



Wichita-Sedgwick County Metropolitan Area Planning Department

December 7, 2022

Hakam and Samah Altohol
2508 N Brandon Cir
Wichita, KS 67226

Gordon Outdoor Advertising
205 S Main, Ste. 206
Broken Arrow, OK 74012

Ferris Consulting
Attn: Greg Ferris
PO Box 573
Wichita, KS 67201

RE: CON2022-00034: Special Review Request in the city to permit an off-site sign within 300 feet of residential property; on property zoned GI General Industrial located between North Hydraulic Avenue and I-135 Highway and within one-quarter mile north of East 37th Street North (4035 N Hydraulic).

Dear Applicant;

At its regular meeting on **December 6, 2022**, the Wichita City Council considered the above captioned request. The action of the City Council was to **APPROVE** the request with the following conditions:

1. The sign shall not exceed 60 feet in height as shown on the site drawings submitted by the applicant and shall be developed in accordance with the approved site plan and elevation drawings. Only one off-site sign will be allowed for this zoning lot.
2. The off-site sign shall adhere to all applicable setbacks.
3. The applicant shall obtain all permits necessary to construct the signage and the signage shall be erected within one year.
4. The sign shall conform to all other requirements of the City of Wichita Sign Code.

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,

Philip Zevenbergen, AICP
Current Plans
Division Manager

Copies to:

MABCD

Maggie Ballard Council Member District VI

Ana Lopez, CSR District VI

Scott and Dorothy McPhail, 4045 N Hydraulic, Wichita, KS 67219

Craig Davidson, 1540 E 39th Street North, Wichita, KS 67219



Wichita-Sedgwick County Metropolitan Area Planning Department

October 7, 2022

Hakam and Samah Altohol
2508 N Brandon Cir
Wichita, KS 67226

Gordon Outdoor Advertising
205 S Main, Ste. 206
Broken Arrow, OK 74012

Ferris Consulting
Attn: Greg Ferris
PO Box 573
Wichita, KS 67201

RE: CON2022-00034: Special Review Request in the city to permit an off-site sign within 300 feet of residential property; on property zoned GI General Industrial located between North Hydraulic Avenue and I-135 Highway and within one-quarter mile north of East 37th Street North (4035 N Hydraulic).

Dear Applicant;

At its regular meeting on **October 6, 2022**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request with the following conditions:

1. The sign shall not exceed 60 feet in height as shown on the site drawings submitted by the applicant and shall be developed in accordance with the approved site plan and elevation drawings. Only one off-site sign will be allowed for this zoning lot.
2. The off-site sign shall adhere to all applicable setbacks.
3. The applicant shall obtain all permits necessary to construct the signage and the signage shall be erected within one year.
4. The sign shall conform to all other requirements of the City of Wichita Sign Code.

Property owners opposed to the application may file with the City Clerk a signed, written protest of the MAPC's recommendation. (Unsigned e-mails are not considered to be legal protests.) To be effective, the protest must be filed by 5:00 p.m. on October 20, 2022. 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 located within 200 feet of the property for which the application was filed, and must be submitted to the City Clerk by **October 20, 2022 at 5:00 p.m.**

If there are no protests, the MAPC's approval is final. If there are protests, this application will be presented to the Wichita City Council on **Tuesday, November 8, 2022** beginning at 9:00 a.m.

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,

A handwritten signature in blue ink, appearing to read "Philip Zevenbergen", with a stylized flourish extending to the right.

Philip Zevenbergen, AICP
Current Plans
Division Manager

Copies to: MABCD
Maggie Ballard Council Member District VI
Ana Lopez, CSR District VI
Scott and Dorothy McPhail, 4045 N Hydraulic, Wichita, KS 67219
Craig Davidson, 1540 E 39th Street North, Wichita, KS 67219

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.RESOLUTION NO. 22-547

WHEREAS, Hakam and Samah Altohol, Owners, pursuant to Section 24.04.225 of the Wichita Sign Code (herein referred to as Sign Code), request a Special Review to permit an off-site billboard within 300 feet of residential uses on property zoned GI General Industrial District located on the west side of North Hydraulic Avenue and within one-quarter mile north of East 37th Street North, legally described as:

The North half of Lot 33, North Wichita Gardens Addition, Sedgwick County, Kansas.

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 October 6, 2022, consider said application; and

WHEREAS, the Wichita City Council has authority to permit an off-site billboard within 300 feet of residential uses, subject to any special conditions deemed appropriate in order to assure full compliance with the criteria of the Sign Code.

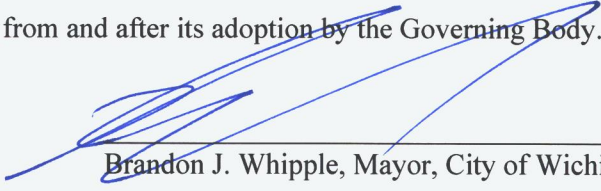
NOW, THEREFORE, BE IT RESOLVED by the Wichita City Council that this application be approved to allow an off-site billboard sign within 300 feet of residential uses on property zoned GI General Commercial District located on the west side of North Hydraulic Avenue and within one-quarter mile north of East 37th Street North, legally described as:

The North half of Lot 33, North Wichita Gardens Addition, Sedgwick County, Kansas.

