



Wichita-Sedgwick County Metropolitan Area Planning Department

January 3, 2023

Powderhorn Properties, LLC
Attn: Rick Griggs
2147 Monument Village Cir
Grand Junction, CO 81507

Cross Development, LLC
Attn: Nick Fore
4336 Marsh Ridge Road
Carrollton, TX 75010

RE: CUP2022-00047 with ZON2022-00062: Zone change request in the City from LC Limited Commercial to GC General Commercial and amendment to CUP DP-169 to permit Vehicle Repair, General on property located on the west side of South Oliver Avenue and within one-quarter mile south of East Pawnee Avenue.

Dear Applicant;

At its regular meeting on **January 3, 2023**, the Wichita City Council considered the above captioned request. The action of the City Council was to **APPROVE** the requested zone change and Community Unit Plan Amendment subject to the following condition:

1. The amended language regarding additional uses shall apply only to Parcel 3.
2. The uses on Parcel 3 shall not change except for permitting Vehicle Repair, General as permitted in GC General Commercial zoning.
3. All other requirements of the CUP remain in effect unless or until a separate zoning action is approved.
4. The applicant shall submit four revised copies of the CUP and one electronic copy of the revised CUP to the Metropolitan Area Planning Department within 60 days after approval of this case by the Governing Body, or the request shall be considered denied and closed.

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,

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

Philip Zevenbergen, AICP
Current Plans
Division Manager

Copies to: MABCD
Mike Hoheisel, City Council District III
Rebecca Johnson, CSR District III

Approved CUP DP-169 Language:

Parcel 3: Proposed Uses: Retail sales including the following: restaurants, auto parts, banks barber shops, business or commercial schools, auto parts sales and service, studios, clothing sales, private clubs, health studios boutique shops, bakery shop, catering establishments, dry cleaning, shoe shops, tailors, theaters, drug stores, grocery stores or flower shops. **The following uses are permitted in GC General Commercial Zoning:** Outside storage of motorized vehicles and equipment including riding lawn mowers, boats and display items for sale, **in addition to Vehicle Repair General.**



Wichita-Sedgwick County Metropolitan Area Planning Department

December 2, 2022

Powderhorn Properties, LLC
Attn: Rick Griggs
2147 Monument Village Cir
Grand Junction, CO 81507

Cross Development, LLC
Attn: Nick Fore
4336 Marsh Ridge Road
Carrolton, TX 75010

RE: CUP2022-00047 with ZON2022-00062: Zone change request in the City from LC Limited Commercial to GC General Commercial and amendment to CUP DP-169 to permit Vehicle Repair, General on property located on the west side of South Oliver Avenue and within one-quarter mile south of East Pawnee Avenue.

Dear Applicant;

At its regular meeting on **December 1, 2022**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** the requested zone change and Community Unit Plan Amendment subject to the following condition:

1. The amended language regarding additional uses shall apply only to Parcel 3.
2. The uses on Parcel 3 shall not change except for permitting Vehicle Repair, General as permitted in GC General Commercial zoning.
3. All other requirements of the CUP remain in effect unless or until a separate zoning action is approved.
4. The applicant shall submit four revised copies of the CUP and one electronic copy of the revised CUP to the Metropolitan Area Planning Department within **60 days** after approval of this case by the Governing Body, or the request shall be considered denied and closed.

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 15, 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 **December 15, 2022 at 5:00 p.m.**

This application is scheduled for consideration by the Wichita City Council on **Tuesday, January 3, 2023, 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,



Philip Zevenbergen, AICP
Current Plans
Division Manager

Copies to: MABCD
Mike Hoheisel, City Council District III
Rebecca Johnson, CSR District III

MAPC Recommended CUP DP-169 Language:

Parcel 3: Proposed Uses: Retail sales including the following: restaurants, auto parts, banks barber shops, business or commercial schools, auto parts sales and service, studios, clothing sales, private clubs, health studios boutique shops, bakery shop, catering establishments, dry cleaning, shoe shops, tailors, theaters, drug stores, grocery stores or flower shops. **The following uses are permitted in GC General Commercial Zoning:** Outside storage of motorized vehicles and equipment including riding lawn mowers, boats and display items for sale, **in addition to Vehicle Repair General.**

OCA 150004

(Published in the Wichita Eagle, Jan. 13, 2023)

ORDINANCE NO. 52-021

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. ZON2022-00062 with CUP2022-00047

Zone change from LC Limited Commercial District to GC General Commercial District, subject to the development standards contained in Community Unit Plan DP-169, on property described as:

Part of Lot 5, Block 1, Spencer Gardens 2, Addition to Wichita, Sedgwick County, Kansas, described as follows:

Beginning at the northeast corner of said Lot 5; thence S0°16'20"W along the east line of said Lot 5, 314.81 feet; thence N89°16'47"W, 394.99 feet to the west line of said Lot 5; thence N0°16'20"E along the west line of said Lot 5, 227.80 feet; thence N89°38'37"E, 65 feet; thence N00°16' 20"E, 83.14 feet; thence S89°44'23"E along the north line of said Lot 5, 329.98 feet to the point of beginning; EXCEPT the north 52 feet thereof.

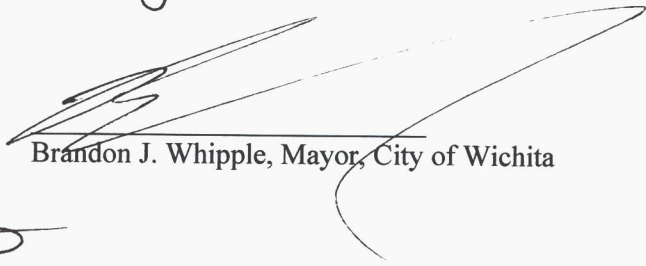
The Amendment to CUP DP-169 shall be subject to the following conditions:

1. The amended language regarding additional uses shall apply only to Parcel 3.
2. The uses on Parcel 3 shall not change except for permitting Vehicle Repair, General as permitted in GC General Commercial zoning.
3. All other requirements of the CUP remain in effect unless or until a separate zoning action is approved.
4. The applicant shall submit four revised copies of the CUP and one electronic copy of the revised CUP to the Metropolitan Area Planning Department within 60 days after approval of this case by the Governing Body, or the request shall be considered denied and closed.

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.

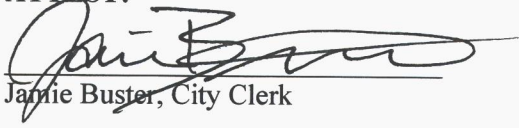
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

Adopted this 10th day of January, 2023.



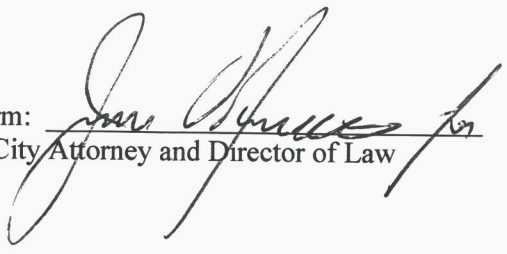
Brandon J. Whipple, Mayor, City of Wichita

ATTEST:



Jamie Buster, City Clerk



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
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
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
32522	369437	Print Legal Ad-IPL01050420 - IPL0105042		\$88.83	2	53 L

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

LEGAL PUBLICATION

OCA 150004

(Published in the Wichita Eagle, January 13, 2023)
ORDINANCE NO. 52-021

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. ZON2022-00062 with CUP2022-00047

Zone change from LC Limited Commercial District to GC General Commercial District, subject to the development standards contained in Community Unit Plan DP-169, on property described as:

Part of Lot 5, Block 1, Spencer Gardens 2, Addition to Wichita, Sedgwick County, Kansas, described as follows:

Beginning at the northeast corner of said Lot 5; thence S0°16'20"W along the east line of said Lot 5, 314.81 feet; thence N89°16'47"W, 394.99 feet to the west line of said Lot 5; thence N0°16'20"E along the west line of said Lot 5, 227.80 feet; thence N89°38'37"E, 65 feet; thence N00°16'20"E, 63.14 feet; thence S89°44'23"E along the north line of said Lot 5, 329.98 feet to the point of beginning; EXCEPT the north 52 feet thereof.

The Amendment to CUP DP-169 shall be subject to the following conditions:

1. The amended language regarding additional uses shall apply only to Parcel 3.
2. The uses on Parcel 3 shall not change except for permitting Vehicle Repair, General as permitted in GC General Commercial zoning.
3. All other requirements of the CUP remain in effect unless or until a separate zoning action is approved.
4. The applicant shall submit four revised copies of the CUP and one electronic copy of the revised CUP to the Metropolitan Area Planning Department within 60 days after approval of this case by the Governing Body, or the request shall be considered denied and closed.

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.

Adopted this 10th day of January, 2023.

Brandon J. Whipple, Mayor, City of Wichita

ATTEST:

Jamie Buster, City Clerk

(SEAL) Approved as to form:

Jennifer Magan a. City Attorney and Director of Law

IPL0105042

Jan 13 2023

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

1 insertion(s) published on:
01/13/23

STATE OF KANSAS)

SS

County of Sedgwick)

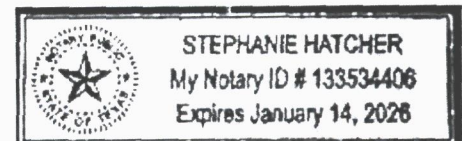
Hayley Martin, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper 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 01/13/2023 to 01/13/2023.

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

DATED: 01/13/2023

Stephanie Hatcher

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
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
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	344843	Print Legal Ad-IPL00974790 - IPL0097479		\$150.99	2	90 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 November 10, 2022
(One Time Only)

MAFC/BZA December 1, 2022
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, December 1, 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 at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation may also occur through virtual methods (specified at the end 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.

CON2022-00044: Conditional Use in the City to amend CON2011-00015 to allow Event Center in the City, generally located on the east side of South Rock Road, within one-quarter mile north of East Henry Street (1210 South Rock Road).

CUP2022-00047: Request in the City for an amendment to Community Unit Plans DP-169 to permit Vehicle Repair, General (with ZON2022-62, zone change from LC to GC General Commercial); generally located on the west side of South Oliver Avenue and within one-quarter mile south of East Pawnee Avenue.

ZON2022-00060: Zone change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential to build a duplex residence; located approximately 200 feet north of West 1st Street on North Hoover Street.

ZON2022-00061: Zone change request in the City from SF-5 Single-Family Residential to LC Limited Commercial on property located on the west side of South Meridian Avenue and 500 feet south of West Pawnee Avenue (2639 South Meridian).

ZON2022-00062: Zone change request in the City from LC Limited Commercial to GC General Commercial (with CUP2022-00047) to permit Vehicle Repair, General on property; generally located on the west side of South Oliver Avenue and within one-quarter mile south of East Pawnee Avenue.

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.

Options to participate (see below):

- 1) Participate virtually
- 2) Attend in-person at the Ronald Reagan Building
- 3) Submit comments ahead of time

Participate Virtually

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 (571) 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.goto.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 Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202. 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.

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

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: 316.858.7764

WITNESS MY HAND on November 10, 2022

Scott Wadle, Secretary

WichitaSedgwick County

Metropolitan Area Planning Commission

PL0097479

Nov 10 2022

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

No. of Insertions: 1
Beginning Issue of: 11/10/2022
Ending Issue of: 11/10/2022

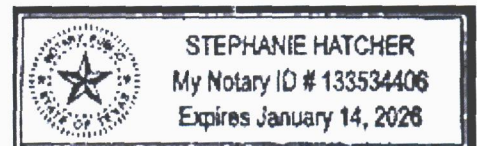
STATE OF KANSAS)
SS
County of Sedgwick)

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 11/10/2022 to 11/10/2022.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 11/10/2022

Stephanie Hatcher

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!

Jerome Tang explains why three K-State basketball players will redshirt this season

BY KELLIS ROBINETT
krobinett@wichitaaggle.com

MANHATTAN

The Kansas State men's basketball team was down three players during its 93-59 blowout victory over Texas-Rio Grande Valley on Monday at Bramlage Coliseum.

Turns out, that was by design.

K-State basketball coach Jerome Tang announced

afterward that Jerrell Colbert, Taj Manning and Anthony Thomas will all sit out this season with a redshirt, which will allow each of them to preserve a year of college eligibility.

Tang thinks removing them from the active roster in the short term will create value for the Wildcats in the long run.

"I'm excited," Tang said. "I think this moves our program ahead two years, because we're going

to have a great scout team. Every practice is going to be their game day and they are going to get after it. It was something that was very successful for us while I was at Baylor. I'm very thankful to have the kind of young men who can see the big picture and are willing to buy into it."

It was surprising to see three healthy K-State scholarship players watch Monday's game from the

bench in street clothes. Former coaches Bruce Weber and Frank Martin rarely chose to redshirt more than one player in any given season. When they did, the decision was often based on injuries.

