Wichita-Sedgwick County Metropolitan Area Planning Department

July 9, 2025

J Eduardo Granillo
622 S. Lulu Ave
Wichita, KS 67211

Yulissa Granillo-Trevizo
4609 W. 31st St. S.
Wichita, KS 67215

RE: ZON2025-00019 – Zone Change request in the County from SF-5 Single-Family Residential to NR Neighborhood Retail with Protective Overlay #456, generally located on the south side of East Central Avenue and 500 feet east of North Edgemoor Drive (5725 East Central Avenue).

Dear Applicant;

At its regular meeting on **July 1, 2025**, the Wichita City Council considered the above captioned request. The action of the City Council was to **APPROVE** the above captioned request, subject to Protective Overlay #456, which reads:

Protective Overlay #454

1. Parking shall be provided in accordance with Section IV of the Unified Zoning Code.
2. Signs shall be limited to the existing signs on the property as well as signs allowed in the "NR" zoning district for any future development. In addition,
    a. Portable signs are not permitted.
    b. Ground signs shall be monument type.
    c. No off-site or billboard signs.
3. If additional parking lot lighting is installed, they shall be installed with similar or consistent parking lot lighting elements (i.e. fixtures, poles, lamps, etc.)
    a. The height of all poles, including pole bases, 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. 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.
5. 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.
6. The property shall not be combined or utilized in any way with any residential zone lot to the south that fronts on North Oakwood Drive. This is intended to exclude off-street parking on a lot that fronts on North Oakwood Drive that could be used in combination with the subject property.
7. Uses shall be limited to those allowed by right in the NR zoning district, EXCEPT: businesses

engaged in providing loans secured by car titles or other similar forms of security shall be prohibited.

8. 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 successor and assigns.
9. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approval by the Governing Body, and any substantial deviation of the plan, as determined by the Zoning Administrator and Planning Director, shall constitute a violation of the building permit authorizing construction of the proposed development.
10. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.

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

Sincerely,

Brad Eatherly
Current Plans
Senior Planner

CC: Brandon Johnson, City Council Member, District I
Cameron Jackson, CSR, District I
MABCD

Wichita-Sedgwick County Metropolitan Area Planning Department

Eduardo Granillo
622 S. Lulu Ave
Wichita, KS 67211

May 22, 2025

Yulissa Granillo-Trevizo
4609 W. 31st St. S.
Wichita, KS 67215

RE: ZON2025-00019 – Zone Change request in the County from SF-5 Single-Family Residential to NR Neighborhood Retail with Protective Overlay #456, generally located on the south side of East Central Avenue and 500 feet east of North Edgemoor Drive (5725 East Central Avenue).

Dear Applicant;

At its regular meeting on **May 22, 2025**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The recommendation of the MAPC was to **APPROVE** the request, subject to Protective Overlay #456, which reads:

Protective Overlay #454

1. Parking shall be provided in accordance with Section IV of the Unified Zoning Code.
2. Signs shall be limited to the existing signs on the property as well as signs allowed in the "NR" zoning district for any future development. In addition,
    a. Portable signs are not permitted.
    b. Ground signs shall be monument type.
    c. No off-site or billboard signs.
3. If additional parking lot lighting is installed, they shall be installed with similar or consistent parking lot lighting elements (i.e. fixtures, poles, lamps, etc.)
    a. The height of all poles, including pole bases, 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. 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.
5. 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.
6. The property shall not be combined or utilized in any way with any residential zone lot to the south that fronts on North Oakwood Drive. This is intended to exclude off-street parking on a lot that fronts on North Oakwood Drive that could be used in combination with the subject property.
7. Uses shall be limited to those allowed by right in the NR zoning district, EXCEPT: businesses engaged in providing loans secured by car titles or other similar forms of security shall be prohibited.

8. 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 successor and assigns.
9. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approval by the Governing Body, and any substantial deviation of the plan, as determined by the Zoning Administrator and Planning Director, shall constitute a violation of the building permit authorizing construction of the proposed development.
10. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.

