



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

Good Shepherd Episcopal Church, Inc.
8021 West 21st Street North
Wichita, KS 67205

January 9, 2024

Baughman Company, P.A.
315 Ellis Street
Wichita, KS 67211

RE: ZON2023-000060 – Zone Change request in the City from SF-5 Single-Family Residential to LC Limited Commercial to allow a retail sales development, generally located on the south side of West 21st Street North and 425 feet west of North Woodchuck Street (a portion of 8021 West 21st Street North).

Dear Applicant;

At its regular meeting on **January 2, 2024**, the Wichita City Council considered the above captioned requests. The action of the City Council was to **APPROVE** of the zone change from SF-5 Single-Family Residential to LC Limited Commercial.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Brad Eatherly'.

Brad Eatherly
Current Plans
Senior Planner

CC: J.V. Johnston, Council Member District V
Teresa Veazey, CSR, District V
MABCD



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

Good Shepherd Episcopal Church, Inc.
8021 West 21st Street North
Wichita, KS 67205

December 4, 2023

Baughman Company, P.A.
315 Ellis Street
Wichita, KS 67211

RE: ZON2023-000060 – Zone Change request in the City from SF-5 Single-Family Residential to LC Limited Commercial to allow a retail sales development, generally located on the south side of West 21st Street North and 425 feet west of North Woodchuck Street (a portion of 8021 West 21st Street North).

Dear applicant,

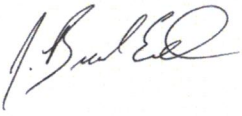
At its regular meeting on **November 30, 2023**, the Wichita-Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** the request to change zoning from SF-5 Single-Family Residential to LC Limited Commercial to allow a retail sales development.

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 14, 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 **December 14, 2023, at 5:00 p.m.**

This application will be heard by the District Advisory Board (DAB) V on **Monday, December 4, 2023** beginning at 6:30 p.m. at Fire Station # 21 (2110 North 135th Street West). For more information on this meeting, please contact Community Services Representative for District V, Teresa Veazey at (316) 352-4886 or tcveazey@wichita.gov. This application will be presented to the Wichita City Council on **Tuesday, January 2, 2024** beginning at 9:00 a.m.

This is a reminder that the zoning notification signs should now be removed from the property. If you have any questions concerning this application, please contact our office at 316-268-4421.

Sincerely,

A handwritten signature in black ink, appearing to read "Brad Eatherly". The signature is fluid and cursive, with the first name "Brad" and last name "Eatherly" clearly distinguishable.

Brad Eatherly
Current Plans
Senior Planner

CC: Bryan Frye, Council Member District V
Teresa Veazey, CSR, District V
MABCD

(Published in the Wichita Eagle, January 12, 2024)

ORDINANCE NO. 52-320

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. ZON2023-00060

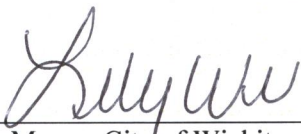
City zone change from SF-5 Single-Family Residential District to LC Limited Commercial District on property described as:

That part of Lot 1, Westwind 2nd Addition, Wichita, Kansas, described as follows: Beginning at the Northwest corner of said Lot 1; thence on an Assumed Bearing of N89°59'47"E, coincident with the north line of said Lot 1, 154.33 feet; thence S00°19'07"W, 371.03 feet to the south line of said Lot 1; thence S89°57'13"W, coincident with the south line of said Lot 1, 154.33 feet; thence N00°19'07"E, coincident with the west line of said Lot 1, 371.15 feet to the point of beginning.

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.

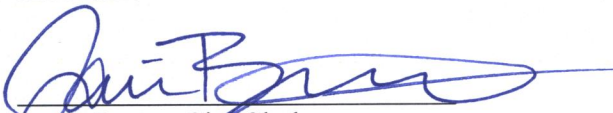
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

Adopted this 9th day of January, 2024.



