CITY OF WICHITA

SEDGWICK COUNTY KANSAS

Wichita-Sedgwick County Metropolitan Area Planning Department

August 9, 2024

Islamic Society of Wichita, Inc.
6655 East 34th Street North
Wichita, KS 67208

RE: ZON2024-00029 – Zone change request in the City from GO General Office to NR Neighborhood Retail with an amendment to Protective Overlay #270 to permit a market, cafe and personal care services; generally located on the south side of East 34th Street North, one-quarter mile east of North Woodlawn.

Dear Applicant;

At its regular meeting on **August 8, 2024**, the Wichita City Council heard the above captioned request. The action of the WCC was to **APPROVE** the request. The approved revisions to PO #270 are attached to this letter.

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

Sincerely,

Christina Rieth

Christina Rieth
Current Plans
Associate Planner

CC: Brandon Johnson, Councilmember District I
Cameron Jackson, CSR District I
K.E. Miller Engineering, attn: Kirk Miller, 117 East Lewis Street, Wichita, KS 67202

Amended Protective Overlay #270

1. Parking shall be provided in accordance with Article IV of the Unified Zoning Code.
2. Signs shall be in accordance with the GO zoning district in the Sign Code of the City of Wichita, with the following additional requirements:
    a. Portable signs are not permitted.
    b. Ground signs shall be monument type.
    c. No off-site/billboard signs.
    d. No illuminated building signs on the north or east elevations.
3. Property shall install similar or consistent parking lot lighting elements (i.e., fixtures, poles, lamps, etc.).
    a. The height of all light poles, including pole base, is limited to 15 feet.
    b. All exterior lighting shall be shielded to direct light disbursement in a downward direction and away from residential areas.
4. Utilities shall be installed underground on all parcels.
5. Landscape buffers and parking lot screening shall be in accordance with the City of Wichita's Landscape Ordinance, provided that parking lot screening shall be accomplished with a landscaped berm that shall be no less than 3 feet tall. The berm shall be installed prior to receiving occupancy permits.
    a. A Landscape Plan shall be prepared by a Kansas Landscape Architect for the above referenced landscaping, indicating the type, location, and specifications of all plant material. The landscape plan shall also state how water is to be provided to the plant materials. This plan shall be submitted to the Planning Department for their review and approval prior to issuance of a building permit.
    b. A financial guarantee for the plant material and watering requirements approved on the landscape plan for that portion being developed shall be required prior to issuance of any occupancy permit, if the required landscape has not been planted.
6. Noise from the site shall not be audible from adjacent or surrounding property above the local, ambient noise. No outdoor speaker systems shall be permitted.
7. All rooftop mechanical equipment shall be screened from ground-level view from adjacent residential areas and adjacent residential street right-of-way.
8. Trash receptacles and ground level mechanical equipment shall be screened to reasonably hide them from ground level view from adjacent property and street right-of-way.
9. Uses shall be limited to the following: Office, General; Medical Service; Single-Family Residential; Two-Family Residential limited to the MF-18 zoning district density; Church or Place of Worship; Personal Care Service; Personal Improvement Service; Restaurant as limited in NR zoning; Retail, General as limited in NR zoning.
10. Amendments, adjustments, or interpretations to this Protective Overlay shall be done in accordance with the Unified Zoning Code.
11. The transfer of title of all or any portion of land included within the Protective Overlay (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.

Wichita-Sedgwick County Metropolitan Area Planning Department

Islamic Society of Wichita, Inc.
6655 East 34th Street North
Wichita, KS 67208

July 1, 2024

RE: ZON2024-00029 – Zone change request in the City from GO General Office to NR Neighborhood Retail with an amendment to Protective Overlay #270 to permit a market, cafe and personal care services; generally located on the south side of East 34th Street North, one-quarter mile east of North Woodlawn.

Dear Applicant;

At its regular meeting on **June 27, 2024**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned requests. The action of the MAPC was to recommend **APPROVAL** of the request. The approved revisions to PO #270 are attached to this letter.

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 **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 200 feet of the property for which the application was filed, and must be submitted to the City Clerk by **July 11, 2024, at 5:00 p.m.**

This application will be considered by the District Advisory Board (DAB) I on **Monday, July 1, 2024**, beginning at 6:00 p.m. The meeting shall take place at the Atwater Neighborhood Resource Center, 2755 East 19th Street North, Wichita, KS 67214. For more information on the meeting, please contact Cameron Jackson, Community Service Representative for District I, at 316-303-8018 or at CTJackson@wichita.gov. This application will be considered by the Wichita City Council on **Tuesday, August 8, 2024,** beginning at **6:00 p.m.**, at 455 North Main Street, Wichita, KS 67202.

