



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

January 3, 2023

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

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

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

Dear Applicant;

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

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

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

Sincerely,

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

Philip Zevenbergen, AICP  
Current Plans  
Division Manager

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

**Approved CUP DP-169 Language:**

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



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

December 2, 2022

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

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

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

Dear Applicant;

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

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

Property owners opposed to the application may file with the City Clerk a signed, written protest of the MAPC's recommendation. (Unsigned e-mails are not considered to be legal protests.) **To be effective, the protest must be filed by 5:00 p.m. on December 15, 2022.** In order to be considered a "valid" petition, the signatures must reflect the correct and entire ownership of the property, the property must be at least partially located within 200 feet of the property for which the application was filed and must be submitted to the City Clerk by **December 15, 2022 at 5:00 p.m.**

This application is scheduled for consideration by the Wichita City Council on **Tuesday, January 3, 2023, beginning at 9:00 a.m.** The City Council meeting will be held in the City Council Chambers, First Floor, City Hall, 455 N. Main, Wichita, Kansas.

This is a reminder that the zoning notification signs should now be removed from the property.

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

Sincerely,



Philip Zevenbergen, AICP  
Current Plans  
Division Manager

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

**MAPC Recommended CUP DP-169 Language:**

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

OCA 150004

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

ORDINANCE NO. 52-021

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY  
OF THE CITY OF WICHITA, KANSAS.

**SECTION 1.** That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

**Case No. ZON2022-00062 with CUP2022-00047**

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

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

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

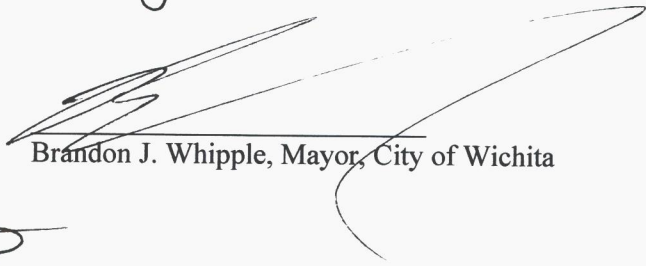
The Amendment to CUP DP-169 shall be subject to the following conditions:

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

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

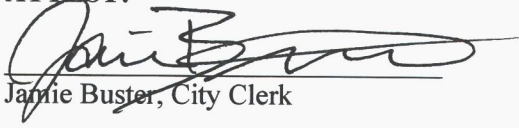
**SECTION 3.** That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

Adopted this 10<sup>th</sup> day of January, 2023.



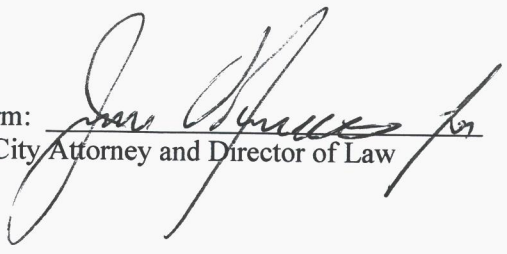
Brandon J. Whipple, Mayor, City of Wichita

**ATTEST:**



Jamie Buster, City Clerk



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



Beaufort Gazette  
 Belleville News-Democrat  
 Bellingham Herald  
 Bradenton Herald  
 Centre Daily Times  
 Charlotte Observer  
 Columbus Ledger-Enquirer  
 Fresno Bee

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

el Nuevo Herald - Miami  
 Modesto Bee  
 Raleigh News & Observer  
 The Olympian  
 Sacramento Bee  
 Fort Worth Star-Telegram  
 The State - Columbia  
 Sun Herald - Biloxi

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

## AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
32522	369437	Print Legal Ad-IPL01050420 - IPL0105042		\$88.83	2	53 L

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

### LEGAL PUBLICATION

OCA 150004

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

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2022-00062 with CUP2022-00047

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

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

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

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

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

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

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

Adopted this 10th day of January, 2023.

Brandon J. Whipple, Mayor, City of Wichita

ATTEST:

Jamie Buster, City Clerk

(SEAL) Approved as to form:

Jennifer Magan a, City Attorney and Director of Law

IPL0105042

Jan 13 2023

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

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

STATE OF KANSAS)

SS

County of Sedgwick)

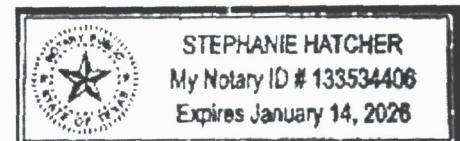
Hayley Martin, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 01/13/2023 to 01/13/2023.

