



Wichita-Sedgwick County Metropolitan Area Planning Department

February 15, 2023

Golden Eagle Properties LLC
c/o Jim Morgan
13303 West Maple Street
#103
Wichita, KS 67235

RE: ZON2022-00066: Zone Change request in the City from SF-5 Single-Family to Neighborhood Office (NO) for office business; generally located on the east side of South 119th Street West and within 400 feet south of West Maple Street (11924 West Taft Street).

Dear Applicant;

At its regular meeting on **February 7, 2023**, the Wichita City Council considered the above captioned request. The action of the City Council was to **APPROVE** the request, subject to Protective Overlay #403:

Protective Overlay #403

1. The property shall be developed with a building that has exterior walls of brick and/or wood and a double-pitched gable or hip style roof.
2. One freestanding monument-type sign with materials matching those of the building not exceeding six feet in height.
3. The site shall be developed in general conformance with the revised site and landscape plans as approved by the Planning Director.
4. Permitted uses shall be restricted to single-family residential, medical office or general office uses.

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

Sincerely,

A handwritten signature in black ink that reads 'Christina Rieth'.

Christina Rieth
Associate Planner

Copies to: MABCD
Jeff Blubaugh, City Council District IV
Rebecca Fields, CSR District IV



Wichita-Sedgwick County Metropolitan Area Planning Department

January 10, 2023

Golden Eagle Properties LLC
Attn: Jim Morgan
13303 West Maple Street #103
Wichita, KS 67235

RE: ZON2022-00066: Zone Change request in the City from SF-5 Single-Family to Neighborhood Office (NO) for office business; generally located on the east side of South 119th Street West and within 400 feet south of West Maple Street (11924 West Taft Street).

Dear Applicant;

At its regular meeting on **January 5, 2023**, 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.

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 January 19, 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 **January 19, 2022 at 5:00 p.m.**

This application is scheduled for consideration by the Wichita City Council on **Tuesday, February 7, 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,

A handwritten signature in cursive script that reads 'Christina Rieth'.

Christina Rieth
Current Plans, Associate Planner

Copies to: MABCD
Jeff Blubaugh, District Advisory Board IV
Rebecca Fields, Community Service Representative IV

OCA 150004 CORRECTED AND REPUBLISHED IN THE WICHITA EAGLE ON 3/14/23

ORDINANCE NO. 52-032

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. ZON2022-00066

City zone change from SF-5 Single-Family Residential District to NO Neighborhood Office District, subject to Protective Overlay #403, on property described as:

Lot 7, Block 1, West Millbrook Addition, Sedgwick County, Kansas.

Protective Overlay #403 shall read:

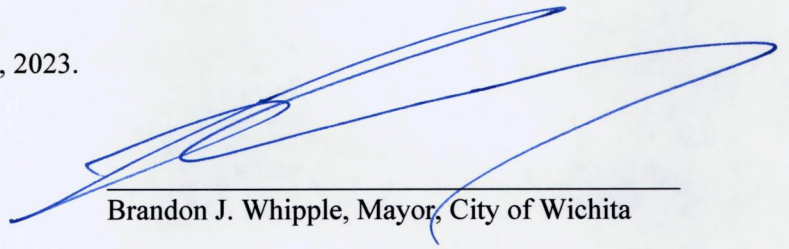
1. The property shall be developed with a building that has exterior walls of brick and/or wood and a double-pitched gable or hip style roof.
2. One freestanding monument-type sign with materials matching those of the building not exceeding six feet in height.
3. The site shall be developed in general conformance with the revised site and landscape plans as approved by the Planning Director.
4. Permitted uses shall be restricted to single-family residential, medical office or general office uses.

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.

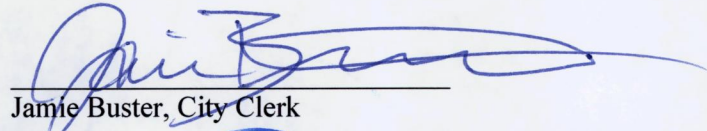
[Remainder of this page left intentionally blank]

Adopted this 14th day of Feb., 2023.



