CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

November 29, 2010

T-Mobile Central, LLC
c/o George Wyrick, Real Estate & Zoning Manager
4533 Enterprise Drive
Oklahoma City, OK, 73128

Re: **BZA2010-00051** Administrative Permit for a 110-foot tall monopole wireless communication facility on property zoned SF-20 Single-family Residential ("SF-20"), generally located midway between Central Avenue and the 13th Street North, on the northeast corner of 9th Street and 143rd Street East (1010 N 143rd Street East). NOTE: This site was previously approved for an Administrative Permit (CON2009-00001) to build a 110-foot tall monopole wireless communication facility on January 20, 2009; however the tower was not erected within one year of the issuance of that Administrative Permit, thus the current application.

Legal Description: Generally described as a 30-foot (x) 30-foot portion of Lot 1, Block A, Noordhoek Addition; Exhibit 1.

Dear Mr. Wyrick:

We have reviewed your request for an Administrative Permit for a 110-foot high monopole tower for use by T-Mobile Wireless on property zoned SF-20 Single-family Residential ("SF-20"). Your request states that the proposed 110-foot tower will replace an existing 70-foot tower located at the County Fire Station at 1010 N 143rd Street East. Art. III, Sec.III.D.6.g.(3)(d) of the Wichita-Sedgwick County Unified Zoning Code (UZC) states that new ground-mounted wireless communication facilities up to 120 feet in height in the SF-20 zoning district shall be approved by Administrative Permit if they conform to the Compatibility Height Standards of Art.IV, Sec.IV-C.5.b. of the UZC and the Location/Design Guidelines of the Wireless Communication Master Plan.

The Compatibility Height Standards require the proposed 110-foot high monopole to be located no closer than 110 feet from abutting or adjacent lot lines of property zoned TF-3 Two-Family Residential ("TF-3") or more restrictive. The setback detail survey submitted with the application (Exhibit 1), shows the proposed tower to be between 118.7-feet and 162.6-feet from the northern and eastern abutting SF-20 zoned properties and their single-family residences and the adjacent western (across 143rd Street East, with its additional 100-foot of street right-of-way; ROW) and southern (across 9th Street, with its additional 70-foot of ROW) SF-5 Single-family Residential ("SF-5") zoned properties and their single-family residential development. As submitted, with these above mentioned materials, the 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. There are no other towers located within one mile from the proposed tower (Exhibits 2 & 3), except for the on-site 70-foot tower which will be replaced by this proposed tower. The nearest tower site is an ATC tower located approximately 1 ¼ mile southeast of the subject site; Exhibits 2 & 3. The agent and applicant (T-Mobile) have stated that the ATC tower does not provide T-Mobile's coverage objectives; Exhibits 3 & 4. The agent has stated that the Alltel tower located approximately 1 ½ mile southeast of the site is being considered for provision of services into a different area than what will be provided by the subject site; Exhibit 4.
2. The proposed 110-foot monopole wireless communication facility will replace an existing 70-foot communication tower on the site, thus not introducing a tower into the area. The existing County Fire Station on the site will provide buffering, as will the existing trees/landscaping. A proposed 6-foot masonry wall, proposed landscaping and existing trees around the wall and on the site will provide additional buffer between the proposed tower and nearby residential areas; Exhibit 4. **Note:** Because the proposed tower exceeds the 25% cumulative height extension of the original tower, the proposed tower does not qualify as a use permitted by right, thus the Administrative Permit; Art III, Sec III-D, g, 2 (c).
3. The applicant needs to confirm the proposed tower's height, location and and associated communication frequencies and wattages meet standards determined by the Federal Aviation Administration (FAA) to pose no hazard to air navigation; the applicant must provide a "Determination of No Hazard to Air Navigation" to Staff prior to the issuance of building permits.
4. The proposed wireless communication facility minimizes the silhouette of the facility by its monopole design and uses materials and colors (silver or gray or a similar unobtrusive color with a matte finish) that minimize glare.
5. The proposed wireless communication facility is placed where the existing building/fire station and trees obscure some of the facility from view; see #2 finding.

