CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

December 13, 2012

Sedgwick County
c/o Rob Lawrence
538 N Main
Wichita, KS, 67203

REFERENCE: CON2012-00047 – County Conditional Use for a wireless communication facility on RR Rural Residential zoned property, generally located east of K-42 - 183rd Street West, on the north side of 71st Street South.

Legal Description: Lot 1, Block A, Sedgwick County Clonmel Yard Addition to Sedgwick County, Kansas

Dear Applicant:

At its regular meeting on **December 6, 2012**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request, subject to the conditions of the attached Resolution. Because there were no valid appeals or protest petitions filed opposing this action by **December 20, 2012**, the action of the MAPC will be considered final.

Sincerely,

Bill Longnecker
Senior Planner

Copies to: Bob Parnacott, County Attorney, e-mail
Karl Peterjohn, BoCC #3, e-mail
Black & Veatch Corp, c/o Laurie Hatfield, 10950 Grandview Dr., Overland Park KS, 66201
Kelly Dixon, County Code Enforcement, e-mail
Jim Weber County Public Works, e-mail

CONDITIONAL USE RESOLUTION NO. CON2012-00047

WHEREAS, Sedgwick County, c/o the Sedgwick County Board of County Commissioners (owner); pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requests a Conditional Use for a "Wireless Communication Facility", on approximately a 100' (x) 100' site located within approximately 15-acres zoned Rural Residential ("RR"), described as:

Lot 1, Block A, Sedgwick County Clonmel Yard Addition, Sedgwick County, Kansas; generally located east of K-42 Highway - 183rd Street West on the north side of 71st Street South.

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 6, 2012, 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 allow a Conditional Use for a "Wireless Communication Facility", on approximately a 100' (x) 100' site located within approximately 15-acres zoned Rural Residential ("RR"), described as:

Lot 1, Block A, Sedgwick County Clonmel Yard Addition, Sedgwick County, Kansas; generally located east of K-42 Highway - 183rd Street West on the north side of 71st Street South.

Approved subject to the following conditions:

A. All requirements of Art. III Sec. III.D.6.g. of the Unified Zoning Code shall be met. Waive the compatibility setback requirement.
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 300-foot tall self supporting lattice design that generally conforms to the approved site elevation and that is silver or gray or a similar unobtrusive color with a matte finish to minimize glare.
D. The 300-foot tall support structure shall be designed to allow structural modifications that would accommodate communication equipment for at least three (3) wireless service providers, per Sec.VI-A.7 of the Wireless Communication Master Plan.
E. The tower shall conform to FAA regulations in regards to analysis of airspace in the area, which includes conformation that the height of the tower is not a hazard to air navigation (including the need or not for lighting) and that the tower does not interfere with other radio/communication frequencies. The applicant shall submit a current copy of FAA approval to the MAPD and the Code Enforcement Office prior to the issuance of a building permit.
F. The tower site located within the 14.97-acre Lot 1, Block A, Sedgwick County Clonmell Yard shall be developed in general conformance with the approved site and landscape plan. These plans must show the type and size of fencing around the site, parking, all light poles, lights, power poles,

cabinets, equipment or buildings within the fenced in site or in the immediate area if it is to be used by the site. The plan must identify existing and/or proposed trees and shrubs, give their total numbers and their general size. All improvements and construction of the facility/tower shall be completed within a year and before the facility becomes operational.

G. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.

H. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

Adopted this 6th day of December 2013.

METROPOLITAN AREA PLANNING COMMISSION

David Dennis, Chair MAPC

ATTEST:

John L. Schlegel, Secretary

CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

December 13, 2012

Sedgwick County
c/o Rob Lawrence
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Legal Description: Lot 1, Block A, Sedgwick County Clonmel Yard Addition to Sedgwick County, Kansas

Dear Applicant:

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G. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.

H. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

Property owners may also file written protest petitions on zoning related items heard by the MAPC. In order to be considered a "valid" petition, the signatures must reflect the correct and entire ownership of the property, the property must be at least partially within 1,000 feet of the property for which the application was filed, and must be submitted to the County Clerk within 14 days of the conclusion of the MAPC hearing, by **December 20, 2012, at 5 p.m.** Such petitions may cause the application to be disapproved, if the land area encompassed by the protesting owners exceeds 20% of the land area within 1,000 feet of the perimeter of the application area, unless the County Commission overrides such a protest and approves the application by a vote of 4 of its members.

