

October 24, 2025

ORDINANCE NO. 52824

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. ZON2025-00038

Zone change request in the City from B Multi-Family Residential District to LC Limited Commercial District with Protective Overlay #461, on property legally described as:

Odd Lots 13 through 23 inclusive, except the West 4 feet thereof, Morris Plat Subdivision of College Hill Addition to Wichita, Sedgwick County, Kansas.

Protective Overlay #461 shall read:

1. Signage shall be limited to a maximum size of 100 square feet, maximum height of 15 feet, monument-type only.
2. The following uses are prohibited on site: Government Service; Safety Service; Animal Care, Limited; Car Wash; Restaurants greater than 3,000 sq. ft. in size; Vehicle and Equipment Sales, Outdoor; Vehicle Repair, Limited; Service Station; Recreation and Entertainment, Indoor; Entertainment Establishment; Nightclub in the City; Farmer's Market; Tavern or Drinking Establishment; Recycling Collection Station, Public or Private; Construction Sales and Service; Convenience Store; Pawnshop; Asphalt or Concrete Plant; and Warehouse/Self-Service Storage.
3. A site plan approved by the Director of Planning and Zoning Administrator shall be required for any drive-thru or pick-up window service restaurant.

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.



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

Petra H LLC
251 South Whittier Road
Unit C
Wichita, KS 67207

September 11, 2025

RE: ZON2025-00038 – Zone Change request in the City from B Multi-Family Residential District to LC Limited Commercial District to allow for future commercial development, generally located on the east side of North Hillside Avenue, within 250 feet north of East 1st Street North (212 North Hillside Avenue).

Dear Applicant;

At its regular meeting on **September 11, 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 #461, which reads:

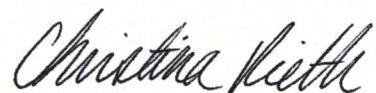
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3. A site plan approved by the Director of Planning and Zoning Administrator shall be required for any drive-thru or pick-up window service restaurant.

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 September 25, 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 **September 25, 2025, at 5:00 p.m.**

This application will be considered by the Wichita City Council on **Tuesday, October 14, 2025**, beginning at 9:00 a.m., at 455 North Main Street, Wichita, KS 67202, for final action.

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
PSC Consulting, attn: Kim Edgington, 2532 North Cardinal Drive, Wichita, KS 67204

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
49235	IPL0284275	Legal Ad - IPL0284275	RESOLUTION	2.0	136.0L

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 OCTOBER 24, 2025
 RESOLUTION NO. 25-447

A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF WICHITA, KANSAS TO PAY THE COSTS OF CERTAIN PUBLIC IMPROVEMENTS IN THE CITY.

A resolution regarding improvements to 13th Street from Gatewood to Webb Road.

RESOLUTION NO. 25-448

RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF WICHITA, KANSAS TO PAY THE COSTS OF CERTAIN IMPROVEMENTS IN THE CITY.

A resolution regarding improvements to Pawnee from Greenwich Road to 127th Street East.

RESOLUTION NO. 25-449

A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF WICHITA, KANSAS TO PAY THE COSTS OF CERTAIN PUBLIC IMPROVEMENTS IN THE CITY.

A resolution regarding improvements to Mosley Bridge at Chisholm Creek.

ORDINANCE NO. 52-823

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 regarding a zone change request at Pawnee and Hillside.

ORDINANCE NUMBER 52-824

CASE NUMBER ANX25-09 AN ORDINANCE INCLUDING AND INCORPORATING CERTAIN BLOCKS, PARCELS, PIECES AND TRACTS OF LAND WITHIN THE LIMITS AND BOUNDARIES OF THE CITY OF WICHITA, KANSAS.

An ordinance regarding an annexation at 29th Street North and 143rd Street East.

ORDINANCE NO. 52-825

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 regarding a zone change request at 825 West Douglas Avenue.

ORDINANCE NO. 52-826

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 regarding a zone change request at 212 North Hillside Avenue.

