Wichita-Sedgwick County Metropolitan Area Planning Department

February 21, 2023

T&T Homes, LLC
PO Box 614
Goddard, KS 67052

RE: ZON2022-00072: Zone Change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential on property; generally located one-quarter mile north of East Pawnee Avenue and 200 feet west of South Broadway Avenue (2152 South Market Street).

Dear Applicant;

At its regular meeting on **February 21, 2023**, the Wichita City Council considered the above captioned request. The action of the WCC was to **APPROVE** the request.

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

Sincerely,

Christina Rieth
Current Plans, Associate Planner

Copies to: MABCD
Mike Hoheisel, District Advisory Board III
Becca Johnson, Community Services Representative III
K.E. Miller Engineering, attn: Kirk Miller, 117 East Lewis Street, Wichita, KS 67202

Wichita-Sedgwick County Metropolitan Area Planning Department

January 20, 2023

T&T Homes, LLC
PO Box 614
Goddard, KS 67052

RE: ZON2022-00072: Zone Change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential on property; generally located one-quarter mile north of East Pawnee Avenue and 200 feet west of South Broadway Avenue (2152 South Market Street).

Dear Applicant;

At its regular meeting on **January 19, 2023**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** of 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 **February 2, 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 **February 2, 2023 at 5:00 p.m.**

This application is scheduled for consideration by the Wichita City Council on **Tuesday, February 21, 2023, beginning at 9:00 a.m.** 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,

Christina Rieth

Christina Rieth
Current Plans, Associate Planner

Copies to: MABCD
Mike Hoheisel, District Advisory Board III
Becca Johnson, Community Services Representative III
K.E. Miller Engineering, attn: Kirk Miller, 117 East Lewis Street, Wichita, KS 67202

OCA 150004 PUBLISHED IN THE WICHITA EAGLE ON March 3, 2023

ORDINANCE NO. 52-040

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. ZON2022-00072

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

Lots 129 and 131, Market Street, English's 9th Addition to Wichita, 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.

Adopted this 28th day of Feb., 2023

ATTEST:

Brandon J. Whipple, Mayor, City of Wichita

Jamie Buster, 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	390303	Print Legal Ad-IPL01118650 - IPL0111865		$51.97	1	62 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 March 3, 2023
ORDINANCE NO. 52-040

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

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ATTEST:
Brandon J. Whipple, Mayor, City of Wichita
Jamie Buster, City Clerk
(SEAL) Approved as to form:
Jennifer Magana, City Attorney and Director of Law

IPL0111865
Mar 3 2023

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

1 insertion(s) published on:
03/03/23

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 03/03/2023 to 03/03/2023.

H. Hayley

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

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!

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
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Modesto Bee
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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	363558	Print Legal Ad-IPL01031600 - IPL0103160		$234.04	3	93 L

Attention: MANDY HEBERT

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

LEGAL PUBLICATION

OCA 150004
Published in The Wichita Eagle on December 29, 2022
(One Time Only)
MAPC/BZA January 19, 2023
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, January 19, 2023, no earlier than 1:30 p.m., the WichitaSedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation may also occur through virtual methods (specified at the end of this notice). If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Department at (316) 2684421.

BZA2022-00057: Variance request in the City to reduce parking minimum from 10 to 2 spaces; generally located on the southwest corner of South Morningside Drive and South Woodlawn Blvd (441 South Morningside).

CON2022-00048: Conditional Use request in the City to allow a 155-foot monopole telecommunications facility with a 4-foot lightning rod; generally located on the north side of West Pawnee Avenue and south of Southwest Boulevard (3800 West Pawnee Avenue).

CON2022-00052: Conditional Use request in the City to allow Group Residence, Limited on property zoned SF-5 Single-Family Residential District; generally located on the southwest corner of South Morningside Drive and South Woodlawn Blvd (441 South Morningside).

CON2022-00053: Conditional Use in the City to permit entertainment as an accessory use to a restaurant (defined as "Nightclub in the City"); generally located on the south side of West 13th Street North, within one-block east of North West Street (3827 West 13th Street North).

CON2022-00054: Conditional Use request in the City to permit Wrecking/Salvage as use on property (with ZON2022-00074) to rezone from LC to LI Limited Industrial); located on the east side of South Seneca, within one-quarter mile south of West 55th Street South (5640 South Seneca).

