CITY OF WICHITA

SEDGWICK COUNTY KANSAS

Wichita-Sedgwick County Metropolitan Area Planning Department

Scroggin Properties, LLC
5955 S. Oliver St.
Derby, KS 67037

August 12, 2024

Baughman Co.
ATTN: Jay Cook
315 S. Ellis Ave.
Wichita, KS 67211

RE: ZON2023-00030 – Zone Change Request in the County from LC Limited Commercial to LI Limited Industrial to bring a Vehicle Storage Yard into conformance, generally located on the west side of South Oliver Street and within 175 feet north of East 60th Street South (5955 South Oliver Street). (Derby Influence Area)

Dear Applicant,

At its regular meeting on **August 7, 2024**, the Sedgwick County Board of County Commissioners considered the above captioned request. The action of the BOCC was to **APPROVE** the request.

If you have any questions concerning this application, please contact our office at 316-268-4421.

Sincerely,

Brad Eatherly
Current Plans
Senior Planner

CC: Jim Howell, Commissioner, District 5
Scott Knebel, Planner, City of Derby
MABCD

Wichita-Sedgwick County Metropolitan Area Planning Department

Scroggin Properties, LLC
5955 S. Oliver St.
Derby, KS 67037

June 28, 2024

Baughman Co.
ATTN: Jay Cook
315 S. Ellis Ave.
Wichita, KS 67211

RE: ZON2023-00030 – Zone Change Request in the County from LC Limited Commercial to LI Limited Industrial to bring a Vehicle Storage Yard into conformance, generally located on the west side of South Oliver Street and within 175 feet north of East 60th Street South (5955 South Oliver Street). (Derby Influence Area)

Dear Applicant,

At its regular meeting on **June 27, 2024**, the Wichita-Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** the rezone request.

Property owners opposed to the application may file with the County 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 **July 11, 2024**. 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 1,000 feet of the property for which the application was filed, or 200 feet into the City limits of Wichita, and must be submitted to the County Clerk by **July 11, 2024, at 5:00 p.m.**

This application is scheduled for consideration by the Board of Sedgwick County Commissioners on **Wednesday, August 7, 2024** beginning at 9:00 a.m. The Board of County Commissioners meeting will be held at 100 North Broadway, Lower Level, Wichita, Kansas.

If you have any questions concerning this application, please contact our office at 316-268-4421.

Sincerely,

Brad Eatherly
Current Plans
Senior Planner

CC: Jim Howell, BoCC District 5
Scott Knebel, Planner, City of Derby
MABCD

(150004) Published in The Ark Valley News on August 15, 2024

RESOLUTION NO. 162-2024

A RESOLUTION CHANGING THE ZONING CLASSIFICATION FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY KANSAS, DECEMBER 12, 1984, AND SUBSEQUENTLY AMENDED.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS

SECTION I. That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law on June 27, 2024, and under authority granted by Section V-C of the Wichita Sedgwick County Unified Zoning Code, the zoning classification or district of the lands legally described hereby are changed as follows:

Case No. ZON2024-00030

Zone change request from LC Limited Commercial to LI Limited Industrial.

Legally described as:

> Beginning at the Southeast corner of the Northeast Quarter of Section 26, Township 28 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas; thence West on the South line of said Northeast Quarter a distance of 444.6 feet to the Easterly right-of-way line of State Highway K-15; thence Northwesterly along said right-of-way line a distance of 206.8 feet more or less to a point 202 feet North of said Southeast corner; thence East parallel to said South line of said Northeast Quarter as distance of 489.4 feet more or less to the East line of said Northeast Quarter; thence South 202 feet to the point of beginning.

SECTION II. That upon the taking effect of this Resolution, the notation of such zoning change shall be shown on the "Official Zoning District Map" on file in the office of the Planning Director of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption by the Governing Body and publication in the official county newspaper.

[balance of this page intentionally left blank, signature page follows]

Commissioners present and voting were:

PETER F. MEITZNER	aye
SARAH LOPEZ	aye
DAVID T. DENNIS	aye
RYAN K. BATY	aye
JAMES M. HOWELL	aye

Dated this 7 day of August, 2024.

ATTEST:

KELLY B. ARNOLD, County Clerk

APPROVED AS TO FORM:

SAMANTHA SEANG 8/7/24
SAMANTHA SEANG
Assistant County Counselor

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

RYAN BATY, Chairman
Commissioner, Fourth District

SARAH LOPEZ, Chair Pro Tem
Commissioner, Second District

PETER F. MEITZNER
Commissioner, First District

DAVID T. DENNIS
Commissioner, Third District

JAMES M. HOWELL
Commissioner, Fifth District

Sedgwick Co. public notice

(Published in The Ark Valley News Aug. 15, 2024.)

RESOLUTION NO. ____162-2024_____

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Legally described as:

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SECTION III. That this Resolution shall take effect and be in force from and after its adoption by the Governing Body and publication in the official county newspaper.

