CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

January 21, 2013

Telecom Reality Consultants, LLC
c/o Caroline Boyd
3864 W 75th Street
Prairie Village, KS, 66208

Re: CON2012-00048 – Sedgwick County Administrative Permit for a reopening/extension of operational time for an existing temporary 80-foot high wireless communication facility, CON2009-00002, on property zoned LI Limited Industrial ("LI"); generally located approximately 880 feet south of MacArthur Road, on the east side of Oliver Street. Note: see the Legal description of the site on the attached legal to the Site Plan

Dear Ms. Boyd:

We have reviewed your request for a Sedgwick County Administrative Permit for an extension of operational time for a temporary 80-foot high (x) 24-inch wide wireless communication facility (CON2009-00002) on property zoned LI Limited Industrial ("LI"). CON2009-00002 is a Sedgwick County Administrative Permit for a temporary 80-foot tall "cellular on wheels" (COW) lattice type of tower. The temporary COW permit was good for one-year, ending February 13, 2010. The following are some observations on your request.

Your application (including an 'Affidavit' and the attached e-mail) indicates that the extension of time for the temporary COW lattice type of tower is needed for AT &T to continue to provide wireless phone in-building coverage for the Boeing Company until possibly the spring 2014. The request is based on the Boeing Company's announcement that they will be leaving Wichita, Kansas, by the end of 2013; Wichita Eagle, January 4, 2011. Note that your Affidavit originally requested the end of January 2013 and the subsequent e-mail bumped that to the spring of 2014. Based on the Eagle article (and other news organizations' articles on the Boeing move form Wichita), the spring of 2014 is a more realistic request to maintain current coverage.

CON2012-00002 noted that the temporary COW would be needed until a permanent wireless communication facility is approved and constructed. The application estimated it would take up to 12 months before a permanent wireless communication facility would be operational. CON2009-00022 was a Conditional Use for 150-foot high, galvanized monopole tower, located east of Highway K-15, on the south side of MacArthur Road; located approximately ¾-mile from the temporary COW. The staff report for CON2009-00022 notes that it's150-foot high, galvanized monopole tower was supposed to take over the AT & T coverage provided by the temporary COW. Your Affidavit states that CON2009-00022's tower cannot provide this coverage; Clarify this contradiction.

CON2009-00002 was approved by the Administrative Permit process, based on its conformance to Art III, Sec III-D.6.g. (3) (e) of the Wichita-Sedgwick County Unified Zoning Code (UZC) and the Location/Design Guidelines of the Wireless Communication Master Plan and the Compatibility Height Standards of Art IV, Sec IV-C.5 of the UZC.

The Location/Design Guidelines provide policy guidance regarding the placement of permanent wireless communication facilities, but does not specifically address the placement of temporary facilities such as a COW. We found that the impact of CON2009-00002's temporary facility on the surrounding LI zoned properties was limited due to the short time period for which the 80-foot high COW was originally proposed to be located on the subject site.

Our signatures below indicate that an Administrative Permit for a temporary 80-foot high wireless communication facility on the aforementioned property is hereby GRANTED, subject to the following conditions:

(1) The temporary wireless communication facility approved for placement on the site is an 80-foot high cellular on wheels, which shall be removed from the site no later than April 30, 2014.
(2) Provide
(3) The applicant shall obtain all permits necessary to continue to use the temporary wireless communication facility.
(4) All requirements of Section III.D.6.g. of the Unified Zoning Code shall remain in effect.
(5) The site and the temporary wireless communication facility shall be developed in general conformance with the approved site plans and elevation drawings. All improvements shall be completed before the facility becomes operational.
(6) The site and the temporary wireless communication facility shall be developed and operated in compliance with all federal, state, and local rules and regulations.
(7) If the County 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 may now be removed from the property.

