Wichita-Sedgwick County Metropolitan Area Planning Department

June 13, 2023

Wichita Businesses, Inc.
c/o John Wagle
2431 East Mount Vernon Road
Wichita, KS 67211

RE: **CON2023-00012:** Conditional Use request in the City for general printing and publishing on property zoned LC Limited Commercial; located on the south side of East Mount Vernon Road and within one-half mile west of South Hillside Avenue (2431 East Mount Vernon Road).

Dear Applicant;

At its regular meeting on **June 13, 2023**, the Wichita City Council heard the above captioned request. The action of the WCC was to **APPROVE** the request with the following conditions:

1) Loading docks are prohibited on the south wall.
2) The applicant will submit either a revised site plan, which has the building addition within the 20-foot front setback, or a Variance to reduce the front setback to 10 feet, prior to the issuance of building permits.
3) The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
4) The Conditional Use applies to only the building addition as shown on the approved site plan. Any expansion of the use to existing or new buildings on the site requires an amendment to the Conditional Use.
5) 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 VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

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

Sincerely,

Christina Rieth

Christina Rieth, Current Plans
Associate Planner

Copies to: MABCD
Mike Hoheisel, Councilmember District III
Rebecca Johnson, CSR District III
Doug Allison, *via email*

Wichita-Sedgwick County Metropolitan Area Planning Department

May 11, 2023

Wichita Businesses, Inc.
c/o John Wagle
2431 East Mount Vernon Road
Wichita, KS 67211

RE: **CON2023-00012:** Conditional Use request in the City for general printing and publishing on property zoned LC Limited Commercial; located on the south side of East Mount Vernon Road and within one-half mile west of South Hillside Avenue (2431 East Mount Vernon Road).

Dear Applicant;

At its regular meeting on **May 11, 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 with the following conditions:

1) Loading docks are prohibited on the south wall.
2) The applicant will submit either a revised site plan, which has the building addition within the 20-foot front setback, or a Variance to reduce the front setback to 10 feet, prior to the issuance of building permits.
3) The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
4) The Conditional Use applies to only the building addition as shown on the approved site plan. Any expansion of the use to existing or new buildings on the site requires an amendment to the Conditional Use.
5) 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 VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

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 **May 25, 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 **May 25, 2023 at 5:00 p.m.**

This application will be presented to the Wichita City Council on **Tuesday, June 13, 2023** beginning at 9:00 a.m.

Development application signs should now be removed from the property. If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

Christina Rieth

Christina Rieth, Current Plans
Associate Planner

Copies to: MABCD
Mike Hoheisel, Councilmember District III
Rebecca Johnson, CSR District III
Doug Allison, *via email*

OCA 150004 PUBLISHED IN THE WICHITA EAGLE ON June 16, 2023

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

RESOLUTION NO. 23-260

WHEREAS, Wichita Businesses Inc., Owner, pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requests a Conditional Use to permit Printing and Publishing, General on property zoned LC Limited Commercial District located on the south side of East Mount Vernon Road and within one-half mile west of South Hillside Avenue, legally described as:

The Reserve, Russell Ross Addition to 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 11, 2023, consider said application; and

WHEREAS, the Wichita City Council 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 Wichita City Council that this application be approved to allow a Conditional Use to permit Printing and Publishing, General on property zoned LC Limited Commercial District located on the south side of East Mount Vernon Road and within one-half mile west of South Hillside Avenue, legally described as:

The Reserve, Russell Ross Addition to Wichita, Sedgwick County, Kansas.

Approved subject to the following conditions:

1) Loading docks are prohibited on the south wall.
2) The applicant will submit either a revised site plan, which has the building addition within the 20-foot front setback, or a Variance to reduce the front setback to 10 feet, prior to the issuance of building permits.
3) The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
4) The Conditional Use applies to only the building addition as shown on the approved site plan. Any expansion of the use to existing or new buildings on the site requires an amendment to the Conditional Use.
5) 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 VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

This Resolution shall take effect and be in force from and after its adoption by the Wichita City Council.

Adopted on 13th day of June, 2023.

