



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

October 3, 2003

Gary Ruedebusch
14 Scottsdale
Wichita, KS 67230-6628

Re: CON2003-00039 – Administrative Permit for a 150-foot high wireless communication facility on property zoned “GC” General Commercial.

Legal Description: Lot 1, Block M, Planeview Subdivision No. 1, Wichita, Sedgwick County, Kansas. Located at the northwest corner of Roosevelt and Ross Parkway.

Dear Mr. Ruedebusch:

We have reviewed your request for an Administrative Permit for a 150-foot high monopole tower for use by Cricket Communications on property zoned “GC” General Commercial. Section III.D.6.g.(3)(d) of the Wichita-Sedgwick County Unified Zoning Code states that new ground-mounted wireless communication facilities up to 150 feet in height in the “GC” General Commercial zoning district shall be approved by Administrative Permit if they conform to the Compatibility Height Standards of Section IV-C.5 of the Unified Zoning Code and the Location/Design Guidelines of the Wireless Communication Master Plan.

The Compatibility Height Standards require the proposed 150-foot high monopole to be located no closer than 150 feet from the lot line of property zoned “TF-3” Two-Family Residential or more restrictive. The proposed 150-foot high monopole is located approximately 725 feet from the nearest property zoned “TF-3” or more restrictive. Therefore, we find that your request conforms to the Compatibility Height Standards.

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

1. The applicant has demonstrated that there is no available space on existing or approved wireless communication facilities or other structures and there is no other economically or technically feasible opportunity to rebuild or modify existing structures in order to meet the applicant’s communication needs. The nearest tower is located approximately 0.6 miles to the east, but does not provide the coverage needed along I-135 near Pawnee, primarily due to the low height available on the tower. Also, rebuilding this existing

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tower is not economically feasible. Other towers in the vicinity also were explored and do not meet the applicant's communication needs.

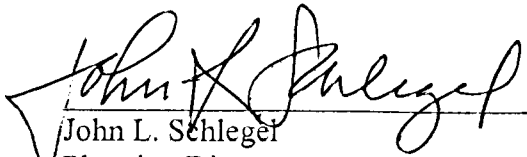
2. The proposed wireless communication facility is compatible with the character of the area, which is developed with a variety of heavy commercial uses and has significant buffers in the form of wooded areas between the proposed tower and nearby residential areas.
3. The proposed wireless communication facility is not located in manner that would cause a potential hazard to flight safety, as the facility does not exceed the height permitted by the Airport Hazard Zoning Ordinance will be required to be approved by the FAA.
4. The proposed wireless communication facility minimizes the silhouette of the facility by its monopole design and uses materials and colors that minimize glare.
5. The proposed wireless communication facility is placed where buildings and trees obscure some of the facility from view.

Based on these findings of conformance with the Compatibility Height Standards of the Unified Zoning Code and 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:

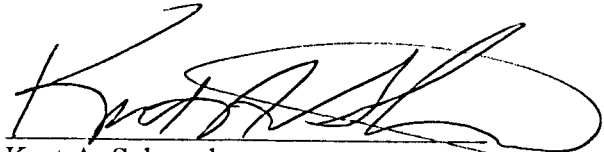
1. All requirements of Section III.D.6.g. of the Unified Zoning Code shall be met.
2. The applicant shall obtain all permits necessary to construct the wireless communication facility, and the wireless communication facility shall be erected within one year of the issuance of this Administrative Permit.
3. The site shall be developed in general conformance with the approved site plan and elevation drawing. All improvements shall be completed before the facility becomes operational.
4. 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.
5. The monopole shall be 150 feet in height and shall be designed and constructed to accommodate communication equipment for at least three wireless service providers.
6. The monopole and its foundation shall be designed and constructed in such a manner that permits future height extensions to 190 feet in height and future loading expansions to accommodate communication equipment for at least five wireless service providers. Prior to the issuance of a building permit for a height extension in excess of 150 feet, a Permit Exemption for Area C of the Airport Hazard Zoning Map shall be acquired by the applicant.
7. 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 MAPD, Office of Central Inspection, and Director of Airports prior to the issuance of a building permit.
8. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
9. 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 zoning adjustment sign should now be removed from the property.



