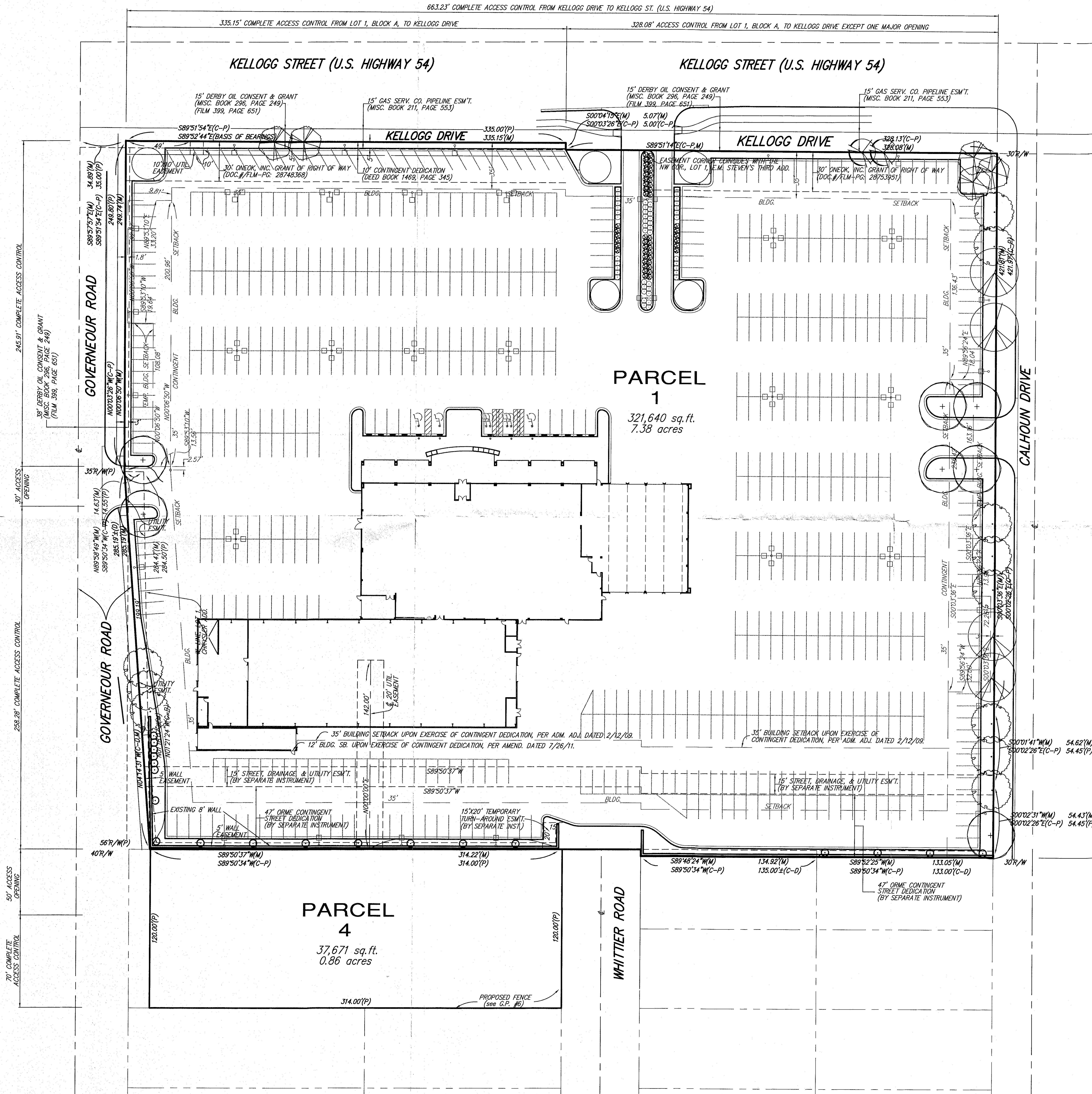


MIKE STEVEN MOTORS C.U.P.

