



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

Jose Luis Medellin
1557 N Topeka
Wichita, KS, 67214

April 17, 2024

RE: ZON2024-000003 – Zone Change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District, located on the south side of West 50th Street South and within one-half mile east of South Seneca Street.

Dear Applicant;

At its regular meeting on **April 16, 2024**, the Wichita City Council considered the above captioned request. The action of the City Council was to **APPROVE** of the zone change from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Brad Eatherly'.

Brad Eatherly
Current Plans
Senior Planner

CC: Dalton Glasscock, Council Member District IV
Brooke Kauchak, CSR, District IV
MABCD



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

Jose Luis Medellin
1557 N Topeka
Wichita, KS, 67214

March 15, 2024

RE: ZON2024-000003 – Zone Change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District, located on the south side of West 50th Street South and within one-half mile east of South Seneca Street.

Dear Applicant,

At its regular meeting on **March 14, 2024**, 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 SF-5 Single-Family Residential District to TF-3 Two-Family Residential District.

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 March 28, 2024. 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 **March 28, 2024, at 5:00 p.m.**

This application will be presented to the Wichita City Council on **Tuesday, April 16, 2024**, 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,

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

Brad Eatherly
Current Plans
Senior Planner

CC: Dalton Glasscock, Council Member District IV
Brooke Kauchak, CSR, District IV
MABCD

OCA 150004

PUBLISHED IN THE WICHITA EAGLE ON April 26, 2024

ORDINANCE NO. 52-368

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. ZON2024-00003

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

Lots 4, 5, 6, 7, 8, and 9, Block 3, Angel Acres 2nd Addition to Wichita, 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.

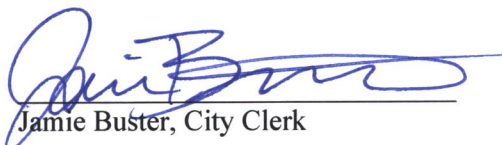
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

Adopted this 23rd day of April, 2024.



Lily Wu, Mayor, City of Wichita

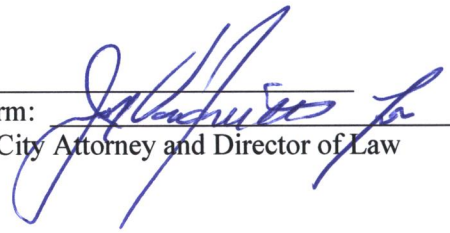
ATTEST:



Jamie Buster, City Clerk

(SEAL)



Approved as to form: 

Jennifer Magaña, City Attorney and Director of Law



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
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The Sun News - Myrtle Beach
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AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
32522	545747	Print Legal Ad-IPL01703860 - IPL0170386	ORD#52-368	\$50.49	1	60 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 ON
April 26, 2024**

ORDINANCE NO. 52-368

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.

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Lots 4, 5, 6, 7, 8, and 9, Block 3, Angel Acres 2nd Addition to Wichita, Sedgwick County, Kansas

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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 23rd day of April 2024.

Lily Wu, Mayor, City of Wichita

ATTEST:

Jamie Buster, City Clerk
(SEAL)

Approved as to form:

Jennifer Magana, City Attorney and
Director of Law

IPL0170386

Apr 26 2024

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

1 insertion(s) published on:

04/26/24

STATE OF KANSAS)

SS

County of Sedgwick)

Mary Castro, 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 04/26/2024 to 04/26/2024.

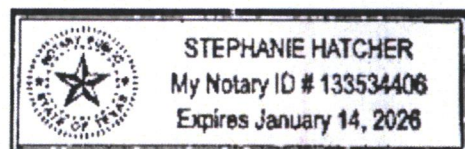
Mary Castro

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

DATED: 04/26/2024

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!



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
23834	521838	Print Legal Ad-IPL01603430 - IPL0160343	OCA 150004-MAPC/BZA	\$186.74	3	74 L

Attention: MANDY HEBERT

CITY OF WICHITA / MABCD

271 W 3RD ST N

3RD FLOOR STE 301

WICHITA, KS 67202

kgonzalez@wichita.gov

OCA 150004

Published in The Wichita Eagle on February 22, 2024

(One Time Only)

MAPC/BZA March 14, 2024
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, March 14, 2024, 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.

BZA2024-00005: Variance request in the City to reduce the required parking for Group Residence, Limited from 12 to 8 parking spaces on property zoned TF-3 Two-Family Residential District, generally located north of West 50th Street South and one-quarter mile east of South Seneca Street (742 West 50th Court South).

