



LEGAL PROOF OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
453697	0004466945			\$100.80	1	168

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: 11/22/2019

Ending issue of: 11/22/2019

STATE OF KANSAS)

.SS

County of Sedgwick)

Tony Berg, 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 11/22/2019 to 11/22/2019.

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

(Signature of Principal Clerk)

DATED: 11/22/2019

Notary Public Sedgwick County, Kansas

JENNIFER RAE BAILEY
Notary Public - State of Kansas
My Appt. Expires 6/14/2024

LEGAL PUBLICATION

Published in the Wichita Eagle on November 22, 2019
ORDINANCE NO. 31-19

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 20.04(B), 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 after 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 20.04(B), as amended, the zoning classification or districts of the lands herein described heretofore changed as follows:

Case No. 2019-0003
City name change from SF-1 Single-Family Residential District to LC Limited Commercial District described as:
The North 43.56 feet of the South 170.5 feet of the East 250 feet of Lot 1, Block F, Shadow Woods Addition, Sedgwick County, Kansas.

SUBJECT TO THE FOLLOWING AMENDMENT TO PROTECTIVE OVERLAY ZONING:

- Approval of the zone change shall be contingent upon the resolution of the subject property. Contingencies for specific deed improvements for 1000 SQM shall be reviewed and determined at the time of zoning.
- Signs shall be in accordance with the Sign Code of the City of Wichita with the following conditions:
 - Parcel 1 shall be permitted one monument sign limited to 25 feet in height and 150 feet in area. Parcel 2 shall be permitted one monument sign each, which shall be limited by 15 feet in height and 100 square feet in area for a single parcel sign and up to 18 square feet in area for a multi-tenant sign.
 - Parcel 1 shall be permitted one LED sign limited to 50 square feet in area. The following are not permitted on Parcel 1: variable and off-site signs in addition to Reading signs, building or corner signs, signs with moving lights or signs which create illusions of movement.
 - The following are not permitted on Parcel 1: and 40 side signs in addition to Reading signs, not to exceed 100 square feet, signs with moving lights or signs which create illusions of movement.
 - No signs shall be allowed on the rear of such structures at any buildings on Parcel 1 or 2.
 - As the message changes above the entrance to buildings, maximum type shall be spaced a minimum of 1/8 inch apart, irrespective of how large the letters or font is used. Contrast shall be as shown on the legend.
 - All exterior lighting shall be shielded to direct light downward in a downward direction.
 - All bills shall have similar or comparable lighting elements, i.e., letters, poles, and lamps, etc.
 - Limited height of billboards to 15 feet within 25 feet of building residential zoned property, and 20 feet on the remainder of the tract.
 - Extensive use of backlit copiers and signs or advertisements by lighting on buildings is not permitted.
- Landscaping for this site shall be required as follows:
 - Requirements for street yard landscaping and buffer strip trees will be calculated at 1.5 times the minimum landscape requirements. Requirements for parking lot landscaping shall comply with the landscape ordinance.
 - Landscaping plan shall be prepared by a Kansas Landscape Architect for the above referenced landscaping, including the type, location, and specifications of all plant material. This plan shall be submitted to the Planning Department for their review and approval prior to issuance of a building permit.
 - A financial plan order for the street material contained on the landscape plan for that portion of the subject property being developed shall be required prior to issuance of any occupancy permit, if the required landscape has not been permitted.
- If the portions of the subject property to be zoned "LC" General Office develop with office (general), assisted living, medical office, and other services, shall be as follows:
 - A landscape buffer of 40 feet in width shall be provided above those areas zoned "LC" General Office develop with office (general), assisted living, medical office, and other services, which shall include a series of trees 4 to 6 feet in height, and arborescences meeting the "Buffer with the Screening" section of the Landscape Ordinance calculated at 1.5 times the minimum requirements (one tree, or two ornamental trees, and 3 shrubs per 10 feet). Street buffer shall be a combination of deciduous and evergreen landscaping, per ordinance. The minimum planting size of all deciduous trees shall be no smaller than 14-inch caliper, and all evergreen trees shall be a minimum of 6 feet in height. A solid screening fence shall not be required.
 - Screening along the common property line with Reserve "C", Shadow Woods Addition shall be provided by a 15-foot landscape buffer with area percentage calculated at 1.5 times the minimum or landscape requirements (one tree, or two ornamental trees, and 3 shrubs per 10 feet). Solid buffer shall be a combination of

deciduous and evergreen landscaping. Existing evergreen trees within the south 25 feet of Reserve "C" shall be counted toward fulfilling the number of required buffer trees. A solid screening fence shall not be required.

