



Wichita-Sedgwick County Metropolitan Area Planning Department

May 25, 2023

21Webb, LLC
Attn: Steve Lebeda & Brian Burris
165 S. Rock Island, Ste. 300
Wichita, KS 67202

TEAM Architecture
Attn: Doug Allison
PO Box 43
Andover, KS 67002

RE: ZON2023-00024 with CON2023-00018: Request in the City to amend Protective Overlay PO-170 to permit Personal Care Service on property zoned GO General Office (with CON2023-00018); generally located on the south side of East 21st Street North and west of North Cranbrook Street (10111 East 21st Street North).

Dear Applicant;

At its regular meeting on **May 25, 2023**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the zone change.

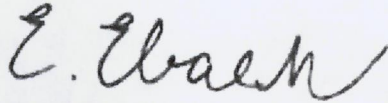
Property owners opposed to the application may file with the City Clerk a signed, written protest of the MAPC's recommendation. (Unsigned e-mails are not considered to be legal protests.) **To be effective, the protest must be filed by 5:00 p.m. on June 8, 2023.** In order to be considered a "valid" 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 **June 8, 2023 at 5:00 p.m.**

NOTE: District Advisory Board II (DAB) will consider this case at their meeting to be held at **6:30 p.m., Monday, June 12, 2023**. Additional information regarding the DAB meeting may be obtained by calling the Community Services Representative, Cory Buchta at 352-4886, or cbuchta@wichita.gov (www.wichita.gov/council).

This application will be presented to the Wichita City Council on **Tuesday, July 11, 2023, beginning at 9:00 a.m.**

This is a reminder that the 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,



Eryn Ebach
Associate Planner

Copies to: MABCD
Becky Tuttle, City Council District II
Cory Buchta, CSR District II



Wichita-Sedgwick County Metropolitan Area Planning Department

June 27, 2023

21 Webb, LLC
Attn: Steve Lebeda & Brian Burris
165 S. Rock Island, Ste. 300
Wichita, KS 67202

TEAM Architecture
Attn: Doug Allison
PO Box 43
Andover, KS 67002

RE: ZON2023-00024 with CON2023-00018: Request in the City to amend Protective Overlay PO-170 to permit Personal Care Service on property zoned GO General Office (with CON2023-00018); generally located on the south side of East 21st Street North and west of North Cranbrook Street (10111 East 21st Street North).

Dear Applicant;

At its regular meeting on **June 27, 2023**, the Wichita City Council considered the above captioned request. The action of the City Council was to **APPROVE** the zone change.

This is a reminder that the 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 Zeyenbergen'.

Philip Zeyenbergen, AICP
Current Plans
Division Manager

Copies to: MABCD
Becky Tuttle, City Council District II
Cory Buchta, CSR District II

(Published in the Wichita Eagle, 7/14/23)

ORDINANCE NO. 52-208

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. ZON2023-00024 with CON2023-00018

An amendment to the provisions of Protective Overlay PO #170 on property described as:

Lot 1, Block 1, and Reserve N, Remington Place, an addition to Wichita, Sedgwick County, Kansas.

Protective Overlay #170

Subject Property:

Limited Commercial - "North Parcel"

The north 250 feet of Lot 1, Block 1, and Reserve N, Remington Place, an addition to Wichita, Sedgwick County, Kansas.

General Office – "South Parcel"

Lot 1, Block 1, and Reserve N, Remington Place, an addition to Wichita, Sedgwick County, Kansas.

General Provisions:

1. Permitted Land Uses for "North Parcel"
 - a. All uses allowed within Neighborhood Office District (NO); EXCEPT multi-family, duplex, church or place of worship, golf course, group home (general), recycling collection station (private), parking area (commercial), wireless communication facility, asphalt or concrete plant limited, and agriculture.
 - b. The only Limited Commercial District (LC) uses are as follows: Bank or financial institution (including drive-up teller).
 - c. Limited Commercial Zoning District property development standards shall apply for the "North Parcel," unless otherwise stated below, inclusive of special LC District regulations per the Wichita Sedgwick County Unified Zoning Code.

