



## Wichita-Sedgwick County Metropolitan Area Planning Department

July 14, 2023

Holland Ventures LLC  
1255 South Tyler Road  
Wichita, KS 67209

K.E. Miller Engineering  
Attn: Kirk Miller  
117 East Lewis Street  
Wichita, KS 67202

**RE: ZON2023-00026:** Zone change request in the City from SF-5 Single-Family Residential District to GC General Commercial District with Protective Overlay #411; generally located on the north side of West Maple Street, within 500 feet west of North Tyler Road (8924 West Maple Street).

Dear Applicants;

At its regular meeting on **July 11, 2023**, the Wichita City Council considered the above captioned request. The action of the WCC was to **APPROVE** the request, subject to Protective Overlay #411, which reads:

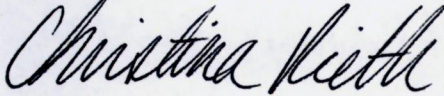
### Protective Overlay #411

1. Uses shall be limited to the following: All uses permitted in NR zoning district and including uses of: Warehouse, Self-Service Storage and Vehicle Storage Yard, both as allowed in GC zoning. Any use requiring a conditional use in NR zoning shall require a PO amendment.
2. Parking shall be provided in accordance with Article IV of the Unified Zoning Code.
3. A drainage plan shall be submitted to City Engineering for approval.
4. Signs shall be in accordance with the GC zoning district in the Sign Code of the City of Wichita, with the following additional requirements:
  - a. Portable signs are not allowed.
  - b. Ground signs shall be monument type.
  - c. No off-site/billboard signs.
  - d. No illuminated building signs on the north or west elevations.
5. Property shall install similar or consistent parking lot lighting elements (i.e., fixtures, poles, and lamps, and etc.).
  - a. The height of all light poles, including pole base, is limited to 15 feet.
  - b. All exterior lighting shall be shielded to direct light disbursement in a downward direction and away from residential areas.
6. Utilities shall be installed underground on all parcels.
7. Landscape buffers and screening shall be in accordance with the City of Wichita Landscape Ordinance.
8. Noise from the site shall not be audible from adjacent or surrounding property above the local, ambient noise. No outdoor speaker systems shall be permitted.
9. All rooftop mechanical equipment shall be screened from ground-level view from adjacent residential areas and adjacent street right of way.

10. Trash receptacles and ground level mechanical equipment shall be screened to reasonably hide them from ground level view, adjacent property and street right of way.
11. If used for Vehicle Storage Yard, the following restrictions shall apply:
  - a. Use: the Vehicle Storage Yard shall be used for the storage of licensed, operable vehicles only, and in no case shall it be used for sales, repair work, dismantling, or mechanical servicing of any vehicle or equipment, or for storage of materials or supplies. Non-mechanical servicing such as replacing windshield washer fluid, light bulbs, and interior cleaning shall be allowed.
  - b. Paving: access drives and drive aisles shall be monolithic in material, such as concrete, asphalt asphaltic concrete or other comparable surface per the standards of the Unified Zoning Code Section IV-A.2.b. The paving shall be maintained in good condition and free of weeds, trash, and other debris.

This is a reminder that the zoning notification signs should now be removed from the property. If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,



Christina Rieth  
Current Plans  
Associate Planner

Copies to: Bryan Frye, Council Member District V  
Teresa Veazey, CSR, District V  
MABCD



**Wichita-Sedgwick County Metropolitan Area Planning Department**

June 12, 2023

George Holland  
1255 South Tyler Road  
Wichita, KS 67209

**RE: ZON2023-00026:** Zone change request in the City from SF-5 Single-Family Residential District to GC General Commercial District with Protective Overlay #411; generally located on the north side of West Maple Street, within 500 feet west of North Tyler Road (8924 West Maple Street).

Dear Applicant;

At its regular meeting on **June 8, 2023**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** of the request.

Property owners opposed to the application may file with the City Clerk a signed, written protest of the MAPC's recommendation. (Unsigned e-mails are not considered to be legal protests.) To be effective, the protest must be filed by 5:00 p.m. on June 22, 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 **June 22, 2023, at 5:00 p.m.**

This application will be presented to the Wichita City Council on **Tuesday, July 11, 2023** beginning at 9:00 a.m.

This is a reminder that the zoning notification signs should now be removed from the property. If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

A handwritten signature in cursive script that reads 'Christina Rieth'.

Christina Rieth  
Current Plans  
Associate Planner

Copies to: Bryan Frye, Council Member District V  
Teresa Veazey, CSR, District V  
MABCD  
K.E. Miller Engineering, attn: Kirk Miller, 117 East Lewis Street, Wichita, KS 67202  
Anthony Dunn, *via email*  
Winifred Noakes, *via email*

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. ZON2023-00026**

Zone change request in the City from SF-5 Single-Family Residential District to GC General Commercial District zoning subject to the provisions of Protective Overlay #411, on property legally described as:

Lot 5, Westfield Acres Addition to the City of Wichita, Sedgwick County, Kansas.

