



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

October 10, 2023

Global PDR Solutions, LLC
Attn: Hamendra Bhakta
5600 West Central Avenue
Wichita, KS 67212

RE: ZON2023-00047 – Zone change request in the City from SF-5 Single-Family and TF-3 Two-Family to GC General Commercial, subject to Protective Overlay #416, for expansion of existing automotive repair and body shop facility, located between North Hoover Avenue and Highway Interstate 235 (721 North Hoover).

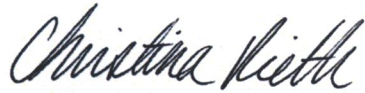
Dear applicant,

On October 3, 2023, the Wichita City Council considered the above captioned request. The action of the WCC was to **APPROVE** the request, subject to Protective Overlay #416, which reads:

1. Permitted uses are restricted to those uses permitted by-right in the NR Neighborhood Retail District plus "Vehicle Repair, General", "Vehicle Repair, Limited", and "Construction Sales and Service".
2. All vehicles that are awaiting repair for the body and paint, mechanical, and electrical or similar repair are to be screened from ground view from abutting/adjoining properties and from abutting streets. The vehicles will be stored in an area surrounded with solid screening and a solid gate. Solid screening shall be provided per the Unified Zoning Code. No tires or parts will be stored outside the screened area. All dumpsters, trash containers and containers for oil or automotive fluids shall be located within the solid screened area where the vehicles are stored while waiting for repair. All solid screening shall be installed within 60 days of approval by the governing body.
3. Signs are restricted to those permitted in the NR Neighborhood Retail District.
4. The area where vehicles are stored waiting for repair shall be paved.
5. The paint and body shop shall comply with all local, state and federal regulations.
6. All work on vehicles must be performed in an enclosed space near the western property line.
7. A site plan shall be provided for review and final approval within 60 days of approval by the governing body. The site plan shall show parking for customers and employees, screening, landscaping, the area where vehicles awaiting repair are stored, trash receptacles, and all existing development.
8. Landscaping shall be 1-½ times the Landscape Ordinance, including an 8-foot wide landscape buffer provided along the north and east sides of the site. No storage of vehicles shall be located within that 8-foot wide landscape buffer. All landscaping shall be planted prior to the issuance of occupancy permits.

If you have any questions concerning this matter, please contact our office.

Sincerely,



Christina Rieth
Associate Planner

Cc: Maggie Ballard, Councilmember District VI
Ana Lopez, CSR District VI
MABCD
Baughman Company P.A., attn: Phil Meyer, 315 South Ellis, Wichita, KS 67211



Wichita-Sedgwick County Metropolitan Area Planning Department

August 24, 2023

Global PDR Solutions, LLC
Attn: Hamendra Bhakta
5600 West Central Avenue
Wichita, KS 67212

RE: ZON2023-00047: Zone change request in the City from SF-5 Single-Family and TF-3 Two-Family to GC General Commercial, subject to Protective Overlay #416, for expansion of existing automotive repair and body shop facility, located between North Hoover Avenue and Highway Interstate 235 (721 North Hoover).

Dear Applicant;

At its regular meeting on August 24, 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, subject to Protective Overlay #416, which reads:

1. Permitted uses are restricted to those uses permitted by-right in the NR Neighborhood Retail District plus "Vehicle Repair, General", "Vehicle Repair, Limited", and "Construction Sales and Service".
2. All vehicles that are awaiting repair for the body and paint, mechanical, and electrical or similar repair are to be screened from ground view from abutting/adjoining properties and from abutting streets. The vehicles will be stored in an area surrounded with solid screening and a solid gate. Solid screening shall be provided per the Unified Zoning Code. No tires or parts will be stored outside the screened area. All dumpsters, trash containers and containers for oil or automotive fluids shall be located within the solid screened area where the vehicles are stored while waiting for repair. All solid screening shall be installed within 60 days of approval by the governing body.
3. Signs are restricted to those permitted in the NR Neighborhood Retail District.
4. The area where vehicles are stored waiting for repair shall be paved.
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6. All work on vehicles must be performed in an enclosed space near the western property line.
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8. Landscaping shall be 1-½ times the Landscape Ordinance, including an 8-foot wide landscape buffer provided along the north and east sides of the site. No storage of vehicles shall be located within that 8-foot wide landscape buffer. All landscaping shall be planted prior to the issuance of occupancy permits.

