



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

November 5, 2025

13610 W MAPLE LLC  
13610 W Maple Street  
Wichita, KS 67235

**RE: ZON2025-00036** –Zone Change request in the City from GO General Office District to LC Limited Commercial District, generally located on the northwest corner of West Maple Street and North 135th Street (13610 West Maple Street).

Dear Applicant,

At its regular meeting on **September 16, 2025**, the Wichita City Council considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** of the request, subject to amended Protective Overlay #1, which reads:

**Amended Protective Overlay #1**

1. The uses of the property are limited to uses allowed in LC zoning except the following uses are not permitted: service stations, car washes, adult entertainment establishments, group homes, group residential, halfway houses, correctional placement residences, private clubs, taverns, and drinking establishments. Restaurants that serve liquor are allowed and may serve liquor as long as food is the primary service of the establishment.
2. All freestanding signs must be monument type. Freestanding monument signs are limited to 20 feet in height and 148 square feet in size.
3. Light poles are limited to 14 feet.
4. Landscaping shall comply with the Landscape Ordinance of the City.
5. The administrative adjustment provisions of the Wichita Sedgwick County Unified Zoning Code, Section V-E.14, shall apply to the protective overlay.
6. All buildings shall be limited to 35 feet in height and limited to 2 stories in height.

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

Sincerely,

*Moumita Kundu*

**Moumita Kundu  
Senior Planner  
Metropolitan Area Planning Division**

CC: J.V. Johnston, Council Member, District 5  
MABCD  
Greg Ferris, Agent  
Teresa Veazey, CSR, District 5



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

August 15, 2025

13610 W MAPLE LLC  
13610 W Maple Street  
Wichita, KS 67235

**RE: ZON2025-00036** –Zone Change request in the City from GO General Office District to LC Limited Commercial District, generally located on the northwest corner of West Maple Street and North 135th Street (13610 West Maple Street).

Dear Applicant,

At its regular meeting on **August 14, 2025**, 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 amended Protective Overlay #1, which reads:

**Amended Protective Overlay #1**

1. The uses of the property are limited to uses allowed in LC zoning except the following uses are not permitted: service stations, car washes, adult entertainment establishments, group homes, group residential, halfway houses, correctional placement residences, private clubs, taverns, and drinking establishments. Restaurants that serve liquor are allowed and may serve liquor as long as food is the primary service of the establishment.
2. All freestanding signs must be monument type. Freestanding monument signs are limited to 20 feet in height and 148 square feet in size.
3. Light poles are limited to 14 feet.
4. Landscaping shall comply with the Landscape Ordinance of the City.
5. The administrative adjustment provisions of the Wichita Sedgwick County Unified Zoning Code, Section V-E.14, shall apply to the protective overlay.
6. All buildings shall be limited to 35 feet in height and limited to 2 stories in height.

Property owners opposed to the application may file with the County Clerk a signed, written protest of the MAPC's recommendation. (Unsigned e-mails are not considered to be legal protests.) To be effective, the protest must be filed by 5:00 p.m. on August 28, 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 1000 feet of the property for which the application was filed, and must be submitted to the County Clerk by August 28, 2025, at 5:00 p.m.

This application is scheduled for consideration by the Wichita City Council on **Wednesday, September 16, 2025**, beginning at 9:00 a.m., at 455 North Main Street, Wichita, KS 67202, for final action.

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,

*Moumita Kundu*

**Moumita Kundu  
Senior Planner  
Metropolitan Area Planning Division**

CC: J.V. Johnston, Council Member, District 5  
MABCD  
Greg Ferris, Agent  
Teresa Veazey, CSR, District 5

September 21, 2025

ORDINANCE NO. 52-820

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. ZON2025-00036**

Zone Change Request in the City from GO General Office District to LC Limited Commercial District, on property legally described as:

Lot 1, EXCEPT the West 47.78 feet thereof; AND EXCEPT the North 70 feet thereof, Riverside Health System Addition to Wichita, Sedgwick County, Kansas.

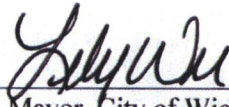
Subject to Amended Protective Overlay #1 as follows:

1. The uses of the property are limited to uses allowed in LC zoning except the following uses are not permitted: service stations, car washes, adult entertainment establishments, group homes, group residential, halfway houses, correctional placement residences, private clubs, taverns, and drinking establishments. Restaurants that serve liquor are allowed and may serve liquor as long as food is the primary service of the establishment.
2. All freestanding signs must be monument type. Freestanding monument signs are limited to 20 feet in height and 148 square feet in size.
3. Light poles are limited to 14 feet.
4. Landscaping shall comply with the Landscape Ordinance of the City.
5. The administrative adjustment provisions of the Wichita Sedgwick County Unified Zoning Code, Section V-E.14, shall apply to the protective overlay.
6. All buildings shall be limited to 35 feet in height and limited to 2 stories in height.

