CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

May 9, 2013

Wayne Wayman
548 E. Main
Mulvane, KS 67110

Clear Channel Communication c/o: David Mollhagen
3405 N. Hydraulic
Wichita, KS 67219

RE: CON2013-05 - City Special Review for an Off-site Sign within 300 feet of residential zoning, generally located north of 31st Street South and east of K-15 (3150 Southeast Boulevard).

Dear Applicants:

At its regular meeting on April 18, 2013, 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 the conditions on the attached resolution. There were no protests on this case during the two-week protest period, therefore the decision of the MAPC is considered final.

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

Sincerely,

Jess McNeely, AICP
Current Plans

Copies to: J. R. Cox, MABCD, Mail Stop 1-72
Tom Stolz, MABCD, Mail Stop 1-72
James Clendenin, WCC III
Janet Johnson, NA III

CONDITIONAL USE RESOLUTION NO. CON2013-05

WHEREAS, L. Wayne Wayman (owner) and Clear Channel Outdoor, c/o David Mollhagen (applicant), pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requests a Special Review for an Off-site Sign within 300 feet of a residential structure on 1.1 acres zoned GC General Commercial described as:

> LOT 1 EDMINSTER GARDENS ADD. to Wichita, Sedgwick County, Kansas, generally located north of 31st Street South and east of K-15 (3150 Southeast Boulevard).

WHEREAS, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission (hereinafter referred to as MAPC) has been given; and

WHEREAS, the MAPC did, at the meeting of April 18, 2013, consider said application; and

WHEREAS, the MAPC has authority to permit a Conditional Use, subject to any special conditions deemed appropriate in order to assure full compliance with the criteria of the Unified Zoning Code.

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Area Planning Commission that this application be approved to allow an Off-site Sign within 300 feet of a residential structure on 1.1 acres zoned GC General Commercial described as:

LOT 1 EDMINSTER GARDENS ADD. to Wichita, Sedgwick County, Kansas, generally located north of 31st Street South and east of K-15 (3150 Southeast Boulevard).

Approved subject to the following conditions:

1. The sign shall conform to all Sign Code requirements, except that the sign is permitted within 300 feet of a residential zoned lot.
2. The site shall be developed and maintained in accordance with the approved site plan and elevation drawing.
3. The sign face shall be angled so as to not be visible from any SF-5 zoned property. The sign rear shall be fully screened, with screening extending past the sign face. The screening elevation drawing shall be approved by planning staff.
4. The applicant shall obtain all permits necessary to construct the sign and the sign shall be erected within one year of approval, unless such time period is extended by the MAPC.
5. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, 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 the Conditional Use null and void.

Adopted this 9th Day of May 2013

METROPOLITAN AREA PLANNING COMMISSION

David Dennis, Chair MAPC

ATTEST:

John L. Schlegel, Secretary

B-1

WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 8

STAFF REPORT

MAPC April 18, 2013
DAB III May 8, 2013

CASE NUMBER: CON2013-05

APPLICANT/AGENT: L. Wayne Wayman (applicant), Clear Channel Outdoor, c/o: David Mollhagen (agent)

REQUEST: (1) Special Review for an Off-site Sign within 300 feet of a residential zoned lot –