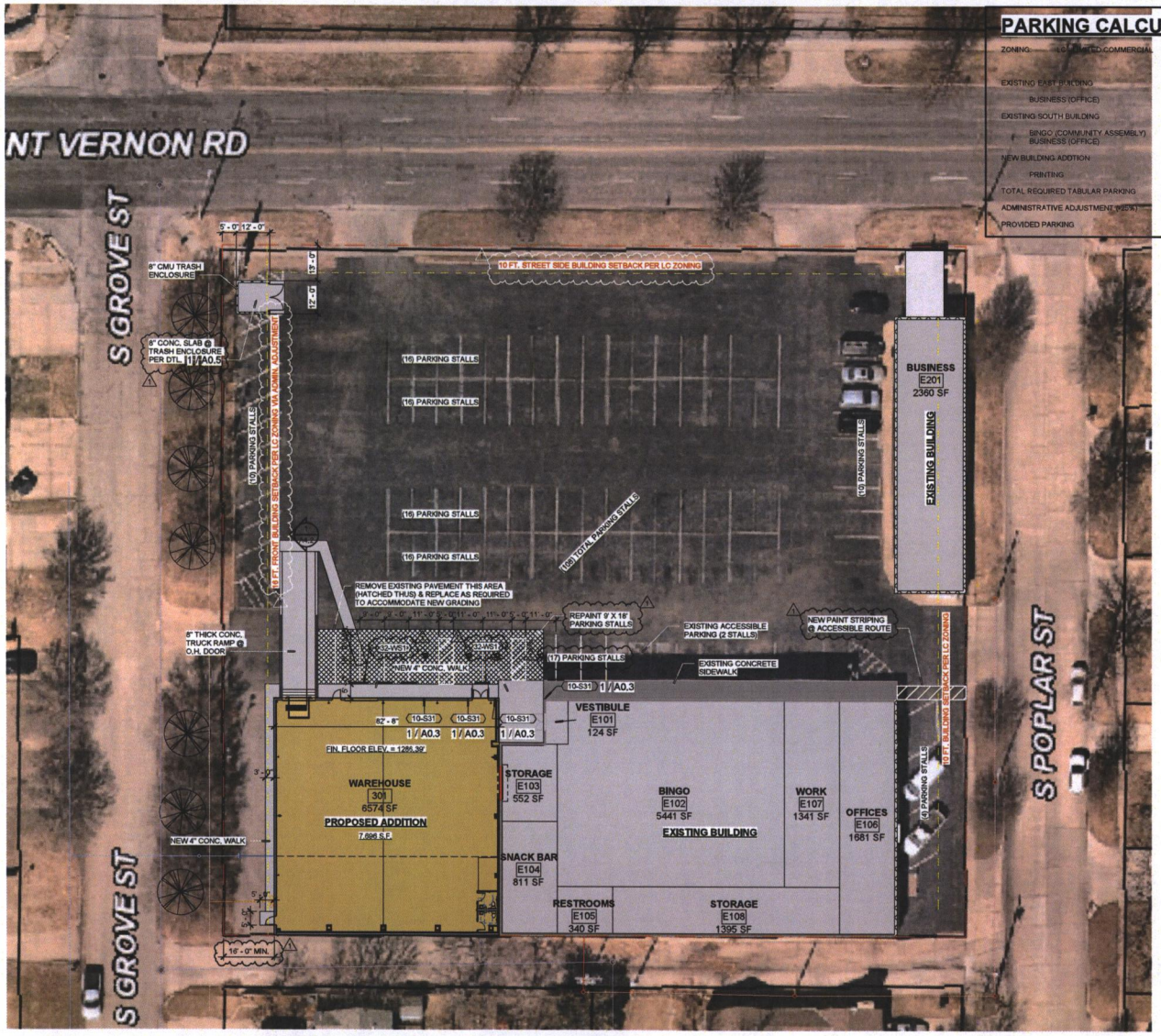
Brandon J. Whipple, Mayor, City of Wichita

ATTEST:

Jamie Buster, City Clerk

(SEAL)

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



PARKING CALCULATION TABLE:

ZONING: LC LIMITED COMMERCIAL

		DAYTIME PARKING		EVENING PARKING (4:00 - 10:00 PM)	
EXISTING EAST BUILDING					
BUSINESS (OFFICE)	2,360 S.F. / 333 =	7	PARKING STALL		
EXISTING SOUTH BUILDING					
BINGO (COMMUNITY ASSEMBLY)	5,445 S.F. / 45 =			121	PARKING STALLS
BUSINESS (OFFICE)	5,782 S.F. / 333 =	17	PARKING STALLS	17	PARKING STALLS
NEW BUILDING ADDITION					
PRINTING	6,850 S.F. / 333 =	21	PARKING STALLS		
TOTAL REQUIRED TABULAR PARKING		45	PARKING STALLS	138	PARKING STALLS
ADMINISTRATIVE ADJUSTMENT (0.25%)	138 - (138 X 0.25) =	104	PARKING STALLS		
PROVIDED PARKING		105	PARKING STALLS (INCLUDING 6 ACCESSIBLE STALLS)		

SITE LAYOUT NOTES

1. PRIOR TO STARTING CONSTRUCTION THE CONTRACTOR SHALL BE RESPONSIBLE TO MAKE SURE THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS APPROVED BY ALL OF THE PERMITTING AUTHORITIES.

2. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THESE PLANS, SPECIFICATIONS AND THE REQUIREMENTS AND STANDARDS OF THE LOCAL GOVERNING AUTHORITY. THE SOILS REPORT, IF AVAILABLE, AND RECOMMENDATIONS SET FORTH THEREIN ARE A PART OF THE REQUIRED CONSTRUCTION DOCUMENTS AND TAKE PRECEDENCE UNLESS SPECIFICALLY NOTED OTHERWISE ON THE PLANS. THE CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER OF ANY DISCREPANCY THAT MAY EXIST BETWEEN SOILS REPORT AND PLANS.

3. THE SURVEY SHALL BE CONSIDERED A PART OF THESE PLANS. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR LOCATING IMPROVEMENTS PER THESE PLANS.

4. UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN DRAWN FROM AVAILABLE RECORDS. THEREFORE, THE RELATIONSHIP BETWEEN PROPOSED WORK AND EXISTING FACILITIES, STRUCTURES AND UTILITIES MUST BE CONSIDERED APPROXIMATE AND IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THEIR EXACT LOCATION AND THE EXISTENCE OF ANY NOT SHOWN BY CONTACTING THE UTILITY LOCATOR SERVICE A MINIMUM OF 48 HOURS PRIOR TO THE COMMENCEMENT OF DIGGING OPERATIONS. NO COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR DAMAGE AND REPAIR TO THESE FACILITIES CAUSED BY HIS WORK FORCE.

5. ALL DIMENSIONS AND GRADES SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER IF ANY DISCREPANCIES EXIST TO OBTAIN ANY NECESSARY CHANGES, PRIOR TO PROCEEDING WITH CONSTRUCTION. NO EXTRA COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR WORK HAVING TO BE REDONE DUE TO DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.

6. ALL WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.

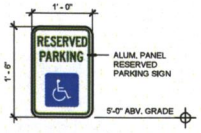
7. SEE ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS.

8. CONTRACTOR IS TO PROVIDE ALL SAFETY BARRIERS, FENCING ETC. AROUND CONSTRUCTION SITE AS REQUIRED BY LOCAL REGULATIONS. CONTRACTOR SHALL USE SAFETY FENCE TO PROTECT PATRONS FROM CONSTRUCTION ACTIVITIES.