CUP2022-00059: CUP Amendment in the City to DP-229 to allow for outdoor equipment and vehicle sales; generally located on the southeast corner of East Central Avenue and North Greenwich Road (310 North Greenwich Road).

PUD2022-00025: Zone Change request in the City from TF-3 Two-Family Residential to PUD Planned Unit Development to unify commonly owned parcels and create common amenity space on property; generally located between North Wacc and North Back Bay Blvd and on the south side of West 9th Street North.

PUD2022-00027: Planned Unit Development request in the City to split lots to provide separate lots for each structure; generally located within one-half mile east of South Meridian Avenue and one-quarter mile south of West Harry Street (1801 South Glenn Street).

ZON2022-00070: Zone Change request in the City from TF-3 Two-Family Residential District to NR Neighborhood Retail District for retail; generally located on the northeast corner of East 21st Street North and North Minneapolis Avenue (2202 North Minneapolis Avenue).

ZON2022-00071: Zone Change request in the City from SF-5 (Single Family) to OW (Office Warehouse); located on the northwest corner of North Arkansas Avenue and West 38th Street North (3825 N. Arkansas Avenue).

ZON2022-00072: Zone Change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential on property; generally located one-quarter mile north of East Pawnee Avenue and 200 feet west of South Broadway Avenue (2152 South Market Street).

ZON2022-00074: Zone Change request in the City from LC Limited Commercial to LI Limited Industrial (with CON2022-00054) to permit Wrecking and Salvage use for a tow-yard on property; located on the east side of South Seneca Street, within one-quarter mile south of East 55th Street South (5640 S Seneca).

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
Topic: Wichita-Sedgwick County Metropolitan Planning Commission
Time: 1:30 PM
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 infomation 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 December 29, 2022
Scott Wadle, Secretary
WichitaSedgwick County
Metropolitan Area Planning Commission
IPL0103160
Dec 29 2022

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

1 insertion(s) published on:
12/29/22

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 12/29/2022 to 12/29/2022.

H. Hayley

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 12/29/2022

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!

WICHITA—SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 4.12

STAFF REPORT
MAPC: January 19, 2023
DAB III: February 1, 2023

CASE NUMBER:	ZON2022-00072 (City)
APPLICANT/AGENT:	T&T Homes, LLC (Applicant); K.E. Miller Engineering, P.A. (Agent)
REQUEST:	TF-3 Two Family Residential District
CURRENT ZONING:	SF-5 Single-Family Residential District
SITE SIZE:	0.16 acres
LOCATION:	Generally located on the east side of South Market Street, within 100 feet north of East Kinkaid Avenue (2152 South Market Street).
PROPOSED USE:	To bring the building into conformance.
RECOMMENDATION:	Approve the zoning request.



BACKGROUND: The applicant is requesting a zone change from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District. The subject site is 0.156 acres in size and is generally located on the east side of South Market Street, within 100 feet north of East Kinkaid Avenue (2152 South Market Street). The subject site is currently developed with a duplex that is currently not in conformance with the zoning.

The applicant proposes to renovate the house, which requires bringing the property into conformance with the zoning district. The duplex that is currently on site was built in 1952. There are three properties within 250 feet of the subject site that are zoned TF-3 Two-Family Residential District. Thus, the requested zone change is not introducing a new type of zoning into the area.

The character of the neighborhood is mostly residential, although it abuts a major commercial corridor to the east. Properties to the north, south, and west are zoned SF-5 Single-Family Residential District. Properties to the north and south are developed with single-family residential dwellings, while the property to the west is developed with a church. Property to the east is zoned LC Limited Commercial District and is developed with a furniture store.

CASE HISTORY: On April 13, 1887, the English's 9th Addition subdivision was created. There are no zoning cases associated with this property.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single-family residential dwelling
SOUTH:	SF-5	Single-family residential dwelling
EAST:	LC	Furniture store (Retail, General)
WEST:	SF-5	Church

PUBLIC SERVICES: This site has access to South Market Street, which is a paved, one-way local street with sidewalks on each side. Wichita Transit serves the subject site within one block east, at the northwest corner of East Kinkaid Street and South Broadway Avenue. Municipal services, such as water and sewer, are in place and available for use.

