Wichita-Sedgwick County Metropolitan Area Planning Department

November 6, 2020

City of Wichita
Attn: B Perkins
455 N. Main
8th Floor
Wichita, KS 67202

Professional Engineering Consultants
Attn: Rebecca Mellies
303 S. Topeka
Wichita, KS 67202

RE: **ZON2020-00038 and CON2020-00031** - City Zone Change from S-5 Single-Family Residential to IP Industrial Park with a Conditional Use (CON2020-00031) to allow for the expansion of the Northwest Water Treatment Plant; generally located on the west side of North Hoover Road and north of West 21st Street North (5000 block of West 21st Street North).

Dear Applicants:

At its regular meeting on **November 5, 2020**, 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 following conditions:

A. **APPROVE** the zone change (ZON2020-38) to LI Limited Industrial (LI)

B. **APPROVE** the Conditional Use Request (CON2020-31)

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

Property owners may also file written protest petitions on zoning related items heard by the MAPC. In order to be considered a "valid" petition, the signatures must reflect the correct and entire ownership of the property, the property must be at least partially within 200 feet of the property for which the application was filed, and must be submitted to the City Clerk within 14 days of the conclusion of the MAPC hearing, by **November 19, 2020, at 5 p.m.** Such petitions may cause the application to be disapproved, if the land area encompassed by the protesting owners exceeds 20% of the land area within 200 feet of the perimeter of the application area, unless the Council overrides such a protest and approves

the application by a vote of 6 of its members.

This application will be forwarded to the City Council for review and final action on **Tuesday, December 8, 2020**. If protest petitions exceeding 20% of the valid protest area, the application will be forwarded to the City Council for review and final action on April 7, 2020. This meeting will be held in the City Council Chambers, First Floor, City Hall, 455 N. Main, Wichita, Kansas.

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,

Kathy L. Morgan

Kathy L. Morgan, Senior Planner
Current Plans Division

Copies to: Cindy Claycomb, City Council District VI, Mail Stop 1-13
Ana Lopez, CRS District VI, Mail Stop 1-135
Jeff Van Zandt, City Law, Mail Stop 1-72
MABCD
Seth Gotchey, City Engineering, Mail Stop 1-71

OCA 150004 PUBLISHED IN THE WICHITA EAGLE ON Dec. 18, 2020

ORDINANCE NO. 51-398

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. ZON2020-00038

City zone change from SF-5 Single-Family Residential to IP Industrial Park zoning lot described as:

A tract of land situated within Lot 2, Block 1, Northwest Water Treatment Plant Addition to Wichita, Sedgwick County, Kansas, being more fully described as follows:

A tract of land situated within Lot 2, Block 1, Northwest Water Treatment Plant Addition to Wichita, Sedgwick County, Kansas, being more fully described as follows:

Beginning at a point being the Northeast corner of Lot 1, Block 1, in said Northwest Water Treatment Plant Addition, thence bearing North 89°55'35" East, along the north line of said Lot 2, a distance of 566.00 feet; thence bearing South 00°37'53" East a distance of 385.00 feet; thence bearing South 89°55'35" West a distance of 566.00 feet to the Southeast corner of said Lot 1; thence bearing North 00°37'53" West a distance of 385.00 feet to the point of beginning.

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.

Brandon J. Whipple, Mayor, City of Wichita

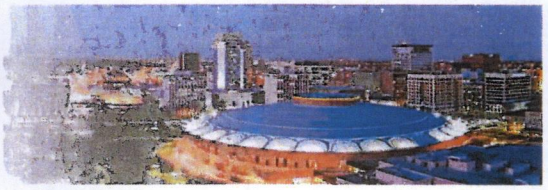
ATTEST:

Karen Sublett, City Clerk

(SEAL)

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

The Wichita Eagle
Kansas.com
330 N Mead St | Wichita, KS 67202 | 316-268-6000



AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Depth
453697	0004832067		ORD. NO. 51-398 / OCA 150004	$50.40	1	6.00 In

Attention: Jamie Buster

CITY OF WICHITA/CLERKS OFFICE
455 N MAIN ST FL 13
WICHITA, KS 67202

Ord. 51-398

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

1 Insertions

Beginning issue of: 12/18/2020

Ending issue of: 12/18/2020

STATE OF KANSAS)
.SS
County of Sedgwick)

VICTORIA RODELA, 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 **12/18/2020** to **12/18/2020**.

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

V Rodela

Signature of Principal Clerk
DATED: 12/15/2020

STEFANI SCOTT BEARD
My Notary ID # 131768951
Expires October 23, 2022

Notary Public Dallas County, Texas

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

LEGAL PUBLICATION

OCA150004
PUBLISHED IN THE WICHITA EAGLE
DECEMBER 18, 2020 (4832067)
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Jennifer Magaña,
City Attorney and Director of Law