



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

December 18, 2023

Michael Todd
M2 Property Investments, LLC
802 North Ridge Road
Wichita, KS 67212

RE: ZON2023-000059 – Zone Change request in the City from TF-3 Two-family Residential to MF-29 Multi-family Residential to allow a multi-family duplex development, generally located two blocks west of South Meridian and one-quarter mile south of West McCormick Avenue.

Dear Applicant;

At its regular meeting on **December 12, 2023**, the Wichita City Council considered the above captioned request. The action of the WCC was to **APPROVE** the request.

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'B. Eatherly'.

Brad Eatherly
Current Plans
Senior Planner

CC: Jeff Blubaugh, Council Member District IV
Brooke Kauchak, CSR, District IV
MABCD



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

Michael Todd
M2 Property Investments, LLC
802 North Ridge Road
Wichita, KS 67212

November 13, 2023

RE: ZON2023-000059 – Zone Change request in the City from TF-3 Two-family Residential to MF-29 Multi-family Residential to allow a multi-family duplex development, generally located two blocks west of South Meridian and one-quarter mile south of West McCormick Avenue.

Dear applicant,

At its regular meeting on **November 9, 2023**, the Wichita-Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** the request to change zoning from TF-3 Two-family Residential to MF-29 Multi-family residential to allow a multi-family duplex development.

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 November 23, 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 **November 23, 2023, at 5:00 p.m.**

This application was heard by the District Advisory Board (DAB) IV on **Monday, November 6, 2023** beginning at 6:30 p.m. at the Alford Branch Library (3447 South Meridian). For more information on this meeting, please contact Community Services Representative for District IV, Brooke Kauchak at (316) 268-4197 or bkauchak@wichita.gov. This application will be presented to the Wichita City Council on **Tuesday, December 12, 2023** beginning at 9:00 a.m.

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 316-268-4421.

Sincerely,

Brad Eatherly
Current Plans
Senior Planner

cc: Jeff Blubaugh, Council Member District IV
Brooke Kauchak, CSR, District IV
MABCD

(Published in the Wichita Eagle, Dec. 22, 2023)

ORDINANCE NO. 52-308

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. ZON2023-00059

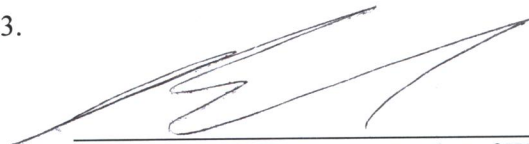
City zone change from TF-3 Two-Family Residential District to MF-29 Multi-Family Residential District on property described as:

Lots 11, 12, 13, 14, 15, 16, 17, 18 & ½ vacated alley on the West, Georgetown Addition, Sedgwick County, Kansas.

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

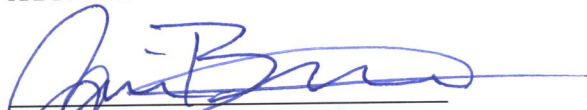
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

Adopted this 19th day of December, 2023.



Brandon J. Whipple, Mayor, City of Wichita

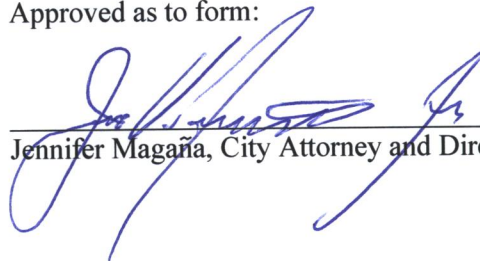
ATTEST:



Jamie Buster, City Clerk
(SEAL)



Approved as to form:



Jennifer Magaña, City Attorney and Director of Law

McClatchy

The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer

Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald

The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
32522	502327	Print Legal Ad-IPL01526510 - IPL0152651	ORD#52-308	\$51.33	1	61 L

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

JMBuster@wichita.gov

OCA 150004
(Published in the Wichita Eagle,
December 22, 2023)
ORDINANCE NO. 52-308

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. ZON2023-00059

City zone change from TF-3 Two-Family Residential District to MF-29 Multi-Family Residential District on property described as:

Lots 11, 12, 13, 14, 15, 16, 17, 18 & vacated alley on the West, Georgetown Addition, Sedgwick County, Kansas.

