Wichita-Sedgwick County Metropolitan Area Planning Department

February 9, 2023

Patrick Shane Phillips
Jason R Phillips
650 East Gilbert Street
Wichita, KS 67211

RE: **ZON2022-00064:** Zone change request in the City from SF-5 Single-Family Residential to LI Limited Industrial; generally located on the west side of South Hydraulic Avenue and within one-quarter mile south of East 55th Street South (5727 South Hydraulic).

Dear Applicants;

At its regular meeting on **February 7, 2023**, the Wichita City Council considered the above captioned request. The action of the City Council was to **APPROVE** of the request subject to Protective Overlay #400.

Protective Overlay #400

1. Allowed uses permitted by-right in the LI Limited Industrial zoning district except the following uses: Correctional Facility; Correctional Placement Residence, Limited and General; Recycling Collection Station, Public and Private; Recycling Processing Center; Reverse Vending Machine; Day Reporting Center; Nightclub in the City; Rodeo in the City; Sexually Oriented Business; Asphalt or Concrete Plant, Limited; Freight Terminal; and Gas and Fuel Storage and Sales.

2. At the time of platting, the applicant shall dedicate complete access control along the west property line for the full length of East 57th Street South except for emergency purposes only. The applicant shall erect a gate which shall remain closed and locked at all times, except for emergency purposed, and shall comply with Fired Department standards for emergency access.

3. Screening shall be per the Unified Zoning Code Section IV-B.1-3; however, any fences or walls shall be constructed of a consistent pattern and color.

4. Compatibility height and setbacks shall adhere to Section IV-C of the Unified Zoning Code.

5. The landscape buffer along the west property line shall be 1.5 times the standard in the Wichita Landscape Ordinance.

6. No portion of any building or outdoor storage may occupy the west 200 feet of the site. This area can be used for off-street parking.

7. Storage of equipment or merchandise shall be allowed outside an enclosed building only in compliance

with the screening standards in Section IV-B of the Unified Zoning Code and the following additional standards: no outdoor storage or work areas shall be permitted in any building setback, compatibility setback, or the west 200 feet of the site; no required off-street parking space or loading area shall be utilized for storage; and items stored outdoors shall be screened from view from South Hydraulic and from ground level view of any residential uses or any adjacent residential zoning.

8. Roof-mounted equipment and loading docks; trash receptacles; ground-level heating, air conditioning, and mechanical equipment; free standing coolers or refrigeration units; outdoor storage including portable storage containers; outdoor work areas or similar uses shall be screened from ground level view along South Hydraulic Avenue and from any residential uses or adjacent residential zoning.

9. All signs shall be limited to signs that would be allowed in the LC Limited Commercial zoning district.

10. The applicant shall submit a site/landscape plan to the Planning Department for review and approval prior to the issuance of building permits.

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

Sincerely,

Philip Zevenbergen, AICP
Current Plans
Division Manager

Copies to: Mike Hoheisel, Council Member District III
Rebecca Johnson, CSR, District III
MABCD
Darren Rader, 1301 E. 57th Street South, Wichita, KS 67216
Charles Vititoe, 5730 South Pattie, Wichita, KS 67216
Kenneth Harper, 1301 E. 57th Street South, Wichita, KS 67216

Wichita-Sedgwick County Metropolitan Area Planning Department

December 16, 2022

Patrick Shane Phillips
Jason R Phillips
650 East Gilbert Street
Wichita, KS 67211

RE: **ZON2022-00064:** Zone change request in the City from SF-5 Single-Family Residential to LI Limited Industrial; generally located on the west side of South Hydraulic Avenue and within one-quarter mile south of East 55th Street South (5727 South Hydraulic).

Dear Applicants;

At its regular meeting on **December 15, 2022**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** the request subject to Protective Overlay #400

Protective Overlay #400

1. Allowed uses permitted by-right in the LI Limited Industrial zoning district except the following uses: Correctional Facility; Correctional Placement Residence, Limited and General; Recycling Collection Station, Public and Private; Recycling Processing Center; Reverse Vending Machine; Day Reporting Center; Nightclub in the City; Rodeo in the City; Sexually Oriented Business; Asphalt or Concrete Plant, Limited; Freight Terminal; and Gas and Fuel Storage and Sales.

2. At the time of platting, the applicant shall dedicate complete access control along the west property line for the full length of East 57th Street South except for emergency purposes only. The applicant shall erect a gate which shall remain closed and locked at all times, except for emergency purposed, and shall comply with Fired Department standards for emergency access.

3. Screening shall be per the Unified Zoning Code Section IV-B.1-3; however, any fences or walls shall be constructed of a consistent pattern and color.

4. Compatibility height and setbacks shall adhere to Section IV-C of the Unified Zoning Code.

5. The landscape buffer along the west property line shall be 1.5 times the standard in the Wichita Landscape Ordinance.

6. No portion of any building or outdoor storage may occupy the west 200 feet of the site. This area can be used for off-street parking.

7. Storage of equipment or merchandise shall be allowed outside an enclosed building only in compliance with the screening standards in Section IV-B of the Unified Zoning Code and the following additional standards: no outdoor storage or work areas shall be permitted in any building setback, compatibility setback, or the west 200 feet of the site; no required off-street parking space or loading area shall be utilized for storage; and items stored outdoors shall be screened from view from South Hydraulic and from ground level view of any residential uses or any adjacent residential zoning.

8. Roof-mounted equipment and loading docks; trash receptacles; ground-level heating, air conditioning, and mechanical equipment; free standing coolers or refrigeration units; outdoor storage including portable storage containers; outdoor work areas or similar uses shall be screened from ground level view along South Hydraulic Avenue and from any residential uses or adjacent residential zoning.

9. All signs shall be limited to signs that would be allowed in the LC Limited Commercial zoning district.

10. The applicant shall submit a site/landscape plan to the Planning Department for review and approval prior to the issuance of building permits.

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 **December 29, 2022**. 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 **December 29, 2022, at 5:00 p.m.**

This application will be presented to the Wichita City Council on **Tuesday, January 17, 2023** beginning at 9:00 a.m.

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,

Philip Zevenbergen, AICP
Current Plans
Division Manager

Copies to: Mike Hoheisel, Council Member District III
Rebecca Johnson, CSR, District III
MABCD
Darren Rader, 1301 E. 57th Street South, Wichita, KS 67216
Charles Vititoe, 5730 South Pattie, Wichita, KS 67216
Kenneth Harper, 1301 E. 57th Street South, Wichita, KS 67216

OCA 150004 PUBLISHED IN THE WICHITA EAGLE ON February 17, 2023

ORDINANCE NO. 52-030

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. ZON2022-00064

Zone change request in the City from SF-5 Single-Family Residential to LI Limited Industrial zoning subject to the provisions of Protective Overlay #400, on property legally described as:

> The South 10 Acres of the Northeast Quarter of the Northeast Quarter of Section 28, Township 28 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas; EXCEPT the east 250 feet of the south 290 feet thereof, and EXCEPT any road rights-of-way on record.

Protective Overlay #400

1. Allowed uses permitted by-right in the LI Limited Industrial zoning district except the following uses: Correctional Facility; Correctional Placement Residence, Limited and General; Recycling Collection Station, Public and Private; Recycling Processing Center; Reverse Vending Machine; Day Reporting Center; Nightclub in the City; Rodeo in the City; Sexually Oriented Business; Asphalt or Concrete Plant, Limited; Freight Terminal; and Gas and Fuel Storage and Sales.

2. At the time of platting, the applicant shall dedicate complete access control along the west property line for the full length of East 57th Street South except for emergency purposes only. The applicant shall erect a gate which shall remain closed and locked at all times, except for emergency purposed, and shall comply with Fired Department standards for emergency access.

3. Screening shall be per the Unified Zoning Code Section IV-B.1-3; however, any fences or walls shall be constructed of a consistent pattern and color.

4. Compatibility height and setbacks shall adhere to Section IV-C of the Unified Zoning Code.

5. The landscape buffer along the west property line shall be 1.5 times the standard in the Wichita Landscape Ordinance.

6. No portion of any building or outdoor storage may occupy the west 200 feet of the site. This area can be used for off-street parking.

7. Storage of equipment or merchandise shall be allowed outside an enclosed building only in compliance with the screening standards in Section IV-B of the Unified Zoning Code and the following additional

standards: no outdoor storage or work areas shall be permitted in any building setback, compatibility setback, or the west 200 feet of the site; no required off-street parking space or loading area shall be utilized for storage; and items stored outdoors shall be screened from view from South Hydraulic and from ground level view of any residential uses or any adjacent residential zoning.

8. Roof-mounted equipment and loading docks; trash receptacles; ground-level heating, air conditioning, and mechanical equipment; free standing coolers or refrigeration units; outdoor storage including portable storage containers; outdoor work areas or similar uses shall be screened from ground level view along South Hydraulic Avenue and from any residential uses or adjacent residential zoning.