Brandon J. Whipple, Mayor, City of Wichita

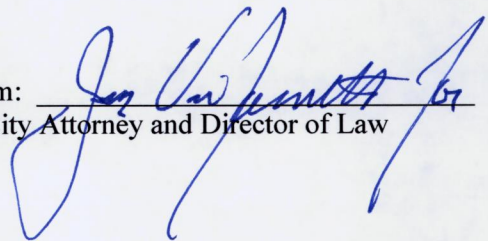
ATTEST:



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
 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
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 Tri-City Herald
 Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
32522	392822	Print Legal Ad-IPL01127740 - IPL0112774		\$66.25	1	79 L

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

LEGAL PUBLICATION

OCA 150004
 CORRECTED AND REPUBLISHED
 IN THE WICHITA EAGLE ON March
 14, 2023

ORDINANCE NO. 52-032
 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 GOVERN-
 ING BODY

OF THE CITY OF WICHITA, KANSAS.
 SECTION 1. That having received a
 recommendation from the Planning
 Commission, and proper notice hav-
 ing 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. ZON2022-00066
 City zone change from SF-5 Sin-
 gle-Family Residential District to NO
 Neighborhood Office District, subject
 to Protective Overlay #403, on prop-
 erty described as:

Lot 7, Block 1, West Millbrook Addi-
 tion, Sedgwick County, Kansas.

Protective Overlay #403 shall read:

1. The property shall be developed
 with a building that has exterior walls
 of brick and/or wood and a double-
 pitched gable or hip style roof.
 2. One freestanding monument-type
 sign with materials matching those of
 the building not exceeding six feet in
 height.

3. The site shall be developed in gen-
 eral conformance with the revised site
 and landscape plans as approved by
 the Planning Director.

4. Permitted uses shall be restricted
 to single-family residential, medical
 office or general office uses.

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 Wich-
 ita-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 14th day of February,
 2023.

Brandon J. Whipple, Mayor, City of
 Wichita

ATTEST:

Jamie Buster, City Clerk
 (SEAL) Approved as to form:
 Jennifer Magana, City Attorney and
 Director of Law
 IPL0112774
 Mar 14 2023

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

1 insertion(s) published on:
 03/14/23

STATE OF KANSAS)

SS

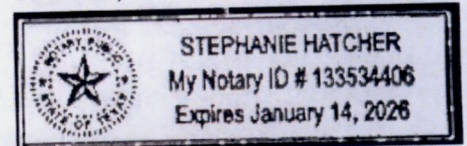
County of Sedgwick)

Hayley Martin, of lawful age, being first duly sworn,
 deposeeth 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 03/14/2023
 to 03/14/2023.

I certify (or declare) under penalty of perjury that the
 foregoing is true and correct.
 DATED: 03/14/2023

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
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 The State - Columbia
 Sun Herald - Biloxi

Sun News - Myrtle Beach
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 Tri-City Herald
 Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	357985	Print Legal Ad-IPL01016180 - IPL0101618		\$216.40	3	86 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 December 15, 2022
 (One Time Only)

MAFC/EZA January 5, 2023
 OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, January 5, 2023, 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.

CON2022-00046: Conditional Use request in the City to allow a Nightclub in the City within 300 feet of a residential zoning district, generally located on the south side of East Harry Street, within one-quarter mile east of Interstate 35 (7707 East Harry).

CON2022-00047: Conditional Use request in the City to permit Vehicle and Equipment Sales accessory to Vehicle Repair on property zoned LC Limited Commercial District; located at the southwest corner of South Broadway Avenue and East Kinkaid Avenue (2201 South Broadway).

CUP2022-00054: Request in the City to amend CUP DP-67 to permit Recreation and Entertainment, Indoor, on property generally located on the south side of East 21st Street North within a quarter mile east of North Woodlawn Boulevard (6959 E. 21st Street).

