CITY OF WICHITA

SEDGWICK COUNTY KANSAS

Wichita-Sedgwick County Metropolitan Area Planning Department

13800, LLC
322 South Mosley Street
Wichita, KS 67202

May 15, 2024

RE: PUD2024-00001 – Zone change request in the County from SF-20 Single-family Residential to create a PUD Planned Unit Development to allow for development to allow Commercial Office use on site, generally located north of East Harry Street and one-half mile east of South 127th Street East.

Dear applicant,

At its regular meeting on **May 8, 2024**, the Sedgwick County Board of County Commissioners heard the above captioned request. The action of the BOCC was to **APPROVE** the request, subject to the following conditions:

1. The PUD shall be developed in accordance with the approved PUD language.
2. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #121 Harry Street Planned Unit Development) has special conditions for development on the property.
3. A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of governing body approval, or the request shall be considered denied and closed.

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,

Christina Rieth

Christina Rieth

CC: MABCD
Jim Howell, Citizens Advisory Board, District 5
Baughman Company, 315 South Ellis Street, Wichita, KS 67212

Wichita-Sedgwick County Metropolitan Area Planning Department

13800, LLC
322 South Mosley Street
Wichita, KS 67202

March 14, 2024

RE: PUD2024-00001 – Zone change request in the County from SF-20 Single-family Residential to create a PUD Planned Unit Development to allow for development to allow Commercial Office use on site, generally located north of East Harry Street and one-half mile east of South 127th Street East.

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** of the request, subject to the following conditions:

1. The PUD shall be developed in accordance with the approved PUD language.
2. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #121 Harry Street Planned Unit Development) has special conditions for development on the property.
3. A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of governing body approval, or the request shall be considered denied and closed.

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 **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 1000 feet of the property for which the application was filed, and must be submitted to the County Clerk by **March 28, 2024, at 5:00 p.m.** The County Clerk's office is located at 100 North Broadway, Wichita, KS 67202.

This application will be presented to the Board of County Commissioners on **Wednesday, April 24, 2024**, beginning at 9:00 a.m. The meeting will take place at 100 North Broadway, Wichita, KS 67202.

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,

Christina Rieth

Christina Rieth

CC: MABCD
Jim Howell, Citizens Advisory Board, District 5
David S. and Karen L. Langston, 1095 South 143rd Street East, Wichita, KS 67230
William and Marie Vickery, 1542 South Spring Hollow Circle, Wichita, KS 67230
Gary Steven, 14208 East Boston Street, Wichita, KS 67230
Catherine Shield, 13420 East Harry Street, Wichita, KS 67230
Carlos Manuel Vasquez-Delgado, 1539 South Spring Hollow Circle, Wichita, KS 67230
Jon McBride, 1522 South Spring Hollow Circle, Wichita, KS 67230
Baughman Company, attn: Phil Meyer, *via email*
John Pike, *via email*
Darcie Walker, *via email*
Rebecca Kirby, *via email*
Robin Sodowsky, *via email*
Craig & Marilyn Boehning, *via email*
Cliff and Karen Nielsen, *via email*
Kent and Kate Noller, *via email*
Sara Dwyer, *via email*
Mark and Cheryl Metcalf, *via email*
Steve and Tammy Zurbuchen, *via email*

Sedgwick Co. public notice

(Published in The Ark Valley News May 15, 2024.)

RESOLUTION NO. _____103-2024_____

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

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

SECTION I. That after receiving a recommendation from the Wichita Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law on March 14, 2024, 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. PUD2024-00001

Zone change request from SF-20 Single-Family Residential District to Planned Unit Development, subject to the provisions of PUD #121.

Legally described as:

The South Half of the West 60 acres of the Southeast Quarter of Section 26, Township 27 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas, EXCEPT the South 40 feet thereof for road; TOGETHER WITH that part of the Southeast Quarter of Section 26, Township 27 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas, described as: Beginning at the Southwest corner of the East 50 acres of the South Half of said Southeast Quarter; thence North 1,327.63 feet to the Northwest corner of said East 50 acres; thence West 16.05 feet to the Northeast corner of the South Half of the West 60 acres of said Southeast Quarter; thence South along the East line of said South Half of the West 60 acres 1,327.59 feet to the South line of said Southeast Quarter; thence East along the South line of said Southeast Quarter to the point of beginning.