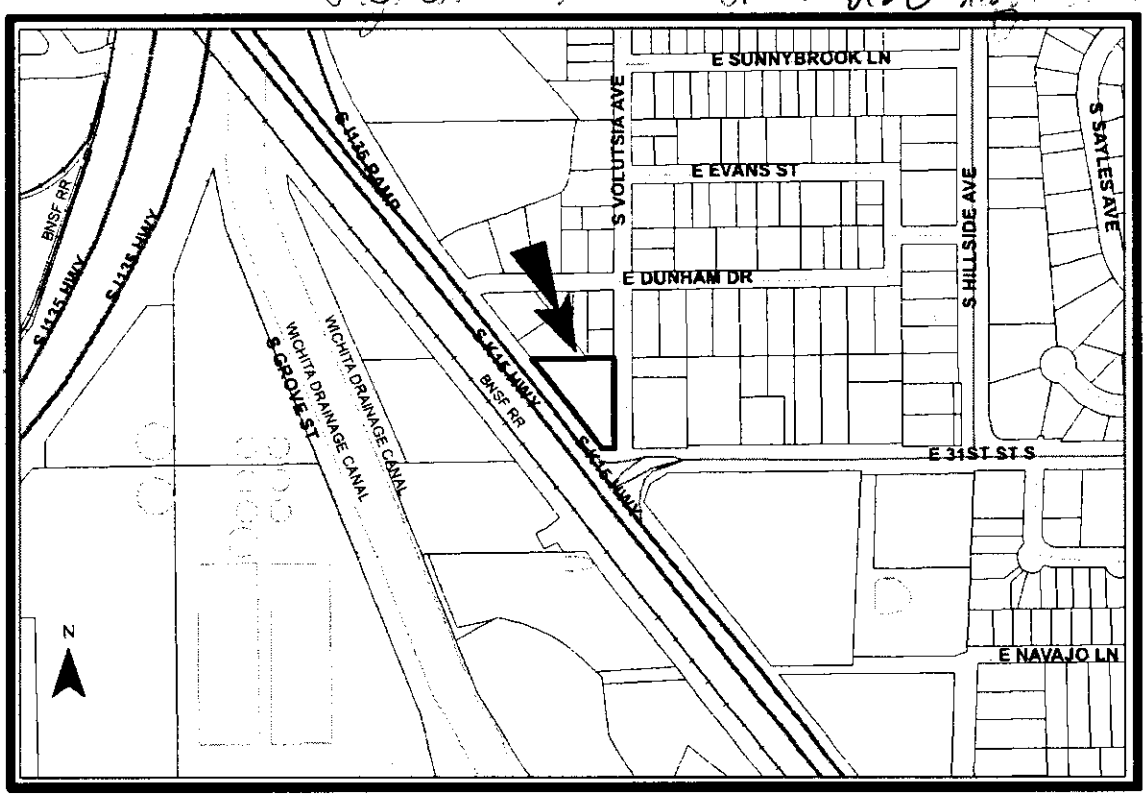
CURRENT ZONING: (2) GC General Commercial ("GC") - IN

SITE SIZE: 1.1 acres

LOCATION: (3) LOCATED North of 31th Street South and east of K-15 (3150 Southwest Boulevard)

PROPOSED USE: (4) Off-site Sign 12x24' ca

(5) UZC



BACKGROUND: The application area is a 1-acre GC General Commercial ("GC") zoned site at the northeast corner of K-15 and 31st Street South; the site is used for a warehouse-retail combination according to the county tax assessor's database. The site appears to meet all off-site sign requirements except that the sign location is within 300 feet of residential zoning and development. The Sign Code Section 24.04.225(a) states: "*An application for a permit for installation of a new or enlarged (size or height) off-site billboard sign located closer to a residentially-zoned lot or use than allowed by Section 24.04.222.4d of this code (300 feet) shall require a public hearing and approval by the Planning Commission or, if forwarded to the Wichita City Council for final action, shall require approval by the Wichita City Council.*" The proposed sign location is approximately 150 feet from the nearest residential property line, and over 290 feet from the nearest residential structure. The proposed sign location has commercial buildings between the sign and residences to the north and east; the existing buildings could partially screen the sign from the residences, as will existing deciduous trees on the residential properties. The applicant's drawings demonstrate a 12 by 24-foot sign (or a "junior billboard") at 36 feet tall, cantilevered horizontally two feet over a 16-foot tall building. The Sign Code limits billboard height to 30 feet, unless the sign is over a building and then it requires an eight-foot vertical separation between the sign and building. The site has adequate room for the sign without cantilevering it two feet over the building; the sign would be better screened by commercial buildings if the sign is limited to the code required 30-foot height limit.

