



Wichita-Sedgwick County Metropolitan Area Planning Department

April 14, 2023

Edgehill Happiness Plaza, LLC
4455 E. Camelback Rd. Ste. 242
Phoenix, AZ 85018

Ferris Consulting
Attn: Greg Ferris
PO Box 573
Wichita, KS 67201

RE: CON2023-00001: Conditional Use Request in the City to permit Ancillary Parking on property zoned TF-3 Two-Family Residential; generally located on the west side of South Clifton Avenue and within one-block south of East Douglas Avenue (123 & 125 Sough Clifton, 3344 East Oakland).

Dear Applicant;

At its regular meeting on **April 4, 2023**, the Wichita City Council considered the above captioned request. The motion to approve the request failed (5-2) due to a lack of affirmative votes. The valid protests received equaled greater than 20 percent of the protest area which required the City Council to have a super majority vote (6 of 7 votes) in order to approve this request.

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: MABCD
Brandon Johnson, Council Member District I
Tasha Hayes, CSR District I
Quincy Bachrodt, 300 South Clifton, Wichita, KS 67218
Mark Leslie, 353 South Vassar, Wichita, KS 67218
Colleen Ostermann, 128 South Circle Drive, Wichita, KS 67218
Jim and Mary Lou Meyer, 310 South Holyoke, Wichita, KS 67218
Philip J. and Rosemary C. Martinez, 3323 East Oakland, Wichita, KS 67218
Ken and Pam Ellis, 142 North Belmont Ave, Wichita, KS 67208
John Lucian, 118 South Circle Drive, Wichita, KS 67218
Urpo J. Pesonen, 126 North Dellrose Ave, Wichita, KS 67208
Deborah Frailey, 4020 East English, Wichita, KS 67218
Berkshire Hathaway, Diane Z. Park, 1617 N Waterfront Prky, Ste. 110, Wichita, KS 67206
Lanae Faires, 3921 Willow Drive, Wichita, KS 67218
Karen McNally, 432 South Vassar, Wichita, KS 67218

Shelly Whitfield, 3916 Willow Drive, Wichita, KS 67218
Monica Cissell, 352 N Vassar St, Wichita, KS 67208
Marc Bachrodt, 300 S Clifton, Wichita, KS 67218
Kenneth and LeEtta Scherban, 3341 Oakland St., Wichita Kansas 67218
Chris and Paula Phillips, 3327 East Oakland, Wichita, KS 67218
Jon and Heather Clotfelter, 320 South Clifton, Wichita, KS 67218
Susan Miner, 303 South Circle Drive, Wichita, KS 67218
Travis Russell, 321 South Clifton, Wichita, KS 67218
Brooke Russell, 129 N Rock Island, Wichita, KS 67202
Ross McDonough, 306 South Circle Drive, Wichita, KS 67218
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Sonny Laracuente & Susan Crane-Laracuente, 3428 E English, Wichita, KS 67218
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Tom Innis, 303 Circle Drive, Wichita, KS 67218
Irne Phillips, 3247 E Oakland, Wichita, KS 67218
Ksenya Gurshtein, 225 N Roosevelt, Wichita, KS 67208
Church of Scientology, Nick Havel, 3705 E Douglas Ave, Wichita, KS 67218
Roarke Gordon, 145 S Crestway, Wichita, KS 67218
Jim Unruh and Jan Jarvis-Unruh, 115 S Rutan, Wichita, KS 67218
William Kopper, 115 S Rutan, Wichita, KS 67218



Wichita-Sedgwick County Metropolitan Area Planning Department

February 24, 2023

Edgehill Happiness Plaza, LLC
4455 E. Camelback Rd. Ste. 242
Phoenix, AZ 85018

Ferris Consulting
Attn: Greg Ferris
PO Box 573
Wichita, KS 67201

RE: CON2023-00001: Conditional Use Request in the City to permit Ancillary Parking on property zoned TF-3 Two-Family Residential; generally located on the west side of South Clifton Avenue and within one-block south of East Douglas Avenue (123 & 125 Sough Clifton, 3344 East Oakland).

Dear Applicant;

At its regular meeting on **February 23, 2023**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** the request with the following conditions:

1. The parking area shall be used for passenger vehicles only.
2. Parking and circulation aisles shall not be located within a required front yard setback or street side setback. Entrance/Exit drives may cross the required front yard and must be approved by City of Wichita Traffic Engineering.
3. No entrance/exit drives shall access East Oakland Avenue.
4. A revised site plan illustrating no parking spaces or circulations aisles within the front yard or street side setback shall be provided to the Planning Department for review and approval prior to the issuance of permits.
5. Screening and landscaping shall be provided in accordance with Section IV-B of the UZC and the Wichita Landscape Ordinance and illustrated on the revised site plan.
6. Any outdoor lighting shall be in conformance with Section IV-B.4 of the Unified Zoning Code.
7. Any Signage shall adhere to the Wichita Sign Code Regulations for the TF-3 Two-Family Residential zoning district.
8. The site shall be developed and maintained in general conformance with an approved, revised site plan, and in conformance with all applicable regulations, including but not limited to: licensing requirements, building, fire and utility regulations or codes.
9. The ancillary parking area shall be maintained in good condition and free of all weeds, trash and other debris.
10. A grading plan acceptable to City building permitting showing drainage be submitted to the Metropolitan Area Building and Construction Department before construction of the parking lot.
11. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII thereof, may, with the concurrence of the Planning Director, declare the Conditional Use null and void.

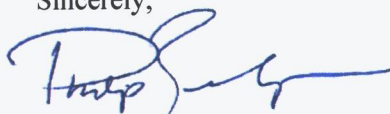
Property owners opposed to the application may file with the City Clerk a signed, written protest of the MAPC's recommendation. (Unsigned e-mails are not considered to be legal protests.) To be effective, the protest must be filed by 5:00 p.m. on March 9, 2023. In order to be considered a "valid" petition, 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 March 9, 2023 at 5:00 p.m.

As a reminder, on Monday, March 6, 2023, the District I Advisory Board (DAB) will consider this item. This meeting is held at the Atwater Neighborhood Resource Center, located at 2755 East 19th Street North, and begins at 6:00 p.m.

If the DAB has the same recommendation and there are no protests, the MAPC's approval is final. If the DAB has a different recommendation or there are protests, this application will be presented to the Wichita City Council on Tuesday, April 4, 2023 beginning at 9:00 a.m.

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:

- MABCD
- Brandon Johnson, Council Member District I
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Attention: MANDY HEBERT
 CITY OF WICHITA/PLANNING DEPT
 271 WEST THIRD ST., 2ND FL, SU 203
 WICHITA, KS 67202

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

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

LEGAL PUBLICATION

OCA 150004
 Published in The Wichita Eagle on February 2, 2023
 (One Time Only)
 MAPC/BZA February 23, 2023
 OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, February 23, 2023, 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 in the City Council Chambers at City Hall, 455 N. Main Street, 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.

CON2023-00001: Conditional Use request in the City to allow an ancillary parking lot on property zoned TF-3 Two-Family Residential District; generally located on the west side of South Clifton Avenue and within one block south of East Douglas Avenue (123 & 125 South Clifton, 3344 East Oakland).

CUP2023-00002: CUP Amendment in the City to amend boundaries of the CUP #311 (with ZON2023-00003 to amend the boundaries of PO #234); generally located on the west side of North Meridian Avenue, within one-half mile of West 53rd Street North.

CUP2023-00003: CUP Amendment in the City to amend the parcel boundaries and provisions of CUP DP-323; generally located on the west side of North Meridian Avenue, within one-quarter mile north of Interstate 235 (4319 North Meridian Avenue).

VAC2022-00035: Vacation request in the City to vacate the platted 20-foot drainage and utility easement along the east property line, generally located one-quarter mile north of West Maple and one-half mile east of South 151st Street West (122 South Country View Court).

VAC2023-00001: Vacation request in the City to reduce a platted front setback from 30 feet to 20 feet for a building addition on property zoned SF-5 Single-Family Residential, located within one-block east of South Edgemoor Blvd and within one-quarter mile north of East Kellogg (267 S Brookside).

ZON2023-00001: Zone change request in the City from SF-5 Single-Family Residential District to MF-18 Multi-Family Residential District to convert existing structure into a triplex; generally located on the northwest corner of West 20th Street North and North Porter Avenue (1606 West 20th Street North).

ZON2023-00003: Zone change request in the City from NR and MF-18 to GQ General Office District and amend PO boundaries (with CUP2023-00002 to amend CUP boundaries); generally located on the west side of North Meridian Avenue, within one-half mile south of West 53rd Street North.

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 in the City Council Chambers
- 3) Submit comments ahead of time

Participate Virtually

Topic: Wichita-Sedgwick County Metropolitan Planning Commission

Time: 1:30 PM

Join Zoom Meeting

<https://us06web.zoom.us/j/4089866967?pwd=a0k3bW0ySElnbFJQTDFV0xPVdEXU07>

Meeting ID: 408 986 6967

Passcode: 094136

One tap mobile

+16699006833,4089866967#...*094136# US (San Jose)

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Meeting ID: 408 986 6967

Passcode: 094136

Find your local number: <https://us06web.zoom.us/j/kc65codfb1>

Attend in-Person

You may also participate in the hearing in-person in the City Council Chambers at the City Building, 455 N. Main Street, 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 February 2, 2023

Scott Wadle, Secretary

WichitaSedgwick County

Metropolitan Area Planning Commission

#PL0107666

Feb 2 2023

STATE OF KANSAS)

SS

County of Sedgwick)

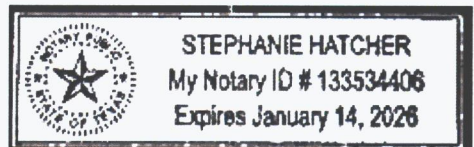
Hayley Martin, of lawful age, being first duly sworn, depose and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 02/02/2023 to 02/02/2023.

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

DATED: 02/02/2023

Stephanie Hatcher

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



Extra charge for lost or duplicate affidavits.
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K-State takeaways from loss against KU

BY KELLIS ROBINETT
krobinett@wichea.com

LAWRENCE

The Kansas State men's basketball team was unable to keep up with the KU Jayhawks during a 90-78 loss on Tuesday at Allen Fieldhouse.

K-State battled hard until the end of the game, but KU was simply the better team in Round 2 of the Sunflower Showdown this season.

Jalen Wilson led the Jayhawks with 20 points and Dajuan Harris added 18. Marquis Nowell had 23 points for the Wildcats and Keyontae Johnson scored 22.

The Wildcats (18-4, 6-3 Big 12) have lost three straight road games in conference play and are now in a tie for second place in the league standings along with the Jayhawks (18-4, 6-3 Big 12). K-State has not defeated

KU on the road since 2005. *The Wildcats will try bounce back in its next game on Saturday against Texas at Bramlage Coliseum. Until then, here are some takeaways from Tuesday's action:*

JEROME TANG WISELY PICKED UP AN EARLY TECHNICAL FOUL

It is rare for Kansas State's basketball coach to get so heated during a basketball game that he gets called for a technical foul, but that is exactly what happened midway through the first half inside Allen Fieldhouse.

Shortly after junior forward Ismael Massoud was whistled for a foul while trying to defend KU guard Dajuan Harris, Tang had some words for John Higgins on the sideline. The Big 12 official didn't like what Tang was saying or how he was saying it and quickly assessed the K-State coach with a technical.

That meant KU could send Grady Dick to the foul line for a pair of free throws in addition to the shots Harris was about to get. The Jayhawks capitalized by going on a quick 6-0 run that featured three free throws and a three-pointer on a subsequent trip down court. All of a sudden, KU was leading 22-13 and the crowd was getting loud behind the hot start.

But it was worth it. The technical seemed to send a message to K-State players that they were to compete, despite not getting a friendly whistle in the opening minutes.

Many other K-State teams would have faded immediately when faced with that adversity inside this building. There's a reason the Wildcats have lost 17 straight in Lawrence dating back to 2005. But this squad fought until the end. Tang's energy on the sideline was a big reason why.

Tang made some coaching errors, such as walking too long to call a timeout while KU was on a run late in the first half and failing to match Bill Self's adjustments from the first game in this series, but no one can question his passion.

ENCOURAGING GAME FROM NAE'QWAN TOMLIN

Nae'Qwan Tomlin may be busting out of the mini slump he was trapped in at the start of Big 12 play.

It had been a while since junior-college transfer Tomlin made a big impact in any of K-State's games. But that has changed over the past few days. First, he delivered 11 points and six

rebounds during a blowout win over Florida. Then he followed that up with 11 points and eight rebounds against the Jayhawks.

He was far from perfect on the night, especially on defense, but it was undoubtedly another step in the right direction for the forward after he suffered through some down performances.

BILL SELF WON HIS COACHING REMATCH WITH TANG

The Jayhawks entered this game with a much different strategy than they used during the first game around of the Sunflower Showdown earlier this season at Bramlage Coliseum. K-State won that game in

over time because it made life miserable for every KU player outside of Jalen Wilson on offense. Wilson scored an incredible 38 points in that game, but it might as well have been him vs. the world.

Three KU players fouled out, and the Jayhawks were the opposite of versatile during the closing few minutes.

K-State will need someone other than Marquis Nowell and Keyontae Johnson to shoulder the scoring load if it hopes to stay in the mix for a Big 12 championship. Tomlin is the best candidate to do that. More games like the last two will eventually pay dividends for the Wildcats.

Tang couldn't scheme up a way to slow down the balanced KU attack. Wilson led all scorers with 20 points and the Jayhawks flirted with triple digits. K-State needed to play much better on the defensive end to have a chance in this game. Tang won Round 1. Self won Round 2.

Kellis Robinett
@KellisRobinett

FROM PAGE 1B

BRADY

competitors. I could go on forever. There's too many. Thank you guys for allowing me to live my absolute dream. I wouldn't change a thing. Love you all."

Brady is the NFL's career leader in yards passing (89,214) and touchdowns (649). He is the only player to win more than five Super Bowls and has been MVP of the game five times. He also holds marks for regular-season wins (251), Super Bowl appearances (10), playoff games and wins (48, 35), as well as playoff yards (13,400) and TDs (88).

"Tom's legacy is unmatched in the history of this game. All the Super Bowl titles and statistical records speak for themselves, but the impact he had on so many people through the years is what I appreciate the most," Buccaneers general manager Jason Licht said.