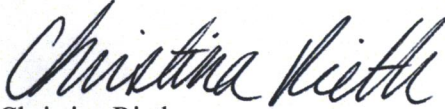
Property owners opposed to the application may file with the City Clerk a signed, written protest of the MAPC's recommendation. (Unsigned e-mails are not considered to be legal protests.) To be effective, the protest must be filed by 5:00 p.m. on September 7, 2023. In order to be considered a "valid" 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 **September 7, 2023 at 5:00 p.m.**

This application will be heard by the District Advisory Board (DAB) VI on **Monday, September 11, 2023**, beginning at 6:30pm. The DAB will meet at the Evergreen Community Center and Library, 2601 North Arkansas Avenue. More information can be obtained by the Community Services Representative, Ana Lopez, by calling (316) 303-8042 or emailing at ALopez@wichita.gov.

This application will be heard by the Wichita City Council on **Tuesday, September 26, 2023**, beginning at 9:00am at the Wichita City Council Chambers.

This is a reminder that development application 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: Maggie Ballard, Council Member District VI
Ana Lopez, CSR District VI
MABCD
Baughman Company P.A., attn: Phil Meyer, 315 South Ellis, Wichita, KS 67211
John and Mary Ekeler, 726 North Hoover, Wichita, KS 67212

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. ZON2023-00047

Zone change request in the City from SF-5 Single-Family Residential District and TF-3 Two-Family Residential District to GC General Commercial District, subject to the provisions of Protective Overlay #416, on property legally described as:

Lots 2 and 3, Block A, S.H. Sampson Addition to Wichita, Sedgwick County, Kansas.


Protective Overlay #416

1. Permitted uses are restricted to those uses permitted by-right in the NR Neighborhood Retail District plus "Vehicle Repair, General", "Vehicle Repair, Limited", and "Construction Sales and Service".
2. All vehicles that are awaiting repair for the body and paint, mechanical, and electrical or similar repair are to be screened from ground view from abutting/adjoining properties and from abutting streets. The vehicles will be stored in an area surrounded with solid screening and a solid gate. Solid screening shall be provided per the Unified Zoning Code. No tires or parts will be stored outside the screened area. All dumpsters, trash containers and containers for oil or automotive fluids shall be located within the solid screened area where the vehicles are stored while waiting for repair. All solid screening shall be installed within 60 days of approval by the governing body.
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7. A site plan shall be provided for review and final approval within 60 days of approval by the governing body. The site plan shall show parking for customers and employees, screening, landscaping, the area where vehicles awaiting repair are stored, trash receptacles, and all existing development.
8. Landscaping shall be 1-½ times the Landscape Ordinance, including an 8-foot wide landscape buffer provided along the north and east sides of the site. No storage of vehicles shall be located within that 8-foot wide landscape buffer. All landscaping shall be planted prior to the issuance of occupancy permits.

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


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

Adopted this 10th day of October, 2023.



Brandon J. Whipple, Mayor, City of Wichita

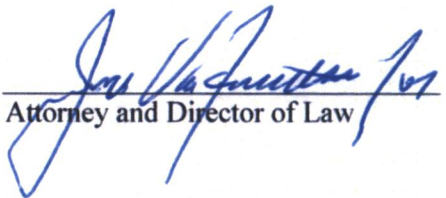
ATTEST:



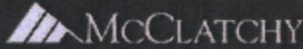
Jamie Buster, City Clerk

(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
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 Sacramento Bee
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 Sun Herald - Biloxi

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 San Luis Obispo Tribune
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 Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
32522	477686	Print Legal Ad-IPL01433580 - IPL0143358	ORD#52-276	\$106.02	2	63 L

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

JMBuster@wichita.gov

**OCA 150004 PUBLISHED IN THE WICHITA EAGLE ON
 October 13, 2023
 ORDINANCE NO. 52-276**

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. ZON2023-00047

Zone change request in the City from SF-5 Single-Family Residential District and TF-3 Two-Family Residential District to GC General Commercial District, subject to the provisions of Protective Overlay #416, on property legally described as: Lots 2 and 3, Block A, S.H. Sampson Addition to Wichita, Sedgwick County, Kansas.

Protective Overlay #416

Permitted uses are restricted to those uses permitted by-right in the NR Neighborhood Retail District plus "Vehicle Repair, General", "Vehicle Repair, Limited", and "Construction Sales and Service".

All vehicles that are awaiting repair for the body and paint, mechanical, and electrical or similar repair are to be screened from ground view from abutting/ adjoining properties and from abutting streets. The vehicles will be stored in an area surrounded with solid screening and a solid gate. Solid screening shall be provided per the Unified Zoning Code. No tires or parts will be stored outside the screened area. All dumpsters, trash containers and containers for oil or automotive fluids shall be located within the solid screened area where the vehicles are stored while waiting for repair. All solid screening shall be installed within 60 days of approval by the governing body.