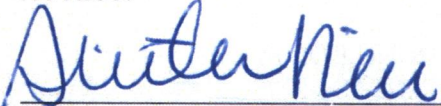
**SECTION 2.** That upon the taking effect of this Ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

**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 23<sup>rd</sup> day of September, 2025.

  
\_\_\_\_\_  
Lily Wu, Mayor, City of Wichita

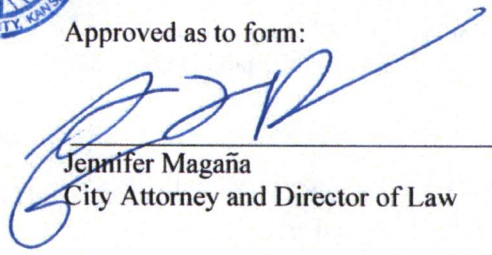
ATTEST:

  
\_\_\_\_\_  
Shinita Rice, Deputy 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	IPL0275887	Legal Ad - IPL0275887		2.0	202.0L

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

**ITEMS PUBLISHED ON WICHITA.GOV/LEGAL NOTICES**  
 SEPTEMBER 19, 2025  
 RESOLUTION NO. 25-434  
 A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS, MAKING CERTAIN FINDINGS WITH RESPECT THERETO, AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (WATER DISTRIBUTION PHASE 2 - AREA 151 ADDITION).  
 A resolution regarding water distribution improvements.  
 RESOLUTION NO. 25-435  
 A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS, MAKING CERTAIN FINDINGS WITH RESPECT THERETO, AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (SANITARY SEWER PHASE 2 INTERIOR - AREA 151 ADDITION).  
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 RESOLUTION NO. 25-437  
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 A resolution regarding water distribution improvements.  
 RESOLUTION NO. 25-438  
 A RESOLUTION DETERMINING THE ADVISABILITY OF THE MAKING OF CERTAIN INTERNAL IMPROVEMENTS IN THE CITY OF WICHITA, KANSAS, MAKING CERTAIN FINDINGS WITH RESPECT THERETO, AND AUTHORIZING AND PROVIDING FOR THE MAKING OF THE IMPROVEMENTS IN ACCORDANCE WITH SUCH FINDINGS (PHASE 8 SANITARY SEWER IMPROVEMENTS - CLEAR CREEK 4TH ADDITION).  
 A resolution regarding sanitary sewer improvements.  
 CITY OF WICHITA ORDINANCE NO. 52-814  
 SEDGWICK COUNTY RESOLUTION NO. 242-2025  
 First Published on Wichita.gov/LegalNotices on September 26, 2025  
 Published in The Ark Valley News on:  
 A CITY ORDINANCE AND COUNTY RESOLUTION AMENDING THE WICHITA-SEDGWICK COUNTY AIRPORT HAZARD ZONING CODE BY AMENDING CHAPTER 28.08 OF THE CODE OF THE CITY OF WICHITA, KANSAS AND APPENDIX H OF THE CODE OF SEDGWICK COUNTY, KANSAS AND REPEALING THE ORIGINALS OF SAID CHAPTER AND APPENDIX.  
 An ordinance regarding amendments to the Airport Hazard Zoning Code.  
 ORDINANCE NO. 52-815  
 AN ORDINANCE AMENDING ARTICLE III, SECTIONS B.2.b, ITEM (2), B.2.c, ITEM (2), B.3.a, ITEM (2), B.3.c, ITEM (2), B.4.a, ITEM (2), B.4.c, ITEM (2), B.5.a, ITEM (2), B.5.c, ITEM (2), B.6.a, ITEM (2), B.10.b, ITEM (2), B.10.c, ITEM (2), SECTION D, USE REGULATION SCHEDULE, SECTION D.6, ITEM I, AND ARTICLE V, SECTION L, ITEMS 2, 5, 7, AND 8 OF THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, AND REPEALING THE ORIGINAL SECTIONS THEREOF.  
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 An ordinance regarding a zone change at 13610 West Maple Street.  
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 AN ORDINANCE AUTHORIZING THE CITY OF WICHITA, KANSAS TO ISSUE ITS MULTIFAMILY HOUSING REVENUE BONDS (MARKET CENTRE APARTMENTS) SERIES IV, 2025 FOR THE PURPOSE OF FINANCING A PORTION OF THE COSTS OF THE ACQUISITION, REHABILITATION, AND EQUIPPING OF A MULTIFAMILY APARTMENT COMPLEX; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH.  
 An ordinance regarding Market Centre Apartments.  
 THE FULL DOCUMENTS CAN BE VIEWED AT WICHITA.GOV/LEGALNOTICES  
 IPL0275887  
 Sep 26 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, 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.

1.0 insertion(s) published on:  
 09/26/25 Print

[Print Tearsheet Link](#)

[Marketplace Link](#)

Amy Robbins



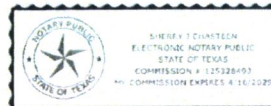
Amy Robbins

Sherry J Chasteen



Sworn to and subscribed before  
 me on

Sep 26, 2025, 8:54 AM EDT



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**

**SEPTEMBER 12, 2025**

RESOLUTION NO. 25-434

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SEDGWICK COUNTY RESOLUTION NO. 242-2025

First Published on Wichita.gov/LegalNotices on September 26, 2025

Published in The Ark Valley News on \_\_\_\_\_

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An ordinance regarding Market Centre Apartments.