Property owners opposed to the application may file with the City Clerk a signed, written protest of the MAPC's recommendation. (Unsigned e-mails are not considered to be legal protests.) To be effective, the protest must be filed by 5:00 p.m. on **June 5, 2025.** In order to be considered a "valid" petition, the signatures must reflect the correct and entire ownership of the property, the property must be at least partially located within 200 feet of the property for which the application was filed, and must be submitted to the City Clerk by **June 5, 2025, at 5:00 p.m.**

This application will be heard by the District Advisory Board (DAB) I on **Monday, June 9, 2025**, beginning at 6:00 p.m. at the Atwater Neighborhood Resource Center (2755 E 19th Street N). For more information on this meeting, please contact Community Services Representative for District I, Cameron Jackson at (316) 268-8018 or mailto:ctjackson@wichita.gov. This application will be presented to the Wichita City Council on **Tuesday, July 1, 2025**, beginning at 9:00 a.m.

Development signs should now be removed from the property. If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

Brad Eatherly
Current Plans
Senior Planner

CC: Brandon Johnson, City Council Member, District I
Cameron Jackson, CSR, District I
MABCD

OCA 150004 PUBLISHED at Wichita.gov/LegalNotices on July 11, 2025

ORDINANCE NO. 52-758

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. ZON2025-00019

Zone change request in the City from SF-5 Single-Family Residential District to NR Neighborhood Retail District zoning, subject to the provisions of Protective Overlay #456, on property legally described as:

Lot 3, Block 4, Oakwood Estates Addition to Wichita, Sedgwick County, Kansas.

Protective Overlay #456

1. Parking shall be provided in accordance with Section IV of the Unified Zoning Code.
2. Signs shall be limited to the existing signs on the property as well as signs allowed in the "NR" zoning district for any future development. In addition,
    a. Portable signs are not permitted.
    b. Ground signs shall be monument type.
    c. No off-site or billboard signs.
3. If additional parking lot lighting is installed, they shall be installed with similar or consistent parking lot lighting elements (i.e. fixtures, poles, lamps, etc.)
    a. The height of all poles, including pole bases, 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. 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.
5. 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.
6. The property shall not be combined or utilized in any way with any residential zone lot to the south that fronts on North Oakwood Drive. This is intended to exclude off-street parking on a lot that fronts on North Oakwood Drive that could be used in combination with the subject property.
7. Uses shall be limited to those allowed by right in the NR zoning district, EXCEPT: businesses engaged in providing loans secured by car titles or other similar forms of security shall be prohibited.
8. 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 successor and assigns.
9. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approval by the Governing Body, and any substantial

deviation of the plan, as determined by the Zoning Administrator and Planning Director, shall constitute a violation of the building permit authorizing construction of the proposed development.

10. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.

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 8th day of July, 2025.

Lily Wu, Mayor, City of Wichita

ATTEST:

Paul Leeker, 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	Cols	Depth
49235	IPL0252738	Legal Ad - IPL0252738	ORD/RES	2.0	102.0L

ATTENTION: CITY OF WICHITA/CLERKS OFFICE IP
455 N MAIN ST FL 13
WICHITA, KS 67202
srice@wichita.gov

ITEMS PUBLISHED ON WICHITA.GOV/LEGAL NOTICES
JULY 11, 2025

ORDINANCE NO. 52-755

AN ORDINANCE MAKING A SPECIAL ASSESSMENT TO PAY FOR THE COST OF ABATING CERTAIN PUBLIC HEALTH NUISANCES (LOT CLEAN UP) UNDER THE PROVISION OF SECTION 7.40.050 OF THE CODE OF THE CITY OF WICHITA, KANSAS.
An ordinance adding special assessments for various locations for lot clean up.

ORDINANCE NO. 52-756

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.
An ordinance changing zoning at 2104 West 45th Street South.

ORDINANCE NO. 52-757

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.
An ordinance changing zoning at the northeast side of Lincoln Street and Greenwich Road.

ORDINANCE NO. 52-758

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.
An ordinance changing zoning at 5725 East Central Avenue.

ORDINANCE NO. 52-759

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.
An ordinance changing zoning at 185 East 47the Street South.

RESOLUTION NO. 25-304

A RESOLUTION AMENDING AND SUPPLEMENTING RESOLUTION NO. 24- 048 OF THE CITY OF WICHITA, KANSAS WHICH AUTHORIZED THE ISSUANCE OF GENERAL OBLIGATION BONDS TO PAY THE COSTS OF CERTAIN PUBLIC IMPROVEMENTS IN THE CITY.
A resolution regarding the design concept for Maple from 135th to 167th Streets West.

