



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

October 4, 2022

Exterior Construction  
1101 N. West St.  
Wichita, KS 67203

Ben Gartner  
150 N Market  
Wichita, KS 67202

**RE: ZON2022-00035:** Zone Change request in the City from B Multi-Family to LC Limited Commercial with Protective Overlay #395 for site development; generally located on the west side of North West Street and within one-quarter mile south of West Zoo Boulevard (1101 North West Street).

Dear Applicant;

At its regular meeting on **October 4<sup>th</sup>**, the Wichita City Council considered the above captioned request. The action of the City Council was to **APPROVE** the request subject to condition of Protective Overlay #395:

Protective Overlay #395

1. Uses on the site are restricted to those permitted by-right in GO General Office in addition to the following uses as permitted by-right in LC Limited Commercial: Construction Sales and Service; Convenience Store; Restaurant, Retail, General; Second hand store; Agricultural Research; and Agricultural Sales and Service
2. Any structure shall be limited to 35 feet in height and shall be constructed with residential character similar to the nearby residences.
3. Outdoor speakers and sound amplification systems are not permitted, provided they can be permitted for a drive-through restaurant.
4. No off-site or portable signs are permitted on the subject property and there shall be no illuminated building signs on the west or north elevations as long as those abutting properties are used residentially.
5. If the existing structure is removed and the site is redeveloped, the site shall come into compliance with the Wichita Landscape Ordinance regarding a landscaped street yard and parking lot screening along North West Street. At such time, a landscape plan shall be submitted to the Planning Department for review and approval prior to the issuance of building permits

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

Sincerely,

Eryn Ebach Freund  
Associate Planner

Copies to: MABCD  
Maggie Ballard, City Council District VI  
Ana Lopez, CSR District VI  
Orchard Park Neighborhood Association  
Attn: Larry White  
4409 W. 10th St. N.  
Wichita, KS 67212



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

August 18, 2022

Exterior Construction  
1101 N. West St.  
Wichita, KS 67203

Ben Gartner  
150 N Market  
Wichita, KS 67202

**RE: ZON2022-00035:** Zone Change request in the City from B Multi-Family to LC Limited Commercial with Protective Overlay #395 for site development; generally located on the west side of North West Street and within one-quarter mile south of West Zoo Boulevard (1101 North West Street).

Dear Applicant;

At its regular meeting on **August 18, 2022**, 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 the conditions of Protective Overlay #395:

**Protective Overlay #395**

1. Uses on the site are restricted to those permitted by-right in GO General Office in addition to the following uses as permitted by-right in LC Limited Commercial: Construction Sales and Service; Convenience Store; Restaurant, Retail, General; Second hand store; Agricultural Research; and Agricultural Sales and Service.
2. Any structure shall be limited to 35 feet in height and shall be constructed with residential character similar to the nearby residences.
3. Outdoor speakers and sound amplification systems are not permitted, provided they can be permitted for a drive-through restaurant.
4. No off-site or portable signs are permitted on the subject property and there shall be no illuminated building signs on the west or north elevations as long as those abutting properties are used residentially.
5. If the existing structure is removed and the site is redeveloped, the site shall come into compliance with the Wichita Landscape Ordinance regarding a landscaped street yard and parking lot screening along North West Street. At such time, a landscape plan shall be submitted to the Planning Department for review and approval prior to the issuance of building permits.

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 1, 2022.** 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 1, 2022 at 5:00 p.m.**

This application is scheduled for consideration by the Wichita City Council on **Tuesday, September 27th, 2022, 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.

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 268 4421.

Sincerely,



Eryn Ebach Freund  
Associate Planner

Copies to: MABCD  
Maggie Ballard, City Council District VI  
Ana Lopez, CSR District VI  
Orchard Park Neighborhood Association  
Attn: Larry White  
4409 W. 10<sup>th</sup> St. N.  
Wichita, KS 67212

OCA 150004

PUBLISHED IN THE WICHITA EAGLE ON Oct. 14, 2022

ORDINANCE NO. 51-956

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. ZON2022-00035

City zone change from B Multi-family Residential to LC Limited Commercial zoning subject to the conditions of Protective Overlay #395 on property described as:

Lot 15 of Block 3 of Memory Acres Addition to Wichita, Sedgwick County, Kansas.