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

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

Adopted this 19th day of December 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

IPL0152651

Dec 22 2023

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

1 insertion(s) published on:

12/22/23

STATE OF KANSAS)

SS

County of Sedgwick)

Stefani Beard, 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 12/22/2023 to 12/22/2023.

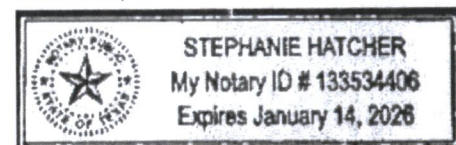
Stefani Beard

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

DATED: 12/28/2023

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
16399	479165	Print Legal Ad-IPL01439210 - IPL0143921	OCA 150004-MAPC/BZA	\$154.35	2	92 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 October 19, 2023
(One Time Only)
MAPC/BZA November 9, 2023
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, November 9, 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 in person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation is encouraged (see instructions below). Virtual participation is not available. 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.

BZA2023-00028: Reconsideration of 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).

BZA2023-00058: Variance request in the City to allow a sign to extend over the sidewalk and be less than 10 feet above the sidewalk, located on the southwest corner of South Broadway at East English Street (303 South Broadway).

CUP2023-00033: CUP minor amendment in the City to amend the proposed uses of subject parcel to include "Vehicle and Equipment Sales" to allow the rental of moving trucks from self-storage facility, located approximately 875 feet west of North Maize Road, on West 21st Street North (10625 West 21st Street North).

VAC2023-00042: Vacation request in the City to vacate a drainage easement to allow for proposed site and building improvements on property zoned LC Limited Commercial, generally located on the northeast corner of East Harry Street and South Oliver Avenue.

ZON2023-00058: Zone change request in the City from SF-5 Single Family Residential to GC General Commercial for a restaurant located on the east side of South Ridge Road and within one block south of West Telt (526 South Ridge Road).

ZON2023-00059: Zone change request in the City from TF-3 to MF-29 to allow for multiple duplexes, generally located two blocks west of South Meridian and one-quarter mile south of West Kellogg (1021 South Edwards).

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 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) Attend In-person at the Ronald Reagan Building
- 2) Submit comments ahead of time

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) - 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. Planning Departments staff make efforts to share all comments, but may not be able to share those received after the deadlines below. Please be sure to provide ample time for delivery.

Written Comments
Written comments should be submitted by 5 pm the day before the meeting.
Video and Audio Comments
Comments in video or audio message (mp3, etc.) formats should be submitted at least 3 days prior to the MAPC meeting. The comments should indicate which item they pertain to and be less than three (3) minutes in duration.

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
Option to View Remotely (Not Participate)

The meeting will be streamed live and recorded. Virtual comment is not available. To view the live stream or recording, follow the link: <https://www.wichita.gov/planning>

WITNESS MY HAND on October 19, 2023

Scott Wadle, Secretary
Wichita-Sedgwick County
Metropolitan Area Planning Commission
PL0143921
Oct 19 2023

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

1 insertion(s) published on:

10/19/23

STATE OF KANSAS)

SS

County of Sedgwick)

Stefani Beard, 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 10/19/2023 to 10/19/2023.

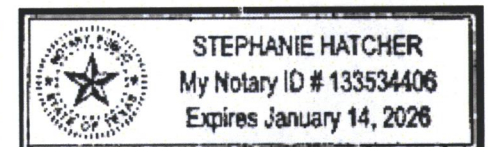
Stefani Beard

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

DATED: 10/19/2023

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: November 9, 2023
DAB IV: November 6, 2023

CASE NUMBER: ZON2023-00059 (City)

APPLICANT/AGENT: Michael Todd, M2 Property Investments, LLC (Applicant)