THE FULL DOCUMENTS CAN BE VIEWED AT WICHITA.GOV/LEGALNOTICES.
 IPL0284275
 Oct 24 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:
 10/24/25 Print

[Print Tearsheet Link](#)

[Marketplace Link](#)

Amy Robbins



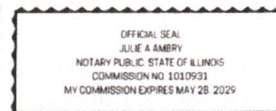
Amy Robbins

Julie A Ambry



Sworn to and subscribed before
 me on

Oct 24, 2025, 12:55 PM 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 OCTOBER
24, 2025**

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IFL0284275
Oct 24 2025



AFFIDAVIT OF PUBLICATION

State of Kansas, Sedgwick County, ss:

Shinita Rice, Deputy City Clerk

Being first duly sworn, deposes and says:

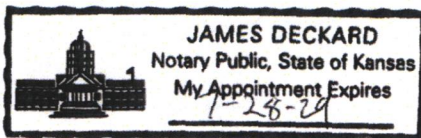
That I, Shinita Rice, Deputy City Clerk of the City of Wichita, Kansas has published the attached notice on the City of Wichita website, www.wichita.gov/LegalNotices, which website is designated as the official City News Outlet Publication Site for the City of Wichita, Kansas by Charter Ordinance No.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

That the attached Notice of Public Hearing / Ordinance No. 52-795 / Resolution No. _____ is a true copy thereof and was published on such website beginning on the 22nd day of August, 2025.

Shinita Rice

Signature

SUBSCRIBED AND SWORN to before me this 22 day of August, 2025.



(seal)

J. Deckard

Notary Public

City Clerk's Office

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

316.268.4529

www.wichita.gov



STAFF REPORT
MAPC: September 11, 2025
DAB I: September 8, 2025

CASE NUMBER: ZON2025-00038 (City)

APPLICANT/AGENT: Petra H LLC (Applicant)/PSC Consulting LLC (Agent)

REQUEST: LC Limited Commercial District

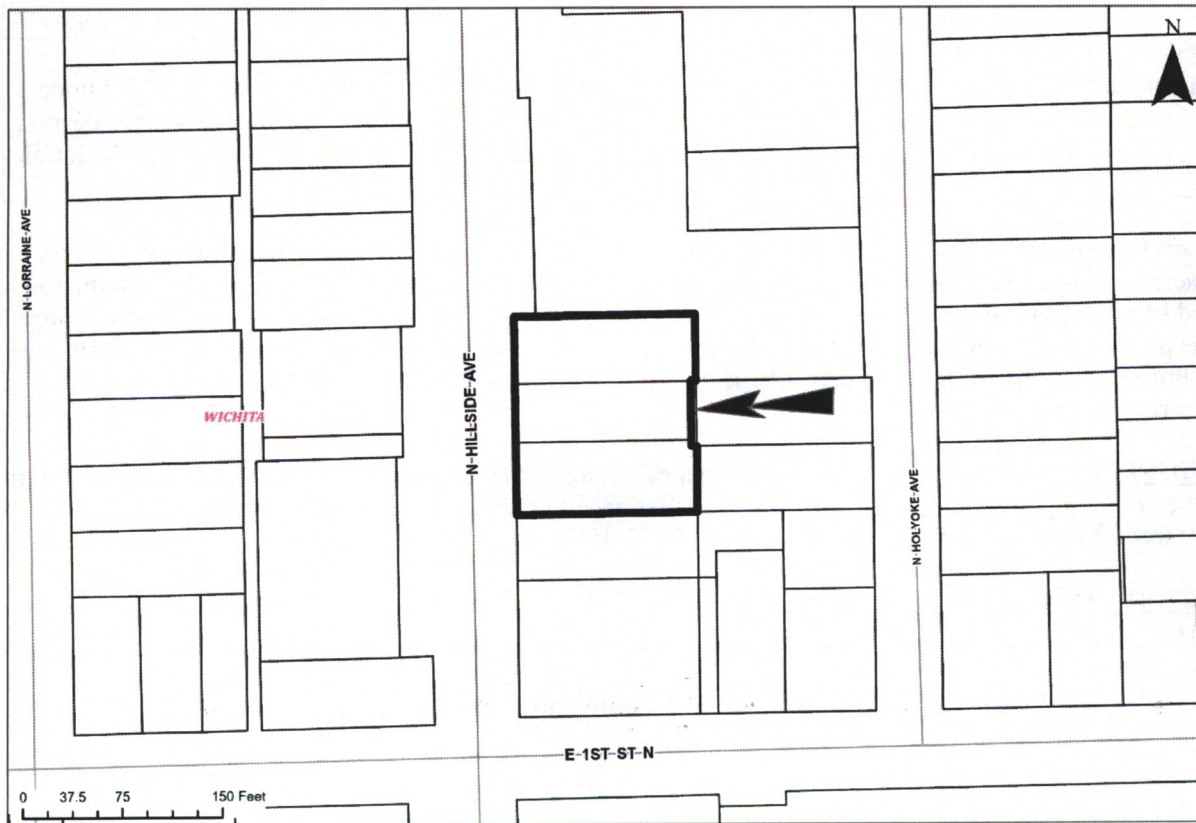
CURRENT ZONING: B Multi-Family Residential District