**Protective Overlay #411**

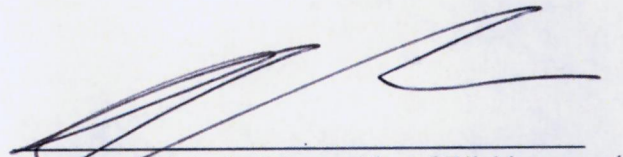
1. Uses shall be limited to the following: All uses permitted in NR zoning district and including uses of: Warehouse, Self-Service Storage and Vehicle Storage Yard, both as allowed in GC zoning. Any use requiring a conditional use in NR zoning shall require a PO amendment.
2. Parking shall be provided in accordance with Article IV of the Unified Zoning Code.
3. A drainage plan shall be submitted to City Engineering for approval.
4. Signs shall be in accordance with the GC zoning district in the Sign Code of the City of Wichita, with the following additional requirements:
  - a. Portable signs are not allowed.
  - b. Ground signs shall be monument type.
  - c. No off-site/billboard signs.
  - d. No illuminated building signs on the north or west elevations.
5. Property shall install similar or consistent parking lot lighting elements (i.e., fixtures, poles, and lamps, and etc.).
  - a. The height of all light poles, including pole base, is limited to 15 feet.
  - b. All exterior lighting shall be shielded to direct light disbursement in a downward direction and away from residential areas.
6. Utilities shall be installed underground on all parcels.
7. Landscape buffers and screening shall be in accordance with the City of Wichita Landscape Ordinance.
8. Noise from the site shall not be audible from adjacent or surrounding property above the local, ambient noise. No outdoor speaker systems shall be permitted.
9. All rooftop mechanical equipment shall be screened from ground-level view from adjacent residential areas and adjacent street right of way.
10. Trash receptacles and ground level mechanical equipment shall be screened to reasonably hide them from ground level view, adjacent property and street right of way.
11. If used for Vehicle Storage Yard, the following restrictions shall apply:

- a. Use: the Vehicle Storage Yard shall be used for the storage of licensed, operable vehicles only, and in no case shall it be used for sales, repair work, dismantling, or mechanical servicing of any vehicle or equipment, or for storage of materials or supplies. Non-mechanical servicing such as replacing windshield washer fluid, light bulbs, and interior cleaning shall be allowed.
- b. Paving: access drives and drive aisles shall be monolithic in material, such as concrete, asphalt asphaltic concrete or other comparable surface per the standards of the Unified Zoning Code Section IV-A.2.b. The paving shall be maintained in good condition and free of weeds, trash, and other debris.

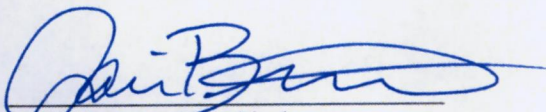
**SECTION 2.** That upon the taking effect of this Ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

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

Adopted this 18<sup>th</sup> day of July, 2023.

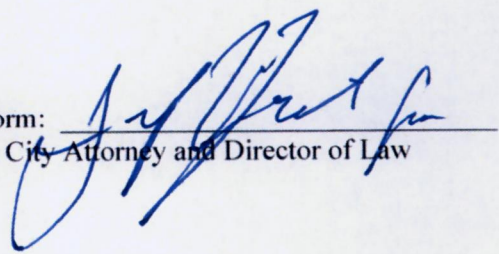
  
\_\_\_\_\_  
Brandon J. Whipple, Mayor, City of Wichita

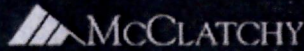
ATTEST:

  
\_\_\_\_\_  
Jamie Buster, City Clerk

(SEAL)



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



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	446029	Print Legal Ad-IPL01320910 - IPL0132091		\$125.79	2	75 L

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

LAlvarez@wichita.gov

### LEGAL PUBLICATION

OCA 150004

PUBLISHED IN THE WICHITA EAGLE ON July 21, 2023  
 ORDINANCE NO. 52-216

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. ZON2023-00026

Zone change request in the City from SF-5 Single-Family Residential District to GC General Commercial District zoning subject to the provisions of Protective Overlay #411, on property legally described as:

Lot 5, Westfield Acres Addition to the City of Wichita, Sedgwick County, Kansas. Protective Overlay #411