REQUEST: MF-29 Multi-Family Residential District

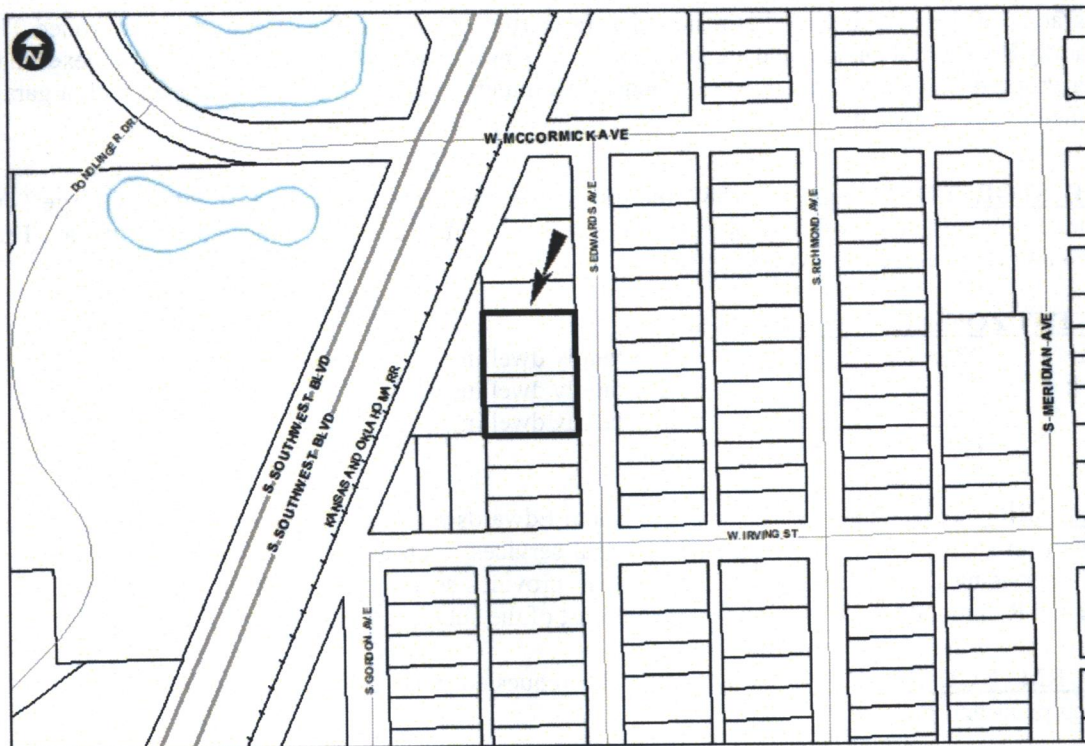
CURRENT ZONING: TF-3 Two-Family Residential District

SITE SIZE: 1.05 acres

LOCATION: Generally located two blocks west of South Meridian and one-quarter mile south of West McCormick Avenue.

PROPOSED USE: Multi-family development

RECOMMENDATION: Approve.



BACKGROUND: The applicant is requesting a zone change from TF-3 Two-Family Residential District to MF-29 Multi-Family Residential District for multi-family development. The subject site is 1.05 acres in size and is generally located two blocks west of South Meridian and one-quarter mile south of West McCormick Avenue. The parcel is developed with a Single-family Residence

The MF-29 Multi-Family Residential District accommodates moderate-density residential development, including single-family, two-family, and multi-family residences at a maximum density of 29 dwelling units per acre. The applicant's provided site plan indicates they intend to develop six duplexes (twelve dwelling units) on the site, which conforms to the Unified Zoning Code (UZC).

According to the site plan, the applicant will build three duplexes on the northern third and three duplexes on the southern third of the subject site. A 60-foot wide drive/parking area is proposed to be placed in the middle third of the subject site. The off-street parking schedule in Article IV-A of the UZC requires 1.25 parking stalls per efficiency and one bedroom dwelling unit and 1.75 parking stalls per two bedroom or larger unit. The site plan provided by the applicant does not show a parking plan. The applicant will be required to submit a parking plan prior to the issuance of a building permit.

