CONDITIONAL USE RESOLUTION NO. CON-2001-00064

WHEREAS, Albert a. Jansen, Sr. Living Trust c/o Albert A. Jansen, Jr. Co-Trustee (Owner); Sprint PCS c/o Michael S. Romesburg (Applicant); Polsinelli, Shalton, Welte c/o Curtis M. Holland (Agent), pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requested a Conditional Use for a 250-foot high self-support lattice tower on 10,000 square feet zoned "RR" Rural Residential described as:

> LEGAL DESCRIPTION LEASE SITE ONLY
> Part of the Southwest Quarter of Section 3, Township 27 South, Range 4 West of the Sixth Principal Meridian, Sedgwick County, Kansas.
>
> Referring to the West Quarter Corner of said Section 3, at a found 5/8" Rebar; thence southerly S 01 degrees 36'53" E on the West Line of the Southwest Quarter of said Section 3, 637.18 feet; thence easterly N 88 degrees 23'07" E, 249.96 feet, to the point of beginning for the described Lease Site; thence easterly N 88 degrees 23'07" E, 100.00 feet; thence southerly S 01 degrees 36'53" E, 100.00 feet; thence westerly S 88 degrees 23'07" W, 100.00 feet; thence northerly N 01 degrees 36'53"W, 100.00 feet to the point of beginning for the described Lease Site. Containing a total calculated area of 10,000 sq. ft. or 0.230 acres more or less. Generally located north of 21st Street North and east of 359th Street West.

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 December 20, 2001, 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 permit a Conditional Use for a 250-foot high self-support lattice tower on 10,000 square feet zoned "RR" Rural Residential described as:

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> Part of the Southwest Quarter of Section 3, Township 27 South, Range 4 West of the Sixth Principal Meridian, Sedgwick County, Kansas.
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subject to the following conditions:

A. All requirements of Section III.D.6.g. of the Unified Zoning Code shall be met.
B. 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.
C. The support structure shall be a self-support lattice design that is silver or gray or a similar unobtrusive color with a matte finish to minimize glare, unless the FAA requires the structure to be painted red and white to avoid strobe lighting.
D. The support structure shall be 250 feet in height and shall be designed and constructed to accommodate communication equipment for at least four wireless service providers.
E. The support structure and its foundation shall be designed and constructed in such a manner that permits future height extensions to 300 feet and future loading expansions to accommodate communication equipment for at least five wireless service providers.
F. 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.
G. Revised site plans and elevation drawings indicating the approved location and 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 MAPC or governing body, as applicable.
H. The site shall be developed in general conformance with the approved site plans and elevation drawings. All improvements shall be completed before the facility becomes operational.
I. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
J. Any violation of the conditions of approval shall render the Conditional Use null and void.

Adopted this 20th day of December, 2001. This resolution shall become effective on the fifteenth day after the date last noted above unless the matter is forwarded to the Governing Body for final action under the provisions of Section V-D.6. When any one or more of the exceptions listed in Section V-D.6 exist, this resolution with its conditions of approval shall be considered a recommendation of the MAPC to the Governing Body which shall then have final authority to approve, approve with conditions or modifications, or deny the Conditional Use application.

METROPOLITAN AREA PLANNING COMMISSION

Bernard A. Hentzen

Bernard A. Hentzen, Chair MAPC

ATTEST:

Dale Miller

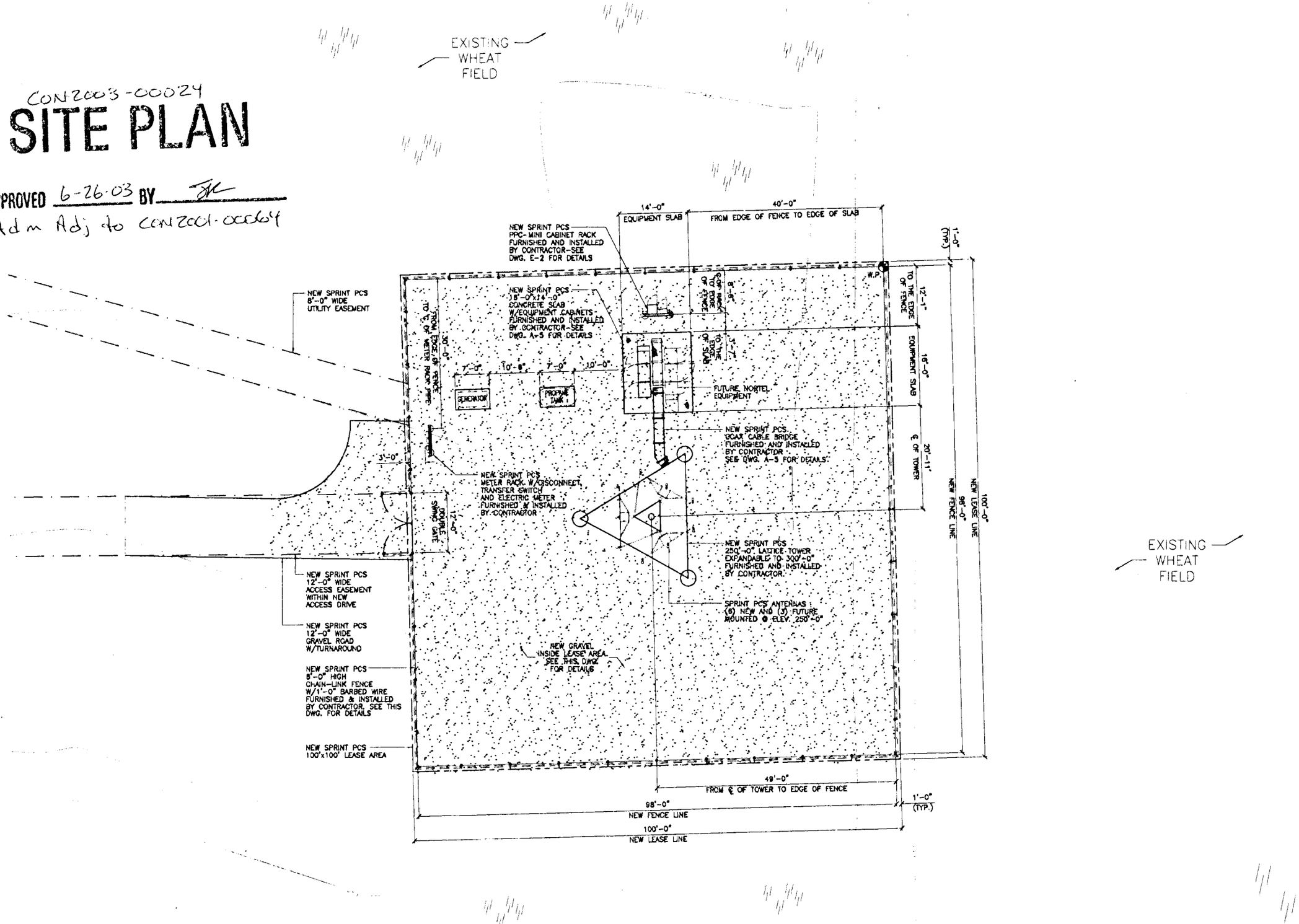
Dale Miller, Secretary

CON2003-00024

SITE PLAN

APPROVED 6-26-03 BY JK

Adm Adj to CON2001-00604



ENLARGED SITE PLAN

SCALE: 1"= 10'-0"

N

Sprint PCS

SPRINT PCS
5600 N. RIVER ROAD
SUITE 300
ROSEMONT, ILLINOIS 60018
OFFICE: (847) 318-3000

Fullerton Engineering Consultants, Inc.
9700 West Higgins Road
Rosemont, Illinois 60018
Tel. 847-292-0200
Fax 847-292-0205

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APPROVALS

SPRINT RC _____
LANDLORD _____
SPRINT PROPERTY _____
R.F. _____
ZONING _____
CONSTRUCTION _____
NETWORK OPERATIONS _____

PROJECT NO: WT54XC102A

DRAWN BY: L. GUERRERO

CHECKED BY: S. MASCORRO

4/24/03
JAMES S. SZCZUPAK
LICENSED
16240
KANSAS
PROFESSIONAL ENGINEER

No.	Revision/Issue	Date
C	REISSUED FOR PERMIT/BID	04/29/03
B	ISSUED FOR PERMIT/BID	02/07/02
A	ISSUED FOR 90% REVIEW	10/01/01