CON2024-00004: Conditional Use request in the City to allow an Accessory Apartment in the SF-5 Single-Family District, generally located on the east side of South Kessler Street and within one-quarter mile north of West Maple Street (210 South Kessler Street).

CON2024-00006: Conditional Use request in the City to allow Group Residence, Limited on property zoned TF-3 Two-Family Residential District to allow a HomePlus for up to 12 people, generally located north of West 50th Street South and one-quarter mile east of South Seneca Street (742 West 50th Court South).

VAC2024-00007: Vacation request in the City to vacate 15 feet of the 25 feet platted setback along the north property line on property zoned SF-5 Single-Family Residential, generally located on the southwest corner of West 61st Street North and North Custer Street.

VAC2024-00008: Vacation request in the city to vacate a drainage easement by separate instrument on property zoned LI Limited Industrial, located on the south side of West Harry Street, and one-half mile west of South Meridian Avenue (1601 S. Sheridan St.).

ZON2024-00003: Zone Change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential, generally located south of West 50th Street South and within a half-mile east of South Seneca Street.

ZON2024-00004: Zone Change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential for duplex development, located within one-quarter mile west of South Seneca Street and on the south side of West Haskell Avenue (1509 West Haskell Avenue).

ZON2024-00005: Zone Change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential for duplex development, located 375' north of West 29th Street North and on the east side of North Hood Avenue.

ZON2024-00007: Zone Change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential for duplex development on property located on the east side of South Meridian Avenue and within one-quarter mile south of West 55th Street South.

ZON2024-00008: Zone Change request in the City from SF-5 Single-Family Residential and TF-3 Two-Family Residential to TF-3 Two-Family Residential and MF-29 Multi-Family Residential on property located on the east side of South Rock Road, one-half mile north of East 39th Street North.

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 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:

1) Attend In-Person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202. Self-paid parking is available nearby. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-268-4464) by 5:00 PM, 3 days prior to the meeting.

2) Submit Comments Ahead of Time 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 should be submitted by 5:00 PM the day before the meeting. Video and Audio Comments (mp3, etc.) formats 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

3) If you need accommodations pursuant to the ADA, please contact Planning Staff within one week prior to the scheduled meeting.

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 February 22, 2024

Scott Wadle, Secretary

Wichita-Sedgwick County

Metropolitan Area Planning Commission

IPL0160343

Feb 22 2024

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

1 insertion(s) published on:

02/22/24

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 02/22/2024 to 02/22/2024.

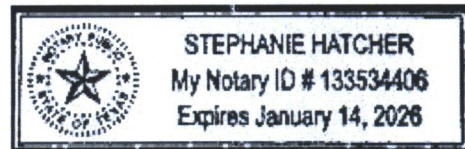
Stefani Beard

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

DATED: 02/28/2024

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: March 14, 2024
DAB IV: March 4, 2024

AGENDA ITEM NO. 4.4

CASE NUMBER: ZON2024-00003 (City)

APPLICANT/AGENT: Jose Luis Medellin (Applicant)/ Kaw Valley Engineering, Inc. (Agent)