Commissioners present and voting were:

PETER F. MEITZNER aye
SARAH LOPEZ aye
DAVID T. DENNIS aye
RYAN K. BATY aye
JAMES M. HOWELL aye

Dated this 7 day of August, 2024.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

KELLY B. ARNOLD, County Clerk

RYAN BATY, Chairman
Commissioner, Fourth District

SARAH LOPEZ, Chair Pro Tem
Commissioner, Second District

PETER F. MEITZNER
Commissioner, First District

DAVID T. DENNIS
Commissioner, Third District

JAMES M. HOWELL
Commissioner, Fifth District

APPROVED AS TO FORM

Samantha Seang 8/1/24
SAMANTHA SEANG
Assistant County Counselor

Affidavit of Publication

STATE OF KANSAS,
SEDGWICK COUNTY, ss.

Chris Strunk, being first duly sworn, deposes and says: That he is Publisher of The Ark Valley News, formerly The Valley Center Index, a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Sedgwick County Kansas, with a general paid circulation on a yearly basis in Sedgwick County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Valley Center in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive weeks, the first publication thereof being made as aforesaid on the 15th day of Aug., 2024. with subsequent publications being made on the following dates:

_____, 2024 _____, 2024

_____, 2024 _____, 2024

_____, 2024 _____, 2024

Chris Strunk

Subscribed and sworn to before me this 4th day of Sept., 2024.

Lisa K. Strunk
Notary Public

My commission expires 4-2-25

LISA K. STRUNK NOTARY PUBLIC STATE OF KANSAS

Additional copies $ _____

Printer's fee $ _____

Sedgwick Co. public notice

(Published in The Ark Valley News June 6, 2024.)

MAPC June 27, 2024
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, June 27, 2024, 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 in person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation is encouraged (see instructions below). Virtual participation is not available. 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.

ZON2024-00027: Zone Change request in the County from RR Rural Residential to LC Limited Commercial; generally located on the east side of North Greenwich Road and one-quarter mile north of East 53rd Street North (350 W. Central, Greenwich). (Bel Aire Area of Influence)

ZON2024-00030: Zone Change in the County from LC Limited Commercial to LI Limited Industrial to bring outdoor storage use into compliance; located on the east side of K-15 Highway and within one-half mile north of East 63rd Street South (5955 South Oliver Street). (Derby Influence Area)

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor. 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:

1) Attend In-Person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202. Self-paid parking is available nearby. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-268 4464) by 5:00 PM, 3 days prior to the meeting.

2) Submit Comments Ahead of Time regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department) – 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. Planning Departments staff make efforts to share all comments but may not be able to share those received after the deadlines below. Please be sure to provide ample time for delivery. Written Comments should be submitted by 5:00 PM the day before the meeting. Video and Audio Comments (mp3, etc.) formats be submitted at least 3 days prior to the MAPC meeting. The comments should indicate which item they pertain to and be less than three (3) minutes in duration.

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

3) If you need accommodations pursuant to the ADA, please contact Planning Staff within one week prior to the scheduled meeting.

Option to View Remotely (Not Participate)

The meeting will be streamed live and recorded. Virtual comment is not available. To view the live stream or recording, follow the link: https://www.wichita.gov/Planning.

WITNESS MY HAND on June 6, 2024

Scott Wadle, Secretary
Wichita Sedgwick County Metropolitan Area Planning Commission

Affidavit of Publication

STATE OF KANSAS,
SEDGWICK COUNTY, ss.

Chris Strunk, being first duly sworn, deposes and says: That he is Publisher of The Ark Valley News, formerly The Valley Center Index, a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Sedgwick County Kansas, with a general paid circulation on a yearly basis in Sedgwick County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Valley Center in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive weeks, the first publication thereof being made as aforesaid on the 6th day of June, 2024, with subsequent publications being made on the following dates:

_____, 2024 _____, 2024

_____, 2024 _____, 2024

_____, 2024 _____, 2024

Chris Strunk

Subscribed and sworn to before me this 6th day of June, 2024.