- Roofing mechanical equipment shall be screened from ground level view per the Unified Zoning Code.
- For all non-residential uses, trash receptacles, loading docks, outdoor storage, and loading areas shall be appropriately screened, with similar materials to the main building, to reasonably hide them from ground view, and shall be prohibited within 20 feet of residential zoned property. Trash collection shall be limited between the hours of 6:00 am to 10:00 pm within the subject property.
- All buildings in the subject property shall share uniform architectural character, color, texture, and the same performance exterior building material. Building walls and roofs must have predominantly earth-tone colors, with vinyl colors limited to background accents, and uniform exterior materials similar to a surrounding residential area.
- The portion of the subject property to be zoned "LC" General Office shall be limited to the following uses: general, assisted living, medical office, and other services.

The portion of the subject property to be zoned "LC" Limited Commercial and "100" Neighborhood Retail shall have the following uses: adult entertainment club, bar, brewery, family oriented business, commercial office, restaurant, group residential, night club in the city, tavern and drinking establishment, public bath, auditorium, stadium, community assembly, recreation collection station, bed and breakfast, car wash, coat rack sales and service, convenience store, entertainment establishment, event center, multi-media/kiosk mobile facility, museum, spa, nursery and garden center, outdoor cafe (open-air), parking, recreation facility, performance, recreation vehicle campgrounds, second hand store, service station, teen club, vehicle repair, warehouse self-storage, and additional uses.

Restaurants that serve liquor can be developed and may serve liquor, as long as such is the primary service of the establishment. Restaurants with drive-through windows shall be designed to ensure adequate lanes for drive-through windows and not assign vehicle headlight in such a manner as to be a residential use. No over-the-counter shall be allowed within 200 feet of residential uses and shall be beyond any residential zoning district. Exterior audio systems that project sound beyond the boundaries of the subject property are prohibited.

- No single use shall occupy more than 100 square feet of floor area, with the exception of an assisted living complex.
- All buildings shall be limited to 35 feet in height, and one story in height, with the exception of an assisted living complex which may be two stories. If a two-story assisted living complex is developed within the corner of the subject property, the corner "LC" General Office, a 25-foot building setback shall be required from those property lines defining residential zoned property.

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 map shall be hereby re-recorded 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 Wichita City paper.

Attest:

Kemp Sabath, City Clerk

Jennifer RAE BAILEY, Notary Public

Published in the Wichita Eagle 11/22/2019

OCA 150004

ORDINANCE NO. 51-149

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. ZON2019-00003

City zone change from SF-5 Single Family Residential District to LC Limited Commercial District described as:

The North 43.56 feet of the South 173.55 feet of the East 250 feet of Lot 1, Block F, Shadow Woods Addition, Wichita, Sedgwick County, Kansas.

SUBJECT TO THE FOLLOWING AMENDMENT TO PROTECTIVE OVERLAY #309

1. Approval of the zone change shall be contingent upon the replatting of the subject property. Guarantees for specific street improvements for 135th St W. shall be reviewed and determined at the time of platting.
2. Signs shall be in accordance with the Sign Code of the City of Wichita with the following conditions:
 - A. Parcel 1 shall be permitted one monument sign limited to 25 feet in height and 150 feet in area. Parcel 2 and 3 shall be permitted one monument sign each, which shall be limited to 12 feet in height and 32 square feet in area for a single tenant sign and up to 96 square feet in area for a multi-tenant sign.
 - B. Parcel 1 shall be permitted one LED sign limited to 50 square feet in area. The following is not permitted on Parcel 1: portable and off-site signs in addition to flashing signs, rotating or moving signs, signs with moving lights or signs which create illusions of movement.
 - C. The following are not permitted on Parcels 2 and 3: portable, LED, and off-site signs in addition to flashing signs, rotating or moving signs, signs with moving lights or signs which create illusions of movement.
 - D. No signs shall be allowed on the west or north elevations of any buildings on Parcels 2 or 3.
 - E. As the frontage develops along the arterial roadways, monument type signs shall be spaced a minimum of 150 feet apart, irrespective of how land is leased or sold.
3. Access Controls shall be as shown on the final plat.
4. All exterior lighting shall be shielded to direct light disbursement in a downward direction.

