CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

December 12, 2014

Spire Wireless
c/o Kathryn Roderique, Asst. Sec. of Spire Wireless
9660 Audelia Road, Ste 12375
Dallas, TX, 75238

RF Alternatives
c/o Jackson Gnaedinger
1736 Westpark Center Drive
St. Louis, MO, 63026

RE: CON2014-00031 - County request for an Administrative Permit to allow a wireless communication facility with a 120-foot monopole on RR Rural Residential zoned property generally located north of 71st Street South on the east side of 39th Street West (BoCC #2)

Legal Desription: A 50-foot (x) 50-foot wireless communication facility site located on the atttached legal description of property generally located north of 71st Street South on the east side of 39th Street West

Dear Applicant,

We have reviewed your request for an Administrative Permit for a 120-foot monopole communication tower for use by Spire Wireless on property zoned RR Rural Residential. The proposed tower will provide and extend service to this area of Sedgwick County. Sec. VI.A.2.d. (Location/Design Guidelines) of the Wichita-Sedgwick County Wireless Communication Master Plan (Master Plan) states that new, undesguised ground-mounted wireless communication facilities up to 120 feet in height in the RR 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 Wichita-Sedgwick County Unified Zoning Code (UZC) and the Location/Design Guidelines of the Master Plan.

The Compatibility Height Standards require the proposed 120-foot tall monopole communication tower to be located no closer than 120 feet from the property line of property zoned TF-3 Two-Family Residential or more restrictive. All abutting and adjacent properties are zoned SF-20 Single-Family Residential and RR; the SF-20 and RR zoning districts are more restrictive than TF-3 zoning district. The location of your 50-foot (x) 50-foot lease site with its 120-foot tall monopole, within the Eck property places it more than

120 feet from the nearest property line and such is in conformance with the Compatability Height Standard.

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

(1) Your structures and towers map and its attached breakdown of their locations, size and ownership shows the nearest communication facilities and towers all located approximately 1 ½-miles to 4 ½-miles northeast, east and southeast of the subject property. The map does not show any communication facilities and towers located northwest, west or southwest of the subject property. Planning Staff drove this area and confirmed the structures and towers map.

(2) Your coverage map shows an overlapping of your proposed services with the exisitng communication facilities and towers located northeast, east and southeast of the subject site. The coverage map shows new coverage for a greater area that currently without coverage. Most of the exisitng communication facilities and towers are located within the city limits of Haysville.

(3) You have provided a narrative stating why colocation on the exisitng communication facilities and towers would not provide similar coverage. The narrative also states that the current industry's trend to provide high speed voice and data that dictates smaller cell site radii; 4th Generation Long Term Evolution (4G LTE). 4G LTE technology allows the users of the tower sites to migrate from simple voice communication to high-speed data for sending pictures and video from their more sophisticated smartphones. However as the network evolves from 3G to 4G LTE technology and beyond, more tower sites are required because 4G LTE coverage areas tend to be geographically smaller and many of Wichita's and Sedgwick County's existing towers' capacity is maxed out as they continue to supply the current 3G technology. The move towards 4G LTE technology could lead to more contentious public forums in regards to Conditional Use applications for wireless communication facilities with cell towers, as cell towers move into areas where residential development is dominate. Although the subject site is located approximately 1-mile west of the Haysville city limits, it is rural in character.

(4) The site's proximity to the Wichita Mid-Continenet Airport and Bombardier-Cessna Wallace airstrips places the site in Area D of the Airport Hazard Zone. Area D has a 300-foot maximum height standard, which the proposed 120-foot tall tower does not exceed.

Staff has received no protests to the proposed communication facility. 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 communication facility with a 120-foot tall monopole wireless communication facility is hereby GRANTED for the above-referenced property, subject to the following conditions:

A. This request must have the approval by the FAA (FAA form 7460-1 Notice of Proposed Construction or Alteration with the FAA) in determining the proposed wireless communication facility with its 120-foot tall galvanized steel, monopole tower carrying any 3G or 4G LTE poses no hazard to air navigation or interferes with other radio/communication frequencies. The applicant shall submit a current copy of FAA approval to the MAPD and the MABCD prior to the issuance of a building permit.