Signs are restricted to those permitted in the NR Neighborhood Retail District.

The area where vehicles are stored waiting for repair shall be paved.

The paint and body shop shall comply with all local, state and federal regulations.

All work on vehicles must be performed in an enclosed space near the western property line.

A site plan shall be provided for review and final approval within 60 days of approval by the governing body. The site plan shall show parking for customers and employees, screening, landscaping, the area where vehicles awaiting repair are stored, trash receptacles, and all existing development.

Landscaping shall be 1- times the Landscape Ordinance, including an 8-foot wide landscape buffer provided along the north and east sides of the site. No storage of vehicles shall be located within that 8-foot wide landscape buffer. All landscaping shall be planted prior to the issuance of occupancy permits.

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

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

Adopted this 10th day of October 2023.

Brandon J. Whipple, Mayor, City of Wichita

ATTEST:

Jamie Buster, City Clerk

(SEAL)

Approved as to form:

Jennifer Magana, City Attorney and Director of Law

IPL0143358

Oct 13 2023

In The STATE OF KANSAS
 In and for the County of Sedgwick
 I insertion(s) published on:
 10/13/23

STATE OF KANSAS)

SS

County of Sedgwick)

Stefani Beard, of lawful age, being first duly sworn, deposeeth 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 10/13/2023 to 10/13/2023.

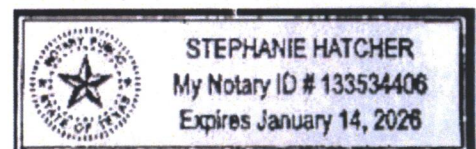
Stefani Beard

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

DATED: 10/16/2023

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	450498	Print Legal Ad-IPL01335930 - IPL0133593		\$213.88	3	85 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 August 3, 2023
(One Time Only)
MAPC/BZA August 24, 2023
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, August 24, 2023, no earlier than 1:30 p.m., the Wichita-Sedgwick 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 Wichita-Sedgwick County Metropolitan Area Planning Department at (316) 268-4421.

CON2023-00033: Conditional Use request in the City to permit a Car Wash; generally located on the northwest corner of East Funston Street and South Rock Road (1717 South Rock Road).

CON2023-00037: Conditional Use request in the City for Utility, Major on property zoned TF-3 Two-Family Residential District; generally located on the east side of 167th Street, within 1500 feet north of U.S. Highway 54.

PUD2023-00008: PUD Amendment in the City to PUD #95 to amend the existing PUD boundary to include the approved platted boundary of the Courtyards at the Moorings Second Addition; generally located on the west side of Meridian Avenue, north of 42nd Street.

VAC2023-00027: Vacation request in the City to vacate a portion of a platted access control on property zoned TF-3 Two-Family Residential District; generally located on the east side of 167th Street West, 1500 feet north of U.S. Highway 54.

VAC2023-00028: Vacation request in the City to vacate a retained Utility and Drainage Easement from a vacated platted railroad easement; generally located 2750 feet west of East 34th Street North and North Webb Road.

ZON2023-00044: Zone change request in the City from LI Limited Industrial District to SF-5 Single-Family Residential District to allow residential development; generally located on the northeast corner of East 59th Street South and South Midland Avenue (5950 South Midland Avenue).

ZON2023-00045: Zone change request in the City from SF-5 Single-Family Residential District to MF-18 Multi-Family Residential District for multi-family development; generally located on the east side of North Florence Street, within 200 feet north of West Douglas Avenue.

ZON2023-00046: Zone change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District and LC Limited Commercial District for residential and commercial development; generally located on the southwest corner of 53rd Street North and Seneca Street (5355 North Seneca St.)

ZON2023-00047: Zone change request in the City from SF-5 Single-Family and TF-3 Two-Family to GC General Commercial, subject to Protective Overlay #416, for expansion of existing automotive repair and body shop facility; located between North Hoover Avenue and Highway Interstate 235 (721 North Hoover).

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.