RESOLUTION NO. 25-311

A RESOLUTION AMENDING AND SUPPLEMENTING RESOLUTION NO. 24- 011 OF THE CITY OF WICHITA, KANSAS WHICH AUTHORIZED THE ISSUANCE OF GENERAL OBLIGATION BONDS TO PAY THE COSTS OF CERTAIN PUBLIC IMPROVEMENTS IN THE CITY.
A resolution regarding bonds to pay for improvements to Mount Vernon and Hydraulic.

THE FULL DOCUMENTS CAN BE VIEWED AT WICHITA.GOV/LEGALNOTICES.
IPL0252738
Jul 11 2025

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

the undersigned, 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.

1.0 insertion(s) published on:
07/11/25 Print

Print Tearsheet Link

Marketplace Link

Sherry Chasteen

DIGITALLY SIGNED

Sherry Chasteen

Julie A Ambry

DIGITALLY SIGNED

Sworn to and subscribed before me on Jul 11, 2025, 9:51 AM EDT

OFFICIAL SEAL
JULIE A AMBRY
NOTARY PUBLIC STATE OF ILLINOIS
COMMISSION NO 1010931
MY COMMISSION EXPIRES MAY 28 2029

Online Notary Public. This notarial act involved the use of online audio/video communication technology. Notarization facilitated by SIGNiX®

ITEMS PUBLISHED ON WICHITA.GOV/LEGAL NOTICES
JULY 11, 2025

ORDINANCE NO. 52-755

AN ORDINANCE MAKING A SPECIAL ASSESSMENT TO PAY FOR THE COST OF ABATING CERTAIN PUBLIC HEALTH NUISANCES (LOT CLEAN UP) UNDER THE PROVISION OF SECTION 7.40.050 OF THE CODE OF THE CITY OF WICHITA, KANSAS.

An ordinance adding special assessments for various locations for lot clean up.

ORDINANCE NO. 52-756

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.

An ordinance changing zoning at 2104 West 45th Street South.

ORDINANCE NO. 52-757

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.

An ordinance changing zoning at the northeast side of Lincoln Street and Greenwich Road.

ORDINANCE NO. 52-758

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.

An ordinance changing zoning at 5725 East Central Avenue.

ORDINANCE NO. 52-759

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.

An ordinance changing zoning at 185 East 47the Street South.

RESOLUTION NO. 25-304

A RESOLUTION AMENDING AND SUPPLEMENTING RESOLUTION NO. 24- 048 OF THE CITY OF WICHITA, KANSAS WHICH AUTHORIZED THE ISSUANCE OF GENERAL OBLIGATION BONDS TO PAY THE COSTS OF CERTAIN PUBLIC IMPROVEMENTS IN THE CITY.

A resolution regarding the design concept for Maple from 135th to 167th Streets West.

RESOLUTION NO. 25-311

A RESOLUTION AMENDING AND SUPPLEMENTING RESOLUTION NO. 24- 011 OF THE CITY OF WICHITA, KANSAS WHICH AUTHORIZED THE ISSUANCE OF GENERAL OBLIGATION BONDS TO PAY THE COSTS OF CERTAIN PUBLIC IMPROVEMENTS IN THE CITY.

A resolution regarding bonds to pay for improvements to Mount Vernon and Hydraulic.

THE FULL DOCUMENTS CAN BE VIEWED AT WICHITA.GOV/LEGALNOTICES.

IPL0252738
Jul 11 2025

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	Cols	Depth
16399	657553	Print Legal Ad-IPL02300090 - IPL0230009	MAPC/BZA May 22, 2025	2	52 L

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

MHEBERT@wichita.gov

MAPC/BZA May 22, 2025
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, May 22, 2025, 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. **Full notice can be found at www.wichita.gov/LegalNotices.**

CON2025-00067: Conditional Use request in the City to allow an Accessory Apartment on property zoned SF-5 Single-Family Residential District, generally located on the west side of North Indiana Avenue, within 300 feet north of East 8th Street North (933 North Indiana Avenue).

PUD2025-00006: Zone Change Request in the City from GO General Office District to PUD #142 Planned Unit Development for Warehouse, Self-Service Storage; located south of East Central Avenue and within one-quarter mile west of North 127th Street East (12421 East Central Avenue).

