



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

Midtown Harbor House, LLC
1425 East Douglas Avenue, Suite 125
Wichita, KS 67211

March 19, 2024

RE: ZON2023-00073 – Zone change request in the City from NO Neighborhood Office and MF-29 Multi-Family Residential to GC General Commercial with Protective Overlay #428 to allow for a mixed-use building with roll-up doors, generally located on the east side of North Waco Avenue, within 150 feet south of West 9th Street North.

Dear Applicant,

At its regular meeting on **March 19, 2024**, the Wichita City Council heard the above captioned request. The action of the WCC was to **APPROVE** the request, subject to Protective Overlay #428, which reads:

1. Uses are limited to those permitted by-right in NR Neighborhood Retail District, in addition to Warehousing, as defined by the Unified Zoning Code.

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

Sincerely,

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

Christina Rieth
Current Plans
Associate Planner

CC: Maggie Ballard, Council Member District VI
Ana Lopez, CSR, District VI
MABCD
Leon Moeder, *via email*



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

Midtown Harbor House, LLC
1425 East Douglas Avenue, Suite 125
Wichita, KS 67211

February 8, 2024

RE: ZON2023-00073 – Zone change request in the City from NO Neighborhood Office and MF-29 Multi-Family Residential to GC General Commercial with Protective Overlay #428 to allow for a mixed-use building with roll-up doors, generally located on the east side of North Waco Avenue, within 150 feet south of West 9th Street North.

Dear Applicant,

At its regular meeting on **February 8, 2024**, 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 #428, which reads:

1. Uses are limited to those permitted by-right in NR Neighborhood Retail District, in addition to Warehousing, as defined by the Unified Zoning Code.

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 February 22, 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 200 feet of the property for which the application was filed, and must be submitted to the City Clerk by **February 22, 2024, at 5:00 p.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 316-268-4421.

Sincerely,

Christina Rieth
Current Plans
Associate Planner

CC: Maggie Ballard, Council Member District VI
Ana Lopez, CSR, District VI
MABCD
Leon Moeder, *via email*

OCA 150004

PUBLISHED IN THE WICHITA EAGLE ON March 29, 2024

ORDINANCE NO. 52-359

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. ZON2023-00073

Zone change in the City from MF-29 Multi-Family Residential District and NO Neighborhood Office District to GC General Commercial District and waiver of compatibility setback standards for the rear property line, subject to the provisions of Protective Overlay #428, on property legally described as:

Lot 126, EXCEPT the South 13 feet thereof; and all of Lots 128, 130, 132, and 134, on Waco Avenue, Munger's Original Town of Wichita, Sedgwick County, Kansas.

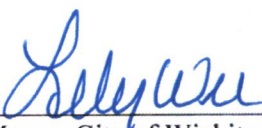
Protective Overlay #428

1. Uses are limited to those permitted by-right in NR Neighborhood Retail District, in addition to Warehousing, as defined by the Unified Zoning Code.

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.

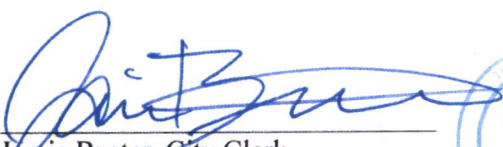
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

Adopted this 26th day of march, 2024.



Lily Wu, Mayor, City of Wichita

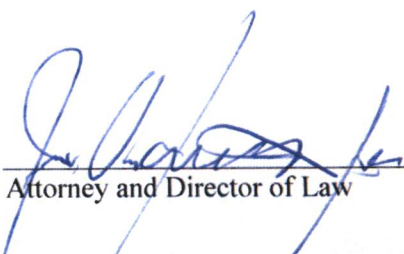
ATTEST:



Jamie Buster, City Clerk

(SEAL)



Approved as to form: 

Jennifer Magaña, City Attorney and Director of Law



The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer

Durham | The Herald-Sun
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The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald

The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
32522	535937	Print Legal Ad-IPL01662440 - IPL0166244		\$55.53	1	66 L

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

JMBuster@wichita.gov

ORDINANCE NO. 52-359

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. ZON2023-00073

Zone change in the City from MF-29 Multi-Family Residential District and NO Neighborhood Office District to GC General Commercial District and waiver of compatibility setback standards for the rear property line, subject to the provisions of Protective Overlay #428, on property legally described as:

Lot 126, EXCEPT the South 13 feet thereof; and all of Lots 128, 130, 132, and 134, on Waco Avenue, Munger's Original Town of Wichita, Sedgwick County, Kansas.