Property north of the site along K-15 is zoned LC Limited Commercial ("LC") and developed with warehousing and retail; also north of the site is property zoned SF-5 Single-family Residential ("SF-5") and developed with single-family residences. South of the site, across 31st Street South, is an LC zoned manufactured home park. East of the site, across Volutsia, is LC zoned property developed with a warehouse. West of the site, across K-15, is LI Limited Industrial ("LI") zoned property used by a paving and materials contractor.

CASE HISTORY: The property was platted as Lot 1 of the Edminster Gardens Addition in 1951. The site received a zone change from LC to GC in 2008, establishing protective overlay PO-221 on the property. PO-221 ~~prohibits certain land uses, it~~ prohibited off-site and portable signs, it limits light poles to 15 feet in height with down shielding and it prohibits light poles within the building setbacks. In 2012, MAPC granted the property owner an amendment to PO-221 eliminating the off-site sign prohibition.

ADJACENT ZONING AND LAND USE:

NORTH	LC, SF-5	Warehouse, retail, single-family residences
SOUTH	LC	Manufactured home park
EAST	LC, GC	Warehouse, retail, single-family residences
WEST	LI	K-15, paving and material contractor

PUBLIC SERVICES: The site has direct access to K-15, a four-lane paved highway at this location. All normal public services are available to the site.

CONFORMANCE TO PLANS/POLICIES: The 2030 Wichita Functional Land Use Guide, as amended in May 2005, of the *1999 Update to the Wichita-Sedgwick County Comprehensive Plan* designates this site as "Local Commercial." The Local Commercial designation includes

commercial, office and personal service uses that do not have a significant regional market draw, and may include mini-storage and small light-manufacturing uses.

RECOMMENDATION: The proposed sign is consistent with commercial and industrial zoning and uses along the K-15 highway frontage. However, the MAPC required review is because of the sign's proximity within 300 feet of residential zoning and uses. The protective overlay on this site previously prohibited off-site signs, and the PO limits light pole height and locations to protect nearby residences. Staff finds that permitting the requested off-site sign cantilevered over a commercial building at a 36-foot height, would make the sign visible from nearby residences and yards. Limiting the sign to 30 feet would allow commercial buildings on the site to better screen the sign from nearby residences. Based upon information available prior to the public hearings, planning staff recommends that the requested special review for an off-site sign within 300 feet of a residential zoned lot be APPROVED, subject to the following conditions:

1. The sign shall conform to all Sign Code requirements, except that the sign is permitted within 300 feet of a residential zoned lot.
2. The site shall be developed and maintained in accordance with the approved site plan and elevation drawing.
3. ~~The sign shall be limited to 30 feet in height.~~
4. The applicant shall obtain all permits necessary to construct the sign and the sign shall be erected within one year of approval, unless such time period is extended by the MAPC.
5. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, 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 the Conditional Use null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: Property north of the site along K-15 is zoned LC and developed with warehousing and retail; also north of the site is property zoned SF-5 and developed with single-family residences. South of the site, across 31st Street South, is an LC zoned manufactured home park. East of the site, across Volutsia, is LC zoned property developed with a warehouse. West of the site, across K-15, is LI zoned property used by a paving and materials contractor.

2. The suitability of the subject property for the uses to which it has been restricted: The existing site could be used for a wide variety of uses allowed by the current GC zoning. MAPC approval is required to allow the off-site sign within 300 feet of residential zoning.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: If the off-site sign is screened by commercial buildings on the site, it should have little to no impact on residences to the north and east. If the sign is permitted to cantilever over a commercial building at 36 feet in height, it will be visible from nearby residences and yards. Nighttime lighting of the sign could compound its visibility from residences.

4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The 2030 Wichita Functional Land Use Guide, as amended in May 2005, of the *1999 Update to the Wichita-Sedgwick County Comprehensive Plan* designates this site as "Local Commercial." The Local Commercial designation includes commercial, office and personal service uses that do not have a significant regional market draw, and may include mini-storage and small light-manufacturing uses.

