

**APPLICATION
FOR
CONDITIONAL USE PERMIT**

Parcel ID# 1351503004001010

S15 T17 R23

Name of Development: ATT - Paola East KSL06276

Vicinity of Development (address): Agricultural land just north of 23180 W 311th Street, Paola KS

Current Zoning: CS Countryside

Proposed Use: cell tower

PROPERTY OWNER	APPLICANT (if different than owner)
NAME: Marjorie Reeder	NAME: New Cingular Wireless PCS, LLC
ADDRESS: 501 S Willow, Olathe, KS 66062	ADDRESS: 1025 Luton Park Blvd NE, Atlanta, GA
PHONE: 913-856-5679	PHONE: 314-504-4444
FAX:	FAX:
EMAIL:	EMAIL:

SURVEYOR / ENGINEER	CONTACT PERSON
NAME:	NAME: Steve Ward
ADDRESS:	ADDRESS: 15 Park Plaza Center, Swanton, IL 62236
PHONE:	PHONE: 314-503-4444
FAX:	FAX: 866-655-2853
EMAIL:	EMAIL: steve@ward-development.com

I/we, the (owner(s)/duly authorized agent), do hereby make application for a Conditional Use Permit described with this application.

Owner's Signature (all owners must sign): Marjorie K Reeder Date: 12-14-22

Owner's Signature: [Signature] Agent for ATT #1 Date: 2/8/23

OFFICE USE ONLY

Date application filed: FEB 14 2023

PC Hearing date: _____

Fees:

Application amount: \$ _____ Receipt # _____

Date Fees Paid: _____ Application # _____

B. NARRATIVE STATEMENT

December 8, 2022

Miami County Planning Commission
201 S. Pearl St, Ste. 201
Paola, KS 66071

RE: KSL06276 Paola KS East CUP application

Re: Submittal of Application for a Conditional Use Permit by New Cingular Wireless PCS, LLC (AT&T) to allow for the construction, operation, and maintenance of a wireless telecommunications facility consisting of a 195' self-supported lattice tower structure with attendant ground-based equipment compound on the property leased by the applicant on a tract of land located at 23180 West 311th Street in Paola.

Dear Members of the Planning Commission,

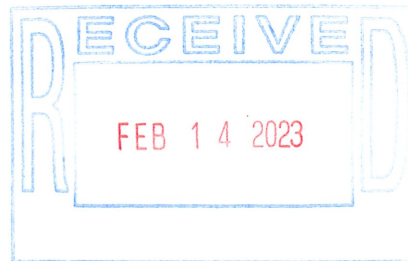
I write regarding the above-referenced project to supplement the Application for Conditional Use permit that is being concurrently filed. This letter is submitted on behalf of the owners of the property in conjunction with AT&T. AT&T is applying for this Conditional Use Permit to construct, operate and maintain a communication property on land owned by Marjorie Reeder. This letter provides a general overview of the project, including the need for the site and its design parameters.

With the filing of this Application, AT&T requests your support and a written determination that AT&T has met the criteria of the County of Miami and conforms to the County's ordinance. We also request this Application and supporting documentation be entered as part of the official records of this proceeding.

Applicant:
New Cingular Wireless PCS, LLC
7900 Xerxes Avenue S
Bloomington, MN 55435

Property Owner:
Marjorie Reeder
501 South Willow Drive
Olathe, KS 68062

Agents for Applicant and Property Owner:
Steven K. Ward
Ward Development Services, LLC
15 Park Place Centre
Swansea, IL 62226
(314) 503-4444 Phone
(866) 655-2853 (Facsimile)



I. Location and description of property

AT&T is proposing to provide service to the area east of Paola, Kansas and the surrounding area of Miami County. The proposal is for AT&T to construct a 195-foot self support tower as an antenna support structure on property classified as "countryside". The site, when completed, will become part of AT&T's network that will provide continued and improved coverage to the current service area that presently in this portion of Miami County.

The primary objective for AT&T is to place a facility at this location is to provide adequate coverage to the residences in this area, City of Paola, and vehicular traffic in all directions of the proposed site. This geographic area is part of an existing coverage area in AT&T's network. The site will provide for the newest equipment to be installed and provide citizens additional choices for their communication needs. The site will dramatically improve AT&T in-building coverage as customers continue to use their wireless devices as their principal form of communication. Local Police and Fire departments report that about 75% of 911 calls originate from wireless devices.