"His imprint on this organization helped take us to the mountaintop. We will certainly miss him as our quarterback, but I will also miss him as a leader and friend," Licht added.

"Our entire organization is indebted to him for what he provided us over the past three years. We won't ever forget the wins or the accolades, and his influence will be felt for years to come."

Brady announced his retirement one day after attending the premiere of "80 for Brady" — which comes out Friday — in Los Angeles. The movie tells the story of four lifelong friends, played by Lily Tomlin, Jane Fonda, Rita Moreno and Sally Field, who went to a Super Bowl to see Brady play.

He was asked Tuesday night whether he felt a connection working with women — the four stars range in age from 76 to 91 — who don't want to retire.

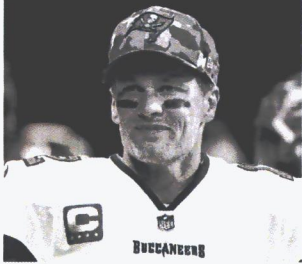
"They're working hard and they love it. So good for them," Brady told The Associated Press. "You know, it's just that's what life is about. You got to go, you know, wake up every day with a purpose. And when you find something you love to do, you know, it's hard to stop. You really enjoy it. And there's a lot of aspects that you do enjoy. So they still bring it at this age. It's really unbelievable to watch them on set and how much energy they have. And I certainly was inspired by them and learned a lot of lessons on this whole experience."

Famously underrated coming into the NFL — he was picked 199th in the 2000 draft by the Patriots, behind six other quarterbacks, three kickers and a punter — Brady certainly wasn't expected to become synonymous with greatness. He played in

one game as a rookie, completing one of three passes for six yards.

The next year, it all changed. Brady took over as the Patriots' starter, the team beat the St. Louis Rams in the Super Bowl that capped the 2001 season and he and New England coach Bill Belichick were well on their way to becoming the most successful coach-QB duo in football history.

More Super Bowl wins came after the 2003 and 2004 seasons. The Patriots returned to football's mountaintop for a fourth time in Brady's era a decade later to cap the 2014 season, the start of three more titles in a span of five years.



Tampa Bay Buccaneers quarterback Tom Brady, who won a record seven Super Bowls for New England and Tampa Bay, has announced his retirement.

FROM PAGE 1B

MAHOMES

was 14.87 mph. Adam Kilgore of the Washington Post talked with former MLB pitcher Patrick Mahomes Sr. after the game, and he mentioned that guy's run.

"We got a family motto: Players make plays," Mahomes Sr. told Kilgore. "And so he made a play."

That Mahomes was able to play at all was something of a miracle to many. After the game, he gave credit to Chiefs assistant athletic trainer Julie Frymyer, who had outlined with Mahomes a plan to get the ankle ready for Sunday's game.

Mahomes' father believes his son possesses an incredible healing ability, which the Chiefs quarterback got from his mother, Randi.

"His mama has some different genes," Mahomes Sr. told the Post. "She's double-jointed and all that. He gets that from his mama. The athletic ability comes from me. That part comes from his mama."

Those are some good genes to have.

Pete Grathoff
816-234-4330, @pgrathoff

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Legals

LEGAL PUBLICATION
OSCA PROCEEDING
 Published in The Wichita Eagle on February 2, 2023
 (One Time Only)
MARCOZIA HEARING NOTICE
 MARCOZIA February 23, 2023
 NOTICE IS HEREBY GIVEN that on Thursday, February 23, 2023, at or earlier than 1:30 p.m., the WichitaSedgewick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held in the City Council Chambers at City Hall, 455 N. Main Street, 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 WichitaSedgewick County Metropolitan Area Planning Department at (316) 268-4421. **CONZ023-0001:** Conditional Use request in the City to allow an ancillary parking lot on property zoned T1-3 Two-Family Residential District, generally located on the west side of South Clifton Avenue and within one block south of East Douglas Avenue (123 & 125 South Clifton, 334 East Oakland).
CLP023-0002: CLP Amendment in the City to amend boundaries of the CLP #511 (with ZON2023-0003) to amend the boundaries of PO #234, generally located on the west side of North Meridian Avenue, within one-half mile of West 53rd Street North.
CLP023-0003: CLP Amendment in the City to amend the parcel boundaries and provisions of CLP DP-323, generally located on the west side of North Meridian Avenue, within one-quarter mile north of Interstate 235, 4419 North Meridian Avenue.
VAC2023-0025: Vacation request in the City to vacate the parceled 20-foot drainage and utility easement along the east property line, generally located one-quarter mile north of West Maple and one-half mile east of South 151st Street West (122 South Country View Court).
VAC2023-0001: Vacation request in the City to reduce a platred setback from 30 feet to 20 feet for a building addition on property zoned SF-5 Single-Family Residential, located within one-block east of South Edgemoor Blvd and within one-quarter mile north of East Kellogg (207 S Brookside).
ZON2023-0001: Zone change request in the City from SF-5 Single-Family Residential District to MF-18 Multi-Family Residential District to convert existing structure into a duplex, generally located on the northwest corner of West 20th Street North and North Porter Avenue (1808 West 20th Street North).
ZON2023-0003: Zone change request in the City from NR and MF-18 to GO General Office District and amend PO boundaries (with CLP023-0002) to amend CLP boundaries; generally located on the west side of North Meridian Avenue, within one-half mile south of West 53rd Street North.
 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 WichitaSedgewick County Unified Zoning Code, the same will then 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 in the City Council Chambers
 3) Submit comments ahead of time
 Participate Virtually
 Topic: Wichita Sedgewick County Metropolitan Planning Commission
 Time: 1:30 PM
 Join Zoom Meeting
<https://us06web.zoom.us/j/408686967?pwd=Qk9hbnY5SFRhJ0JFVG9lVXBVZlR0>
 Meeting ID: 408 686 967
 Passcode: 094138
 One tap mobile
 +1696906353408686967?u=094138&from=joinUrl (San Jose)
 +11932544586408686967?u=094138&from=joinUrl
 Meeting ID: 408 686 967
 Passcode: 094138
 Find your local number: <https://us06web.zoom.us/join/50001>
 Attend in Person
 You may also participate in the hearing in person in the City Council Chambers at the City Building, 455 N. Main Street, 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. You have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-268-4454) by 5pm, 5 days prior to the meeting.
 Submit Comments Ahead of Time
 You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedgewick 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 comments 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-Sedgewick County Metropolitan Area Planning Department
 Attn: Scott Wedie
 271 W. 3rd Street - Suite 201
 Wichita, KS 67202
 Phone 316 268 4421
 Fax 316 875 7741
 WITNESS MY HAND on February 2, 2023
 Scott Wedie, Secretary
 WichitaSedgewick County Metropolitan Area Planning Commission
 PL1017666
 Feb 2 2023

LEGAL PUBLICATION
ALLEGED PROPERTY
 TO: Lindsey Wiley, and all others in possession by through or under them, Please take notice that on or after February 27th, 2023, the contents of 4480 S. Meridian line 46; will be sold or otherwise disposed of by The Woodlands M/R/C. Items that will be disposed of include: shelves, holiday decor, toys, etc.
 Filed at Wichita, Kansas, on Feb 2 2023

LEGAL PUBLICATION
The Wichita Eagle, Thursday, February 2, 2023
REQUEST FOR PROPOSAL
 NO. - 23303
 Sealed Request for Proposal will be received in the office of the City Purchasing Manager, 12th Floor, City Hall, 455 North Main, Wichita, Kansas, prior to 1:00 O'CLOCK P. M., FRIDAY, FEBRUARY 17, 2023. Electronic copy of the proposal is required to be submitted to Chris Hanel at chanel@wichita.gov. Must be marked "Request for Proposal" submitted. Letter must be signed and dated; submit a proposal by 1:00 P.M.
 SERVICE
 On-Call Planning and Environmental Services Asst.
 AS PER SPECIFICATIONS
 F.O.B. Wichita, KS
 Specifications for the sealed proposals are on file in the office of the City Purchasing Manager, 12th Floor, City Hall, 455 North Main, Wichita, Kansas, (316) 268-4636.
 Sealed proposals shall be received in the office of the City Purchasing Manager prior to 1:00 o'clock a.m., Friday, February 17, 2023.
 The review and evaluation of the submitted proposals will take estimated 60 to 90 days before notification from the City of Wichita that a contract has been approved by City Council. If the Purchasing Manager determines that further assistance, please contact us at (316) 268-4636.
 Dated at Wichita, Kansas, on the 27th day of January 2023
 Kelecia A. Walker
 Purchasing Manager
 PL1017666
 Feb 2 2023

Auctions
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Prestigious Estate Sales
Amazing! 3160 N Saint Clara, Wichita, Feb. 11 through 4th (8-4) 316-897-7366
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STAFF REPORT
MAPC: February 23, 2023
DAB I: March 6, 2023

CASE NUMBER: CON2023-00001 (City)

APPLICANT/AGENT: Edgehill Happiness Plaza, LLC; Tory DeMarce (applicant), Greg Ferris (Agent)

REQUEST: Conditional Use for Ancillary Parking

CURRENT ZONING: TF-3 Two-Family Residential District, GO General Office District, and LC Limited Commercial District.

SITE SIZE: 0.343 acres

LOCATION: Generally located one block south of East Douglas Avenue and one-quarter mile east of South Hillside Avenue (123 & 125 South Clifton Avenue, and 3344 East Oakland Avenue).

PROPOSED USE: To permit an ancillary parking lot for abutting commercial uses.

RECOMMENDATION: Denial



BACKGROUND: The applicant is requesting a Conditional Use for Ancillary Parking on property zoned from TF-3 Two-Family Residential, GO General Office, and LC Limited Commercial. The property is generally located one block south of East Douglas Avenue and within one-quarter mile east of South Hillside Avenue. The subject site consists of the following three parcels (listed by address):

- 123 South Clifton Avenue;
- 125 South Clifton Avenue; and
- 3344 East Oakland Avenue.

In 2021, the houses on the two (2) Clifton Avenue properties were demolished. The Oakland Avenue property has a house that the applicant intends to relocate. Below is a table that describes the zoning for each of the properties, a map of the zoning is attached to this staff report.

Property Address	Zoning
123 South Clifton Avenue	LC Limited Commercial District (northern portion of the property) TF-3 Two-Family Residential District (majority of property)
125 South Clifton Avenue	TF-3 Two-Family Residential District
3344 East Oakland Avenue	LC Limited Commercial District (northern portion of the property) GO General Office District (northern portion of the property) TF-3 Two-Family Residential District (majority of the property)

Only the portion of the properties that is zoned TF-3 Two-Family Residential district require Conditional Use approval as Ancillary Parking is permitted by-right in GO General Office District and LC Limited Commercial District.

The applicant owns multiple properties on the block, which are listed below and shown on an attached map.

- 123 South Clifton Avenue
- 125 South Clifton Avenue
- 3344 East Oakland Avenue
- 3429 East Douglas Avenue
- 3543 East Douglas Avenue
- 3555 East Douglas Avenue

In 2021, the applicant submitted an application to rezone the subject property to PUD Planned Unit Development to permit Ancillary Parking and Farmer’s Market. On December 14, 2021, the Wichita City Council denied the request. Section V-C.11 of the Unified Zoning Code states that in the event that the governing body denies a request, a similar application shall not be refiled for one year from the latest advertised public hearing date (that is the Planning Commission hearing on October 7, 2021). Even though the case type is different with the current request, the request for Ancillary Parking is the same as the previous one. Therefore, the applicant was required to wait a minimum of 12 months from the previous Planning Commission public hearing before submitting a similar application.

A difference between the previous application and the current is the removal of a driveway from East Oakland Avenue. The former concept had two entrances/exits. The current proposal shows one off of South Clifton Avenue.

Per the Unified Zoning Code, Ancillary Parking is permitted in the TF-3 Two-Family Residential District by Conditional Use approval subject to Supplementary Use Regulations in Section III-D.6.p. Below is a review of the applicant’s request and site plan in how they conform to these requirements.

Requirement (1) Location. The Ancillary Parking Area shall be within 600 feet (along lines of public access) from

the boundary of the Use for which Parking is provided.

Staff Review: *The commercial uses intending to use the parking lot about the northern portion of the subject site.*

Requirement (2) Use. The Ancillary Parking Area shall be used for Passenger Vehicles only and in no case shall it be used for sales, repair work, or the storage, dismantling or servicing of any Vehicles, equipment, materials or supplies.

Staff Review: *If the application is approved, the applicant shall abide by this regulation.*

Requirement (3) Setbacks. Parking and circulation aisles shall not be located within a required Front Yard. Entrance/exit drives may cross the required Front Yard.

Staff Review: *The attached site plan illustrates that portions of some parking spaces encroach into the front setback along South Clifton Avenue. In addition to this Supplementary Use Regulation, Section IV-A.6.a of the UZC prohibit parking or circulation aisles to be within the street side setback in the TF-3 zoning district. The site plan shows portions of parking spaces within the street side setback along East Oakland Avenue. If the application is approved, the applicant shall either:*

- 1. Revise the site plan and remove parking spaces from required setbacks; or*
- 2. Apply for an Administrative Adjustment or Variance (which ever is applicable) and request a reduction of the front and street side setback:*
 - a. An Administrative Adjustment can reduce a front setback by 20 percent (25 feet to 20 feet) and a street side by up to 50 percent (15 feet to 7.5 feet) if the area being encroaching into the setback is less than 300 square feet.*
 - b. If a greater reduction is required, the applicant would have to pursue a Variance, which would go before the Board of Zoning Appeals for review and final action.*

Requirement (4) Paving. The Ancillary Parking Area and all entrance/exit drives on private property shall be surfaced with concrete, asphaltic concrete, asphalt or any other comparable hard surfacing material that meets the approval of the Planning Commission and shall be maintained in good condition and free of all weeds, trash and other debris.

Staff Review: *If approved, the applicant shall abide with this regulation.*

Requirement (5) Layout. Ancillary Parking Areas shall be designed in accordance with applicable City and County standards, including the City Public Works Department's Typical Standards for Off-Street Parking. Parking Spaces shall have adequate guards to prevent extension or overhanging of Vehicles beyond the property lines or Parking Spaces. Adequate markings for channelization and movement of Vehicles shall be provided.

