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**WICHITA-SEDGWICK COUNTY**  
**METROPOLITAN AREA PLANNING COMMISSION AGENDA**

**Thursday, August 21, 2014**

The regular meeting of the Wichita-Sedgwick County Metropolitan Area Planning Commission will be held on **Thursday, August 21, 2014**, beginning at **1:30 PM** in the Planning Department Conference Room City Hall - 10<sup>th</sup> Floor, 455 N. Main Street, Wichita, Kansas. **If you have any questions regarding the meeting or items on this agenda, please call the Wichita-Sedgwick County Metropolitan Area Planning Department at 316.268.4421.**

1. Approval of the prior MAPC meeting minutes:

*Meeting Date: No Minutes*

2. **CONSIDERATION OF SUBDIVISION COMMITTEE RECOMMENDATIONS**

**Items may be taken in one motion unless there are questions or comments.**

- 2-1. **SUB2014-00033: Final Plat – BERKELEY SQUARE 3RD ADDITION**, located on the north side of 13th Street North, on the west side of Greenwich Road.

*Committee Action:       APPROVED 4-0*  
*Surveyor:               MKEC Engineering, Inc.*  
*Acreage:                15.5 acres*  
*Total Lots:            6*

3. **PUBLIC HEARING – VACATION ITEMS**

**ADVERTISED TO BE HEARD NO EARLIER THAN 1:30 PM**

**Items may be taken in one motion unless there are questions or comments.**

*Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department – 10<sup>th</sup> Floor, City Hall, 455 N. Main Street, Wichita, Kansas*

- 3-1. **VAC2014-00023: County request to vacate a portion of platted access control on property**, generally located north of 71st Street North on the east side of 143rd Street East.

*Committee Action:       APPROVED 4-0*

- 3-2. **VAC2014-00024: City request to vacate a portion of a platted front setback on property**, generally located midway between West Street and Meridian Avenue, south of Pawnee Avenue on the west side of Custer Avenue (2425 S Custer).

*Committee Action:       APPROVED 4-0*

- 3-3. **VAC2014-00025: City request to vacate a portion of a platted front setback on property**, generally located east of Ridge Road on the south side of 37th Street North.

*Committee Action:       APPROVED 4-0*

- 3-4. **VAC2014-00026: City request to vacate a platted utility easement on property**, generally located on the northwest corner of Ohio Avenue and 29th Street North.

*Committee Action:       APPROVED 4-0*

- 3-5. **VAC2014-00027: City request to vacate a portion of a platted utility easement on property**, generally located midway between the Little and Big Arkansas Rivers, on the north side of 16th Street North, between Salina and Payne Avenues.

*Committee Action: APPROVED 4-0*

**PUBLIC HEARINGS**

**ADVERTISED TO BE HEARD NO EARLIER THAN 1:30 PM**

4. Case No.: ZON2014-00010 - **THIS CASE HAS BEEN DEFERRED INDEFINITELY**  
Request: City zone change request from SF-5 Single-family Residential to TF-3 Two-family Residential for duplex development.  
General Location: South of 63rd Street South and west of Clifton Avenue.  
Presenting Planner: Bill Longnecker
5. Case No.: ZON2014-00019 and CUP2014-00024  
Request: County zone change from SF-20 Single-family Residential to LC Limited Commercial and County request to create commercial Community Unit Plan CUP DP-335.  
General Location: East of 135th Street West on the northeast corner of 21st Street North and Forest View Street.  
Presenting Planner: Dale Miller

**NON-PUBLIC HEARING ITEMS**

6. Other Matters/Adjournment

**John L. Schlegel, Secretary**  
**Wichita-Sedgwick County Metropolitan Area Planning Commission**

STAFF REPORT

**CASE NUMBER:** SUB2014-00033 – BERKELEY SQUARE 3<sup>RD</sup> ADDITION

**OWNER/APPLICANT:** Apex Properties, LLC, Attn: Tom Mack, 1313 North Webb Road, Wichita, KS 67206

**SURVEYOR/AGENT:** MKEC Engineering, Inc., 411 North Webb Road, Wichita, KS 67206

**LOCATION:** North side of 13<sup>th</sup> Street North, on the west side of Greenwich Road (District II)

**SITE SIZE:** 15.5 acres

**NUMBER OF LOTS**

Residential:	
Office:	
Commercial:	
Industrial:	6
Total:	6

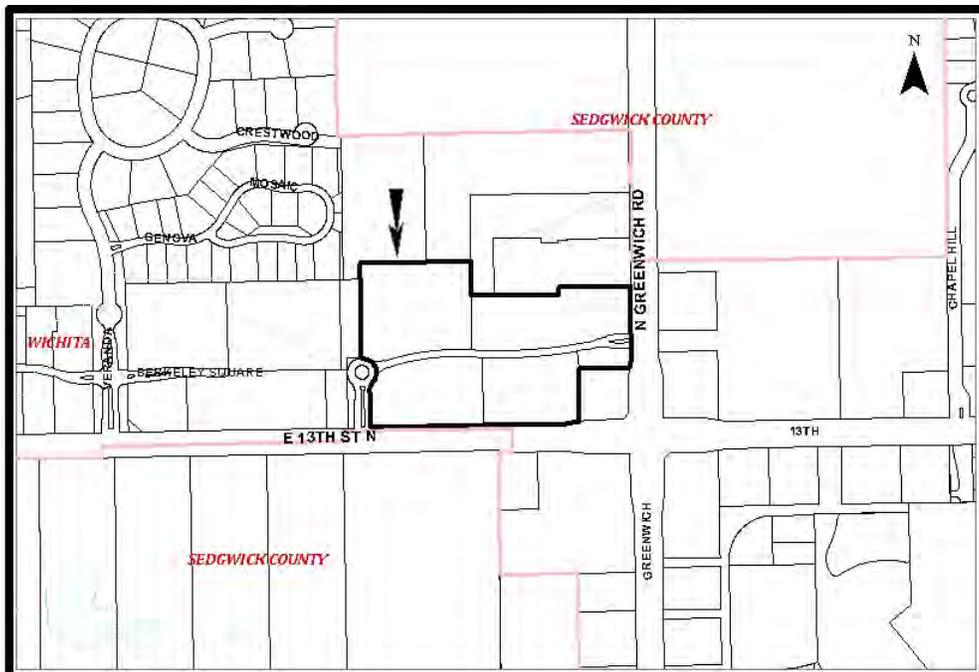
**MINIMUM LOT AREA:** .95 acres

**CURRENT ZONING:** LI Limited Industrial

**PROPOSED ZONING:** Same

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**VICINITY MAP**



**SUB2014-00033 -- Plat of BERKELEY SQUARE 3<sup>RD</sup> ADDITION**  
**August 21, 2014 - Page 2**

**NOTE:** This is a replat of the Berkeley Square 1<sup>st</sup> Addition and the Berkeley Square 2<sup>nd</sup> Addition and includes the vacation of Berkeley Square Parkway.

