Wichita-Sedgwick County Metropolitan Area Planning Department

May 25, 2022

J Blare, Inc.
10915 W Atlanta Cir.
Wichita, KS 67215

RE: ZON2022-00019: City zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential to build a duplex on property located within one block south of West 31st Street South and two-blocks east of South Seneca Street (3237 S Handley Street).

Dear Applicant;

At its regular meeting on **May 24, 2022**, the Wichita City Council considered the above captioned request. The action of the City Council was to **APPROVE** the request

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

Sincerely,

Philip Zevenbergen, AICP
Current Plans
Division Manager

Copies to: MABCD
Mike Hoheisel, City Council District III
Rebecca Johnson, CSR District III
KE Miller Engineering, Kirk Miller, 117 E Lewis, Wichita, KS 67202

OCA 150004 PUBLISHED IN THE WICHITA EAGLE ON June 10, 2022

ORDINANCE NO. 51-863

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

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

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

Case No. ZON2022-00019

City zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential zoning on property described as:

Lot 21, Slease 2nd Addition, Sedgwick County, Kansas.

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

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

ATTEST:

Brandon J. Whipple, Mayor, City of Wichita

per

Karen Sublett, City Clerk

(SEAL)

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

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	274321	Print Legal Ad - IPL0076577		$49.45	1	59 L

Attention: Jamie Buster

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

LEGAL PUBLICATION

OCA 150004

PUBLISHED IN THE WICHITA EAGLE
ON June 10, 2022
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Brandon J. Whipple, Mayor, City of Wichita
Karen Sublett, City Clerk
(SEAL) Approved as to form:
Jennifer Magana, City Attorney and Director of Law
IPL0076577
Jun 10 2022

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

No. of Insertions: 1
Beginning Issue of: 06/10/2022
Ending Issue of: 06/10/2022

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 06/10/2022 to 06/10/2022.

M. Hayley

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 06/10/2022

Stefani Beard

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

STEFANI SCOTT BEARD
My Notary ID # 131768951
Expires October 23, 2022

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

Wichita-Sedgwick County Metropolitan Area Planning Department

April 21, 2022

J Blare, Inc.
10915 W Atlanta Cir.
Wichita, KS 67215

RE: ZON2022-00019: City zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential to build a duplex on property located within one block south of West 31st Street South and two-blocks east of South Seneca Street (3237 S Handley Street).

Dear Applicant;

At its regular meeting on **April 21, 2022**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** the request

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 5, 2022**. In order to be considered a "valid" petition, the signatures must reflect the correct and entire ownership of the property, the property must be at least partially located within 200 feet of the property for which the application was filed and must be submitted to the City Clerk by **May 5, 2022 at 5:00 p.m.**

This application is scheduled for consideration by the Wichita City Council on **Tuesday, May 24, 2022, beginning at 9:00 a.m.** If the application is protested or receives a different recommendation from the District III Advisory Board, the application will be scheduled for consideration by the Wichita City Council on **Tuesday, June 7, 2022.** The City Council meeting will be held in the City Council Chambers, First Floor, City Hall, 455 N. Main, Wichita, Kansas.

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

Sincerely,

Philip Zevenbergen, AICP
Current Plans
Division Manager

Copies to: MABCD
Mike Hoheisel, City Council District III
Rebecca Johnson, CSR District III
KE Miller Engineering, Kirk Miller, 117 E Lewis, Wichita, KS 67202

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	237717	WIC-3-31-2022	OCA 150004	$109.20	1	13.00 in

Attention: Betsy Pagán

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

Copy of ad content
is on the next page

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

No. of Insertions: 1

Beginning Issue of: 03/31/2022

Ending Issue of: 03/31/2022

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 03/31/2022 to 03/31/2022.

M. Hayley

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 04/07/2022

Stefani Beard

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

STEFANI SCOTT BEARD
My Notary ID # 131768951
Expires October 23, 2022

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

LEGAL PUBLICATION

LEGAL PUBLICATION

OCA 150004

PUBLISHED IN THE WICHITA EAGLE
ON MARCH 31, 2022 (560888)
(One Time Only)

MAPC/BZA April 21, 2022
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, April 21, 2022, no earlier than 1:30 p.m.**, the Wichita-Sedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held virtually, public participation is available in multiple ways, those without technology options can participate by going to the Wichita City Hall Building - 1st Floor Council Chambers - 455 N. Main Street, Wichita, Kansas 67202 (specified at the bottom of this notice). **Masks are required at City Hall at this time. If you have any questions regarding the meeting or items on this notice, please call the Wichita-Sedgwick County Metropolitan Area Planning Department at (316) 268-4421.**

CON2022-00006: City Conditional Use to allow a school on property zoned LI Limited Industrial; generally located southwest of East 37th Street North and North Webb Road (9323 E. 37th St. N.).