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

IFL0275887

Sep 26 2025

## AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
41100	IPL0255988	Legal Ad - IPL0255988	MAPC Public Hearing	2.0	190.0L

ATTENTION: CITY OF WICHITA/PLANNING DEPT IP  
 271 WEST THIRD ST., 2ND FL, SU 203  
 WICHITA, KS 67202  
 MHEBERT@wichita.gov

**OCA 150004**  
**MAPC/BZA August 14, 2025**  
**OFFICIAL HEARING NOTICE**

NOTICE IS HEREBY GIVEN that on **Thursday, August 14, 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](http://www.wichita.gov/LegalNotices).**

**BZA2025-00046:** Variance request in the City to reduce building to building setback from 3 feet to 16 inches in the SF-5 Single-family Residential District, generally located on the west side of South Delrose Avenue and within 360 feet west of South Oliver Avenue (285 South Delrose Avenue).

**BZA2025-00047:** Variance request in the City to allow a sign to be within the required setbacks on property zoned LC Limited Commercial District, generally located on the east side of South Oliver Avenue, within 900 feet north of South George Washington Boulevard (2600 South Oliver Street).

**CON2025-00093:** Conditional Use amendment in the City to extend Entertainment Establishment hours on Fridays and Saturdays on property zoned LC Limited Commercial, generally located on the north side of West Pawnee Avenue and within 300 feet east of South Seneca Street (1040 West Pawnee Avenue).

**CON2025-00094:** Conditional Use request in the City to have Group Residence, Limited on property zoned SF-5 Single-Family Residential District to have up to 12 residents on site, generally located on the south side of East Peach Tree Lane, within 200 feet west of South Woodlawn Boulevard (6321 East Peach Tree Lane).

**CUP2025-00022:** Amendment to CUP DP-67 to allow Warehouse, Self-Service Storage and change development standards for Parcel 3B, generally located on the east side of North Woodlawn Boulevard and within one-quarter mile south of East 21st Street North.

**DER2024-00008:** Pursuant to K.S.A. 12-757 et. Seq., amendment of the Unified Zoning Code regarding the Day Care, General Use in Residential Zoning Districts, will be considered.

**DER2025-00019:** Repeal of the existing Airport Hazard Zoning Code and adoption of the new Airport Hazard Zoning Code, will be considered.

**PUD2025-00015:** Zone Change request in the City from LI Limited Industrial and LC Limited Commercial to PUD to create the Douglas Flats PUD #146, generally located on the southwest corner of West Douglas Avenue and South Exposition Street (109 South Exposition Street).

**PUD2025-00016:** Zone Change request in the City from LI Limited Industrial to PUD Planned Unit Development to create the Proctor Family Indoor Athletic Facility PUD #147, generally located on the west side of East 28th Street North and within 575 feet west of North Greenwich Road (11010 East 28th Street North).

**VAC2025-00024:** Vacation request in the City to vacate a 20-foot platted alleyway for private maintenance, generally located south of East Douglas Avenue, between South Kansas Avenue and South Minneapolis Avenue and north of East English Street.

**VAC2025-00025:** Vacation request in the City to vacate a utility easement; generally located west of South Seneca Street and 1,100 feet south of West Pawnee Avenue.

**VAC2025-00026:** Vacation request in the City to vacate a utility easement and drainage easement; generally located 1,000 feet west of North Maize Road and 1,300 feet north of West 21st Street North.

**VAC2025-00027:** Vacation request in the City of 15-foot-wide x 125-foot-long public alley to the west of Lot 51 and the east of Lot 49, Matinson's 4th Addition, generally located south of West Douglas Avenue.

**ZON2025-00033:** Zone Change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential, generally located on the south side of West 50th Street South and approximately one-third mile east of South Seneca Street.

**ZON2025-00034:** Zone Change request in the City from SF-5 Single Family Residential to TF-3 Two-family Residential to allow duplex development, generally located on the east side of East Harding Avenue and within 150 feet south of East Central Avenue (440 North Harding Avenue).

**ZON2025-00035:** Zone Change request in the City from LC Limited Commercial District to GC General Commercial, generally located 300 feet west of North Ridge Road and 300 feet north of West Central Avenue.

**ZON2025-00036:** Zone Change request in the City from GO General Office District to LC Limited Commercial District, generally located on the northwest corner of West Maple Street and North 136th Street (13610 West Maple Street).  
 IPL0255988  
 Jul 23 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.

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*Russ Davis*



Russ Davis

*Sherry J Chasteen*



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Jul 23, 2025, 10:40 AM EDT



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**STAFF REPORT**  
MAPC: August 14, 2025  
DAB V: August 4, 2025

**FILE COPY**

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**CASE NUMBER:** ZON2025-00036 (City)