PUD2025-00007: Zone Change request in the City from B Multi-Family Residential to PUD Planned Unit Development for indoor/outdoor recreation, located on the north side of West 45th Street South and within one-third mile east of South Meridian Avenue (2104 West 45th Street South).

PUD2025-00008: Zone Change request in the City from SF-5 Single-Family Residential to PUD Planned Unit Development for custom single-family residential development standards, located on the north side of East Lincoln Street and within one-quarter mile east of South Greenwich Road (multiple lots, Bristol Circle).

VAC2025-00016: Vacation request in the City to vacate a platted 30-foot street side setback to let the 15-foot zoning setback apply for new construction on property zoned SF-5 Single-Family Residential; generally located one-block west of S Hillside Ave. and two-blocks south of East Pawnee Ave (3019 E. Glen Oaks).

ZON2025-00019: Zone Change request in the City from SF-5 Single-Family Residential to NR Neighborhood Retail, generally located on the south side of East Central Avenue and within 500 feet east of North Edgemoor Drive (5725 East Central Avenue).

ZON2025-00021: Zone Change request in the City from LI Limited Industrial District to GC General Commercial, generally located on the east side of South Water Street and within 225 feet south of East 47th Street South (185 E. 47th Street South).
IPL0230009
Apr 30 2025

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

1 insertion(s) published on:
04/30/25

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 04/30/2025 to 04/30/2025.

Mary Castro

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 04/30/2025

Amy Robbins

Notary Public in and for the state of South Carolina, residing in Beaufort County

AMY L. ROBBINS
NOTARY PUBLIC
SOUTH CAROLINA
MY COMMISSION EXPIRES 11-03-32

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

CITY OF WICHITA

AFFIDAVIT OF PUBLICATION

State of Kansas, Sedgwick County, ss:

Paul Leeker, City Clerk

Being first duly sworn, deposes and says:

That I, Paul Leeker, City Clerk of the City of Wichita, Kansas has published the attached notice on the City of Wichita website, www.wichita.gov/LegalNotices, which website is designated as the official City News Outlet Publication Site for the City of Wichita, Kansas by Charter Ordinance No. 240 effective September 4, 2024.

That the attached Notice of Public Hearing / Ordinance No. 52-758 / Resolution No. _____ is a true copy thereof and was published on such website beginning on the 11th day of July, 2025.

Signature

SUBSCRIBED AND SWORN to before me this 10th day of July, 2025.

SHINITA RICE
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Expires: 9/27/25

Notary Public

(seal)

City Clerk's Office

City Hall •13th Floor •455 N. Main •Wichita, Kansas 67202

316.268.4529

www.wichita.gov

BACKGROUND: The applicant is requesting a zone change from SF-5 Single-Family Residential District to NR Neighborhood Retail District. The subject site is generally located on the south side of East Central Avenue and 500 feet east of North Edgemoor Drive (5725 East Central Avenue). The subject site is currently developed with a single-family dwelling. The applicant is requesting the zone change to allow Personal Improvement Service in the form of a beauty salon and massage therapy.

If approved, development standards would change, reflected in the table below:

Development Standard	TF-3 Two-Family Residential District	NR Neighborhood Retail District
Minimum lot size	3,500 square feet for single-family; 3,000 square feet per dwelling unit for duplex and multi-family (maximum 14.5 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; 2,000 square feet per dwelling unit for multi-family (maximum 21.8 dwelling units per acre)
Minimum lot width	35 feet	50 feet
Front setback	25 feet	20 feet
Rear setback	20 feet	10 feet, subject to compatibility standards.
Interior side setback	6 feet	0 feet, but if an interior side setback is provided, it shall be at least 5 feet, subject to compatibility standards.
Street side setback	15 feet	15 feet
Maximum height	35 feet	5 feet

Parking for Personal Improvement Service requires one parking space per 333 square feet. If needed, the parking requirement can be reduced through a separate administrative application to the Planning Department.

Because the subject site abuts residential zoning on the south and east sides, it will be required to install screening per Section IV-A of the Unified Zoning Code. It does appear that appropriate screening does exist, at least partially, on the site.

The subject property would need to comply with the Wichita Landscape Code. The Landscape Code requires one shade tree or two ornamental trees for every 500 square feet of required landscaped street yard in addition to one shade tree or two ornamental trees per 40 linear feet where abutting residential zoning to the south and east. The existing parking lot has less than 20 spaces, so the interior of the parking lot does not require additional landscaping.

