

4720 S. SENECA ST.

WICHITA, KS

PUD #133



GENERAL NOTES:

1. THE PUD AREA TOTALS APPROXIMATELY 0.60 ACRES.
2. PERMITTED USES:
 - A. USES PERMITTED BY RIGHT UNDER LIMITED COMMERCIAL "LC" FROM THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE ARE PERMITTED ALONG WITH THE FOLLOWING ADDITIONAL USES: BASIC INDUSTRY; FREIGHT TERMINAL; AND WAREHOUSING.
 - B. THE FOLLOWING USES SHALL BE PROHIBITED: CORRECTIONAL PLACEMENT RESIDENCE (LIMITED & GENERAL), NIGHTCLUB IN THE CITY, SERVICE STATION, AND ASPHALT OR CONCRETE PLANT USE.
3. CONTIGUOUS OWNERSHIP:
IF CONTIGUOUS PARCELS ARE TO BE DEVELOPED UNDER THE SAME OWNERSHIP, SETBACKS BETWEEN THOSE PARCELS WILL NOT BE REQUIRED.
4. SIGNS:
ALL SIGNAGE PURSUANT TO THE WICHITA SIGN CODE AS APPLICABLE IN THE LIMITED COMMERCIAL (LC) DISTRICT.
5. SCREENING:
SCREENING SHALL BE INSTALLED WHERE ABUTTING PROPERTY ZONED TF-3 TWO-FAMILY RESIDENTIAL OR MORE RESTRICTIVE.
6. LANDSCAPING:
LANDSCAPING SHALL ADHERE TO THE REQUIREMENTS OF THE WICHITA LANDSCAPE ORDINANCE WITH THE FOLLOWING EXCEPTIONS:
 - A. THE REQUIRED LANDSCAPED STREET YARD AREA SHALL BE REDUCED BY FIFTY (50) PERCENT UNTIL SUCH TIME THAT THE EXISTING STRUCTURE IS FULLY DEMOLISHED. AT THAT TIME, PARCEL 1 SHALL NO LONGER HAVE A REDUCTION IN REQUIRED LANDSCAPED STREET YARD AREA.
7. SETBACKS:
SETBACKS SHALL BE PURSUANT TO THE UNIFIED ZONING CODE FOR LC DISTRICTS WITH THE FOLLOWING EXCEPTIONS:
 - A. BUILDING SETBACKS SHALL BE AS SHOWN HEREON.
 - B. A COMPATIBILITY SETBACK ALONG THE EASTERN PROPERTY LINE OF PARCEL 1 SHALL NOT BE REQUIRED SO LONG AS A WOODEN PRIVACY FENCE IS CONSTRUCTED AND MAINTAINED ALONG SAID PROPERTY LINE AND SO LONG AS THE EXISTING STRUCTURE REMAINS.
8. PARKING:
THE SITE SHALL PROVIDE A TOTAL OF 21 PARKING SPACES INCLUDING THE APPLICABLE NUMBER OF ACCESSIBLE SPACES PER THE UNIFIED ZONING CODE (UZC).
9. THE TRANSFER OF THE TITLE ON ALL OR ANY PORTION OF THE PROPERTY INCLUDED IN THE PUD DOES NOT CONSTITUTE A TERMINATION OF THE PUD OR ANY PORTION THEREOF, HOWEVER, THE DIRECTOR OF PLANNING, WITH THE CONCURRENCE OF THE ZONING ADMINISTRATOR, MAY APPROVE MINOR ADJUSTMENTS TO THE CONDITIONS OF THIS OVERLAY, CONSISTENT WITH THE APPROVED DEVELOPMENT PLAN, WITHOUT FILING A FORMAL PUD AMENDMENT. THE PUD SHALL RUN WITH THE PROPERTY AND BE BINDING UPON THE PRESENT OWNERS, THEIR SUCCESSORS, AND ASSIGNS AND THEIR LESSEES UNLESS AMENDED.
10. AMENDMENTS, ADJUSTMENTS, OR INTERPRETATIONS TO THE PUD SHALL BE DONE IN ACCORDANCE WITH THE WICHITA-SEDGWICK COUNTY, KANSAS UNIFIED ZONING CODE.
11. PROPERTY DESCRIPTION:
PARCEL 1: ALL OF LOTS 2 AND 3; TOGETHER WITH LOTS 4 AND 5, EXCEPT THE NORTH 69.5 FEET THEREOF; BLOCK A, DAVIS-WALKER ADDITION, SEDGWICK COUNTY, KANSAS
12. DEVELOPMENT OF THIS PROPERTY SHALL PROCEED AS APPROVED BY THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION AND APPROVED BY THE GOVERNING BODY, AND ANY SUBSTANTIAL DEVIATION OF THE PLAN, AS DETERMINED BY THE ZONING ADMINISTRATOR AND THE DIRECTOR OF PLANNING, SHALL CONSTITUTE A VIOLATION OF THE BUILDING PERMIT AUTHORIZING CONSTRUCTION OF THE PROPOSED DEVELOPMENT.
13. ANY MAJOR CHANGES WITHIN THIS PUD SHALL BE SUBMITTED TO THE PLANNING COMMISSION AND THE GOVERNING BODY FOR THEIR CONSIDERATION. AMENDMENTS, ADJUSTMENTS, OR INTERPRETATIONS OF THE PUD SHALL BE MADE IN ACCORDANCE WITH THE UNIFIED ZONING CODE.
14. A CERTIFICATE OR NOTICE OF PUD SHALL BE RECORDED WITH THE SEDGWICK COUNTY REGISTER OF DEEDS OFFICE UPON APPROVAL OF THE PUD.



LEGAL DESCRIPTION:

PUD PROPERTY DESCRIPTION:

PARCEL 1:
ALL OF LOTS 2 AND 3; TOGETHER WITH LOTS 4 AND 5, EXCEPT THE NORTH 69.5 FEET THEREOF; BLOCK A, DAVIS-WALKER ADDITION, SEDGWICK COUNTY, KANSAS

PROJECT DESCRIPTION:

THIS PLANNED UNIT DEVELOPMENT (PUD) IS INTENDED TO ALLOW FOR THE USE AND DEVELOPMENT OF 0.60 ACRES SHOWN HEREON AS PARCEL 1 TO LC ZONING STANDARDS WITHIN THE CITY OF WICHITA, WITH THE ADDITIONAL USES ALLOWED BY RIGHT: BASIC INDUSTRY; FREIGHT TERMINAL; AND WAREHOUSING. SOME USES SHALL BE RESTRICTED TO ENSURE THE SITE CURRENT AND FUTURE USES ARE IN CHARACTER WITH THE NEIGHBORHOOD. IT IS RECOGNIZED THAT THE PROJECT LOCATION IS IN A LIMITED COMMERCIAL (LC) DISTRICT AS DEFINED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE AND THIS PUD IS INTENDED TO ADDRESS DEVELOPMENT STANDARDS THAT WILL ALLOW DEVELOPMENT AND BENEFIT THE SURROUNDING COMMUNITY.

PARCEL 1:

- | | |
|-------------------------------|------------------------------------|
| A. NET AREA: | ≈26,153 S.F. ± (0.60 ACRES ±) |
| B. MAXIMUM BUILDING COVERAGE: | PER "LC" ZONING REGULATIONS OF UZC |
| C. MAXIMUM GROSS FLOOR AREA: | PER "LC" ZONING REGULATIONS OF UZC |
| D. FLOOR AREA RATIO: | PER "LC" ZONING REGULATIONS OF UZC |
| E. MAXIMUM BUILDING HEIGHT: | FORTY (40) FEET |
| F. SETBACKS: | SEE GENERAL PROVISION #7 |
| G. PERMITTED USES: | SEE GENERAL PROVISION #2 |

APPROVED PUD

MAP 10/24/24
1 of 4
PUD 2024-00020



165 S Rock Island Ave.
Wichita, Kansas 67202
p. (316) 265-0005

BHC is a trademark of Brungardt Honomichi & Company, P.A.