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=a0k3bW0ySjBibFJQTDFvOxPVBXBXU09>

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 (316-268-4464) 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 August 3, 2023

Scott Wadle, Secretary

Wichita-Sedgwick County

Metropolitan Area Planning Commission

IPL0133593

Aug 3 2023

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

1 insertion(s) published on:

08/03/23

STATE OF KANSAS)

SS

County of Sedgwick)

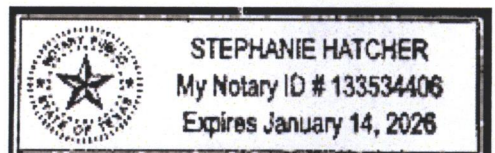
Hayley Martin, of lawful age, being first duly sworn, depose and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has 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 08/03/2023 to 08/03/2023.

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

DATED: 08/03/2023

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: August 24, 2023
DAB VI: September 11, 2023

CASE NUMBER: ZON2023-00047 (City)

APPLICANT/AGENT: Global PDR Solutions LLC, Hamendra Bhakta (Applicants)/Baughman Company (Agent)

REQUEST: GC General Commercial District

CURRENT ZONING: SF-5 Single-Family Residential District and TF-3 Two-Family Residential District

SITE SIZE: 0.57 acres

LOCATION: Generally located on the west side of Hoover Avenue, within 200 feet north of West Central Avenue (721 North Hoover Avenue).

PROPOSED USE: Expansion of existing automotive repair, body shop facility, and roofing services.

RECOMMENDATION: Deny.



BACKGROUND: The applicant is requesting a zone change from SF-5 Single-Family Residential District and TF-3 Two-Family Residential District to GC General Commercial District. The 0.57-acre property is located on the west side of North Hoover Avenue, within one-block north of West Central Avenue (721 North Hoover Avenue). The subject site is currently developed with a vacant residential dwelling.

The applicant is filing the zone change request for the expansion of existing automotive repair, body shop facility, and roofing services. The applicant owns the two properties directly south of the subject site, which are on and adjacent to the northwest corner of North Hoover Avenue and West Central Avenue. They are developed with a roofing company and an automotive repair and sales facility.

According to the site plan, the applicant plans to construct two new buildings on the property. The existing approach on the southern end of the subject site will be removed and replaced with another approach in the middle of the subject site. Moving the driveway to this location may increase negative impacts associated with commercial development on the adjacent residential properties. The new drive for the proposed development will be across the street from two residential properties. For the building on the southern end of the property, it will have nine parking spaces, including one accessible parking space. It will be built 30 feet from the front setback. The northern building will have 16 parking spaces, including one accessible space. There will be a rolling gate into the storage area where vehicles are waiting to be repaired. Screening will be installed on the north, east, and west sides of the property, and landscaping will be installed on the east side of the property.

The character of the neighborhood is residential with commercial development on or near the arterial street. Property to the north is zoned SF-5 Single-Family Residential District and is developed with a single-family dwelling. Property to the south is owned by the applicant and is zoned GC General Commercial District, subject to Protective Overlay #282. It is developed with a roofing and auto body facility. Properties to the east are zoned TF-3 Two-Family Residential District and SF-5 Single-Family Residential District and are developed with single-family residences. Directly west of the subject site is Interstate 235.

CASE HISTORY: On November 20, 1967, the subject site was platted as Lots 2 and 3, Block A of the S.H. Sampson Addition. There are no zoning cases associated with this property.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single-family dwelling
SOUTH:	GC with PO #282	Roofing and auto body repair shops
EAST:	TF-3, SF-5	Single-family dwellings
WEST:	None	Interstate 235

PUBLIC SERVICES: The subject site currently has access to North Hoover Avenue, which is a paved, two-way local street with no sidewalks. Water is provided on site, but sewer will need to be extended to accommodate the new development. Wichita Transit has a stop within 150 feet south of the subject site, on the northeast corner of West Central Avenue and North Hoover Avenue.

CONFORMANCE TO PLANS/POLICIES: The requested zone change is not in conformance with the *Community Investments Plan*. The *Community Investments Plan* (the Wichita-Sedgwick County Comprehensive Plan), which includes the 2035 Future Growth Concept Map, recommends the subject site as appropriate for "Residential" uses. The *Plan* defines "Residential" as "*areas that reflect the full diversity of residential development densities and types typically found in a large urban municipality. The range of housing densities and types includes, but is not limited to, single-family detached homes, semi-detached homes, zero lot line units, patio homes, duplexes, townhouses, apartments and multi-family units, condominiums, mobile home parks, and special residential accommodations for the elderly (assisted living, congregate care and nursing homes). Elementary and middle schools, churches, playgrounds, small parks and other similar residential-serving uses are located in these areas.*" Commercial development is thus not an appropriate use for this land.