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

DATED: 01/13/2023

Stephanie Hatcher

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



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



Beaufort Gazette  
Belleville News-Democrat  
Bellingham Herald  
Bradenton Herald  
Centre Daily Times  
Charlotte Observer  
Columbus Ledger-Enquirer  
Fresno Bee

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

el Nuevo Herald - Miami  
Modesto Bee  
Raleigh News & Observer  
The Olympian  
Sacramento Bee  
Fort Worth Star-Telegram  
The State - Columbia  
Sun Herald - Biloxi

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

## AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	344843	Print Legal Ad-IPL00974790 - IPL0097479		\$150.99	2	90 L

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

### LEGAL PUBLICATION

OCA 150004  
Published in The Wichita Eagle on November 10, 2022  
(One Time Only)

MAFC/BZA December 1, 2022  
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, December 1, 2022, no earlier than 1:30 p.m., the WichitaSedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation may also occur through virtual methods (specified at the end of this notice). If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Department at (316) 2684421.

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

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

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

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

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

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

Options to participate (see below):

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

Participate Virtually

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

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

You can also dial in using your phone.

United States: +1 (571) 317-3112

Access Code: 651-544-141

Join from a video-conferencing room or system.

Dial in or type: 67.217.95.2 or inroomlink.goto.com

Meeting ID: 651 544 141

Or dial directly: 651544141 @ 67.217.95.2 or 67.217.95.2#651544141

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

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

Attend In-Person

You may also participate in the hearing in-person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202. The in-person option is primarily intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-2684464) by 5pm, 3 days prior to the meeting.

Submit Comments Ahead of Time

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

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

Mailing Address: Wichita-Sedgwick County Metropolitan Area Planning Department

Attn: Scott Wadle

271 W. 3rd Street - Suite 201

Wichita, KS 67202

Phone: 316.268.4421

Fax: 316.858.7764

WITNESS MY HAND on November 10, 2022

Scott Wadle, Secretary

WichitaSedgwick County

Metropolitan Area Planning Commission

PL0097479

Nov 10 2022

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

No. of Insertions: 1

Beginning Issue of: 11/10/2022

Ending Issue of: 11/10/2022

STATE OF KANSAS)

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County of Sedgwick)

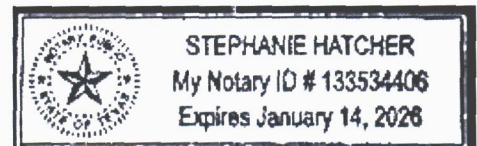
Hayley Martin, of lawful age, being first duly sworn, depose and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 11/10/2022 to 11/10/2022.

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

DATED: 11/10/2022

Stephanie Hatcher

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



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

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

BY KELLIS ROBINETT  
krobinett@wichitaaggle.com

## MANHATTAN

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

Turns out, that was by design.

K-State basketball coach Jerome Tang announced

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

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

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

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

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

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

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

mature.

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

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

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

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

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

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

Kellis Robinett  
@KellisRobinett

FROM PAGE 1B

## BASKETBALL

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

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

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

**3. DOES WICHITA STATE HAVE A REBOUNDING PROBLEM?**

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

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

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

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

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

**5. WICHITA STATE NEWCOMERS SURPASS IMPRESSIVE COMPANY IN DEBUT**

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

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

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

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

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

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

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

## 7. WICHITA STATE SHOWS PROGRESS IN TRANSITION

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

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

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

## 8. SHOCKERS CLAMP DOWN ON DEFENSE

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

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

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

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

## 9. A TEACHING MOMENT FOR A YOUNG POINT GUARD

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

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

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

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



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

thrown too far off to make the play work.

It should be an easy fix in the film room.

## 10. TAKING CARE OF BUSINESS WITH THE BALL

One of the reasons why

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

care of the basketball and rarely turned it over.

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

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

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

Taylor Eldridge  
316-268-6270  
@tayloreldridge

## classified

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**Legals**

**LEGAL PUBLICATION**

Published in The Wichita Eagle on November 10, 2022 (One Time Only)

**MARICIZA** December 1, 2022

**OFFICIAL HEARING NOTICE**

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

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

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

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

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

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202. As provided in Section V of the WichitaSedgewick County Unified Zoning Code, the same will then and there be discussed and considered by the MARPC, 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 MARPC as by law provided.

Options to participate (see below)

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

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Submit Comments Ahead of Time

You can submit comments regarding items on the Planning Commission agenda to the WichitaSedgewick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department no later than 5pm, 3 days prior to the meeting. Please be sure to provide a complete time for delivery. The comments can be submitted in the following formats: email; written notes; 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 MARPC, prior to or during the meeting.