Lily Wu, Mayor, City of Wichita

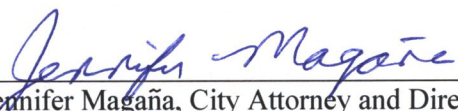
ATTEST:



Jamie Buster, City Clerk
(SEAL)



Approved as to form:



Jennifer Magaña, City Attorney and Director of Law



The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer

Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald

The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
32522	508417	Print Legal Ad-IPL01549300 - IPL0154930	ORD#52-320	\$58.05	1	69 L

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

JMBuster@wichita.gov

OCA 150004
(Published in the Wichita Eagle,
January 12, 2024)
ORDINANCE NO. 52-320

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

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City zone change from SF-5 Single-Family Residential District to LC Limited Commercial District on property described as:

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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 9th day of January, 2024.

Lily Wu, Mayor, City of Wichita

ATTEST:

Jamie Buster, City Clerk
(SEAL) Approved as to form:
Jennifer Magana, City Attorney and
Director of Law
IPL0154930
Jan 12 2024

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

1 insertion(s) published on:

01/12/24

STATE OF KANSAS)

SS

County of Sedgwick)

Stefani Beard, 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 01/12/2024 to 01/12/2024.

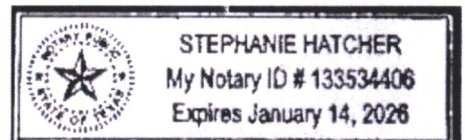
Stefani Beard

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

DATED: 01/12/2024

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!



The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer

Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald

The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	486952	Print Legal Ad-IPL01467920 - IPL0146792		\$198.76	3	79 L

Attention: MANDY HEBERT

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

MHEBERT@wichita.gov

LEGAL PUBLICATION

OCA 150004
Published in The Wichita Eagle on November 9, 2023
(One Time Only)
MAPC/BZA November 30, 2023
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, November 30, 2023, no earlier than 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held in person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation is encouraged (see instructions below). Virtual participation is not available. If you have any questions regarding the meeting or items on this notice, please call the Wichita-Sedgwick County Metropolitan Area Planning Department at (316) 268-4421.

CON2023-00056: Conditional Use request in the City for an Accessory Apartment; generally located on the northwest corner of West Central Avenue and North Clara Street (703 North Clara Street).

CUP2023-00038: CUP Amendment in the City to DP-327 to Parcel 8 to have a drive-thru and Parcel 8 to match architectural controls of Parcel 5, on property zoned LC Limited Commercial, located on the east side of North Maize Road, within one-quarter mile north of West 29th Street North (3220 N. Maize).

DER2023-00018: Unified Zoning Code amendment (City and County) to better define the term Entertainment Establishments, and Nightclubs in the City. Entertainment Establishments will now include alcohol and require a Conditional Use Permit in some cases. Nightclub in the City applies to uses with a capacity of 300 persons or more.

PUD2023-00012: Zone change request in the City from B Multi-Family to PUD (Planned Unit Development) to allow commercial uses for an existing building, generally located on the west side of South Minneapolis Avenue, within one block south of East Douglas Avenue, (104 South Kansas Avenue, 115 and 119 South Minneapolis Avenue).

PUD2023-00013: Zone change request in the City from SF-5 Single-Family Residential District to PUD #118 Planned Unit Development for multi-family development and custom parking standards, generally located on the northwest corner of West 9th Street North and North Saint Paul Avenue (1001 North Saint Paul).

VAC2023-00043: Vacation request in the City to vacate a portion of platted right-of-way (South Mosley Street) located one-quarter mile north of Highway 54 and 800-ft south of East Douglas Avenue.

ZON2023-00060: Zone change request in the City from SF-5 Single-Family Residential to LC Limited Commercial for retail sales development; located south along West 21st Street North and within one-half mile east of North Tyler Road (8021 West 21st Street North).

ZON2023-00061: Zone change request in the City from SF-5 Single-Family Residential District and LC Limited Commercial District to LI Limited Industrial District to allow for industrial development, generally located on the southwest corner of 45th Street North and Hillside Avenue.

ZON2023-00062: Zone change request in the City from GC General Commercial to CBD Central Business District to redevelop the site in a consistent manner with the surrounding properties, located north-east corner of S Walnut Street and W Texas Avenue (110 S Walnut Street, 926 W Texas Avenue).

