



Wichita-Sedgwick County Metropolitan Area Planning Department

AF&H, LLC
150 S. Washington
Wichita, KS 67202

April 27, 2022

RE: ZON2022-00004: City zone change from LC Limited Commercial to CBD Central Business District; generally located southwest of West Douglas Avenue and South Seneca Street (1601 W. Douglas Ave.).

Dear Applicant;

At its regular meeting on April 5, 2022, the Wichita City Council considered the above captioned request. The action of the City Council was to APPROVE the request.

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

Sincerely,

A handwritten signature in blue ink that reads 'Matthew Williams'.

Matthew Williams, AICP
Senior Planner

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



Wichita-Sedgwick County Metropolitan Area Planning Department

AF&H, LLC
150 S. Washington
Wichita, KS 67202

March 4, 2022

RE: ZON2022-00004: City zone change from LC Limited Commercial to CBD Central Business District; generally located southwest of West Douglas Avenue and South Seneca Street (1601 W. Douglas Ave.).

Dear Applicant;

At its regular meeting on **March 3, 2022**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** of the request.

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 March 17, 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 **March 17, 2022 at 5:00 p.m.**

This application is scheduled for consideration by the Wichita City Council on **Tuesday, April 5, 2022, beginning at 9:00 a.m.** The City Council meeting will be held in the City Council Chambers, First Floor, City Hall, 455 N. Main, Wichita, Kansas.

This is a reminder that the zoning notification signs should now be removed from the property. If you have any questions concerning this application, please contact our office at 268 4421.

Sincerely,

A handwritten signature in blue ink that reads 'Matt Williams'.

Matthew Williams, AICP
Senior Planner

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

OCA 150004

PUBLISHED IN THE WICHITA EAGLE ON 4/15/2022

ORDINANCE NO. 51-733

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. ZON2022-00004

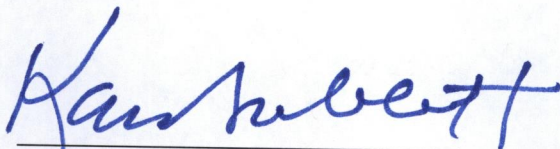
City zone change from LC Limited Commercial to CBD Central Business District zoning on property described as:

Lots 1, 2, 3, and 4, EXCEPT the South 33 feet, Block 10, in Junction Town Company Addition, Sedgwick County, Kansas.

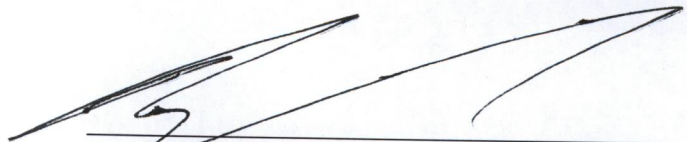
SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

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

ATTEST:



Karen Sublett, City Clerk



Brandon J. Whipple, Mayor, City of Wichita



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

Ordinance

Published in The Wichita Eagle on April 15, 2022

Location

Sedgwick County, Kansas

Notice Text

OCA 150004

PUBLISHED IN THE WICHITA EAGLE ON April 15, 2022

ORDINANCE NO. 51-733

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.

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Case No. ZON2022-00004

City zone change from LC Limited Commercial to CBD Central Business District zoning on property described as:

Lots 1, 2, 3, and 4, EXCEPT the South 33 feet, Block 10, in Junction Town Company Addition, Sedgwick County, Kansas.

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.

ATTEST:

Brandon J. Whipple, Mayor, City of Wichita

Karen Sublett, City Clerk

(SEAL) Approved as to form:

Jennifer Magana, City Attorney and Director of Law

W00000000

Publication Dates



STAFF REPORT
MAPC March 3, 2022
DAB IV March 7, 2022

AGENDA ITEM NO. _____

CASE NUMBER: ZON2022-00004 (City)

APPLICANT/AGENT: AF&H, LLC (owner)