COMMUNITY UNIT PLAN - DP-308



GENERAL PROVISIONS:

1. This development contains a net area of 387,508 sq.ft., or 8.90 acres, more or less.
Total Maximum Building Coverage: 104,951 sq.ft. (30%)
Total Maximum Gross Floor Area: 122,443 sq.ft. (35%)
2. Signs shall be permitted in accordance with the City of Wichita Sign Code, except that no billboards, portable signs or off-site signs shall be permitted and except as otherwise noted in this section. Building and wall signs are prohibited on the facades facing towards the residential development south of the subject site. Freestanding signs shall be prohibited within the south 265 feet of Gouverneur Road, and within the south 100 feet of Calhoun Road, except for directional signs denoting parking spaces within the property. The number of signs along Kellogg Drive shall be limited to four signs with an allowed spacing of 100 feet, except for directional signs denoting parking, entrances, or services. Two signs located within the north fifty feet of the property, and that have a facing on Kellogg or Kellogg Drive, may be allowed additional height up to 20 feet above the elevation of the highest railing or barrier along the traffic deck perpendicular to the sign location, subject to provision of appropriate elevation documentation in conjunction with the application for the sign permit. The other two allowed signs will be limited to 30 feet in height. Total square footage of signage shall be limited to 520 square feet with no sign larger than 420 square feet.
3. Building setback lines are as shown on the C.U.P. plan and shall override all other setbacks, including Compatibility Setbacks as specified in Section IV-C of the Unified Zoning Code.
4. Access control shall be as shown on the plan and as plotted. Access to Parcel 4 shall be from Gouverneur only, and the access opening to be confined to the north 50 feet of the site.
5. Off-street parking shall be provided in accordance with the Unified Zoning Code.
6. Screening and Landscaping:
 - A. A solid masonry wall 6 to 8 feet high shall be provided along the south line of Parcel 1 adjacent to Parcel 4 and where adjacent to residential zoning as indicated by easement. The CUP shall require a wood screening fence for a period of seven years (after approval of this CUP amendment) along the south and east property boundaries of Parcel 4, with parking lot screening per the zoning and landscape codes along the west boundary of Parcel 4. If the CUP is not expanded further south or east of the end of seven years, the CUP shall then require a masonry wall per the zoning code where adjacent to or across a local street from residential zoning. Upon exercise of the contingent dedication for the construction of Orme Street, said wall shall be relocated to the northern edge of the 15-foot Drainage and Utility Easement for any and/or all segment(s) of Orme Street constructed, and require the reinstallation of landscaping to comply with the Landscape Ordinance and the Contingent Dedication Agreement #1 (DOC/FILM-PG #29026146) requirements on this site.
 - B. Trash receptacles, rooftop mechanical equipment, loading docks, outdoor storage, and loading areas shall be appropriately screened to reasonably hide them from ground view per Section III-14 "LC" Limited Commercial District and Section IV-B of the U.Z.C.
 - C. A landscape plan prepared by a Landscape Architect for the required plantings, including the type, location and specifications of plant materials shall be submitted to the Planning Department for review and approval prior to the issuance of building permits. A financial guarantee for the required plantings shall be required prior to the issuance of any occupancy permit if said plantings have not been installed. Additional landscaping and buffering shall be provided along the south property line in an area south of the proposed overhead doors and along Gouverneur in an area west of the proposed car wash/detailing facility per the approved landscape plan.
 - D. Failure to properly maintain the required screening or landscaping shall be considered a violation of the C.U.P. after a joint determination by the Director of Planning and the Superintendent of Central Inspection.
7. Fire lane(s) shall be provided in accordance with the fire code of the City of Wichita. No parking shall be allowed in said fire lane(s) although they may be used for passenger loading and unloading. Prior to final approval of the parking plan the Fire Chief or his designated representative, shall approve the plan as to location and design of the fire lane(s).
8. A drainage plan and guarantee for drainage improvements shall be provided at the time of site development.
9. All portions of the CUP shall share similar or consistent parking lot lighting elements (i.e., fixtures, poles, and lamps, and etc.), and shall employ cutoff luminaires to minimize light trespass and glare. No string lighting or banners shall be permitted. Lighting within the south 50 feet of Parcel 1, and all of Parcel 4, shall have a maximum height of 15 feet.
10. Parcel 1 shall be subject to U.Z.C. Section III-D.6.x, except outdoor speakers and sound amplification systems and the use of elevated platforms to display vehicles shall be permitted within the north 270 feet of Parcel 1. Outdoor speakers are prohibited within Parcel 4.
11. Overhead doors facing residential zoning are prohibited for all buildings within the south 85 feet of Parcel 1.
12. Upon approval of the CUP, BZA59-85 and BZA39-65 shall be deemed superseded by the CUP requirements.
13. Sidewalks shall be retained where adjacent to the perimeter of the C.U.P., and shall be replaced, as necessary.
14. The applicant(s) shall record a document with the Register of Deeds indicating this tract (referenced as DP-308) includes special conditions for development on this property.
15. Amendments, adjustments or interpretations to this C.U.P. shall be done in accordance with the Unified Zoning Code.
16. The Transfer of title of all or any portion of land included within the Community Unit Plan (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.
17. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the Governing Body, and any substantial deviation of the plan, as determined by the Zoning Administrator and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
18. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.
19. The car wash/detailing facility is accessory in nature and not for general public use/limited use by the dealership for customer cars. The hours of operation for the car wash/detailing facility shall be limited to 7:00 am to 9:00 pm.