PUD2022-00007: City zone change from B Multi-Family and MF-29 Multi-Family Residential to PUD Planned Unit Development for mixed-use development on properties located on the south side of East 17th Street North and east of North Hillside Avenue between North Harvard Avenue and North Gentry Street.

VAC2022-00005: City Vacation of a 30-foot platted street side setback to reduce it to 10 feet for construction of a garage on property zoned SF-5 Single-Family Residential and located on the west side of South Woodlawn Blvd, within 2 block south of East Douglas Avenue (6332 E English).

ZON2022-00019: City Zone Change from SF-5 Single-Family Residential to TF-3 Two-Family Residential to build a duplex on property located within one block south of West 31st Street South and two-blocks east of South Seneca Street (3237 S. Handley Street).

ZON2022-00020: Request in the City for a zone change to LC Limited Commercial and TF-3 Two-Family Residential on SF-5 Single-Family Residential zoned property generally located on the northeast corner of West Maple Street and South 167th Street West.

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

PLEASE NOTE THIS MEETING IS CONSIDERED AN EMERGENCY MEETING OF THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION DUE TO COVID-19, WHICH WILL IMPOSE SPECIAL PROCEDURES TO PARTICIPATE IN THE PUBLIC HEARING. THESE ARE AS FOLLOWS:

The meeting will be conducted "virtually" using Go-To-Meeting. You have multiple options to participate: 1) submit comments ahead of time, 2) participate remotely, or 3) attend in-person at the Wichita City Hall Building (see below).

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

Participate Remotely

Please join my meeting from your computer, tablet or smartphone.
https://global.gotomeeting.com/join/651544141

You can also dial in using your phone.
United States: +1 (571) 317-3112

Access Code: 651-544-141

Join from a video-conferencing room or system.
Dial in or type: 67.217.95.2
or inroomlink.goto.com
Meeting ID: 651-544-141
Or dial directly: 651544141@67.217.95.2 or 67.217.95.2##651544141

New to GoToMeeting? Get the app now and be ready when your first meeting starts:
https://global.gotomeeting.com/install/651544141

Attend In-Person

You may also participate in the hearing in-person at the Wichita City Hall Council Chambers (455 N. Main Street, Wichita, KS 67202). Please note that security screening is required for public access to the building, self-paid parking is available nearby, and COVID-19 protocols are in place. **Masks are required at City Hall at this time.** For more information please visit www.wichita.gov/visitcityhall. 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 (316-268-4464) by 5pm, 3 days prior to the meeting.

WITNESS MY HAND on March 31, 2022
Scott Wadle, Secretary
Wichita-Sedgwick County
Metropolitan Area Planning Commission

AGENDA ITEM NO. 4.3

WICHITA—SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

STAFF REPORT

MAPC: April 21, 2022
DAB III: May 4, 2022

CASE NUMBER: ZON2022-00019 (City)

APPLICANT/AGENT: J Blare, Inc. (owner)/ K.E. Miller Engineering (agent)

REQUEST: TF-3 Two-Family Residential

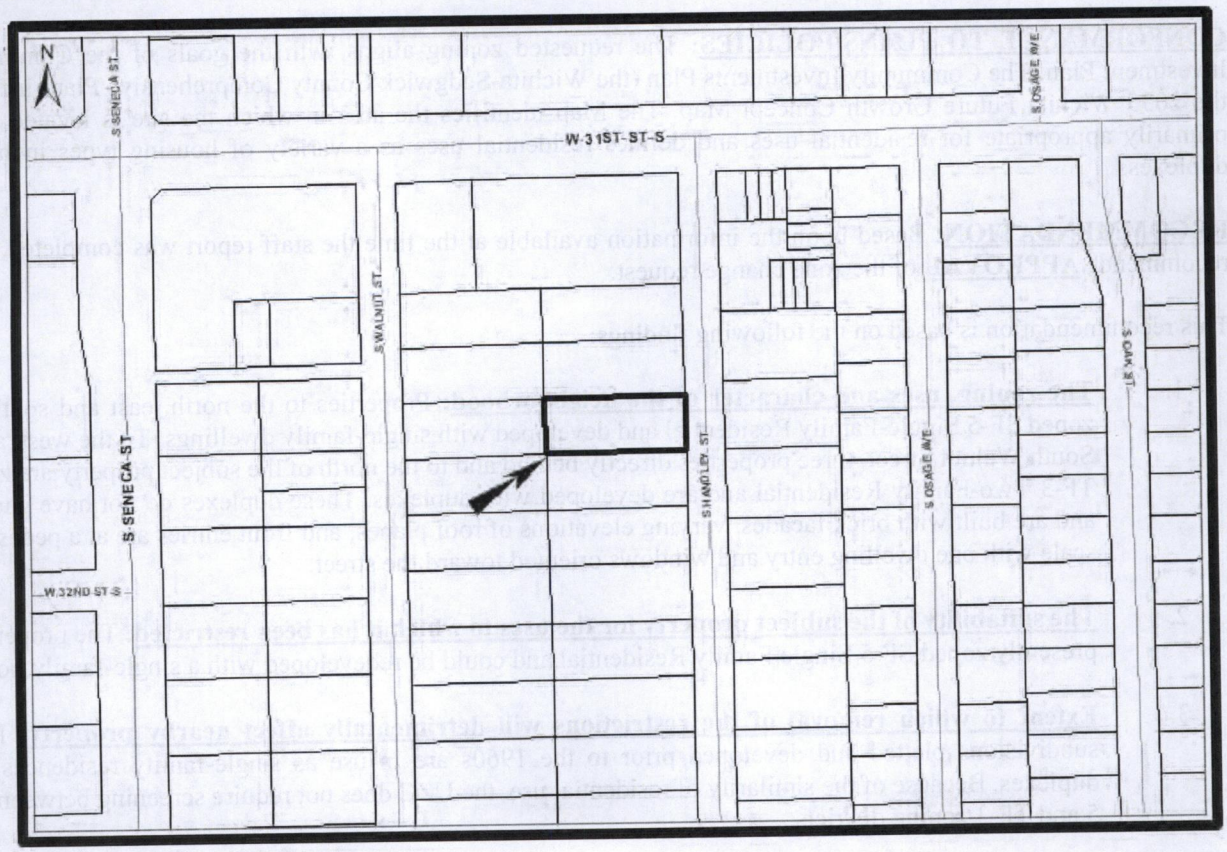
CURRENT ZONING: SF-5 Single-Family Residential