**APPLICANT/AGENT:** 13610 W Maple LLC(Applicant) / Ferris Consulting (Agent)

**REQUEST:** LC Limited Commercial District with amended Protective Overlay #1,

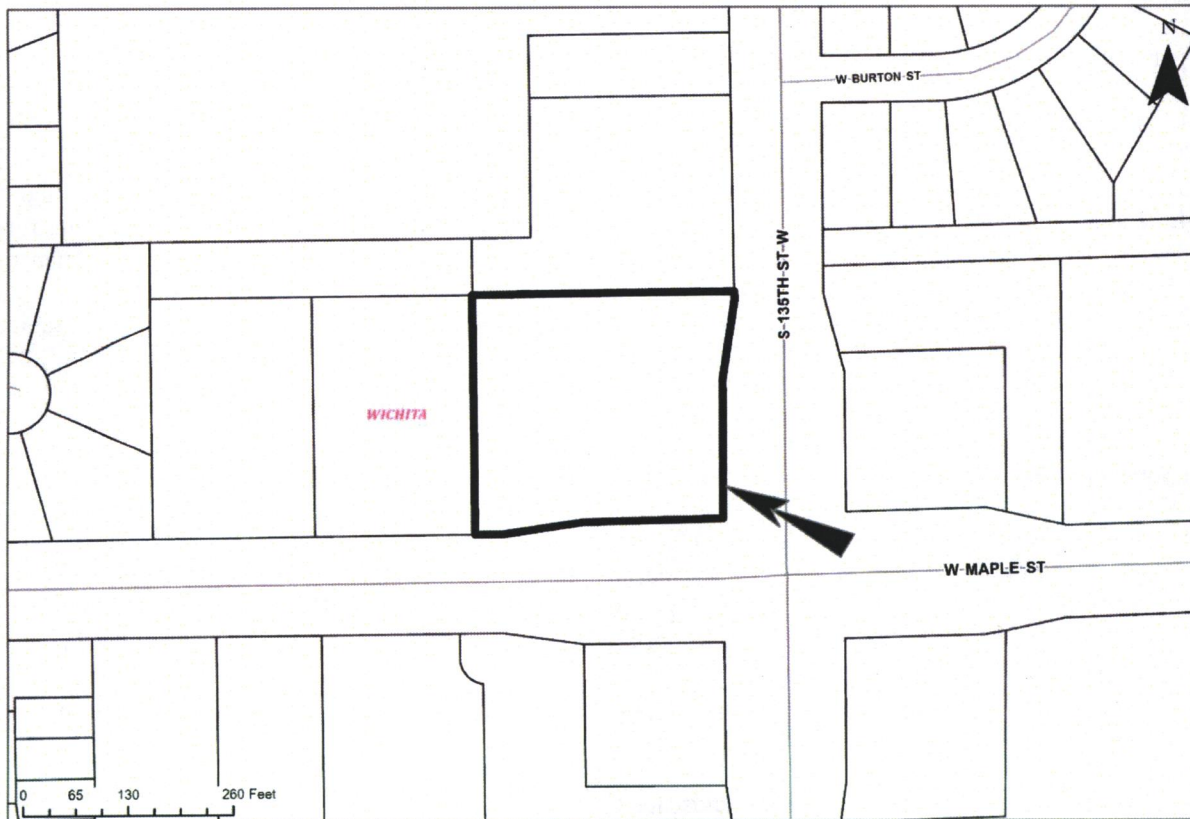
**CURRENT ZONING:** GO General Office with Protective Overlay #1

**SITE SIZE:** 2.1 acres

**LOCATION:** Generally located on the northwest corner of West Maple Street and South 135th Street West (13610 West Maple Street)

**PROPOSED USE:** Uses allowed by LC Limited Commercial District as permitted by proposed Protective Overlay

**RECOMMENDATION:** Approval



**BACKGROUND:** The applicant is requesting a zone change from GO General Office District (GO) with ZON2025-00036

Protective Overlay (PO) #1 to LC Limited Commercial District (LC) with PO #1. The 2.1-acre property is located at the northwest corner of West Maple Street and South 135th Street West (13610 West Maple Street). The property is currently developed with a 10,500 sq feet (approx.) area medical building and surface parking lot. The applicant is requesting the zone change to align the property's zoning with that of the adjacent parcels and did not propose any changes to the current use or development on the site.

The LC District generally permits more uses on site than GO zoning. The following table compares the development standards of both districts.

Development Standard	GO General Office District	LC Limited Commercial District
Minimum lot area	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); 5,000 square feet for nonresidential uses	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	No minimum	No minimum
Front setback	20 feet	20 feet
Rear setback	10 ft	10 feet
Interior side setback	Zero feet or 5 feet	Zero feet or 5 feet
Street side setback	15 feet	10 feet
Maximum height	60 feet	80 feet

The current zoning of the site includes Protective Overlay #1 which states:

1. All freestanding signs must be monument type
2. Light poles must be limited to a maximum height of 14 feet.
3. Extensive use of backlit canopies and neon or fluorescent tube lighting on buildings is not permitted.
4. Landscaping shall comply with the Landscape Ordinance of the City, except that requirements for street yard landscaping and buffer strip trees must be calculated at 1.5 times the minimum ordinance requirements.
5. All buildings on the site must share similar architectural character, color, texture, and the same predominate exterior building material. Building walls and roofs must have predominantly earth-tone colors, with vivid colors limited to incidental accent, and must employ materials similar to surrounding residential areas.

The applicant proposes an amended Protective Overlay #1 with the proposed LC zoning district which states:

1. The uses of the property are limited to uses allowed in LC zoning except the following uses are not permitted: service stations, car washes, adult entertainment establishments, group homes, group residential, halfway houses, correctional placement residences, private clubs, taverns, and drinking establishments. Restaurants that serve liquor are allowed and may serve liquor as long as food is the primary service of the establishment.
2. All freestanding signs must be monument type. Freestanding monument signs are limited to 20 feet in height and 148 square feet in size.
3. Light poles are limited to 14 feet.
4. Landscaping shall comply with the Landscape Ordinance of the City.