Approved subject to the following conditions:

1. The sign shall not exceed 60 feet in height as shown on the site drawings submitted by the applicant and shall be developed in accordance with the approved site plan and elevation drawings. Only one off-site sign will be allowed for this zoning lot.
2. The off-site sign shall adhere to all applicable setbacks.
3. The applicant shall obtain all permits necessary to construct the signage and the signage shall be erected within one year.
4. The sign shall conform to all other requirements of the City of Wichita Sign Code.

This Resolution shall take effect and be in force from and after its adoption by the Governing Body.

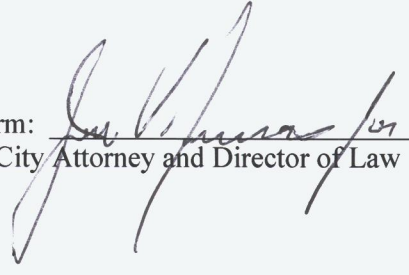

Brandon J. Whipple, Mayor, City of Wichita

ATTEST:


Jamie Buster, City Clerk

(SEAL)



Approved as to form: 
Jennifer Magaña, City Attorney and Director of Law



Beaufort Gazette
Bellefonte News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
32522	357050	Print Legal Ad-IPL01013220 - IPL0101322		\$67.93	1	81 L

Attention: Jamie Buster
CITY OF WICHITA/CLERKS OFFICE
455 N MAIN ST FL 13
WICHITA, KS 67202

LEGAL PUBLICATION

OCA 150004

PUBLISHED IN THE WICHITA EAGLE

ON December 9, 2022

BE IT ORDAINED BY THE GOVERN-

ING BODY

OF THE CITY OF WICHITA, KANSAS.

RESOLUTION NO. 22-547

WHEREAS, Hakam and Sarah At-

tolich, Owners, pursuant to Section

24.04.225 of the Wichita Sign Code

(herein referred to as Sign Code), re-

quest a Special Review to permit an

off-site billboard within 300 feet of

residential uses on property zoned GI

General Industrial District located on

the west side of North Hydraulic Ave-

nue and within one-quarter mile north

of East 37th Street North, legally de-

scribed as:

The North half of Lot 33, North Wichita

Gardens Addition, Sedgwick County,

Kansas.

WHEREAS, proper notice as required

by the Unified Zoning Code and by the

policy of the Metropolitan Area Plan-

ning Commission (hereinafter referred

to as MAPC) has been given; and

WHEREAS, the MAPC did, at the meet-

ing of October 6, 2022, consider said

application; and

WHEREAS, the Wichita City Coun-

cil has authority to permit an off-site

billboard within 300 feet of residential

uses, subject to any special condi-

tions deemed appropriate in order to

assure full compliance with the criteria

of the Sign Code.

NOW, THEREFORE, BE IT RESOLVED

by the Wichita City Council that this

application be approved to allow an

off-site billboard sign within 300 feet

of residential uses on property zoned

GI General Commercial District locat-

ed on the west side of North Hydraulic

Avenue and within one-quarter mile

north of East 37th Street North, legally

described as:

The North half of Lot 33, North Wichita

Gardens Addition, Sedgwick County,

Kansas.

Approved subject to the following

conditions:

1. The sign shall not exceed 60 feet in

height as shown on the site drawings

submitted by the applicant and shall

be developed in accordance with the

approved site plan and elevation

drawings. Only one off-site sign will be

allowed for this zoning lot.

2. The off-site sign shall adhere to all

applicable setbacks.

3. The applicant shall obtain all per-

mits necessary to construct the sig-

nage and the signage shall be erected

within one year.

4. The sign shall conform to all other

requirements of the City of Wichita

Sign Code.

This Resolution shall take effect and

be in force from and after its adoption

by the Governing Body.

ATTEST: Brandon J. Whipple, Mayor,

City of Wichita

Jamie Buster, City Clerk

Approved as to form:

(SEAL) Jennifer Megena, City Attorney

and Director of Law

IPL0101322

Dec 9 2022

In The STATE OF KANSAS
In and for the County of Sedgwick

1 insertion(s) published on:

12/09/22

STATE OF KANSAS)

SS

County of Sedgwick)

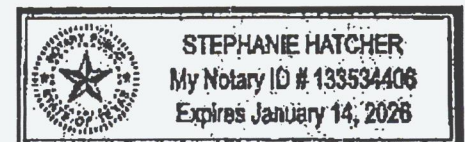
Hayley Martin, of lawful age, being first duly sworn, depose and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 12/09/2022 to 12/09/2022.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

DATED: 12/09/2022

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in
Dallas County



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	316357	Print Legal Ad - IPL0089366		\$335.58	4	100 L

Attention: MANDY HEBERT
CITY OF WICHITA/PLANNING DEPT
271 WEST THIRD ST., 2ND FL, SU 203
WICHITA, KS 67202

LEGAL PUBLICATION

DCA 180004
Published in The Wichita Eagle on September 15, 2022
(One Time Only)

MACP/BZA October 6, 2022
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, October 6, 2022, no earlier than 1:30 p.m., the WichitaSedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held virtually; public participation is available in multiple ways; those without technology options can participate by going to the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202 (specified at the bottom of this notice). If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Department at (316)268-4421.

