CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

April 10, 2024

Hopper Development, Inc.
880 East Bayley Street
Wichita, KS 67211

RE: CON2024-00013 – Administrative Permit in the City to permit a 105-foot telecommunications tower with a 5-foot lightning rod on property zoned Limited Industrial District, generally located on the west side of South Mosley Avenue, within one-quarter mile north of East Harry Street (1325 South Mosley)

PARENT PARCEL DESCRIPTION: Lots 10 and 11, Block 3, Perry's Addition, Wichita, Sedgwick County, Kansas.

LEASE AREA DESCRIPTION: A 35-foot by 45-foot lease area situated in Lot 11, Block 3, Perry's Addition, in Sedgwick County Kansas, more particularly described as COMMENCING at the southwest corner; thence along the west line thereof, N00°47'45"W, a distance of 45 feet; thence leaving said west line, N89°12'15"E, a distance of 11.08 feet to the POINT OF BEGINNING; thence continuing N89°12'15"E, a distance of 45 feet; thence S00°47'45"E, a distance of 35 feet; thence S89°12'15"W, a distance of 45 feet; thence N00°47'45"W, a distance of 35 feet to the POINT OF BEGINNING.

Dear Applicants,

We have reviewed your request for an Administrative Permit for a 105-foot Wireless Communication Facility (monopole) on property zoned LI Limited Industrial District (LI); located at 1325 South Mosley. You have stated that the facility is needed to provide additional wireless coverage in the area. Nothing in the determination of this Administrative Permit shall preclude you from either submitting an application for a different site or for applying for a cell tower whose height is allowed by right.

The Wireless Communication Master Plan (and Section III-D.6.g.3 of the Unified Zoning Code) states that new ground-mounted Wireless Communication Facilities up to 150 feet in height in the LI District shall be approved by Administrative Permit if they conform to the Compatibility Height Standards of Section IV-C.5.b of the Wichita-Sedgwick County Unified Zoning Code (UZC) and the Location/Design Guidelines of the Wireless Communication Master Plan.

Compatibility Height Standards, Section IV-C.5.b of the Unified Zoning Code

The Compatibility Height Standards require the proposed 105-foot tall tower be located no closer than 105 feet from the lot line of property zoned TF-3 Two-Family Residential District (TF-3) or more restrictive. The nearest property zoned TF-3 or more restrictive is approximately 250 feet to the west. Therefore, we find that the request conforms to the Compatibility Height Standards of Section IV-C.5.b of the Unified Zoning Code.

Location/Design Guidelines of the Wireless Communication Master Plan

In reviewing the request's conformance to the Location/Design Guidelines of the Wireless Communication Mater Plan, we find the following:

1. Preserving the pre-existing character of the area as much as possible.
    a. *Staff review: the pre-existing character of the area is heavy commercial and industrial. The nearest residential use area is approximately 250 feet to the east, with commercial and/or industrial uses in between. Locating a tower in this area will not detract from the pre-existing character.*

2. Minimizing the height, mass or proportion of the facility to minimize conflict with the character of its proposed surroundings.
    a. *Staff Review: The proposed height of 105 feet is the shorter than the permitted 150-foot height that can be considered by Administrative Permit in the LI District. An Administrative Permit for a tower of this height can be approved if the tower conforms to the Compatibility Height Standards of the UZC and the Location/Design Guidelines of the Wireless Communication Master Plan. The proposed tower would minimize the mass by utilizing a monopole structure.*

3. Minimizing the silhouette presented by new support structures and antenna arrays. Lattice-type support structures are generally appropriate in areas outside the "Urban Growth Areas" identified in the Wichita-Sedgwick County Comprehensive Plan. Lattice-type support structures inside the Urban Growth Area boundaries generally should be limited to installations that have antennas mounted flush to the support structure with cables attached to the main support arms rather than the girders. When an antenna array that protrudes from the wireless communication facility is used on a support structure inside the Urban Growth Area boundaries, the support structure generally should be a monopole.
    a. *Staff Review: The proposed tower would utilize a monopole structure, which would minimize the silhouette presented by the support structure.*

4. Using colors, textures and materials that blend in with the existing environment and minimize reflection; under some circumstances, surfaces should be painted, or otherwise treated, to match or complement existing background structures or utility poles, as appropriate.
    a. *Staff Review: The proposed tower would utilize galvanized steel, which generally minimizes the visual impact of the tower.*