PARCEL 1

- | | |
|--|---|
| A. Net Area: | 349,837 sq.ft. or 8.03 acres |
| Net Area Excluding Dedication: | 306,791 sq.ft. or 7.04 acres |
| B. Maximum Building Coverage: | 104,951 sq.ft. |
| Max. Coverage Excluding Dedication: | 94,118 sq.ft. or 30 percent |
| C. Maximum Gross Floor Area: | 122,443 sq.ft. |
| Max. Coverage Excluding Dedication: | 109,905 sq.ft. |
| D. Floor Area Ratio: | 35 percent |
| E. Maximum Number of Buildings: | Four (4) |
| F. Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 35 feet. | |
| G. Setbacks: | See Drawing |
| H. Access Points: | See Drawing |
| I. Permitted Uses: | New and used auto sales, leasing, service and all other associated uses, including but not limited to, parking areas for storage of vehicles for lease or sale, vehicles awaiting customer service, employee parking, vehicle repair (general), & vehicle detailing/car wash (See General Provision #19). |

PARCEL 2

Combined with Parcel 1 per Administrative Adjustment dated February 3, 2011

PARCEL 3

Combined with Parcel 1 per Amendment #1 dated July 26, 2011

PARCEL 4

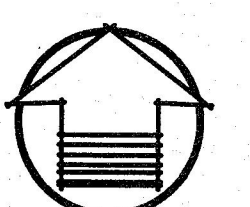
- | | |
|--|-----------------------------|
| A. Net Area: | 37,671 sq.ft. or 0.86 acres |
| B. Maximum Building Coverage: | N/A |
| C. Maximum Gross Floor Area: | N/A |
| D. Floor Area Ratio: | N/A |
| E. Maximum Number of Buildings: | N/A |
| F. Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 35 feet. | |
| G. Setbacks: | See Drawing |
| H. Access Points: | One opening onto Gouverneur |
| I. Permitted Uses: | Employee parking |

LEGAL DESCRIPTION:

Lots 1, 2 and 3, Block A, Mike Steven Motors Addition, Wichita, Kansas, Sedgewick County, Kansas; TOGETHER WITH Lots 1 and 2, except the west 16 feet for street, Block A, Eastridge Sixth Addition to Wichita, Kansas; together with, Lots 27 and 28, Block A, Eastridge Sixth Addition to Wichita, Kansas.