Based on compliance with the Compatibility Height Standards of the Unified Zoning Code and 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 permits necessary to construct the wireless monopole communication facility, and the wireless monopole 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 an approved site plan and elevation drawing, including a 6-foot tall masonry wall around the site, proposed landscaping (a type of evergreen, as recommended in the Landscape Ordinance) and preserving the existing trees on the site. All equipment shall be placed within the screened & landscaped area. Access onto the site and any parking areas on the site shall be an improved all weather surface. All improvements shall be completed before the facility becomes operational.
4. The support structure (wireless communication facility) 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 110 feet in height and shall be designed and constructed to accommodate communication equipment for at least three other wireless service providers.
6. The applicant shall obtain FAA approval regarding "objects affecting navigable airspace" and "impacts to terminal instrument procedures" (Determination of No Hazard to Air Navigation) for the proposed wireless communication facility and shall comply with all conditions of FAA approval, including any

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

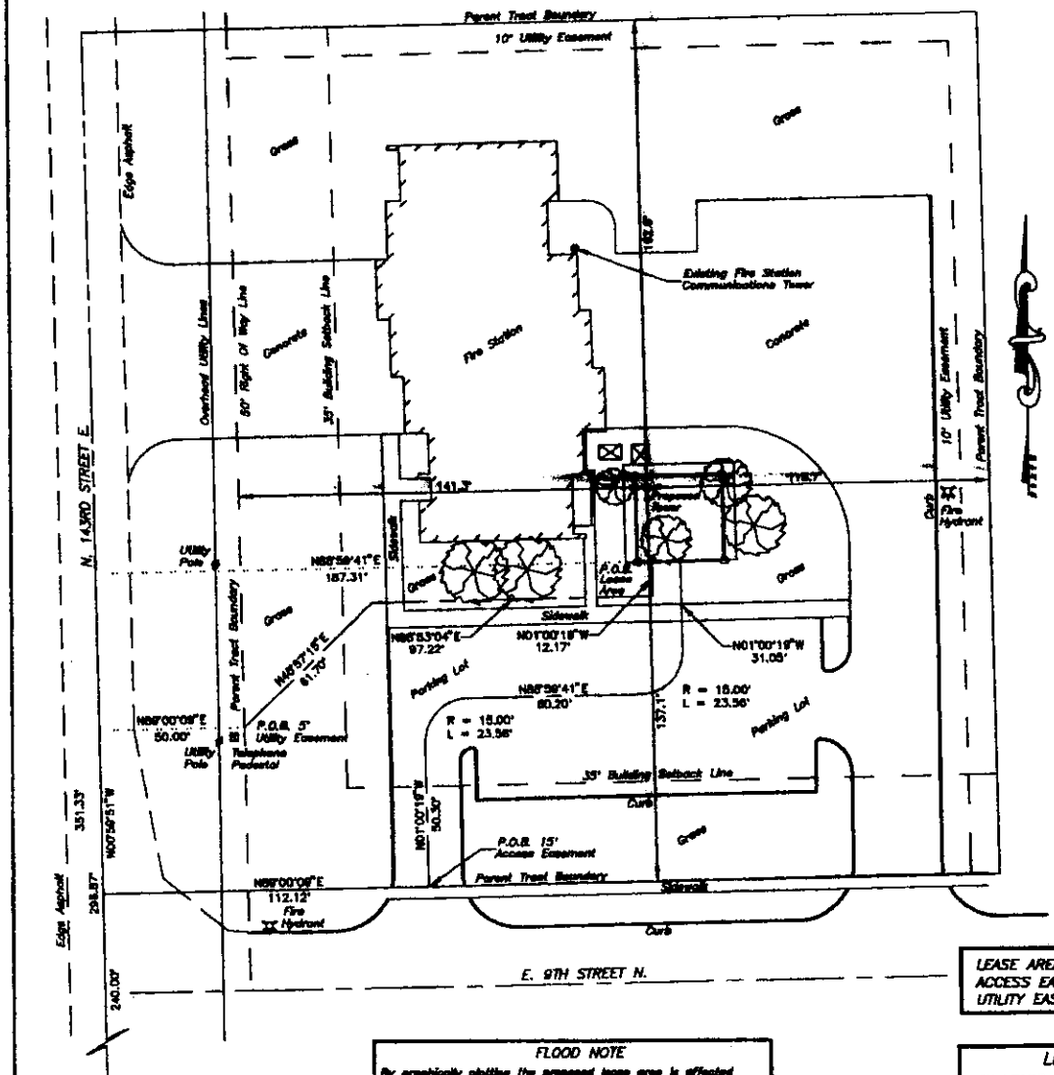
John L. Schlegel
Planning Director

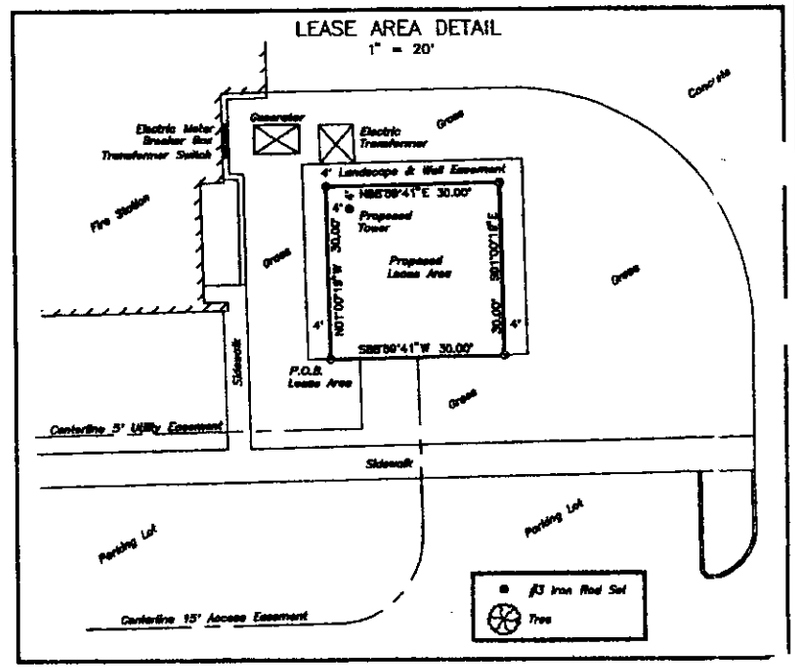
Glen Wiltse
Director of Sedgwick County Department of Code Enforcement (Zoning Administrator)

cc: Greg Ferris, P.O. Box 573, Wichita, KS, 67201
