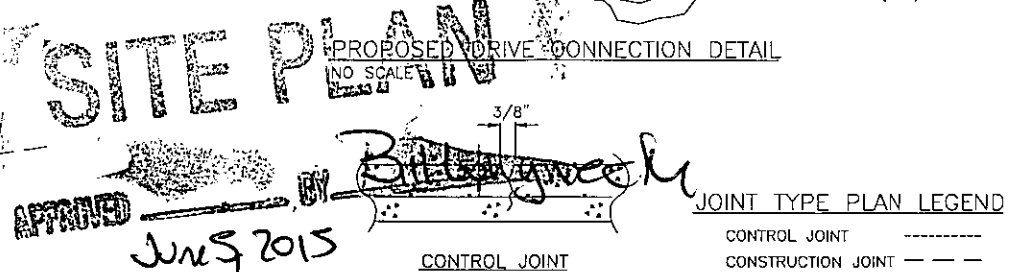
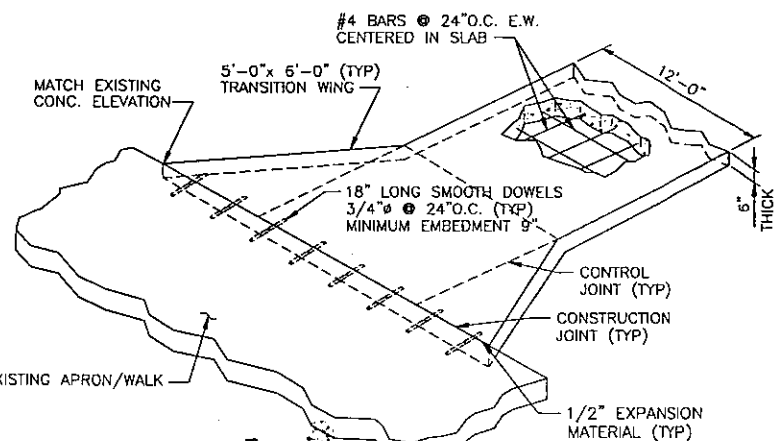
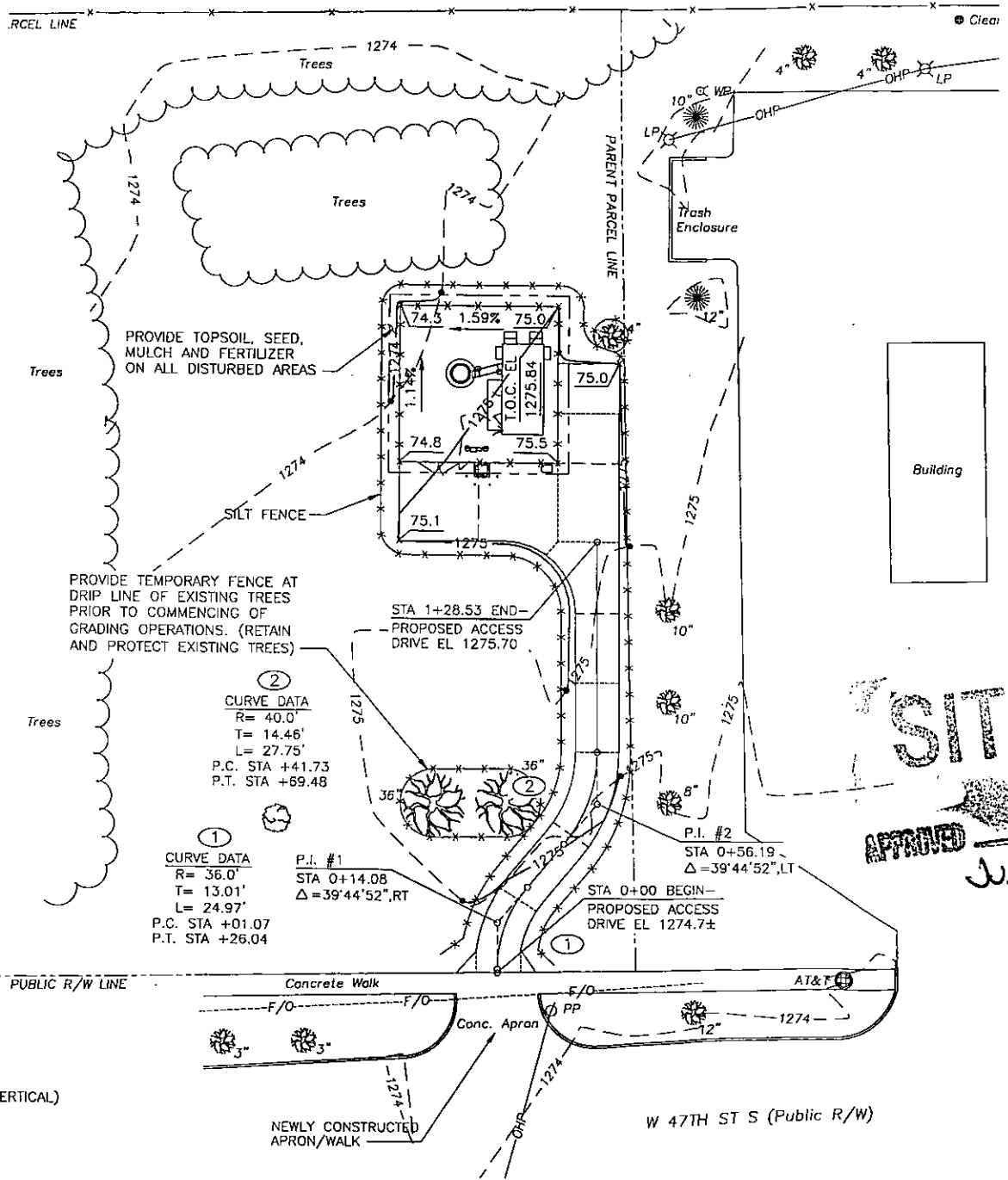
SHEET NUMBER  
1 OF 1