SITE SIZE: 0.398 acre

LOCATION: Generally located one-block south of West 31st Street South and two-blocks east of South Seneca Street (3237 South Handley Street).

PROPOSED USE: Duplex

RECOMMENDATION: Approval



BACKGROUND: The applicant is requesting the rezoning of Lot 21 of the Slease 2nd Addition from SF-5 Single-Family Residential to TF-3 Two-Family Residential. The subject property is addressed as 3237 South Handley Street and is generally located within one-block south of West 31st Street South and two blocks east of South Seneca Street. The house shown on current aerial photographs has been removed. The applicant intends to build a single duplex on the property.

The applicant does not have a site plan or elevations for the future duplex at this time. The duplex is required to meet the property development standards of the TF-3 Two-Family Residential zoning district in the Unified Zoning Code in addition to a platted 30-foot front setback along South Handley Street.

Properties to the north, east and south are zoned SF-5 Single-Family Residential and developed with single-family dwellings. To the west, along South Walnut Street, three properties directly behind and to the north of the subject property are zoned TF-3 Two-Family Residential and are developed with duplexes. These duplexes do not have garages and are built with brick facades, varying elevations of roof planes, and front entries are at a pedestrian scale with one dwelling entry and windows oriented toward the street.

CASE HISTORY: In 1951, the property was platted as part of the Slease 2nd Addition. There have been no other zoning actions requested on the site.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single-family residence
SOUTH:	SF-5	Single-family residence
EAST:	SF-5	Single-family residence
WEST: TF-3		Duplex

PUBLIC SERVICES: South Handley is a paved, two-way, local street with no sidewalks. Wichita Transit has bus stops located less than one-quarter mile away along West 31st Street South. Municipal water and sewer already serve the site.

CONFORMANCE TO PLANS/POLICIES: The requested zoning aligns with the goals of the Community Investment 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 primarily appropriate for residential uses and defines residential uses as a variety of housing types including duplexes.

RECOMMENDATION: Based upon the information available at the time the staff report was completed, staff recommends **APPROVAL** of the zone change request.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** Properties to the north, east and south are zoned SF-5 Single-Family Residential and developed with single-family dwellings. To the west, along South Walnut Street, three properties directly behind and to the north of the subject property are zoned TF-3 Two-Family Residential and are developed with duplexes. These duplexes do not have garages and are built with brick facades, varying elevations of roof planes, and front entries are at a pedestrian scale with one dwelling entry and windows oriented toward the street.

2. **The suitability of the subject property for the uses to which it has been restricted:** The property is presently zoned SF-5 Single Family Residential and could be redeveloped with a single-family home.

3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** Most subdivisions platted and developed prior to the 1960s are in use as single-family residences and duplexes. Because of the similarity of residential use, the UZC does not require screening between SF-5 and TF-3 zoning districts.