II. Why and how this location was chosen

The area around the proposed site is underserved by the current network. In order to provide coverage and capacity to the residents, businesses and travelers in the area a new antenna facility is required. Site Acquisition Contractors, such as Ward Development Services, are instructed by AT&T's management to target existing cell sites, rooftops, towers, and to utilize any existing structures to collocate equipment on within the Search Ring first, in order to minimize new construction, expedite improved coverage, and to meet the spirit and intent of local zoning regulations, which typically encourage collocation. There are sites in the area that were reviewed as part of our work.

1. ATC 304733. This is an existing 250' self support tower owned by American Tower. The site currently has four tenants. The tower is located at 21279 W 299th St. The location was reviewed and found not to meet the needs of the network
2. Paola WT. This is a 190' water tank located near the American Tower site. The location was reviewed and found not to meet the needs of the network
3. US Cellular located at 708 Poplar Ridge. This is a 185' monopole and does not meet the needs of the network.

The above considerations and processes were followed in selecting the site that is the subject of this Application.

AT&T's objective in placing a facility on the Subject Property is to improve continued service in the area. The Federal Communications Commission ("FCC") restricts the power output on all telecommunications antennae, requiring additional sites to fill in gaps in the network. The number of wireless communications facilities correlates to the size, terrain, and amount of customer traffic in a specific area. While AT&T endeavors to collocate on existing structures wherever possible, the lack of existing structures requires a new wireless communications facility

to be built. AT&T's service is limited by (Radio Frequency) coverage, which propagates from antennae located on towers. There is no other possible way to cover this area without building a new tower, as there are no co-locatable structures available in the area that meets the objectives of the Radio Frequency Engineer's criteria. AT&T consistently seeks to increase or supplement their coverage footprint so that they may serve their growing customer base. Due to the present and anticipated growth of cell phone use, complaints from existing AT&T customers losing their signal while driving in the area or while using their devices in their homes necessitate the additional coverage that will be provided by this tower. As there are no existing structures in the area, our search was to locate a property that met the intent of the requirements for a Conditional Use Permit.

I hope that by supplying you with this overview of the project that you will agree to the need for this facility and that you will be able to support our Application to provide wireless telecommunications services to the citizens of the City.

Please contact me if you have any questions or if additional information is required.

Thank you very much.

