Wichita-Sedgwick County Metropolitan Area Planning Department

January 14, 2022

Adrian Cano
9530 W. Brookside Ct.
Wichita, KS 67205

RE: **ZON2021-00044** - City zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential; generally located within one-quarter mile east of Zoo Boulevard and two blocks south of West 9th Street North.

Dear Applicant;

At its regular meeting on **December 7, 2021**, the Wichita City Council considered the above captioned request. The action of the Council was to **APPROVE** the request in accordance with the attached ordinance and **Protective Overlay**.

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

Sincerely,

Matthew Williams, AICP
Associate Planner

Copies to: Chris Carney, 5331 W. Kollmeyer Ct., Wichita, KS 67205
MABCD

Wichita-Sedgwick County Metropolitan Area Planning Department

November 10, 2021

Adrian Cano
9530 W. Brookside Ct.
Wichita, KS 67205

RE: **ZON2021-00044** - City zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential; generally located within one-quarter mile east of Zoo Boulevard and two blocks south of West 9th Street North.

Dear Applicant;

At its regular meeting on **October 21, 2021**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** of the application.

This application will be forwarded to the City Council for review and final action **Tuesday, December 7, 2021.** This meeting will be held in the City Council Chambers, First Floor, City Hall, 455 N. Main, Wichita, Kansas.

Sincerely,

Matthew Williams, AICP
Associate Planner

Copies to: Chris Carney, 5331 W. Kollmeyer Ct., Wichita, KS 67205
MABCD
Cindy Claycomb, WCC District VI
Ana Lopez, CSR VI
Greg Boyajian, 3325 W. 9th Street, Wichita, KS 67205

OCA 150004 CORRECTED AND REPUBLISHED IN THE WICHITA EAGLE ON 12/27/2021

ORDINANCE NO. 51-683

THIS CORRECTIVE ORDINANCE IS TO CORRECT ORDINANCE NO. 51-683, PUBLISHED IN THE WICHITA EAGLE ON DECEMBER 17, 2021. ORDINANCE NO. 51-683 WAS MISSING LANGUAGE ABOUT A PROTECTIVE OVERLAY. THIS IS AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2021-00044

City zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential on zoning lot described as:

Lot 7, in Reeves Second Addition to Wichita, Sedgwick County, Kansas.

Subject to **Protective Overlay #385**.

1. **Garages**. The garage face shall occupy no more than 50 percent of the ground-level façade facing the street and may not project more than five feet in front of the main facade.
2. **Entrances**. Pedestrian scaled entry shall be a prominent feature of the front elevation. Front doors shall be oriented to the street in front of the units.
3. **Windows and Transparency**. Transparent windows and/or doors facing the street are required. To meet this requirement, at least 10 percent of the façade must be transparent. The façade is measured from the base of the house to the start of the roofline and any other vertical walls facing the street, except for gabled portions of the facade not containing livable floor area. Garages facing the street shall count as part of the façade.
4. **Roof Design**. Roofs shall have variation in roof planes in order to break up the large roof mass through dormers, gables, or changes in elevation. Roof forms and roof pitches of porches, dormers and garages shall be consistent and complement the building style within the neighborhood.
5. **Siding materials**. Siding materials shall be appropriate to the architectural style of the structure. Traditional materials consistent with the neighborhood architectural styles are encouraged such as wood, masonry and brick. Siding materials and window trim should be consistent on all sides of the structures.
6. **HVAC**. HVAC units shall be located away from the front of the buildings and screened from public view through landscaping and/or screen walls.

SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ATTEST:

Karen Sublett, City Clerk

(SEAL)

for Brandon J. Whipple, Mayor, City of Wichita

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

MW

McClatchy

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

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
32522	192086	WIC-12-27-21	OR. NO. 51-683	$67.20	1	8.00 in

Attention: Jamie Buster
CITY OF WICHITA/CLERKS OFFICE
455 N MAIN ST FL 13
WICHITA, KS 67202

LEGAL PUBLICATION



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

No. of Insertions: 1
Beginning Issue of: 12/27/2021
Ending Issue of: 12/27/2021

STATE OF KANSAS)
SS
County of Sedgwick)

Hayley Martin, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 12/27/2021 to 12/27/2021.

H. Hayley

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 01/24/2022

Stefani Beard

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

STEFANI SCOTT BEARD
My Notary ID # 131768951
Expires October 23, 2022

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

LEGAL PUBLICATION

OCA 150004

CORRECTED AND REPUBLISHED
IN THE WICHITA EAGLE
ON DECEMBER 27, 2021 (446315)

ORDINANCE NO. 51-683

THIS CORRECTIVE ORDINANCE IS TO CORRECT ORDINANCE NO. 51-683, PUBLISHED IN THE WICHITA EAGLE ON DECEMBER 17, 2021. ORDINANCE NO. 51-683 WAS MISSING LANGUAGE ABOUT A PROTECTIVE OVERLAY. THIS IS AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2021-00044

City zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential on zoning lot described as:

Lot 7, in Reeves Second Addition to Wichita, Sedgwick County, Kansas.

Subject to **Protective Overlay #385.**

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6. **HVAC.** HVAC units shall be located away from the front of the buildings and screened from public view through landscaping and/or screen walls.

SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ATTEST:

Brandon J. Whipple, Mayor,
City of Wichita

Karen Sublett, City Clerk

(SEAL) Approved as to form:

Jennifer Magaña, City Attorney
and Director of Law

McClatchy

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

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	142136	WIC-9-30-21	OCA 150004	$117.60	1	14.00 in

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

Copy of ad content
is on the next page

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

No. of Insertions: 1
Beginning Issue of: 09/30/2021
Ending Issue of: 09/30/2021

STATE OF KANSAS)
SS
County of Sedgwick)

Hayley Martin, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 09/30/2021 to 09/30/2021.