SITE SIZE: 0.47 acres

LOCATION: Generally located on the east side of North Hillside Avenue, within 250 feet north of East 1st Street North (212 North Hillside Avenue)

PROPOSED USE: Commercial development

RECOMMENDATION: Approve



BACKGROUND: The applicant is requesting a zone change from B Multi-Family Residential District (B) to LC Limited Commercial District (LC). The 0.47-acre property is generally located on the east side of North Hillside Avenue, within 250 feet north of East 1st Street North (212 North Hillside Avenue). The subject site is currently developed with a medical office building, which is allowed by-right in B zoning. The applicant is requesting the zone change in order to allow additional commercial development on site.

LC zoning allows for more commercial uses than B zoning, but both zoning districts allow for multi-family development for up to 75.1 dwelling units per acre. Because the current and requested zoning are less restrictive than TF-3 Two-Family Residential District, the site shall remain subject to compatibility standards outlined in Section IV-C of the Unified Zoning Code (UZC), the provisions of the Wichita Landscape Code, and screening requirements set forth in Section IV-B of the UZC. The development standards for each zoning district are demonstrated in the table below.

Development Standard	B Multi-Family Residential District	LC Limited Commercial District
Minimum lot size	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); 5,000 square feet for nonresidential uses
Minimum lot width	No minimum	No minimum
Front setback	20 feet	20 feet
Rear setback	15 feet	Ten feet
Interior side setback	Five feet	Zero feet, but if an interior side setback is provided, it shall be at least five feet, subject to compatibility standards.
Street side setback	Five feet	Ten feet
Maximum height	55 feet plus one foot of additional height for each foot of setback beyond the minimum required setbacks for all property lines	80 feet plus one foot of additional height for each foot of setback beyond the minimum required setbacks for all property lines

The character of the neighborhood is commercial on the arterial street and residential on the local streets. Property to the north is zoned GO General Office District and is developed with an animal hospital. Property to the south is zoned LC and is developed with apartments. Properties to the east are zoned GO and TF-3 and are developed with the previously mentioned animal hospital as well as single-family dwellings on the adjacent North Holyoke Street. Properties to the west, across North Hillside Street, are zoned GO and LC and developed with a parking lot and strip retail, respectively.

CASE HISTORY: In 1887, the subject site was platted as part of the Morris Plat Subdivision of College Hill. In 1985, the northern portion of the site was granted a Variance to reduce the required front yard setback from 20 feet to 0 feet for off-street parking purposes only (BZA51-85).

ADJACENT ZONING AND LAND USE:

NORTH: GO Animal hospital
 SOUTH: LC Apartments
 EAST: GO, TF-3 Animal hospital, single-family dwellings
 WEST: GO, LC Parking lot, strip retail

PUBLIC SERVICES: This site has access to North Hillside Street, a two-way, five-lane arterial street with sidewalks on each side and a designated center turn lane. This site has access to all municipal services, including water and sewer. Wichita Transit stops less than 100 feet from the subject site, on the northeast corner of East 1st Street North and North Hillside 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 "New Residential" uses. The *Plan* describes "New Residential" as follows: "Encompasses areas of land that likely will be developed or redeveloped by 2035 with uses predominately found in the Residential category. Pockets of Major Institutional and Commercial uses likely will be developed within this area as well, based upon market-driven location factors." This half-acre commercial use is appropriate in this location. The site could also be developed with office and/or residential uses within the LC District.

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 requested zoning allows for a limited number of commercial uses and is still subject to compatibility standards, screening, landscaping, and other site design features that ensure compatibility among commercial and adjacent residential uses.

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 and service uses.

The requested zoning is not in conformance with the 2025 *College Hill Neighborhood Plan*. The *Plan's* Future Land Use Map, which is "an important planning tool used by the City to guide long-term development and land use decisions", identifies the site as appropriate for "Mixed-Use Office" uses. The *Plan* describes this category as follows: "Preferred uses in the Mixed-Use Office category are a mix of pedestrian-oriented residential and office land uses." The requested LC zoning allows for offices by-right, which is not allowed in the current B zoning. However, based on the higher intensity uses permitted by the LC District, it is deemed not an appropriate zoning classification for this location. The GO General Office District (GO) would be a more appropriate zoning classification.