**Protective Overlay #395 shall hereby read as follows:**


1. Uses on the site are restricted to those permitted by-right in GO General Office in addition to the following uses as permitted by-right in LC Limited Commercial: Construction Sales and Service; Convenience Store; Restaurant, Retail, General; Second-hand store; Agricultural Research; and Agricultural Sales and Service.
2. Any structure shall be limited to 35 feet in height and shall be constructed with residential character similar to the nearby residences.
3. Outdoor speakers and sound amplification systems are not permitted, provided they can be permitted for a drive-through restaurant.
4. No off-site or portable signs are permitted on the subject property and there shall be no illuminated building signs on the west or north elevations as long as those abutting properties are used residentially.
5. If the existing structure is removed and the site is redeveloped, the site shall come into compliance with the Wichita Landscape Ordinance regarding a landscaped street yard and parking lot screening along North West Street. At such time, a landscape plan shall be submitted to the Planning Department for review and approval prior to the issuance of building permits.

**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.

[Remainder of page intentionally left blank]

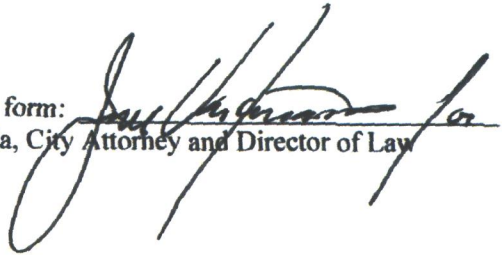
ATTEST:

  
Brandon J. Whipple, Mayor, City of Wichita

  
Jamie Buster, City Clerk

(SEAL)



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



Beaufort Gazette  
 Belleville News-Democrat  
 Bellingham Herald  
 Bradenton Herald  
 Centre Daily Times  
 Charlotte Observer  
 Columbus Ledger-Enquirer  
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 Herald Sun - Durham  
 Idaho Statesman  
 Island Packet  
 Kansas City Star  
 Lexington Herald-Leader  
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 Wichita Eagle

## AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
32522	332615	Print Legal Ad-IPL00938930 - IPL0093893		\$90.51	2	54 L

**Attention: Jamie Buster**  
 CITY OF WICHITA/CLERKS OFFICE  
 455 N MAIN ST FL 13  
 WICHITA, KS 67202

### LEGAL PUBLICATION

**PUBLISHED IN THE WICHITA EAGLE ON October 14, 2022**  
**ORDINANCE NO. 51-956**

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. ZON2022-00035

City zone change from B Multi-family Residential to LC Limited Commercial zoning subject to the conditions of Protective Overlay #395 on property described as:

Lot 15 of Block 3 of Memory Acres Addition to Wichita, Sedgwick County, Kansas.

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Uses on the site are restricted to those permitted by-right in GO General Office in addition to the following uses as permitted by-right in LC Limited Commercial: Construction Sales and Service; Convenience Store; Restaurant, Retail, General; Second hand store; Agricultural Research; and Agricultural Sales and Service.

Any structure shall be limited to 35 feet in height and shall be constructed with residential character similar to the nearby residences.

Outdoor speakers and sound amplification systems are not permitted, provided they can be permitted for a drive-through restaurant.

No off-site or portable signs are permitted on the subject property and there shall be no illuminated building signs on the west or north elevations as long as those abutting properties are used residentially.

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SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

[Remainder of page intentionally left blank]

ATTEST:

Brandon J. Whipple, Mayor, City of Wichita

Jamie Buster, City Clerk

(SEAL) Approved as to form:

Jennifer Magan a. City Attorney and Director of Law

IPL0093893

Oct 14 2022

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

No. of Insertions: 1

Beginning Issue of: 10/14/2022

Ending Issue of: 10/14/2022

STATE OF KANSAS)

SS

County of Sedgwick)

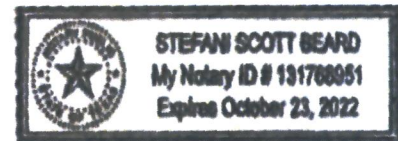
Hayley Martin, of lawful age, being first duly sworn, depose and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has 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 from 10/14/2022 to 10/14/2022.