4720 S. SENECA ST.

WICHITA, KS

PUD #133



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

Goodwill Industries of Kansas, Inc.
Dave Chadick
3351 N. Webb
Wichita, KS 67226

December 4, 2024

Matthew Tucker
165 S. Rock Island Ave.
Ste. 150
Wichita, KS 67202

RE: PUD2024-00020: Request to rezone from LC Limited Commercial to PUD #133; Generally located on the east side of South Seneca Street and within 500 feet north of West 47th Street South (4720 South Seneca Street).

Dear Applicant,

On December 3, 2024, the Wichita City Council considered the above captioned request. The action of the WCC was to **APPROVE** the request with the following conditions:

1. The PUD shall be developed in accordance with the approved PUD language.
2. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #133 4720 S. Seneca Planned Unit Development) has special conditions for development on the property.
3. A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of Governing Body approval, or the request shall be considered denied and closed.

If you have any questions concerning this matter, please contact our office.

Sincerely,

Brad Eatherly
Current Plans
Senior Planner

Copies to: Dalton Glasscock, Council Member District IV
Brooke Kauchak, CSR, District IV
Gary Hall 1009 W. Davis Wichita, KS 67217

PUD #133 Text

4720 SOUTH SENECA - PUD

PUD PROPERTY DESCRIPTION:

ALL OF LOTS 2 AND 3; TOGETHER WITH LOTS 4 AND 5, EXCEPT THE NORTH 69.5 FEET THEREOF; BLOCK A, DAVIS-WALKER ADDITION, SEDGWICK COUNTY, KANSAS

PROJECT DESCRIPTION:

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- B. MAXIMUM BUILDING COVERAGE: PER "LC" ZONING REGULATIONS OF UZC
- C. MAXIMUM GROSS FLOOR AREA: PER "LC" ZONING REGULATIONS OF UZC
- D. FLOOR AREA RATIO: PER "LC" ZONING REGULATIONS OF UZC
- E. MAXIMUM BUILDING HEIGHT: FORTY (40) FEET
- F. SETBACKS: SEE GENERAL PROVISION #7
- G. PERMITTED USES: SEE GENERAL PROVISION #2

GENERAL NOTES:

1. THE PUD AREA TOTALS APPROXIMATELY 0.60 ACRES.
2. PERMITTED USES:
 - A. USES PERMITTED BY RIGHT UNDER LIMITED COMMERCIAL "LC" FROM THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE ARE PERMITTED ALONG WITH THE FOLLOWING ADDITIONAL USES: FREIGHT TERMINAL; AND WAREHOUSING.
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8. PARKING:

PARKING SHALL MEET PARKING REQUIREMENTS ESTABLISHED BY THE UNIFIED ZONING CODE (UZC) FOR BUILDING AND SITE USAGE. A SITE PLAN AND PARKING MEMO SHALL BE PROVIDED TO THE

ZONING ADMINISTRATOR AND DIRECTOR OF PLANNING FOR REVIEW SHOULD A REDUCTION IN PARKING REQUIREMENTS BE NECESSARY FOR SUCCESSFUL REDEVELOPMENT OF THE PARCEL.

9. THE TRANSFER OF THE TITLE ON ALL OR ANY PORTION OF THE PROPERTY INCLUDED IN THE PUD DOES NOT CONSTITUTE A TERMINATION OF THE PUD OR ANY PORTION THEREOF, HOWEVER, THE DIRECTOR OF PLANNING, WITH THE CONCURRENCE OF THE ZONING ADMINISTRATOR, MAY APPROVE MINOR ADJUSTMENTS TO THE CONDITIONS OF THIS OVERLAY, CONSISTENT WITH THE APPROVED DEVELOPMENT PLAN, WITHOUT FILING A FORMAL PUD AMENDMENT. THE PUD SHALL RUN WITH THE PROPERTY AND BE BINDING UPON THE PRESENT OWNERS, THEIR SUCCESSORS, AND ASSIGNS AND THEIR LESSEES UNLESS AMENDED.
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**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

Goodwill Industries of Kansas, Inc.
Dave Chadick
3351 N. Webb
Wichita, KS 67226

October 29, 2024

Matthew Tucker
165 S. Rock Island Ave.
Ste. 150
Wichita, KS 67202

RE: PUD2024-00020: Request to rezone from LC Limited Commercial to PUD #133; Generally located on the east side of South Seneca Street and within 500 feet north of West 47th Street South (4720 South Seneca Street).

Dear Applicant,

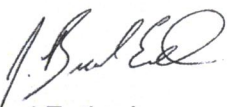
At its regular meeting on **October 24, 2024**, the Wichita-Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** the Conditional Use request for the multi-family residential.

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 **November 7, 2024**. 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 **November 7, 2024, at 5:00 p.m.**

This application will be heard by the District Advisory Board (DAB) IV on **Monday, November 4, 2024**, beginning at 6:00 p.m. at the Alford Branch Library (3447 S Meridian). For more information on this meeting, please contact Community Services Representative for District IV, Brooke Kauchak at (316) 268-4197 or <mailto:bkauchak@wichita.gov>. This application will be presented to the Wichita City Council on **Tuesday, December 3, 2024**, beginning at 9:00 a.m.

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 316-268-4421.

Sincerely,


Brad Eatherly
Current Plans

Senior Planner

CC: Dalton Glasscock, Council Member District IV
Brooke Kauchak, CSR, District IV
Gary Hall 1009 W. Davis Wichita, KS 67217

December 13, 2024

ORDINANCE NO. 52-582

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. PUD2024-00020

Zone Change Request in the City from SF-5 Single-Family Residential District to Planned Unit Development (PUD) to Create the 4720 S. Seneca St. PUD #133, on property legally described as:

All of Lots 2 and 3; Together with Lots 4 and 5, EXCEPT the North 69.5 feet thereof, Block A, Davis-Walker Addition to Wichita, Sedgwick County, Kansas.

The 4720 S. Seneca St. Planned Unit Development (PUD #133) shall be subject to the following conditions:

1. The PUD shall be developed in accordance with the approved PUD language.
2. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #133 4720 S. Seneca Planned Unit Development) has special conditions for development on the property.
3. A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of Governing Body approval, or the request shall be considered denied and closed.

SECTION 2. That upon the taking effect of this Ordinance, the above zoning change shall be entered and shown on the "Official Zoning Map" previously adopted by reference and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

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 December, 2024.

Lily Wu
Lily Wu, Mayor, City of Wichita

ATTEST:

Shinita Rice
Shinita Rice, Deputy City Clerk



(SEAL)

Approved as to form:

Jennifer Magaña
Jennifer Magaña, City Attorney and Director of Law



Sedgwick County Kansas
Tonya Buckingham,
Register of Deeds

NOTICE OF PLANNED UNIT DEVELOPMENT

PUD #133

THIS NOTICE made this 28th day of January 2025, by Goodwill Industries of Kansas Inc., hereinafter called "Declarant".

WITNESSETH

WHEREAS, the declarant is owner of all or a portion of the following described property:

ALL OF LOTS 2 AND 3; TOGETHER WITH LOTS 4 AND 5, EXCEPT THE NORTH 69.5 FEET THEREOF; BLOCK A, DAVIS-WALKER ADDITION, SEDGWICK COUNTY, KANSAS.

