Wichita-Sedgwick County Metropolitan Area Planning Department

December 20, 2021

Baughman Company, P.A. (Russ Ewy)
315 Ellis
Wichita, KS 67206

RE: **ZON2021-00038:** City Zone Change from LC Limited Commercial to CBD Central Business District for redevelopment; generally located on the south side of West Douglas Ave and one block east of South Seneca St (929 W Douglas Ave).

Dear Applicant;

At its regular meeting on **September 21, 2021**, the Wichita City Council considered the above captioned request. The action of the Council was to **APPROVE** the request in accordance with the attached ordinance.

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

Sincerely,

Matthew Williams, AICP
Associate Planner

Copies to: Sebits Family Farm, LLC (Trent Sebits), 100 S. Main St Ste #505, Wichita, KS 67202
MABCD

Wichita-Sedgwick County Metropolitan Area Planning Department

August 19, 2021

Baughman Company, P.A. (Russ Ewy)
315 Ellis
Wichita, KS 67206

RE: **ZON2021-00038:** City Zone Change from LC Limited Commercial to CBD Central Business District for redevelopment; generally located on the south side of West Douglas Ave and one block east of South Seneca St (929 W Douglas Ave).

Dear Applicant;

At its regular meeting on **August 19, 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.

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 **September 2, 2021**. 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 **September 2, 2021 at 5:00 p.m.**

This application will be forwarded to the City Council for review and final action **Tuesday, September 21, 2021.** 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,

Matthew Williams, AICP
Associate Planner

Copies to: Sebits Family Farm, LLC (Trent Sebits), 100 S. Main St Ste #505, Wichita, KS 67202
MABCD
Jeff Blubaugh, City Council District IV
Rebecca Fields, CSR District IV

OCA 150004 PUBLISHED IN THE WICHITA EAGLE ON October 1, 2021

ORDINANCE NO. 51-645

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. ZON2021-00038

City zone change from LC Limited Commercial to CBD Central Business District zoning on a lot described as:

Lot 22, on Chicago Avenue, now Douglas Avenue, in West Wichita Addition, Sedgwick County, Kansas.

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.

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

Ordinance

Published in The Wichita Eagle on October 1, 2021

Location

Sedgwick County, Kansas

Notice Text

OCA 150004 PUBLISHED IN THE WICHITA EAGLE ON October 1, 2021
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Brandon J. Whipple, Mayor, City of Wichita
Karen Sublett, City Clerk
(SEAL) Approved as to form:
Jennifer Magana, City Attorney and Director of Law
W00000000
Publication Dates

LEGAL PUBLICATION

OCA 150004

PUBLISHED IN THE WICHITA EAGLE
ON JULY 30, 2021 (250337)
(One Time Only)

MAPC/BZA August 19, 2021
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, August 19, 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 meeting will be held virtually, public participation is available in multiple ways, those without technology options can participate by going to the Wichita City Hall Building - 1st Floor Council Chambers – 455 N. Main Street, 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.**

BZA2021-00038: City Variance to allow a 0-foot setback along Washington Ave on property zoned LI Limited Industrial; generally located on the east side of S Washington Ave and two blocks north of East Harry Street (1420 S. Washington Ave).

CON2021-00001: City Conditional Use to allow Self-Storage, Warehouse on property zoned LC Limited Commercial; generally located on the North side of West Maple Street and within one-half mile West of South West Street (4608 W Maple).

CON2021-00035: City conditional use for Daycare, General in SF-5 Single-Family Residential zoning district for 10 children & 3 staff; generally located 1,000 feet west of North Seneca Ave on the north side of West 53rd Street North (5401 N. Sullivan).

CUP2021-00043: City request to create Chelsea Brooke CUP DP-#358 on property zoned LI Limited Commercial to specify development standards including access points, screening and signage; generally located approximately 700 feet west of North Greenwich Road on the north side of Kellogg Drive (10900 E Kellogg Drive).

VAC2021-00026: City request to vacate a portion of a street right-of-way generally located west of South Hydraulic Avenue, south of East Kellogg Street, north of Indianapolis Street on the east side of South Lulu Street.

VAC2021-00033: City request to vacate the plattor's text of a SF-5 Single-Family Residential zoned platted reserve generally located midway between North West Street and North hoover Road, south of West 29th Street North and west of West Wavecrest Circle.