9. WORK WHICH WILL CAUSE THE CLOSING OF NORMAL TRAFFIC AND ACCESS WAYS SHALL REQUIRE A NOTICE OF CLOSURE TO BE SUBMITTED FORTY-EIGHT (48) HOURS IN ADVANCE OF THE STREET CLOSURE TO THE TRAFFIC ENGINEER. THE NOTICE OF CLOSURE SHALL SPECIFY THE PURPOSE OF CLOSURE, THE LOCATION, THE PLANNED DURATION AND THE HOURS OF THE DAY DURING WHICH THE STREET WILL BE CLOSED. THE CLOSURE SHALL BE SCHEDULED TO MINIMIZE INTERFERENCE WITH VEHICULAR AND PEDESTRIAN TRAFFIC.

10. PROVIDE SPLASH BLOCKS 32" L X 16" W MIN. REINFORCED PRECAST CONCRETE AT ALL DOWNSPOUTS AND RAIN LEADER DISCHARGE LOCATIONS.

11. THE CONTRACTOR SHALL RESTORE TO THE ORIGINAL CONDITION, ADJACENT (OFF-SITE) PROPERTY DISTURBED BY HIS OPERATIONS.



1 RESERVED PARKING SIGN
1" = 1'-0"

A ARCHITECTURAL SITE PLAN
1" = 20'-0"
0' 10' 20' 40'
NORTH

REVISED TO INCLUDE DOCK RAMP

SITE PLAN
APPROVED 1/23 BY CMR

TEAM ARCHITECTURE LLC
P.O. Box 43
Andover, KS 67002
(316) 347-7766
TEAMArchitecture-LLC.com

VARIETY PAPER BUILDING ADDITION

2427 EAST MT. VERNON RD. - WICHITA, KANSAS

PRINTS ISSUED:
JULY 28, 2023 - PERMIT

REVISIONS:
1 09-27-23 MABCD Response
3 11-24-25 Dock Ramp

Project No. TA23-001 Drawn: TEAM Checked: DGA

ARCHITECTURAL SITE PLAN

11-24-25

A0.3

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McCLATCHY

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	433383	Print Legal Ad-IPL01273250 - IPL0127325		$88.83	2	53 L

Attention: Jamie Buster

CITY OF WICHITA/CLERKS OFFICE
455 N MAIN ST FL 13
WICHITA, KS 67202

LAlvarez@wichita.gov

LEGAL PUBLICATION

OCA 150004

PUBLISHED IN THE WICHITA EAGLE ON June 16, 2023
BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.
RESOLUTION NO. 23-260

WHEREAS, Wichita Businesses Inc., Owner, pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requests a Conditional Use to permit Printing and Publishing, General on property zoned LC Limited Commercial District located on the south side of East Mount Vernon Road and within one-half mile west of South Hillside Avenue, legally described as:
The Reserve, Russell Ross Addition to 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 11, 2023, consider said application; and
WHEREAS, the Wichita City Council 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 Wichita City Council that this application be approved to allow a Conditional Use to permit Printing and Publishing, General on property zoned LC Limited Commercial District located on the south side of East Mount Vernon Road and within one-half mile west of South Hillside Avenue, legally described as:
The Reserve, Russell Ross Addition to Wichita, Sedgwick County, Kansas.
Approved subject to the following conditions:
1) Loading docks are prohibited on the south wall.
2) The applicant will submit either a revised site plan, which has the building addition within the 20-foot front setback, or a Variance to reduce the front setback to 10 feet, prior to the issuance of building permits.
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This Resolution shall take effect and be in force from and after its adoption by the Wichita City Council.
Adopted on 13th day of June, 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
IPL0127325
Jun 16 2023

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

1 insertion(s) published on:
06/16/23

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 06/16/2023 to 06/16/2023.

M. Hayley

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 06/16/2023

Stephanie Hatcher

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

STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

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

McCLATCHY

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	410212	Print Legal Ad-IPL01188570 - IPL0118857	OCA 150004	$213.88	3	85 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 150004
Published in The Wichita Eagle on April 20, 2023
(One Time Only)
MAPC/BZA May 11, 2023
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, May 11, 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, 2 nd 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.

BZA2023-00018: Variance request in the City to reduce alley side setback to zero feet for an addition on property zoned LC Limited Commercial; located on the south side of East Mount Vernon Road and within one-half mile west of South Hillside Avenue (2431 East Mount Vernon Road).

CON2023-00010: Conditional Use request in the City for Group Residence, Limited on property zoned SF-5 Single-Family Residential; located 143 feet east of North Lawrence Lane and north of East 13th Street (7000 East Stonegate Street).

CON2023-00011: Conditional Use request in the City for a Group Resident, Limited on property zoned SF-5 Single-Family Residential; located approximately .66 miles west of North Woodlawn Avenue, on East 17th Street North (6227 East 17th Street North).

CON2023-00012: Conditional Use request in the City for general printing and publishing on property zoned LC Limited Commercial; located on the south side of East Mount Vernon Road and within one-half mile west of South Hillside Avenue (2431 East Mount Vernon Road).

CUP2023-00013: Community Unit Plan (DP-361 Meridian 53 CUP) in the City associated with a zone change (ZON2023-00019) to GC General Commercial; located on the south side of West 53rd Street North and on the west side of North Meridian Avenue.

VAC2023-00009: Request in the City to vacate access control and setbacks on property zoned LI Limited Industrial; located on the east side of Webb Road and south of 37th Street North (3512 North Jabara Road).

ZON2023-00016: Zone Change Request in the City from LI Limited Industrial District to MF-29 Multi-Family Residential to bring an existing tri-plex into conformance on property located on the north side of East Mount Vernon Rd and two-blocks west of South Washington Avenue (726 East Mt. Vernon).

ZON2023-00017: Zone change request in the City from SF-5 Single-Family Residential District to LI Limited Industrial District to allow the Colonel James Jabara Airport to be extended north; generally located at the intersection of East 45th Street North and North Webb Road (4444 and 4700 North Webb Road).