BZA2022-00038: Variance request in the City to permit a sign area increase from 32 sq. ft. to 42 sq. ft. to increase visibility of sign and to permit an LED sign on property zoned GO General Office, located on the west side of South Hillside Ave and within one-half mile south of East Douglas Ave (311 S Hillside).

BZA2022-00041: Variance request in the City to increase the height of an off-site sign to 60 feet on property zoned LI Limited Industrial, generally located on the west side of Hydraulic Avenue, within one-quarter mile north of East 37th Street North (4035 N Hydraulic Avenue).

BZA2022-00042: Variance request in the City to increase the permitted height of a screening wall from 9 to 10 feet on property zoned SF-5 Single-Family Residential; generally located a quarter-mile east of the intersection of North Ridge Road and West 13th Street North.

CON2022-00032: Conditional Use request in the City for Day Care, General, located in SF-5 Single Family zoning district, approximately one-quarter mile east of the intersection of East Central Avenue and North Woodlawn Blvd (7011 East Central Avenue).

CON2022-00033: Conditional Use request in the City to amend CON2012-21 to allow outside music and dancing and amend CU-523 to modify hours of operation on property zoned LC Limited Commercial; generally located on the north side of West 21st Street North and within one block east of North Tyler Road (8550 & 8556 W 21st Street).

CON2022-00034: Conditional Use Request in the City to permit an off-site sign within 300 feet of residential property; on property zoned GI General Industrial; located between North Hydraulic and I-135 Highway and within one-quarter mile north of East 37th Street North (4035 N Hydraulic).

CON2022-00035: Conditional Use request in the City for Vehicle and Equipment Sales, Outdoor (associated with ZON2022-00046) for a used car dealership on property zoned LC Limited Commercial; located on the east side of North Hillside Avenue and within one-block north of East 13th Street North (1414 N Hillside Ave).

CUP2022-00041: Request in the City to Amend the Hanley Community Unit Plan DP-154 to permit a carwash on Parcel 7, zoned LC Limited Commercial; located on the east side of North Webb Road within one-quarter mile south of East 21st Street North (2110 North Webb Rd).

CUP2022-00042: Community Unit Plan Amendment request in the City to DP-126 to increase the height of an existing cell tower from 120 feet to 137 feet on property zoned GO General Commercial; located within one-quarter mile north of East Central Avenue and within one-quarter mile east of North Edgemoor.

CUP2022-00043: Request in the City to Amend Parcel 5 of the Tallgrass East Business Park CUP DP-192 to convert a medical office into a general office use (with ZON2022-00046), located within one-block east of North Webb Road and one-half mile south of K-96 Highway (9727 E Shannon Woods Cir).

CUP2022-00044: Request in the City to amend the LC Limited Commercial zoned Community Unit Plan DP-279 to align all Parcels and Reserves with the replot of Cross Points 2nd Addition, and revise provisions for signage totals and size, access drives, landscaping, height of buildings and architectural control on certain parcels; generally located on the southeast side of East 21st Street North and North Greenwood Road.

VAC2022-00026: Request in the City to Vacate a portion of a plat setback on LI Limited Industrial zoned property; generally located on the southwest corner of East 36th Street North and North Webb Road.

VAC2022-00029: Request in the City to Vacate platting sanitary sewer easements on property zoned LI Limited Industrial; generally located 1200 feet south of the K-96 Highway and North Hoover Road, on the east side of North Hoover Road.

VAC2022-00030: Request in the City to Vacate utility easements in Limited Commercial (LC) zoning in CUP DP-250 for site development; generally located on the west side of North Ridge Road and on the north side of West 37th Street North.

ZON2022-00040: Zone change request in the City from SF-5 Single-Family Residential and MH Manufactured Housing to MF-18 Multi-Family Residential on property located on the west side of South 16th Street West and within one-quarter mile north of West Maple Street.

ZON2022-00045: Zone Change request in the City from LC Limited Commercial District with PO #175 to GO General Commercial District with PO #397 to allow development of vacant parcels; generally located east of South Seneca Street within one-half mile of West Harry Street.

ZON2022-00046: Zone Change request in the City from MF-29 Multi-Family Residential to LC Limited Commercial (with CON2022-00035) for Vehicle and Equipment Sales, Outdoor; located on the east side of North Hillside Avenue and within one-block north of East 13th Street North (1414 N Hillside).