CONFORMANCE TO PLANS/POLICIES

The Community Investments Plan. The requested zoning is in conformance with 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 subject site to be appropriate for "Residential" uses, which "*encompasses areas that reflect the full diversity of residential development densities and types typically found in a large urban municipality. The range of housing densities and types includes, but is not limited to, single-family detached homes, semi-detached homes, zero lot line units, patio homes, duplexes, townhouses, apartments and multi-family units, condominiums, mobile home parks, and special residential accommodations for the elderly (assisted living, congregate care and nursing homes).*" A duplex is thus appropriate for the subject site.

The Wichita: Places for People Plan. The requested zoning is in conformance with *The Wichita: Places for People Plan*. The subject site is located within an Area of Opportunity, which the *Plan* defines as "areas [that] are in need of strategic reinvestment, both public and private, to assist in redefining and reinvigorating the area, physically and socially... In Areas of Opportunities, where the economic markets are typically limited, small-scale infill and redevelopment projects will define the initial improvements." The requested zone change is a small-scale redevelopment project in which the applicant is seeking to renovate the existing property.

South Central Neighborhood Plan. The requested zoning is in conformance with the *South Central Neighborhood Plan*. The *Plan*'s Future Land Use Map identifies the subject site as appropriate for "low density residential" uses, which "consists of single-family, detached dwellings that are typically developed at a gross density of less than

10 dwelling units per acre. Accessory dwelling units and duplexes could be appropriate in locations where compatibility with surrounding single-family uses can be maintained." A duplex is thus appropriate for the area.

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:** The character of the neighborhood is mostly residential, although it abuts a major commercial corridor to the east. Properties to the north, south, and west are zoned SF-5 Single-Family Residential District. Properties to the north and south are developed with single-family residential dwellings, while the property to the west is developed with a church. Property to the east is zoned LC Limited Commercial District and is developed with a furniture store.

2. **The suitability of the subject property for the uses to which it has been restricted:** The property is presently zoned SF-5 Single-Family Residential District, which is suitable for the development of single-family residential dwellings or a limited number of civic uses.

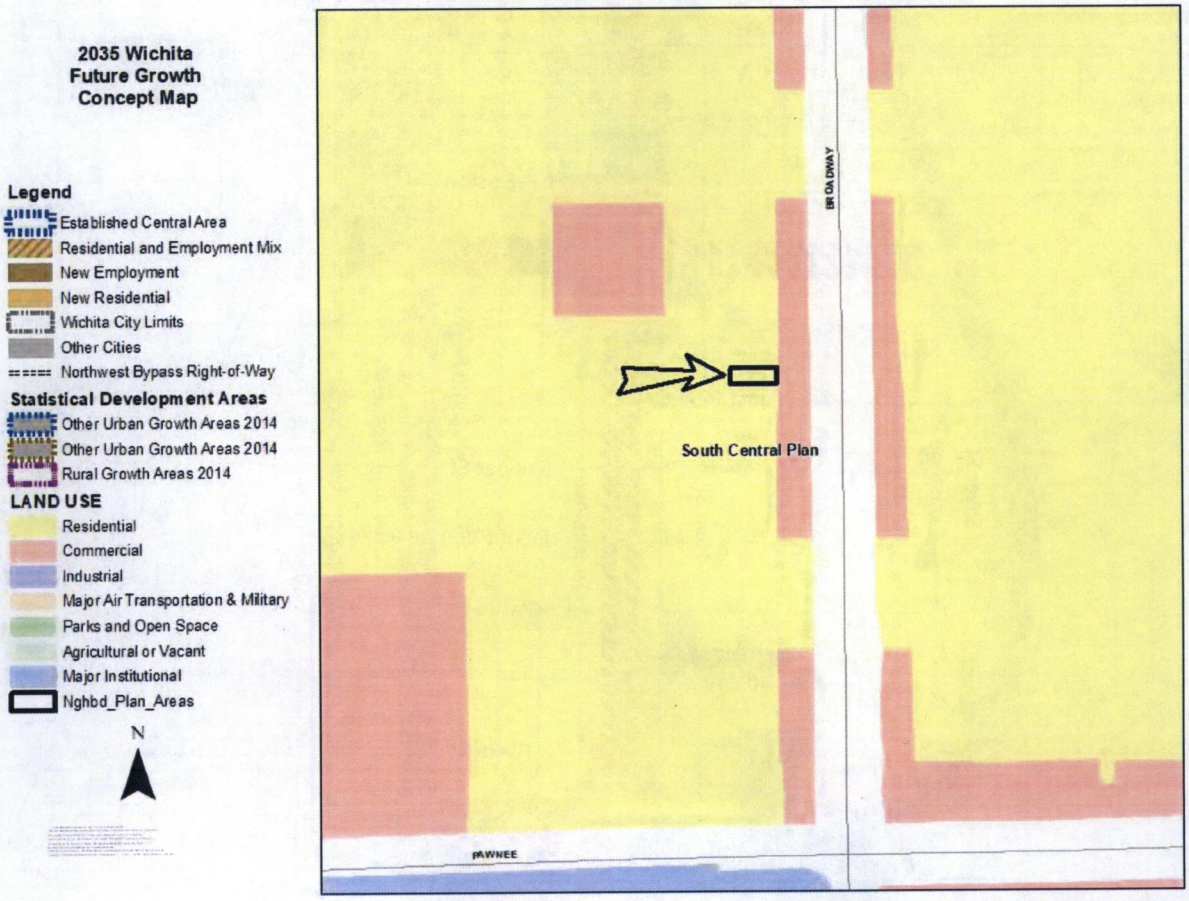
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** The zone change from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District will allow the existing property to be renovated and brought into conformance. Staff does not anticipate the zone change to have significant detrimental impacts on nearby properties.