Parcel 1
A. Net Area: 302,166 square feet or 6.93 acres
B. Maximum Building Coverage: 105,758 square feet or 35.0 percent
C. Maximum Gross Floor Area: 105,758 square feet
D. Floor Area Ratio: 35.0 percent
E. Maximum Building Height: 45 feet, except for any other structures exempt by the UZC.
F. Setbacks: 100' Front Setback
0' Side and Rear Setback
G. Access Points: See Drawing
H. Permitted Uses: See General Provision #e

Reserve A
A. Net Area: 982,623 square feet or 22.56 acres
B. Permitted Uses: See plat of subject property
C. Setbacks: See General Provision #e

The Harry Street Planned Unit Development (PUD #121) shall be subject to the following provisions:

1. The PUD shall be developed in the accordance with the approved PUD language.

a. Total Land Area: 1,284,789 square feet or 3.34 acres
Total Gross Floor Area: 449,676 square feet
Total Floor Area Ratio 35.0 percent
b. Parking shall be provided in accordance with the Unified Zoning Code unless otherwise specified on the parcel description.
c. Setbacks are displayed on the individual parcels within the PUD, or outlined in the Parcel description.
d. A Drainage Plan shall be submitted to the appropriate governing body for approval. Required guarantees for drainage shall be provided at the time of platting improvements.
e. Parcel 1 shall be limited to those permitted by-right in the SF-5 Single-Family Residential District zoning together with "GO" General Office District; except for the following uses: Group Residence, General; Correctional Placement Residence, Limited; Correctional Placement Residence, General; Hospital; Recycling Collection Station, Private; Hotel or Motel; Marine Facility, Recreational; and Asphalt or Concrete Plant, Limited.
Reserve A shall serve as a buffer to adjacent property and shall allow any existing or new agricultural uses.
f. Access shall be approved during the platting process and indicated on the plan.
g. All outdoor lighting shall employ cut-off luminaries to minimize light trespass and along and will be aimed or shielded away from neighboring properties. Lighting sources shall be limited to sixteen (16) feet in height, including poles and base. The height of lighting may be increased to 24 feet if a photometric plan is submitted and approved by MAPD staff.
h. Reserve A shall serve as the landscape buffer between property lines. The 100' building setback shall serve as street yard requirement.
i. Amendments, adjustments or interpretations to this PUD shall be done in accordance with the Unified Zoning Code.
j. The Transfer of title of all of any portion of land included within the Planned Unit Development (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.
k. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approval by the Governing Body, and any substantial deviation of the plan, after a joint determination by the Zoning Administrator and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
l. The design layout shown on the plan illustrates one development concept. Modifications to the size and/or location of improvements, building layout, and/or access locations may be permitted, provided they meet all requirements of this plan. This plan envisions the development of a mixed-use facility, as shown on the plan; however, in the event additional uses within separate buildings are proposed, the applicant shall submit a revised site plan to the Planning Department for review. If such modifications are determined by the Planning Director, with the concurrence of the Zoning Administrator, to be significant, the owner shall be required to file for an administrative adjustment to the PUD. If the change is considered greater than what can be approved administratively, the owner shall be required to file an amendment to the PUD, which shall be submitted to the Metropolitan Area Planning Commission for their consideration.

2. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #121 Harry Street Planned Unit Development) has special conditions for development on the property.

3. A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of governing body approval, or the request shall be considered denied and closed.

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 aye
RYAN K. BATY aye
JAMES M. HOWELL aye

Dated this 8 day of May 2024.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

KELLY B. ARNOLD, County Clerk

RYAN BATY, Chairman
Commissioner, Fourth District

SARAH LOPEZ, Chair Pro Tem
Commissioner, Second District

APPROVED AS TO FORM:

KIRK W. SPONSELLER
Deputy County Counselor

PETER F. MEITZNER
Commissioner, First District

DAVID T. DENNIS
Commissioner, Third District

JAMES M. HOWELL
Commissioner, Fifth District

Sedgwick Co. public notice

(Published in The Ark Valley News Feb. 22, 2024.)

MAPC 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.**

PUD2024-00001: Zone Change request in the County from SF-20 Single-family Residential to create a PUD Planned Unit Development to allow for development to allow Commercial Office use on site, generally located north of East Harry Street and one-half mile east of South 127th Street East.