**STAFF COMMENTS:**

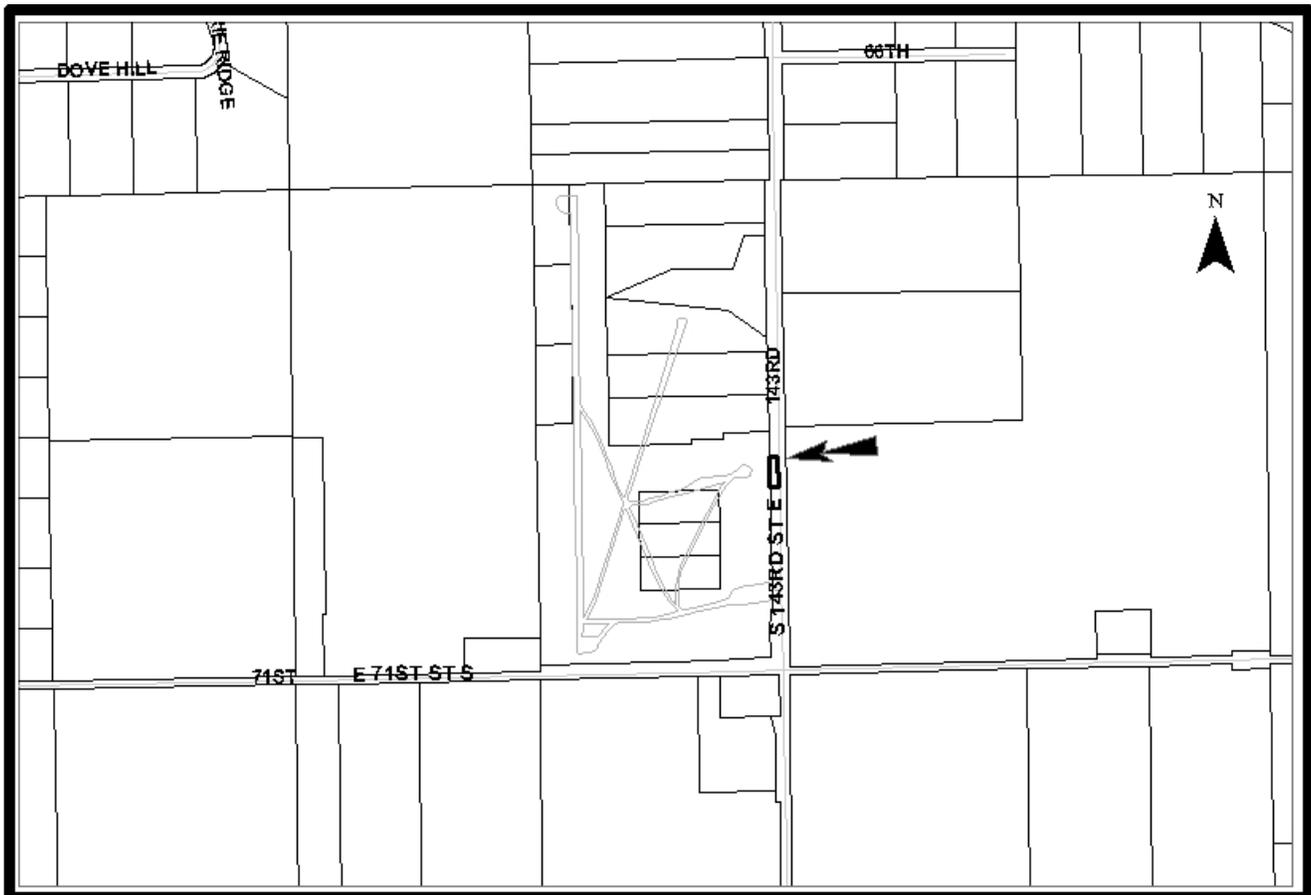
- A. City of Wichita Public Works and Utilities Department advises that Lots 3, 4 and 5 need to extend sewer (lateral only). Existing special assessments will be spread on a square foot basis unless a respread agreement is filed.
- B. If improvements are guaranteed by petition(s), a notarized certificate listing the petition(s) shall be submitted to the Planning Department for recording.
- C. City Stormwater Management has requested the final drainage calculations be updated with the final site plan to ensure compliance with stormwater regulations. A 20-foot drainage easement is needed running north/south between Lots 4 and 5. The east/west water easement doesn't appear to be drawn to scale.
- D. Traffic Engineering has approved the access controls. The plat proposes one access opening along Greenwich, and three openings along 13<sup>th</sup> Street North. A cross-lot circulation agreement is needed.
- E. Provisions shall be made for ownership and maintenance of the proposed reserve. The applicant shall either form a lot owners' association prior to recording the plat or shall submit a restrictive covenant stating when the association will be formed, when the reserve will be deeded to the association and who is to own and maintain the reserve prior to the association taking over those responsibilities.
- F. For those reserves being platted for drainage purposes, the required covenant that provides for ownership and maintenance of the reserves, shall grant to the appropriate governing body the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by the governing body.
- G. Approval of this plat will require a waiver of the lot depth-to-width ratio of the Subdivision Regulations for Lots 3 and 4. The Subdivision Regulations state that the maximum depth of all non-residential lots shall not exceed three times the width. The Subdivision Committee recommends a modification of the design criteria in Article 7 of the Subdivision Regulations as it finds that the strict application of the design criteria will create an unwarranted hardship, the proposed modification is in harmony with the intended purpose of the Subdivision Regulations and the public safety and welfare will be protected.
- H. The applicant shall submit a copy of the instrument, which establishes the pipeline easements on the property, which verifies that the easements shown are sufficient and that utilities may be located adjacent to and within the easements. Any relocation, lowering or encasement of the pipeline, required by this development, will not be at the expense of the appropriate governing body.
- I. The applicant's agent shall determine any setback requirements for the pipelines by researching the text of the pipeline agreements. If a setback from the pipeline easements is provided for in the pipeline easement agreements, it shall be indicated on the face of the plat.

**SUB2014-00033 -- Plat of BERKELEY SQUARE 3<sup>RD</sup> ADDITION**  
**August 21, 2014 - Page 3**

- J. The applicant shall install or guarantee the installation of all utilities and facilities that are applicable and described in Article 8 of the MAPC Subdivision Regulations. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)
- K. The Register of Deeds requires all names to be printed beneath the signatures on the plat and any associated documents.
- L. Prior to development of the plat, the applicant is advised to meet with the United States Postal Service Growth Management Coordinator (Phone: 316-946-4556) in order to receive mail delivery without delay, avoid unnecessary expense and determine the type of delivery and the tentative mailbox locations.
- M. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Route 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.
- N. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one acre or more of ground cover requires a Federal/State National Pollutant Discharge Elimination System Stormwater Discharge Permit from the Kansas Department of Health and Environment in Topeka. Also, for projects located within the City of Wichita, erosion and sediment control devices must be used on ALL projects. For projects outside of the City of Wichita, but within the Wichita metropolitan area, the owner should contact the appropriate governmental jurisdiction concerning erosion and sediment control device requirements.
- O. Perimeter closure computations shall be submitted with the final plat tracing.
- P. Any removal or relocation of existing equipment of utility companies will be at the applicant's expense.
- Q. A compact disk (CD) should be provided, which will be used by the City and County GIS Departments, detailing the final plat in digital format in AutoCAD. Please include the name of the plat on the disk. If a disk is not provided, please send the information via e-mail to Kathy Wilson (e-mail address: [kwilson@wichita.gov](mailto:kwilson@wichita.gov)).

**STAFF REPORT**

- CASE NUMBER:** VAC2014-00023 - Request to vacate a portion of platted access control
- APPLICANT/AGENT:** Crosswinds Aviation (owner) Abbott Land Survey, c/o Chad Abbott (agent)
- LEGAL DESCRIPTION:** Generally described as vacating a 60-foot wide portion of platted access control located on Lot 8, Block A, Downwind Estates Addition's 143<sup>rd</sup> Street East frontage and located 1,033 feet North of the Southeast Corner of Section 35, Township 28 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas.
- LOCATION:** Generally located north of 71st Street South on the west side of 143rd Street East (BoCC #5)
- REASON FOR REQUEST:** Shift the existing drive onto 143<sup>rd</sup> Street East approximately 40-60 feet south
- CURRENT ZONING:** The site and all abutting adjacent properties are zoned RR Rural Residential ("RR").
- VICINITY MAP:**



The applicant proposes to shift an existing drive (platted permitted access for Lot 8, Block A, Downwind Estates Addition) onto 143<sup>rd</sup> Street East south approximately 40-60 feet. The proposed shift will leave approximately 620-600 feet of separation between the proposed drive and the nearest south drive; a 40-60 feet decrease. The proposed shift will leave approximately 500-520 feet of separation between the proposed drive and the nearest south drive; a 40-60 feet increase. The nearest drive across 143<sup>rd</sup> Street East will be located approximately 390-410 feet northeast of the proposed drive. 143<sup>rd</sup> Street East is a paved two-lane County section line road at this location. There is a drainage culvert that goes under 143<sup>rd</sup> Street East located in the vicinity of the proposed drive. Utility poles are located east of the site, across 143<sup>rd</sup> Street East. The site is located in Sedgwick County Rural Water District. The Downwind Estates Addition was recorded with the Register of Deeds May 26, 2005.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from County Public Works, franchised utility representatives and other interested parties, Planning Staff has listed the following considerations (but not limited to) associated with the request to vacate the described portion of platted access control.

- A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:
  1. That due and legal notice has been given by publication as required by law, in the Wichita Eagle, of notice of this vacation proceeding one time July 31, 2014, which was at least 20 days prior to this public hearing.
  2. That no private rights will be injured or endangered by vacating the described portion of the platted access control, and that the public will suffer no loss or inconvenience thereby.
  3. In justice to the petitioner, the prayer of the petition ought to be granted.