The preliminary site plan does not illustrate the required landscaping. The applicant will be required to submit a landscape plan prior to the issuance of building permits. Because the property abuts two-family residential zoning on the north and south property lines, the applicant is required to plant one shade tree (or two ornamental trees) per 40 lineal feet of property per the Wichita Landscape Ordinance. Additionally, because the property adjacent on the east side of South Edwards is zoned TF-3 Two-Family Residential District, the site is required to have a landscape street yard with parking lot screening.

Section IV-B.2 of the UZC requires screening of multi-family uses when abutting or across a street or alley from property zoned TF-3 or more restrictive. Should this request be approved, applicable screening and landscape buffering will be required along the north and south property lines. Additionally, the compatibility height standards limit the proposed development to 35 feet.

The character of the neighborhood is residential. Properties to the north, east and south are zoned TF-3 Two-Family Residential District and are developed with single-family dwellings with a few duplexes in the vicinity. Property to the west is zoned GC General Commercial District and is developed with a garage, also owned by the applicant.

CASE HISTORY: On February 27, 1887, the subject site was platted as Lots 11-18, of the George Town Addition. The western edge of the subject site is the eastern half of a formerly vacated right-of way. There are no zoning cases associated with this property.

ADJACENT ZONING AND LAND USE:

NORTH:	TF-3	Single-family dwelling
SOUTH:	TF-3	Single-family dwelling
EAST:	TF-3	Single-family dwellings
WEST:	GC	Vacant

PUBLIC SERVICES: This site has access to South Edwards Avenue, which is a paved, two-way local street with no sidewalks on either sides. Municipal services, such as water, stormwater, and sewer are currently servicing the subject site. Wichita Transit provides service at the corner of West McCormick Avenue and Richmond Street, which is one block east of the subject site.

CONFORMANCE TO PLANS/POLICIES: The requested zone change is in conformance with the following plans and policies:

Community Investments Plan: The requested zone change is in conformance with the *Community Investments Plan*. The *Plan*'s 2035 Wichita Future Growth Concept Map, which outlines the preferred development pattern and land uses within the *Plan* area, identifies the subject site as appropriate for "Residential" development and use. "Residential" areas should "reflect the full diversity of residential development densities and types typically found in a large urban municipality." Adding six duplex residences to the neighborhood would increase the diversity of residential types and densities in the area, adhering to this component of the *Plan*.

The subject site and surrounding area are located within the Established Central Area (ECA) of the City. Locational guidelines for the ECA encourage infill development where public investment in existing and planned infrastructure can be maximized. Additionally, the *Plan* recommends infill development occur when the scale and intensity is compatible with existing uses. The proposed MF-29 Multi-Family Residential District zoning and duplex development are of a scale and intensity compatible with the surrounding neighborhood. The subject site is in the vicinity of duplex development to the north and south. Another parcel zoned MF-29 Multi-family Residential is located at its closest point approximately 30 feet to the west of the subject site. Thus, the requested zone change is consistent with the development in the area.

Wichita: Places for People Plan: The subject area is identified as an "Area of Opportunity" by the *Wichita: Places for People Plan*. Areas of Opportunity are defined as "areas that generally exhibit economic challenges, a disconnected development pattern and a lack of walkable places and facilities. These areas need strategic investment, both public and private, to assist in redefining and reinvigorating the area." Small-scale infill development, like the requested multi-family residential use, can be supported by the current market of the area, and build market support for larger development projects in the future. Additionally, the subject site is very near the intersection of West Kellogg Drive and South Southwest Boulevard, an area designated as a "Community Core." According to the *Places for People Plan*, the scale of development can increase in size within a Community Core while maintaining much of the same offerings of goods and services as a Neighborhood Hub. The population needed to support the center is 50,000 or more people. The multi-family residential use proposed will help increase the residential density needed to support this Community Core.