Staff Review: *If approved, the applicant shall abide by this regulation.*

Requirement (6) Screening and Landscaping. At a minimum, Screening shall be provided in accordance with Sec. IV-B of this Code. Landscaping shall be provided in accordance with any applicable Landscape Ordinances or resolutions but shall, at a minimum, include sufficient numbers of trees, shrubs, and ground covers within the required Front Yard Setback to maintain the residential appearance of the block in which the Ancillary Parking Area is located.

Staff Review:

- 1. The site plan does not indicate required screening. If approved, the applicant shall provide a minimum six-foot solid screening fence along the west property line.*
- 2. The site plan does indicate proposed landscaping. If approved, the applicant is required to provide a landscape plan to the Planning Department for review and approval prior to the issuance of permits.*

- a. *In addition to landscaping required in the front setback, the Landscape Ordinance requires a landscaped street yard with parking lot screening along East Oakland Avenue. Additionally, the Ordinance requires a landscape buffer with a minimum of one shade tree per 40 linear feet along the west property line.*

Requirement (7) Lighting. If lighting facilities are provided, the lighting shall be in compliance with the lighting requirements of Sec. IV-B.4.

Staff Review: *If approved, the applicant shall abide by this regulation. The site plan does not indicate any lighting facilities.*

Requirement (8) Signs. Only such Signs as are necessary for the proper operation of the Ancillary Parking Area shall be permitted.

Staff Review: *If approved, the applicant shall abide by this regulation. The site plan does not indicate any signage.*

Requirement (9) Parking fees prohibited. In no case shall a fee be charged for Parking facilities provided hereunder.

Staff Review: *If approved, the applicant shall abide by this regulation.*

Requirement (10) Additional requirements. The Planning Commission may establish additional conditions if determined necessary.

Staff Review: *Planning staff has provided conditions of approval for consideration should the MAPC recommend approval of this application.*

Parking Analysis

Based on information provided to the Planning Department and a review of aerial images, the property owners control or have access to a total of 85 parking spaces.

Property Address	Description	Access Status	Parking Spaces
3555 E. Douglas	West Lot	Own	16
3555 E. Douglas	East Lot	Own	16
3555 E. Douglas	South Lot	Own	6
3543 & 3429 E. Douglas		Own	26
3705 E. Douglas		Lease	21
Total (estimate)			85 spaces

In 2019, this property and properties to the west, under the same ownership, were included in an Administrative Adjustment (BZA2019-45) for a 22 percent parking reduction, permitting 64 spaces instead of 82. The Administrative Adjustment took into account the total required parking spaces for all uses (including the Belmont restaurant) and the available off-street parking spaces for the entirety of the applicant’s campus. The number of available spaces for properties addressed 3429 and 3543 East Douglas exceeded the number of required spaces for those uses. There was a deficit of available parking spaces for 3555 East Douglas based on the Unified Zoning Code parking requirement. This information is tabulated below. Therefore, the Administrative Adjustment assumed that the excess parking available for 3429 and 3543 East Douglas would be available for patrons of businesses of 3555 East Douglas.

	UZC Required Off-Street Parking*	Available Off-Street Parking	Surplus/ (Deficit)
3429 & 3543 E Douglas	7	26	19
3555 East Douglas	57	38	(19)
Total	64	64	0

* Reflects the required spaces after 22 percent reduction was applied.

In 2021, the applicant conducted a parking count for the proposed PUD application under review at that time. The tabulated data for that count is attached.

In 2023, Planning Staff commissioned The Car Park to conduct a parking survey for the area near the subject site illustrated in Attachment 4. The purpose of the study was to document the on-street and off-street parking capacity of the area and the utilization of that parking at various times. The survey was conducted on Thursday, February 9, 2023, and Saturday, February 11, 2023, at two-hour increments beginning at 8:00 a.m. to 10:00 p.m. Tabulated data from this study is Attachment 5.

Off-Street Parking

- There are approximately 191 off-street parking spaces in the survey area
 - Off-street parking owned or leased by the applicant:
 - Thursday, February 9, 2023
 - 8:00 p.m. saw the highest utilization of off-street parking. The parking lot of 3555 East Douglas Ave had the highest utilization, with a utilization rate that did not exceed 50 percent.
 - Saturday, February 11, 2023
 - 6:00 p.m. saw the highest utilization of off-street parking. The parking lot of 3429/3543 East Douglas Ave had the highest utilization of 65 percent at this time. The parking lot of 3555 East Douglas did not exceed 50 percent at this time.

On-Street Parking

- There are approximately 150 on-street parking spaces in the survey area.
- On-Street Parking Counts
 - Thursday, February 9, 2023
 - 10:00 a.m. saw the highest utilization of on-street parking where 32 percent of the on-street parking spaces were occupied.
 - During the 8:00 p.m. window reference above had its highest occupancy of off-street parking spaces, approximately 23 percent of the on-street spaces were utilized.
 - At 8:00 p.m., the on-street parking on the 100 block of South Clifton and the 3300 Block of East Oakland had under 50 percent utilization.
 - 3300 Block of East Oakland maximum occupancy rate: 36 percent (south side between 12:00 p.m. and 2:00 p.m.) and 40 percent (south side at 12:00 p.m.) with the average length of stay between 4 to 6 hours throughout the day.
 - 100 block of South Clifton average occupancy rate: 83% (west side at 12:00 p.m.) with the average stay at 3 hours throughout the day.
 - Saturday, February 11, 2023
 - 10:00 p.m. saw the highest utilization of on-street parking where 23 percent of the on-street parking spaces were occupied.
 - During the 6:00 p.m. window reference above had its highest occupancy of off-street parking spaces, 18 percent of the on-street spaces were utilized.
 - At 6:00 p.m., the 100 block of South Clifton and the 3300 block of East Oakland had under 50 percent utilization.

- At 8:00 p.m. and 10:00 p.m. the 3300 block of East Oakland had its highest utilization at 24 percent.
- 3300 Block of East Oakland maximum occupancy rate: 28 percent (south side between 8:00 a.m. and 10:00 a.m.) and 24 percent (north side between 8:00 p.m. and 10:00 p.m.) with the average length of stay between 4 to 4.5 hours throughout the day.
- 100 block of South Clifton average turnover rate: 17 percent (west side between 2:00 p.m. and 4:00 p.m.) with the average stay at 4 hours throughout the day.

The applicant informed staff that they lease space from the Church of Scientology (3705 E. Douglas Avenue) on the east side of South Clifton and use this parking lot for their employees of The Belmont Restaurant.

Applicant Neighborhood Survey

Prior to submitting the application, the applicant conducted a voluntary survey within the College Hill Neighborhood. Details of this survey including the survey area and a sample of the survey materials is attached. Per the attached narrative submitted with the application, below is a review of the survey.

- 1,176 cards mailed to property owners in College Hill.
- Cards were mailed on October 12, 2022, and received back by December 12, 2022.
- 30 undeliverable cards and 24 cards from area businesses were not counted in the final total.
- 431 cards (40 percent) were returned.
 - o 357 cards indicated they were in-favor of the parking lot.
 - o 65 cards indicated they were opposed to the parking lot.
 - o 9 cards indicated they had no opinion.

Surrounding Properties

Property to the north is zoned LC Limited Commercial District and is developed with a commercial center with a restaurant and retail space. In 2019 this property was approved for a 22 percent parking reduction from 82 spaces to 64 spaces (BZA2019-00045). Property to the south is zoned SF-5 Single-Family Residential and is developed with a single-family dwelling and accessory structure. Property to the east is zoned GO General office and is developed as a church with accessory parking. In 1977, this property was approved for a parking reduction from 27 to 23 spaces. Property to the west is zoned TF-3 Two-Family Residential and is developed with a duplex.

Within one-quarter mile to the west and within one-quarter mile to the east are four (4) non-residential properties that front East Douglas Avenue and have parking lots behind them. These four (4) parking lots abut East Oakland Avenue.

CASE HISTORY: In August 1887, the subject site was platted as part of the Lenore Addition. In 2021, an application to rezone the properties to PUD to allow a parking lot and farmer’s market was denied by City Council.

ADJACENT ZONING AND LAND USE:

North: LC	Restaurant and Retail.
South: SF-5	Single-Family Dwellings
East: GO	Church
West: TF-3 and LC	Single-Family and Two-Family Dwellings

PUBLIC SERVICES: South Clifton Avenue is a paved, two-way, local street with sidewalks on both sides. East Oakland Avenue is a brick, two-way local street with sidewalks on both sides. Wichita Transit has bus stops along East Douglas Avenue located one block north. These stops are also served by the Q-Line, which is a free weekday evening and Saturday route. The site is served by municipal water and sewer.

CONFORMANCE TO PLANS/POLICIES: The following plans provide guidance regarding development/redevelopment of the subject site:

Community Investments Plan: The proposed Conditional Use is not in conformance with the *Community Investments Plan*. The adopted Wichita-Sedgwick County Comprehensive Plan, titled the *Community Investments Plan*, identifies the site as located within the Established Central Area. The Comprehensive Plan's *2035 Wichita Future Growth Concept Map* identifies and recommends this location as "Residential." This category supports development of varying densities and types of residential uses. Location Guidelines for site within the Established Central Area encourage development that maximizes public investment in existing and planned infrastructure services.

Wichita Places for People Plan: The Wichita-Sedgwick County Comprehensive plan identifies the Established Central Area and recommends an Urban Infill Strategy for the Established Central Area. The Wichita: Places for People Plan provides recommendations for urban infill development in the Established Central Area. The proposed Conditional Use is not in conformance with the Wichita: Places for People Plan. This Plan identifies the site to be within an Area of Stability defined as areas within the ECA that exhibit less stress, fewer economic, connectivity, and walkability issues. The plan states that improvements in these areas should be geared toward continuing the area's momentum and strengthening the established context. The established context in this area is a mixture of multi-family, single-family, two-family residential dwellings, and commercial/office uses.

A goal of the Wichita Places for People Plan is to promote walkable development that is oriented toward people, balancing the use of automobiles. The proposed Conditional Use promotes auto oriented development in place of promoting walkable, mixed-use development. The Parking Standards in this Plan state that parking lots can disrupt walkable development patterns based on their size, location, and design. It is important for walkable places to reduce the requirement of off-street parking, maximize the utilization of on-street parking, and encourage opportunities for shared, remote, or public parking. The subject site has already been approved for a parking reduction, transit is available on Douglas Avenue, and on-street parking is available near the site. In addition to normal bus service, the Q-Line provides free transit service at 15-minute intervals from this area of the College Hill neighborhood, west along Douglas Avenue to Seneca Street in Delano.

RECOMMENDATION: Based on the information available at the time of the public hearing, staff recommends **DENIAL** of the application.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** Permitting an additional parking lot south to Oakland Avenue would continue to erode the residential character of the area. Property to the north is zoned LC Limited Commercial and is developed with a commercial center with a restaurant and retail space. In 2019 this property was approved for a 22 percent parking reduction from 82 spaces to 64 spaces (BZA2019-00045). Property to the south is zoned SF-5 Single-Family Residential and is developed with a single-family dwelling and accessory structure. Property to the east is zoned GO General office and is developed as a church with accessory parking. In 1977, this property was approved for a parking reduction from 27 to 23 spaces. Property to the west is zoned TF-3 Two-Family Residential and is developed with a duplex. Within one-quarter mile to the west within one-quarter mile to the east, four non-residential properties that front East Douglas Avenue have parking lots behind the use(s), abutting East Oakland Avenue. These parking lots were established prior to the adoption of the Wichita: Places for People Plan, which promotes walkable development and infill that maximizes public infrastructure investments.
2. **The suitability of the subject property for the uses to which it has been restricted:** The properties are currently zoned TF-3 Two-Family Residential. The two properties on South Clifton Avenue are vacant but could be developed with single-family or two-family houses. The property one East Oakland is developed with a single-family residence and is suitable to continue with such development.

3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** If the Conditional Use is approved to permit ancillary parking, it could continue to erode the residential character of the area, and could detract from a vibrant, walkable environment.
4. **Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant:** Approval of the Conditional Use to permit ancillary parking could have a negative effect on the public welfare in that it could set a precedent that may encourage other business owners in similar situations to purchase nearby housing in order to creating additional off-street parking. The associated restaurant and retail site has existing parking with the addition of on-street parking available. A parking study was conducted that demonstrated at peak usage, neither the available off-street parking owned or leased by the applicant, nor the available on-street parking in the study area were ever at capacity. Denial could represent economic loss to the applicant. The applicant proposes to expand the number of uses in Happiness Plaza. These uses were accounted for in the request for a parking reduction. However, they may generate more vehicular traffic than their current, required off-street parking inventory can accommodate.
5. **Length of time the property has been vacant as currently zoned:** In 2021, the two houses on South Clifton Avenue (originally constructed between 1910- 1930) were demolished. The house on East Oakland was constructed in 1907.
6. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The proposed Conditional Use is not in conformance with the *Community Investments Plan* or the *Wichita: Places for People Plan* as discussed in the staff report.
7. **Impact of the proposed development on community facilities:** Staff does not anticipate any significant negative impacts to community facilities with the proposed development.
8. **Opposition or support of neighborhood residents:** Prior to the publication of the staff report. Planning staff has received public comment both in support and opposition to the request as detailed in the public comment attachment.