REQUEST: TF-3 Two-Family Residential District

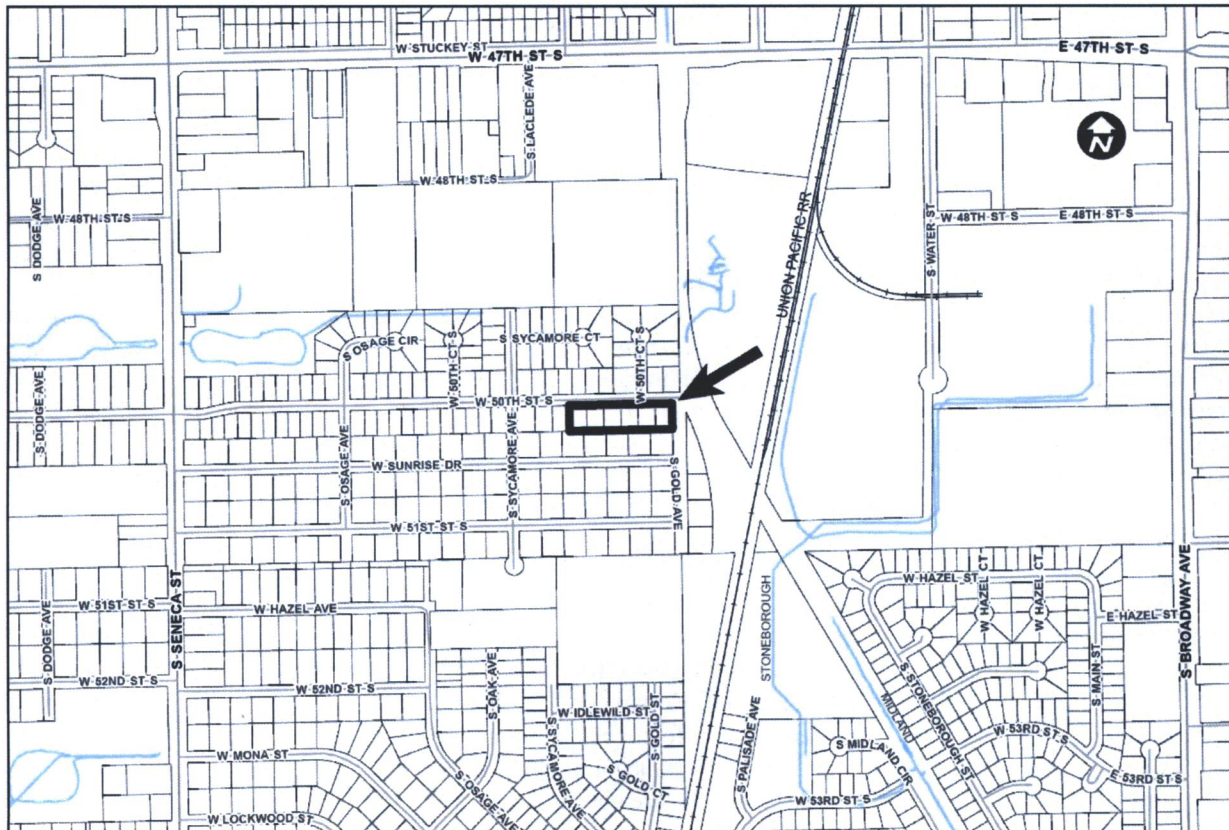
CURRENT ZONING: SF-5 Single-Family Residential District

SITE SIZE: 1.69 acres

LOCATION: Generally located on the south side of West 50th Street South and within one-half mile east of South Seneca Street.

PROPOSED USE: Duplex development.

RECOMMENDATION: Approve.



BACKGROUND: The applicant is requesting a zone change from SF-5 Single-Family Residential District (SF-5) to TF-3 Two-Family Residential District (TF-3). The 1.69-acre property includes six separate lots and is generally located on the south side of West 50th Street South and within one-half mile east of South Seneca Street. The subject site is currently undeveloped.

The applicant has indicated they intend to use the lots for duplex development. Should the zone change request be approved, there will be no change in setbacks, parking requirements, or maximum height. SF-5 District requires a 5,000 square foot minimum lot size, while TF-3 District requires a 3,000 square foot minimum lot size per dwelling unit (6,000 square feet for one duplex). The lots within the proposed zone change are adequately sized for duplex development.

The character of the neighborhood is residential. The property to the north is zoned TF-3 and is currently being developed with duplexes. The properties to the east are zoned SF-5 and LI Limited Industrial District (LI) and are undeveloped. Properties to the south are zoned SF-5 and are developed with single-family dwellings. Property to the west is zoned SF-5 and is undeveloped.

CASE HISTORY: On December 11, 2002, the subject sits were platted as Lots 4-9, Block 3 of the Angel Acres 2nd Addition. There are no zoning cases associated with this property.

ADJACENT ZONING AND LAND USE:

NORTH:	TF-3	Duplex development occurring
SOUTH:	SF-5	Single-family dwelling
EAST:	SF-5, LI	Undeveloped
WEST:	SF-5	Undeveloped

PUBLIC SERVICES: The subject site currently has access to West 50th Street South, a two-lane local street with sidewalks yet to be constructed. Municipal Services such as sewer serve the site currently. Water mains will need to be extended to serve the properties. Wichita Transit does not serve the subject sites.

CONFORMANCE TO PLANS/POLICIES: The requested zone change is in conformance with one plan and is in partial conformance with another plan:

Community Investments Plan: 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 appropriate for "Residential" uses. The *Plan* defines "Residential" as "*areas that reflect the full diversity of residential development densities and types typically found in a large urban municipality. The range of housing densities and types includes, but is not limited to, single-family detached homes, semi-detached homes, zero lot line units, patio homes, duplexes, townhouses, apartments and multi-family units, condominiums, mobile home parks, and special residential accommodations for the elderly (assisted living, congregate care and nursing homes).*" Duplex development is an appropriate use for this area. The Locational Guidelines of the *Community Investments Plan* provide a framework for decision-making regarding land use changes. Under the heading of "Land Use Compatibility," Guideline 1.c encourages, "*Residential development should not encroach upon existing or planned heavy industry, airfields, and military installations.*" The current proposal does none of these.