CUP2022-00055: Request in the City to amend Community Unit Plan CUP DP-164 to permit a Tattooing and Body Piercing Facility on property zoned GC General Commercial; generally located on the south side of West 21st Street North within a quarter mile east of North Tyler Road (8535 W. 21st Street N).

RUD2022-00023: Zone change request in the City from TF-3 Two-Family Residential and MF-29 Multi-Family Residential to RUD Planned Unit Development to permit Group Residence, Limited, with custom development standards, on property generally located northwest of East 14th Street North and Hillside Avenue.

ZON2022-00065: Zone change request in the City from SF-5 Single-Family Residential District to MF-29 Multi-Family Residential District for duplex development; generally located within one block north of West 29th Street North and within a half-mile east of North Arkansas on North Fairview Avenue.

ZON2022-00066: Zone Change request in the City from SF-5 Single-Family to Neighborhood Office (NO) for office business; generally located on the east side of South 119th Street West and within 400 feet south of West Maple Street (11924 West Taft Street).

ZON2022-00067: Zone Change request in the City from Neighborhood Retail (NR) to Limited Commercial (LC) to increase sign rights for financial institution; generally located on the east side of North Woodlawn Boulevard and about 700 feet north of East 37th Street North.

ZON2022-00068: Zone Change request in the City from LC Limited Commercial to GC General Commercial with PO #401 to permit RV and Self-Service Storage; generally located on the northeast corner of East 47th Street South and South Hydraulic 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 December 15, 2022

Scott Wadle, Secretary

WichitaSedgwick County

Metropolitan Area Planning Commission

IPL0101618

Dec 15 2022

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

1 insertion(s) published on:

12/15/22

STATE OF KANSAS)

SS

County of Sedgwick)

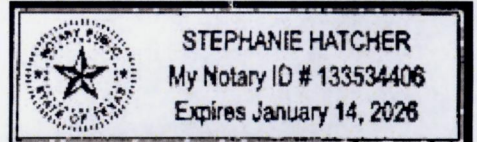
Hayley Martin, of lawful age, being first duly sworn, depose and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterrupted 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 12/15/2022 to 12/15/2022.

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

DATED: 12/15/2022

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!

Sherman makes case for ditching Kauffman Stadium

BY LYNN WORTHY
lworthy@ktar.com

The Kansas City Royals have certainly made an effort to tie their youth movement and optimism about the club's future into the push for a downtown stadium and ballpark district.

That's been evident from CEO and chairman John Sherman's open letter to the images and video montages the club has used to promote the project.

During the Royals' first public meeting as part of a "listening tour" in the region, the first question fired at Sherman by a community member made it clear that the team's performance also wasn't far from the mind of some fans.

The question, one of more than 150 submitted by more than 350 audience members at Plexpod Westport Commons, as well as questions submitted online, pointedly asked "why was a perpetual last-place team" deserving of a new stadium? Sherman also asserted that the ownership's desire to make a show of their commitment and to "accelerate" the rebuilding process did not work. That exchange served as the lone pointed reference to the club's struggles on the field, including sub-.500 records in each season since 2017, two fifth-place finishes in the division and three fourth-

place finishes. The event included eight speakers, including Sherman, accompanied by a slide presentation and multiple video montages followed by a question and answer session that lasted approximately 40 minutes.

POPULOUS AND THE CASE AGAINST THE K
In a mid-November open letter, Sherman made his first public case for a downtown stadium. He asserted that the costs of necessary renovations to Kauffman Stadium, also known as "The K," would equal or surpass the cost to "develop a new ballpark."

The letter didn't offer specifics on either pending renovation, nor did the \$2 billion price tag Sherman placed on the project separate the stadium costs from the overall cost of the district.

"Recognizing that the K will have outgrown its fullest functionalities by the time our lease expires with Jackson County by the end of the decade, we are clear-eyed that the Truman Sports Complex is not a viable option for our long-term," Royals senior VP of business operations Sarah Tourville said on Tuesday night.