Protective Overlay #428

Uses are limited to those permitted by-right in NR Neighborhood Retail District, in addition to Warehousing, as defined by the Unified Zoning Code.

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 26th day of March 2024.

Lily Wu, Mayor, City of Wichita

ATTEST: Jamie Buster, City Clerk

(SEAL) Approved as to form: Jennifer Magan a, City Attorney and Director of Law

IPL0166244

Mar 29 2024

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

1 insertion(s) published on:

03/29/24

STATE OF KANSAS)

SS

County of Sedgwick)

Mary Castro, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 03/29/2024 to 03/29/2024.

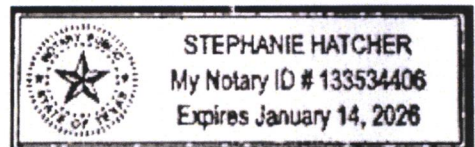
Mary Castro

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

DATED: 03/29/2024

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!



The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
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Bradenton Herald
The Charlotte Observer
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Durham | The Herald-Sun
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Miami Herald
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The Modesto Bee
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San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	509215	Print Legal Ad-IPL01552890 - IPL0155289	OCA 150004	\$139.62	2	83 L

Attention: MANDY HEBERT

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

MHEBERT@wichita.gov

OCA 150004
Published in The Wichita Eagle on January 18, 2024

(One Time Only)
MAPC/EZA February 8, 2024
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, February 8, 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.

CON2023-00071: Conditional Use in the City for an Accessory Dwelling Unit located one-half mile south of West Central Avenue and one-quarter mile west of North Tyler Road (447 North Pamela).

VAC2023-00056: Vacation request in the City to vacate a portion of an existing drainage easement for the construction of duplexes on property zoned MF-18 Multi-Family Residential District, generally located west of North Rock Road and north of K-96.

ZON2023-00073: Zone change request in the City from NO Neighborhood Office and MF-29 Multi-Family Residential to GC General Commercial with Protective Overlay #428 to allow for a mixed-use building with roll-up doors, generally located on the east side of North Waco Avenue, within 150 feet south of W. 9th St N.

ZON2023-00076: Zone change request in the City from NR (Neighborhood Retail) to LC (Limited Commercial); located on the southwest corner of West 13th Street North and North Waco Ave (1351 North Waco Ave).

ZON2023-00077: Zone change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential for a duplex on property located within one-quarter mile southwest of the intersection of East 21st Street North and North Hillside Avenue (2935 E. Maplewood).

ZON2023-00078: Zone change request in the City from TF-3 Two-Family Residential District to MF-29 Multi-Family Residential District to construct a duplex and single-family residence, generally located on the southwest corner of East 1st Street North and North Poplar Avenue (155 N Poplar Ave., 2411 E 1st St. N). 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:
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 January 18, 2024
Scott Wadle, Secretary
Wichita-Sedgwick County
Metropolitan Area Planning Commission
IPL0155289
Jan 18 2024

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

1 insertion(s) published on:

01/18/24

STATE OF KANSAS)

SS

County of Sedgwick)

Stefani Beard, 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 01/18/2024 to 01/18/2024.