ZON2023-00063: Zone change in the City from GO General Office District to LC Limited Commercial District to allow a restaurant, generally located on the west side of South Webb Road, within 750 feet south of East Harry Street (1705 South Webb Road).

ZON2023-00064: Zone change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District for duplex development, generally located on the west side of North Webb Rd, within one-quarter mile south of East 45th Street North (4439 North Webb Road).

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202. As provided in Section V of the Wichita-Sedgwick 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:

1) Attend In-Person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202. Self-paid parking is available nearby. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-268-4464) by 5:00 PM, 3 days prior to the meeting.

2) Submit Comments Ahead of Time regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department) - 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. Planning Department staff make efforts to share all comments but may not be able to share those received after the deadlines below. Please be sure to provide ample time for delivery. Written Comments should be submitted by 5:00 PM the day before the meeting. Video and Audio Comments (mp3, etc.) formats be submitted at least 3 days prior to the MAPC meeting. The comments should indicate which item they pertain to and be less than three (3) minutes in duration.

Email: Planning@wichita.gov

Mailing Address

Wichita-Sedgwick County Metropolitan Area Planning Department

Attn: Scott Wadle

271 W. 3rd Street - Suite 201

Wichita, KS 67202

Phone: 316.268.4421

Fax: 316.858.7764

3) If you need accommodations pursuant to the ADA, please contact Planning Staff within one week prior to the scheduled meeting.

Option to View Remotely (Not Participate)

The meeting will be streamed live and recorded. Virtual comment is not available. To view the live stream or recording, follow the link: <https://www.wichita.gov/Planning>.

WITNESS MY HAND on November 9, 2023

Scott Wadle, Secretary

Wichita-Sedgwick County

Metropolitan Area Planning Commission

IPL0146792

Nov 9 2023

In The STATE OF KANSAS

In and for the County of Sedgwick

1 insertion(s) published on:

11/09/23

STATE OF KANSAS)

SS

County of Sedgwick)

Stefani Beard, 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 11/09/2023 to 11/09/2023.

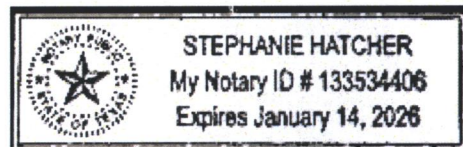
Stefani Beard

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

DATED: 11/09/2023

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!



STAFF REPORT

MAPC: November 30, 2023

DAB V: December 4, 2023

AGENDA ITEM NO. 4.6

CASE NUMBER: ZON2023-00060 (City)

APPLICANT/AGENT: Good Shepherd Episcopal Church, Inc. (Applicant)/ Phil Meyer, Baughman Company (Agent)

REQUEST: LC Limited Commercial District

CURRENT ZONING: SF-5 Single-Family Residential District

SITE SIZE: 1.31 acres

LOCATION: Generally located on the south side of West 21st Street North and 425 feet west of North Woodchuck Street (a portion of 8021 West 21st Street North).

PROPOSED USE: Retail sales development.

RECOMMENDATION: Approve



BACKGROUND: The applicant is requesting a zone change from SF-5 Single-Family Residential District to LC Limited Commercial District. The 1.31-acre property is generally located on the south side of West 21st Street North and 425 feet west of North Woodchuck Street (a portion of 8021 West 21st Street North). The subject site is currently an undeveloped portion of a larger church property.

The applicant has indicated they intend to use the site for retail sales development. Should the zone change request be approved, there will be changes in setbacks, parking requirements, and maximum height. SF-5 Single-Family Residential District requires a 5,000 square-foot minimum lot size, while LC Limited Commercial District has no minimum lot size requirement. Below is a comparison of the building setbacks and other development standards in the SF-5 and LC Districts:

Development Standard	SF-5 Single-family Residential District	LC General Commercial District
Minimum lot area	5,000 square feet for Single-Family; 10,000 square feet for nonresidential uses	None
Minimum lot width	50 feet	None
Front setback	25 feet	20 feet
Rear setback	20 feet	10 feet, subject to compatibility standards
Interior side setback	6 feet	0 feet, subject to compatibility standards
Street side setback	15 feet	10 feet
Maximum height	35 feet	80 feet, subject to compatibility standards

The property will be required to adhere to the City of Wichita Landscape Ordinance. This will include appropriate screening between the proposed commercial use and the adjacent residentially zoned districts. Any parking lots shall also be screened from view from adjacent residential districts and street rights-of-way.