South Wichita/Haysville Area Plan: The requested rezoning is in partial compliance with the South Wichita/Haysville Area Plan. The site is located within the boundaries of the *South Wichita/ Haysville Area Plan* (SW/HAP). Chapter Five of the plan discusses the desire for the bulk of "undeveloped property" within the *Plan's* area to be developed as single-family residential. However, the only other residential classification the *Plan* gives is "medium density residential," which only references "multi-family residential" and "manufactured home subdivisions" as appropriate land uses. Therefore, since a duplex use is much closer to a single-family use than a multi-family use, this would be a logical use for the area designated for "Residential Low Density."

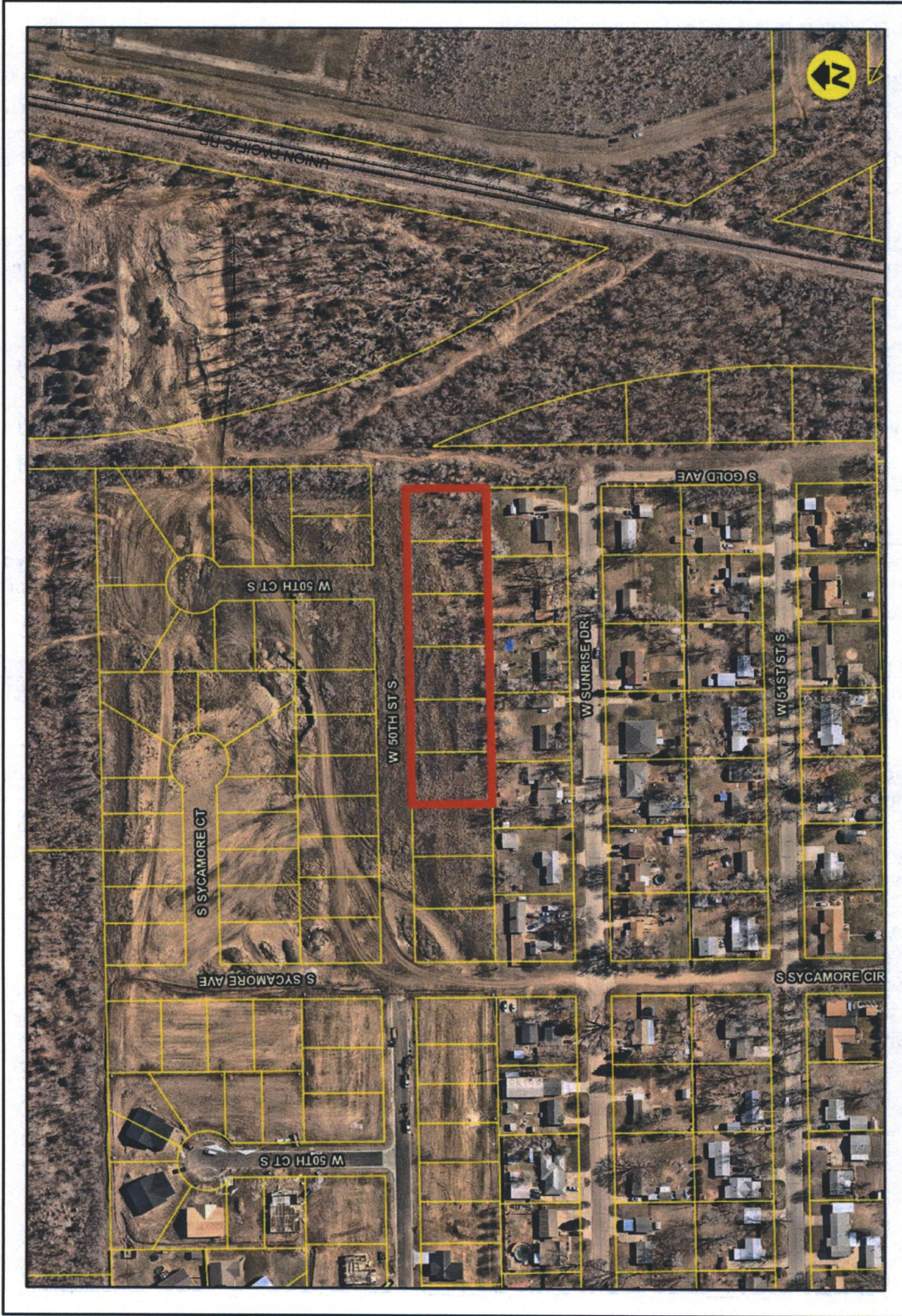
RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be **APPROVED**.