1. Uses shall be limited to the following: All uses permitted in NR zoning district and including uses of: Warehouse, Self-Service Storage and Vehicle Storage Yard, both as allowed in GC zoning. Any use requiring a conditional use in NR zoning shall require a PO amendment.
2. Parking shall be provided in accordance with Article IV of the Unified Zoning Code.
3. A drainage plan shall be submitted to City Engineering for approval.
4. Signs shall be in accordance with the GC zoning district in the Sign Code of the City of Wichita, with the following additional requirements:
  - a. Portable signs are not allowed.
  - b. Ground signs shall be monument type.
  - c. No off-site/billboard signs.
  - d. No illuminated building signs on the north or west elevations.
5. Property shall install similar or consistent parking lot lighting elements (i.e., fixtures, poles, and lamps, and etc.).
  - a. The height of all light poles, including pole base, is limited to 15 feet.
  - b. All exterior lighting shall be shielded to direct light disbursement in a downward direction and away from residential areas.
6. Utilities shall be installed underground on all parcels.
7. Landscape buffers and screening shall be in accordance with the City of Wichita Landscape Ordinance.
8. Noise from the site shall not be audible from adjacent or surrounding property above the local, ambient noise. No outdoor speaker systems shall be permitted.
9. All rooftop mechanical equipment shall be screened from ground-level view from adjacent residential areas and adjacent street right of way.
10. Trash receptacles and ground level mechanical equipment shall be screened to reasonably hide them from ground level view, adjacent property and street right of way.
11. If used for Vehicle Storage Yard, the following restrictions shall apply:
  - a. Use: the Vehicle Storage Yard shall be used for the storage of licensed, operable vehicles only, and in no case shall it be used for sales, repair work, dismantling, or mechanical servicing of any vehicle or equipment, or for storage of materials or supplies. Non-mechanical servicing such as replacing windshield washer fluid, light bulbs, and interior cleaning shall be allowed.
  - b. Paving: access drives and drive aisles shall be monolithic in material, such as concrete, asphalt asphaltic concrete or other comparable surface per the standards of the Unified Zoning Code Section IV-A.2.b. The paving shall be maintained in good condition and free of weeds, trash, and other debris.

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

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

Adopted this 18th day of July, 2023.

Brandon J. Whipple, Mayor, City of Wichita

ATTEST:

Jamie Buster, City Clerk  
 (SEAL) Approved as to form:  
 Jennifer Magana, City Attorney and Director of  
 IPL0132091  
 Jul 21 2023

In The STATE OF KANSAS  
 In and for the County of Sedgwick  
 1 insertion(s) published on:  
 07/21/23

STATE OF KANSAS)

SS

County of Sedgwick)

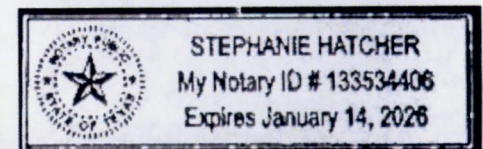
Hayley Martin, of lawful age, being first duly sworn, depose and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has 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 07/21/2023 to 07/21/2023.

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

DATED: 07/21/2023

Stephanie Hatcher

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



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



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	421232	Print Legal Ad-IPL01228220 - IPL0122822	OCA 150004	\$221.44	3	88 L

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

MHEBERT@wichita.gov

## LEGAL PUBLICATION

OCA 150004  
 Published in The Wichita Eagle on May 18, 2023  
 (One Time Only)  
 MAFC/BZA June 8, 2023  
 OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, June 8, 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 at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation may also occur through virtual methods (specified at the end of this notice). If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Department at (316) 2684421.

BZA2023-00028: Variance request in the City to reduce the side and the rear setback to bring carport into compliance and permit an addition on the rear, on property zoned SF-5 Single-Family; located within one-block north of West 1st Street North and one-quarter mile west of North Seneca (212 N. Elizabeth).

CON2023-00020: Request in the City for a Conditional Use to permit Nightclub in the City and Mobile Food Unit on property zoned LC Limited Commercial District; generally located on the southeast corner of West 21st Street North and North Waco Avenue (366 W. 21st St. N.)

CON2023-00022: Conditional Use request in the City to expand existing electric substation on property zoned LI Limited Industrial; generally located within one block south of East Central Avenue, and two-blocks west of North Washington Avenue (402 N. Mead).

CUP2023-00016: CUP Minor Amendment in the City to CUP DP-268 to allow on-site advertising on an off-site billboard; generally located on the northwest side of West Kellogg Drive, within 300 feet west of North Tyler Road.

VAC2023-00016: Request in the City to vacate 25-foot front building setback on property zoned TF-3 Two-Family Residential; located within one-quarter mile north of East Douglas Avenue, one-half mile west of North 127th Street East.

VAC2023-00017: Vacation request in the City for a portion of a platted 20-foot alley; generally located between North Santa Fe and North St. Francis and between East Pine Street and East Murdock Avenue (abutting 700 N. St. Francis).

VAC2023-00018: Vacation request in the City of a portion of complete access control to open a new access point and close an existing access point on property zoned LC & GC with PO-35; generally located on the west side of North Maize Road, within one-quarter mile north of West 21st Street North).