Notary Public

My commission expires

Additional copies $

Printer's fee

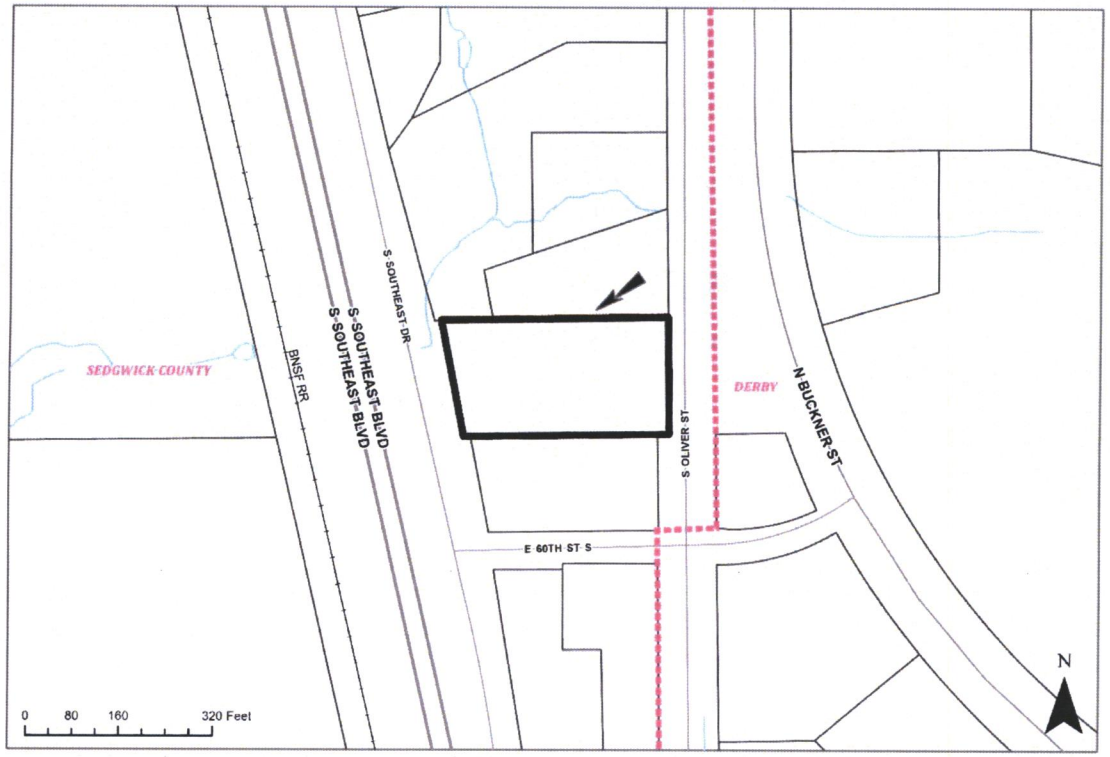
LISA K. STRUNK NOTARY PUBLIC 4/24/28 STATE OF KANSAS

WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 4.9

STAFF REPORT
MAPC: June 27, 2024
CAB 5: No Meeting
Derby Planning Commission: June 20, 2024

CASE NUMBER:	ZON2024-00030 (County)
APPLICANT/AGENT:	Scroggin Properties, LLC (Applicants)/Baughman Company (Agent)
REQUEST:	LI Limited Industrial District
CURRENT ZONING:	LC Limited Commercial District
SITE SIZE:	1.73 acres
LOCATION:	Generally located on the west side of South Oliver Street and within 175 feet north of East 60th Street South (5955 South Oliver Street). (Derby Influence Area)
PROPOSED USE:	Vehicle Storage Yard
RECOMMENDATION:	Approve.



BACKGROUND: The applicant is requesting a zone change from LC Limited Commercial District (LC) to LI Limited Industrial District (LI) in order to bring a Vehicle Storage Yard into compliance. The 1.73-acre property is generally located on the west side of South Olive Street and within 175 feet north of East 60th Street South (5955 South Oliver Street). The property is currently developed as a Vehicle Storage Yard that the owner is requesting to bring into compliance. The zone change request was submitted in response to the property owner being served with a Notice of Violation.

Vehicle Storage Yards are only subject to Supplementary Use Regulation Section III-D.6.mm of the UZC if they are located in the RR Rural Residential District (RR). These Regulations would not apply in the requested LI District. Vehicle Storage Yard is defined as, "The keeping outside of an enclosed building for more than 72 consecutive hours of one or more motor vehicles (except inoperable vehicles), boats, trailers, or unoccupied recreation vehicles. The term Vehicle Storage Yard does not include Wrecking/Salvage Yard."

Should the zone change request be approved, there will be changes to development standards, which are listed in the table below:

Property Development Standards	LC Limited Commercial	LI Limited Industrial
Minimum lot area	No minimum	No minimum
Front setback	20 feet	20 feet
Rear setback	10 feet	0 feet, subject to compatibility standards
Interior Side Setback	6 feet	0 feet or 5 feet, subject to compatibility standards
Street Side Setback	0 feet	0 feet
Maximum height	80 feet	80 feet, subject to compatibility standards
Minimum lot width	No minimum	No minimum

Compatibility setback and height standards would apply to the northern portion of the site since it abuts the RR District on the north property line. In accordance with Section IV-C.4 of the UZC, the compatibility building interior side setback shall be 25 feet. In addition, the compatibility height standards in accordance with Section IV.C.5 of the UZC shall be in effect. This section states that a building cannot exceed 35 feet in height within 50 feet of the lot line of a property zoned TF-3 or more restrictive. For every three feet greater than 50 feet from the lot line, the building can gain one foot in height.

The character of the neighborhood is a mix of residential and light industrial. Properties to the north are zoned RR and are developed with single-family dwellings. Property to the east, across North Buckner Street is located within the City Limits of Derby and is zoned B-5, Restricted Commercial, Warehousing, and Limited Manufacturing, and is developed with an agricultural field. Property to the south is under common ownership as the subject site, zoned LI, and is developed with an Office/Warehouse. Property to the west, across South Southeast Boulevard and the BNSF Railroad is zoned RR and is undeveloped.

With residential properties abutting the subject property on the north property line, the site would be required to come into compliance with screening and lighting, set forth in the UZC. Section IV-B of the UZC addresses screening and lighting standards, requiring a minimum of a six-foot solid screening fence where abutting residential zoning. The site would also be required to comply with screening of mechanical equipment as described in Section IV-B.3.e.