But Tang thinks everyone will benefit from Colbert, Manning and Thomas taking a year off to develop behind the scenes. His hope is that they can all significantly help the Wildcats as they

mature.

Colbert, a 6-foot-10 LSU transfer, might have the highest ceiling of the group. The sophomore forward played well for K-State during its closed scrimmage against Southern Illinois and then had five points, five blocks and one rebound in just eight minutes of action during an exhibition win over Washburn.

He would have had to share playing time with senior Abayomi Iyiola and David N'Guessan this season. Perhaps he will have a bigger role in future seasons.

Manning, a 6-foot-7 forward, will also look to crack the rotation next season as a redshirt freshman. Thomas, a sophomore guard, was going to

be lost in the shuffle this year. This move could give him more opportunities in the future.

Tang said all three players willingly chose to sit out and redshirt.

"They all understand that this is going to help their career," Tang said. "We are going to be able to pour into them. I was excited about them making that decision. It was their choice. I gave them the option to. Good business is when both people win. I didn't see a win for them on a night-in, night-out basis if they chose to play, but I gave them the option to play or the option to redshirt. We laid out a plan for them."

Kellis Robinett
@KellisRobinett

FROM PAGE 1B

BASKETBALL

defense was distracted by the movement, which allowed center Quincy Ballard to set the ball screen and allow Porter to attack UCA's center.

WSU ran the play three straight times and got points on all three.

"I knew coming back this year that I was going to have to do two times more than what I did last year," Porter said.

3. DOES WICHITA STATE HAVE A REBOUNDING PROBLEM?

The only box-score blemish for the Shockers from their 24-point season-opening victory was allowing an outmatched Central Arkansas squad grab 16 offensive rebounds and score 13 second-chance points.

There were enough clips of WSU failing to box out or losing out on 50-50 balls to give Brown and the WSU coaching staff plenty of examples to show in the film room this week.

4. WALTON RELISHES ROLE AS WSU'S NEW DEFENSIVE STOPPER

Earning a comparison to Dexter Dennis, the AAC Defensive Player of the Year last season, tells you about the defensive potential of Jaykwon Walton, the 6-foot-7 bundle of energy and long limbs who made his Shocker debut on Monday.

"It reminds me so much of Dex," said Porter, who played two seasons with Dennis. "The similarities are there."

5. WICHITA STATE NEWCOMERS SURPASS IMPRESSIVE COMPANY IN DEBUT

A total of 10 players made their Shocker debut in Monday's game, as the group of newcomers combined to score 54 points in a record-setting performance.

The total tops the previous record of 50 points set in the 1979 season opener by a group of nine first-year Shockers that included Antoine Carr, Cliff Levingston and Randy Smithson. The mark was tied in the 2015 opener by newcomers that featured Landry Shamet, Markis McDuffie and Antoine Gray.

6. LESS (THREE) IS MORE FOR THE SHOCKERS THIS SEASON

Coach Isaac Brown has vowed to have a better handle on the shot distribution for his team this season.

Brown believes WSU's offensive efficiency can climb by exchanging some of those three-point attempts for two-point attempts near the basket.

Through one game at least, the Shockers listened to their coach: WSU still didn't shoot a great percentage on three-pointers (29%), but the team only took 21 total out of their 64 field-goal attempts for a 33% three-point rate.

"We talked about it before the game that we wanted to play inside-out," Brown said. "The guys did a tremendous job of driving the basketball."

7. WICHITA STATE SHOWS PROGRESS IN TRANSITION

There were times last season when a veteran WSU squad looked like rookies in transition, throwing the ball away and flubbing layups.

The Shockers won't be confused for the Showtime Lakers, but they did put forth a promising effort in transition considering nine of 11 scholarship players who logged minutes were making their WSU debut.

By The Eagle's count, WSU scored 28 points on 25 transition possessions, which equates to a good-not-great 1.12 points per chance.

8. SHOCKERS CLAMP DOWN ON DEFENSE

After an 11-0 run to start the game, WSU hit a lull and allowed Central Arkansas to stick around in the game, trailing 16-12, after seven minutes.

That's when WSU delivered one of the most dominant defensive stretches in recent memory. The Shockers held UCA to just nine points in 24 possessions (0.38 points per possession) in the final 13 minutes of the first half.

WSU registered three straight defensive stops, known as a "kill" inside the program, a total of seven times in the first half and 10 for the game.

The Shockers had one stretch where they produced a defensive stand without giving up points 14 times in a 15-possession span.

9. A TEACHING MOMENT FOR A YOUNG POINT GUARD

First-year point guard Shammah Scott still has a trick or two to learn before he can follow in the long line of WSU point guards to execute the program's staple play call of "Jacksonville."

The play relies on the point guard demonstrating the proper timing and pace to either pass or dribble the ball to the side of the floor at the exact moment a big man underneath is coming off of a back screen. When executed correctly, WSU almost always scores two points off the play.

Brown dialed up the play call for Scott midway through the second half, but the first run-through will have to serve as a lesson to learn from for the sophomore. Scott was pressured bringing the ball up the floor, which sped up his tempo and affected the timing of the play. The point guard had already reached his destination well before the screen in the paint had occurred.

So when James Rojas, the intended target, broke free underneath the basket, Scott had dribbled too close and the timing was



Wichita State's Quincy Ballard, left, Craig Porter, middle and Jalen Ricks fight for a rebound against Central Arkansas' Camren Hunter during the first half of their season-opening game on Monday night.

thrown too far off to make the play work.

It should be an easy fix in the film room.

10. TAKING CARE OF BUSINESS WITH THE BALL

One of the reasons why

WSU won the AAC championship in the 2020-21 season was because of how well that team took

care of the basketball and rarely turned it over.

In their title-defense season, the Shockers took a sizable slide backward in turnovers: falling from No. 29 in turnover rate (15.8%) in 2021 to No. 202 in the country (18.7%) in 2022.

WSU was credited with 10 turnovers in its 75 possessions in the 2020-21 season, the 33rd-best mark from opening night) and a film review by The Eagle disagreed with three of those plays being tagged as a turnover.

Central Arkansas isn't the type of defense to force its opponent into mistakes, but it was still a positive sign for the Shockers to have so few mistakes handling the ball in a game with so many possessions.

Taylor Eldridge
316-268-6270
@tayloreldridge

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316.268.6000

classifedskansas.com

Legals

LEGAL PUBLICATION

Published in The Wichita Eagle on November 10, 2022

(One Time Only)

MARICIZA December 1, 2022

OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, December 1, 2022, no earlier than 1:30 p.m., the WichitaSedgewick County Metropolitan Area Planning Commission will consider the following applications: The meeting will be held at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation may also occur through virtual methods (specified at the end of this notice). If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgewick County Metropolitan Area Planning Department at (316) 268-6421.

CON2022-00044: Conditional Use in the City to amend CON2011-00015 to allow Event Center in the City, generally located on the west side of South Rock Road, within one-quarter mile north of East Harry Street (1710 South Rock Road). CLP2022-00047. Request in the City for an amendment to Community Unit Plan DP-185 to permit Vehicle Repair, General, with CLP2022-00052, zone change from LC to GC General Commercial, generally located on the west side of South River Avenue and within one-quarter mile south of East Pawnee Avenue.

CON2022-00080: Zone change request in the City from SF-5 Single-Family Residential to 1F-3 Two-Family Residential to build a duplex residence, located approximately 200 feet north of West 1st Street on North Hoover Street.

CON2022-00081: Zone change request in the City from SF-5 Single-Family Residential to LC Limited Commercial on property located on the west side of South Meridian Avenue and 500 feet south of West Pawnee Avenue (2639 South Meridian).

CON2022-00082: Zone change request in the City from LC Limited Commercial to GC General Commercial with CLP2022-00047 to permit Vehicle Repair, General on property, generally located on the west side of South River Avenue and within one-quarter mile south of East Pawnee Avenue.

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 WichitaSedgewick County Unified Zoning Code, the same will then and there be discussed and considered by the MARIC, 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 MARIC as by law provided.

Options to participate (see below)

- 1) Participate virtually
- 2) Attend in-person at the Ronald Reagan Building
- 3) Submit comments ahead of time

Participate Virtually

Please join my meeting from your computer, tablet or smartphone

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

You can also call in using your phone

United States: +1 877 317-3112

Access Code: 651-544-141

Join from a video-conferencing room or system

Join in or on: 0121:27:22 or onlink:gotomeeting.com

Meeting ID: 651 544 141

Or call in on: 01544141867.217.852 or 017.26.298651544141

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 participate in the hearing in-person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202. 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 video materials you wish to present, please contact Planning Department Graphics staff (316) 268-6464 by 5pm, 3 days prior to the meeting.

Submit Comments Ahead of Time

You can submit comments regarding items on the Planning Commission agenda to the WichitaSedgewick 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 a topic line for delivery. The comments can be submitted in the following formats: email; written notes; and audio message (mp3, etc.). The comment should indicate 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 MARIC, prior to or during the meeting.

Email: planning@wichita.gov

Mailing Address: WichitaSedgewick County Metropolitan Area Planning Department
Attn: Scott Wade
271 W. 3rd Street - Suite 201
Wichita, KS 67202
Phone 316 268 4421
Fax 316 268 7764

WITNESS MY HAND on November 10, 2022

Scott Wade, Secretary
WichitaSedgewick County
Metropolitan Area Planning Commission
#0291479
Nov 10 2022

Legals

LEGAL PUBLICATION

BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

In the Matter of the Application of Hawkins Oil LLC for a well. Docket No. 22-CONS-3133-CWV. Location exception for its Marsh #16-A.

A CONSERVATION DIVISION well, to be located in Operator License No. 32683 Section 8, Township 26 South, Range 5 E, Butler County, Kansas. NOTICE OF APPLICATION.

TO ALL OIL AND GAS OPERATORS, PRODUCERS AND LESSEES, OIL AND GAS INTEREST OWNERS, LAND OWNERS, AND ALL PERSONS CONCERNED:

You are hereby notified that Hawkins Oil, LLC ("Applicant") has filed with the Kansas Corporation Commission an Application requesting a well location exception and full oil and gas liability for its Marsh #16-A well to be located 2868' from the South Line and 2062' from the East Line of Section 8, Township 26 South, Range 5 East, Butler County, Kansas. Applicant plans to drill said well to a depth of 2515' measured from surface to test the Arbuckle formation for recoverable quantities of oil and gas reserves. The application is pending with the Commission. Any persons who object or protest to such application shall be required to file their objections or protests in writing with the Commission within 15 days from the date of this publication. If a written protest is not timely filed, the application may be determined administratively by the Commission and may thereby be granted without hearing or further notice to any interested party. All objections and protests shall clearly state the reasons why granting the application will violate correlative rights, cause waste or pollution, Objections or protests shall be mailed to the Kansas Corporation Commission, 266 N. Main St., 2nd Floor, Wichita, KS 67202, with a copy to Applicant's mailing address listed below. All parties in any way interested or concerned shall take notice of the foregoing and govern themselves accordingly.

Hunt Hawkins
Hawkins Oil, LLC
427 S Boston Ave, STE 915
Tulsa, OK 74103
#10097728
Nov 10 2022

LEGAL PUBLICATION

STORAGE AUCTION

Abandoned real property will be sold to the highest bidder for cash on November 22, 2022, 12:00pm at the following locations in Wichita, KS: U-STOR UNIVERSITY: 5240 E 1st St. U-STOR GEORGE WASHINGTON: 1775 George Washington Blvd. Nov 10 2022

The Wichita Eagle
KANSAS.COM

Animals

Dogs

AKC French Bulldog Puppies
Black Brindle with white chest markings. 7/10/22, 2M 2F, UTD on vaccinations & wormers. Family raised. \$1650. Call Text Jeff 785-985-9518

Service Directory

Name & Business Represent

Conveys seamless gutters, roof replacement, coving, and repair. Free estimates 316-841-5212

Lawn/Garden/Landscaping/Trees

Tree work, leaf clean-up, junk removal, positive drainage, 7 day week 900-8587

Miscellaneous

Autos

Ford F-250 2006
2nd tier, new muffler and new audio head unit.
\$16,200.000 \$7,800.000

Garage Sales

Estate Sale 834 N New York
Wichita Village furniture, toys and miscellaneous Nov 3 thru Nov 11 10 to 5 pm.

At Your Service Estate Sales
101 Sandpoint, off Hedge between Central and 13th
Wed 8-5 Thurs 9-5, Fri 9-5 Sat 8-2
This is a great sale! Come visit us!