H. Hayley

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 06/14/2022

Stefani Beard

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

STEFANI SCOTT BEARD
My Notary ID # 131768951
Expires October 23, 2022

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

LEGAL PUBLICATION

OCA 150004

PUBLISHED IN THE WICHITA EAGLE
ON SEPTEMBER 30, 2021 (326918)
(One Time Only)

MAPC/BZA October 21, 2021
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, October 21, 2021 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 virtually, public participation is available in multiple ways, those without technology options can participate by going to the Wichita City Hall Building - 1st Floor Council Chambers - 455 N. Main Street, Wichita, Kansas 67202 (specified at the bottom of this notice). **If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Department at (316) 2684421.**

CON2021-00043 - City Conditional Use to permit salvage yard for a tow/impound lot on property zoned LI Limited Industrial generally located on the west side of North Broadway and within one-half mile south of East 37th Street North (3527 N Broadway).

CUP2021-00050 - City Community Unit Plan amendment to allow restaurant/bar with entertainment (defined as Night Club in the City), Generally located on the east side of North Amidon Avenue and within one-quarter mile south of West 21st Street North (2106 North Amidon).

CUP2021-00051 - City request for a mixed use Community Unit Plan on LC Limited Commercial zoned property generally located on the northeast corner of West 47th Street South and South Meridian Avenue (associated with ZON2021-45).

CUP2021-00052 - City request to amend Community Unit Plan CUP DP-19 to allow a restaurant/bar with entertainment (defined as Night Club in the City), on LC Limited Commercial zoned Parcel 1-A generally located southeast of North Tyler Road and West Central Avenue (602 N Tyler Rd).

VAC2021-00041 - City Vacation of a portion of platted setback on property zoned SF-5 SingleFamily Residential to allow for the construction of a porch; generally located northwest of North Amidon and West 25th Street North (2659 North Charles Avenue).

ZON2021-00043 - City zone change from SF-5 Single-Family Residential to GO General Office for multiple properties on North Edwards between W Elm and W Murdock; generally located within one-quarter mile north of West Central Avenue and one-block west of North McLean Blvd.

ZON2021-00044 - City zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential; generally located within one-quarter mile east of Zoo Boulevard and two blocks south of West 9th Street North.

ZON2021-00045 - City zone change from SF-5 Single-Family Residential to LC Limited Commercial (associated with CUP2021-00051 to form new CUP) generally located on the northeast corner of West 47th Street South and South Meridian Avenue.

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.

PLEASE NOTE THIS MEETING IS CONSIDERED AN EMERGENCY MEETING OF THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION DUE TO COVID-19, WHICH WILL IMPOSE SPECIAL PROCEDURES TO PARTICIPATE IN THE PUBLIC HEARING. THESE ARE AS FOLLOWS:

The meeting will be conducted "virtually" using Go-To-Meeting. You have multiple options to participate: 1) submit comments ahead of time, 2) participate remotely, or 3) attend in-person at the Wichita City Hall Building (see below).

Submit Comments Ahead of Time

You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department no later than 5pm 3 days prior to the meeting. Please be sure to provide ample time for delivery. The comments can be submitted in the following formats: email; letter; video; and audio message (mp3, etc.). The comment should indicate which item they pertain to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff using the contact information below. The comments received ahead of the submission deadline will be shared with the MAPC, prior to or during the meeting.

Email	Planning@wichita.gov
Mailing Address	Wichita-Sedgwick County Metropolitan Area Planning Department Attn: **Scott Wadle** 271 W. 3rd Street - Suite 201 Wichita, KS 67202
Phone	316.268.4421
Fax	316.858.7764

Participate Remotely

Please join my meeting from your computer, tablet or smartphone.

https://global.gotomeeting.com/join/651544141

You can also dial in using your phone.
United States: +1 (571) 317-3112
Access Code: 651-544-141

Join from a video-conferencing room or system.
Dial in or type: 67.217.95.2 or inroomlink.goto.com
Meeting ID: 651 544 141

Or dial directly: 651544141@67.217.95.2 or 67.217.95.2##651544141

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

Attend In-Person

You may also participate in the hearing in-person at the Wichita City Hall Council Chambers (455 N. Main Street, Wichita, KS 67202). Please note that security screening is required for public access to the building, self-paid parking is available nearby, and COVID-19 protocols are in place. For more information please visit www.wichita.gov/visitcityhall. The in-person option is primarily intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-2684464) by 5pm, 3 days prior to the meeting.

WITNESS MY HAND on September 30, 2021

Scott Wadle, Secretary

WichitaSedgwick County

Metropolitan Area Planning Commission

Congress juggles funding, debt limit, Biden agenda



J. SCOTT APPLEWHITE AP

Sen. Joe Manchin, D-W.Va., a centrist Democrat vital to the fate of President Joe Biden's $3.5 trillion domestic agenda, is surrounded by reporters outside the Capitol on Wednesday.

BY ERIK WASSON AND LAURA LITVAN
Bloomberg News

WASHINGTON

President Joe Biden's economic agenda faced a pivotal day in Congress Wednesday, with the prospects growing of an embarrassing setback for his infrastructure bill and markets beginning to take notice of the intensifying debt ceiling standoff with Republicans.