ZON2023-00018: Zone change request in the City from SF-5 Single-Family Residential District to LI Limited Industrial District to bring the entire property into compliance; generally located on the north side of East 55th Street South within one-half mile west of South Hydraulic Avenue (1306 East 55th Street South).

ZON2023-00019: Zone change request in the City from GO and LC to GC General Commercial; located on the south side of West 53rd Street North and on the west side of North Meridian Avenue (Associated with CUP2023-00013).

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=a0k3bW0ySlBNbFJQTDFyV0xPVDBXUT09
Meeting ID: 408 986 6967
Passcode: 094136
One tap mobile
+16699006833,,4089866967#,,,,*094136# US (San Jose)
+17193594580,,4089866967#,,,,*094136# US
Meeting ID: 408 986 6967
Passcode: 094136
Find your local number: https://us06web.zoom.us/u/kc65codfb1

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 Wadle
271 W. 3rd Street – Suite 201
Wichita, KS 67202
Phone 316.268.4421
Fax 316.858.7764

WITNESS MY HAND on April 20, 2023
Scott Wadle, Secretary
WichitaSedgwick County
Metropolitan Area Planning Commission
IPL0118857
Apr 20 2023

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

1 insertion(s) published on:
04/20/23

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 04/20/2023 to 04/20/2023.

H. Hayley

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 05/03/2023

Stephanie Hatcher

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

STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

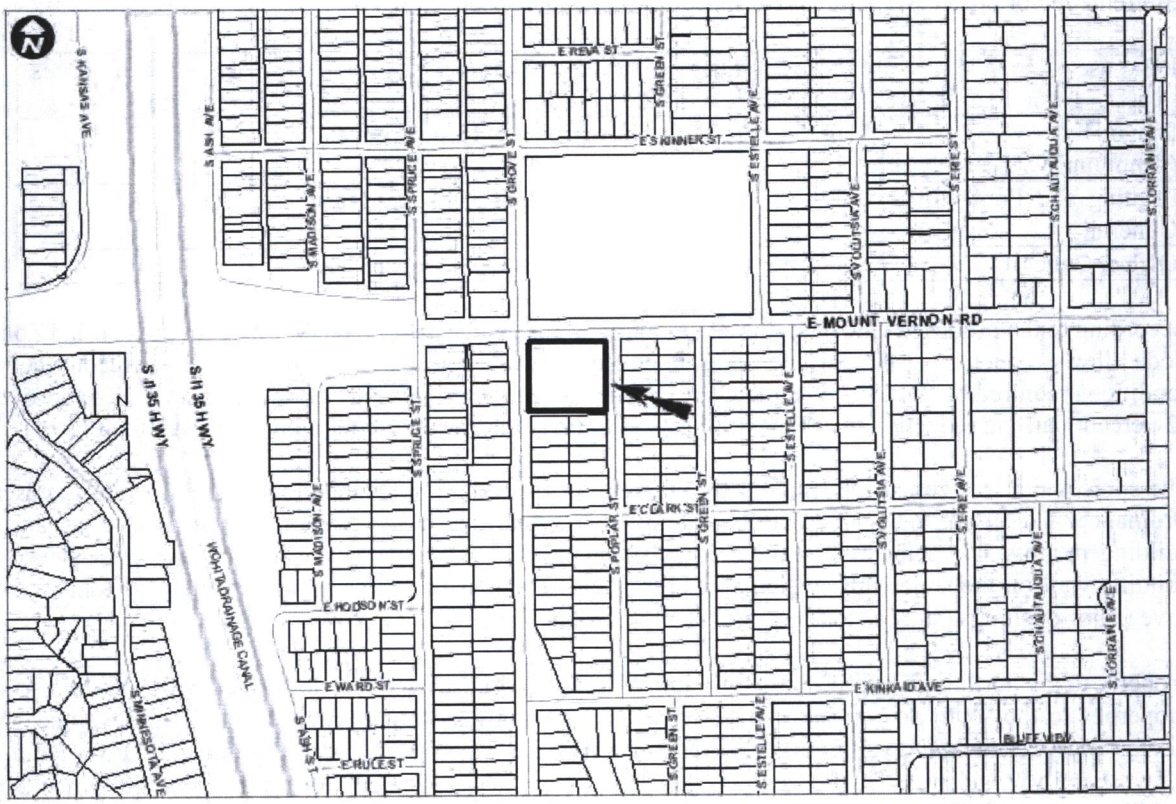
Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

AGENDA ITEM NO. 4.3

WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

STAFF REPORT
MAPC: May 11, 2023
DAB III: May 3, 2023

CASE NUMBER:	CON2023-00012 (City)
APPLICANT/AGENT:	Wichita Businesses Inc., c/o John Wagle (Applicant) / Doug Allison (Agent)
REQUEST:	Conditional Use to allow Printing and Publishing, General
CURRENT ZONING:	LC Limited Commercial District
SITE SIZE:	1.55 acres
LOCATION:	Generally located on the southeast corner of East Mount Vernon Road and South Grove Street (2431 East Mount Vernon Road)
PROPOSED USE:	Printing and Publishing, General
RECOMMENDATION:	Approve with conditions



BACKGROUND: The applicant is requesting a Conditional Use to allow Printing and Publishing, General on a property zoned LC Limited Commercial District in the Russell Ross Addition. The 1.55-acre property is addressed as 2431 East Mount Vernon Road, which is generally located on the southeast corner of East Mount Vernon Road and South Grove Street. It is currently developed with a bingo hall.

The Unified Zoning Code (UZC) defines Printing and Publishing, General as "the production of books, magazines, newspapers and other printed matter, as well as record pressing and publishing, engraving and photoengraving, but excluding Printing and Copying, Limited." Printing and Publishing, General requires a Conditional Use to be reviewed by the Planning Commission in accordance with the procedures and standards of Sec. V-D of the Unified Zoning Code.