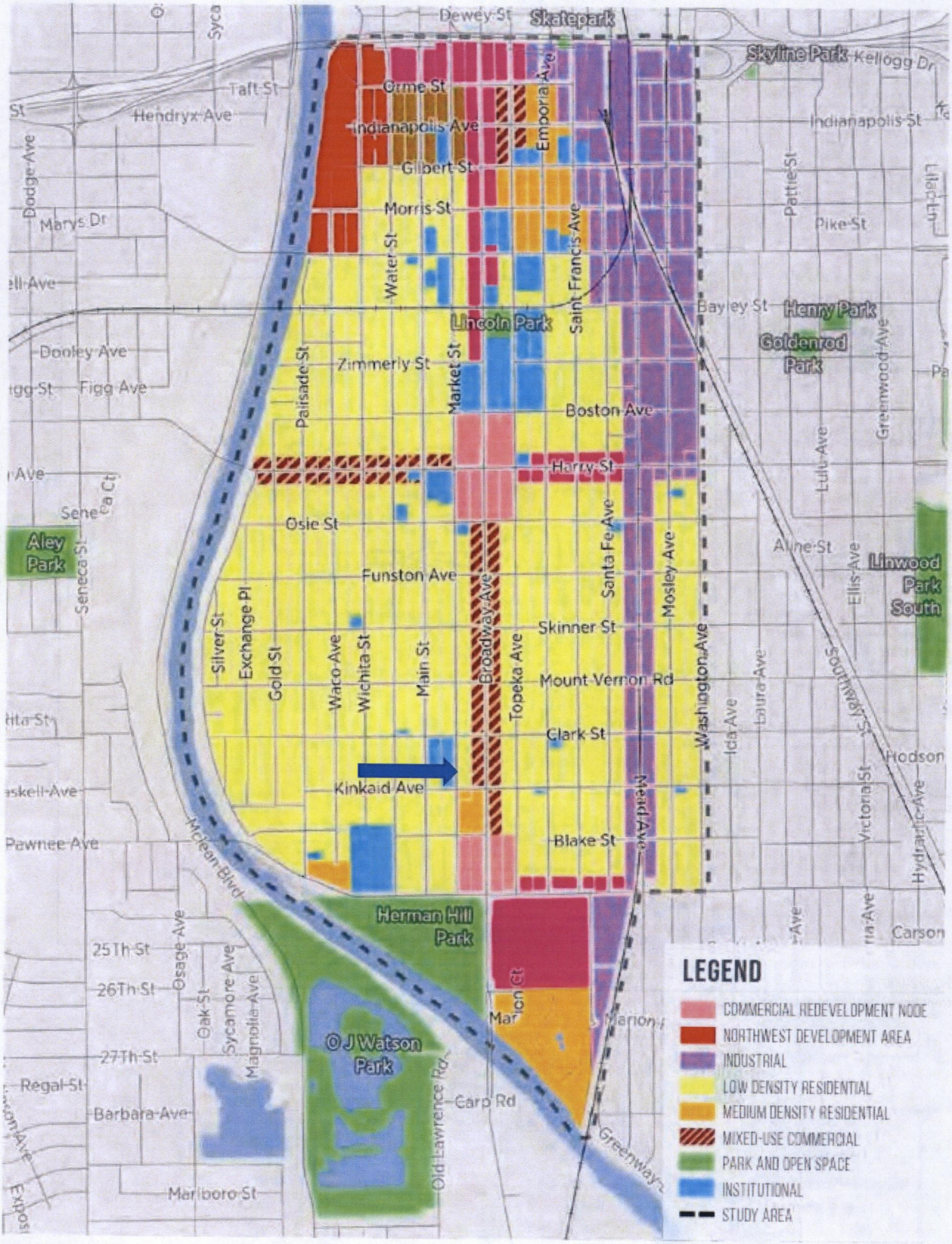
4. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The requested zoning is in conformance with the *Community Investments Plan*, the *Places for People Plan*, and the *South Central Neighborhood Plan*, as discussed in this staff report.