REVISIONS

Submitted: October 8, 2007
Revised: November 7, 2007
Revised per MAPC: November 15, 2007
Revised per City Council: March 4, 2008
Revised per Admin. Adjustment: February 12, 2009
Revised per Admin. Adjustment: February 3, 2011
Revised per Amendment #1: July 26, 2011
Revised per Admin. Adjustment: August 8, 2011
Revised per Admin. Adjustment: November 15, 2013
Revised per Admin. Adjustment: December 10, 2013
Revised per Admin. Adjustment: January 2, 2014
Revised per City Council (Amendment #2): October 14, 2014



SCALE: 1" = 40'

APPROVED CUP

MAPC 6-23-11
NCC 7-26-11
MAPD 2 of 2

DP-308

MIKE STEVEN MOTORS
COMMUNITY UNIT PLAN

Baughman Company, P.A.
315 Ellis St. Wichita, KS 67211 P 316.262.7271 F 316.262.0149
Baughman ENGINEERING | SURVEYING | PLANNING | LANDSCAPE ARCHITECTURE



Wichita-Sedgwick County Metropolitan Area Planning Department

September 11, 2014

Nevets Inc.
Attn: Brandon Steven
7333 E. Kellogg Dr.
Wichita, KS 67207

Baughman Company, PA
c/o Russ Ewy
315 Ellis
Wichita KS 67211

RE: ZON2014-22/CUP2014-26 – City zone change from SF-5 Single-family Residential to LC Limited Commercial along with a CUP amendment to add a parcel to DP-308, generally located between Gouverneur and Whittier and 500 feet south of Kellogg (602 and 608 S. Gouverneur and 601 and 607 S. Whittier).

Dear Applicants:

At its regular meeting on **September 11, 2014**, 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 replatting within one year and the following conditions:

- A. The CUP shall require a wood screening fence for a period of seven years (after approval of this CUP amendment) along the south and east property boundaries, with parking lot screening per the zoning and landscape codes along the west boundary of Parcel 4. If the CUP is not expanded further south or east at the end of seven years, the CUP shall then require a masonry wall per the zoning code where adjacent to or across a local street from residential zoning.
- B. Access to the site shall be from Gouverneur only and on the north 50 feet of the site.
- C. The applicant shall submit four revised copies of the CUP to the Metropolitan Area Planning Department within 60 days after approval of this case by the Governing Body, or the request shall be considered denied and closed.

This application will be forwarded to the City Council for consideration at their regular meeting on Tuesday, **October 14, 2014**. This meeting will be held in the City Council Chambers, First Floor, City Hall, 455 N. Main, Wichita, Kansas.

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

T 316.268.4421 F 316.268.4390

www.wichita.gov

RE: ZON2014-22/CUP2014-26 – City zone change from SF-5 Single-family Residential to LC Limited Commercial along with a CUP amendment to add a parcel to DP-308, generally located between Gouverneur and Whittier and 500 feet south of Kellogg (602 and 608 S. Gouverneur and 601 and 607 S. Whittier).

Page | 2

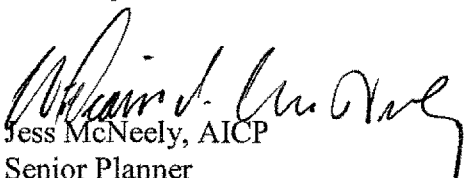
September 11, 2014

NOTICE: The public hearing on planning items is conducted by the MAPC under provisions of State Law. Adopted policy is that the City Council will not take additional testimony on zoning related applications and other issues for which the MAPC has held a public hearing. However, interested parties may file a written statement with the City Clerk by 5:00 p.m. on the Wednesday preceding this meeting, providing new facts on the issue or alleging an unfair hearing. The Council will determine from such statements whether to return the issue to the MAPC for reconsideration or to reverse their recommendation.

Property owners may 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 200 feet of the property for which the application was filed, and must be submitted to the City Clerk within 14 days of the conclusion of the MAPC hearing, by **September 25, 2014, 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 200 feet of the perimeter of the application area, unless the Council overrides such a protest and approves the application by a vote of 6 of its members.