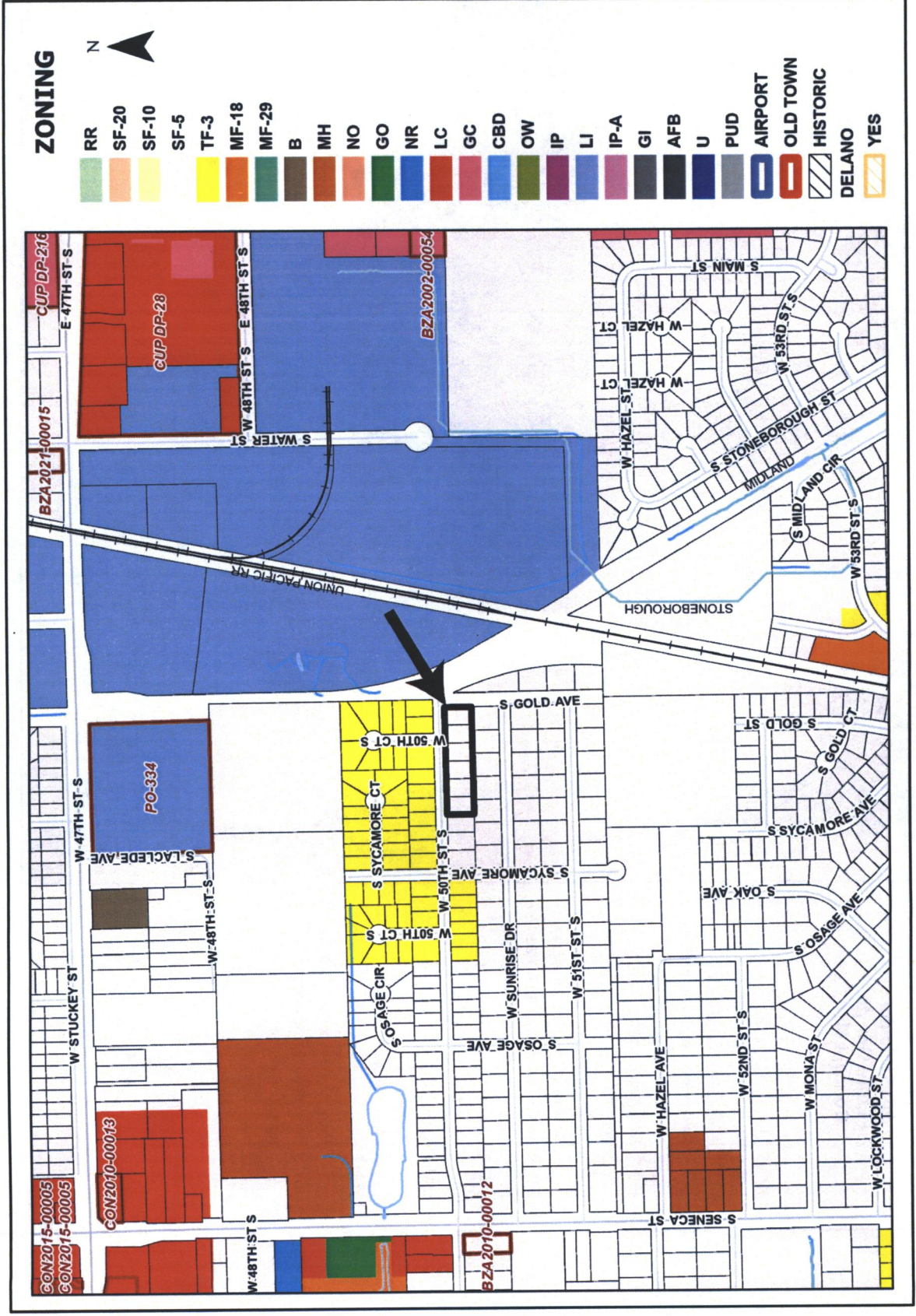
This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** The character of the neighborhood is residential. The property to the north is zoned TF-3 and is currently being developed with duplexes. The properties to the east are zoned SF-5 and LI Limited Industrial District and are undeveloped. Properties to the south are zoned SF-5 and are developed with single-family dwellings. Property to the west is zoned SF-5 and is undeveloped.
2. **The suitability of the subject property for the uses to which it has been restricted:** The property is presently zoned SF-5, which is suitable for a limited number of residential, public, and civic uses, including single-family residences.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** Staff does not anticipate the removal of restrictions to have detrimental impacts on nearby property. There are duplexes being developed on properties zoned TF-3 on the other side of West 50th Street South. Therefore, duplexes will not be a new type of development to the area.
4. **Length of time subject property has remained vacant as zoned:** The property is undeveloped.
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 under-developed 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* and the *South Wichita/Haysville Area 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 has received no comments in regard to the requested zone change.