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

DATED: 10/14/2022

*Stefani Beard*

Notary Public in and for the state of Texas, residing in Dallas County



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



Beaufort Gazette  
 Belleville News-Democrat  
 Bellingham Herald  
 Bradenton Herald  
 Centre Daily Times  
 Charlotte Observer  
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The Herald - Rock Hill  
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 Idaho Statesman  
 Island Packet  
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 The State - Columbia  
 Sun Herald - Biloxi

Sun News - Myrtle Beach  
 The News Tribune Tacoma  
 The Telegraph - Macon  
 San Luis Obispo Tribune  
 Tri-City Herald  
 Wichita Eagle

## AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	288466	Print Legal Ad - IPL0080777	OCA 150004	\$206.32	3	82 L

**Attention: MANDY HEBERT**  
 CITY OF WICHITA/PLANNING DEPT  
 271 WEST THIRD ST., 2ND FL, SU 203  
 WICHITA, KS 67202

### LEGAL PUBLICATION

OCA 150004  
 Published in The Wichita Eagle on July 14, 2022  
 (One Time Only)  
 MAFC/BZA August 4, 2022  
 OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, August 4, 2022, no earlier than 1:30 p.m., the WichitaSedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held virtually, public participation is available in multiple ways, those without technology options can participate by going to the Wichita City Hall Building - 1st Floor Council Chambers - 455 N. Main Street, Wichita, Kansas 67202 (specified at the bottom of this notice). If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Department at (316) 2684421.

BZA2022-00027: Variance in the City to the sign code to permit an electronic message sign and increase permitted size from 32 square feet to 58 square feet on property zoned NO Neighborhood Office; generally located southeast of West 21st Street North and North Maize Road (1930 North Maize Road).

CON2022-00026: Conditional Use request in the City for Neighborhood Swimming Pool on property zoned SF-5 Single-Family Residential; generally located one-quarter mile south of East Pawnee Road and one-quarter mile west of East 143rd Street South (2548 Spring Hollow Street).

CON2022-00027: Conditional Use request in the City for Ancillary Parking in SF-5 Single-Family zoning; generally located 180 feet west of South Seneca Street and within one-quarter mile north of West Pawnee Avenue.

CUP2022-00032: Request in the City to amend Community Unit Plan (DP-333) to allow Sign #4 to be an off-site sign, increase allowed size of Sign 4, and increase allowed signage along K-96; generally located one-quarter mile north of East 21st Street North and K-96.

VAC2022-00012: Request in the City to Vacate a portion of a platted front setback on SF-5 Single-Family Residential zoned property; generally located north of East 21st Street North, east of North Webb Road, south of East Clubhouse Street, on the south side of North Vinegate Circle (2327 North Vinegate Circle).

ZON2022-00035: Zone Change request in the City from B Multi-Family to LC Limited Commercial for site development; generally located on the west side of North West Street and within one-quarter mile south of West Zoo Boulevard (1101 North West Street).

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202. As provided in Section V of the WichitaSedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAFC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MAFC as by law provided.

PLEASE NOTE THIS MEETING IS CONSIDERED AN EMERGENCY MEETING OF THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION DUE TO COVID-19, WHICH WILL IMPOSE SPECIAL PROCEDURES TO PARTICIPATE IN THE PUBLIC HEARING.

#### THESE ARE AS FOLLOWS:

The meeting will be conducted "virtually" using Go-To-Meeting. You have multiple options to participate:

- 1) submit comments ahead of time, 2) participate remotely, or 3) attend in-person at the Wichita City Hall Building (see below).

#### Submit Comments Ahead of Time

You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department no later than 5pm 3 days prior to the meeting. Please be sure to provide ample time for delivery. The comments can be submitted in the following formats: email; letter; video; and audio message (mp3, etc.). The comment should indicate which item they pertain to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff using the contact information below. The comments received ahead of the submission deadline will be shared with the MAFC, prior to or during the meeting.