Sincerely,

Steven K Ward

Steven K. Ward,
Ward Development Services, LLC
Authorized Agent for AT&T

KS6276 PAOLA KS EAST

PART OF THE SW 1/4, SECTION 15, T17S, R23E, IN MIAMI COUNTY, KANSAS

PROPERTY LEGEND

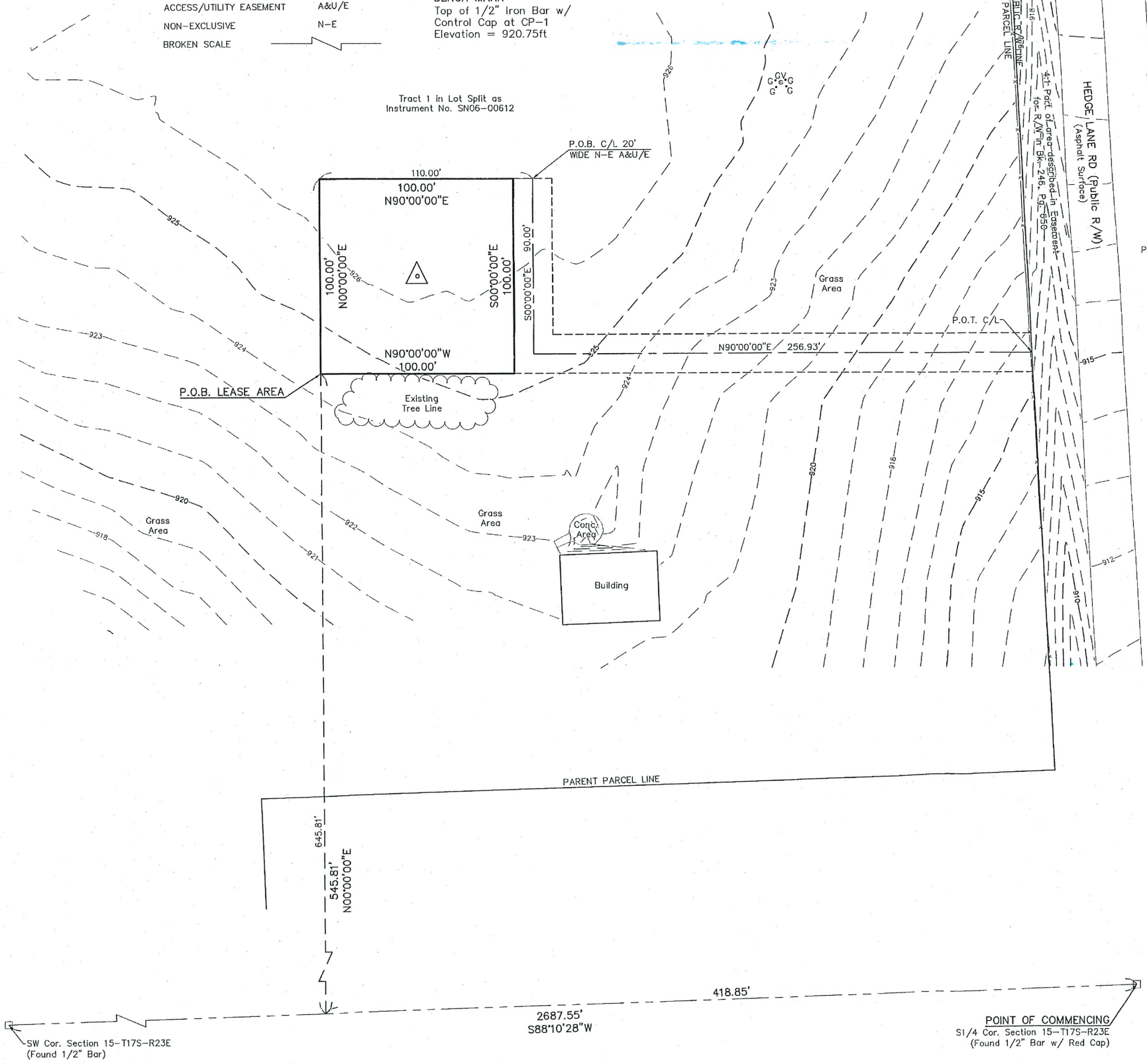
SECTION CORNER	□
RIGHT OF WAY	R/W
CENTERLINE	C/L
POINT OF BEGINNING	P.O.B.
POINT OF TERMINATION	P.O.T.
ACCESS/UTILITY EASEMENT	A&U/E
NON-EXCLUSIVE	N-E
BROKEN SCALE	

PROPOSED CELL TOWER DATA
 Center of Tower
 Lat 38°33'54.18" North
 Long 94°51'20.34" West

BENCH MARK
 Top of 1/2" Iron Bar w/
 Control Cap at CP-1
 Elevation = 920.75ft

LEGEND

POWER POLE	⊙ PP
UTILITY PEDESTAL	○ UP
GAS VALVE	⊙ GV
GATE POST	• GP
GUARD POST	• G
PROPOSED TOWER	△
FENCE	X
OVERHEAD POWER LINE	— OHP —
BENCHMARK	⊕
CONTROL POINT	△



PROPERTY DESCRIPTION: PARENT PARCEL (AS PROVIDED)

East Half of the East Half of the Southwest Quarter of Section 15, Township 17, Range 23, lying South and East of new Highway #169, except that part heretofore deeded for highway purposes LESS AND EXCEPT lands described in Deed Instrument No. 2006-04642.

Property information shown hereon was provided by U.S. Title Solutions, File No. UST71323, effective May 20, 2022.

Schedule B-II information:

4. EASEMENTS AND RIGHTS OF WAY

- 4.1 Easement by Edward W Kaiser and Rose Kaiser, husband and wife to Miami County, Kansas, a municipal corporation, Dated June 26, 1974, Recorded July 01, 1974, in Book 246, Page 650. Notes: Right of way (Shown hereon)
- 4.2 Easement by Edward W Kaiser and Rose Kaiser to H. H. Carrothers and Aletha Carrothers, his wife, Dated July 13, 1970, Recorded July 13, 1970, in Book 229, Page 365. Notes: Water transmission line (450'± North of site, not shown hereon)
- 4.3 Easement by Ed Kaiser and Rose Kaiser, his wife to County of Miami, State of Kansas, Dated May 19, 1955, Recorded June 01, 1956, in Book 195, Page 41. Notes: Highway (280'± North of site, not shown hereon)
- 4.4 Easement by Edward W Kaiser and Rose Kaiser to Kansas City Power and Light Company, a corporation, Dated June 03, 1947, Recorded August 07, 1947, in Book 175, Page 420. Notes: Transmission line (Blanket in nature, not shown hereon)

5. OTHER RECORDED DOCUMENTS

- 5.1 Lot Split Recorded May 04, 2006, in Instrument No: SN06-00612. Notes: Plat shows Subject property as Tract 1 being 11.45 acres. (Shown hereon)

Notes:

Bearings shown hereon are referenced to Grid North of the Kansas State Plane Coordinate System of 1983 (NAD 83), (2011 ADJ.), North Zone. Obtained by static GPS observations and Rinex File submittals for NGS Opus solutions.

