



Wichita-Sedgwick County Metropolitan Area Planning Department

August 15, 2023

WebbPawn Development LLC
7540 West Northwind
Building 200
Wichita, KS 67205

Garver LLC
Attn: Chris Bohm
1995 Midfield Road
Wichita, KS 67209

RE: ZON2023-00038: Zone change request in the City from LC Limited Commercial and SF-5 Single-Family Residential to MF-18 Multi-Family Residential (17.7 acres) and TF-3 Two-Family Residential (61.6 acres) generally located on the east side of South Webb Road, within one-half mile south of East Pawnee Road.

Dear Applicants;

At its regular meeting on August 15, 2023, the Wichita City Council considered the above captioned request. The action of the WCC 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,

A handwritten signature in cursive script that reads 'Christina Rieth'.

Christina Rieth
Current Plans
Associate Planner

Copies to: Becky Tuttle, Council Member District II
Teresa Veazey, CSR, District II
MABCD



Wichita-Sedgwick County Metropolitan Area Planning Department

July 13, 2023

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Dear Applicant;

At its regular meeting on **July 13, 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 July 27, 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 **July 27, 2023 at 5:00 p.m.**

This application will be heard by the Wichita City Council on **Tuesday, August 15, 2023**, beginning at 9:00am at the Wichita City Council Chambers.

This is a reminder that development application 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
Current Plans
Associate Planner

Copies to: Becky Tuttle, Council Member District II
Teresa Veazey, CSR District II
MABCD
Garver LLC, attn: Chris Bohm, 1995 Midfield Road, Wichita, KS 67209

OCA 150004

PUBLISHED IN THE WICHITA EAGLE ON August 25, 2023
ORDINANCE NO. 52-254

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. ZON2023-00038

Zone change request in the City from LC Limited Commercial District and SF-5 Single-Family Residential District to MF-18 Multi-Family Residential District on property legally described as:

The North 850 feet of the West 900 feet of the West Half of the Northwest Quarter, Section 4, Township 28 South, Range 2 East of the 6th Principal Meridian, Sedgwick County, Kansas, excluding Right of Way.

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

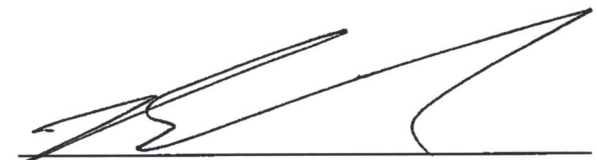
The West Half of the Northwest Quarter, except the North 850 feet of the West 900 feet thereof, Section 4, Township 28 South, Range 2 East of the 6th Principal Meridian, Sedgwick County, Kansas, excluding Right of Way.

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 left intentionally blank]

Adopted this 22nd day of August, 2023.

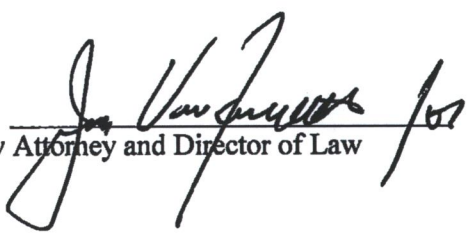

Brandon J. Whipple, Mayor, City of Wichita

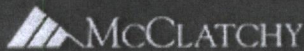
ATTEST:


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
32522	459156	Print Legal Ad-IPL01367280 - IPL0136728	52-254	\$65.41	1	78 L

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

LAlvarez@wichita.gov

LEGAL PUBLICATION
OCA 180004 PUBLISHED
IN THE WICHITA EAGLE ON
August 25, 2023
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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 22nd day of August 2023.

Brandon J. Whipple, Mayor, City of Wichita

ATTEST:
Jamie Buster, City Clerk
(SEAL)

Approved as to form:
Jennifer Magana, City Attorney and
Director of Law
IPL0136728
Aug 25 2023

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

1 insertion(s) published on:

08/25/23

STATE OF KANSAS)

SS

County of Sedgwick)

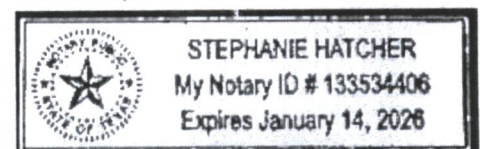
Hayley Martin, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper 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 08/25/2023 to 08/25/2023.

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

DATED: 08/25/2023

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!