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

CC: Brandon Johnson, Councilmember District I
Cameron Jackson, CSR District I
K.E. Miller Engineering, attn: Kirk Miller, 117 East Lewis Street, Wichita, KS 67202
Kim Trinchet, Jolene Olson, Melonie Bell, and Rachel Blair, *via email*
Kelli and Aaron Mason, 3510 North Cameron Street, Wichita, KS 67226
Kenneth Thompson, 3548 North Rushwood Court, Wichita, KS 67226

Amended Protective Overlay #270

1. Parking shall be provided in accordance with Article IV of the Unified Zoning Code.
2. Signs shall be in accordance with the GO zoning district in the Sign Code of the City of Wichita, with the following additional requirements:
    a. Portable signs are not permitted.
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    d. No illuminated building signs on the north or east elevations.
3. LED or electronic message signs are prohibited. Property shall install similar or consistent parking lot lighting elements (i.e., fixtures, poles, lamps, etc.).
    a. The height of all light poles, including pole base, is limited to 15 feet.
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    a. A Landscape Plan shall be prepared by a Kansas Landscape Architect for the above reference landscaping, indicating the type, location, and specifications of all plant material. The landscape plan shall also state how water is to be provided to the plant materials. This plan shall be submitted to the Planning Department for their review and approval prior to issuance of a building permit.
    b. A financial guarantee for the plant material and watering requirements approved on the landscape plan for that portion being developed shall be required prior to issuance of any occupancy permit, if the required landscape has not been planted.
6. Noise from the site shall not be audible from adjacent or surrounding property above the local, ambient noise. No outdoor speaker systems shall be permitted.
7. All rooftop mechanical equipment shall be screened from ground-level view from adjacent residential areas and adjacent residential street right-of-way.
8. Trash receptacles and ground level mechanical equipment shall be screened to reasonably hide them from ground level view, adjacent property and street right-of-way.
9. Uses shall be limited to the following: Office, General; Medical Service; Single-Family Residential; Two-Family Residential limited to the MF-18 zoning district density; Church or Place of Worship; Personal Care Service; Personal Improvement Service; Restaurant as limited in NR zoning; Retail, General as limited in NR zoning.
10. Amendments, adjustments, or interpretations to this Protective Overlay shall be done in accordance with the Unified Zoning Code.
11. The Transfer of title of all or any portion of land included within the Protective Overlay (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.

OCA 150004 PUBLISHED IN THE WICHITA EAGLE ON August 16, 2024

ORDINANCE NO. 52-532

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. ZON2024-00029

Zone change request in the City from GO General Office District to NR Neighborhood Retail District, with an amendment to Protective Overlay #270, on property described as:

Commencing at the southwest corner of Lot 1, Block 1, Killarney Townhome Addition, Wichita, Sedgwick County, Kansas; thence S 89°01'40" W along the south line of said Lot 1, Block 2, Killarney West Residential Addition, a distance of 275.00 feet to the Point of Beginning; thence S 89°01'40" W along the south line of said Lot 1, a distance of 290.00 feet; thence N 01°58'20" W, a distance of 135.31 feet to a point on the north line of said Lot 1, said line being the south line of 34th Street North; thence N 89°01'40" W along said north line of Lot 1, a distance of 290.00 feet; thence S 01°58'20" E, a distance of 135.31 feet to the Point of Beginning, Lot 1, Block 2, Killarney West Residential Addition, Wichita, Sedgwick County, Kansas.

The revised provisions of Protective Overlay #270 shall hereby read as follows:

1. Parking shall be provided in accordance with Article IV of the Unified Zoning Code.
2. Signs shall be in accordance with the GO zoning district in the Sign Code of the City of Wichita, with the following additional requirements:
    a. Portable signs are not permitted.
    b. Ground signs shall be monument type.
    c. No off-site/billboard signs.
    d. No illuminated building signs on the north or east elevations.
3. Property shall install similar or consistent parking lot lighting elements (i.e., fixtures, poles, lamps, etc.).
    a. The height of all light poles, including pole base, is limited to 15 feet.
    b. All exterior lighting shall be shielded to direct light disbursement in a downward direction and away from residential areas.
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    a. A Landscape Plan shall be prepared by a Kansas Landscape Architect for the above referenced landscaping, indicating the type, location, and specifications of all plant material. The landscape plan shall also state how water is to be provided to the plant materials. This plan shall be submitted to the Planning Department for their review and approval prior to issuance of a building permit.

b. A financial guarantee for the plant material and watering requirements approved on the landscape plan for that portion being developed shall be required prior to issuance of any occupancy permit, if the required landscape has not been planted.