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:

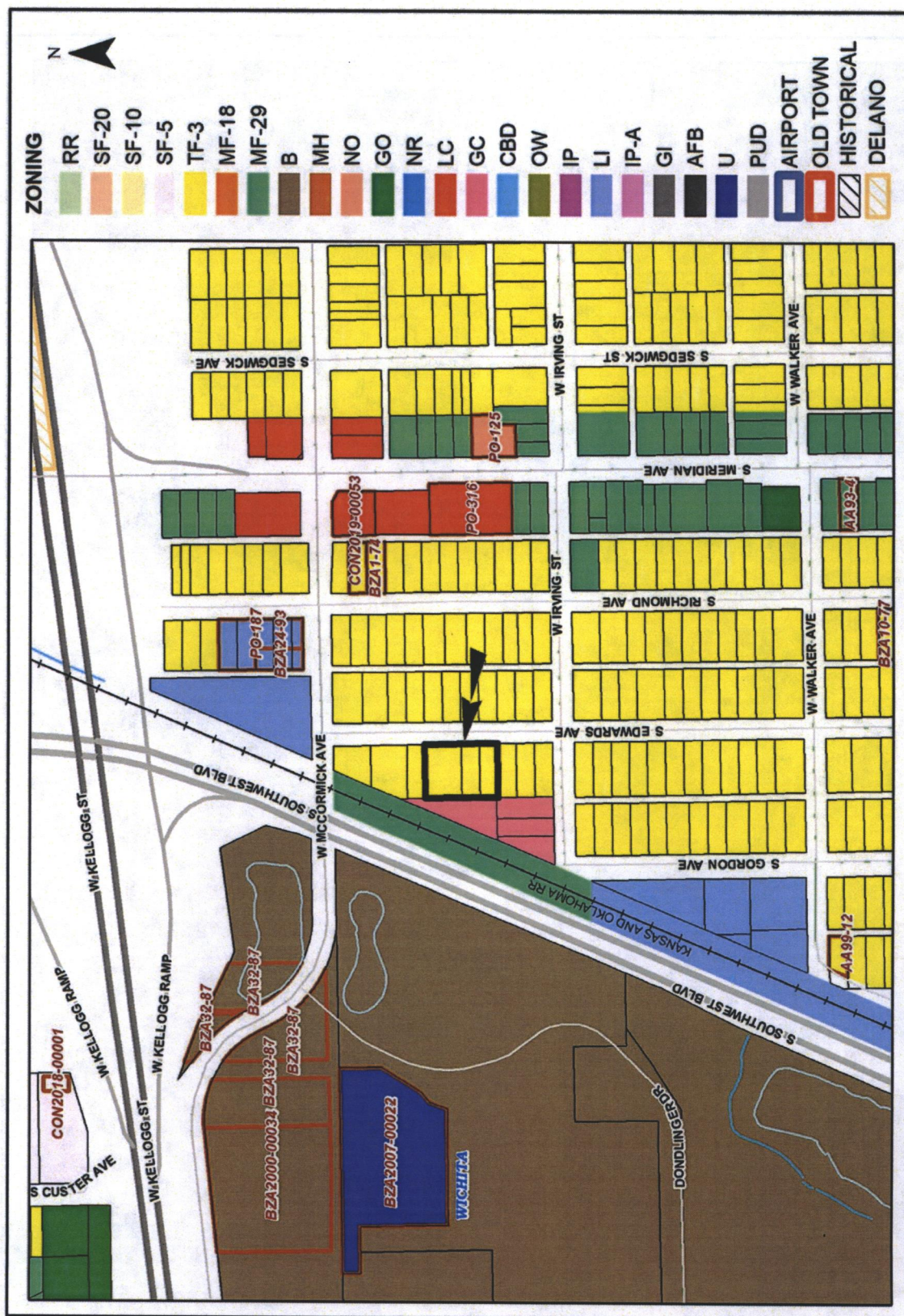
1. The zoning, uses, and character of the neighborhood: The character of the neighborhood is residential. Properties to the north, east and south are zoned TF-3 Two-Family Residential District and are developed with single-family dwellings with a few duplexes nearby. Property to the west is zoned GC General Commercial District and is developed with a garage.
2. The suitability of the subject property for the uses to which it has been restricted: The subject property is zoned TF-3 Two-Family Residential District and is suitable to be developed with a single-family residence or a duplex.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval of the request would allow all uses permitted in the MF-29 Multi-Family Residential District on the site. The applicant intends to develop the property with six duplexes, which is not out of character with the surrounding residential zones. Additionally, site development standards will minimize and mitigate any potential negative impacts to surrounding property by requiring screening and buffering.