According to the site plan, the applicant proposes to build a 6,850 square foot addition on the south property line (interior side setback) and ten feet from the front setback for Printing and Publishing, General. The proposed addition meets the minimum interior side setback requirements for LC Limited Commercial District zoning. However, the proposed addition encroaches into the 20-foot front setback on Grove Street. Therefore, staff is requiring the applicant to either submit a Variance to reduce the front setback to 10 feet or to submit a revised site plan that has the building behind the 20-foot front setback. The proposed addition will align with the existing building, which sits on the south property line and abuts an alley. The existing building will remain mostly a bingo hall with additional spaces for storage, a snack bar, restrooms, and offices.

The site plan illustrates the applicant's proposed parking plan. There will be a total of 108 parking stalls on site. Printing and Publishing, General, which will occupy 2,596 square feet in the proposed addition, requires one parking space per 333 square feet. Bingo halls, which occupy 5,441 square feet, are considered Community Assemblies and require one parking space per 45 square feet. Offices will occupy 5,382 square feet on site, which includes 1,341 square feet labeled as "Work" and 2,360 square feet labeled as "Business". The parking requirements for Office, General is one space per 333 square feet.

Land use	Proposed square footage	Parking requirements	Number of spaces required
Bingo Hall (Community Assembly)	5,441	One space per 45 square feet	121
Printing and Publishing, General	2,596	One space per 333 square feet	8
Office, General	5,382	One space per 333 square feet	16

According to the proposed land uses, the site requires 145 parking spaces. Sec. V-I.2. (i) of the Unified Zoning Code allows reduction of the parking requirement for redevelopment projects by up to 25 percent when the conditions required by Sec. V-I.6 of the Code are met. The Planning Department administratively approved a 22 percent parking reduction to 108 parking spaces to meet the parking requirements (BZA2023-00019).

The subject site was zoned LC Limited Commercial prior to the implementation of the Wichita Landscape Ordinance. Therefore, the subject site is exempt from submitting a landscape plan prior to the issuance of building permits. The subject site already has shade trees planted on the north, east, and west sides. The building wall on the south side, which abuts the alley, serves as screening, provided the applicant does not have major openings (such as loading docks) on the south wall.

Property to the north is zoned SF-5 Single-Family Residential District and is developed with a middle school. Properties to the south and east are zoned SF-5 Single-Family Residential District and are developed with single-family residential dwellings. Properties to the west are zoned LC Limited Commercial District and TF-3 Two-Family Residential District and are developed with an auto repair shop and single-family residential dwellings, respectively.

CASE HISTORY: On March 8, 1951, the Russell Ross Addition was created. In 2023, the Planning Department approved a 22 percent parking reduction administratively to 108 parking spaces to meet the parking requirements (BZA2023-00019).

ADJACENT ZONING AND LAND USE:

North:	SF-5	Middle school
South:	SF-5	Single-family residences
East:	SF-5	Single-family residences
West:	LC, TF-3	Autobody shop, single-family residences

PUBLIC SERVICES: All municipal services, such as water, stormwater, and sewer, are in place and can accommodate the required services to the existing site. However, water may need to be extended to accommodate the proposed addition. This site has access to East Mount Vernon Road and South Grove Street. East Mount Vernon Road is a four-lane arterial street with sidewalks on each side. South Grove Street is a paved local street with no sidewalks. Wichita Transit serves this area within one block west of the subject site, on the south side of Mount Vernon Road, east of South Spruce Street.

CONFORMANCE TO PLANS/POLICIES: The proposed application is in conformance to the *Community Investments Plan.* The *Community Investments Plan* (the Wichita-Sedgwick County Comprehensive Plan) includes the 2035 Wichita Future Growth Concept Map. The Map identifies the area in which the site is located to be appropriate for "Commercial". This category is described as follows: "*Encompasses areas that reflect the full diversity of commercial development intensities and types typically found in a large urban municipality.*"

The requested Conditional Use is in conformance with the goals of the *Wichita: Places for People Plan.* The *Wichita: Places for People Plan* provides recommendations for urban infill development in the Established Central Area (ECA). The subject site is located within the ECA. In general, the ECA is envisioned as "a place for people - a place that provides for the movement of people - on foot, on bike and through transit - in balance with automobiles."

- Strategies: The Plan recommends strategies to help guide the community in their actions to create walkable places within Wichita. The requested Conditional Use aligns with Strategy 6, "Encourage infill and redevelopment that is contextual to the environment in which it is occurring."
- Current Condition: The subject property is located within an area identified as an "area of stability." The *Places for People Plan* defines Areas of Opportunity as areas that "require fewer interventions and potentially less public investment to maintain a stable development environment and community. Improvements should be targeted to support development momentum and strengthen the established physical context."

The *Community Investments Plan*'s Locational Guidelines "provide a framework for decision-making regarding land use changes so as to encourage patterns of development that efficiently and effectively use land, public infrastructure, and services; strive for compatibility among various land uses; and, promote quality of place through design." The requested Conditional Use is in conformance with the Locational Guidelines. One of the Guidelines within the Established Central Area "encourage[s] infill development that maximizes public investment in existing and planned infrastructure and services." The proposed development will add onto an existing building. The proposed development also "promote[s] mixed-use redevelopment of existing commercial centers and along arterial streets."

RECOMMENDATION: Based upon the information available at the time the report was prepared, staff recommends the Conditional Use be **APPROVED**, subject to the following conditions:

1) Loading docks are prohibited on the south wall.
2) The applicant will submit either a revised site plan, which has the building addition within the 20-foot

front setback, or a Variance to reduce the front setback to 10 feet, prior to the issuance of building permits.

3) The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.

4) The Conditional Use applies to only the building addition as shown on the approved site plan. Any expansion of the use to existing or new buildings on the site requires an amendment to the Conditional Use.