2. Permitted Land Uses for "South Parcel"

- a. All uses allowed within the GO General Office District EXCEPT multi-family, duplex, church or place of worship, golf course, group home (general), recycling collection station (private), parking area (commercial), wireless communication facility, asphalt or concrete plant limited, agriculture, group residence, limited; group residence, general; cemetery; correctional placement residence, limited; and correctional placement residence, general. All uses permitted by Conditional Use are prohibited EXCEPT personal care services.
- b. General Office Zoning District property development standards shall apply for the "South Parcel" unless otherwise stated below.
- c. Special General Office (GO) Zoning District regulations per the Wichita Sedgwick County Unified Zoning Code shall apply to the "South Parcel." (Office Use size limitations shall be per GO not per NO District regulations).

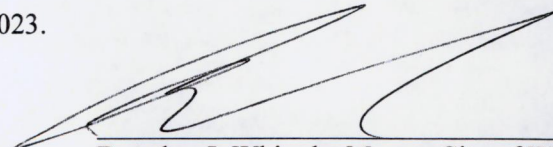
The described property above is subject to the following conditions of approval of Conditional Use CON2023-00018 to permit Personal Care Services in the GO General Office District:

1. The applicant shall submit a site plan to be reviewed and approved by the Planning Director. Development of the site shall be in conformance to the approved site plan.
2. If the Zoning Administrator finds that there is a violation of any of the conditions of the conditional use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VII hereof, may, with the concurrence of the Planning Director, declare the Conditional Use null and void.

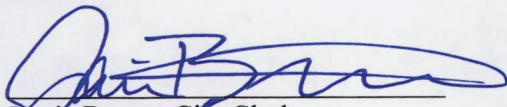
SECTION 2. That upon the taking effect of this Ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

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 11th day of July, 2023.

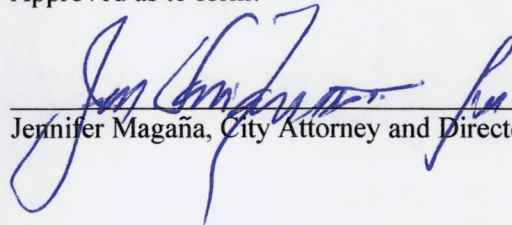

Brandon J. Whipple, Mayor, City of Wichita

ATTEST:


Jamie Buster, City Clerk
(SEAL)



Approved as to form:


Jennifer Magaña, City Attorney and Director of Law

CONDITIONAL USE RESOLUTION NO. CON2023-00018

WHEREAS, 21 Webb, LLC, owner, pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), request a Conditional Use to allow Personal Care Services on property zoned GO General Office District located at 10111 E 21st Street North, legally described as:

The south 350 feet of Lot 1, Block 1, Remington Place Addition, Wichita, Sedgwick County, Kansas.

WHEREAS, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission (hereinafter referred to as MAPC) has been given; and

WHEREAS, the MAPC did, at the meeting of May 25, 2023, consider said application; and

WHEREAS, the MAPC has authority to permit a Conditional Use, subject to any special conditions deemed appropriate in order to assure full compliance with the criteria of the Unified Zoning Code.

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Area Planning Commission that this application be approved to allow a Conditional Use to allow Personal Care Services on property zoned GO General Office District located at 10111 E 21st Street North, legally described as:

The south 350 feet of Lot 1, Block 1, Remington Place Addition, Wichita, Sedgwick County, Kansas.

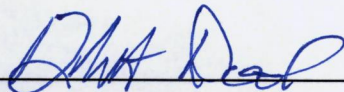
Approved subject to the following conditions:

1. The applicant shall submit a site plan to be reviewed and approved by the Planning Director. Development of the site shall be in conformance to the approved site plan.
2. If the Zoning Administrator finds that there is a violation of any of the conditions of the conditional use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VII hereof, may, with the concurrence of the Planning Director, declare the Conditional Use null and void.