6. Noise from the site shall not be audible from adjacent or surrounding property above the local, ambient noise. No outdoor speaker systems shall be permitted.
7. All rooftop mechanical equipment shall be screened from ground-level view from adjacent residential areas and adjacent residential street right-of-way.
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9. Uses shall be limited to the following: Office, General; Medical Service; Single-Family Residential; Two-Family Residential limited to the MF-18 zoning district density; Church or Place of Worship; Personal Care Service; Personal Improvement Service; Restaurant as limited in NR zoning; Retail, General as limited in NR zoning.
10. Amendments, adjustments, or interpretations to this Protective Overlay shall be done in accordance with the Unified Zoning Code.
11. The transfer of title of all or any portion of land included within the Protective Overlay (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.

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 13th day of August, 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

McClatchy

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
Fort Worth Star-Telegram
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	583375	Print Legal Ad-IPL01892050 - IPL0189205		$156.42	2	93 L

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

JMBuster@wichita.gov

ORDINANCE NO. 52-532
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. ZON2024-00028
Zone change request in the City from GO General Office District to NR Neighborhood Retail District, with an amendment to Protective Overlay #270, on property described as:
Commencing at the southwest corner of Lot 1, Block 1, Killarney Townhome Addition, Wichita, Sedgwick County, Kansas; thence S 89°01'40" W along the south line of said Lot 1, Block 2, Killarney West Residential Addition, a distance of 275.00 feet to the Point of Beginning; thence S 89°01'40" W along the south line of said Lot 1, a distance of 290.00 feet; thence N 01°58'20" W, a distance of 135.31 feet to a point on the north line of said Lot 1, said line being the south line of 34th Street North; thence N 89°01'40" W along said north line of Lot 1, a distance of 290.00 feet; thence S 01°58'20" E, a distance of 135.31 feet to the Point of Beginning, Lot 1, Block 2, Killarney West Residential Addition, Wichita, Sedgwick County, Kansas.

The revised provisions of Protective Overlay #270 shall hereby read as follows:
1. Parking shall be provided in accordance with Article IV of the Unified Zoning Code.
2. Signs shall be in accordance with the GO zoning district in the Sign Code of the City of Wichita, with the following additional requirements:
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c. No off-site/billboard signs.
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a. The height of all light poles, including pole base, is limited to 15 feet.
b. All exterior lighting shall be shielded to direct light disbursement in a downward direction and away from residential areas.
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10. Amendments, adjustments, or interpretations to this Protective Overlay shall be done in accordance with the Unified Zoning Code.
11. The transfer of title of all or any portion of land included within the Protective Overlay (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.
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 13th day of August, 2024.
Lily Wu, Mayor, City of Wichita
ATTEST:
Jamie Buster, City Clerk
(SEAL)
Approved as to form: _____
Jennifer Magana, City Attorney and Director of Law
IPL0189205
Aug 16 2024

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

1 insertion(s) published on:
08/16/24

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 08/16/2024 to 08/16/2024.

Mary Castro

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 08/16/2024

Stephanie Hatcher

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

STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

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

WICHITA—SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 4.8

STAFF REPORT
MAPC: June 27, 2024
DAB I: July 1, 2024

CASE NUMBER: ZON2024-00029 (City)

APPLICANT/AGENT: Islamic Society of Wichita (Applicant)/ K.E. Miller Engineering, P.A. (Agent)