STAFF REPORT
MAPC: July 13, 2023
DAB II: July 10, 2023

AGENDA ITEM NO. 4.8

CASE NUMBER: ZON2023-00038 (City)

APPLICANT/AGENT: WebbPawn Development LLC (Applicant)/Garver LLC (Agent)

REQUEST: MF-18 Multi-Family Residential District; TF-3 Two-Family Residential District

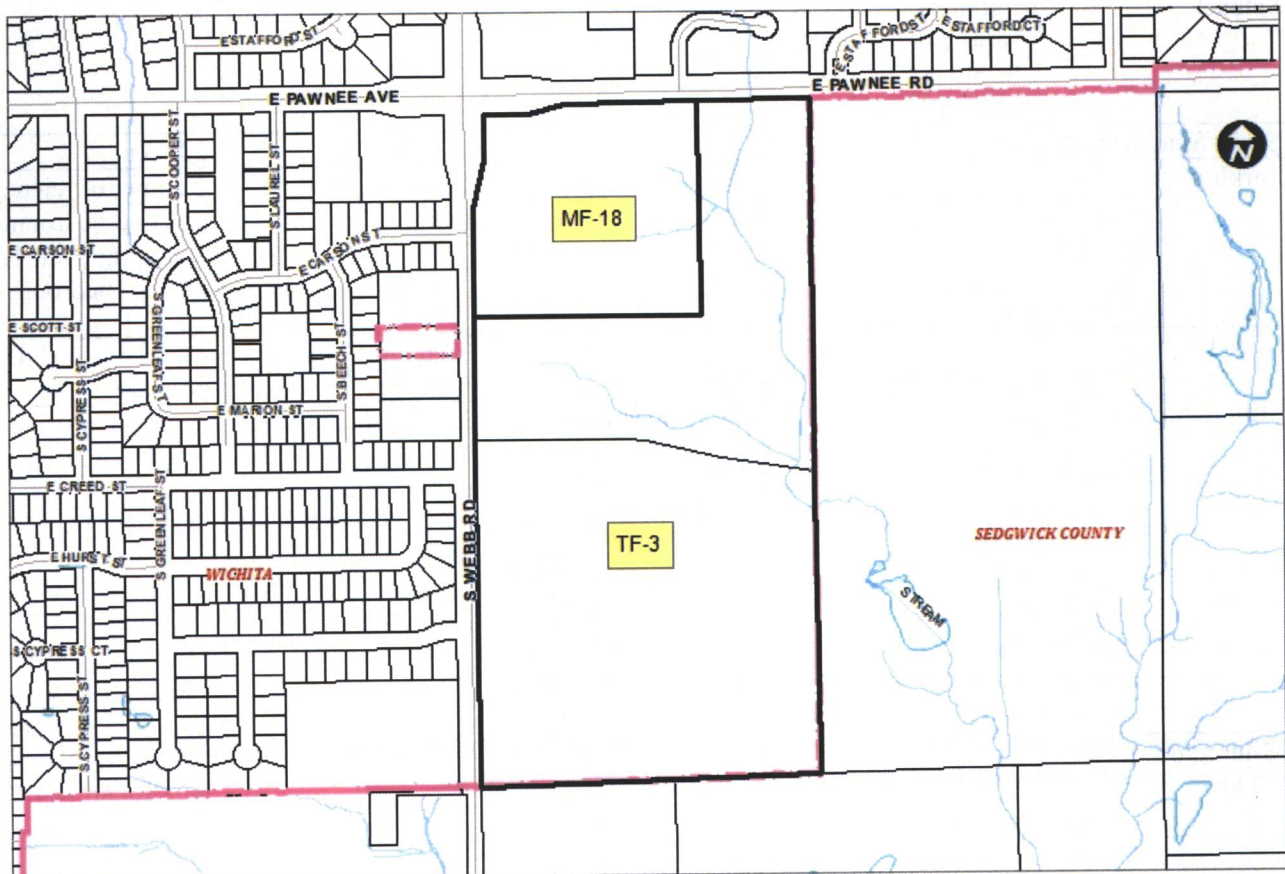
CURRENT ZONING: LC Limited Commercial District; SF-5 Single-Family Residential District

SITE SIZE: 79.3 acres

LOCATION: Generally located on the southeast corner of East Pawnee Road and South Webb Road (2502 South Webb Road).

PROPOSED USE: Residential development.

RECOMMENDATION: Approve.



BACKGROUND: The applicant is requesting a zone change from LC Limited Commercial District and SF-5 Single-Family Residential District to MF-18 Multi-Family Residential District and TF-3 Two-Family Residential District. The 79.3-acre property is generally located on the southeast corner of East Pawnee Road and South Webb Road (2502 South Webb Road). The subject site is currently in use as agricultural land.