Vertical Datum = NAVD88 using GEOID12B

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

**** An utility locate was requested on 05-25-22, as Ticket No. 22256912.**

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.

PROPERTY DESCRIPTION: LEASE AREA (AS SURVEYED)

A 100 foot by 100 foot Lease Area, situated in the Southwest Quarter of Section 15, Township 17 South, Range 23 East, in Miami County, Kansas, more particularly described as follows:

COMMENCING at the South Quarter Corner of said Section 15; thence along the South line of the Southwest Quarter of said Section 15, South 88°10'28" West, a distance of 418.85 feet; thence leaving said South line, North 00°00'00" East, a distance of 545.81 feet to the POINT OF BEGINNING; thence continuing North 00°00'00" East, a distance of 100.00 feet; thence North 90°00'00" East, a distance of 100.00 feet; thence South 00°00'00" East, a distance of 100.00 feet; thence North 90°00'00" West, a distance of 100.00 feet to the POINT OF BEGINNING. Containing 10,000 square feet.

PROPERTY DESCRIPTION: NON-EXCLUSIVE ACCESS/UTILITY EASEMENT (AS SURVEYED)

A 20 foot wide Access/Utility Easement, situated in the Southwest Quarter of Section 15, Township 17 South, Range 23 East, in Miami County, Kansas, lying 10.00 feet on each side of the following described centerline:

COMMENCING at the South Quarter Corner of said Section 15; thence along the South line of the Southwest Quarter of said Section 15, South 88°10'28" West, a distance of 418.85 feet; thence leaving said South line, North 00°00'00" East, a distance of 645.81 feet; thence North 90°00'00" East, a distance of 110.00 feet to the POINT OF BEGINNING of said centerline; thence South 00°00'00" East, a distance of 90.00 feet; thence North 90°00'00" East, a distance of 256.93 feet to the West Right of Way line of HEDGE LANE RD (Public Right of Way) and the POINT OF TERMINATION.

CERTIFICATION:

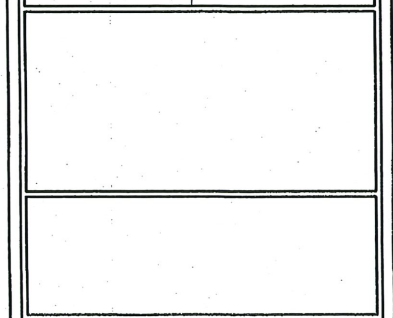
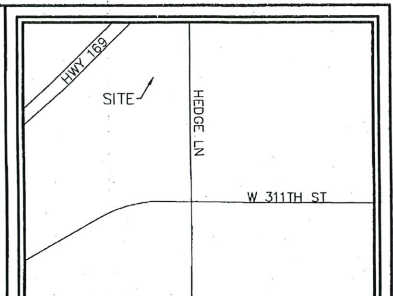
I HEREBY CERTIFY THAT A SURVEY WAS MADE BY ME, OR UNDER MY DIRECT SUPERVISION, ON THE GROUND OF THE LEASE AREA, AND ASSOCIATED EASEMENT PREMISES HEREIN DESCRIBED, AND THE RESULTS OF SAID SURVEY ARE REPRESENTED HEREFON TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.



JEFFREY B. LOVELACE
 LICENSED PROFESSIONAL SURVEYOR
 STATE OF KANSAS - LS-1428

DATE: 06-20-22

09-02-22: REVISED PER COMMENTS

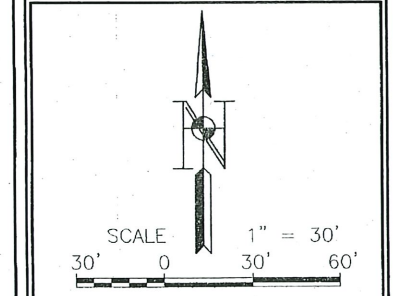


LOVELACE & ASSOCIATES
 Land Surveying - Land Planning
 Telecommunications Surveys
 929 SE 3rd Street Lee's Summit, Missouri 64063
 Phone: (816) 347-9997 Fax: (816) 347-9979

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:
 NETWORK REAL ESTATE, LLC
 5055 HWY N,
 SUITE 200
 ST. CHARLES, MO 63304
 TELEPHONE: 636-922-3400



FLOOD NOTE:
 According to my interpretations of Community Panel No. 20121C0178D of the Flood Insurance Rate Map for Miami County, KS, the subject property is in Flood Zone "X", ie, "areas determined to be Outside the 0.2% annual chance floodplain".