The College Hill Locational Guidelines provide a list of "Most Desirable Land Uses" and "Least Desirable Land Uses". The requested LC zoning allows for several of the Most Desirable Land Uses by-right that are not allowed in the current B zoning, including restaurants, retail, and professional offices. However, the requested LC zoning also allows for Least Desirable Land Uses by-right, including Vehicle Repair and pay-day loan locations. Furthermore, Land Use Compatibility Locational Guideline #5 states, "'Least Desirable Land Uses' should be restricted to properties that currently permit the use by-right. Changes in zoning classification and approval of Conditional Use Permits that allow 'Least Desirable Land Uses' are strongly discouraged." The proposed LC District would permit "Least Desirable Land Uses" on a site where they are not already permitted by-right.

RECOMMENDATION: Based upon the information available at the time the staff report was completed, staff recommends **DENIAL** of LC Limited Commercial District and **APPROVAL** of GO General Office District. This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** The character of the neighborhood is commercial on the arterial street and residential on the local streets. Property to the north is zoned GO General Office District and is developed with an animal hospital. Property to the south is zoned LC and is developed with apartments. Properties to the east are zoned GO and TF-3 and are developed with the previously mentioned animal hospital as well as single-family dwellings on the adjacent North Holyoke Street. Properties to the west, across North Hillside Street, are zoned GO and LC and developed with a parking lot and strip retail, respectively.
2. **The suitability of the subject property for the uses to which it has been restricted:** The property is presently zoned B Multi-Family Residential District, which is mostly suitable for multi-family development at a maximum density of 75.1 dwelling units per acre and three commercial uses by right.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** The land use compatibility guidelines discourage uses that are considered "Least Desirable." The proposed LC District would permit these by-right, which could have detrimental impacts on surrounding properties. Uses permitted in the staff-recommended GO District would be considered more appropriate and likely would not have significant negative impacts on surrounding properties.
4. **Length of time subject property has remained vacant as zoned:** The subject site has been developed with a 5,771-square foot medical office building since 1981.
5. **Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant:** The land use compatibility guidelines discourage uses that are considered "Least Desirable." The proposed LC District would permit these by-right, which could have detrimental impacts on surrounding properties. Uses permitted in the staff-recommended GO District would be considered more appropriate and likely would not have significant negative impacts on surrounding properties. Denial of the applicant's requested zone change may result in the loss and enjoyment of the applicant's property. However, the staff-recommended GO District increases the economic opportunity on the site over its current zoning.
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*, but it is not in conformance with the *College Hill Neighborhood 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. Municipal services, such as water and sewer, currently serve this site.
8. **Opposition or support of neighborhood residents:** At the time the staff report was prepared, staff did not receive any public comment on the requested zone change.

Alternative

Should the MAPC find that the zone change to be approved, it is recommended that the MAPC adopt alternate findings supporting their recommendation. Staff recommends the following Protective Overlay in the LC Limited Commercial District zoning:

1. Signage shall be restricted to the rules and regulations set forth in the Wichita Sign Code for GO zoning.
2. The following uses are prohibited on site: Car Wash; Drive-Thru Restaurants; Vehicle and Equipment Sales, Outdoor; Vehicle Repair, Limited; Service Station; Recreation and Entertainment, Indoor; Entertainment Establishment; Nightclub in the City; Tavern or Drinking Establishment; Recycling

ZON2025-00038

Collection Station, Public or Private; Construction Sales and Service; Pawnshop; Asphalt or Concrete Plant; and Warehouse/Self-Service Storage.