John Schlegel
Planning Director

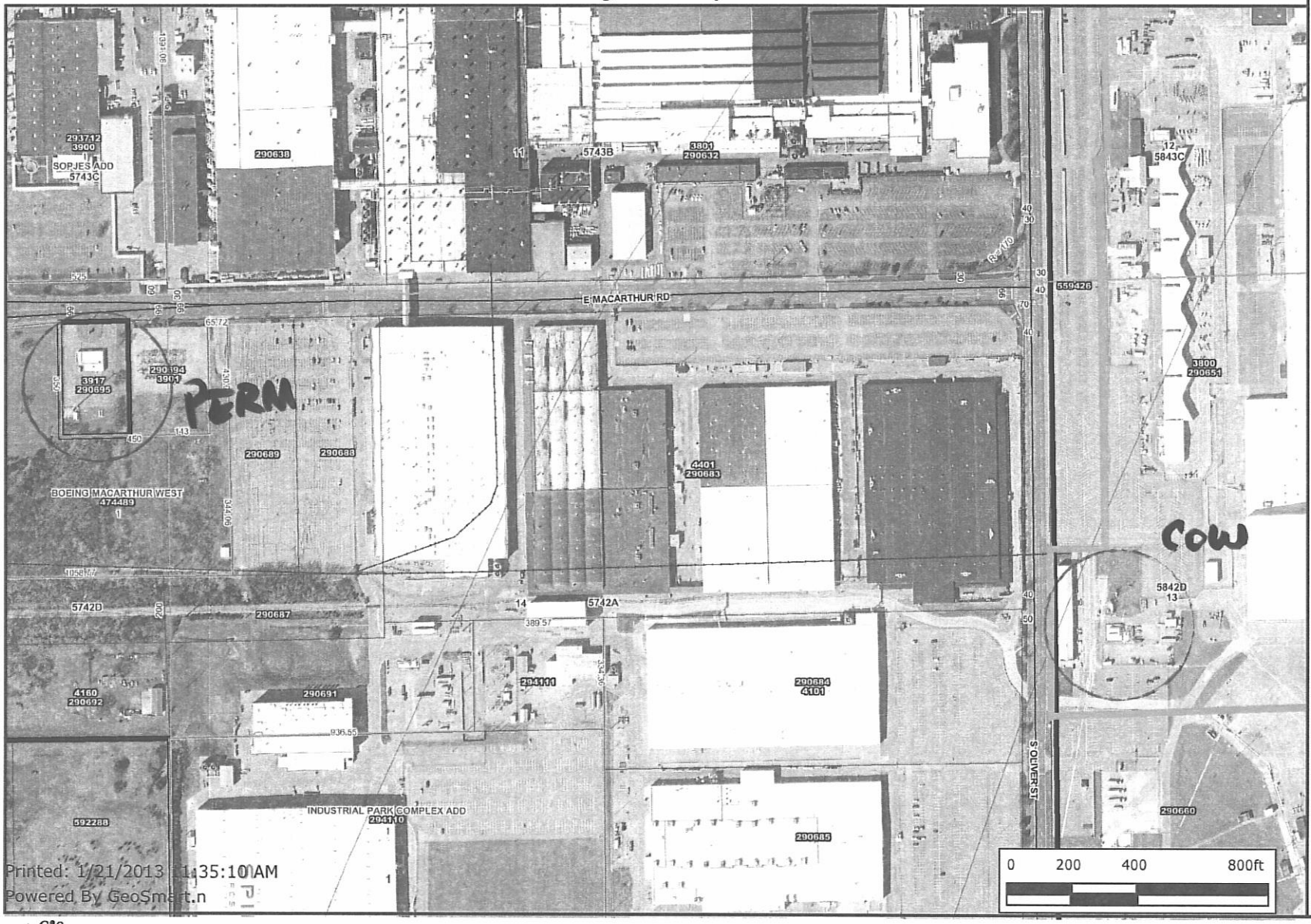
Tom Stolz, Director
Metropolitan Area Building and Construction Department

Attachments

cc: The Boeing Company, PO Box 3707, M/C 6X-AA, Seattle Washington, 98124
AT &T Mobility, 13075, Manchester Road, Suite 100, Des Peres MO, 66208
Kelly Parks, Metropolitan Area Building and Construction Department (e-mail)
Bud Lett, Metropolitan Area Building and Construction Department (e-mail)

CON2012-48

COW and adjacent perm tower



Selected Features

City Limit Boundaries

Historic Districts

Old Town

Delano Overlay District

NO

YES

Property Parcels

Lot Block

Subdivisions

Roads

State Highway

US Federal Highway

Interstate

KTA

Arterial

Collector

Minor

Ramp

Railroads

Township and Range

Section

Quarter Section

HOA

Local Investment Area

Historic Sites

REGIONAL

STATE/NATIONAL

STATE

Historic Environs

Case Tracking

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