Alternative Action

If, however, in the opinion of the Planning Commission, the request is determined to be appropriate, the Planning Commission should adopt alternative findings supporting approval and it is recommended that approval should be subject to the following conditions:

Recommended Conditions of Approval

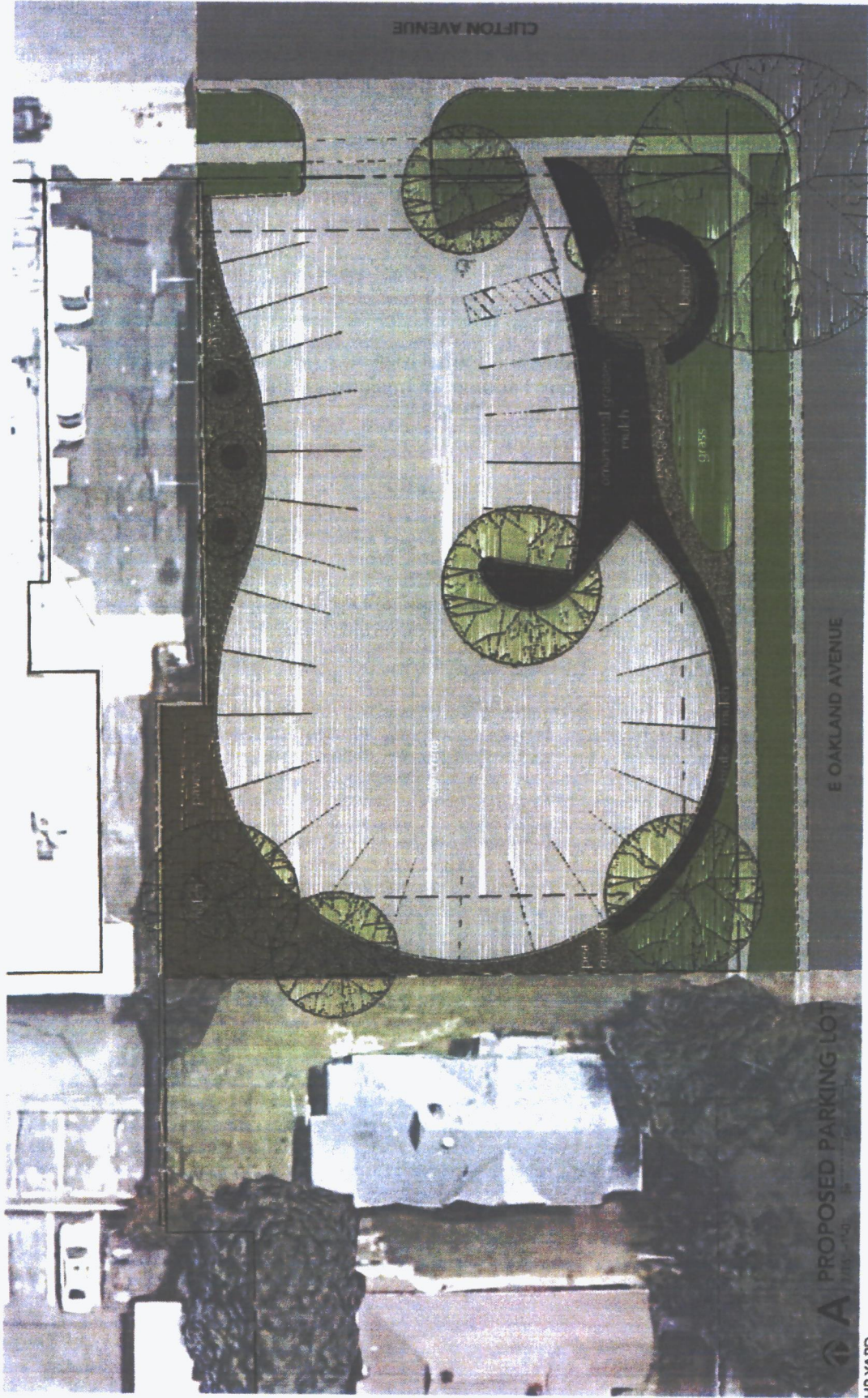
1. The parking area shall be used for passenger vehicles only.
2. Parking and circulation aisles shall not be located within a required front yard setback or street side setback. Entrance/Exit drives may cross the required front yard and must be approved by City of Wichita Traffic Engineering.
3. No entrance/exit drives shall access East Oakland Avenue.
4. A revised site plan illustrating no parking spaces or circulations aisles within the front yard or street side setback shall be provided to the Planning Department for review and approval prior to the issuance of permits.
5. Screening and landscaping shall be provided in accordance with Section IV-B of the UZC and the Wichita Landscape Ordinance and illustrated on the revised site plan.
6. Any outdoor lighting shall be in conformance with Section IV-B.4 of the Unified Zoning Code.
7. Any Signage shall adhere to the Wichita Sign Code Regulations for the TF-3 Two-Family Residential zoning district.

8. The site shall be developed and maintained in general conformance with an approved, revised site plan, and in conformance with all applicable regulations, including but not limited to: licensing requirements, building, fire and utility regulations or codes.
9. The ancillary parking area shall be maintained in good condition and free of all weeds, trash and other debris.
10. A grading plan acceptable to City building permitting showing drainage be submitted to the Metropolitan Area Building and Construction Department before construction of the parking lot.
11. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII thereof, may, with the concurrence of the Planning Director, declare the Conditional Use null and void.

Attachments:

1. Site Plan
2. Applicant Narrative
3. Applicant Neighborhood Survey Materials
4. Applicant Property Ownership/Parking Study Area Map
5. PUD2021-00018 Baughman Company Parking Lot Inventory Tables
6. 2023 Car Park Study Parking Lot Inventory Tables
7. Administrative Adjustment (BZA2019-00045)
8. Aerial Map
9. Zoning Map
10. Land Use Map
11. Site Pictures
12. Public Comment
13. 2023 Car Park Parking Study Aggregate Data (Separate Document)
14. 2021 College Hill Parking Study City Council Presentation (Separate Document)

Site Plan



HP YARD
30 Nov 2021
A PROPOSED PARKING LOT
CLIFTON AVENUE
E OAKLAND AVENUE
cathcartarchitects
© 2021
12271

CON2023-00001

Metropolitan Area Planning Commission

FERRIS CONSULTING

PO BOX 573 WICHITA, KS 67201
PHONE 316-516-0808 EMAIL ferrisco@aol.com

January 7, 2023

Scott Wadle, Director
Metropolitan Area Planning Department
271 W. 3rd St., 2nd Floor
Wichita, KS 67202

RE: Conditional Use to allow an ancillary parking area in the TF-3 Zoning District located at the Northwest corner of S. Clifton Ave. and E. Oakland Ave. with the addresses of 123 and 125 S. Clifton Ave. and 3344 E. Oakland Ave.

Dear Scott:

Last year Edgehill Happiness Plaza LLC (Happiness Plaza) applied for a Planned Unit Development to allow a parking lot on the three lots at Northwest corner of S. Clifton Ave. and E. Oakland Ave. The Planning Commission recommended approval of the request, but the City Council denied the application. It was perceived that there was substantial neighborhood opposition to the request. A parking plan for College Hill was also presented at the City Council meeting. Neither the applicant nor the Planning Commission had an opportunity to review this parking document.

Happiness Plaza has revised the application from a PUD to a Conditional Use request. Ancillary parking is allowed in TF-3 by a conditional use if conditions are met. This application has also been modified to remove access to Oakland in the parking plan. Approximately twenty-nine new spaces are planned on the parking lot. The site plan included with this application meets the requirements of Section III-D.6.p of the Unified Zoning Code.

Two of the lots have been cleared. The house on the remaining lot is being moved to another vacant lot on Vassar in College Hill. This house will be preserved and remain a part of the College Hill neighborhood.

This site plan shows significant landscaping. The design of the actual parking is aesthetically pleasing. The plan saves the existing large tree at the corner of Clifton and Oakland. It meets the existing setbacks. The parking lot will be paved and striped. The applicant anticipates that the Conditional Use will require the parking plan to be in conformance with the presented site plan.

Happiness Plaza would now like to remodel the last remaining significant piece of the Center. The plan is to develop an upscale boutique grocery store, deli, and lounge. The upmarket gourmet venue will offer unique specialty items, grocery staples, a coffee bar with blended coffees and other drinks, deli foods, and

lunches. This new development will return the Happiness Plaza to the centerpiece of the College Hill area. Additional parking for this development is needed.

The applicant, in an effort to determine neighborhood support or opposition to the request for the parking lot, reached out to the College Hill area. Eleven hundred seventy-six packets were mailed or delivered to the area on October 12, 2022. A map showing the area is attached to this application. The packet included a letter describing the project, a copy of the site plan, and a stamped postcard. Samples of these are included with the application. The card asked simply if the recipient was for the parking lot, against the parking lot, or had no opinion.

Return cards were received up to December 12, 2022. Thirty letters were returned undeliverable. Twenty-four were from area businesses. While each of these were in favor of the parking lot, they were not counted in the final numbers. Two cards were returned unmarked. If a card did not have an address or name and was marked yes, it was NOT counted. If it was marked no, it WAS counted. Forty percent of the property owners receiving packets sent back a card. The return cards showed 357, or 83%, in favor of the parking lot, 65, or 15%, against the parking lot, and 9, or 2%, had no opinion. It is reasonable to assume that the 60% who did not return a card had no opinion as well.

This clearly demonstrates that the vast majority of people in College hill are either in favor of the parking lot or have no opinion. While the 15% may be the loudest, they are clearly not close to a majority.

The College Hill Parking Study presented to the City Council had many flaws. While it may be a good indicator of the actual number of parking spaces in the area, it is not completely relevant to the request for a parking lot to serve Happiness Plaza. The most glaring issue is that it counts many parking lots of churches and organizations that are zoned B Multifamily or more restrictive. The City does not allow businesses to allow its patrons to park in these lots, unless they have a conditional use permit. None have them. That removes a great number of parking spaces listed as available in the Parking Plan.

The Plan further spends time talking about on-street parking. Many of the respondents to the mailing added notes that they did NOT want parking on their streets. One response went so far as to include pictures of the on-street parking and how much of a negative issue it was to the neighborhood. As a practical matter, on-street or off-street parking that is located several blocks from Happiness Plaza does not impact the need for parking for Happiness Plaza.

This application for a Conditional Use meets the requirements for approval as laid out in the UZC as follows:

- **The zoning, uses, and character of the neighborhood;** The area is a mix of residential, institutional, and commercial zoning and uses. There are several parking lots behind the business and institutional uses along Douglas. These include three parking lots along Oakland.

- **The extent to which removal of the restrictions will detrimentally affect nearby property;** The parking lot design is attractive and will blend into the area. It will be well landscaped. There are three parking lots on Oakland that have not had detrimental affects on the nearby properties. There is no reason to believe that this lot will either. The development of the parking lot will likely have a POSITIVE impact on the nearby property. Reducing the afterhours on-street parking will be a major improvement to the neighborhood.
- **The relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant;** There will be gain to the public safety. The parking on both sides of the streets in the area creates traffic and safety issues. Well maintained parking lots have a positive impact when compared to vacant or rental properties. The loss of value and hardship on the applicant is significant. There is a great need for additional parking with the planned expansion, as well as the existing uses.
- **The conformance of the requested change to the adopted or recognized comprehensive plan or other plans or policies being utilized by the City or County;** The Community Investment Plan shows this area as a mix of new residential and new employment. The parking lot will allow the development of Happiness Plaza and create new employment.
- **Impact of the proposed development on community facilities;** The parking lot will NOT require sewer or water. The removal of the overflow of parking onto the streets will be a positive impact on the street system. The parking lot will not create any new trips by itself and will have no impact on community facilities.
- **Opposition or support of neighborhood residents;** The overwhelming number of property owners in the area are either in favor of the project or have no opinion. Only about 6% of the area is opposed to the project. It is rare to find this much support for a rezoning project.

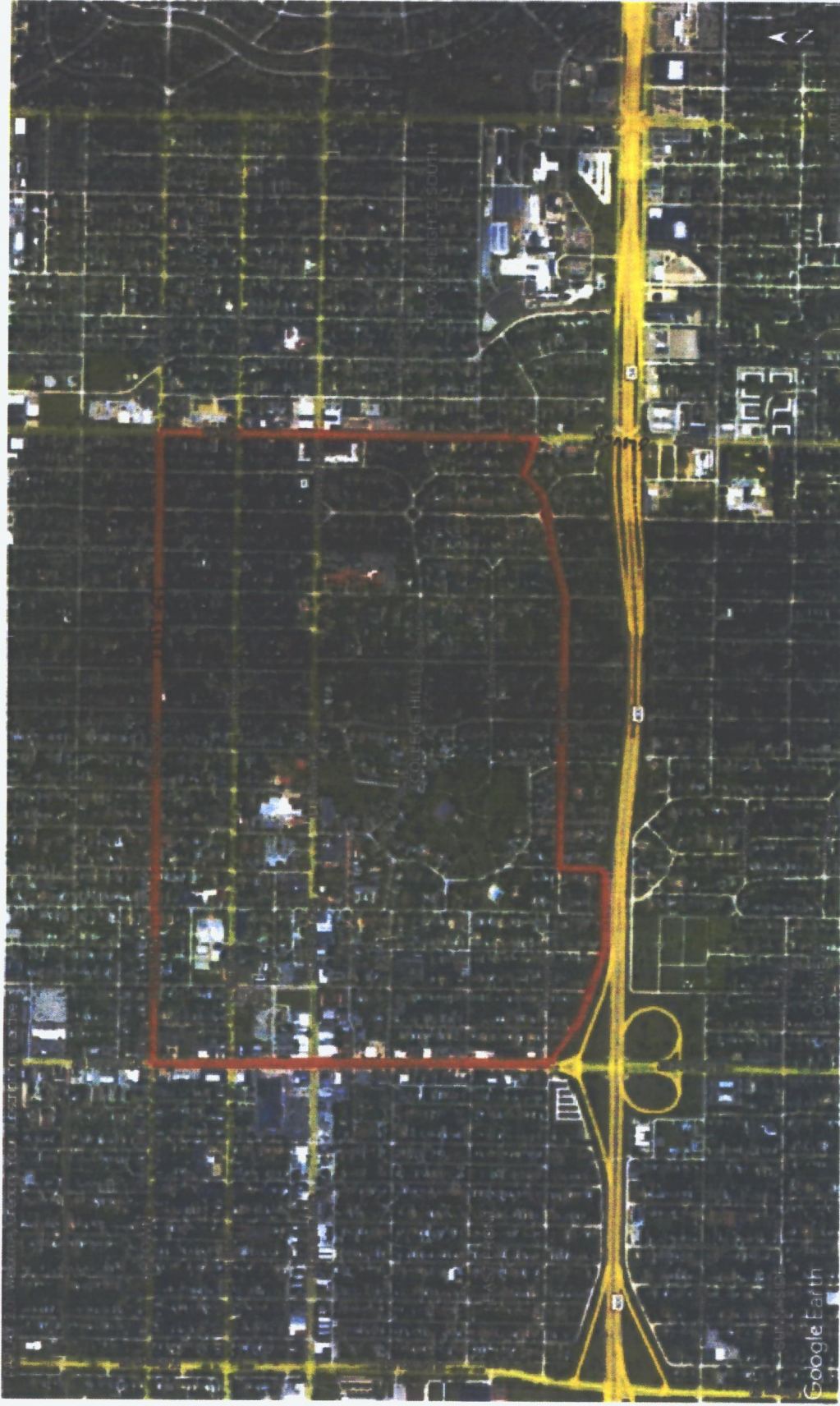
This application meets the requirements of the UZC for approval of a conditional use permit. The area residents are in favor of the project. This project will be a vast improvement to the character, traffic, and appearance of the neighborhood.