5) 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 VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The character of the neighborhood is mostly residential with commercial uses on the arterial streets. Property to the north is zoned SF-5 Single-Family Residential District and is developed with a middle school. Properties to the south and east are zoned SF-5 Single-Family Residential District and are developed with single-family residential dwellings. Properties to the west are zoned LC Limited Commercial District and TF-3 Two-Family Residential District and are developed with an auto repair shop and single-family residential dwellings, respectively.

2. The suitability of the subject property for the uses to which it has been restricted: The property is suitable for the uses to which it has been restricted. The property is zoned LC Limited Commercial District. Printing and Publishing, General is permitted in LC zoning by Conditional Use.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: The removal of restrictions may bring additional traffic, possible odor, and noise to the alley, which could have detrimental effects on the adjacent houses to the south. However, one of the conditions of approval, which prohibits loading docks on the south wall, may mitigate the detrimental impacts to surrounding properties.

4. Length of time subject property has remained vacant as zoned: The subject site is not vacant. Property records show the subject site has been developed since 1955.

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 this application may have a detrimental impact to the residents who live across the alley to the south. However, one of the conditions of approval, which prohibits loading docks on the south wall, may mitigate the detrimental impacts to neighboring residents. Denial of the request could represent a loss in the use and enjoyment of this portion of the applicant's property.

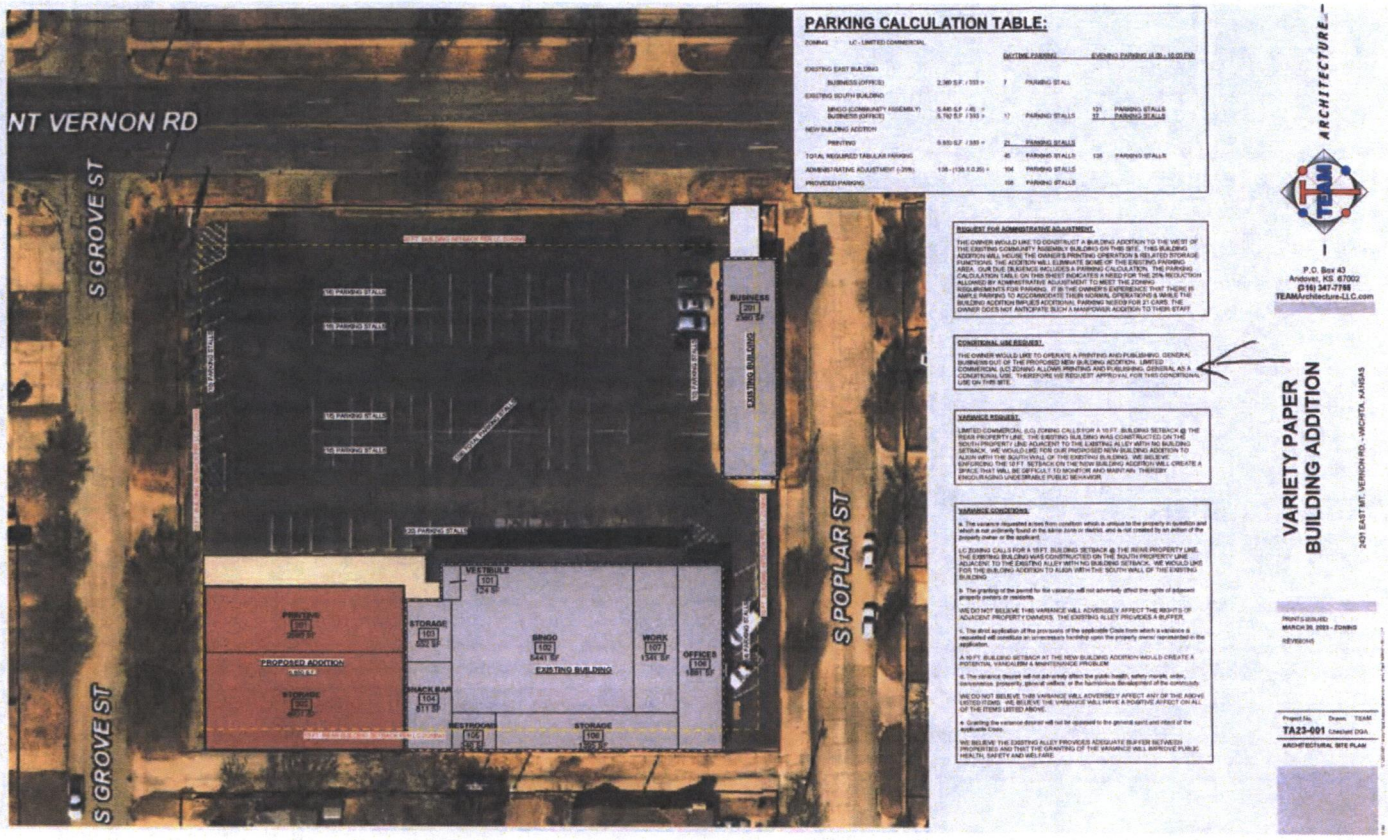
6. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The proposed application is in conformance to the *Community Investments Plan* and the *Wichita Places for People Plan*, as discussed in the report.

7. Impact of the proposed development on community facilities: The proposed use is not anticipated to have any negative impacts on community facilities.