AND

WHEREAS, Declarant is desirous to file notice that a Planned Unit Development approved by the Wichita City Council and is on file with Metropolitan Area Planning Department, known as located on the 2nd floor of the Ronald Reagan Building at 271 W. 3rd St. - Suite 201, Wichita, Kansas, (316) 268-4421).

NOW, THEREFORE, the declarant wants to make notice that the approved Planned Unit Development (PUD. #133) has placed restrictions on the use and requirements for the development of the above-described real property. The Planned Unit Development shall be binding on the owners, the heirs, successors, or assigns, and is a document running with the land and is binding on all successors in title to the above-described real property.

EXECUTED the day and year first written hereon.

By

Laura Ritterbush, Chief Executive Officer
Goodwill Industries of Kansas Inc.

STATE OF KANSAS }
COUNTY OF SEDGWICK} SS:

BE IT REMEMBERED, that on this 28th day of January, 2025, before me, the undersigned, a Notary Public in and for said State and County, came Laura Ritterbush, Chief Executive Officer, Goodwill Industries of Kansas Inc., to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year above written.

Notary Public

My Appointment Expires 07/26/26





AFFIDAVIT OF PUBLICATION

State of Kansas, Sedgwick County, ss:

Shinita Rice, Deputy City Clerk

Being first duly sworn, deposes and says:

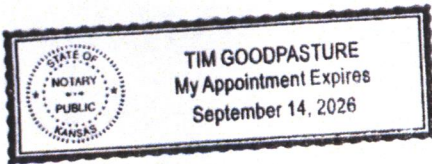
That I, Shinita Rice, Deputy City Clerk of the City of Wichita, Kansas has published the attached notice on the City of Wichita website, www.wichita.gov/LegalNotices, which website is designated as the official City News Outlet Publication Site for the City of Wichita, Kansas by Charter Ordinance No. 240 effective September 4, 2024.

That the attached Notice of Public Hearing / Ordinance No. 52-582 / Resolution No. _____ is a true copy thereof and was published on such website beginning on the 13th day of December, 2024.

Signature

SUBSCRIBED AND SWORN to before me this 13 day of December 2024.

Notary Public



(seal)

City Clerk's Office

City Hall • 13th Floor • 455 N. Main • Wichita, Kansas 67202

316.268.4529

www.wichita.gov



The Beaufort Gazette
 The Belleville News-Democrat
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 The Sun News - Myrtle Beach
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 Tri-City Herald
 The Wichita Eagle
 The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
32522	619595	Print Legal Ad-IPL02082070 - IPL0208207	ORD 52-582	\$49.86	1	83 L

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

srice@wichita.gov

**OCA 150004 PUBLISHED AT
 WICHITA.GOV/LEGALNOTICES
 ON DECEMBER 13, 2024
 ORDINANCE NO. 52-582**

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. PUD2024-0020
 Zone Change Request in the City from SF-5 Single-Family Residential District to Planned Unit Development (PUD) to Create the 4720 S. Seneca St. PUD #133, on property legally described as:

All of Lots 2 and 3; Together with Lots 4 and 5, EXCEPT the North 69.5 feet thereof, Block A, Davis-Walker Addition to Wichita, Sedgwick County, Kansas.

The 4720 S. Seneca St. Planned Unit Development (PUD #133) shall be subject to the following conditions:

The PUD shall be developed in accordance with the approved PUD language.

The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #133 4720 S. Seneca Planned Unit Development) has special conditions for development on the property. A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of Governing Body approval, or the request shall be considered denied and closed.

SECTION 2. That upon the taking effect of this Ordinance, the above zoning change shall be entered and shown on the "Official Zoning Map" previously adopted by reference and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

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 December, 2024.

Lily Wu, Mayor, City of Wichita
 ATTEST:
 Shinta Rice, Deputy City Clerk
 (SEAL)

Approved as to form:
 Jennifer Magana, City Attorney and Director of Law
 IPL0208207
 Dec 13 2024

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

1 insertion(s) published on:
 12/13/24

STATE OF KANSAS)

SS

County of Sedgwick)

Mary Castro, 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 12/13/2024 to 12/13/2024.

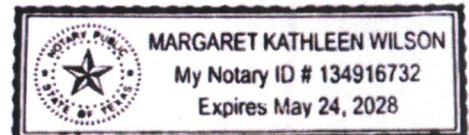
Mary Castro

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

DATED: 12/13/2024

Margaret K. Wilson

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



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



STAFF REPORT
MAPC: October 24, 2024
DAB IV: November 4, 2024

CASE NUMBER: PUD2024-00020 (City)

APPLICANT/AGENT: Goodwill Industries of America (Applicant) / Matthew Tucker (Agent)

REQUEST: Rezone to create the 4720 S. Seneca St. Planned Unit Development PUD #133

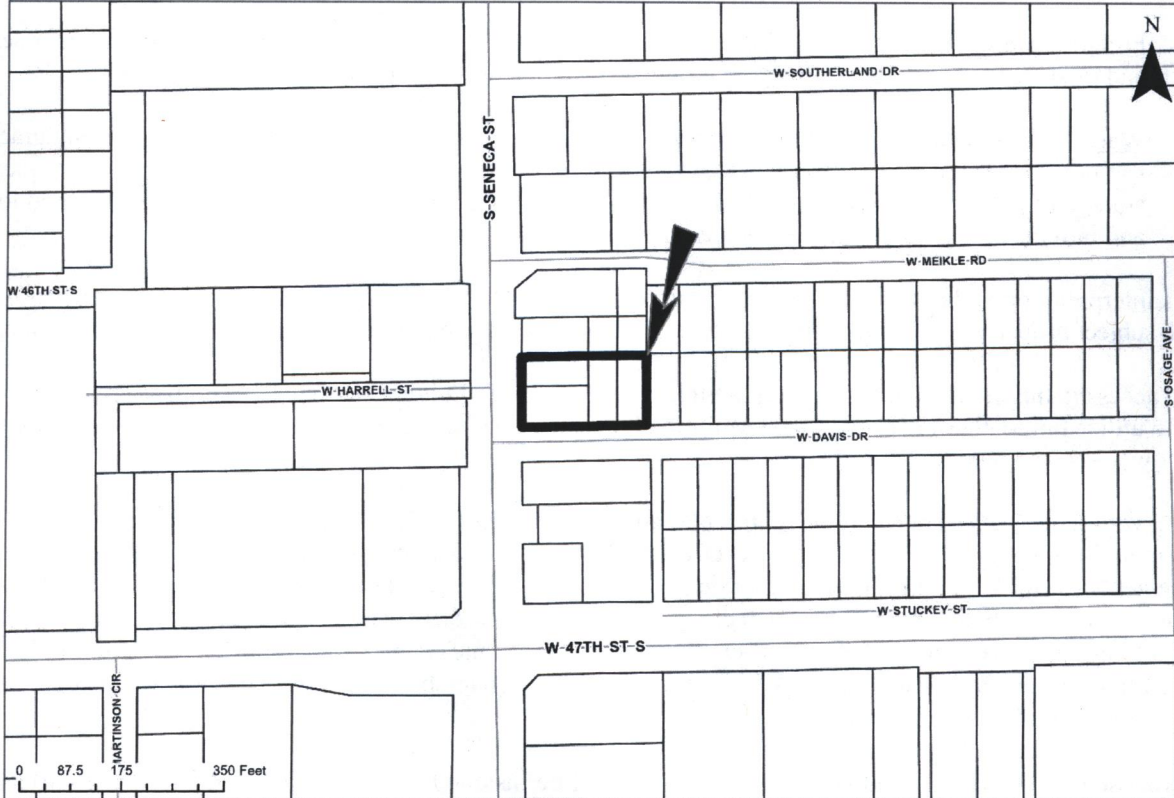
CURRENT ZONING: LC Limited Commercial District

SITE SIZE: 0.60 acres

LOCATION: Generally located on the east side of South Seneca Street and within 500 feet north of West 47th Street South (4720 South Seneca Street).