VAC2021-00034: City request to vacate a portion of platted complete access control on NR Neighborhood Retail zoned property generally located a half mile north of West K-96 Highway on the southeast corner of North Meridian Avenue and West Driftwood Street; Reprocessing of vacation case VAC2013-00045.

VAC2021-00035: City Vacation a portion of a platted reserve to reflect current needs for on-site retention on property zoned LI Limited Industrial; generally located within one-quarter mile east of North Greenwich Road, on the north side of K96 Highway (2620 N Greenwich Ct).

ZON2021-00030: City zone change from GO General Office to LC Limited Commercial on two pieces of property generally located 840 feet west and 630 feet south of the southwest corner of West 53rd Street North and North Meridian Avenue.

ZON2021-00037: City Zone Change from SF-5 Single-Family Residential to LC Limited Commercial; generally located southwest of East Harry Street and South Webb Road (1759 S. Webb Road).

ZON2021-00038: City Zone Change from LC Limited Commercial to CBD Central Business District for redevelopment; generally located on the south side of West Douglas Ave and one block east of South Seneca St (929 W Douglas Ave).

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 in-person at the Wichita City Hall 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 MAPC, 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	316.858.7764

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 (571) 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.goto.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 Wichita City Hall Council Chambers (455 N. Main Street, Wichita, KS 67202). Please note that security screening is required for public access to the building, self-paid parking is available nearby, and COVID-19 protocols are in place. For more information please visit www.wichita.gov/visitcityhall. The in-person option is primarily 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 (316-268-4464) by 5pm, 3 days prior to the meeting.

WITNESS MY HAND on July 29, 2021

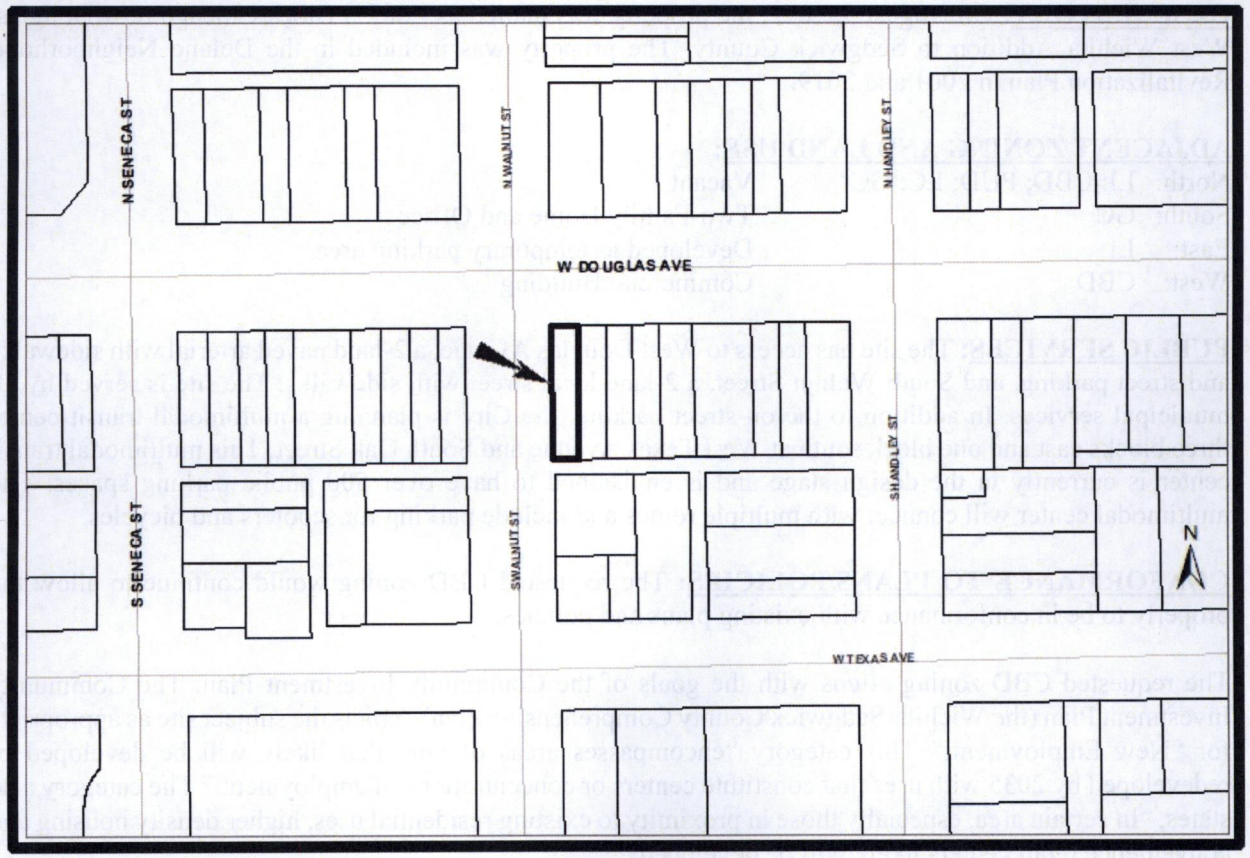
Scott Wadle, Secretary
Wichita-Sedgwick County
Metropolitan Area Planning Commission

