Wichita-Sedgwick County Metropolitan Area Planning Department

May 5, 2025

Isidores Agronomics of Kansas, LLC
9171 S. West Street
Haysville, KS 67060

Twin Valley
618 6th Street
Clay Center, KS 67432

Re: **CON2025-00068:** Administrative Permit in the County to permit an 85-foot Wireless Communications Facility on property zoned RR Rural Residential District, located on the southwest corner of West 79th Street South and South 55th Street West.

Legal Description: Parent Parcel: NE1/4 EXC W 30 ACRES SEC 10-29-1W

Lease Area: A portion of the Northeast Quarter of Section 10, Township 29 South, Range 1 West of the 6th Principal Meridian, Sedgwick County, Kansas, more particularly described by Daniel E. Garber, Professional Surveyor #683, on April 11, 2025, as follows:
Commencing at the Northeast corner of Section 10, Township 29 South, Range 1 West of the 6th Principal Meridian; Thence with a bearing of S01°27'26"E (basis of bearings is NAD 83 Kansas South Zone) along the East line of said Northeast Quarter a distance of 110.00 feet; Thence S88°39'26"W parallel with the North line of said Northeast Quarter a distance of 95.00 feet for the point of beginning; Thence S01°27'26"E parallel with the East line of said Northeast Quarter a distance of 10.00 feet; Thence S88°39'26"W parallel with the North line of said Northeast Quarter a distance of 10.00 feet; Thence N01°27'26"W parallel with the East line of said Northeast Quarter a distance of 10.00 feet; Thence N88°39'26"E parallel with the North line of said Northeast Quarter a distance of 10.00 feet to the point of beginning, containing 99.95 square feet, and subject to any easements and restrictions of record.

Dear Applicants:

We have reviewed your request for an Administrative Permit for an 85-foot Wireless Communication Facility (self-supporting, triangular lattice structure) on property zoned RR Rural Residential District (RR) located on the southwest corner of West 79th Street South and South 55th Street West.

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 120 feet in height in the RR 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 85-foot-tall tower be located no closer

than 85 feet from the lot line of property zoned TF-3 Two-Family Residential District (TF-3) or more restrictive. All surrounding properties to the north, east, south, and west are zoned RR District. The lease area of the subject site is greater than 85 feet away from any neighboring property line when considering the width of right-of-way as well.

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 a mixture of large lot single-family residential parcels and agriculture. The nearest residential uses are approximately 200 feet to the southeast and north west of the site. The lease area of the tower is required to be screened with a minimum six-foot solid screening fence. The proposed location of the tower on the parent parcel is outside of the pivot irrigation circle, which continues to maximize agricultural production on-site. If the tower were to be placed farther from nearby residential uses, it could interfere with the agricultural production.*

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 85 feet is shorter than the permitted 120-foot height that can be considered by Administrative Permit in the RR 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 self-supporting, triangular lattice 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 self-supporting, triangular lattice 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 requires solid screening of the lease area because the abutting properties are zoned RR. Furthermore, the west property line of the abutting property to the east has a mature tree-row, which will help conceal the view of the base of the tower from this residential property.*

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 requires screening of the lease area because the abutting properties are zoned RR.*

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 Master 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.
3. The applicant shall obtain from the FAA and provide MAPD a Determination of No Hazard for any obstruction proposed under this application. This FAA determination shall be based upon coordinates and elevations taken by a licensed and qualified land surveyor and conform to FAA's most precise, current accuracy tolerance standards. The applicant shall demonstrate to the MAPD, with concurrence of the Wichita Airport Authority, that any obstructions proposed under this application would not adversely affect or alter any precision or non-precision instrument approaches.
4. All required FAA documents shall be provided to MABCD upon submittal of project plans.

5. The Wireless Communication Facility shall be built within one year of approval of the Administrative Permit or it will be declared null and void.
6. Wichita-Sedgwick County Airport Hazard Zoning Code, Title 28.08 shall be met.
7. The site for the Wireless Communication Facility and its 85-foot-tall self-supporting galvanized steel, triangular lattice structure shall be developed in general conformance with the approved site plan and elevation drawing. The site shall be located on the RR-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.
8. The support structure shall be a self-supporting, triangular lattice structure 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.
9. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
10. 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, Director
Metropolitan Area Planning Department

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

cc: MABCD
Jeff Blubaugh, BoCC District 2
Stephanie Birmingham, PIO District 2

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Salina 785-404-6302
Wichita 316-260-9933

SURVEY FOR: UNITED TOWERS, INC.

Project No. G2025-308
SHEET 2 OF 2

DESCRIPTION:

A portion of the Northeast Quarter of Section 10, Township 29 South, Range 1 West of the 6th Principal Meridian, Sedgwick County, Kansas, more particularly described by Daniel E. Garber, Professional Surveyor #683, on Sheet 1.

LEGEND

- △ – Sectional Monument Found
- ● – 5/8" x 24" Iron Rebar Set w/GSS Cap
- (C) – Calculated
- (M) – Measured
- P.O.B. – Point of Beginning
- P.O.C. – Point of Commencement

Scale: 1"= 10'

BASIS OF BEARING = NAD 83 KANSAS SOUTH ZONE

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Plot Date & Time: Monday, April 21, 2025 10:53:25 AM Files Path: I:\1DFX_GSS\FILES\2025\2025308 CS\Kelan\20250308 up SPC S (Modified).