



Wichita-Sedgwick County Metropolitan Area Planning Department

Bell Land Holdings
PO Box 75337
Wichita, KS 67275

July 11, 2023

Baughman Company, P.A.
Attn: Phil Meyer
315 Ellis Street.
Wichita, KS 67211

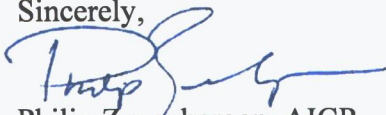
RE: ZON2023-00021: Zone change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District for the development of duplexes; generally located on the east side of North Hillside Avenue and within one-half mile north of East 45th Street North.

Dear Applicant;

At its regular meeting on **July 11, 2023**, the Wichita City Council considered the above captioned request. The action of the City Council was to **APPROVE** the zone change.

This is a reminder that the 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
Brandon Johnson, City Council District I
Tasha Hayes, CSR District I



Wichita-Sedgwick County Metropolitan Area Planning Department

Bell Land Holdings
PO Box 75337
Wichita, KS 67275

June 9, 2023

Baughman Company, P.A.
Attn: Phil Meyer
315 Ellis Street.
Wichita, KS 67211

RE: ZON2023-00021: Zone change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District for the development of duplexes; generally located on the east side of North Hillside Avenue and within one-half mile north of East 45th Street North.

Dear Applicant;

At its regular meeting on **June 8, 2023**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the zone change.

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 June 22, 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 County Clerk by **June 22, 2023 at 5:00 p.m.**

This application will be presented to the Wichita City Council on **Tuesday, July 27, 2023, beginning at 9:00 a.m.**

This is a reminder that the 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,

Eryn Ebach
Associate Planner

Copies to: MABCD

The Ronald Reagan Building • 2nd Floor • 271 West Third Street • Wichita, Kansas 67202
316.268.4421 • www.wichita.gov

Brandon Johnson, City Council District I
Tasha Hayes, CSR District I

Falcon Falls Homeowners Association
Attn: Matt Kelly
2614 E. Kite Court
Wichita, KS 67219

OCA 150004

PUBLISHED IN THE WICHITA EAGLE ON July 28, 2023

ORDINANCE NO. 52-215

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

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

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

Case No. ZON2023-00021

Zone change in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District, on property legally described as:

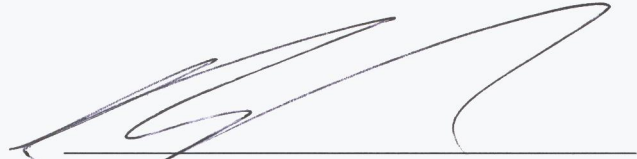
All of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34, Block A, Falcon Falls East Addition, Wichita, Sedgwick County, Kansas, TOGETHER with All of Lots 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, and 57, Block B, in said Falcon Falls East Addition, together with all of Reserve B, Falcon Falls East Addition, Wichita, Sedgwick County, Kansas, EXCEPT that part of Reserve B, described as follows: Beginning at the westerly-most Northwest corner of said Reserve B, said Northwest corner being on the east right-of-way line of Hillside Avenue; thence East along a North line of Reserve B for a distance of 390 feet; thence Southwesterly to a point on the West line of said Reserve B, said point being 612 feet South of said Northwest corner of Reserve B; thence north along the West line of Reserve B for a distance of 612 feet to the point of beginning.

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

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

[Remainder of Page Intentionally Left Blank]

Adopted this 18th day of July, 2023.

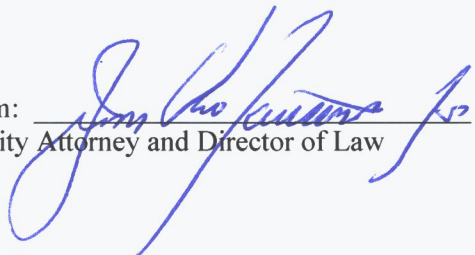

Brandon J. Whipple, Mayor, City of Wichita

ATTEST:


Jamie Buster, City Clerk

(SEAL)



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



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	421232	Print Legal Ad-IPL01228220 - IPL0122822	OCA 150004	\$221.44	3	88 L

Attention: MANDY HEBERT

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

MHEBERT@wichita.gov

LEGAL PUBLICATION

OCA 150004
Published in The Wichita Eagle on May 18, 2023
(One Time Only)
MAPC/BZA June 8, 2023
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, June 8, 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) 268-4421.