Conditions (but not limited to) associated with the request:

- (1) Vacate that portion platted complete access control along the site's 143<sup>rd</sup> Street East frontage, as approved by County Public Works. Provide Planning Staff with a legal description of the approved vacated portion of the complete access control on a Word document, via e-mail, to be used on the Vacation Order and Vacation Petition. All Provide to Planning prior to the case going to the BoCC for final action.
- (2) Dedicate access control by separate instrument that reflects the reconfigured permitted access and closes the current existing drive. The dedication with original signatures must be provided to Planning prior to the case going to the BoCC for final action and subsequent recording with the Vacation Order at Register of Deeds of Sedgwick County.
- (3) As reviewed by Public Works, close off the existing drive on the subject site according to County Standards and at the applicant's expense.
- (4) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicants and at the applicants' expense.

- (5) All improvements shall be according to County Standards and at the applicant's expense, including all required County plans, permits, inspections and the construction of the drive onto 143<sup>rd</sup> Street East. Provide Planning with any required and approved plan numbers for the construction of the drive onto 143<sup>rd</sup> Street east, prior to the case going to the BoCC for final action.
- (6) Per MAPC Policy Statement #7, all conditions are to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

**SUBDIVISION COMMITTEE'S RECOMMENDED ACTION:**

The Subdivision Committee recommends approval subject to the following conditions:

- (1) Vacate that portion platted complete access control along the site's 143<sup>rd</sup> Street East frontage, as approved by County Public Works. Provide Planning Staff with a legal description of the approved vacated portion of the complete access control on a Word document, via e-mail, to be used on the Vacation Order and Vacation Petition. All Provide to Planning prior to the case going to the BoCC for final action.
- (2) Dedicate access control by separate instrument that reflects the reconfigured permitted access and closes the current existing drive. The dedication with original signatures must be provided to Planning prior to the case going to the BoCC for final action and subsequent recording with the Vacation Order at Register of Deeds of Sedgwick County.
- (3) As reviewed by Public Works, close off the existing drive on the subject site according to County Standards and at the applicant's expense.
- (4) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility of the applicants and at the applicants' expense.
- (5) All improvements shall be according to County Standards and at the applicant's expense, including all required County plans, permits, inspections and the construction of the drive onto 143<sup>rd</sup> Street East. Provide Planning with any required and approved plan numbers for the construction of the drive onto 143<sup>rd</sup> Street east, prior to the case going to the BoCC for final action.
- (6) Per MAPC Policy Statement #7, all conditions are to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

**STAFF REPORT**

**CASE NUMBER:** VAC2014-00024 - Request to vacate a portion of a platted front setback

**OWNER/AGENT:** Mark J. Bauer (owner) Eaton Roofing & Exteriors, c/o Mark Eaton (agent)

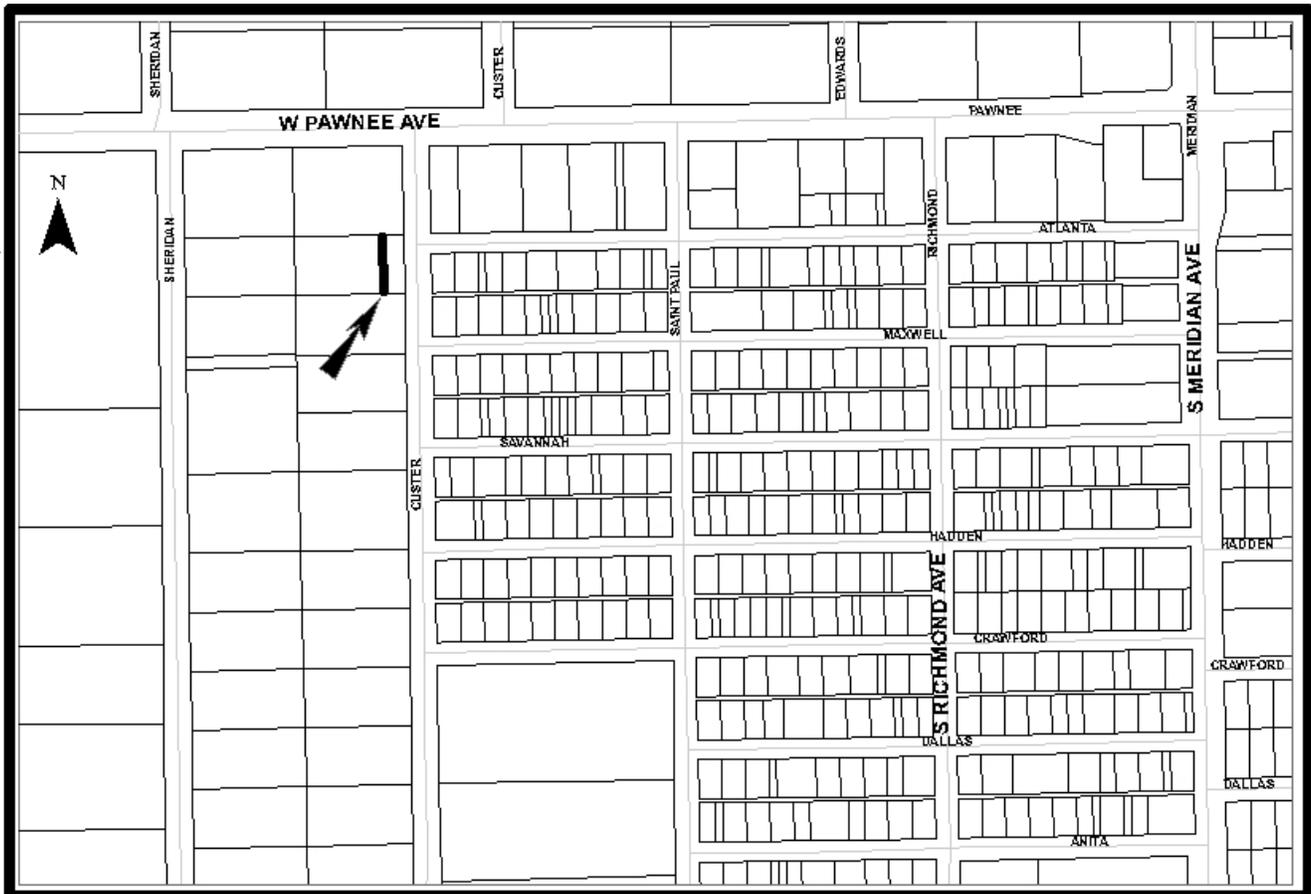
**LEGAL DESCRIPTION:** The west 12 feet of the platted 60-foot front yard setback that runs parallel to the east lot line of Lot 23, Block 1, Wichita Builders 3<sup>rd</sup> Addition, and Custer Avenue, Wichita, Sedgwick County, Kansas

**LOCATION:** Generally located midway between West Street and Meridian Avenue, south of Pawnee Avenue, on the west side of Custer Avenue (WCC #IV)

**REASON FOR REQUEST:** Building expansion

**CURRENT ZONING:** Subject property and all abutting and adjacent properties are zoned LI Limited Industrial (LI)

**VICINITY MAP:**



The applicant proposes to vacate the west 12 feet of the platted 60-foot front yard setback, on Lot 23, Block 1, Wichita Builders 3<sup>rd</sup> Addition. The subject lot is zoned LI Limited Industrial (LI). The Unified Zoning Code's (UZC) minimum front yard setback standard for the LI zoning district is 20 feet. If approved the result would be a 48-foot front yard setback. There are no platted easements in the described portion of the platted setback. There appears to be no public utilities within the described portion of the platted setback. The Wichita Builders 3<sup>rd</sup> Addition was recorded with the Register of Deeds January 9, 1973.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from Public Works, Storm Water, Water and Sewer, Traffic, Fire, franchised utility representatives and other interested parties, Planning Staff has listed the following considerations (but not limited to) associated with the request to vacate the described portion of the platted setback.

- A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:
1. That due and legal notice has been given by publication as required by law, in the Wichita Eagle, of notice of this vacation proceeding one time July 31, 2014, which was at least 20 days prior to this public hearing.
  2. That no private rights will be injured or endangered by vacating the described portion of the platted setback, and that the public will suffer no loss or inconvenience thereby.
  3. In justice to the petitioner, the prayer of the petition ought to be granted.