9. All signs shall be limited to signs that would be allowed in the LC Limited Commercial zoning district.

10. The applicant shall submit a site/landscape plan to the Planning Department for review and approval prior to the issuance of building permits.

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 14th day of February, 2023.

Brandon J. Whipple, Mayor, City of Wichita

ATTEST:

Jamie Buster, City Clerk

(SEAL)

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

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	383876	Print Legal Ad-IPL01100400 - IPL0110040		$129.15	2	77 L

Attention: Jamie Buster

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

LEGAL PUBLICATION

OCA 150004

PUBLISHED IN THE WICHITA EAGLE ON February 17, 2023
ORDINANCE NO. 52-030

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. ZON2022-00064

Zone change request in the City from SF-5 Single-Family Residential to LI Limited Industrial zoning subject to the provisions of Protective Overlay #400, on property legally described as:

The South 10 Acres of the Northeast Quarter of the Northeast Quarter of Section 26, Township 28 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas; EXCEPT the east 250 feet of the south 290 feet thereof, and EXCEPT any road rights-of-way on record.

Protective Overlay #400

1. Allowed uses permitted by-right in the LI Limited Industrial zoning district except the following uses: Correctional Facility; Correctional Placement Residence, Limited and General; Recycling Collection Station, Public and Private; Recycling Processing Center; Reverse Vending Machine; Day Reporting Center; Nightclub in the City; Rodeo in the City; Sexually Oriented Business; Asphalt or Concrete Plant, Limited; Freight Terminal; and Gas and Fuel Storage and Sales.
2. At the time of platting, the applicant shall dedicate complete access control along the west property line for the full length of East 57th Street South except for emergency purposes only. The applicant shall erect a gate which shall remain closed and locked at all times, except for emergency purposed, and shall comply with Fired Department standards for emergency access.
3. Screening shall be per the Unified Zoning Code Section IV-B.1-3; however, any fences or walls shall be constructed of a consistent pattern and color.
4. Compatibility height and setbacks shall adhere to Section IV-C of the Unified Zoning Code.
5. The landscape buffer along the west property line shall be 1.5 times the standard in the Wichita Landscape Ordinance.
6. No portion of any building or outdoor storage may occupy the west 200 feet of the site. This area can be used for off-street parking.
7. Storage of equipment or merchandise shall be allowed outside an enclosed building only in compliance with the screening standards in Section IV-B of the Unified Zoning Code and the following additional standards: no outdoor storage or work areas shall be permitted in any building setback, compatibility setback, or the west 200 feet of the site; no required off-street parking space or loading area shall be utilized for storage; and items stored outdoors shall be screened from view from South Hydraulic and from ground level view of any residential uses or any adjacent residential zoning.
8. Roof-mounted equipment and loading docks; trash receptacles; ground-level heating, air conditioning, and mechanical equipment; free standing coolers or refrigeration units; outdoor storage including portable storage containers; outdoor work areas or similar uses shall be screened from ground level view along South Hydraulic Avenue and from any residential uses or adjacent residential zoning.
9. All signs shall be limited to signs that would be allowed in the LC Limited Commercial zoning district.
10. The applicant shall submit a site/landscape plan to the Planning Department for review and approval prior to the issuance of building permits.

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 14th day of February, 2023.

Brandon J. Whipple, Mayor, City of Wichita

ATTEST:

Jamie Buster, City Clerk

(SEAL) Approved as to form:

Jennifer Magana, City Attorney and Director of Law

IPL0110040
Feb 17 2023

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

1 insertion(s) published on:
02/17/23

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 02/17/2023 to 02/17/2023.

H. Hayley

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 02/17/2023

Stephanie Hatcher

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

STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

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

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
16399	350098	Print Legal Ad-IPL00991830 - IPL0099183	OCA 150004	$140.91	2	84 L

Attention: MANDY HEBERT

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

LEGAL PUBLICATION

OCA 150004

Published in The Wichita Eagle on November 23, 2022
(One Time Only)
MAPC/BZA December 15, 2022
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, December 15, 2022, no earlier than 1:30 p.m., the WichitaSedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation may also occur through virtual methods (specified at the end of this notice). If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Department at (316) 2684421.

CUP2022-00052: Request in the City to amend Community Unit Plan CUP DP-248 to allow multi-family housing on Parcel 2 on property zoned GC General Commercial; generally located east of South 127th Street East and less than a quarter mile north of US Highway 54.

ZON2022-00063: Zone Change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District for the development of duplexes; generally located north of East 63rd Street South and east of South Clifton Avenue.

ZON2022-00064: Zone Change request in the City from SF-5 Single-Family Residential to LI Limited Industrial; generally located less than a quarter-mile south of East 55th Street South and on the west side of South Hydraulic Avenue (5727 South Hydraulic).

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 WichitaSedgwick 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.

Options to participate (see below):
1) Participate virtually
2) Attend in-person at the Ronald Reagan Building
3) Submit comments ahead of time

Participate Virtually
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 Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202.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 (316-2684464) by 5pm, 3 days prior to the meeting.

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

WITNESS MY HAND on November 23, 2022
Scott Wadle, Secretary
WichitaSedgwick County
Metropolitan Area Planning Commission
IPL0099183
Nov 23 2022

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

No. of Insertions: 1
Beginning Issue of: 11/23/2022
Ending Issue of: 11/23/2022

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 11/23/2022 to 11/23/2022.

H. Hayley

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 11/23/2022

Stephanie Hatcher

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

STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

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

KU football vs. K-State: Five things to know about Jayhawks entering Saturday's game

BY GARY BEDORE
gbedore@kcstar.com

LAWRENCE

After dropping two straight Big 12 football games and five of the last six contests, the Kansas Jayhawks next travel to Manhattan on Saturday for a battle against the No. 15-ranked Kansas State Wildcats.

Chris Klieman's KSU team has won two in a row, three of four and six of eight entering the Sunflower Showdown between the bowl-eligible Jayhawks (6-5, 3-5) and bowl-eligible Wildcats (8-3, 6-2).

The fact one team is hot and the other is not may not mean much when the rivals kick off at 7 p.m. on Fox at Bill Snyder Family Stadium.

"I mean it's a rivalry game coming up. There doesn't need to be much of a message. We're all fired up ready to play," KU senior tight end Mason Fairchild said after Saturday's 55-14 home loss to Texas. "I think it'll be easy to get up this week knowing the challenge ahead. I think it'll be a fun week."

Quarterback Jalon Daniels, who threw for a pair of touchdown passes in the second half against the Longhorns after shaking off the rust of a 4 1/2 game absence due to injury, said the team's mental makeup is rock solid entering the regular season finale.

"Keep your head up and stay together no matter what the situation is. It's football," said Daniels, one of the team's leaders. "If we're turning on each other we won't be able to go into the next one. Stay together. Own what's on film and get better.

"Even if we won or lost today, we have the 24-hour rule. ... That game's in the past. We can't focus too much on our last opponent. We look to our next opponent."

Second-year coach Lance Leipold says there's been no change in his players' desire to win entering rivalry week.

"There are guys on our sideline literally in tears they want to compete so bad, and they're frustrated and want to see us do better because they care so much," Leipold said. "That means a lot to me and our coaches and other guys (players). We've got to make sure that spreads throughout this program.

"One thing I did say (after the game to players)," Leipold added, "we have to find a better way to understand and react when we play opponents who have their backs to the wall."

For instance, Texas was coming off a low-scoring 17-10 loss to TCU; Baylor was coming off a 43-40 loss to West Virginia; and Oklahoma was coming off a 49-0 loss to Texas — all before they faced Kansas. Each of the three reversed course and defeated the Jayhawks.

"The great thing about our conference, we run into teams coming off losses as well and they really have responded well. I don't know if we are matching that punch for punch," Leipold said.

THE DETAILS

Kickoff: 7 p.m., Saturday

Where: Bill Snyder Family Stadium, Manhattan.

TV: FOX.

Radio: WHB (810) in Kansas City; KFH (1240 AM, 97.5 FM) in Wichita

Early betting line: Kansas State by 12

FIVE THINGS TO KNOW

1. These two teams have been playing each other a long time. KU leads the all-time series 66-48-5. It is the 10th most played rivalry in FBS, dating to 1902. The series has been contested every year since 1911, making it the fourth-longest active series in FBS and the second-longest in-state rivalry. The Wildcats have won 13 in a row in the series. KU last won on November 1, 2008.

2. The running game is pivotal for Kansas. KU finished with 104 rushing yards on 30 carries in Saturday' s 55-14 blowout loss to Texas. The Jayhawks have rushed for at least 100 yards in 10 games this season. That marks the first time since 2008 that KU has 10 games with 100+ rushing yards in a season.