Email: planning@wichita.gov

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

WITNESS MY HAND on November 10, 2022

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

**Legals**

**LEGAL PUBLICATION**

**BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS**

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

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

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

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

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

**LEGAL PUBLICATION**

**STORAGE AUCTION**

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

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**Animals**

**Dogs**

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

**Service Directory**

**Name a Business Representative**

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

**Lawn/Garden/Landscaping/Trees**

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

**Miscellaneous**

**Autos**

**Ford F-250 2006**  
2nd tier, new muffler and new audio head unit.  
\$16,800.800 \$7,800.00

**Garage Sales**

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

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

**CUSTOMIZED ESTATE SALES PHOTOS & ESTIMATES**

**6010 W BROOKVIEW STREET**

**BETWEEN HEDGE & HOOPER OFF SAT 11 AM ON 37TH ST N THUR-FRI 8-8 SAT 9-3 W/ CHURCHVIEW 2 DRETE KING CASTER ARM CHAIRS, VASES, SOFA, BED, THOMAS CABBRETT, LED TV, 3 SERVING STOVES, STOVE, TOASTER & GARAGE, MORE BRAND NEW LADIES CLOTHING XL-1X JULIE 316-808-7260**

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*The Wichita Eagle*  
KANSAS.COM

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

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

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

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

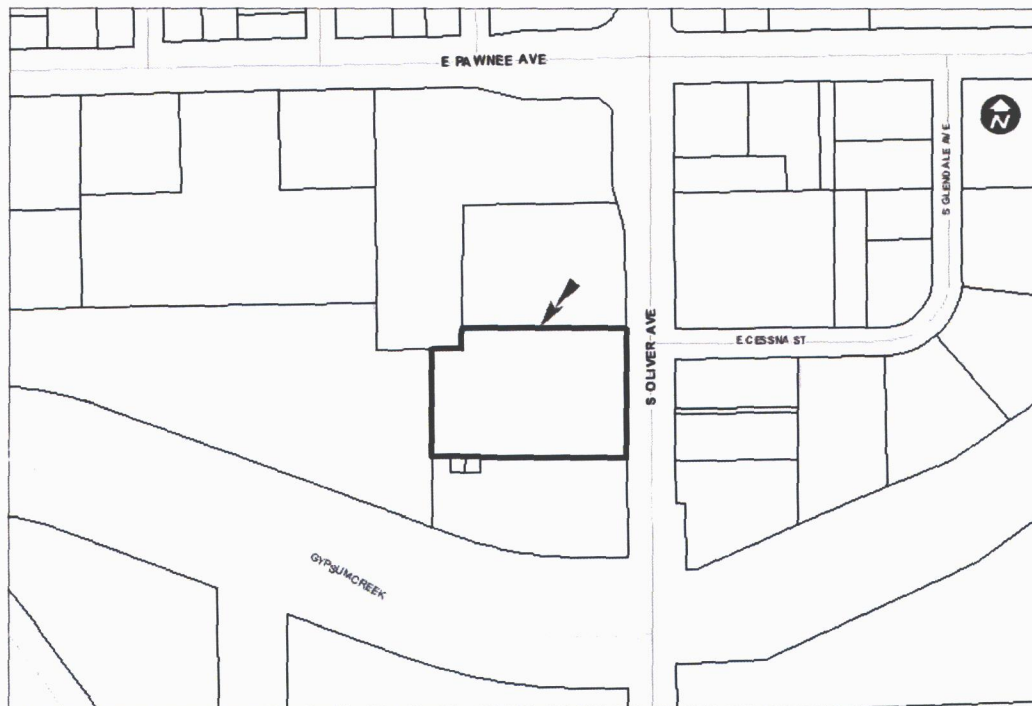
CURRENT ZONING: LC Limited Commercial District

SITE SIZE: 2.7 acres

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

PROPOSED USE: Vehicle Repair, General

RECOMMENDATION: Approval with conditions



**BACKGROUND:** The applicant is requesting two things:

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

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

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

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

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

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

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

**ADJACENT ZONING AND LAND USE:**

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

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

**CONFORMANCE TO PLANS/POLICIES:**

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

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

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

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

- Strategies: The requested zoning aligns with Strategy 6, “Encourage infill and redevelopment that is contextual to the environment in which it is occurring.” The proposed rezoning would allow for the development that is contextual to permitted uses within abutting zoning classifications.
- Current Condition: The subject property is located within an area identified as an “area of opportunity.” The *Places for People Plan* defines areas of opportunity as those “areas that generally exhibit economic challenges, a disconnected development pattern and a lack of walkable places and facilities. These areas need strategic investment, both public, and private, to assist in redefining and reinvigorating the area.” The proposed use is an example of private investment in an area that has experience disinvestment with businesses closing and buildings remaining vacant for some time.