If there are no valid appeals or protest petitions filed opposing this action by **December 20, 2012**, the action of the MAPC will be considered final. If appeals or protest petitions are filed, your application will be forwarded to the County Commission meeting for review and final action at a date to be announced.

This is a reminder that the zoning notification signs should now be removed from the property. If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

Bill Longnecker
Senior Planner

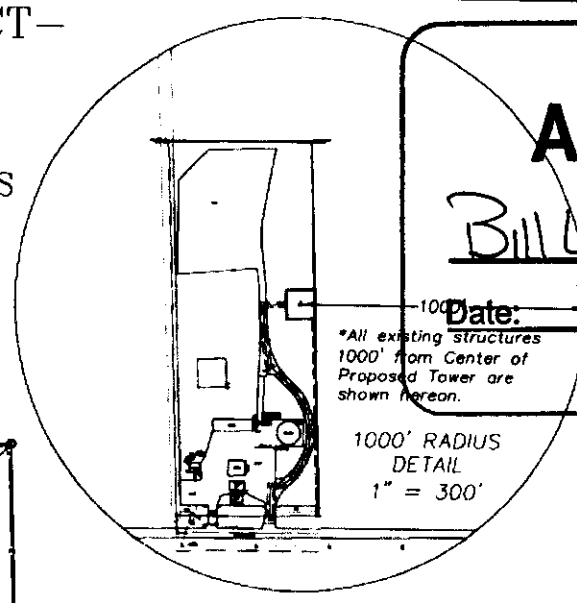
SEDGWICK COUNTY RADIO PROJECT– CLONMEL SURVEY

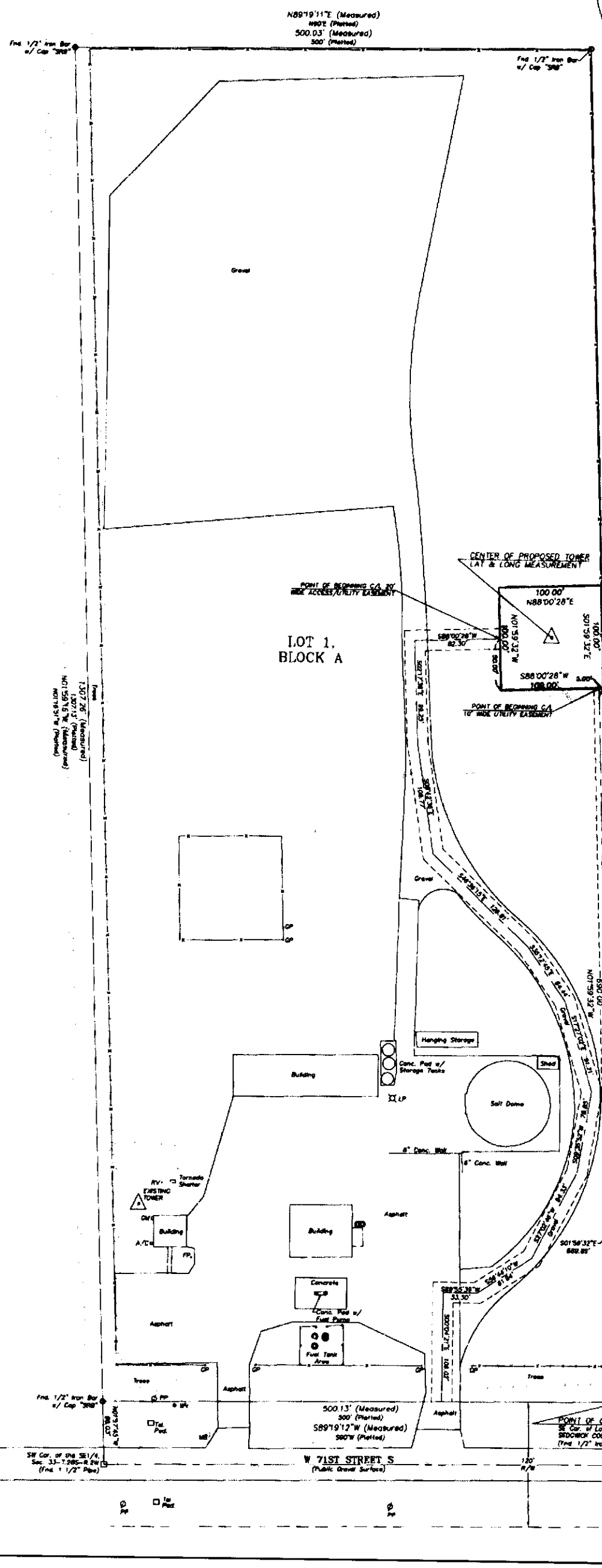
PART OF LOT 1, BLOCK A, SEDGWICK COUNTY CLONMELL YARD, AN ADDITION TO SEDGWICK COUNTY, KANSAS