3. KU continues to throw the football effectively. Against Texas, Kansas threw for 242 passing yards, marking the sixth consecutive game with 200+ yards through the air. The last time KU had at least 200 passing yards in six straight games was when the Jayhawks threw for 200+ yards in each of the first seven games of the 2009 season.

4. Kenny Logan was as productive as advertised this season. Logan, a senior safety from St. Augustine, Florida, recorded a game-high 10 tackles against the Longhorns. It was the preseason all-Big 12 pick's fifth game of the season with double-digit tackles. For the year Logan leads the team with 90 tackles. Rich Miller is second with 79.

5. Andy Kotelnicki and Joe Klanderman are up for the same national award. Kansas football offensive coordinator Andy Kotelnicki and K-State defensive coordinator Joe Klanderman are two of 51 nominees for the Broyles Award, the Frank & Barbara Broyles Foundation announced. The award honors college football's top assistant coach. Other Big 12 nominees: Jeff Grimes, OC, Baylor; Jon Heacock, DC, Iowa State; Garrett Riley, OC, TCU.

Some bonus coverage: Here are five things to know about K-State ahead of Saturday.

Gary Bedore: 816-234-4068, @garybedore

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316.268.6000

Legals

LEGAL PUBLICATION

PROJ # E2085–BID 220320

TO BE PUBLISHED ONE TIME ON NOVEMBER 23, 2022

SEALED PROPOSALS

Notice is hereby given that bids will be received at the office of the Purchasing Manager, up to 10:00 a.m., Friday, December 2, 2022 for the following project.
Water Distribution System 448-2022-026736, E2085
Stormwater Drain 495 458-2022-085514, E2084
Sanitary Sewer Improvements 468-2022-026702, E2082
Buffalo Grove Addition
LUMP SUM BID ITEMS - GROUP 1 (E2085)

Site Clearing	1 LS
Site Restoration	1 LS
Testing	1 LS
MEASURED QUANTITY BID ITEMS - GROUP 1 (E2085)	
Pipe, WL 8"	2,048 LF
Pipe, WL 8" *(Directional Drill)*	105 LF
Pipe, WL 8" (DICL)	40 LF
Fire Hydrant Assembly	5 EA
Valve Assembly, 8"	4 EA
Valve Assembly, Blowoff	2 EA
Valve Assembly, Anchored 8", Special	2 EA
LUMP SUM BID ITEMS - GROUP 2 (E2084)	
Excavation	30,350 CY
Fill, Compacted *(95% Density)*	30,325 CY
Pond Liner, Clay (12")	1,050 CY
Concrete Outlet Weir	1 LS
Site Clearing	1 LS
Site Restoration	1 LS
Seeding, Permanent	1 LS
Seeding, Temporary	1 LS
MEASURED QUANTITY BID ITEMS - GROUP 2 (E2084)	
Gabion Drop Structures	4 EA
BMP - Construction Entrance	1 EA
BMP - Erosion Control Mat, Pond	2,225 SY
BMP - Erosion Control Mat, Ditch	100 SY
BMP - Ditch Sediment Barrier	14 EA
BMP - Silt Fence	3,845 LF
LUMP SUM BID ITEMS - GROUP 3 (E2082)	
Site Clearing	1 LS
Site Restoration	1 LS
MEASURED QUANTITY BID ITEMS - GROUP 3 (E2082)	
MH, Standard SS (4')	4 EA
MH, Shallow SS (4')	8 EA
Pipe, SS 8"	3,180 LF
Concrete Encasement 8"	30 LF
Fill, Flowable	68 LF
Air Testing, SS Pipe	3,180 LF

All bids received will thereafter be publicly opened, read aloud and considered by the Board of Bids and Contracts. All work to be done under the direction and supervision of the City Manager and according to plans and specifications on file in the office of the City Engineer. Bidders will be required to enclose a bid bond in the amount of five percent (5%) with each as a guarantee of good faith. The Wichita City Council reserves the right to reject any and all bids.
Dated at Wichita, Kansas, November 17, 2022
Jamie Buster, City Clerk
This information and any addenda is also available on the City's Web Page at: https://selfservice.wichita.gov/MSS/Vendors/Vbids/Default.aspx
IPL0099022
Nov 23 2022

LEGAL PUBLICATION

PROJ # E2088 – BID 220319

TO BE PUBLISHED ONE TIME ON NOVEMBER 23, 2022

SEALED PROPOSALS

Notice is hereby given that bids will be received at the office of the Purchasing Manager, up to 10:00 a.m., Friday, December 2, 2022 for the following project
Water Distribution System Phase 1 448-2022-024786 / E2088
Sanitary Sewer Collector 468-2022-024783 / E2086
Sanitary Sewer Improvements Phase 1 468-2022-024784 / E2087
Arvada Addition
LUMP SUM BID ITEMS - GROUP 1 (E2088)

Site Clearing	1 LS
Site Restoration	1 LS
Seeding, Temporary	1 LS
MEASURED QUANTITY BID ITEMS GROUP 1 (E2088)	
Pipe, WL 4"	954 lf
Pipe, WL 8"	3,850 lf
Pipe, WL 8" (DICL)	10 lf
Fire Hydrant Assembly	7 ea
Valve Assembly, 4"	5 ea
Valve Assembly, 8"	6 ea
Valve Assembly, Anchored 8", Special	4 ea
Valve Assembly, Blowoff	9 ea
LUMP SUM BID ITEMS - GROUP 2 (E2086)	
Site Clearing	1 LS
Site Restoration	1 LS
Seeding, Temporary	1 LS
MEASURED QUANTITY BID ITEMS - GROUP 2 (E2086)	
MH, Standard SS (5')	4 ea
MH, Standard SS (4')	1 ea
Pipe SS, 10"	1,354 lf
Pipe SS, 8"	370 lf
Air Testing, SS Pipe	1,724 LF
BMP, Construction Entrance	1 EA
LUMP SUM BID ITEMS - GROUP 3 (E2087)	
Site Clearing	1 LS
Site Restoration	1 LS
Seeding, Temporary	1 LS
MEASURED QUANTITY BID ITEMS - GROUP 3 (E2087)	
MH, Standard SS (4')(Outside Drop)	1 EA
MH, Standard SS (4')	12 EA
Pipe SS, 8"	3,306 LF
Stub SS, 8"	3 EA
Riser Assembly 4", Vertical	96 EA
Sand Flush & Vibrate	3,167 LF
Air Testing, SS Pipe	3,306 LF

All bids received will thereafter be publicly opened, read aloud and considered by the Board of Bids and Contracts. All work to be done under the direction and supervision of the City Manager and according to plans and specifications on file in the office of the City Engineer. Bidders will be required to enclose a bid bond in the amount of five percent (5%) with each as a guarantee of good faith. The Wichita City Council reserves the right to reject any and all bids
Dated at Wichita, Kansas, November 17, 2022
Jamie Buster, City Clerk
This information and any addenda is also available on the City's Web Page at: https://selfservice.wichita.gov/MSS/Vendors/Vbids/Default.aspx
IPL0099020
Nov 23 2022

LEGAL PUBLICATION

OCA 160004

Published in The Wichita Eagle on November 23, 2022
(One Time Only)
MAPC/BZA December 15, 2022
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, December 15, 2022, no earlier than 1:30 p.m., the WichitaSedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation may also occur through virtual methods (specified at the end of this notice) if you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Department at (316) 2684421.
CUP2022-00052: Request in the City to amend Community Unit Plan CUP DP-248 to allow multi-family housing on Parcel 2 on property zoned GC General Commercial, generally located east of South 127th Street East and less than a quarter mile north of US Highway 54.
ZON2022-00063: Zone Change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District for the development of duplexes, generally located north of East 63rd Street South and east of South Clifton Avenue.
ZON2022-00064 Zone Change request in the City from SF-5 Single-Family Residential to LI Limited Industrial; generally located less than a quarter-mile south of East 55th Street South and on the west side of South Hydraulic Avenue (5727 South Hydraulic)
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 WichitaSedgwick 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.
Options to participate (see below).
1) Participate virtually
2) Attend in-person at the Ronald Reagan Building
3) Submit comments ahead of time
Participate Virtually
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 inroom@ink.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 Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202.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 (316-2684464) by 5pm, 3 days prior to the meeting
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
WITNESS MY HAND on November 23, 2022
Scott Wadle, Secretary
WichitaSedgwick County
Metropolitan Area Planning Commission
IPL0099183
Nov 23 2022

LEGAL PUBLICATION

Published in The Wichita Eagle, Wednesday, November 23, 2022.