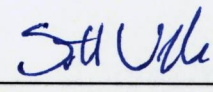
Adopted this 10th Day of November 2023.

METROPOLITAN AREA PLANNING COMMISSION

ATTEST:



Robert Dool, Chairman



Scott Wadle, Secretary



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	443404	Print Legal Ad-IPL01310920 - IPL0131092		\$130.83	2	78 L

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

LAlvarez@wichita.gov

LEGAL PUBLICATION

OCA 180004

(Published in the Wichita Eagle on July 14, 2023)
 ORDINANCE NO. 52-208

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. ZON2023-00024 with CON2023-00018

An amendment to the provisions of Protective Overlay PO #170 on property described as:

Lot 1, Block 1, and Reserve N, Remington Place, an addition to Wichita, Sedgwick County, Kansas.

Protective Overlay #170

Subject Property:

Limited Commercial - "North Parcel"

The north 250 feet of Lot 1, Block 1, and Reserve N, Remington Place, an addition to Wichita, Sedgwick County, Kansas.

General Office - "South Parcel"

Lot 1, Block 1, and Reserve N, Remington Place, an addition to Wichita, Sedgwick County, Kansas.

General Provisions:

1. Permitted Land Uses for "North Parcel"

a. All uses allowed within Neighborhood Office District (NO); EXCEPT multi-family, duplex, church or place of worship, golf course, group home (general), recycling collection station (private), parking area (commercial), wireless communication facility, asphalt or concrete plant limited, and agriculture.

b. The only Limited Commercial District (LC) uses are as follows: Bank or financial institution (including drive-up teller).

c. Limited Commercial Zoning District property development standards shall apply for the "North Parcel," unless otherwise stated below, inclusive of special LC District regulations per the Wichita Sedgwick County Unified Zoning Code.

2. Permitted Land Uses for "South Parcel"

a. All uses allowed within the GO General Office District EXCEPT multi-family, duplex, church or place of worship, golf course, group home (general), recycling collection station (private), parking area (commercial), wireless communication facility, asphalt or concrete plant limited, agriculture, group residence, limited; group residence, general; cemetery; correctional placement residence, limited; and correctional placement residence, general. All uses permitted by Conditional Use are prohibited EXCEPT personal care services.

b. General Office Zoning District property development standards shall apply for the "South Parcel" unless otherwise stated below.

c. Special General Office (GO) Zoning District regulations per the Wichita Sedgwick County Unified Zoning Code shall apply to the "South Parcel." (Office Use size limitations shall be per GO not per NO District regulations).

The described property above is subject to the following conditions of approval of Conditional Use CON2023-00018 to permit Personal Care Services in the GO General Office District:

1. The applicant shall submit a site plan to be reviewed and approved by the Planning Director. Development of the site shall be in conformance to the approved site plan.

2. If the Zoning Administrator finds that there is a violation of any of the conditions of the conditional use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VII hereof, may, with the concurrence of the Planning Director, declare the Conditional Use null and void.

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 11th day of July, 2023.

Brandon J. Whipple, Mayor, City of Wichita

ATTEST:

Jamie Buster, City Clerk

(SEAL) Approved as to form:

Jennifer Magana, City Attorney and Director of Law

IPL0131092

Jul 14 2023

In The STATE OF KANSAS
 In and for the County of Sedgwick
 1 insertion(s) published on:
 07/14/23

STATE OF KANSAS)

SS

County of Sedgwick)

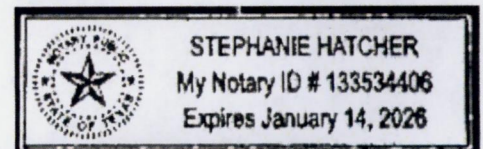
Hayley Martin, of lawful age, being first duly sworn, depose and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has 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 07/14/2023 to 07/14/2023.