B. All requirements of Art. III Sec. III.D.6.g. of the Unified Zoning Code shall be met.

C. 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 Administrative Permit.

D. The support structure shall be a monopole design, as shown on the elevation and 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.

E. The support structure shall not exceed 120 feet in height and shall be designed and constructed to accommodate communication equipment for at least three (3) wireless service providers.

F. The 50-foot (x) 50-foot communication facility and its 120-foot monopole tower shall be developed in general conformance with the approved revised site and a 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 to determine if it meets screening requirements of the Unified Zoning Code (UZC) Art. IV, Sec. IV-B.3.b.1. Evergreens will be planted with a minimum size of 6-foot at the time of their planting and planted on 10-foot centers. The site plan must identify all utility and or access easements. The proposed access/utility easement must be recorded and its surface approved by MABCD and Sedgwick Fire. All improvements and construction of the facility/tower shall be completed within one year of approval before the facility becomes operational.

G. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations. Provide the Stormwater Engineer with any required plans for review and approval of the site. No building permits will be issued until all conditions are completed

H. If the Zoning Administrator finds that there is a violation of any of the conditions, 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 CON2014-00031 is void and null.

The "Development Application" sign should now be removed from the property. If you have any questions concerning this application, please contact our office at 316-268-4421.

John L. Schlegel - Director
Metropolitan Area Planning Dept.

Thomas J. Stolz - Director
Metropolitan Area Building & Construction Dept.

Copies to: Matt and Pat Eck Grandchildren Trust, 121 S Westerfield Street, Wichita, KS, 67206
Tim R. Norton, Sedgwick County Commissioner for District 2
Robert Parnacott, Sedgwick County Attorney
Jim Weber, Sedgwick County Engineering
Kelly Dixon, Metropolitan Area Building and Constrution Department
JR Cox, Metropolitan Area Building and Constrution Department

SITE PLAN

Haysville

APPROVED Dec 12, 2014 BY Bill Loepke

Baughman

ENGINEERING | SURVEYING | PLANNING
LANDSCAPE ARCHITECTURE

(316)-262-7271 • 315 ELLIS • WICHITA, KANSAS 67211

State of Kansas)
SS
County of Sedgwick)

Spire Wireless
February 27, 2014

We, Baughman Company, P.A., Surveyors in aforesaid county and state do hereby certify that, under the supervision of the undersigned, we did on this 27th day of February, 2014, perform a survey of the following:

A portion of the south 1/2 of the southwest quarter of Section 36, Township 28 South, Range 1 West, of the Sixth Principal Meridian, Sedgwick County, Kansas described as commencing at the southwest corner of said southwest quarter; thence N01°09'11"W (Assumed) along the west line of said southwest quarter, 1080.67 feet; thence N88°50'49"E, perpendicular to the west line of said southwest quarter, 204.04 feet to the point of beginning; thence N01°09'11"W, parallel with the west line of said southwest quarter, 50.00 feet; thence N88°50'49"E, perpendicular to the west line of said southwest quarter, 50.00 feet; thence S01°09'11"E, parallel with the west line of said southwest quarter, 50.00 feet; thence S88°50'49"W, perpendicular to the west line of said southwest quarter, 50.00 feet to the Point of Beginning. Subject to road rights of way of record.

Subject property contains 2,500.0 square feet, or 0.057 acres.

The accompanying sketch is a true and correct exhibit of said survey based on actual field measurements where the monuments are of the character and occupy the positions as indicated.