The general Development Pattern of the *Community Investments Plan* states that "Major commercial and employment centers should be located at intersections of arterial streets and along highways and commercial corridors." The requested zone change and proposed use is along a residential street. The Land Use Compatibility

Guidelines state that “Higher-intensity development should be discouraged from locating in areas of existing lower-intensity development, particularly established low-density residential areas.” The requested zone change is proposing a high-intensity development in an established low-density residential area.

The requested zone change is not in conformance 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.” The *Plan* recommends strategies to help guide the community in their actions to create walkable places within Wichita. The requested Conditional Use is not in conformance with Strategy 6, “Encourage infill and redevelopment that is contextual to the environment in which it is occurring.” The context of the environment is mostly residential with higher intensity commercial uses along the Central Avenue corridor.

The subject property is located within an area identified as an “Area of Opportunity.” The Places for People Plan defines Areas of Opportunity as those “areas with disconnected development patterns and a lack of walkable places and facilities. These areas need strategic reinvestment, both public and private, to assist in redefining and reinvigorating the area.” The proposed use primarily focuses on automobiles and does not emphasize walkability in the area. The proposed use also continues a disconnected development pattern by promoting commercial development and increased vehicular traffic to encroach into a residential neighborhood.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the zone change request be **DENIED**. This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** The character of the neighborhood is residential with commercial development on or near the arterial street. Property to the north is zoned SF-5 Single-Family Residential District and is developed with a single-family dwelling. Property to the south is owned by the applicant and is zoned GC General Commercial District, subject to Protective Overlay #282. It is developed with a roof repair and auto body facility. Properties to the east are zoned TF-3 Two-Family Residential District and SF-5 Single-Family Residential District and are developed with single-family residences. Directly west of the subject site is Interstate 235. Because of the zoning, uses, and character of the neighborhood, commercial zoning encroaching into a residential neighborhood is not an appropriate use of the land.
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 TF-3 Two-Family Residential District, which are suitable for a limited number of residential, public, and civic uses.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** Staff anticipates that the requested zone change will have a detrimental effect on nearby properties. The requested zone change may alter the uses and character of the neighborhood, and the intended uses on the property may bring light pollution, additional traffic, fumes, and odor to a residential neighborhood.
4. **Length of time subject property has remained vacant as zoned:** The property has been developed with a residential dwelling that was constructed in 1953. The residential dwelling is currently vacant.
5. **Relative gain to public health, safety, and welfare as compared to the loss in value or the hardship imposed upon the applicant:** Approval of the application may result in light pollution, fumes, and odor in a residential neighborhood due to the intensity of the uses in the requested zone change. Denial may result in the loss of opportunity and enjoyment for the applicant.
6. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The requested zoning 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:** The Planning Department does not anticipate the requested zone change will have a significant impact on community facilities.
8. **Opposition or support of neighborhood residents:** At the time the staff report was prepared, staff has not received any public comment on the requested zone change.

Should the MAPC find that the Conditional Use be approved, it is recommended that the MAPC adopt alternate findings supporting their recommendation. Staff recommends a Protective Overlay, should the requested zone change be approved:

Recommended Protective Overlay #416

1. Permitted uses are restricted to those uses permitted by-right in the NR Neighborhood Retail District plus "Vehicle Repair, General", "Vehicle Repair, Limited", and "Construction Sales and Service".
2. All vehicles that are awaiting repair for the body and paint, mechanical, and electrical or similar repair are to be screened from ground view from abutting/adjoining properties and from abutting streets. The vehicles will be stored in an area surrounded with solid screening and a solid gate. Solid screening shall be provided per the Unified Zoning Code. No tires or parts will be stored outside the screened area. All dumpsters, trash containers and containers for oil or automotive fluids shall be located within the solid screened area where the vehicles are stored while waiting for repair. All solid screening shall be installed within 60 days of approval by the governing body.
3. Signs are restricted to those permitted in the NR Neighborhood Retail District.
4. The area where vehicles are stored waiting for repair shall be paved.
5. The paint and body shop shall comply with all local, state and federal regulations.
6. All work on vehicles must be performed in an enclosed space near the western property line.
7. A site plan shall be provided for review and final approval within 60 days of approval by the governing body. The site plan shall show parking for customers and employees, screening, landscaping, the area where vehicles awaiting repair are stored, trash receptacles, and all existing development.
8. Landscaping shall be 1-½ times the Landscape Ordinance, including a 10-foot wide landscape buffer provided along the north and east sides of the site. No storage of vehicles shall be located within that 10-foot wide landscape buffer. All landscaping shall be planted prior to the issuance of occupancy permits.