Staff Report Attachments:

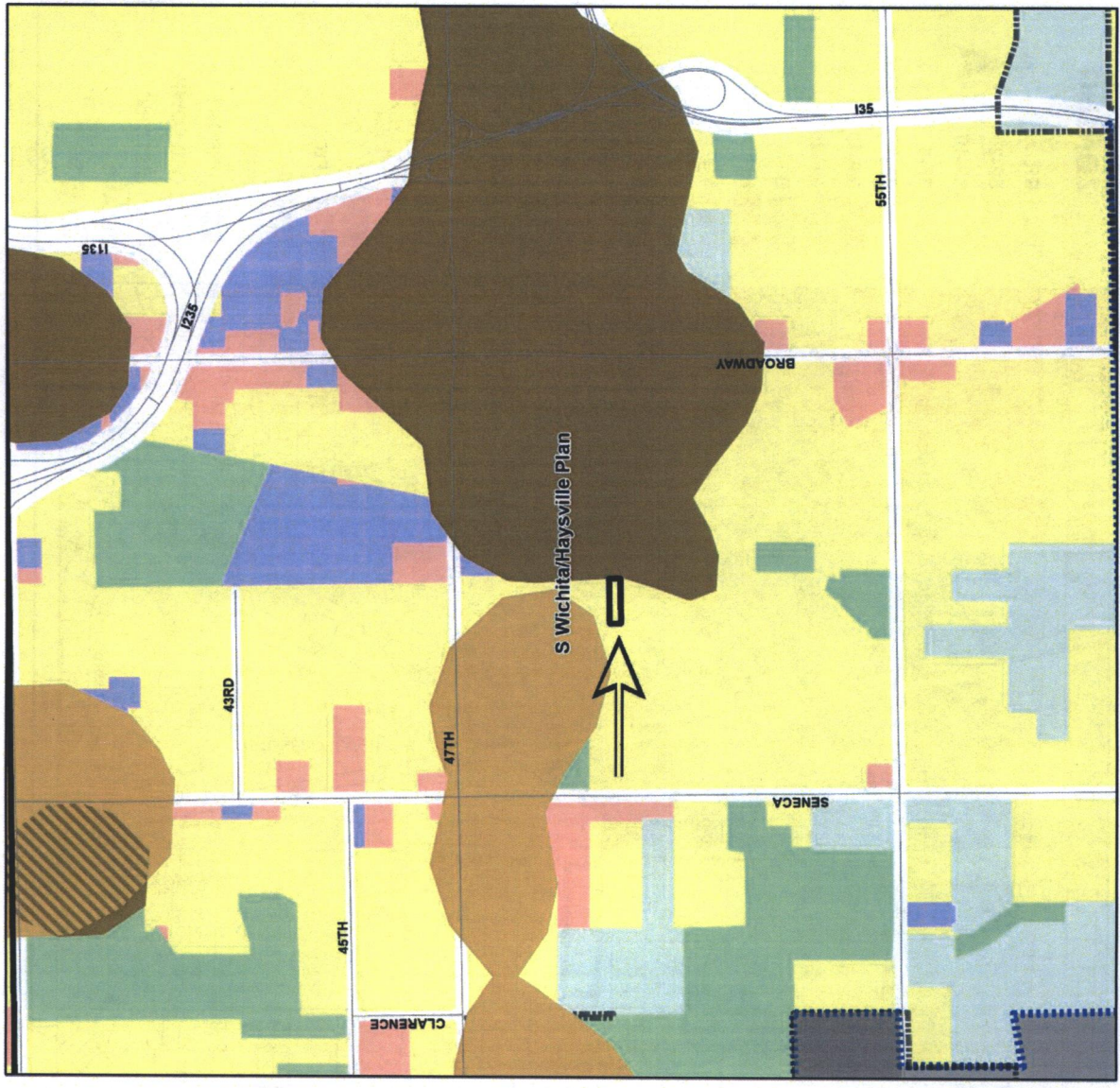
1. Aerial Map
2. Zoning Map
3. Land Use Map
4. Site Photos