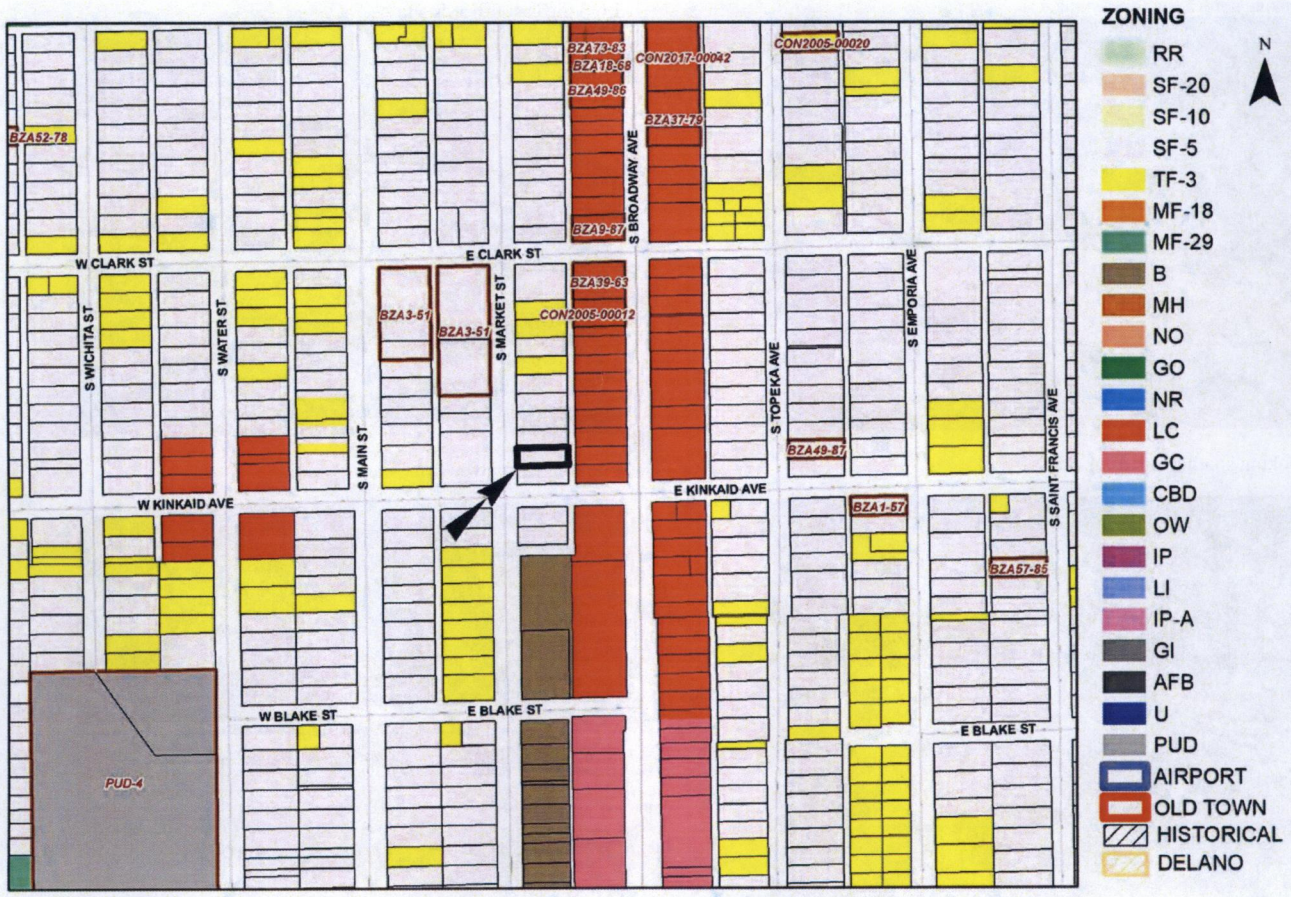
5. **Impact of the proposed development on community facilities:** The requested zoning is not anticipated to have significant adverse impacts on community facilities.

