Wichita-Sedgwick County Metropolitan Area Planning Department

November 17, 2022

Joseph R. & Carol A. Betzen Revocable Trust
RR 2, Box 183AA
Derby, KS 67037

John F. & Barbara A. Betzen Living Trust
3646 S. Rock Rd.
Wichita, KS 67210

Jay W. Russell
PO Box 75337
Wichita, KS 67275

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

RE: ZON2022-00049: Zone change request in the County from SF-20 Single-Family Residential to TF-3 Two-Family Residential for the development of duplexes; generally located approximately a quarter-mile north of East 39th Street South and South Rock Road (3646 South Rock Road).

Dear Applicant;

At its regular meeting on **November 16, 2022**, the Sedgwick County Board of County Commissioners considered the above captioned request. The action of the BoCC 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,

for Eryn Ebach Freund
Associate Planner

Copies to: MABCD
James Howell, BOCC District V
Sedgwick County Public Works

Wichita-Sedgwick County Metropolitan Area Planning Department

October 7, 2022

Joseph R. & Carol A. Betzen Revocable Trust
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file copy

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Dear Applicant;

At its regular meeting on **October 6, 2022**, 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 County 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 **October 20, 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 County Clerk by **October 20, 2022 at 5:00 p.m.**

This application is scheduled for consideration by the Sedgwick County Board of County Commissioners on **November 16, 2022, beginning at 9:00 a.m.** The County Commission meeting will be held in the BOCC Meeting room on the third floor of 525 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,

Eryn Ebach Freund
Associate Planner

Copies to: MABCD
James Howell, BOCC District V
Sedgwick County Public Works

(150004) Published in The Ark Valley News on July 20 2023
RESOLUTION NO. 182-2022

A RESOLUTION CHANGING THE ZONING CLASSIFICATION FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY KANSAS, DECEMBER 12, 1984, AND SUBSEQUENTLY AMENDED.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS

SECTION I. That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section V-C of the Wichita Sedgwick County Unified Zoning Code, the zoning classification or district of the lands legally described hereby are changed as follows:

Case No. ZON2022-00049

Zone change request from SF-20 Single-Family Residential to TF-3 Two-Family Residential with Protective Overlay #399

Legally described as:
Zone Change from SF-20 to TF-3 with Protective Overlay #399 (58.24 Acres):

The South Half of the North Half of the North Half of the Southwest Quarter, Section 8, Township Twenty-Eight South, Range Two East of the 6th Principal Meridian, Sedgwick County, Kansas TOGETHER WITH the South Half of the North Half of the Southwest Quarter, Section 8, Township 28 South, Range Two East of the 6th Principal Meridian, Sedgwick County, Kansas.

Protective Overlay #399 shall hereby read as follows:

1. The publication of the zoning ordinance shall not occur until annexation in the City of Wichita has occurred.

SECTION II. That upon the taking effect of this Resolution, the notation of such zoning change shall be shown on the "Official Zoning District Map" on file in the office of the Planning Director of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption by the Governing Body and publication in the official county newspaper.

[Remainder of page intentionally left blank]

Commissioners present and voting were:

PETER F. MEITZNER	aye
SARAH LOPEZ	aye
DAVID T. DENNIS	aye
LACEY D. CRUSE	aye
JAMES M. HOWELL	aye

Dated this 16 day of November, 2022.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

KELLY B. ARNOLD, County Clerk

DAVID T. DENNIS, Chairman
Commissioner, Third District

SARAH LOPEZ, Chair Pro Tem
Commissioner, Second District

APPROVED AS TO FORM:

KIRK W. SPONSEL
Assistant County Counselor

PETER F. MEITZNER
Commissioner, First District

LACEY D. CRUSE
Commissioner, Fourth District

JAMES M. HOWELL
Commissioner, Fifth District

Affidavit of Publication

STATE OF KANSAS,
SEDGWICK COUNTY, ss.

Chris Strunk, being first duly sworn, deposes and says: That he is Publisher of The Ark Valley News, formerly The Valley Center Index, a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Sedgwick County Kansas, with a general paid circulation on a yearly basis in Sedgwick County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a weekly published at least weekly 50 times a year; has been so published continuously and uninterruptedly in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Valley Center in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive weeks, the first publication thereof being made as aforesaid on the 20th day of July, 2023, with subsequent publications being made on the following dates:

_____, 2023 _____, 2023

_____, 2023 _____, 2023

_____, 2023 _____, 2023

Chris Strunk

Subscribed and sworn to before me this 20th day of July, 2023.

