



Wichita-Sedgwick County Metropolitan Area Planning Department

February 19, 2021

Carmen Garcia
Carmen Maria Lopez Rosales
2227 N Broadway
Wichita, KS 67219

RE: CON2020-00041: City Conditional Use for ancillary parking on property zoned B Multi-Family Residential, 400 feet north of East 21st Street North, 180 feet west of North Broadway Avenue (rear of 2227 North Broadway Avenue).

Dear Applicant;

At its regular meeting on **February 4, 2021**, 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 the conditions in the enclosed resolution. A signed copy is retained on file and can be obtain upon request.

No protests were received for this application. Therefore, the decision of the Planning Commission is final.

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

Sincerely,

Philip Zevenbergen, AICP
Associate Planner

Copies to: MABCD
Cindy Claycomb, City Council District VI
Ana Lopez, CSR District VI

CONDITIONAL USE RESOLUTION NO. CON2020-00041

WHEREAS, Carmen Maria Lopez Rosales and Connie's Mexico Café, Owners; pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), request a Conditional Use to allow ancillary off-street parking on property zoned B Multi-Family Residential described as:

Lots 10, 12, 14 and 16, Block 1, Highland Addition to Wichita, Sedgwick County, Kansas. AND
The South 15 feet of Lot 20, and the North 18 feet of Lot 22, Block 1, Highland Addition to Wichita,
Sedgwick County, Kansas. AND
Lot 18, and the North 10 feet of Lot 20, Block 1, Highland Addition to Wichita, 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 February 4, 2021, consider said application; and

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

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Area Planning Commission that this application be approved to allow ancillary off-street parking on property zoned B Multi-Family Residential described as:

Lots 10, 12, 14 and 16, Block 1, Highland Addition to Wichita, Sedgwick County, Kansas. AND
The South 15 feet of Lot 20, and the North 18 feet of Lot 22, Block 1, Highland Addition to Wichita,
Sedgwick County, Kansas. AND
Lot 18, and the North 10 feet of Lot 20, Block 1, Highland Addition to Wichita, Sedgwick County,
Kansas.

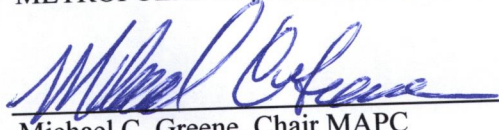
Approved subject to the following conditions:

1. A revised site plan illustrating the required screening shall be submitted to the Planning Department for review and approval.
2. The site shall be developed and maintained in general conformance with an approved, revised site plan, and in conformance with all applicable regulations, including but not limited to: licensing requirements, building, fire and utility regulations or codes.
3. The ancillary parking area shall apply only to even Lots 10 through 20 and the north 18 feet of Lot 22, Block 1, Highland Addition; and shall be surfaced with concrete or asphalt. The area shall be maintained in good condition and free of all weeds, trash and other debris.
4. The parking area shall be used for passenger vehicles only.
5. Parking and circulation aisles shall not be located within a required front yard setback. Entrance/Exit drives may cross the required front yard and must be approved by City of Wichita Traffic Engineering.
6. A grading plan acceptable to City building permitting showing drainage be submitted to the Metropolitan Area Building and Construction Department before construction of the parking lot.
7. That portion of the alley way abutting the subject property shall be paved to City Standards.
8. Screening and landscaping shall be provided in accordance with the Landscape Ordinance and Sec. IV-B of the UZC).
9. At such time the applicant wishes to expand the parking lot, a revised site plan shall be submitted to the Planning Department for review and approval to ensure compliance with required screening and landscaping.
10. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the

Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII thereof, may, with the concurrence of the Planning Director, declare the Conditional Use null and void.

Adopted this 4th Day of February 2021.

METROPOLITAN AREA PLANNING COMMISSION



Michael C. Greene, Chair MAPC

ATTEST:



Scott Wadle, Secretary



AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Depth
453868	0004850122		OCA 150004	\$92.40	1	11.00 In

Attention: Betsy Pagán

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

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

1 Insertions

Beginning issue of: 01/14/2021

Ending issue of: 01/14/2021

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 1/14/2021 to 01/14/2021.

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

V Rodela

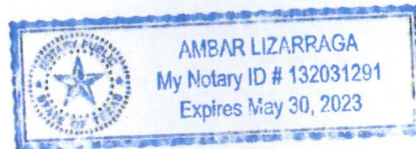
Signature of Principal Clerk

DATED: 2/25/2021

Ambar Lizarraga

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 JANUARY 14, 2021 (4850122)

(One Time Only)

MAPC/BZA February 4, 2021 OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, February 4, 2021 no earlier than 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meetings will be held virtually, public participation is available in multiple ways, those without technology options can participate by going to Century II - Room 101B - 225 West Douglas Avenue, 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 Wichita-Sedgwick County Metropolitan Area Planning Department at (316) 268-4421.