Senate Majority Chuck Schumer said he anticipates Congress will avert a government shutdown by passing a stopgap spending bill before current funding expires Friday.

But he was not as optimistic on efforts to suspend the debt ceiling, which Republicans have refused to do.

"We're just asking Republicans to get out of the way," Schumer said on the Senate floor.

Treasury Secretary Janet Yellen has warned that a default looms on Oct. 18 without congressional action.

Concerns about the current impasse in Washington over the debt limit and other fiscal measures contributed to the biggest selloff in equities since May. The 2% drop in the S&P 500 Index was partially reversed in Wednesday trading.

Congress appears to be working toward averting a shutdown of nonessential government functions after the end of the fiscal year on Thursday. As soon as Wednesday evening, the Senate planned to take up the stopgap spending bill extending funding through Dec. 3 and providing billions in disaster aid and funds for Afghan refugees. The House plans to quickly follow suit.

Democrats earlier attempted to use the stopgap measure as a vehicle for a debt ceiling suspension but Republicans blocked that effort in the Senate.

For now, Democrats are trying to win public support. They plan to pass a stand-alone debt limit bill in the House to highlight the issue and continue to seek GOP consent in the Senate to pass the debt limit with just 51 votes instead of the usual 60 votes.

Republicans continue to press Democrats to use the same fast-track budget process to raise the debt ceiling without GOP support they plan to use for the tax and spending measure that encompasses much of Biden's agenda.

Across the Capitol, Speaker Nancy Pelosi faces a hard choice of when to hold a vote on the $550 billion infrastructure bill, which has already passed the Senate with bipartisan support.

Pelosi has promised moderates in her caucus a Thursday vote on the bill, a top priority for swing-district Democrats. But progressives have doubled down on their threat to vote down the bill until the House and Senate passes a $3.5 trillion tax and spending measure that funds many of their priorities.

"I think if we come to a place where we have agreement in legislative language, not just principle but legislative language that the president supports," Pelosi said, "and then I think we will come together."

To unlock the second larger bill, the House is waiting on Senate moderates led by Joe Manchin of West Virginia and Kyrsten Sinema of Arizona to reveal the price tag they'll support. Manchin has hinted he could back $1.5 trillion while Sinema has been more circumspect.

Biden was personally negotiating with the two senators and canceled a trip to Chicago to continue those talks.

Without some deal between Biden and the moderates, it is increasingly likely that that the infrastructure bill will fail on the House floor or that Pelosi will pull it from the schedule. As a result, the entire Biden agenda could languish in Congress for months.

Kansas leaders have failed in attempts to expand Medicaid. Will Congress do it for them?

BY DANIEL DESROCHERS AND KATIE BERNARD
ddesrochers@mcclatchydc.com
cbernard@kcstar.com

WASHINGTON

For nearly a decade, politicians in Kansas have sought to expand access to Medicaid only to be blocked by conservative Republicans.

Gov. Sam Brownback vetoed a bi-partisan effort in 2017, citing the lack of work requirements for beneficiaries and a failure to defund Planned Parenthood. Senate President Susan Wagle scuttled another bi-partisan agreement in 2020, making passage contingent on approval of an anti-abortion constitutional amendment.

Now, Democrats in Washington, D.C. are on the verge of stepping in.

"State after state has chosen to expand Medicaid and protect the health of their most vulnerable residents, but Kansans continue to suffer solely because partisan actors have repeatedly chosen to leave money on the table," said Kansas U.S. Rep. Sharice Davids. "Kansans have made their voices clear on this — that's why we are exploring every avenue, including continued financial incentives for states and a federal option to close the Medicaid coverage gap."

Among the many provisions in the mammoth budget bill Democrats are calling "Build Back Better" is a new Medicaid program to provide health insurance for most low-income adults in the 12 states, like Kansas, that have not expanded eligibility for coverage. The expansion, a provision of the 2010 Affordable Care Act, would cover households making up to 138 percent of the federal poverty line, or $36,570 for a family of four.

It may be the only shot to extend coverage to the estimated 165,000 Kansans who don't have health insurance. The latest efforts to expand Medicaid have attracted little support in Topeka.

"I don't think it's in the cards in this building for 2022," State Sen. Pat Pettey, a Kansas City, Kansas Democrat said in Topeka last week. "We haven't been able as a Legislature to even have, I would say within the last 2 years, to even have a significant conversation about Medicaid expansion."

Any federal Medicaid expansion relies on Democrats agreeing to pass a budget bill packed with legislative priorities, from universal pre-kindergarten to combating climate change. The status of the package is tenuous. Conservative Democrats in the Senate have chafed at the $3.5 trillion cost, and House and Senate Democrats are negotiating what portions to cut.

Some of the bill's healthcare provisions have been part of the negotiations, such as whether to allow Medicare to negotiate drug prices with pharmaceutical companies, another measure supported by Davids. The provision creating a federal Medicaid program for people in the "coverage gap," however, has stayed uncontroversial.

If the provision remains and the bill becomes law, the Secretary of the Department of Health and Human Services would have until 2025 to create a new program to administer Medicaid to the newly eligible recipients.

Until the program is set up, they would be able to get subsidies to purchase coverage in the federal health insurance marketplace.

Depending on how the program is set up, the federal workaround means the state potentially would not have to spend any money on insurance coverage for the expanded Medicaid population — even though the federal government covers 90 percent of the cost for states that have expanded.

But it also means they won't get any say over running the program and how to best tailor it for Kansas.