Immediately north of the subject site, across West 21st Street North, is property zoned SF-5 Single-family Residential District that is developed with a Church or Place of Worship. The portion of the subject property to the east is zoned SF-5 Single-family Residential District and is developed with a Church or Place of Worship and is owned by the applicant. Properties to the south are zoned SF-5 Single-family Residential District and are developed with single-family dwellings. The property to the west is zoned GC General Commercial District with CUP DP-172 and is developed with an Outdoor Recreation Center. Other properties with the Light Commercial Zoning District classification are common along West 21st Street North in between North Tyler Road and North Ridge Road.

CASE HISTORY: The subject site was platted as Lot 1 of the Westwind 2nd Addition on February 22, 1988. The owner has submitted a proposal for a lot split to create a separate parcel for the subject site. There are no zoning cases associated with these properties.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Church
SOUTH:	SF-5	Single-family Dwellings
EAST:	SF-5	Church
WEST:	GC	Outdoor Recreation

PUBLIC SERVICES: The subject site currently has access to West 21st Street North which is a five-lane arterial street with sidewalk on the north side. Municipal services, such as water, sanitary sewer and stormwater services all serve the area. Wichita Transit serves the area with stops at the intersections of West 21st Street North and North Tyler Road and West 21st Street North and North Ridge Road, each about one-half mile from the subject site.

CONFORMANCE TO PLANS/POLICIES: The requested zone change is in conformance with the *Community Investments Plan*. The *Community Investments Plan* (the Wichita-Sedgwick County Comprehensive Plan), which includes the 2035 Future Growth Concept Map, recommends the subject site as appropriate for “Commercial” uses. The *Plan* defines “Commercial” as “areas of land that reflect the full diversity of commercial development intensities and types typically found in a large urban municipality. Convenience retail, restaurants, small offices, and personal service uses are located in close proximity to, and potentially mixed with, Residential Uses. Major destination areas (centers and corridors) containing concentrations of commercial and office uses that have regional market areas and generate high volumes of traffic are located in close proximity to major arterials or highways and typically are buffered from lower density residential areas by higher density housing types.” Retail sales development is an appropriate use for this area.

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

This recommendation is based on the following findings:

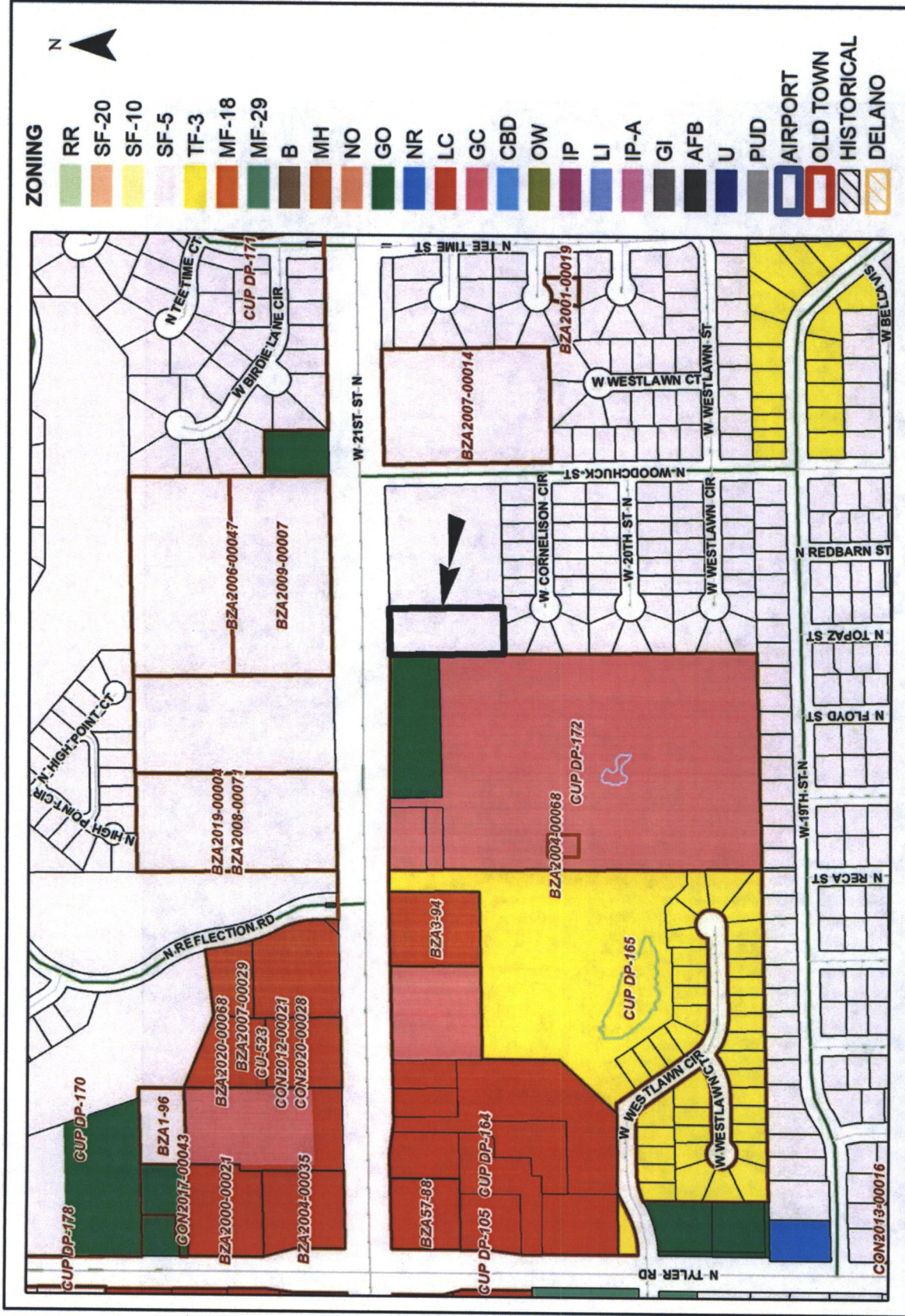
1. **The zoning, uses and character of the neighborhood:** The character of the neighborhood is suburban residential. Immediately north of the subject site, across West 21st Street North, is property zoned SF-5 Single-family Residential District that is developed with a Church or Place of Worship. The property to the east is zoned SF-5 Single-family Residential and is developed with a Church or Place of Worship and is owned by the applicant. Properties to the south are zoned SF-5 Single-family Residential District and are developed with single-family dwellings. The property to the west is zoned GC General Commercial District with CUP DP-172 and is developed with an outdoor recreation center.
2. **The suitability of the subject property for the uses to which it has been restricted:** The property is presently zoned SF-5 Single-Family Residential District, which is suitable for a limited number of residential, public, and civic uses.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** Staff does not anticipate the removal of restrictions to have significant detrimental impacts on nearby property. Commercial uses are found throughout the West 21st Street North corridor and are more appropriate when coming off of West 21st Street North than residential uses. Commercial development has already occurred in the area.
4. **Length of time subject property has remained vacant as zoned:** This portion of the property has never been developed.
5. **Relative gain to public health, safety, and welfare as compared to the loss in value or the hardship imposed upon the applicant:** Approval would permit new development in an area on undeveloped parcels that is also appropriate for such development. Denial may represent a loss of economic opportunity for the applicant.
6. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The requested zoning would continue to allow the properties to be in conformance with the *Community Investments Plan*, as discussed in the staff report.
7. **Impact of the proposed development on community facilities:** The Planning Department does not anticipate the requested zone change will have a significant impact on community facilities.
8. **Opposition or support of neighborhood residents:** At the time the staff report was prepared, staff has not received any public comment regarding the zone change.