For the first time, the Royals followed that state-

ment with an assessment from highly-regarded KC-based global design and architecture firm Populous.

Populous' Sarah Dempster presented findings from their team of engineers and stated that renovations needed to make Kauffman Stadium a viable long-term home for the Royals in the future would cost \$1.072 billion.

Among the major take-aways, according to Dempster, included evidence of "cancer of the concrete" in the structure that could require major removal in order to extend the life another 30 years. Other issues Dempster highlighted included: leakage in the fountain and pump room that has caused deterioration in the steel and concrete structure, rust issues in the right field tunnel as well as the canopy steel supports and light towers and the need to replace the front row tubs in the upper deck.

The chiller plant south of the stadium, piping to the stadium and heating system were also cited as pending issues — though it was not clear how immediate a problem those issues presented.

Dempster pointed to the electrical distribution system as requiring replacement by the end of

the decade. Populous global chair and founder Earl Santee added that for the Royals to get another 50 years out of Kauffman Stadium, 70 percent of the stadium would need to be replaced. That included tearing down the canopy and major concourse areas.

PARSING THE NEW PROJECT
For the first time, the Royals presented the cost of the stadium apart from the ballpark district. The stadium will cost an estimated \$1.005 billion of the \$2 billion total district price tag.

Royals COO Brooks Sherman, senior VP and member of the ownership group, said the ownership group will invest hundreds of millions of dollars of their own into the project.

The Royals maintain that they would not ask



Kansas City Royals Chairman and CEO John Sherman, right, spoke at a public meeting Tuesday at the Plexpod Westport Commons about a proposed downtown ballpark district.

any more financially from Jackson County than what is currently devoted to sports ventures.

The new ballpark proposal by Populous would likely aim to have 34,000-35,000 seats with an additional space for 3,500 standing row patrons to bring the capacity to approximately 38,000. Of course, a definitive site has not yet been determined.

Santee said Populous did a parking study that found there were 2 1/2 times the available parking spaces downtown as the Truman Sports Complex within a 10-minute walk to a new downtown ballpark, and that the parking setup would work concurrently with any events at the T-Mobile Center.

Lynn Worthy: 816-234-4651, @LWorthySports

Alex Ovechkin reaches 800 career goals

BY JAY COHEN
Associated Press

Soaked with beer and still wearing his No. 8 jersey, Alex Ovechkin held three pucks in his right hand as he posed for a picture with the rest of the jubilant Washington Capitals in the visiting locker room at the United Center.

Three pucks that added up to 800. Ovechkin became the third NHL player to reach 800 career goals when he scored three times Tuesday night, touching off a wild celebration for his team and an appreciative Chicago crowd.

"Soon as it happened, kind of relief," Ovechkin said after Washington's 7-3 win over the Blackhawks. "Kind of happiness in general."

Ovechkin scored on his first two shots, beating Blackhawks goaltender Petr Mrazek 24 seconds into the game before stuffing one home on a power play with 11:46 left in the first period. The 37-year-old winger then completed his 29th career hat trick when he knocked Anthony Mantha's pass over a sprawled Mrazek 6:34 into the third.

"When he got the first goal today, I was like, 'This is the night,'" teammate Evgeny Kuznetsov said.

The rest of the Capitals jumped off the bench to celebrate after the milestone goal, and hats rained down on the ice from the crowd of 16,181. Fans in Chicago then chanted "Ovill Ovill" — drawing a wave from Ovechkin.

The star forward moved within one goal of Gordie Howe for second all-time. Wayne Gretzky holds the record with 894 goals.

"It's a big number," Ovechkin said. "It's the best company (you can) ever imagine since you started playing hockey."

"Even in the warmup, I was feeling that energy right away," he said. "The fans watch me and the fans want to see that historical moment."