The subject site is within two-miles south of McConnell Air Force Base and is within the Airport Overlay District (A-O) III-South. Section III-C.5 of the UCZ states, "The intent and purpose of the A-O District regulations is to

specify land use controls in addition to those in underlying zoning District that will ensure a compatible relationship between air force base operations and other land uses in the vicinity. The A-O District standards will protect both the public and the airport by reducing to a minimum, land uses that concentrate large numbers of persons underneath runway takeoff and approach paths, where aircraft accidents are most likely to occur and noise levels are inappropriate for urban-density residential and high intensity non-residential uses." The standards of the A-O District restrict a number of land uses regardless of the underlying zoning district. The General Regulations and prohibited land uses within the A-O III South are attached. Overall, a Vehicle Storage Yard land use aligns with the intent and purpose of the A-O District because it is land use that does not, by nature, attract large concentrations of people.

CASE HISTORY: The subject property is not platted. Platting will be required before any building permits are issued. The subject site is within the Airport Overlay District III-South. The subject site is with Derby's Urban Area of Influence. On June 20, 2024, the City of Derby Planning Commission will consider this application.

ADJACENT ZONING AND LAND USE:

North:	RR	Single-family dwellings
South:	LI	Office/Warehouse
East:	Derby B-5	Agricultural
West:	RR	Undeveloped

PUBLIC SERVICES: The subject site has access to South Oliver Street, a two-lane local street without sidewalks. Currently, no sewer service is connected to the property and water is served by Rural Water District #3.

CONFORMANCE TO PLANS/POLICIES: The requested Conditional Use is in conformance with *The Community Investments 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 appropriate for "Small City Urban Growth Area", which the *Plan* defines as: "*Generally located adjacent to existing municipal boundaries, these areas indicate the likely direction and magnitude of growth these communities can expect to experience out to the year 2035. Growth direction and amount is based upon municipal political considerations, anticipated population growth, efficient patterns of growth, current infrastructure limitations, cost effective delivery of future municipal services, and environmental factors.*"

With the subject site being in the Derby Urban Growth Area, staff reviewed the Derby Vision 2040 Comprehensive Plan to identify the proposed future land use of the subject site. The proposed zone change is in conformance with the Derby Vision 2040 Comprehensive Plan. The attached Derby Core Future Land Use Map from the City of Derby identifies the site as appropriate for Commercial. The Derby Planning Department finds that the Airport Overlay District prohibits many of the retail and commercial uses for which the current LC Limited Commercial District is intended in order to prevent large gatherings of people in the Accident Potential Zone. The property should be zoned to permit uses more compatible with the intent of the Airport Overlay District per the UZC and the Accident Potential Zone per the Derby Vision 2040 Comprehensive Plan.

RECOMMENDATION: Based upon the information available at the time the staff report was completed, staff recommends **APPROVAL** of the request.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The requested zone change is compatible with zoning and uses on abutting properties to the east and south. The character of the neighborhood is a mix of residential and light industrial. Properties to the north are zoned RR and are developed with single-family dwellings. Property to the east, across North Buckner Street is located within the City Limits of Derby and is zoned B-5, Restricted Commercial, Warehousing, and Limited Manufacturing, and is developed

with an agricultural field. Property to the south is zoned LI and is developed with an Office/Warehouse. Property to the west, across South Southeast Boulevard and the BNSF Railroad, is zoned RR and is undeveloped.

2. The suitability of the subject property for the uses to which it has been restricted: The property is zoned LC Limited Commercial District within the A-O District. Normally, the LC District would permit a wide array of residential, civic, and commercial uses. However, the restrictions of the A-O District limit uses that would allow large concentrations of persons under the airport runway takeoff and approach paths.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval of the request would allow all uses permitted in the LI Limited Industrial District on the site. The applicant intends to continue to utilize the entire property as a Vehicle Storage Yard. Considering the properties to the north include RR Rural Residential Districts, the removal of restrictions could negatively affect nearby properties. The screening requirement and compatibility setback and height standards are designed to mitigate possible negative impacts. Additionally, the proposed land use aligns with the intent and purpose of the A-O District, which looks to minimize large concentrations of people underneath the airport runway takeoff and approach paths.

4. Length of time subject property has remained vacant as zoned: The subject property is currently being used as a Vehicle Storage Yard currently and is requesting the zone change to come into conformance.

5. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: It is not expected that the requested zone change would have any significant negative affects to surrounding properties. Denial of the request could represent a loss in the use and enjoyment of the applicant's property.

6. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The requested zone change is in conformance with the *Community Investments Plan* and is in conformance with the *Derby Vision 2040 Comprehension 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 negative impact on community facilities.

8. Opposition or support of neighborhood residents: At the time of publication of the staff report, staff has not received any public comments regarding this case.

Attachments:

1. Airport Overlay District General Regulations
2. Airport Overlay District III-South Prohibited Land Uses
3. Aerial Map
4. Zoning Map
5. Land Use Map
6. Derby Core Future Land Use Map
7. Site Plan
8. Site Pictures

Unified Zoning Code Section III-C.5.f: Airport Overlay District General Regulations

f. **General regulations.** The following regulations apply to all A-O districts.

(1) All regulations of the Underlying zoning District will apply except where specifically modified by this regulation.