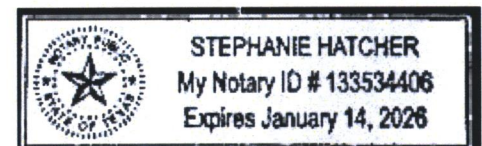
Stefani Beard

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

DATED: 01/24/2024

Stephanie Hatcher

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



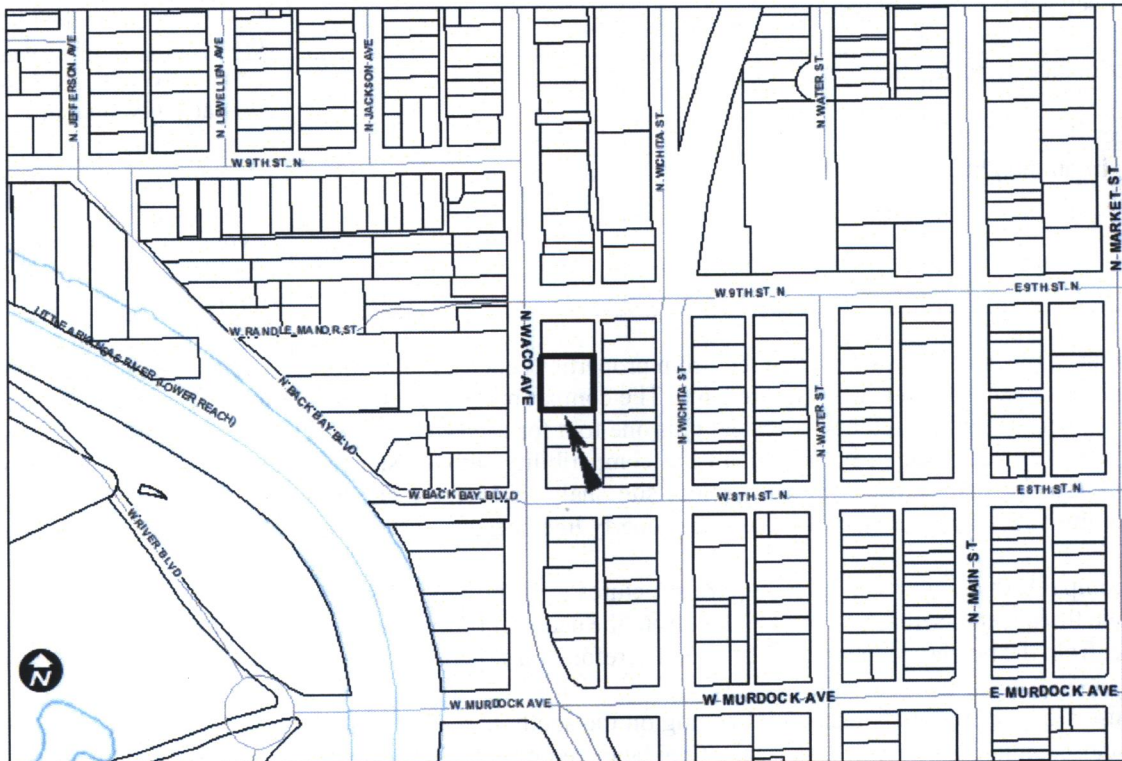
Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!



STAFF REPORT
MAPC: February 8, 2024
DAB VI: February 5, 2024

AGENDA ITEM NO. 4.2

<u>CASE NUMBER:</u>	ZON2023-00073 (City)
<u>APPLICANT/AGENT:</u>	Midtown Harbor House LLC (Applicant)/Leon Moeder (Agent)
<u>REQUEST:</u>	GC General Commercial District, waiver of compatibility setback standards for rear property line
<u>CURRENT ZONING:</u>	MF-29 Multi-Family Residential District and NO Neighborhood Office District
<u>SITE SIZE:</u>	0.41 acres
<u>LOCATION:</u>	Generally located on the east side of North Waco Avenue, south of West 9 th Street North.
<u>PROPOSED USE:</u>	Warehousing and office flex space building with three rental spaces and roll-up doors.
<u>RECOMMENDATION:</u>	Approve subject to Protective Overlay #428.



BACKGROUND: The applicant is requesting a zone change from MF-29 Multi-Family Residential District (MF-29) and NO Neighborhood Office District (NO) to GC General Commercial District (GC) and waiver of compatibility standards for the rear property line to allow for a warehousing and office flex space building with three rental spaces with roll-up doors. The 0.41-acre property is located on the east side of North Waco Avenue, south of West 9th Street North. The subject site is currently undeveloped.

The applicant is primarily interested in an office development with roll-up doors, which are only permitted when the site is suitable for Warehousing. To mitigate the potential adverse impacts of GC zoning, staff is recommending a Protective Overlay that limits the uses on site. The requested zone change would permit more uses on site than its current zoning. Additionally, it would allow changes to the minimum lot area, minimum lot width, and setback requirements, as demonstrated in the table below.