"It would be great to have those people insured but we do lose the opportunity to make it a Kansas program, to put our own stamp on things," said Kansas state Rep. Susan Concannon, a Beloit Republican who supports Medicaid expansion.

Expansion proponents said they would still like to see the Kansas legislature pass a bill. April Hollman, Executive Director of the Alliance for a Healthy Kansas, said she would like to see a program tailored to the needs of Kansas, which would require expansion by the legislature instead of a federal workaround.

Concannon said she hoped the state's lack of control over the workaround would encourage conservatives who have resisted expansion to come to the negotiating table.

A federal program may not have work requirements, which some conservatives have made a condition of expansion. The 2020 version of the bill crafted by Kelly and Senate Republican leader Jim Denning had a program that referred people to work, but didn't require it.

Still, the prospect of the federal government stepping in doesn't appear to have changed the minds of Republicans who opposed Medicaid expansion. Sen. Richard Hilderbrand, a Galena Republican and chair of the Senate Health and Human Services Committee, called it federal overreach and promised to seek ways to fight if it goes through.

"The federal government is stepping way outside of its intent of what the founding fathers wanted it to be," Hilderbrand said. "We don't need any more federal programs and if it's a state issue like it always has been let the states decide if they want it or they don't."

Focus on boosters might hurt outreach for 1st-time shots

BY MIKE STOBBE
The Associated Press

NEW YORK

The spread of COVID-19 vaccination requirements across the U.S. hasn't had the desired effect so far, with the number of Americans getting their first shots plunging in recent weeks. And some experts worry that the move to dispense boosters could just make matters worse.

The fear is that the rollout of booster shots will lead some people to question the effectiveness of the vaccine in the first place.

"Many of my patients are already saying, 'If we need a third dose, what was the point?' " said Dr. Jason Goldman, a physician in Coral Springs, Florida.

The average daily count of Americans getting a first dose of vaccine has been falling for six weeks, plummeting more than 50% from about 480,000 in early August to under 230,000 by the middle of last week, according to the most recently available federal data.

An estimated 70 million vaccine-eligible Americans have yet to start vaccinations, despite a summer surge in infections, hospitalizations and deaths driven by the delta variant.

Experts have long said the key to ending the U.S. epidemic is vaccinating the vast majority of the American public – perhaps as much as 90%. But of the more than 283 million Americans age 12 and older who are eligible for shots, only about 65% – 184 million – are fully vaccinated, according to Centers for Disease Control and Prevention data. Children under 12 are not yet eligible to get vaccinated, meaning only about 55% of the U.S. public is fully protected.

More than 400,000 Americans got boosters at drugstores over the weekend, and 1 million more have signed up for them, according to White House officials.

FROM PAGE 1A

KANSAS GAS

done about it? Is there an investigation underway and what would be a reasonable timeline for the people of Kansas to know the truth about this? Was there price gouging and who made the money?"

The two FERC officials at the meeting told the senator they're doing what they can, but their power is limited.

"We don't have jurisdiction over the price of the sale of natural gas; Congress deregulated that a number of years ago," Glick said. "I believe it would be helpful if Congress would either get FERC or some other agency some sort of circuit breaker authority when there's extreme prices to impose some sort of limitations at certain times."

He and Christie told Marshall that the agency does have the authority to investigate whether prices were artificially inflated and they're working on that.

Both officials kept the details of the investigation close.

"Your question about who makes the money; it could be traders, it could be suppliers," Christie told Marshall. "It depends on the facts of the situation and what happened in Kansas and Oklahoma in this past February."

How long it will take to unravel that is an open question.

"I'm hoping months," rather than years, Glick told Marshall.

In the meantime, Kansas' regulatory agency, the Kansas Corporation Commission, has decided it doesn't have authority to investigate allegations of potential gouging and it's moving forward with payment plans that will spread the extraordinary February cost over the next few years of bills to tamp down rate shock.

Wichita-area households are expected to pay between $600 and $750 of additional costs from the freeze, according to documents filed with the KCC.

For Kansas Gas Service customers, that could range from $17.51 a month extra on gas bills over three years, to $5.10-$6 a month spread over 10 years.

Black Hills Energy, the No. 2 gas company in Wichita, has proposed charging an extra $12.23 a month spread over five years.

In addition to the FERC investigation, Attorney General Derek Schmidt is looking into whether the spiraling gas prices violated the Kansas Consumer Protection Act, a law designed to limit price increases on necessities during periods of emergency.

That law is also being invoked in a civil court case by the tiny city of Mulberry in southeast Kansas. James Zakoura, a prominent Kansas energy lawyer, is representing Mulberry and argues that gas suppliers engaged in price gouging and piracy during the freeze emergency.

Dion Lefler: 316-268-6527, @DionKansas

LEGAL PUBLICATION
OCA 150004
PUBLISHED IN THE WICHITA EAGLE ON SEPTEMBER 30, 2021 (20MPH) (One Time Only)

MAC2021a (Sept. 30, 2021)
OFFICIAL MEETING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, October 21, 2021 no earlier than 1:00 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held virtually; public participation is available in multiple ways, those without technology options can participate by going to the Wichita City Hall Bulletin - 1st Floor Council Chambers - 455 N. Main Street, Wichita, Kansas 67202 (specified at the bottom of this notice). If you have any questions regarding the meeting or items on this notice, please call the Wichita-Sedgwick County Metropolitan Area Planning Department at (316) 268-4421.

CON2021-00043 - City Conditional Use to permit salvage yard for a tow/impound lot on property zoned LI Limited Industrial generally located on the west side of North Broadway and within one-half mile south of East 37th Street North (3027 N Broadway).