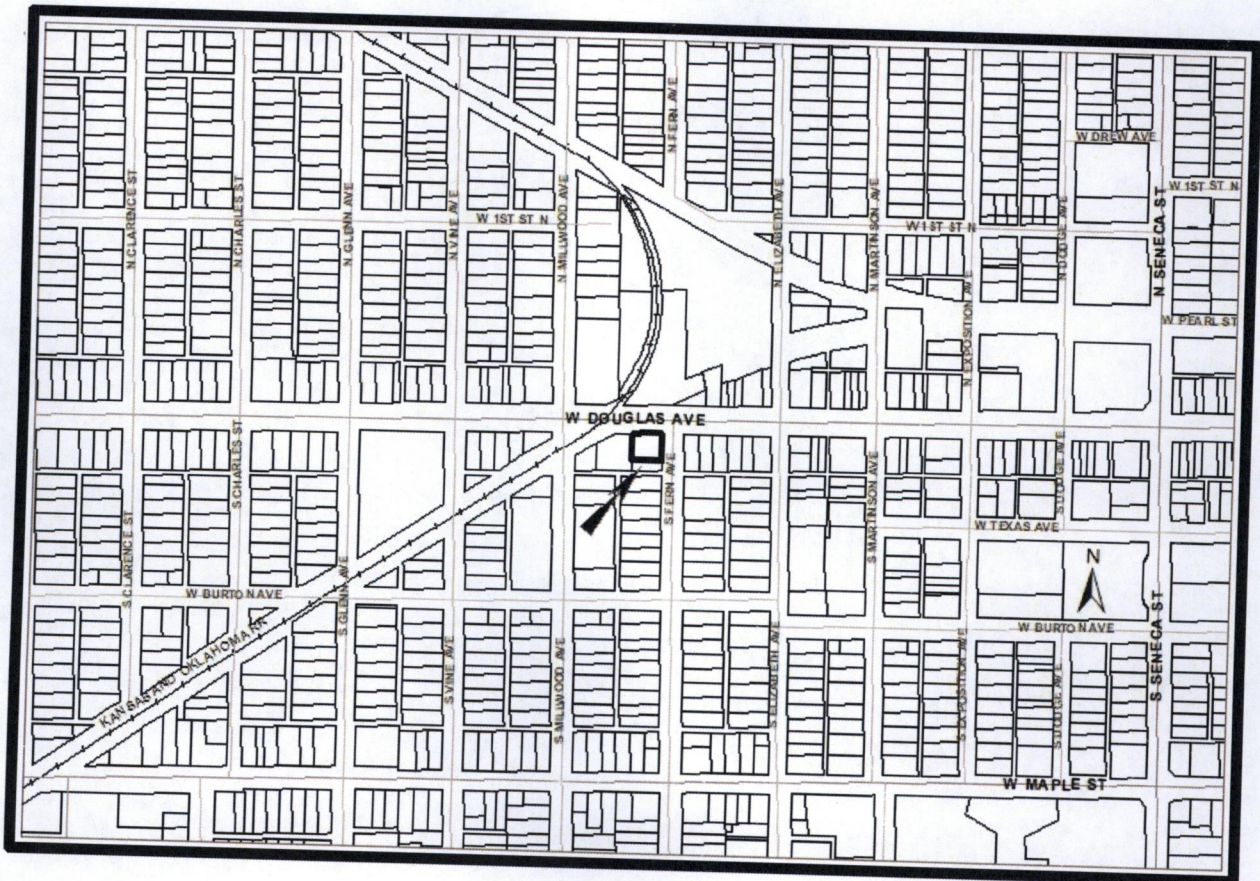
REQUEST: CBD Central Business District

CURRENT ZONING: LC Limited Commercial

SITE SIZE: 0.22 acres

LOCATION: Generally located to the southwest of West Douglas Avenue and South Seneca Street (1601 West Douglas Avenue).

PROPOSED USE: To allow for flexibility of redevelopment.



BACKGROUND: The applicant requests CBD Central Business District zoning on 0.22 platted acres generally located to the southwest of West Douglas Avenue and South Seneca Street (1601 West Douglas Avenue). The subject site is currently zoned LC Limited Commercial and is developed with a one-story commercial building and two or three off-street parking spaces. The building is the former Wichita Fish Co. restaurant. The applicant does not specify how the property might be redeveloped, though the requested CBD zoning would give the applicant maximum flexibility with code required parking and building setback standards to develop the site.