4. Length of time subject property has remained vacant as zoned: Lots 11-14 are currently developed with a Single-Family dwelling. Based off of aerial photography, Lots 15-18 have seemingly been vacant since at least the 1930s.
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 this request could provide an economic gain to the applicant, which is generally considered a gain to the public welfare. However, any gain must be considered in light of the possible negative impacts to the public welfare, including the effects of future development on neighboring properties. Denial could be regarded as 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 zone change is in conformance with the *Community Investments Plan* and the *Wichita: Places for People 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. Existing public infrastructure at the site should accommodate uses under the proposed MF-29 District zoning.
8. Opposition or support of neighborhood residents: At the time of publication of the staff report, staff has not received any public comments regarding this case.

Attachments:

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





2035 Wichita Future Growth Concept Map

Legend

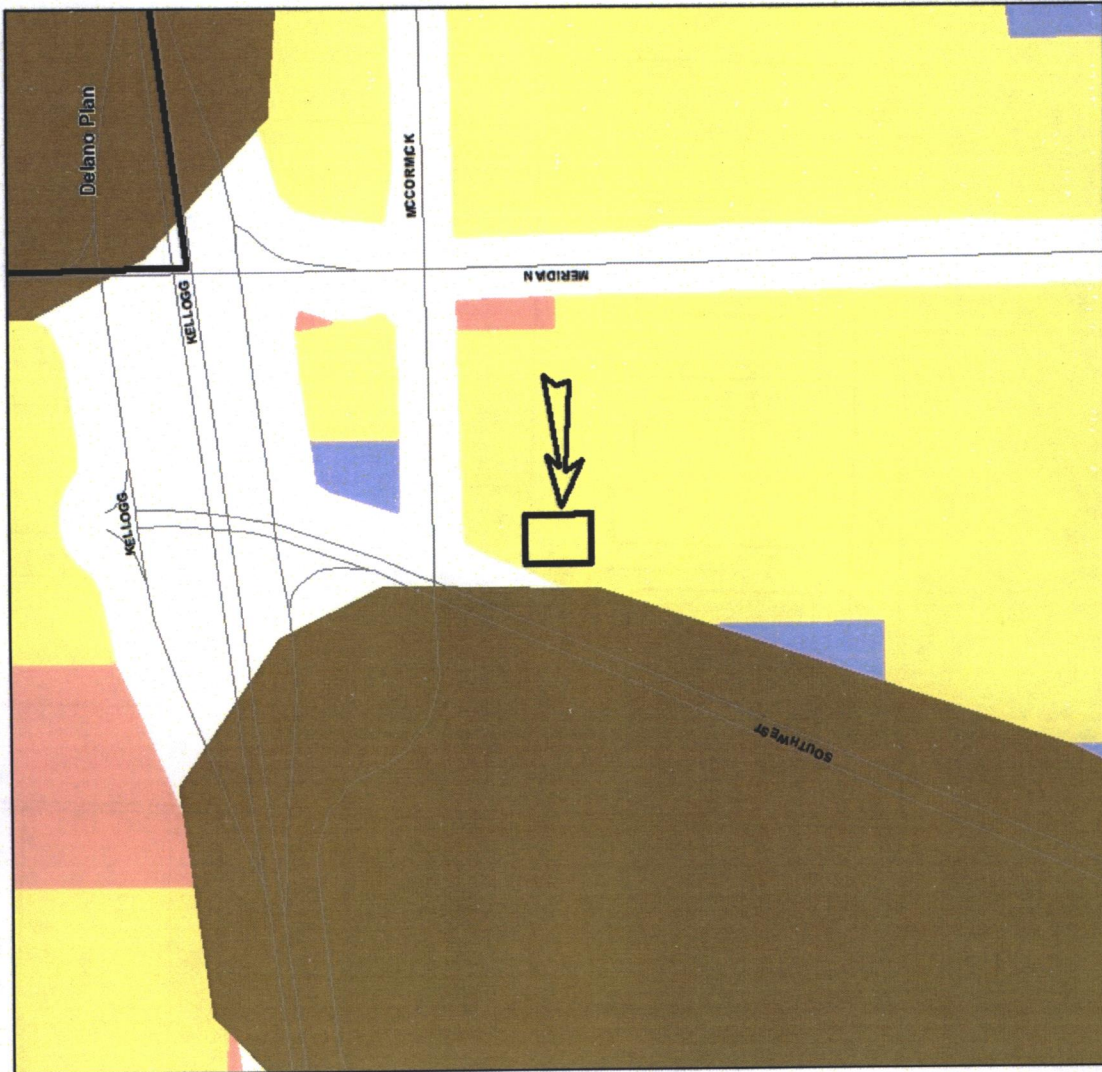
- Established Central Area
- Residential and Employment Mix
- New Employment
- New Residential
- Wichita City Limits
- Other Cities
- Northwest Bypass Right-of-Way