5. All lots shall share similar or consistent parking lot lighting elements (i.e., fixtures, poles, and lamps, and etc.).
 - A. Limited height of light poles to 15 feet within 100 feet of abutting residential-zoned property, and 20 feet on the remainder of the tract.
 - B. Extensive use of backlit canopies and neon or fluorescent tube lighting on buildings is not permitted.
6. Landscaping for this site shall be required as follows:
 - A. Requirements for street yard landscaping and buffer strip trees will be calculated at 1.5 times the minimum ordinance requirements. Requirements for parking lot landscape shall comply with the landscape ordinance.
 - B. A landscape plan shall be prepared by a Kansas Landscape Architect for the above referenced landscaping, indicating the type, location, and specifications of all plant material. This plan shall be submitted to the Planning Department for their review and approval prior to issuance of a building permit.
 - C. A financial guarantee for the plant material approved on the landscape plan for that portion of the subject property being developed shall be required prior to issuance of any occupancy permit, if the required landscape has not been planted.
7. If the portion of the subject property to be zoned "GO" General Office develops with office (general), assisted living, or medical service, landscaping and screening shall be as follows:
 - A. A landscape buffer of 40 feet in width shall be provided along those property lines abutting residentially-developed lots, which shall include a series of berms 4- to 6-foot in height, and landscaping plantings per the "Buffer with No Screening" section of the Landscape Ordinance calculated at 1.5 times the minimum requirements (one tree, or two ornamental trees, and 5 shrubs per 20 feet). Said buffer shall be a combination of deciduous and evergreen landscaping, per ordinance. The minimum planting size of all deciduous trees shall be no smaller than 3-inch caliper, and all evergreen trees shall be a minimum of 6 feet in height. A solid screening fence shall not be required.
 - B. Screening along the common property line with Reserve "C", Shadow Woods Addition shall be provided by a 15-foot landscape buffer with tree plantings calculated at 1.5 times the minimum ordinance requirements (one tree, or two ornamental trees, and 5 shrubs per 20 feet). Said buffer shall be a combination of deciduous and evergreen landscaping. Existing evergreen trees within the south 35 feet of Reserve "C" may be counted toward fulfilling the number of required buffer trees. A solid screening fence shall not be required.
8. Rooftop mechanical equipment shall be screened from ground level view per the Unified Zoning Code.
9. For all non-residential uses, trash receptacles, loading docks, outdoor storage, and loading areas shall be appropriately screened, with similar materials to the main building, to reasonably hide them from ground view, and shall be prohibited within 50 feet of residential-zoned property. Trash collection shall be limited to between the hours of 6:00 am to 10:00 pm within the subject property.
10. All buildings in the subject property shall share uniform 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.

11. The portion of the subject property to be zoned "GO" General Office shall be limited to the following uses: office (general), assisted living, medical service, and single-family residential.

The portion of the subject property to be zoned "LC" Limited Commercial and "NR" Neighborhood Retail shall not allow the following uses: adult entertainment establishments; sexually oriented business; correctional placement residences; group residential; night club in the city; tavern and drinking establishment; multi-family, auditorium/stadium; community assembly; recycling collection station; bed and breakfast; car wash; construction sales and service; convenience store; entertainment establishment; event center; hotel/motel; kennel; marine facility; monument sales; nursery and garden center; parking area (commercial); pawnshop; recreation and entertainment; recreational vehicle campground; second hand store; service station; teen club; vehicle repair; warehouse self-storage; and industrial uses.

Restaurants that serve liquor can be developed and may serve liquor, as long as food is the primary service of the establishment. Restaurants with drive-through windows shall be designed to ensure queuing lanes for drive-through windows will not align vehicle headlights in such a manner as to face residential uses. No overhead doors shall be allowed within 200 feet of residential uses and shall not be facing any residential zoning district. Exterior audio systems that project sound beyond the boundaries of the subject property are prohibited.

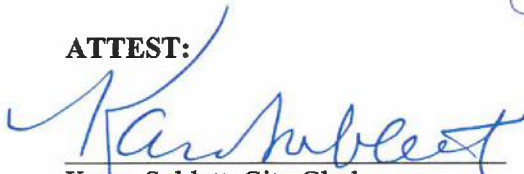
12. No single use shall occupy more than 8,000 square feet of floor area, with the exception of an assisted living complex.
13. All buildings shall be limited to 35 feet in height, and one story, in height, with the exception of an assisted living complex which may be two stories. If a two-story assisted living complex is developed within the portion of the subject property to be zoned "GO" General Office, a 75-foot building setback shall be required from those property lines abutting residentially-developed lots.

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.


Jeff Longwell, Mayor

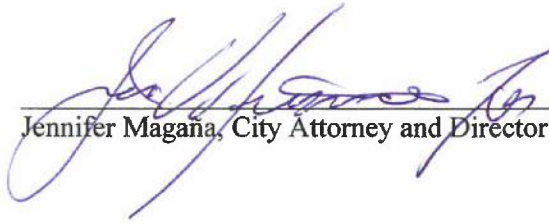
ATTEST:


Karen Sublett, City Clerk

(SEAL)



APPROVED AS TO FORM:



Jennifer Magaña, City Attorney and Director of Law