The Delano District was initially developed in the 1870's and then redeveloped in the early 1900's when off-street parking requirements did not exist. Therefore, many of the uses in the Delano District do not have, or have only minimal, off-street parking and rely upon public parking located in the street right-of-way. CBD zoning mitigates site development issues for older portions of the core area, such as the requirement to provide off-street parking (off-street parking is not required on CBD zoned property) and reduced setback requirements (the CBD district permits zero setbacks; setbacks in the LC district vary from zero to 20 feet). Public on-street parking is available throughout the Delano area. Within the past decade more than a dozen zone changes to CBD have been approved in the Delano area.

Properties to the north of the subject site, across Douglas Avenue, are zoned GC General Commercial and developed with a self-storage warehouse and a ballet studio. There is also a railroad track that cuts through the area. The property to the south of the subject site is zoned LC Limited Commercial and developed with a single-family home. The property to the east of the subject site is zoned LC Limited Commercial and developed with a single-family home. The property to the west of the subject site is zoned LC Limited Commercial and developed with a used car sales lot.

CASE HISTORY: On February 28, 1886, the property was platted as Lot 3, Block 10, Junction Town Company Addition.

ADJACENT ZONING AND LAND USE:

North:	GC	Railroad Track; Self-Storage Warehousing; Ballet Studio
South:	LC	Single-Family Home
East:	LC	Single-Family Home
West:	LC	Auto Sales

PUBLIC SERVICES: The site has access to West Douglas Avenue, a 2-lane paved arterial with sidewalks and on-street parking. The site also has access to South Fern Street, a 2-lane paved local street with sidewalks. The site is served by all municipal services.

Wichita Bus Route 15 has a stop at the intersection of Douglas and Fern.

CONFORMANCE TO PLANS/POLICIES: The requested zoning would allow the property to be in conformance with the Community Investments Plan, the Wichita: Places for People Plan, and the Delano Neighborhood Plan.

The Community Investments Plan: The requested CBD zoning aligns with the goals of the Community Investments Plan. The Community Investments Plan (the Wichita-Sedgwick County Comprehensive Plan) depicts the subject site as appropriate for "Commercial." This category "encompasses areas that reflect the full diversity of commercial development intensities and types typically found in a large urban municipality."

Wichita: Places for People Plan: The requested zoning aligns with 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. In general, the ECA is envisioned as “a place for people - a place that provides for the movement of people - on foot, on bike and through transit - in balance with automobiles.”

- **Strategies:** The Plan recommends strategies to help guide the community in their actions to create walkable places within Wichita. The requested zoning aligns with Strategy 1, “Create walkable destinations that support the various neighborhood environments in the ECA.” The proposed rezoning would eliminate the need for on-site parking and setbacks which will help maintain the walkability of the area. The requested zoning also aligns with Strategy 6, “Encourage infill and redevelopment that is contextual to the environment in which it is occurring.” The proposed rezoning would allow redevelopment that is contextual to Delano.
- **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 are in need of strategic reinvestment, both public and private, to assist in redefining and reinvigorating the area, physically and socially.”
- **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 falls between the Douglas and Sycamore “Community Core” node and the Douglas and Meridian “Neighborhood Hub.”

The Delano Neighborhood Plan: The subject site falls within the boundaries of the Delano Neighborhood Plan. The proposed Future Land Use Map as part of the adopted Delano Neighborhood Plan depicts the subject site as appropriate for “Commercial.” The site also falls within the boundaries of the Delano Overlay. Any future modifications to the design of the building must comply with the Delano Overlay Design Guidelines.

The Unified Zoning Code (UZC) states that the purpose of the CBD zoning district is to accommodate retail, commercial, office and other complementary land uses within the downtown core area of Wichita. It is intended for application only within the City of Wichita and only within the downtown core area and certain nearby areas being redeveloped with similar patterns of uses and site development standards such as but not limited to zero lot-line setbacks, shared parking, public streetscapes as landscaping and urban design elements and mixed uses within a building. The application area shares similar patterns of development and uses as the original core CBD area.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be **APPROVED**.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** Properties to the north of the subject site, across Douglas Avenue, are zoned GC General Commercial and developed with a self-storage warehouse and a ballet studio. There is also a railroad track that cuts through the area. The property to the south of the subject site is zoned LC Limited Commercial and developed with a single-family home. The property to the east of the subject site is zoned LC Limited Commercial and developed with a single-family home. The property to the west of the subject site is zoned LC Limited Commercial and developed with used car sales lot.
2. **The suitability of the subject property for the uses to which it has been restricted:** The property

