



Wichita-Sedgwick County Metropolitan Area Planning Department

September 25, 2006

James D. and Rebecca G. Denning
11429 W. 37 Street North
Wichita, KS 67205

Re: CON2006-00044 – Administrative Permit for an 85-foot high wireless communication facility on property zoned “LC” Limited Commercial, subject to CUP 184.

Legal Description: See attached “Exhibit A.” Generally located south of 21 Street North and west of Maize Road.

Dear Mr. And Mrs. Denning:

We have reviewed your request for an Administrative Permit for an 85-foot high monopole tower for use by T-Mobile Wireless on property zoned “LC” Limited Commercial. Section III.D.6.g.(3)(c) of the Wichita-Sedgwick County Unified Zoning Code states that new ground-mounted wireless communication facilities up to 85 feet in height in the “LC” Limited Commercial zoning district shall be approved by Administrative Permit if they conform to the Compatibility Height Standards of Section IV-C.5.b. of the Unified Zoning Code and the Location/Design Guidelines of the Wireless Communication Master Plan.

The Compatibility Height Standards require the proposed 85-foot high monopole to be located no closer than 85 feet from the lot line of property zoned “TF-3” Two-Family Residential or more restrictive. The proposed 85-foot high monopole, as shown on the site plan submitted with this application, is located 116 feet from property to the south zoned “SF-5” Single-Family Residential; therefore, we find that 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. The applicant has demonstrated that there is no available space on existing or approved wireless communication facilities or other structures and there is no other feasible opportunity to rebuild or modify existing structures in order to meet the applicant’s communication needs. There are three water towers and two communication towers located less than two miles from the proposed tower, with the nearest site being a communication tower located approximately one mile to the southeast. T-Mobile Wireless has analyzed each of these five alternative sites and none of them provide sufficient coverage or capacity relief in the target area.
2. The proposed wireless communication facility is compatible with the character of the area, which is developed with a variety of industrial uses at an arterial intersection and has significant buffers in the form of significant setbacks and vegetation between the proposed tower and nearby residential areas.

City Hall • 10th Floor • 455 North Main • Wichita, Kansas 67202-1688

T 316.268.4421 **F** 316.268.4390

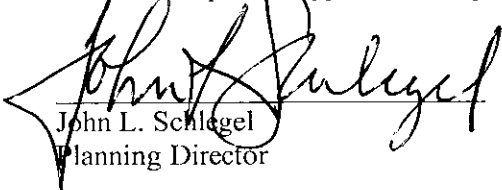
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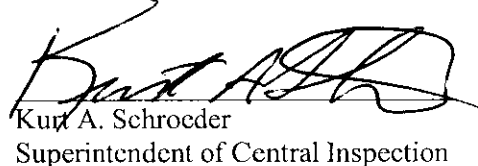
3. The facility does not exceed the height permitted by the Airport Hazard Zoning Ordinance will be required to be approved by the FAA; therefore, the proposed wireless communication facility is not located in manner that would cause a potential hazard to flight safety.
4. The proposed wireless communication facility minimizes the silhouette of the facility by its monopole design and uses materials and colors that minimize glare.
5. The proposed wireless communication facility is placed where buildings and required fencing will obscure some of the facility from view.

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:

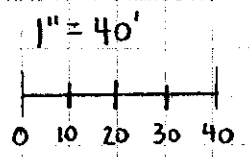
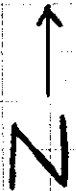
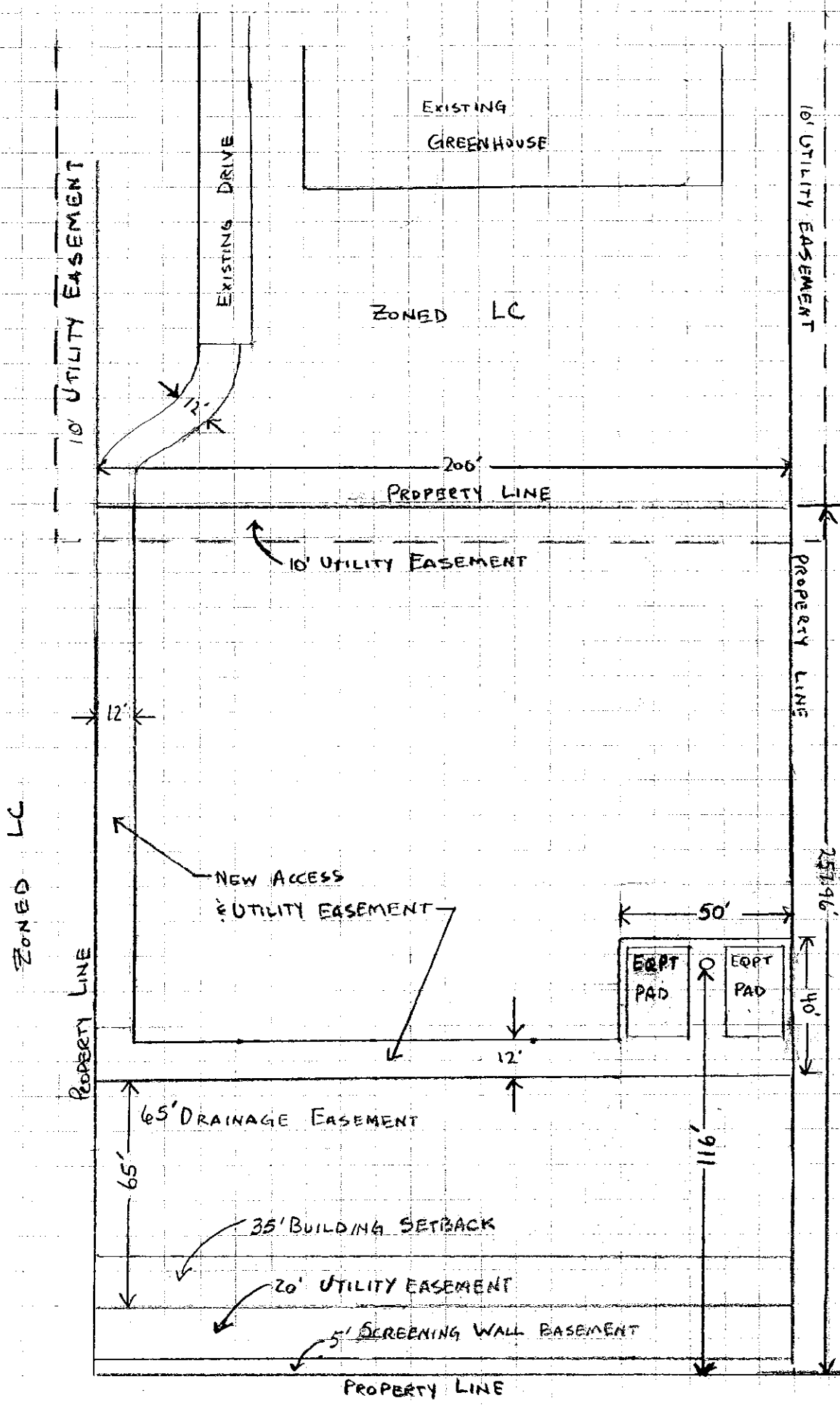
1. All requirements of Section III.D.6.g. of the Unified Zoning Code shall be met.
2. The applicant shall obtain all permits necessary to construct the wireless communication facility, and the wireless communication facility shall be erected within one year of the issuance of this Administrative Permit.
3. The site shall be developed in general conformance with the approved site plan and elevation drawing. All improvements shall be completed before the facility becomes operational, including the installation of the required CUP masonry screening wall along the south property.
4. The support structure 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 85 feet in height and shall be designed and constructed to accommodate communication equipment for at least one other wireless service providers.
6. The applicant shall obtain FAA approval regarding "objects affecting navigable airspace" and "impacts to terminal instrument procedures" for the proposed wireless communication facility and shall comply with all conditions of FAA approval. 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


Kurt A. Schroeder
Superintendent of Central Inspection

cc: Greg Ferris, P.O. Box 573, Wichita, KS 67201
George Wyrick, T-Mobile Wireless, P.O. Box 573, Oklahoma City, OK 73128
Mark Clark, Appraiser's Office
John Oswald, Wichita Airports
Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
Herb Shaner, Office of Central Inspection



ZONED GC

W102450 DENNING

T-MOBILE USA
 4533 ENTERPRISE DR
 OKLAHOMA CITY, OK
 73128

10721 W 21ST ST. N
 67205

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