ZON2022-00047: Zone Change request in the City from LC Limited Commercial to CBD Central Business District to redevelop the site in a consistent manner with surrounding properties; generally located on the south side of West Douglas Avenue, within two-block east of South Seneca Street (801 W Douglas).

ZON2022-00048: Zone change request in the City from B Multi-Family Residential to GO General Office associated with CUP2022-00043 a minor amendment to Community Unit Plan DP-192 to allow general office uses on Parcel 5, generally located within one-block east of North Webb Road and one-half mile south of K-96 Highway (9727 E Shannon Woods Cir).

ZON2022-00050: Zoning change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District to build duplexes; generally located on the east side of South Greenwood Road, within one-quarter mile south of East Harry Street.

ZON2022-00051: Zone change request in the City from TF-3 Two-Family Residential District to MF-18 Multi-Family Residential District; generally located on the southwest corner of West Burton Avenue and South Meridian Avenue (201 South Meridian).

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202.

As provided in Section V of the WichitaSedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MACP, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MACP as by law provided.

PLEASE NOTE THIS MEETING IS CONSIDERED AN EMERGENCY MEETING OF THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION DUE TO COVID-19, WHICH WILL IMPOSE SPECIAL PROCEDURES TO PARTICIPATE IN THE PUBLIC HEARING. THESE ARE AS FOLLOWS:

The meeting will be conducted "virtually" using Go-To-Meeting. You have multiple options to participate: 1) submit comments ahead of time, 2) participate remotely, or 3) attend in-person at the Ronald Reagan Building (see below).

Submit Comments Ahead of Time

You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department no later than 5pm 3 days prior to the meeting. Please be sure to provide ample time for delivery. The comments can be submitted in the following formats: email; letter; video; and audio message (mp3, etc.). The comment should indicate which item they pertain to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff using the contact information below. The comments received ahead of the submission deadline will be shared with the MACP, prior to or during the meeting.

Email - Planning@wichita.gov
Mailing Address - Wichita-Sedgwick County Metropolitan Area Planning Department
Attn: Scott Wadle

271 W. 3rd Street - Suite 201
Wichita, KS 67202
Phone - 316.268.4421
Fax - 316.658.7764

Participate Remotely
Please join my meeting from your computer, tablet or smartphone.
<https://global.gotomeeting.com/join/651544141>

You can also dial in using your phone.
United States: +1 (671) 317-3112
Access Code: 651-544-141

Join from a video-conferencing room or system.
Dial In or type: 67.217.95.2 or inroomlink.gotomeeting.com

Meeting ID: 651 544 141
Or dial directly: 651544141@67.217.95.2 or 67.217.95.2#651544141

New to GoToMeeting? Get the app now and be ready when your first meeting starts: <https://global.gotomeeting.com/install/651544141>

Attend In-Person
You may also participate in the hearing in-person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202. The in-person option is primarily intended for those seeking other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-2684464) by 5pm, 3 days prior to the meeting.

WITNESS MY HAND on September 15, 2022

Scott Wadle, Secretary
WichitaSedgwick County
Metropolitan Area Planning Commission
IPL0089366
Sep 15 2022

In The STATE OF KANSAS
In and for the County of Sedgwick

No. of Insertions: 1

Beginning Issue of: 09/15/2022

Ending Issue of: 09/15/2022

STATE OF KANSAS)

SS

County of Sedgwick)

Hayley Martin, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 09/15/2022 to 09/15/2022.

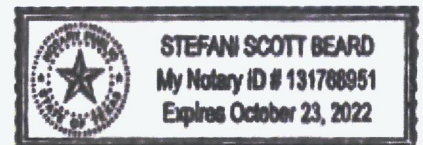
M. Hayley

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

DATED: 09/15/2022

Stefani Beard

Notary Public in and for the state of Texas, residing in Dallas County



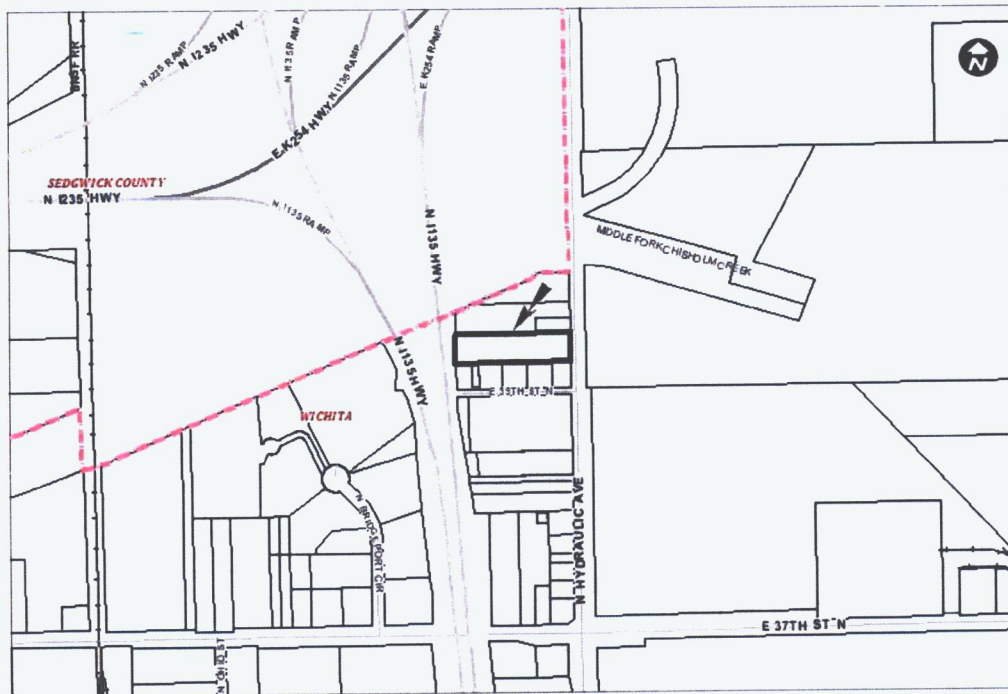
Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