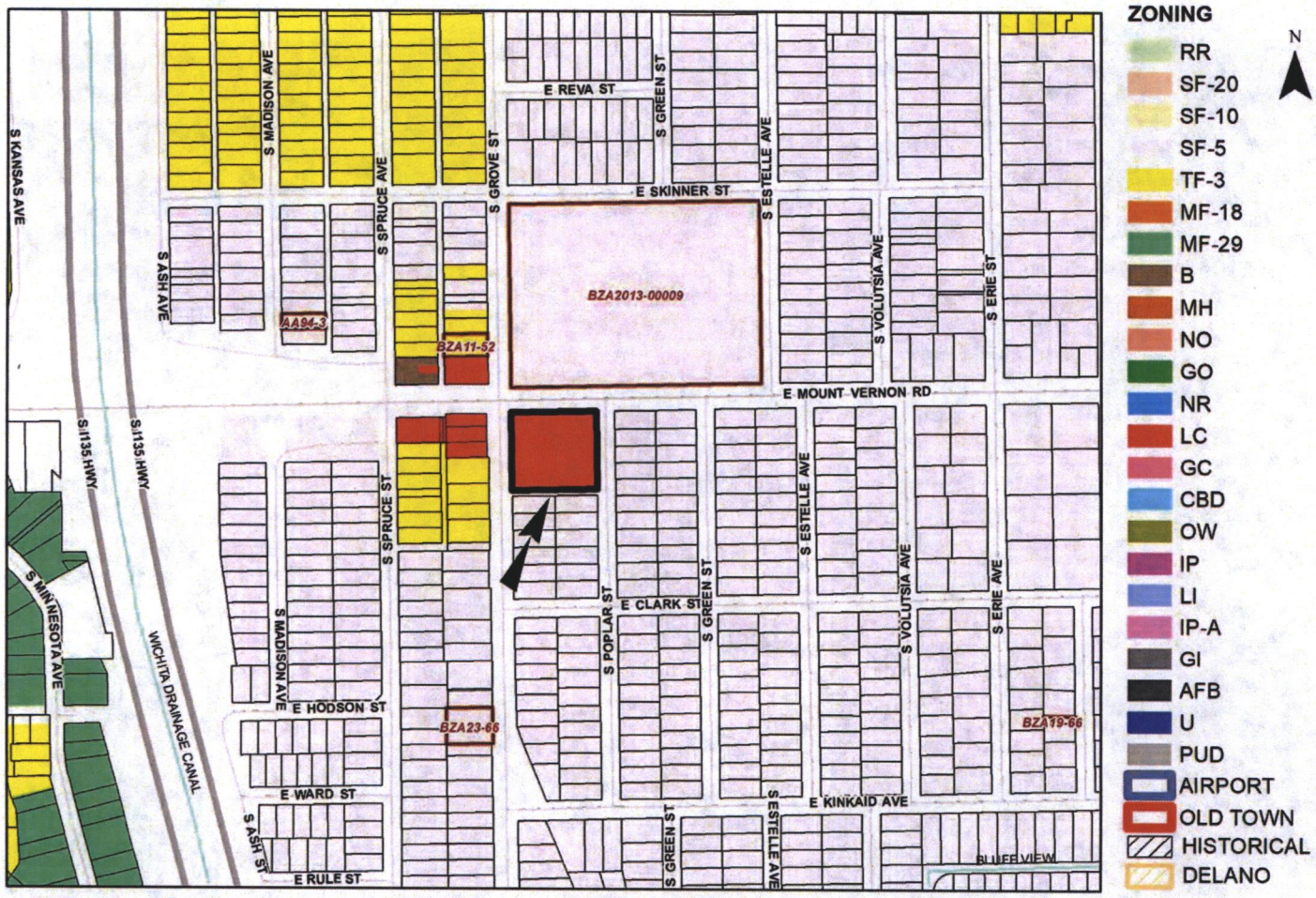
8. Opposition or support of neighborhood residents: At the time the staff report was prepared, staff has not received any public comment that were in support or opposition of the requested Conditional Use.

Attachments:

1. Site Plan
2. Aerial Map
3. Zoning Map
4. Land Use Map
5. Site Photos


PARKING CALCULATION TABLE:
NT VERNON RD
S GROVE ST
S POPLAR ST
EXISTING BUILDING
PROPOSED ADDITION
VARIETY PAPER BUILDING ADDITION
2401 EAST MT. VERNON RD. - WICHITA, KANSAS
ARCHITECTURE
P.O. Box 43
Andover, KS 67002
(316) 347-7788
TEAMArchitecture-LLC.com
TA23-001
ARCHITECTURAL SITE PLAN