FORMAL BID – 220318

Sealed bids will be received in the office of the City Purchasing Manager, 12th Floor, City Hall, 455 North Main, Wichita, Kansas, prior to TEN O'CLOCK A.M., FRIDAY, DECEMBER 2, 2022 "Request For Formal Bid" form MUST be used to submit your bid unless you are submitting your bid on our website at https://selfservice.wichita.gov/MSS/Vendors/VBids/Default.aspx using your secure login/password:.

INFORMATION TECHNOLOGY/INFO SERVICES
Laptops & Hardware
AS PER SPECIFICATIONS
F.O.B. – Wichita, Kansas

Bids will be opened after ten o'clock a.m., in the Board Room, 1st Floor, City Hall, 455 North Main, Wichita, Kansas. Specifications and bid forms are on file in the office of the City Purchasing Manager, 12th Floor, City Hall, 455 N. Main, Wichita, Kansas 67202, (316) 268-4636. This information may also be obtained on our website above.
Dated at Wichita, Kansas this 16th day of November 2022
Melinda A. Walker
Purchasing Manager
IPL0098813
Nov 23 2022

Animals

Dogs

CHRISTMAS PUPPIES,DACHSHUNDS Registered. Miniature, Shots, very loving text *620-892-1172 $800-$1,200*

French Bulldogs Puppies and adults $1500 just in time for the holidays 316 282 6504

F1b MEDIUM GOLDENDOODLES **12 wks. - 2 males and 2 females. 1st shots, regular deworminge given and vet checked. They make sweet family dogs! $800 Call 316-687-7282**

F1b LABRADOODLE PUPPIES ready now, 5 male, 5 female, parents health tested clear, guarantee, $750, 913-747-4294, johnnonj806@gmail

AKC MINI SCHNAUZERS ready 11/25 (1200), white and salt/pepper, 913-562-4603

F2 Goldendoodles Puppies Available! Text or call for more info, God Bless 620 388 1985

F1b LABRADOODLE PUPPIES ready now, medium size, 5 male, 5 females, parents health tested clear, $750, call/text 913-747-4294

Employment

Employment

OUTPATIENT THERAPIST
Sumner Mental Health Center has an opening for a qualified mental health professional licensed to provide services as an outpatient therapist. Competitive salary, health/dental/vision/long term disability/life insurance plans, and a 403(b) plan with an annual 10% employer contribution. Background check required. Resumes should be sent to HR@sumnermentalhealth.org. Open until filled.

SMHC seeks a F/T **Substance Abuse Counselor** w/lic as a LAC, LMAC, or LCAC to provide individual & group substance abuse services. Preference for exp w/dual diagnosis consumers, groups, & electronic medical record. Competitive salary & comprehensive benefits prog, incl 403(b) w/10% employer contribution. Mandatory fingrnd checks. Send resume to HR@sumnermentalhealth.org.

The Wichita Eagle KANSAS.COM

Curo Management LLC seeks **Principal Software Development Engineer** in Test (SDET) in Wichita, KS to design and develop automation and performance solutions that meet organization standards and build reliable, reusable and maintainable automated regression suites and test harnesses. Requires 8 yrs exp in software testing or development; and demonstrated ability with the following: Testing, coding and debugging procedures; Programming languages such as C#, .NET, SQL, Java or JavaScript, Design and development of automated tests using automation tools (e.g. Selenium, Appium) across the application layers (UI/Service/Data layers); Virtualization and containerization technologies (RedHat OpenShift, Docker, container orchestration and configuration management with Kubernetes), Advising team to identify automatable test cases at different layers (UI, Services and Data layer tests); Refactoring and extending test automation/performance frameworks and suites, Testing in CI/CD, and Developing Test Plans and Test Cases, Exploratory Testing, creating and maintaining Defect Reports. Job HO in Wichita, KS but position may be performed remotely anywhere in the U.S. Resumes to Olivia Hurt, 3616 N. Ridge Road, Wichita, KS 67205

Service Directory

Lawn/Garden/Landscaping/Trees

Tree work, leaf cln-up, junk removal, positive drainage, 7/day week 990-6887

Miscellaneous

Garage Sales

FRED & GENEVA OHNART ESTATE SALE
Lifetime collection of antiques, welding tools, misc. tools, Polaroid cameras and so much more!
SAT & SUN, NOV. 26th & 27th
9AM-5PM
809 School St, Augusta, KS

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The Wichita Eagle

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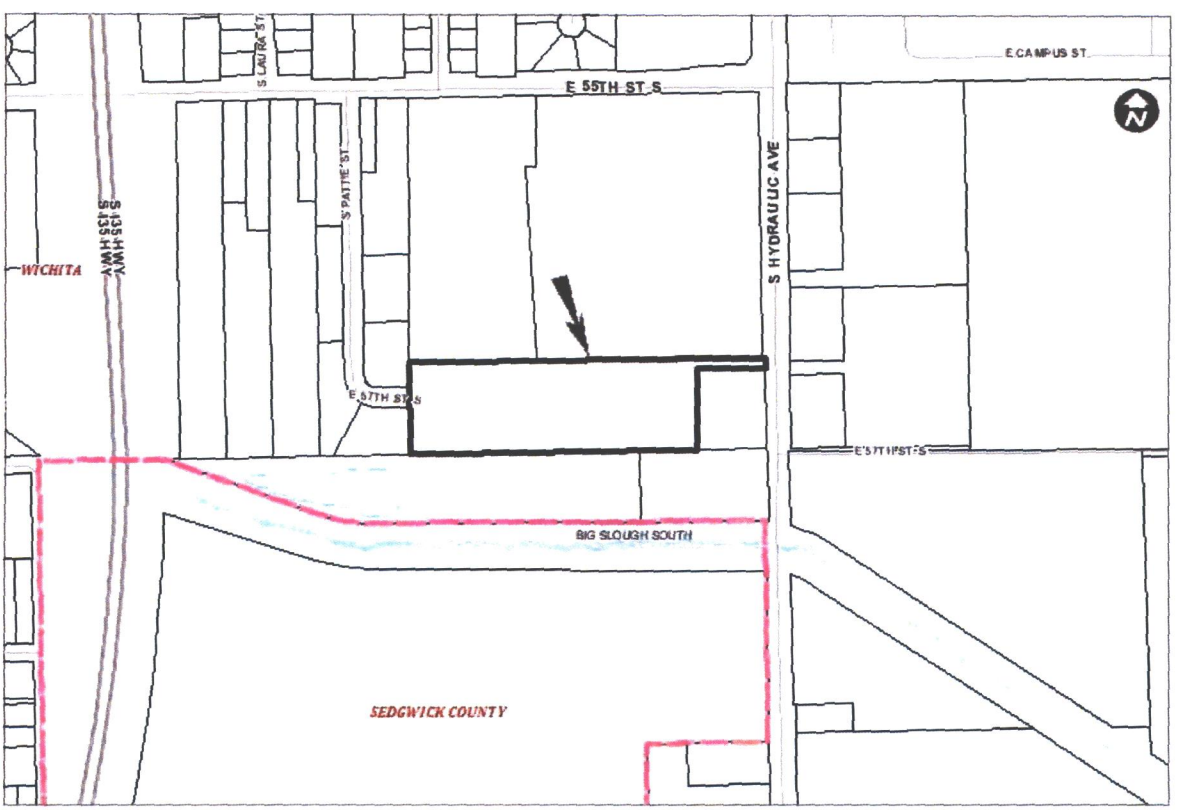
The Wichita Eagle
KansasOcom

WICHITA—SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 4.4

STAFF REPORT
MAPC: December 15, 2022
DAB III: December 7, 2022

CASE NUMBER:	ZON2022-00064 (City)
APPLICANT/AGENT:	Patrick Phillips, Jason Phillips, and Lyndsey Phillips (Applicants)/ Young and Associates (Agent)
REQUEST:	LI Limited Industrial District
CURRENT ZONING:	SF-5 Single-Family Residential District
SITE SIZE:	8.69 acres
LOCATION:	Generally located approximately 900 feet south of East 55th Street South and on the west side of South Hydraulic Avenue (5727 South Hydraulic).
PROPOSED USE:	Manufacturing and warehousing.
RECOMMENDATION:	Approve with Protective Overlay #400



BACKGROUND: The applicant is requesting a zone change from SF-5 Single-Family Residential District to LI Limited Industrial District for a 8.69 acres of a parcel generally located approximately 900 feet south of East 55th Street South and on the west side of South Hydraulic Avenue (5727 South Hydraulic Avenue). The entire parcel is 9.73 acres in size, and a portion of the property that fronts Hydraulic is already zoned LI. The applicant is seeking to rezone the remainder of the property for manufacturing and warehousing. The property is currently vacant.