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

DATED: 07/14/2023

Stephanie Hatcher

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



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



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

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

el Nuevo Herald - Miami
 Modesto Bee
 Raleigh News & Observer
 The Olympian
 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	415548	Print Legal Ad-IPL01207300 - IPL0120730		\$246.64	3	98 L

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

twells@wichita.gov

LEGAL PUBLICATION

OCA 180004
 Published in The Wichita Eagle on May 4, 2023
 (One Time Only)
 MAPC/BZA May 25, 2023
 OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, May 25, 2023, no earlier than 1:30 p.m., the WichitaSedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation may also occur through virtual methods (specified at the end of this notice). If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Department at (316) 2684421.

CON2023-00014: Conditional Use request in the City to allow Vehicle and Equipment Sales, Outdoor for trailer rentals, generally located on the southwest corner of West 37th Street North and North Arkansas Avenue (3733 North Arkansas Avenue).

CON2023-00015: Conditional Use request in the City to allow a neighborhood swimming pool on property zoned TF-3 Two-Family Residential District, generally located one-half mile west of North 127th Street East and one-quarter mile south of Central Avenue.

CON2023-00016: Conditional Use request to permit Night Club in the City associated with an Event Center on property zoned GC General Commercial within 300 feet of a residential zoning; located on the east side of South Washington Avenue and approximately 140 feet south of East Lincoln Street (1206 S. Washington).

CON2023-00018: Conditional Use request in the City to permit a Personal Care Service on property zoned GO General Office with PO-170 (with ZON2023-00024); generally located south of East 21st Street North and west of North Cranbrook Street (10111 East 21st Street North).

CUP2023-00014: CUP Amendment in the City to allow Taverns and Drinking Establishments, Nightclubs in the City as an accessory use, and Restaurant, Drive-Thrus; generally located on the west side of North Greenwood Road, within one-half mile south of East 13th Street North.

CUP2023-00015: Request in the City to amend the Maize and 29th Community Unit Plan CUP DP-327 to modify the architectural controls and landscaping requirements; generally located approximately 400 feet north of West 29th Street North and east of North Maize Road.

VAC2023-00011: Request in the City to vacate a portion of platted street right-of-way (reprocess of VAC2020-00033); generally located approximately 970 feet south of West 13th Street North, two blocks east of North West Street, on the southwest corner of West Ponderosa and North Nelson Streets.

VAC2023-00012: Request in the City to vacate a portion of a platted taxway easement; generally located approximately 750 feet south of West Harry Street, west of South Hoover Road, on the west side of South Eisenhower Avenue, on the northwest side of Eisenhower Court, (1631 S. Eisenhower Court).

VAC2023-00013: Request in the City to vacate a joint access easement dedicated by separate instrument; generally located on the south side of West 53rd Street North and one-quarter mile west of North Meridian Avenue.

VAC2023-00014: Request in the City to vacate platted access controls to permit a 50-foot drive onto West 53rd Street North (together with VAC2023-00015); generally located on the south side of West 53rd Street North and one-quarter mile west of North Meridian Avenue.

VAC2023-00015: Request in the City to vacate platted access controls to permit a 50-foot drive onto West 53rd Street North (together with VAC2023-00014); generally located on the south side of West 53rd Street North and one-quarter mile west of North Meridian Avenue.

ZON2023-00023: Zone change request in the City from SF-5 to TF-3 for duplex development; generally located east of North Jackson Heights Street and approximately 675 feet north of East Douglas Avenue (200 North Jackson Heights Street).

ZON2023-00024: Request in the City to amend Protective Overlay PO-170 to permit Personal Care Service on property zoned GO General Office (with CON2023-00018); generally located on the south side of East 21st Street North and west of North Cranbrook Street (10111 East 21st Street North).