ZON2024-00006: Zone Change request in the County from RR Rural Residential District to SF-20 Single-Family Residential District to allow for residential development, generally located on the northeast corner of West 45th Street North and North 167th Street West (Colwich Area of Influence).

ZON2024-00009: Zone Change request in the County from SF-20 Single-family Residence to Tf-3 Two-family Residential and MF-18 Multi-family Residential, generally located on the west side of Greenwich South Greenwich Road and within one-quarter mile north of East Harry Street.

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:

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

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 22nd day of February, 2024. with subsequent publications being made on the following dates:

_____, 2024 _____, 2024

_____, 2024 _____, 2024

_____, 2024 _____, 2024

Chris Strunk

Subscribed and sworn to before me this 22nd day of February, 2024.

Lisa K. Strunk

Notary Public

My commission expires 4/24/24

Additional copies $_____

Printer's fee _____

LISA K. STRUNK NOTARY PUBLIC STATE OF KANSAS

(150004) Published in The Ark Valley News on May 16, 2024

RESOLUTION NO. 103-2024

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

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

SECTION I. That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law on March 14, 2024, 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. PUD2024-00001

Zone change request from SF-20 Single-Family Residential District to Planned Unit Development, subject to the provisions of PUD #121.

Legally described as:

The South Half of the West 60 acres of the Southeast Quarter of Section 26, Township 27 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas, EXCEPT the South 40 feet thereof for road; TOGETHER WITH that part of the Southeast Quarter of Section 26, Township 27 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas, described as: Beginning at the Southwest corner of the East 50 acres of the South Half of said Southeast Quarter; thence North 1,327.63 feet to the Northwest corner of said East 50 acres; thence West 16.05 feet to the Northeast corner of the South Half of the West 60 acres of said Southeast Quarter; thence South along the East line of said South Half of the West 60 acres 1,327.59 feet to the South line of said Southeast Quarter; thence East along the South line of said Southeast Quarter to the point of beginning.

Parcel 1

A. Net Area:	302,166 square feet or 6.93 acres
B. Maximum Building Coverage:	105,758 square feet or 35.0 percent
C. Maximum Gross Floor Area:	105,758 square feet
D. Floor Area Ratio:	35.0 percent
E. Maximum Building Height:	45 feet, except for any other structures exempt by the UZC.
F. Setbacks:	100' Front Setback 0' Side and Rear Setback
G. Access Points: See Drawing	
H. Permitted Uses: See General Provision #e	

Reserve A

A. Net Area:	982,623 square feet or 22.56 acres
B. Permitted Uses:	See plat of subject property
C. Setbacks:	See General Provision #e

The Harry Street Planned Unit Development (PUD #121) shall be subject to the following provisions:

1. The PUD shall be developed in the accordance with the approved PUD language.

   a. Total Land Area: 1,284,789 square feet or 3.34 acres

      Total Gross Floor Area: 449,676 square feet

      Total Floor Area Ratio 35.0 percent

   b. Parking shall be provided in accordance with the Unified Zoning Code unless otherwise specified on the parcel description.

   c. Setbacks are displayed on the individual parcels within the PUD, or outlined in the Parcel description.

   d. A Drainage Plan shall be submitted to the appropriate governing body for approval. Required guarantees for drainage shall be provided at the time of platting improvements.

   e. Parcel 1 shall be limited to those permitted by-right in the SF-5 Single-Family Residential District zoning together with "GO" General Office District; except for the following uses: Group Residence, General; Correctional Placement Residence, Limited; Correctional Placement Residence, General; Hospital; Recycling Collection Station, Private; Hotel or Motel; Marine Facility, Recreational; and Asphalt or Concrete Plant, Limited.

      Reserve A shall serve as a buffer to adjacent property and shall allow any existing or new agricultural uses.

   f. Access shall be approved during the platting process and indicated on the plan.

   g. All outdoor lighting shall employ cut-off luminaries to minimize light trespass and along and will be aimed or shielded away from neighboring properties. Lighting sources shall be limited to sixteen (16) feet in height, including poles and base. The height of lighting may be increased to 24 feet if a photometric plan is submitted and approved by MAPD staff.

   h. Reserve A shall serve as the landscape buffer between property lines. The 100' building setback shall serve as street yard requirement.

   i. Amendments, adjustments or interpretations to this PUD shall be done in accordance with the Unified Zoning Code.