Development Standard	MF-29 Multi-Family	NO Neighborhood Office	GC General Commercial
Minimum lot area	3,500 square feet for Single-Family; 3,000 square feet per Dwelling Unit for Duplex; 1,500 square feet per Dwelling Unit for Multi-Family (maximum 29 Dwelling Units per acre); 5,000 square feet for nonresidential uses	5,000 square feet for Single-Family and nonresidential; 3,000 square feet per Dwelling Unit for Duplex and Multi-Family (maximum 14.5 Dwelling Units per acre)	2,500 square feet for Single-Family; 2,000 square feet per dwelling unit for duplex; 580 square feet per dwelling unit for Multi-Family (maximum 75.1 dwelling units per acre); no minimum for nonresidential uses
Minimum lot width	35 feet for Single-Family; 50 feet for all other uses	50 feet	No minimum
Front setback	25 feet	20 feet	20 feet
Rear setback	20 feet	10 feet	No minimum, subject to compatibility standards.
Interior side setback	Six feet	0 feet	Zero feet or five feet, subject to compatibility standards.
Street side setback	20 feet	15 feet	No minimum
Maximum height	45 feet	35 feet	80 feet plus two feet of additional height for each foot of setback beyond the minimum required setbacks, subject to compatibility standards.

Since the subject site is less than 500 feet from properties zoned TF-3 or more restrictive on the east and west sides, it shall be subject to compatibility standards. The compatibility standards shall only apply to the rear lot line. The minimum compatibility setback is 15 feet plus one foot for each five feet of lot width over 50 feet. The lot width is approximately 135 feet. In no case shall the compatibility setback standards alone require more than a 25-foot setback, so the rear setback for the subject site shall be 25 feet. The applicant is requesting a waiver of the compatibility setback standards for the rear property line because of the size of the proposed development on site.

The compatibility height standards require structures to be no taller than 35 feet in height plus one foot in height for each three feet of setback beyond 50 feet from the nearest property zoned TF-3. The subject site is approximately 83 feet from the nearest property zoned TF-3. Therefore, no structure on the subject site can exceed 45 feet in height.

Because the property abuts residential zoning on the south, east, and west sides, it will need to provide screening and landscaping. The Wichita Landscape Ordinance requires one shade tree or two ornamental trees for every 500

square feet of required landscaped street yard. The Unified Zoning Code requires screening fences or walls to be no less than six feet and no more than eight feet in height.

The character of the neighborhood is mixed use. Property to the north is zoned GC and is developed with a vacant commercial building. Properties to the east and south are zoned B Multi-Family District (B) and are developed with the same apartment complex. Property to the west, across North Waco Avenue, is zoned TF-3 Two-Family Residential District (TF-3) and is developed with a place of worship.

CASE HISTORY: On March 24, 1870, the subject site was platted as part of Munger's Original Town subdivision. In 1983, the Board of Zoning Appeals granted a Variance to reduce the front yard setback from 20 feet to 0 feet for off-street parking purposes only (BZA19-83).

ADJACENT ZONING AND LAND USE:

NORTH:	GC	Vacant commercial building
SOUTH:	B	Apartment complex
EAST:	LI, B	Parking lot, Apartment complex
WEST:	TF-3	Place of worship

PUBLIC SERVICES: The subject site currently has access to North Waco Avenue, which is a two-lane arterial street with sidewalks on each side. The site has access to municipal sewer and water services. Wichita Transit serves this site within one-half mile east, on the northeast corner of North Broadway Avenue and West 9th Street North.

CONFORMANCE TO PLANS/POLICIES: The requested zone change is 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 "Commercial" uses. The *Plan* defines "Commercial" as "areas that reflect the full diversity of commercial development intensities and types typically found in a large urban municipality. Convenience retail, restaurants, small offices, and personal service uses are located in close proximity to, and potentially mixed with, residential uses." The subject site is proposing a commercial space, which is appropriate for this site.

The requested zone change is in conformance with the Locational Guidelines of the *Community Investments Plan*, which state that "Encourage infill development that maximizes public investment in existing and planned infrastructure and services." The subject site is proposing infill development on a vacant lot. The Land Use Compatibility Guidelines suggest that "Neighborhood-serving retail and office uses and high-density residential uses can be appropriate along arterial streets on small infill sites near residential uses or through conversions of residential structures if appropriate site design features that limit traffic, noise, lighting, and adverse impacts on surrounding residential are provided and the scale of the development is appropriate for its context." The requested zone change will be an infill site along an arterial street. Screening and landscaping should mitigate adverse impacts on surrounding residential properties.