5. All building walls and roofs on the property shall have predominately earth-tone colors, with vivid colors limited to incidental accent.
6. The administrative adjustment provisions of the Wichita Sedgwick County Unified Zoning Code, Section V-E.14, shall apply to the protective overlay.
7. All buildings shall be limited to 35 feet in height and limited to 2 stories in height.

The table below compares the existing Protective overlay and the proposed amendment.

Category	Protective Overlay #1	Proposed Amendment to Protective Overlay #1	Staff Comments
Allowed Uses	Not Specified	Explicitly limits uses to LC zoning, but excludes specific uses (e.g., service stations, car washes, adult entertainment, group homes, etc.). Restaurants serving liquor are allowed if food is the primary service.	
Signs	All freestanding signs must be monument-type	All freestanding signs must be monument type. Freestanding monument signs are limited to 20 feet in height and 148 square feet in size.	
Light Poles	Light poles are maximum height limited to 14 feet	Light poles are maximum height limited to 14 feet	
Lighting Restrictions	Extensive use of backlit canopies and neon or fluorescent tube lighting on buildings is not permitted.	Not mentioned	
Landscaping	Landscaping shall comply with the Landscape Ordinance of the City, except that requirements for street yard landscaping and buffer strip trees must be calculated at 1.5 times the minimum ordinance requirements.	Landscaping shall comply with the Landscape Ordinance of the City.	Staff is ok with the proposed reduction in landscaping requirements
Architecture	All buildings on the site must share similar architectural character, color, texture, and the same predominate exterior building material. Building walls and roofs must have predominantly earth-tone colors, with vivid colors limited to incidental accent, and must employ materials similar to surrounding residential areas.	All building walls and roofs on the property shall have predominantly earth-tone colors, with vivid colors limited to incidental accent.	Staff proposes to remove this condition

Adjustment to the PO	Not Specified	The administrative adjustment provisions of the Wichita Sedgwick County Unified Zoning Code, Section V-E.14, shall apply to the protective overlay	
Building Height	Not Specified	All buildings shall be limited to 35 feet in height and limited to 2 stories in height	

Property to the west is zoned LC Limited Commercial District with PO #11 and developed with a commercial bank. Property to the east is also zoned LC Limited Commercial with Protective Overlay #17 and developed with a drug store. Property to the south has Community Unit Plan DP-225 and developed with a commercial bank. Property to the north is zoned LC Limited Commercial with PO #309 and is undeveloped. The property to the northwest is GO General Office with PO #309 and developed with multifamily apartment complex and single-family houses.

The area is a mix of developed single-family residential subdivisions and retail and banking development centered on the West Maple Street and South 135th Street West intersection fronting the arterial streets. The proposed zoning is not new to the area.

**CASE HISTORY:** In 1996 the property was rezoned from SF-20 Single Family Residential District to GO General Office with Protective Overlay #1 (SCZ-0717). In 1997, the subject property was platted as part of Riverside Health System Addition. In 2006, a variance to the sign code was approved to allow a second 96 sq feet sign on the property (BZA2006-00063).

**ADJACENT ZONING AND LAND USE:**

North:	LC with PO	Undeveloped
South:	CUP	Commercial Bank
West:	LC with PO	Commercial Bank
East:	LC with PO	Drug Store

**PUBLIC SERVICES:** The site has direct access to West Maple Street and South 135<sup>th</sup> Street West, both the streets are four-lane paved, arterial streets with a center turn lane and sidewalks on both sides. Water and sewer currently serve the site. Wichita Transit does not provide regular bus service at this location.

**CONFORMANCE TO PLANS/POLICIES:** The requested zone change is governed by the following plans:

**Community Investments Plan:** The requested zoning is in conformance with *the Community Investments Plan*. The *Community Investments Plan* (the Wichita-Sedgwick County Comprehensive Plan) includes the 2035 Wichita Future Growth Concept Map. The Map identifies the area in which the site to be within the Wichita 2035 growth area, and it is designated for “Residential and Employment Mix”. The *Plan* defines “Residential and Employment Mix” as “*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 proposed zone change with Protective Overlay is consistent with this recommendation and is in conformance with the *Plan*.

The Locational Guidelines of the *Community Investments Plan* provide a framework for decision-making regarding land use changes. The requested zone change is in conformance with the Locational Guidelines. These Guidelines encourage major commercial and employment centers to be located at the intersections of

arterial streets and along highways and commercial corridors. The subject site is at the immediate intersection of two arterial streets with significant commercial development at the intersection and along West Maple Street and South 135th Street West.