The Unified Zoning Code (UZC) requires compatibility setback and height standards for side and rear lot lines of properties zoned MF-18 Multi-Family Residential District or less restrictive when they are within 500 feet of a property zoned TF-3 or more restrictive. The property is adjacent to SF-5 zoning on the east and south sides. The minimum building compatibility setback is normally 15 feet plus one foot for each five feet of lot width over 50 feet. The applicant intends to use the existing building on the 70-foot-wide lot for the intended use. It appears the existing building is setback from the rear property line a sufficient amount. If the existing building does not meet the compatibility standards it would become non-conforming and any new structure or additions to this structure would have to comply with the compatibility standards.

Staff recommends adding Protective Overlay (PO) #456 to the property in order to limit potential detrimental impacts to nearby residentially zoned properties. In 2019, a similar PO was placed upon property to the west when

it was granted a change in zoning from SF-5 to NR. The proposed PO #456The details of PO #456 are discussed further in the recommendation portion of this report.

The character of the neighborhood is a mixture of low-density residential with commercial properties nearby. Property to the north, across East Central Avenue, is zoned LC Limited Commercial District, is part of CUP DP-126 and is developed with a fast-food restaurant. Property to the south is zoned SF-5 and is developed with a single-family dwelling. Property to the east is zoned SF-5 and is developed with a short-term rental. Property to the west is zoned NR and developed with Office, General. There are several other lots along this portion and side of East Central Avenue that are zoned NR and GO General Office District.

CASE HISTORY: On March 21, 1886, the subject site was platted as part of Ford's 2nd Addition. No other zoning cases have been associated with the property.

ADJACENT ZONING AND LAND USE:

NORTH:	LC/CUP DP-126	Restaurant
SOUTH:	SF-5	Single-family swelling
EAST:	SF-5	Short-term rental
WEST:	NR	Office, General

PUBLIC SERVICES: The site has driveway access to East Central Avenue, which is a paved, five-lane, two-way arterial street. This site has access to all municipal services, including water and sewer. Wichita Transit stops just north of the property to the east and mirrors it on the north side of East Central Avenue.

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 "New Employment" uses. "New Employment" is defined as, "*Encompasses areas that likely will be developed or redeveloped by 2035 with uses that constitute centers or concentrations of employment primarily in manufacturing, warehousing, distribution, construction, research, technology, business services, or corporate offices. Major shopping centers and office parks likely will be developed within this area as well, based upon market driven location factors. In certain areas, especially those in proximity to existing residential uses, higher density housing and convenience retail centers likely will be developed. In areas where the uses are already established, pockets of industrial uses associated with extraction, processing or refinement of natural resources or recycling of waste materials likely will be developed.*" The zone change request for Personal Improvement use is appropriate for this category.

The Locational Guidelines of the *Community Investments Plan* in the Established Central Area state 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 provisions of the Protective Overlay include regulating outdoor lighting, and the required screening and landscaping minimizes potential adverse impacts on the surrounding residential properties.

The requested zone change is in conformance with the *Wichita: Places for People Plan*, a guidebook in which the Established Central Area is "a place that provides for the movement of people - on foot, on bike and through transit - in balance with automobiles." The *Plan* outlines a list of Strategies designed to "to help guide the community in their actions to create walkable places within Wichita." Strategy 3 aims to "Improve the economic feasibility of commercial/service uses and the markets necessary to support them." Approval of the zone change request improves the feasibility of commercial uses. Strategy 6 aims to "Encourage infill and redevelopment that is contextual to the environment in which it is occurring." The applicant is redeveloping the dwelling for the proposed use, which is contextual to the environment.