Conditions (but not limited to) associated with the request:

- (1) Vacate the west 12 feet of the platted 60-foot front yard setback that runs parallel to the east lot line of Lot 23, Block 1, Wichita Builders 3<sup>rd</sup> Addition, Wichita, Sedgwick County, Kansas. Provide Planning Staff with a legal description of the approved vacated portion of the setback on a Word document, via e-mail, to be used on the Vacation Order and Vacation Petition. This must be provided to Planning prior to the case going to Council for final action.
- (2) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicant. Provide any needed easements prior to the case going to Council for final action.
- (3) All improvements shall be according to City Standards and at the applicant's expense.
- (4) Per MAPC Policy Statement #7, all conditions shall be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

**SUBDIVISION COMMITTEE’S RECOMMENDED ACTION:**

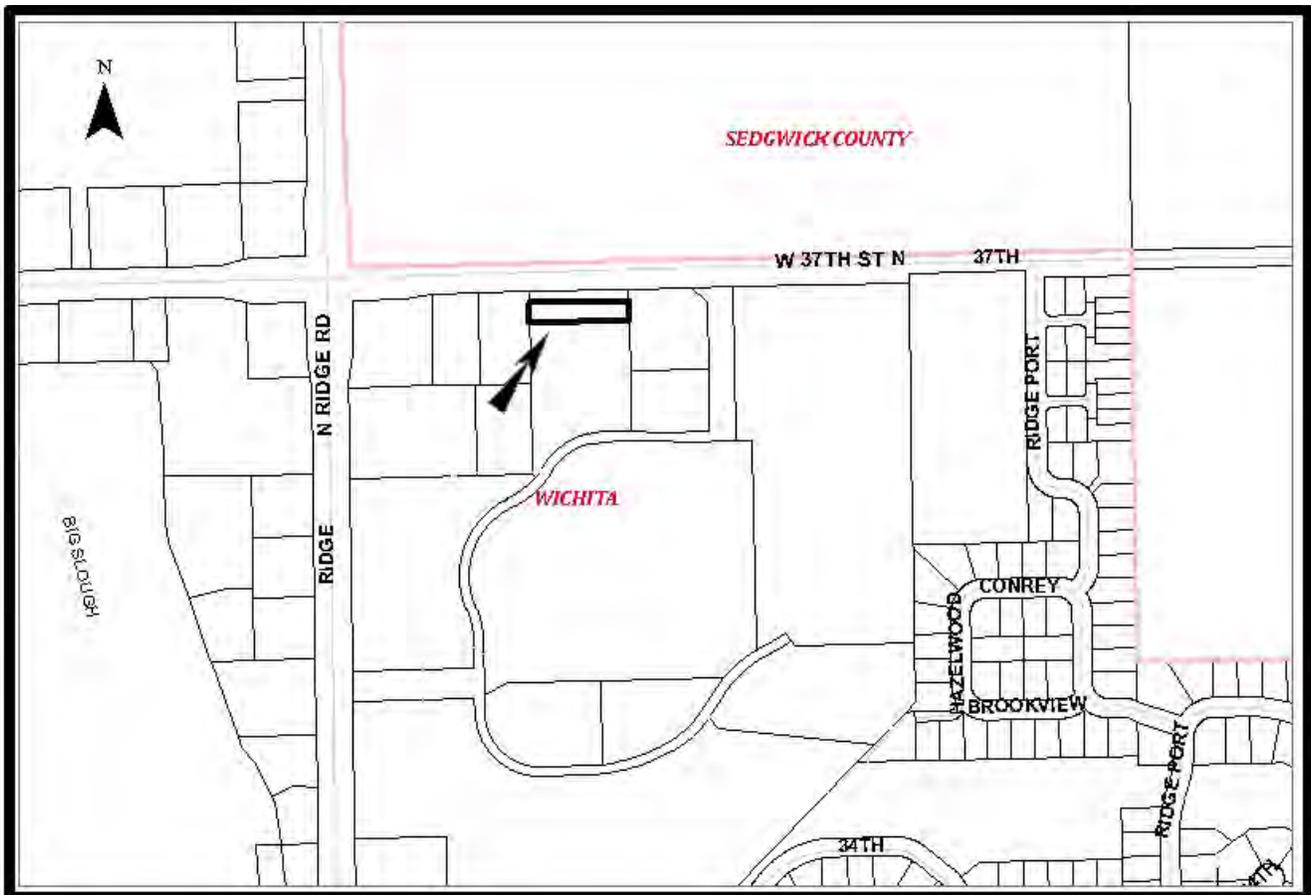
The Subdivision Committee recommends approval subject to the following conditions:

- (1) Vacate the west 12 feet of the platted 60-foot front yard setback that runs parallel to the east lot line of Lot 23, Block 1, Wichita Builders 3<sup>rd</sup> Addition, Wichita, Sedgwick County, Kansas. Provide Planning Staff with a legal description of the approved vacated portion of the setback on a Word document, via e-mail, to be used on the Vacation Order and Vacation Petition. This must be provided to Planning prior to the case going to Council for final action.
- (2) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicant. Provide any needed easements prior to the case going to Council for final action.
- (3) All improvements shall be according to City Standards and at the applicant’s expense.
- (4) Per MAPC Policy Statement #7, all conditions shall be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

**STAFF REPORT**

- CASE NUMBER:** VAC2014-00025 - Request to vacate a portion of a platted front setback
- OWNER/AGENT:** Via Christi Property Services Inc, c/o Terri Alexander (owner) Baughman Co., c/o Phil Meyer (agent)
- LEGAL DESCRIPTION:** The south 65 feet of the platted 100-foot front yard setback that runs parallel to the north lot line of Lot 1, Block A, Port North Addition, and 37<sup>th</sup> Street North, Wichita, Sedgwick County, Kansas
- LOCATION:** Generally located east of Ridge Road on the south side of 37th Street North (WCC #V)
- REASON FOR REQUEST:** Future development
- CURRENT ZONING:** The subject property and abutting east and south properties are zoned GO General Office. The subject property has CUP DP-237 overlay. Abutting west property is zoned LC Limited Commercial. Adjacent north properties are zoned LC & SF-20 SF-Family Residential.

**VICINITY MAP:**



The applicant proposes to vacate the south 65 feet of the platted 100-foot front yard setback that runs parallel to the north lot line of Lot 1, Block A, Port North Addition, and 37<sup>th</sup> Street North. The subject lot is zoned GO General Office. The subject property has the CUP DP-237 overlay. The Unified Zoning Code's (UZC) minimum front yard setback standard for the GO zoning district is 20 feet. The UZC's minimum front setback for a CUP is 35 feet; the applicant's request does not go below the minimum standard for CUPs. There are no platted easements in the described portion of the platted setback. There appears to be no utilities within the described portion of the platted setback. Comments from franchised utilities have not been received and are needed to determine if they have utilities located within the described setback. The Port North Addition was recorded with the Register of Deeds March 8, 2010.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from Public Works, Storm Water, Water and Sewer, Traffic, Fire, franchised utility representatives and other interested parties, Planning Staff has listed the following considerations (but not limited to) associated with the request to vacate the described portion of the platted setback.

- A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:
1. That due and legal notice has been given by publication as required by law, in the Wichita Eagle, of notice of this vacation proceeding one time July 31, 2014, which was at least 20 days prior to this public hearing.
  2. That no private rights will be injured or endangered by vacating the described portion of the platted setback, and that the public will suffer no loss or inconvenience thereby.
  3. In justice to the petitioner, the prayer of the petition ought to be granted.

Conditions (but not limited to) associated with the request:

- (1) Vacate the south 65 feet of the platted 100-foot front yard setback that runs parallel to the north lot line of Lot 1, Block A, Port North Addition, and 37<sup>th</sup> Street North. Provide Planning Staff with a legal description of the approved vacated portion of the setback on a Word document, via e-mail, to be used on the Vacation Order and Vacation Petition. This must be provided to Planning prior to the case going to Council for final action.
- (2) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicant. Provide any needed easements prior to the case going to Council for final action.
- (3) All improvements shall be according to City Standards and at the applicant's expense.