CON2020-08041 City Conditional Use for ancillary parking on properly zoned B Multi-Family Residential, 400 feet north of East 21st Street North, 180 feet west of North Broadway Avenue (rear of 2227 North Broadway Avenue)

VAC1020-00051 City Vacation of a platted street right-of-way to expand development opportunity on abutting LC Limited Commercial zoned lots; generally located within one quarter mile south of East 29th Street North and within one-half mile east of North Greenwich Road

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 Wichita-Sedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, 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 MAPC 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 a virtual connection site in-person (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 MAPC, prior to or during the meeting.

Email	BPagan@wichita.gov
Mailing Address	Wichita-Sedgwick County Metropolitan Area Planning Department Attn: <u>Scott Wadle</u> 271 W. 3 rd Street - Suite 201 Wichita, KS 67202
Phone	316.268.4421
Fax	316-858-7764

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 (627) 312-3117

Access Code: 651-544-141

Join from a video-conferencing room or system.
Dial in or type: 67.217.95.2 or Inroomlink.goto.com

Meeting ID: 651 544 141 Or dial directly:
[651544141](tel:651544141) or [67.217.95.2](tel:67217952) or [67.217.95.286651544141](tel:6721795286651544141)

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

Attend a Virtual Connection Site In-Person

You may also participate in the hearing by going to meeting room 101B at Century II (225 West Douglas) to participate in the Planning Commission meeting by "virtual" connection. Planning Department staff members will be available to assist in your participation at this location. This option is intended for those without 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 (268-4464) by 5pm, 3 days prior to the meeting.

WITNESS MY HAND on January 11, 2021
Scott Wadle, Secretary
Wichita-Sedgwick County
Metropolitan Area Planning Commission