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,



Jess McNeely, AICP
Senior Planner
Current Plans Division

Copies to: Pete Meitzner, WCC CM II
Alana Haynes, NA II
Tom Stolz, MABCD
J. R. Cox, MABCD
Julianne Kallman, City Engineering
Sherry Nash, 602 Whittier, Wichita KS 67207



Wichita-Sedgwick County Metropolitan Area Planning Department

December 10, 2013

Nevets Inc., c/o Brandon Steven
7333 E. Kellogg
Wichita, KS 67207

Greg Ferris
PO Box 573
Wichita, KS 67201

RE: CUP2013-43 - City CUP administrative adjustment to DP-308 General Provision #2 to allow 100-foot sign separation along Kellogg, and to allow all signs adjacent to elevated Kellogg a height of 20 feet above the railing. DP-308 is within LC Limited Commercial zoning, and is generally located south of E. Kellogg and east of Gouverneur (7333 E. Kellogg).

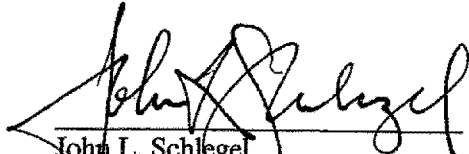
Dear Applicants:

We received and reviewed your request for an administrative adjustment to the above-referenced community unit plan, DP 308, the Mike Stevens Motors Community Unit Plan ("CUP"). We understand that you wish to reduce sign spacing to 100 feet along Kellogg, and allow all signs on the site adjacent to elevated Kellogg a height of 20 feet above the railing. The Sign Code allows an administrative adjustment to reduce sign spacing from 150 to 100 feet, and it allows signs adjacent to an elevated highway a height of 20 feet above the railing with an administrative adjustment.

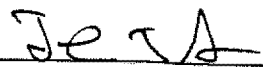
On the basis of our review, we find that adjusting the CUP in the manner stated in the above paragraph is consistent with the approved CUP, provided the adjustment does not increase the total number of signs permitted along the Kellogg frontage. The proposed adjustment will not have an adverse effect on the CUP or on adjacent properties, nor will it be a substantial deviation of the original plan.

Our signatures below indicate that the CUP shall be adjusted as stated in this letter. This CUP adjustment shall not be deemed to alter the total number of signs permissible along the Kellogg frontage or any other provisions of the CUP except as expressly stated herein.

The "Development Application" signs may now be removed from the property. Please submit four (4) copies of the revised CUP drawing within 60 days in order for this adjustment to be considered final.


John L. Schlegel
Director of Planning

cc: JR Cox, MABCD
Pete Meitzner, CM District II
Janet Johnson, NA District II


Tom J. Stolz
MABCD Director



Wichita-Sedgwick County Metropolitan Area Planning Department

January 2, 2013

Nevets Inc., c/o Brandon Steven
7333 E. Kellogg
Wichita, KS 67207

Greg Ferris
PO Box 573
Wichita, KS 67201

RE: CUP2013-45 - City CUP Administrative Adjustment to DP 308 to: increase the size of one sign to 420 square feet, reduce the number of signs to four, reduce the total sign square footage, and reduce the height of two signs; generally located south of Kellogg and east of Gouverneur (7333 E. Kellogg).

Dear Applicants:

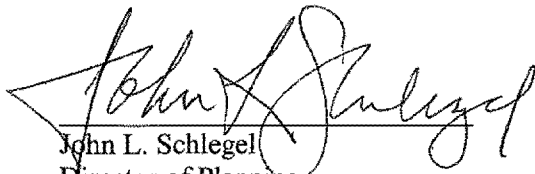
We received and reviewed your request for an administrative adjustment to the above-referenced community unit plan, DP 308, the Mike Stevens Motors Community Unit Plan ("CUP"). We understand that you wish to increase the size of one sign to 420 square feet, reduce the number of signs permitted along the Kellogg frontage to four, reduce the total sign square footage from 530 to 520 square feet along the Kellogg frontage, and reduce the height of two signs from 20 feet above the elevated Kellogg rail to 30 feet overall height.