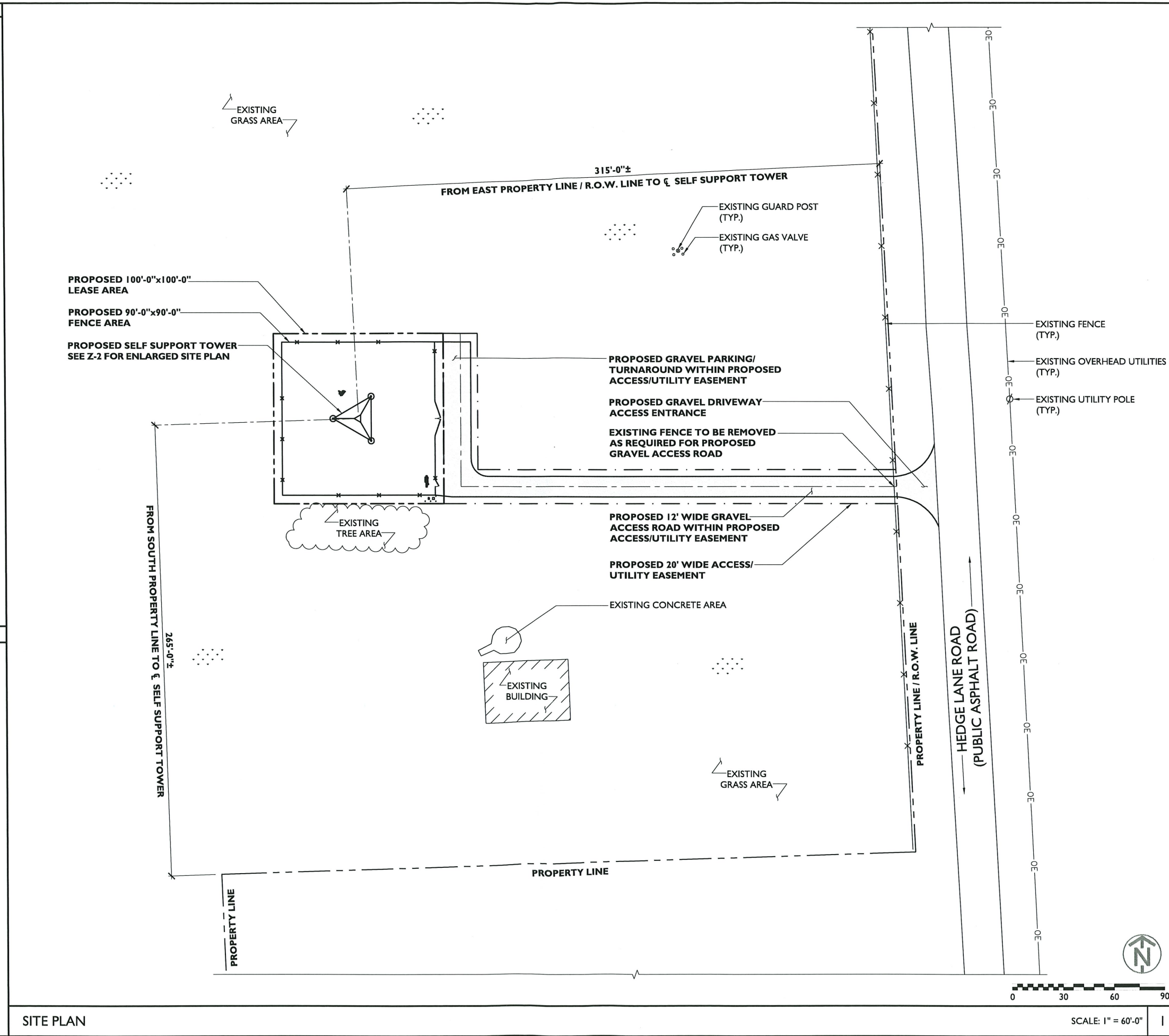


SITE I.D.: KS6276
SITE NAME: PAOLA KS EAST
SITE LOCATION: CITY OF PAOLA, MIAMI COUNTY, KS
LA PROJECT NO.: 22132
DRAWN BY: A.C.T.
CHECKED BY: J.B.L.
DATE: 06-20-22
FIELDWORK DATE: 06-08-22