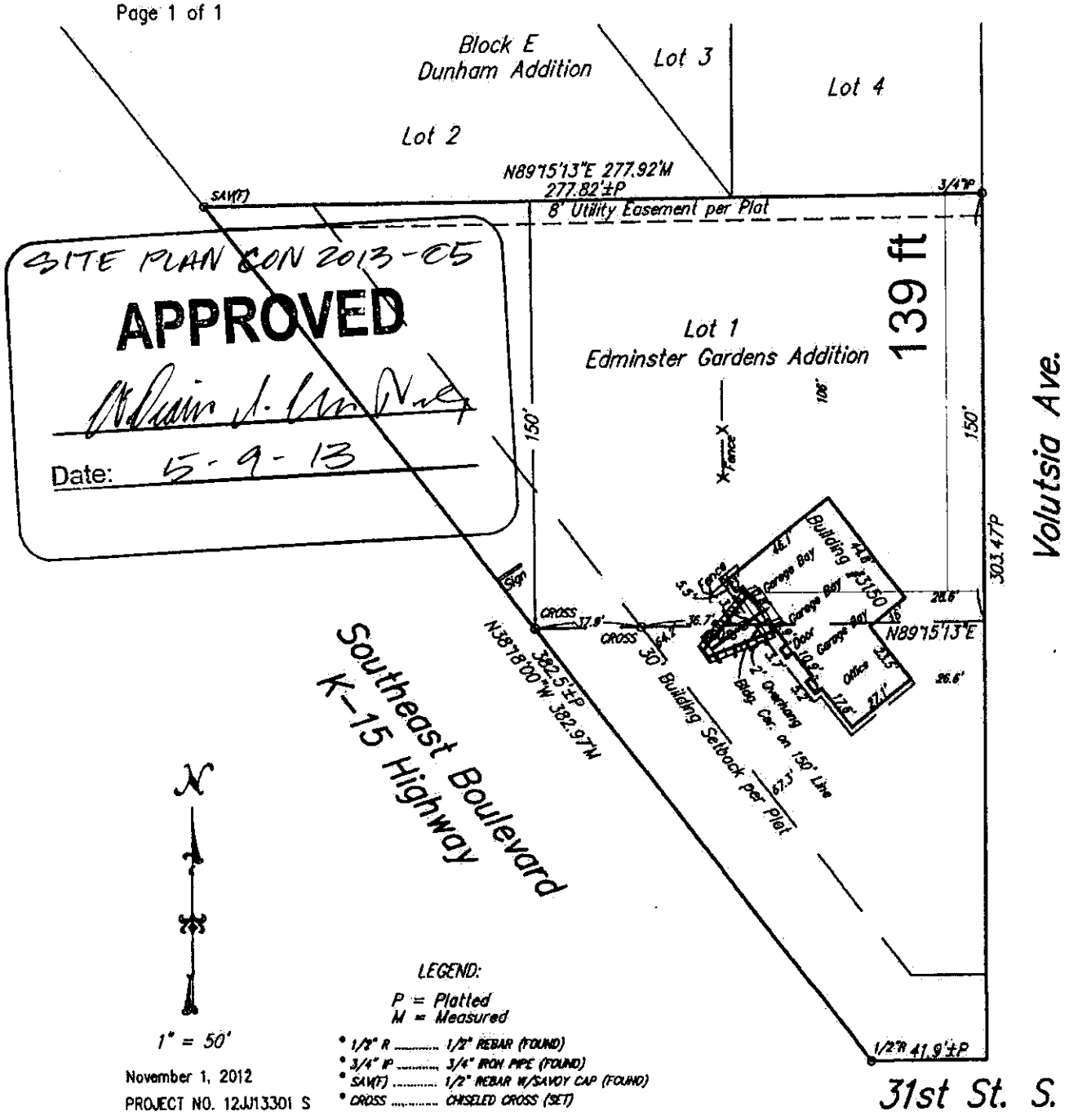
5. Impact of the proposed development on community facilities: The proposed off-site sign should have no additional impact on community facilities.