George Wyrick, T-Mobile Wireless, 4533 Enterprise Drive, Oklahoma City, OK 73128
Mark Clark, Appraiser's Office
John Oswald, Wichita Airports
Glen Wiltse, County Code Enforcement, 1144 S Seneca, Wichita, KS , 67213

Exhibit 1

A PROPOSED LEASE AREA IN PART OF THE NW/4 OF SECTION 13, T27S-R2E, SEDGWICK COUNTY, KANSAS





KENNETH EDWIN [illegible]
LICENSED
1061
9/24/08
KANSAS
LAND SURVEYOR

LEASE AREA: 900 SQUARE FEET OR 0.021 ACRES
ACCESS EASEMENT: 188.67 LINEAR FEET
UTILITY EASEMENT: 171.09 LINEAR FEET

FLOOD NOTE

By graphically plotting the proposed lease area is affected by Flood Zone "X" (Unshaded) per the National Flood Insurance Rate Map, Community Panel Number 200338 0385E, Map Number 20173C0385E, Effective Date: February 2, 2007.

LEASE CORNER ELEVATIONS

NW LEASE AREA: 1341.6' SW LEASE AREA: 1341.5'
NE LEASE AREA: 1341.4' SE LEASE AREA: 1341.1'

WI02993
CASTLE ROCK

NO.	REVISION	DATE

T-MOBILE CENTRAL LLC
OKLAHOMA CITY, OKLAHOMA

Prepared By:
TACK Professional Land Surveyi, P.C.
713 S. 8th Street Yukon, OK 73099 (405)-354-8272

SURVEYED BY: AEH	SCALE: 1"=40'	FIELD BOOK: 21
DRAWN BY: KEH	DATE: 9/22/08	PAGE #: 6
APPROVED BY: KEH	JOB #: 1793	SHEET 1 OF 2

Exhibit A-1 (p2)

LEGAL DESCRIPTIONS

PARENT TRACT DESCRIPTION (Warranty Deed Film 774, Page 384)
Beginning at a point in the West line and 240.0' North of the Southwest corner of the NW/4 of Sec. 13, T27S, R2E of the 6th P.M., Sedgwick County, Kansas; thence East parallel with the South line of said NW/4, a distance of 310.0'; thence North parallel with the West line of said NW/4, a distance of 300.0'; thence West, 310.0'; thence South 300.0' to the point of beginning, except the West 50.0' thereof.

