CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

December 28, 2006

Family Video Movie Club
7307 SW 25th Court
Topeka, KS 66614

RE: **ZON2006-46** - Zone change from "SF-5" Single-family Residential to "LC" Limited Commercial, generally located at the southwest corner of Central & Sheridan Avenues, 635 N. Sheridan

Dear Ladies and Gentlemen:

At its regular meeting on **December 19, 2006**, the Wichita City Council considered the above-captioned request. The action of the City Council was to **APPROVE**, the request, subject to platting within one year.

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,

Dale Miller

Dale Miller
Current Plans Manager
Current Plans Division

DM:mc

Copies to: Levi Dinkla, 7307 SW 25th Court, Topeka, KS 66614
Bruce Burditt TR, 635 N. Sheridan, Wichita, KS 67203
Sharon Fearey, WCC VI, MAIL STOP #1-13
Terri Dozal, NA WCC VI, MAIL STOP #1-135
Vicky Huang, Engineering Division, Mail Stop #1-71

W.P.

OCA150006 BID 37529-009 CID #76383
Published in The Wichita Eagle on April 21, 2023
ORDINANCE NO. 47-329

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. ZON2006-00046

Request for Zone change from "SF-5" Single-family Residential to "LC" Limited Commercial, subject to platting within one year on property described as:

North 75 feet of the south 150 feet of the north one-half of Lot 1, Knight Acres Addition

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 AT WICHITA, KANSAS, January 9, 2007

Carlos Mayans - Mayor

ATTEST:

Karen Sublett, CMC
Karen Sublett, City Clerk

(SEAL)

Approved as to form:

Gary E. Rebenstorf (787)
Gary E. Rebenstorf, City Attorney

McClatchy

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

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
32522	411646	Print Legal Ad-IPL01193940 - IPL0119394		$52.81	1	63 L

Attention: Jamie Buster
CITY OF WICHITA/CLERKS OFFICE
455 N MAIN ST FL 13

ABurgardt@wichita.gov

LEGAL PUBLICATION

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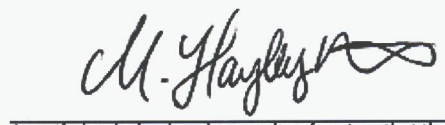
Carlos Mayans – Mayor
ATTEST:
Karen Sublett, City Clerk
(SEAL)
Approved as to form:
Gary E. Rebenstorf, City Attorney
IPL0119394
Apr 21 2023

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

1 insertion(s) published on:
04/21/23

STATE OF KANSAS)
SS
County of Sedgwick)

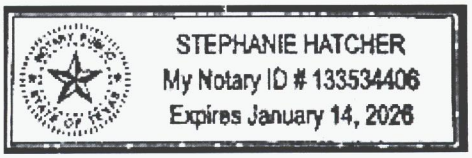
Hayley Martin, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper 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 04/21/2023 to 04/21/2023.