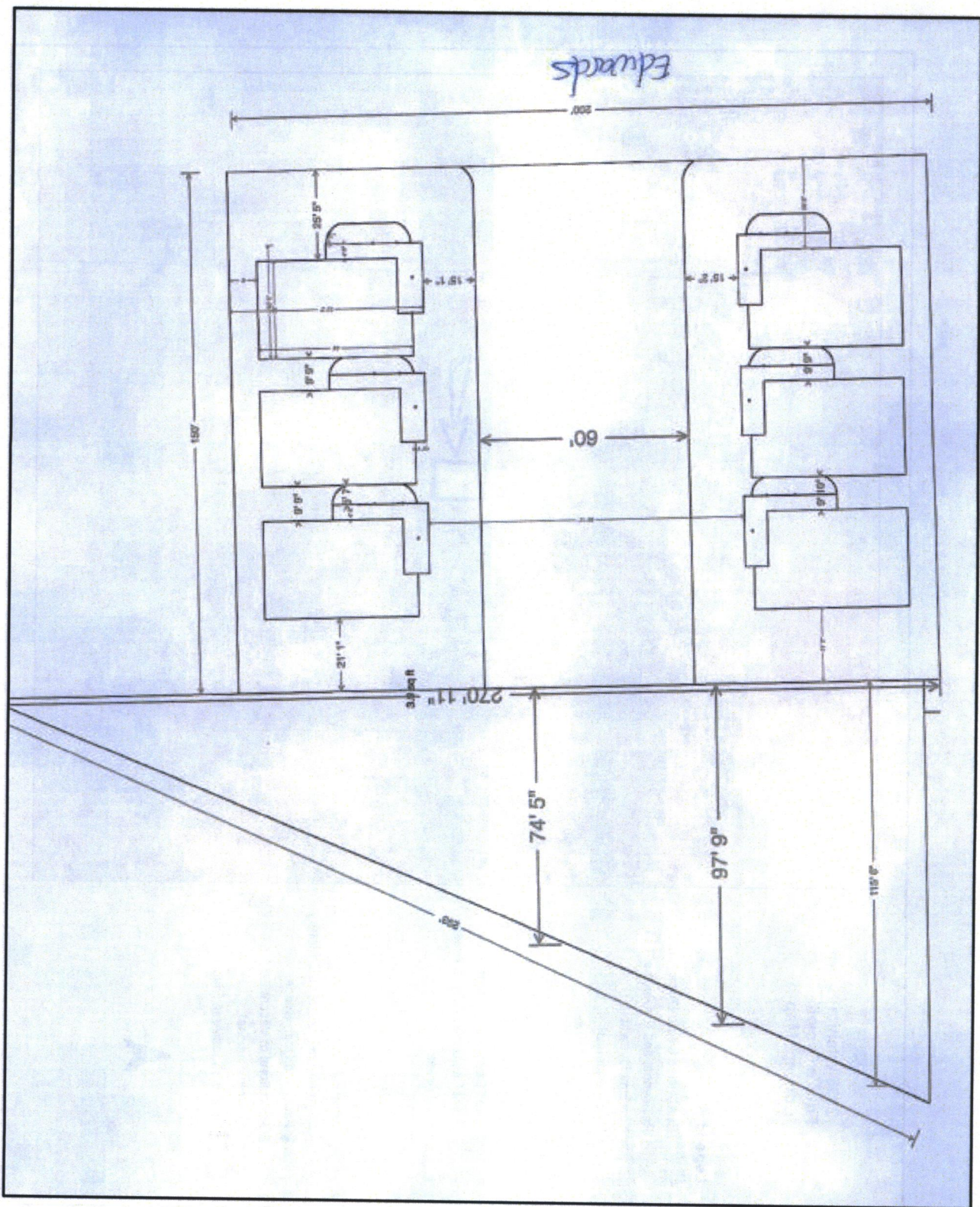
Statistical Development Areas

- Small City Urban Growth Areas
- Small City Urban Growth Areas
- Rural Areas

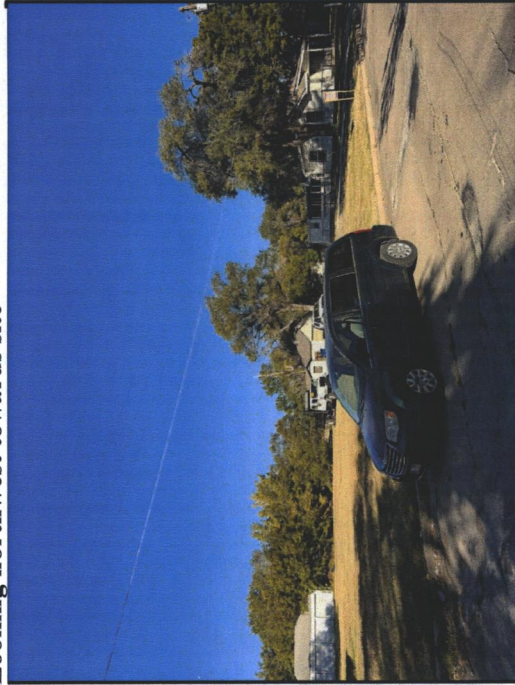
LAND USE

- Residential
- Commercial
- Industrial