LEASE AREA DESCRIPTION
A tract of land lying in and being a part of the Northwest Quarter (NW/4) of Section Thirteen (13), Township Twenty-seven (27) South, Range Two (2) East of the 6th Principal Meridian, Sedgwick County, Kansas, being more particularly described as follows: Commencing at the Southwest corner of said NW/4; Thence North 00°59'51" West a distance of 351.33 feet; Thence North 88°59'41" East a distance of 187.31 feet to the point of beginning; Thence North 01°00'19" West a distance of 30.00 feet; Thence North 88°59'41" East a distance of 30.00 feet; Thence South 01°00'19" East a distance of 30.00 feet; Thence South 88°59'41" West a distance of 30.00 feet to the point of beginning. Containing 900 square feet or 0.021 acres, more or less.

LANDSCAPE & WALL EASEMENT
A Four feet (4') wide landscape and wall easement along the East, West and North sides of the above described lease area.

ACCESS EASEMENT DESCRIPTION
A Fifteen feet (15') wide easement for ingress and egress crossing a part of the Northwest Quarter (NW/4) of Section Thirteen (13), Township Twenty-seven (27) South, Range Two (2) East of the 6th Principal Meridian, Sedgwick County, Kansas, the centerline being more particularly described as follows: Commencing at the Southwest corner of said NW/4; Thence North 00°59'51" West a distance of 240.00 feet; Thence North 88°00'09" East, along the North right of way line of E. Ninth Street N. and along said right of way line extended, a distance of 112.12 feet to the point of beginning; Thence North 01°00'19" West a distance of 50.30 feet; Thence Easterly, along a curve to the right, having a radius of 15.00 feet, an arc length of 23.56 feet, a chord bearing of North 43°59'41" East and a chord distance of 21.21 feet; Thence North 88°59'41 East a distance of 60.20 feet; Thence Northerly, along a curve to the left having a radius of 15.00 feet, an arc length of 23.56 feet, a chord bearing of North 43°59'41" East and a chord distance of 21.21 feet; Thence North 01°00'19" West a distance of 31.05 feet to an ending point on the South line of the above described lease area, said point being 15.00 feet South 88°59'41" West of the Southeast corner of said lease area. Consisting of 188.67 linear feet.

UTILITY EASEMENT DESCRIPTION
A Five feet (5') wide easement for utility purposes crossing a part of the Northwest Quarter (NW/4) of Section Thirteen (13), Township Twenty-seven (27) South, Range Two (2) East of the 6th Principal Meridian, Sedgwick County, Kansas, the centerline being more particularly described as follows: Commencing at the Southwest corner of said NW/4; Thence North 00°59'51" West a distance of 296.87 feet; Thence North 88°00'09" East a distance of 50.00 feet to the East right of way line of N. 143rd Street E. and the point of beginning; Thence North 45°57'15" East a distance of 61.70 feet; Thence North 88°53'40 East a distance of 97.22 feet; Thence North 01°00'19" West a distance of 12.17 feet to an ending point on the South line of the above described lease area, said point being 5.00 feet North 88°59'41" East of the Southwest corner of said lease area. Consisting of 171.09 linear feet.

I, Kenneth E. Hauk, Kansas Registered Land Surveyor No. 1061, do hereby certify that this survey represents a careful survey made by me or under my supervision and is true and correct to the best of my knowledge and belief.

Kenneth E. Hauk 9/26/08
Kenneth E. Hauk, LS#1061

KENNETH EDWIN HAUK LICENSED 1061 KANSAS LAND SURVEYOR

TOWER COORDINATES

NAD83 / NAVD 88
LATITUDE: 37°42'08.47" LONGITUDE: 97°10'14.22" ELEVATION: 1341.6'
NAD27 / NGVD29
LATITUDE: 37°42'08.42" LONGITUDE: 97°10'13.07" ELEVATION: 1341.2'

NOTES

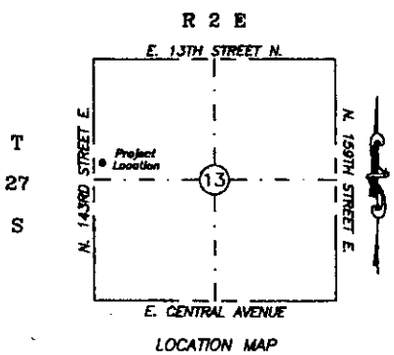
1: Surveyor was not provided with a Title Commitment Policy or Title Report, therefore not all easements of record may be shown hereon. Surveyor provided no additional research regarding easements and no liability is extended herein.

2: Bearings shown hereon are based on the Kansas State Plane Coordinate System, South Zone, NAD83 Datum.

3: The latitude and longitude shown hereon are based on NAD83 Datum and are accurate to within fifteen feet horizontally; the elevations shown hereon are based on NAVD88 and are accurate to within three feet vertical. This information was established and determined by GPS Observations.