When it was over, Ovechkin jumped onto the ice one last time to salute the cheering fans. He then gave his stick to a boy wearing a Capitals jersey above the tunnel to the visiting locker room. Shortly after he got to the back, he was showered with beer by his chanting teammates. Goaded into making a speech, Ovechkin said it was special to accomplish the feat with the team.

"It was awesome," Washington coach Peter Laviolette said. "It was just awesome to be on the bench and be a part of it, a part of history."

Ovechkin has seven goals in his last four games and a team-high 20 on the season. His previous four goals were all empty-netters.

The Capitals play seven of their next nine at home. "I think once he's going to be No. 1 he can have a sense of relief," Mantha said. "Until then, I think he's on the hunt, and that's what we love about him."

Ovechkin has been one of the NHL's most generous scorers practically since he got two goals in his debut with Washington on Oct. 5, 2005, against Columbus.

The 12-time All-Star has nine seasons with at least 50 goals, including a career-high 65 during the 2007-08 season. The three-time MVP, who won the Stanley Cup in 2018, had 50 goals and 40 assists in 77 games last season.

"It's mind blowing," Chicago captain Jonathan Toews said. "How many guys can score goals at his rate in the season, let alone year after year after year? He's one of a kind, for sure."

classified

classifed.kansas.com

Legals

LEGAL PUBLICATION
NOTICE OF INTENT TO DISPOSE OF OR SELL PROPERTY
To: Rosey Schiller and all others in interest under them. Please take notice that on or after December 29th 2022, the contents of 12 Sem-...
PL0101988
Dec 15 2022

LEGAL PUBLICATION
DIVORCE
In the Matter of the Marriage of Kelsi...
PL0101729
Dec 15, 22, 29, Jan 5 2023

SELL YOUR STUFF FAST!
316.268.6000

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CD02022-00047: Conditional Use request in the City to permit Vehicle and Equipment Sales accessory to Vehicle Repair on property zoned LC Limited Commercial District, located at the southwest corner of South Broadway Avenue and East 800th Avenue (201 South Broadway).

CD02022-00054: Request in the City to amend CLP DP-67 to permit Recreation and Entertainment, Indoor, on property generally located on the south side of East 21st Street North within a quarter mile east of North Woodlawn Boulevard (808 E. 21st Street).

CD02022-00055: Request in the City to amend Community Unit Plan CLP DP-184 to permit a Tattooing and Body Piercing Facility on property zoned GC General Commercial, generally located on the south side of West 21st Street North within a quarter mile east of North Tyler Road (8535 W. 21st Street N.).

PL02022-00029: Zone change request in the City from TR-3 Two-Family Residential and MF-29 Multi-Family Residential to PUD Planned Development to permit Group Residence, Limited, with custom development standards, on property generally located northwest of East 14th Street North and Halsey Avenue.

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STAFF REPORT
MAPC: January 5, 2023
DAB IV: January 9, 2023

CASE NUMBER: ZON2022-00066 (City)

APPLICANT/AGENT: Golden Eagle Properties LLC (Applicant)/Jim Morgan (Agent)