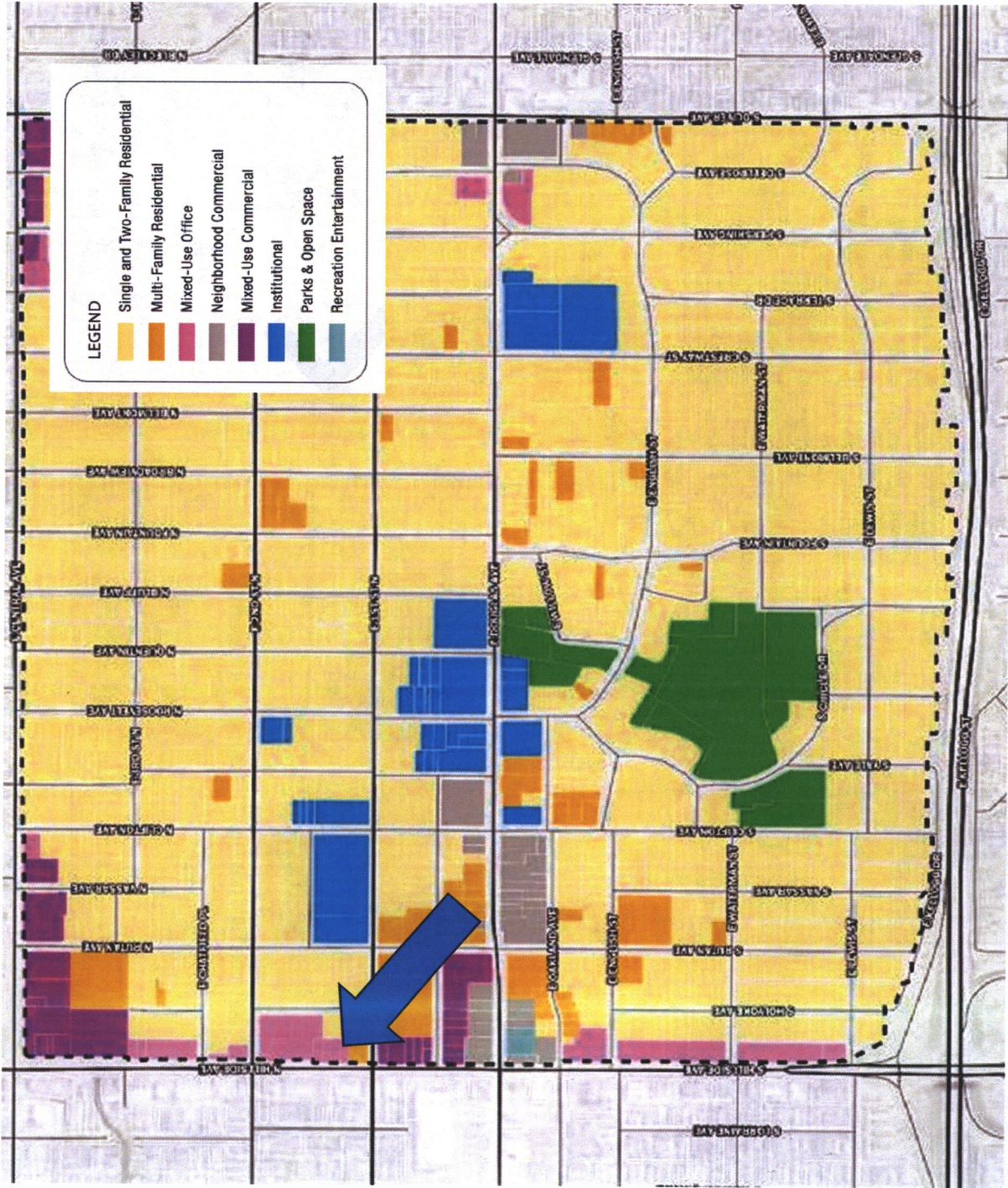
Attachments

1. Aerial Map
2. Future Growth Concept Map
3. *College Hill Neighborhood Plan* Future Land Use Map
4. Zoning Map
5. Site Pictures