- (4) Per MAPC Policy Statement #7, all conditions shall be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

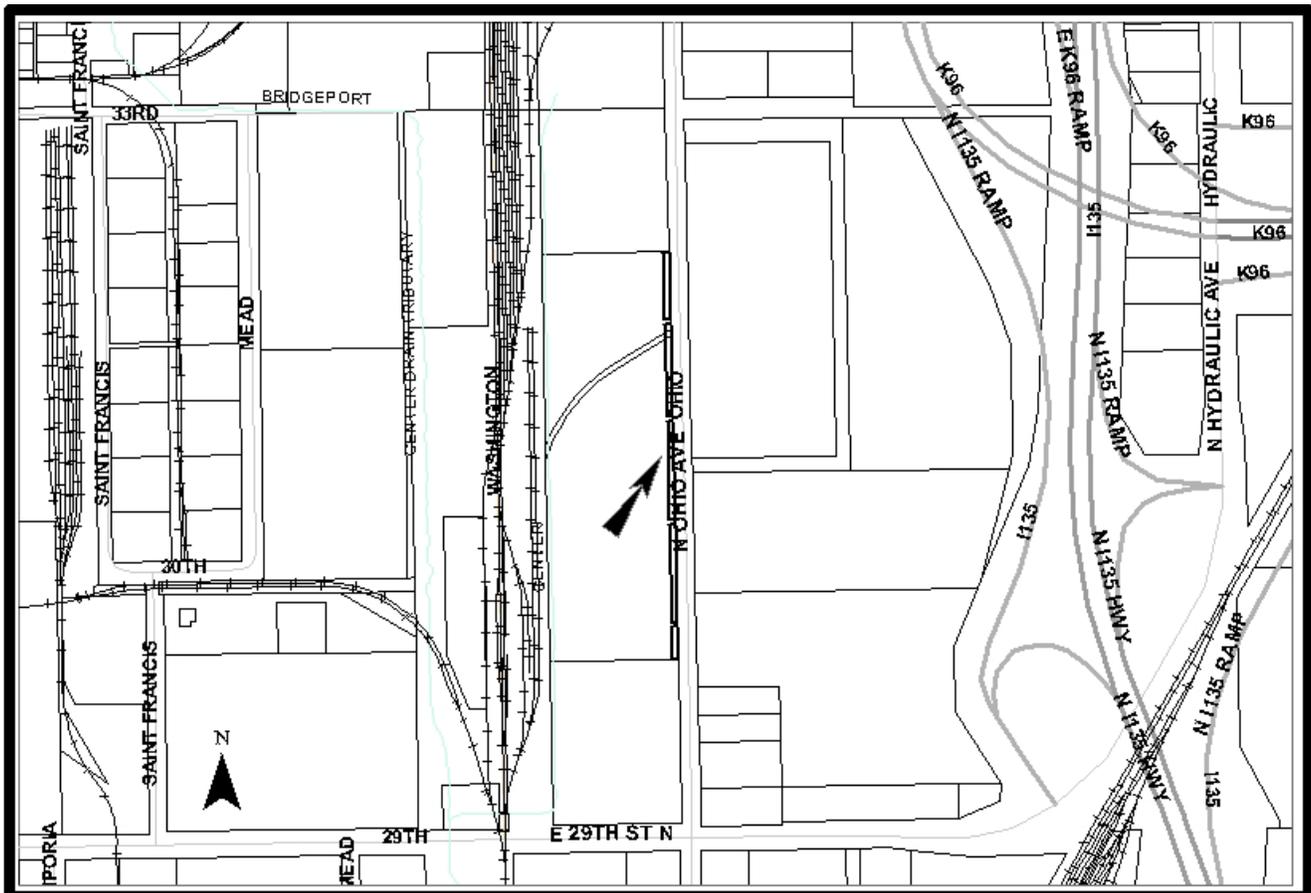
**SUBDIVISION COMMITTEE’S RECOMMENDED ACTION:**

The Subdivision Committee recommends approval subject to the following conditions:

- (1) Vacate the south 65 feet of the platted 100-foot front yard setback that runs parallel to the north lot line of Lot 1, Block A, Port North Addition, and 37<sup>th</sup> Street North. Provide Planning Staff with a legal description of the approved vacated portion of the setback on a Word document, via e-mail, to be used on the Vacation Order and Vacation Petition. This must be provided to Planning prior to the case going to Council for final action.
- (2) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicant. Provide any needed easements prior to the case going to Council for final action.
- (3) All improvements shall be according to City Standards and at the applicant’s expense.
- (4) Per MAPC Policy Statement #7, all conditions shall be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

**STAFF REPORT**

- CASE NUMBER:** VAC2014-00026 - Request to vacate portions of a platted utility easement
- OWNER/AGENT:** Scrap Leasing LLC, c/o David L. Murkin (owner) Baughman Co., c/o Phil Meyer (agent)
- LEGAL DESCRIPTION:** All of the platted 20-foot wide utility easement (except the portions of the utility easement that will remain around four sewer manholes) that runs parallel to the east lot lines of Lots 2 & 3, Block A, Burlington Northern Industrial Center Addition and Ohio Avenue, Wichita, Sedgwick County, Kansas
- LOCATION:** Generally located north of 29<sup>th</sup> Street North on the west side of Ohio Avenue (WCC #VI)
- REASON FOR REQUEST:** Future development
- CURRENT ZONING:** The subject property and all abutting and adjacent properties are zoned GI General Industrial.
- VICINITY MAP:**



The applicant proposes to vacate all of the platted 20-foot wide utility easement (except the portions of the utility easement that will remain around four sewer manholes) that runs parallel to the east lot lines of Lots 2 & 3, Block A, Burlington Northern Industrial Center Addition and Ohio Avenue. Kansas Gas Service has a 16” high pressure gas main in the public & private right of way along Ohio Avenue: contact Pamela L Gunter, [[Pamela.Gunter@onegas.com](mailto:Pamela.Gunter@onegas.com)]. With the exception of the sewer manholes, there appears to be no public utilities within the described portion of the platted utility easement; sewer lines to the manholes are located in the Ohio Avenue right-of-way. The Burlington Northern Industrial Center Addition was recorded with the Register of Deeds October 17, 1984.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from Public Works, Storm Water, Water and Sewer, Traffic, Fire, franchised utility representatives and other interested parties, Planning Staff has listed the following considerations (but not limited to) associated with the request to vacate the described portions of the platted utility easement.

- A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:
  1. That due and legal notice has been given by publication as required by law, in the Wichita Eagle, of notice of this vacation proceeding one time July 31, 2014, which was at least 20 days prior to this public hearing.
  2. That no private rights will be injured or endangered by vacating the described portions of the platted utility easement, and that the public will suffer no loss or inconvenience thereby.
  3. In justice to the petitioner, the prayer of the petition ought to be granted.

Conditions (but not limited to) associated with the request:

- (1) As approved by Public Works/Water and Sewer, retain 10-foot of utility easement on the north, west, and south sides around of four sewer manholes as measured from the center of those manholes, located long the east lot lines of Lots 2 & 3, Block A, Burlington Northern Industrial Center Addition and Ohio Avenue. Provide an exhibit of the above noted retained easement that will be filed with the Vacation Order at the Register of Deeds of Sedgwick County. This must be provided to Planning prior to the case going to Council for final action.
- (2) Provide Planning Staff with a legal description of the approved vacated portion of the platted utility easement on a Word document, via e-mail, to be used on the Vacation Order. This must be provided to Planning prior to the case going to Council for final action.
- (3) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicant. Provide Public Works/Water & Sewer with any required plans (PPS) for review and approval for the relocation of public utilities. Provide franchise utilities with any required plans for review and approval for the relocation of franchise utilities. Approved PPS and approval by franchised utilities must be provided to Planning prior to the case going to Council for final action.