ZON2023-00025: Zone change request in the City from SF-5 Single-Family Residential District to MF-18 Multi-Family Residential District for duplex development; generally located south of North Hoover Road and west of North Curtis Street. 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 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.

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

Join Zoom Meeting
<https://us06web.zoom.us/j/4089866967?pwd=ekBkZW9ySlE9bFJkTDZlV0xPYkVlX0p0>

Meeting ID: 408 986 6967

Passcode: 094136

One tap mobile

+1689906833, 4089866967#...094136# US (San Jose)

+17193594580, 4089866967#...094136# US

Meeting ID: 408 986 6967

Passcode: 094136

Find your local number: <https://us06web.zoom.us/j/kc65codt01>

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 MAPC, prior to or during the meeting.

Email: Planning@wichita.gov

Mailing Address: Wichita-Sedgwick County Metropolitan Area Planning Department

Attn: Scott Wedle

271 W. 3rd Street - Suite 201

Wichita, KS 67202

Phone 316.268.4421

Fax 316.858.7764

WITNESS MY HAND on May 4, 2023

Scott Wedle, Secretary

WichitaSedgwick County

Metropolitan Area Planning Commission

IPL0120730

May 4 2023

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

1 insertion(s) published on:

05/04/23

STATE OF KANSAS)

SS

County of Sedgwick)

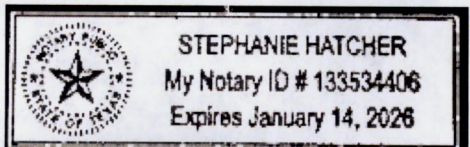
Hayley Martin, of lawful age, being first duly sworn, depose and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has 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 05/04/2023 to 05/04/2023.

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

DATED: 05/04/2023

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!

BACKGROUND: The applicant is requesting the following:

1. An amendment to Protective Overlay PO #170; with
2. a Conditional Use to permit Personal Care Services on the South Parcel.

The subject site is located south of East 21st Street North and approximately one-quarter-mile east of North Webb Road in the south half of the Offices at Cranbrook office park.

The Cranbrook office park is developed with four, multi-tenant buildings and is platted as Lot 1 and Reserve N of Remington Place, an Addition to the City of Wichita. The north 250 feet of the office park is zoned LC Limited Commercial District and the south 350 feet is zoned GO General Office District. Protective Overlay PO #170 includes both portions of the property and is divided into a north and south parcel. Both parcels are limited to uses permitted by-right within the NO Neighborhood Office District except the following: Multi-Family and Two-Family Residences; Place of Worship; Golf Course; Group Home; Recycling Collection Station; Parking Area, Commercial; Wireless Communication Facility; Asphalt or Concrete Plant; and Agriculture. All uses by Conditional Use are prohibited on both parcels.

The Unified Zoning Code defines Personal Care Services as “an establishment primarily engaged in the provision of frequently or recurrently needed services involving the care of a person or his personal goods or apparel.” Typical uses include beauty and barber shops, shoe shining and repair, tailors, and laundry and dry cleaning operations. GO General Office District permits Personal Care Services by Conditional Use. Therefore, to permit Personal Care Services on the subject site, requires both an amendment to the Protective Overlay to allow GO District uses and the approval of a Conditional Use.

In this area, commercial or higher-density residential development generally front East 21st Street North, while lower-density residential development is set back from the arterial. North of the subject site, on the north side of East 21st Street North, is property zoned SF-5 Single-Family Residential District and developed with single-family residences. Abutting the site to the south and east are properties zoned SF-5 Single-family residential District, and developed with single-family residences. West of the site is the Quarters at Cambridge Multi-Family development, zoned B Multi-Family Residential District.

CASE HISTORY: In 2001, Remington Place Addition was platted. In 2005, a zone change from SF-5 Single-Family Residential District to NO Neighborhood Office District with PO #170 was approved (ZON2005-00057). In 2012, the “South Parcel” was rezoned to GO General Office District, the “North Parcel” was rezoned to LC Limited Commercial District, and PO #170 was amended to allow a Bank or Financial Institution (ZON2012-00009). In 2019, an Administrative Adjustment was approved to modify acceptable exterior building materials to include metal (ZON2019-00011).