CUSTOMIZED ESTATE SALES PHOTOS & ESTIMATES

6010 W BROOKVIEW STREET

BETWEEN HEDGE & HOOPER
OFF SAT 8-11 AM ON 37TH ST N
THUR-FRI 8-8 SAT 9-3
CHRONICALLY DRETT W/
CASTER ARM CHAIRS, KING
SUE SLIGHT BED, THOMAS
SOFA, BIRD CORNER
CABINET, LED TV, 3 BEWING
STOVE, STOVE, TOASTER &
GARAGE, MORE BRAND NEW
LADIES CLOTHING XL-LX
JULIE 316-808-7260

NEED SOMETHING?
Let Classifieds Help
The Wichita Eagle
KANSAS.COM



STAFF REPORT
MAPC: December 1, 2022
DAB I: December 7, 2022

CASE NUMBER: CUP2022-00047 with ZON2022-00062 (City)

APPLICANT/AGENT: Bel Aire Partners #1, LLC (Applicant), Baughman Company (Agent)

REQUEST: Amendment to Parcel 3 of CUP DP-169 and Zone Change to GC General Commercial District

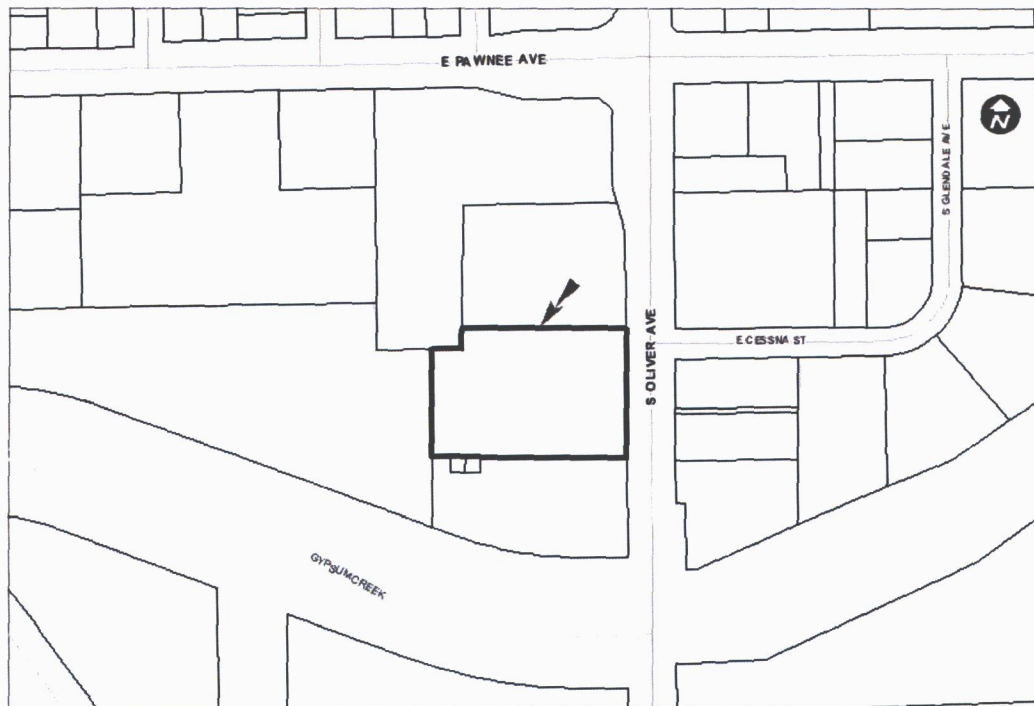
CURRENT ZONING: LC Limited Commercial District

SITE SIZE: 2.7 acres

LOCATION: Generally located on the west side of South Oliver Avenue and within one-quarter mile south of East Pawnee Avenue (2505 South Oliver Avenue).

PROPOSED USE: Vehicle Repair, General

RECOMMENDATION: Approval with conditions



BACKGROUND: The applicant is requesting two things:

- 1) an amendment to the permitted uses on Parcel 3 of the Spencer Gardens CUP DP-169 to permit Vehicle Repair, General; and
- 2) a zone change from LC Limited Commercial District to GC General Commercial District.

Parcel 3 is located on the west side of South Oliver Avenue and within one-quarter mile south of East Pawnee Avenue. The applicant intends to open an auto body repair shop (defined as Vehicle Repair, General) on the property addressed as 2505 South Oliver Avenue. This site occupies only the north portion of Parcel 3 and is under separate tax parcel from the south portion of Parcel 3. The subject site is currently developed with several structures that were formerly used for a furniture and mattress retail store. The applicant intends to utilize the existing structures for the auto body repair shop.

In order for the Community Unit Plan (CUP) to permit Vehicle Repair, General as a permitted use, the underlying zoning is required to change from LC Limited Commercial District to General Commercial District as the proposed use is not permitted in LC zoning. The zone change and the permitted use will only apply to the north portion of the Parcel 3. The south portion of Parcel 3 is currently zoned GC and is developed with a Pawn Shop.

With the current LC Limited Commercial District zoning, the subject site could be developed with Vehicle Repair, Limited, which is generally defined as permitting a mechanic shop or tire shop that does basic mechanical repairs to vehicles. No body/fender work or paint is permitted. Vehicle Repair, General is defined as “an establishment primarily engaged in painting of or body work to Motor Vehicles or heavy equipment. Typical uses include paint and body shops.”

Staff is recommending that uses on the north portion of Parcel 3 be restricted to those currently permitted by the CUP in addition to only Vehicle Repair, General as permitted in GC General Commercial District zoning. Development of the site shall adhere to all other development standards of the CUP. There is a 35-foot building setback along South Oliver Avenue and a 20-foot utility easement on the west, rear property line of Parcel 3. Signs are to be in accordance with the Wichita Sign Code for the underlying zoning district except that no off-site or portable signs are permitted. Due to abutting, non-residential zoning, screening is not required. However, the CUP does require screening of trash receptacles from ground level view.

Property to the north is zoned LC Limited Commercial District within the same CUP DP-169 and is developed with a pawn shop. Properties to the east are zoned LC and are developed with a vacant bowling alley, a night club, a restaurant, and a used car dealership. As discussed above, property to the south is zoned GC General Commercial District within CUP DP-169 and is developed with a pawn shop, with a significant number of items stored outdoors including automobiles. In addition, the parcel has two wireless towers constructed. Property to the west is zoned LI Limited Industrial District and is Parcel 8 of CUP DP-93. The property is undeveloped. This parcel permits all uses permitted in the LI District except the following: asphalt plant; landfill; mining or quarrying; oil or gas drilling; rock crushing; solid waste incinerator; transfer station, wrecking/salvage yard; correctional placement residences; correctional placement facilities; and microbrewery.

CASE HISTORY: In 1988, the subject property was platted as part of the Spencer Gardens 2nd Addition. In 1989, this portion of Parcel 3 was granted a Variance (BZA48-89) which reduced the parking requirement for a retail furniture store from one parking space per 250 square feet of building area to one parking space per 500 square feet of building area. In 2020, CUP DP-169 was amended to reconfigure the Parcel boundaries in addition to permitting the expansion of a Utility, Major along East Pawnee Avenue.

ADJACENT ZONING AND LAND USE:

North:	LC with CUP DP-169	Pawn Shop
South:	GC with CUP DP-169	Pawn Shop and two wireless towers
East:	LC	Vacant bowling alley, night club, restaurant, and car dealership
West:	LI with CUP DP-93	Undeveloped

PUBLIC SERVICES: South Oliver Avenue is a paved, four-lane arterial with sidewalks on both sides. Wichita Transit provide regular bus service along South Oliver Avenue at this location. Municipal water and sewer currently serve the site.

CONFORMANCE TO PLANS/POLICIES:

Community Investments Plan: The proposed application is in conformance with the *Community Investments Plan* (the Wichita-Sedgwick County Comprehensive Plan). The *2035 Wichita Future Growth Concept Map*, which outlines the preferred land uses within the *Plan* area, identifies this subject site as appropriate for “New Employment”. “New Employment” areas are described as those that “*likely will be developed or redeveloped by 2035 with uses that constitute centers or concentrations of employment primarily in manufacturing, warehousing, distribution, or cooperate offices. Major shopping centers and office parks likely will be developed within this area as well, based on market driven location factors.*”

The proposed rezoning and use are in conformance with the location guidelines of the *Community Investments Plan*.

- A General Development Pattern guideline states: *Major commercial and employment centers should be located at the intersections of arterial streets and along highways and commercial corridors.* The immediate vicinity is a commercial center at the intersection of two arterial streets.
- A Development Pattern guideline for sites within the Established Central Area (ECA) states: *Encourage infill development that maximizes public investment in existing and planned infrastructure services.* The site has been vacant for some time, and this redevelopment maximizes the public investment in infrastructure versus new development on the fringe.
- A General Land use Compatibility guideline states: *Industrial and major commercial land uses that generate pollution, odor, noise, light, safety hazards, and high levels of traffic should be located away from residential areas and developed with screening, buffering, and site design features sufficient to mitigate adverse impacts.* The nearest residential land uses are over 500 feet away, on the north side of East Pawnee Avenue, with several existing, commercial land uses separating the proposed use from the residential uses.

Wichita: Places for People Plan: The requested zoning and proposed use are in partial conformance to the goals of the *Wichita: Places for People Plan*. The *Wichita: Places for People Plan* provides recommendations for urban infill development in the Established Central Area (ECA). The subject site is located within the ECA.

- Strategies: The requested zoning aligns with Strategy 6, “Encourage infill and redevelopment that is contextual to the environment in which it is occurring.” The proposed rezoning would allow for the development that is contextual to permitted uses within abutting zoning classifications.
- Current Condition: The subject property is located within an area identified as an “area of opportunity.” The *Places for People Plan* defines areas of opportunity as those “areas that 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.” The proposed use is an example of private investment in an area that has experience disinvestment with businesses closing and buildings remaining vacant for some time.

- Nodal Development Pattern: The proposed redevelopment of this site is not in conformance with the encouraged nodal development pattern. The *Places for People Plan* recommends a nodal development pattern that creates a critical mass at the center of a Node and transitions in scale and intensity as uses shift from commercial to residential. The subject property is located within the South Oliver Avenue and East Pawnee Avenue Regional Center node. Nodes should be developed with the highest intensity uses and land uses should incrementally decrease through the transition area with the lowest intensity development happening along the Edge. Redevelopment within Nodes is encouraged to promote walkable, pedestrian-scaled development that moves away from auto-oriented design. Though the intensity of use is appropriate for a Node, the site design is not.

RECOMMENDATIONS: Based upon the information available at the time the report was prepared, staff recommends the following:

- **APPROVE** the zone change from LC Limited Commercial District to GC General Commercial District
- **APPROVE** the amendment to CUP DP-169 subject to the development guidelines of the amended CUP and the following conditions:
 1. The amended language regarding additional uses shall apply only to Parcel 3.
 2. The uses on Parcel 3 shall not change except for permitting Vehicle Repair, General as permitted in GC General Commercial zoning.
 3. All other requirements of the CUP remain in effect unless or until a separate zoning action is approved.
 4. The applicant shall submit four revised copies of the CUP and one electronic copy of the revised CUP to the Metropolitan Area Planning Department within 60 days after approval of this case by the Governing Body, or the request shall be considered denied and closed.

This recommendation is based on the following findings:

1. The zoning, uses, and character of the neighborhood: Property to the north is zoned LC Limited Commercial District within the same CUP DP-169 and is developed with a pawn shop. Properties to the east are zoned LC and are developed with a vacant bowling alley, a night club, a restaurant, and a used car dealership. As discussed above, property to the south is zoned GC General Commercial District within CUP DP-169 and is developed with a pawn shop, with a significant number of items stored outdoors including automobiles. In addition, the parcel has two wireless towers constructed. Property to the west is zoned LI Limited Industrial District and is Parcel 8 of CUP DP-93. The property is undeveloped. This parcel permits all uses permitted in the LI District except the following: asphalt plant; landfill; mining or quarrying; oil or gas drilling; rock crushing; solid waste incinerator; transfer station, wrecking/salvage yard; correctional placement residences; correctional placement facilities; and microbrewery.
2. The suitability of the subject property for the uses to which it has been restricted: The property is currently zoned LC Limited Commercial District with CUP DP-169, which permits a number of commercial and other uses. The property could be redeveloped under the current zoning restrictions.