is zoned LC Limited Commercial which permits a range of commercial uses but requires the provision of off-street parking per the UZC. The site has economic value as currently zoned. Approval of CBD Central Business District zoning would eliminate the requirement for off-street parking, modify building setback requirements, and potentially make the site more attractive to redevelopment.

3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** Approval of the request should have little if any significant adverse impact to nearby property owners.
4. **Length of time the property has been vacant as currently zoned:** The subject site is currently developed with a one-story building and two or three off-street parking spaces. The building is the former Wichita Fish Co. restaurant, but appears to be vacant at this time.
5. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The requested zoning would allow the property to be in conformance with the Community Investments Plan, the Wichita: Places for People Plan, and the Delano Neighborhood Plan.

The Community Investments Plan: The requested CBD zoning aligns with the goals of the Community Investments Plan. The Community Investments Plan (the Wichita-Sedgwick County Comprehensive Plan) depicts the subject site as appropriate for "Commercial." This category "encompasses areas that reflect the full diversity of commercial development intensities and types typically found in a large urban municipality."

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- **Strategies:** The Plan recommends strategies to help guide the community in their actions to create walkable places within Wichita. The requested zoning aligns with Strategy 1, "Create walkable destinations that support the various neighborhood environments in the ECA." The proposed rezoning would eliminate the need for on-site parking and setbacks which will help maintain the walkability of the area. The requested zoning also aligns with Strategy 6, "Encourage infill and redevelopment that is contextual to the environment in which it is occurring." The proposed rezoning would allow redevelopment that is contextual to Delano.
- **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 are in need of strategic reinvestment, both public and private, to assist in redefining and reinvigorating the area, physically and socially."
- **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 falls between the Douglas and Sycamore "Community Core" node and the Douglas and Meridian "Neighborhood Hub."

The Delano Neighborhood Plan: The subject site falls within the boundaries of the Delano

Neighborhood Plan. The proposed Future Land Use Map as part of the adopted Delano Neighborhood Plan depicts the subject site as appropriate for "Commercial." The site also falls within the boundaries of the Delano Overlay. Any future modifications to the design of the building must comply with the Delano Overlay Design Guidelines.

The Unified Zoning Code (UZC) states that the purpose of the CBD zoning district is to accommodate retail, commercial, office and other complementary land uses within the downtown core area of Wichita. It is intended for application only within the City of Wichita and only within the downtown core area and certain nearby areas being redeveloped with similar patterns of uses and site development standards such as but not limited to zero lot-line setbacks, shared parking, public streetscapes as landscaping and urban design elements and mixed uses within a building. The application area shares similar patterns of development and uses as the original core CBD area.

6. **Impact of the proposed development on community facilities:** Approval of the request should generate no additional impacts on community facilities. Existing public infrastructure at the site will accommodate uses under the proposed CBD zoning.