- (4) Provide any needed easements prior to the case going to Council for final action.
- (5) All improvements shall be according to City Standards and at the applicant's expense.
- (6) Per MAPC Policy Statement #7, all conditions shall be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

**SUBDIVISION COMMITTEE'S RECOMMENDED ACTION:**

The Subdivision Committee recommends approval subject to the following conditions:

- (1) As approved by Public Works/Water and Sewer, retain 10-foot of utility easement on the north, west, and south sides around of four sewer manholes as measured from the center of those manholes, located long the east lot lines of Lots 2 & 3, Block A, Burlington Northern Industrial Center Addition and Ohio Avenue. Provide an exhibit of the above noted retained easement that will be filed with the Vacation Order at the Register of Deeds of Sedgwick County. This must be provided to Planning prior to the case going to Council for final action.
- (2) Provide Planning Staff with a legal description of the approved vacated portion of the platted utility easement on a Word document, via e-mail, to be used on the Vacation Order. This must be provided to Planning prior to the case going to Council for final action.
- (3) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicant. Provide Public Works/Water & Sewer with any required plans (PPS) for review and approval for the relocation of public utilities. Provide franchise utilities with any required plans for review and approval for the relocation of franchise utilities. Approved PPS and approval by franchised utilities must be provided to Planning prior to the case going to Council for final action.
- (4) Provide any needed easements prior to the case going to Council for final action.
- (5) All improvements shall be according to City Standards and at the applicant's expense.
- (6) Per MAPC Policy Statement #7, all conditions shall be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.



The applicant proposes to vacate south 49 feet of the platted 179.20-foot long (x) 20-foot wide utility easement located on Lot 1, Block A, Woodland Elementary School Addition. A sewer line (flows south to north) and a manhole appears to be located within the described portion of the platted utility easement. This sewer line extends north thru the remaining platted utility easement and further north off of the USD 259 property into the abutting mostly single-family residential neighborhood. The Woodland Elementary School Addition was recorded with the Register of Deeds of Sedgwick County August 6, 2004.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from Public Works, Storm Water, Water and Sewer, Traffic, Fire, franchised utility representatives and other interested parties, Planning Staff has listed the following considerations (but not limited to) associated with the request to vacate the described portion of the platted utility easement.

- A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:
1. That due and legal notice has been given by publication as required by law, in the Wichita Eagle, of notice of this vacation proceeding one time July 31, 2014, which was at least 20 days prior to this public hearing.
  2. That no private rights will be injured or endangered by vacating the described portion of the platted utility easement, and that the public will suffer no loss or inconvenience thereby.
  3. In justice to the petitioner, the prayer of the petition ought to be granted.

Conditions (but not limited to) associated with the request:

- (1) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicant. Provide Public Works/Water & Sewer with the required plans (PPS) for review and approval for the relocation/abandoning of the sewer line and manhole. Provide franchise utilities with any required plans for review and approval for the relocation of franchise utilities. Approved PPS and approval by franchise utilities must be provided to Planning prior to the case going to Council for final action.
- (2) Provide Planning Staff with a legal description of the approved vacated portion of the platted utility easement on a Word document, via e-mail, to be used on the Vacation Order. This must be provided to Planning prior to the case going to Council for final action.
- (3) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicant. Provide any needed easements prior to the case going to Council for final action.
- (4) All improvements shall be according to City Standards and at the applicant's expense.

- (5) Per MAPC Policy Statement #7, all conditions shall be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

**SUBDIVISION COMMITTEE’S RECOMMENDED ACTION:**

The Subdivision Committee recommends approval subject to the following conditions:

- (1) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicant. Provide Public Works/Water & Sewer with the required plans (PPS) for review and approval for the relocation/abandoning of the sewer line and manhole. Provide franchise utilities with any required plans for review and approval for the relocation of franchise utilities. Approved PPS and approval by franchise utilities must be provided to Planning prior to the case going to Council for final action.
- (2) Provide Planning Staff with a legal description of the approved vacated portion of the platted utility easement on a Word document, via e-mail, to be used on the Vacation Order. This must be provided to Planning prior to the case going to Council for final action.
- (3) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicant. Provide any needed easements prior to the case going to Council for final action.
- (4) All improvements shall be according to City Standards and at the applicant’s expense.
- (5) Per MAPC Policy Statement #7, all conditions shall be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.



**BACKGROUND:** The applicant requests creation of the Socora West Commercial Community Unit Plan (CUP) DP-335 on 7.5 platted acres located at the northeast corner of West 21<sup>st</sup> Street North and North Forest View Street. In addition to the creation of CUP DP-335 the applicant seeks to rezone the 7.5 acres from SF-20 Single-family Residential (SF-20) to LC Limited Commercial (LC). The proposed CUP is to contain two parcels, a 5.02-acre parcel and a 2.51-acre parcel. Proposed uses are those uses permitted by right in the LC district except for those uses typically excluded within a CUP, such as a: sexually oriented business, nightclub, tavern or drinking establishment; see General Provision 15 for the uses permitted and the complete list of prohibited uses. The property is currently vacant except for a vacant church and associated parking. The property is located in Sedgwick County.

A summary of the additional development standards proposed by the applicant is as follows. Maximum building coverage is to be 30 percent; maximum floor area ratio is 35 percent (Parcel 1.B and C and Parcel 2.B and C). The CUP proposes to allow building height up to 45 feet (Parcel 1.G and Parcel 2.G). Absent the proposed CUP standard, the LC zoning district allows building heights up to 80 feet. Building setbacks vary from 35 feet to 15 feet to zero along the proposed floodway reserve (General Provision 4 and the CUP drawing). Signage is to be per city code or as described on the CUP. L.E.D./digital signs, offsite billboard and portable signs are prohibited (General Provision 6.A-G). Exterior lighting is to be shielded and directed downward. All parcels are to share parking lot lighting fixtures, poles, lamps and bases. Light poles associated with a commercial use are limited to 15 feet in height when the light pole is located within 200 feet of residential zoning; otherwise light poles may be 25 feet tall (General Provisions 7 and 8). The applicant is proposing to provide landscaping (General Provision 10). Screening walls are to be constructed along the west, north and east property lines (General Provision 11). Outdoor work areas and trash receptacles and rooftop equipment are to be reasonably screened from ground view (General Provision 12). All buildings within the CUP will share uniform architectural character (General Provision 13). The applicant is proposing two points of access from Forest View Street and two points of access from West 21<sup>st</sup> Street North.

Land located to the north, south and west of the application area is zoned SF-20, is either used for farm land or is platted and developed with single-family residences. Land to the east of the subject site is zoned NO Neighborhood Office (NO) subject to Protective Overlay 178, and is used for farm land. In the larger area surrounding subject site there is urban scale development, such as the medical offices located to the southeast of the application area; a YMCA to the west and farther west a Via Christi Hospital. West 21<sup>st</sup> Street North is a significant arterial that is scheduled to be widened to four lanes when traffic volume warrants the improvements.

**CASE HISTORY:** The application area is Lot 1, Block A, Countryside Pentecostal Holiness Church Addition and Lot 1, Block 1, Roberts & Morriss Addition, 1987 and 2005 respectively. The site's existing zoning was granted most likely in 1985 when the county adopted county-wide zoning.

**ADJACENT ZONING AND LAND USE:**

North: SF-20; farm land  
South: SF-20 and GO; farm land and medical office  
East: NO subject to PO-178; farm land  
West: SF-20; single-family residences

**PUBLIC SERVICES:** North Forest View Street has 60 feet of full street right-of-way and is a two-lane sand and gravel local street. Along the frontage of the application area West 21<sup>st</sup> Street North has 80 feet of half-street right-of-way and is a two-lane road. At 135<sup>th</sup> Street, West 21<sup>st</sup> Street North carries on average approximately 11,600 daily vehicle trips. The existing church located on part of the application

area appears to be served by private water well and lagoon. City sewer and water services are located on the south side of West 21<sup>st</sup> Street.

**CONFORMANCE TO PLANS/POLICIES:** The application area is located within the Wichita 2030 Urban Growth Area. The 2030 Wichita Functional Land Use Guide depicts the site as appropriate for “urban development mix” use. The “urban development mix” category encompasses areas of land that will likely be developed or redeveloped within the next 30 years with uses predominately found in the “urban residential use” category. However, there is a strong likelihood that the area will also contain major institutional uses, local commercial uses and park and open space uses. Selected Comprehensive Plan commercial locational guidelines state: 1) Commercial sites should be located adjacent to arterial streets or major thoroughfares that provide needed ingress and egress in order to avoid traffic congestion. 2) Commercial development should have required site design features that limit noise, lighting and other aspects of commercial activity that may adversely impact surrounding residential land uses. 3) Locate commercial uses in compact clusters or nodes versus extended strip development. 4) Commercially generated traffic should not feed directly onto local residential street.