(2) No Lot or tract devoted to retail/wholesale trade, Vehicle Repair, Construction Sales and Service, Manufacturing, Personal Care/Improvement Services, General Office or Medical Office Uses shall exceed 0.20 FAR.

(3) No land area used in a Building permit that has maximized the FAR allowed may be used in another Building permit.

(4) All Uses legally established on a parcel or tract prior to August 31, 2007, which do not otherwise meet the special requirements of these Overlay Districts, shall be considered Permitted Uses under this regulation subject to the following requirements:

(a) The reconstruction, relocation, or conversion of any Use or Building must be for the same Use, a Use of lesser intensity (as determined by maximum occupancies permitted in the Building Code), or any Use currently permitted by these Overlay Districts and the Underlying zoning District of the parcel or tract. This includes repairing or reconstruction in instances where a Building is damaged or destroyed by fire, wind, tornado, flood, or other natural disaster.

(b) In any event when a Building or Structure is to be replaced, substantially altered, repaired or rebuilt, a Building permit must be secured.

(c) The relocation of any Use or Building within the Districts must be to a location on the same Lot or tract or on an Adjacent Lot or tract that is under the same ownership, and shall not be to a more restrictive District or Subdistrict. In the event a Use or Building is relocated, the Use of the vacated Building, Lot or tract shall no longer be considered a Permitted Use under Sec. III-C.5.f.(4).

(d) Except as provided by Sec III.C.5.f.(4)(e), any Use or Building may be expanded so long as the total expansion of the Use or Building:

1) Does not exceed 25 percent of the Use or Building at the time of adoption of these regulations;

2) Does not violate the height limitations established in the Airport Hazard Zoning Code;

3) Is intended as an Accessory Use for storage, warehousing, or other similar low occupancy Use; and,

4) Does not result in an expansion into a more restrictive District or Subdistrict.

For purposes of this Sec. III-C.5.f.(4)(d) increases in Floor Areas within an existing Building or expansion outside the boundaries of these Districts shall not be considered an expansion.

(e) Existing Dwelling Units may be expanded without any Floor Area limitation in accordance with the Underlying zoning District.

(f) The designation of any prior Nonconforming Use shall not be affected by this Sec. III-C.5.f.(4).

(5) Administrative offices, engineering offices, computer operations, and similar uses which are accessory to a main Use of an industrial or manufacturing nature and are on the same Lot or tract or one Adjacent to the Lot or tract containing the main Use shall be considered as part of the industrial or manufacturing Use.

Unified Zoning Code Section III-C.5.g.(3): Airport Overlay District III-N and III-S Prohibited Uses

(3)**A-O III-N and A-O III-S.** All Uses allowed within the Underlying base District shall be similarly allowed in the A-O III-N and A-O III-S Districts, except for the following list of prohibited Uses:

(a) Residential Uses with less than 40,000 square feet of Lot area per Dwelling Unit

(b) Hotel or Motel or Recreational Vehicle Campground

(c) Restaurant, Tavern and Drinking Establishments, Sexually Oriented Businesses and Nightclubs

(d) Retail food stores with gross floor area exceeding 3,000 square feet

(e) Hospital, Nursing Facility or Funeral Home

(f) Day Care Center, Correctional Placement Residence, Day Reporting Centers

(g) University or College, Elementary, Middle, and High School, Vocational School, Government Service, Library, museum