CUP2021-00035 - City Community Unit Plan amendment to allow restaurant/bar with entertainment (defined as Night Club in the City). Generally located on the east side of North Amidon Avenue and within one-quarter mile south of West 21st Street North (2116 North Amidon).

CUP2021-00051 - City request for a mixed use Community Unit Plan on LC Limited Commercial zoned property generally located on the northwest corner of West 47th Street South and South Meridian Avenue (associated with ZON2021-00).

CUP2021-00053 - City request to amend Community Unit Plan CUP DP-79 to allow a restaurant/bar with entertainment (defined as Night Club in the City), on LC Limited Commercial zoned Parcel 1-A generally located southeast of North Tyler Road and West Central Avenue (602 N Tyler Rd).

VAC2021-00041 - City Vacation of a portion of platted setback on property zoned SF5 Single-Family Residential to allow for the construction of a porch; generally located northwest of North Amidon and West 25th Street North (2609 North Charles Avenue).

ZON2021-00043 - City zone change from SF-5 Single-Family Residential to GO General Office for multiple properties on North Edwards between W Elm and W Murdock; generally located within one-quarter mile north of West Central Avenue and one-block west of North McLean Blvd.

ZON2021-00044 - City zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential; generally located within one-quarter mile east of Zoo Boulevard and two blocks south of West 9th Street North.

ZON2021-00045 - City zone change from SF-5 Single-Family Residential to LC Limited Commercial (associated with CUP2021-00051 to term zone CUP) generally located on the northeast corner of West 47th Street South and South Meridian Avenue.

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202. As provided in Section V of the Wichita-Sedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MAPC as by law provided.

PLEASE NOTE THIS MEETING IS CONSIDERED AN EMERGENCY MEETING OF THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION DUE TO COVID-19, WHICH WILL IMPOSE SPECIAL PROCEDURES TO PARTICIPATE IN THE PUBLIC HEARING. THESE ARE AS FOLLOWS:

The meeting will be conducted "virtually" using Go-To-Meeting. You have multiple options to participate: 1) submit comments ahead of time, 2) participate remotely, or 3) attend in-person at the Wichita City Hall Building (see below).

Submit Comments Ahead of Time

You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department no later than 3 days prior to the meeting. Please be sure to provide ample time for delivery. The comments can be submitted in the following formats: email; letter; video; and audio message (mp3, etc.). The comment should indicate which item they pertain to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff using the contact information below. The comments received ahead of the submission deadline will be shared with the MAPC, prior to or during the meeting.

Email	Planning@wichita.gov
Mailing Address	Wichita-Sedgwick County Metropolitan Area Planning Department Attn: Scott Wadle 271 W. 3rd Street - Suite 201 Wichita, KS 67202
Phone	316.268.4421
Fax	316.858.7764

Participate Remotely:
Please join my meeting from your computer, tablet or smartphone.
https://global.gotomeeting.com/join/651544141
You can also dial in using your phone.
United States: +1 (571) 317-3112
Access Code: 651-544-141
Join from a video-conferencing room or system.
Dial in or type: 67.217.95.2 or bjoin@k.gotu.com
Meeting ID: 651 544 141
Or dial directly: 651544141@67.217.95.2 or 67.217.95.2#651544141
New to GoToMeeting? Get the app now and be ready when your first meeting starts: https://global.gotomeeting.com/install/651544141
Attend In-Person
You may also participate in the hearing in-person at the Wichita City Hall Council Chambers (455 N. Main Street, Wichita, KS 67202). Please note that security screening is required for public access to the building, self-park parking is available nearby, and COVID-19 protocols are in place. For more information please visit www.wichita.gov/visitcityhall. The in-person option is primarily intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-2684661) by 5pm, 3 days prior to the meeting.

WITNESS MY HAND on September 30, 2021
Scott Wadle, Secretary
Wichita-Sedgwick County
Metropolitan Area Planning Commission

AGENDA ITEM NO. 4.8

WICHITA—SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

STAFF REPORT

MAPC October 21, 2021
DAB VI October 20, 2021

CASE NUMBER: ZON2021-00044 (City)

APPLICANT/AGENT: Chris Carney (owner); Adrian Cano (agent)