BZA2023-00028: Variance request in the City to reduce the side and the rear setback to bring carport into compliance and permit an addition on the rear, on property zoned SF-5 Single-Family; located within one-block north of West 1st Street North and one-quarter mile west of North Seneca (212 N. Elizabeth).

CON2023-00020: Request in the City for a Conditional Use to permit Nightclub in the City and Mobile Food Unit on property zoned LC Limited Commercial District; generally located on the southeast corner of West 21st Street North and North Waco Avenue (366 W. 21st St. N.).

CON2023-00022: Conditional Use request in the City to expand existing electric substation on property zoned LI Limited Industrial; generally located within one block south of East Central Avenue, and two-blocks west of North Washington Avenue (402 N. Mead).

CUP2023-00016: CUP Minor Amendment in the City to CUP DP-268 to allow on-site advertising on an off-site billboard; generally located on the northwest side of West Kellogg Drive, within 300 feet west of North Tyler Road.

VAC2023-00016: Request in the City to vacate 25-foot front building setback on property zoned TF-3 Two-Family Residential; located within one-quarter mile north of East Douglas Avenue, one-half mile west of North 127th Street East.

VAC2023-00017: Vacation request in the City for a portion of a platted 20-foot alley; generally located between North Santa Fe and North St. Francis and between East Pine Street and East Murdock Avenue (abutting 700 N. St. Francis).

VAC2023-00018: Vacation request in the City for a portion of complete access control to open a new access point and close an existing access point on property zoned LC & GC with PD-36; generally located on the west side of North Maize Road, within one-quarter mile north of West 21st Street North).

ZON2023-00021: Zone change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District for the development of duplexes; generally located on the east side of North Hillside Avenue and within one-half mile north of East 45th Street North.

ZON2023-00026: Zone change request in the City from SF-5 Single-Family Residential District to GC General Commercial District with Protective Overlay #411; generally located on the north side of West Maple Street, within 500 feet west of North Tyler Road (8924 W. Maple St.).

ZON2023-00027: Zone change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District for the development of duplexes; generally located on the east side of North Tyler Road, within one-half mile north of West 29th Street North (3320 N. Tyler Rd.).

ZON2023-00028: Zone change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential to permit development of duplexes on property; generally located on the east side of South Maize Road, within one-half mile north of West 31st Street South (2816 S. Maize Rd.).

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

Options to participate (see below):

- 1) Participate virtually
- 2) Attend in-person at the Ronald Reagan Building
- 3) Submit comments ahead of time

Participate Virtually

Join Zoom Meeting

<https://us06web.zoom.us/j/4089866967?pwd=ek03bW0ySjBibGJQTDFVb0xPVDBXUT09>

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/j/4089866967>

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 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.

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 Wedle

271 W. 3rd Street - Suite 201

Wichita, KS 67202

Phone 316.268.4421

Fax 316.268.7764

WITNESS MY HAND on May 18, 2023

Scott Wedle, Secretary
WichitaSedgwick County
Metropolitan Area Planning Commission
IPL0122822
May 18 2023

In The STATE OF KANSAS

In and for the County of Sedgwick

1 insertion(s) published on:

05/18/23

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 05/18/2023 to 05/18/2023.

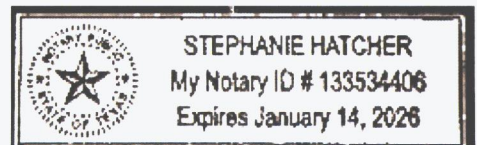
M. Hayley

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

DATED: 06/22/2023

Stephanie Hatcher

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



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



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	446028	Print Legal Ad-IPL01320880 - IPL0132088		\$72.13	1	86 L

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

LAlvarez@wichita.gov

LEGAL PUBLICATION

62A 180004
PUBLISHED IN THE WICHITA EAGLE

ON July 21, 2023

ORDINANCE NO. 52-215

AN ORDINANCE CHANGING THE

ZONING CLASSIFICATIONS OR DIS-

TRICTS OF CERTAIN LANDS LOCAT-

ED IN THE CITY OF WICHITA, KANSAS,

UNDER THE AUTHORITY GRANTED

BY THE WICHITA-SEDGWICK COUNTY

UNIFIED ZONING CODE, SEC-

TION V-C, AS ADOPTED BY SECTION

28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERN-

ING BODY

OF THE CITY OF WICHITA, KANSAS,

SECTION 1. That having received a

recommendation from the Planning

Commission, and proper notice hav-

ing been given and hearing held as

provided by law and under authority

and subject to the provisions of The

Wichita-Sedgwick County Unified

Zoning Code, Section V-C, as adopted

by Section 28.04.010, as amended,

the zoning classification or districts of

the lands legally described hereby are

changed as follows:

Case No. ZON2023-00021

Zone change in the City from SF-5

Single-Family Residential District to

TF-3 Two-Family Residential District,

on property legally described as:

All of Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10,

11, 12, 13, 14, 15, 16, 17, 18, 19, 20,

21, 22, 23, 24, 25, 26, 27, 28, 29, 30,

31, 32, 33, and 34, Block A, Falcon

Falls East Addition, Wichita, Sedgwick

County, Kansas, TOGETHER with All of

Lots 24, 25, 26, 27, 28, 29, 30, 31, 32,

33, 34, 35, 36, 37, 38, 39, 40, 41, 42,

43, 44, 45, 46, 47, 48, 49, 50, 51, 52,

53, 54, 55, 56, and 57, Block B, in said

Falcon Falls East Addition, together

with all of Reserve B, Falcon Falls East

Addition, Wichita, Sedgwick County,

Kansas, EXCEPT that part of Reserve

B, described as follows:

Beginning at the westerly-most North-

west corner of said Reserve B, said

Northwest corner being on the east

right-of-way line of Hillside Avenue;

thence East along a North line of

Reserve B for a distance of 390 feet,

thence Southwesterly to a point on the

West line of said Reserve B, said point

being 612 feet South of said North-

west corner of Reserve B; thence

north along the West line of Reserve B

for a distance of 612 feet to the point

of beginning.

SECTION 2. That upon the taking

effect of this Ordinance, the above

zoning changes shall be entered and

shown on the "Official Zoning Map"

previously adopted by reference and

said official zoning map is hereby

reincorporated as a part of the Wich-

ita-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 18th day of July, 2023

Brandon J. Whipple, Mayor, City of

Wichita

ATTEST:

Jamie Buster, City Clerk

(SEAL) Approved as to form:

Jennifer Magan a. City Attorney and

Director of Law

IPL0132088

Jul 21 2023

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

1 insertion(s) published on:

07/21/23

STATE OF KANSAS)

SS

County of Sedgwick)

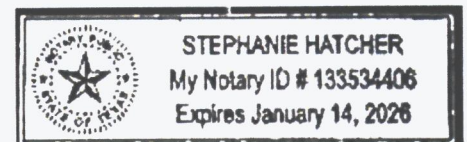
Hayley Martin, of lawful age, being first duly sworn, depose and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 07/21/2023 to 07/21/2023.

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

DATED: 07/21/2023

Stephanie Hatcher

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



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

EE



AGENDA ITEM NO. 4.6

STAFF REPORT
MAPC June 1, 2023
DAB June 5, 2023

CASE NUMBER: ZON2023-00021 (City)

APPLICANT/AGENT: Bell Land Holdings, LLC (applicant)/ Baughman Company, P.A. (agent)

REQUEST: TF-3 Two-Family Residential District

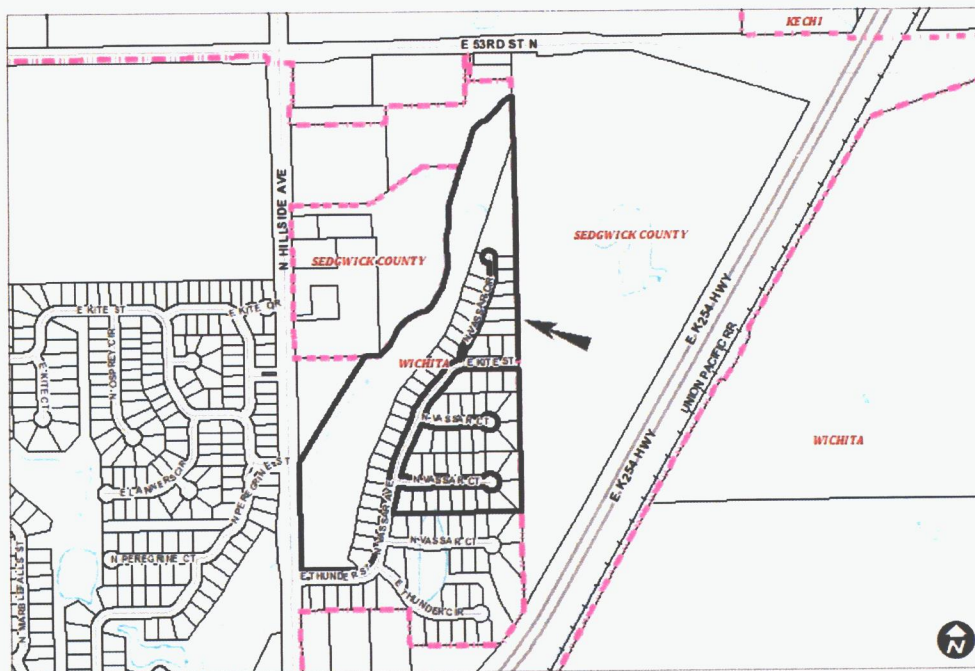
CURRENT ZONING: SF-5 Single-Family Residential District