Staff Report Attachments:

1. Aerial Map

2. Zoning Map
3. Land Use Map
4. Site Photos





2035 Wichita Future Growth Concept Map

Legend

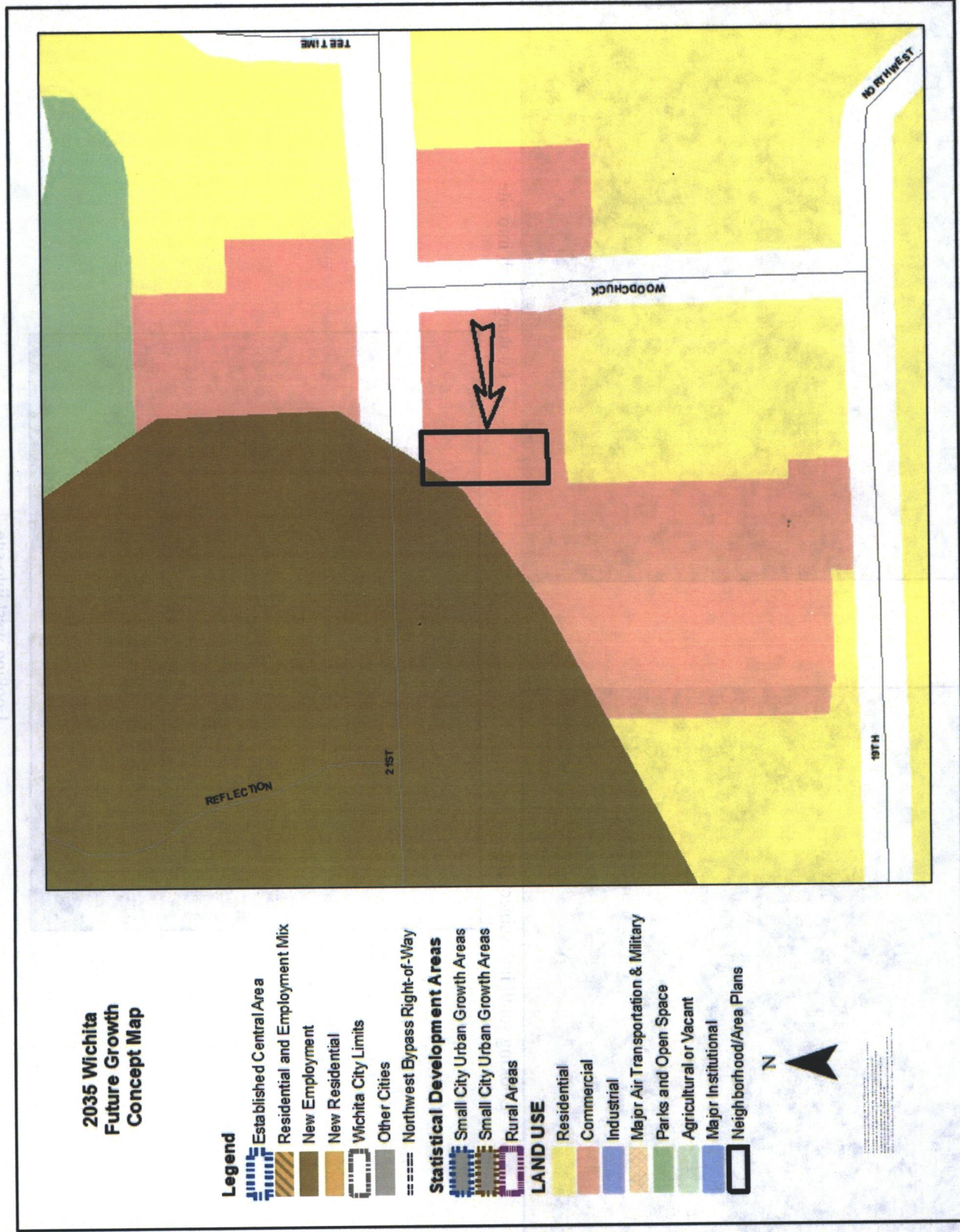
- Established Central Area
- Residential and Employment Mix
- New Employment
- New Residential
- Wichita City Limits
- Other Cities
- Northwest Bypass Right-of-Way