ZON2023-00021: Zone change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District for the development of duplexes; generally located on the east side of North Hillside Avenue and within one-half mile north of East 45th Street North.

ZON2023-00026: Zone change request in the City from SF-5 Single-Family Residential District to GC General Commercial District with Protective Overlay #11; generally located on the north side of West Maple Street, within 500 feet west of North Tyler Road (8924 W. Maple St).

ZON2023-00027: Zone change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District for the development of duplexes; generally located on the east side of North Tyler Road, within one-half mile north of West 29th Street North (3320 N. Tyler Rd).

ZON2023-00028: Zone change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential to permit development of duplexes on property; generally located on the east side of South Maize Road, within one-half mile north of West 31st Street South (2816 S. Maize Rd).

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 MAFC, 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 MAFC as by law provided.

Options to participate (see below):

- 1) Participate virtually
- 2) Attend in-person at the Ronald Reagan Building
- 3) Submit comments ahead of time

Participate Virtually

Join Zoom Meeting  
<https://us06web.zoom.us/j/4089866967?pwd=ek0k3bW0ySjE9bnFkQjRlV0xVbDZkU0R0>  
 Meeting ID: 408 986 6967  
 Passcode: 094136

One tap mobile

+16699006833,4089866967#...\*094136# US (San Jose)  
 +17193594580,4089866967#...\*094136# US

Meeting ID: 408 986 6967

Passcode: 094136

Find your local number: <https://us06web.zoom.us/j/4089866967>

Attend In-Person

You may also participate in the hearing in-person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202. The in-person option is primarily intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-2684464) by 5pm, 3 days prior to the meeting.

Submit Comments Ahead of Time

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

Email [Planning@wichita.gov](mailto: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 May 18, 2023

Scott Wadle, Secretary

WichitaSedgwick County

Metropolitan Area Planning Commission

IPL0122822

May 18 2023

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

1 insertion(s) published on:

05/18/23

STATE OF KANSAS)

SS

County of Sedgwick)

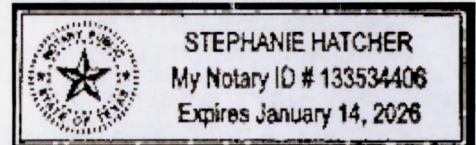
Hayley Martin, of lawful age, being first duly sworn, depose and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has 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 05/18/2023 to 05/18/2023.

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

DATED: 06/22/2023

Stephanie Hatcher

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



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



**STAFF REPORT**  
MAPC: June 8, 2023  
DAB V: June 5, 2023

---

CASE NUMBER: ZON2023-00026 (City)

APPLICANT/AGENT: George Holland (Applicant)/ K.E. Miller Engineering, P.A. (Agent)

REQUEST: GC General Commercial District; Protective Overlay #411

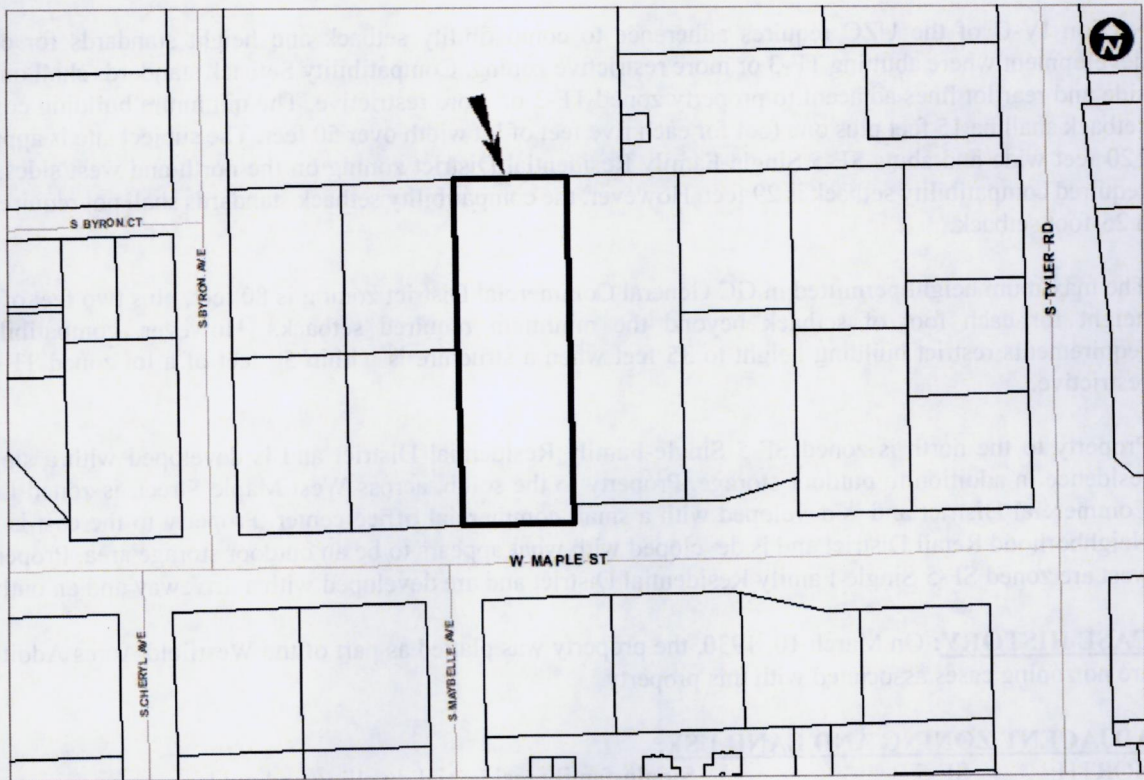
CURRENT ZONING: SF-5 Single-Family Residential District

