Wichita-Sedgwick County Metropolitan Area Planning Department

February 23, 2022

Donald and Micki Albert
120 South 151st Street West
Goddard, KS 67052

Leslie and Vanessa Albert
14601 West Central Avenue
Wichita, KS 67235

Barbara and Erice Phillips
122 Cedar Grove
Pelham, AL 35124

Marline and Sharon Bruce
1930 North Topaz
Wichita, KS 67212

Ferris Consulting
Attn: Greg Ferris
PO Box 573
Wichita, KS 67201

RE: ZON2022-00069: Zone Change request in the County from SF-20 Single-Family Residential to TF-3 Two-Family Residential and MF-18 Multi-Family Residential for duplexes and multi-family residences; generally located on the northeast corner of North 135th Street West and West Central Avenue.

Dear Applicant;

At its regular meeting on **February 22, 2023**, the Sedgwick County Commission considered the above captioned request. The action of the Commission was to **APPROVE** a zone change from SF-20 Single-Family Residential to TF-3 Two-Family Residential with Protective Overlay #407.

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

Sincerely,

E. Ebach

Eryn Ebach
Associate Planner

Copies to: MABCD
David Dennis, BoCC District 3

Karl Soldatov
601 N. Jaax
Wichita, KS 67235

Clint & Tori Stevens
13608 W. Hardtner
Wichita, KS 67235

Lance and Sarah Jane Oldridge
1019 N. Firefly Cir.
Wichita, KS 67235

Ashley Smith
1345 M. Forrestview
Wichita, KS 67235

Donald Allen
514 N. Forrestview Ct.
Wichita, KS 67235

Jon and Susan Haney
1010 N. Liberty St. .
Wichita, KS 67235

Ricke and Mary Whiteside
1302 N. Hickory Creek Ct.
Wichita, KS 67235

Robert and Vivian Bribiesca
1365 N. Hickory Creek Ct.
Wichita, KS 67235

Derrel Bosley
12906 W. Harvest Ln.
Wichita, KS 67235

Linda L. Stamback
14302 W. Taylor Circle
Wichita, KS 67235

Craig and Connie Presley
13127 W. Harvest Ct.
Wichita, KS 67235

Gregg and Helen Gawlak
917 N. Firefly St.
Wichita, KS 67235

James and Dianna Grauerholz
705 N. Firefly St.
Wichita, KS 67235

John Shively
12913 W. Harvest Lane Ct.
Wichita, KS 67235

Denise Karst
12807 W. Harvest Lane Ct.
Wichita, KS 67235

Lori Marceau
431 N. 135th St. W.
Wichita, KS 67235

Shelley Morehead
1708 Lantern Ct.
Andover, KS 67002

Richard Roe
12921 W. Harvest Ct.
Wichita, KS 67235

Brian Bosh
914 N. Firefly
Wichita, KS 67235

Steven Harrell
1021 N. Cedar Park Circle
Wichita, KS 67235

Brian Sharping
921 N. Firefly St.
Wichita, KS 67235

Kimberly Gibson
13013 W. Harvest Lane
Wichita, KS 67235

Jennifer and Brady Scott
13021 W. Harvest Lane
Wichita, KS 67235

Sherrie Andersen
12811 Harvest Ln. Ct.
Wichita, KS 67235

Diann Hummelsheim
12614 Rolling Hills Circle
Wichita, KS 67235

Forrest Richardson
13014 W. Harvest Ln.
Wichita, KS 67235

Karla Woods
13914 W. Taylor Circle
Wichita, KS 67235

Keith Kerschen
735 N. Thornton St.
Wichita, KS 67235

Wichita-Sedgwick County Metropolitan Area Planning Department

January 6, 2023

Donald and Micki Albert
120 South 151st Street West
Goddard, KS 67052

Leslie and Vanessa Albert
14601 West Central Avenue
Wichita, KS 67235

Barbara and Erice Phillips
122 Cedar Grove
Pelham, AL 35124

Marline and Sharon Bruce
1930 North Topaz
Wichita, KS 67212

Ferris Consulting
Attn: Greg Ferris
PO Box 573
Wichita, KS 67201

RE: ZON2022-00069: Zone Change request in the County from SF-20 Single-Family Residential to TF-3 Two-Family Residential and MF-18 Multi-Family Residential for duplexes and multi-family residences; generally located on the northeast corner of North 135th Street West and West Central Avenue.