STAFF REPORT

MAPC October 6, 2022

DAB VI October 3, 2022

<u>CASE NUMBER:</u>	CON2022-00034 (City)
<u>APPLICANT/AGENT:</u>	Hakam and Samah Altohol, Gordon Outdoor Advertising (Applicants) / Ferris Consulting (Agent)
<u>REQUEST:</u>	Conditional Use to permit off-site sign within 300 feet of residential zoning/ residential uses.
<u>CURRENT ZONING:</u>	GI General Industrial
<u>SITE SIZE:</u>	2.41 acres
<u>LOCATION:</u>	Generally located between I-135 Highway and North Hydraulic Avenue, within one-quarter mile north of East 37 th Street North (4035 N. Hydraulic).
<u>PROPOSED USE:</u>	14-foot by 48-foot off-site billboard sign
<u>RECOMMENDATION:</u>	Approve with conditions



BACKGROUND: The applicant is requesting a Conditional Use to permit the construction of an off-site billboard sign within 300 feet of residential zoning/ residential uses. The property is zoned GI General Industrial District and is located between North Hydraulic and I-135 Highway and within one-quarter mile north of East 37th Street North. The subject property is currently developed with vehicle sales and associated vehicle repair on the eastern portion of the site. The proposed sign will be constructed on the western portion of the site along the I-135 Highway frontage. This application is being heard concurrently with a Variance (BZA2022-00041) to permit an increase in height of the proposed off-site billboard sign from 30 feet to 60 feet to raise it above existing mature trees. The Variance application is contingent upon the approval of the Conditional Use.

The applicant intends to lease a 60-foot by 50-foot section of the western edge of the property along the I-135 Highway frontage for the construction of an off-site billboard sign with the intention of advertising messages, goods, and services to motorists traveling along the highway. Off-site billboards signs are permitted in the GI General Industrial District, except when within 300 feet of residential zoning/ residential uses as stated in Section 24.04.222(4)(d) of the Wichita Sign Code below.

Except as permitted by Section 24.04.225, no Off-Site Billboard Sign shall be erected closer than three hundred (300) feet from a platted and residentially zoned lot on which a primary residential structure can be legally erected or to a residential structure or use. This distance shall be measured from the nearest lot line of such platted and residentially zoned lot or residential structure or use to the closest part of the Off-Site Billboard Sign. This minimum distance may be reduced to one hundred fifty (150) feet when any platted and residentially zoned lot or residential structure or use is fully screened from view of the proposed Off-Site Billboard Sign by a nonresidential building. Such view shall be from the closest minimum building setback line (as established for residentially zoned lots in the Wichita-Sedgwick County Unified Zoning Code) of the residentially zoned lot or residential structure or use.

As discussed in more detail below, the abutting property to the north is zoned SF-5 Single-Family Residential District and developed with a single-family dwelling approximately 185 feet northeast from the proposed location of the off-site billboard sign. Properties abutting to the south are zoned GI General Industrial District but are developed with single-family dwellings with the nearest two dwellings being approximately 153 and 199 feet (respectively) south/southeast from the proposed off-site billboard sign.

Section 24.04.225 of the Wichita Sign Code permits the MAPC to conduct a special review of the placement of off-site billboard signs within 300 feet of residential zoning/ residential uses. If the application is not protested or the City Council District Advisory Board makes the same recommendation as MAPC, then the MAPC decision is final. Otherwise, the application must go to City Council for final action.

If the off-site billboard is permitted, it shall adhere to all other standards of the Wichita Sign Code. Section 24.04.222(3) of the Sign Code restricts the dimensions of the off-site billboard sign to 14 feet by 48 feet (672 square feet). However, it allows permitted extensions to extend no more than five and one-half feet above the normal upper rectangle of the sign surface and nor more than two feet beyond any of the other three sides. The maximum area of the sign surface facing one direction of travel (including permitted extensions) cannot exceed 825 square feet. The Sign Code restricts the height of off-site billboard signs to 30 feet. Finally, the Sign Code requires a minimum of 330 feet between off-site billboard signs along the same direction of travel along the same street.