WT54XC102A
JENSEN
NW OF 21ST N & 359TH W
CHENEY, KANSAS 67025
RAWLAND
LATTICE TOWER

SHEET TITLE

ENLARGED SITE PLAN

SHEET NUMBER

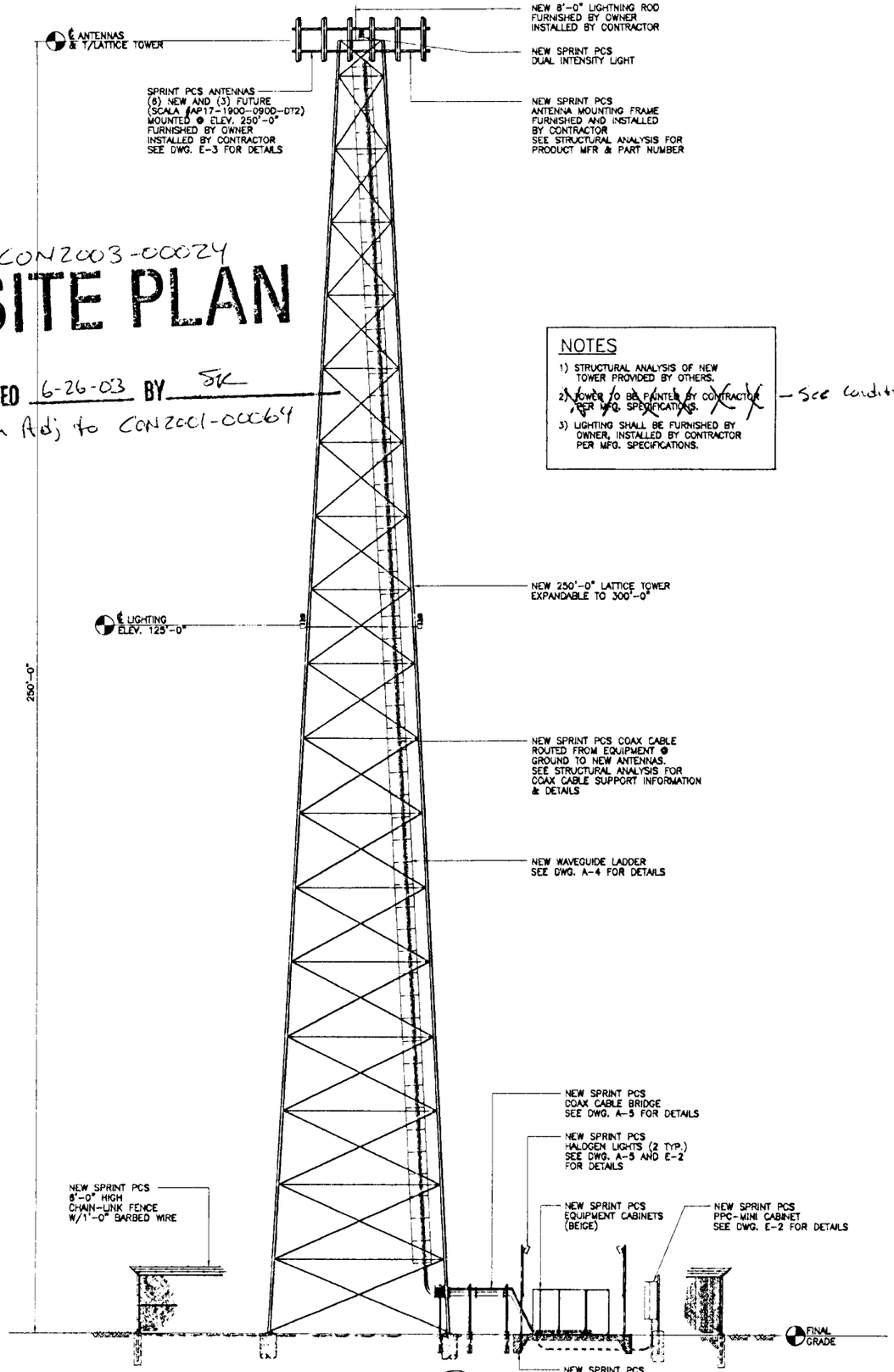
A-2

CON2003-00024

SITE PLAN

APPROVED 6-26-03 BY SK

Adm Adj to CON2001-00064

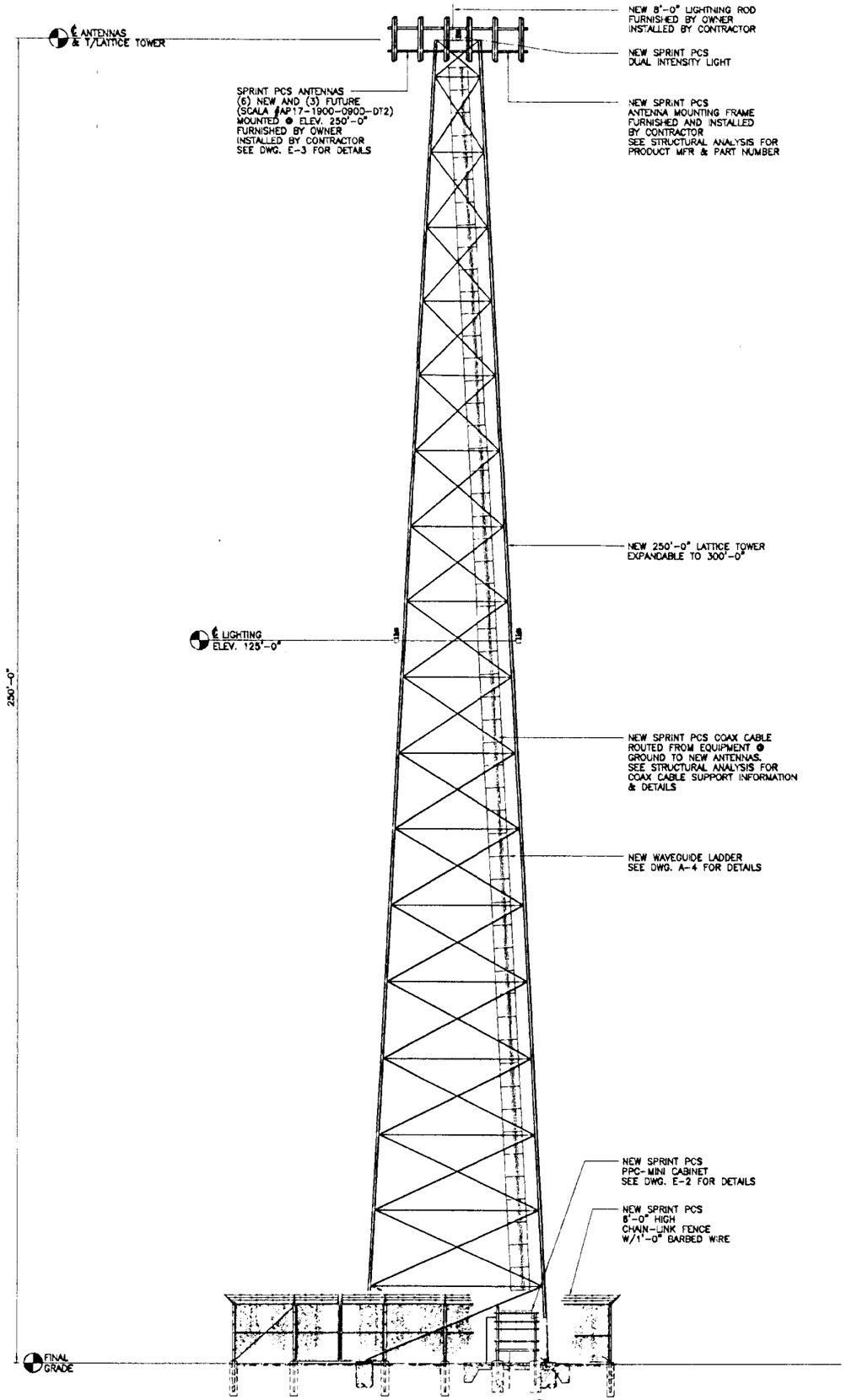


NOTES

1) STRUCTURAL ANALYSIS OF NEW TOWER PROVIDED BY OTHERS.
2) ~~TOWER TO BE PAINTED BY CONTRACTOR PER MFG. SPECIFICATIONS.~~ — See condition #5
3) LIGHTING SHALL BE FURNISHED BY OWNER, INSTALLED BY CONTRACTOR PER MFG. SPECIFICATIONS.

NORTH ELEVATION 1/A-3

SCALE: NTS



EAST ELEVATION 2/A-3

SCALE: NTS

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