The property owner owns Phillips-Southern Electric. They have experienced increments of growth in their history in Wichita. They purchased this property with the intention of moving all or a portion of their current operation to this location if/when growth occurs. This would include the storing of equipment (both indoors and outdoors) as well as their manufacturing/machine shop that repairs their equipment. The timeline and extent of what all would relocate to this location is unknown. The proposed activities are possible in the GC General Commercial District. However, a welding/machine shop or any manufacturing would have to comply with Supplementary Use Regulations in Section III-D.6.n of the Unified Zoning Code (UZC), which state that the portion of ground floor area fronting the main street would have to be used for office space, display, or wholesale or retail sales. At this time, it is unknown if the office component would be relocated in the future. Therefore, a zone change to GC would not meet the applicant's needs.

Property to the north is zoned SF-5 Single Family Residential District, except the immediate corner of East 55th Street South and South Hydraulic Avenue is zoned LC Limited Commercial District. One parcel is developed with single family uses. The parcel on the corner is undeveloped. Property south is zoned SF-5 and LI Limited Industrial District with single family uses and an appliance retail store fronting South Hydraulic. Property to the east is zoned SF-5, LC Limited Commercial District, GC General Commercial District, and LI Limited Industrial District. A portion of the LC and SF-5-zoned property is developed with a single family dwelling. The remainder of the LC and GC properties are governed by CUP DP-120. A portion of this LC-zoned property is developed as Peachtree Park at the corner of East 55th Street and South Hydraulic. The GC and the LI properties are undeveloped. Farther east is zoned SF-5 and is developed as the City of Wichita Water Resource Recovery Facility. Property to the west is zoned SF-5 with single family dwellings.

Compatibility setback and height standards shall apply to this site since it abuts SF-5 zoning on the north, west, and south sides. In accordance with Section IV-C.4 of the UZC, the compatibility building setback shall be 25 feet. In addition, staff is recommending no industrial use shall be within 200 feet of the west property line. In accordance with Section IV.C.5 of the UZC, the compatibility height standards shall be in effect. This section states that a building cannot exceed 35 feet in height within 50 feet of the lot line of a property zoned TF-3 or more restrictive. For every three feet greater than 50 feet from the lot line, the building can gain one-foot in height.

With property surrounding the subject site zoned residentially, this site shall come into compliance with screening, lighting, and landscaping standards set forth in the UZC and the Wichita Landscape Ordinance. Section IV-B of the UZC addresses screening and lighting standards. It requires a minimum of a six-foot solid screening fence where abutting residential zoning. However, the UZC affords the option to achieve solid screening using landscaped earth berms. Landscape screening must achieve the same effect as a six-foot solid screening fence. The site must also comply with screening of mechanical equipment as described in Section IV-B-3.e. Light poles shall not exceed 15 feet when within 200 feet of residential zoning.

The site must also comply with the Wichita Landscape Ordinance for landscape buffering along property lines abutting residentially zoned property, a landscaped street yard and parking lot screening along South Hydraulic Avenue. The standards for the size of the landscaped street yard is based on the depth of the lot. The subject site has a significant lot depth considering its width. Any changes to the standards of the Landscape Ordinance must be done through the submittal of a Variance application. Regarding the landscape buffering along the north, west, and south property lines: the minimum requirement is one shade tree per 40-linear feet. Considering the proximity of established residential uses along the west property line, staff recommends the buffer requirement be increased to 1.5 times the Landscape Ordinance. The length of the west property line would be required to have 14 shade

trees plated instead of nine. Existing vegetation can be counted toward the number of trees required by the Ordinance.

CASE HISTORY: The property is unplatted. In order to obtain a building permit, platting is required. In 2021, Wichita City Council denied a zone change (ZON2021-00023) from SF-5 Single-Family Residential District to LI Limited Industrial District. The application received an approval recommendation from the MAPC subject to a Protective Overlay. The application received a denial recommendation from the District III Advisory Board. The discussion at the DAB meeting included concerns that the use is not appropriate near the residential uses to the west. The proposed Protective Overlay discussed below is the same as the first recommendation.

ADJACENT ZONING AND LAND USE:

North:	SF-5 & LC	Single family dwelling, undeveloped
South:	SF-5 & LI	Single family uses and retail
East:	SF-5, LC, GC, & LI	Single-family dwelling, park, undeveloped.
West:	SF-5	Single-family dwellings

PUBLIC SERVICES: The site has access to South Hydraulic Avenue, a paved, four-lane arterial street with sidewalks on both sides. water and sewer are available near the site, but will have to be extended for development at the applicant's expense. On the west side of the property, South Pattie Street/East 57th Street South are platted rights-of-way in the Kuehn Addition. They are paved, two way local roads with no sidewalks. This could provide access to the west side of the property. Because the Kuehn Addition is a residential subdivision, staff is recommending a dedication of complete access control along this property line so that there is no access to the property from East 57th Street, except for emergency purposes.

CONFORMANCE TO PLANS/POLICIES: The proposed zone change is in partial conformance with the following plans:

Community Investments Plan: The Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as "Industrial", "Residential", and "Agricultural or Vacant" on the Future Growth Concept Map.

- The area identified as "Industrial" is an area slightly larger than the current LI Limited Industrial zoning district and encompasses the south half of the eastern quarter of the site along South Hydraulic. "Industrial" uses encompass areas that reflect the full diversity of industrial development intensities and types typically found in a large urban municipality. Centers or concentrations of manufacturing, warehousing, distribution, construction research, and technology are located in close proximity to highways and airports and may have rail service.
- The area identified as "Residential" encompasses the rear and a portion of the south sides of the property. "Residential" uses encompass areas that reflect the full diversity of residential development densities and types typically found in a large urban municipality.
- The area identified as "Agricultural or Vacant" encompasses the north half of the eastern half of the site along South Hydraulic. "Agricultural or Vacant" uses encompass areas that are undeveloped or used for agricultural production Pockets of low-density residential uses without the full range of municipal services likely will be developed in areas of the urban fringe that primarily are used for agriculture.

The proposed rezoning is in partial conformance with the Locational Guidelines of the *Community Investments Plan.* These guidelines encourage patterns of development that efficiently and effectively use land, public infrastructure, and services; strive for compatibility among various land uses; and promote quality of place through design.

- General Development Pattern
    - *Major commercial and employment centers should be located at intersections of arterial streets and along highway and commercial corridors.* Though this portion of South Hydraulic Avenue

south of East 55th Street is not currently developed commercially, the majority of the land fronting South Hydraulic is zoned either Limited Commercial, General Commercial (with CUP DP-120), or unrestricted Limited Industrial. The LC and GC-zoned properties permit residential development, but the LI-zoned properties do not.

  - *Higher-density residential uses and neighborhood serving retail and office uses should buffer lower-density residential uses from major commercial and employment centers and industrial uses.* At this location, the current zoning of the properties on the east side of South Hydraulic supports higher intensity commercial or industrial uses. Whereas the west side of South Hydraulic has more opportunity to create a buffer between the higher intensity uses on the east side and the low-density residential uses west of the subject site.

- Land Use Compatibility
  - *Industrial and major commercial land uses that generate pollution, odor, noise, light, safety hazards, and high levels of traffic should be located away from residential areas, and developed with screening, buffering, and site design features sufficient to mitigate adverse impacts.* The proposed use of the site is not anticipated to produce great amounts of the nuisance factors listed above. The proposed Protective Overlay includes a 200-foot buffer on the west side where no commercial/industrial uses can take place in addition to screening and additional landscaping above and beyond what is required as mitigating features between the subject site and the residential properties to the west.
  - *Except in mixed-use developments, residential and non-residential development areas generally should be separate and distinct with appropriate screening and buffering to ensure compatibility among land uses while maintaining connectivity among uses.* As discussed above, the proposed Protective Overlay requires screening and landscaping to buffer the subject site from residential use to the west. In addition, compatibility setbacks and height restrictions apply to the site to ensure compatibility of uses.
- Design
  - *Ingress/egress locations to non-residential uses generally should not access residential streets unless such access will not negatively impact nearby residential areas, except that industrial traffic should not feed directly into local streets in residential areas.* The proposed Protective Overlay requires no access onto East 57th Street South, except for emergency services only.
  - *Non-residential uses should have site design features that limit traffic, noise, lighting and adverse impacts on surrounding residential land uses.* As discussed above, the proposed Protective Overlay includes such features.

With the "Industrial" portion of the site not permitting residential land uses as currently zoned, it is in conflict with the other two use categories that do permit residential development. Compatibility issues are inherent with these use categories abutting each other. The proposed Protective Overlay addresses compatibility issues to be in line with the locational guidelines as discussed above.

South Wichita/Haysville Area Plan: The site is also located within the boundaries of the South Wichita/ Haysville Area Plan, which was adopted in 2002. The plan was conceived as an effort to provide guidance for redevelopment after a tornado went through the area in 1999 in addition to providing guidance for future development in the area. Chapter Four of the plan discusses the desire for new commercial development in the area. The future land use map identifies this property as appropriate for residential development. However, the immediate area has established commercial and industrial zoning fronting the arterial roadway.