**RECOMMENDATION:** Based upon the information available at the time the report was prepared, the staff recommends the zone change be **APPROVED subject to amended Protective Overlay #1.**

**Amended Protective Overlay #1**

1. The uses of the property are limited to uses allowed in LC zoning except the following uses are not permitted: service stations, car washes, adult entertainment establishments, group homes, group residential, halfway houses, correctional placement residences, private clubs, taverns, and drinking establishments. Restaurants that serve liquor are allowed and may serve liquor as long as food is the primary service of the establishment.
2. All freestanding signs must be monument type. Freestanding monument signs are limited to 20 feet in height and 148 square feet in size.
3. Light poles are limited to 14 feet.
4. Landscaping shall comply with the Landscape Ordinance of the City.
5. The administrative adjustment provisions of the Wichita Sedgwick County Unified Zoning Code, Section V-E.14, shall apply to the protective overlay.
6. All buildings shall be limited to 35 feet in height and limited to 2 stories in height.

This recommendation is based on the following findings:

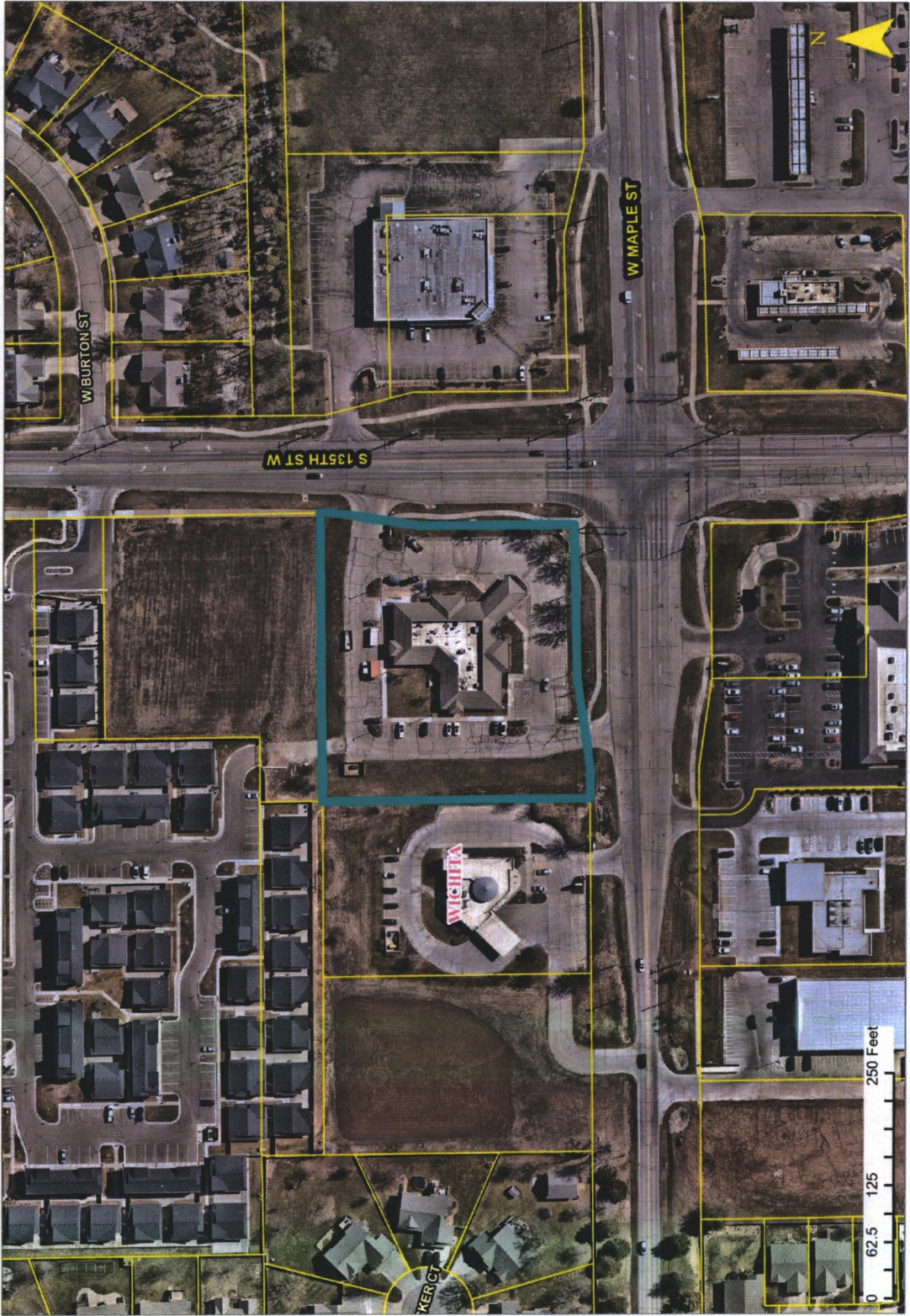
1. **The zoning, uses and character of the neighborhood:** Property to the west is zoned LC Limited Commercial District with PO #11 and developed with a commercial bank. Property to the east is also zoned LC Limited Commercial with Protective Overlay #17 and developed with a drug store. Property to the south has Community Unit Plan DP and developed with a commercial bank. Property to the north is zoned LC Limited Commercial with PO #309 and is undeveloped. The property to the northwest is GO General Office with PO #309 and developed with multifamily apartment complex and single-family houses. If the application is approved as per staff recommendation, it would not bring any new zoning which is incompatible with the neighboring zoning.
2. **The suitability of the subject property for the uses to which it has been restricted:** The property is zoned GO General Office District, which can support a wide variety of residential, civic, and commercial land uses. The proposed LC Limited Commercial district supports more intensive commercial usage than the current use. The site is suitable for use to which it has been restricted as the adjacent properties are zoned similarly.
1. **Extent to which removal of the restrictions will detrimentally affect nearby property:** Removal of the restrictions of the requested zone change will not detrimentally affect the nearby properties.
3. **Length of time subject property has remained vacant as zoned:** The site was built with the existing medical building in 1997.
4. **Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant:** Approval of this application is not anticipated to have a significant detrimental impact to public health, safety, or welfare. Denial of the request could represent a loss in the use and enjoyment of the applicant's property.
5. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and**