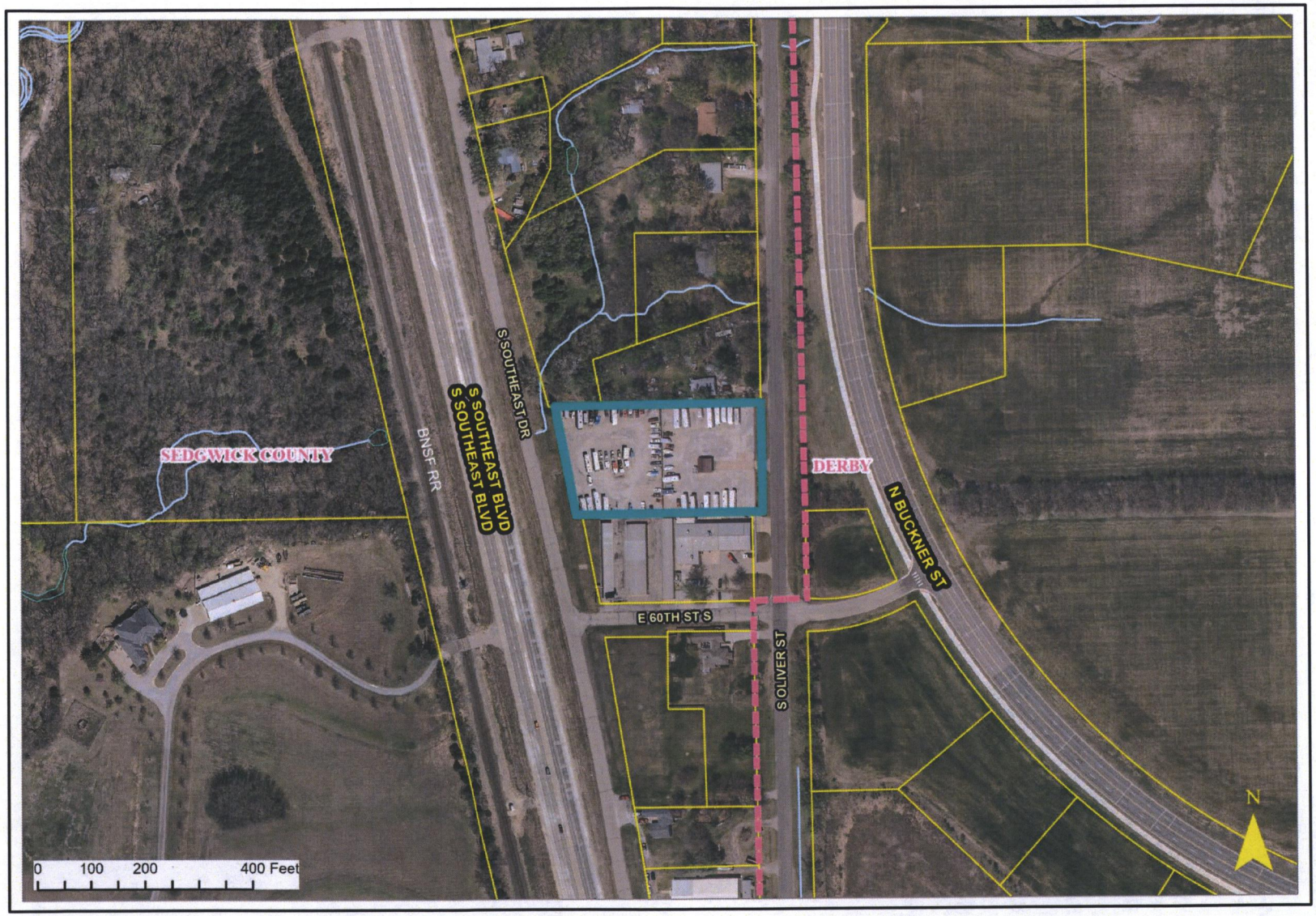
(h) Church or Place of Worship and related facilities

(i) Correctional Facility

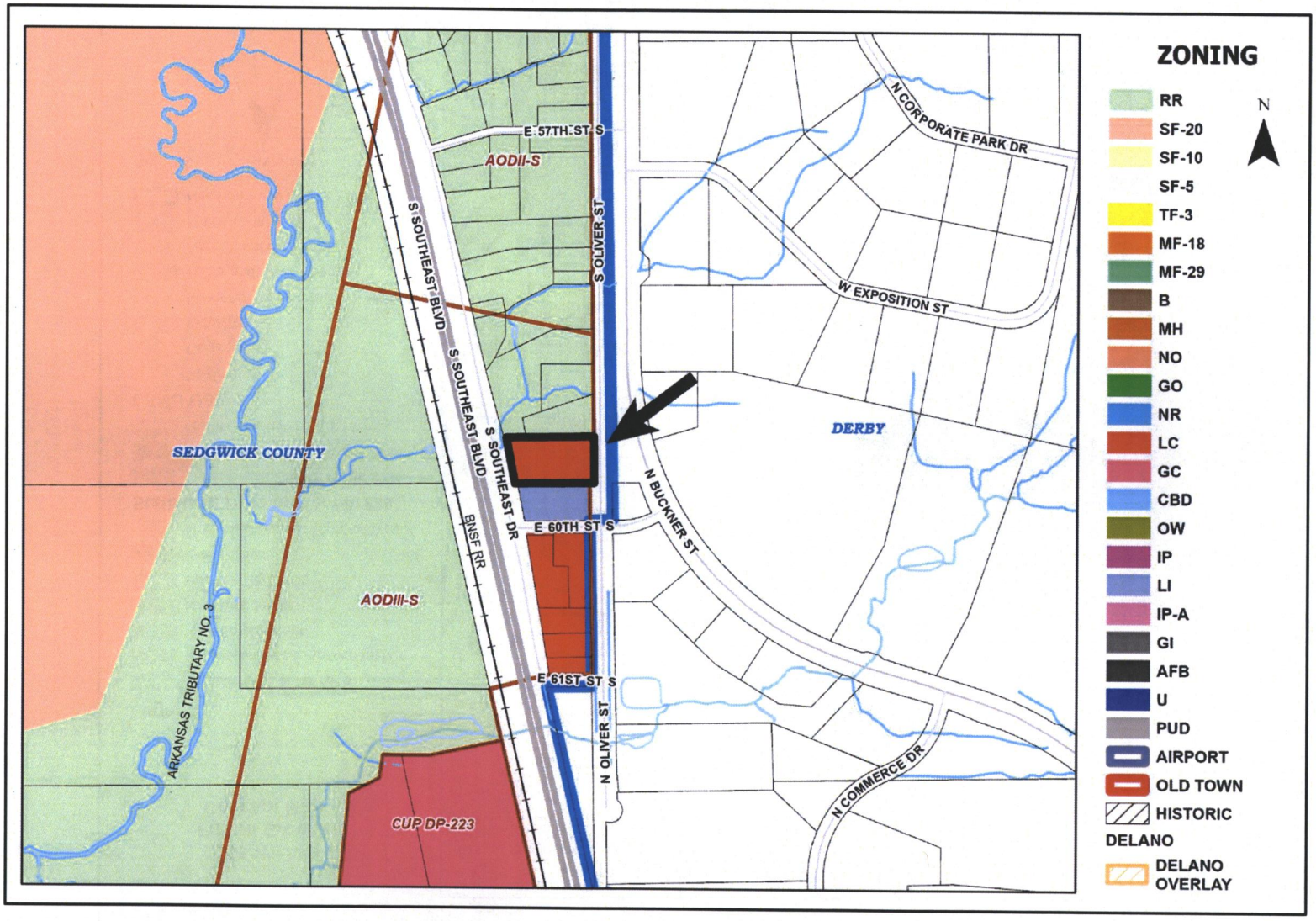
(j) All Indoor/Outdoor Recreation and Entertainment, Auditorium or Stadium, Parks and Recreation, or Community Assembly Uses that would attract more than 25 spectators and/or participants per acre at any one time