The *Community Investments Plan* was adopted most recently, which identifies a portion of the site as appropriate for industrial uses. The provisions of the proposed Protective Overlay uphold the spirit and intent of the adopted policies and plans.

RECOMMENDATION: Based upon the information available at the time the staff report was completed, staff recommends **APPROVAL** of the request, subject to Protective Overlay #400:

Protective Overlay #400

1. Allowed uses permitted by-right in the LI Limited Industrial zoning district except the following uses: Correctional Facility; Correctional Placement Residence, Limited and General; Recycling Collection Station, Public and Private; Recycling Processing Center; Reverse Vending Machine; Day Reporting Center; Nightclub in the City; Rodeo in the City; Sexually Oriented Business; Asphalt or Concrete Plant, Limited; Freight Terminal; and Gas and Fuel Storage and Sales.

2. At the time of platting, the applicant shall dedicate complete access control along the west property line for the full length of East 57th Street South except for emergency purposes only. The applicant shall erect a gate which shall remain closed and locked at all times, except for emergency purposed, and shall comply with Fired Department standards for emergency access.

3. Screening shall be per the Unified Zoning Code Section IV-B.1-3; however, any fences or walls shall be constructed of a consistent pattern and color.

4. Compatibility height and setbacks shall adhere to Section IV-C of the Unified Zoning Code.

5. The landscape buffer along the west property line shall be 1.5 times the standard in the Wichita Landscape Ordinance.

6. No portion of any building or outdoor storage may occupy the west 200 feet of the site. This area can be used for off-street parking.

7. Storage of equipment or merchandise shall be allowed outside an enclosed building only in compliance with the screening standards in Section IV-B of the Unified Zoning Code and the following additional standards: no outdoor storage or work areas shall be permitted in any building setback, compatibility setback, or the west 200 feet of the site; no required off-street parking space or loading area shall be utilized for storage; and items stored outdoors shall be screened from view from South Hydraulic and from ground level view of any residential uses or any adjacent residential zoning.

8. Roof-mounted equipment and loading docks; trash receptacles; ground-level heating, air conditioning, and mechanical equipment; free standing coolers or refrigeration units; outdoor storage including portable storage containers; outdoor work areas or similar uses shall be screened from ground level view along South Hydraulic Avenue and from any residential uses or adjacent residential zoning.

9. All signs shall be limited to signs that would be allowed in the LC Limited Commercial zoning district.

10. The applicant shall submit a site/landscape plan to the Planning Department for review and approval prior to the issuance of building permits.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** Property to the north is zoned SF-5 Single Family Residential District, except the immediate corner of East 55th Street South and South Hydraulic Avenue is zoned LC Limited Commercial District. One parcel is developed with single family uses. The parcel on the corner is undeveloped. Property south is zoned SF-5 and LI Limited Industrial District with single family uses and an appliance retail store fronting South Hydraulic. Property to the east is zoned SF-5, LC Limited Commercial District, GC General Commercial District, and LI Limited Industrial District.

A portion of the LC and SF-5-zoned property is developed with a single family dwelling. The remainder of the LC and GC properties are governed by CUP DP-120. A portion of this LC-zoned property is developed as Peachtree Park at the corner of East 55th Street and South Hydraulic. The GC and the LI properties are undeveloped. Farther west is zoned SF-5and is developed as the City of Wichita Water Resource Recovery Facility. Property to the west is zoned SF-5 with single family dwellings.

Across South Hydraulic to the east is unrestricted LI Limited Industrial zoning. By restricting the subject site with Protective Overlay #400, it provides a buffer between the more intensive zoning and the residential uses to the west.

2. **The suitability of the subject property for the uses to which it has been restricted**: The property is zoned SF-5 Single-Family Residential District with a portion fronting Hydraulic zoned LI Limited Industrial District. The current industrial zoning does not permit residential uses, so the site contiguously developed residentially without a zone change. The current LI zoning has no Protective Overlay which could cause compatibility issues with the abutting SF-5 zoning.

3. **Extent to which removal of the restrictions will detrimentally affect nearby property**: Approval of the request would allow the re-development of the site for uses in LI as restricted by PO #400. The applicant intends to develop the entire subject site with manufacturing, machine shop, and warehousing. The restrictions of the Protective Overlay will minimize and mitigate potential negative impacts to surrounding property by limited the uses from being within 200 feet of the rear of the property, requiring screening and additional landscaping above and beyond the requirements of the Landscape Ordinance.

4. **Length of time subject property has remained vacant as zoned:** The property has historically been used for single family and agricultural uses. It is unknown how long the site has been vacant.

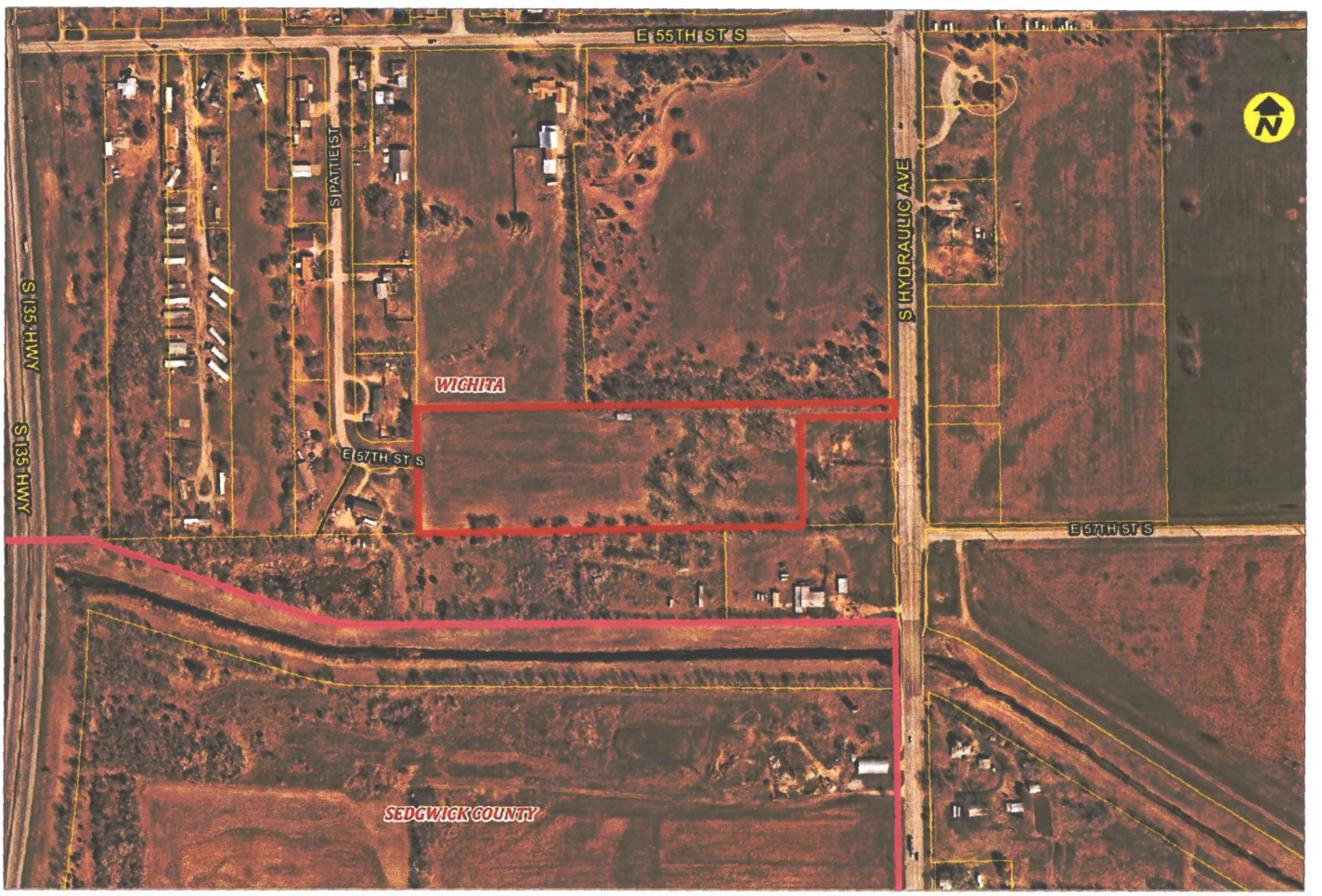
5. **Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant**: Approval will allow the re-development of the site to provide an opportunity for a local business to continue to expand in the future and provide services to the local community. Denial would represent a loss of economic opportunity to the applicant or property owner.