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single-family residences
SOUTH:	SF-5	Single-family residence
EAST:	SF-5	Single-family residences
WEST:	B	Multi-family residence

PUBLIC SERVICES: Access to the site is provided by two drives on East 21st Street North, which is a four-lane, paved arterial street with a center turn lane and sidewalks on both sides. Water and sanitary sewer are located in the East 21st Street North right-of-way. Wichita Transit serves the site, and a bus stop is located at the entrance to the Cranbrook office park.

CONFORMANCE TO PLANS/POLICIES: The request to rezone the property is in conformance with the following adopted plans:

ZON2023-00024 and CON2023-00018

Community Investments Plan: The 2035 Wichita Future Growth Concept Map, which outlines the preferred development pattern and land uses within the *Plan* area, identifies this subject site as appropriate for “Commercial” development and use. “Commercial” areas should “reflect the full diversity of commercial development intensities and types typically found in a large urban municipality.” Permitting Personal Care Services on the subject site would increase the diversity of commercial types in this area, adhering to this component of the *Plan*.

Locational Guidelines provided by the *Plan* provide a framework for land use decisions in the *Plan* area. General Locational Guidelines encourage development which maximizes public investment in infrastructure and public services. Adding a Personal Care Services business to the office park would allow the existing infrastructure to be utilized to a fuller extent, maximizing public investment.

Additionally, the guidelines recommend development occur when the scale and intensity is compatible with existing uses. In this case, Personal Care Services are similar to and compatible with the existing surrounding medical and office uses.

RECOMMENDATION: Based on the information available at the time the staff report was prepared, it is recommended that the application be **APPROVED** subject to amended Protective Overlay #170 and the following conditions:

1. The applicant shall submit a site plan to be reviewed and approved by the Planning Director. Development of the site shall be in conformance to the approved site plan.
2. If the Zoning Administrator finds that there is a violation of any of the conditions of the conditional use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VII hereof, may, with the concurrence of the Planning Director, declare the Conditional Use null and void.

Protective Overlay #170 (Red text denotes the applicant’s proposed amended language):

Subject Property:

Limited Commercial - “North Parcel”

The north 250 feet of Lot 1, Block 1, and Reserve N, Remington Place, an addition to Wichita, Sedgwick County, Kansas.

General Office – “South Parcel”

Lot 1, Block 1, and Reserve N, Remington Place, an addition to Wichita, Sedgwick County, Kansas.

General Provisions:

- 1) Permitted Land Uses for “North Parcel”
 - a. All uses allowed within Neighborhood Office District (NO); EXCEPT multi-family, duplex, church or place of worship, golf course, group home (general), recycling collection station (private), parking area (commercial), wireless communication facility, asphalt or concrete plant limited, and agriculture.
 - b. The only Limited Commercial District (LC) uses are as follows: Bank or financial institution (including drive-up teller)
 - c. Limited Commercial Zoning District property development standards shall apply for the

“North Parcel,” unless otherwise stated below, inclusive of special LC District regulations per the Wichita Sedgwick County Unified Zoning Code.

2) Permitted Land Uses for “South Parcel”

- a. All uses allowed within the **GO General Office District** EXCEPT multi-family, duplex, church or place of worship, golf course, group home (general), recycling collection station (private), parking area (commercial), wireless communication facility, asphalt or concrete plant limited, agriculture, **group residence, limited; group residence, general; cemetery; correctional placement residence, limited; and correctional placement residence, general.** All uses permitted by Conditional Use are prohibited EXCEPT **personal care services.**
- b. General Office Zoning District property development standards shall apply for the “South Parcel” unless otherwise stated below.
- c. Special General Office (GO) Zoning District regulations per the Wichita Sedgwick County Unified Zoning Code shall apply to the “South Parcel.” (Office Use size limitations shall be per GO not per NO District regulations).