PROPOSED USE: Uses permitted by right in the LC Limited Commercial District along with the following: Basic Industry, Freight Terminal, and Warehousing.

RECOMMENDATION: Approve with conditions.



BACKGROUND: The applicant is requesting a zone change from LC Limited Commercial District (LC) to PUD Planned Unit Development (PUD) to create the 4720 S. Seneca St. Planned Unit Development (PUD #133). The subject site is 0.60 acres in size and is generally located on the east side of South Seneca Street and within 500 feet north of West 47th Street South (4720 South Seneca Street). The subject site is currently developed as a vacant retail store.

The applicant is requesting the zone change in order to permit uses permitted by right in the LC district along with the following other uses: Basic Industry, Freight Terminal, and Warehousing. A PUD allows a certain level of flexibility with site development regulation which would otherwise not be permitted under the existing zoning. Parcel 1 is currently developed with a commercial retail store front. Prohibited uses shall include Correctional Placement Residence (Limited and General), Nightclub in the City, Service Station, and Asphalt or Concrete Plant. The applicant is proposing to repurpose the existing commercial structure into an inventory processing center for Goodwill Industries. Inventory would be received at this location, packaged and processed, and then shipped to Goodwill retail locations elsewhere. The applicant has concurrently applied for a vacation (VAC2024-00049) of 20 feet of a 30-foot platted setback along West Davis Drive. This vacation would allow the applicant to create space for a receiving dock, trash enclosure and overhead canopy.

Use Definitions: Below is a list of definitions for each of the proposed uses not currently permitted in the LC District.

Basic Industry: means an establishment engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in storage or manufacturing processes that involve or have the potential to involve commonly recognized offensive conditions. Typical uses include fat rendering plants; poultry and rabbit dressing; pulp processing and paper products manufacturing; stockyards; slaughterhouses; steel works; tanneries; acid manufacture; cement, lime, gypsum, or plaster of Paris manufacture; distillation of bones; fertilizer manufacture; garbage, offal or dead animals incineration, reduction or dumping; glue manufacture; gas manufacture; and petroleum refineries.

Freight Terminal: means a building or area in which freight brought by motor trucks or rail is assembled and/or stored for routing in intrastate or interstate shipment by motor truck or rail.

Warehousing: means the storage of materials, equipment, or products within a Building for manufacturing use or for distribution to wholesalers or retailers, as well as activities involving significant movement and storage of products or equipment. Typical uses include major mail distribution centers, frozen food lockers, and moving and storage firms, but excluding Self-Service Storage Warehouses.

Staff's interpretation is that the use of Basic Industry is not needed to accomplish the use the applicant is intending for the subject property. Staff is recommending that the proposed use be removed from the proposed PUD language.

Public access to the site is from South Seneca Street and West Davis Drive. Once a week a semi-truck will access the site and utilize the southern portion of the site for loading and unloading of goods. Development standards for the LC district would be applied to Parcel 1.

Parking within the PUD shall be provided in accordance with the Unified Zoning Code (UZC). Signs in Parcel 1 shall conform to the Wichita Sign Code for the LC District. The applicant is proposing that landscaping shall adhere to the requirements of the Wichita Landscaping Ordinance with the following exception: The required landscaped street yard area shall be reduced by fifty (50) percent until such time that the existing structure is fully demolished along with parking and drive aisle along South Seneca Street. At that time, Parcel 1 shall no longer have a reduction in required landscaped street yard area. Staff recommends this language be changed to permit a 50 percent reduction until only the building is demolished.

The proposed PUD language indicates that screening shall be installed pursuant to the UZC for LC Districts. Staff recommends that the PUD language be modified to specifically state that screening shall be installed where abutting

property zoned TF-3 or more restrictive.

The character of the neighborhood is a mix of commercial and residential. Property to the north is zoned LC and is developed with a private motorcycle club and a minor utility. Property to the east is zoned SF-5 and is developed with a single-family dwelling. Property to the south, across West Davis Drive is zoned LC and is developed with a small warehouse. Property to the west, across South Seneca Street, is zoned LC and is developed with a single-family dwelling and a lot with two or three dwelling units.

CASE HISTORY: On January 22, 1952, the site was platted as part of the Davis Walker Addition. There have been no other zoning cases associated with the property.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Private Club/Utility, Minor
SOUTH:	SF-5	Warehouse
EAST:	SF-5	Single-family dwelling
WEST:	SF-5	Single-family dwelling/Multi-family dwellings

PUBLIC SERVICES: The subject site has access to South Seneca Street via the parking area of the abutting property to the north. South Seneca Street is a paved, four-lane arterial street with sidewalks on both sides, and West Davis Drive, a two-lane arterial street with sidewalks on the east side. City services such as sanitary sewer and water currently serve the site. Wichita Transit provides services at the southwest corner and the northeast corner of South Seneca Street and West Pawnee Avenue, as well as the southwest and southeast corners of West Pawnee Avenue and South McLean Boulevard

CONFORMANCE TO PLANS/POLICIES: The proposed zone change is in partial conformance with the *Community Investments Plan* and is not in conformance with the *South Wichita/Haysville Area Plan*:

Community Investments Plan: The requested zone change is in partial conformance with the *Community Investments Plan*. The *Community Investments Plan* (the Wichita-Sedgwick County Comprehensive Plan), which includes the 2035 Future Growth Concept Map, recommends the subject site as appropriate for “Residential” and “Commercial” uses. The *Plan* defines “Residential” 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).*” The *Plan* defines “Commercial” as “*Encompasses areas that reflect the full diversity of commercial development intensities and types typically found in a large urban municipality. Convenience retail, restaurants, small offices, and personal service uses are located in close proximity to, and potentially mixed with, Residential Uses. Major destination areas (centers and corridors) containing concentrations of commercial and office uses that have regional market areas and generate high volumes of traffic are located in close proximity to major arterials or highways and typically are buffered from lower density residential areas by higher density housing types.*” The site also abuts low-density residential to the east, which is not typically supported by the *Plan*. Although some of the proposed uses are categorized as industrial, the provisions of PUD #133 are designed to limit negative effects the proposed use would have on nearby properties.

The Locational Guidelines of the *Community Investments Plan* provide a framework for decision-making regarding land use changes. Under the heading of “Development Pattern,” Guideline 1.c states that, “*Major commercial and employment centers should be located at intersections of arterial streets and along highways and commercial corridors.*” Guideline 2.a encourages, “*infill development that maximizes public investment in existing and planned infrastructure and services.*” Under the heading “Land Use Compatibility,” Guideline 1.a states, “*Higher-intensity development should be discouraged from locating in areas of lower-intensity development, particularly established low-density residential.*” Locational Guideline 1.c. 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

proposed uses are commercial and industrial in nature, but it is not anticipated that these uses shall generate pollution, odor, noise, light, safety hazards, and high levels of traffic to the surrounding properties. While the proposed PUD is located approximately 300 feet north of the intersection of South Seneca Street and West 47th Street South, the proposed uses are higher intensity than what would be permitted by right in the LC District.

