Wichita-Sedgwick County Metropolitan Area Planning Department

November 5, 2025

13610 W MAPLE LLC
13610 W Maple Street
Wichita, KS 67235

RE: ZON2025-00036 –Zone Change request in the City from GO General Office District to LC Limited Commercial District, generally located on the northwest corner of West Maple Street and North 135th Street (13610 West Maple Street).

Dear Applicant,

At its regular meeting on **September 16, 2025,** the Wichita City Council considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** of the request, subject to amended Protective Overlay #1, which reads:

Amended Protective Overlay #1

1. The uses of the property are limited to uses allowed in LC zoning except the following uses are not permitted: service stations, car washes, adult entertainment establishments, group homes, group residential, halfway houses, correctional placement residences, private clubs, taverns, and drinking establishments. Restaurants that serve liquor are allowed and may serve liquor as long as food is the primary service of the establishment.
2. All freestanding signs must be monument type. Freestanding monument signs are limited to 20 feet in height and 148 square feet in size.
3. Light poles are limited to 14 feet.
4. Landscaping shall comply with the Landscape Ordinance of the City.
5. The administrative adjustment provisions of the Wichita Sedgwick County Unified Zoning Code, Section V-E.14, shall apply to the protective overlay.
6. All buildings shall be limited to 35 feet in height and limited to 2 stories in height.

If you have any questions concerning this application, please contact our office at 316-268-4421.

Sincerely,

Moumita Kundu

Moumita Kundu
Senior Planner
Metropolitan Area Planning Division

CC: J.V. Johnston, Council Member, District 5
MABCD
Greg Ferris, Agent
Teresa Veazey, CSR, District 5

Wichita-Sedgwick County Metropolitan Area Planning Department

August 15, 2025

13610 W MAPLE LLC
13610 W Maple Street
Wichita, KS 67235

RE: ZON2025-00036 –Zone Change request in the City from GO General Office District to LC Limited Commercial District, generally located on the northwest corner of West Maple Street and North 135th Street (13610 West Maple Street).

Dear Applicant,

At its regular meeting on **August 14, 2025**, the Wichita-Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** of the request, subject to amended Protective Overlay #1, which reads:

Amended Protective Overlay #1

1. The uses of the property are limited to uses allowed in LC zoning except the following uses are not permitted: service stations, car washes, adult entertainment establishments, group homes, group residential, halfway houses, correctional placement residences, private clubs, taverns, and drinking establishments. Restaurants that serve liquor are allowed and may serve liquor as long as food is the primary service of the establishment.
2. All freestanding signs must be monument type. Freestanding monument signs are limited to 20 feet in height and 148 square feet in size.
3. Light poles are limited to 14 feet.
4. Landscaping shall comply with the Landscape Ordinance of the City.
5. The administrative adjustment provisions of the Wichita Sedgwick County Unified Zoning Code, Section V-E.14, shall apply to the protective overlay.
6. All buildings shall be limited to 35 feet in height and limited to 2 stories in height.

Property owners opposed to the application may file with the County 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 **August 28, 2025**. 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 1000 feet of the property for which the application was filed, and must be submitted to the County Clerk by **August 28, 2025, at 5:00 p.m.**

This application is scheduled for consideration by the Wichita City Council on **Wednesday, September 16, 2025,** beginning at 9:00 a.m., at 455 North Main Street, Wichita, KS 67202, for final action.

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 316-268-4421.

Sincerely,

Moumita Kundu

Moumita Kundu
Senior Planner
Metropolitan Area Planning Division

CC: J.V. Johnston, Council Member, District 5
MABCD
Greg Ferris, Agent
Teresa Veazey, CSR, District 5

OCA 150004 PUBLISHED AT WICHITA.GOV/LEGALNOTICES ON September 26, 2025

ORDINANCE NO. 52-820

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2025-00036

Zone Change Request in the City from GO General Office District to LC Limited Commercial District, on property legally described as:

Lot 1, EXCEPT the West 47.78 feet thereof; AND EXCEPT the North 70 feet thereof, Riverside Health System Addition to Wichita, Sedgwick County, Kansas.

Subject to Amended Protective Overlay #1 as follows:

1. The uses of the property are limited to uses allowed in LC zoning except the following uses are not permitted: service stations, car washes, adult entertainment establishments, group homes, group residential, halfway houses, correctional placement residences, private clubs, taverns, and drinking establishments. Restaurants that serve liquor are allowed and may serve liquor as long as food is the primary service of the establishment.
2. All freestanding signs must be monument type. Freestanding monument signs are limited to 20 feet in height and 148 square feet in size.
3. Light poles are limited to 14 feet.
4. Landscaping shall comply with the Landscape Ordinance of the City.
5. The administrative adjustment provisions of the Wichita Sedgwick County Unified Zoning Code, Section V-E.14, shall apply to the protective overlay.
6. All buildings shall be limited to 35 feet in height and limited to 2 stories in height.

SECTION 2. That upon the taking effect of this Ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

Adopted this 23RD day of September, 2025.

Lily Wu, Mayor, City of Wichita

ATTEST:

Shinita Rice, Deputy City Clerk

(SEAL)

Approved as to form:

Jennifer Magaña
City Attorney and Director of Law

McClatchy

The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer
Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald
The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
49235	IPL0275887	Legal Ad - IPL0275887		2.0	202.0L

ATTENTION: CITY OF WICHITA/CLERKS OFFICE IP
455 N MAIN ST FL 13
WICHITA, KS 67202
srice@wichita.gov;LAlvarez@wichita.gov

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

the undersigned, 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.

1.0 insertion(s) published on:
09/26/25 Print

Print Tearsheet Link

Marketplace Link

Amy Robbins

DIGITALLY SIGNED

Amy Robbins

Sherry J Chasteen

DIGITALLY SIGNED

Sworn to and subscribed before me on Sep 26, 2025, 8:54 AM EDT

SHERRY J CHASTEEN
ELECTRONIC NOTARY PUBLIC
STATE OF TEXAS
COMMISSION # 125328493
MY COMMISSION EXPIRES 4/16/2029

Online Notary Public. This notarial act involved the use of online audio/video communication technology. Notarization facilitated by SIGNiX®

ITEMS PUBLISHED ON WICHITA.GOV/LEGAL NOTICES
SEPTEMBER 12, 2025

RESOLUTION NO. 25-434
A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (WATER DISTRIBUTION PHASE 2 – AREA 151 ADDITION).
A resolution regarding water distribution improvements.