WICHITA—SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 4.8

STAFF REPORT
MAPC August 19, 2021
DAB IV September 13, 2021

CASE NUMBER:	ZON2021-00038 (City)
APPLICANT/AGENT:	Sebits Family Farm, LLC (owner); Baughman Company, P.A. (agent)
REQUEST:	CBD Central Business District
CURRENT ZONING:	LC Limited Commercial
SITE SIZE:	0.07 acres
LOCATION:	Generally located on the south side of West Douglas Avenue and one block east of South Seneca Street (929 West Douglas Avenue).
PROPOSED USE:	To redevelop the subject property in a consistent manner with surrounding properties



BACKGROUND: The applicant requests CBD Central Business District zoning on 0.07 platted acres located on the south side of West Douglas Avenue and one block east of South Seneca Street (929 West Douglas Avenue). The subject site is currently zoned LC Limited Commercial and is developed with a two-story brick building. The building appears to be vacant at this time. The applicant does not specify how the property might be redeveloped, though the requested CBD zoning would give the applicant maximum flexibility with code required parking and building setback standards to develop the site. The site is within the Delano Neighborhood Plan area and the Delano Overlay Zoning District (D-O).

The Delano District was initially developed in the 1870's and then redeveloped in the early 1900's when off-street parking requirements did not exist. Therefore, many of the uses in the Delano District do not have, or have only minimal, off-street parking and rely upon public parking located in the street right-of-way. CBD zoning mitigates site development issues for older portions of the core area, such as the requirement to provide off-street parking (off-street parking is not required on CBD zoned property) and reduced setback requirements (the CBD district permits zero setbacks; setbacks in the LC district vary from zero to 20 feet). Public on-street parking is available throughout the Delano area. Within the past seven years, more than a dozen zone changes to CBD have been approved in the Delano area.

Properties north of the site, across Douglas Avenue, are zoned a mix of LI Limited Industrial, CBD Central Business District, PUD Planned Unit Development, LC Limited Commercial, and GC General Commercial. The properties are developed with a range of commercial uses. Property south of the site is zoned GC General Commercial and developed with a commercial use. Property east of the site is zoned LI Limited Industrial and is developed with a commercial use. Property west of the site, across South Walnut Street, is zoned CBD Central Business District and is developed with a commercial use.

CASE HISTORY: On August 5, 1872, the property was platted as Lot 22, Block Chicago now Douglas, West Wichita Addition to Sedgwick County. The property was included in the Delano Neighborhood Revitalization Plan in 2001 and 2019.

ADJACENT ZONING AND LAND USE:

North:	LI; CBD; PUD; LC; GC	Vacant
South:	GC	Two-Family Home and Office
East:	LI	Developed as temporary parking area
West:	CBD	Commercial Building

PUBLIC SERVICES: The site has access to West Douglas Avenue, a 2-land paved arterial with sidewalks and street parking, and South Walnut Street, a 2-lane local street with sidewalks. The site is served by all municipal services. In addition to the on-street parking, the City is planning a multimodal transit center three blocks east and one block south at West Texas Avenue and South Oak Street. This multimodal transit center is currently in the design stage and is envisioned to have over 500 public parking spaces. The multimodal center will connect with multiple routes and include parking for scooters and bicycles.

CONFORMANCE TO PLANS/POLICIES: The requested CBD zoning would continue to allow the property to be in conformance with existing plans and policies.

The requested CBD zoning aligns with the goals of the Community Investment Plan. The Community Investment Plan (the Wichita-Sedgwick County Comprehensive Plan) depicts the subject site as appropriate for "New Employment." This category "encompasses areas of land that likely will be developed or redeveloped by 2035 with uses that constitute centers or concentrations of employment." The category also states, "In certain area, especially those in proximity to existing residential uses, higher density housing and convenience retail centers likely will be developed."