Email [Planning@wichita.gov](mailto:Planning@wichita.gov)

Mailing Address Wichita-Sedgwick County Metropolitan Area Planning Department

Attn: Scott Wadle

271 W. 3rd Street - Suite 201

Wichita, KS 67202

Phone 316.268.4421

Fax 316.658.7764

Participate Remotely

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/651544141>

You can also dial in using your phone.

United States: +1 (671) 317-3112

Access Code: 651-544-141

Join from a video-conferencing room or system.

Dial in or type: 67.217.95.2 or [inroomlink.gotomeeting.com](https://inroomlink.gotomeeting.com)

Meeting ID: 651 544 141

Or dial directly: 651544141 @ 67.217.95.2 or 67.217.95.2##651544141

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/651544141>

Attend In-Person

You may also participate in the hearing in-person at the Wichita City Hall Council Chambers (455 N. Main Street, Wichita, KS 67202). Please note that security screening is required for public access to the building, self-paid parking is available nearby, and COVID-19 protocols are in place. For more information please visit [www.wichita.gov/visitcityhall](http://www.wichita.gov/visitcityhall). The in-person option is primarily intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-2684464) by 5pm, 3 days prior to the meeting.

WITNESS MY HAND on July 14, 2022

Scott Wadle, Secretary

WichitaSedgwick County

Metropolitan Area Planning Commission

IPL0080777

Jul 14 2022

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

No. of Insertions: 1

Beginning Issue of: 07/14/2022

Ending Issue of: 07/14/2022

STATE OF KANSAS)

SS

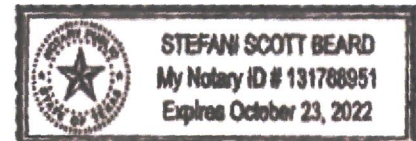
County of Sedgwick)

Hayley Martin, 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 from 07/14/2022 to 07/14/2022.

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

DATED: 07/14/2022

Notary Public in and for the state of Texas, residing in Dallas County



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



**STAFF REPORT**  
MAPC-August 4, 2022  
DAB VI- August 1, 2022

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**CASE NUMBER:** ZON2022-00035 (City)

**APPLICANT/AGENT** Exterior Construction, Inc. (applicant)/ Ben Gartner (agent)

**REQUEST:** LC Limited Commercial

**CURRENT ZONING:** B Multi-Family Residential

**SITE SIZE:** 0.3 acres

**LOCATION:** Generally located on the west side of North West Street and within one-quarter mile south of West Zoo Boulevard (1101 North West Street).

**PROPOSED USE:** Commercial Office



**BACKGROUND:** The applicant is requesting a zone change from B Multi-family Residential (B) to LC ZON2022-00035

Limited Commercial (LC) for the 0.3-acre property generally located on the west side of North West Street and within a one-quarter mile south of West Zoo Boulevard (1101 North West Street). The subject site is developed with a 1,608 square foot, single-story two-family dwelling built in 1953. The residences are currently being utilized as office space, an illegal use in the B zoning district. The applicant intends to sell the subject property but wants to bring the property into zoning compliance before doing so. If approved, the requested zone change would permit the current use a General Office, as well all other uses permitted by-right in the LC District.

The subject site is less than a tenth of a mile from the edge of the West 13<sup>th</sup> Street North and North West Street Neighborhood Hub identified by the Wichita: Places for People Plan. Development in this area generally follows a strip corridor pattern. Commercial uses and zoning are situated along North West Street, connected to residential neighborhoods east and west of the arterial.

The property abutting the subject site to the north is zoned GO General Office (GO) and is developed with a single-family residence. Continuing north are two adjacent lots zoned LC, and B Multi-family Residential developed with garden apartments. Properties to the east and southeast (fronting North West Street between West Zoo Boulevard and West 9th Street North) are zoned LC. They are developed with various commercial uses, including a service garage, retail and office spaces, and a childcare center. The lot directly south of the subject property, on the south side of West 10th Street North, is zoned LC and is developed with a single-story, single-family residence and various accessory structures. The abutting lot to the west is zoned GO and is developed with a ranch-style single-family house. A large Single-Family Residential (SF-5) district begins two lots west of the subject site and expands north and south as the neighborhood extends west. These properties are generally developed with ranch-style homes built in the early to mid-1960s (see the attached area map showing the other zoning districts near the subject site).