REQUEST: NR Neighborhood Retail District; amend Protective Overlay #270

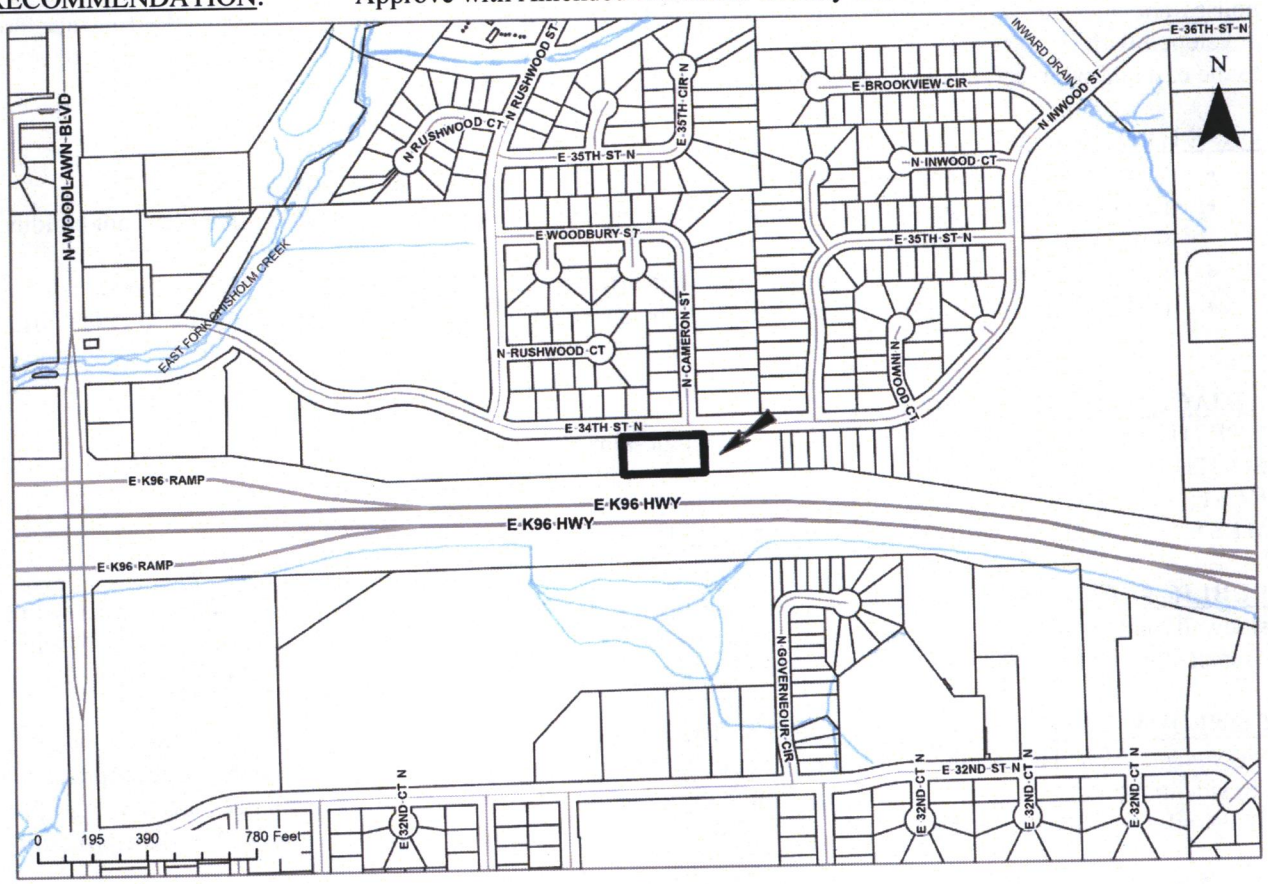
CURRENT ZONING: GO General Office District with Protective Overlay #270

SITE SIZE: 0.90 acres

LOCATION: Generally located on the south side of East 34th Street North, within one-half mile east of North Woodlawn Boulevard.

PROPOSED USE: Neighborhood retail center

RECOMMENDATION: Approve with Amended Protective Overlay #270.



BACKGROUND: The applicant has two requests:

1. A zone change from GO General Office District (GO) to NR Neighborhood Retail District (NR); and
2. An amendment to Protective Overlay #270.

The 0.90-acre property is generally located on the south side of East 34th Street North, within one-half mile east of North Woodlawn Boulevard. The subject site is currently undeveloped. The applicant is filing the zone change request and PO amendment to build a neighborhood retail center that will include a market, café, personal care service, and offices. Retail and restaurants are not permitted uses in the current zoning. Personal Care and Personal Improvement Services are only permitted by Conditional Use approval in the existing GO zoning.

The proposed PO amendment expands the types of permitted uses on site and provides clarity on details such as lighting, screening, and noise levels. The PO text introduces several new uses to the subject site, but it still restricts most permitted uses in NR zoning. Parking and screening shall continue to adhere to the provisions outlined in Article IV of the Unified Zoning Code (UZC). Landscaping shall be per the Wichita Landscape Code. Signage shall be in accordance with the rules and regulations of the Sign Code for the current GO zoning. The provisions of the PO amendment are attached to the end of this report.

The property remains subject to compatibility height and setback standards, since the current and proposed zoning are less restrictive than MF-18 Multi-Family Residential District and is adjacent to SF-5 Single-Family Residential District zoning to the north. The minimum building compatibility setback shall be 15 feet plus one foot for each five feet of (subject tract) lot width over 50 feet, and no structure shall exceed 35 feet in height within 50 feet of the lot line of property zoned TF-3 Two-Family Residential District or more restrictive.

The character of the area is residential with non-residential zoning serving as a barrier between the single-family houses and the highway. Properties to the north are zoned SF-5 Single-Family Residential District and are developed with single-family dwellings. Immediately south of the subject site is state highway K-96. Properties to the east and west are zoned GO, are owned by the applicant, and are undeveloped.