Please let me know if you have any questions.

Sincerely,

Gregory Ferris

Area That was Sent Letters and Return Cards



Applicant Neighborhood Survey Letter

Happiness Plaza
3555 E Douglas Ave, Wichita, KS 67218

September 22, 2022

Dear College Hill Property Owner:

Happiness Plaza was constructed in 1968 and was a centerpiece of the College Hill area. Over the years, it became vacant and no longer a vibrant retail center serving the area. That changed in 2019 when its current owners purchased and revitalized it. The Belmont, Happiness Plaza's largest tenant, has successfully established itself as a neighborhood restaurant and bar.

Happiness Plaza would now like to remodel the last remaining significant piece of the Center. The plan is to develop an upscale boutique grocery store, deli, and lounge. The upmarket gourmet venue will offer unique specialty items, grocery staples, a coffee bar with blended coffees and other drinks, deli foods, and lunches. This new development will return the Happiness Plaza to the centerpiece of the College Hill area.

Additional parking is needed for the development of these improvements. It has been one year since parking for the new development was proposed. We have slightly modified the design and plan to go to the City to request permission to utilize the lots behind Happiness Plaza for parking. A rendering of the proposed design is attached.

The goal of the additional parking is two-fold. It will allow the development of the upscale boutique grocery store/deli and provide much-needed parking for the Belmont. This will get many vehicles currently parking in the neighborhood onto a parking lot. The new design eliminates the drive on Oakland, so all traffic from the parking lot will go onto Clifton to get to Douglas.

We are reaching out to the area to get your thoughts. Would you please take a minute to fill out the enclosed card and mail it back so we can log your thoughts? Thank you very much for your time and consideration.

Sincerely,

Happiness Plaza

Applicant Neighborhood Survey Return Card

Name _____

Address _____

Name is Optional but Please fill in your Address

**Do you support the construction of a Parking Lot for Happiness Plaza
on the Corner of E. Oakland Ave. and S. Clifton Ave. if it is constructed
to the Design represented by the Owners?**

Please mark one box and return. Postage is Paid

- YES – I support the construction of the Parking Lot
- NO – I do not want the Parking Lot.
- I have No Opinion

PUD2021-00018 Baughman Company Parking Lot Inventory Tables

Weekday Unrestricted On-Street Parking	Wednesday 9/15/2021	Thursday 9/16/2021	Monday 9/20/2021
12pm	15%	16%	17%
3pm	17%	17%	21%
6pm	33%	24%	21%

Weekday Applicant Owned/Leased, Off-Street Parking	Wednesday 9/15/2021	Thursday 9/16/2021	Monday 9/20/2021
12pm	39%	39%	23%
3pm	47%	43%	31%
6pm	72%	66%	19%

WEEKEND Unrestricted On-Street Parking	Friday 9/17/2021	Saturday 9/18/2021	Sunday 9/19/2021
12pm	18%	32%	28%
3pm	19%	20%	28%
6pm	33%	37%	25%

WEEKEND Applicant Owned/Leased, Off-Street Parking	Friday 9/17/2021	Saturday 9/18/2021	Sunday 9/19/2021
12pm	36%	67%	66%
3pm	53%	46%	34%
6pm	76%	64%	36%

Weekday Other Off-Street Parking	Wednesday 9/15/2021	Thursday 9/16/2021	Monday 9/20/2021
12pm	26%	20%	20%
3pm	14%	19%	14%
6pm	8%	13%	11%

WEEKEND Other Off-Street Parking	Friday 9/17/2021	Saturday 9/18/2021	Sunday 9/19/2021
12pm	17%	11%	9%
3pm	11%	8%	10%
6pm	9%	9%	5%

2023 Car Park Parking Study Results Summary Tables (Aggregate data tables provided in separate attachment).

Study Area Off-Street Parking Occupancy

Lot Number or Address	2/9/2023											Peak
	8 a.m.	10 a.m.	12 p.m.	2 p.m.	4 p.m.	6 p.m.	8 p.m.	10 p.m.	Occ %			
3305 E. Douglas, Pediatric Dentist	1	11	16	15	13	5	7	4	32.65%			
3425 E. Douglas, Andy's Frozen Custard	0	0	4	3	6	8	11	7	55.00%			
3429/3543 E. Douglas, Frost Bakery/Chantha Beauty Bar	1	1	2	4	5	7	9	6	34.62%			
3555 E. Douglas ,Happiness Plaza	0	4	8	13	12	15	15	15	48.39%			
3705 E. Douglas , Church of Scientology (Leased by App)	4	4	4	3	7	7	6	4	43.75%			
3755 E. Douglas, Victory in the Valley	2	5	6	4	2	2	3	2	12.24%			
Totals	8	25	40	42	45	44	51	38				
	4.19%	13.09%	20.94%	21.99%	23.56%	23.04%	26.70%	19.90%				

Lot Number or Address	2/11/2023											Peak
	8 a.m.	10 a.m.	12 p.m.	2 p.m.	4 p.m.	6 p.m.	8 p.m.	10 p.m.	Occ %			
3305 E. Douglas, Pediatric Dentist	0	3	4	2	2	3	5	3	10.20%			
3425 E. Douglas, Andy's Frozen Custard	0	3	4	6	8	10	11	4	55.00%			
3429/3543 E. Douglas, Frost Bakery/Chantha Beauty Bar	0	4	8	7	10	17	4	2	65.38%			
3555 E. Douglas ,Happiness Plaza	0	1	12	10	9	15	15	15	48.39%			
3705 E. Douglas , Church of Scientology (Leased by App)	4	4	6	6	6	8	7	4	50.00%			
3755 E. Douglas, Victory in the Valley	0	3	5	3	4	3	4	3	8.16%			
Totals	4	18	39	34	39	56	46	31				
	2.09%	9.42%	20.42%	17.80%	20.42%	29.32%	24.08%	16.23%				

NOTE: Highlighted cells indicate highest occupancy per parking area.

Streets of Occupancy of On Street Parking Count

Code	Facility	Inventory	Use Group	Restrictions	2/9/2023										Peak Occ %
South Of Douglas Avenue					8 a.m.	10 a.m.	12 p.m.	2 p.m.	4 p.m.	6 p.m.	8 p.m.	10 p.m.			
N	3200 E. Oakland ave	14	Public	No Blocking Drive signs	10	13	9	11	11	11	8	11			
S	3200 E. Oakland ave	0		No parking any time									92.86%		
N	3300 E Oakland ave	25	Residential		7	7	9	9	8	6	5	4	36.00%		
S	3300 E Oakland ave	25	Residential		5	5	10	6	5	6	3	3	40.00%		
W	100 S. Clifton	6		No Parking between 9-4 Except Sunday	0	2	5	3	3	4	2	0	83.33%		
E	100. S. Clifton	0		No parking Any time											
W	100. S. Rutan	9	Public		9	7	7	8	7	8	8	8	100.00%		
E	100. S. Rutan	3	Public		0	0	0	0	0	0	0	0			
W	200. S Clifton	12	Residential		3	3	3	1	1	2	2	2	25.00%		
E	200 S. Clifton	11	Residential		0	0	1	2	2	1	0	0	18.18%		
N	3400 E. oakland	27			4	4	4	2	2	6	2	2	22.22%		
S	3400 E Oakland	24			0	0	0	3	2	2	4	4	16.67%		
Total		150			25.33%	27.33%	32.00%	30.00%	27.33%	30.67%	22.67%	22.67%	22.67%		

NOTE: Highlighted cells indicate highest occupancy per parking area.

Streets of Occupancy of On Street Parking Count

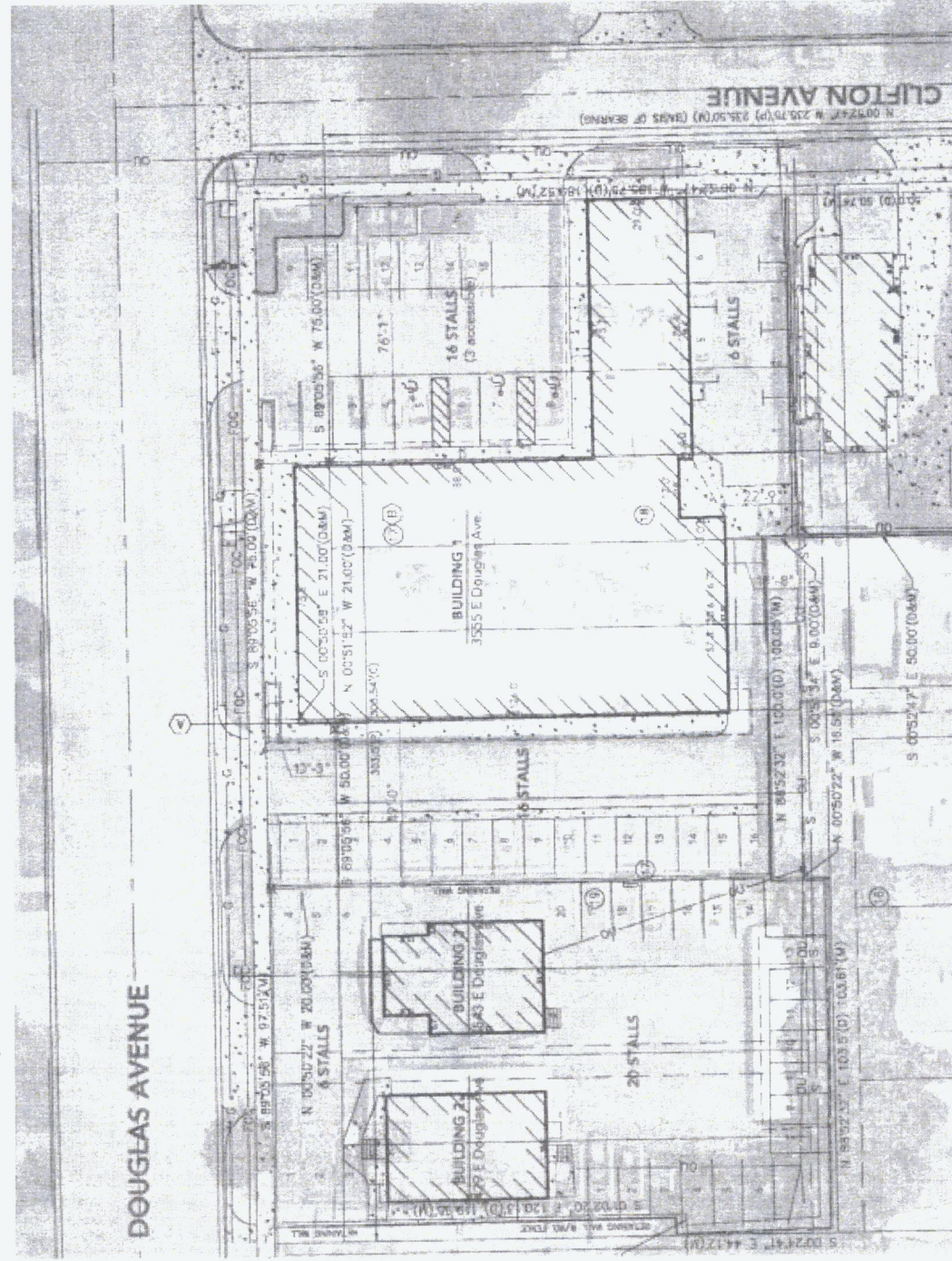
Code	Facility	Inventory	Use Group	Restrictions	2/11/2023										Peak Occ %	
					8 a.m.	10 a.m.	12 p.m.	2 p.m.	4 p.m.	6 p.m.	8 p.m.	10 p.m.				
South Of Douglas Avenue																
N	3200 E. Oakland ave	14	Public	No Blocking Drive signs	7	7	7	9	10	7	7	10	7	10		71.43%
S	3200 E. Oakland ave	0		No parking any time												
N	3300 E Oakland ave	25	Residential		3	4	4	4	4	5	6	6	6	6		24.00%
S	3300 E Oakland ave	25	Residential		7	7	4	3	3	4	6	6	5	5		28.00%
W	100 S. Clifton	6		No Parking between 9-4 Except Sunday	0	0	0	1	1	0	0	0	0	0		16.67%
E	100. S. Clifton	0		No parking Any time												
W	100. S. Rutan	9	Public		7	9	9	9	9	9	9	9	9	9		100.00%
E	100. S. Rutan	3	Public		0	0	0	0	0	0	0	0	0	0		
W	200. S Clifton	12	Residential		4	4	4	0	0	0	0	0	3	3		33.33%
E	200 S. Clifton	11	Residential		0	0	0	3	3	0	0	0	0	0		27.27%
N	3400 E. oakland	27			3	3	2	0	1	1	0	0	1	1		11.11%
S	3400 E Oakland	24			0	0	0	1	2	1	1	1	1	1		8.33%
Total		150			20.67%	22.67%	20.00%	20.00%	22.00%	18.00%	21.33%	21.33%	23.33%	23.33%		

NOTE: Highlighted cells indicate highest occupancy per parking area.

On-Street Parking Turn Over Rate and Avg Length of Stay

		South Of Douglas Avenue			2/9/2023			2/11/2023		
N	3200 E. Oakland ave	14	Public	No Blocking Drive signs	Max Occ.	Avg Stay	Max Occ.	Avg Stay	Max Occ.	Avg Stay
S	3200 E. Oakland ave	0		No parking any time	93%	6 Hrs 18 Min			71%	4 Hrs 55 Min
N	3300 E Oakland ave	25	Residential		36%	6 Hrs 0 Min			24%	4 Hrs 30 Min
S	3300 E Oakland ave	25	Residential		40%	4 Hrs 18 Min			28%	4 Hrs 19 Min
W	100 S. Clifton	6		No Parking between 9-4 Except Sunday	83%	3 Hrs 9 Min			17%	4 Hrs 0 Min
E	100. S. Clifton	0		No parking Any time						
W	100. S. Rutan	9	Public		100%	5 Hrs 9 Min			100%	5 Hrs 0 Min
E	100. S. Rutan	3	Public							
W	200. S Clifton	12	Residential		25%	5 Hrs 39 Min			33%	4 Hrs 30 Min
E	200 S. Clifton	11	Residential		17%	3 Hrs 0 Min			27%	2 Hrs 0 Min
N	3400 E. oakland	27			22%	4 Hrs 19 Min			11%	41 Min
S	3400 E Oakland	24			17%	3 Hrs 45 Min			8%	2 Hrs 0 Min
	Total	150		Average	48%				36%	

Administrative Adjustment (BZA2019-00045)



A PARKING ADMINISTRATIVE ADJUSTMENT PLAN

1" = 30'-0" 0m 30m 60m

ADMIN. ADJUST. REQUEST

DESCRIPTION

The property Owners + Architect request an administrative adjustment to reduce the required parking count by 25% for the Happiness Plaza building located at 3555 E Douglas Ave., Wichita KS 67218.