RECOMMENDATION: Based upon the information available at the time the staff report was completed, staff recommends **APPROVAL** of the zone change request, subject to Protective Overlay #456, which reads:

Protective Overlay #456

1. Parking shall be provided in accordance with Section IV of the Unified Zoning Code.
2. Signs shall be limited to the existing signs on the property as well as signs allowed in the "NR" zoning district for any future development. In addition,
    a. Portable signs are not permitted.
    b. Ground signs shall be monument type.
    c. No off-site or billboard signs.
3. If additional parking lot lighting is installed, they shall be installed with similar or consistent parking lot lighting elements (i.e. fixtures, poles, lamps, etc.)
    a. The height of all poles, including pole bases, 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. 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.
5. 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.
6. The property shall not be combined or utilized in any way with any residential zone lot to the south that fronts on North Oakwood Drive. This is intended to exclude off-street parking on a lot that fronts on North Oakwood Drive that could be used in combination with the subject property.
7. Uses shall be limited to those allowed by right in the NR zoning district, EXCEPT: businesses engaged in providing loans secured by car titles or other similar forms of security shall be prohibited.
8. 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 successor and assigns.
9. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approval by the Governing Body, and any substantial deviation of the plan, as determined by the Zoning Administrator and Planning Director, shall constitute a violation of the building permit authorizing construction of the proposed development.
10. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** The character of the neighborhood is a mixture of low-density residential with commercial properties nearby. Property to the north, across East Central Avenue, is zoned LC Limited Commercial District, is part of CUP DP-126 and is developed with a fast-food restaurant. Property to the south is zoned SF-5 and is developed with a single-family dwelling. Property to the east is zoned SF-5 and is developed with a short-term rental. Property to the west is zoned NR and developed with Office, General. There are several other lots along this portion and side of East Central Avenue that are zoned NR and GO General Office District.

2. **The suitability of the subject property for the uses to which it has been restricted:** The property is presently zoned SF-5 Single-Family Residential District, which is suitable for single-family dwellings.

3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** The zone change request, with a Protective Overlay, should minimize potential detrimental impacts to the surrounding properties. Approval of the request may result in a slight increase in traffic due to the introduction of a new use without additional infrastructure. The provisions for screening and landscaping, along with the Protective Overlay, are designed to enhance the compatibility with the neighborhood and mitigate possible negative impacts.

4. **Length of time subject property has remained vacant as zoned**: The subject site has been developed with a single-family dwelling since 1949.

5. **Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant**: Staff does not anticipate that approval of the requested zone change would have detrimental impacts to the surrounding community. Denial of the requested zone change may result in the loss and 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* and the *Wichita: Places for People Plan*, as discussed in this staff report.

7. **Impact of the proposed development on community facilities:** The requested zoning is not anticipated to have significant adverse impacts on community facilities. The applicant intends to add Personal Improvement Service as an allowed use without changing the footprint of the site.

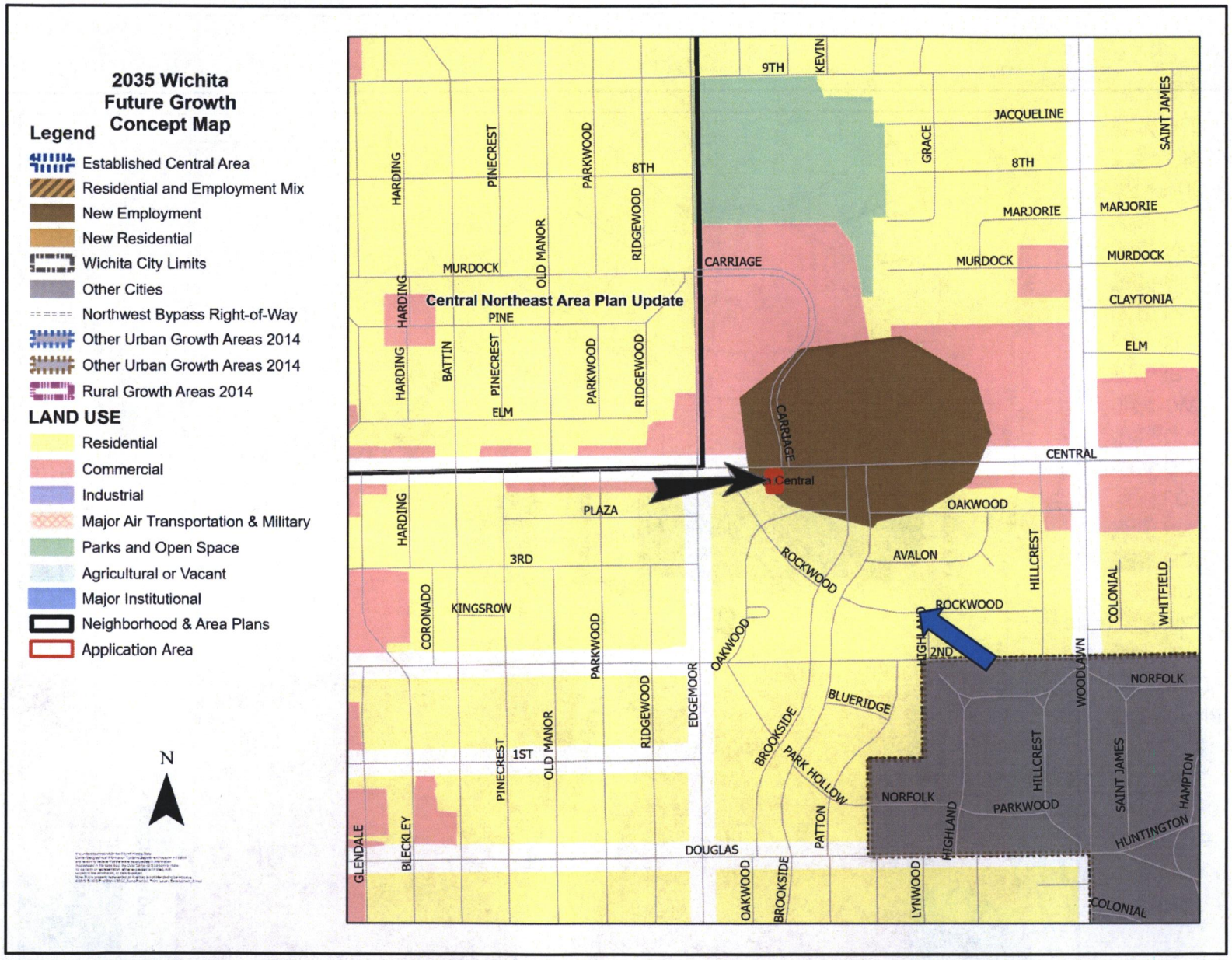
8. **Opposition or support of neighborhood residents**: At the time the staff report was prepared, staff has not received any comments from the public regarding the request.