RESOLUTION NO. 25-435
A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (SANITARY SEWER PHASE 2 INTERIOR – AREA 151 ADDITION).
A resolution regarding sanitary sewer improvements.

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A resolution regarding paving improvements.

RESOLUTION NO. 25-437
A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (PHASE 8 WATER DISTRIBUTION IMPROVEMENTS – CLEAR CREEK 3RD & 4TH ADDITIONS).
A resolution regarding water distribution improvements.

RESOLUTION NO. 25-438
A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS; MAKING CERTAIN FINDINGS WITH RESPECT THERETO; AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (PHASE 8 SANITARY SEWER IMPROVEMENTS – CLEAR CREEK 4TH ADDITION).
A resolution regarding sanitary sewer improvements.

CITY OF WICHITA ORDINANCE NO. 52-814
SEDGWICK COUNTY RESOLUTION NO. 242-2025
First Published on Wichita.gov/LegalNotices on September 26, 2025
Published in The Ark Valley News on
A CITY ORDINANCE AND COUNTY RESOLUTION AMENDING THE WICHITA/SEDGWICK COUNTY AIRPORT HAZARD ZONING CODE BY AMENDING CHAPTER 28.08 OF THE CODE OF THE CITY OF WICHITA, KANSAS AND APPENDIX H OF THE CODE OF SEDGWICK COUNTY, KANSAS AND REPEALING THE ORIGINALS OF SAID CHAPTER AND APPENDIX.
An ordinance regarding amendments to the Airport Hazard Zoning Code.

ORDINANCE NO. 52-815
AN ORDINANCE AMENDING ARTICLE III, SECTIONS B.2.b, ITEM (2), B.2.c, ITEM (2), B.3.b, ITEM (2), B.3.c, ITEM (2), B.4.b, ITEM (2), B.4.c, ITEM (2), B.5.b, ITEM (2), B.5.c, ITEM (2), B.6.b, ITEM (2), B.6.c, ITEM (2), B.10.b, ITEM (2), B.10.c, ITEM (2), SECTION D, USE REGULATION SCHEDULE, SECTION D.6, ITEM I, AND ARTICLE V, SECTION L, ITEMS 2, 5, 7, AND 8 OF THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, AND REPEALING THE ORIGINAL SECTIONS THEREOF.
An ordinance regarding amendments to the unified zoning code and daycares.

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AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.
An ordinance regarding a zone change request at 109 South Exposition Street.

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An ordinance regarding a zone change at 13610 West Maple Street

ORDINANCE NO. 52-821
AN ORDINANCE AUTHORIZING THE CITY OF WICHITA, KANSAS TO ISSUE ITS MULTIFAMILY HOUSING REVENUE BONDS (MARKET CENTRE APARTMENTS) SERIES IV, 2025 FOR THE PURPOSE OF FINANCING A PORTION OF THE COSTS OF THE ACQUISITION, REHABILITATION, AND EQUIPPING OF A MULTIFAMILY APARTMENT COMPLEX; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH.
An ordinance regarding Market Centre Apartments.

THE FULL DOCUMENTS CAN BE VIEWED AT WICHITA.GOV/LEGALNOTICES.
IPL0275887
Sep 26 2025

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THE FULL DOCUMENTS CAN BE VIEWED AT WICHITA.GOV/LEGALNOTICES.

IPL0275887

Sep 26 2025

McClatchy

The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer
Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald
The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
41100	IPL0255988	Legal Ad - IPL0255988	MAPC Public Hearing	2.0	190.0L

ATTENTION: CITY OF WICHITA/PLANNING DEPT IP
271 WEST THIRD ST., 2ND FL, SU 203
WICHITA, KS 67202
MHEBERT@wichita.gov

OCA 150004
MAPC/BZA August 14, 2025
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, August 14, 2025, no earlier than 1:30 p.m.**, the Wichita-Sedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held in person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation is encouraged (see instructions below). Virtual participation is not available. If you have any questions regarding the meeting or items on this notice, please call the Wichita-Sedgwick County Metropolitan Area Planning Department at (316) 268-4421. **Full notice can be found at www.wichita.gov/LegalNotices.**

BZA2025-00046: Variance request in the City to reduce building to building setback from 3 feet to 16 inches in the SF-5 Single-family Residential District, generally located on the west side of South Dellrose Avenue and within 360 feet west of South Oliver Avenue (285 South Dellrose Avenue).

BZA2025-00047: Variance request in the City to allow a sign to be within the required setbacks on property zoned LC Limited Commercial District, generally located on the east side of South Oliver Avenue, within 900 feet north of South George Washington Boulevard (2600 South Oliver Street).

CON2025-00093: Conditional Use amendment in the City to extend Entertainment Establishment hours on Fridays and Saturdays on property zoned LC Limited Commercial, generally located on the north side of West Pawnee Avenue and within 300 feet east of South Seneca Street (1040 West Pawnee Avenue).

CON2025-00094: Conditional Use request in the City to have Group Residence, Limited on property zoned SF-5 Single-Family Residential District to have up to 12 residents on site, generally located on the south side of East Peach Tree Lane, within 200 feet west of South Woodlawn Boulevard (6321 East Peach Tree Lane).

CUP2025-00022: Amendment to CUP DP-67 to allow Warehouse, Self-Service Storage and change development standards for Parcel 3B, generally located on the east side of North Woodlawn Boulevard and within one-quarter mile south of East 21st Street North.

DER2024-00008: Pursuant to K.S.A. 12-757 et. Seq., amendment of the Unified Zoning Code regarding the Day Care, General Use in Residential Zoning Districts, will be considered.

DER2025-00019: Repeal of the existing Airport Hazard Zoning Code and adoption of the new Airport Hazard Zoning Code, will be considered.

PUD2025-00015: Zone Change request in the City from LI Limited Industrial and LC Limited Commercial to PUD to create the Douglas Flats PUD #146, generally located on the southwest corner of West Douglas Avenue and South Exposition Street (109 South Exposition Street).