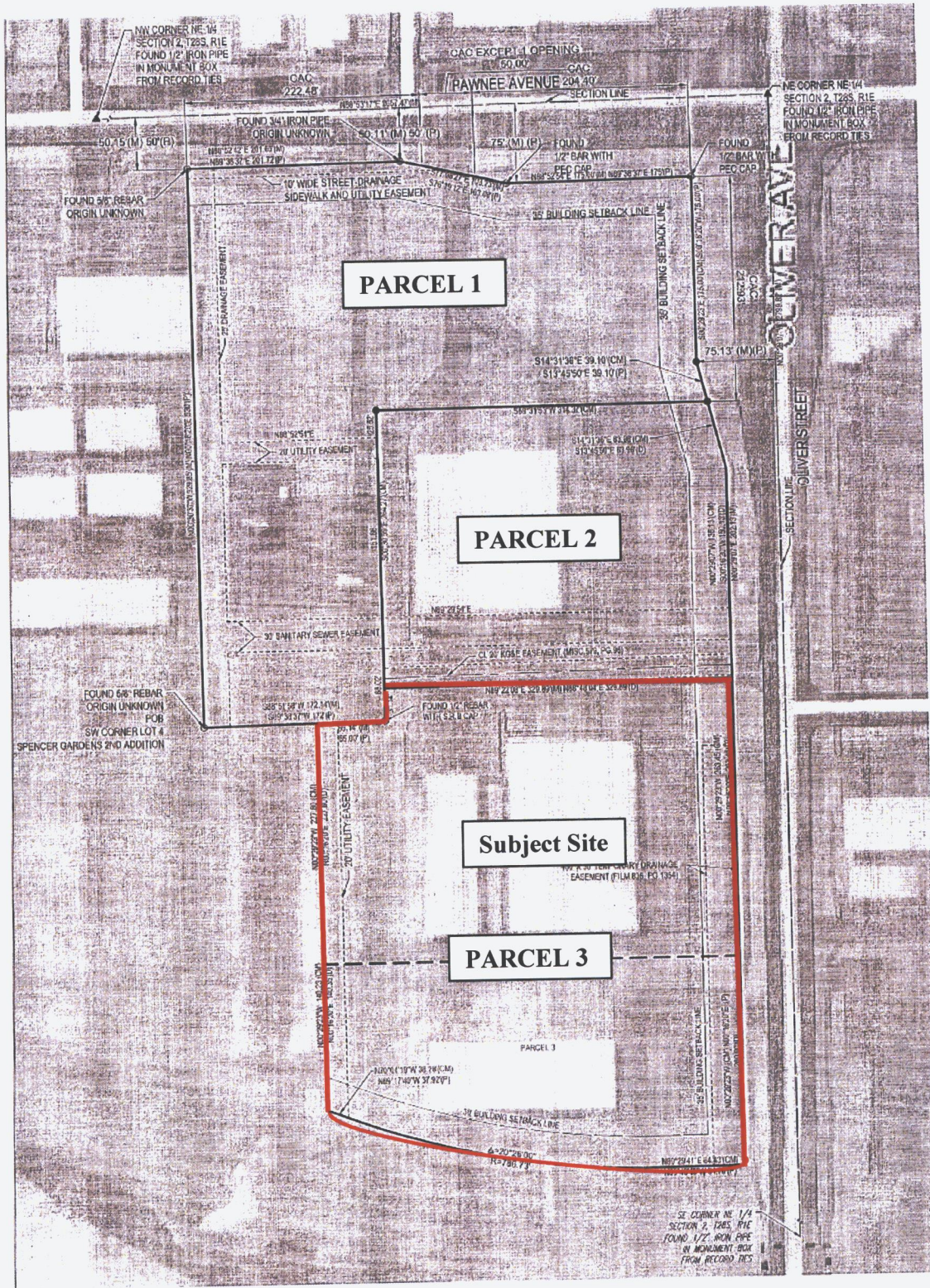
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The proposed zone change to GC General Commercial and CUP amendment to permit Vehicle Repair, General is not dissimilar to other zoning and permitted uses on abutting properties to the south and west. The nearest residential property is over 500 feet away, on the north side of East Pawnee Avenue. Staff does not anticipate significant adverse impacts to the residential properties if the request is approved.
4. Length of time the subject property has remained vacant as zoned: The property was initially developed as a household furniture retail store. It is unknown when the original use ceased. However, it appears that the site has been vacant for some time.
5. Relative gain to the public health, safety, and welfare as compared to the loss in value or the hardship imposed upon the applicant: Approval of the request represents a gain to the public in that it contributes to supporting economic opportunity in the area. Denial of the request could represent a loss in the use and enjoyment of the applicant's property. Approval of this application is not anticipated to significantly impact public health, safety, or welfare.
6. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The proposed application conforms to the *Community Investments Plan* and in partial conformance with the *Wichita: Places for People Plan* as discussed in the staff report.
7. Impact of the proposed development on community facilities: It is not anticipated that the proposed use should negatively impact community facilities.

Attachments:

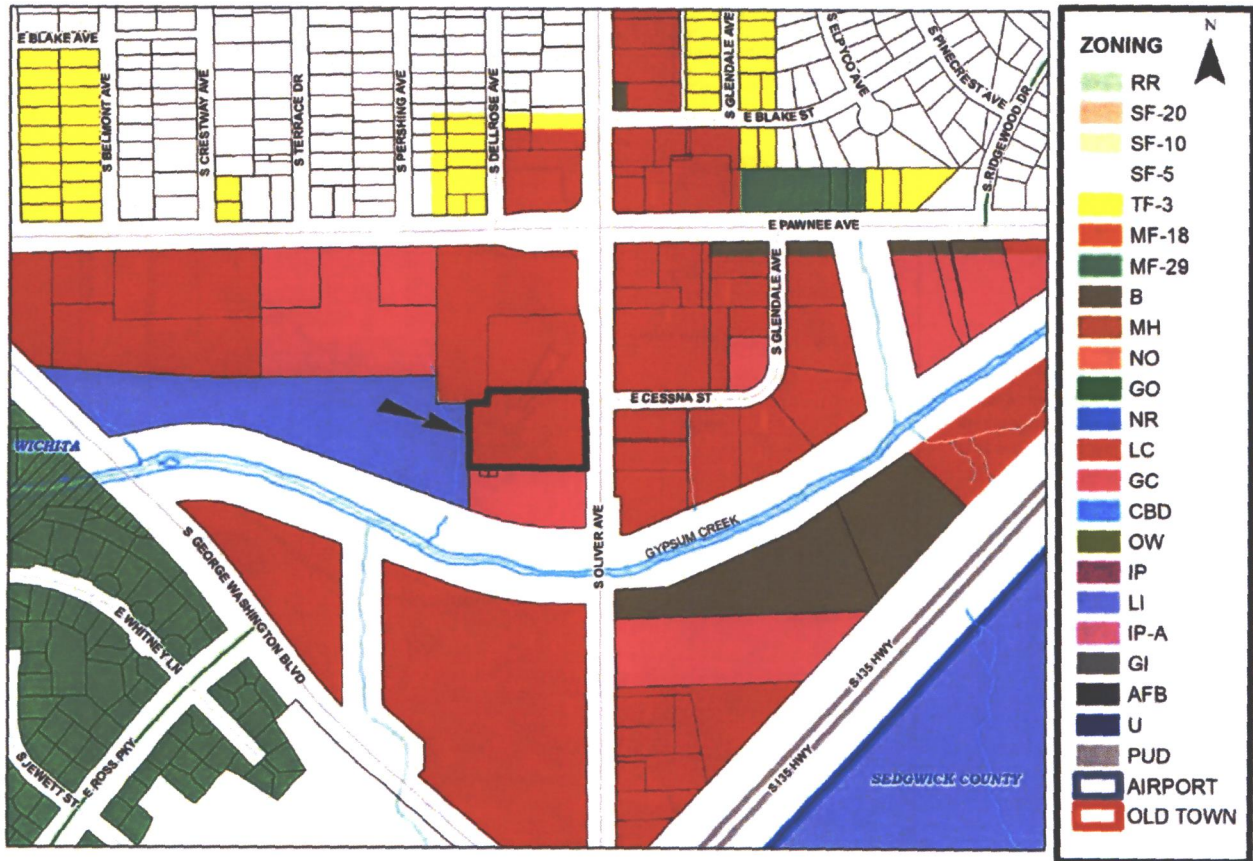
- 1) Planning Staff Recommended CUP Amended Language
- 2) CUP DP-128 Brush Creek Community Unit Plan Drawing
- 3) Aerial Map
- 4) Zoning Map
- 5) Land Use Map
- 6) Site Photos

Planning Staff Recommended CUP DP-169 Language:

Parcel 3: Proposed Uses: Retail sales including the following: restaurants, auto parts, banks barber shops, business or commercial schools, auto parts sales and service, studios, clothing sales, private clubs, health studios boutique shops, bakery shop, catering establishments, dry cleaning, shoe shops, tailors, theaters, drug stores, grocery stores or flower shops. **The following uses are permitted in GC General Commercial Zoning:** Outside storage of motorized vehicles and equipment including riding lawn mowers, boats and display items for sale, **in addition to Vehicle Repair General.**









**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



Looking southwest at site



Looking west at property south of site



Looking south at rear of site



Looking northwest at property north of site



Looking northeast away from site



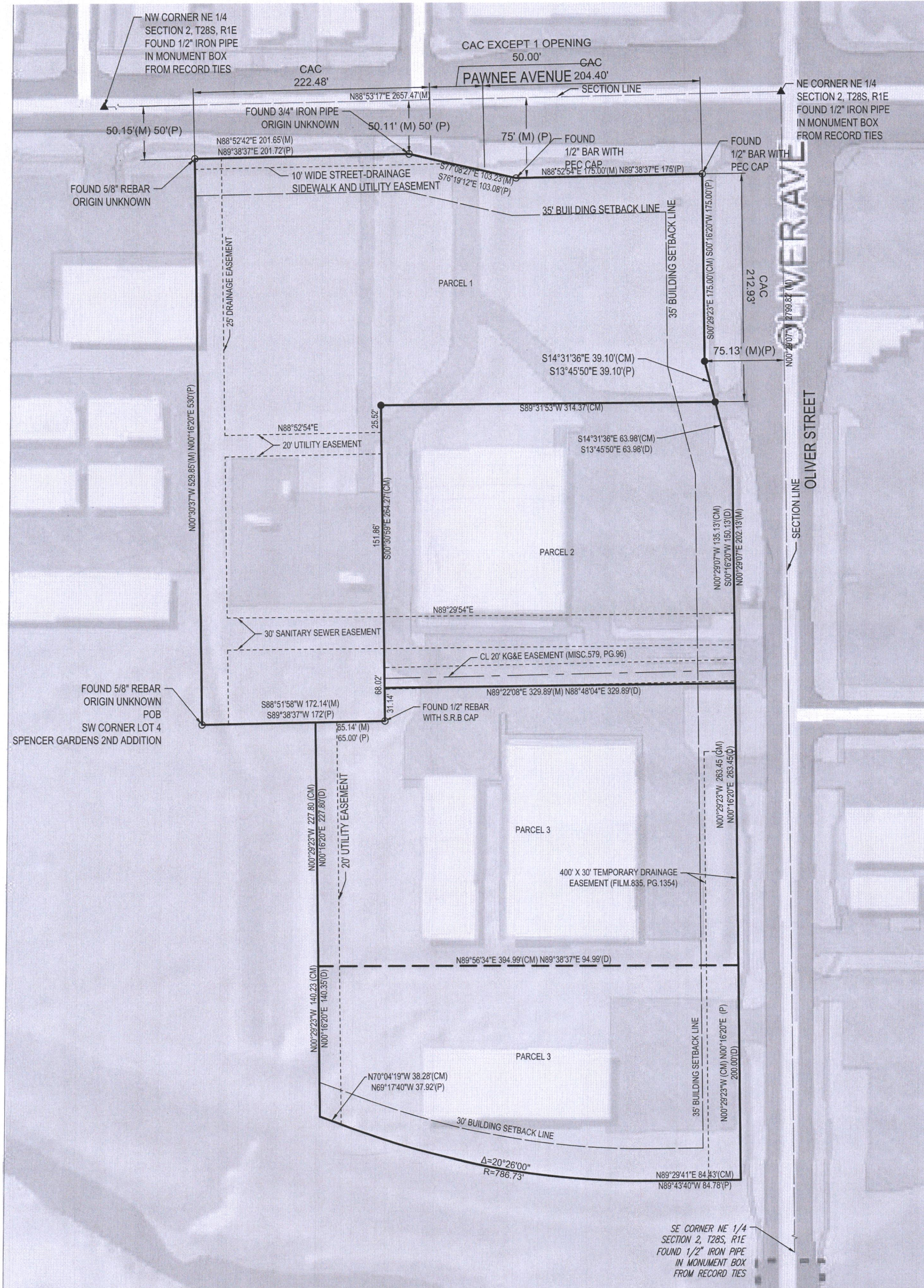
Looking west away from site



Looking southeast away from site



SAVED: 3/4/2021 1:58:20 AM BY: REBECCA MCELLES
 U:\TPOPEKA\2020\0555\MAN\DRAWINGS\208030-055 COMMUNITY UNIT PLAN AMENDMENT MAP.DWG