The request is made due to the constraints of the existing conditions and urban location of the renovation project. A restaurant is being introduced to the building which increases the parking requirements from their previous court and therefore an adjustment is needed. Additional parking, while not considered part of this project, can be found on the surrounding streets.

APPLICANT NAME(s)

Tony Demarco
 Owner - Happiness Plaza Concepts LLC, 3555 E Douglas Ave., Wichita KS 67218, tonydemarco@gmail.com, (480) 682-8058
 Architect - Cathcart Architects LLC, 843 E Cypress Court, Derby KS 67037, michael@cathcartarchitects.com, (316) 262-3100

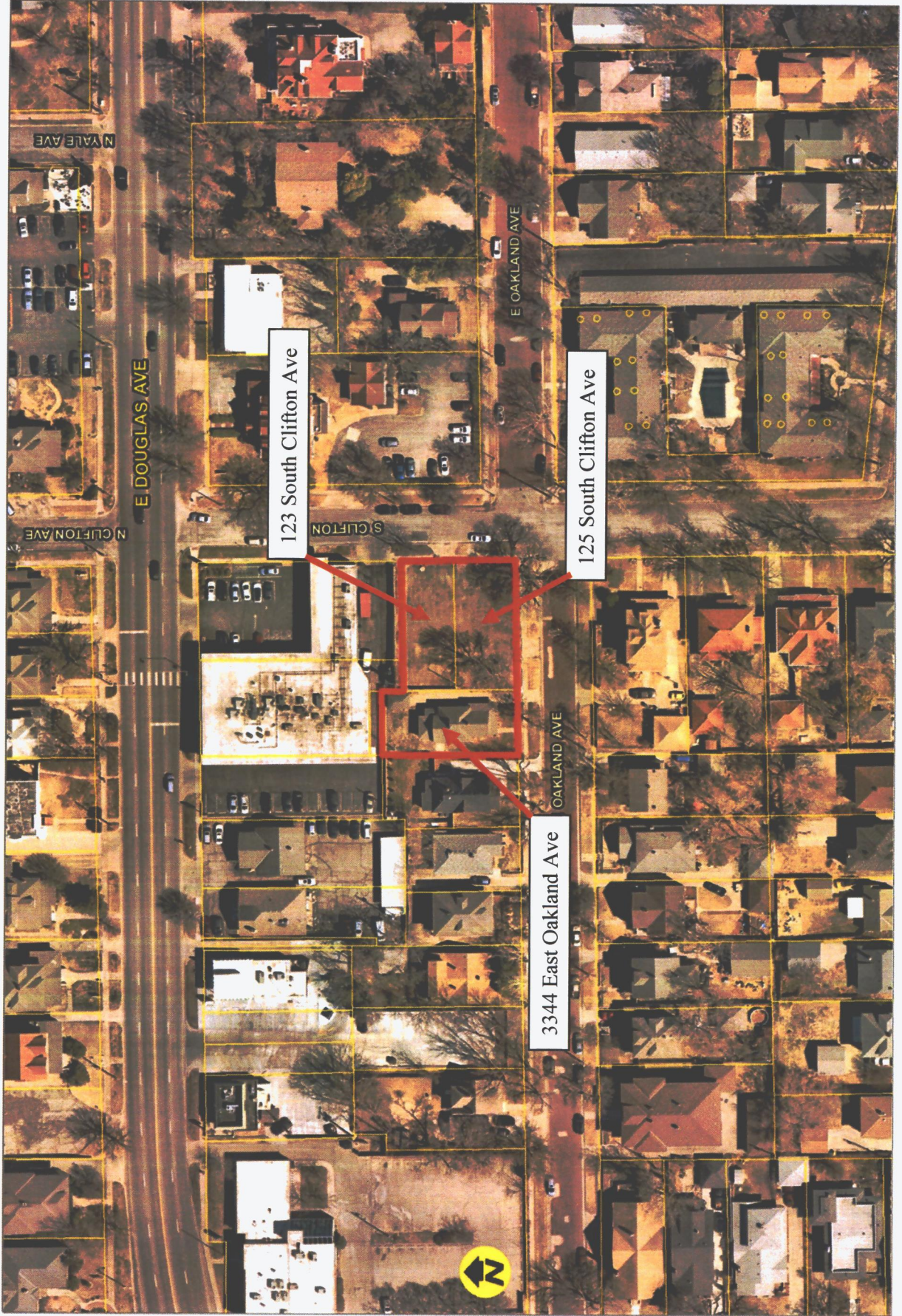
PARKING

(Sedgewick County Zoning Code)
 Parking will be shared with 2 commercial buildings to the west of this building, 3429, 3543 and 3555 E Douglas Ave. All properties are owned by the same entity.

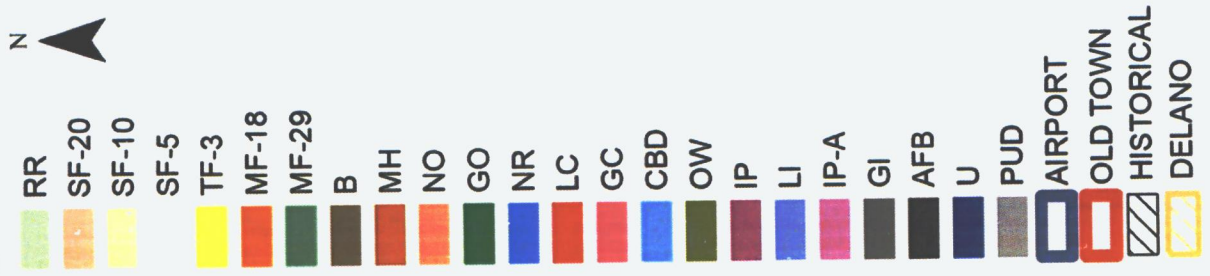
Building 1 (3555 E Douglas Ave) 1 per 3 seats or 169 $\frac{169}{3}$ = 56 stalls req'd
 A-2 Occupancy Req'd: 16 per 100 sq ft = 153 / 3 = 51 stalls
 Tenants in Bldg: 1 (1 per 333 sq ft) 3,367 / 333 = 10 stalls req'd
 Building 2 (3429 E Douglas Ave) 1 per 333 sq ft 1500 / 333 = 4.5 (1 per 333 sq ft) 1500 / 333 = 4.5
 Building 3 (3543 E Douglas Ave) 1 per 333 sq ft 1600 / 333 = 4.8
 Subtotal: 82.4 stalls required
 Request Admin Reduction 82.4 x 25% = 20.6
 Total Req'd: 82.4 - 20.6 = 61.8 or 62 stalls req'd
 Accessible Req'd: 3 req'd
 Total Provided: 64 parking stalls provided, 3 are accessible



10/18/19



ZONING

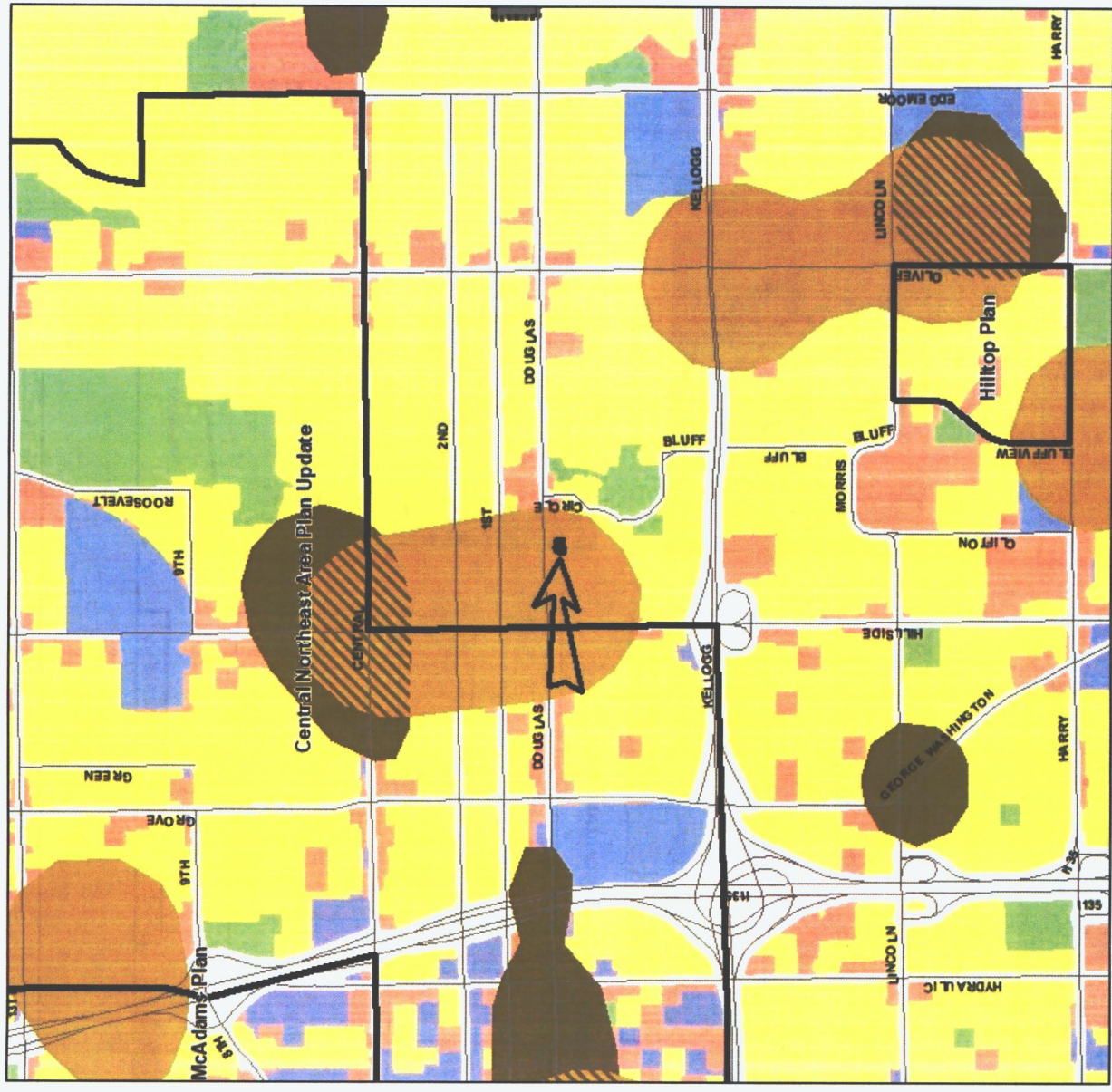


2035 Wichita Future Growth Concept Map

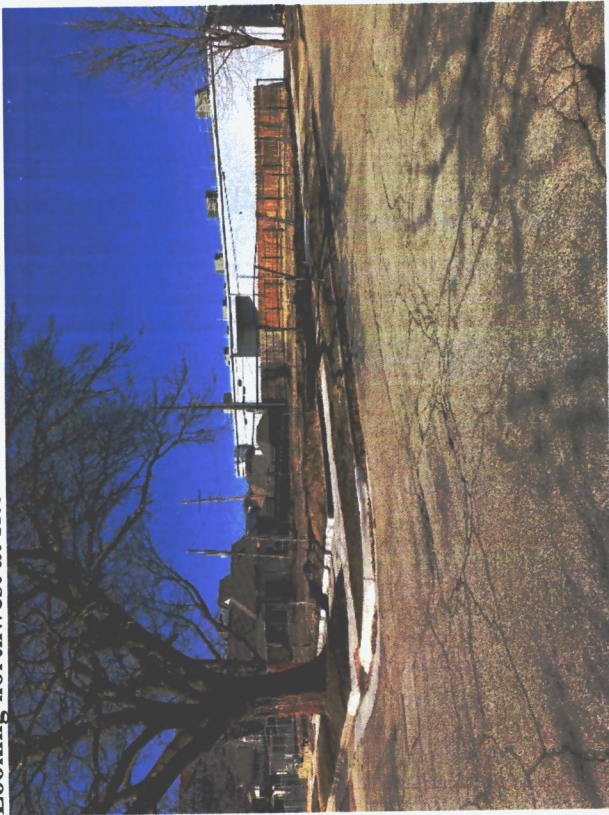
- Legend**
- Established Central Area
 - Residential and Employment Mix
 - New Employment
 - New Residential
 - Wichita City Limits
 - Other Cities
 - Northwest Bypass Right-of-Way
- Statistical Development Areas**
- Other Urban Growth Areas 2014
 - Other Urban Growth Areas 2014
 - Rural Growth Areas 2014
- LAND USE**
- Residential
 - Commercial
 - Industrial
 - Major Air Transportation & Military
 - Parks and Open Space
 - Agricultural or Vacant
 - Major Institutional
 - Nghbd_Plan_Areas



Map prepared by Metropolitan Area Planning Commission
 Date: 11/15/2023
 Scale: Not to Scale