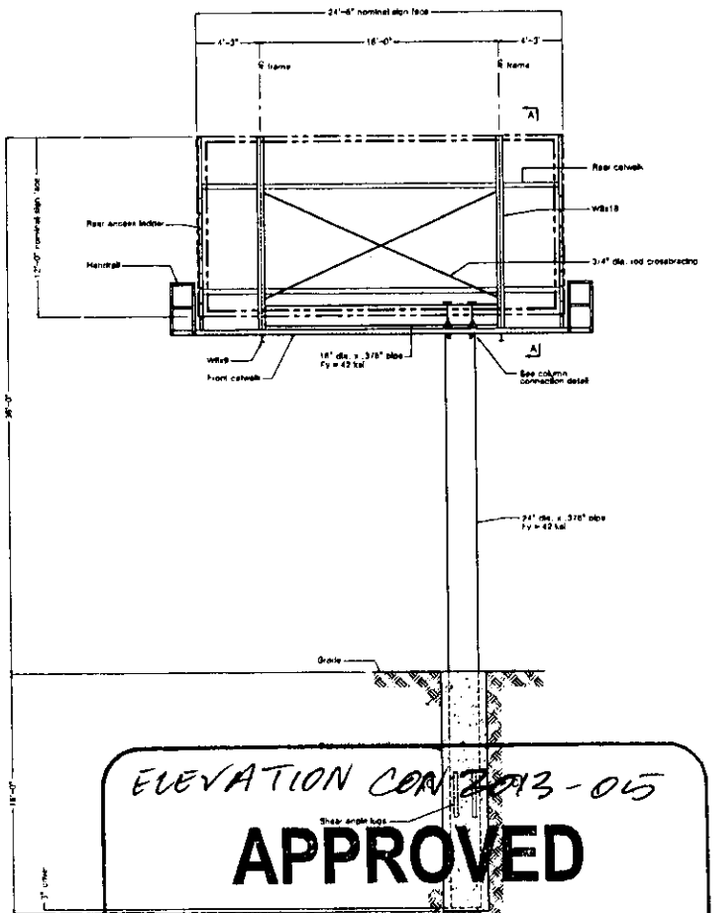
Savoy Company, P.A.
433 S. Hydraulic
Wichita, KS 67211-1911

PH (316) 265-0005
FAX (316) 265-0275
www.savoyco.com

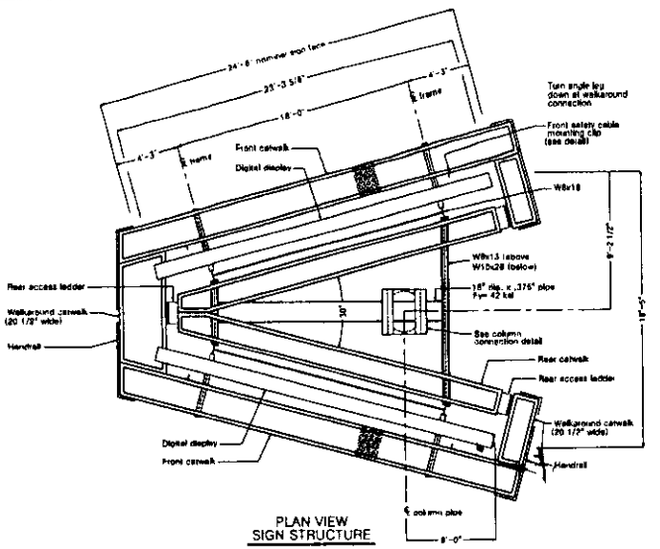
EXHIBIT

Lot 1, Edminster Gardens, Sedgwick County, Kansas.