If the Planning Commission recommends that Vehicle and Equipment Sales, Outdoor is permitted, it is recommended that said use be subject to Supplementary Use Regulations in Section III-D.6.x.

Staff Report Attachments:

1. Site Plans
2. Aerial Map
3. Zoning Map
4. Land Use Map
5. Site Plan
6. Site Photos

ZONING EXHIBIT

S.H. SAMPSON ADDITION WICHITA, SEDGWICK COUNTY, KANSAS

LOTS 2 AND 3, Block A

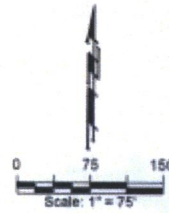
INTERSTATE HIGHWAY 235

HOOVER STREET

CENTRAL AVENUE

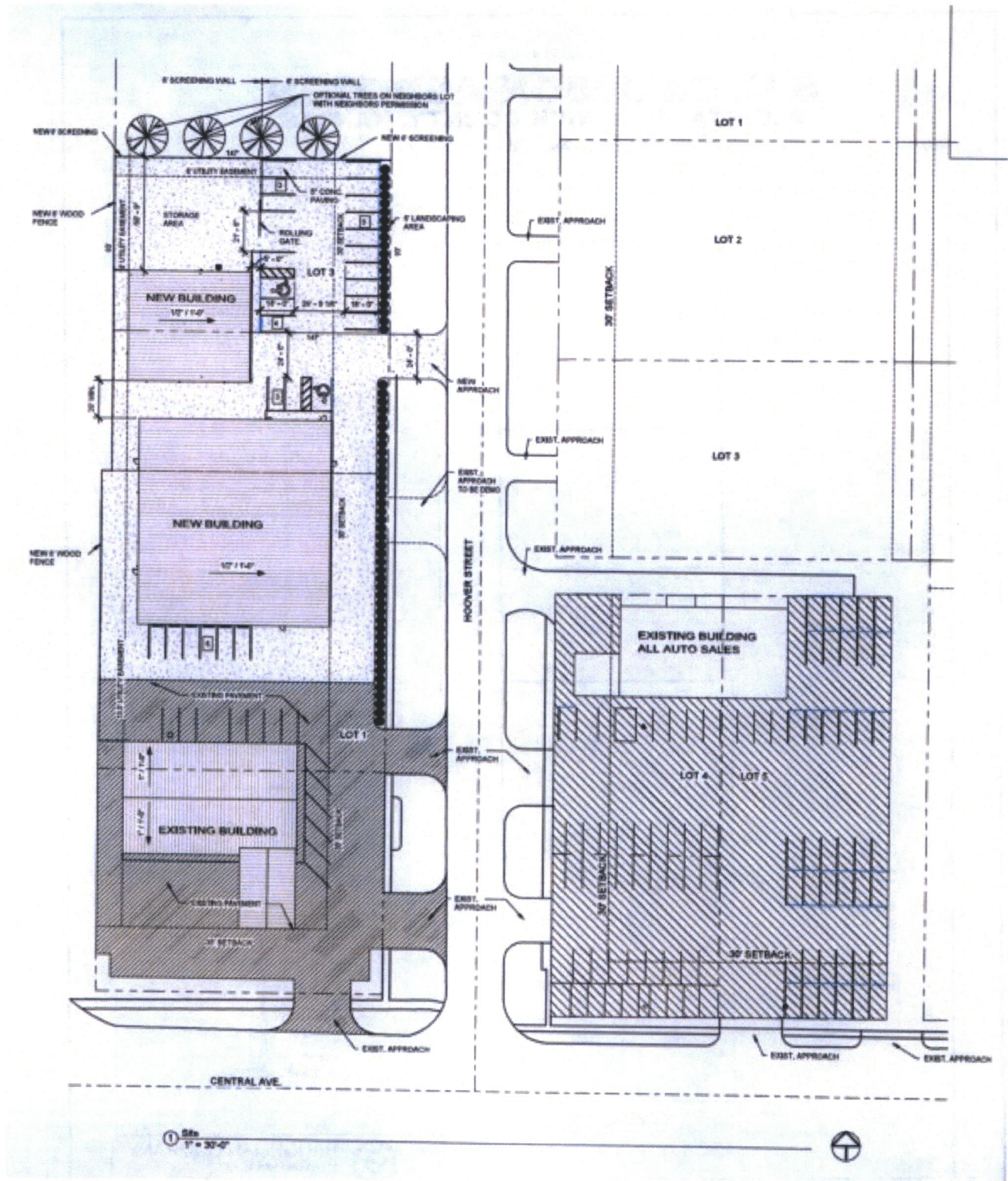


Proposed
GC Zone