5. Concealing facilities within potential space in or on existing structures, or disguised to look like another type of facility, like a flagpole, clock tower, or church steeple.
    a. *Staff Review: Not applicable at this location.*

6. Placing facilities in areas where trees and/or buildings obscure some or all the facility from view and installing new plantings/screening around the site where visible from major streets or residential areas.
    a. *Staff Review: If approved, Section IV-B of the UZC would not require any screening of the lease area because the abutting properties are zoned LI. The base of the tower is obscured from view of major streets and residential areas by buildings. The height of the tower would be partially obscured from view of the residential areas by mature trees.*

7. Placing facilities on existing walls, flush-mounted, or on roofs buildings (excluding single-family and duplex) and structures, up to 20 feet above the existing structure, as opposed to building new ground-mounted support structures. Facilities on rooftops generally should be set back from roof edges or screened from view.
    a. *Staff Review: Not applicable at this location.*

8. Screening equipment shelters and cabinets through landscaping, walls and/or fencing, as appropriate to the surroundings. In most cases, ground level equipment should respect the setbacks for accessory uses in the applicable zoning district and be enclosed by 6-8 foot high security fencing, of a material compatible with its surroundings. Equipment should be encouraged indoors if space is available nearby. Burying equipment in an underground vault, to keep most of the equipment out of sight, may be necessary in right-of-way and in some other visually/environmentally sensitive locations, such as tourist attractions, historic landmarks/districts, museum district, river corridor, and other locations of civic importance or architectural significance. Ground level shelters/equipment, appropriately screened and generally landscaped with trees and/or shrubs, should be permitted on lots adjacent to right-of-way, to facilitate the use or reconstruction of utility poles in those right-of-way.
    a. *Staff Review: If approved, Section IV-B of the UZC does not require screening of the lease area because the abutting properties are zoned LI. The placement of the lease area is obscured from the view of nearby streets by buildings.*

9. Permitting lighting on facilities only if required by Federal regulations.
    a. *Staff Review: The Planning Department cannot regulate the lighting of the proposed tower if lighting is required by Federal Regulations.*

Based on compliance with the Compatibility Height Standards of the UZC and compliance with the Location/Design Guidelines of the Wireless Communication Mater Plan, our signatures below indicate that an Administrative Permit for a Wireless Communication Facility is hereby **GRANTED** for the above-referenced property, subject to the following conditions:

1. All requirements of Section III.D.6.g. of the Unified Zoning Code shall be met.
2. The applicant shall obtain all local, state and federal permits necessary to construct the wireless communication facility, including approval by the FAA for the height of the tower and radio frequency; FAA approval shall be provided to the Zoning Administrator and the Metropolitan Area Building and Construction Department at the time of applying for building permits. The wireless communication facility shall be built within one year of approval of the Administrative Permit or it will be declared null and void.
3. Wichita-Sedgwick County Airport Hazard Zoning Code, Title 28.08 shall be met.
4. The site for the Wireless Communication Facility and its 105-foot tall self-support galvanized steel, monopole shall be developed in general conformance with the approved site plan and elevation drawing. The site shall be located on the LI-zoned subject property, as described in the attached legal description and the approved site plan. All improvements shall be completed before the facility becomes operational.
5. The support structure shall be a monopole design and shall be silver or gray or a similar unobtrusive color with a matte finish to minimize glare. Flush mount antennae are encouraged per the Wireless Communication Master Plan.
6. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
7. If the Zoning Administrator finds that there is a violation of any of the conditions of the Administrative Permit, the Zoning Administrator, in addition to enforcing the other

remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Administrative Permit is null and void.