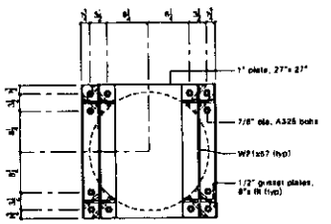




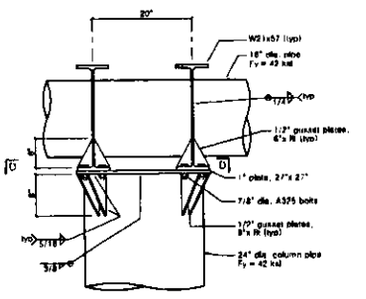
SIGN FACE ELEVATION



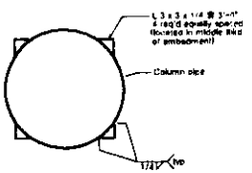
PLAN VIEW
SIGN STRUCTURE



SECTION D–D



COLUMN CONNECTION DETAIL



SECTION C–C

NOTES
- Structural design conforms to the 2006 International Building Code.
- Design standard is ASCE 7–05.
- Design dead load of the superstructure without faces is 9,000 pounds.
- Superstructure can accommodate two faces weighing up to 3,500 pounds each.

WIND
- Design winds – 90 mph. (3 sec. gust) Exposure C.
- Structure is classified occupancy category I.
- Wind importance factor – Iw = 0.87
- Design wind pressure is 33.4 p.s.f.

SEISMIC
- Seismic load importance factor: Ie = 1.0
- Structure is classified occupancy category I.
- Mapped spectral response accelerations:
  Ss = 0.140 g
  S1 = 0.056 g
- Site class : D
- Spectral response coefficients:
  Sms = 0.149
  Sm1 = 0.090
- Seismic design category is B.
- Seismic public force resisting system:
  Non-buildings structure not similar to buildings – signs and billboards.
- Design base shear : .73 kips
- Seismic response coefficient: Cs = 0.038
- Response modification factor : R = 3.
- Analysis procedure used: Equivalent lateral force method.

STEEL
- Structural steel pipe shall conform to ASTM A252 or API 5L , with grade that corresponds to the specified yield stress.
- Structural steel plate, rods, angles, and channels shall conform to ASTM A36.
- Structural steel wide flange shapes shall conform to ASTM A992.
- High strength bolts shall conform to ASTM A325 (unless noted otherwise)
- Nuts shall conform to ASTM A563.
- A325 bolts and nuts to be cadmium plated
- High strength A325 bolts shall be installed according to the latest RCSC specifications.
- Bolt holes shall be the AISC standard size (unless noted otherwise).
- All high strength bolts shall be fully pretensioned (unless noted otherwise).
- Steel shall be primed and painted, except for the embedded portions of members.
- Steel welding shall be in accordance with AWS standards.
- Steel members and elements of the structure shall be fabricated and erected according to the latest AISC specifications and standard practice.

FOUNDATION & CONCRETE
- Concrete shall attain a 28–day compressive strength of f'c = 3000 p.s.i.
- Allowable lateral bearing at the soil profile is an assumed 150 p.s.f./ft.
- Type and structural character of the soil profile is to be confirmed with an investigation by others.

GENERAL
- The contractor shall verify all dimensions and conditions in the field and notify the engineer of any discrepancies.
- GRC Engineering, Inc. will not be supervising or monitoring the erection/installation of this structure.

This is an original unpublished drawing. It is not to be reproduced, copied, or exhibited in any fashion without written permission of Quantum Structural Design.

GRC ENGINEERING, INC.

DRAWN	CHECKED	DATE	REVISIONS
STEVE	JAY	3-7-13	for approval
		3-21-13	
		4-1-13	

QUANTUM STRUCTURAL DESIGN 913.744.9993

CLEAR CHANNEL OUTDOOR

12'-0" x 24'-6"
MONOPOLE SIGN STRUCTURE
PARTIAL FLAG 30° V
36'-0" OVERALL HEIGHT
DIGITAL DISPLAY
3050 S. K-15
WICHITA, KANSAS

CLIENT NO.: 03-2081
GRC JOB NO.: 13-017-130
DRAWING NO.: 03-2081
SHEET: 1 of 2

ELEVATION CON 2013-05

APPROVED

William Nolan Neely

Date: 5-9-13