CASE HISTORY

- In 1990, the subject site was platted as Lot 1, Block 2 of the Killarney West Addition.
- In 2000, the applicant was granted an Administrative Adjustment to allow parking in the 25-foot building setback (BZA2000-2012).
- In 2012, the applicant was granted a Conditional Use to allow a daycare on site (CON2012-00006).
- In 2013, the applicant was granted a zone change request from TF-3 to GO with PO-270 (ZON2012-00031).

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single-family dwellings
SOUTH:	None	State highway
EAST:	GO	Undeveloped
WEST:	GO	Undeveloped

PUBLIC SERVICES: This site has access to East 34th Street North, which is a two-lane collector street with a sidewalk on the north side. This site already has access to municipal services, such as water and sewer. Wichita Transit stops one-half mile northeast of the subject site at East 36th Street North and North Inwood Street.

CONFORMANCE TO PLANS/POLICIES: The requested zoning is in conformance with the *Community Investments Plan*. The *Plan*'s 2035 Wichita Future Growth Concept Map identifies the area to be appropriate for "Residential and Employment Mix" uses, which the *Plan* describes as follows "Encompasses areas of land that likely will be developed or redeveloped by 2035 with uses predominately of a mixed nature. Due to the proximity

of higher intensity businesses uses, residential housing types within this area likely will be higher density. Due to the proximity of residential uses, employment uses likely will have limited negative impacts associated with noise, hazardous emissions, visual blight, and odor." The applicant is requesting the zone change and PO amendment to introduce retail, the recommended amendments to Protective Overlay #270 are intended to help mitigate possible negative impacts on the existing residential development to the north.

The Locational Guidelines for Outside Established Central Area state that "residential and non-residential development areas generally should be separate and distinct with appropriate screening and buffering to ensure compatibility among land uses while maintaining connectivity among uses." The NR District zoning will require screening and landscape buffering. The street allows the proposed development to remain separate and distinct from the residential zoning to the north.

RECOMMENDATION: Based upon the information available at the time the staff report was completed, staff recommends **APPROVAL** of the zone change request and amendment to Protective Overlay #270. This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** The character of the area is residential with non-residential zoning serving as a barrier between the single-family houses and the highway. Properties to the north are zoned SF-5 Single-Family Residential District and are developed with single-family dwellings. Immediately south of the subject site is state highway K-96. Properties to the east and west are zoned GO, are owned by the applicant, and are undeveloped.

2. **The suitability of the subject property for the uses to which it has been restricted:** The property is presently zoned GO with Protective Overlay #270. The current zoning and Protective Overlay do not permit retail nor restaurants.

3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** The zone change and PO amendment will allow additional uses on site. However, staff does not anticipate that the permitted uses outlined in the amended PO will cause a significant increase in traffic compared to what is already permitted in the existing zoning and PO.

4. **Length of time subject property has remained vacant as zoned**: The subject site has never been developed.

5. **Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant**: Approval will bring development to a site that is currently undeveloped. Development may bring additional traffic, noise, and light pollution to a site adjacent to residential zoning. However, the Protective Overlay, along with screening, lighting, and compatibility standards, are intended to help mitigate potential negative impacts. Denial may result in a loss of economic opportunity or the enjoyment of the applicant's property.

6. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The requested zoning is in conformance with the *Community Investments Plan*, as discussed in the report.

7. **Impact of the proposed development on community facilities:** The requested zoning is not anticipated to have significant adverse impacts on community facilities. Municipal services, such as water and sewer, already exist on site.

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.

Attachments:

1. Protective Overlay #270 Text with Applicant's Revisions
2. Aerial Map
3. Zoning Map
4. Future Growth Concept Map
5. Site Pictures