- Major Air Transportation & Military
- Parks and Open Space
- Agricultural or Vacant
- Major Institutional
- Neighborhood/Area Plans

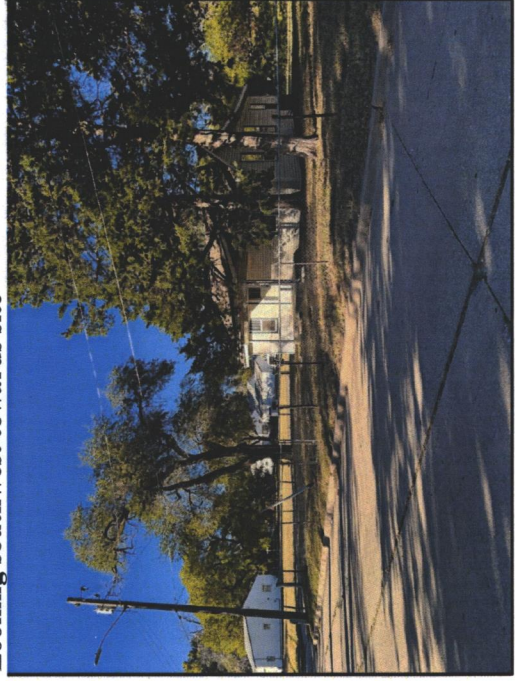




Looking northwest towards site



Looking southwest towards site



Looking east away from site