In addition, the requested CBD zoning aligns with the goals of the Wichita: Places for People Plan by allowing for development momentum in the area. The Wichita: Places for People Plan provides recommendations for urban infill development in the Established Central Area. The subject site is located within the Established Central Area in an area identified as an "area of stability." The Places for People Plan defines Areas of Stability as those "locations within the ECA that exhibit less stress, or fewer economic, connectivity and accessibility issues than the Areas of Opportunity. Areas of Stability require fewer interventions and potentially less public investment to maintain a stable development environment and community. Improvements should be targeted to support development momentum and strengthen the established physical context."

The subject site falls within the boundaries of the Delano Neighborhood Plan. The proposed Future Land Use Map as part of the adopted Delano Neighborhood Plan depicts the subject site as appropriate for "Mixed Use." The site also falls within the boundaries of the Delano Overlay. Any future modifications to the design of the building must comply with the Delano Overlay Design Guidelines.

The Unified Zoning Code (UZC) states that the purpose of the CBD zoning district is to accommodate retail, commercial, office and other complementary land uses within the downtown core area of Wichita. It is intended for application only within the City of Wichita and only within the downtown core area and certain nearby areas being redeveloped with similar patterns of uses and site development standards such as but not limited to zero lot-line setbacks, shared parking, public streetscapes as landscaping and urban design elements and mixed uses within a building. The application area shares similar patterns of development and uses as the original core CBD area.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be **APPROVED**.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood**: Properties north of the site, across Douglas Avenue, are zoned a mix of LI Limited Industrial, CBD Central Business District, PUD Planned Unit Development, LC Limited Commercial, and GC General Commercial. The properties are developed with a range of commercial uses. Property south of the site is zoned GC General Commercial and developed with a commercial use. Property east of the site is zoned LI Limited Industrial and is developed with a commercial use. Property west of the site, across South Walnut Street, is zoned CBD Central Business District and is developed with a commercial use.

2. **The suitability of the subject property for the uses to which it has been restricted**: The property is zoned LC Limited Commercial which permits a range of commercial uses but requires the provision of off-street parking per the UZC. The site has economic value as currently zoned. Approval of CBD Central Business District zoning would eliminate the requirement for off-street parking and modify building setback requirements and make the site more attractive to potential redevelopment.

3. **Extent to which removal of the restrictions will detrimentally affect nearby property**: Approval of the request should have little if any significant adverse impact to nearby property owners.

4. **Length of time the property has been vacant as currently zoned**: The subject site is currently developed with a two-story building. The building appears to be vacant at this time.

5. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies**: The requested CBD zoning would continue to allow the property to be in conformance with existing plans and policies.