APPROVED

Bill Longnecker

Date: March 22, 2013





A current Title Commitment had not been provided by the owners as of the date of issuance of this Plat of Survey. This company has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.

Notes:

Bearings shown hereon are based on Kansas State Plane Coordinate System of 1983 (NAD 83)

Coordinates were derived using GPS Static Survey methods and post processed data with Magellan/Ashtech receivers and "Locus System" processor software.

Set 1/2" iron bar at Lease corners unless otherwise noted.

The purpose of this survey is to establish and describe a Lease Parcel and associated easements. This is not a boundary survey of the Parent Parcel.

The utilities as shown on this drawing were developed from the information available (existing utility maps, aboveground observations and or surface markings placed on the ground by the utility company or a representative thereof). This company has made no attempt to excavate or go below surface to locate utilities and does not extend or imply a guaranty or warranty as to the exact location of or complete inventory of utilities in this area. It shall be the contractors responsibility to verify the location and depth of all utilities (whether shown or not) prior to excavation or construction and to protect said utilities from damage.

PROPOSED CELL TOWER DATA
Center of Tower
Lat 37°33'53.646" North
Long 97°32'29.740" West
Ground Elevation = 1391ft

PROPERTY DESCRIPTION: LEASE AREA, ACCESS/UTILITY EASEMENT, AND UTILITY EASEMENT

A 100 foot by 100 foot Lease Area, a 20 foot wide Access/Utility Easement, and a 10 foot wide Utility Easement, situated in Lot 1, Block A, SEDGWICK COUNTY CLONMELL YARD, more particularly described as follows:

COMMENCING at the Southeast Corner of said Lot 1 (Fnd 1/2" Iron Bar w/Cap "SRB"); thence along the East line of said Lot, North 01°59'32" West, a distance of 690.00 feet to the POINT OF BEGINNING of said Lease Area; thence leaving said East line, South 88°00'28" West, a distance of 100.00 feet; thence North 01°59'32" West, a distance of 100.00 feet; thence North 88°00'28" East, a distance of 100.00 feet to the East line of said Lot 1; thence along said East line, South 01°59'32" East, a distance of 100.00 feet to the POINT OF BEGINNING. Containing 10,000 square feet.

A 20 foot wide Access/Utility Easement, lying 10.00 feet on each side of the following described centerline:

COMMENCING at the Southeast Corner of said Lot 1 (Fnd 1/2" Iron Bar w/Cap "SRB"); thence along the East line of said Lot, North 01°59'32" West, a distance of 690.00 feet to the POINT OF BEGINNING of said Lease Area; thence leaving said East line, South 88°00'28" West, a distance of 100.00 feet; thence North 01°59'32" West, a distance of 50.00 feet to the POINT OF BEGINNING of said centerline; thence South 88°00'28" West, a distance of 82.30 feet; thence South 02°17'36" East, a distance of 99.25 feet; thence South 08°42'36" East, a distance of 108.77 feet; thence South 46°36'15" East, a distance of 126.81 feet; thence South 35°12'45" East, a distance of 64.44 feet; thence South 17°27'02" East, a distance of 91.21 feet; thence South 09°35'52" West, a distance of 78.85 feet; thence South 27°02'46" West, a distance of 94.33 feet; thence South 56°44'10" West, a distance of 61.94 feet; thence South 89°55'39" West, a distance of 33.30 feet; thence South 00°04'21" East, a distance of 106.02 feet to the South line of said Lot 1 and the POINT OF TERMINATION.

