



Wichita-Sedgwick County Metropolitan Area Planning Department

December 9, 2020

Tim Austin
5053 N Sandkey Ct
Wichita, KS 67204

RE: ZON2020-00036: City rezone from GO General Office to NR Neighborhood Retail with a Protective Overlay to allow development of property; generally located north of East Kellogg and east of South Edgemoor Drive.

Dear Applicant;

At its regular meeting on **December 8, 2020** the Wichita City Council considered the above captioned request. The action of the Council was to **APPROVE** the request subject to the enclosed Protective Overlay.

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

Sincerely,

Philip Zevenbergen, AICP
Associate Planner

Copies to: Glaves Family Farms, LLC, 4117 N Jasmine Ct., Wichita, KS, 67226
Don Ablah Classic Real Estate, 8110 E 32nd St, Ste 150, Wichita, KS 67226
Marc Knowles, 201 S Weaver St. Hesston, KS 67062
Daniel Acridge, 407 S Lexington Rd., Wichita, KS 67218
MABCD
Brandon Johnson, Council Member District I
Kameelah Alexander, CSR District I

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. ZON2020-00036

City zone change from GO General Office to NR Neighborhood Retail on a zoning lot described as:

Lot 5, Village Square Addition, Wichita, Sedgwick County, Kansas.

Subject to the following Protective Overlay #355 as follows:

1. Uses: Uses shall be limited to Church or Place of Worship; Day Care, Limited or General; Government Service; Nursing Facility; Bank or Financial Institution; ATM; Medical Service; Office, General; Parking Area, Commercial; Restaurant; and Retail, General; subject to further restrictions herein.
 - a. The supplemental condition for restaurants within the NR zoning district, Sec. III-D.6.t shall be modified as follows: Drive-through window service shall be allowed for coffee shops only, where coffee is the primary product for sale. The gross square feet of area for restaurants shall not exceed 12 percent of the parcel area.
2. Signs: Signage shall be per the City of Wichita Municipal Code in addition to those provisions as approved by BZA2002-00046. No off-site or portable signs, no flashing or moving signs shall be permitted.
3. Architectural Control: All buildings shall be constructed of brick, simulated or real stucco, or decorative split faced block. Residential siding shall be prohibited. Building walls and roofs must have predominantly earth tone colors with vivid colors limited to architectural accent, and must employ material similar to surrounding development.
4. Screening: Trash dumpsters shall be screened with material consistent with the buildings. HVAC units shall be screened so as to not be visible to the residential zoning to the east and northeast.

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.

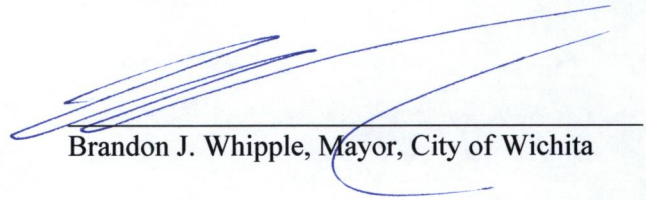
Adopted this 15 Day of Dec 20 20

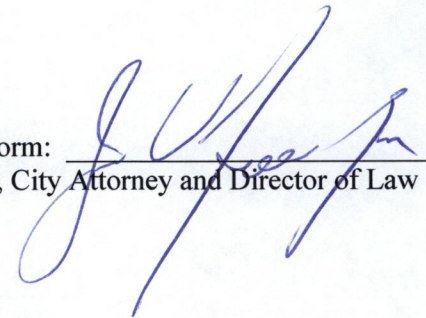
ATTEST:

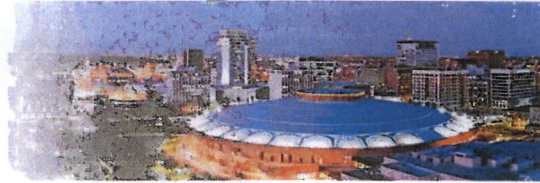


Karen Sublett, City Clerk




Brandon J. Whipple, Mayor, City of Wichita

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



AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Depth
453697	0004832057		ORD. NO. 51-397 / OCA 150004	\$67.20	1	8.00 In

Attention: Jamie Buster

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

Ord. 51-397

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, 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 12/18/2020 to 12/18/2020.

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

VRodela

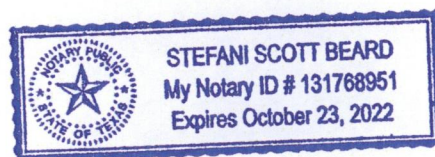
Signature of Principal Clerk

DATED: 12/15/2020

SB

Notary Public Dallas County, Texas

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



LEGAL PUBLICATION

OCA 150004

PUBLISHED IN THE WICHITA EAGLE ON
DECEMBER 18, 2020 (4832057)
ORDINANCE NO. 51-397

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Adopted this 15th Day of December, 2020.

ATTEST:

Brandon J. Whipple, Mayor
City of Wichita

Karen Sublett, City Clerk

(SEAL)

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