I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 04/21/2023

Stephanie Hatcher

Notary Public in and for the state of Texas, residing in Dallas County



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

FILE COPY

WICHITA—SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. _____

STAFF REPORT

DAB VI 11-15-06
~~MAPC 11-16-06~~

CASE NUMBER: ZON2006-46

APPLICANT/AGENT: Family Video Movie Club / Levi Dinkla

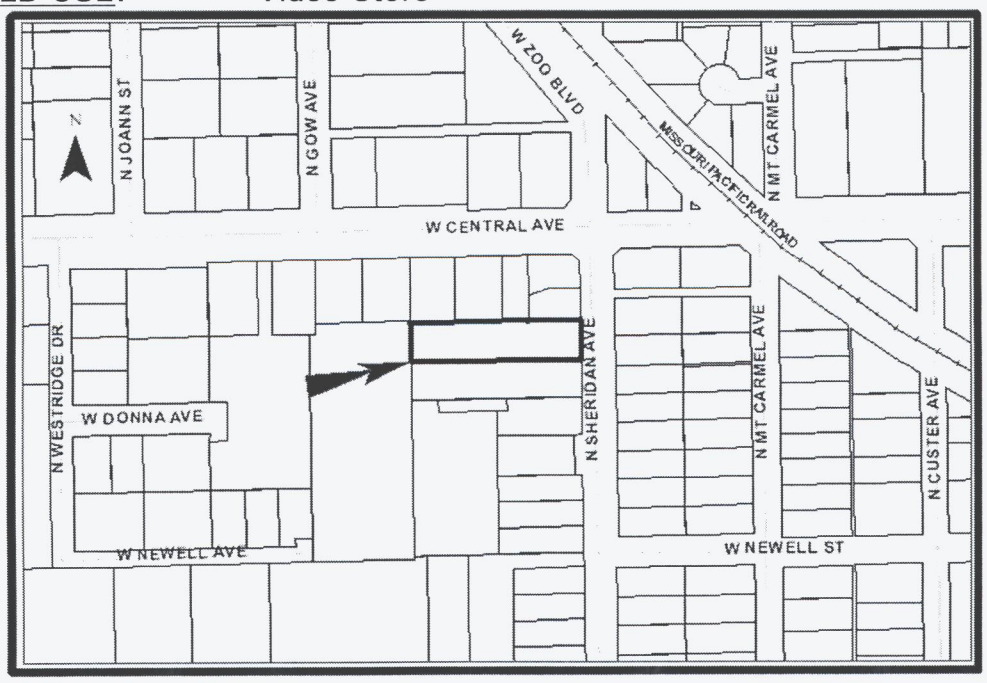
REQUEST: LC Limited Commercial

CURRENT ZONING: SF-5 Single-family Residential

SITE SIZE: .44 acre

LOCATION: 131 feet south of West Central and west of North Sheridan Avenue

PROPOSED USE: Video Store



BACKGROUND: The application area is a vacant SF-5 Single-family Residential zoned portion of a lot located south of West Central Avenue and west of North Sheridan Avenue (635 N. Sheridan). The site is .44 acre in size, and is owned by the Family Video Movie Club, which plans to develop this property along with other Limited Commercial zoned property located to the north with a video rental store. The application area is part of Lot 1, Knight Acres Addition, which appears to have multiple owners without benefit of a replat or lot split. There are at least two other owners of portions of this lot, and staff was unable to find any record of a re-plat or lot split. The Office of Central Inspection will probably require a re-plat or lot split before a building permit is granted. Approval of the request would provide uniform zoning on the applicant's ownership.

Surrounding properties are either zoned LC Limited Commercial or SF-5 Single-family Residential, and developed with a mix of residential, commercial and radio broadcast studio uses.

LC signage standards permit .5 square feet of signage times the property's frontage along a collector street.

CASE HISTORY: Knight Acres Addition was recorded in 1918.

ADJACENT ZONING AND LAND USE:

NORTH:	LC Limited Commercial; residential, commercial uses and radio broadcast studio, most of which is owned by the applicant
SOUTH:	SF-5 Single-family Residential; residential
EAST:	LC Limited Commercial and TF-3 Two-family Residential; residential
WEST:	LC Limited Commercial; broadcast radio tower

PUBLIC SERVICES: Public services are available. Sheridan is an urban collector with an average daily traffic volume of 2,860. The western half of Sheridan has only 25 feet of half street right-of-way. Central Avenue carries an average daily traffic volume of 13,712 trips. As a four-lane facility, Central can handle between 20,000 to 23,000 trips before service levels are impacted.

CONFORMANCE TO PLANS/POLICIES: The "2030 Wichita Functional Land Use Guide" depicts this site as appropriate for "urban residential." The Metropolitan Area Planning Commission has a policy of supporting the expansion of existing businesses. Commercial Guidelines stipulate that any commercial use in proximity to residential development should have required site design features that limit noise, lighting and other aspects of commercial activity that may adversely impact surrounding residential land uses. Unified Zoning Code standards include: compatibility setbacks for buildings, building height and dumpster placement, zoning required screening, work area screening, landscape buffering and shielding of lighting.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED; subject to a replat or lot split being completed within one year.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The surrounding properties are a mix of Limited Commercial, Two-family Residential and Single-family Residential zoning. The uses in the area also mixed ranging from vacant, commercial, broadcast studio and residential. This is an older part of Wichita with older buildings and homes. Central is a major east-west arterial, and the applicant's ownership north of the application area has frontage along Central.

2. The suitability of the subject property for the uses to which it has been restricted: The site is currently zoned SF-5 Single-family Residential but is vacant. As an infill site it is possible the property could be developed as currently zoned, but it is unlikely. The site is probably too small to attract significant attention for infill residential development, and the age of surrounding residential development probably inhibits new residential construction.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval will allow commercial activities to reach further south of Central, however if approved as requested, the applicant's ownership would have uniform zoning.

4. Length of time the property has been vacant: The property is currently vacant and appears to have been so for a considerable amount of time.

5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The "2030 Wichita Functional Land Use Guide" depicts this site as appropriate for "urban residential." The Metropolitan Area Planning Commission has a policy of supporting the expansion of existing businesses.

6. Impact of the proposed development on community facilities: Anticipated impacts can be addressed by existing facilities. Approval of this small an area of LC zoning will not detrimentally affect community facilities.