Notary Public

My commission expires 4/24/24.

Additional copies $ _____

Printer's fee $ _____

LISA R STRUNK NOTARY PUBLIC COMMISSION EXPIRES 4/24/24 State of Kansas

Public notice

(Published in The Ark Valley News July 20, 2023.)

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SECTION III. That this Resolution shall take effect and be in force from and after its adoption by the Governing Body and publication in the official county newspaper.

Commissioners present and voting were:

PETER F. MEITZNER — Aye
SARAH LOPEZ — Aye
DAVID T. DENNIS — Aye
LACEY D. CRUSE — Aye
JAMES M. HOWELL — Aye

Dated this 16 day of November 2022

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

KELLY B. ARNOLD, County

DAVID T. DENNIS, Chairman
Commissioner, Third District

SARAH LOPEZ, Chair Pro Tem
Commissioner, Second District

PETER F. MEITZNER
Commissioner, First District

LACEY D. CRUSE
Commissioner, Fourth District

JAMES M. HOWELL
Commissioner, Fifth District

APPROVED AS TO FORM:

KIRK W. SPRINGEL
Assistant County Counselor

Public notice

(Published in The Ark Valley News Sept. 15, 2022.)

MAPC October 6, 2022
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, October 6, 2022, no earlier than 1:30 p.m.,** the Wichita Sedgwick County Metropolitan Area Planning Commission (Planning Commission) 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 Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202 (specified at the bottom of this notice). **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.**

CON2022-00036: Conditional Use request in the County to allow an "Event Center in the County" on property zoned SF-20 Rural Residential; generally located approximately 625 feet west of South Hydraulic Avenue and East 79th Street South.

VAC2022-00027: Request in the County to vacate a platted drainage easement and a drainage easement dedicated by separate instrument on RR Rural Residential zoned property; generally located midway between South 263rd and South 247th Streets West, south of US 54 on the west side of South Bonanza Circle.

ZON2022-00049: Zone change request in the County from SF-20 Single-Family Residential to TF-3 Two-Family Residential for the development of duplexes; generally located approximately a quarter-mile north of East 39th Street South and South Rock Road (3646 South Rock Road).

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor. 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 Ronald Reagan 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.
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Access Code: 651-544-141

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Dial in or type: 67.217.95.2 or inroomlink.goto.com
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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

...at the Ronald Reagan

Affidavit of Public

STATE OF KANSAS,
SEDGWICK COUNTY, ss.

Chris Strunk, being first duly sworn, de
says: That he is Publisher of The Ark Valle
formerly The Valley Center Index, a weekl
printed in the State of Kansas, and publish
general circulation in Sedgwick County Ka
general paid circulation on a yearly basis i
County, Kansas, and that said newspaper is
religious or fraternal publication.

Said newspaper is a weekly published a
ly 50 times a year; has been so published c
and uninterruptedly in said county and stat
of more than five years prior to the first pu
said notice; and has been admitted at the p
Valley Center in said County as second cla

That the attached notice is a true copy t
was published in the regular and entire issu
newspaper for 1 consecutive w
first publication thereof being made as afo
15th day of Septemb
with subsequent publications being made
following dates:

_____, 2022 _____

_____, 2022 _____

_____, 2022 _____

_____

Subscribed and sworn to before me this 1
of September, 2022.