SITE SIZE: 1.04 acres

LOCATION: Generally located on the north side of West Maple Street, west of North Tyler Road (8924 West Maple Street)

PROPOSED USE: Vehicle Storage Yard and Warehouse Self-Storage

RECOMMENDATION: Approve subject to Protective Overlay #411



**BACKGROUND:** The applicant is requesting a zone change from SF-5 Single-Family Residential District to GC General Commercial District with Protective Overlay #411 for a property addressed as 8924 West Maple Street. The platted one-acre property is generally located on the north side of West Maple Street, within one-block west of North Tyler Road. The subject site is currently developed with a single-family dwelling. The purpose of the zone change request with Protective Overlay #411 is to allow Vehicle Storage Yard and Warehouse, Self-Storage on site. The proposed Protective Overlay would restrict all other uses to those permitted in the NR Neighborhood Retail District.

Section IV-B of the Unified Zoning Code (UZC) requires screening on commercial properties when abutting residential properties. These requirements are intended to protect residential zoning districts from adverse visual impacts associated with commercial development. Screening fences shall be not less than six feet nor more than eight feet in height, except that within 20 feet of street right-of-way line in the front setback, the height shall be reduced to three feet. The subject site is required to screen on the north and west property lines.

The Wichita Landscape Ordinance requires commercial developments to provide a landscape street yard with parking lot screening where adjacent to residential zoning. Additionally, landscape buffer trees are required along properties lines where abutting residential zoning. The applicant shall comply with these regulations and a landscape plan is required to be reviewed and approved by the Planning Department prior to the issuance of building permits.

The site shall conform with minimum parking standards as outlined in Section IV-A of the UZC. Vehicle Storage Yard requires one parking space per 10,000 square feet, while Warehouse, Self-Storage requires one per employee plus one per 8,000 square feet of floor area. The subject site is 45,380 square feet, so it will require five parking spaces for the Vehicle Storage Yard and a minimum of five parking spaces for Warehouse, Self-Storage. The applicant can apply for an Administrative Adjustment to reduce the parking requirement by up to 25 percent since this is a redevelopment project.

Section IV-C of the UZC requires adherence to compatibility setback and height standards for commercial development where abutting TF-3 or more restrictive zoning. Compatibility Setback standards shall only apply to side and rear lot lines adjacent to property zoned TF-3 or more restrictive. The minimum building compatibility setback shall be 15 feet plus one foot for each five feet of lot width over 50 feet. The subject site is approximately 120 feet wide and abuts SF-5 Single-Family Residential District zoning on the north and west sides. Thus, the required compatibility setback is 29 feet. However, the compatibility setback standards shall not require more than a 25-foot setback.

The maximum height permitted in GC General Commercial District zoning is 80 feet, plus two feet of additional height for each foot of setback beyond the minimum required setbacks. However, compatibility height requirements restrict building height to 35 feet when a structure is within 50 feet of a lot zoned TF-3 or more restrictive.

Property to the north is zoned SF-5 Single-Family Residential District and is developed with a single-family residence in addition to outdoor storage. Property to the south, across West Maple Street, is zoned LC Limited Commercial District and is developed with a small commercial office center. Property to the east is zoned NR Neighborhood Retail District and is developed with what appears to be an outdoor storage area. Properties to the west are zoned SF-5 Single-Family Residential District and are developed with a driveway and an outbuilding.

**CASE HISTORY:** On March 10, 1930, the property was platted as part of the Westfield Acres Addition. There are no zoning cases associated with this property.

**ADJACENT ZONING AND LAND USE:**

NORTH: SF-5 Single-family residential dwelling and outdoor storage

ZON2023-00026

SOUTH:	LC	Commercial office center
EAST:	NR	Outdoor storage area
WEST:	SF-5	Driveway and outbuilding

**PUBLIC SERVICES:** This site has access to West Maple Street, which is a four-lane arterial street with sidewalks on each side. Wichita Transit does not provide service to this site. All municipal services, such as water, sewer, and stormwater, will need to be extended onto the site when the property is developed.