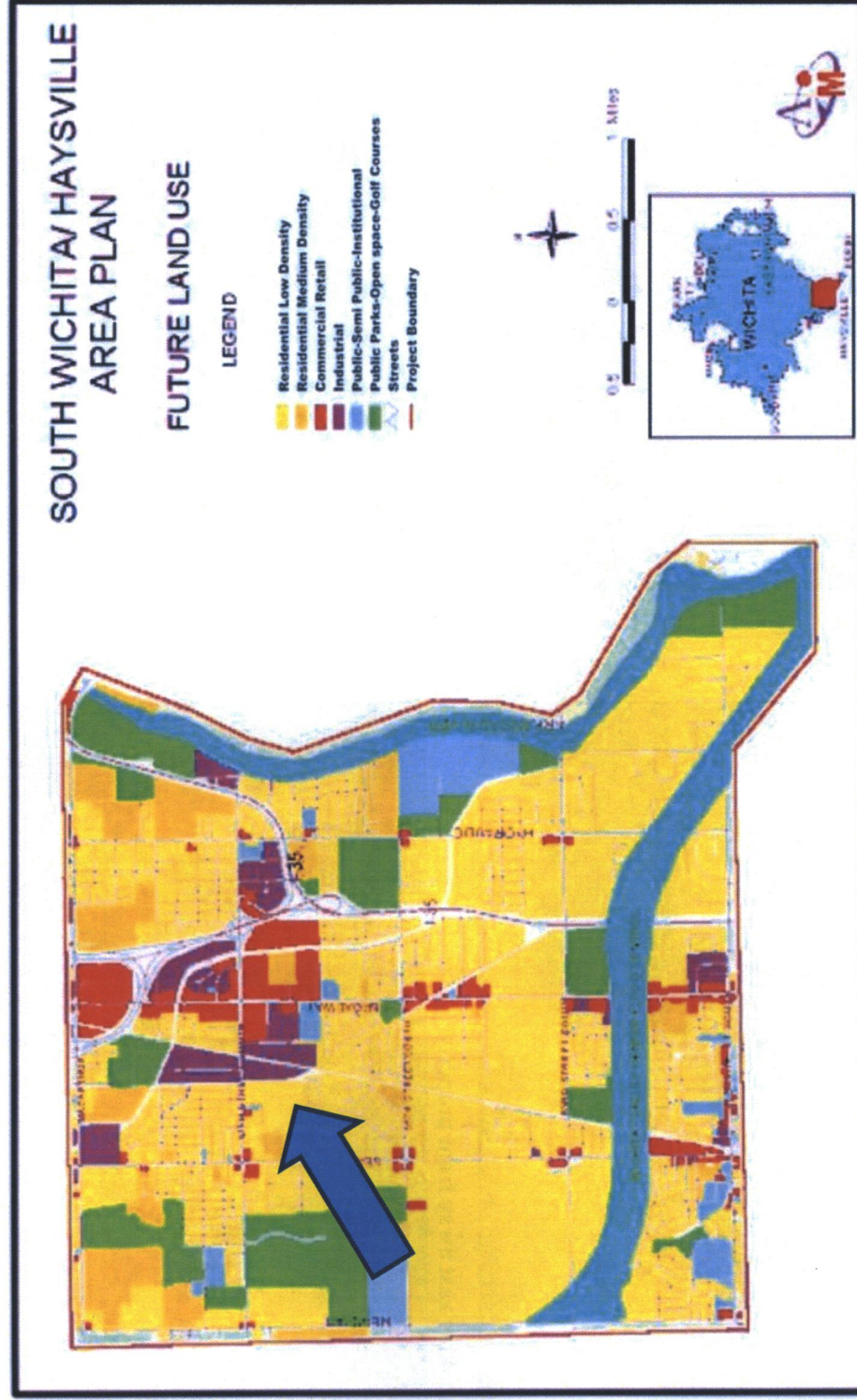


2035 Wichita Future Growth Concept Map

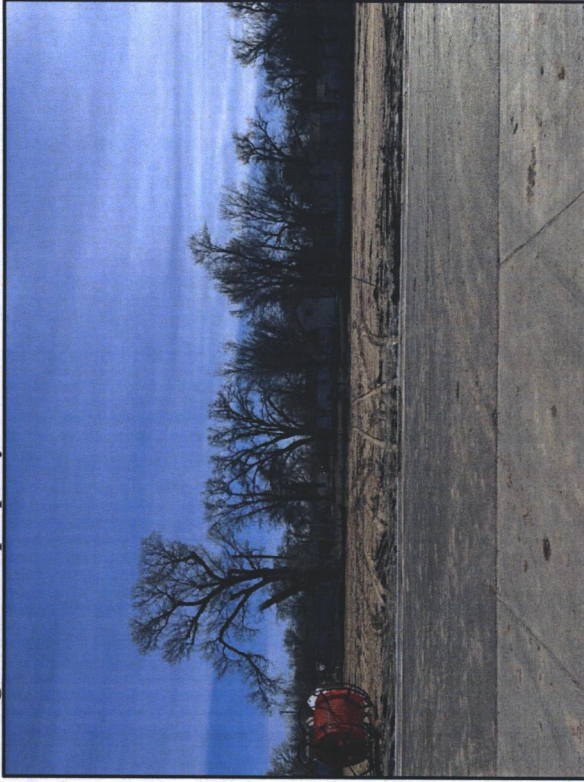
- Legend**
- Established Central Area
 - Residential and Employment Mix
 - New Employment
 - New Residential
 - Wichita City Limits
 - Other Cities
 - Northwest Bypass Right-of-Way
- Statistical Development Areas**
- Other Urban Growth Areas 2014