REQUEST: NO Neighborhood Office District

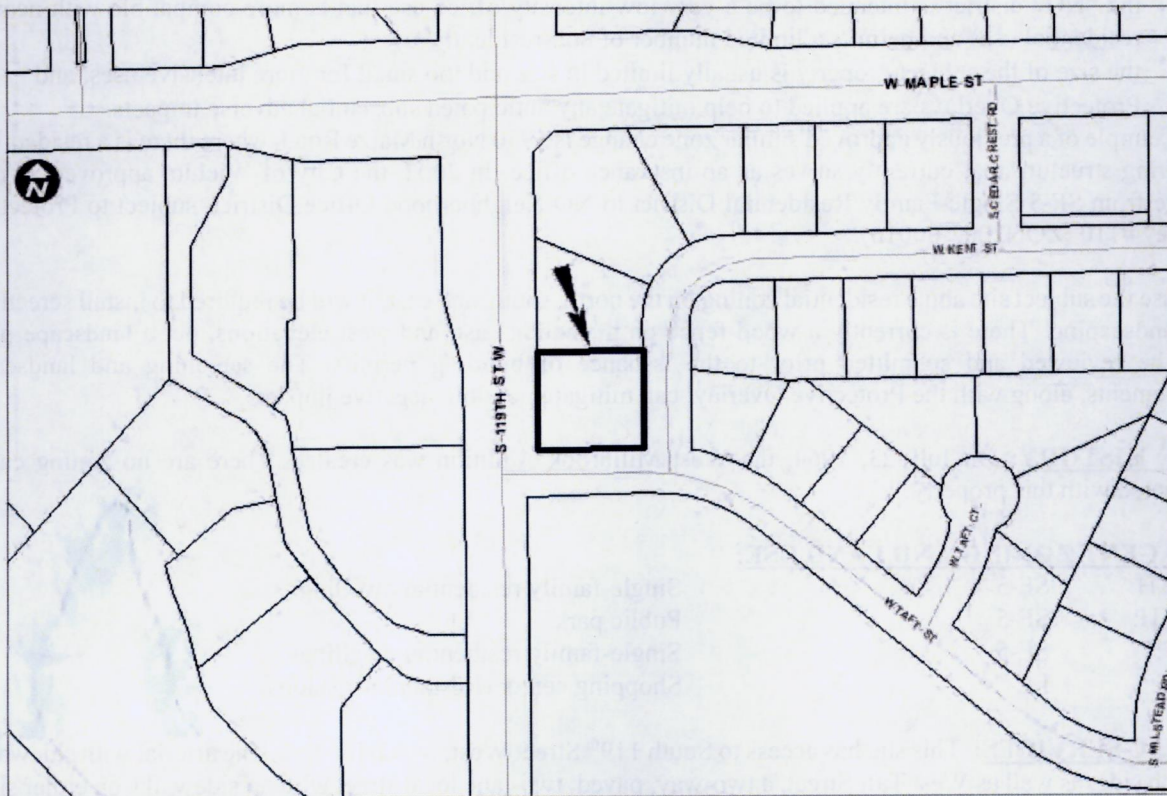
CURRENT ZONING: SF-5 Single-Family Residential District

SITE SIZE: 0.40 acres

LOCATION: Generally located on the east side of South 119th Street West and within 400 feet of West Maple Street (11924 West Taft Street)

PROPOSED USE: To allow for an insurance agency

RECOMMENDATION: Approval subject to Protective Overlay #403



BACKGROUND: The applicant is requesting a zone change from SF-5 Single-Family Residential District to NO Neighborhood Office District. The subject site is generally located on the east side of South 119th Street West and within 400 feet of West Maple Street (11924 West Taft Street). The subject site is currently developed with a single-family residential dwelling. The applicant proposes to open an insurance agency on site.

The applicant proposes to utilize the existing single-family residential dwelling for the insurance business. The 2,306 square foot residential dwelling on site was constructed in 1967. Neighborhood Office District is the most restrictive commercial zoning district. The height restrictions and minimum lot size for SF-5 Single-Family Residential District and NO Neighborhood Office District are the same at 35 feet and 5,000 square feet, respectively. Parking for "Office, General" is one parking space per 333 square feet. Therefore, the applicant will need to provide seven parking spaces for the business. There is a circular driveway in front of the house, on the south end of the property, as well as a detached garage on the west end of the property with a driveway that may satisfy the parking requirement. The parking requirement can be reduced up to 25 percent with an Administrative Adjustment.

Properties to the north and east are zoned SF-5 Single-Family Residential District and are developed with single-family residential dwellings. Property to the south is zoned SF-5 Single-Family Residential District and is in use as a public park. Property to the west is zoned LC Limited Commercial District and is developed with a shopping complex that includes restaurants, a nail salon, and a tanning salon.

Previously, the MAPC and Planning Staff have recommended zoning changes with protective overlays on residential properties that:

- abut arterials; and
- are adjacent to non-residential and residential uses.

