Wichita-Sedgwick County Metropolitan Area Planning Department

November 22, 2019

MakeICT
Jens Torell
1500 East Douglas
Wichita, KS 67214

RE: PUD2019-00014 – Zone Change from SF-5 Single-Family Residential to MakeICT Planned Unit Development (PUD #70) north of West Mount Vernon Road and east of South Edgemoor Drive (5920 East Mount Vernon Road)

Dear Applicant:

At its regular meeting on **November 21, 2019**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request as recommended by staff 11-0, with the modification to allow all-weather surfaces for the parking area except for the required ADA parking spaces.

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 **December 5, 2019**. 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 **December 5, 2019, at 5:00 p.m.**

This is a reminder that the zoning notification signs should now be removed from the property.

This application will be presented to the Wichita City Council on **Tuesday, January 7, 2020, beginning at 9:00 a.m.** The City Council meeting will be held in the City Council Chambers, First Floor, City Hall, 455 N. Main, Wichita, Kansas.

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

Sincerely,

David L. Yearout, AICP
Principal Planner

Copies to: WCC III, James Clendenin, Mail Stop 1-13
Maddy Campbell, CSR III, Mail Stop 1-135
Paul Hays, OCI, Mailstop 1-72
J. R. Cox, OCI, Mailstop 1-72
Jeff Van Zandt, City Law, Mailstop 1-134
Julianne Kallman, Engineering, Mail Stop 1-71

OCA 150004

PUBLISHED IN THE WICHITA EAGLE ON Aug. 28, 2020

ORDINANCE NO. 51-183

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION 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. 13., as adopted by Section 28.04.010, as amended, zone change request from SF-5 Single-Family Residential to PUD MakeICT Planned Unit Development (PUD #70) on property legally described as follows:

Case No. PUD2019-00014

Lot 1, Block 1, Makerspace Addition to Wichita, Sedgwick County, Kansas.

SECTION 2. That upon the taking effect of this ordinance, the above zoning change 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, and the drawing shall be entered as the required development requirements for PUD #70.

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 4th day of Feb, 2020.

Brandon J. Whipple, Mayor

ATTEST:

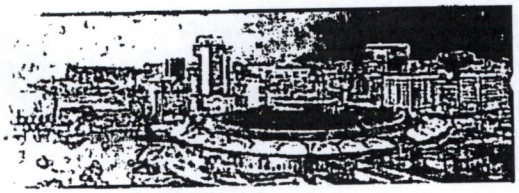
Karen Sublett, City Clerk

(SEAL)

Approved as to form:

Jennifer Magana, City Attorney and Director of Law

The Wichita Eagle
Kansas.com
330 N Mead St | Wichita, KS 67202 | 316-268-6000



AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Depth
453697	0004738237		OCA 150004 ORD. NO. 51-183	$50.40	1	6.00 In

Attention: Jamie Buster

CITY OF WICHITA/CLERKS OFFICE
455 N MAIN ST FL 13
WICHITA, KS 67202

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

1 Insertions

Beginning issue of: 08/28/2020

Ending issue of: 08/28/2020

STATE OF KANSAS)
.SS
County of Sedgwick)

VICTORIA RODELA, 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 **8/28/2020** to **08/28/2020.**

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

V Rodela
Signature of Principal Clerk
DATED: 10/15/2020

STEFANI SCOTT BEARD
My Notary ID # 131768951
Expires October 23, 2022

Notary Public Dallas County, Texas

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

LEGAL PUBLICATION

OCA 150004

PUBLISHED IN THE WICHITA EAGLE ON
August 28, 2020 (4738237)

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Brandon J. Whipple, Mayor

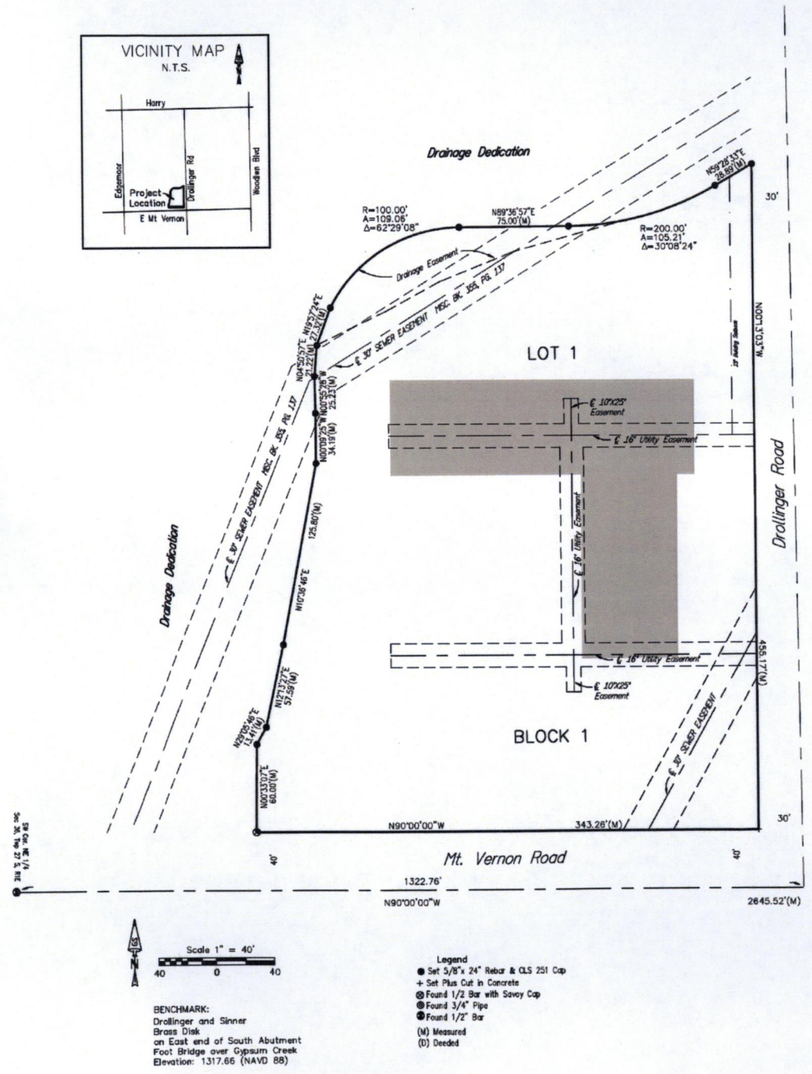
ATTEST:

Karen Sublett, City Clerk

(SEAL)

Approved as to form: _____
Jennifer Magana,
City Attorney and
Director of Law

MAKEICT PLANNED UNIT DEVELOPMENT (PUD #70)
5920 E Mt Vernon



GENERAL PROVISIONS

1. Total Land Area

Total Land Area: 108,223 sq ft (2.48 acres)
Total Building Coverage: 21,222 sq ft
Total Building Coverage Ratio: 5.1 percent
Total Gross Floor Area: 21,222 sq ft
Total Floor Area Ratio: 5.1 percent

2. Parcel Uses

The primary use of the facility will be to provide education and resources for the community to create in a collaborative environment. Uses shall be limited to those permitted by-right in the "GO" General Office Zoning District, and the following uses: Manufacturing (Limited), Personal Improvement Service, Personal Care Service, Community Assembly, Event Center, Office, and Retail limited to products produced on-site only. Uses shall include parking, and accessory storage as permitted by the "GO" General Office Zoning District.

Permitted...
The following uses permitted in the "GO" General Office Zoning District are permitted upon approval of a separate PUD Administrative Adjustment: Assisted Living; Group Residence (Limited and General); Day Care (General); Nursing Facility; Medical Service.

Prohibited...
This PUD specifically prohibits the following uses: Cemetery; Correctional Placement Residence, Limited; Correctional Placement Residence (General); Hospital; Parks and Recreation; Recycling Collection Station (Private); Hotel or Motel; Marine Facility (Recreational); Retail Liquor Stores, Adult Entertainment Establishments; Sexually Oriented Business; Correctional Placement Residences; Night Club in the City; Tavern and Drinking Establishment; and Asphalt or Concrete Plant (Limited). Exterior audio systems that project sound beyond the boundaries of the PUD are prohibited.

Usage conditions...
The facility shall be subject to the following conditions:

A. Public facility hours where it may be normally open to the public are to be 8:00 a.m. tomidnight, local time, on Friday and Saturday, and from 8:00 a.m. to 11:00 p.m., local time, Sunday through Thursday.

B. The occasional use of the facility for large public gatherings shall be limited to 400 persons. These events may include charitable events, art shows, holiday festivities, photographic shoots, corporate or professional functions (i.e. seminars, meetings, lectures) and similar events. At these events, food, beverages (including alcohol), music or dancing may be offered. Outside vendors/caterers hired to serve events shall obtain, and at all times maintain, a liquor license(s) as required from the appropriate local and/or State authorities. No business that is classified as a Drinking Establishment, Tavern, Class A Club or Class B Club, under current Wichita, Kansas ordinances or codes, shall be allowed. Live music, or music provided by a DJ, is an option for events and shall be located entirely within a building.

C. Security may be permitted through contracted security services.

3. Parking

A minimum of 21 parking spaces on gravel and 1 existing ADA parking space on concrete shall be required for all uses, and the single ADA stall shall be provided in accordance with the Unified Zoning Code paving standards. The existing ADA accessible parking space is located on-site. Any future expansion of the facility shall provide additional parking at a rate of one parking space per 1,000 square feet of new building coverage.

4. Landscaping

The existing conditions shall be deemed to meet the landscaping and screening requirement of the UZC. The landscape street yard, buffer, and parking lot screening requirements of the Landscape Ordinance do not apply. Any further expansion of the building footprint greater than 1,000 square feet shall trigger compliance with the landscaping and screening requirement of the UZC. In the event the owner is required to provide landscaping, a landscape plan shall be prepared indicating the type, location, and specifications of all plant material.

5. Screening

Any new roof-mounted equipment and loading docks, trash receptacles, ground level heating, air conditioning and mechanical equipment, free-standing coolers or refrigeration units, or outdoor storage use shall be screened from ground level view from any residentially-zoned property to the east and north of the subject property.

6. Setbacks

Setbacks shall be per the UZC for the "GO" General Office.

7. Signage

Signage shall be restricted per the standards of the "CBD" Central Business District. One off-site sign may be permitted, provided it meets the locational requirements of the Sign Code.

8. Exterior Lighting

All new exterior lighting shall be per the Unified Zoning Code, and shall be shielded to direct light disbursement in a downward direction.

9. Trash Times

Trash collection shall be limited to between the hours of 6:00 am to 10:00 pm within the subject property.

10. Amendments, adjustments, interpretations:

Amendments, adjustments or interpretations to this PUD shall be done in accordance with the Unified Zoning Code.

11. Transfer of title:

The Transfer of title of all or any portion of land included within the Planned Unit Development (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.

12. Development plan:

The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the Governing Body, and any substantial deviation of the plan, as determined by the Zoning Administrator or the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.

13. Changes

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

APPROVED PUD
MAPC 11/21/19 DLY
WCC 1/7/2020
MAPC 1 OF 2