Attachments:
1. Aerial Map
2. Future Growth Concept Map
3. South Central Neighborhood Plan Future Land Use Map
4. Zoning Map
5. Site Pictures

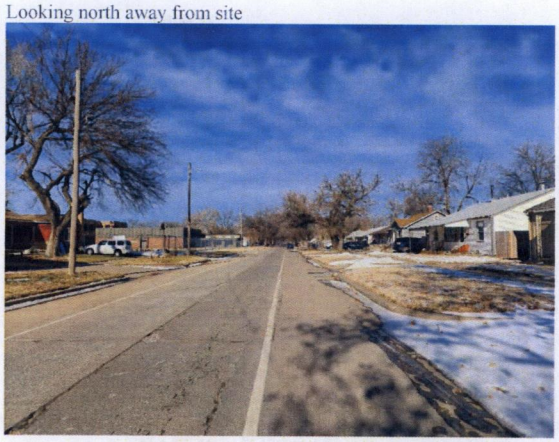

N
S MARKET ST
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2035 Wichita
Future Growth
Concept Map
Legend
Established Central Area
Residential and Employment Mix
New Employment
New Residential
Wichita City Limits
Other Cities
Northwest Bypass Right-of-Way
Statistical Development Areas
Other Urban 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
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BROADWAY
South Central Plan
PAWNEE


Dewey St
Skatepark
Skyline Park
Kellogg Dr
Orme St
Indianapolis Ave
Gilbert St
Morris St
Emporia Ave
Indianapolis St
Taft St
Hendryx Ave
Dodge Ave
Marys Dr
Water St
Saint Francis Ave
Pattie St
Pike St
Bayley St
Henry Park
Goldenrod Park
Lincoln Park
Dooley Ave
Figg Ave
Zimmerly St
Market St
Pairsade St
Boston Ave
Greenwood Ave
Lulu Ave
Harry St
Osie St
Aley Park
Seneca St
Funston Ave
Santa Fe Ave
Mosley Ave
Alyne St
Ellis Ave
Linwood Park South
Silver St
Exchange Pl
Gold St
Waco Ave
Wichita St
Main St
Broadway Ave
Topeka Ave
Skinner St
Washington Ave
Mount Vernon Rd
Laura Ave
Ida Ave
Clark St
Hodson
Kinkaid Ave
Victoria St
Hydraulic Ave
Pawnee Ave
McLean Blvd
Blake St
Herman Hill Park
Carson
25Th St
26Th St
27Th St
Osage Ave
Oak St
Sycamore Ave
Magnolia Ave
O J Watson Park
Regal St
Barbara Ave
Carp Rd
Old Lawrence Rd
Greenway
Marlboro St
LEGEND
COMMERCIAL REDEVELOPMENT NODE
NORTHWEST DEVELOPMENT AREA
INDUSTRIAL
LOW DENSITY RESIDENTIAL
MEDIUM DENSITY RESIDENTIAL
MIXED-USE COMMERCIAL
PARK AND OPEN SPACE
INSTITUTIONAL
STUDY AREA


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BZA3-51
BZA3-51
S MARKET ST
BZA39-63
CON2005-00012
S BROADWAY AVE
S TOPEKA AVE
BZA49-87
S EMPORIA AVE
S SAINT FRANCIS AVE
W KINKAID AVE
E KINKAID AVE
BZA1-57
BZA57-85
W BLAKE ST
E BLAKE ST
E BLAKE ST
PUD-4

Looking north away from site



Looking east towards site



Looking south away from site



Looking west away from site