SITE SIZE: 41.34 acres

LOCATION: Generally located east of Hillside Avenue and approximately one-half mile north of 45th street North.

PROPOSED USE: Duplexes

RECOMMENDATION: Approval



BACKGROUND: The applicant is requesting a zone change from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District for duplex development. The subject site is 41.34 acres in size, generally located east of North Hillside Avenue and approximately one-half mile north of East 45th Street North.

In 2010, The Falcon Falls East Addition was platted with 91 residential lots. In 2016, 23 lots in its southeast corner were rezoned to MF-18 Multi-Family Residential District. The application area for this request includes the remaining 68 lots and Reserve B. All lots in the Falcon Falls East Addition are currently undeveloped.

The area surrounding the property is generally developed with a mix of residential use types and densities. Reserve B contains the Middle Fork Chisholm Creek floodway and abuts the application area to the north. Properties north of Reserve B are zoned SF-20 Single-Family Residential District and are developed with large-lot single-family residences and accessory structures. South of the application area are the 19 lots zoned MF-18 Multi-Family Residential District. To the east is property zoned SF-20 Single-Family Residential District and developed as agriculture. To the west, on the west side of North Hillside Avenue, are properties zoned SF-5 Single-Family Residential District and developed with single-family residences.

TF-3 Two-Family Residential District (TF-3) accommodates Single-Family and Two-Family residential development, some multi-family residential development (by Conditional Use approval), and some civic uses such as churches and schools. Should this request be approved, the site will be subject to the property development standards of the TF-3 Two-Family Residential District, outlined in Section III-B.6 of the Unified Zoning Code.

CASE HISTORY: In 2010, the subject area was platted as Falcon Falls East Addition (SUB2008-00011). In 2016, the southeast 23 lots of the addition were rezoned as MF-18 Multi-Family Residential District (ZON2016-00060). There have been no other zoning actions on this site.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-20/SF-5	Single-Family Residences and Agriculture
SOUTH:	MF-18	Undeveloped
EAST:	SF-20	Undeveloped
WEST:	SF-5	Single-Family Residences

PUBLIC SERVICES: In this area, North Hillside Avenue is a paved, two-lane arterial street without sidewalks. City sanitary sewer and stormwater are located in Reserve B. City water is located in the North Hillside Avenue right-of-way. Wichita Transit does not provide service in this area.

CONFORMANCE TO PLANS/POLICIES:

The Community Investments Plan (the Wichita-Sedgwick County Comprehensive Plan): The 2035 Wichita Future Growth Concept Map, which outlines the preferred development pattern and land uses within the *Plan* area, identifies this subject site as appropriate for “New Residential” development. “New Residential” areas are those that “likely will be developed or redeveloped by 2035 with uses predominately found in the Residential category”, which includes duplexes.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be **APPROVED**. This recommendation is based on the following findings:

1. **The zoning, uses, and character of the neighborhood:** The area surrounding the property is generally developed with a mix of residential use types and densities. Reserve B contains the Middle Fork Chisholm Creek floodway and abuts the application area to the north. Properties north of Reserve B are zoned SF-20 Single-Family Residential District and are developed with large-lot single-family residences and accessory structures. South of the application area are the 19 lots zoned MF-18 Multi-Family Residential District. To the east is property zoned SF-20 Single-Family Residential District and developed as

agriculture. To the west, on the west side of North Hillside Avenue, are properties zoned SF-5 Single-Family Residential District and developed with single-family residences.