_____
Notary Public

My commission expires _____

Additional copies

Printer's fee $

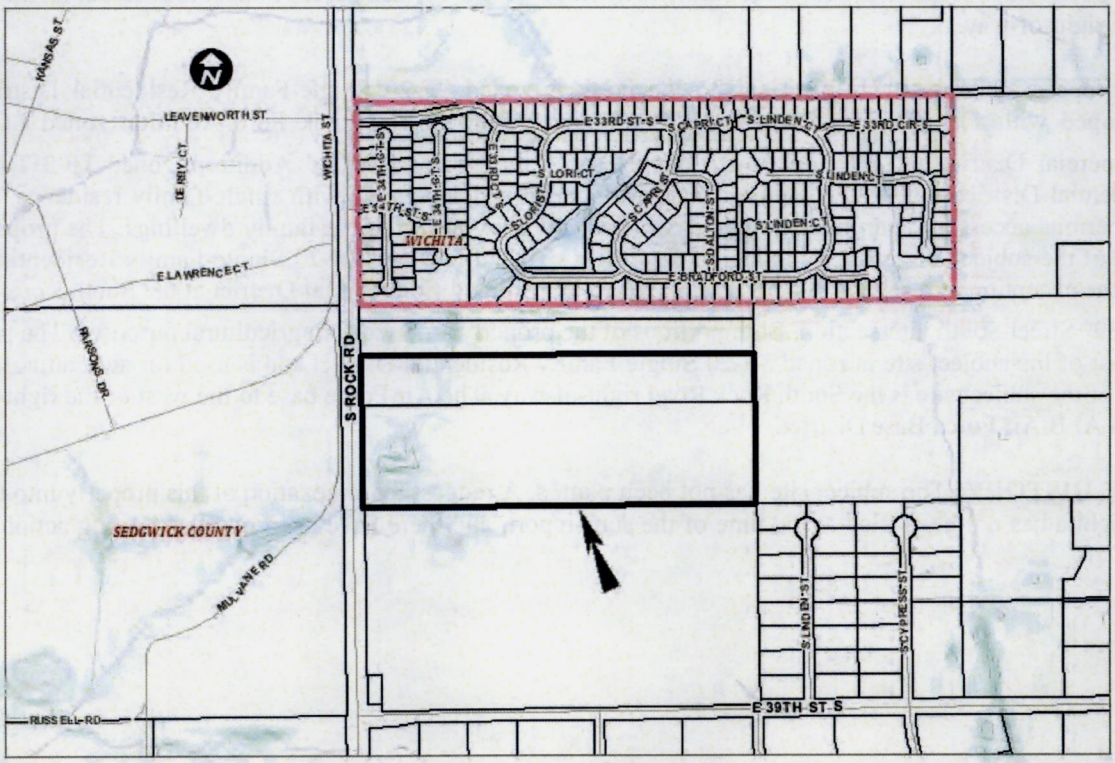
KANSAS NOTARY PUBLIC COMMISSION EXPIRES 4/24/2
State of Kan

WICHITA–SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 4.13

STAFF REPORT
MAPC-October 6, 2022
County District 5—No CAB.

CASE NUMBER:	ZON2022-00049 (County)
APPLICANT/AGENT	John and Barbara Betzen Living Trust (applicant)/ Baughman Company, P.A. (agent)/ Jay W. Russell (contract purchaser)
REQUEST:	TF-3 Two Family Residential District
CURRENT ZONING:	SF-20 Single-Family Residential District
SITE SIZE:	58.24 acres
LOCATION:	Generally located a quarter-mile north of East 39th Street South and South Rock Road (3646 South Rock Road).
PROPOSED USE:	Duplexes
RECOMMENDATION:	Approval, subject to Protective Overlay #399



BACKGROUND: The applicant is requesting a zone change from SF-20 Single-Family Residential District to TF-3 Two- Family Residential District for an approximately 58-acre, unplatted property generally located a quarter-mile north of East 39th Street South and on the east side of South Rock Road in unincorporated Sedgwick County (3646 South Rock Road). A single- family home is developed on the northwest corner of the property with access from North Rock Road and the remainder of the property is undeveloped.

The contract buyer intends to raze the existing single-family residence and accessory structures to develop 108 duplexes (216 dwelling units) on the site. A preliminary layout was submitted with this application, however, the final layout of lots and access will be determined at the time of platting. Should this request be approved, it is anticipated the contract buyer will petition the City of Wichita for island annexation. Island annexation occurs when there is a request to annex land not directly abutting or across from the city limits. The city limits of Wichita are within 350 feet north of the subject site. This type of annexation requires a resolution to be adopted by the Wichita City Council and final approval by the Sedgwick County Board of County Commissioners. Staff is recommending that if the zoning request is approved, that the publication of the ordinance (which perfects the zoning) be delayed until the annexation is considered.

One off-street parking space will be required per dwelling unit and all structures on the site would need to adhere to the following development standards for the TF-3 Two-Family Residential District:

- Setbacks:
  - Front: 25 feet
  - Rear: 20 feet
  - Interior Side: 6 feet, or 5 feet if the lot is under 6,000 square feet.
  - Street Side: 15 feet
- Minimum Lot Size (Duplex): 6,000 square feet
- Maximum Density: 14.5 dwelling units per acre
- Maximum Building Height: 35 feet.