The applicant requests to rezone 17.7 acres of the northwest corner of the subject site to MF-18 Multi-Family Residential District, which is currently zoned LC Limited Commercial District and SF-5 Single-Family Residential District. The applicant requests to rezone the remaining 61.6-acre portion of the subject site to TF-3 Two-Family Residential District. The applicant has indicated that the requested zone change is for residential development. Within one-half mile northwest of the subject site is MF-18 zoning, while the property immediately north of the subject site is developed with duplexes. Thus, multi-family and duplex development already exist in the area. Overall, the requested zone change will reduce the maximum building height, increase the setbacks, and reduce the minimum lot width. More information on development standards is found in the table below.

Development Standards	LC Limited Commercial District Standards	SF-5 Single-Family Residential District Standards	TF-3 Two-Family Residential District Standards	MF-18 Multi-Family Residential District Standards
Maximum Building Height	80 feet, plus two feet of additional height for each foot of Setback beyond the minimum required Setbacks	35 feet	35 feet	45 feet
Front Setback	20 feet	25 feet	25 feet	25 feet
Rear Setback	Ten feet	20 feet	20 feet	20 feet
Interior Side Setback	Zero feet, but if an interior side setback is provided it shall be at least five feet in width	Six feet	Six feet	Six feet
Street Side Setback	Ten feet	15 feet	15 feet	20 feet
Parking	Varies based on use	One per Dwelling Unit	One per Dwelling Unit	1.25 per efficiency and one-bedroom Dwelling Unit; 1.75 per two bedroom or larger Dwelling Unit
Density	75.1 Dwelling Units per acre	One Dwelling Unit per lot	Two Dwelling Units per lot	17.4 Dwelling Units per acre
Minimum Lot Area	2,500 square feet for Single-Family; 2,000 square feet per Dwelling Unit for Duplex; 580 square feet per Dwelling Unit for Multi-Family; no minimum for nonresidential uses	5,000 square feet	3,500 square feet for Single-Family; 3,000 square feet per Dwelling Unit for Duplex; 5,000 square feet for nonresidential uses	3,500 square feet for Single-Family; 3,000 square feet per Dwelling Unit for Duplex; 2,500 square feet per Dwelling Unit for Multi-Family; 5,000 square feet for nonresidential uses
Minimum Lot Width	No minimum	50 feet	35 feet	35 feet for Single-Family; 50 feet for all other uses

The character of the neighborhood is residential and undeveloped. Properties to the north are zoned LC Limited Commercial District. The western half of this property (north of the subject site) is undeveloped, while the eastern half is developed with duplexes and is subject to Protective Overlay #192. Property to the south is zoned SF-20 Single-Family Residential District, is in unincorporated Sedgwick County, and is owned by the applicant. This property is currently in use as agricultural land. Property to the east is zoned SF-20 Single-Family Residential District, is located in unincorporated Sedgwick County, and is in use as agricultural land. Properties to the west are zoned LC Limited Commercial District, SF-5 Single-Family Residential District, and SF-20 Single-Family Residential District. The SF-20 property is located in unincorporated Sedgwick County, while the LC and SF-5 properties are located within the City of Wichita. The LC property is undeveloped, and the SF-20 and SF-5 properties are developed with single-family dwellings.

CASE HISTORY: The subject site is currently unplatted. Platting will be required prior to the issuance of building permits. There are no zoning cases associated with this property.

ADJACENT ZONING AND LAND USE:

NORTH:	LC with PO #192	Undeveloped, duplexes
SOUTH:	SF-20	Agricultural land (Unincorporated Sedgwick County)
EAST:	SF-20	Agricultural land (Unincorporated Sedgwick County)
WEST:	LC, SF-5, SF-20	Single-family residences, undeveloped

PUBLIC SERVICES: The subject site currently has access to South Webb Road and East Pawnee Road, which are both two-lane arterial streets. South Webb Road has a partial sidewalk on the west side, while East Pawnee Road has no sidewalks. Municipal services, such as water, sanitary sewer and stormwater services will need to be extended prior to development on-site. Wichita Transit does not serve this area.

CONFORMANCE TO PLANS/POLICIES: The requested zone change is in conformance with the *Community Investments Plan*. The *Community Investments Plan* (the Wichita-Sedgwick County Comprehensive Plan), which includes the 2035 Future Growth Concept Map, recommends the subject site as primarily appropriate for both “New Residential” and “Residential and Employment Mix”. The *Plan* defines “New Residential” as “*areas of land that likely will be developed or redeveloped by 2035 with uses predominately found in the Residential category.*” Multi-family and duplex development are appropriate uses for this area.