 - Other Urban Growth Areas 2014
 - Rural Growth Areas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



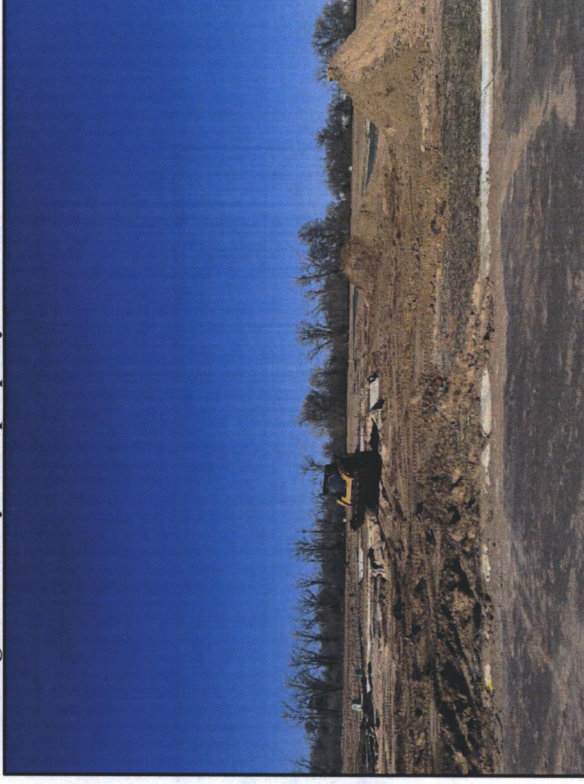
Attachment 4. South Wichita/Haysville Area Plan Land Use Map



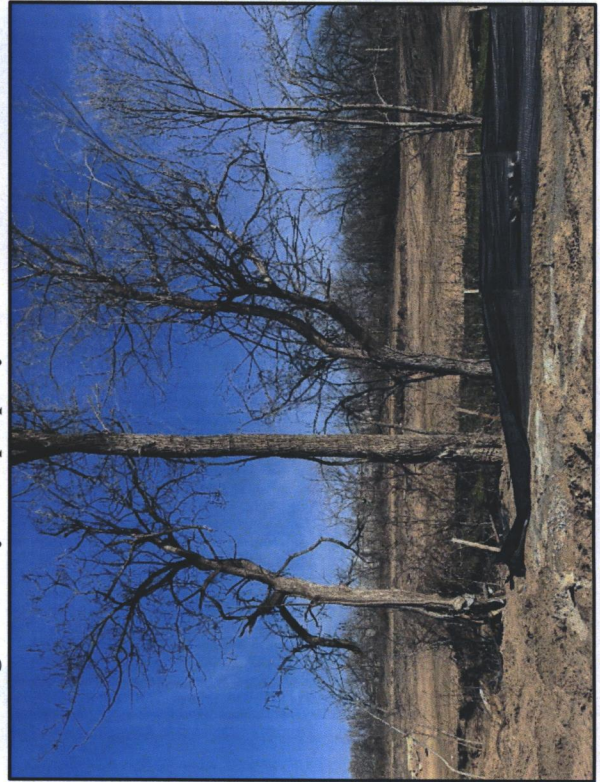
Looking south into property



Looking north away from property



Looking east away from property



Looking west away from property