The subject site is located just south of the Rocky Ford and Rock Ford 2nd Addition residential neighborhoods and abuts South Rock Road to the east. McConnell Air force Base is located across South Rock Road, on the west side of the right-of-way.

The property abutting the subject site to the north is zoned SF-20 Single-Family Residential District and is developed with a single-family residence. Continuing north, are the Rock Ford Addition zoned LC Limited Commercial District and developed with duplexes and the Rocky Ford 2nd Addition, zoned TF-3 Two-Family Residential District and PUD Planned Unit Development and developed with single-family residence. The PUD also permits accessory apartments to be constructed, ancillary to the single-family dwellings. The property to the south of the subject site is approximately 75-acres in size and is zoned SF-20 Single-Family Residential District, with the exception of a seven (7)-acre portion zoned LC Limited Commercial District at the South Rock Road and East 39th Street South intersection. Both portions of the property are used for agricultural purposes. The property to the east of the subject site is zoned SF-20 Single-Family Residential District and is used for agricultural purposes. West of the subject site is the South Rock Road right-of-way. The Air Force base to the west of the right-of-way is zoned AFB Air Force Base District.

CASE HISTORY: The subject site has not been platted. A request for annexation of this property into the City of Wichita has not been filed at the time of the staff report, and there have been no other zoning action on this site.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-20	Single-family residence
SOUTH:	SF-20 & LC	Agricultural
EAST:	SF-20	Agricultural
WEST:	AFB	Air Force Base

PUBLIC SERVICES: The site will have access to South Rock Road, a paved, four-lane arterial. No sidewalks currently serve the site. Municipal water and sewer are currently available, approximately 350 feet north of the site, serving the Rocky Ford Addition. The scale of the proposed duplex development will determine whether the infrastructure to the north can be extended to serve the property. The intended type of development on the site requires municipal services and building permits will not be granted until the site is adequately served. There are no Wichita Transit routes or bus stops in the vicinity.

CONFORMANCE TO PLANS/POLICIES: The request to rezone this property as TF-3 Two-Family Residential is found to be in conformance with the *Community Investments Plan.*

The Community Investments 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 development in the New Residential and Employment Mix, New Employment Growth, and New Residential Growth categories. The New Residential Growth category "encompasses areas that reflect the full diversity of residential development intensities and types typically found in a large urban municipality." The New Employment Growth category is defined as "areas that likely will be developed or redeveloped by 2035 with uses that constitute centers or concentrations of employment primarily in manufacturing, warehousing, distribution, construction, research, technology, business services, or corporate offices." However, the *Plan* states that land in the New Employment category located in proximity to existing residential uses is likely to be developed with "higher-density housing." The New Residential and Employment Mix category "encompasses areas of land that likely will be developed or redeveloped by 2035 with uses predominately of a mixed nature. Due to the proximity of higher intensity businesses uses, residential housing types within this area likely will be higher density."

RECOMMENDATION: Based on the information available at the time the staff report was prepared, it is recommended that the application for TF-3 Two-Family Residential District be **APPROVED, Subject to Protective Overlay #399**

Protective Overlay #399

1. The publication of the zoning ordinance shall not occur until annexation in the City of Wichita has occurred.

This recommendation is based on the following findings:

1. The zoning, uses, and character of the neighborhood: The property abutting the subject site to the north is zoned SF-20 Single-Family Residential District and is developed with a single-family residence. Continuing north, are the Rock Ford Addition zoned LC Limited Commercial District and developed with duplexes and the Rocky Ford 2nd Addition, zoned TF-3 Two-Family Residential District and PUD Planned Unit Development and developed with single-family residence. The PUD also permits accessory apartments to be constructed, ancillary to the single-family dwellings. The property to the south of the subject site is approximately 75-acres in size and is zoned SF-20 Single-Family Residential District, with the exception of a seven (7)-acre portion zoned LC Limited Commercial District at the South Rock Road and East 39th Street South intersection. Both portions of the property are used for agricultural purposes. The property to the east of the subject site is zoned SF-20 Single-Family Residential District and is used for agricultural purposes. West of the subject site is the South Rock Road right-of-way. The Air Force base to the west of the right-of-way is zoned AFB Air Force Base District.

2. The suitability of the subject property for the uses to which it has been restricted: The subject property is currently zoned SF-20 Single-Family Residential District and could be developed with single-family dwellings or a number of civic uses as defined by the UZC.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: The re-zoning of the parcel to TF-3 is not expected to detrimentally affect nearby properties. However, it would surround the two large-lot, SF-20 Single-Family Residential properties abutting the subject site to the north with suburban-scale development.