### **CONFORMANCE TO PLANS/POLICIES**

*The Community Investments Plan.* The requested zoning is in partial conformance with the *Community Investments Plan*. The *Plan's* 2035 Wichita Future Growth Concept Map identifies the area to be appropriate for "Residential" uses, which the *Plan* defines as "areas that reflect the full diversity of residential development densities and types typically found in a large urban municipality." However, the property is adjacent to properties that are appropriate for "Commercial" uses.

The subject site is also located along an arterial street, near the intersection with another arterial street. The General Development Pattern of the *Plan's* Locational Guidelines outside the Established Central Area states that "major commercial development should be guided to the intersection of two arterial streets." Outside the Established Central Area, the *Plan's* Land Use Compatibility Guidelines recommend that "residential and non-residential development areas generally should be separate and distinct with appropriate screening and buffering to ensure compatibility among land uses while maintaining connectivity among uses." The subject site will be subject to landscape buffers and screening per the Unified Zoning Code and the Protective Overlay.

**RECOMMENDATION:** Based upon the information available at the time the staff report was completed, staff recommends **APPROVAL** of the zone change request subject to Protective Overlay #411, which reads:

#### Protective Overlay #411

1. Uses shall be limited to the following: All uses permitted in NR zoning district and including uses of: Warehouse, self-service storage and Vehicle Storage Yard, both as allowed in G.C. Zoning. Any use requiring a Conditional Use in NR zoning shall require a PO amendment.
2. Parking shall be provided in accordance with Article IV of the Unified Zoning Code.
3. A drainage plan shall be submitted to City Engineering for approval.
4. Signs shall be in accordance with the GC zoning district in the Sign Code of the City of Wichita, with the following additional requirements:
  - a. Portable signs are not allowed.
  - b. Ground signs shall be monument type.
  - c. No off-site/billboard signs.
  - d. No illuminated building signs on the north or west elevations.
5. Property shall install similar or consistent parking lot lighting elements (i.e., fixtures, poles, and lamps, and etc.).
  - a. The height of all light poles, including pole base, is limited to 15 feet.
  - b. All exterior lighting shall be shielded to direct light disbursement in a downward direction and away from residential areas.
6. Utilities shall be installed underground on all parcels.
7. Landscape buffers and screening shall be in accordance with the City of Wichita Landscape Ordinance.
8. Noise from the site shall not be audible from adjacent or surrounding property above the local, ambient noise. No outdoor speaker systems shall be permitted.

9. All rooftop mechanical equipment shall be screened from ground-level view from adjacent residential areas and adjacent street right of way.
10. Trash receptacles and ground level mechanical equipment shall be screened to reasonably hide them from ground level view, adjacent property and street right of way.
11. If used for vehicle storage, the following restrictions shall apply:
  - a. Use: the vehicle storage yard shall be used for the storage of licensed, operable vehicles only, and in no case shall it be used for sales, repair work, dismantling, or mechanical servicing of any vehicle or equipment, or for storage of materials, equipment or supplies. Non-mechanical servicing such as replacing windshield washer fluid, light bulbs, and interior cleaning shall be allowed.
  - b. Paving: the storage area and all entrance/exit drives on private property shall be surfaced asphalt, concrete or surfacing as required by the Unified Zoning Code and shall be maintained in good condition and free of weeds, trash, and other debris.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** The character of the neighborhood is commercial near the intersection of two arterial streets and residential outside that intersection. Property to the north is zoned SF-5 Single-Family Residential District and is developed with a single-family residence and outdoor storage. Property to the south, across West Maple Street, is zoned LC Limited Commercial District and is developed with a small commercial office center. Property to the east is zoned NR Neighborhood Retail District and is developed with what appears to be an outdoor storage area. Properties to the west are zoned SF-5 Single-Family Residential District and are developed with a driveway and an outbuilding.
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 District and developed with a residential structure. The property could remain in use as a single-family dwelling.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** The zone change from SF-5 Single-Family Residential District to GC General Commercial District may bring additional traffic, noise, and light pollution to the area. However, the Protective Overlay #411, along with the requirement to adhere to screening, landscaping, and compatibility standards in applicable Codes, may mitigate these potential negative impacts.
4. **Length of time subject property has remained vacant as zoned:** The property is not vacant. The subject site has been developed with a single-family dwelling since 1938.
5. **Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant:** Approval will bring development to a site that is currently not occupied. Development may bring additional traffic, noise, and light pollution to a site adjacent to residential zoning. However, the Protective Overlay, along with screening, lighting, and compatibility standards, are designed to mitigate potential negative impacts. Denial may result in a loss of economic opportunity or the enjoyment of the applicant's property.
6. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The requested zoning is in not conformance with the *Community Investments Plan*. However, it is adjacent to commercial zoning and is close to the intersection of two arterial streets.
7. **Impact of the proposed development on community facilities:** The requested zoning is not anticipated to have significant adverse impacts on community facilities. Having commercial uses on this lot will likely

increase traffic. However, the increase in traffic will likely be negligible considering the subject site is on an arterial street.