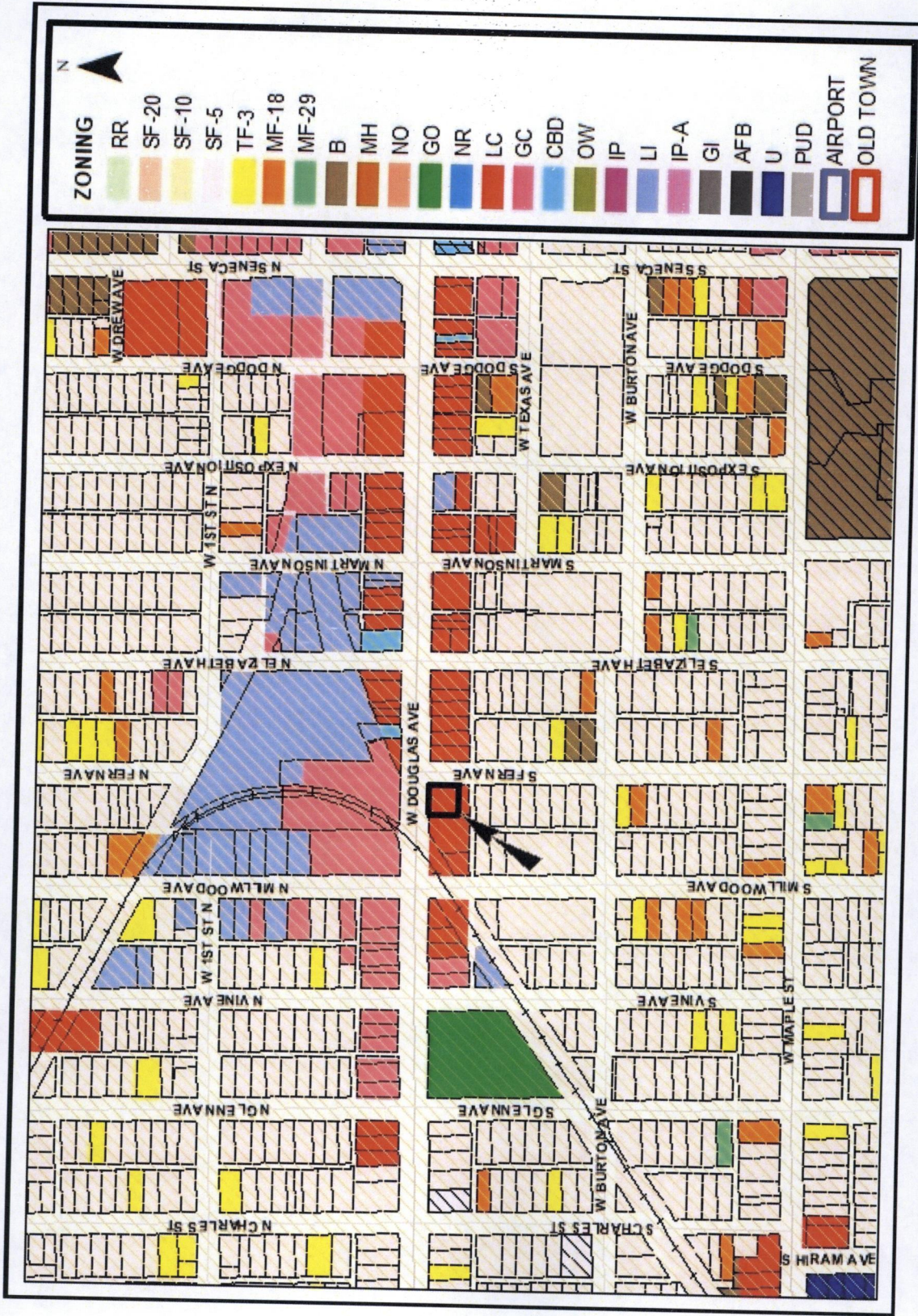
Staff Report Attachments:

1. Aerial Map
2. Zoning Map
3. Land Use Map
4. Delano Plan's Future Land Use Map
5. Photos



ZON2022-00004

Metropolitan Area Planning Commission

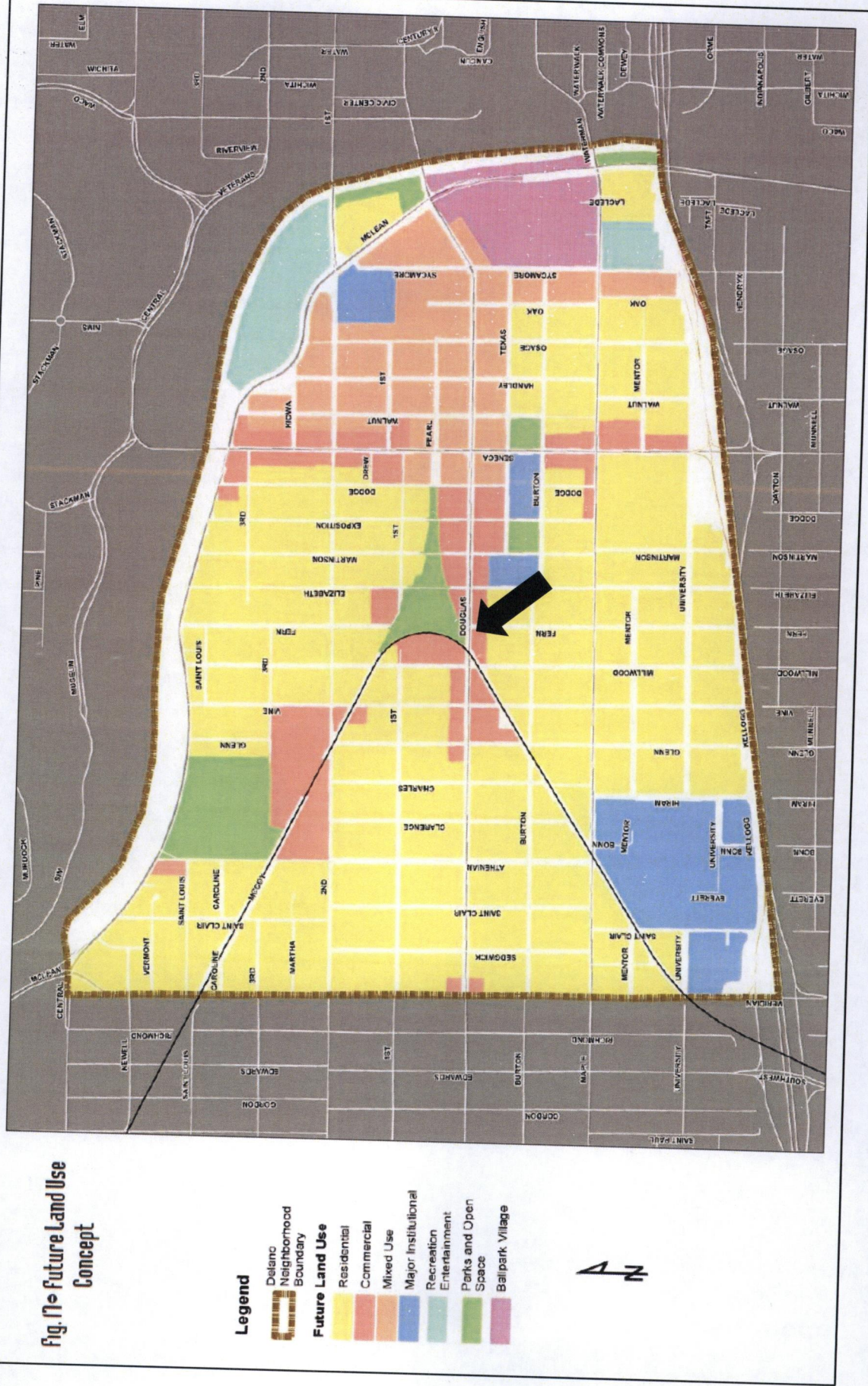


**2035 Wichita
Future Growth
Concept Map**

- 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



Fig. 17 Future Land Use Concept



Photos



The subject site facing south



The subject site facing west



The property to the south of the subject site



The property to the west of the subject site



The property to the north of the subject site



The property to the east of the subject site



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 Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	212193	WIC-2-10-2022	OCA 150004	\$117.60	1	14.00 in

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

Copy of ad content
 is on the next page

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

No. of Insertions: 1
 Beginning Issue of: 02/10/2022
 Ending Issue of: 02/10/2022

STATE OF KANSAS)
 SS
 County of Sedgwick)

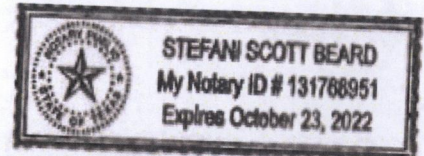
Hayley Martin, of lawful age, being first duly sworn, depose and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has 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 02/10/2022 to 02/10/2022.