**RECOMMENDATION:** Based upon the information available at the time the staff report was prepared, staff recommends the proposed zone change and CUP DP-335 be approved per the development standards contained on the face of the proposed CUP and the following conditions:

- A. Approval of the zone change and CUP DP-335 shall not be final until the applicant has recorded a document with the Register of Deeds indicating that this tract (referenced as DP-335) includes special conditions of development on this property.
- B. If required, the applicant shall submit four revised final copies of the CUP to the Metropolitan Area Planning Department within 60 days after final approval of this case by the Governing Body, or the request shall be considered denied and closed.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The application area is part of a transition area that is slowly converting from rural and suburban uses to more intense urban uses. Land located to the north, south and west is zoned SF-20 and is farm land or platted land developed with single-family residences. Land to the east is zoned NO Neighborhood Office (NO) subject to Protective Overlay 178 and is farm land. In the larger area there has been urban scale development such as the medical offices located to the southeast of the application area; a YMCA to the west and farther west a Via Christi Hospital. West 21<sup>st</sup> Street North is a significant east-west arterial street scheduled to become a four-lane arterial that carries approximately 11,600 average daily vehicle trips.
2. The suitability of the subject property for the uses to which it has been restricted: The property is currently zoned SF-20 Single-family Residential which primarily permits large-lot residential uses and a few civic and institutional uses by right, such as a church. The site is developed with a church and could continue as currently developed. The site has some economic opportunity as currently zoned; however, given its proximity to the intersection of West 21<sup>st</sup> Street North and 135<sup>th</sup> Street, the requested zone change will increase the site’s economic potential and be consistent with typical development patterns along most developing arterials.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval of LC zoning will increase the intensity of permitted uses and increase traffic volumes; however, the development standards contained in the accompanying CUP should mitigate known detrimental

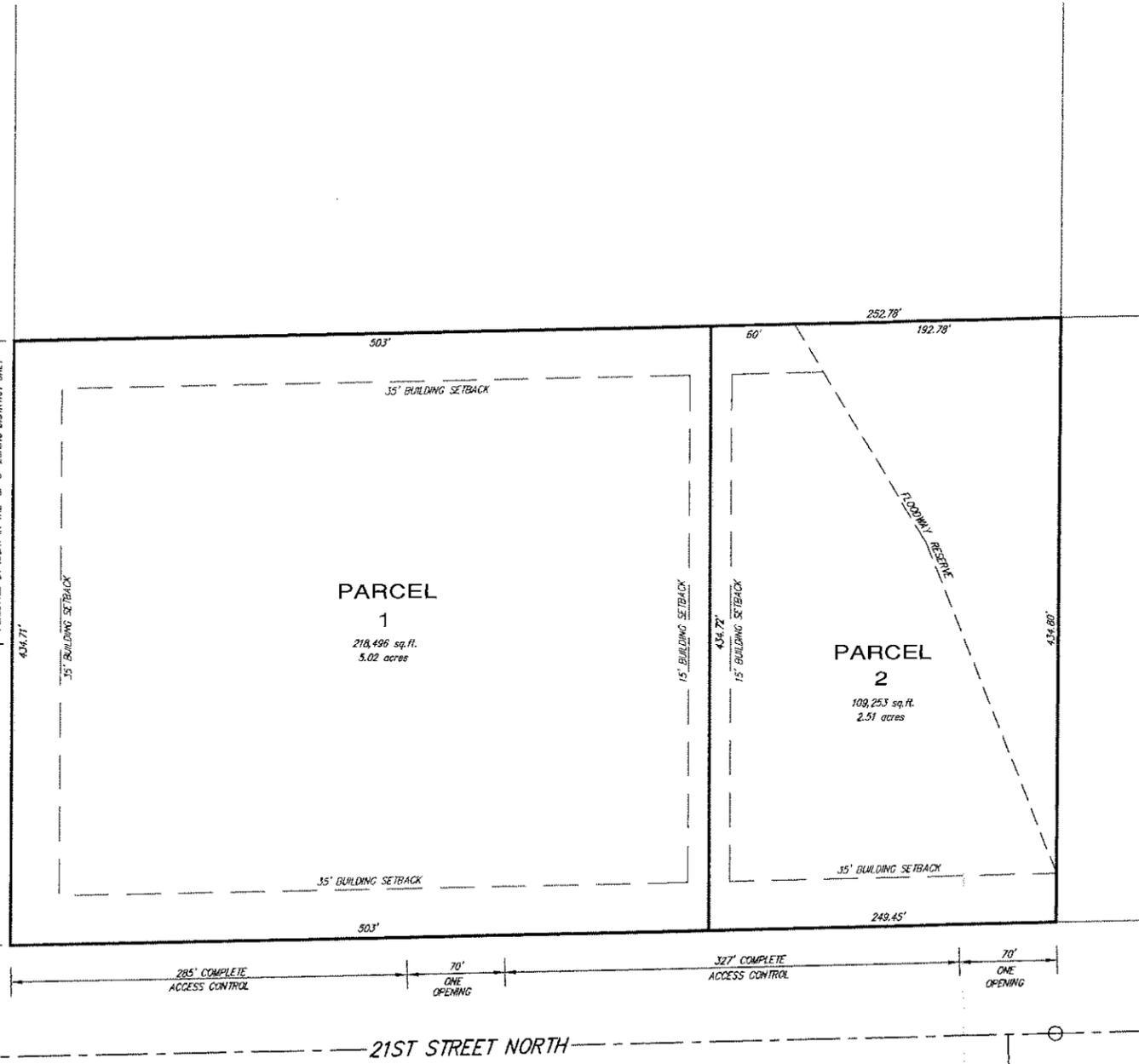
impacts.

4. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: Denial would presumably represent a loss of economic opportunity for the applicant and/or future purchasers. Approval would increase the amount of LC permitted uses available to area residents.
5. Length of time the property has been vacant as currently zoned: The property has been developed with a church since approximately 2005.
6. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The application area is located within the Wichita 2030 Urban Growth Area. The 2030 Wichita Functional Land Use Guide depicts the site as appropriate for “urban development mix” use. The “urban development mix” category encompasses areas of land that will likely be developed or redeveloped within the next 30 years with uses predominately found in the “urban residential use” category. However, there is a strong likelihood that the area will also contain major institutional uses, local commercial uses and park and open space uses. Selected Comprehensive Plan commercial locational guidelines state: 1) Commercial sites should be located adjacent to arterial streets or major thoroughfares that provide needed ingress and egress in order to avoid traffic congestion. 2) Commercial development should have required site design features that limit noise, lighting and other aspects of commercial activity that may adversely impact surrounding residential land uses. 3) Locate commercial uses in compact clusters or nodes versus extended strip development. 4) Commercially generated traffic should not feed directly onto local residential street. The application as recommended for approval is in substantial conformance to adopted policies.
7. Impact of the proposed development on community facilities: Existing or planned improvements are available to serve the site.