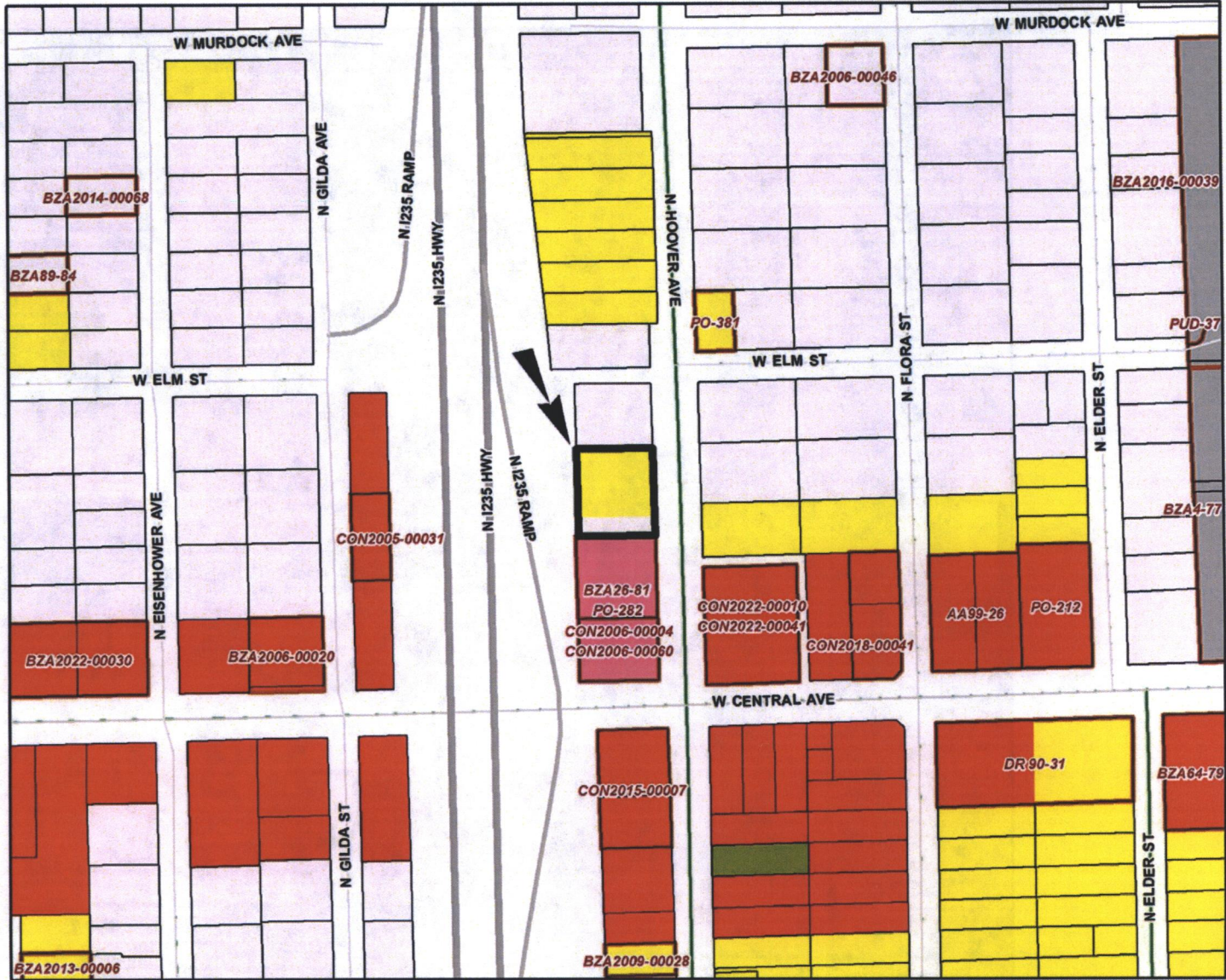


BAUGHMAN COMPANY
315 E 6th St. Wichita, KS 67211 316-262-7271
BaughmanCo.com

F:\Planning\Zoning\Sampson SH Addition_ZC\Zoning Exhibit.dwg







ZON2023-00047

Metropolitan Area Planning Commission

2035 Wichita Future Growth Concept Map

Legend

-  Established Central Area
-  Residential and Employment Mix
-  New Employment
-  New Residential
-  Wichita City Limits
-  Other Cities
-  Northwest Bypass Right-of-Way
- Statistical Development Areas**
-  Other Urban Growth Areas 2014
-  Other Urban Growth Areas 2014
-  Rural Growth Areas 2014