**policies**: The proposed application is in conformance to the *Community Investments Plan* as discussed in the report.

6. **Impact of the proposed development on community facilities**: Should the request be approved; it is not anticipated to have significant negative impacts on community facilities.
7. **Opposition or support of neighborhood residents**: Staff has not received comments at the time of the publication of the staff report.

Attachments:

1. Aerial Map
2. Zoning Map
3. Land Use Map
4. Site Photos



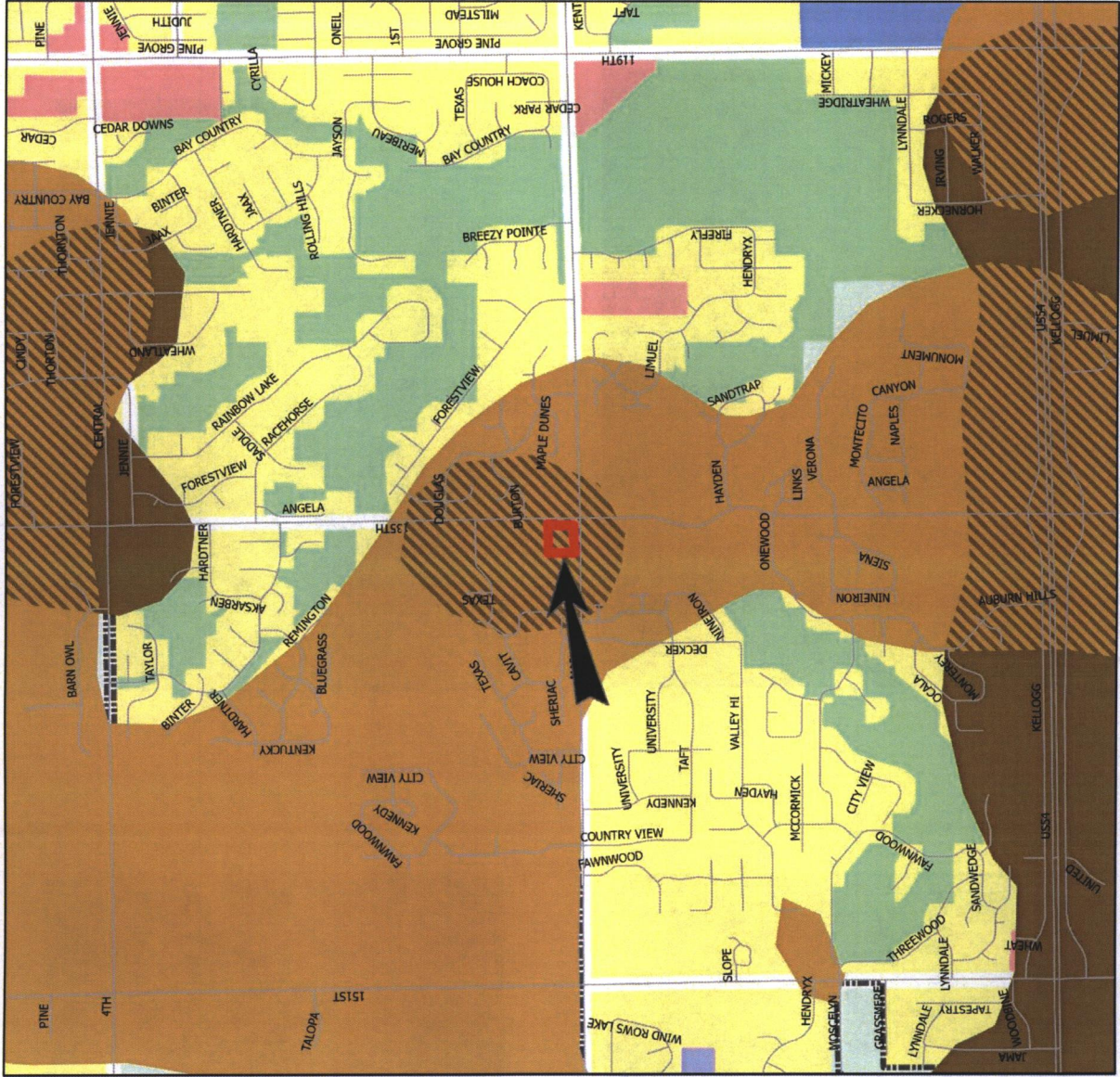


# 2035 Wichita Future Growth Concept Map

- Legend**
- Established Central Area
  - Residential and Employment Mix
  - New Employment
  - New Residential
  - Wichita City Limits
  - Other Cities
  - Northwest Bypass Right-of-Way
  - 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