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

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

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

This recommendation is based on the following findings:

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

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

Attachments:

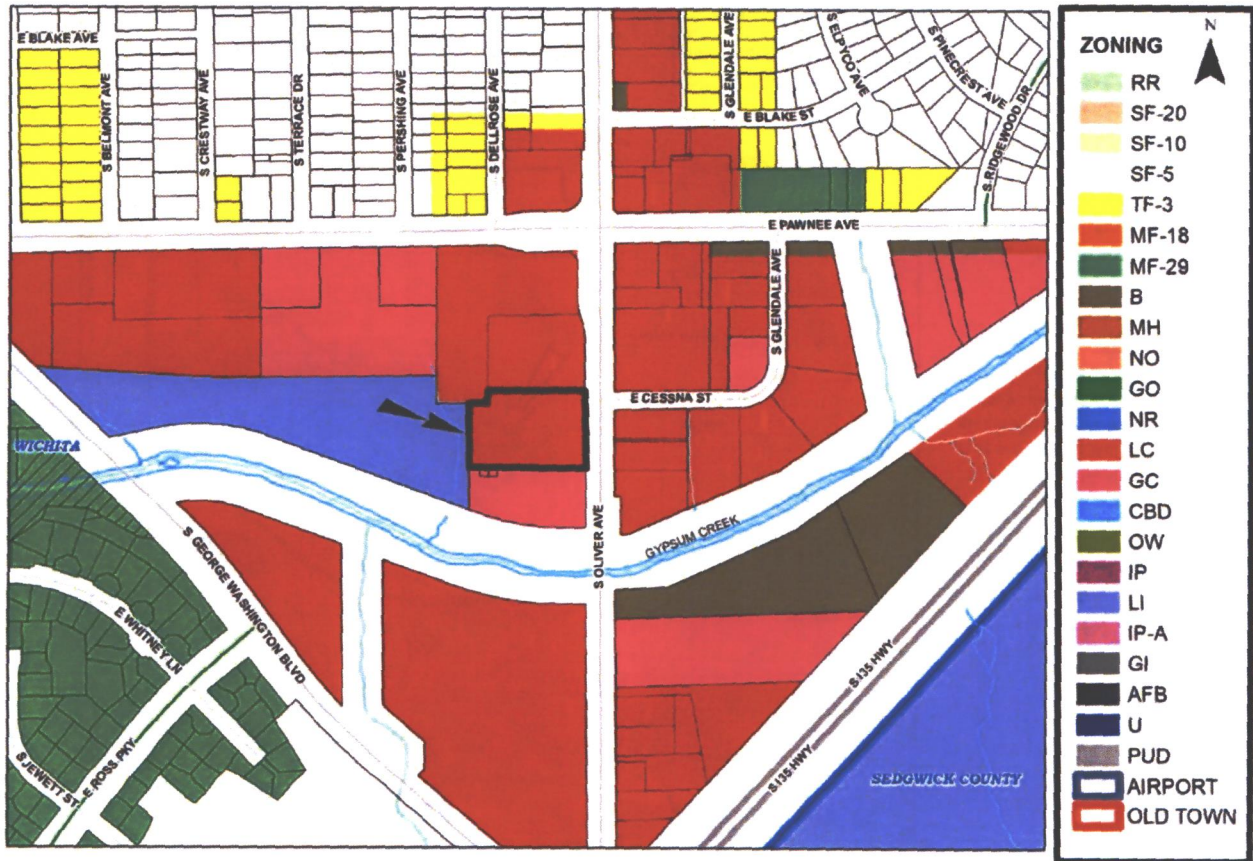
- 1) Planning Staff Recommended CUP Amended Language
- 2) CUP DP-128 Brush Creek Community Unit Plan Drawing
- 3) Aerial Map
- 4) Zoning Map
- 5) Land Use Map
- 6) Site Photos

**Planning Staff Recommended CUP DP-169 Language:**

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







**2035 Wichita  
Future Growth  
Concept Map**

**Legend**

-  Established Central Area
-  Residential and Employment Mix
-  New Employment
-  New Residential
-  Wichita City Limits
-  Other Cities
-  Northwest Bypass Right-of-Way

**Statistical Development Areas**

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

**LAND USE**

-  Residential
-  Commercial
-  Industrial
-  Major Air Transportation & Military
-  Parks and Open Space
-  Agricultural or Vacant
-  Major Institutional
-  Nghbd\_Plan\_Areas



Looking southwest at site



Looking west at property south of site



Looking south at rear of site



Looking northwest at property north of site



Looking northeast away from site



Looking west away from site



Looking southeast away from site