PRELIMINARY DRAWING
SUBJECT TO REVISIONS

Preston A Stewart #1386 Date
DATE: February 27, 2014

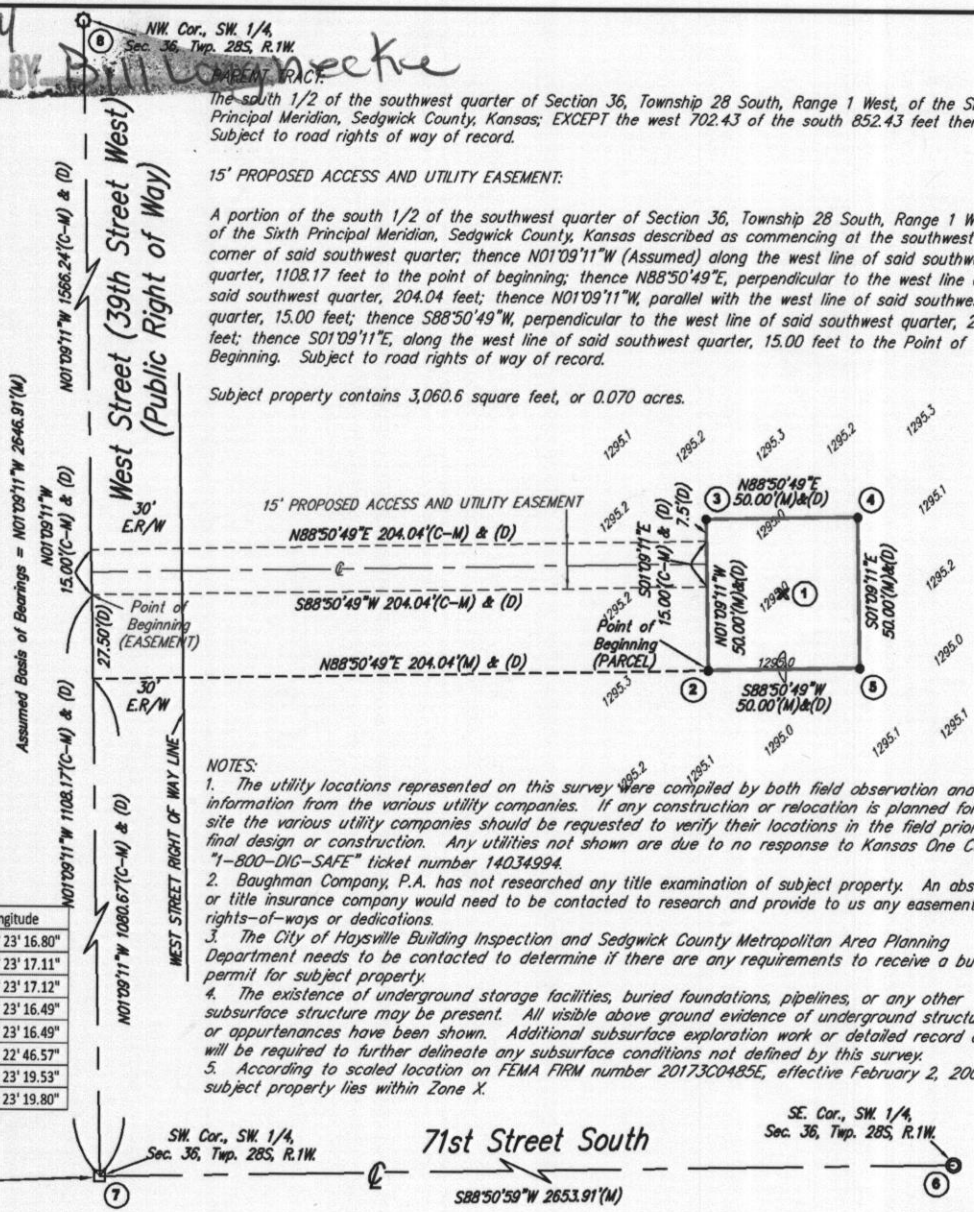
0 40' 80'