SHEET NUMBER
1 OF 1

ABBREVIATIONS	
2C	2ND CARRIER
3C	3RD CARRIER
4C	4TH CARRIER
AFF	ABOVE FINISHED FLOOR
AFG	ABOVE FINISHED GRADE
AGL	ABOVE GROUND LEVEL
AMSL	ABOVE MEAN SEA LEVEL
APPROX	APPROXIMATE
ATS	AUTOMATIC TRANSFER SWITCH
AWG	AMERICAN WIRE GAUGE
BLDG	BUILDING
BBU	BASE BAND UNIT
¢	CENTERLINE
CLR	CLEAR
COL	COLUMN
CONC	CONCRETE
CND	CONDUIT
CSRF	CROSS SECTOR REDUNDANCY FEATURE
DWG	DRAWING
FT	FOOT(FEET)
EGB	EQUIPMENT GROUND BAR
ELEC	ELECTRICAL
EMT	ELECTRICAL METALLIC TUBING
ELEV	ELEVATION
EQUIP	EQUIPMENT
(E)	EXISTING
EXT	EXTERIOR
FND	FOUNDATION
F	FIBER
FIF	FACILITY INTERFACE FRAME
GA	GAUGE
GALV	GALVANIZED
GPS	GLOBAL POSITIONING SYSTEM
GND	GROUND
GSM	GLOBAL SYSTEM FOR MOBILE COMMUNICATION
LTE	LONG TERM EVOLUTION
MAX	MAXIMUM
MCPA	MULTI-CARRIER POWER AMPLIFIER
MFR	MANUFACTURER
MGB	MASTER GROUND BAR
MIN	MINIMUM
MTS	MANUAL TRANSFER SWITCH
N.T.S.	NOT TO SCALE
O.C.	ON CENTER
PPC	POWER PROTECTION CABINET
¢	PROPERTY LINE
RBS	RADIO BASED STATION
RRH	REMOTE RADIO HEAD
RGS	RIGID GALVANIZED STEEL
IN	INCH(ES)
INT	INTERIOR
LB(S), #	POUND(S)
SF	SQUARE FOOT
STL	STEEL
TYP	TYPICAL
UNO	UNLESS NOTED OTHERWISE
UMTS	UNIVERSAL MOBILE TELE-COMMUNICATION SYSTEM
VIF	VERIFY IN FIELD
W/	WITH
XFMR	TRANSFORMER

SYMBOLS	
#	REVISION
⊕	WORK POINT
⊕	UTILITY POLE
[Hatched]	BRICK
[Dotted]	COMPRESSED STONE
[Stippled]	CONCRETE
[Cross-hatched]	EARTH
[Diagonal lines]	GRAVEL
[Vertical lines]	MASONRY
[Horizontal lines]	STEEL
---	CENTERLINE
- - -	PROPERTY LINE
- · - · -	LEASE LINE
- · - · -	EASEMENT LINE
- · - · -	FENCE
X-X	CHAINLINK
□-□	WOOD
○-○	WROUGHT IRON
E-E	ELECTRIC
OE-OE	OVERHEAD
UE-UE	UNDERGROUND
F-F	FIBER
OF-OF	OVERHEAD
UF-UF	UNDERGROUND
T-T	TELEPHONE
OT-OT	OVERHEAD
UT-UT	UNDERGROUND
DC-DC	DCPOWER
L A L A	SECTION REFERENCE



12930 OLIVE BLVD
CREVE COEUR, MO 63141

5055 Hwy N, Suite 200
St. Charles, MO 63304

1100 E. WOODFIELD ROAD, SUITE 500
SCHAUMBURG, ILLINOIS 60173
TEL: 847-908-8400
COA# E-1939
www.FullertonEngineering.com

#	DATE	DESCRIPTION	INT.
A	11/14/22	PRELIM. ZONING	JW

SITE NAME

PAOLA KS EAST

SITE NO.

