



Wichita-Sedgwick County Metropolitan Area Planning Department

March 18, 2022

EHKD Real Estate Investments, LLC
Dennis Sanders
6601 E Kellogg Drive
Wichita, KS 67207

RE: ZON2021-00065: Zone change request in the County from SF-20 Single-Family Residential to MF-18 Multi-Family Residential and OW Office Warehouse for multi-family and storage facility development on property located on the northwest corner of North Ridge Road and West 45th Street North.

Dear Applicant:

At its regular meeting on **March 16, 2022**, the Sedgwick County Board of County Commissioners considered the above captioned request. The action of the BOCC was to **APPROVE** the request subject to Protective Overlay #388 (enclosed)

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'Philip Zeyenbergen'.

Philip Zeyenbergen
Senior Planner

Copies to: MABCD
Baughman Company, P.A. Phil Meyer, 315 Ellis, Wichita KS 67211

Protective Overlay #388:

1. Uses on the parcel zoned OW Office Warehouse are limited to those permitted by-right in LC Limited Commercial zoning in addition to Warehouse, Self-Storage and Warehousing as permitted in OW zoning.
 - a. Outdoor storage and display are permitted and regulated under the OW Office Warehouse zoning district.
 - b. Signage is restricted to those permitted in LC Limited Commercial zoning except portable and off-site/billboard signs are prohibited.
2. The OW Office Warehouse parcel shall provide a landscape buffer along the north, west, and south property lines.
3. The MF-18 Multi-Family Residential parcel shall provide a landscape buffer where abutting SF-20 Single-Family Residential zoning provided that this requirement shall not apply if the subject site is developed with duplex and/or single-family residential.
4. Landscape buffers shall be irrigated and maintained. The buffers shall consist of the following:
 - a. One shade tree per 40 linear feet
 - b. Two ornamental or conifer trees can be substituted for one shade tree as long as not more than one-third of the required landscaping is ornamental trees.
 - c. Shade trees shall be a minimum of two-inch caliper at the time of planting
 - d. Ornamental trees shall be a minimum of one-inch caliper at the time of planting
 - e. Conifer trees shall be a minimum of five feet in height at the time of planting.
5. The applicant shall submit a landscape plan to the Planning Department for review and approval prior to the issuance of building permits.
6. The applicant shall extend public services to the site prior to any development that would require them.
7. Amendments, adjustments, or interpretations to this Protective Overlay shall be done in accordance with the Unified Zoning Code.

(150004) Published in The Derby Informer on
RESOLUTION NO.

March 23, 2022
055-2022

A RESOLUTION CHANGING THE ZONING CLASSIFICATION FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984 AND SUBSEQUENTLY AMENDED.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

SECTION I. That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section V-C of the Wichita Sedgwick County Unified Zoning Code, the zoning classification or district of the lands legally described hereby are changed as follows:

Case No. ZON2021-00065

Zone change request from SF-20 Single-Family Residential to MF-18 Multi-Family Residential and OW Office Warehouse, subject to the development standards contained in Protective Overlay #388, on property described as:

SF-20 to MF-18

A portion of the Southeast Quarter of the Southeast Quarter of Section 21, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, described as commencing at the southeast corner of the Southeast Quarter of said Section 21; thence west coincident with the south line of the Southeast Quarter of the Southeast Quarter of said Section 21, 300.00 feet to the point of beginning; thence continue West coincident with the south line of the Southeast Quarter of the Southeast Quarter of said Section 21, 493.64 feet to a point 523.1 feet east of the southwest corner of the Southeast Quarter of the Southeast Quarter of said Section 21; thence north parallel with the west line of the Southeast Quarter of the Southeast Quarter of said Section 21, 880.12 feet more or less to a point in a line that is 478.30 feet normally distant south of the north line of the Southeast Quarter of the Southeast Quarter of said Section 21; thence east parallel with the north line of the Southeast Quarter of the Southeast Quarter of said Section 21, said line being 478.30 feet normally distant south of the north line of the Southeast Quarter of the Southeast Quarter of said Section 21, 493.04 feet more or less to a point in a line 300.00 feet west of the east line of the Southeast Quarter of the Southeast Quarter of said Section 21 as measured parallel with the East line of the Southeast Quarter of the Southeast Quarter of said Section 21; thence south parallel with the East line of the Southeast Quarter of the Southeast Quarter of said Section 21, 880.35 feet to the point of beginning. Subject to road Rights-of-Way of record.