On the basis of our review, we find that adjusting the CUP in the manner stated in the above paragraph is consistent with the approved CUP and will not have an adverse effect on the CUP or on adjacent properties, nor will it be a substantial deviation of the original plan.

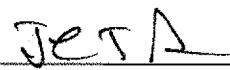
Our signatures below indicate that the CUP shall be adjusted as stated in this letter. This CUP adjustment shall not be deemed to alter any other provisions of the CUP except as expressly stated herein. This approval is subject to the following conditions:

1. All signs shall be permitted and installed within one year.
2. All signs along the Kellogg frontage shall conform to a site plan and elevation drawings approved by planning staff.

The "Development Application" signs may now be removed from the property. Please submit four (4) copies of the revised CUP drawing within 60 days in order for this adjustment to be considered final.



John L. Schlegel
Director of Planning



Tom J. Stolz
MABCD Director

cc: JR Cox, MABCD
Pete Meitzner, CM District II
Alana Haynes, NA District II

February 3, 2011

Baughman Company
Attn: Russ Ewy
315 Ellis
Wichita, KS 67211

Michael E. Stevens & NEVETS, Inc.
Attn: Harold Johnson
PO Box 789762
Wichita, KS 67278

RE: DP-308 - Administrative adjustment to CUP DP-308 to combine Parcels 1 & 2, reduce the restriction on south-facing overhead doors from 100 feet to 85 feet, provide additional landscaping and buffering, establish hours of operation for the car wash/detailing facility, and clarify the "accessory" nature of the car wash/detailing facility; generally located south of Kellogg Drive, between Gouverneur and Calhoun (7307 E. Kellogg). (CUP2011-00005)

Dear Applicant:

We received and reviewed your request for an administrative adjustment to the above-referenced community unit plan, DP-308 Mike Steven Motors Community Unit Plan ("CUP"). We understand you wish to combine Parcels 1 & 2, reduce the restriction on south-facing overhead doors from 100 feet to 85 feet, provide additional landscaping and buffering, establish hours of operation for the car wash/detailing facility, and clarify the "accessory" nature of the car wash/detailing facility.

On the basis of our review, we feel that adjusting the CUP in the manner you have requested would be consistent with the approved CUP and will not have an adverse effect on the CUP or on adjacent properties, nor will it be a substantial deviation of the original plan.

Our signatures below indicate that the CUP shall be adjusted as follows. This CUP adjustment shall not be deemed to alter any provisions of the CUP except expressly stated herein.

General Provision 6.c shall be revised to reference the additional landscaping and buffering the applicant proposes. General Provision 6.c should read as:

C. A landscape plan prepared by a Landscape Architect for the required plantings, including the type, location and specifications of plant materials shall be submitted to the Planning Department for review and approval prior to the issuance of building permits. A financial guarantee for the required plantings shall be required prior to the issuance of any occupancy permit

if said plantings have not been installed. Additional landscaping and buffering shall be provided along the south property line in an area south of the proposed overhead doors and along Gouverneur in an area west of the proposed car wash/detailing facility per the approved landscape plan.

General Provision 11 shall be revised to reference the reduced restriction on the south-facing overhead doors. General Provision 11 should read as:

11. Overhead doors facing residential zoning are prohibited for all buildings within the south ~~400~~ 85 feet of the C.U.P.

The addition of General Provision 19 should read as:

19. The car wash/detailing facility is accessory in nature and not for general public use/limited use by the dealership for customer cars. The hours of operation for the car wash/detailing facility shall be limited to 7:00 A.M. to 9:00 P.M.