John L. Schlegel
Planning Director

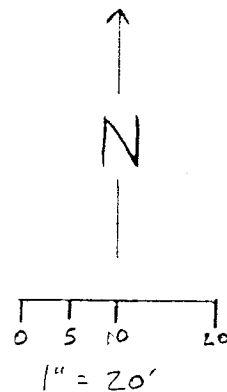


Kurt A. Schroeder
Superintendent of Central Inspection

cc: Greg Ferris, P.O. Box 573, Wichita, KS 67201
Kim Wimmer, Cricket Communications, 6655 S. Lewis, Suite 200, Tulsa, OK 74136
Nordyke Ventures, LLC, 8900 Woodcrest Cir., Wichita, KS 67206
Rob Snyder, 3620 Sunnybrook, Wichita, KS 67210
Mark Clark, Appraiser's Office
John Oswald, Wichita Airports
Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
J.R. Cox, Office of Central Inspection

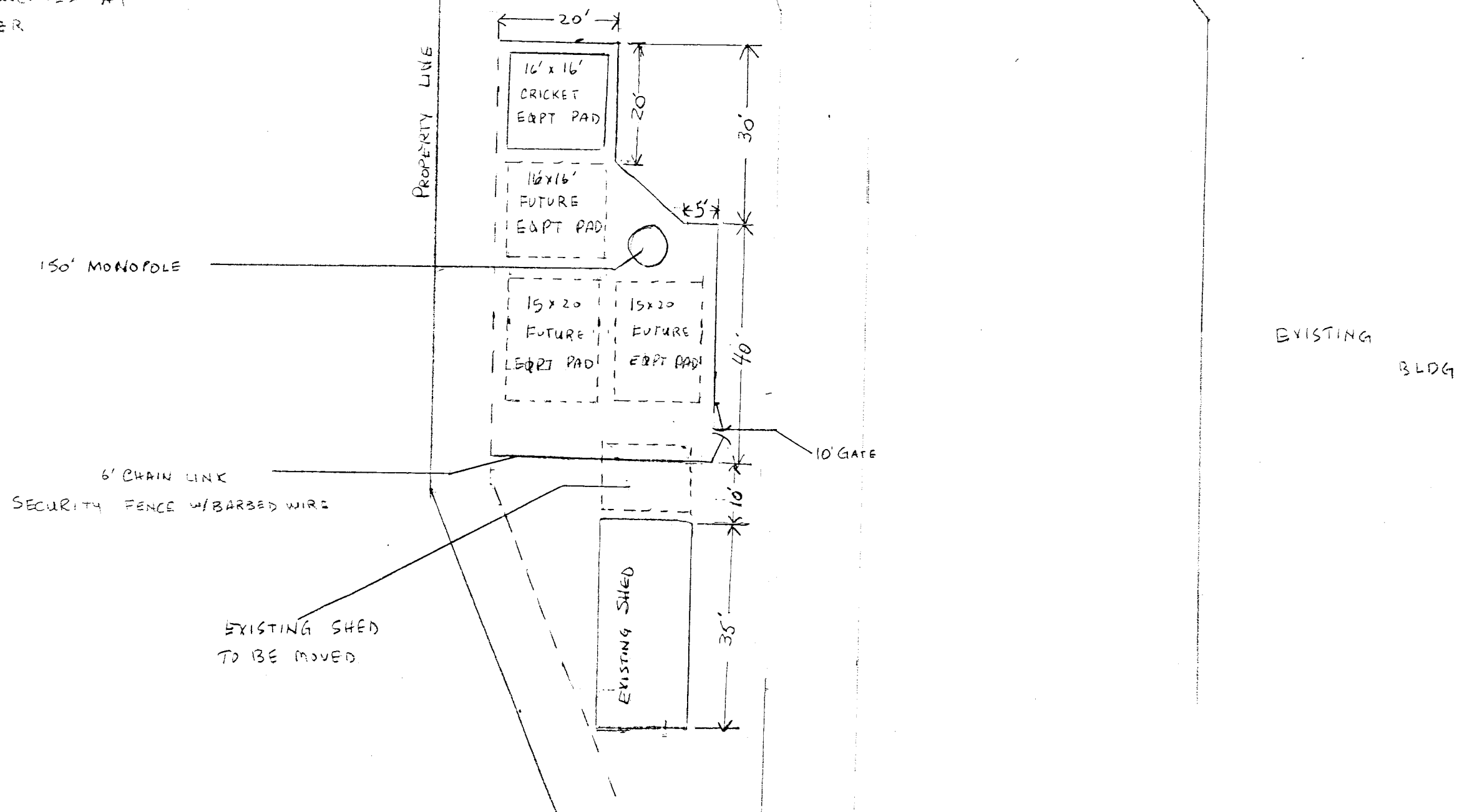
CON2003-00039
SITE PLAN

APPROVED 10-3-03 BY SL

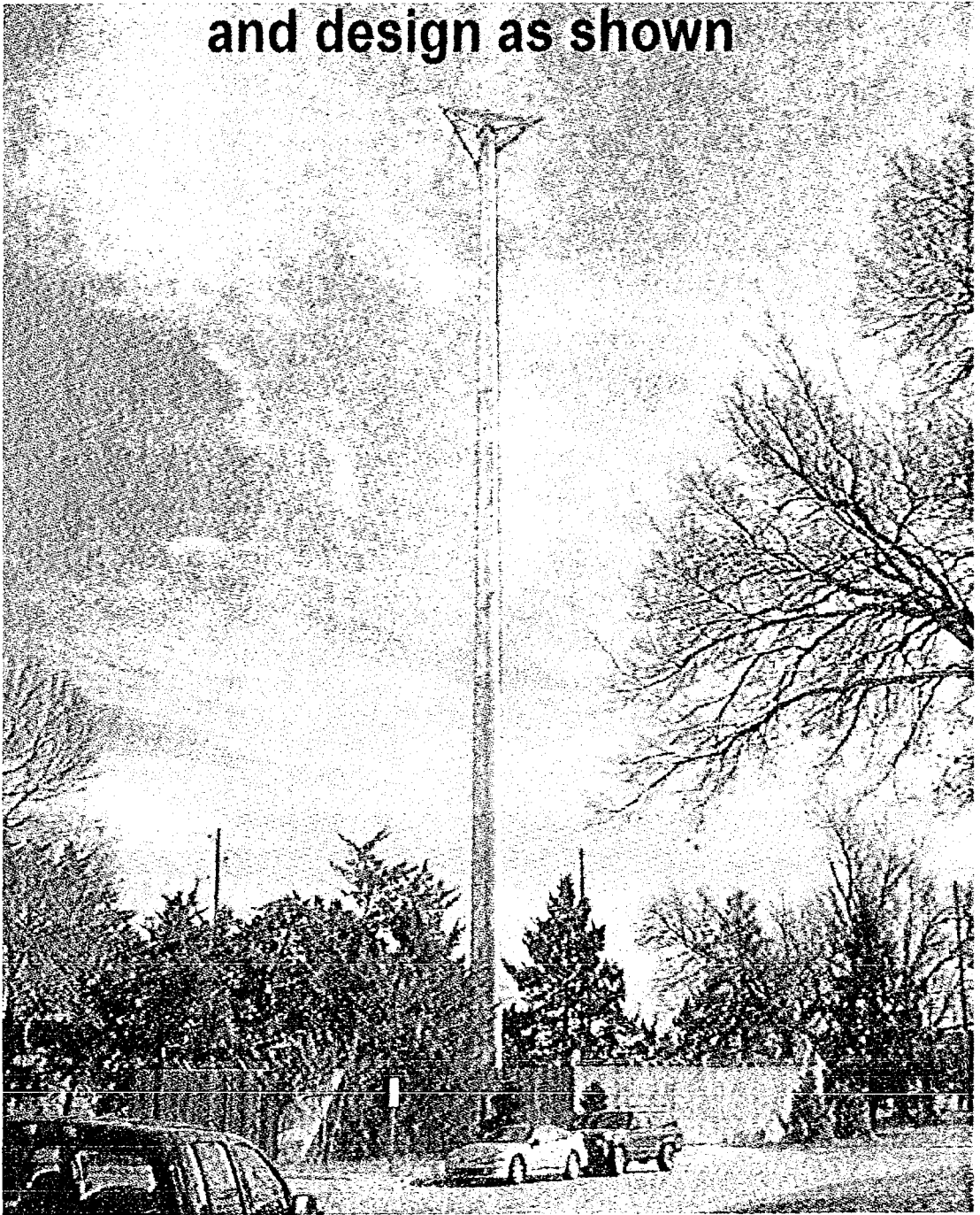


NV 106 NORDYKE VENTURES 150' MONOPOLE

ICT 047 CRICKET COMMUNICATIONS
EQUIPMENT TO BE LOCATED AT
THE TOP OF TOWER



Proposed Tower will be
of the same color
and design as shown



CON 2003-00039
SITE PLAN

APPROVED 10-3-03 BY JK