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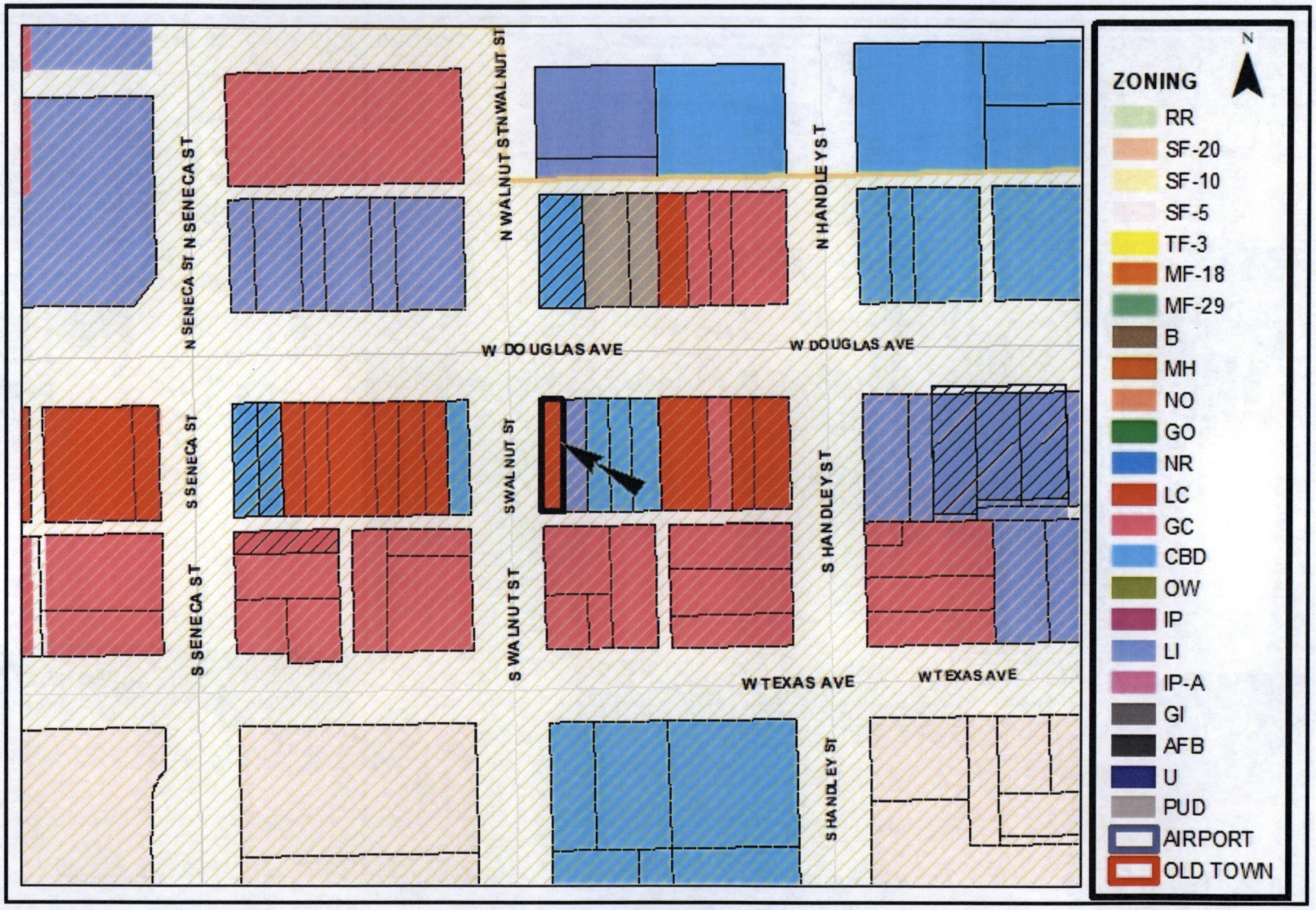
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6. **Impact of the proposed development on community facilities**: Approval of the request should generate no additional impacts on community facilities. Existing public infrastructure at the site will accommodate uses under the proposed CBD zoning.

Staff Report Attachments:

1. Aerial Map
2. Zoning Map
3. Land Use Map
4. Delano Plan's Future Land Use Map
5. Photos


N WALNUT ST
W DOUGLAS AVE
S WALNUT ST
N


N
ZONING
RR
SF-20
SF-10
SF-5
TF-3
MF-18
MF-29
B
MH
NO
GO
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LC
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CBD
OW
IP
LI
IP-A
GI
AFB
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PUD
AIRPORT
OLD TOWN
N SENECA ST
N WALNUT ST
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W DOUGLAS AVE
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S HANDLEY ST
W TEXAS AVE