Dear Applicant;

At its regular meeting on **January 5, 2023**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** 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 January 19, 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 the valid protest area, and must be submitted to the County Clerk by **January 19, 2023 at 5:00 p.m.** The valid protest area for this application is unique in that it is bordered by land within the incorporated city limits of Wichita. Kansas State Statute states that the valid protest area for zoning applications in the unincorporated portion of a county is 1,000 feet unless, within the 1,000 feet, it intersects the boundary of a city. Once it intersects the boundary of a city, the valid protest area proceeds 200 feet into that city.

Any person wishing to submit a protest can do so whether or not their property is within the valid protest area. All protests are documented and a map of all protests received is presented to the Board of County Commissioners. Protest received within the valid protest area have the opportunity to increase the number of votes required by the Board of County Commissioners to approve the zoning request. If 20 percent of the land area within the valid protest area protests an application, the Board of County Commissioners is required to have a 3/4 majority vote (or 4 of 5 votes) in order to approve the request.

This application is scheduled for consideration by the Board of County Commissioners on **Wednesday, February 15, 2023, beginning at 9:00 a.m.** The County Commission meeting will be held in the Ruffin Auditorium, 100 N. Broadway, Lower Level, Wichita, Kansas.

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,

E. Ebach

Eryn Ebach
Associate Planner

Copies to: MABCD
David Dennis, BoCC District 3

Karl Soldatov
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Diann Hummelsheim
12614 Rolling Hills Circle
Wichita, KS 67235

Forrest Richardson
13014 W. Harvest Ln.
Wichita, KS 67235

Karla Woods
13914 W. Taylor Circle
Wichita, KS 67235

(150004) Published in The Ark Valley News on March 9, 2023

RESOLUTION NO. 031-2023

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.

WHEREAS, Donald and Micki Albert, Leslie and Venessa Albert, Barbara and Eric Phillips, and Bruce Family Revocable Trust (Applicants), pursuant to Section V-C of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), request a zoning classification change from SF-20 Single-Family Residential to TF-3 Two-Family Residential for the property generally located on the northeast corner of West Central Avenue and North 135th Street West; and

WHEREAS, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission (herein referred to as MAPC) has been given; and

WHEREAS, the MAPC did, at the meeting of January 5, 2023, consider said application; and

WHEREAS, pursuant to K.S.A. 19-757, the Board of County Commissioners has authority to change zoning classifications.

NOW, THEREFORE, 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. ZON2022-00069

Zone change request from SF-20 Single-Family Residential to TF-3 Two-Family, subject to Protective Overlay #407 Legally described as:

All of the Southwest Quarter of Section 13, Township 27 South, Range 2 West of the 6th Principal Meridian, Wichita, Sedgwick County Kansas, EXCEPT the North 150.00 feet of said Southwest Quarter, also EXCEPT the East 150.00 feet of said Southwest Quarter, also EXCEPT the South 150.00 feet of said Southwest Quarter.

Protective Overlay #407:

- Development of the approximately 133-acre area zoned TF-3 Two-Family Residential District shall be limited to a maximum of 300 lots or 600 dwelling units.

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.

Commissioners present and voting were:

PETER F. MEITZNER	aye
SARAH LOPEZ	aye
DAVID T. DENNIS	recused
RYAN K. BATY	aye
JAMES M. HOWELL	aye

Dated this 1 day of March, 2023.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

KELLY B. ARNOLD, County Clerk

CLERK OF SEDGWICK COUNTY SEDGWICK COUNTY KANSAS KANSAS

PETER F. MEITZNER, Chairman
Commissioner, First District

JAMES M. HOWELL, Chair Pro Tem
Commissioner, Fifth District

APPROVED AS TO FORM:

KIRK W. SPONSEL
Assistant County Counselor

SARAH LOPEZ
Commissioner, Second District

Recused
DAVID T. DENNIS
Commissioner, Third District

RYAN K. BATY
Commissioner, Fourth District

Affidavit of Publication

STATE OF KANSAS

Public notice

(Published In The Ark Valley News March 9, 2023. Subsequently published on March 16, 2023.)

RESOLUTION NO. 031-2023

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.

WHEREAS, Donald and Micki Albert, Leslie and Venessa Albert, Barbara and Erice Phillips, and Bruce Family Revocable Trust (Applicants), pursuant to Section V-C of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requests a zoning classification change for the property generally located on the northeast corner of West Central Avenue and North 135th Street West; and

WHEREAS, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission (hereinafter referred to as MAPC) has been given; and

WHEREAS, the MAPC did, at the meeting of January 5, 2023, consider said application; and

WHEREAS, on January 18, 2023, Agent amended the application for the zoning classification of the entire application property to become TF-3 (a lesser change than originally requested) and include a protective overlay; and

WHEREAS, pursuant to K.S.A. 19-757, the Board of County Commissioners has authority to change zoning classifications.