PUD2025-00016: Zone Change request in the City from LI Limited Industrial to PUD Planned Unit Development to create the Proctor Family Indoor Athletic Facility PUD #147, generally located on the west side of East 28th Street North and within 575 feet west of North Greenwich Road (11010 East 28th Street North).

VAC2025-00024: Vacation request in the City to vacate a 20-foot platted alleyway for private maintenance, generally located south of East Douglas Avenue, between South Kansas Avenue and South Minneapolis Avenue and north of East English Street.

VAC2025-00025: Vacation request in the City to vacate a utility easement; generally located west of South Seneca Street and 1,100 feet south of West Pawnee Avenue.

VAC2025-00026: Vacation request in the City to vacate a utility easement and drainage easement; generally located 1,000 feet west of North Maize Road and 1,300 feet north of West 21st Street North.

VAC2025-00027: Vacation request in the City of 15-foot-wide x 125-foot-long public alley to the west of Lot 51 and the east of Lot 49, Matinson's 4th Addition, generally located south of West Douglas Avenue.

ZON2025-00033: Zone Change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential; generally located on the south side of West 50th Street South and approximately one-third mile east of South Seneca Street.

ZON2025-00034: Zone Change request in the City from SF-5 Single Family Residential to TF-3 Two-family Residential to allow duplex development, generally located on the east side of East Harding Avenue and within 150 feet south of East Central Avenue (440 North Harding Avenue).

ZON2025-00035: Zone Change request in the City from LC Limited Commercial District to GC General Commercial, generally located 300 feet west of North Ridge Road and 300 feet north of West Central Avenue.

ZON2025-00036: Zone Change request in the City from GO General Office District to LC Limited Commercial District, generally located on the northwest corner of West Maple Street and North 135th Street (13610 West Maple Street).
IPL0255988
Jul 23 2025

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

the undersigned, 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.

1.0 insertion(s) published on:
07/23/25 Print

Print Tearsheet Link

Marketplace Link

Russ Davis

DIGITALLY SIGNED

Russ Davis

Sherry J Chasteen

DIGITALLY SIGNED

Sworn to and subscribed before me on Jul 23, 2025, 10:40 AM EDT

NOTARY PUBLIC STATE OF TEXAS
SHERRY J CHASTEEN
ELECTRONIC NOTARY PUBLIC
STATE OF TEXAS
COMMISSION # 125328493
MY COMMISSION EXPIRES 4/16/2029

Online Notary Public. This notarial act involved the use of online audio/video communication technology. Notarization facilitated by SIGNiX®

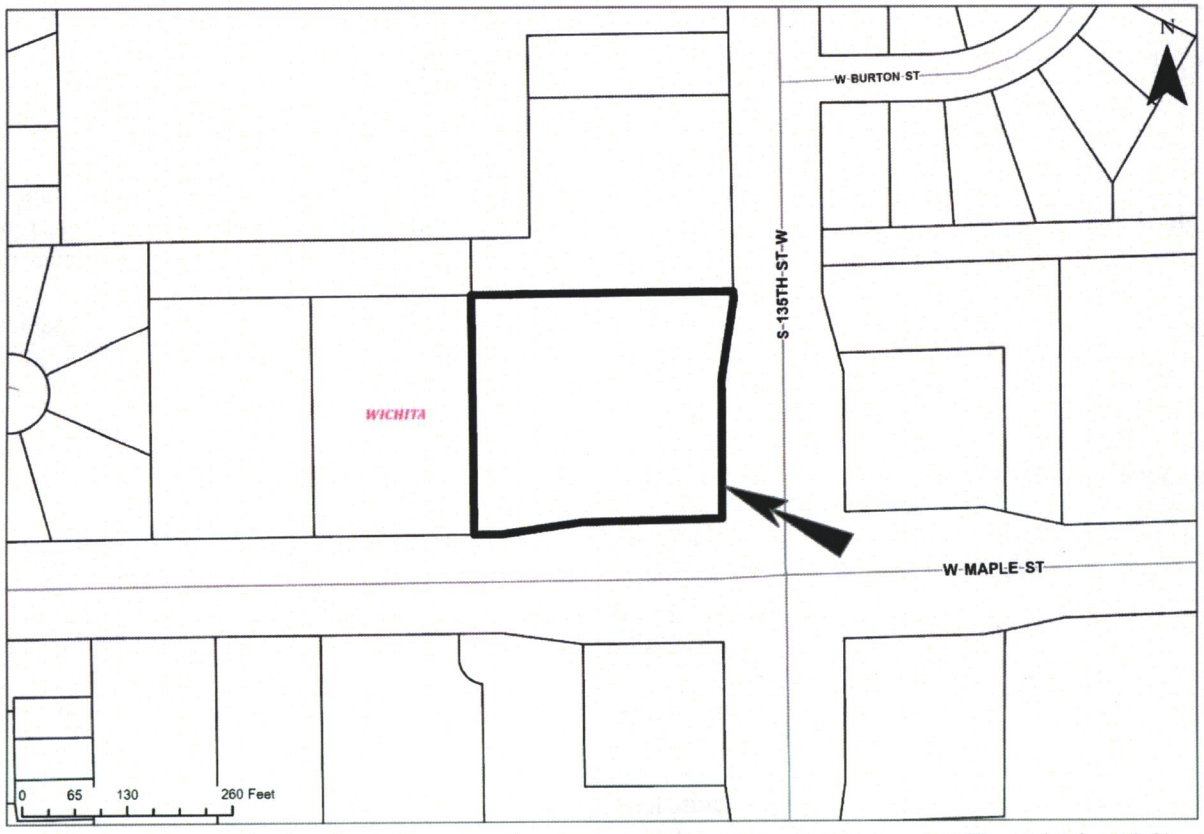
WICHITA—SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 4.11

STAFF REPORT
MAPC: August 14, 2025
DAB V: August 4, 2025

FILE COPY

CASE NUMBER:	ZON2025-00036 (City)
APPLICANT/AGENT:	13610 W Maple LLC(Applicant) / Ferris Consulting (Agent)
REQUEST:	LC Limited Commercial District with amended Protective Overlay #1,
CURRENT ZONING:	GO General Office with Protective Overlay #1
SITE SIZE:	2.1 acres
LOCATION:	Generally located on the northwest corner of West Maple Street and South 135th Street West (13610 West Maple Street)
PROPOSED USE:	Uses allowed by LC Limited Commercial District as permitted by proposed Protective Overlay
RECOMMENDATION:	Approval



BACKGROUND: The applicant is requesting a zone change from GO General Office District (GO) with

Protective Overlay (PO) #1 to LC Limited Commercial District (LC) with PO #1. The 2.1-acres property is located at the northwest corner of West Maple Street and South 135th Street West (13610 West Maple Street). The property is currently developed with a 10,500 sq feet (approx.) area medical building and surface parking lot. The applicant is requesting the zone change to align the property's zoning with that of the adjacent parcels and did not propose any changes to the current use or development on the site.