   j. The Transfer of title of all of any portion of land included within the Planned Unit Development (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.

   k. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approval by the Governing Body, and any substantial deviation of the plan, after a joint determination by the Zoning Administrator and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.

   l. The design layout shown on the plan illustrates one development concept. Modifications to the size and/or location of improvements, building layout, and/or access locations may be permitted, provided they meet all requirements of this plan. This plan envisions the development of a mixed-use facility, as shown on the plan; however, in the event additional uses within separate buildings are proposed, the applicant shall submit a revised site plan to the Planning Department for review. If such modifications are determined by the Planning Director, with the concurrence of the Zoning Administrator, to be significant, the owner shall be required to file for an administrative adjustment to the PUD. If the change is considered greater than what can be approved administratively, the owner shall be required to file an amendment to the PUD, which shall be submitted to the Metropolitan Area Planning Commission for their consideration.

2. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #121 Harry Street Planned Unit Development) has special conditions for development on the property.
3. A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of governing body approval, or the request shall be considered denied and closed.

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

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

[remainder of page intentionally left blank]

Commissioners present and voting were:

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

Dated this 8 day of May, 2024.

ATTEST:

KELLY B. ARNOLD, County Clerk

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

RYAN BATY, Chairman
Commissioner, Fourth District

SARAH LOPEZ, Chair Pro Tem
Commissioner, Second District

APPROVED AS TO FORM:

KIRK W. SPONSEL
Deputy County Counselor

PETER F. MEITZNER
Commissioner, First District

DAVID T. DENNIS
Commissioner, Third District

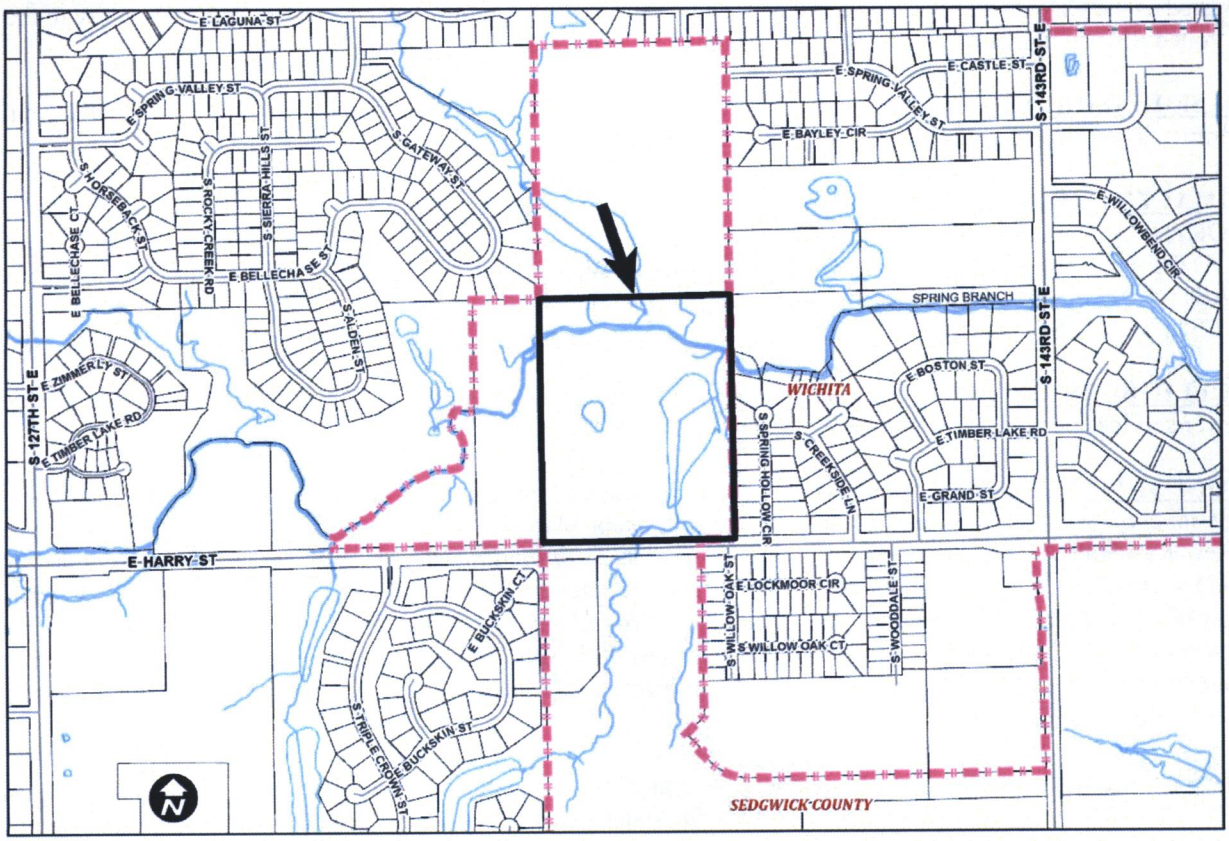
JAMES M. HOWELL
Commissioner, Fifth District