2035 Wichita Future Growth Concept Map

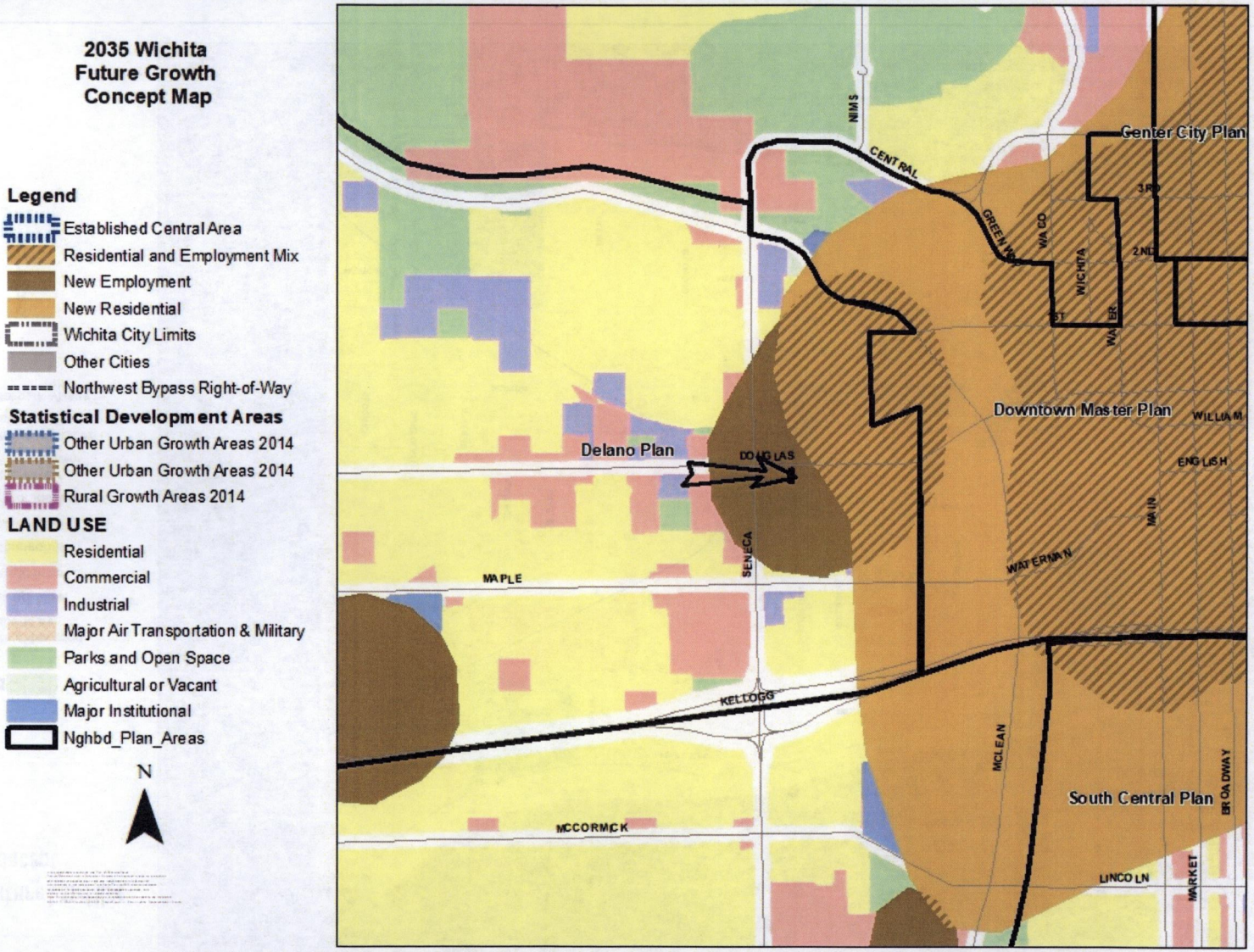
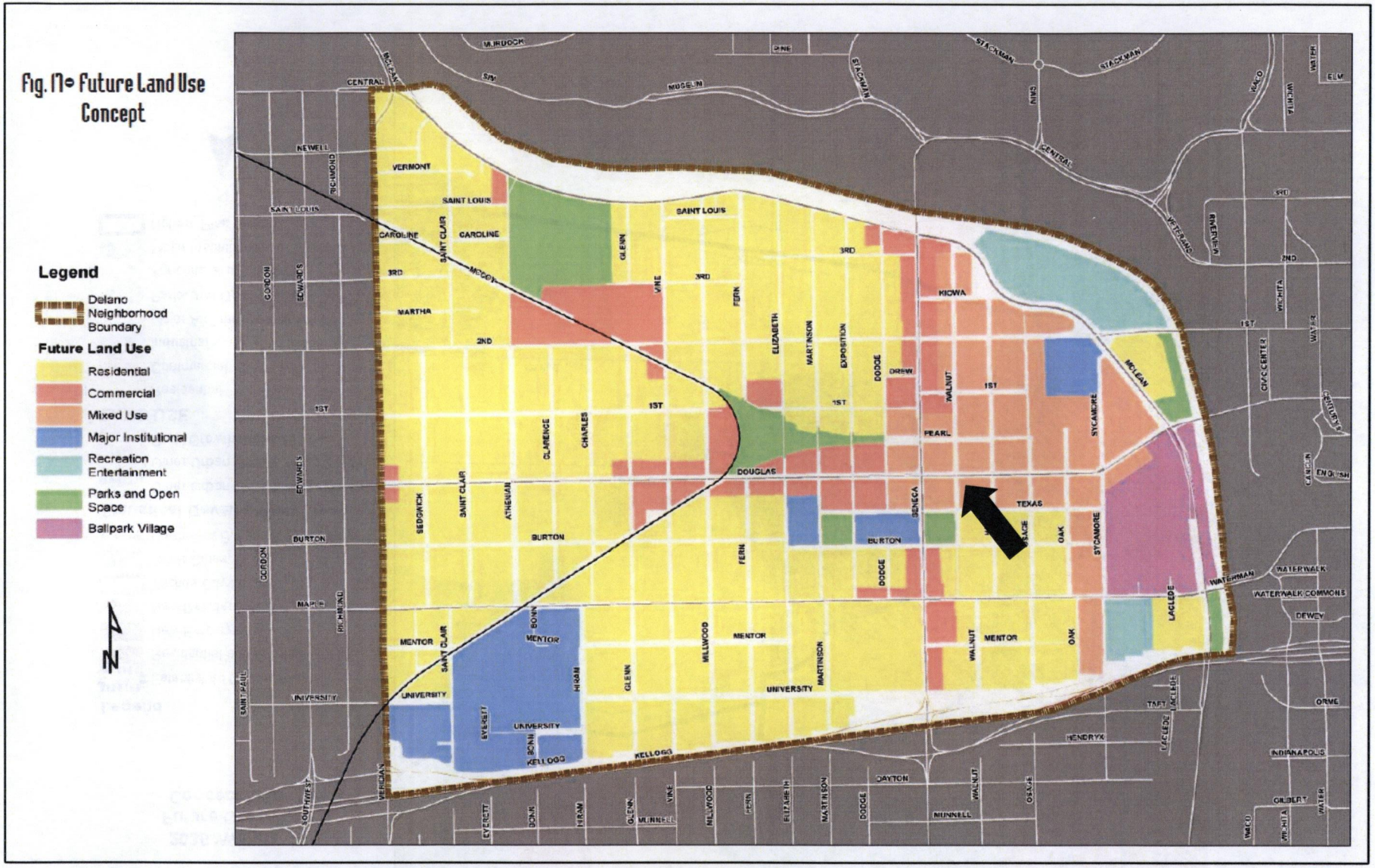