NOW, THEREFORE, 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. ZON2022-00069

Zone change request from SF-20 Single-Family Residential to TF-3 Two-Family Residential on property legally described as follows:

All of the Southwest Quarter of Section 13, Township 27 South, Range 2 West, of the 6th Principal Meridian, Wichita, Sedgwick County, Kansas, EXCEPT the North 150.00 feet of said Southwest Quarter, also EXCEPT the East 150.00 feet of said Southwest Quarter, also EXCEPT the South 150.00 feet of said Southwest Quarter.

Subject to Protective Overlay #407 as follows:

1. A protective overlay on the approximately 133 acres rezoned to TF-3 units that limits the density of the TF-3 zoned property to 300 lots or 600 dwelling units. This overlay does not apply to any part of the parcel if that part of the property is developed as single-family units. The underlying zoning of the single-family zoning will be used for the density of any area developed as single family.

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.

Commissioners present and voting were:

Commissioners present and voting were:

PETER F. MEITZNER — aye
SARAH LOPEZ — aye
DAVID T. DENNIS — recused
RYAN K. BATY — aye
JAMES M. HOWELL — aye

Dated this 1 day of March, 2023

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:
KELLY B. ARNOLD, County Clerk

PETER F. MEITZNER, Chair
Commissioner, First District

JAMES M. HOWELL, Chair Pro Tem
Commissioner, Fifth District

APPROVED AS TO FORM:
KIRK W. SPONSEL
Assistant County Counselor

SARAH LOPEZ
Commissioner, Second District

Recused
DAVID T. DENNIS
Commissioner, Third District

RYAN K. BATY
Commissioner, Fourth District

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My commission expires

Additional copies

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NOTARY PUBLIC COMMISSION EXPIRES 4/24/24 State of Kansas



Public notice

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

MAPC January 5, 2022
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, January 5, 2023, no earlier than 1:30 p.m.**, the Wichita Sedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held 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 Wichita Sedgwick County Metropolitan Area Planning Department at (316) 268 4421.**

ZON2022-00069: Zone Change request in the County from SF-20 Single-Family Residential to TF-3 Two-Family Residential and MF-18 Multi-Family Residential for duplexes and multi-family residences; generally located on the northeast corner of North 135th Street West and West Central Avenue.

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.

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

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

Access Code: 651-544-141

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

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

Attend In-Person
You may also participate in the hearing in-person at the 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 (316-268 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 Wadle**
271 W. 3rd Street – Suite 201
Wichita, KS 67202
Phone 316.268.4421
Fax 316.858.7764

WITNESS MY HAND on December 15, 2022
Scott Wadle, Secretary
Wichita Sedgwick County Metropolitan Area Planning Commission

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 15th day of December, 2022, with subsequent publications being made on the following dates:

_____, 2022 _____, 2022

_____, 2022 _____, 2022

_____, 2022 _____, 2022

Chris Strunk

Subscribed and sworn to before me this 15th day of December, 2022.

Lisa K Strunk

Notary Public

My commission expires 4/24/24.

Additional copies $ _____

Printer's fee $ _____

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

WICHITA—SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 4.11

STAFF REPORT
MAPC: January 5, 2023
CAB III: January 9, 2023

CASE NUMBER: ZON2022-00069 (County)

APPLICANT/AGENT: Donald and Micki Albert, Leslie and Venessa Albert, Barbara and Erice Phillips, and Bruce Family Revocable Trust (Applicants)/ Ferris Consulting (Agent)