The LC District generally permits more uses on site than GO zoning. The following table compares the development standards of both districts.

Development Standard	GO General Office District	LC Limited Commercial District
Minimum lot area	2,500 square feet for Single-Family; 2,000 square feet per Dwelling Unit for Duplex; 580 square feet per Dwelling Unit for Multi-Family (maximum 75.1 Dwelling Units per acre); 5,000 square feet for nonresidential uses	2,500 square feet for Single-Family; 2,000 square feet per Dwelling Unit for Duplex; 580 square feet per Dwelling Unit for Multi-Family (maximum 75.1 Dwelling Units per acre); no minimum for nonresidential uses
Minimum lot width	No minimum	No minimum
Front setback	20 feet	20 feet
Rear setback	10 ft	10 feet
Interior side setback	Zero feet or 5 feet	Zero feet or 5 feet
Street side setback	15 feet	10 feet
Maximum height	60 feet	80 feet

The current zoning of the site includes Protective Overlay #1 which states:

1. All freestanding signs must be monument type
2. Light poles must be limited to a maximum height of 14 feet.
3. Extensive use of backlit canopies and neon or fluorescent tube lighting on buildings is not permitted.
4. Landscaping shall comply with the Landscape Ordinance of the City, except that requirements for street yard landscaping and buffer strip trees must be calculated at 1.5 times the minimum ordinance requirements.
5. All buildings on the site must share similar architectural character, color, texture, and the same predominate exterior building material. Building walls and roofs must have predominantly earth-tone colors, with vivid colors limited to incidental accent, and must employ materials similar to surrounding residential areas.

The applicant proposes an amended Protective Overlay #1 with the proposed LC zoning district which states:

1. The uses of the property are limited to uses allowed in LC zoning except the following uses are not permitted: service stations, car washes, adult entertainment establishments, group homes, group residential, halfway houses, correctional placement residences, private clubs, taverns, and drinking establishments. Restaurants that serve liquor are allowed and may serve liquor as long as food is the primary service of the establishment.
2. All freestanding signs must be monument type. Freestanding monument signs are limited to 20 feet in height and 148 square feet in size.
3. Light poles are limited to 14 feet.
4. Landscaping shall comply with the Landscape Ordinance of the City.

5. All building walls and roofs on the property shall have predominately earth-tone colors, with vivid colors limited to incidental accent.
6. The administrative adjustment provisions of the Wichita Sedgwick County Unified Zoning Code, Section V-E.14, shall apply to the protective overlay.
7. All buildings shall be limited to 35 feet in height and limited to 2 stories in height.

The table below compares the existing Protective overlay and the proposed amendment.

Category	Protective Overlay #1	Proposed Amendment to Protective Overlay #1	Staff Comments
Allowed Uses	Not Specified	Explicitly limits uses to LC zoning, but excludes specific uses (e.g., service stations, car washes, adult entertainment, group homes, etc.). Restaurants serving liquor are allowed if food is the primary service.	
Signs	All freestanding signs must be monument-type	All freestanding signs must be monument type. Freestanding monument signs are limited to 20 feet in height and 148 square feet in size.	
Light Poles	Light poles are maximum height limited to 14 feet	Light poles are maximum height limited to 14 feet	
Lighting Restrictions	Extensive use of backlit canopies and neon or fluorescent tube lighting on buildings is not permitted.	Not mentioned	
Landscaping	Landscaping shall comply with the Landscape Ordinance of the City, except that requirements for street yard landscaping and buffer strip trees must be calculated at 1.5 times the minimum ordinance requirements.	Landscaping shall comply with the Landscape Ordinance of the City.	Staff is ok with the proposed reduction in landscaping requirements
Architecture	All buildings on the site must share similar architectural character, color, texture, and the same predominate exterior building material. Building walls and roofs must have predominantly earth-tone colors, with vivid colors limited to incidental accent, and must employ materials similar to surrounding residential areas.	All building walls and roofs on the property shall have predominantly earth-tone colors, with vivid colors limited to incidental accent.	Staff proposes to remove this condition

Adjustment to the PO	Not Specified	The administrative adjustment provisions of the Wichita Sedgwick County Unified Zoning Code, Section V-E.14, shall apply to the protective overlay	
Building Height	Not Specified	All buildings shall be limited to 35 feet in height and limited to 2 stories in height	

Property to the west is zoned LC Limited Commercial District with PO #11 and developed with a commercial bank. Property to the east is also zoned LC Limited Commercial with Protective Overlay #17 and developed with a drug store. Property to the south has Community Unit Plan DP-225 and developed with a commercial bank. Property to the north is zoned LC Limited Commercial with PO #309 and is undeveloped. The property to the northwest is GO General Office with PO #309 and developed with multifamily apartment complex and single-family houses.

The area is a mix of developed single-family residential subdivisions and retail and banking development centered on the West Maple Street and South 135th Street West intersection fronting the arterial streets. The proposed zoning is not new to the area.

CASE HISTORY: In 1996 the property was rezoned from SF-20 Single Family Residential District to GO General Office with Protective Overlay #1 (SCZ-0717). In 1997, the subject property was platted as part of Riverside Health System Addition. In 2006, a variance to the sign code was approved to allow a second 96 sq feet sign on the property (BZA2006-00063).