AND a 10 foot wide Utility Easement, lying 5.00 feet on each side of the following described centerline:

COMMENCING at the Southeast Corner of said Lot 1 (Fnd 1/2" Iron Bar w/Cap "SRB"); thence along the East line of said Lot, North 01°59'32" West, a distance of 690.00 feet to the POINT OF BEGINNING of said Lease Area; thence leaving said East line, South 88°00'28" West, a distance of 5.00 feet to the POINT OF BEGINNING of said centerline; thence South 01°59'32" East, a distance of 889.89 feet to the South line of said Lot 1 and the POINT OF TERMINATION.

CERTIFICATION:

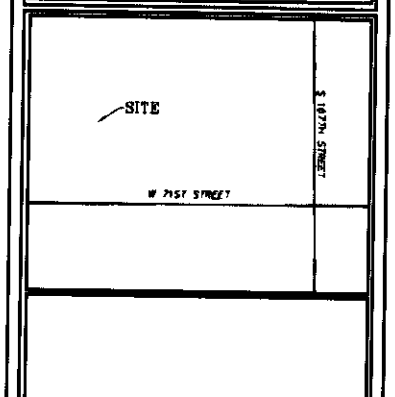
I HEREBY CERTIFY THAT A SURVEY WAS MADE BY ME, OR UNDER MY DIRECT SUPERVISION, ON THE GROUND OF THE LEASE AREA, LEASE ACCESS EASEMENT, AND LEASE UTILITY EASEMENT PREMISES HEREIN DESCRIBED, AND THE RESULTS OF SAID SURVEY ARE REPRESENTED HEREON. THIS SURVEY WAS EXECUTED IN ACCORDANCE WITH THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS OVER SAID LEASE PREMISES TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

JEFFREY B. LOVELACE KS–LS1326

DATE:

LEGEND

POWER POLE	Ø PP
LIGHT POLES	LP
TELEPHONE PEDESTAL	Tel. Ped.
ANCHOR	
GAS METER	GM
WATER VALVE	WV
MAIL BOX	MB
AC UNIT	A/C
GATE POST	GP
GUARD POST	GRD
FLAG POLE	FP
SECTION CORNER	
PROPERTY CORNER	
ROOF VENT	RV
FUEL TANK	
TOWER POINT	
TREE LINE	
FENCE	
OVERHEAD POWER LINE	



LOVELACE & ASSOCIATES
Land Surveying - Land Planning
Telecommunications Surveys
929 SE 3rd Street Lee's Summit, Missouri 64063
Phone: (816) 347-9997 Fax: (816) 347-9979

SURVEY COORDINATED BY:

LOVELACE AND ASSOCIATES, LLC
P.O. BOX 68,
LEE'S SUMMIT, MO 64063
TELEPHONE: 816–347–9997
FAX: 816–347–9979

SURVEY PROVIDED BY:

LOVELACE AND ASSOCIATES, LLC
P.O. BOX 68,
LEE'S SUMMIT, MO 64063
TELEPHONE: 816–347–9997
FAX: 816–347–9979

SURVEY PROVIDED FOR:

BLACK & VEATCH CORPORATION
10950 GRANDVIEW DR.,
OVERLAND PARK, KS 66211
TELEPHONE: 913–458–4869

SCALE 1" = 50'
50' 0 50' 100'

FLOOD NOTE:

According to my interpretations of Community Panel No. 20173C0475E of the Flood Insurance Rate Map for Sedgwick County, Kansas, dated 02–02–2007, the subject property is in Flood Zone "X", ie. "areas determined to be Outside 500 year flood plain".

SITE NAME: SEDGWICK COUNTY RADIO PROJECT–CLONMEL SURVEY

SITE LOCATION:
17500 W 71ST ST S,
SEDGWICK COUNTY, KS

LA PROJECT NO.: 12379

DRAWN BY: A.C.T.

CHECKED BY: J.B.L.