As stated above, the applicant is requesting a Variance (BZA2022-00041) to permit the sign to be constructed to a 60-foot height to rise above existing, mature trees that would otherwise block the visibility of the sign if it were constructed to the standard height. Other than the Variance request for the height increase, the applicant intends to construct the sign to the standards set forth in the Sign Code. The nearest

off-site billboard facing the same direction of travel on the same street is approximately 850 feet south of the subject site. In 2021, the site of this nearby sign (3905 North Hydraulic Avenue) was approved for a Variance (citation) to increase the height of the off-site billboard to 60 feet to permit the sign to be above the mature tree line.

Property to the north is zoned SF-5 Single-Family Residential District and is developed with a single-family dwelling and accessory structures on a two-acre lot. The single-family dwelling is developed approximately in the middle of the site east-to-west. The proposed sign will be approximately 185 feet southwest from this structure. Properties to the east and south are zoned GI General Industrial District. Property to the east, across North Hydraulic, is an agricultural field. Properties to the south are developed with single-family dwellings with accessory structures along East 39th Street North. The proposed sign will be approximately 153 feet north from the nearest dwelling. Property to the west is the I-135 Highway right-of-way, which was recently expanded to accommodate improvements to the North Junction (I-135, I-235/K-96, K-254 interchange).

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Large Lot Single Family Residential
SOUTH:	GI	Single Family Residential
EAST:	GI	Agricultural Field
WEST:	None	I-135 Highway

CASE HISTORY: In 1922, the property was platted as part of the North Wichita Gardens Addition.

PUBLIC SERVICES: The property has access from North Hydraulic Avenue, a paved two-lane arterial with no sidewalks. Municipal water and sewer services currently serve the site. Wichita Transit does not provide regular bus service at this location.

CONFORMANCE TO PLANS/POLICIES: The requested off-site sign is in conformance with the following plans.

The Community Investments Plan: The adopted 2035 Wichita Future Growth Concept Map of the Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the subject property as appropriate for residential development. Though the Comprehensive Plan marks the property as appropriate for residential development, the predominant zoning in the area is GI General Industrial District. In addition, the request to permit the construction of an off-site billboard sign along the frontage of an Interstate Highway is not unreasonable, nor is it introducing a new use into the area.

Land Use Compatibility Locational Guidelines of the Comprehensive Plan state that industrial and major commercial land uses that generate pollution, odor, noise light, safety hazards, and high levels of traffic should be located away from residential areas and developed with screening, buffering, and site design features sufficient to mitigate adverse impacts. The applicant intends to keep the mature trees along the north and south property lines which will buffer the site of the off-site billboard sign from the nearby residential uses. Said residential uses are located near a major interstate highway that generates noise, odor, and light pollution. The addition of an off-site billboard sign at this location will introduce visual impacts and light pollution closer to the residential uses than current impacts associated with the nearby interstate highway

RECOMMENDATION: Based upon the information available at the time the staff report was prepared it is recommended that the request be **APPROVED**, subject to the following conditions:

CON2022-00034

1. The sign shall not exceed 60 feet in height as shown on the site drawings submitted by the applicant and shall be developed in accordance with the approved site plan and elevation drawings. Only one off-site sign will be allowed for this zoning lot.
2. The off-site sign shall adhere to all applicable setbacks.
3. The applicant shall obtain all permits necessary to construct the signage and the signage shall be erected within one year.
4. The sign shall conform to all other requirements of the City of Wichita Sign Code.

This recommendation is based on the following findings:

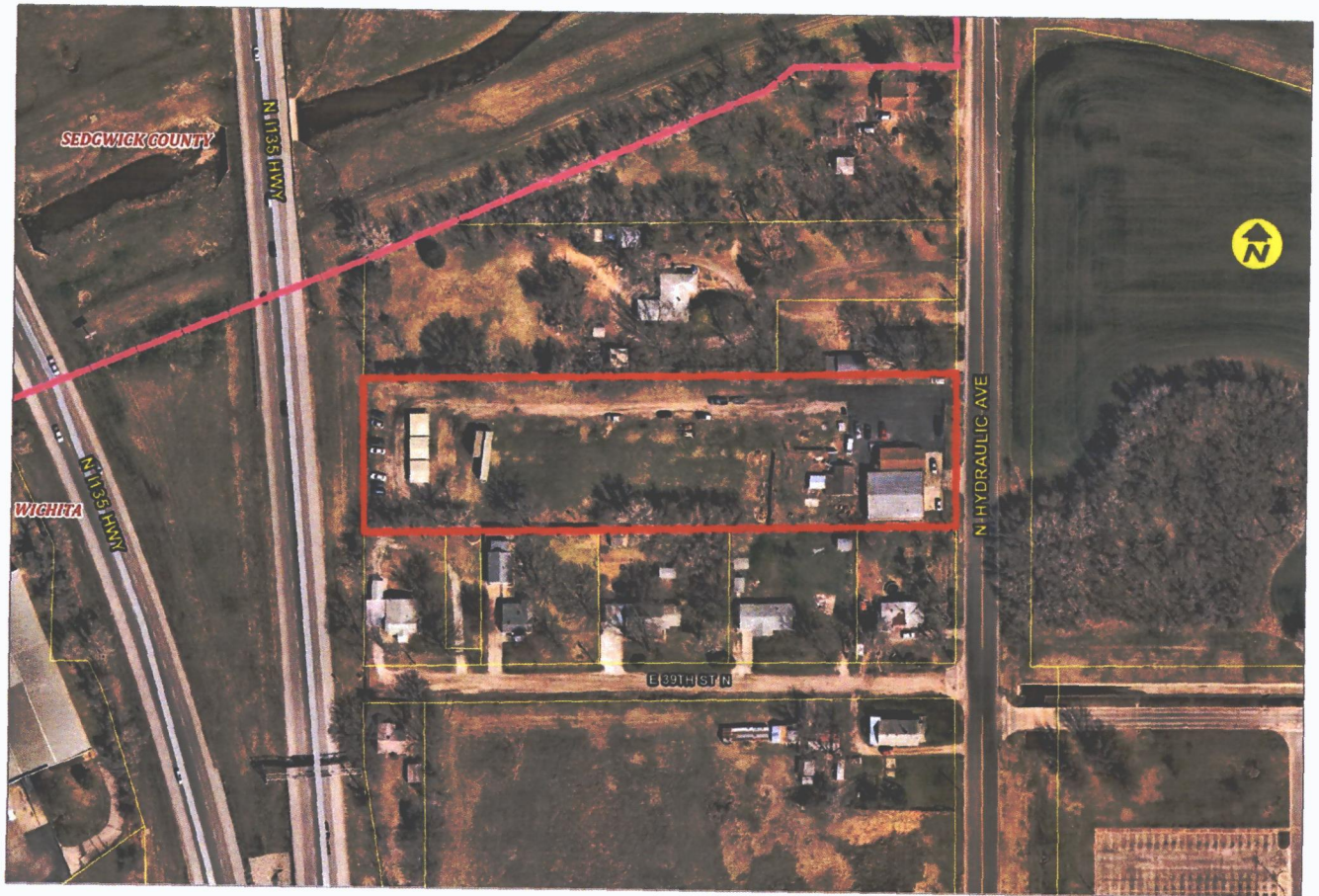
1. The zoning, uses, and character of the neighborhood: Property to the north is zoned SF-5 Single-Family Residential District and is developed with a single-family dwelling and accessory structures on a two-acre lot. The single-family dwelling is developed approximately in the middle of the site east-to-west. The proposed sign will be approximately 185 feet southwest from this structure. Properties to the east and south are zoned GI General Industrial District. Property to the east, across North Hydraulic, is an agricultural field. Properties to the south are developed with single-family dwellings with accessory structures along East 39th Street North. The proposed sign will be approximately 153 feet north from the nearest dwelling. Property to the west is the I-135 Highway right-of-way, which was recently expanded to accommodate improvements to the North Junction (I-135, I-235/K-96, K-254 interchange).
2. The suitability of the subject property for the uses to which it has been restricted: The subject site is currently zoned GI General Industrial District. It is currently developed with vehicle sales and vehicle repair. The current zoning supports significantly more intense uses than those currently developed on the site, subject to compatibility standards along the north property line where it abuts SF-5 Single-Family Residential zoning.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval of the request should not detrimentally impact nearby properties. The conditions of approval should minimize any unanticipated detrimental impacts. The nearby residential properties are located near a major interstate highway that already generates noise, odor, and light pollution. However, the addition of an off-site billboard sign at this location will introduce visual impacts and light pollution closer to the residential uses than current impacts associated with the nearby interstate highway.
5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The proposed Conditional Use is in conformance with the *Community Investments Plan* as discussed in this staff report.
6. Impact of the proposed development on community facilities: Community facilities should not be significantly impacted by the proposed sign.