- ● = #4 Baughman Rebar Set
- □ = 1/2" Iron Pipe Found (Origin Unknown)
- ⊙ = 3/4" Iron Pipe in Thimble Found
- ⊙ = Stone with 1/2" Iron Pipe on North Side Found
- ✕ = Proposed Center of Tower Location

(C) = Calculated
CH. = Chord Length
CH. BR. = Chord Bearing
Δ = Delta Angle
D = Degree of Curve
(D) = Described
L = Arc Length
(M) = Measured
(P) = Platted
(Pro) = Prorated
R = Radius

Pt. #	Northing	Easting	Latitude	Longitude
1	1642165.2794'	1634622.7842'	N037° 34' 01.98"	W097° 23' 16.80"
2	1642139.7814'	1634598.2924'	N037° 34' 01.73"	W097° 23' 17.11"
3	1642189.7712'	1634597.2862'	N037° 34' 02.22"	W097° 23' 17.12"
4	1642190.7774'	1634647.2760'	N037° 34' 02.23"	W097° 23' 16.49"
5	1642140.7876'	1634648.2822'	N037° 34' 01.73"	W097° 23' 16.49"
6	1641108.5057'	1637069.4127'	N037° 33' 51.24"	W097° 22' 46.57"
7	1641055.2276'	1634416.0392'	N037° 33' 51.03"	W097° 23' 19.53"
8	1643701.5995'	1634362.7732'	N037° 34' 17.20"	W097° 23' 19.80"

SITE BENCHMARK
Top of 1/2" Iron Pipe
Elevation=1269.59
(NAVD 88)



The south 1/2 of the southwest quarter of Section 36, Township 28 South, Range 1 West, of the Sixth Principal Meridian, Sedgwick County, Kansas; EXCEPT the west 702.43 of the south 852.43 feet thereof. Subject to road rights of way of record.

15' PROPOSED ACCESS AND UTILITY EASEMENT:

A portion of the south 1/2 of the southwest quarter of Section 36, Township 28 South, Range 1 West, of the Sixth Principal Meridian, Sedgwick County, Kansas described as commencing at the southwest corner of said southwest quarter; thence N01°09'11"W (Assumed) along the west line of said southwest quarter, 1108.17 feet to the point of beginning; thence N88°50'49"E, perpendicular to the west line of said southwest quarter, 204.04 feet; thence N01°09'11"W, parallel with the west line of said southwest quarter, 15.00 feet; thence S88°50'49"W, perpendicular to the west line of said southwest quarter, 204.04 feet; thence S01°09'11"E, along the west line of said southwest quarter, 15.00 feet to the Point of Beginning. Subject to road rights of way of record.

Subject property contains 3,060.6 square feet, or 0.070 acres.

NOTES:
1. The utility locations represented on this survey were compiled by both field observation and information from the various utility companies. If any construction or relocation is planned for this site the various utility companies should be requested to verify their locations in the field prior to final design or construction. Any utilities not shown are due to no response to Kansas One Call "1-800-DIG-SAFE" ticket number 14034994.
2. Baughman Company, P.A. has not researched any title examination of subject property. An abstract or title insurance company would need to be contacted to research and provide to us any easements, rights-of-ways or dedications.
3. The City of Haysville Building Inspection and Sedgwick County Metropolitan Area Planning Department needs to be contacted to determine if there are any requirements to receive a building permit for subject property.
4. The existence of underground storage facilities, buried foundations, pipelines, or any other subsurface structure may be present. All visible above ground evidence of underground structures or appurtenances have been shown. Additional subsurface exploration work or detailed record data will be required to further delineate any subsurface conditions not defined by this survey.
5. According to scaled location on FEMA FIRM number 20173C0485E, effective February 2, 2007 subject property lies within Zone X.

Project No. 14-02-S314
DWG FILE: F:\SURVEY\ALTA\1402\Spire_Tower_Haysville_14-02-S314.dwg