South Wichita/Haysville Area Plan: The requested rezoning is not in compliance with the South Wichita/Haysville Area Plan, which was adopted on November 30, 2001. The site is located within the boundaries of the *South Wichita/Haysville Area Plan* (SW/HAP). Chapter Four of the plan discusses the desire for new commercial development in the area. The SW/HAP future development concept map also identifies the subject site as appropriate for “Residential Low Density” development. Residential Low Density development is defined as single-family residential in the SW/HAP. The PUD is proposing commercial and low-intensity industrial at the location.

RECOMMENDATION: Based on the information available at the time of the public hearing, staff recommends **APPROVAL** of the application subject to provisions of the 4720 S. Seneca Planned Unit Development PUD #133 as attached hereto, and subject to the following conditions:

1. The PUD shall be developed in accordance with the approved PUD language.
2. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #133 4720 S. Seneca Planned Unit Development) has special conditions for development on the property.
3. A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of Governing Body approval, 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: The character of the neighborhood is a mix of commercial and residential. Property to the north is zoned LC and is developed with a private motorcycle club and a minor utility. Property to the east is zoned SF-5 and is developed with a single-family dwelling. Property to the south, across West Davis Drive is zoned LC and is developed with a small warehouse. Property to the west, across South Seneca Street, is zoned LC and is developed with a single-family dwelling and a lot with two or three dwelling units.
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, which is suitable for several residential, public and civic, commercial, and agricultural uses.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The removal of restrictions could negatively impact nearby properties. Warehousing, and Freight Terminal uses are not permitted in the LC District by-right or by Conditional Use. Uses within the LC District such as retail and restaurant could generate delivery truck traffic similar or greater to the proposed use of the site. The recommended screening and landscaping are intended to help mitigate possible significant negative visual impacts.
4. Length of time the property has been vacant as currently zoned: The subject site is currently developed with a vacant commercial store front.
5. Relative gain to the public health, safety, and welfare, compared to the loss in value or the hardship imposed upon the applicant: Approval would permit new development in the area. But approval of a higher intensity use on Parcel 1 must be weighed with possible negative impacts on public health, safety, and welfare. The recommended PUD language is intended to help mitigate possible significant detrimental impacts on nearby residential uses. Denial may represent economic loss to the applicant.

6. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The requested rezoning is in partial conformance with the *Community Investments Plan* and is not in conformance with the *South Wichita/Haysville Area Plan*, as discussed in the staff report.
7. Impact of the proposed development on community facilities: Staff does not anticipate the proposed development to have significant detrimental impact on community facilities.
8. Opposition or support of neighborhood residents: At the time of the publication of the staff report, staff has not received comment from the public regarding the proposal.

Attachments:

1. PUD #133 Text
2. PUD Drawing
3. Aerial Map
4. Zoning Map
5. Land Use Map
6. South Wichita/ Haysville Area Plan Future Development Concept Map
7. Photos

Applicant Proposed PUD #133 Text

Staff-recommended changes are in *red*.

4720 SOUTH SENECA - PUD

PUD PROPERTY DESCRIPTION:

ALL OF LOTS 2 AND 3; TOGETHER WITH LOTS 4 AND 5, EXCEPT THE NORTH 69.5 FEET THEREOF; BLOCK A, DAVIS-WALKER ADDITION, SEDGWICK COUNTY, KANSAS

PROJECT DESCRIPTION:

THIS PLANNED UNIT DEVELOPMENT (PUD) IS INTENDED TO ALLOW FOR THE USE AND DEVELOPMENT OF 0.60 ACRES SHOWN HEREON AS PARCEL 1 TO LC ZONING STANDARDS WITHIN THE CITY OF WICHITA, WITH THE ADDITIONAL USES ALLOWED BY RIGHT: BASIC INDUSTRY; FREIGHT TERMINAL; AND WAREHOUSING. SOME USES SHALL BE RESTRICTED TO ENSURE THE SITE CURRENT AND FUTURE USES ARE IN CHARACTER WITH THE NEIGHBORHOOD. IT IS RECOGNIZED THAT THE PROJECT LOCATION IS IN A LIMITED COMMERCIAL (LC) DISTRICT AS DEFINED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE AND THIS PUD IS INTENDED TO ADDRESS DEVELOPMENT STANDARDS THAT WILL ALLOW DEVELOPMENT AND BENEFIT THE SURROUNDING COMMUNITY.

PARCEL 1:

ALL OF LOTS 2 AND 3; TOGETHER WITH LOTS 4 AND 5, EXCEPT THE NORTH 69.5 FEET THEREOF; BLOCK A, DAVIS-WALKER ADDITION, SEDGWICK COUNTY, KANSAS

- A. NET AREA: ≈26,153 S.F. ± (0.60 ACRES ±)
- B. MAXIMUM BUILDING COVERAGE: PER "LC" ZONING REGULATIONS OF UZC
- C. MAXIMUM GROSS FLOOR AREA: PER "LC" ZONING REGULATIONS OF UZC
- D. FLOOR AREA RATIO: PER "LC" ZONING REGULATIONS OF UZC
- E. MAXIMUM BUILDING HEIGHT: FORTY (40) FEET
- F. SETBACKS: SEE GENERAL PROVISION #7
- G. PERMITTED USES: SEE GENERAL PROVISION #2

GENERAL NOTES:

1. THE PUD AREA TOTALS APPROXIMATELY 0.60 ACRES.

2. PERMITTED USES:

A. USES PERMITTED BY RIGHT UNDER LIMITED COMMERCIAL "LC" FROM THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE ARE PERMITTED ALONG WITH THE FOLLOWING ADDITIONAL USES: ~~BASIC INDUSTRY~~; FREIGHT TERMINAL; AND WAREHOUSING.

B. THE FOLLOWING USES SHALL BE PROHIBITED: CORRECTIONAL PLACEMENT RESIDENCE (LIMITED & GENERAL), NIGHTCLUB IN THE CITY, SERVICE STATION, AND ASPHALT OR CONCRETE PLANT USE.

3. CONTIGUOUS OWNERSHIP:

IF CONTIGUOUS PARCELS ARE TO BE DEVELOPED UNDER THE SAME OWNERSHIP, SETBACKS BETWEEN THOSE PARCELS WILL NOT BE REQUIRED.

4. SIGNS:

ALL SIGNAGE PURSUANT TO THE WICHITA SIGN CODE AS APPLICABLE IN THE LIMITED COMMERCIAL (LC) DISTRICT.

5. SCREENING:

SCREENING SHALL BE INSTALLED PURSUANT TO THE UNIFIED ZONING CODE FOR LC DISTRICTS ~~WHERE ABUTTING PROPERTY ZONED TF_9.TWO_FAMILY.RESIDENTIAL.OR.MORE.RESTRICTIVE.~~

6. LANDSCAPING:

LANDSCAPING SHALL ADHERE TO THE REQUIREMENTS OF THE WICHITA LANDSCAPE ORDINANCE WITH THE FOLLOWING EXCEPTIONS:

A. THE REQUIRED LANDSCAPED STREET YARD AREA SHALL BE REDUCED BY FIFTY (50) PERCENT UNTIL SUCH TIME THAT THE EXISTING STRUCTURE IS FULLY DEMOLISHED ~~ALONG WITH THE PARKING AND DRIVE AISLE ALONG SENECA STREET~~. AT THAT TIME, PARCEL 1 SHALL NO LONGER HAVE A REDUCTION IN REQUIRED LANDSCAPED STREET YARD AREA.