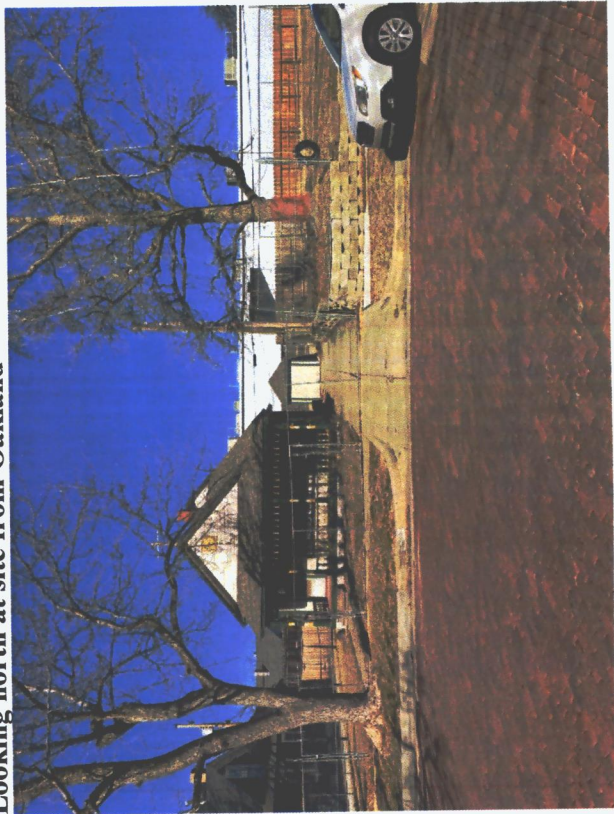
Looking northwest at site



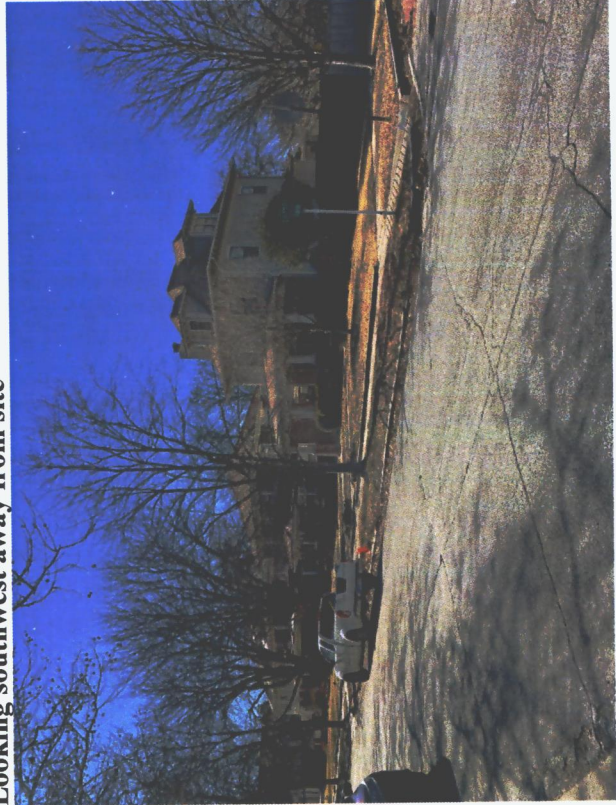
Looking northeast away from site



Looking north at site from Oakland



Looking southwest away from site



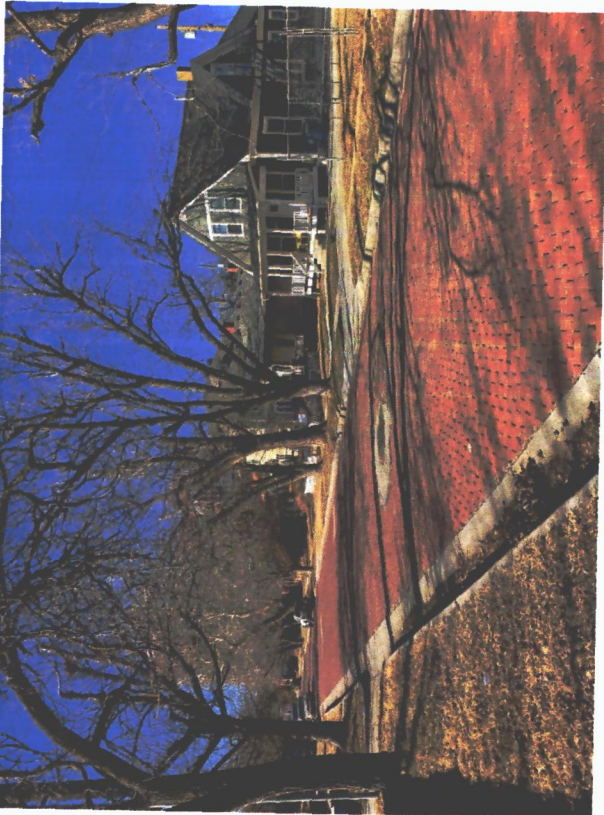
Looking southeast away from site



Looking south away from site on Oakland



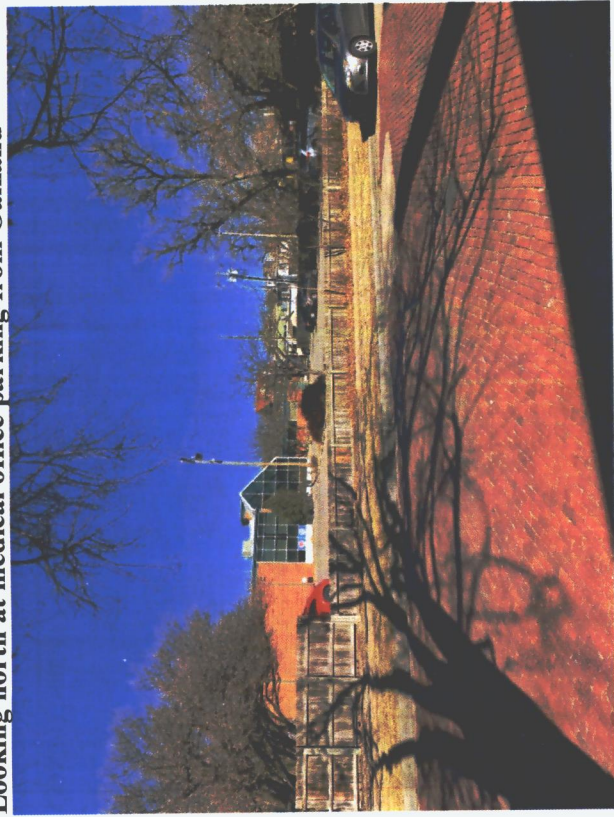
Looking northwest away from site on Oakland



Looking southwest away from site on Oakland



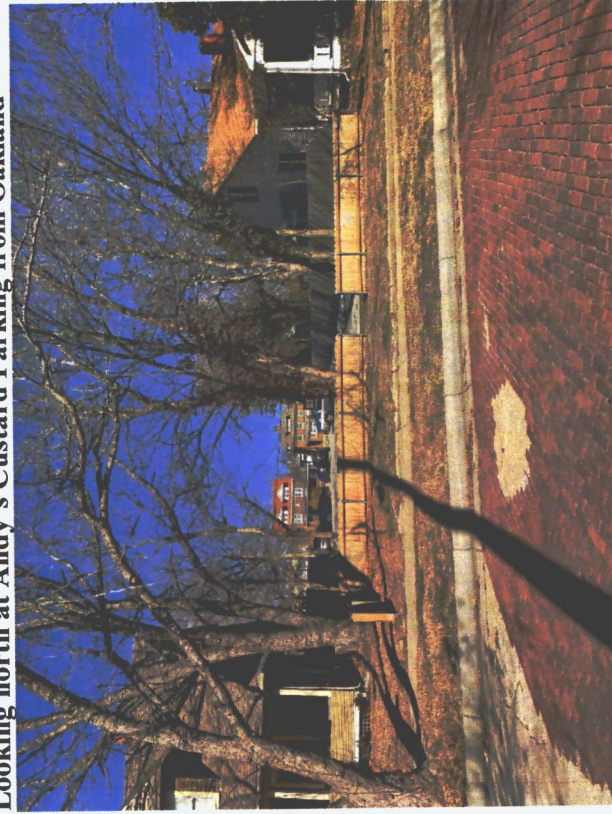
Looking north at medical office parking from Oakland



Looking south at site from Happiness Plaza



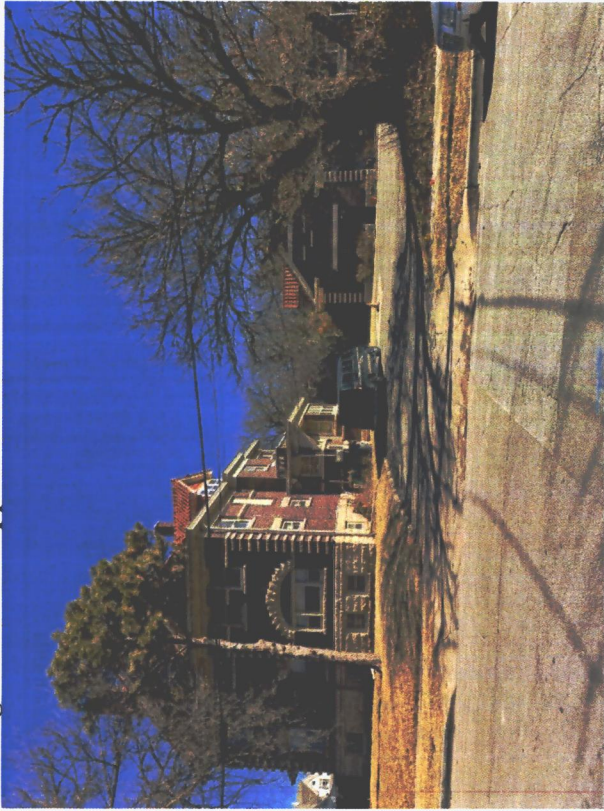
Looking north at Andy's Custard Parking from Oakland



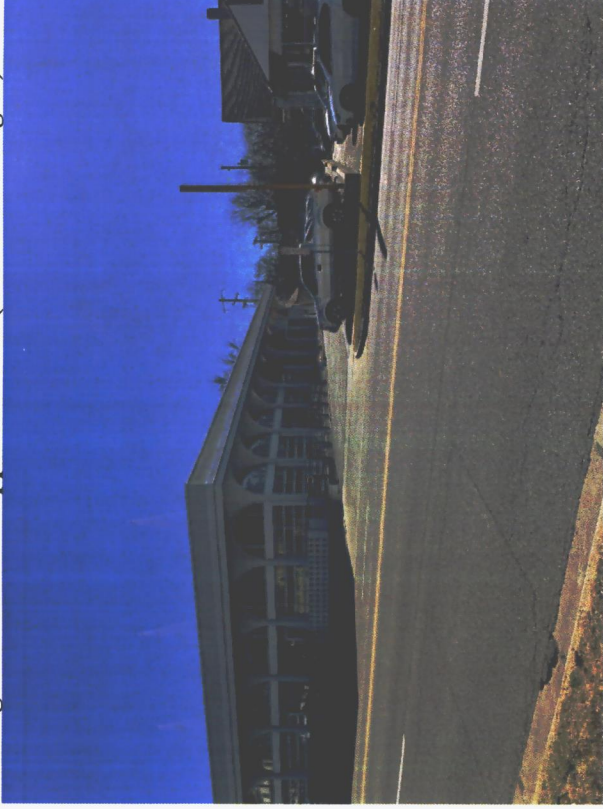
Looking west at Happiness Plaza (3555 East Douglas)



Looking east from Happiness Plaza



Looking southeast at Happiness Plaza (3555 East Douglas)



Looking south at Happiness Plaza (3555 East Douglas)



Looking south at applicant owned Property (3429 & 3543 East Douglas)



CON2023-00001 Public Comment

Letters of Support

I live in College Hill and APPROVE OF the Happiness Plaza Proposal CON2023-00001 to build a parking lot
Lanae Faires
3921 Willow Drive
Wichita KS 67218

As a College Hill resident living near the park and using Clifton as my primary access to Douglas when driving east I wholly support the addition of a parking lot for Happiness Plaza customers. Currently parallel parking on both sides of Clifton during peak lunch/dinner hours causes bottlenecks, close calls and right-of-way confusion for north/south traffic along Clifton.

Karen McNally, Resident
432 S Vassar

Hi Brandon and Philip,

I support the Happiness Plaza plan.

Two homes have been demolished already, leaving a fenced-off, blighted patch of dirt in the neighborhood that is far more unsightly than a parking lot. Besides, with the growing popularity in the area and the great new businesses popping up, we have a parking problem that needs to be addressed. My fellow residents (who clearly don't utilize the area in question) can express contrary opinions all they like but that doesn't change the facts. We need the parking spaces, desperately. If we look at the area as a district and take into consideration all of the businesses that are being frequented from Hillside to Yale, including Clifton Square, Vora, and many more, the area needs parking. The lack of parking is causing a very dangerous situation at the Clifton Square driveways as folks circle the lot by entering Douglas on the wrong side of the road. Just pull up and watch that few blocks on Douglas on a nice Saturday - it's madness.

Further, the Happiness Plaza folks own the third home that would be demolished to accommodate this additional parking. I hate to see that happen, but it's ultimately their right to do so. While the neighborhood association would be keen to prevent a property owner from doing what he wishes with his property, as a fellow homeowner in College Hill I strongly object to any attempts to prevent any of our property owners from doing with their properties as they see fit. History tells us they'll demolish the home on Oakland whether this parking lot is approved or not, anyway. Please do approve this proposal and relieve us of the unsightly and dangerous dirt patch on Clifton, and the packs of angry retirees that have been hanging things on my door for two+ years.

Have a great week,
Shelly Whitfield
3916 Willow Drive

Phil

just had a visit with Christina in your office and she suggested I send you an email-

I live a 247 S Clifton and want to do whatever I can to get a parking lot approved behind the Belmont restaurant- what we have now is a field of weeds that looks terrible and we have a real parking problem during busy times for the restaurant-

especially Thursday, Friday and Saturday evenings and during Sunday brunch-

I know of a couple people that have been fighting it and they don't live even close to the restaurant, so they don't have a problem with people parking in front of their houses-

another problem is when cars are parked on both sides of Clifton between Douglas and Oakland there is only room for one lane of traffic making it hard to get through sometimes-

if you would like to call me to discuss that would be fine with me-

thanks for your time

Steve Boyd

Opposition:

CON2023-00001

Metropolitan Area Planning Commission

To: Phillip Zevenbergen

From: College Hill Neighborhood Assoc.

Subject: Parking lot at Clifton & Oakland

Mr. Zevenbergen

This e-mail is to serve as notification that the College Hill Neighborhood Assoc. opposes the conditional use request to allow an ancillary parking lot on property zoned TF-3 two-family residential district; generally located on the west side of South Clifton Avenue and withing one block of East Douglas Ave. (123 & 125 South Clifton, 3344 East Oakland).

Signed

For the Board

Jack Patton President of CHNA

316-807-6781

Hello,

My name is Quincy Bachrodt, I live in college hill at 300 S. Clifton. I do not agree to the parking lot building in Happiness Plaza and would vote against it. Thanks again.