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

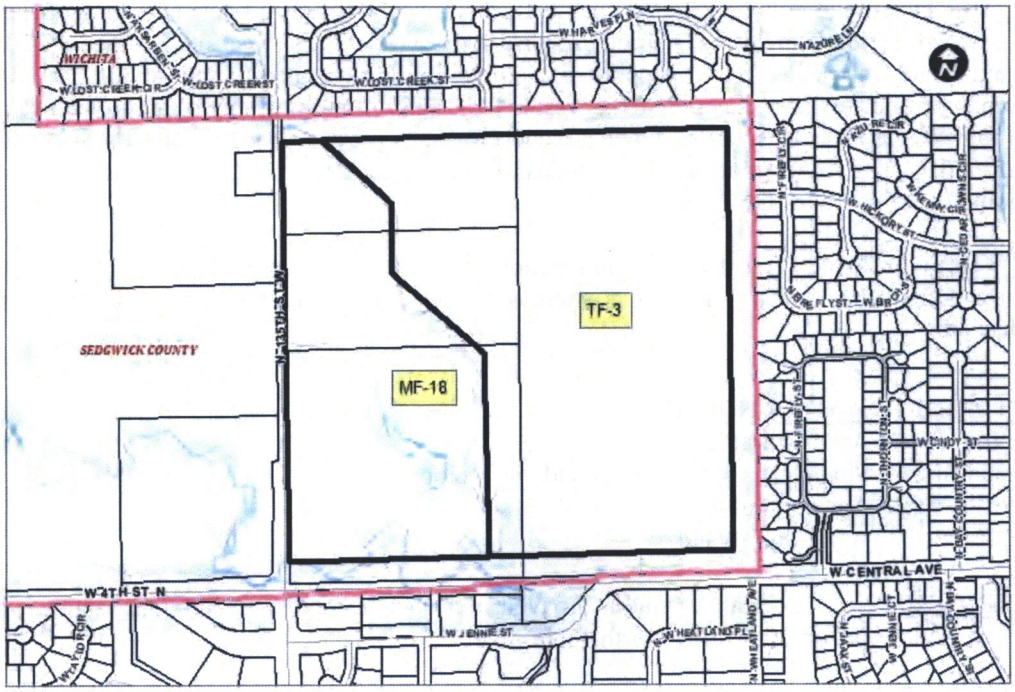
CURRENT ZONING: SF-20 Single-Family Residential District

SITE SIZE: 133.2 acres

LOCATION: Generally located on the northeast corner of West Central Avenue and North 135th Street West.

PROPOSED USE: Two-Family and Multi-Family Development

RECOMMENDATION: Approval



BACKGROUND: The applicant is requesting to rezone a 133.2-acre portion of property totaling 156 acres from SF-20 Single-Family Residential District to TF-3 Two-Family Residential District and MF-18 Multi-Family Residential District for duplex and multi-family development.

The application area covers the quarter section in the northeast corner of the West Central Avenue and North 135th Street West intersection, with the exception of a 26-acre buffer on the north, south, and east sides of the property (See attachment 2, Applicant's Exhibit). A single-family residence and agricultural structure are located within the SF-20 Single-Family Residential buffer along the southern edge of the quarter section. The subject property is currently located in unincorporated Sedgwick County, and the applicant plans to request annexation into the City of Wichita. Upon approval of the annexation, the SF-20 Single-Family Residential District perimeter will become the SF-5 Single-Family Residential District. The depth of the SF-5 Single-Family Residential District area would permit one row of single-family homes to act as a buffer between the TF-3 Two-Family Residential District and the abutting single-family development.

As proposed, the MF-18 Multi-Family Residential District zoning would apply to the 47-acres abutting North 135th Street West and the TF-3 Two-Family Residential zoning would cover the northeast 86.2-acres abutting the SF-20 buffer. The MF-18 Multi-Family Residential District permits 17.4 dwelling units per acre, while the TF-3 Two-Family Residential District allows a maximum of 14.5 dwelling units per acre. A reserve containing the floodplain will bisect the property, providing a natural buffer and transition between the zoning districts.

Off-street parking for Multi-Family dwellings will be required at a rate of 1.25 stalls per one-bedroom or efficiency dwelling unit and 1.75 stalls per two bedroom or larger dwelling unit. Duplexes will be required to have one off-street parking stall per dwelling unit.

Article IV.B.2 of the UZC requires solid screening when multi-family uses are developed abutting or across from residential zoning districts. This would require the applicant to provide solid screening along all sides of the MF-18 Multi-Family Residential District property.

The quarter sections to the north, south, and east of the subject site are primarily zoned SF-5 Single-Family Residential and are developed with suburban-scale residential development within the city limits of Wichita. A small portion of the quarter section to the east is zoned MF-18 Multi-Family Residential District and is developed with single-family residences, and an undeveloped one-acre property south of the subject site on the southeast corner of intersection is zoned GO General Office District. Property to the west of the subject site is zoned SF-20 Single-Family Residential and is undeveloped with the exception of a single-family residence and agricultural accessory structures. An application to rezone the quarter section to the west to PUD #107 permitting single-family, two-family, and multi-family development was recently submitted with a request to annex the property into the City of Wichita (PUD2022-00022/A2022-00014).The Annexation will be perfected on January 3rd. The zone change will go to the Wichita City Council pending the approval of the annexation.

CASE HISTORY: In 2010, a 120-foot communications tower was approved on the northeast corner of the quarter section (CON2010-00039). The subject site has not been platted and there have been no other zoning actions on this site.