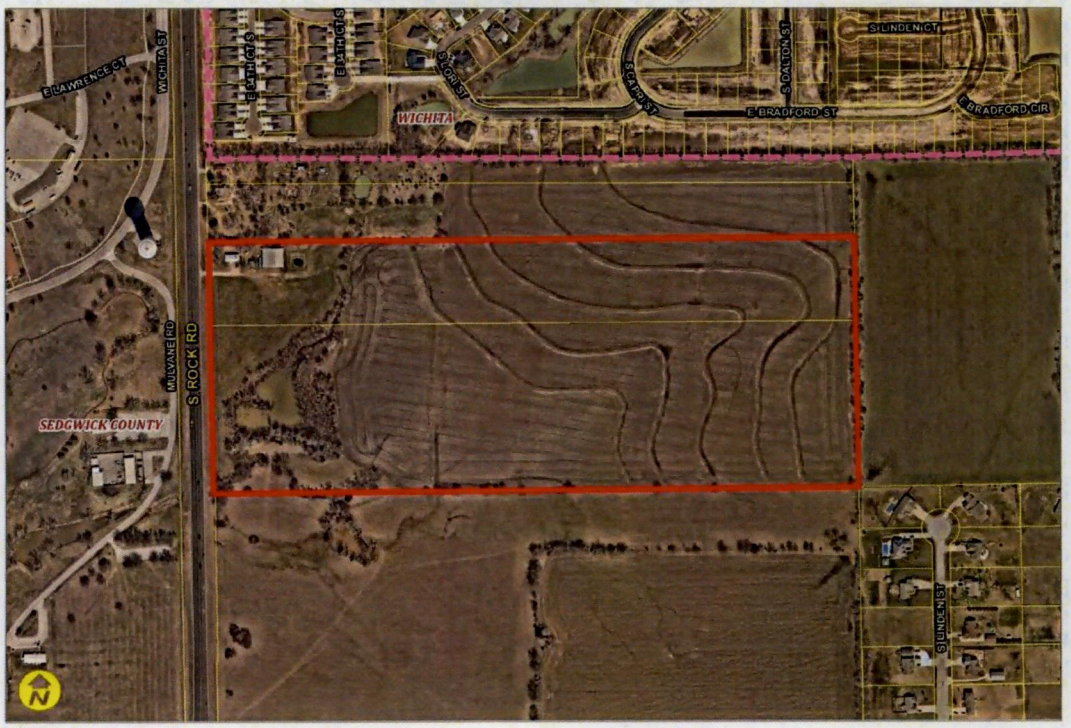
4. Length of time the property has remained vacant as currently zoned: The property is not currently vacant.

5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The request to rezone the property as TF-3 Two-Family Residential District aligns with the goals of the *Community Investments Plan* as discussed in the staff report.

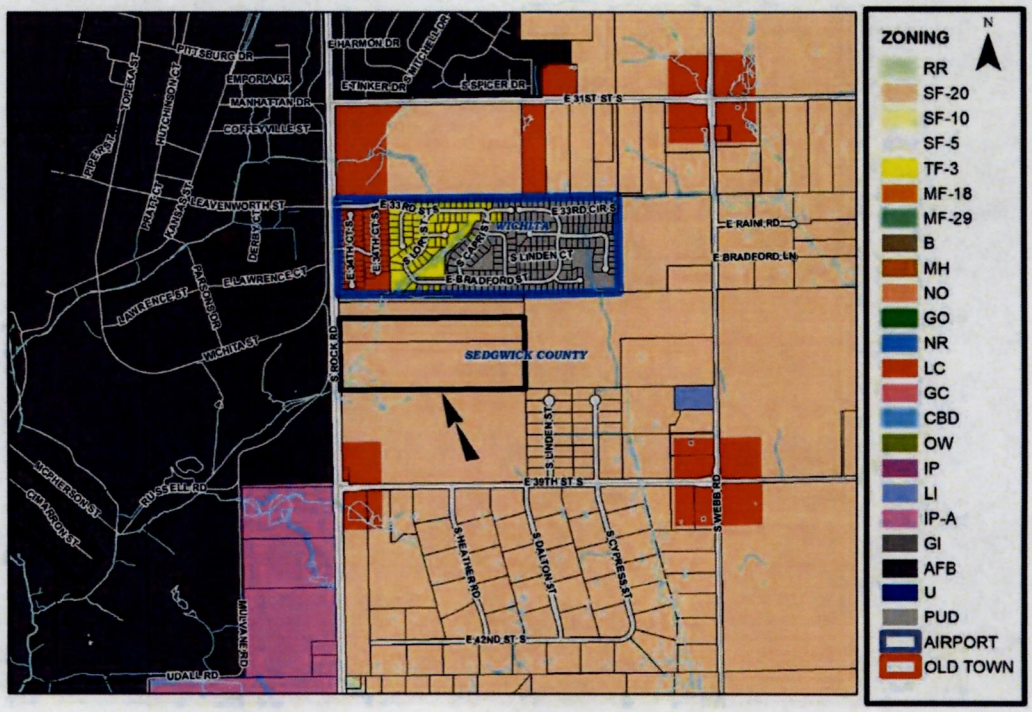
6. Impact of the proposed development on community facilities: All municipal services are required to be extended in order to support the intended development. The impact of adding additional municipal infrastructure would be reviewed by the Wichita Public Works Department during the annexation process. Costs associated with the expansion of municipal infrastructure generally would be the responsibility of the developer. It is also anticipated future development in this area will increase traffic on area roadways.

