



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

October 18, 2000

FILE COPY

BRZ Investments Inc.
3540 W. Douglas, Suite 3
Wichita KS 67203

Re: BZA2000-00038 – Administrative Permit for a 150-foot high wireless communication facility on property zoned “GC” General Commercial. Generally located north of Douglas and east of Kessler (3540 W. Douglas).

Dear Sir or Madam:

We have reviewed your request for an Administrative Permit for a 150-foot high wireless communication facility on property zoned “GC” General Commercial. Section III.D.6.g.(3)(d) of the Wichita-Sedgwick County Unified Zoning Code states that new ground-mounted wireless communication facilities up to 150 feet in height in the “GC” General Commercial zoning district shall be approved by Administrative Permit *if* they conform to the Compatibility Height Standards of Section IV-C.5 of the Unified Zoning Code and the Location/Design Guidelines of the Wireless Communication Master Plan.

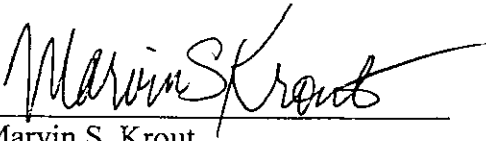
In reviewing your request, we find the following aspects of your request do not conform to the Location/Design Guidelines of the Wireless Communication Master Plan:

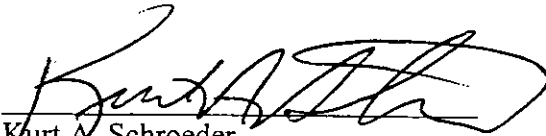
1. The applicant has not demonstrated to the satisfaction of the approving authority that there is no available space on existing wireless communication facilities and there is no other economically and technically feasible opportunity to modify or rebuild an existing structure. There is an existing KSSL radio tower located north of the site that the applicant has stated is located too far north; however, no documentation (such as RF propagation plots) has been provided to substantiate the statement. There is an existing KSAS television tower located northwest of the site for which information regarding the feasibility of extending the height of the tower was requested. Documentation regarding the feasibility of extending the height of the KSAS television tower has not been provided. There is an existing tower at Mayberry School located south of the site that could be reconstructed. The applicant has stated that reconstructing the school tower is not an option since USD 259 has not responded in a timely manner to proposals to reconstruct the tower; however, USD 259 states that proposals for reconstructing school towers are still under evaluation and temporary solutions such as “Cellular on Wheels” (C.O.W.) are available in the interim until USD 259 has stated that reconstructing the school tower is not an option.

2. The proposed facility is not placed in an area where trees and/or buildings obscure some or all of the facility from the view. The facility is proposed to be placed at the front of the warehouse facility in full view from Douglas.
3. Equipment cabinets are not proposed to be located indoors. Warehouse space is available on the site for the indoor storage of equipment.

Based on these findings of non-conformance with the Location/Design Guidelines of the Wireless Communication Master Plan, our signatures below indicate that your request an Administrative Permit for a 150-foot high wireless communication facility is hereby DENIED.

The zoning adjustment sign may now be removed from the property. If you desire to appeal our decision to deny your Administrative Permit request, you may submit your appeal to the Metropolitan Area Planning Commission by filing a request for a Conditional Use. The application form and instructions for filing a Conditional Use are attached. Should you file a Conditional Use request to appeal this decision, the filing fee for the Administrative Permit will be applied toward the filing fee for a Conditional Use.


Marvin S. Krout
Planning Director


Kurt A. Schroeder
Superintendent of Central Inspection

cc: Horizon Telecommunication, 1600 Capital Ave, Suite 6, Plano, TX 75074
Greg Ferris, Ferris Consulting, P.O. Box 573, Wichita, KS 67201
Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
J.R. Cox, Office of Central Inspection

This plat map illustrates a property on Douglas Avenue, featuring a proposed lease area and various existing structures and easements. The map includes the following details:

- Proposed Lease Area:** A rectangular area with a perimeter of 60.00' x 32.50'. It contains a "Proposed Tower" and "Small Trees". The area is bounded by bearings: N89°55'11"E, S89°55'11"W, S00°23'32"E, and N00°23'32"W.
- Existing Structures:**
 - One Story Brick Building (hatched area on the left).
 - Storage Building (hatched area at the top).
 - Storage Building (hatched area on the right).
- Fences and Boundaries:**
 - Wood Fence (adjacent to the brick building).
 - Wrought Iron Fence (adjacent to the proposed lease area).
 - Concrete (various areas throughout the property).
 - Parent Tract Boundary (indicated by a dashed line at the top and bottom).
 - 35' Building Setback Line (indicated by a dashed line on the right).
- Utility and Access:**
 - Electric Transformer (located near the center of the property).
 - Centerline 20' Access & Utility Easement (indicated by a dashed line on the right).
 - P.O.B. 20' Access & Utility Easement (indicated by a dashed line at the bottom).
 - Power Pole #3520 and Power Pole #F110 (located along Douglas Avenue).
- Measurements and Bearings:**
 - 97.78' (distance along the bottom boundary).
 - N88°40'09"E (bearing along the bottom boundary).
 - 190.28' (distance along the bottom boundary).
 - 91.37' (distance along the left boundary of the proposed lease area).
 - 40.00' (distance along the left boundary of the proposed lease area).
 - 60.00' (distance along the top boundary of the proposed lease area).
 - 32.50' (distance along the right boundary of the proposed lease area).
 - 119.35' (distance along the right boundary of the proposed lease area).
 - 60.00' (distance along the bottom boundary of the proposed lease area).
 - 30' (distance from the proposed tower to the left boundary).
 - 20' (distance from the proposed tower to the bottom boundary).

HORIZON
TELECOMMUNICATIONS, INC.

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

CRICKET COMMUNICATIONS, INC.
WICHITA, KANSAS

DATE: 8/29/00

SCALE: 1" = 50'

JOB #: 0632

FIELD BOOK #: 10

PAGE #: 29

SHEET 2 OF 3

NO.	REVISION	DATE	BY
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SURVEYED BY: MAN

DRAWN BY: KEH

APPROVED BY: KEH

Prepared By:

 **ACK** Professional Land Survey, P.C.
700 Royal Lane Yukon, Okla. 73099 (405)-354-8272