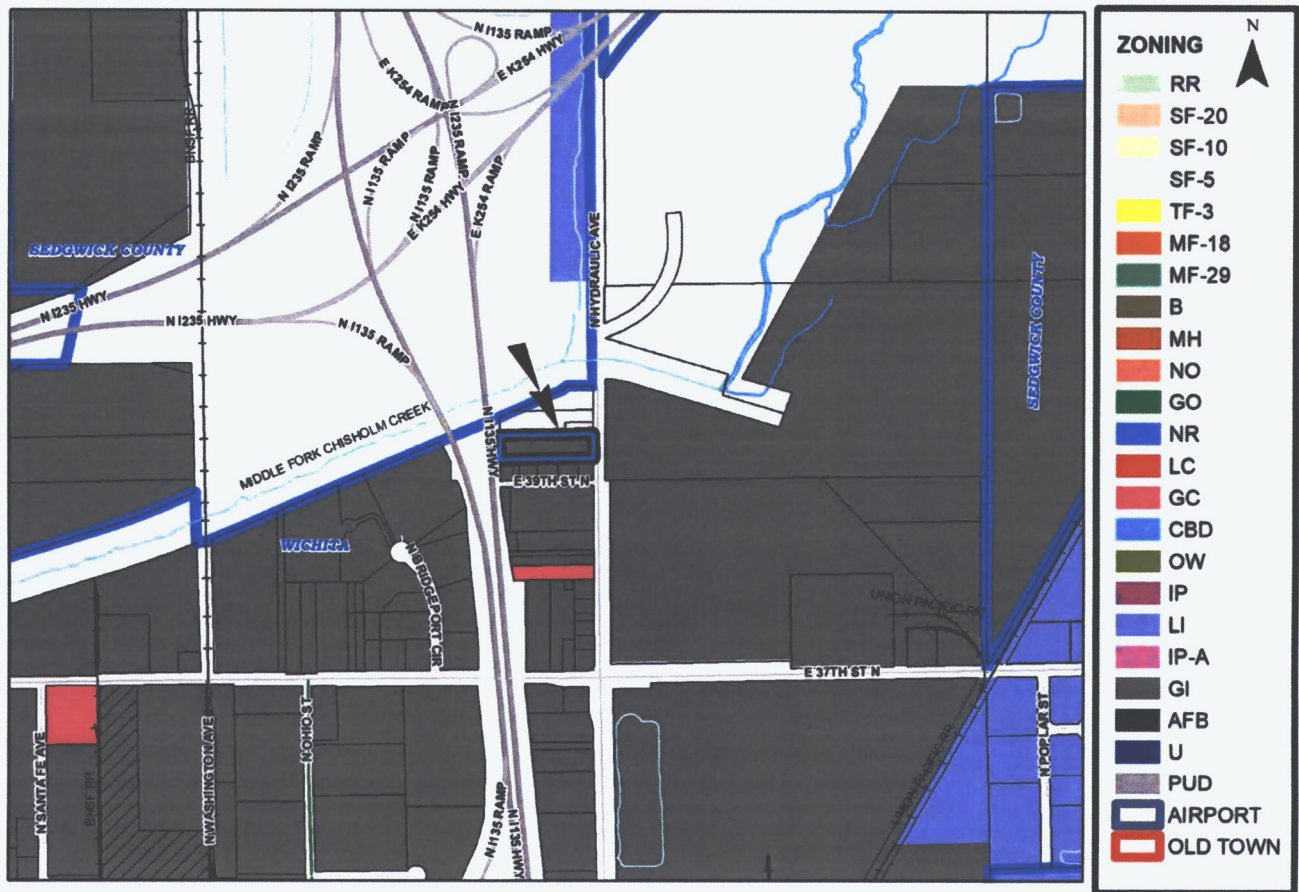
Staff Report Attachments:

1. Site Plan
2. Sign Exhibit
3. Aerial Map
4. Zoning Map
5. Land Use Map
6. Site Photos

Sign Exhibit







Looking west at site from Hydraulic



Looking east at site from I-135



Looking west at property north of site



Looking east a property south of site with 60-foot billboard



Looking north at property south of site



Looking south from East 39th Street at 60-foot Billboard



Looking north at property southeast of site



Looking east along East 39th Street



Parent Tract Legal Description:
The North half of Lot 33, Except that part for Highway purposes as recorded in Condemnation Case 2020-CV-00782, North Wichita Gardens, Sedgewick County, Kansas.

that part of the North Half of Lot J3, North Wechla Gardens, Singapore, (Kamoa described as: Commencing at the Northeast corner of and Let J3, thence S89°34'50"E, along the North side of and Lot J3, 508.28 feet to the East Right-of-way line; thence S15° Highways as condemned by Condominium Case 2020-CI-001782, thence S10°28'51"E, along and Right-of-way line, 58.85 feet to the Point of Beginning; thence N89°34'50"E, parallel with the North line of said Lot J3, 80.00 feet; thence S12°29'51"E, 53.82 feet; thence S89°34'50"E, 80.00 feet; and to the Right-of-way line, thence N10°29'51"E, along and Right-of-way line, 53.82 feet to the Point of Beginning;



12/9/22
BY [Signature]
can 2022-34

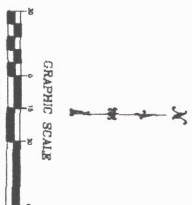
PROJECT NO. 070006260 S



Savoy Company, P.A.
Land Surveyor
435 S. Hudson Ave. Waukegan, IL 60079-1197

4416 (6.316) 28.5-2498
FAX (916) 265-0275

August 24, 2002



SURVEY MANNER LEGEND

LEGEND

ONE = OVERHEAD ELECTRIC

° TITLE FREQ. TELEPHONE FEEDSTAL

° AIR. MAIL BOX

° L.P. LIGHT POLE

■ POWER POLE

° P.P. DOWNED POST