These types of applications are generally recommended for approval because:

- the "NO" district is intended to be a very low-intensity office use that is more compatible with nearby residential uses and permits a limited number of non-residential uses;
- the size of the subject property is usually limited in size and too small for more intensive uses; and
- Protective Overlays are applied to help mitigate any anticipated substantial adverse impacts.

One example of a previously approved similar zone change is 1930 North Maize Road, where there is a residential-appearing structure that currently serves as an insurance office. In 2002, the City of Wichita approved a zone change from SF-5 Single-Family Residential District to NO Neighborhood Office District, subject to Protective Overlay #110 (ZON2002-00016).

Because the subject site abuts residential zoning on the north, south, and east, it will be required to install screening and landscaping. There is currently a wood fence on the south, east, and west elevations, but a landscape plan must be reviewed and submitted prior to the issuance of building permits. The screening and landscape requirements, along with the Protective Overlay, can mitigate possible negative impacts.

CASE HISTORY: On July 23, 1964, the West Millbrook Addition was created. There are no zoning cases associated with this property.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single-family residential dwelling
SOUTH:	SF-5	Public park
EAST:	SF-5	Single-family residential dwellings
WEST:	LC	Shopping center (Restaurants, salons)

PUBLIC SERVICES: This site has access to South 119th Street West, which is a five-lane arterial with sidewalks on each side, as well as West Taft Street, a two-way, paved, two-lane local street with no sidewalks on either side.

ZON2022-00066

Wichita Transit does not serve this site. Municipal services, such as water and sewer, are already in place and ready to serve the site.

CONFORMANCE TO PLANS/POLICIES: The request to rezone the property is not in conformance with the following adopted plans:

The Community Investments Plan. The requested zoning is not in conformance with the *Community Investment Plan's* 2035 Wichita Future Growth Concept Map. The Map identifies the area to be appropriate for "Residential" uses, which the *Plan* defines as "areas that reflect the full diversity of residential development densities and types typically found in a large urban municipality. The range of housing densities and types includes, but is not limited to, single-family detached homes, semi-detached homes, zero lot line units, patio homes, duplexes, townhouses, apartments and multi-family units, condominiums, mobile home parks, and special residential accommodations for the elderly (assisted living, congregate care and nursing homes). Elementary and middle schools, churches, playgrounds, small parks and other similar residential-serving uses are located in these areas." However, the applicant proposes to utilize the existing residential dwelling to operate an insurance agency. Additionally, the property is adjacent to an area appropriate for "Commercial" uses.

However, the requested zone change is in conformance with the Locational Guidelines of the *Community Investments Plan*. The *Plan* states that "Higher-density residential uses and neighborhood-serving retail and office uses should buffer lower-density residential uses from major commercial and employment centers and industrial uses." The requested zone change serves as a buffer between the adjacent LC Limited Commercial District shopping center and the SF-5 Single-Family Residential District zoning.

RECOMMENDATION: Based upon the information available at the time the staff report was completed, staff recommends **APPROVAL** of the zone change request subject to Protective Overlay #403.

Protective Overlay #403

1. The property shall be developed with a building that has exterior walls of brick and/or wood and a double-pitched gable or hip style roof.
2. One freestanding monument-type sign with materials matching those of the building not exceeding six feet in height.
3. The site shall be developed in general conformance with the revised site and landscape plans as approved by the Planning Director.
4. Permitted uses shall be restricted to single-family residential, medical office or general office uses.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** The character of the neighborhood is primarily residential adjacent to a commercial retail center. Properties to the north and east are zoned SF-5 Single-Family Residential District and are developed with single-family residential dwellings. Property to the south is zoned SF-5 Single-Family Residential District and is in use as a public park. Property to the west is zoned LC Limited Commercial District and is developed with a shopping complex that includes restaurants, a nail salon, and a tanning salon.
2. **The suitability of the subject property for the uses to which it has been restricted:** The property is presently zoned SF-5 Single-Family Residential District, which is suitable for the development of single-family residential dwellings or a limited number of civic uses.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** The zone

change from SF-5 Single-Family Residential District to NO Neighborhood Office District will allow for an insurance agency on site, along with a limited number of commercial uses. Though there will be a slight increase in traffic, office uses are generally compatible abutting residential properties because the use is during normal business hours. The provisions of the protective overlay are designed to enhance the compatibility with the neighborhood and mitigate possible negative impacts.

4. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The requested zoning is in partial conformance with the *Community Investments Plan*, as discussed in this staff report.
5. **Impact of the proposed development on community facilities:** The requested zoning is not anticipated to have significant adverse impacts on community facilities. It will likely bring a minimal increase in traffic along West Taft Street.








Attachments:

1. Aerial Map
2. Future Growth Concept Map
3. Zoning Map
4. Site Pictures






**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

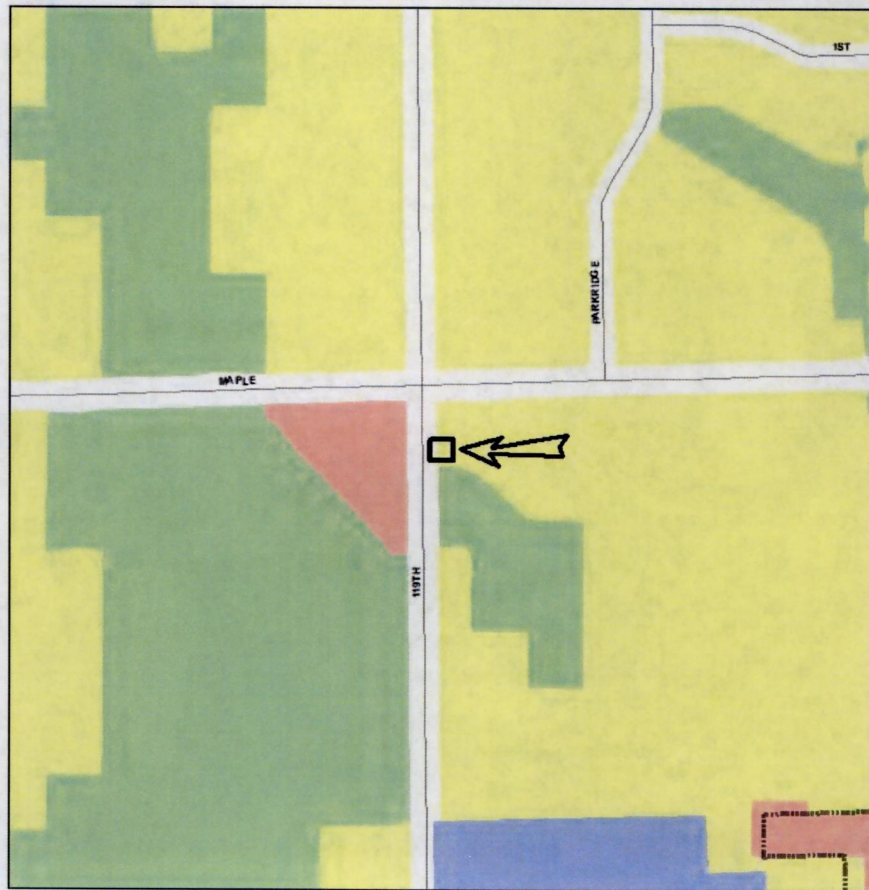
-  Other Urban Growth Areas 2014
-  Other Urban Growth Areas 2014
-  Rural Growth Areas 2014

LAND USE

-  Residential
-  Commercial
-  Industrial
-  Major Air Transportation & Military
-  Parks and Open Space
-  Agricultural or Vacant
-  Major Institutional
-  Nghbd_Plan_Areas



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Looking north towards site



Looking south away from site



Looking north away from site



Looking west away from site



Looking east away from site



Looking west towards site



Looking east towards site