GENERAL PROVISIONS

- TOTAL GROSS AREA 9.62 ACRES
TOTAL NET AREA 9.62 ACRES
- THE MAXIMUM GROSS FLOOR AREA FOR COMMERCIAL USE WITHIN THE COMMUNITY UNIT PLAN SHALL NOT EXCEED 112,800 SQ. FT.
- ACCESS CONTROLS TO PAWNEE AND OLIVER ARE AS INDICATED ON THE C.U.P.
- ALL UTILITIES EXCEPT FOR THOSE LINES SERVING THE SUBSTATION, SHALL BE INSTALLED UNDERGROUND.
- BUILDING SETBACKS ARE AS NOTED ON THE C.U.P.
- EXISTING CURB CUT REMOVAL SHALL BE GUARANTEED AT THE TIME OF PLATTING.
- DRAINAGE EASEMENT, STREET RIGHT-OF-WAY AND PAVEMENT WIDTHS OF PUBLIC STREETS SHALL BE SHOWN ON THE REPLAT.
- THE C.U.P. DOCUMENT IS GENERAL IN CHARACTER AND WILL REQUIRE THE SUBMISSION OF AN OVERALL SITE DEVELOPMENT PLAN FOR EACH PHASE OF THE PROPOSED DEVELOPMENT. THE OVERALL SITE PLAN SHALL INDICATE WHAT IS PROPOSED IN THE FIRST PHASE OF BUILDING CONSTRUCTION AND SHALL BE UPDATED TO REFLECT HOW EACH SUBSEQUENT PHASE OF DEVELOPMENT IS COMPATIBLE WITH THE OVERALL SITE PLAN. THIS SITE PLAN WILL REQUIRE ADMINISTRATIVE APPROVAL AT THE PLAN REVIEW STAGE PRIOR TO ISSUANCE OF A BUILDING PERMIT. THE PLAN SHALL SHOW LAND USE RELATIONSHIPS, ACCESS POINTS AND/OR CONTROL, SETBACKS, INTERIOR CIRCULATION, PARKING, SCREENING AND OTHER SIMILAR DESIGN CONSIDERATIONS WHICH MAY AFFECT ADJACENT PROPERTY OR THE GENERAL HEALTH AND WELFARE OF THE PUBLIC. THE PLAN SHALL BE SUBMITTED TO THE DIRECTOR OF PLANNING FOR REVIEW AND APPROVAL.
- A LANDSCAPE PLAN PREPARED BY A LANDSCAPE ARCHITECT FOR THE PLANTING STRIP, INDICATING THE TYPE, LOCATION, AND SPECIFICATIONS OF PLANT MATERIALS AND METHOD OF PROVIDING WATER TO THE PLANT MATERIALS, SHALL BE SUBMITTED TO THE PLANNING DEPARTMENT FOR THEIR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF BUILDING PERMITS IN PARCEL 1.
- A SOLID SCREENING WALL AT LEAST EIGHT (8) FEET, BUT NOT MORE THAN TEN (10) FEET HIGH CONSTRUCTED OF BRICK, STONE, MASONRY, ARCHITECTURAL TILE, OR OTHER SIMILAR MATERIAL (EXCLUDING WOOD OR WOVEN WIRE) SHALL BE INSTALLED AROUND THE PERIMETER OF THE MAJOR UTILITY COMPOUND.
- TRASH RECEPTACLES SHALL BE APPROPRIATELY SCREENED TO REASONABLY HIDE THEM FROM GROUND VIEW.
- FAILURE TO PROPERLY MAINTAIN THE WALL AND THE PLANTING STRIP SHALL BE CONSIDERED A VIOLATION OF THE C.U.P. AFTER A JOINT DETERMINATION BY THE DIRECTOR OF PLANNING AND THE SUPERINTENDENT OF CENTRAL INSPECTION. A FINANCIAL GUARANTEE FOR THE WATERING SYSTEM AND THE PLANT MATERIALS APPROVED IN THE LANDSCAPE PLAN SHALL BE REQUIRED PRIOR TO THE ISSUANCE OF ANY OCCUPANCY PERMIT ON PARCEL 1 IF THE PLANT MATERIALS HAVE NOT BEEN PLANTED.
- NO WALL SHALL BE CONSTRUCTED IN ANY EASEMENT AND A BUILDING PERMIT SHALL BE OBTAINED PRIOR TO CONSTRUCTION OF ANY WALL.
- AT THE TIME OF REPLATTING, THE APPLICANT SHALL SUBMIT A REVISED DRAINAGE PLAN FOR THE ENTIRE DEVELOPMENT AND GUARANTEE DRAINAGE IMPROVEMENTS AS MAY BE REQUIRED.
- ADVERTISING SIGNS SHALL BE IN ACCORDANCE WITH CHAPTER 24.04 OF THE CODE OF THE CITY OF WICHITA. NO OFF-SITE OR PORTABLE SIGNS SHALL BE PERMITTED.
- ALL LIGHTS SHALL BE SHIELDED TO REFLECT OR DIRECT LIGHT AWAY FROM THE RESIDENTIAL STRUCTURES ADJACENT TO THE SUBJECT PROPERTY.
- FIRE LANES SHALL BE IN ACCORDANCE WITH THE FIRE CODE OF THE CITY OF WICHITA. NO PARKING SHALL BE ALLOWED IN SAID FIRE LANES, ALTHOUGH THEY MAY BE USED FOR PASSENGER LOADING AND UNLOADING.
- PRIOR TO FINAL APPROVAL OF THE PARKING PLAN, THE FIRE CHIEF OR HIS DESIGNATED REPRESENTATIVE, SHALL APPROVE THE PLAN AS TO LOCATION AND DESIGN OF THE FIRE LANE(S).
- ALL PAVING EXISTING 20 FOOT K G & E EASEMENT IN PARCEL 3 SHALL BE AT THE APPROVAL OF THE ELECTRIC COMPANY, AD ANY CHANGE IN ELEVATION OR RELOCATION OF THE TRANSMISSION LINES SHALL BE WITHOUT COST TO THE CITY OF WICHITA.
- THE BUILDING SETBACK LINES FROM THE K G & E EASEMENT SHALL BE ESTABLISHED AT THE TIME OF PLATTING. ANY CHANGE OR RELOCATION OF THE PIPELINE SHALL BE AT NO COST TO THE CITY OF WICHITA.
- THE TRANSFER OF TITLE OF ALL OR ANY PORTION OF THE LAND INCLUDED WITHIN THE COMMUNITY UNIT PLAN (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 UNLESS AMENDED.

PARCEL DESCRIPTIONS

PARCEL NO. 1
LEGAL DESCRIPTION: LOT 1, BLOCK 1, PAWNEE SUBSTATION ADDITION

PROPOSED USES: ELECTRICAL SUBSTATION (MAJOR UTILITY), PLUS RETAIL SALES INCLUDING THE FOLLOWING: RESTAURANTS, BANKS, BARBER SHOPS, BUSINESS OR COMMERCIAL SCHOOLS, AUTO PARTS SALES AND SERVICE, STUDIOS, CLOTHING SALES, HEALTH STUDIOS, BOUTIQUE SHOPS, BAKERY SHOP, CATERING ESTABLISHMENTS, DRY CLEANING, SHOE SHOPS, TAILORS, THEATERS, DRUG STORES, GROCERY STORES OR FLOWER SHOPS.
ALL RESIDENTIAL USES ARE PROHIBITED.
TOTAL NET LAND AREA - 3.62 ACRES - 57,756 SQ. FT.
MAXIMUM GROSS FLOOR AREA - 17,327 SQ. FT.
FLOOR AREA RATIO - 0.30
MAXIMUM BUILDING COVERAGE - 30%
MAXIMUM BUILDING HEIGHT - 25' (ONE STORY)
MAXIMUM NUMBER OF BUILDINGS - 1
PARKING RATIO AS REQUIRED BY ZONING ORDINANCE

PARCEL NO. 2
LEGAL DESCRIPTION: THE NORTH 52 FEET OF LOT 5, TOGETHER WITH PART OF LOTS 2 AND 3 DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE N89°44'23"W, 329.98 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE N00°16'20"E ALONG THE WEST LINE OF SAID LOT 2, 212.20 FEET; THENCE S89°44'23"E, PARALLEL WITH THE SOUTH LINE OF SAID LOT 2, 314.38 FEET MORE OR LESS TO A POINT ON THE EAST LINE OF SAID LOT 3; THENCE S13°45'50"E ALONG THE EAST LINE OF SAID LOT 3, 64.24 FEET TO A DEFLECTION POINT IN THE EAST LINE OF SAID LOT 3; THENCE S00°16'20"W, ALONG THE EAST LINE OF SAID LOT 2 AND 3, 150.13 FEET TO THE POINT OF BEGINNING, ALL IN BLOCK 1, SPENCER GARDENS 2ND ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS.

PROPOSED USES: RETAIL SALES INCLUDING THE FOLLOWING: RESTAURANTS, BANKS, BARBER SHOPS, BUSINESS OR COMMERCIAL SCHOOLS, AUTO PARTS SALES AND SERVICE, STUDIOS, CLOTHING SALES, PRIVATE CLUBS, HEALTH STUDIOS, BOUTIQUE SHOPS, HARDWARE, GIFT SHOPS ANTIQUE SHOPS, BEAUTY PARLORS, SMALL PRINTING SHOPS, CATERING ESTABLISHMENTS, DRY CLEANING, SHOE SHOPS, TAILORS, THEATERS, DRUG STORES, GROCERY STORES OR FLOWER SHOPS, AUTOMOTIVE SALES SUBJECT TO BOARD OF ZONING APPEALS APPROVAL ADJACENT TO OLIVER ONLY.
ALL RESIDENTIAL USES ARE PROHIBITED.
TOTAL NET LAND AREA - 1.99 ACRES - 86,529 SQ. FT.
MAXIMUM GROSS FLOOR AREA - 25,960 SQ. FT.
FLOOR AREA RATIO - 0.30
MAX. BUILDING COVERAGE - 30%
MAXIMUM BUILDING HEIGHT - 25' (ONE STORY)
MAXIMUM NUMBER OF BUILDINGS - 1
PARKING RATIO AS REQUIRED BY ZONING ORDINANCE

PARCEL NO. 3
LEGAL DESCRIPTION: LOT 5, BLOCK 1, SPENCER GARDENS 2ND ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS. EXCEPT THE NORTH 52 FEET THEREOF.

PROPOSED USES: RETAIL SALES INCLUDING THE FOLLOWING: RESTAURANTS, AUTO PARTS, BANKS, BARBER SHOPS, BUSINESS OR COMMERCIAL SCHOOLS, AUTO PARTS SALES AND SERVICE, STUDIOS, CLOTHING SALES, PRIVATE CLUBS, HEALTH STUDIOS, BOUTIQUE SHOPS, BAKERY SHOP, CATERING ESTABLISHMENTS, DRY CLEANING, SHOE SHOPS, TAILORS, THEATERS, DRUG STORES, GROCERY STORES OR FLOWER SHOPS, OUTSIDE STORAGE OF MOTORIZED VEHICLES AND EQUIPMENT INCLUDING RIDING LAWN MOWERS, BOATS AND DISPLAY ITEMS FOR SALE, ONLY ON THAT PORTION ZONED THE GENERAL COMMERCIAL DISTRICT "GC".
ALL RESIDENTIAL USES ARE PROHIBITED.
TOTAL NET LAND AREA - 4.01 ACRES - 174,344 SQ. FT.
MAXIMUM GROSS FLOOR AREA - 52,303 SQ. FT.
FLOOR AREA RATIO - 0.30
MAXIMUM BUILDING COVERAGE - 30%
MAXIMUM BUILDING HEIGHT - 25' (ONE STORY)
MAXIMUM NUMBER OF BUILDINGS - 4
PARKING RATIO AS REQUIRED BY ZONING ORDINANCE