- SILTATION NOTES:**
1. SILTATION CONTROL DEVICES TO REMAIN IN PLACE UNTIL ADEQUATE VEGETATION GROWTH INSURES NO FURTHER EROSION.
  2. SILTATION FENCES SHALL BE INSPECTED PERIODICALLY FOR DAMAGE AND FOR THE AMOUNT OF SEDIMENTATION WHICH HAS ACCUMULATED. REMOVAL OF SEDIMENT WILL BE REQUIRED WHEN IT REACHES 1/2 FENCE HEIGHT.
  3. ATTACHMENT OF GEOTEXTILE FABRIC TO BE IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS.
  4. SILT FENCING TO BE USED AT ALL AREAS OF EXCAVATION.

- GRADING AND CONSTRUCTION NOTES:**
1. STRIP THE GROUND OF ALL VEGETATION AND DEBRIS.
  2. PROOF ROLL WITH LOADED TANDEM TRUCKS TO IDENTIFY SOFT SPOTS.
  3. REMOVE SOFT SPOT MATERIAL AND REPLACE WITH BACKFILL.
  4. COMPACT UPPER 9" OF SUBGRADE BELOW GRANULAR SUB BASE TO 98% OF STANDARD PROCTOR DENSITY (ASTM D698). ALL SUBGRADE BELOW THIS 9" LAYER SHALL BE COMPACTED TO 95% OF STANDARD PROCTOR DENSITY.
  5. INSTALL GRANULAR SUB BASE AND COMPACT TO 98% STANDARD PROCTOR DENSITY (ASTM D698) OR 65% RELATIVE DENSITY (ASTM D4253, ASTM D4254)
  6. CONCRETE SHALL BE 4000 P.S.I. MIN. COMPRESSIVE STRENGTH
  7. SEE SPECIFICATIONS DRAWINGS FOR REQUIREMENTS OF BACKFILL MATERIAL.
  8. ENTIRE DRIVE LENGTH SHALL BE POSITIVE DRAINING DURING, AND AT COMPLETION OF CONSTRUCTION.
  9. CONTRACTOR SHALL OBTAIN ANY SITE SPECIFIC SOILS REPORTS AND FOLLOW ALL RECOMMENDATIONS. A DISCREPANCY BETWEEN CONSTRUCTION DRAWINGS AND SOILS REPORT, THE GEOTECHNICAL REPORT SHALL GOVERN. SSC TO BE NOTIFIED OF DISCREPANCY.