Staff Report Attachments: 1) Aerial Map, 2) Zoning Map, 3) Land Use Map, and 4) Photos

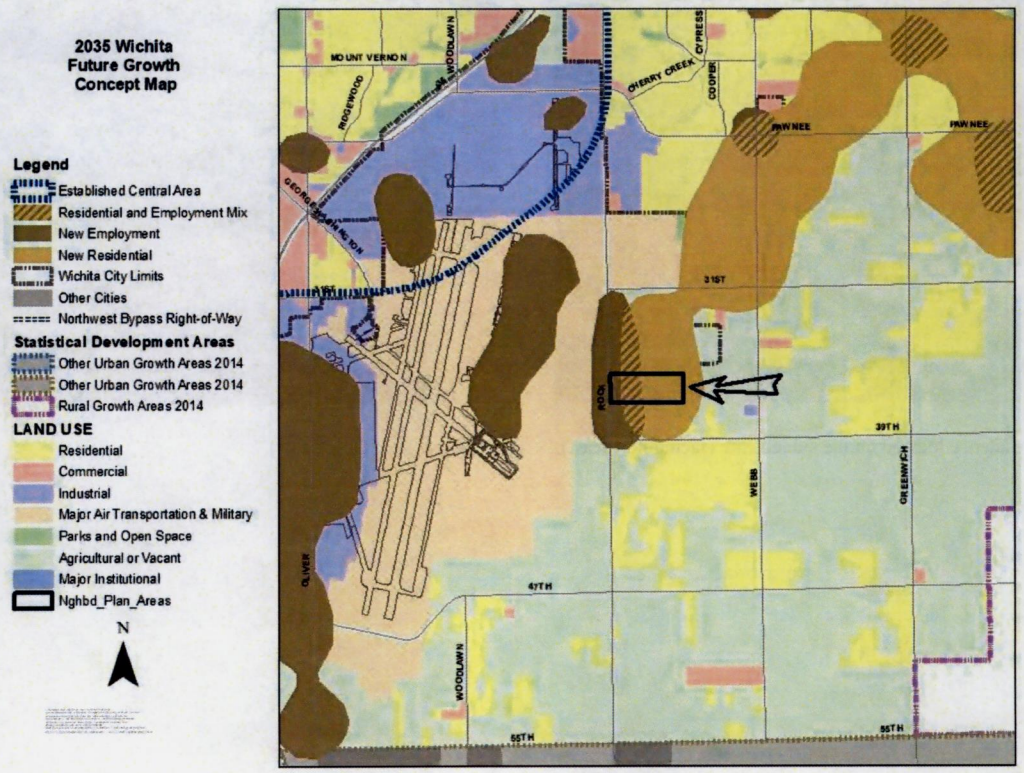
Attachment 1. Aerial Map



Attachment 2. Zoning Map



Attachment 3. Land Use Map





Single-family residence located on the subject site (facing northeast).



The subject site (facing east).



McConnell Air Force Base (facing west from the subject site).



SF-20 Single Family Residential properties north of the subject site (facing east).



Rocky Ford Addition north of the subject site (facing east).