This recommendation is based on the following findings:

1. The zoning, uses, and character of the neighborhood: The subject site is located south of East 21st Street North and approximately one-quarter-mile east of North Webb Road in the south half of the Offices at Cranbrook office park. The Cranbrook office park is developed with four, multi-tenant buildings and is platted as Lot 1 and Reserve N of Remington Place an Addition to the City of Wichita. The north 250 feet of the office park is zoned LC Limited Commercial District and the south 350 feet is zone GO General Office District. Protective Overlay PO #170 includes both portions of the property and is divided into a north and south parcel. Both parcels are limited to uses permitted within the NO Neighborhood Office District except for Multi-Family and Two-Family Residences; Place of Worship; Golf Course; Group Home; Recycling Collection Station; Parking Area, Commercial; Wireless Communication Facility; Asphalt or Concrete Plant; and Agriculture. All uses by Conditional Use are prohibited on both parcels.
2. The suitability of the subject property for the uses to which it has been restricted: The application area is currently zoned GO General Office District with PO #170. The Protective Overlay limits uses on the site to those permitted by-right in the NO Neighborhood Office District, except for a number of moderate-intensity uses, which are prohibited.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval of the PO amendment and Conditional Use would permit Personal Care Services on the site. The introduction of this use should not detrimentally impact nearby property owners as similar uses currently exist in the vicinity .
4. Length of time the property has remained vacant as currently zoned: The property is not currently vacant.
5. Relative gain to the public health, safety, and welfare compared to the loss in value or hardship imposed on the applicant: Approval of the request represents a gain to the public in that it contributes to supporting commercial development in the area. Denial of the request could represent a loss in the use and enjoyment of the applicant’s property.

6. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The request to rezone the property is in conformance with the Community Investments Plan as discussed in the staff report.
7. Impact of the proposed development on community facilities: It is not anticipated that approval of this request should generate any additional significant impacts on community facilities. Existing infrastructure at the site will accommodate the proposed use.
8. Opposition or support of neighborhood residents: At the time the staff report was prepared, staff has not received any comments from the public regarding the requested zone change.

Staff Report Attachments: 1) Aerial Map, 2) Zoning Map, 3) Land Use Map, 4) Site Plan and Protective Overlay Language, 5) Site Photos



















Attachment 1. Aerial Map



Attachment 3. Land Use Map

**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

N



Attachment 5. Site Photos



The subject area.



The subject area.



North of the subject site.



Multi-family residences west of the subject site.



Offices northeast of the subject area.

SITE PLAN

APPROVED

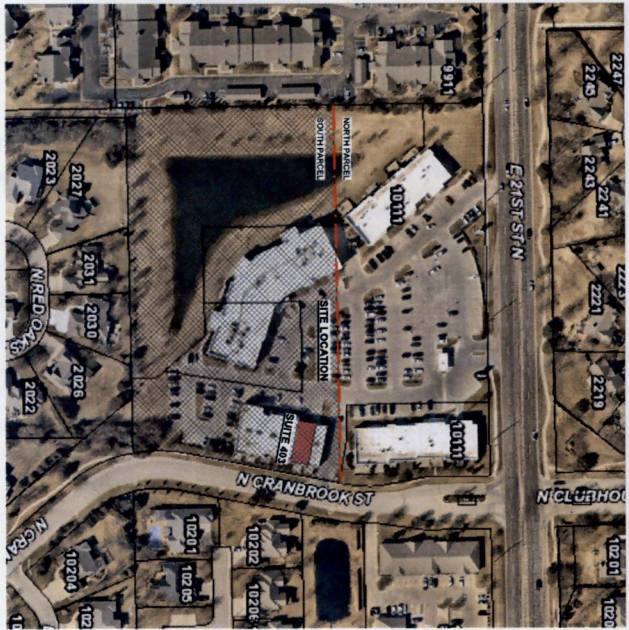
7/17/03
CON 03-18

[Signature]

LEGAL DESCRIPTION

Lot 1, Block 1, A&D Addition to Sunnington Plaza Addition, Wichita, Sedgwick County, Kansas, generally bounded south of East 21st Street, West and west of Commercial.