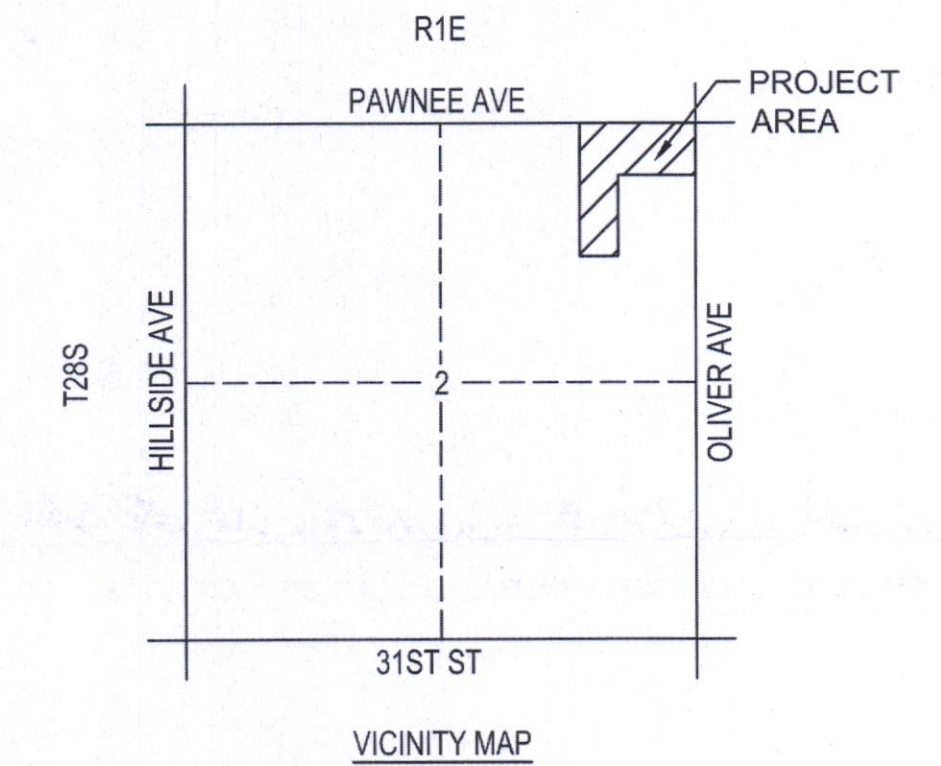
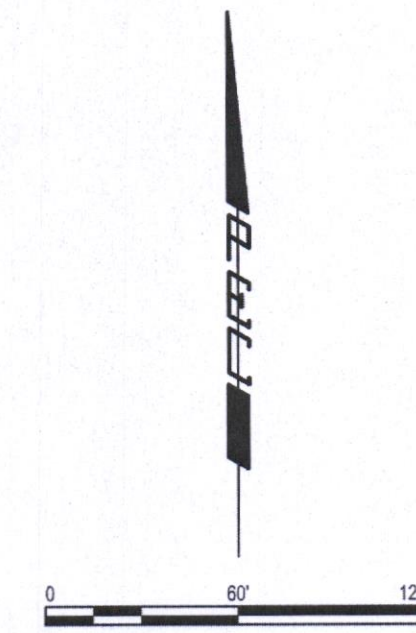
COMMUNITY UNIT PLAN DP-169
SPENCER GARDENS

OWNER: EVERGY KANSAS SOUTH, INC.
100 NORTH BROADWAY
WICHITA, KS 67202

CASE TRACKING
SPENCER GARDENS CUP (ORIGINAL) DATED: MARCH 3, 1987
SPENCER GARDENS CUP (REVISED) DATED: JULY 16, 1987
SPENCER GARDENS CUP (REVISED) DATED: MARCH 08, 1990
DP169 - AMENDMENT #1 DATED: JUNE 19, 1990
DP169 - ADMINISTRATIVE ADJUSTMENT DATED: AUGUST 24, 2000
DP169 - AMENDMENT #2 DATED: MARCH 4, 2021

APPROVED CUP

1/21/2021
[Signature]
Copy 3 of 4



GENERAL PROVISIONS

- TOTAL GROSS AREA 9.62 ACRES
TOTAL NET AREA 9.62 ACRES
- THE MAXIMUM GROSS FLOOR AREA FOR COMMERCIAL USE WITHIN THE COMMUNITY UNIT PLAN SHALL NOT EXCEED 112,800 SQ. FT.
- ACCESS CONTROLS TO PAWNEE AND OLIVER ARE AS INDICATED ON THE C.U.P.
- ALL UTILITIES EXCEPT FOR THOSE LINES SERVING THE SUBSTATION, SHALL BE INSTALLED UNDERGROUND.
- BUILDING SETBACKS ARE AS NOTED ON THE C.U.P.
- EXISTING CURB CUT REMOVAL SHALL BE GUARANTEED AT THE TIME OF PLATTING.
- DRAINAGE EASEMENT, STREET RIGHT-OF-WAY AND PAVEMENT WIDTHS OF PUBLIC STREETS SHALL BE SHOWN ON THE REPLAT.
- THE C.U.P. DOCUMENT IS GENERAL IN CHARACTER AND WILL REQUIRE THE SUBMISSION OF AN OVERALL SITE DEVELOPMENT PLAN FOR EACH PHASE OF THE PROPOSED DEVELOPMENT. THE OVERALL SITE PLAN SHALL INDICATE WHAT IS PROPOSED IN THE FIRST PHASE OF BUILDING CONSTRUCTION AND SHALL BE UPDATED TO REFLECT HOW EACH SUBSEQUENT PHASE OF DEVELOPMENT IS COMPATIBLE WITH THE OVERALL SITE PLAN. THIS SITE PLAN WILL REQUIRE ADMINISTRATIVE APPROVAL AT THE PLAN REVIEW STAGE PRIOR TO ISSUANCE OF A BUILDING PERMIT. THE PLAN SHALL SHOW LAND USE RELATIONSHIPS, ACCESS POINTS AND/OR CONTROL, SETBACKS, INTERIOR CIRCULATION, PARKING, SCREENING AND OTHER SIMILAR DESIGN CONSIDERATIONS WHICH MAY AFFECT ADJACENT PROPERTY OR THE GENERAL HEALTH AND WELFARE OF THE PUBLIC. THE PLAN SHALL BE SUBMITTED TO THE DIRECTOR OF PLANNING FOR REVIEW AND APPROVAL.
- A LANDSCAPE PLAN PREPARED BY A LANDSCAPE ARCHITECT FOR THE PLANTING STRIP, INDICATING THE TYPE, LOCATION, AND SPECIFICATIONS OF PLANT MATERIALS AND METHOD OF PROVIDING WATER TO THE PLANT MATERIALS, SHALL BE SUBMITTED TO THE PLANNING DEPARTMENT FOR THEIR REVIEW AND APPROVAL PRIOR TO THE ISSUANCE OF BUILDING PERMITS IN PARCEL 1.
- NO WALL SHALL BE CONSTRUCTED IN ANY EASEMENT AND A BUILDING PERMIT SHALL BE OBTAINED PRIOR TO CONSTRUCTION OF ANY WALL.
- AT THE TIME OF REPLATTING, THE APPLICANT SHALL SUBMIT A REVISED DRAINAGE PLAN FOR THE ENTIRE DEVELOPMENT AND GUARANTEE DRAINAGE IMPROVEMENTS AS MAY BE REQUIRED.
- ADVERTISING SIGNS SHALL BE IN ACCORDANCE WITH CHAPTER 24.04 OF THE CODE OF THE CITY OF WICHITA. NO OFF-SITE OR PORTABLE SIGNS SHALL BE PERMITTED.
- ALL LIGHTS SHALL BE SHIELDED TO REFLECT OR DIRECT LIGHT AWAY FROM THE RESIDENTIAL STRUCTURES ADJACENT TO THE SUBJECT PROPERTY.
- FIRE LANES SHALL BE IN ACCORDANCE WITH THE FIRE CODE OF THE CITY OF WICHITA. NO PARKING SHALL BE ALLOWED IN SAID FIRE LANES, ALTHOUGH THEY MAY BE USED FOR PASSENGER LOADING AND UNLOADING.
- PRIOR TO FINAL APPROVAL OF THE PARKING PLAN, THE FIRE CHIEF OR HIS DESIGNATED REPRESENTATIVE, SHALL APPROVE THE PLAN AS TO LOCATION AND DESIGN OF THE FIRE LANE(S).
- ALL PAVING EXISTING 20 FOOT K & E EASEMENT IN PARCEL 3 SHALL BE AT THE APPROVAL OF THE ELECTRIC COMPANY, AD ANY CHANGE IN ELEVATION OR RELOCATION OF THE TRANSMISSION LINES SHALL BE WITHOUT COST TO THE CITY OF WICHITA.
- THE BUILDING SETBACK LINES FROM THE K & E EASEMENT SHALL BE ESTABLISHED AT THE TIME OF PLATTING. ANY CHANGE OR RELOCATION OF THE PIPELINE SHALL BE AT NO COST TO THE CITY OF WICHITA.
- THE TRANSFER OF TITLE OF ALL OR ANY PORTION OF THE LAND INCLUDED WITHIN THE COMMUNITY UNIT PLAN (OR ANY AMENDMENTS THERE TO) 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 UNLESS AMENDED.

PARCEL DESCRIPTIONS

PARCEL NO. 1
LEGAL DESCRIPTION: LOT 1, BLOCK 1, PAWNEE SUBSTATION ADDITION

PROPOSED USES: ELECTRICAL SUBSTATION (MAJOR UTILITY), PLUS RETAIL SALES INCLUDING THE FOLLOWING: RESTAURANTS, BANKS, BARBER SHOPS, BUSINESS OR COMMERCIAL SCHOOLS, AUTO PARTS SALES AND SERVICE, STUDIOS, CLOTHING SALES, HEALTH STUDIOS, BOUTIQUE SHOPS, BAKERY SHOP, CATERING ESTABLISHMENTS, DRY CLEANING, SHOE SHOPS, TAILORS, THEATERS, DRUG STORES, GROCERY STORES OR FLOWER SHOPS.
ALL RESIDENTIAL USES ARE PROHIBITED.
TOTAL NET LAND AREA - 3.62 ACRES - 57,756 SQ. FT.
MAXIMUM GROSS FLOOR AREA - 17,327 SQ. FT.
FLOOR AREA RATIO - 0.30
MAXIMUM BUILDING COVERAGE - 30%
MAXIMUM BUILDING HEIGHT - 25' (ONE STORY)
MAXIMUM NUMBER OF BUILDINGS - 1
PARKING RATIO AS REQUIRED BY ZONING ORDINANCE

PARCEL NO. 2
LEGAL DESCRIPTION: THE NORTH 52 FEET OF LOT 5, TOGETHER WITH PART OF LOTS 2 AND 3 DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE N89°44'23"W, 329.98 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE N00°16'20"E ALONG THE WEST LINE OF SAID LOT 2, 212.20 FEET; THENCE S89°44'23"E, PARALLEL WITH THE SOUTH LINE OF SAID LOT 2, 314.38 FEET MORE OR LESS TO A POINT ON THE EAST LINE OF SAID LOT 3; THENCE S13°45'50"E ALONG THE EAST LINE OF SAID LOT 3, 64.24 FEET TO A DEFLECTION POINT IN THE EAST LINE OF SAID LOT 3; THENCE S00°16'20"W, ALONG THE EAST LINE OF SAID LOT 2 AND 3, 150.13 FEET TO THE POINT OF BEGINNING, ALL IN BLOCK 1, SPENCER GARDENS 2ND ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS.

PROPOSED USES: RETAIL SALES INCLUDING THE FOLLOWING: RESTAURANTS, BANKS, BARBER SHOPS, BUSINESS OR COMMERCIAL SCHOOLS, AUTO PARTS SALES AND SERVICE, STUDIOS, CLOTHING SALES, PRIVATE CLUBS, HEALTH STUDIOS, BOUTIQUE SHOPS, HARDWARE, GIFT SHOPS ANTIQUE SHOPS, BEAUTY PARLORS, SMALL PRINTING SHOPS, CATERING ESTABLISHMENTS, DRY CLEANING, SHOE SHOPS, TAILORS, THEATERS, DRUG STORES, GROCERY STORES OR FLOWER SHOPS. AUTOMOTIVE SALES SUBJECT TO BOARD OF ZONING APPEALS APPROVAL ADJACENT TO OLIVER ONLY.
ALL RESIDENTIAL USES ARE PROHIBITED.
TOTAL NET LAND AREA - 1.99 ACRES - 86,529 SQ. FT.
MAXIMUM GROSS FLOOR AREA - 25,960 SQ. FT.
FLOOR AREA RATIO - 0.30
MAX. BUILDING COVERAGE - 30%
MAXIMUM BUILDING HEIGHT - 25' (ONE STORY)
MAXIMUM NUMBER OF BUILDINGS - 1
PARKING RATIO AS REQUIRED BY ZONING ORDINANCE

PARCEL NO. 3
LEGAL DESCRIPTION: LOT 5, BLOCK 1, SPENCER GARDENS 2ND ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS. EXCEPT THE NORTH 52 FEET THEREOF.