AGENDA ITEM NO. 4.3

WICHITA–SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

STAFF REPORT
MAPC: March 14, 2024

CASE NUMBER:	PUD2024-00001 (County)
APPLICANT/AGENT:	13800 LLC (Applicant)/ Baughman Company, P.A. (Agent)
REQUEST:	Rezone to create the Harry Street Planned Unit Development PUD #121
CURRENT ZONING:	SF-20 Single-Family Residential District
SITE SIZE:	29.49 acres
LOCATION:	Generally located on the north side of East Harry Street, within one-half mile west of South 143rd Street East (13800 East Harry Street)
PROPOSED USE:	Custom mixed-use development that includes residential, agricultural, and commercial/office uses.
RECOMMENDATION:	Approve with conditions



BACKGROUND: The applicant is requesting a zone change from SF-20 Single-Family Residential District (SF-20) to PUD Planned Unit Development (PUD) to create the Harry Street Planned Unit Development (PUD #121). The subject site is 29.49 acres in size and is generally located on the north side of East Harry Street, within one-half mile west of South 143rd Street East (13800 East Harry Street). The subject site is currently developed with a single-family residence and several agricultural outbuildings that were constructed in 1994.

The applicant is requesting the zone change to facilitate a mixed-use development that includes a residential component, agricultural facilities, and a commercial/office facility. A PUD allows a certain level of flexibility with site development regulation which would otherwise not be permitted under the existing zoning.

According to the PUD drawing submitted by the applicant, the site will consist of one Parcel (Parcel 1) and a Reserve "A". Access to the site shall remain at East Harry Street. Parcel 1 will utilize the existing residential building and construct a new building and parking lot. Parcel 1 is surrounded entirely by Reserve A. The applicant proposes a front setback of 100 feet and side and rear setbacks of 0 feet. Parcel 1 shall be limited to those uses permitted by-right in the SF-5 Single-Family Residential District and GO General Office District, except for uses listed in the PUD #121 text of the staff report. Reserve A will contain the existing ponds, agricultural buildings, and agricultural areas. It shall only permit new or existing agricultural uses.

Parking within the PUD shall be provided in accordance with the Unified Zoning Code unless otherwise specified in the Parcel description. SF-20 zoning has a maximum height of 35 feet or 45 feet if located at least 25 feet from all lot lines, with no maximum height limit for barns, silos and other similar farm buildings. The PUD proposes a maximum height of 45 feet except for any other structures exempt by the Unified Zoning Code.

The character of the neighborhood is residential. Property to the north is zoned SF-20 and SF-5 Single-Family Residential District (SF-5), is located in unincorporated Sedgwick County, and is undeveloped. Properties to the south are zoned SF-5 and SF-20 and are located in the City of Wichita and unincorporated Sedgwick County. They are undeveloped and developed with single-family residences, respectively. Properties to the east are zoned SF-5, are located in the City of Wichita, and are developed with single-family residences and a Reserve. Property to the west is zoned SF-5 in unincorporated Sedgwick County and is developed with a single-family residence.

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

ADJACENT ZONING AND LAND USE:

NORTH:	SF-20, SF-5 (Sedgwick County)	Undeveloped
SOUTH:	SF-20, SF-5 (Sedgwick County, City of Wichita)	Undeveloped, single-family residences
EAST:	SF-5 (City of Wichita)	Single-family residences, Reserve
WEST:	SF-5 (Sedgwick County)	Single-family residence

PUBLIC SERVICES: The subject site has access to East Harry Street, which is a two-lane arterial street. Water and sewer services on site are already provided by the City of Wichita.