7. SETBACKS:

SETBACKS SHALL BE PURSUANT TO THE UNIFIED ZONING CODE FOR LC DISTRICTS WITH THE FOLLOWING EXCEPTIONS:

A. BUILDING SETBACKS SHALL BE AS SHOWN HEREON.

B. A COMPATIBILITY SETBACK ALONG THE EASTERN PROPERTY LINE OF PARCEL 1 SHALL NOT BE REQUIRED SO LONG AS A WOODEN PRIVACY FENCE IS CONSTRUCTED AND MAINTAINED ALONG SAID PROPERTY LINE AND SO LONG AS THE EXISTING STRUCTURE REMAINS.

8. PARKING:

PARKING SHALL MEET PARKING REQUIREMENTS ESTABLISHED BY THE UNIFIED ZONING CODE (UZY) FOR BUILDING AND SITE USAGE. A SITE PLAN AND PARKING MEMO SHALL BE PROVIDED TO THE ZONING ADMINISTRATOR AND DIRECTOR OF PLANNING FOR REVIEW SHOULD A REDUCTION IN PARKING REQUIREMENTS BE NECESSARY FOR SUCCESSFUL REDEVELOPMENT OF THE PARCEL.

9. THE TRANSFER OF THE TITLE ON ALL OR ANY PORTION OF THE PROPERTY INCLUDED IN THE PUD DOES NOT CONSTITUTE A TERMINATION OF THE PUD OR ANY PORTION THEREOF, HOWEVER, THE DIRECTOR OF PLANNING, WITH THE CONCURRENCE OF THE ZONING ADMINISTRATOR, MAY APPROVE MINOR ADJUSTMENTS TO THE CONDITIONS OF THIS OVERLAY, CONSISTENT WITH THE APPROVED DEVELOPMENT PLAN, WITHOUT FILING A FORMAL PUD AMENDMENT. THE PUD SHALL RUN WITH THE PROPERTY AND BE BINDING UPON THE PRESENT OWNERS, THEIR SUCCESSORS, AND ASSIGNS AND THEIR LESSEES UNLESS AMENDED.
10. AMENDMENTS, ADJUSTMENTS, OR INTERPRETATIONS TO THE PUD SHALL BE DONE IN ACCORDANCE WITH THE WICHITA-SEDGWICK COUNTY, KANSAS UNIFIED ZONING CODE.
11. PROPERTY DESCRIPTION:

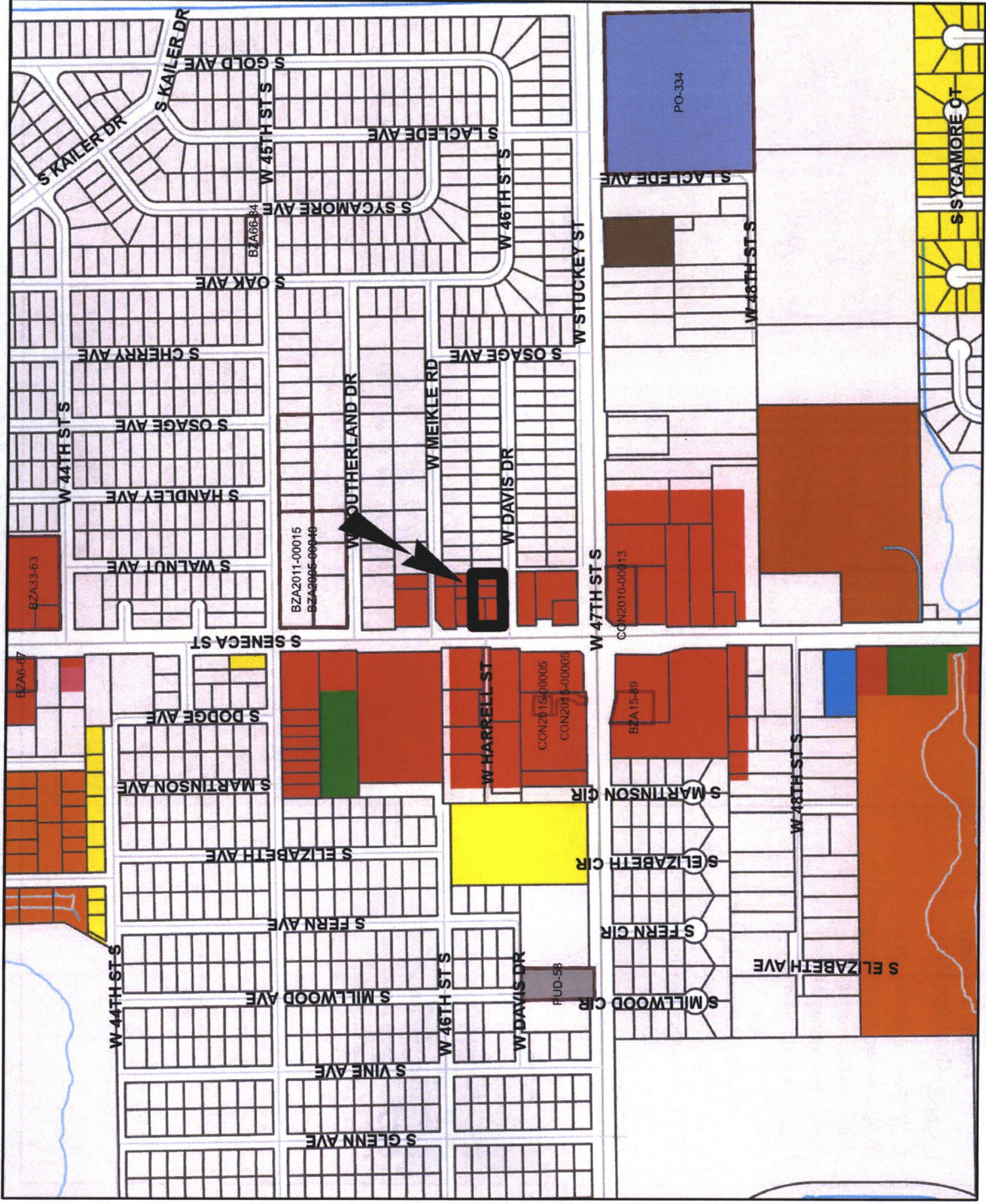
PARCEL 1: ALL OF LOTS 2 AND 3; TOGETHER WITH LOTS 4 AND 5, EXCEPT THE NORTH 69.5 FEET THEREOF; BLOCK A, DAVIS-WALKER ADDITION, SEDGWICK COUNTY, KANSAS
12. DEVELOPMENT OF THIS PROPERTY SHALL PROCEED AS APPROVED BY THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION AND APPROVED BY THE GOVERNING BODY, AND ANY SUBSTANTIAL DEVIATION OF THE PLAN, AS DETERMINED BY THE ZONING ADMINISTRATOR AND THE DIRECTOR OF PLANNING, SHALL CONSTITUTE A VIOLATION OF THE BUILDING PERMIT AUTHORIZING CONSTRUCTION OF THE PROPOSED DEVELOPMENT.
13. ANY MAJOR CHANGES WITHIN THIS PUD SHALL BE SUBMITTED TO THE PLANNING COMMISSION AND THE GOVERNING BODY FOR THEIR CONSIDERATION. AMENDMENTS, ADJUSTMENTS, OR INTERPRETATIONS OF THE PUD SHALL BE MADE IN ACCORDANCE WITH THE UNIFIED ZONING CODE.
14. A CERTIFICATE OR NOTICE OF PUD SHALL BE RECORDED WITH THE SEDGWICK COUNTY REGISTER OF DEEDS OFFICE UPON APPROVAL OF THE PUD.