Quincy Bachrodt

I object to the above proposal to build a parking lot.

Mark Leslie

353 s. vassar

wichita ks 67218

Dear Peter Zevenbergen,

My name is Colleen Ostermann, I grew up in and still live in College Hill. My current address is 128 S Circle Drive, Wichita, Kansas 67218 and I object to the Happiness Plaza Proposal CON2023-00001 to build a parking lot in our residential area. Thank you and have a wonderful rest of your day.

Sincerely,

Colleen Ostermann

My wife and I live in College Hill and we object to the Happiness Plaza proposal CON2023-00001 to build a parking lot. We are Jim Meyer and Mary Lou Meyer 310 S. Holyoke.

Jim and Mary Lou Meyer

To: Philip Zevenbergen

I live in College Hill at 3323 Oakland and I object to the Happiness Plaza proposal CON2023-00001 to build a parking lot.

CON2023-00001

Metropolitan Area Planning Commission

Page 32

Rosemary C Martinez
3323 Oakland
(316) 708-9325

To: Philip Zevenbergen

I live in College Hill @ 3323 E Oakland. I object to the Happiness Plaza proposal CON2023-00001 to build a parking lot.

Philip J Martinez
3323 Oakland
(316) 688-1842

I live in College Hill and object to the Happiness Plaza proposal CON2023-00001 to build a parking lot.

Ken Ellis
142 N Belmont Ave
Wichita, KS 67208

I live in College Hill and object to the Happiness Plaza proposal CON2023-00001 to build a parking lot.

Pam Ellis
142 N Belmont Ave
Wichita, KS 67208

This email is to express **opposition** to Happiness Plaza request to conditional use change in zoning, case #CON2023-00001.

<https://online.wichita.gov/LFWebDocs/Home/MAPD?&MAPDSearchModel.DocumentToFind=CON2023-00001>
Reading Wichita-Sedgwick County Unified Zoning Code, Happiness Plaza does not qualify for the requested TF-3 conditional use commercial uses criteria.

[https://www.wichita.gov/Planning/PlanningDocument/UZC Excerpt TF-3.pdf](https://www.wichita.gov/Planning/PlanningDocument/UZC%20Excerpt%20TF-3.pdf)

As noted in the College Hill Parking Study acceptable parking is available.

https://www.wichita.gov/Planning/PlanningDocument/2021-12-14%20-%20Wichita%20Parking%20Study_DRAFT.pdf

I also note that the parking study is not currently logged open case document in the zoning case tracker for CON2023-00001, should it be?

Thank you very much,

John Lucian
118 S Circle Dr
Wichita KS

Good day,

I live in College Hill and object to the Happiness Plaza proposal CON2023-00001 to build a parking lot.

Urpo J. Pesonen
126 N Dellrose Ave.
Wichita, KS 67208

I live in College Hill and object to the Happiness Plaza proposal CON2023-00001 to build a parking lot. One leads to others, and to the demolition of more of the history of Wichita and its historic homes. We have lost too many

CON2023-00001

Metropolitan Area Planning Commission

Page 33

already!!!

Thank you for your consideration.

Deborah Frailey
4020 East English St
Wichita, Kansas 67218

Dear Sirs: Living in College Hill for over 30 years, I strongly object to the Happiness Plaza proposal CON2023-00001 to build a parking lot. I do not wish to see the residential area of College Hill to keep shrinking. Business parking like this with people coming and going every day and evening, definitely decreases the desire to live in what was once a friendly neighborhood area. A parking lot scars and decreases the value of residential living in the neighborhood for years to come. Seems only the businesses who have invaded stand to profit.

Thank you,
Carol Dwyer

Good morning, my name is Monica Cissell. I live in College Hill and object to the Happiness Plaza proposal CON2023-00001 to build a parking lot. Thank you for your attention to this matter. My home address is below.

Monica Cissell
Monica Cissell
352 N. Vassar st
Wichita, KS 67208

I live in College Hill and object to the Happiness Plaza proposal CON2023-00001 to build a parking lot.

Steve Woodman
3838 E. 2nd St. N.
Wichita, KS 67208

I live in College Hill and object to the Happiness Plaza proposal CON2023-00001 to build a parking lot.

Brenda Woodman
317 N. Broadview
Wichita, KS 67208

I live in College Hill and object to the Happiness Plaza proposal CON2023-00001 to build a parking lot.

Marc Bachrodt
300 S. Clifton
Wichita, KS
67218

We live in College Hill and strongly object to the Happiness Plaza proposal to build a parking lot.

Kenneth/LeEtta Scherban
3341 Oakland St. Wichita Kansas 67218



BERKSHIRE HATHAWAY | PenFed Realty
HomeServices

1-16-23

Scott Wadle Director, etal
Metropolitan Area Planning Dept
271 W. Third Street
Wichita, KS 67202

I am writing this to ask on behalf of the residents of College Hill that the zoning change for 123-125 S. Clifton and 3344 E. Oakland NOT be granted.

It will impact the lives of the immediate neighbors and beyond with loss of property value and enjoyment of life and safety for their families.

I have been a Real Estate Broker for over 40 years specializing in East Wichita.

This zoning change will be harmful to the future values of these Family's properties.

Please support Families over concrete expansions.

Most Sincerely,

Diane Z. Park

Diane Z. Park

Berkshire Hathaway HomeServices PenFed Realty

Cell: 316-259-3636

Mr. Zevenbergen

I am writing on behalf of Bike Walk Wichita to ask that the Wichita/Sedgwick County Metropolitan Area Planning Commission deny the recent application by Edgemoor Happiness Plaza LLC to allow a parking lot at 123 & 125 S. Clifton and 3344 E. Oakland, case no. CON2023-00001. Bike Walk Wichita, Inc. is a 501(c)(3) non-profit organization formed in 2010 to improve the safety and appeal of walking and biking in the Wichita area. We have over 10,000 supporters actively involved in our mission. We oppose the application because we believe that the proposal in its current form will significantly adversely affect the safety and appeal of the College Hill neighborhood, which is currently an outstanding example of a walkable neighborhood in Wichita.

For over a year, the College Hill Neighborhood Association has attempted to meet with the planning department and area businesses to develop an overall neighborhood plan that would allow the neighborhood to continue to be safe and appealing. Because of budget and time constraints on behalf of the City and staff, however, and through no lack of willingness or effort by the Neighborhood Association, the parties have not yet been able to complete a plan. The MAPC should allow this process to continue and, in fact, encourage the City and the planning department to facilitate the development of a neighborhood plan that has the support of all of those affected.

Ultimately, this is an issue of what the character of the College Hill neighborhood should be and who should decide that character. The issues raised by this situation should not be handled through a single zoning case:

- This neighborhood has been in existence in essentially this form for over 100 years and the residents have a deep interest in maintaining the character of the neighborhood.
- It is an extremely attractive place for people to live and congregate. Therefore, it is an extremely attractive place for businesses to locate.
- The success of the businesses there has in turn created a problem of traffic and parking, which everyone acknowledges and which affects all the businesses and residents in the area.
- It does not make sense to address those issues on a piece-by-piece basis, where one owner submits a request and is approved or denied and another owner receives a different answer.

The neighborhood and the businesses in the area should be encouraged to work together to develop what they want for the future; it should not be determined by the MAPC on a piece-by-piece basis.

I will be out of town and will not be able to appear at the MAPC meeting to consider this issue. Please consider this as Bike Walk Wichita's comments on the application.

Thank you,

Alan Kailer

alan@bikewalkwichita.org

bikewalkwichita.org

Mr. Johnson and Mr. Zevenbergen,

We have lived at 3327 E. Oakland for the last 36 years and we are very **opposed** to the proposal CON2023-00001 to build a parking lot.

We were opposed to the changes the folks at the Belmont were wanting to do last year when their efforts failed. It was extremely disappointing when they razed the two homes on Oakland and left the lots not being cared for. If you remember correctly there were three parking studies done which proved they were not fully utilizing their available parking.

Thanks for your time,

Chris and Paula Phillips

3327 E. Oakland

Wichita, Kansas 67218

CON2023-00001

Metropolitan Area Planning Commission

Page 36

I live two blocks from Happiness Plaza and am strongly opposed to the plan for an ancillary parking lot at Oakland and Clifton.

Thank you,

Heather Clotfelter
320 S. Clifton

Mr. Zevenbergen,

As a resident of College Hill, I remain opposed to a parking lot at 123 and 125 S Clifton and 3344 E Oakland because the best land use of those three TF-3 zoned properties is residential use. Even when it is called Conditional Use for Ancillary Parking, it is still commercial parking in a residential zone, and this degrades the quality of life and property values in the residential zone. The issue is not limited to this location or neighborhood; it is a trend in other parts of Wichita as well. With a housing shortage, we need homes on these lots, not a parking lot that three studies have proven is not needed for these businesses.

Many people feel that since two of the houses are gone, there is nothing we can do to prevent the parking lot. In fact, the owners have numerous options. First of all, they can clean up the unsightly lot, removing the weeds, trash, broken glass, and dangerously leaning fence they have intentionally left degrading the environs. Then they can build homes that conform to the character of the contiguous homes and sell them to people who share the residential interests of the neighborhood. If they do eventually need more parking for their businesses, they can stand by their 2019 statement that if needed, they would use valet parking, as there is a local company that offers this service.

Mr. Ferris's claim that the post card response to his September, 2022, letter to College Hill property owners proves that a majority either favor or have no opinion on the parking lot is not valid, as it was not an independent survey capable of rendering a credible conclusion. Many recipients of his letter disregarded it as an obviously one-sided appeal.

It is our understanding that with the protest petitions we will submit, this case will go before the City Council, where we hope it will again be denied.

Then we urge that, instead of continuing this single-site parking application process, the Planning Department be allowed to pause further such applications until you can do what the City Council called for on November 9, 2021: develop a parking plan for College Hill. The Car Park study that was presented to Council on December 14, 2021 was just that, a study with recommendations, not a plan. Many businesses along Douglas through College Hill face parking issues that should be addressed in a unified master plan, not one-by-one interested party applications. The issue requires a proactive planning process rather than the reactive permitting process we currently face.

Thank you for your attention to this case, along with so many others.

Respectfully,
Susan Miner
303 Circle Drive

As a decades long resident of College Hill I want to express my opposition to the proposed commercial parking lot on the N.W. corner of Clifton & Oakland. This area of College Hill has adequate street parking. The recent loss of the 2 houses on this corner has created an eyesore that this parking lot and its congestion won't improve.

Robert Puckett

I live in College Hill and I object to the Happiness Plaza proposal CON2023-00001 to build a parking lot.

Jon Clotfelter
320 South Clifton
Wichita, Ks

Dear Sirs: As a College Hill Resident for over 30 years, I strongly object to the Happiness Plaza proposal CON2023-00001 to build a parking lot. The residential area of College Hill has been negatively affected by eliminating the use of 3 beautiful residential home. A parking lot diminishes the value of residential living in the neighborhood. Those who have living in College Hill are very concerned of the intrusive deception and poor planning of the businesses & approval process.

Thank you,
Bill Dwyer

Hello!

I live two blocks south of Happiness Plaza on Clifton and I object to the parking lot proposal CON2023-00001.

We would like to maintain a residential neighborhood and I support any traffic studies that can be done to bring some forward thinking solutions to the table.

The owners have also shown us that they will not maintain the parking lot that they wish to build. In the lots where they have torn down two homes, the fencing is still up, which is believe against a neighborhood ordinance, and trash is not picked up.

Thank you for your consideration,

BROOKE RUSSELL

Public & Brickyard
Marketing & Events
www.publicbrickyard.com
(316) 263-4044
129 N. Rock Island Wichita, Ks. 67202

Sirs: This missive is to confirm myself as a 40 Year resident of College Hill Park, and as such, to go on the record opposing the construction of the proposed parking lot. Thank you for offering me the opportunity to voice my objection.

Ross F. McDonough
306 Circle Drive
Wichita, Kansas 67218

My name is Travis Russell, and I live at 321 S. Clifton ave. 67218. I live in College Hill and object to the Happiness Plaza proposal CON2023-00001 to build a parking lot.

Travis Russell

Dear Mr. Johnson and Mr. Zevenbergen,

I live in College Hill and strongly oppose the Happiness Plaza proposal to build a parking lot (CON2023-00001).

Sincerely,
Kyra Monaco
311 S Clifton Ave
Wichita, KS 67218

Dear Councilman Johnson and Manager Zevenbergen,
We write to object to the Happiness Plaza owner's proposal CON2023-00001 to build a parking lot in our neighborhood. Thank you for your attention to this matter,
Sonny Laracuenta and Susan Crane-Laracuenta
3428 E English St

CON2023-00001

Metropolitan Area Planning Commission

Hello,

I live in College Hill, and object the Happiness Plaza proposal CON2023-0000 to build a parking lot.

Elaine Swart Campbell
229 N. Pershing St.

Mr. Zevenbergen,

Please include this email in the packet for the Feb 23, 2023 MAPC meeting regarding CON2023-00001 as evidence that shared parking has been offered but not considered by the Belmont management or owners.

I would be grateful if you could reply to confirm receipt of this message.

Thank you,
Susan Miner

From: "Logan Pajunen" <logan@pajunen.com>
Subject: Belmont Parking
Date: February 16, 2023 at 5:07:31 PM CST
To: miner303@att.net

Dear Ms Miner,

This email is to memorialize our discussion from several weeks ago regarding the Belmont restaurant and parking. Some background first. I own 3420 E. Douglas Ave, which is a large house that was formerly a medical doctors office for 5-6 physicians. The house includes a paved lot with direct access to Douglas Avenue. I estimate the lot can park 20 or so cars. Direct line of sight distance is about 350 feet and walking distance is about 400 feet with a signalized crosswalk across Douglas directly to the front of the Belmont restaurant.

During our conversation I told you that I had on several occasions made an attempt to reach the Belmont's management and/or owners to offer the use of my parking lot as overflow or staff parking. Initially I visited the Belmont and asked to speak with a manager and was told they were unavailable. I left my card and contact information and was told my message would be passed on. A second time I met an owner in person at a College Hill neighborhood meeting in March 2022. At that time I reiterated my openness to allowing my parking lot to be used for their project. I have not received any inquiries or other appearance of interest from the Belmont's owners or management.

Please let me know if you need any clarifications or have any questions I can answer.

--

Logan Pajunen
logan@pajunen.com
(316) 249-1175