NOTE: CONDITIONAL USE REQUEST IS TO ALLOW PERSONAL CARE SERVICE UNITS ON THE SOUTH PARCEL. THE PROTECTIVE OVERLAY EXEMPTIONS ARE REQUESTED FOR THE SOUTH PARCEL. THE PROTECTIVE OVERLAY EXEMPTIONS ARE REQUESTED FOR THE SOUTH PARCEL. THE PROTECTIVE OVERLAY EXEMPTIONS ARE REQUESTED FOR THE SOUTH PARCEL. THE PROTECTIVE OVERLAY EXEMPTIONS ARE REQUESTED FOR THE SOUTH PARCEL.



1 SITE LOCATION PLAN
1" = 100'-0"
0 50' 100' 200'

PROTECTIVE OVERLAY EXCERPT

Subject Property:
The north 200 feet of Lot 1, Block 1, and Reserve N, Sunnington Plaza, an addition Wichita, Sedgwick County, Kansas.
General Office - "South Parcel" Sunnington Plaza, an addition Wichita, Sedgwick County, Kansas, EXCEPT the north 200 feet thereof.

Permitted Land Uses by "North Parcel":

- All uses allowed with Neighborhood Office District (NO), EXCEPT multi-family, office, church or place of worship, Golf Course, Group Home (General), Recreatory-Calendar Station (General), and Agriculture.
- The new Limited Commercial District (LC) uses are as follows: Bank or Financial Institution (including drive-up teller).
- Limited Commercial Zoning District development standards shall apply for the "North Parcel" and the new Limited Commercial District (LC) uses are as follows: Bank or Financial Institution (including drive-up teller).

Permitted Land Uses by "South Parcel":

- All uses allowed with Neighborhood Office District (NO), EXCEPT multi-family, office, church or place of worship, Golf Course, Group Home (General), Recreatory-Calendar Station (General), and Agriculture.
- All uses allowed with the General Office District (GO), EXCEPT multi-family, office, church or place of worship, Golf Course, Group Home (General), Recreatory-Calendar Station (General), and Agriculture.
- General Office Zoning District development standards shall apply for "South Parcel" unless otherwise stated below.
- Special General Office (SGO) zoning district regulations for the Wichita Sedgwick County Limited NO District regulations.

PROTECTIVE OVERLAY AMENDMENT

1. Permitted Land Uses by "North Parcel":

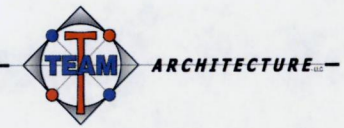
- All uses allowed with Neighborhood Office District (NO), EXCEPT multi-family, office, church or place of worship, Golf Course, Group Home (General), Recreatory-Calendar Station (General), and Agriculture.
- All uses allowed with the General Office District (GO), EXCEPT multi-family, office, church or place of worship, Golf Course, Group Home (General), Recreatory-Calendar Station (General), and Agriculture.
- General Office Zoning District development standards shall apply for "North Parcel" unless otherwise stated below.
- Special General Office (SGO) zoning district regulations for the Wichita Sedgwick County Limited NO District regulations.



A ARCHITECTURAL SITE PLAN
1" = 30'-0"
0 15' 30' 60'

21Webb, LLC
Tenant Improvements
Utopia Modern Salon Suites
10111 E. 21ST ST. N. - SUITE 403 - WICHITA, KANSAS

P.O. Box 43
Attn: AS 5702
915 N. 4th St
TAMMArchitecture-LLC.com



A0.2
NOT FOR CONSTRUCTION

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