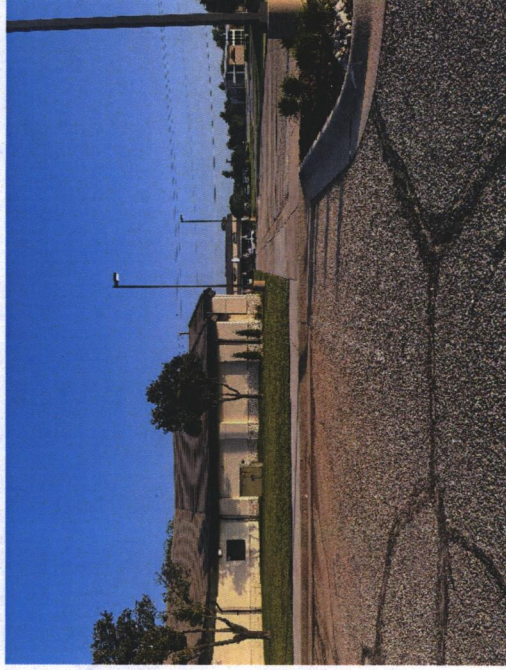
Map prepared by the Metropolitan Area Planning Commission, 1000 North Lincoln Street, Wichita, KS 67202. Map data provided by the City of Wichita, Kansas Department of Planning and Economic Development, and the Kansas Department of Transportation. Map is for informational purposes only and does not constitute a contract or warranty of any kind. The Commission and its staff assume no liability for any errors or omissions in this map. The Commission and its staff are not responsible for any damages, including consequential damages, arising from the use of this map. The Commission and its staff are not responsible for any changes in the data or the map after the date of publication. The Commission and its staff are not responsible for any changes in the data or the map after the date of publication.



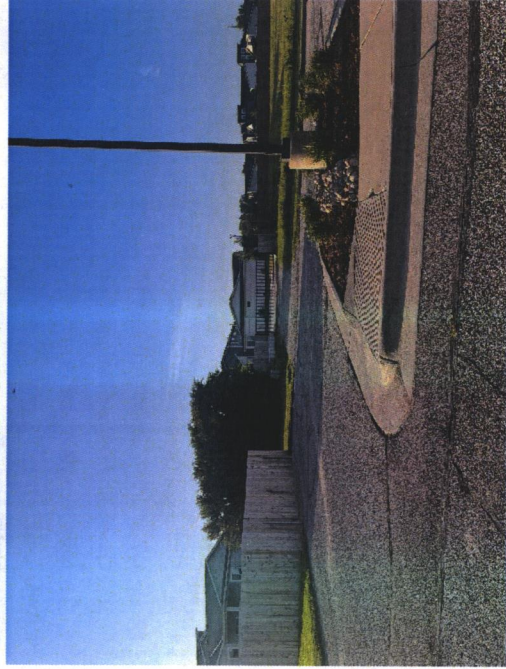
Looking north towards the site



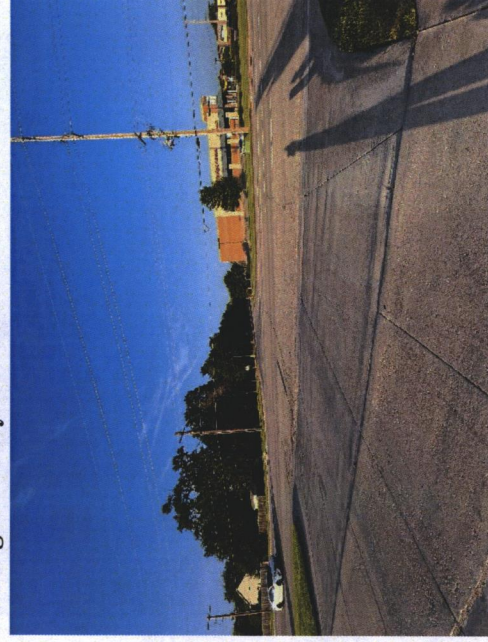
Looking east towards the site



Looking north away from the site



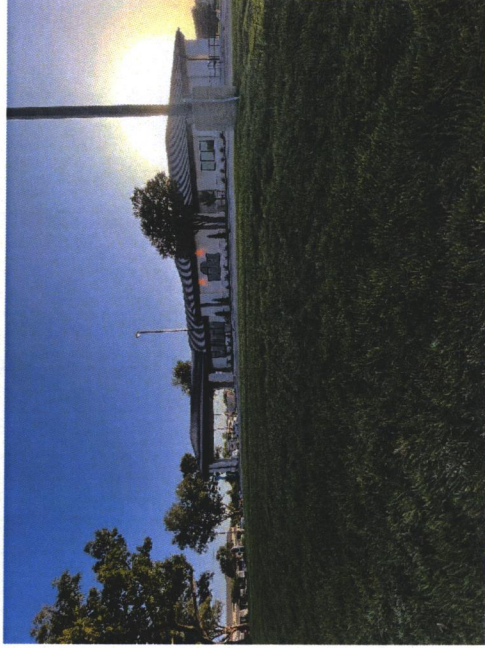
Looking east away from the site



**Looking south away from the site**



**Looking east towards the site**



**Looking south away from the site towards the intersection**



**Looking northwest towards the site**