ADJACENT ZONING AND LAND USE:

North:	LC with PO	Undeveloped
South:	CUP	Commercial Bank
West:	LC with PO	Commercial Bank
East:	LC with PO	Drug Store

PUBLIC SERVICES: The site has direct access to West Maple Street and South 135th Street West, both the streets are four-lane paved, arterial streets with a center turn lane and sidewalks on both sides. Water and sewer currently serve the site. Wichita Transit does not provide regular bus service at this location.

CONFORMANCE TO PLANS/POLICIES: The requested zone change is governed by the following plans:

Community Investments Plan: The requested zoning is in conformance with *the Community Investments Plan*. The *Community Investments Plan* (the Wichita-Sedgwick County Comprehensive Plan) includes the 2035 Wichita Future Growth Concept Map. The Map identifies the area in which the site to be within the Wichita 2035 growth area, and it is designated for "Residential and Employment Mix". The *Plan* defines "Residential and Employment Mix" as "*Encompasses areas of land that likely will be developed or redeveloped by 2035 with uses predominately of a mixed nature. Due to the proximity of higher intensity businesses uses, residential housing types within this area likely will be higher density. Due to the proximity of residential uses, employment uses likely will have limited negative impacts associated with noise, hazardous emissions, visual blight, and odor.*" The proposed zone change with Protective Overlay is consistent with this recommendation and is in conformance with the *Plan.*

The Locational Guidelines of the *Community Investments Plan* provide a framework for decision-making regarding land use changes. The requested zone change is in conformance with the Locational Guidelines. These Guidelines encourage major commercial and employment centers to be located at the intersections of

arterial streets and along highways and commercial corridors. The subject site is at the immediate intersection of two arterial streets with significant commercial development at the intersection and along West Maple Street and South 135th Street West.

RECOMMENDATION: Based upon the information available at the time the report was prepared, the staff recommends the zone change be **APPROVED subject to amended Protective Overlay #1.**

Amended Protective Overlay #1

1. The uses of the property are limited to uses allowed in LC zoning except the following uses are not permitted: service stations, car washes, adult entertainment establishments, group homes, group residential, halfway houses, correctional placement residences, private clubs, taverns, and drinking establishments. Restaurants that serve liquor are allowed and may serve liquor as long as food is the primary service of the establishment.
2. All freestanding signs must be monument type. Freestanding monument signs are limited to 20 feet in height and 148 square feet in size.
3. Light poles are limited to 14 feet.
4. Landscaping shall comply with the Landscape Ordinance of the City.
5. The administrative adjustment provisions of the Wichita Sedgwick County Unified Zoning Code, Section V-E.14, shall apply to the protective overlay.
6. All buildings shall be limited to 35 feet in height and limited to 2 stories in height.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** Property to the west is zoned LC Limited Commercial District with PO #11 and developed with a commercial bank. Property to the east is also zoned LC Limited Commercial with Protective Overlay #17 and developed with a drug store. Property to the south has Community Unit Plan DP and developed with a commercial bank. Property to the north is zoned LC Limited Commercial with PO #309 and is undeveloped. The property to the northwest is GO General Office with PO #309 and developed with multifamily apartment complex and single-family houses. If the application is approved as per staff recommendation, it would not bring any new zoning which is incompatible with the neighboring zoning.

2. **The suitability of the subject property for the uses to which it has been restricted:** The property is zoned GO General Office District, which can support a wide variety of residential, civic, and commercial land uses. The proposed LC Limited Commercial district supports more intensive commercial usage than the current use. The site is suitable for use to which it has been restricted as the adjacent properties are zoned similarly.

1. **Extent to which removal of the restrictions will detrimentally affect nearby property:** Removal of the restrictions of the requested zone change will not detrimentally affect the nearby properties.

3. **Length of time subject property has remained vacant as zoned:** The site was built with the existing medical building in 1997.

4. **Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant**: Approval of this application is not anticipated to have a significant detrimental impact to public health, safety, or welfare. Denial of the request could represent a loss in the use and enjoyment of the applicant's property.

5. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and**

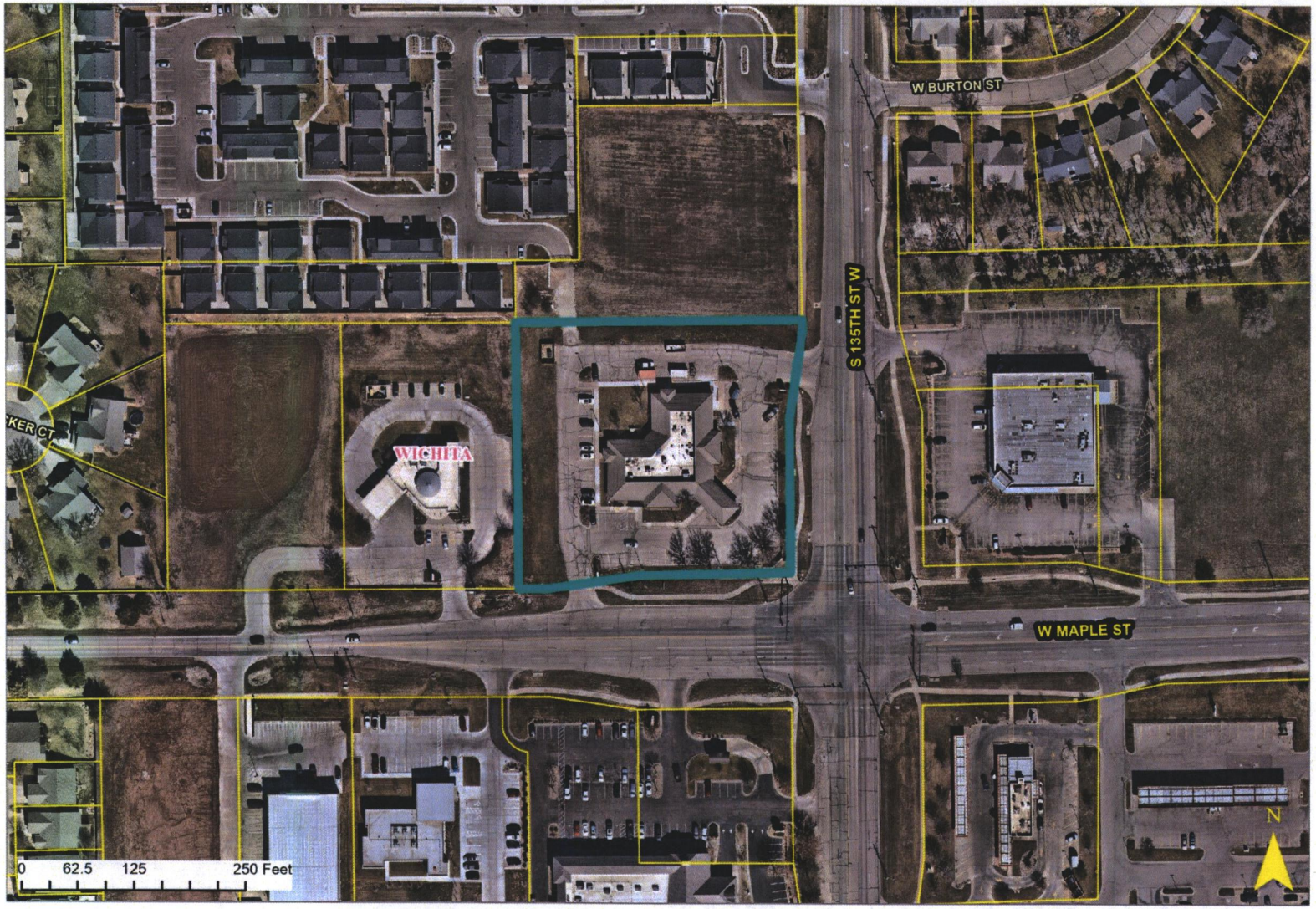
policies: The proposed application is in conformance to the *Community Investments Plan* as discussed in the report.