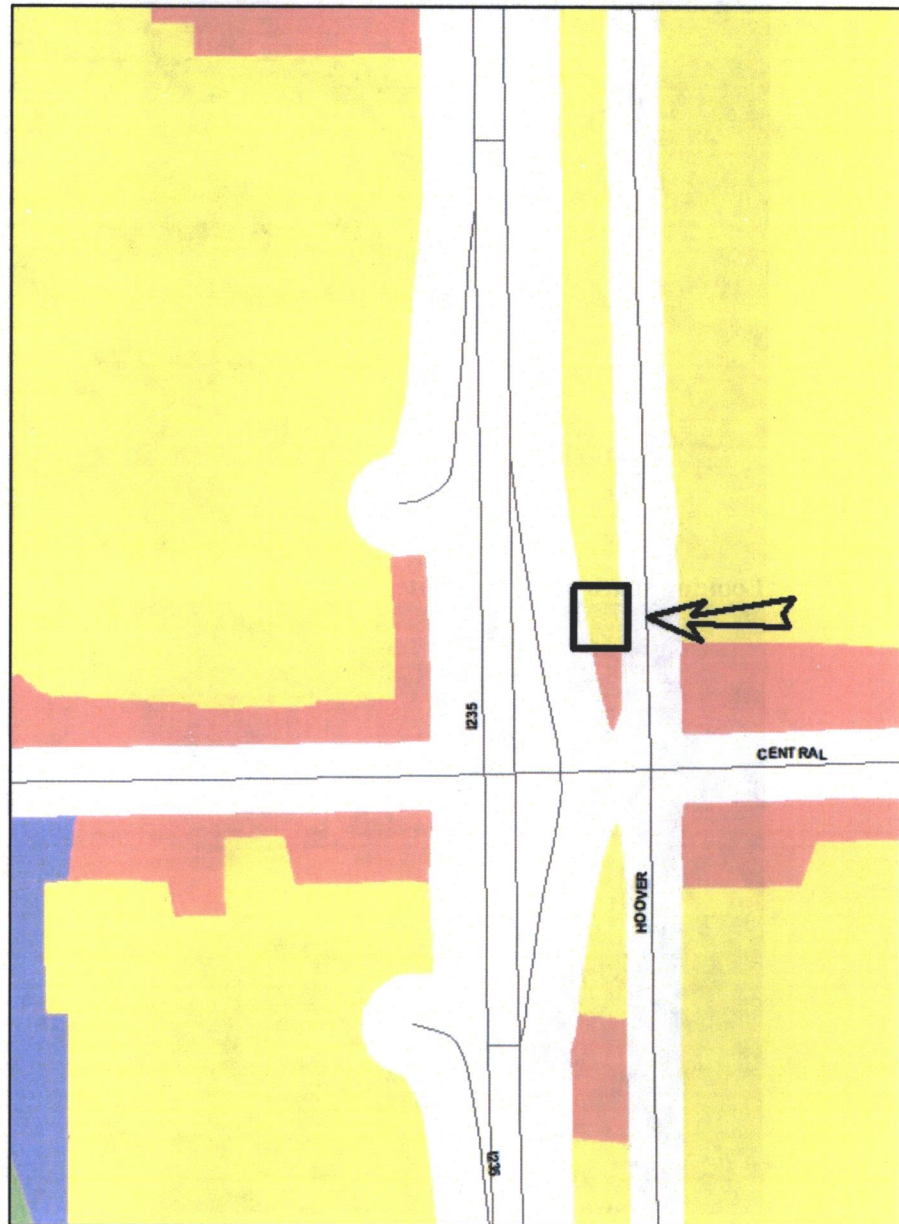
LAND USE

-  Residential
-  Commercial
-  Industrial
-  Major Air Transportation & Military
-  Parks and Open Space
-  Agricultural or Vacant
-  Major Institutional
-  Nghbd_Plan_Areas

N



WICHITA METROPOLITAN AREA PLANNING COMMISSION
 1000 WEST 17TH AVENUE, SUITE 1000
 WICHITA, KS 67202
 TEL: 781-622-2222
 WWW.WICHITAMAPC.COM



Looking west towards site



Looking east away from site



Looking south away from site



Looking north away from site