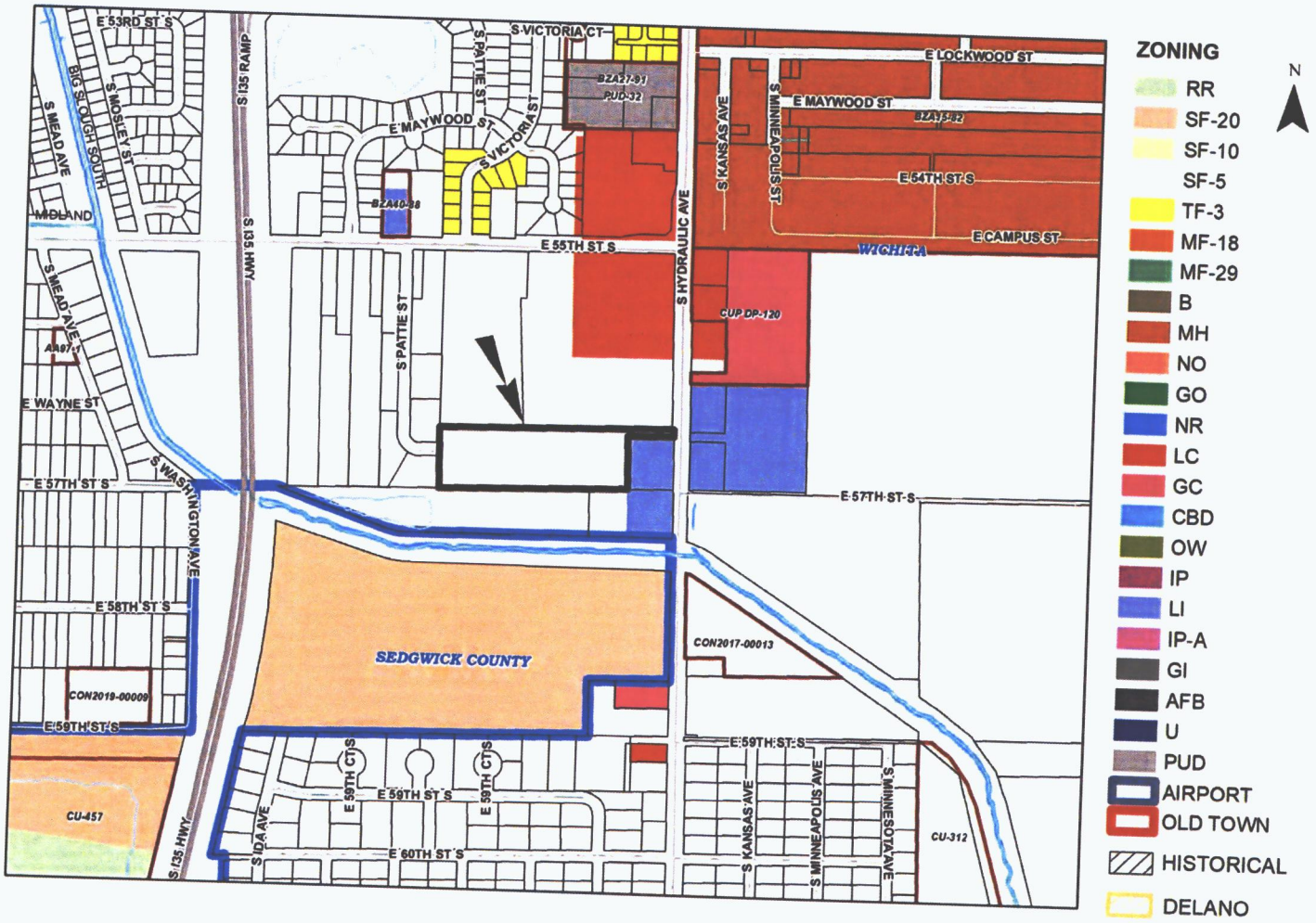
6. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The requested zone change is in partial conformance with the *Community Investments Plan* and the *South Wichita/Haysville Area Plan* as discussed in the staff report.

7. **Impact of the proposed development on community facilities:** If approved, it is not anticipated to create significant detrimental impacts on community facilities. Existing public infrastructure at the site should accommodate uses under the proposed LI zoning.

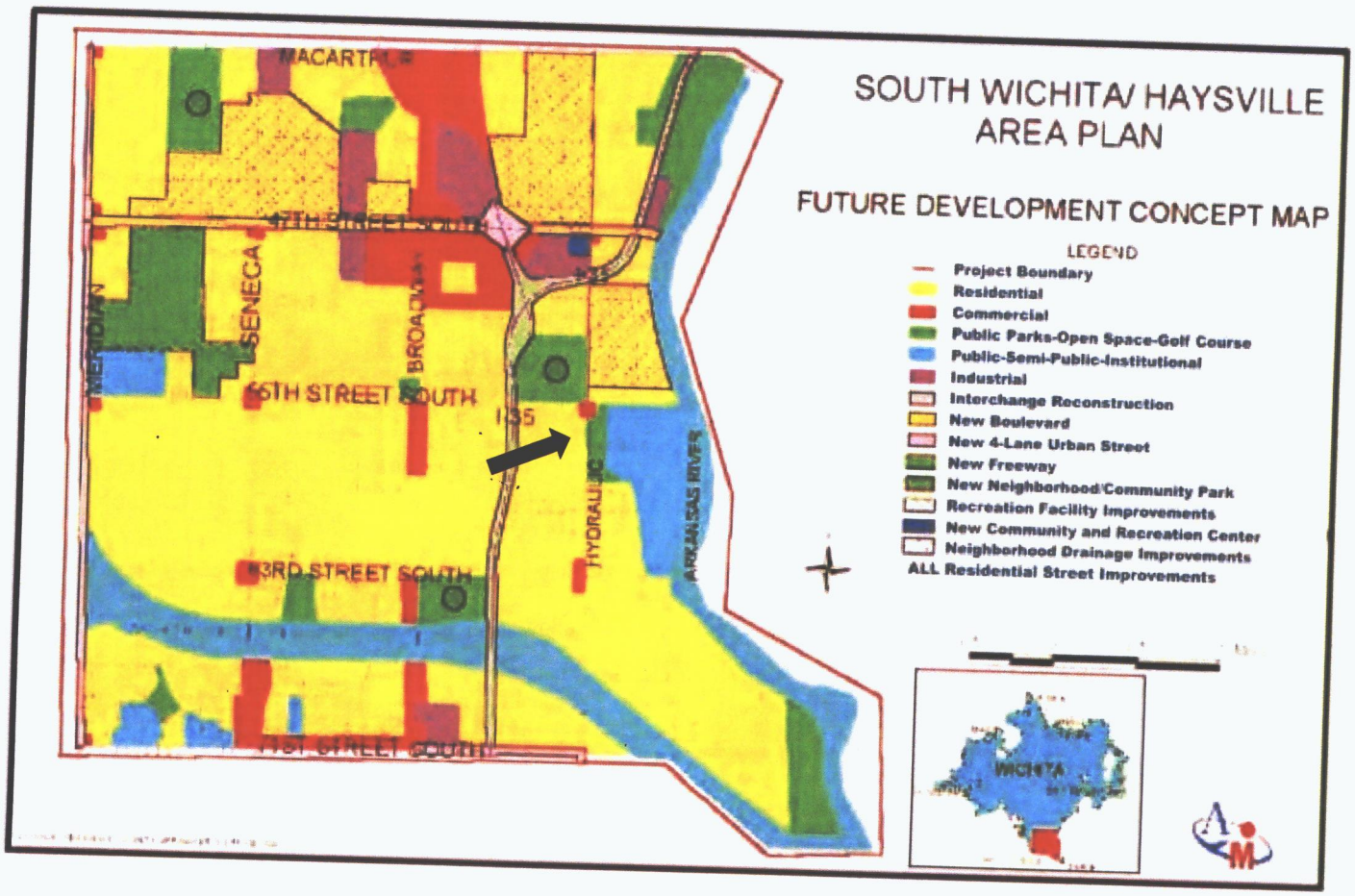
Attachments:

1. Aerial Map
2. Zoning Map
3. Land Use Map
4. South Wichita/ Haysville Area Plan Future Development Concept Map
5. Site Pictures