Attachments

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


N EDGEMOOR DR
E CENTRAL AVE
N CARRIAGE PKY
N CARRIAGE PKY
WICHITA
N BROOKSIDE PKY
N EDGEMOOR DR
E ROCKWOOD RD
PLAZA LN
N OAKWOOD DR
0 45 90 180 Feet
N


PO-311
BZA22-88
CON2016-00043
N EDGEMOOR DR
CUP DP-126
BZA33-69
BZA26-70
N CARRIAGE PKY
BZA30-94
CUP DP-126
BZA39-80
BZA2016-00034
E CENTRAL AVE
PO-344
WICHITA
CON2024-00131
COV-3
PO-323
N BROOKSIDE PKY
EAST BRANCH DRY CREEK OF GYPSUM CREEK
E ROCKWOOD RD
N OAKWOOD DR
E PLAZA LN
N
ZONING
RR
SF-20
SF-10
SF-5
TF-3
MF-18
MF-29
B
MH
NO
GO
NR
LC
GC
CBD
OW
IP
LI
IP-A
GI
AFB
U
PUD
AIRPORT
OLD TOWN


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
Other Urban Growth Areas 2014
Other Urban Growth Areas 2014
Rural Growth Areas 2014
LAND USE
Residential
Commercial
Industrial
Major Air Transportation & Military
Parks and Open Space
Agricultural or Vacant
Major Institutional
Neighborhood & Area Plans
Application Area
N
Central Northeast Area Plan Update
9TH
KEVIN
JACQUELINE
GRACE
SAINT JAMES
8TH
MARJORIE
MURDOCK
CLAYTONIA
ELM
CARRIAGE
CENTRAL
HARDING
PINECREST
PARKWOOD
RIDGEWOOD
OLD MANOR
PINE
BATTIN
PLAZA
3RD
OAKWOOD
AVALON
HILLCREST
ROCKWOOD
COLONIAL
WHITFIELD
CORONADO
KINGSROW
2ND
NORFOLK
WOODLAWN
BLUERIDGE
EDGEMOOR
BROOKSIDE
PARK HOLLOW
1ST
PATTON
HIGHLAND
HAMPTON
HUNTINGTON
LYNWOOD
GLENDALE
BLECKLEY
DOUGLAS

Looking south into site



Looking west away from site



Looking north away from site



Looking east away from site



Looking south away from site