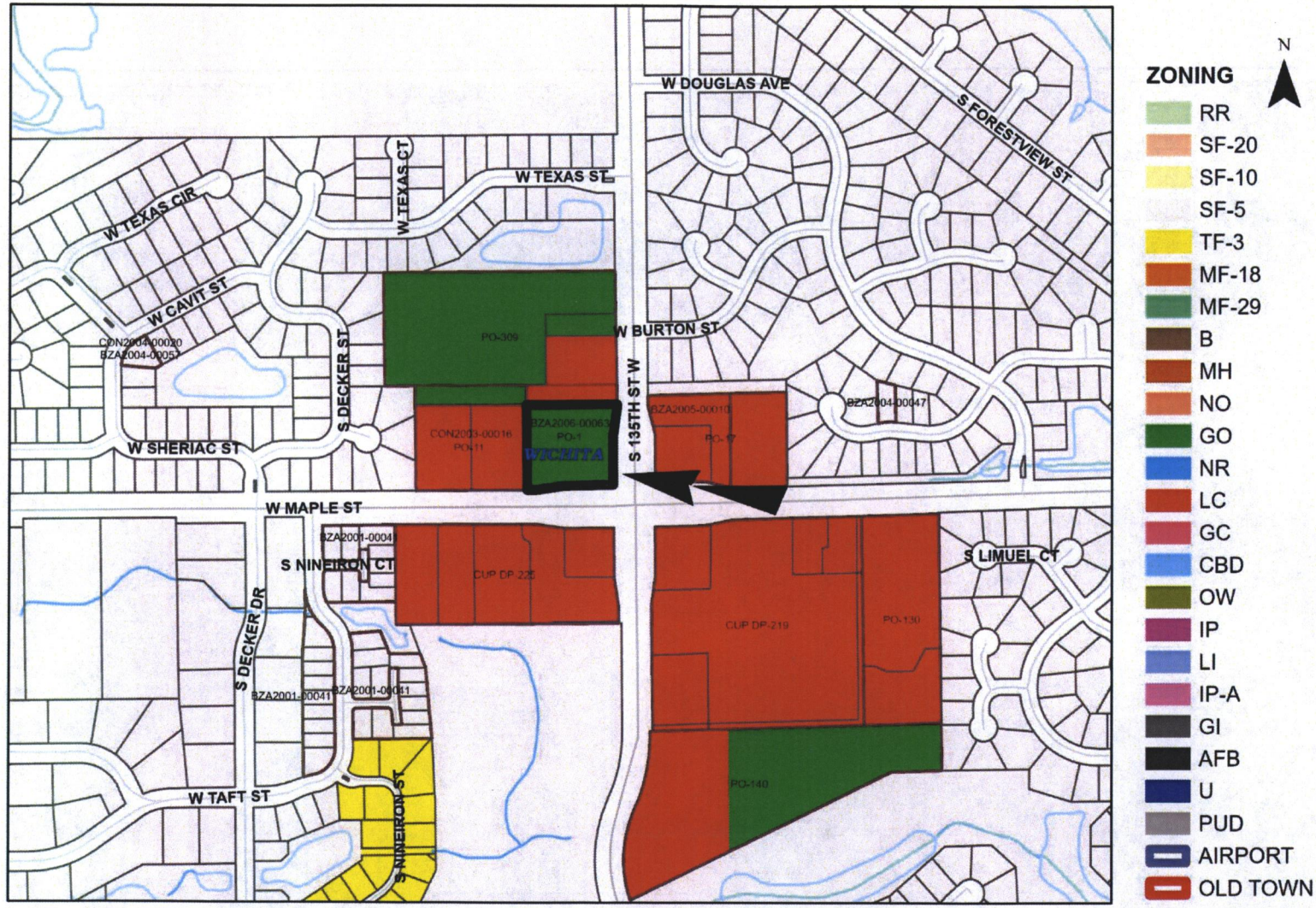
6. **Impact of the proposed development on community facilities**: Should the request be approved; it is not anticipated to have significant negative impacts on community facilities.

7. **Opposition or support of neighborhood residents**: Staff has not received comments at the time of the publication of the staff report.