(k) Mobile Food Unit in the City

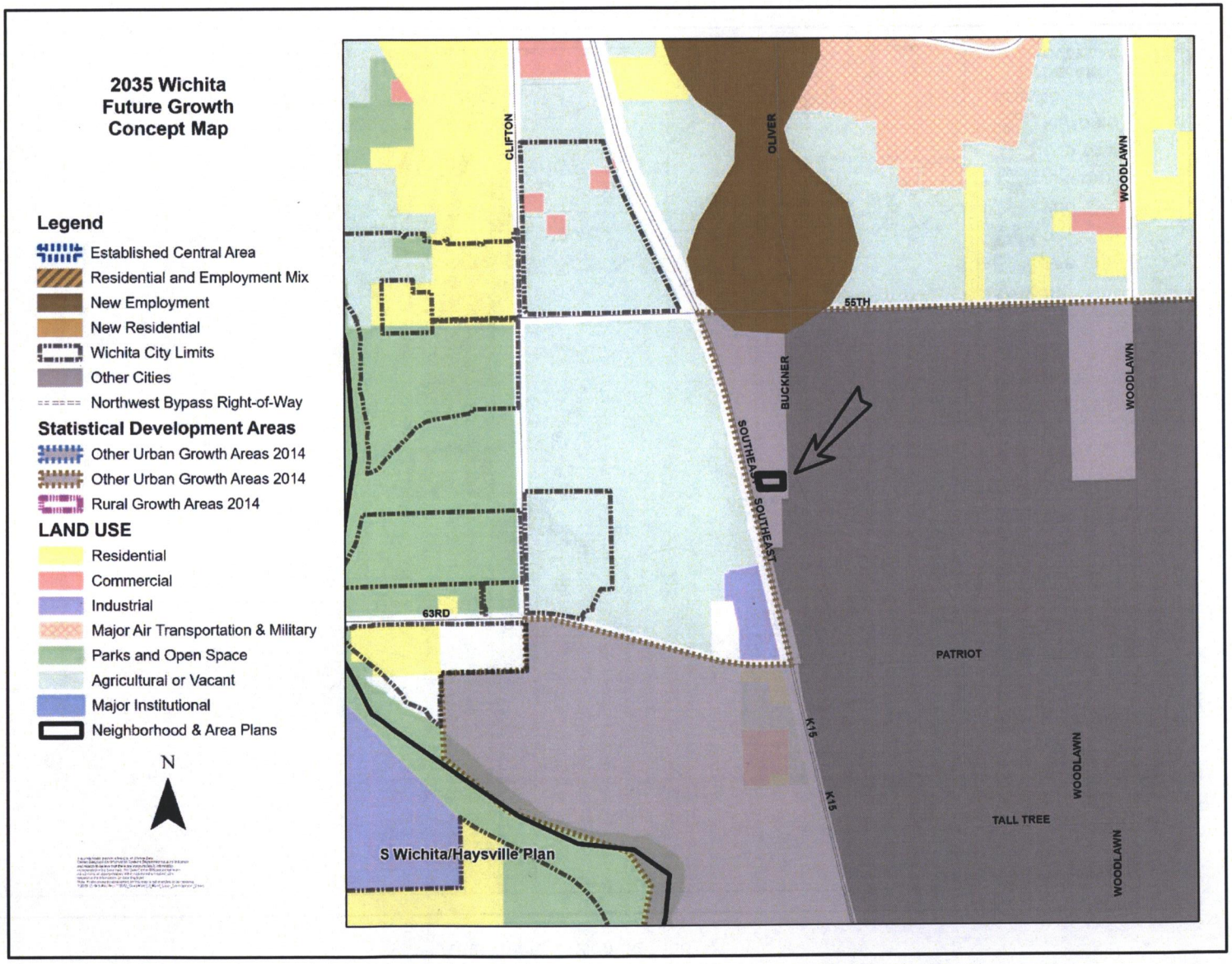
Attachment 1. Aerial Map



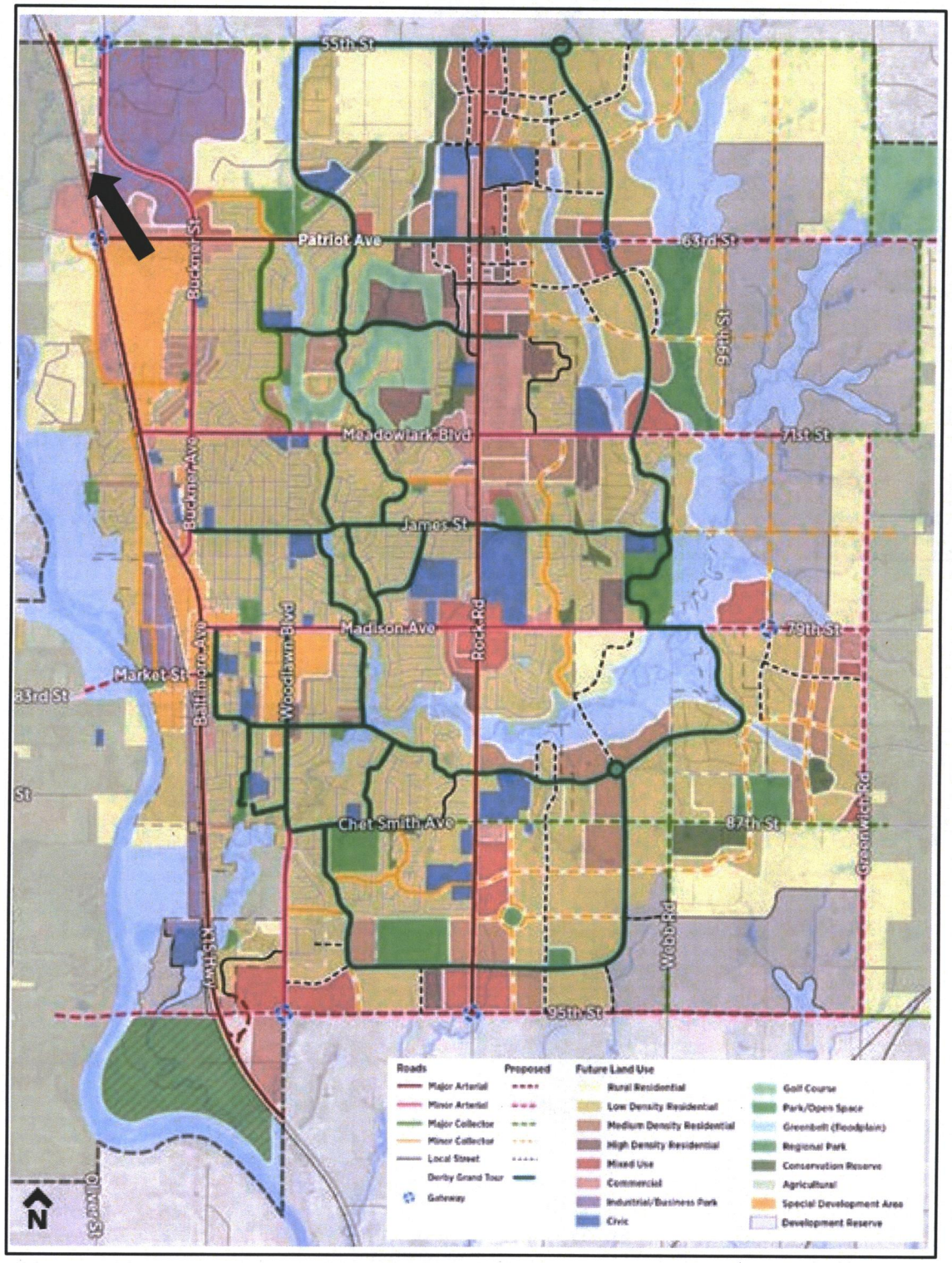
Attachment 2. Zoning Map



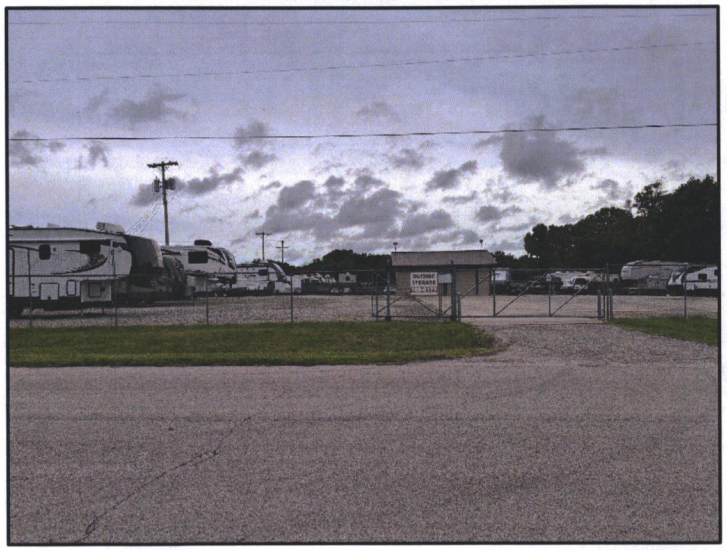
Attachment 3. Land Use Map



Attachment 4. Derby 2040 Future Growth Map



Looking west into subject property



Looking north away from site



Looking east away from site



Looking south away from site