ADJACENT ZONING AND LAND USE

North:	SF-20	Agricultural land
South:	NO and SF-5	Single-family residences and undeveloped land
East:	SF-20	Agricultural land
West:	SF-20	Agricultural land

PUBLIC SERVICES: West Central Avenue is a paved four-lane arterial east of its intersection with North 135th Street West, with sidewalks on both sides. North 135th Street West is a paved two-lane arterial, with four lanes at the

intersection.

The existing arterial sidewalk system does not extend north to serve the full subject site. Primary access to the land in the PUD will be determined at the time of platting. Wichita Transit does not provide regular bus service to this location. Municipal water and sewer are available in the area, but will need to be extended throughout the site, at the applicant's expense, as development occurs.

CONFORMANCE TO PLANS/POLICIES: The proposed rezoning to TF-3 Two-Family Residential and MF-18 Multi-Family Residential is in conformance the *Community Investment Plan.*

The *Community Investments Plan* (the Wichita-Sedgwick County Comprehensive Plan) includes the 2035 Wichita Future Growth Concept Map. The Map identifies the area in which the site is located to be primarily appropriate for "New Residential" and "Residential and Employment Mix."

The northern portion of the site is designated as "New Residential," defined as land that will likely be developed with uses predominantly found in the Residential category. The Residential category provides opportunity for a variety of housing types including duplexes and multi-family residences as proposed by the applicant. The southern portion of the site is designated as a "Residential and Employment Mix" area, defined as those likely to be developed with uses of a mixed nature. Areas labeled as "Residential and Employment Mix" can be developed with higher density residential uses when located near commercial or other higher intensity uses. The site's proximity to the GO General Office District zoning to its south and LC Limited Commercial District zoning to its southwest make the proposed multi-family development appropriate for the southwest portion of the quarter section.

Additionally, the *Community Investments Plan* provides Locational Guidelines to serve as a framework for future land use decisions. Locational Guidelines encourage a development pattern which buffers higher-intensity uses from those of a lesser-intensity, specifically lower-density residential development. In this case, the uses permitted in the MF-18 Multi-Family Residential District would be buffered from those in the TF-3 Two-Family Residential District by the floodplain reserve bisecting the property. Maintaining the SF-20 Single-Family Residential District zoning along the north, south and east perimeter of the quarter section has a similar effect, providing a transition in density from the two-family residential uses to the abutting lower-density residential development.

RECOMMENDATION: Based on the information available at the time of the public hearing, staff recommends **APPROVAL** of the application.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** The quarter sections to the north, south, and east of the subject site are primarily zoned SF-5 Single-Family Residential and are developed with suburban-scale residential development within the city limits of Wichita. A small portion of the quarter section to the east is zoned MF-18 Multi-Family Residential District and is developed with single-family residences, and an undeveloped one-acre property south of the subject site on the southeast corner of intersection is zoned GO General Office District. Property to the west of the subject site is zoned SF-20 Single-Family Residential and is undeveloped with the exception of a single-family residence and agricultural accessory structures.

2. **The suitability of the subject property for the uses to which it has been restricted:** The property is currently zoned SF-20 Single-Family Residential which would permit low-density single-family dwellings and compatible public and civic uses. The rezoning of the property to TF-3 Two-Family Residential District and MF-18 Multi-Family Residential District would permit single-family, two-family, and multi-family uses on the site.

3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** The proposed zone change would permit a higher density residential development than the existing single-family development to

the north, south and east. However, maintaining the SF-20 Single-Family Residential Zoning along the perimeter of the site would buffer the two-family and multi-family development from abutting single-family uses.

4. **Length of time the property has been vacant as currently zoned:** This quarter section has never been developed, with the exception of a single-family home along its south line.

5. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The proposed zone change is in conformance with the *Community Investments Plan* as discussed in the staff report.

6. **Impact of the proposed development on community facilities**: The proposed residential development will require expansion of city water and sewer facilities. It will generate more traffic along West Central Avenue and North 135th Street West. Any requirements regarding community facilities and improvements to the existing street network to accommodate this new development will be determined at the time of platting.

Attachments:
1. Applicant's Correspondence
2. Aerial Map
3. Zoning Map
4. Land Use Map
5. Site Pictures

FERRIS CONSULTING
PO BOX 573 WICHITA, KS 67201
PHONE 316-516-0808 EMAIL ferrisco@aol.com

November 22, 2022

Scott Wadle, Director
Metropolitan Area Planning Department
271 W. 3rd St., 2nd Floor
Wichita, KS 67202

RE: Rezoning in the County the Northeast corner of N.135th St. W. and W. Central Ave. from SF-20 to TF-3 and MF-18.