8. **Opposition or support of neighborhood residents:** At the time the staff report was prepared, staff received one public comment on the requested zone change, which is attached to this report.

Attachments:

1. Public Comment
2. Aerial Map
3. Zoning Map
4. Future Growth Concept Map
5. Site Pictures

**From:** [Scott Knebel](#)  
**To:** [Rieth, Christina](#)  
**Cc:** [Kristin Hale](#)  
**Subject:** ZON2023-00026  
**Date:** Tuesday, May 16, 2023 11:04:52 AM

---

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the

Christina:

Thank you for providing a copy of PO-411. I had a suspicion this was intended to be a vehicle storage yard since that's what the property owner operates at Kellogg and Tyler.

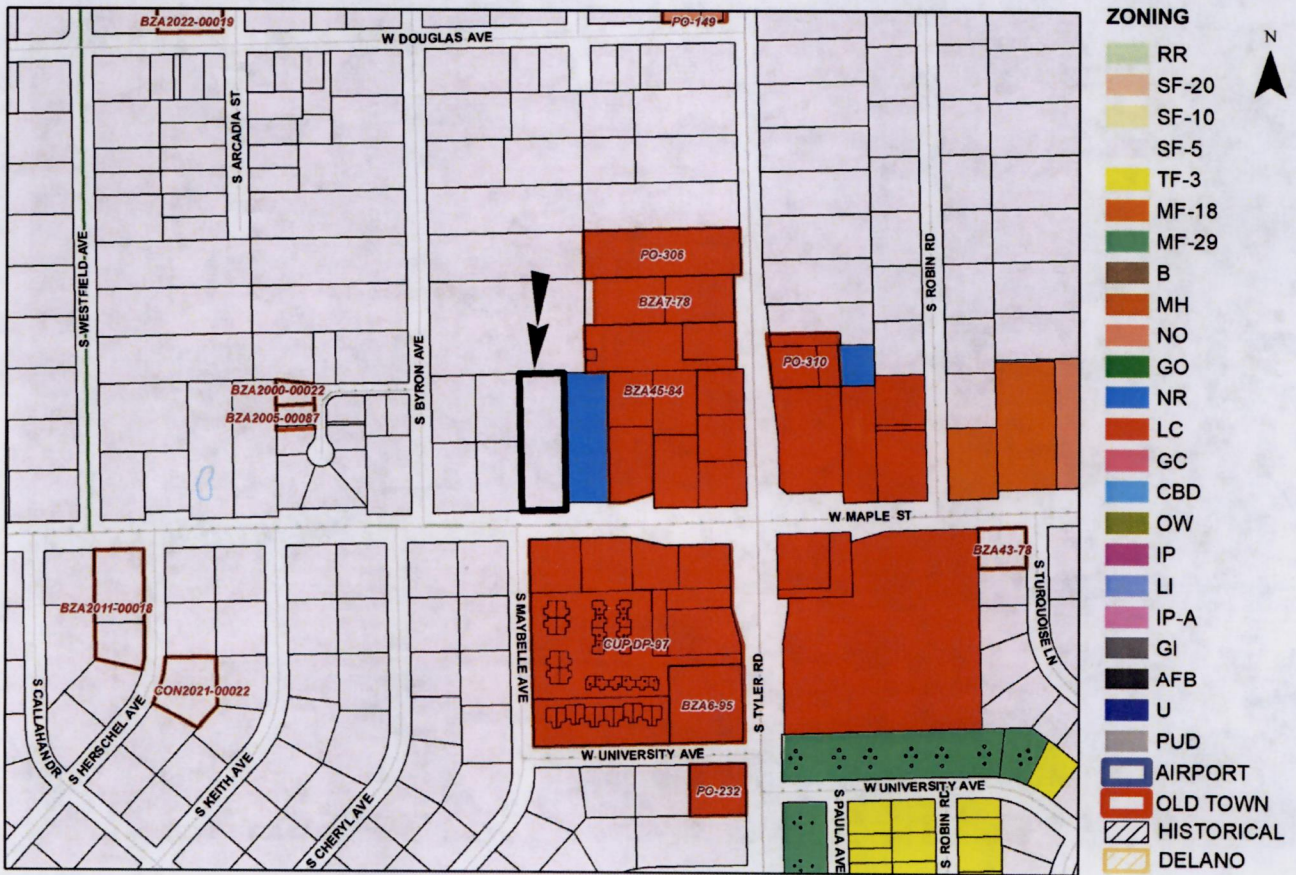
While the zoning district requested is inconsistent with the established zoning pattern in the area, I understand that the non-conforming uses at Harp Well complicate regulating land use in this location. That said, the City should be striving to expand upon the pattern of existing zoning and permitted uses rather than allowing additional heavy commercial uses in the neighborhood just because of the presence of a non-conforming industrial use. Ideally, the property would be approved for no more than the NR zoning that was approved immediately to the east if not stepped down to GO zoning due to the presence of SF-5 zoning immediately to the west and north.