Attachments:

1. Aerial Map
2. Zoning Map
3. Land Use Map
4. Site Photos


W BURTON ST
S 135TH ST W
W MAPLE ST
WICHITA
0 62.5 125 250 Feet
N


W DOUGLAS AVE
S FORESTVIEW ST
W TEXAS ST
W TEXAS CIR
W TEXAS CT
W CAVIT ST
CON2004-00020
BZA2004-00057
PO-309
W BURTON ST
S DECKER ST
S 135TH ST W
BZA2005-00010
BZA2004-00047
CON2003-00016
PO-11
BZA2006-00063
PO-1
WICHITA
W SHERIAC ST
W MAPLE ST
BZA2001-00041
S NINEIRON CT
CUP DP-22
CUP DP-219
PO-130
S LIMUEL CT
S DECKER DR
BZA2001-00041
BZA2001-00041
PO-140
W TAFT ST
S NINEIRON ST
N
ZONING
RR
SF-20
SF-10
SF-5
TF-3
MF-18
MF-29
B
MH
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IP-A
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AFB
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PUD
AIRPORT
OLD TOWN

2035 Wichita Future Growth Concept Map

Legend

- Established Central Area
- Residential and Employment Mix
- New Employment
- New Residential
- Wichita City Limits
- Other Cities
- Northwest Bypass Right-of-Way
- Other Urban Growth Areas 2014
- Other Urban Growth Areas 2014
- Rural Growth Areas 2014

LAND USE

- Residential
- Commercial
- Industrial
- Major Air Transportation & Military
- Parks and Open Space
- Agricultural or Vacant
- Major Institutional
- Neighborhood & Area Plans
- Application Area

N



Looking north towards the site



Looking east towards the site



Looking north away from the site



Looking east away from the site



Looking south away from the site



Looking east towards from the site



Looking south away from the site towards the intersection



Looking northwest towards the site



MAPD

Published in The Daily Reporter on _____, 1996

RESOLUTION NO. R# 170-1996

A RESOLUTION CHANGING THE ZONING CLASSIFICATION FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C AS ADOPTED BY RESOLUTION NO. 46-1996.

BE IT RESOLVED BY THE GOVERNING BODY OF SEDGWICK COUNTY, KANSAS.

SECTION I. That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section V-C of the Wichita Sedgwick County Unified Zoning Code, the zoning classification or district of the lands legally described hereby are changed as follows:

Case No. SCZ-0717

Zone change request from 'SF-20' Single Family District to 'GO' General Office District and to 'P-O' Protective Overlay District #1 on property described as:

The east 431.02 feet of the south 431.02 feet of the SE quarter of Section 23, Township 27 south, Range 2 west of the 6th P.M., Sedgwick County, Kansas, EXCEPT the east 30 feet and the south 30 feet thereof. Generally located at the northwest corner of 135th Street West and Maple Street.

SUBJECT TO THE FOLLOWING PROTECTIVE OVERLAY RESTRICTIONS:

1. All freestanding signs must be monument type.

2. Light poles must be limited to a maximum height of 14 feet.

3. Extensive use of backlit canopies and neon or fluorescent tube lighting on buildings is not permitted.

4. Landscaping shall comply with the Landscape Ordinance of the City, except that requirements for streetyard landscaping and buffer strip trees must be calculated at 1.5 times the minimum ordinance requirements.

5. All buildings on the site must share similar architectural character, color, texture, and the same predominate exterior building material. Building walls and roofs must have predominantly earth-tone colors, with vivid colors limited to incidental accent, and must employ materials similar to surrounding residential areas.

SECTION II. That upon the taking effect of this Resolution, the notation of such zone change shall be entered in the official zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the official county paper.

Commissioners present and voting were:

BETSY GWIN	Aye
PAUL W. HANCOCK	Aye
THOMAS G. WINTERS	Aye
MELODY C. MILLER	Aye
MARK F. SCHROEDER	Aye

DATED this 17th day of July, 1996.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

Thomas G. Winters
THOMAS G. WINTERS, Chairman

ATTEST:

Susan E. Crockett-Spoon
SUSAN E. CROCKETT-SPOON
County Clerk

APPROVED AS TO FORM ONLY:

Assistant County Counselor

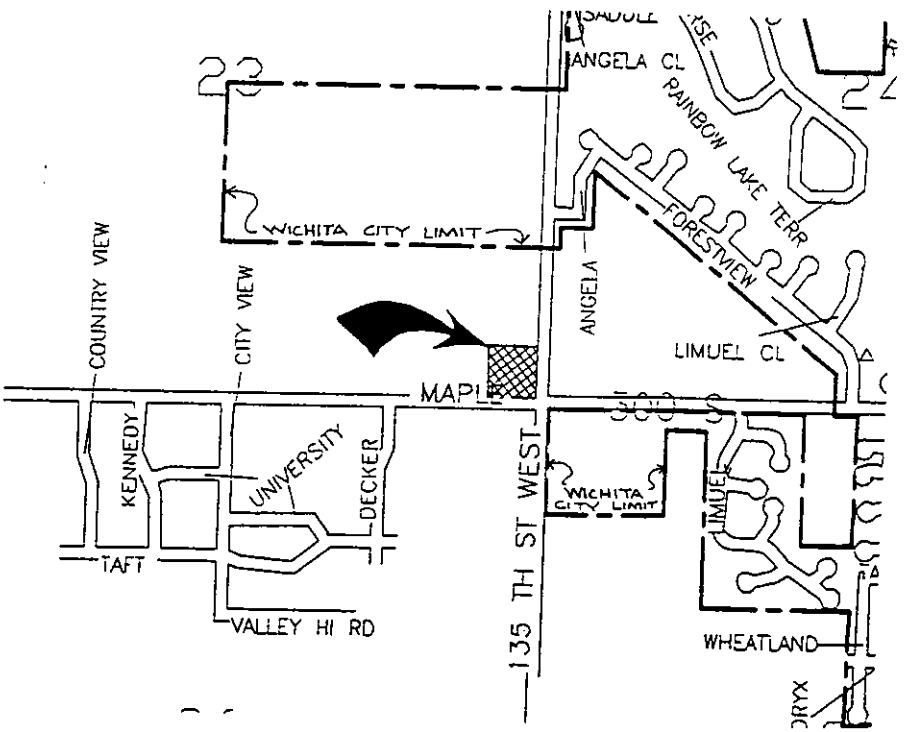
WICHITA—SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 6

STAFF REPORT

June 13, 1996

CASE NUMBER:	SCZ-0717
APPLICANT/AGENT:	Riverside Health System, Inc. (Contract Purchaser) & Maryan E. Thomas (Applicant)
REQUEST:	Zone change to 'GO' General Office
CURRENT ZONING:	'SF-20' Single-Family Residential
SITE SIZE:	3.7 acres
LOCATION:	Northwest corner of 135th Street West and Maple
PROPOSED USE:	Development of a medical clinic



BACKGROUND: The applicant requests a zone change from 'SF-20' Single-Family Residential to 'GO' General Office for a 3.7 acre unplatted tract located at the northwest corner of 135th Street West and Maple. Riverside Health Systems, Inc. plans to develop a medical clinic at this site. Development would take place on 3 net acres.