**CASE HISTORY:** On November 18, 1955, the subject property was platted as Lot 15 of Block 3 of Memory Acres Addition. There have been no other actions on the site.

**ADJACENT ZONING AND LAND USE:**

NORTH:	GO	Single-family residence
SOUTH:	LC	Single-family residence
EAST:	LC	Vehicle repair shop
WEST:	GO	Single-family residence

**PUBLIC SERVICES:** North West Street is a paved, five-lane arterial street, and West 10th Street North is a paved, two-way local street. Sidewalks are located on the east and west sides of North West Street and the south side of West 10<sup>th</sup> Street. Wichita Transit has a bus stop less than 150 feet away at North West Street and West Zoo Boulevard. Water and stormwater are located in the right-of-way along West 10th Street North. Sanitary sewer is located in a platted 8.5-foot utility easement running parallel to the west property line.

**CONFORMANCE TO PLANS/POLICIES:** The request to rezone this property as LC is found not to be in conformance with the following adopted plans:

*The Community Investments Plan:* The requested zoning is not in conformance with the *Community Investments Plan* (the Wichita-Sedgwick County Comprehensive Plan). The *Plan* includes the 2035 Wichita Future Growth Concept Map which illustrates the preferred growth concepts for the city. The Map identifies the subject area as appropriate for residential uses, defined as a range of housing densities and types including, “single-family detached homes, semi-detached homes, zero lot line units, patio homes, duplexes, townhouses, apartments and multi-family units, condominiums, mobile home parks, special residential

ZON2022-00035

accommodations for the elderly (assisted living, congregate care and nursing homes), and elementary and middle schools, churches, playgrounds, small parks, and other similar residential-serving uses.” The requested LC zoning would permit uses outside of the scope of what is suggested by the *Plan*.

Additionally, the *Community Investments Plan* provides locational guidelines to serve as a framework for future land use decisions. Guidelines are provided generally and for specific geographic areas. The subject site is located within the Established Central Area (ECA), described by the *Plan* as “the downtown core and the mature neighborhoods surrounding it.” Locational guidelines for the ECA state that neighborhood-serving retail and office uses can be appropriate on infill sites or through the conversion of residential structures if “the scale of the development is appropriate for its context.” Properties to the north and west of the site are zoned GO, and the property to the south is zoned LC. However, all of these properties are developed with single-family homes. East of the subject site, on the east side of North West Street, is a vehicle repair shop zoned LC. In this case, the subject property is separated from the heavier commercial uses located on the east side of North West Street by the arterial. The range of commercial uses permitted in the LC district would not be appropriate for the residential neighborhood on the west side of North West Street and would be inconsistent with the current context of development along this corridor.

Wichita: Places for People Plan: *The Wichita: Places for People Plan* provides recommendations for urban infill development in the Established Central Area (ECA). In general, the ECA is envisioned as “a place for people - a place that provides for the movement of people - on foot, on bike and through transit - in balance with automobiles.” Ensuring development follows a nodal pattern “which creates a critical mass of activity at the center and transitions in scale and intensity” is key to realizing the goals of the ECA. The subject site is located within the half-mile buffer zone of the Neighborhood Hub located at West 13<sup>th</sup> Street North and North West Street, as designated by the *People for Places Plan*.

*Strategies:* *The Wichita: Places for People Plan* emphasizes the importance of neighborhood context in ensuring the success of infill development within the ECA. Specifically it recommends the “organization of places based on their scale or intensity of development,” allowing infill development “to be better integrated in to the context” in which it serves. The approval of this request would allow the site to be developed with a wide range of Limited Commercial uses permitted in the LC district. Should the site be developed with a higher intensity commercial use, the development could be inconsistent with the character of the neighborhood.