KS6276

SITE ADDRESS

23180 WEST 311TH STREET
PAOLA, KS 66071

SHEET NAME

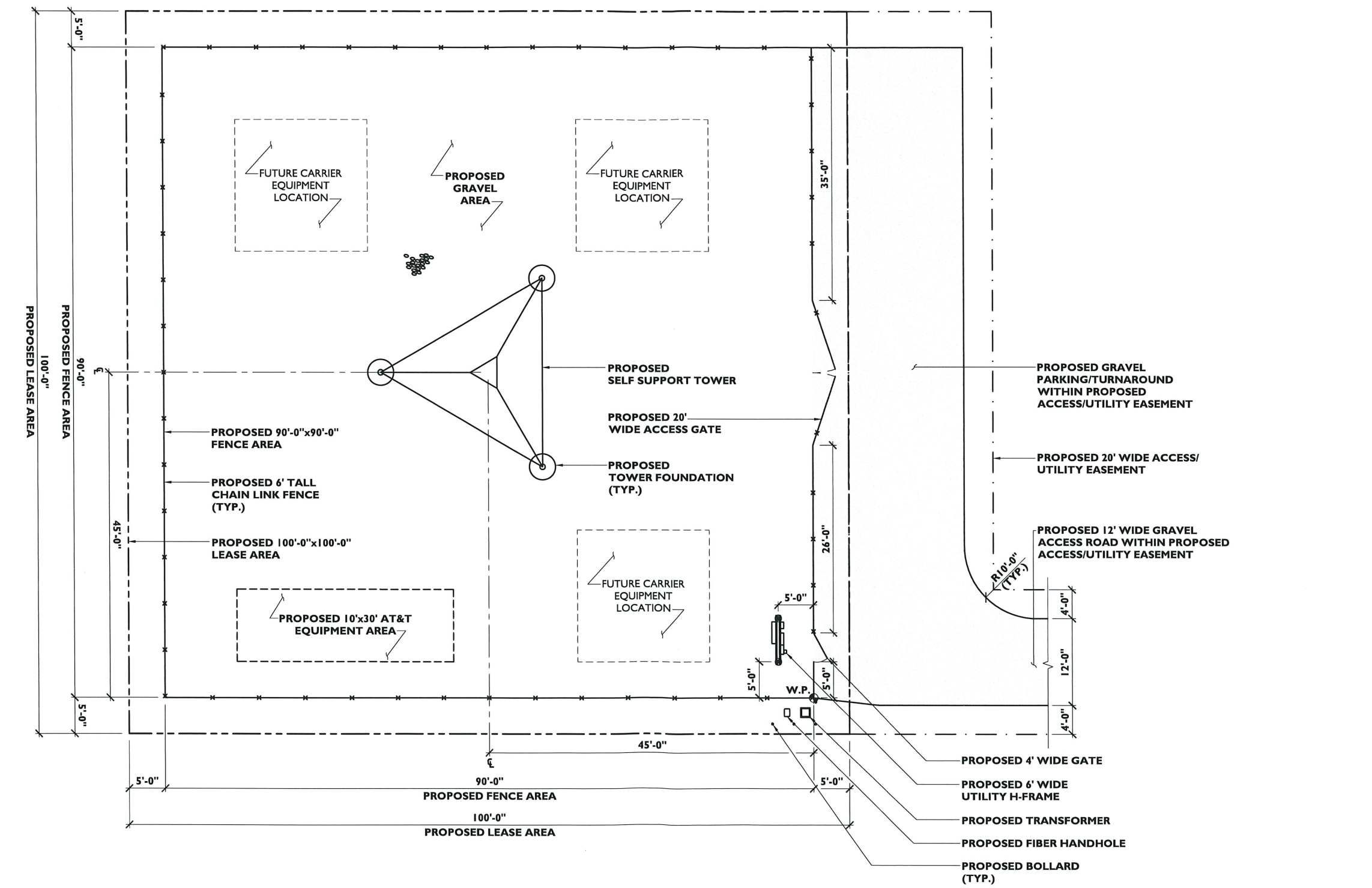
SITE PLAN

SHEET NUMBER

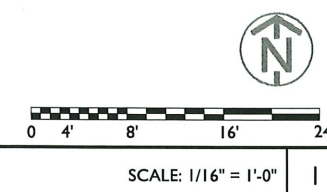
Z-1

PROJECT# 2021.0005.0052

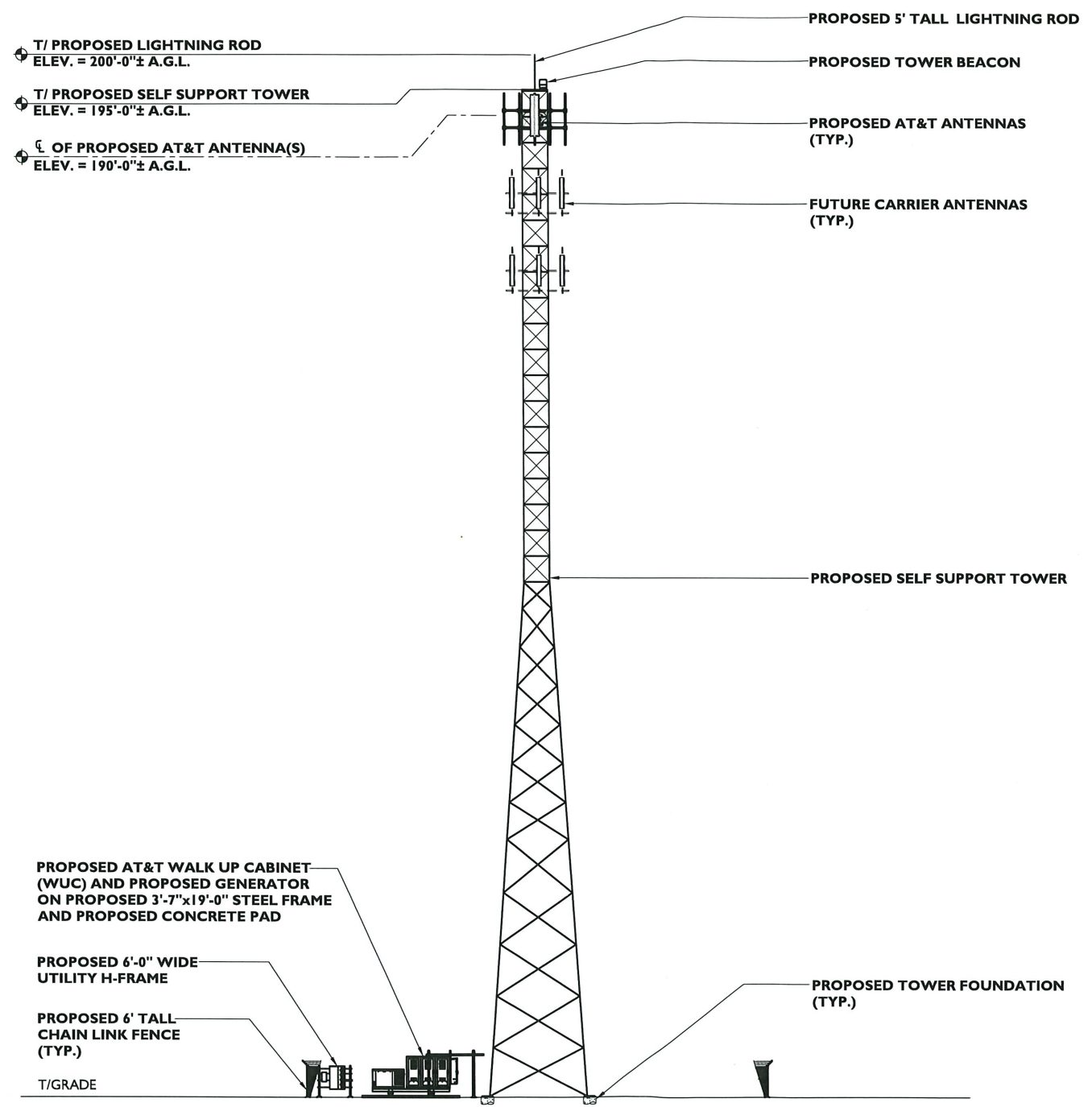
#	DATE	DESCRIPTION	INT.
A	11/14/22	PRELIM. ZONING	JW



SITE NAME	PAOLA KS EAST
SITE NO.	KS6276
SITE ADDRESS	23180 WEST 311TH STREET PAOLA, KS 66071
SHEET NAME	ENLARGED SITE PLAN
SHEET NUMBER	Z-2



#	DATE	DESCRIPTION	INT.
A	11/14/22	PRELIM. ZONING	JW



SCALE: 1" = 30'-0" |

TOWER ELEVATION

SITE NAME	PAOLA KS EAST
SITE NO.	KS6276
SITE ADDRESS	23180 WEST 311TH STREET PAOLA, KS 66071
SHEET NAME	TOWER ELEVATION
SHEET NUMBER	Z-3