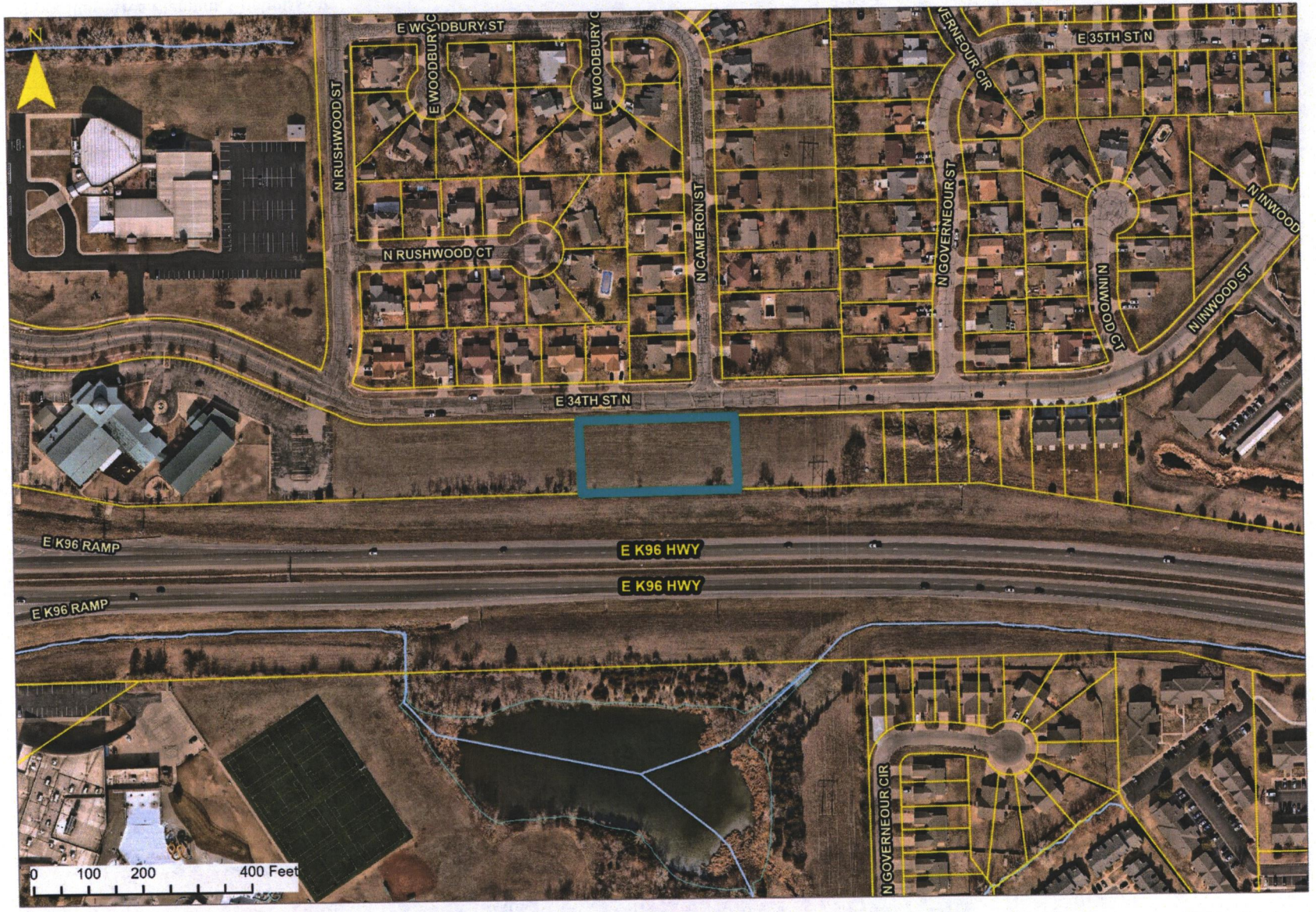
Original Protective Overlay #270

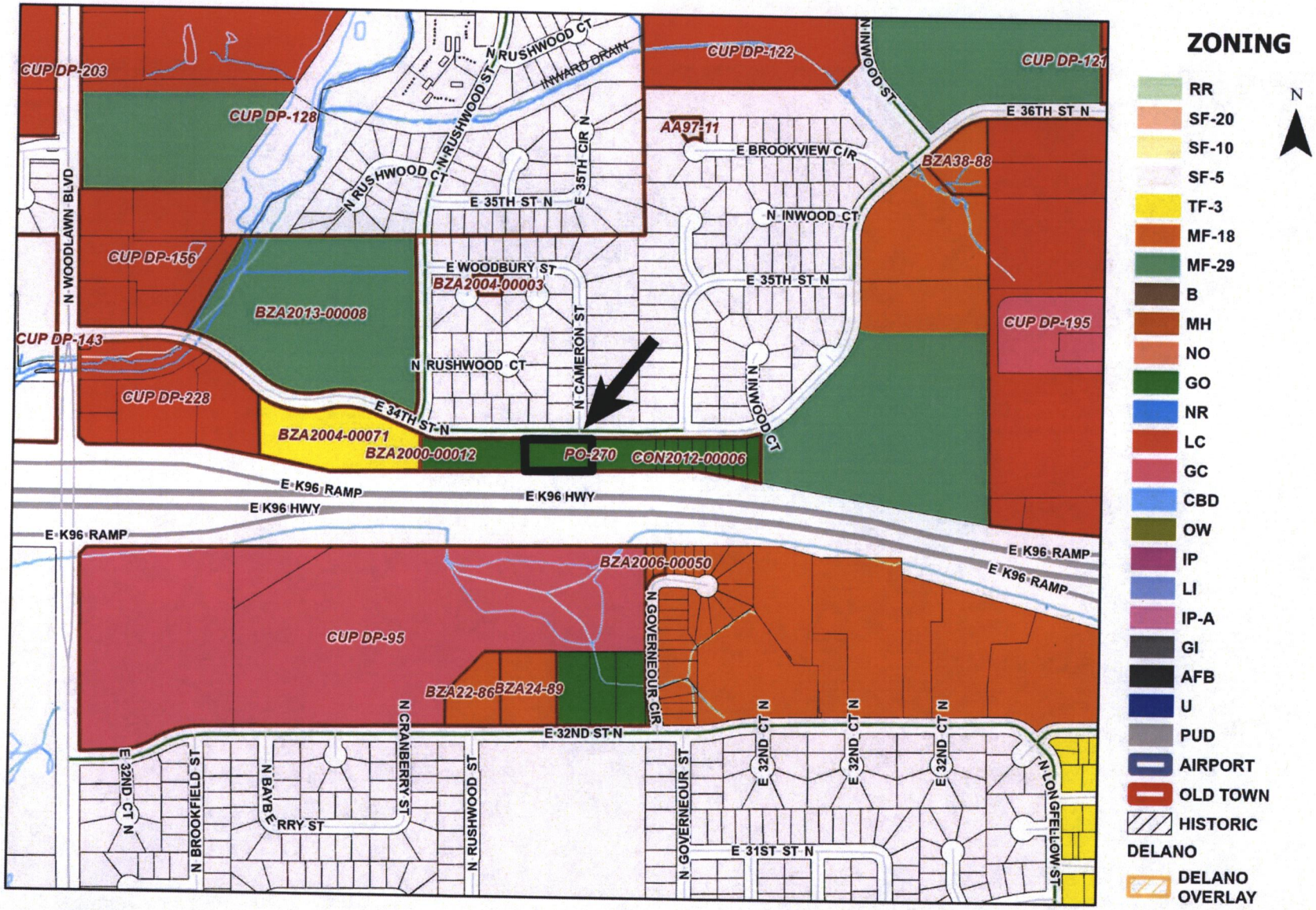
1. Permitted land uses by right are limited to: Office, General; Medical Service; Single-family Residential; Two-family Residential and Church or Place of Worship. Parking shall be provided in accordance with Article IV of the Unified Zoning Code.
2. Buildings are limited to 35 feet in height.
3. Signs shall conform to the City of Wichita Sign Code, shall be monument style signs and shall not exceed 32 square feet in size.

Applicant Proposed Amended Protective Overlay #270

1. Parking shall be provided in accordance with Article IV of the Unified Zoning Code.
2. Signs shall be in accordance with the GO zoning district in the Sign Code of the City of Wichita, with the following additional requirements:
    a. Portable signs are not permitted.
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3. LED or electronic message signs are prohibited. Property shall install similar or consistent parking lot lighting elements (i.e., fixtures, poles, lamps, etc.).
    a. The height of all light poles, including pole base, is limited to 15 feet.
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4. Utilities shall be installed underground on all parcels.
5. Landscape buffers and parking lot screening shall be in accordance with the City of Wichita's Landscape Ordinance.
    a. A Landscape Plan shall be prepared by a Kansas Landscape Architect for the above reference landscaping, indicating the type, location, and specifications of all plant material. The landscape plan shall also state how water is to be provided to the plant materials. This plan shall be submitted to the Planning Department for their review and approval prior to issuance of a building permit.