ZONING

- RR
- SF-20
- SF-10
- SF-5
- TF-3
- MF-18
- MF-29
- B
- MH
- NO
- GO
- NR
- LC
- GC
- CBD
- OW
- IP
- LI
- IP-A
- GI
- AFB
- U
- PUD
- AIRPORT
- OLD TOWN



**2035 Wichita
Future Growth
Concept Map**

Legend

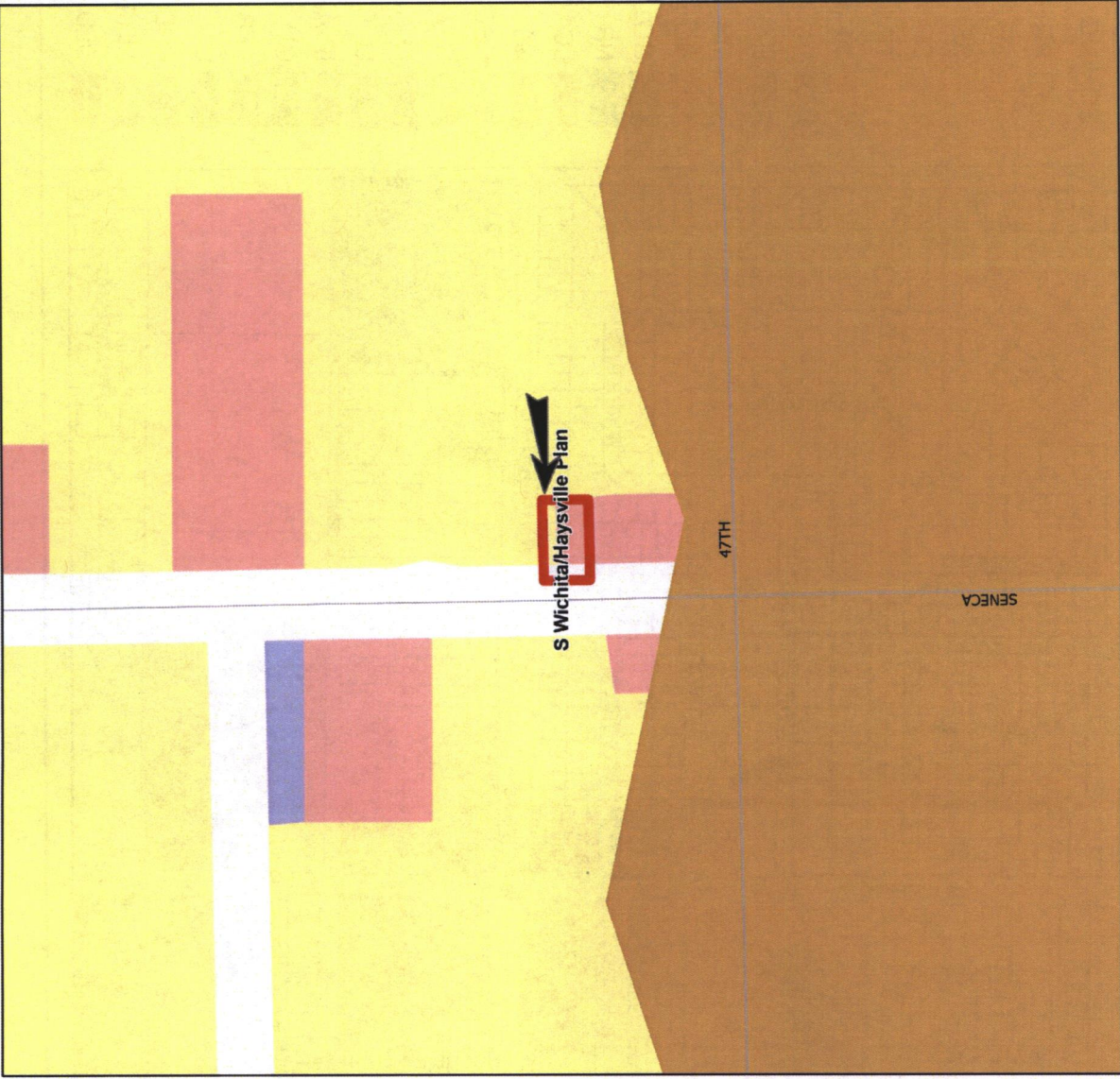
-  Established Central Area
-  Residential and Employment Mix
-  New Employment
-  New Residential
-  Wichita City Limits
-  Other Cities
-  Northwest Bypass Right-of-Way
-  Other Urban Growth Areas 2014
-  Other Urban Growth Areas 2014
-  Rural Growth Areas 2014

LAND USE

-  Residential
-  Commercial
-  Industrial
-  Major Air Transportation & Military
-  Parks and Open Space
-  Agricultural or Vacant
-  Major Institutional
-  Neighborhood & Area Plans
-  Application Area



Map prepared by the Metropolitan Area Planning Commission, 1000 E. 12th Street, Wichita, KS 67202. Map data provided by the City of Wichita, Kansas Department of Planning and Economic Development. Map scale: 1 inch = 1 mile. Map date: 10/2020.

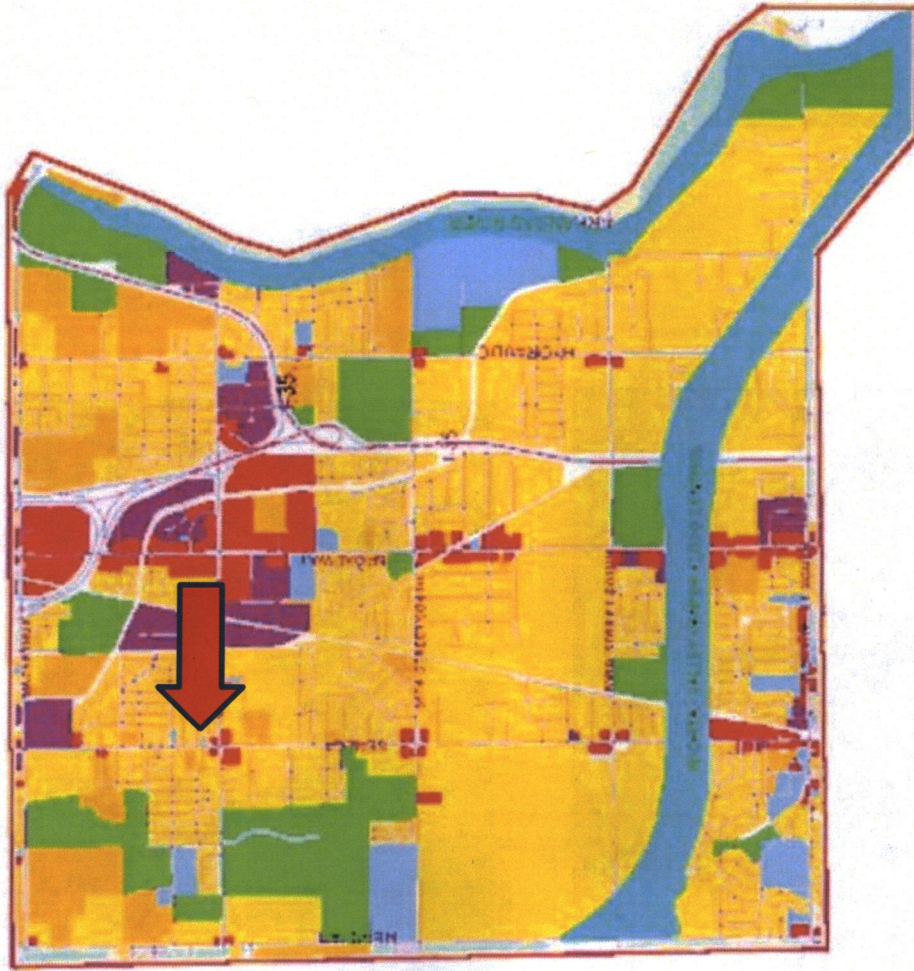
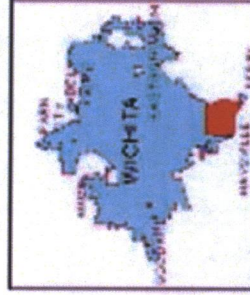