CONFORMANCE TO PLANS/POLICIES: The requested zone change is in conformance with the *Community Investments Plan*'s 2035 Wichita Future Growth Concept Map. The Map identifies the area to be appropriate for "New Residential" uses, which the *Plan* defines as "*areas of land that likely will be developed or redeveloped by 2035 with uses predominately found in the Residential category. Pockets of Major Institutional and Commercial uses likely will be developed within this area as well, based upon market-driven location factors. In certain areas, especially those in proximity to existing industrial uses, highways, rail lines, and airports, pockets of Industrial Uses likely will be developed.*" The proposed PUD is utilizing existing structures to continue residential and agricultural uses and integrating commercial use onto the site.

The proposed rezoning is in conformance with the Land Use Compatibility Guidelines of the *Community Investments Plan.* Outside the Established Central Area, the *Plan* states that "Mixed-use developments should provide appropriate

screening and buffering to ensure compatibility with surrounding lower-intensity land uses while maintaining connectivity among uses." The PUD is proposing both commercial and residential uses on Parcel 1, which is completely surrounded by Reserve A. Reserve A permits agricultural uses and serves as a buffer between the mixed-use development and the nearby low-density residences.

RECOMMENDATION: Based on the information available at the time of the public hearing, staff recommends **APPROVAL** of the application subject to provisions of the Harry Street Planned Unit Development PUD #121 as attached hereto, and subject to the following conditions:

1. The PUD shall be developed in accordance with the approved PUD language.
2. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #121 Harry Street Planned Unit Development) has special conditions for development on the property.
3. A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of governing body approval, or the request shall be considered denied and closed.

This recommendation is based on the following findings:

1. The zoning, uses, and character of the neighborhood: The character of the neighborhood is residential. Property to the north is zoned SF-20 and SF-5 Single-Family Residential District (SF-5), is located in unincorporated Sedgwick County, and is undeveloped. Properties to the south are zoned SF-5 and SF-20 and are located in the City of Wichita and unincorporated Sedgwick County. They are undeveloped and developed with single-family residences, respectively. Properties to the east are zoned SF-5, are located in the City of Wichita, and are developed with single-family residences and a Reserve. Property to the west is zoned SF-5 in unincorporated Sedgwick County and is developed with a single-family residence.

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 District and is suitable for agricultural uses and single-family residential development. The applicant is requesting commercial/office uses, which is not a permitted use in the current zoning.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Staff does not anticipate the requested zone change to have detrimental effects on nearby property. Reserve A is designed to serve as a buffer between Parcel 1 and the surrounding low-density residential uses.

4. Length of time the property has been vacant as currently zoned: The subject site is not vacant. The subject site has been developed with a single-family residence and several agricultural outbuildings since 1994.

5. Relative gain to the public health, safety, and welfare, compared to the loss in value or the hardship imposed upon the applicant: Approval of the request would permit commercial/office development in an area that is appropriate for the site. Denial may represent economic loss to the applicant.

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

7. Impact of the proposed development on community facilities: Staff does not anticipate the proposed development to have a significant impact on community facilities.

8. Opposition or support of neighborhood residents: At the time of the publication of the staff report, staff has received several comments from the public, some of which are in opposition to the requested zone change. Written comments are attached to the end of this report.

Attachments:

1. Public Comment
2. PUD #121 Text
3. PUD Drawing
4. Aerial Map
5. Zoning Map
6. Land Use Map
7. Photos

My comments regarding the application for the property to have a commercial location at 13800 E Harry St are as follows:
After talking to the Wichita Metro Area Planning Department about the upcoming public hearing on the proposed change to this property, there was no detail of the proposed commercial business at this location. This property is in a completely residential location. Harry Street is a 2-lane road there with no turn lanes. There have already been a few vehicle accidents nearby with cars turning into the neighborhood close to this address, so I'm concerned about probable increase in traffic at this section of Harry Street. Not knowing the nature of the proposed business, the concern of increased traffic and not knowing what could happen to the existing home on the property, I hope this new property owner is not allowed to have a commercial business at this location.
Robin Sodowsky
1438 S Alden
Wichita, KS. 67230

Hi,

I received a letter about a PUD, I think it's 2024-0001 for a property near 127th and Harry. It says for commercial office - do you konw waht the developers plans are, any more specifically than 'commercial office' for the property?