    b. A financial guarantee for the plant material and watering requirements approved on the landscape plan for that portion being developed shall be required prior to issuance of any occupancy permit, if the required landscape has not been planted.
6. Noise from the site shall not be audible from adjacent or surrounding property above the local, ambient noise. No outdoor speaker systems shall be permitted.
7. All rooftop mechanical equipment shall be screened from ground-level view from adjacent residential areas and adjacent residential street right-of-way.
8. Trash receptacles and ground level mechanical equipment shall be screened to reasonably hide them from ground level view, adjacent property and street right-of-way.
9. ~~All building exteriors shall share a consistent architectural design, color, and texture. Exterior utility boxes, mechanical equipment, and etc., shall be screened and/or painted according to the acceptable color range. All light fixtures shall share consistent design (i.e., fixtures, poles, lamps, etc.). Variations must be approved by the Director of Planning.~~
10. Uses shall be limited to the following: Office, General; Medical Service; Single-Family Residential; Two-Family Residential limited to the MF-18 zoning district density; Church or Place of Worship; Personal Care Service; Personal Improvement Service; Restaurant as limited in NR zoning; Retail, General as limited in NR zoning.

11. Amendments, adjustments, or interpretations to this Protective Overlay shall be done in accordance with the Unified Zoning Code.
12. The Transfer of title of all or any portion of land included within the Protective Overlay (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.