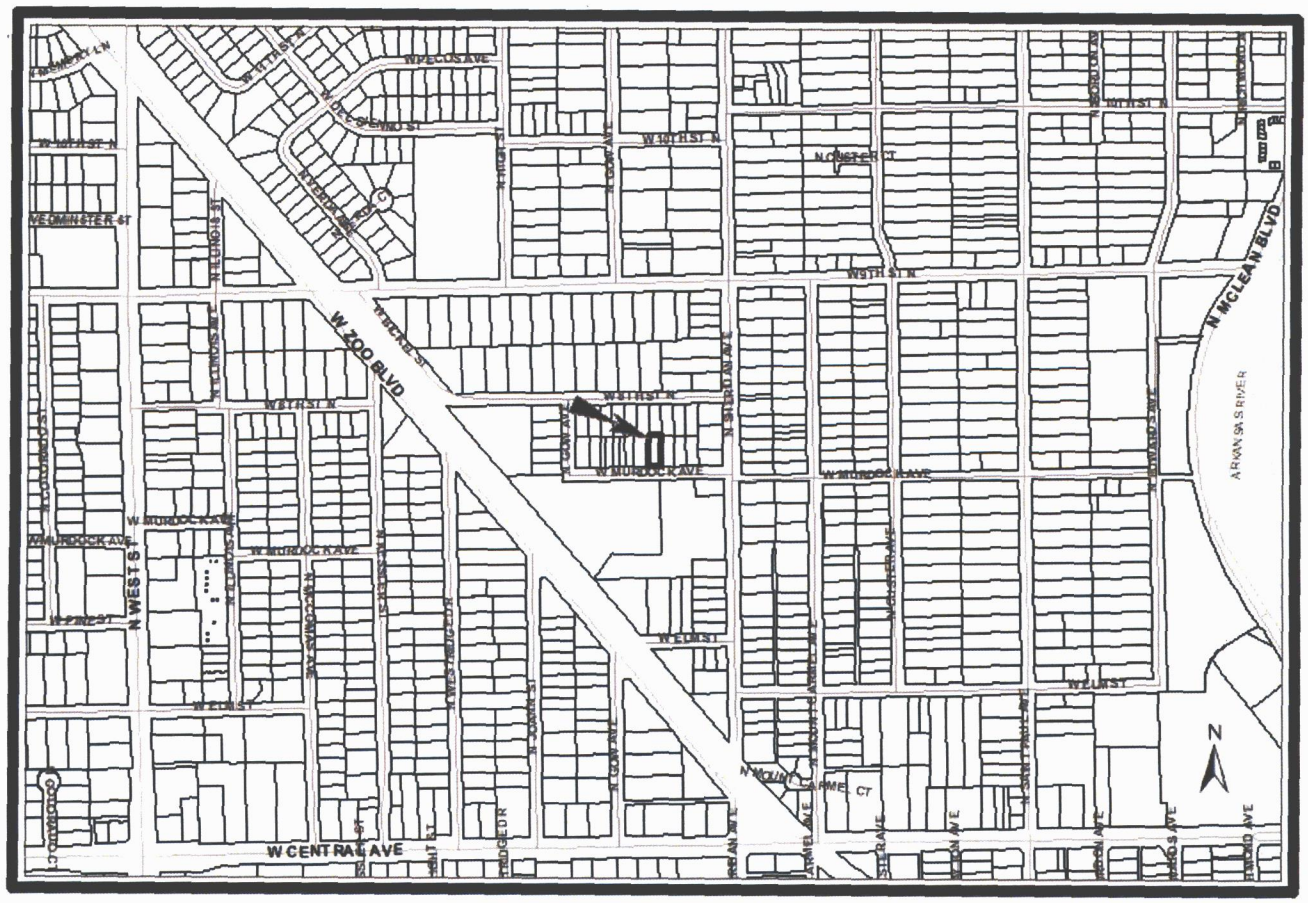
REQUEST: TF-3 Two-Family Residential

CURRENT ZONING: SF-5 Single-Family Residential

SITE SIZE: 0.17 acre

LOCATION: Generally located within one-quarter mile east of Zoo Boulevard and two blocks south of West 9th Street North along West Murdoch Street.

PROPOSED USE: Duplex



BACKGROUND: The applicant/owner is requesting the rezoning of Lot 7, Reeves 2nd Addition from SF-5 Single-Family Residential to TF-3 Two Family Residential. The subject property is generally located within one-quarter mile east of Zoo Boulevard and two blocks south of West 9th Street North along West Murdoch Street. The subject site is currently undeveloped.

The applicant does not have a site plan or elevations for the future duplex at this time. The duplex will be required to meet the property development standards of the TF-3 zoning district in the zoning code.

Properties to the north and west of the subject site are zoned SF-5 Single-Family Residential and developed with single-family homes. The property to the east of the subject site is zoned SF-5 Single Family Residential and is currently undeveloped. Properties to the south of the subject site are zoned B Multi-Family and developed with multi-family units.

CASE HISTORY: On August 16, 1956, the property was platted as Lot 7, Reeves 2nd Addition. No other zoning cases are associated with this property.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single-family residences
SOUTH:	B	Multi-family residences
EAST:	SF-5	Undeveloped
WEST:	SF-5	Single-family residences

PUBLIC SERVICES: West Murdoch Street is a local, paved street with a 60-foot right-of-way and on-street parking. A sidewalk is located along the south side of West Murdoch Street. All municipal services are available to the property.

CONFORMANCE TO PLANS/POLICIES: The requested zoning would continue to allow the property to be in conformance with the Community Investments Plan and the Wichita: Places for People Plan.

The Community Investments Plan: The requested zoning aligns with the goals of the Community Investment Plan. The Community Investments Plan (the Wichita-Sedgwick County Comprehensive Plan) includes the 2035 Wichita Future Growth Concept Map. The Map identifies the area in which the site is located to be primarily appropriate for residential uses and defines residential uses as a variety of housing types including duplexes.

Wichita: Places for People Plan: The requested zoning aligns with the goals of the Wichita: Places for People Plan. The Wichita: Places for People Plan provides recommendations for urban infill development in the Established Central Area (ECA). The subject site is located within the ECA. In general, the ECA is envisioned as "a place for people - a place that provides for the movement of people - on foot, on bike and through transit - in balance with automobiles."

- Strategies: The Plan recommends strategies to help guide the community in their actions to create walkable places within Wichita. The requested zoning aligns with Strategy 5, "Provide a diversity of housing options to attract new residents and allow existing residents to remain in the ECA." The proposed duplex would provide a housing option that otherwise is limited in the area. The requested zoning also aligns with Strategy 6, "Encourage infill and redevelopment that is contextual to the environment in which it is occurring." The proposed rezoning would allow infill within the undeveloped zoning lot that is residential in nature and compatible with the surrounding area.
- Current Condition: The subject property is located within an area identified as an "area of stability." The Places for People Plan defines Areas of Stability as those "areas that exhibit less stress, or fewer economic, connectivity and accessibility issues than the Areas of Opportunity. Areas of Stability require fewer interventions and potentially less public investment to maintain a stable development environment and community."