*Current Condition:* The subject property is located within an “area of opportunity,” which are defined by the *Plan* as areas which “generally exhibit economic challenges, a disconnected development pattern and a lack of walkable places and facilities. These areas need strategic investment, both public, and private, to assist in redefining and reinvigorating the area.” Rezoning this property as GO would permit small-scale infill or redevelopment consistent with the existing development pattern and context of the community. These smaller scale projects can receive support from the existing area market and help to build capacity for larger projects in the future.

*Development Pattern:* *The Wichita: Places for People Plan* recommends a nodal development pattern that creates a critical mass at the node’s center and transitions in scale and intensity as uses shift from commercial to residential. The subject site is located on the periphery of the Neighborhood Hub at West 13th Street North and North West Street, less than a tenth of a mile from its defined edge. General Office zoning at this site would be consistent with the GO zoned properties abutting the site to the north and west and would create a larger GO district to buffer the adjacent residential uses from the commercial uses across North West Street. This would ensure a smooth transition in scale and intensity of uses moving west from the commercial properties fronting North West Street to the surrounding residential neighborhood

ZON2022-00035

**RECOMMENDATION:** Based on the information available at the time the staff report was prepared, it is recommended that the application for **LC LIMITED COMMERCIAL BE DENIED.**

However, staff recommends **APPROVAL OF GO GENERAL OFFICE.**

This recommendation is based on the following findings:

1. The zoning, uses, and character of the neighborhood: The subject site is less than a tenth of a mile from the edge of the Neighborhood Hub at West 13th Street North and North West Street. Development in this area generally follows a strip corridor pattern. Commercial uses and zoning are situated along North West Street, connected to residential neighborhoods east and west of the arterial. The property abutting the subject site to the north is zoned GO General Office (GO) and is developed with a single-family residence. Continuing north are two adjacent lots zoned LC, and B Multi-family Residential developed with garden apartments. Properties to the east and southeast (fronting North West Street between West Zoo Boulevard and West 9th Street North) are zoned LC. They are developed with various commercial uses, including a service garage, retail and office spaces, and a childcare center. The lot directly south of the subject property, on the other side of West 10th Street North, is zoned LC and is developed with a single-story, single-family residence and various accessory structures. The abutting lot to the west is zoned GO and is developed with a ranch-style single-family home. A large Single-Family Residential (SF-5) district begins two lots west of the subject site and expands north and south as the neighborhood extends west. These properties are generally developed with ranch-style homes built in the early to mid-1960s.
2. The suitability of the subject property for the uses to which it has been restricted: The site is currently zoned B, which allows single-family and multi-family residences. A single-family dwelling is developed on the site, but it has recently been used as a commercial office.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: A change of zoning to Limited Commercial would allow all uses permitted in the LC District on this site. A change of zoning to General Office would permit the existing office use, but would prevent any detrimental impacts to the adjacent SF-5 residential neighborhood potentially caused by higher-intensity commercial uses permitted in LC zoning.
4. Length of time the property has remained vacant as currently zoned: The property is not currently vacant.
5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The request to rezone the property as Limited Commercial is found not to be in conformance with the Community Investments Plan as discussed in the staff report.
6. Impact of the proposed development on community facilities: An approval of this request should not generate any additional impact on community facilities. Existing infrastructure at the site will accommodate the proposed use.

If, in the opinion of the Planning Commission, the request for LC Limited Commercial is determined to be appropriate, the Planning Commission should adopt alternative findings supporting approval.

Staff Report Attachments: 1) Aerial Map, 2) Zoning Map, 3) Land Use Map, and 4) Photos

Attachment 1. Aerial Map





Attachment 3. Land Use Map

**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
- Statistical Development Areas**
- 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
  - Nghbd\_Plan\_Areas



Attachment 5. Site Photos



Residence located on the subject site. Facing north.

Attachment 5. Site Photos Continued



Subject site's North West Street frontage (east of the residence). Facing north.

Attachment 5. Site Photos Continued



Subject site west of the residence. Facing north.

Attachment 5. Site Photos Continued



GO General Office zoning abutting the subject site. Facing west from the subject site.

Attachment 5. Site Photos Continued



LC Limited Commercial zoning across North West Street. Facing east from the subject site.

Attachment 5. Site Photos Continued



LC Limited Commercial zoning adjacent to the site to the north. Facing southeast.