4: This survey does not provide any determination concerning wetlands, fault lines, toxic waste or any other environmental issues. Such matters should be directed to an expert consultant.

5: There may be additional buried or underground utilities in the area which the surveyor is unaware of and no liability for such is assumed herein.



LOCATION MAP

WI02993
CASTLE ROCK

NO.	REVISION	DATE	BY

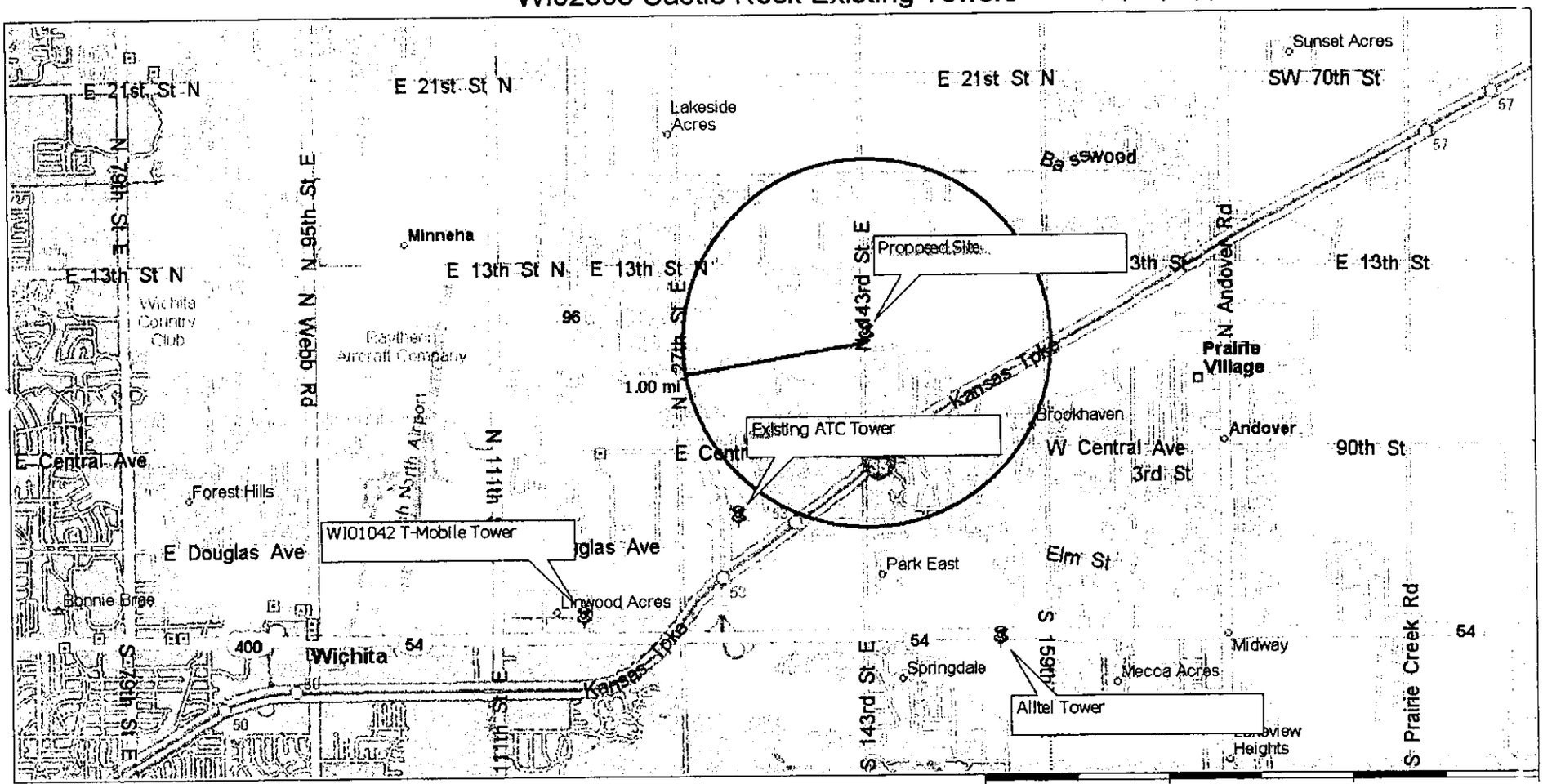
T-MOBILE CENTRAL LLC
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Wi02393 Castle Rock Existing Towers

Exhibit 2



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