The surrounding area is predominately zoned 'SF-20' with agricultural uses to the north, south, and west. To the east of the application area is a horse stable. The recently approved Auburn Hills Commercial Community Unit Plan is located on 12 acres of the southeast corner of the same intersection.

The intersection of 135th Street and Maple is designated as an appropriate commercial intersection under the Far West Wichita Commercial Policy (although this policy was not adopted by the Board of County Commissioners, the site will be annexed when platted).

CASE HISTORY: None

ADJACENT ZONING AND LAND USE:

NORTH:	'SF-20'	Agriculture
SOUTH:	'SF-20'	Agriculture
EAST:	'SF-20'	Agriculture
WEST:	'SF-20'	Agriculture

PUBLIC SERVICES: Municipal water service is located at the northeast corner of 135th Street and Maple, and municipal sewer service is available approximately 1/8 mile to the north of the site, on the east side of 135th Street. Maple is currently a 2-lane paved section-line road, while 135th is an unimproved section-line road.

The 2020 Transportation Plan identifies 135th Street and Maple at this site as remaining 2-lane roads; however, the City's adopted Capital Improvement Program (CIP) plans to pave 135th Street from Maple to Central in 2001. The CIP also plans to widen Maple between 119th Street to 135th Street to 4-lanes in 2002. Traffic volume along 135th Street and Maple at this site is below current and projected capacity.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies this area as developing with low density residential uses. However, the Plan does indicate that local-serving commercial uses are appropriate at arterial intersections.

This request is in conformance with the Comprehensive Plan's objective of developing office uses which complement existing commercial activities (which have been approved at this intersection) and provide convenient access to the public. Furthermore, this request is in conformance with the locational guidelines of the Plan for office uses, which calls for office development to be incorporated within or adjacent to neighborhood and community commercial developments, as well as to act as a transitional land use between residential uses and uses of a higher intensity.

The Wichita City Council recently adopted a policy dealing with the amount and character of commercial development for an area west of Maize Road, including this intersection. Applying that policy to this property, assuming that office uses were included in the term "commercial" (that was staff's intent), this 3 acres plus the 12 acres approved by the City Council at the southeast corner of the intersection would still leave another 9 acres for rezoning to office or commercial uses in the future. The policy would also require additional restrictions on signage, landscaping, and architecture beyond the requirements under the zoning code (and, assuming the property is annexed when it is platted, beyond the requirements of the City's sign and landscape codes).

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to platting within 1-year and subject to the additional provisions of a P-O (protective overlay) district as outlined below. The use of the 3 acre property for a medical clinic is certainly consistent with the Comprehensive Plan and the recently adopted City policy for commercial development. Planning staff supports the 'GO' request, but we recommend that the overlay be added to deal with the "character" recommendations in the City policy.

The 'NO' Neighborhood Office district has a 35 foot height limit, and excludes a number of uses which are allowed "by right" in 'GO', including multi-family, group residences, halfway houses, hospital, hotel or motel. Building height will probably be limited by the site size and economics. Although some of the uses in 'GO' may be troublesome for neighbors, and the applicant may want to offer to limit some of those uses, they are no more intensive than other typical commercial uses. Regarding character, and following the precedent established by the CUP approved at the southeast corner of this intersection, staff recommends the following conditions in the Protective Overlay:

1. All freestanding signs must be monument type.

2. Light poles must be limited to a maximum height of 14 feet.

3. Extensive use of backlit canopies and neon or fluorescent tube lighting on buildings is not permitted.

4. Landscaping shall comply with the Landscape Ordinance of the City, except that requirements for streetyard landscaping and buffer strip trees must be calculated at 1.5 times the minimum ordinance requirements.

5. All buildings on the site must share similar architectural character, color, texture, and the same predominate exterior building material. Building walls and roofs must have predominantly earth-tone colors, with vivid colors limited to incidental accent, and must employ materials similar to surrounding residential areas.

The policy also calls for a maximum floor area of 8,000 square feet per business. A building with 40,000 square feet or more could easily be built on this site. However, staff does not believe it is necessary to limit the floor area for the limited uses permitted in the 'GO' district.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The site is surrounded by agricultural uses and 'SF-20' zoning. The recently approved Auburn Hills Commercial Community Unit Plan is located on 12 acres of the southeast corner of the same intersection. Residential development is expanding toward, and will ultimately surround, this area.

2. Extent to which removal of the restrictions will detrimentally affect nearby property: With the majority of the surrounding land currently undeveloped, and given the limited site size, the limited uses permitted in 'GO', and the recommended "character" conditions, the change in zoning district should not detrimentally affect nearby property.

3. Conformance of the requested change to the adopted or recognized Comprehensive Plan: This request is in conformance with the Comprehensive Plan's objective of developing office uses which complement existing commercial activities and provide convenient access to the public. Furthermore, this request is in conformance with the locational guidelines of the Plan for office uses. The intersection of 135th Street and Maple is designated as appropriate for up to 24 acres of commercial development under the Far West Wichita Commercial Policy.

4. Impact of the proposed development on community facilities: Municipal water service is located at the northeast corner of 135th Street and Maple. Municipal sewer service is available approximately 1/8 mile to the north of the site, on the east side of 135th Street. Traffic volume along both 135th Street and Maple at this site is below current and projected capacity. With the development of the area around 135th Street and Maple, it is reasonable to assume that public improvements will be made in the future that would support this rezoning.