ZON2025-00038

Metropolitan Area Planning Commission





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



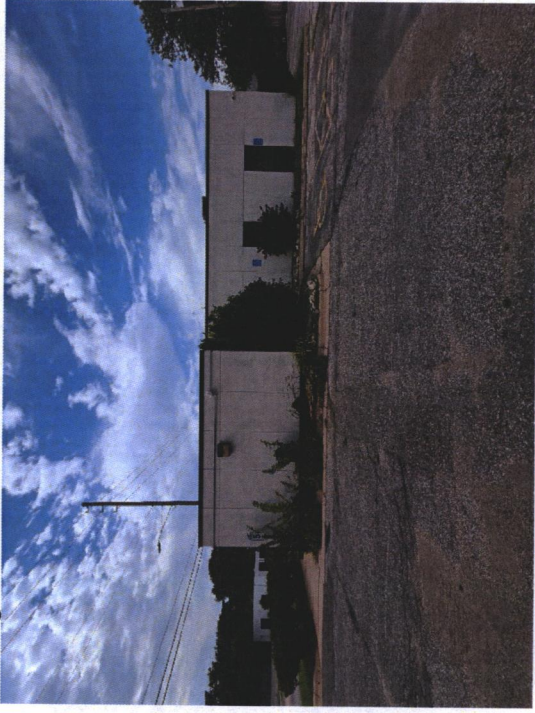
Looking east towards site



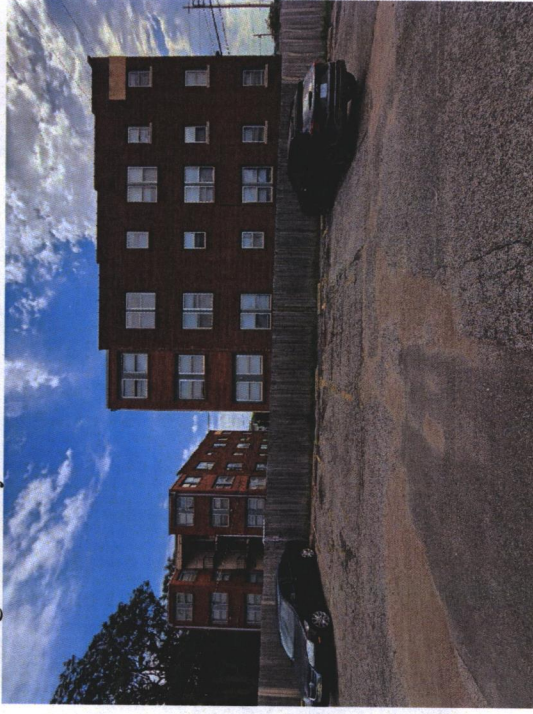
Looking west away from site



Looking north towards site



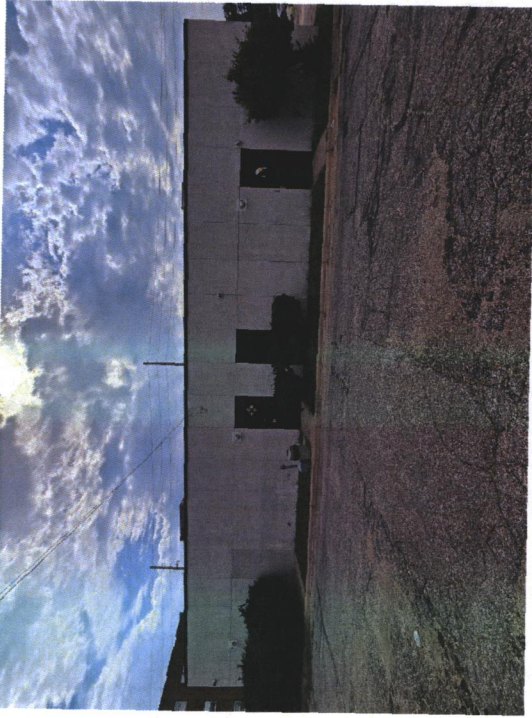
Looking south away from site



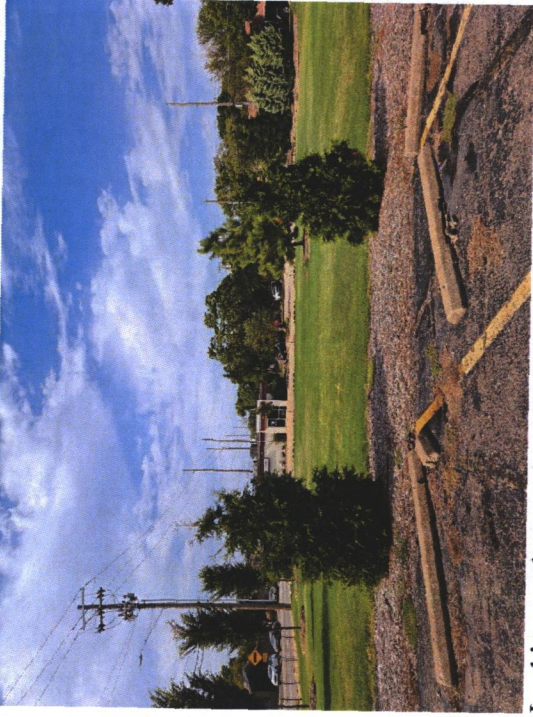
Looking east away from site



Looking west towards site



Looking north away from site



Looking south towards site