S ASH AVE
S SPRUCE AVE
E MOUNT VERNON RD
S MADISON AVE
S SPRUCE ST
S GROVE ST
S POPLAR ST
S GREEN ST
N


ZONING
RR
SF-20
SF-10
SF-5
TF-3
MF-18
MF-29
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CBD
OW
IP
LI
IP-A
GI
AFB
U
PUD
AIRPORT
OLD TOWN
HISTORICAL
DELANO
N
S KANSAS AVE
S MADISON AVE
S SPRUCE AVE
S GROVE ST
E REVA ST
S GREEN ST
S ESTELLE AVE
E SKINNER ST
S ASH AVE
S VOLUTSIA AVE
S ERIE ST
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S SPRUCE ST
S ESTELLE AVE
S VOLUTSIA AVE
S ERIE AVE
S MINNESOTA AVE
S POPLAR ST
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S GREEN ST
S MADISON AVE
E HODSON ST
WICHITA DRAINAGE CANAL
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S ASH ST
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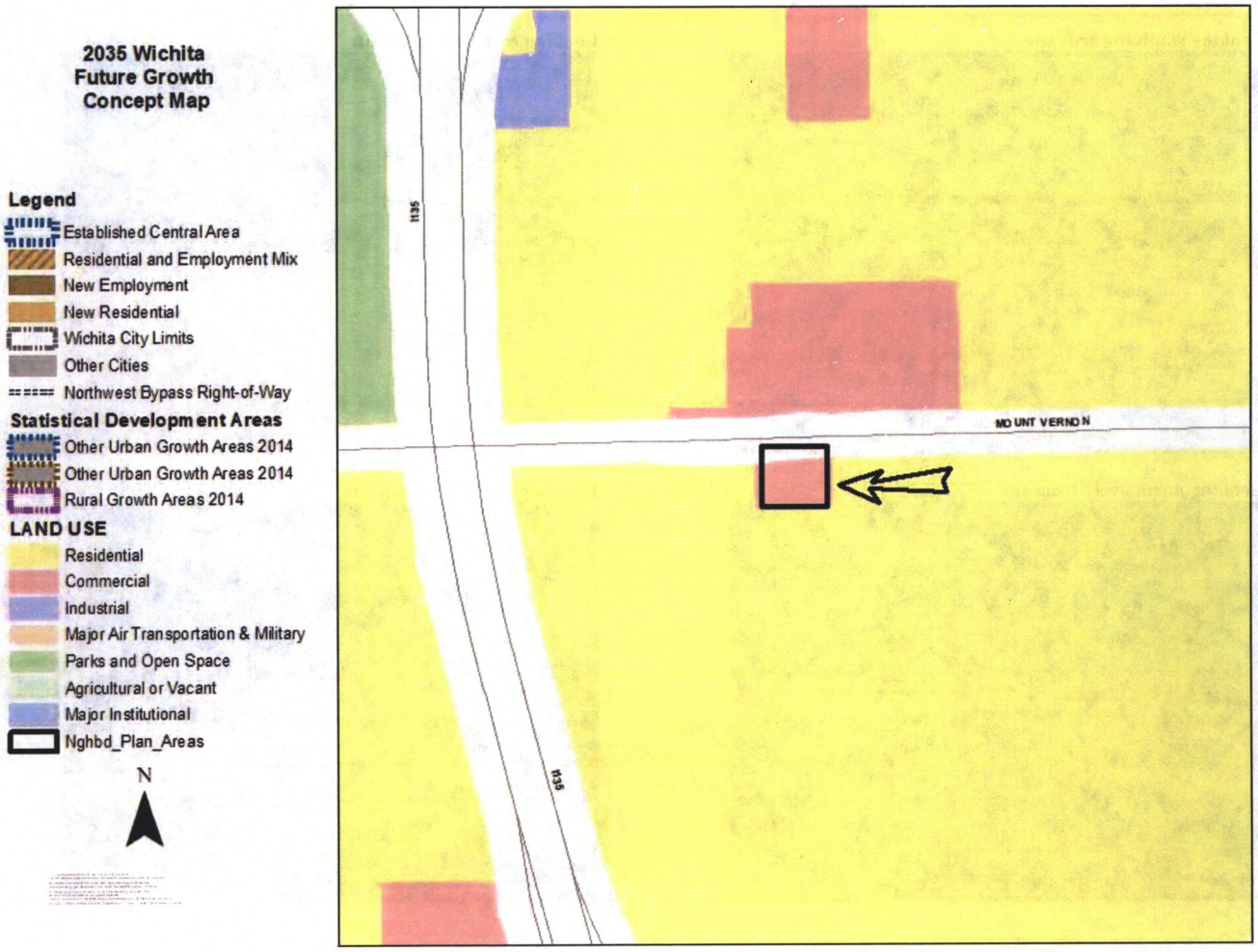
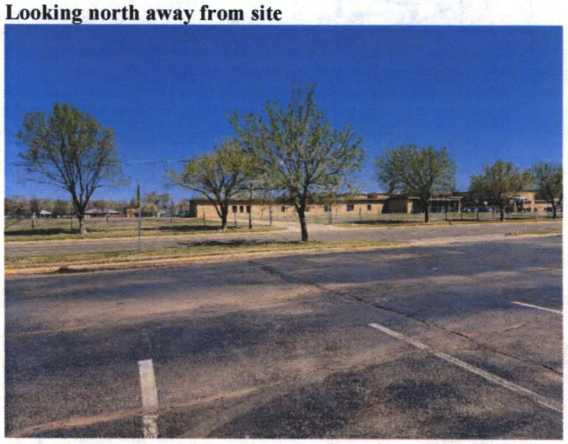
S ESTELLE AVE
E RULE ST
BLUFFVIEW


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
I135
I135
MOUNT VERNON

Looking south towards site

Looking east away from site

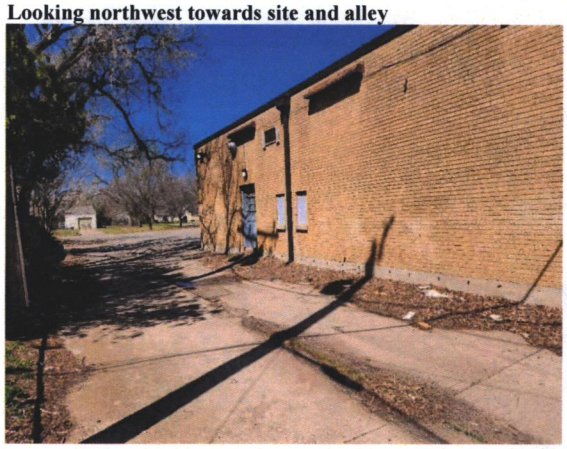
Looking north away from site

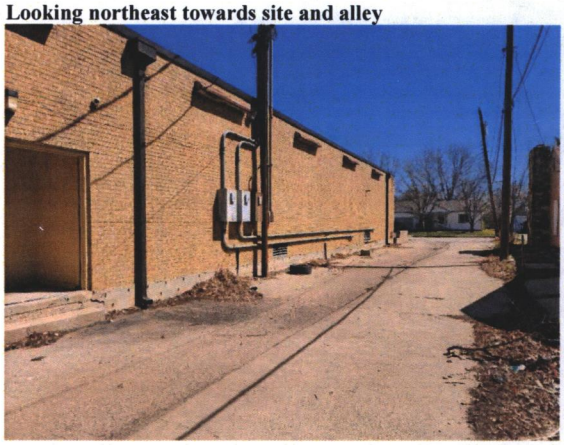


Looking west away from site

Looking east towards site

Looking northwest towards site and alley



Looking west towards site

Looking northeast towards site and alley