M. Hayley

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
 DATED: 02/28/2022

Stefani Beard

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



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

LEGAL PUBLICATION

OCA 150004

PUBLISHED IN THE WICHITA EAGLE ON
FEBRUARY 10, 2022 (507359)

(ONE TIME ONLY)

MAPC/BZA MARCH 3, 2022

OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, March 3, 2022, 10:00 a.m. to 1:00 p.m.**, the Wichita-Sedwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held virtually, public participation is available in multiple ways, those without technology options can participate by going to the Wichita City Hall Building - 1st Floor Council Chambers - 455 N. Main Street, Wichita, Kansas 67202 (specified at the bottom of this notice). **Masks are required at City Hall at this time. If you have any questions regarding the meeting or items on this notice, please call the Wichita-Sedwick County Metropolitan Area Planning Department at (316) 268-4421.**

PUD2022-0002: PUD Amendment to PUD 83 to permit commercial uses in addition to existing residential uses on property located on the northeast corner of East Pawnee Rd and South 127th Street East.

VAC2022-0001: City Vacation of a portion of a utility easement on property zoned SF-5 Single-Family Residential, generally located within one-half mile east of N 143rd Street East and within one-half mile south of West Central Avenue (20 N Sandpiper Ct.).

VAC2022-0002: City Vacation of a portion of complete access control for two new driveways along North Hoover Road for the Northwest Water Treatment Plant, generally located south of West 21st Street North and east of North Hoover Road.

ZON2022-0003: City Zone Change from SF-5 Single-Family Residential to MF-18 Multi-Family Residential, generally located 1,100 feet north of K-96 Highway and 1,000 feet west of North Meridian Avenue.

ZON2022-0004: City Zone Change from LC Limited Commercial to CBD Central Business District, generally located on the south side of West Douglas Avenue and within one-half mile west of South Seneca Street (1681 W. Douglas Ave.).

ZON2022-0005: City Zone Change from SF-5 Single-Family Residential to TF-3 Two-Family Residential on property located 175 feet north of West 32nd Street South on the west side of South Waco Avenue (3245 and 3247 S. Waco Ave) to bring zoning into compliance for existing duplex home.

ZON2022-0006: City Amendment to Protective Overlay 167 to change screening wall and building wall requirements; generally located on the north side of West Kellogg Drive and within one-half mile west of South Tyler Road (9400 West Kellogg Drive).

ZON2022-0007: Zone change request in the City from TF-3 Two-Family Residential to MF-29 Multi-Family Residential for redevelopment on property, generally located within one-half mile north of West 13th Street North and one block east of North Waco Avenue (1641 N Fairview).

ZON2022-0008: Zone change request in the City from SF-5 Single-Family Residential to MH Manufactured Housing to bring property into conformance and expand existing use on property located on the south side of West US-64/400 and within one-half mile east of South 167th Street East (16315 W Kellogg).

ZON2022-0009: Zone change request in the city from NR Neighborhood Retail to GC General Commercial to allow Food Truck on property located on the north side of West 5th Street North and one block east of North Meridian Avenue (5400 N Sedwick).

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 Wichita-Sedwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, 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 MAPC as by law provided.

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

The meeting will be conducted "virtually" using Go-To-Meeting. You have multiple options to participate: 1) submit comments ahead of time, 2) participate remotely, or 3) attend in-person at the Wichita City Hall Building (see below).

Submit Comments Ahead of Time

You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedwick 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 MAPC, prior to or during the meeting.

Email	Planning@wichita.gov
Mailing Address	Wichita-Sedwick County Metropolitan Area Planning Department Attn: Scott Wade 271 W. 3 rd Street - Suite 201 Wichita, KS 67202
Phone	316.268.4421
Fax	316.858.7764

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

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

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Access Code: 651-544-141

Join from a video-conferencing room or system.
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Meeting ID: 651544141

Or dial directly: 651544141@67.217.35.2 or 67.217.35.2#651544141

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Attend In-Person

You may also participate in the hearing in-person at the Wichita City Hall Council Chambers (455 N. Main Street, Wichita, KS 67202). Please note that security screening is required for public access to the building, self-paid parking is available nearby, and COVID-19 protocols are in place. **Masks are required at City Hall at this time.** For more information please visit www.wichita.gov/visitcityhall. The in-person option is primarily intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-268-4441) by 5pm, 3 days prior to the meeting.

WITNESS MY HAND on February 10, 2022

Scott Wade, Secretary

Wichita-Sedwick County

Metropolitan Area Planning Commission