SF-20 to OW

A tract of land in the Southeast Quarter of Section 21, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, described as follows: Commencing at the Southeast corner of said Southeast Quarter of Section 21, thence North along the East line of said Southeast Quarter, 400 feet for a point of beginning; thence West parallel with the South line of said Southeast Quarter, 300 feet; thence North parallel with the East line of said Southeast Quarter, 485.35 feet, more or less to a point 478.3 feet South of the

North line of the Southeast Quarter of the Southeast Quarter of said Section 21 (as measured parallel with the East line of the Southeast Quarter); thence East parallel with the North line of the Southeast Quarter of the Southeast Quarter of said Section 21, 300 feet, more or less, to a point on the East line of said Southeast Quarter; thence South 488.08 feet, more or less, to the point of beginning, EXCEPT the East 50 feet thereof for road.

Protective Overlay #388:

1. Uses on the parcel zoned OW Office Warehouse are limited to those permitted by-right in LC Limited Commercial zoning in addition to Warehouse, Self-Storage and Warehousing as permitted in OW zoning.
 - a. Outdoor storage and display are permitted and regulated under the OW Office Warehouse zoning district.
 - b. Signage is restricted to those permitted in LC Limited Commercial zoning except portable and off-site/billboard signs are prohibited.
2. The OW Office Warehouse parcel shall provide a landscape buffer along the north, west, and south property lines.
3. The MF-18 Multi-Family Residential parcel shall provide a landscape buffer where abutting SF-20 Single-Family Residential zoning provided that this requirement shall not apply if the subject site is developed with duplex and/or single-family residential.
4. Landscape buffers shall be irrigated and maintained. The buffers shall consist of the following:
 - a. One shade tree per 40 linear feet
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6. The applicant shall extend public services to the site prior to any development that would require them.
7. Amendments, adjustments, or interpretations to this Protective Overlay shall be done in accordance with the Unified Zoning Code.

SECTION II. That upon the taking effect of this Resolution, the notation of such zone change shall be entered in the official zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption by the Governing Body and publication in the official county newspaper.

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Commissioners present and voting were:

PETER F. MEITZNER
SARAH LOPEZ
DAVID T. DENNIS
LACEY D. CRUSE
JAMES M. HOWELL

Aye
Aye
Aye
Aye
Aye

Dated this 16th day of March, 2022.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

Kelly B. Arnold
KELLY B. ARNOLD, County Clerk



David T. Dennis
DAVID T. DENNIS, Chairman
Commissioner, Third District

Sarah Lopez
SARAH LOPEZ, Chair Pro Tem
Commissioner, Second District

APPROVED AS TO FORM:

Justin M. Waggoner
JUSTIN M. WAGGONER
Assistant County Counselor

Peter F. Meitzner
PETER F. MEITZNER
Commissioner, First District

Lacey D. Cruse
LACEY D. CRUSE
Commissioner, Fourth District

James M. Howell
JAMES M. HOWELL
Commissioner, Fifth District

Affidavit of Legal Publication

STATE OF KANSAS)

ss.

County of Sedgwick)

Emily Gillihan, being first duly sworn, deposes and says:
That he/she is Legal Manager of

The Derby Informer

a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Sedgwick County, Kansas, with a general paid circulation on a weekly basis in Sedgwick County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly published on Wednesdays, and has been so published continuously and uninterrupted in said county and state for a period of more than one year prior to the first publication of said notice, and has been admitted at the post office of Derby, Kansas, in said county as second class matter.

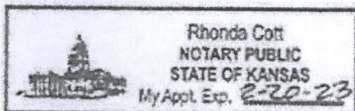
That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 week the first publication thereof being made as aforesaid on the 23rd day of March 2022, with subsequent publications being made on the following dates:

N/A

Emily Gillihan
Legal Manager

Subscribed and sworn to before me this
23rd day of March, 2022.

Rhonda Cott
Notary Public



Resolution 055-2022

Printer's Fee: \$58.80

Additional copies: \$ _____

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Legal Publication

(Published in The Derby Informer on March 23, 2022)

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Commissioners present and voting were:

PETER F. MEITZNER	AYE
SARAH LOPEZ	AYE
DAVID T. DENNIS	AYE
LACEY D. CRUSE	AYE
JAMES M. HOWELL	AYE

Dated this 18th day of March, 2022.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

DAVID T. DENNIS, Chairman
Commissioner, Third District

SARAH A. LOPEZ, Chair Pro Tem
Commissioner, Second District

PETER F. MEITZNER
Commissioner, First District

LACEY D. CRUSE
Commissioner, Fourth District

JAMES M. HOWELL
Commissioner, Fifth District

ATTEST:

KELLY B. ARNOLD, County Clerk

APPROVED AS TO FORM:

JUSTIN M. WAGGONER
Assistant County Counselor