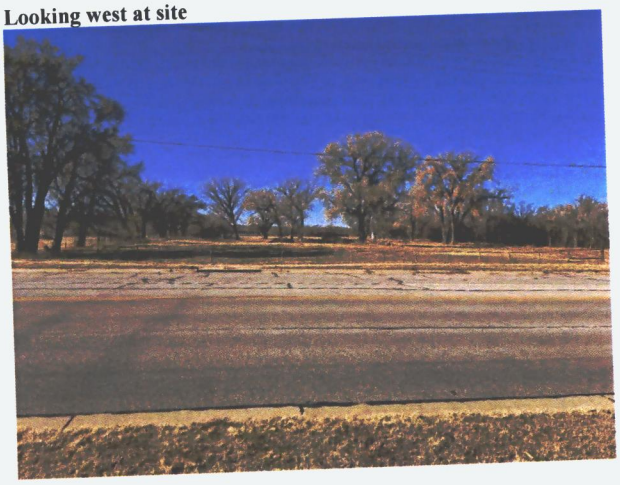

E 55TH ST S
S PATTIE ST
S HYDRAULIC AVE
S 135TH HWY
S 135TH HWY
WICHITA
E 57TH ST S
E 57TH ST S
SEDGWICK COUNTY
N


ZONING
RR
SF-20
SF-10
SF-5
TF-3
MF-18
MF-29
B
MH
NO
GO
NR
LC
GC
CBD
OW
IP
LI
IP-A
GI
AFB
U
PUD
AIRPORT
OLD TOWN
HISTORICAL
DELANO
N
E 53RD ST S
S MOSLEY ST
BIG SLOUGH SOUTH
S MEAD AVE
MIDLAND
S 135 RAMP
S 135 HWY
S VICTORIA CT
S PATTIE ST
E MAYWOOD ST
S VICTORIA ST
BZA27-91
PUD-32
BZA40-38
E LOCKWOOD ST
E MAYWOOD ST
BZA1-22
S KANSAS AVE
S MINNEAPOLIS ST
E 54TH ST S
E CAMPUS ST
WICHITA
E 55TH ST S
S HYDRAULIC AVE
CUP DP-120
S MEAD AVE
AA97-1
E WAYNE ST
S PATTIE ST
E 57TH ST S
S WASHINGTON AVE
E 57TH ST S
E 58TH ST S
SEDGWICK COUNTY
CON2017-00013
CON2019-00009
E 59TH ST S
E 59TH ST S
E 59TH CT S
E 59TH ST S
E 59TH CT S
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S MINNEAPOLIS AVE
S MINNESOTA AVE
CU-312
CU-457
S 135 HWY

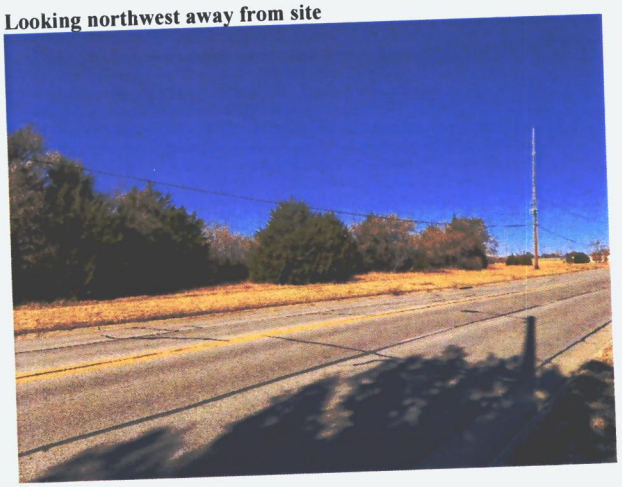

2035 Wichita
Future Growth
Concept Map
Legend
Established Central Area
Residential and Employment Mix
New Employment
New Residential
Wichita City Limits
Other Cities
Northwest Bypass Right-of-Way
Statistical Development Areas
Other Urban Growth Areas 2014
Other Urban Growth Areas 2014
Rural Growth Areas 2014
LAND USE
Residential
Commercial
Industrial
Major Air Transportation & Military
Parks and Open Space
Agricultural or Vacant
Major Institutional
Nghbd_Plan_Areas
N
55TH
HYDRAULIC
BROADWAY
63RD
S Wichita/Haysville Plan


SOUTH WICHITA/ HAYSVILLE
AREA PLAN
FUTURE DEVELOPMENT CONCEPT MAP
LEGEND
Project Boundary
Residential
Commercial
Public Parks-Open Space-Golf Course
Public-Semi-Public-Institutional
Industrial
Interchange Reconstruction
New Boulevard
New 4-Lane Urban Street
New Freeway
New Neighborhood/Community Park
Recreation Facility Improvements
New Community and Recreation Center
Neighborhood Drainage Improvements
ALL Residential Street Improvements
MACARTHUR
47TH STREET SOUTH
SENECA
BROADWAY
MERIDIAN
55TH STREET SOUTH
135
HYDRAULIC
ARKANSAS RIVER
53RD STREET SOUTH
61ST STREET SOUTH
WICHITA

Looking west at site



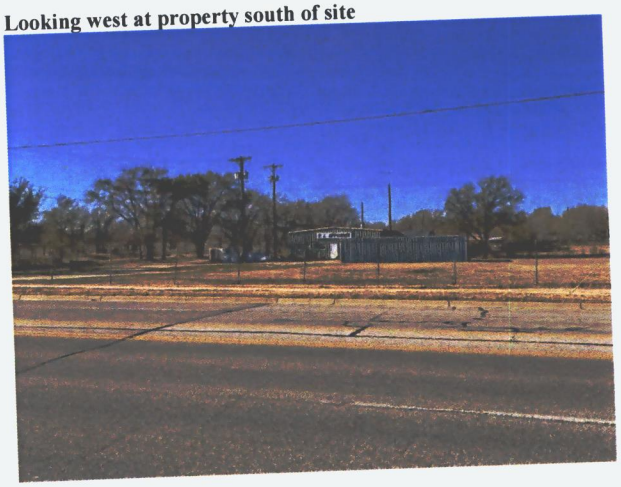
Looking northwest away from site



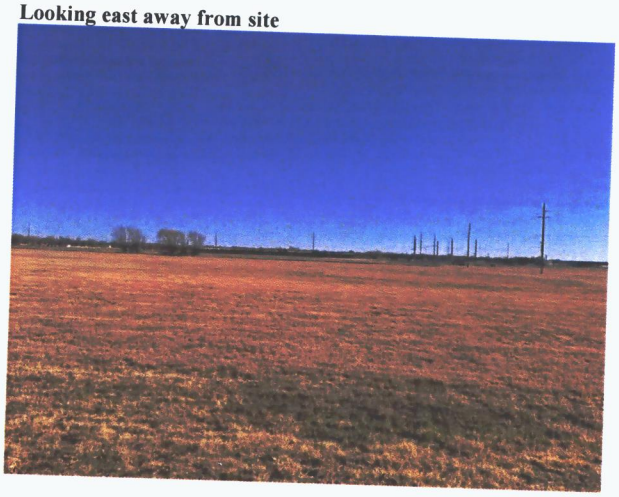
Looking northwest at site



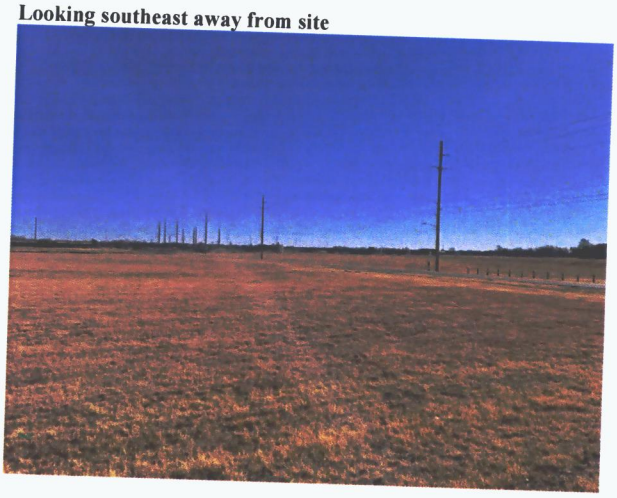
Looking west at property south of site



Looking east away from site



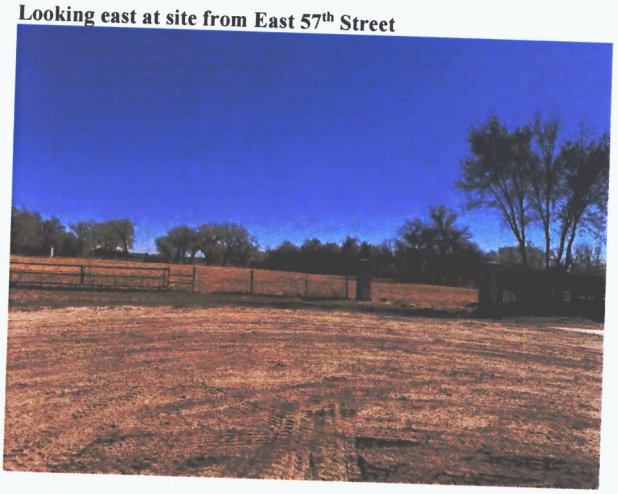
Looking southeast away from site



Looking northeast away from site



Looking east at site from East 57th Street



Looking south at property on East 57th Street



Looking east at property on South Pattie