PROPOSED USES: RETAIL SALES INCLUDING THE FOLLOWING: RESTAURANTS, AUTO PARTS, BANKS, BARBER SHOPS, BUSINESS OR COMMERCIAL SCHOOLS, AUTO PARTS SALES AND SERVICE, STUDIOS, CLOTHING SALES, PRIVATE CLUBS, HEALTH STUDIOS, BOUTIQUE SHOPS, BAKERY SHOP, CATERING ESTABLISHMENTS, DRY CLEANING, SHOE SHOPS, TAILORS, THEATERS, DRUG STORES, GROCERY STORES OR FLOWER SHOPS, OUTSIDE STORAGE OF MOTORIZED VEHICLES AND EQUIPMENT INCLUDING RIDING LAWN MOWERS, BOATS AND DISPLAY ITEMS FOR SALE, ONLY ON THAT PORTION ZONED THE GENERAL COMMERCIAL DISTRICT "GC".
ALL RESIDENTIAL USES ARE PROHIBITED.
TOTAL NET LAND AREA - 4.01 ACRES - 174,344 SQ. FT.
MAXIMUM GROSS FLOOR AREA - 52,303 SQ. FT.
FLOOR AREA RATIO - 0.30
MAXIMUM BUILDING COVERAGE - 30%
MAXIMUM BUILDING HEIGHT - 25' (ONE STORY)
MAXIMUM NUMBER OF BUILDINGS - 4
PARKING RATIO AS REQUIRED BY ZONING ORDINANCE

COMMUNITY UNIT PLAN DP-169
SPENCER GARDENS

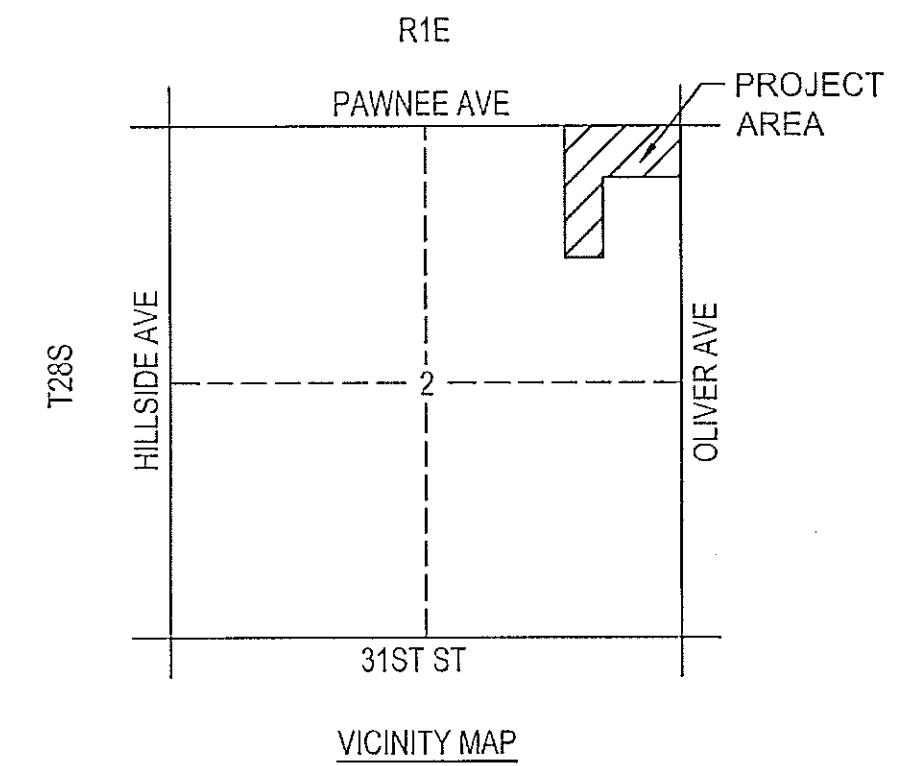
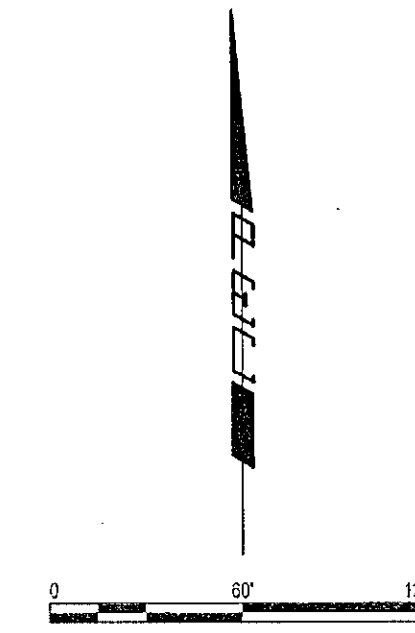
OWNER: EVERGY KANSAS SOUTH, INC.
100 NORTH BROADWAY
WICHITA, KS 67202

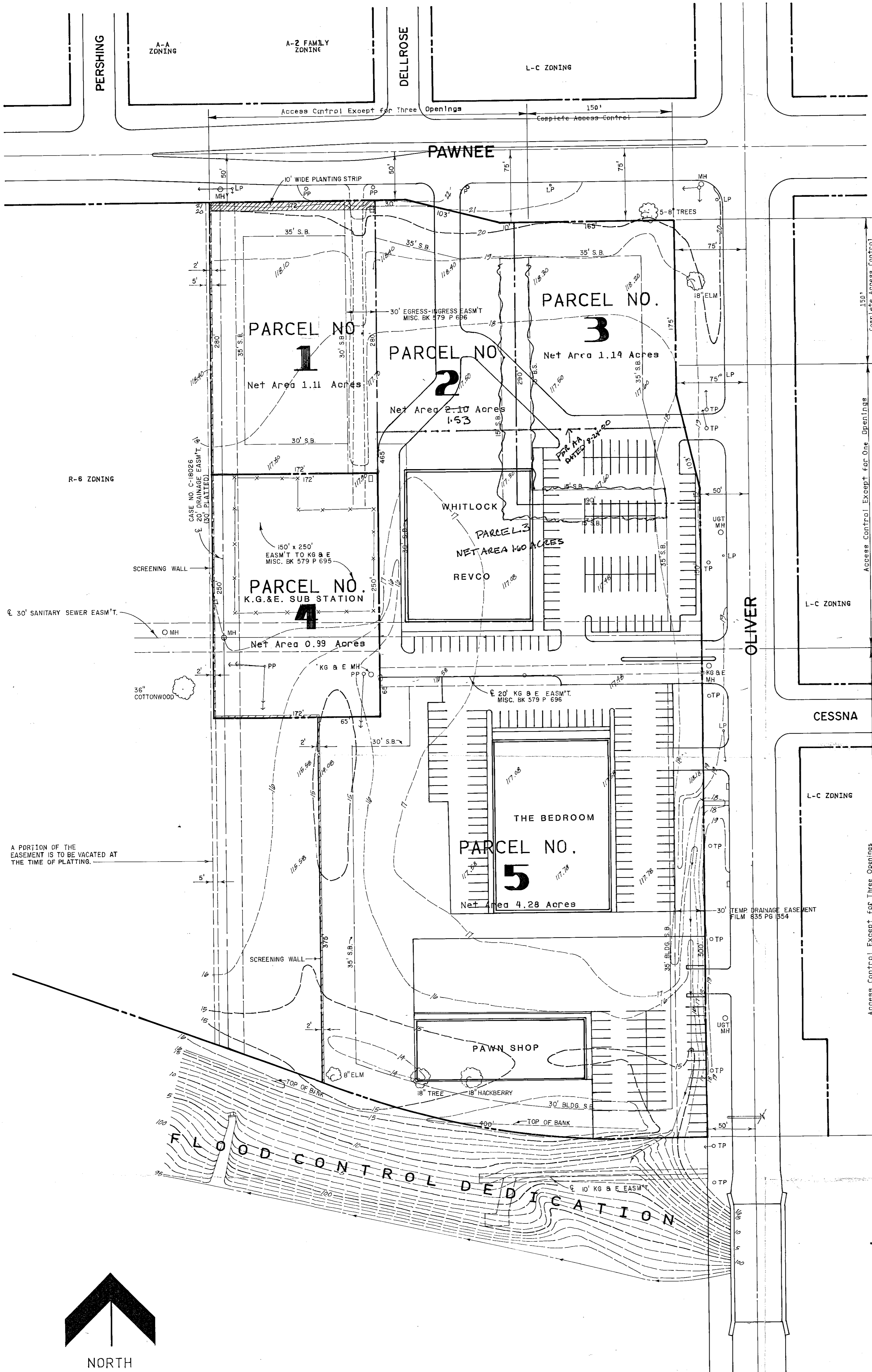
CASE TRACKING
SPENCER GARDENS CUP (ORIGINAL) DATED: MARCH 3, 1987
SPENCER GARDENS CUP (REVISED) DATED: JULY 16, 1987
SPENCER GARDENS CUP (REVISED) DATED: MARCH 08, 1990
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DP169 - AMENDMENT #2 DATED: MARCH 4, 2021

APPROVED CUP

MAPC 11/21/2021
[Signature]

Copy 1 of 4





GENERAL PROVISIONS

- Total gross area 9.62 acres
Total net area 9.62 acres
- The maximum gross floor area for commercial use within the community unit plan shall not exceed 112,800 sq. ft.
- Access controls to Pawnee and Oliver are as indicated on the C.U.P.
- All utilities except for those lines presently serving the substation, shall be installed underground.
- Building setbacks are as noted on the C.U.P.
- If adjacent parcels are developed under one ownership the 15 foot side yard setbacks on Parcels 2 and 3 do not apply.
- Existing curb cut removal shall be guaranteed at the time of platting.
- An accel/decel lane along the north line of the C.U.P. and the east line of parcels 2 and 3 shall be guaranteed at the time of replatting. An accel/decel lane is not needed along Parcel 5 as long as a major entrance is built between Parcels 2 and 5.
- Those portions of the major entrances to Pawnee and to Oliver on public right-of-way, will be guaranteed at the time of replatting. Those portions of the major entrances on private property will be a requirement at the time any major building permit is requested on the affected parcel.
- Final determination of drainage easement, street right-of-way and pavement widths of public streets shall be determined at the time of replatting.
- The C.U.P. document is general in character and will require the submission of an overall site development plan for each phase of the proposed development. The overall site plan shall indicate what is proposed in the first phase of building construction and shall be updated to reflect how each subsequent phase of development is compatible with the overall site plan. This site plan will require administrative approval at the plan review stage prior to issuance of a building permit. The plan shall show land use relationships, access points and/or control, setbacks, interior circulation, parking, screening and other similar design considerations which may affect adjacent property or the general health and welfare of the public. The plan shall be submitted to the director of planning for review and approval.
- A landscape plan prepared by a landscape architect for the planting strip, indicating the type, location, and specifications of plant materials and method of providing water to the plant materials, shall be submitted to the Planning Department for their review and approval prior to the issuance of building permits on Parcel 1.
- A solid, or semi-solid wall at least five (5) feet, but not more than eight (8) feet high constructed of brick, stone, masonry, architectural tile, or other similar material (excluding wood or woven wire) shall be installed along the west property line of Parcels 1, 4 and 5. The wall will be constructed when residential development begins to develop to the west adjacent to the proposed wall. A letter of credit shall be posted with the Metropolitan Area Planning Department at the time of platting guaranteeing the present cost of wall construction and including an escrow clause. Said guarantee shall be released should the property to the west be approved for a nonresidential zoning classification. The Wichita City Council may order the construction of the wall prior to the development of the property adjacent to the C.U.P. on the west if, in their estimation, a litter problem is occurring as a result of commercial development on this C.U.P.
- Trash receptacles shall be appropriately screened to reasonably hide them from ground view.
- Failure to properly maintain the wall and the planting strip shall be considered a violation of the C.U.P. after a joint determination by the Director of Planning and the Superintendent of Central Inspection. A financial guarantee for the watering system and the plant materials approved in the landscape plan shall be required prior to the issuance of any occupancy permit on Parcel 1 if the plant materials have not been planted.
- No wall shall be constructed in any easement and a building permit shall be obtained prior to construction of any wall.
- At the time of replatting, the applicant shall submit a revised drainage plan for the entire development and guarantee drainage improvements as may be required.

PARCEL DESCRIPTIONS

Parcel No. 1

Proposed Uses: Retail sales including the following: Restaurants, banks, barber shops, business or commercial schools, Auto Parts Sales and Service, studios, clothing sales, health studios, boutique shops, hardware, gift shops, antique shops, beauty parlors, small printing shops, bakery shop, catering establishments, dry cleaning, shoe shops, tailors, theaters, drug stores, grocery stores or flower shops.
All residential uses are prohibited.
Total Net Land Area - 1.11 acres - 48160 sq. ft.
Maximum Gross Floor Area - 14,400 sq. ft.
Floor Area Ratio - .30
Maximum Building Coverage - 30%
Maximum Building Height - 25' (one story)
Maximum Number of Buildings - 1
Parking Ratio as Required by Zoning Ordinance

Parcel No. 2

Proposed Uses: Retail sales including the following: Restaurants, banks, barber shops, business or commercial schools, Auto Parts Sales and Service, studios, clothing sales, private clubs, health studios, boutique shops, hardware, gift shops, antique shops, beauty parlors, small printing shops, bakery shop, catering establishments, dry cleaning, shoe shops, tailors, theaters, drug stores, grocery stores or flower shops.
Automotive sales subject to Board of Zoning Appeals approval adjacent to Oliver only.
All residential uses are prohibited.
Total Net Land Area - 1.53 acres - 66,627 sq. ft.
Maximum Gross Floor Area - 20,000 sq. ft.
Floor Area Ratio - .30
Maximum Building Coverage - 30%
Maximum Building Height - 25' (one story)
Maximum Number of Buildings - 3
Parking Ratio as Required by Zoning Ordinance

Parcel No. 3

Proposed Uses: Retail sales including the following: Restaurants, banks, barber shops, business or commercial schools, Auto Parts Sales and Service, studios, clothing sales, private clubs, health studios, boutique shops, hardware, gift shops, antique shops, beauty parlors, small printing shops, catering establishments, dry cleaning, shoe shops, tailors, theaters, drug stores, grocery stores or flower shops.
Automotive sales subject to Board of Zoning Appeals approval adjacent to Oliver only.
All residential uses are prohibited.
Total Net Land Area - 1.14 acres - 49,720 sq. ft.
Maximum Gross Floor Area - 14,900 sq. ft.
Floor Area Ratio - .30
Max. Bldg. Coverage - 30%
Maximum Building Height - 25' (one story)
Maximum Number of Buildings - 1
Parking Ratio as Required by Zoning Ordinance

Parcel No. 4

Proposed Use: For a K&E substation site.
Net area 0.99 acres - 37,500 sq. ft.