- Nodal Development Pattern: The Places for People Plan recommends a nodal development pattern that creates a critical mass at the center of a node and transitions in scale and intensity as uses shift from commercial to residential. The subject property does not fall within the node, transition, or edge areas of an identified node. The plan depicts Central and West as the nearest node and categorizes it as a "Community Core."

RECOMMENDATION: Based upon the information available at the time the staff report was completed, staff recommends **APPROVAL** of the zone change request. Staff also recommends that the duplex conform to the *Wichita: Places for People* design recommendations (not requirements) as follows:

1. **Garages**. The garage face shall occupy no more than 50 percent of the ground-level façade facing the street and may not project more than five feet in front of the main facade.
2. **Entrances**. Pedestrian scaled entry shall be a prominent feature of the front elevation. Front doors shall be oriented to the street in front of the units.
3. **Windows and Transparency**. Transparent windows and/or doors facing the street are required. To meet this requirement, at least 10 percent of the façade must be transparent. The façade is measured from the base of the house to the start of the roofline and any other vertical walls facing the street, except for gabled portions of the facade not containing livable floor area. Garages facing the street shall count as part of the façade.
4. **Roof Design**. Roofs shall have variation in roof planes in order to break up the large roof mass through dormers, gables, or changes in elevation. Roof forms and roof pitches of porches, dormers and garages shall be consistent and complement the building style within the neighborhood.
5. **Siding materials**. Siding materials shall be appropriate to the architectural style of the structure. Traditional materials consistent with the neighborhood architectural styles are encouraged such as wood, masonry and brick. Siding materials and window trim should be consistent on all sides of the structures.
6. **HVAC**. HVAC units shall be located away from the front of the buildings and screened from public view through landscaping and/or screen walls.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** Properties to the north and west of the subject site are zoned SF-5 Single-Family Residential and developed with single-family homes. The property to the east of the subject site is zoned SF-5 Single Family Residential and is currently undeveloped. Properties to the south of the subject site are zoned B Multi-Family and developed with multi-family units.

2. **The suitability of the subject property for the uses to which it has been restricted:** The property is presently zoned SF-5 Single Family Residential and could be redeveloped with a single-family home.

3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** Most subdivisions platted and developed prior to the 1960s are in use as single-family residences and duplexes. Because of the similarity of residential use, the UZC does not require screening between SF-5 and TF-3 zoning districts.

4. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The requested zoning would continue to allow the property to be in conformance with the Community Investments Plan and the Wichita: Places for People Plan.

   The Community Investments Plan: The requested zoning aligns with the goals of the Community

Investment Plan. The Community Investments Plan (the Wichita-Sedgwick County Comprehensive Plan) includes the 2035 Wichita Future Growth Concept Map. The Map identifies the area in which the site is located to be primarily appropriate for residential uses and defines residential uses as a variety of housing types including duplexes.

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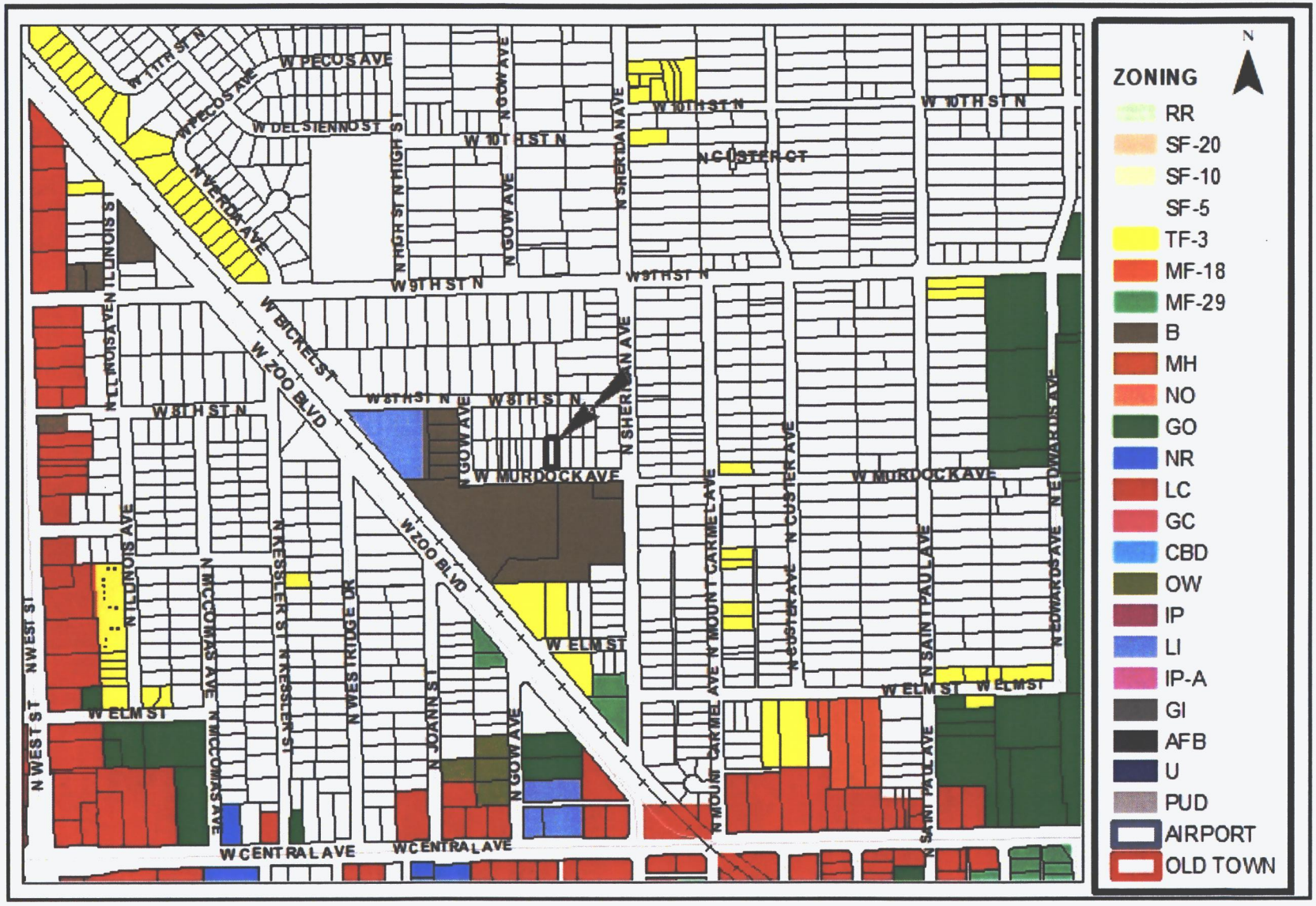
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5. **Impact of the proposed development on community facilities:** Development of the property with the requested zoning is not anticipated to have significant adverse impacts on community facilities or resources. All public improvements are available to serve the property.