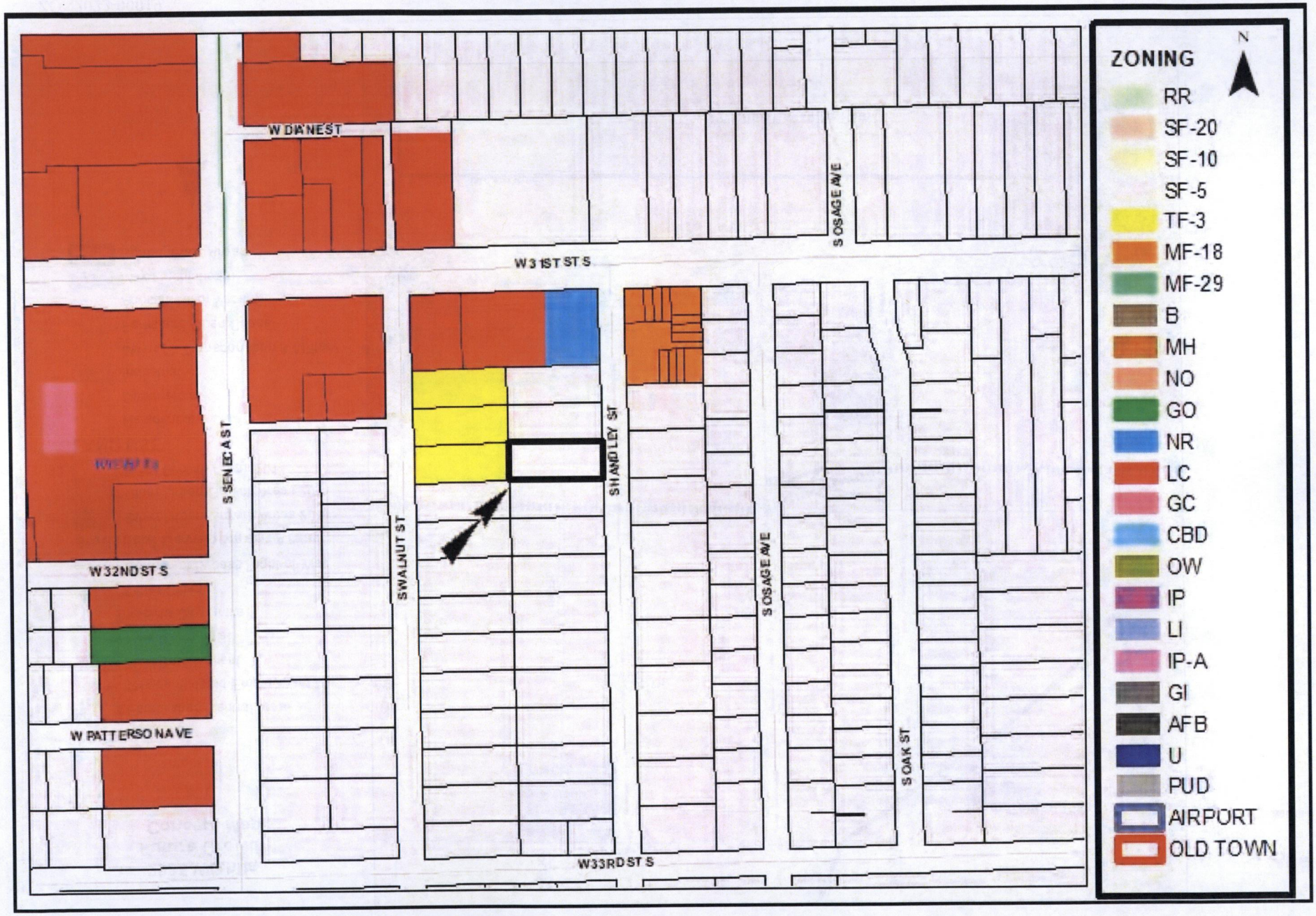
4. **Relative gain to public health, safety, and welfare as compared to the loss in value or the hardship imposed upon the applicant:** Removing to former single-family dwelling, which was a dangerous structure, is in the public interest. Replacing the structure with new dwelling units could add value to the surrounding properties, which is also in the public interest. Denial would represent economic loss to the applicant.

5. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The requested zoning would continue to allow the property to be in conformance with the *Community Investments Plan* as discussed in the staff report.

6. **Impact of the proposed development on community facilities:** Development of the property with the requested zoning is not anticipated to have significant adverse impacts on community facilities or resources. All public improvements are available to serve the property.

Attachments:

- Aerial Map
- Zoning Map
- Land Use
- Photos


ZONING
N
RR
SF-20
SF-10
SF-5
TF-3
MF-18
MF-29
B
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S SENECA ST
SWALNUT ST
SHANDLEY ST
W 32ND ST S
W PATTERSON AVE
S OAK ST
W 33RD ST S


S WALNUT ST
S HANDLEY ST
N

2035 Wichita Future Growth Concept Map



Looking west at site



Looking northeast away from site



Looking northwest away from site



Looking southeast away from site



Looking southwest away from site



Looking east at duplexes behind site