Parcel No. 5

Proposed Uses: Retail sales including the following: Restaurants, auto parts, banks, business or commercial schools, Auto Parts Sales and Service, studios, clothing sales, private clubs, health studios, boutique shops, hardware, gift shops, antique shops, beauty parlors, small printing shops, bakery shop, catering establishments, dry cleaning, shoe shops, tailors, theaters, drug stores, grocery stores or flower shops, outside storage of motorized vehicles and equipment including riding lawn mowers, boats and display items for sale, only on that portion zoned the "C" General Commercial District.
All residential uses are prohibited.
Total Net Land Area - 4.28 acres - 186,604 sq. ft.
Maximum Gross Floor Area - 56,000 sq. ft.
Floor Area Ratio - .30
Maximum Building Coverage - 30%
Maximum Building Height - 25' (one story)
Maximum Number of Buildings - 4
Parking Ratio as Required by Zoning Ordinance

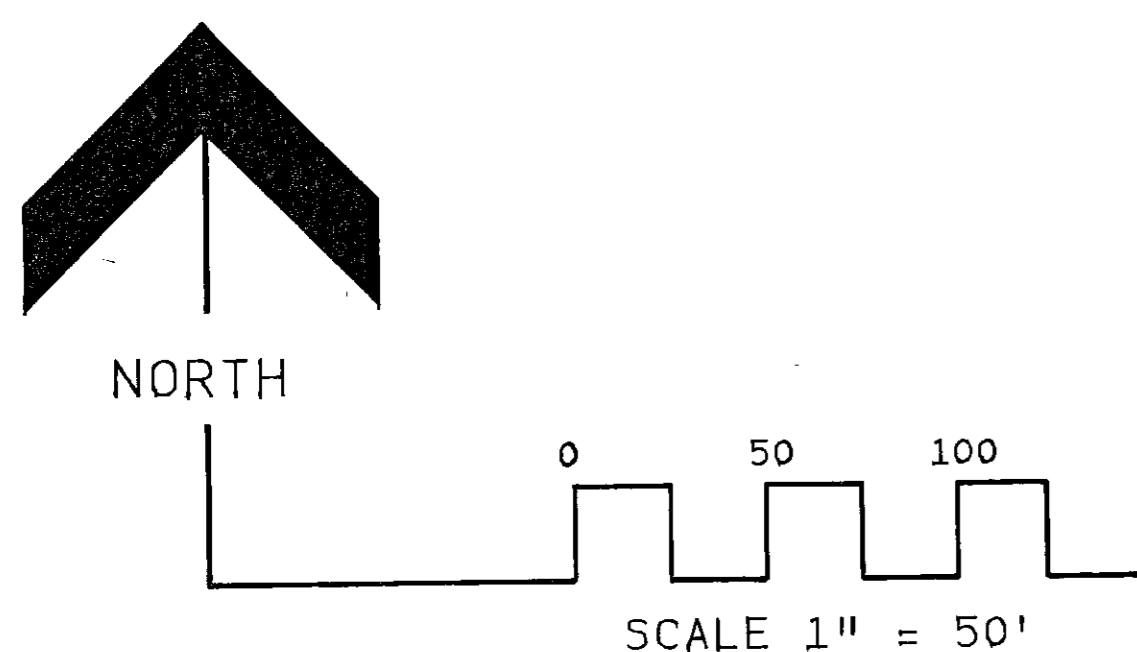
DP-169
AMENDMENT 1
SPENCER GARDENS COMMERCIAL
C.U.P.

APPROVED CUP

MAPC APP'D 5-24-90

BCG APP'D 6-18-90

MAPC Copy 2 of 2

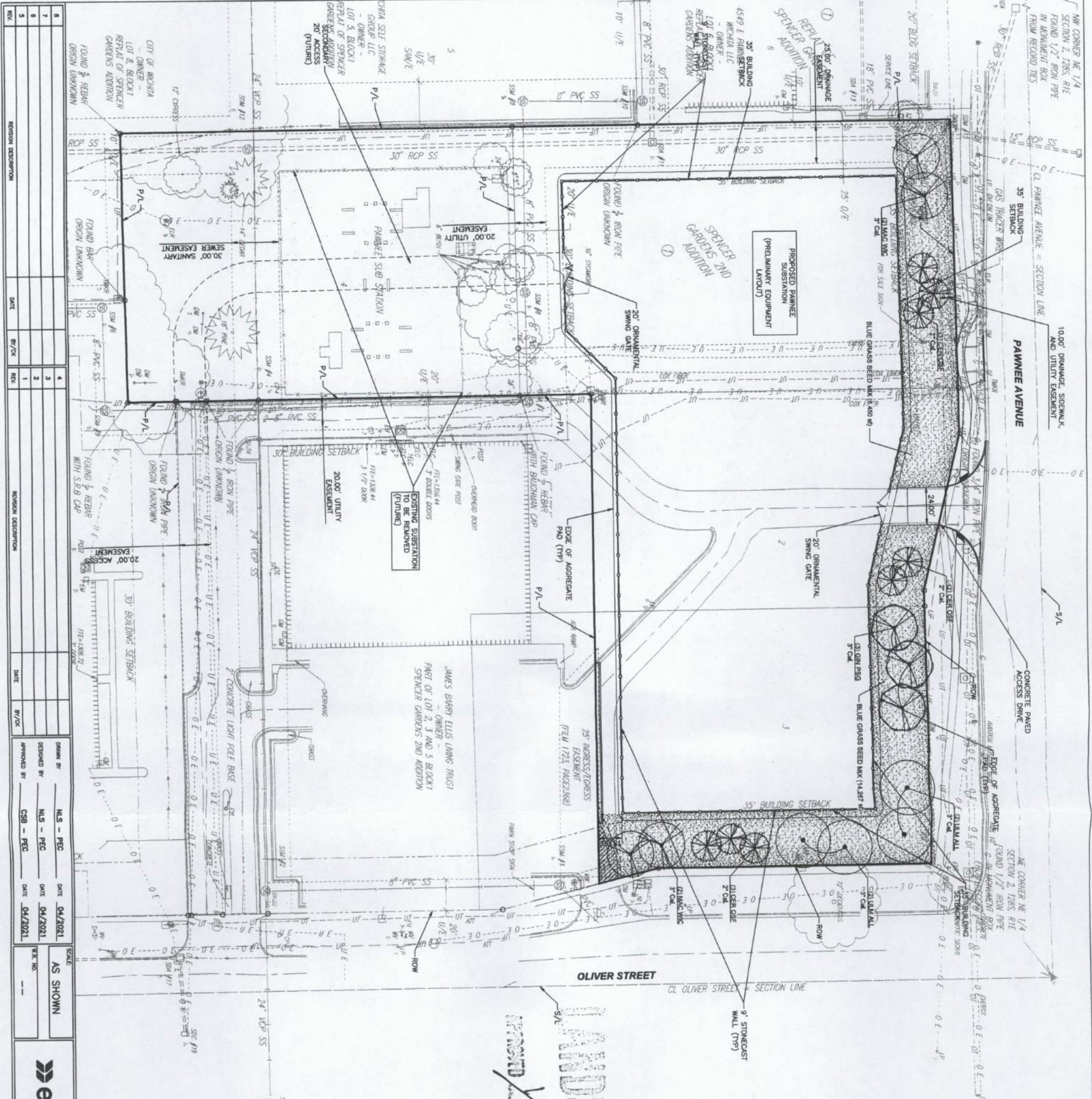


REVISED 3-8-90
REVISED 7-16-87

SPENCER GARDENS COMMERCIAL COMMUNITY UNIT PLAN

POE & ASSOCIATES OF KANSAS, INC.
CONSULTING ENGINEERS

DP-169



REV.	DESCRIPTION	DATE	BY/CHK	REV.	DESCRIPTION	DATE	BY/CHK
1				1			
2				2			
3				3			
4				4			

DESIGNED BY	NLS - PFC	DATE	04/2021
APPROVED BY	NLS - PFC	DATE	04/2021
APPROVED BY	CSB - PFC	DATE	04/2021

SCALE: AS SHOWN

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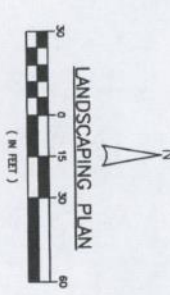
GROUP: ESIB

TITLE: PAWNEE SUBSTATION LANDSCAPING PLAN

PEC # 209030-055
 803 RINGS AVE 2ND FLOOR
 TOWSON, MD 21286
 410.321.3300
 www.pec.com

SKXXXX_S104

1 of 2



TREES	CODE	BOTANICAL NAME	COMMON NAME	SIZE	CONTAINER	QTY	REMARKS
	CER OSP	Cercis canadensis 'Oshkosh'	Oshkosh Redbud	7" Cal.	BAB	8	
	GIN PPG	Ginkgo biloba 'Princeton Sentry'	Princeton Sentry Maidenhair Tree	3" Cal.	BAB	3	
	MAC WVC	Madonia podophylla 'Wichita'	Wichita Orange Orange	3" Cal.	BAB	4	
	ULM ALL	Ulmus parviflorus 'Adam TM'	Adam Lacebark Elm	3" Cal.	BAB	4	

LANDSCAPE PLAN

DP-169

APPROVED BY: [Signature]

REQUIRED LANDSCAPE SPECIFICATIONS - method 2 used

METHOD 1
 20% Final level of all landscape plantings
 20% Final level of all landscape plantings
 20% Final level of all landscape plantings

40%
 9.75% Final level of all landscape plantings (not required)
 22.71% Final level of all landscape plantings (not required)
 9.75% Final level of all landscape plantings (not required)
 19 items provided

Final level of all landscape plantings not required

NOTE: SEED ALL DISTURBED AREAS

P/L = PARCEL 1, SPENCER GARDENS CUP (PP-169)
 = LOT 1, BLOCK 1 PAWNEE SUBSTATION ADDITION

LEGEND	SECTION LINE
F.C.	FENCE CORNER
P/L	PROPERTY LINE
ROW	RIGHT OF WAY

LEGAL DESCRIPTION

A TRACT OF LAND DESCRIBED AS LOT 1, 4 AND PART OF LOTS 2 AND 3 OF BLOCK 1, SPENCER GARDENS 2ND ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND MONUMENT AT THE SOUTHWEST CORNER OF SAID LOT 4 THENCE BEARING N0°30'37"W (KANSAS STATE PLANE SOUTH BASIS OF BEARINGS) A DISTANCE OF 529.85 FEET ALONG THE WEST LINE OF SAID LOTS THENCE BEARING N88°52'42"E A DISTANCE OF 201.05 FEET ALONG THE NORTH LINE OF SAID LOTS 1 AND 2 TO A FOUND MONUMENT; THENCE BEARING S77°08'27"E A DISTANCE OF 103.23 FEET ALONG THE NORTH LINE OF LOT 2 TO A FOUND MONUMENT; THENCE BEARING N88°25'54"E A DISTANCE OF 175.00 FEET ALONG THE NORTH LINE OF SAID LOTS 2 AND 3 TO A FOUND MONUMENT AT THE NORTHWEST CORNER OF LOT 3; THENCE BEARING S07°29'23"E A DISTANCE OF 175.00 FEET ALONG THE EAST LINE OF LOT 3 TO A FOUND MONUMENT; THENCE BEARING S14°31'36"E A DISTANCE OF 39.10 FEET ALONG THE EAST LINE OF LOT 3; THENCE BEARING S89°31'53"W A DISTANCE OF 314.37 FEET PARALLEL WITH THE SOUTH LINE OF LOT 2 TO THE EAST LINE OF LOT 1; THENCE BEARING S0°30'59"E A DISTANCE OF 295.41 FEET ALONG THE EAST LINE OF LOTS 1 AND 4 TO A FOUND MONUMENT AT THE SOUTHWEST CORNER OF LOT 4; THENCE BEARING S88°51'58"W A DISTANCE OF 172.14 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 3.62 ACRES THEREOF, MORE OR LESS.