The requested zone change is in conformance with the *Wichita: Places for People Plan*. The subject site is located within an Area of Opportunity, which the *Plan* defines as "areas that generally exhibit economic challenges, a disconnected development pattern and a lack of walkable places and facilities. These areas need strategic investment, both public and private, to assist in redefining and reinvigorating the area. Areas of Opportunity also require capacity-building at the neighborhood level to accommodate redevelopment that is beneficial to the neighborhood and its residents."

Strategy 6 of the *Plan* aims to "Encourage infill and redevelopment that is contextual to the environment in which it is occurring." Properties directly north of the subject site are zoned commercially. The zone change request and Protective Overlay continue the commercial development along North Waco Avenue and serve as a gradual transition between the GC-zoned property to the north and the B-zoned property to the south.

The requested zone change is not in conformance with the *Midtown Neighborhood Plan*. The *Plan* emphasizes commercial development near 13th and Broadway, with Broadway as the main commercial corridor. Mixed use

opportunities should be “possibly north of St. Francis and south of 9th, between Wichita and Broadway (these mixed-use concentrations may act as a buffer between intense non-residential use and quiet residential neighborhood areas).” The subject site is located one block west of Wichita Street. However, the *Plan*’s Future Land Use Map identifies the subject site as appropriate for “Professional and Administrative Services” on the northern half and “Multi-Unit: 4-Plex or Less” on the southern half. Warehousing would not be in conformance with either future land use.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be **APPROVED**, subject to Protective Overlay #428, which reads:

1. Uses are limited to those permitted by-right in NR Neighborhood Retail District, in addition to Warehousing, as defined by the Unified Zoning Code.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** The character of the neighborhood is mixed use. Property to the north is zoned GC and is developed with a vacant commercial building. Properties to the east and south are zoned B Multi-Family District and are developed with the same apartment complex. Property to the west, across North Waco Avenue, is zoned TF-3 Two-Family Residential District and is developed with a place of worship.
2. **The suitability of the subject property for the uses to which it has been restricted:** The property is presently zoned MF-29 Multi-Family Residential District and NO Neighborhood Office District, and is suitable for a limited number of commercial, residential, public, and civic uses. They do not allow for certain commercial uses, including roll-up doors (only permitted in GC zoning under “Warehousing”). There are three properties on the east side of North Waco Avenue, within 300 feet of the subject site, that are zoned GC and would permit Warehousing by-right.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** Staff does not anticipate the removal of restrictions to have a significant detrimental impact on nearby property. Screening, landscaping, and the provisions of the Protective Overlay should mitigate any potential detrimental impacts to the adjacent residential property. There are three properties on the east side of North Waco Avenue, within 300 feet of the subject site, that are zoned GC and would permit Warehousing by-right.
4. **Length of time subject property has remained vacant as zoned:** According to historic aerials, the subject site has been vacant since the mid-1970s. A building was on site in 1974 but was demolished by 1983.
5. **Relative gain to public health, safety, and welfare as compared to the loss in value or the hardship imposed upon the applicant:** Approval would permit new development in an area that is appropriate for such development. Denial may represent a loss of economic opportunity for the applicant.
6. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The requested zoning would allow the property to be in conformance with the *Community Investments Plan* and the *Wichita: Places for People Plan* and is not in conformance with the *Midtown Neighborhood Plan*, as discussed in the staff report.
7. **Impact of the proposed development on community facilities:** Staff does not anticipate the requested zone change to have a significant impact on community facilities.
8. **Opposition or support of neighborhood residents:** At the time the staff report was prepared, staff received one phone call from the public who was curious about the development application.