Dear Scott:

The corner of 135th St. and Central is comprised of four lots in the County. This parcel has remained as agricultural use while the property around it has been developed. The owners of the property would like to develop this property.

The property is comprised of approximately 156 acres. However, the rezoning request is only for 130 acres of this property. This is to leave a single-family buffer of 26 acres around the sides of the property that abut existing single family uses. The request is to rezone 86 acres to TF-3 and 44 acres to MF-18.

The MF18 will be located along 135th Street. This is buffered from the existing single-family uses by the existing single-family and the new two-family zoning. The floodplain that runs through the property will create a natural buffer between the MF-18 and TF-3 zoning. The property will have approximately four to five units per acre in the TF-3 zoning and approximately twelve units per acre in the MF-18.

The request complies with the review criteria set out in the Zoning Code as follows:

- The zoning, uses, and character of the neighborhood; The area is a mix of single family, limited commercial, and office zoning. The area consists primarily of single family uses. There is significant vacant ground to the west that is zoned SF-20, but likely will be rezoned in the future.

- **The suitability of the subject property for the uses to which it has been restricted;** The property has been used as a farm for many decades. It is a large tract with a large portion in the floodway. Developing the entire tract as single family is not likely with the existing market.

- **The extent to which removal of the restrictions will detrimentally affect nearby property;** The entire parcel will remain residential. The area adjacent to the existing single family will remain single family. The two family homes will not impact the existing area as it will be set apart from the existing zoning. Because

the site will be developed residential and have single family all around the property, there will be no detrimental impact on the nearby properties.

- **The length of time the subject property has remained vacant as zoned;** The property has been vacant for decades.

- **The relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant;** Affordable housing is a major issue in Wichita/Sedgwick County. This area is also in the normal growth pattern of Wichita. Rezoning it to allow development will make the development pattern more natural. The rezoning is necessary to develop this much acreage. It would place a substantial loss in value if this development could not go forward.

- **The conformance of the requested change to the adopted or recognized comprehensive plan or other plans or policies being utilized by the City or County;** The Comprehensive Plan shows this area to be residential. No commercial zoning is proposed. The rezoning to other residential zoning classifications is in conformance with the Plan.

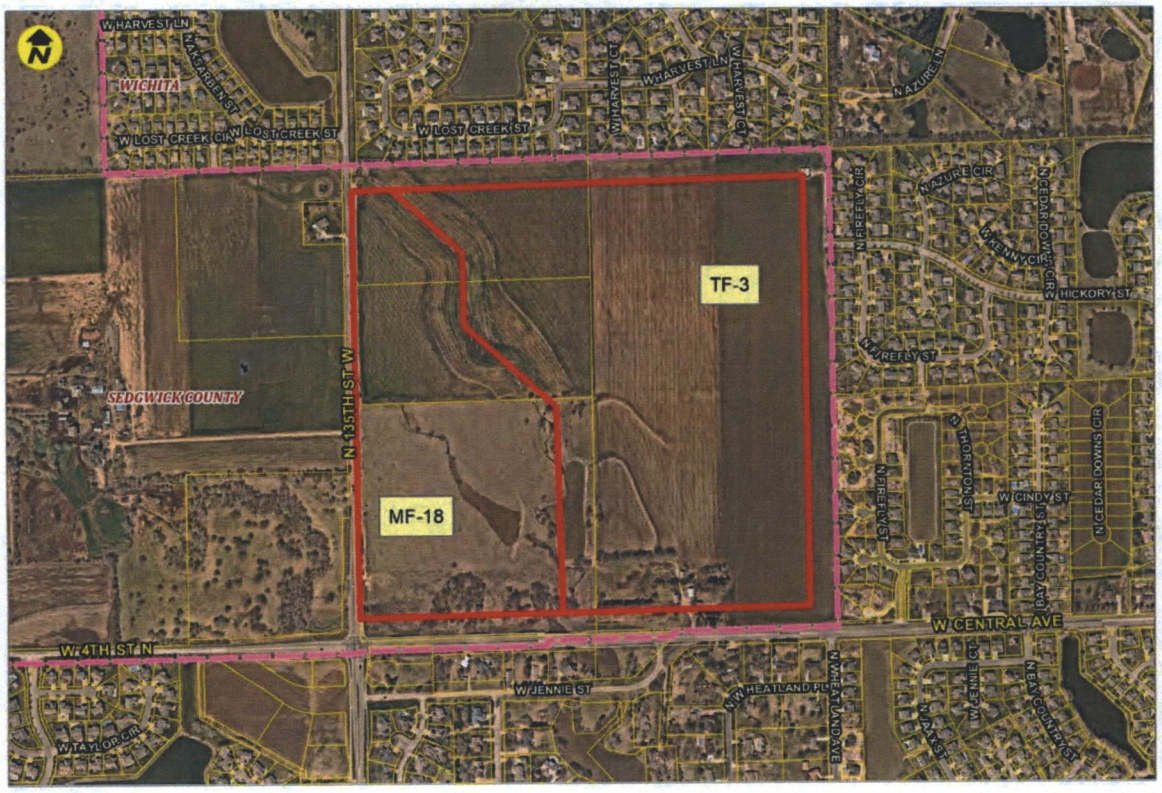
- **Impact of the proposed development on community facilities;** The area is in the normal grown pattern of the community. There is adequate water and sewer in the area or development. Central Avenue is a major arterial for the City and County. 135th St. is a paved arterial. There is no commercial proposed. Going from the single family to two family zoning will have minimum impact. Therefore, there will be no negative impact on community facilities.