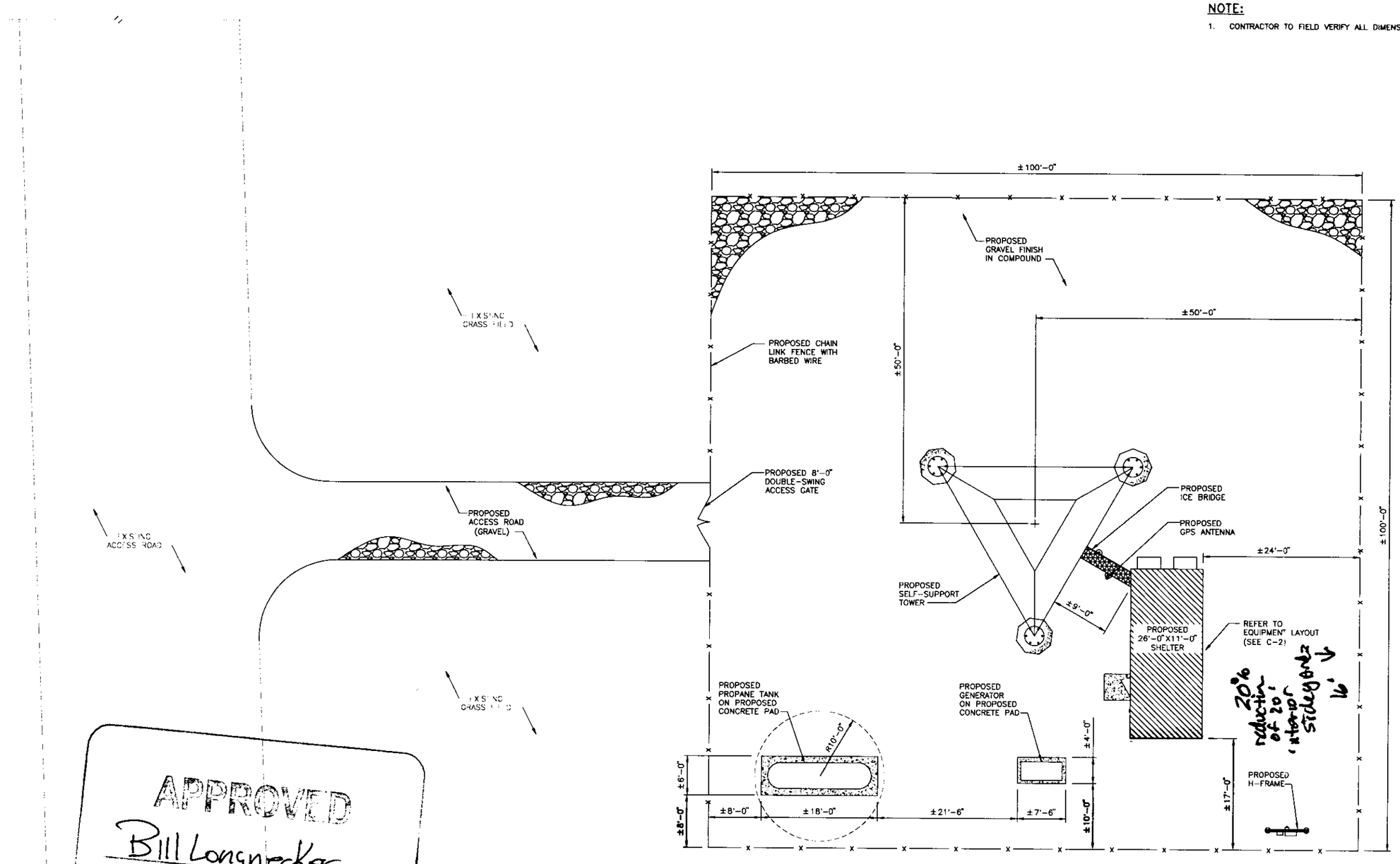
DATE: 08–16–12

FIELDWORK DATE: 08–15–12

SHEET NUMBER
1 OF 1

NOTE:

1. CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS.



APPROVED
Bill Longnecker
March 22, 2013

SITE PLAN

8' 4' 0 8' 16'
1/8"=1'-0"

LEGEND

FENCE — x — x — x —

ICE BRIDGE

CASSIDIAN

1301 WEST
PRESIDENT GEORGE BUSH HIGHWAY
SUITE 150
RICHARDSON, TX 75080

BLACK & VEATCH

10950 GRANDVIEW DRIVE
OVERLAND PARK, KANSAS 66210
(913) 458-2000

PROJECT NO:	177397
DRAWN BY:	AR
CHECKED BY:	WEB

REV	DATE	DESCRIPTION
A	09/12/12	ISSUED FOR REVIEW

NOT TO BE USED FOR CONSTRUCTION

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

CLONMEL

17500 W. 71TH ST. S.
VIOLA, KS 67149

SHEET TITLE

SITE PLAN

SHEET NUMBER

C-1