The parcel descriptions for Parcels 1 and 2 should be revised to read as:

Parcel 1

Net Area:	188,445 sq ft <u>321,640 sq ft</u> or 4.33 acres <u>or 7.38 acres</u>
Net Area Excluding Dedication:	173,597 sq ft <u>306,791 sq ft</u> or 3.99 acres <u>or 7.04 acres</u>
Maximum Building Coverage:	33,677 sq ft <u>98,674 sq ft</u>
Max. Coverage Excluding Dedication:	31,020 sq ft <u>94,118 sq ft</u> or 17.9 percent <u>or 30.7 percent</u>
Maximum Gross Floor Area:	40,119 sq ft <u>115,119 sq ft</u>
Max. Coverage Excluding Dedication:	36,958 sq ft <u>109,805 sq ft</u>
Floor Area Ratio:	21.3 percent <u>35.8 percent</u>
Maximum Number of Buildings:	One (1) <u>Three (3)</u>

Maximum building height to conform to Chapter 28.308 Code of the City of Wichita, but shall be not greater than 35 feet.

Setbacks: See Drawing

Access Points: See Drawing

Permitted Uses: New and used auto sales, leasing, service and all other associated uses, including but not limited to, parking areas for storage of vehicles for lease or sale, vehicles awaiting customer service, employee parking, vehicle repair (general), & vehicle detailing car wash (See General Provision #19)

Parcel 2

Net Area: _____ 133,195 sq ft
_____ or 3.06 acres

Maximum Building Coverage: _____ 65,000 sq ft
~~Max. Coverage Excluding Dedication: _____ or 48.8 percent~~

Maximum Gross Floor Area: _____ 75,000 sq ft

Floor Area Ratio: _____ 56.3 percent

Maximum Number of Buildings: _____ Two (2)

~~Maximum building height to conform to Chapter
28.308 Code of the City of Wichita, but shall be not
greater than 35 feet.~~

Setbacks: _____ See Drawing

Access Points: _____ See Drawing

~~Permitted Uses: New and used auto sales, leasing,
service and all other associated uses, including but
not limited to, parking areas for storage of vehicles
for lease or sale, vehicles awaiting customer service,
employee parking, vehicle repair (general), & vehicle
detailing.~~

The "Development Application" signs may now be removed from the property. Please submit four (4) copies of the revised CUP drawing within 60 days in order for this adjustment to be considered final.

John L. Schlegel
Director of Planning

Kurt A. Schroeder
Superintendent of Central Inspection

cc: Paul Hays, Office of Central Inspection
Richard Chamberlin, Office of Central Inspection
Leonard Fox, Office of Central Inspection
JR Cox, Office of Central Inspection
Dale Miller, MAPD

July 26, 2011

NEVETS, Inc.
Attn: Harold Johnson
P.O. Box 789762
Wichita, KS 67278

Eugene F. Roberts
542 South Whittier
Wichita, KS 67211

RE: CUP2011-00017 DP-308 Mike Steven Motors Community Unit Plan Amendment #1 and ZON2011-00018 City zone change from SF-5 Single-Family Residential to LC Limited Commercial, generally located south of Kellogg Drive between Gouverneur Road and Calhoun Drive, on the northern terminus of Whittier Road (542 S. Whittier Road).

Dear Ladies and Gentlemen:

At its regular meeting on **July 26, 2011**, the Wichita City Council considered the above captioned request. The action of the WCC was to **APPROVE** the zone change to LC Limited Commercial and Amendment #1 to DP-308 subject to dedication of the right-of-way along the southern 47 feet of the tract to be rezoned and street, drainage and utility easement along the 15 feet abutting the right-of-way, and to the following conditions:

1. The CUP shall be revised to provide the missing segment of 47-foot right-of-way and 15-foot for street, drainage and utility easement for Orme Street.
2. General Provision # 1 and Parcel 1 description shall be revised to accommodate the changed boundaries, reflecting a maximum building coverage of 30 percent and gross floor area of 35 percent.
3. The setback may be reduced from 35 feet to 12 feet for the western 100 feet of the south property line.
4. General Provision #10 shall be changed to delete references to Parcel 2.
5. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.
6. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall

RE: CUP2011-00017 DP-308 Mike Steven Motors Community Unit Plan Amendment # 1 and City zone change from SF-5 Single-Family Residential to LC Limited Commercial; generally located south of Kellogg Drive between Gouverneur Road and Calhoun Drive, on the northern terminus of Whittier Road (542 S. Whittier Road).