Statistical Development Areas

- Small City Urban Growth Areas
- Small City Urban Growth Areas
- Rural Areas

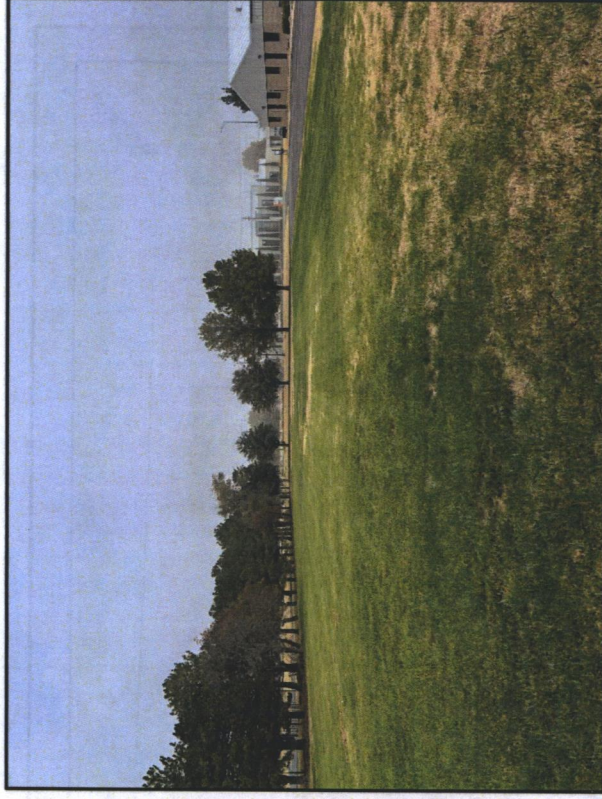
LAND USE

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

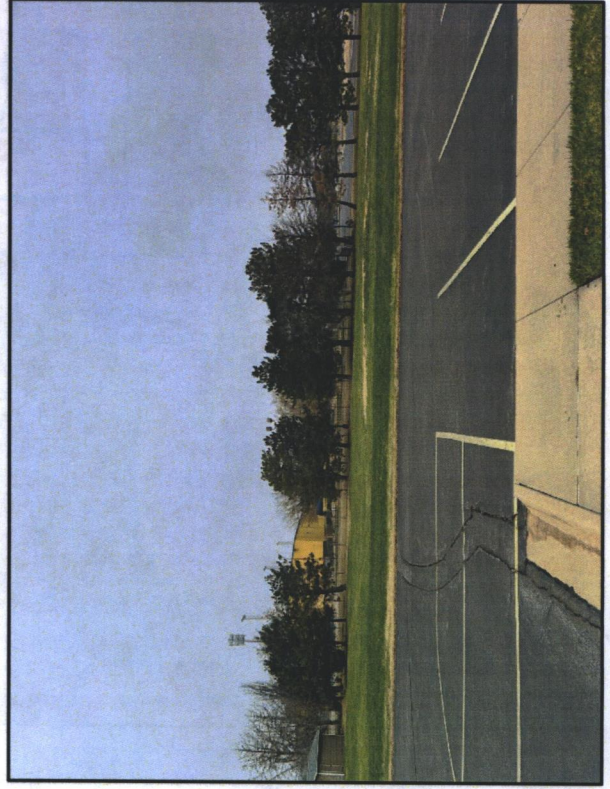




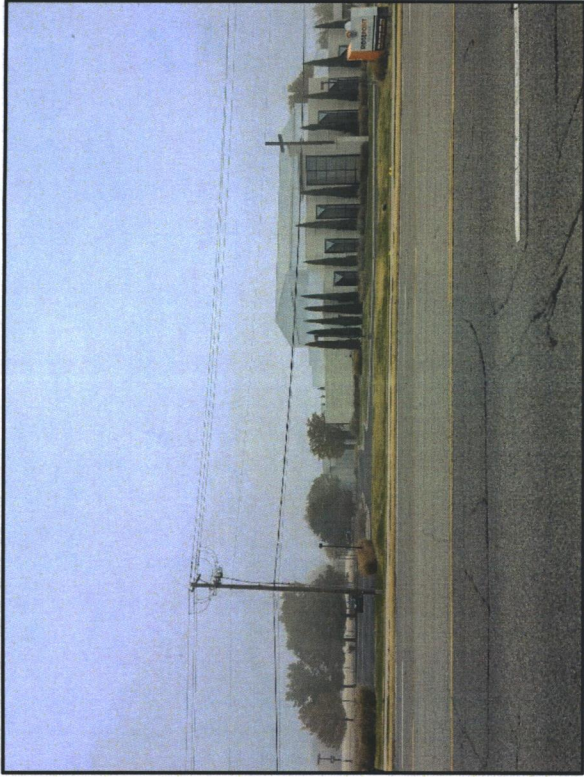