Fig. No Future Land Use Concept





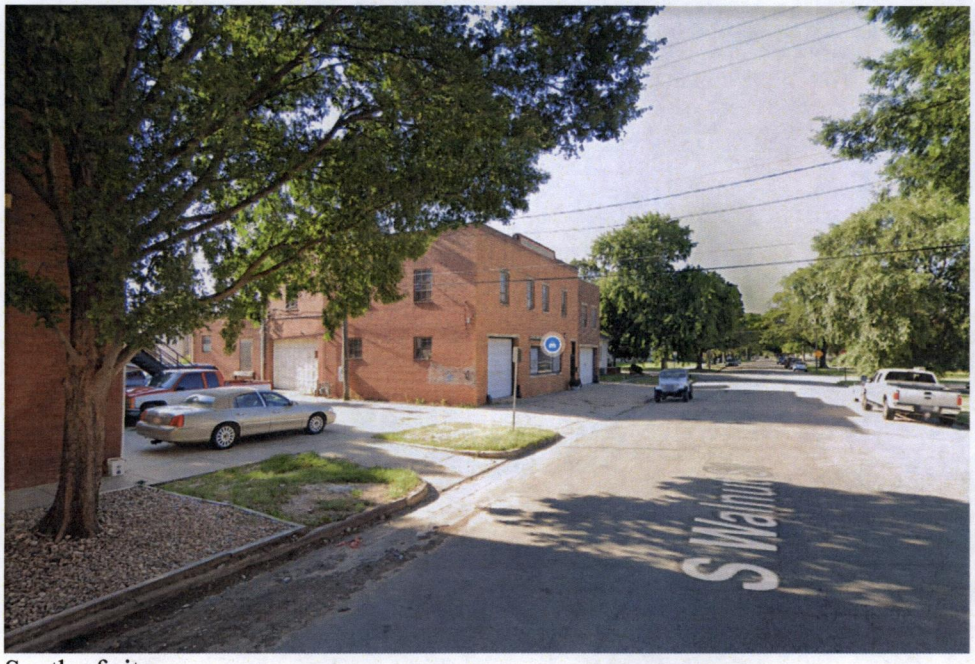
East of site



North of site



Looking southeast at the subject site



South of site