N
E WOODBURY ST
E WOODBURY CT
E WOODBURY CT
N RUSHWOOD ST
N RUSHWOOD CT
N CAMERON ST
N GOVERNEOUR CIR
E 35TH ST N
N GOVERNEOUR ST
N INWOOD CT
N INWOOD ST
N INWOOD
E 34TH ST N
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N GOVERNEOUR CIR
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ZONING

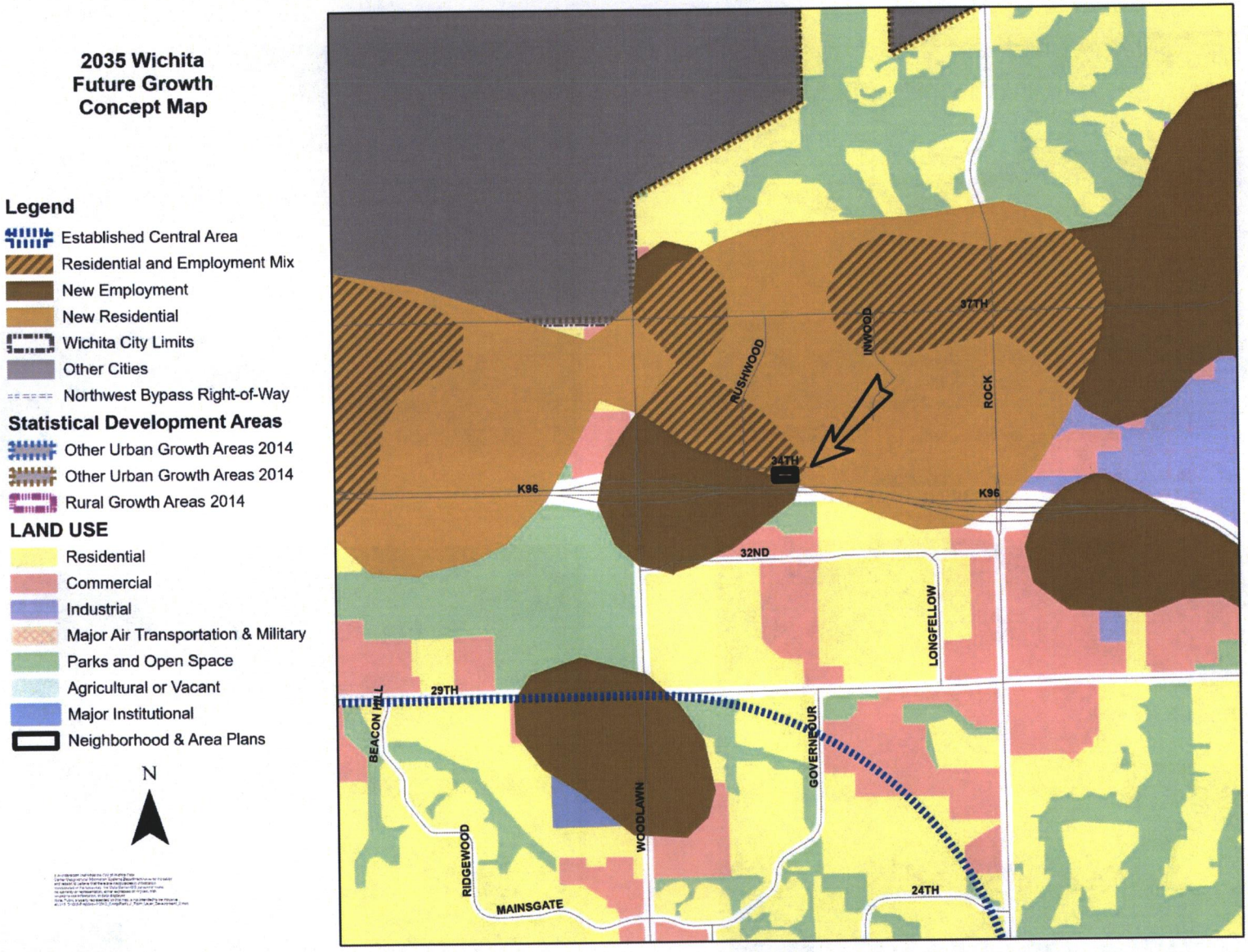
- RR
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- TF-3
- MF-18
- MF-29
- B
- MH
- NO
- GO
- NR
- LC
- GC
- CBD
- OW
- IP
- LI
- IP-A
- GI
- AFB
- U
- PUD
- AIRPORT
- OLD TOWN
- HISTORIC

DELANO

- DELANO OVERLAY

N

2035 Wichita Future Growth Concept Map



Looking south at site



Looking west away from site



Looking east towards site



Looking north away from site