Looking south into subject site



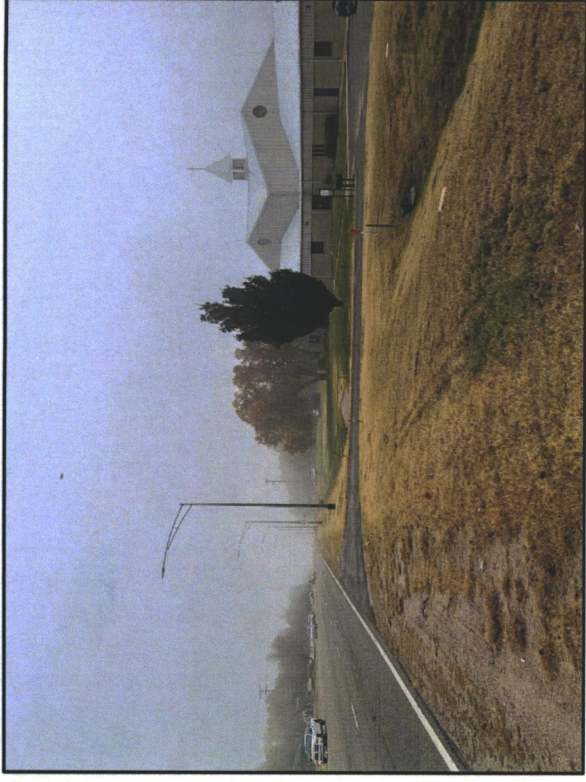
Looking north into site



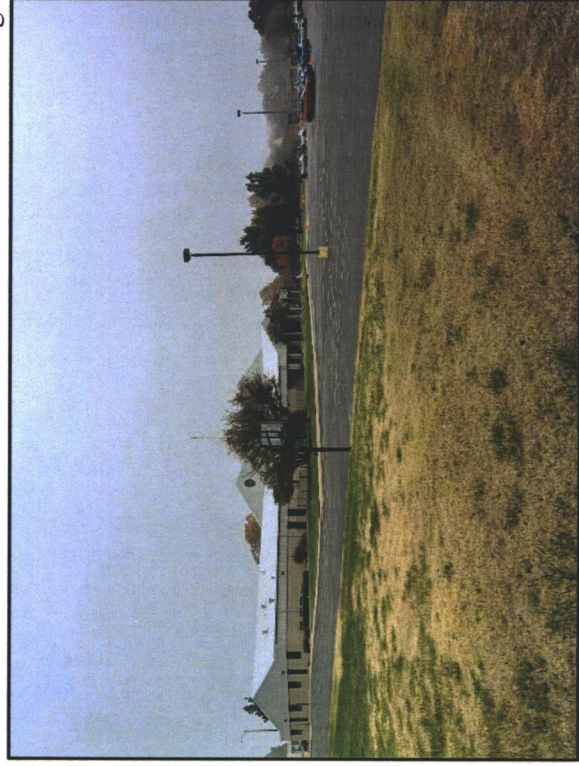
Looking west into site



Looking north away from site



Looking east away from site



Looking northeast away from site