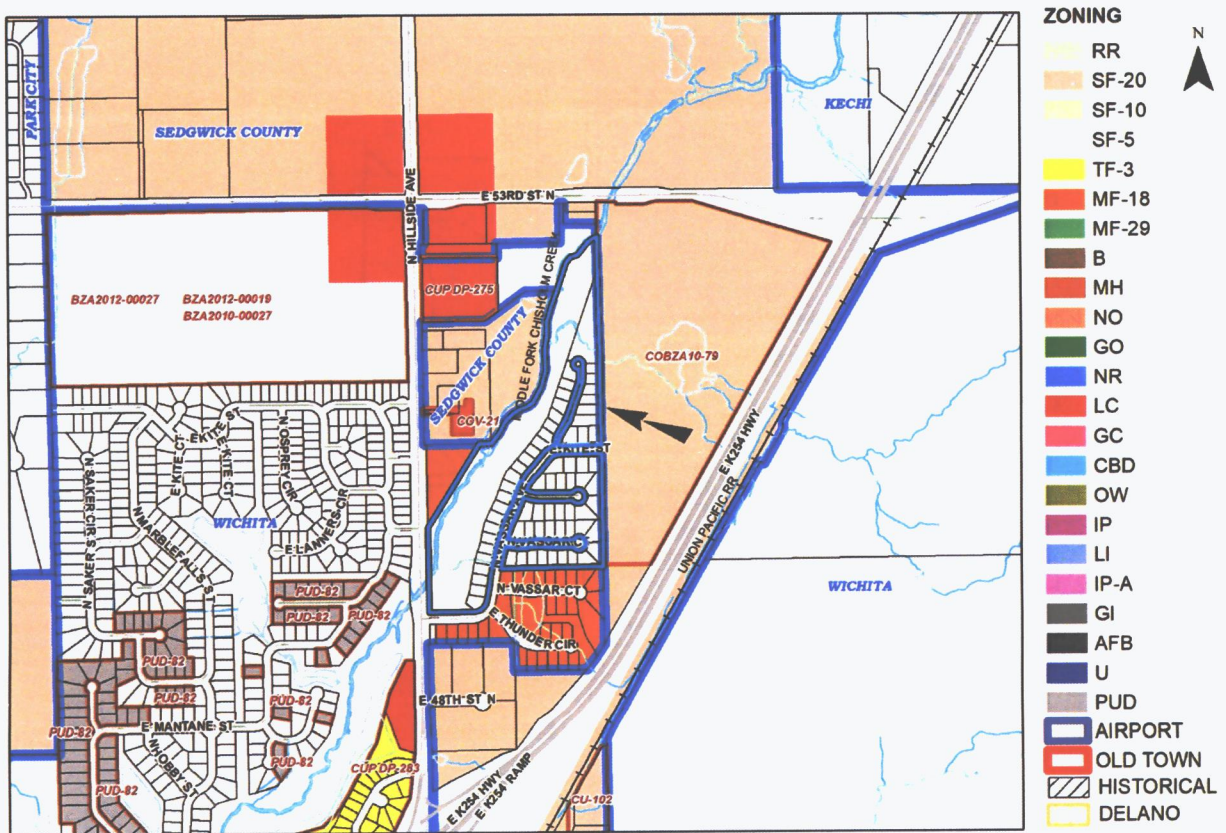
2. The suitability of the subject property for the uses to which it has been restricted: The subject property is zoned SF-5 Single-Family Residential District. The site could be developed with single-family residences.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: A change of zoning to TF-3 Two-Family Residential District would allow all uses permitted in the TF-3 District on this site. Approval of the request should not detrimentally impact nearby property owners as similar zoning and uses exist in the subject area.
4. Length of time subject property has remained vacant as zoned: The property has been vacant since platting.
5. Relative gain to the public health, safety, and welfare as compared to the loss in value or the hardship imposed upon the applicant: Approval of the request represents a gain to the public in that it contributes to supporting residential development in the area. Denial of the request could represent a loss in the use and enjoyment of the applicant's property.
6. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The request to rezone the property is in conformance with the *Community Investments Plan* as discussed in the staff report.
7. Impact of the proposed development on community facilities: It is not anticipated that approval of this request should generate any additional significant impacts on community facilities. Existing infrastructure at the site will accommodate the proposed use.
8. Opposition or support of neighborhood residents: At the time the staff report was prepared, staff has not received any comments from the public regarding the requested zone change.

Attachments: 1. Aerial Map, 2. Zoning Map, 3. Land Use Map, 4. Site Photos

Attachment 1. Aerial Map



Attachment 2. Zoning Map



Attachment 3. Land Use Map