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 character of the neighborhood is residential and undeveloped. Properties to the north are zoned LC Limited Commercial District. Properties to the north, across East Pawnee Road are zoned LC Limited Commercial. The western half of the property (north of the subject site) is undeveloped, while the eastern half is developed with duplexes and is subject to Protective Overlay #192. Property to the south is zoned SF-20 Single-Family Residential District, is in unincorporated Sedgwick County, and is owned by the applicant. This property is currently in use as agricultural land. Property to the east is zoned SF-20 Single-Family Residential District, is located in unincorporated Sedgwick County, and is in use as agricultural land. Properties to the west are zoned LC Limited Commercial District, SF-5 Single-Family Residential District, and SF-20 Single-Family Residential District. The SF-20 property is located in unincorporated Sedgwick County, while the LC and SF-5 properties are located within the City of Wichita. The LC property is undeveloped, and the SF-20 and SF-5 properties are developed with single-family dwellings.
2. **The suitability of the subject property for the uses to which it has been restricted:** The property is presently zoned LC Limited Commercial District and SF-5 Single-Family Residential District, which is suitable for a limited number of commercial, residential, public, and civic uses. Duplexes and multi-family residential are not allowed in SF-5 Single-Family Residential District zoning.

3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** Staff does not anticipate the removal of restrictions to detrimentally affect nearby property. There are multiple properties zoned TF-3 Two-Family Residential District and MF-18 Multi-Family Residential District to the west and north of the subject site. Therefore, duplexes and multi-family developments are not a new type of development to the area.
4. **Length of time subject property has remained vacant as zoned:** The subject site has been in use as agricultural land.
5. **Relative gain to public health, safety, and welfare as compared to the loss in value or the hardship imposed upon the applicant:** Approval would permit new development in an area on an undeveloped parcel that is also appropriate for such development. Denial may represent a loss of economic opportunity for the applicant.
6. **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.
7. **Impact of the proposed development on community facilities:** The Planning Department does not anticipate the requested zone change will have a significant impact on community facilities.
8. **Opposition or support of neighborhood residents:** At the time the staff report was prepared, staff received one phone call from the public that was curious about the development but was neither in support of nor in opposition to the requested zone change.

Staff Report Attachments:

1. Aerial Map
2. Zoning Map
3. Land Use Map
4. Site Plan
5. Site Photos



2035 Wichita Future Growth Concept Map

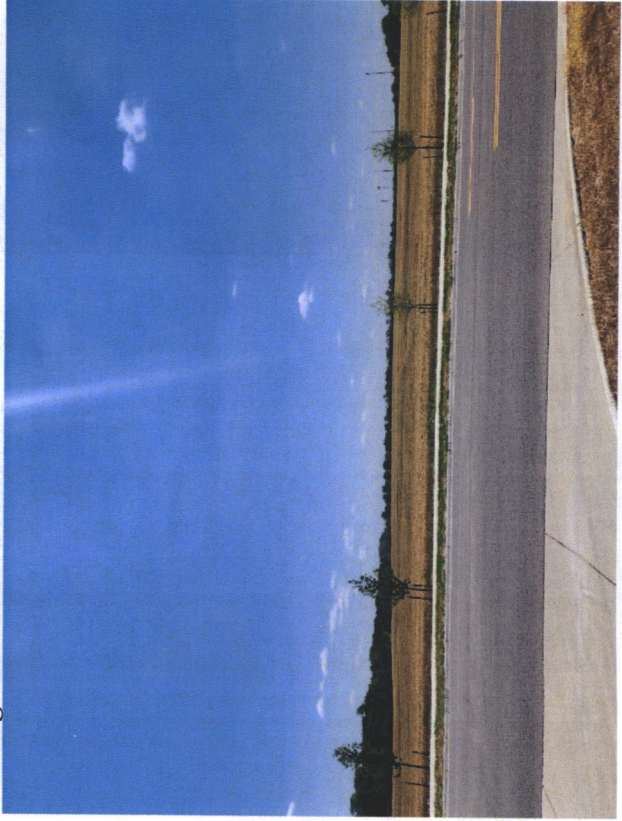
- Legend**
- Established Central Area
 - Residential and Employment Mix
 - New Employment
 - New Residential
 - Wichita City Limits
 - Other Cities
 - Northwest Bypass Right-of-Way
- Statistical Development Areas**
- Other Urban Growth Areas 2014
 - Other Urban Growth Areas 2014
 - Rural Growth Areas 2014
- LAND USE**
- Residential
 - Commercial
 - Industrial
 - Major Air Transportation & Military
 - Parks and Open Space
 - Agricultural or Vacant
 - Major Institutional
 - Nghbd_Plan_Areas



Looking east towards site



Looking south towards site



Looking west away from site



Looking north away from site