This request complies with the requirements of the Zoning Code for rezoning. Please let me know if you have any questions.

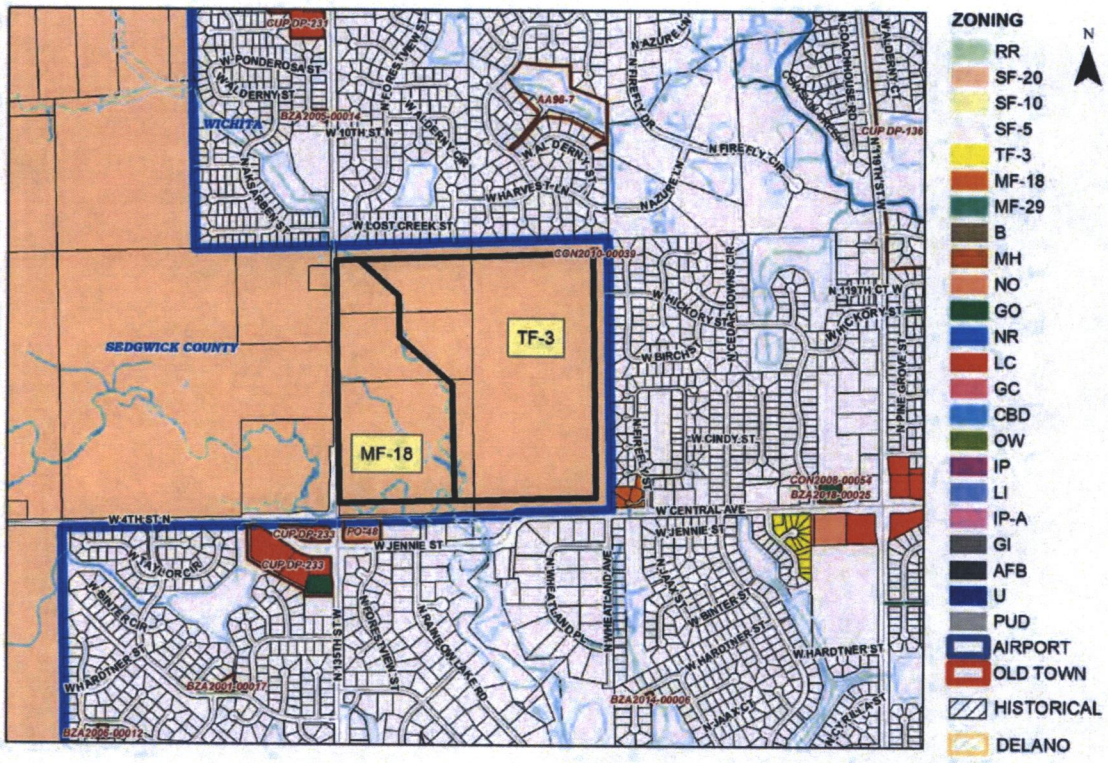
Sincerely,

Gregory Ferris

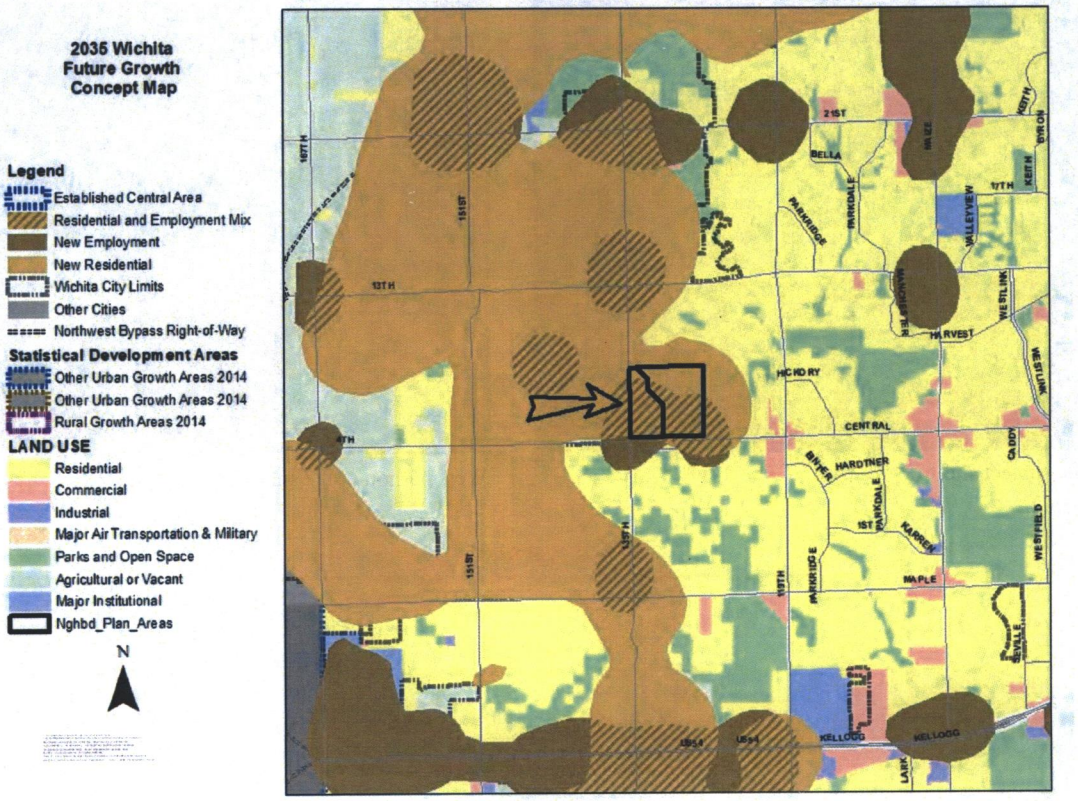
Attachment 2. Aerial Map



Attachment 3. Zoning Map



Attachment 4. Land Use Map



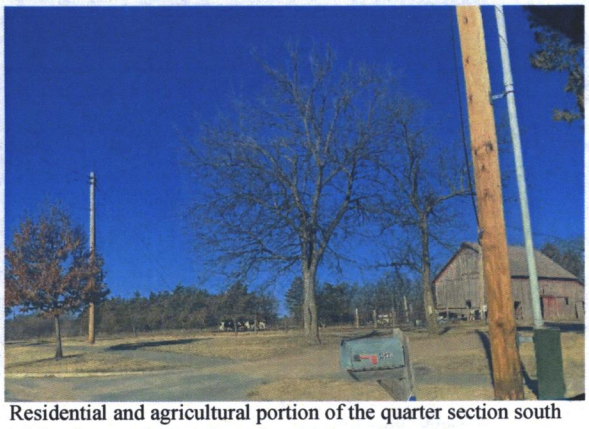
Attachment 5. Site Photos



East portion of the subject site.



West portion of the subject site.



Residential and agricultural portion of the quarter section south of the requested zone change.



Subdivision north of the subject site (facing northeast).



Copper Gate Estates Subdivision northwest of the subject site.



South of the subject site.



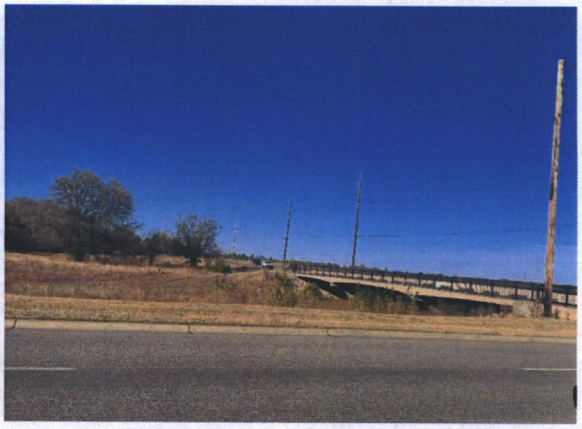
South of the subject site.



Southwest of the subject site.



East of the subject site (facing northeast).



West of the subject site, west of the intersection (facing north).