Staff Report Attachments:

1. Aerial Map
2. Zoning Map
3. Land Use Map
4. *Midtown Neighborhood Plan* Future Land Use Map
5. Site Photos

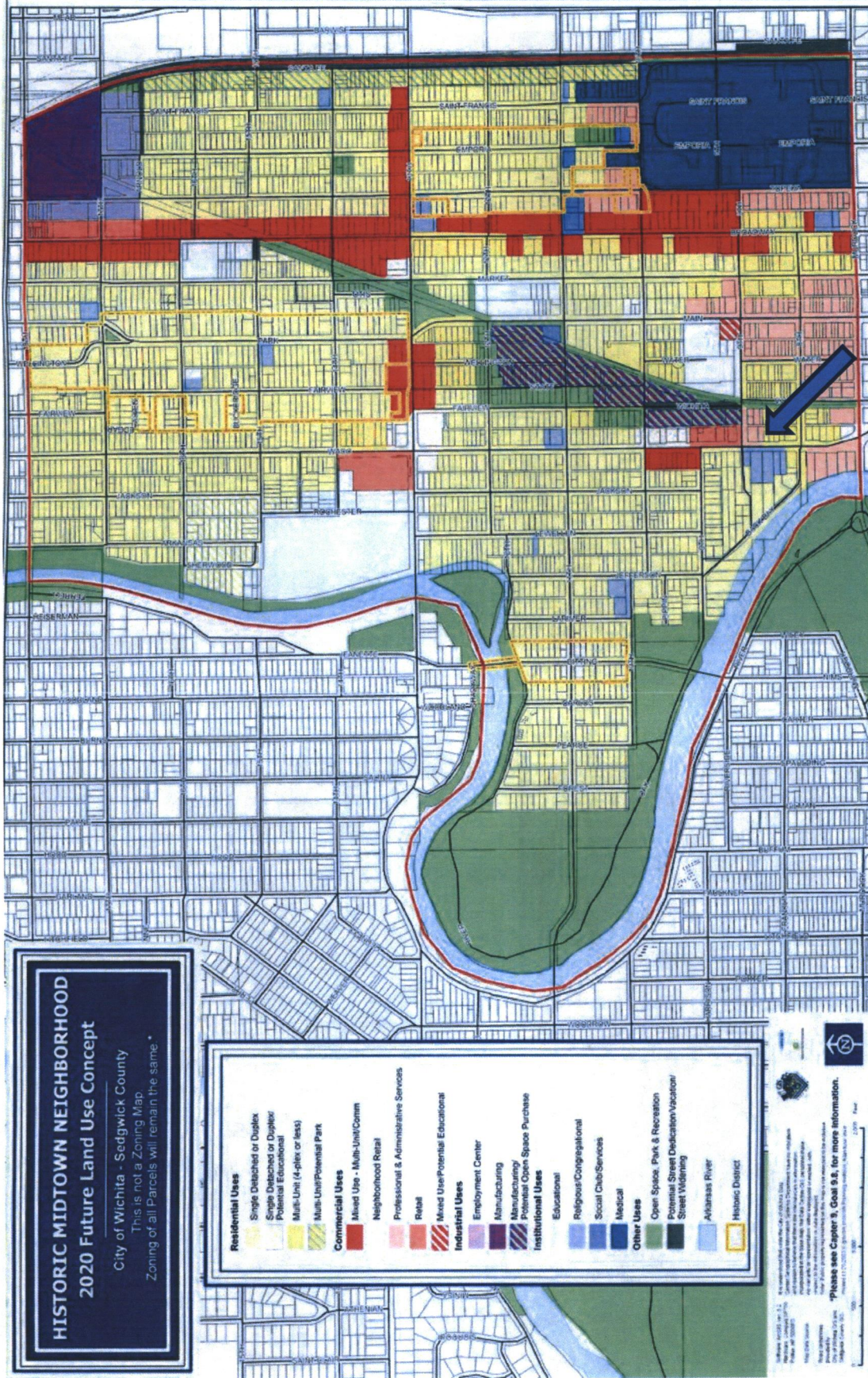




2035 Wichita Future Growth Concept Map

- 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**
 - Small City Urban Growth Areas
 - Small City Urban Growth Areas
 - Rural Areas
 - LAND USE**
 - Residential
 - Commercial
 - Industrial
 - Major Air Transportation & Military
 - Parks and Open Space
 - Agricultural or Vacant
 - Major Institutional
 - Neighborhood/Area Plans





Looking east towards site



Looking south away from site



Looking west away from site



Looking north away from site