# SOCORA WEST COMMERCIAL COMMUNITY UNIT PLAN DP-335

FOREST VIEW

ACCESS CONTROL EXCEPT ONE OPENING PER USES PERMITTED BY RIGHT IN THE "C" ZONING DISTRICT ONLY  
COMPLETE ACCESS CONTROL



**PARCEL 1**  
218,496 sq.ft.  
5.02 acres

**PARCEL 2**  
109,253 sq.ft.  
2.51 acres

**GENERAL PROVISIONS:**

1. Total Land Area: 327,749 ± sq.ft. or 7.53 ± acres  
Net Land Area: 293,277 ± sq.ft. or 6.73 ± acres
2. Total Gross Floor Area: 114,713 sq.ft.  
Total Floor Area Ratio: 35 percent  
Total Building Coverage: 98,325 sq.ft.  
Total Building Coverage Ratio: 30 percent
3. Parking shall be provided in accordance with Section IV of the Unified Zoning Code, unless otherwise specified in the parcel description.
4. Setbacks are as indicated on the C.U.P. drawing, or as specified in the parcel description.
5. A Drainage Plan shall be submitted to the appropriate Engineer for approval during the re-platting process. Required guarantees for drainage improvements shall be provided at the time of re-platting. In the event the site is not re-platted, all drainage requirements shall be established at the time of site development. If necessary, the CUP development plan shall be adjusted or amended to reflect final drainage requirements.
6. Signs shall be in accordance with the Sign Code of the City of Wichita, subject to the following conditions:
  - A. Signs shall be spaced a minimum of 150' apart, irrespective of how land is leased or sold.
  - B. L.E.O./Digital signs, flashing signs, rotating or moving signs, signs with moving lights, signs which create illusions of movement, or electronic message centers are not permitted.
  - C. Portable, billboards, and off-site signs are not permitted.
  - D. Window display signs are limited to 25% of the window area.
  - E. No signs shall be allowed on the roof of any buildings.
  - F. All freestanding signs must be monument type, shall have a maximum height of 20 feet, and shall share similar elements in design, such as similar materials for the base.
  - G. Parcels 1 and 2 shall be limited to the following area restrictions:  
Parcel 1: 350 sq. ft. of signage (total), to be placed no closer than 75' from the west property line.  
Parcel 2: 175 sq. ft. of signage (total), to be placed no closer than 75' from the east property line.
7. All exterior lighting shall be shielded to direct light disbursement in a downward direction.
  - A. Limited height of light poles, including fixtures, lamps and bases, to 25 feet.
  - B. Extensive use of back lit canopies and neon or fluorescent tube lighting on buildings is not permitted.
  - C. If the site is developed for commercial uses, it shall include a 15-foot height limit (including fixtures, lamps and bases) when light poles are located within 200 feet of residential zoning.
8. Utilities shall be installed underground on all parcels.
9. Landscaping for this site shall be required as follows:
  - A. Development of all parcels within the C.U.P. shall comply with the Landscape Ordinance of the City of Wichita.
  - B. A landscape plan shall be prepared by a Kansas Landscape Architect for the above referenced landscaping, indicating the type, location, and specifications of all plant material. This plan shall be submitted to the Planning Department for their review and approval prior to issuance of a building permit.
  - C. A financial guarantee for the plant material approved on the landscape plan for that portion of the C.U.P. being developed shall be required prior to issuance of any occupancy permit, if the required landscape has not been planted.
10. Screening shall be provided in accordance with the Unified Zoning Code, including a 8-8 foot tall concrete/masonry wall to be constructed along the west, north & east property lines of the C.U.P. where adjacent to residential zoning. This solid wall shall be constructed of a pattern and color that is consistent with the building walls.
11. Trash receptacles, loading docks, outdoor storage, rooftop equipment, and loading areas shall be appropriately screened, with similar materials to the main buildings, to reasonably hide them from ground view.
12. All buildings in the C.U.P. shall share uniform architectural character, color, texture, and the same predominate exterior building material, and shall be reviewed and approved by the Planning Director prior to the issuance of any building permits. Building walls and roofs must have predominately earth-tone colors, with vivid colors limited to incidental accent, and must employ materials similar to surrounding residential areas. Metal as an exterior material shall be limited to incidental accent.
13. Fire lanes shall be in accordance with the appropriate Fire Code. No parking shall be allowed in said fire lanes, although they may be used for passenger loading and unloading. The Fire Chief or his designated representative shall review and approve the location and design of all fire lanes. Fire hydrant installation and covered access to all building sites shall be provided for each phase of construction prior to the issuance of building permits.
14. All "C" uses are permitted, except the following: sexually oriented businesses, correctional placement residences, night clubs, taverns and drinking establishments, outside storage, recreational vehicle campgrounds, asphalt and concrete plant (limited), cemeteries, offices that accept paycheck or car titles as security for loans, and pawnshops. Restaurants with drive-thru windows, convenience stores, service stations and vehicle repair (limited and general) may be allowed if located more than 200 feet from residential uses. Any overhead doors associated with vehicle repair (limited and general), warehouses, and/or loading docks must not face residential zoning. Car washes in the CUP shall be subject to the supplementary use regulations of Sec. III-D.5.1 of the Unified Zoning Code.
15. Amendments, adjustments or interpretations to this C.U.P. shall be done in accordance with the Unified Zoning Code.
16. The Transfer of title of all or any portion of land included within the Community Unit Plan (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.
17. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the Governing Body, and any substantial deviation of the plan, as determined by the Zoning Administrator and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development. A notice of a CUP noting the conditions placed on this land shall be filed with the Sedgewick County Register of Deeds.
18. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.
19. Approval of a site circulation plan by the Planning Director is required for each phase of construction prior to the issuance of a building permit. An overall site plan shall be required for review and approval by the Planning Director prior to the issuance of any building permits; the site plan shall ensure internal circulation within the development.

**PARCEL 1**

- A. Total Land Area: 218,496 ± sq.ft. or 5.02 ± acres
- B. Maximum Building Coverage: 65,549 sq.ft. (30%) for commercial development
- C. Maximum Gross Floor Area: 75,474 sq.ft. for commercial development
- D. Floor Area Ratio: 35 percent
- E. Maximum Number of Commercial Buildings: One (1)
- F. Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 45 feet.
- G. Setbacks: See Drawing
- H. Access Points from Forest View: One (1)
- I. Permitted Uses: All permitted uses by right in the "C" Limited Commercial zoning district of the Wichita-Sedgewick County Unified Zoning Code, except for those listed under G.P. #15.

**PARCEL 2**

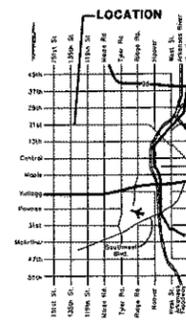
- A. Total Land Area: 109,253 ± sq.ft. or 2.51 ± acres
- B. Maximum Building Coverage: 32,776 sq.ft. (30%) for commercial development
- C. Maximum Gross Floor Area: 38,239 sq.ft. for commercial development
- D. Floor Area Ratio: 35 percent
- E. Maximum Number of Commercial Buildings: Two (2)
- F. Maximum building height to conform to Chapter 28.08 Code of the City of Wichita, but shall be not greater than 45 feet.
- G. Setbacks: See Drawing
- H. Access Points from Forest View: One (1)
- I. Permitted Uses: All permitted uses by right in the "C" Limited Commercial zoning district of the Wichita-Sedgewick County Unified Zoning Code, except for those listed under G.P. #15.

**LEGAL DESCRIPTION:**

Lot 1, Block A, Countryside Pentecostal Holiness Church Addition, Sedgewick County, Kansas; TOGETHER WITH Lot 1, Block 1, Roberts & Morris Addition, Sedgewick County, Kansas.

**REVISIONS**

Submitted: July 14, 2014  
Approved by MAPC:  
Approved by City Council:



**DP-335**

**SOCORA WEST COMMERCIAL COMMUNITY UNIT PLAN**

Baughman Company, P.A.  
1155th St, Wichita, KS 67214 P 316.262.0271 F 316.262.0149  
Baughman



SCALE: 1" = 50'

## Crockett, Maryann

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**From:** cjanzen2@cox.net  
**Sent:** Monday, August 04, 2014 4:05 PM  
**To:** Crockett, Maryann  
**Subject:** Case ZON2014-00019 and CUP21014-00024

Mr. Crockett do we know what the plan is for this area - I am concerned changing this zoning to LC as it could mean many things such as quick trips ect that can decrease the value of our property as this is along our residential street. This has been a small quiet family area and we do not want a bunch of commercial things going in there - we turned away from homes that had increased business there so do not want this to happen. Any information you can provide would be appreciated. Would rather stop it now before it gets changed

## Miller, Dale

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**From:** cjanzen2@cox.net  
**Sent:** Tuesday, August 05, 2014 9:45 AM  
**To:** karl.peterjohn@sedgwick.gov; Miller, Dale  
**Cc:** Jim.Janzen@altec.com  
**Subject:** ZON2014-00019 and CUP2014-00024

Mr. Crockett provided me your email to voice my concerns regarding a requested zoning change on the street of Forestview and 21st. Forestview is a residential street and a nice quiet family area - We are concerned about zone changes to our street. The influx of traffic will be more, drainage will most likely be affected as well but the most concerning is this is just one step in changing the status of our quiet neighborhood. In addition this will affect our property values. We spent allot of years trying to make our place nice just to have it de valued by increased traffic and commercial buildings. There is a church there now and this would be a good thing to leave here. When we were looking at homes we turned away from those that had any commercial properties as we wanted more residential and quiet. 21st traffic has already doubled with the YMCA and Dr. office's across the street, now we want to add more traffic?? We do not want commercial on our street. Thank you Jim and Connie Janzen