Attachments:

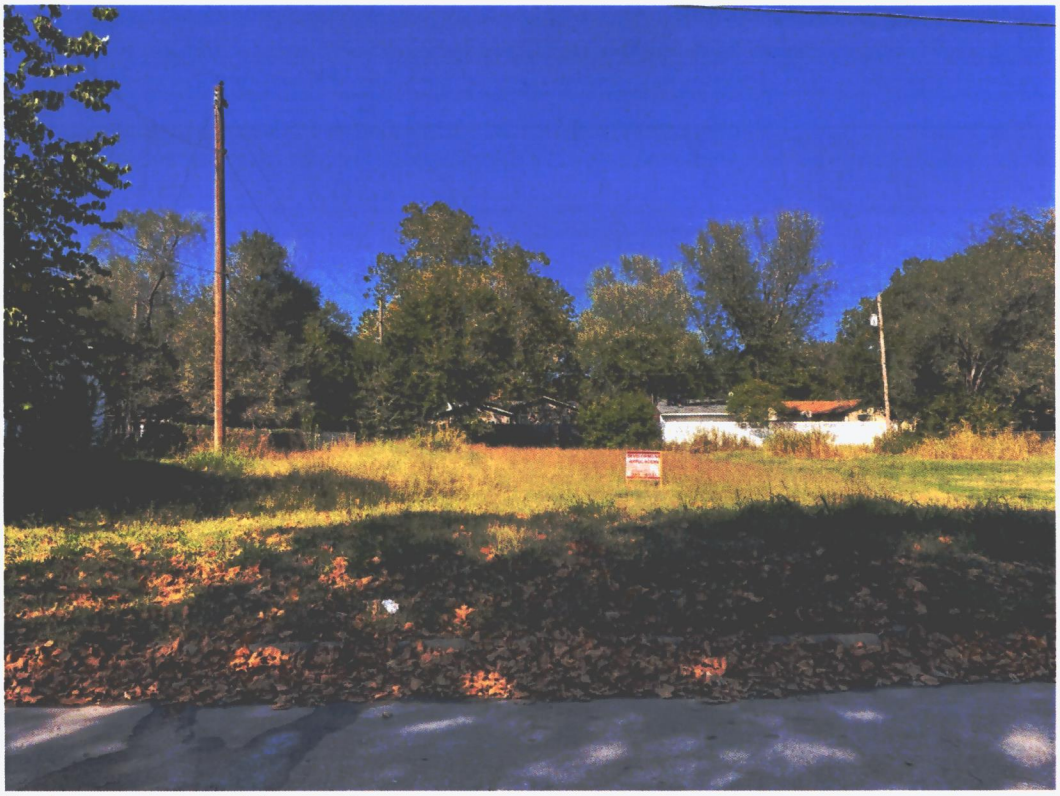
- Aerial Map
- Zoning Map
- Land Use
- Photos


N


ZONING
RR
SF-20
SF-10
SF-5
TF-3
MF-18
MF-29
B
MH
NO
GO
NR
LC
GC
CBD
OW
IP
LI
IP-A
GI
AFB
U
PUD
AIRPORT
OLD TOWN
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W PECOS AVE
W DEL SIENNO ST
W 10TH ST N
W 9TH ST N
W 8TH ST N
W BICKEL ST
W ZOO BLVD
N ILLINOIS AVE
N HIGH ST
N GOW AVE
N SHERIDAN AVE
N CUSTER CT
N CUSTER AVE
W MURDOCK AVE
N MOUNT CARMEL AVE
N SAINT PAUL AVE
N EDWARDS AVE
W ELM ST
N WEST ST
N KESSLER ST
N MCCOMAS AVE
N WESTRIDGE DR
N JOANN ST
W CENTRAL AVE

2035 Wichita Future Growth Concept Map





Subject property looking north



Property west of subject property, looking north



Property east of subject property, looking northeast



Property south of subject property, looking south