If GC zoning is to be approved, a PO is a must. However, I find it does not provide the same protections as DP-97, PO-232, PO-306 that have been applied to similarly situated properties in the same vicinity. DP-97 requires screening and buffering along street frontages to help mitigate negative visual impacts on single-family residential uses across the street. The POs limit signage to 15-foot tall monument style signs and do not permit LED signage. The POs also limit building height to 25 feet. Additionally, DP-268, which governs the applicant's vehicle storage yard at Kellogg and Tyler, has additional requirements for screening and landscaping as well as a masonry wall requirement, and that property is located along Kellogg where a vehicle storage yard would be expected to be developed. At a minimum, the subject property should have the same level of restrictions as similarly situated properties and uses in the area and should require screening and a landscape buffer similar to what was required by CON2015-00010 (Superior Self Storage). It's only fair that the residents of the Callahan Addition receive the same quality developments as the residents of the Barefoot Bay Addition.

Please consider these comments when preparing the staff recommendation and share these comments with the MAPC, DAB, and City Council.

Thanks,  
Scott Knebel  
319 S. Maybelle Ave.























**ZONING**

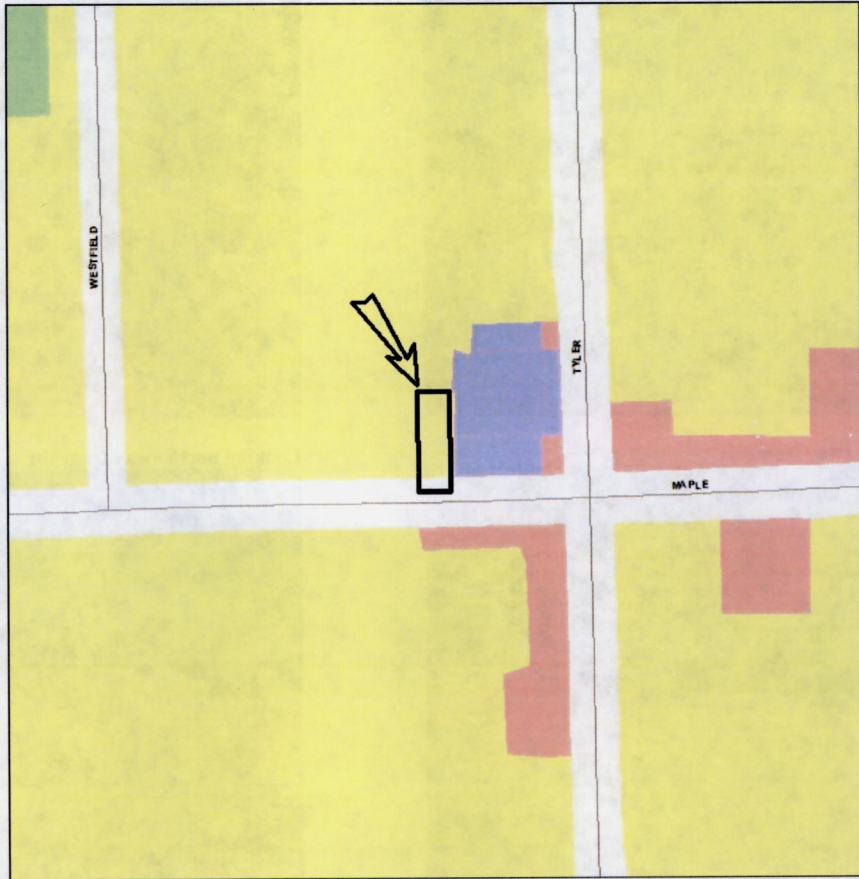
- RR
- SF-20
- SF-10
- SF-5
- TF-3
- MF-18
- MF-29
- B
- MH
- NO
- GO
- NR
- LC
- GC
- CBD
- OW
- IP
- LI
- IP-A
- GI
- AFB
- U
- PUD
- AIRPORT
- OLD TOWN
- HISTORICAL
- DELANO



**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



**Looking north at site**



**Looking west away from site**



**Looking south away from site**



**Looking north away from site**



**Looking east away from site**



**Looking west towards site**