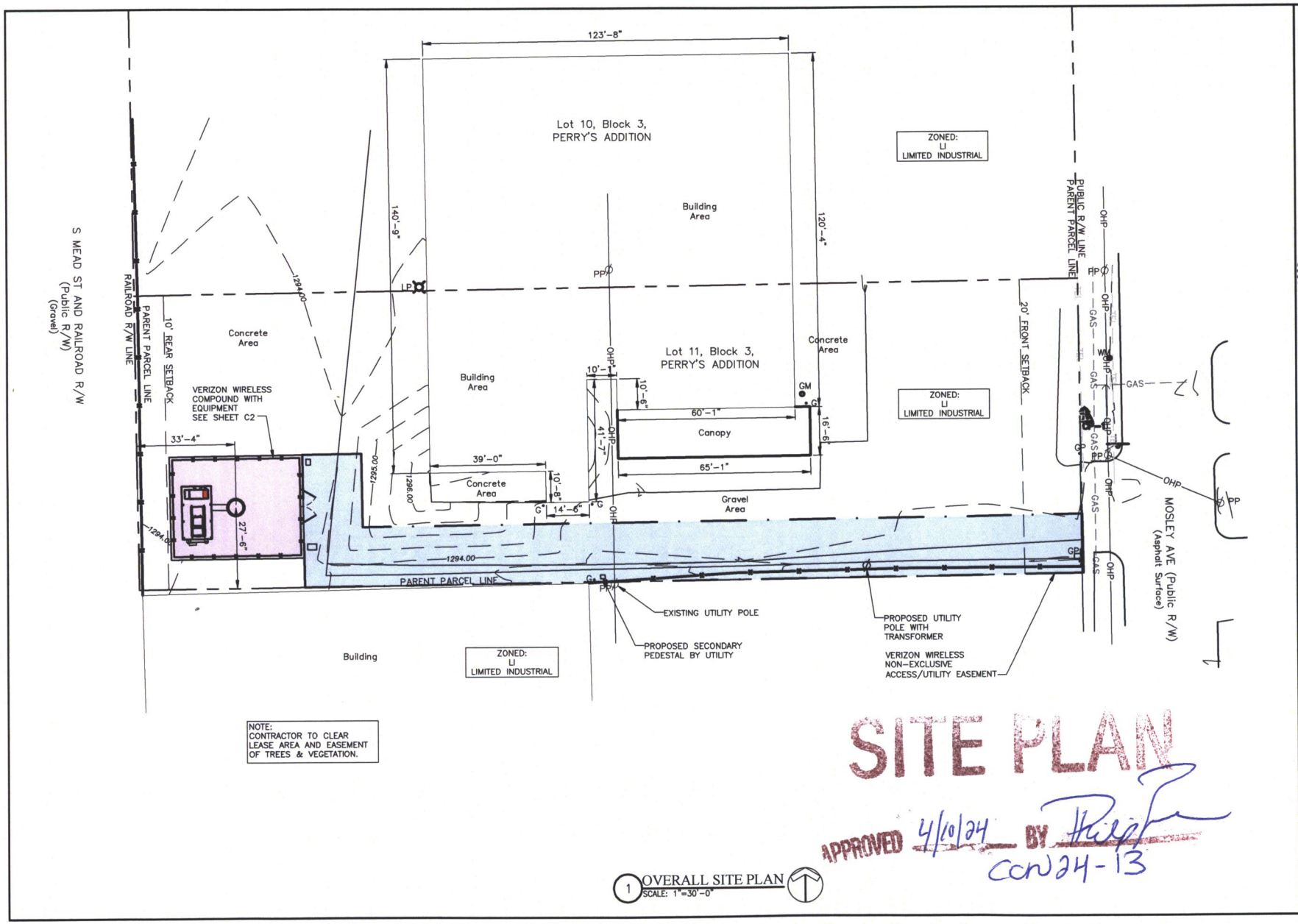
The "Development Application" sign should now be removed from the property.

Scott Wadle, Planning Director
Metropolitan Area Planning Department

J.R. COX, JR

John R. Cox, Jr., Zoning Administrator
Metropolitan Area Planning Department

cc: MABCD



NOTE:
CONTRACTOR TO CLEAR
LEASE AREA AND EASEMENT
OF TREES & VEGETATION.

1 OVERALL SITE PLAN
SCALE: 1"=30'-0"

SITE PLAN

APPROVED 4/10/24 BY
CON24-13

verizon

FORTUNE
WIRELESS INC.
5511 WEST 79TH STREET
INDIANAPOLIS, IN 46278
(317) 324-1544

DAVID ELGIN KASPER
LICENSED
25200
PROFESSIONAL ENGINEER
5/26/23

DRAWN BY:	GNP
CHECKED BY:	DEK

NO:	DATE:	ISSUE:
A	10/18/22	REVIEW CD
0	01/30/23	FINAL CD
1	02/24/23	EVERGY
2	05/26/23	JDX REVISIONS

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WICC BAILEY&MOSLEY
LOCATION #: 704577
FUZE PROJECT #:
16672772
1325A S MOSLEY ST.
WICHITA, KS 67211
SEDGWICK COUNTY

SHEET TITLE:
OVERALL SITE PLAN

SHEET NUMBER:
C-1

DO NOT SCALE DRAWINGS