Page 2

July 26, 2011

run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

7. The ordinance/resolution establishing the zone change shall not be published until the platting has been recorded with the Register of Deeds.
8. The applicant shall submit four revised copies of the CUP to the Metropolitan Area Planning Department within 60 days after approval of this case by the Governing Body, or the request shall be considered denied and closed.

If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

Donna Goltry, A.I.C.P.
Principal Planner
Current Plans Division

DG:mc

Copies to: Baughman Company, PA, Attn: Russ Ewy, A.I.C.P., 311 Ellis, Wichita, KS 67211
Esther L. Marshall, 7031 East Orme Street, Wichita, KS 67207
Bonnie Brae, Attn: Greg Barker, 1540 North Broadway, Wichita, KS 67214
The Village, Attn: Michele Chauncey, 322 S Morningside St., Wichita, KS 67218
Fabrique, Attn: Charlotte Foster, 702 Courtleigh Street, Wichita, KS 67218
Eastridge, Attn: Pat Winters, 746 S Gouverneur Road, Wichita, KS 67207
Minneha Township, Attn: Don Gragg, #50 E Saint Cloud Place, Wichita, KS 67230
WCC II, Attn: Pete Meitzner, Mail Stop 1-13, via email
NA II, Attn: Antoine Sherfield, Mail Stop 1-135, via email
Julianne Kallman, Engineering Mail Stop 1-71, via email
JR Cox, Office of Central Inspection, via email

August 8, 2011

NEVETS, Inc.
Attn: Harold Johnson
P.O. Box 789762
Wichita, KS 67278

RE: DP-308 – City Administrative Adjustment on DP-308 Mike Steven Motors Community Unit Plan to increase height of freestanding signage located along an elevated segment of the Kellogg freeway, generally located south of Kellogg Drive between Gouverneur Road and Calhoun Drive. (CUP2011-00027)

Dear Mr. Johnson:

We received and reviewed your request for an administrative adjustment to the above-referenced community unit plan, DP-308 Mike Steven Motor Community Unit Plan, generally located south of Kellogg Drive between Gouverneur Road and Calhoun Drive. We understand that you wish to increase the height of a freestanding sign along Kellogg Drive from 30 feet to 48 feet to compensate for the elevated Kellogg expressway. Per the Wichita Sign Code, administrative adjustments can be requested to increase the height of “the top of signs to not exceed 20 feet above the height of the top of the highest railing or barrier along the traffic deck or decks within the right-of-way at a point perpendicular to the sign” for signs located within 75 feet of the zoning lot line of an elevated freeway (Wichita Sign Code, Sec. 24.04.251.h).

The dealership has three signs along the Kellogg freeway, with the ground elevation of the westernmost sign being closer to the base elevation of the freeway, but the height of the freeway increasing toward the eastern edge of the CUP. You have stated that the freeway is elevated between 18 and 20 feet adjacent to the easternmost sign. The requested sign height meets the Sign Code adjustment criteria of: (a) not creating more adverse impacts on existing uses since the height of the sign will be scaled in proportion to the height of other signs along the Kellogg expressway, (b) is compatible to existing permitted uses on abutting sites in terms of height and is lower in height than two signs directly north of the expressway already in place, and (c) will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

On the basis of our review, we feel that adjusting the CUP in the manner you have requested to would be consistent with the approved CUP and will not have an adverse effect on the CUP or on adjacent properties, nor will it be a substantial deviation from the original plan, to allow the

sign to be up to 20 feet above the elevation of the highest railing or barrier along the traffic deck perpendicular to the sign location, subject to provision of appropriate elevation documentation to in conjunction with the application for the sign permit. This adjustment shall not be deemed to alter any other provisions of the CUP except as stated herein.

Please submit four (4) copies of the CUP with these changes noted within 30 days. The "Development Application" notification signs may now be removed from the property.

John L Schlegel
Director of Planning

Kurt A Schroeder
Superintendent of Central Inspection

cc: Baughman Company, P.A., Attn: Russ Ewy, 315 Ellis, Wichita, KS 67211
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