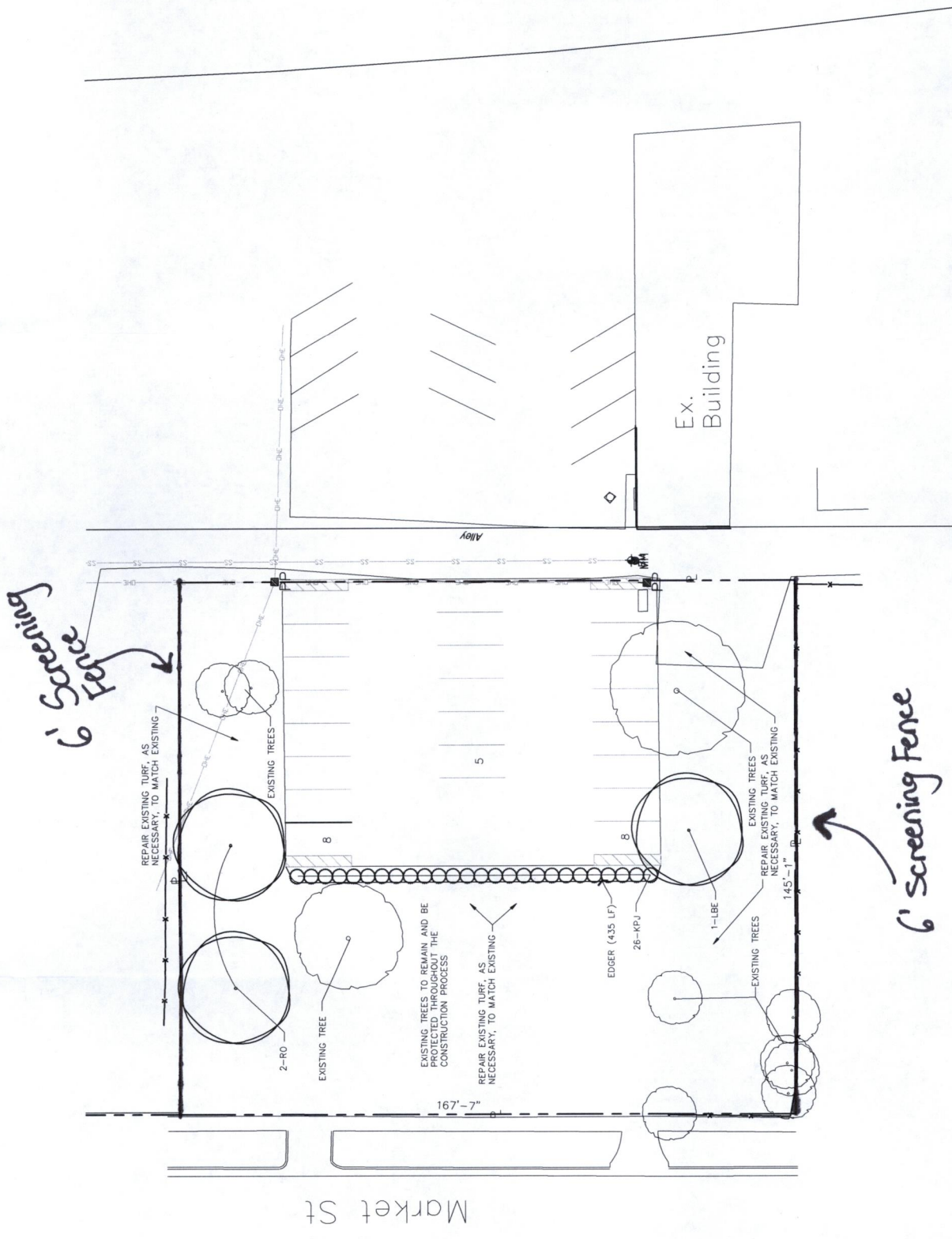
GENERAL PLANTING NOTES

1. PRIOR TO BEGINNING ANY WORK ON THE SITE, THE CONTRACTOR SHALL CONTACT THE OFFICE OF THE OWNER AND THE ARCHITECT/LANDSCAPE ARCHITECT FOR SPECIFIC INSTRUCTIONS RELEVANT TO THE SEQUENCING OF WORK.
2. LANDSCAPE CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIALS AND SERVICE NECESSARY TO FURNISH AND INSTALL PLANTINGS AS SPECIFIED HEREIN AND AS SHOWN ON THESE PLANS.
3. NO MATERIAL SUBSTITUTIONS SHALL BE MADE WITHOUT THE OWNER'S APPROVAL. ALTERNATE MATERIALS OF SIMILAR SIZE AND CHARACTERISTICS MAY BE CONSIDERED IF SPECIFIED PLANT MATERIALS CANNOT BE OBTAINED. LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REVISE PLANT LIST AS DEEMED NECESSARY.
4. CONTRACTOR SHALL LOCATE ALL UTILITIES BEFORE WORK. LOCATE EXACT UTILITY LOCATIONS BY CONTACTING THE LOCAL UTILITY LOCATOR SERVICE. THE CONTRACTOR WILL BE RESPONSIBLE FOR THE REPAIR OF ANY DAMAGE HE MAY CAUSE TO UTILITIES.
5. GENERAL CONTRACTOR SHALL PROVIDE TOPSOIL WHERE EXISTING CONCRETE HAS BEEN REMOVED, AND SOD/SEED INSTALLED. GRADE SHALL BE ADJUSTED FOR SOD THICKNESS. ALL FINISH GRADING SHALL BE PERFORMED BY THE LANDSCAPE CONTRACTOR.
6. SOD/SEED TYPE SHALL BE LOCALLY AVAILABLE TALL FESCUE BLEND, BERMUUDA OR OTHER TURF GRASS RECOMMENDED FOR THE SPECIFIC AREA.
7. RE-ESTABLISH TURF IN AREAS DISTURBED BY GRADING OR UTILITY TRENCHING IN THE R.O.W.
8. RE-ESTABLISH TURF IN ALL AREAS DISTURBED BY THE CONSTRUCTION PROCESS AND WITHIN THE LIMITS OF DISTURBANCE BY SEED, SOD OR PLANNED PLANTING AREAS, AS NOTED ON PLAN.
9. REPORT ANY DISCREPANCIES IN THE PLANTING PLAN TO THE OWNER'S REPRESENTATIVE PRIOR TO STARTING CONSTRUCTION.

UTILITIES SHOWN REPRESENT THE BEST INFORMATION AVAILABLE FOR DESIGN. ADDITIONAL UTILITIES MAY BE PRESENT ON THIS PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETECTING THE UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE LIABLE FOR ANY DAMAGE CAUSED BY THE FAILURE TO DO SO.

PLANT SCHEDULE

TAG QTY.	COMMON NAME	BOTANICAL NAME	SIZE	COND.
	SHADE TREES			
LBE 1	LAACEBARK ELM	ULMUS FARMIFOLIA	2" GAL.	B. & B.
RO 2	RED OAK	QUERCUS RUBRA	2" GAL.	B. & B.
	EVERGREEN SHRUBS			
KPJ 17	KALLAY PRITZER JUNIPER	JUNIPERUS X PRITZERIANA 'KALLAY'S COMPACT'	3 GAL.	



PLANTING PLAN
1" = 20'-0"
0 20' 40'

SITE PLAN
APPROVED *Spaier* BY *Spaier*

CONNIE'S MEXICO CAFE
NEW PARKING LOT ON MARKET
2227 N. BROADWAY
WICHITA, KANSAS

TERI ANDREAS FARHA
terifarha@cox.net
PH. 620.262.7268

PLANTING PLAN

DATE
April 29, 2021

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