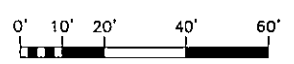
- CLEAR AND GRUB NOTES:**
1. CLEAR AND GRUB THE AREA WITHIN THE LIMITS OF THE SITE AND EASEMENTS. REMOVE TREES AND STUMPS NO LESS THAN 12 INCHES BELOW GRADE. RAKE, DISK OR PLOW THE AREA TO A DEPTH NO LESS THAN 6 INCHES.
  2. ADDITIONAL CLEAR AND GRUB MAY BE REQUIRED IN AREAS OF PROPOSED OVERHEAD POWER AND TELEPHONE.
  3. REMOVE FROM THE SITE AND DISPOSE IN AN AUTHORIZED LANDFILL ALL DEBRIS RESULTING FROM CLEARING AND GRUBBING OPERATIONS. BURNING IS NOT PERMITTED.



**NOTE:**

1. SLOPES SHALL NOT EXCEED 3:1 (3 FEET HORIZONTAL TO 1 FOOT VERTICAL)

GRADING PLAN



PLANS PREPARED BY:

9900 West 109th Street, Suite 300  
 Overland Park, Kansas 66210  
 Phone: 913-438-7700  
 Fax: 913-438-7777

ENGINEERING LICENSE:

STATE OF KANSAS  
 PE CERTIFICATE OF AUTHORIZATION #E-55555

ENGINEER: PE #

MLO MICHAEL L OWENS STRUCTURAL/CIVIL SC  
 KV KEVIN VANMAEL STRUCTURAL/CIVIL SC  
 REJ ROBERT E. REISLING 6250 ELECTRICAL E  
 TMS TERRY M. REISLING 6250 ELECTRICAL E  
 BDK BARRY D. REISLING 13654 ELECTRICAL E

**DRAWING NOTICE:**

THIS DRAWING HAS NOT BEEN PUBLISHED AND IS THE SOLE PROPERTY OF SSC, INC. AND IS LENT TO THE BORROWER FOR THEIR CONFIDENTIAL USE ONLY, AND IN CONSIDERATION OF THE LOAN OF THIS DRAWING, THE BORROWER PROMISES AND AGREES TO RETURN IT UPON REQUEST AND AGREES THAT IT WILL NOT BE REPRODUCED, COPIED, LENT OR OTHERWISE DISPOSED OF DIRECTLY OR INDIRECTLY, NOR USED FOR ANY PURPOSE OTHER THAN FOR WHICH IT IS FURNISHED.

**SUBMITTALS**

DESCRIPTION	DATE	BY	REV
ISSUED FOR REVIEW	12/11/14	RKT	A
ISSUED FOR LESSOR REVIEW	01/19/15	RKT	B
PER LESSOR COMMENTS	01/23/15	RKT	C

SITE NAME:  
**WICC 47TH & SENECA**

SITE NUMBER:  
**291562**

SITE ADDRESS:  
**1208 WEST 47TH STREET SOUTH  
 WICHITA, KANSAS  
 67217**

SHEET DESCRIPTION:  
**GRADING PLAN**

SSC #: \_\_\_\_\_ SHEET NUMBER:  
**A-4**

**APPROVED** BY *Bill [Signature]*  
 JUN 9 2015