SOUTH WICHITA HAYSVILLE AREA PLAN

FUTURE LAND USE

LEGEND

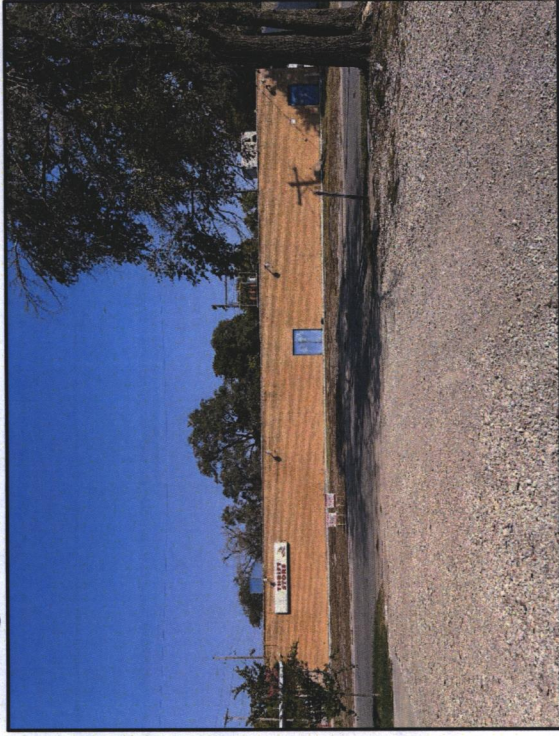
- Residential Low Density
- Residential Medium Density
- Commercial Retail
- Industrial
- Public-Semi Public-Institutional
- Public Parks-Open space-Golf Courses
- Streets
- Project Boundary



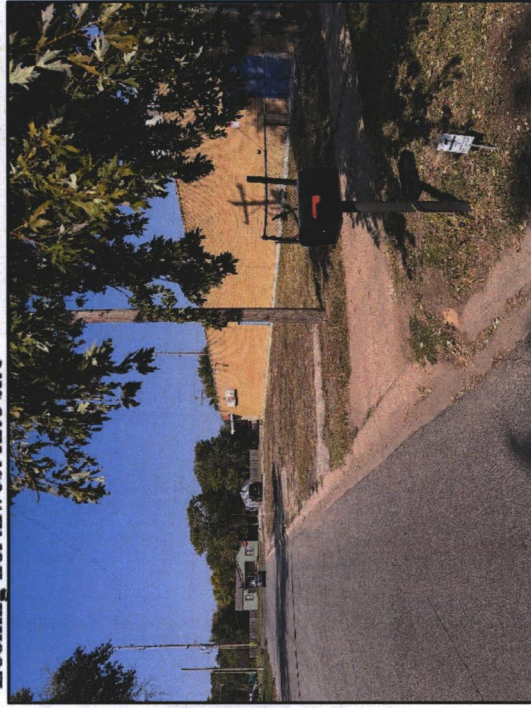
Looking east into site



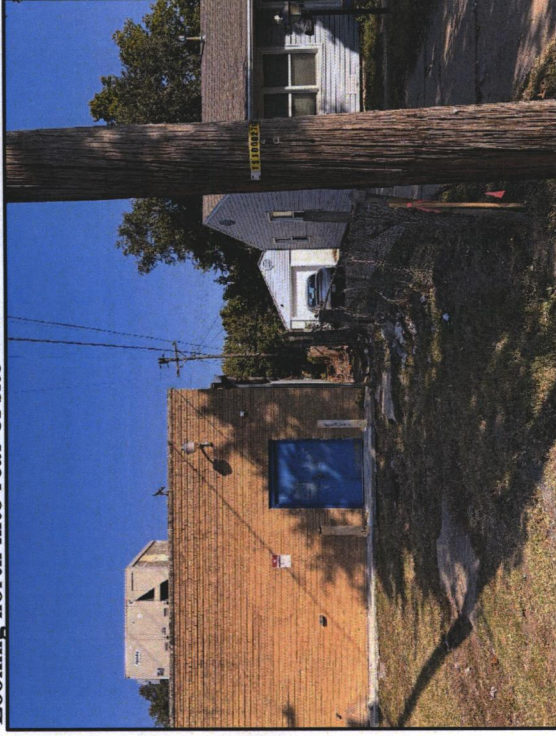
Looking north into site



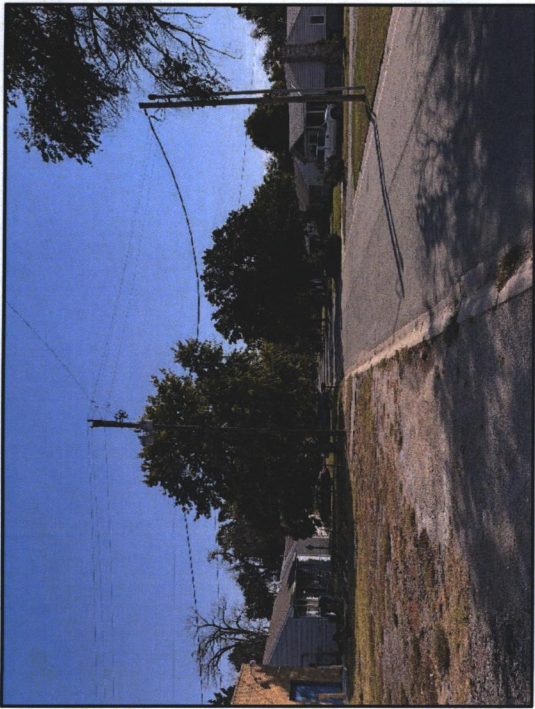
Looking northwest into site



Looking north into rear of site



Looking east away from site



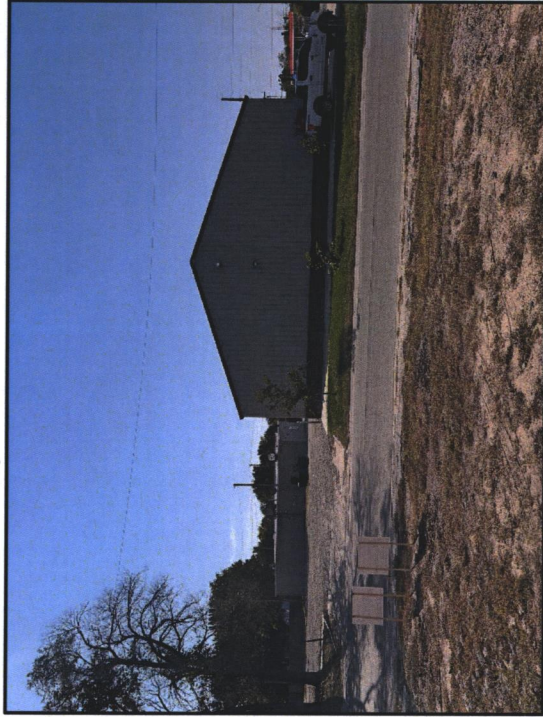
Looking north away from site



Looking west away from site



Looking south away from site



Looking southwest away from site