Thanks,

Mr. Rick Wessley

Operations Manager

http://www.USBFireWire.com

RR Business Ventures, LLC

I also worry about any drainage from parking lot, buildings, etc. they are proposing. The creek already floods and any additional construction would certainly make it worse. I am sure the creek needs to be cleaned of debris, possibly deepened . There are several dams, some working and some that have failed in the creek which prevent the flow of water. Sincerely, Ginny Alden

PUD #121 Text

Staff-recommended changes are in red.

HARRY STREET
Planned Unit Development No. 121
Case Number: PUD2024-00001

PROJECT DESCRIPTION: The intent of this Planned Unit Development is to facilitate a mixed-use development that includes a residential component, agricultural facilities, and a commercial/office facility.

This Planned Unit Development allows a certain level of flexibility with site development regulation which would otherwise not be permitted under the existing zoning.

GENERAL PROVISIONS:

1. Total Land Area: 1,284,789 square feet or 3.34 acres

   Total Gross Floor Area: 449,676 square feet

   Total Floor Area Ratio 35.0 percent

2. Parking shall be provided in accordance with the Unified Zoning Code unless otherwise specified on the parcel description.

3. Setbacks are displayed on the individual parcels within the PUD, or outlined in the Parcel description.

4. A Drainage Plan shall be submitted to the appropriate governing body for approval. Required guarantees for drainage shall be provided at the time of platting improvements.

5. Parcel 1 shall be limited to those permitted by-right in the SF-5 Single-Family Residential District zoning together with "GO" General Office District; except for the following uses: Group Residence, General; Correctional Placement Residence, Limited; Correctional Placement Residence, General; Hospital; Recycling Collection Station, Private; Hotel or Motel; Marine Facility, Recreational; and Asphalt or Concrete Plant, Limited.

   Reserve A shall serve as a buffer to adjacent property and shall allow any existing or new agricultural uses.

~~6.~~ Access shall be approved during the platting process and ~~as~~ indicated on the plan~~, and/or as approved during the platting process.~~

7. All outdoor lighting shall employ cut-off luminaries to minimize light trespass and along and will be aimed or shielded away from neighboring properties. Lighting sources shall be limited to sixteen (16) feet in height, including poles and base. The height of lighting may be increased to 24 feet if a photometric plan is submitted and approved by MAPD staff.

8. Reserve A shall serve as the landscape buffer between property lines. The 100' building setback shall serve as street yard requirement.

9. Amendments, adjustments or interpretations to this PUD shall be done in accordance with the Unified Zoning Code.

10. The Transfer of title of all of any portion of land included within the Planned Unit Development (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.

11. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approval by the Governing Body, and any substantial deviation of the plan, after a joint determination by the Zoning Administrator and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.

12. The design layout shown on the plan illustrates one development concept. Modifications to the size and/or location of improvements, building layout, and/or access locations may be permitted, provided they meet all requirements of this plan. This plan envisions the development of a mixed-use facility, as shown on the plan; however, in the event additional uses within separate buildings are proposed, the applicant shall submit a revised site plan to the Planning ~~Director~~ Department for review. If such modifications are determined by the Planning Director, with the concurrence of the Zoning Administrator, to be significant, the owner shall be required to file for an administrative adjustment to the PUD. If the change is considered greater than what can be approved administratively, the owner shall be required to file an amendment to the PUD, which shall be submitted to the Metropolitan Area Planning Commission for their consideration.

LEGAL DESCRIPTION: ~~Unplatted~~ The South Half of the West 60 acres of the Southeast Quarter of Section 26, Township 27 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas, EXCEPT the South 40 feet thereof for road; TOGETHER WITH that part of the Southeast Quarter of Section 26, Township 27 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas, described as: Beginning at the Southwest corner of the East 50 acres of the South Half of said Southeast Quarter; thence North 1,327.63 feet to the Northwest corner of said East 50 acres; thence West 16.05 feet to the Northeast corner of the South Half of the West 60 acres of said Southeast Quarter; thence South along the East line of said South Half of the West 60 acres 1,327.59 feet to the South line of said Southeast Quarter; thence East along the South line of said Southeast Quarter to the point of beginning.

Parcel 1

A. Net Area:	302,166 square feet or 6.93 acres
B. Maximum Building Coverage:	105,758 square feet or 35.0 percent
C. Maximum Gross Floor Area:	105,758 square feet
D. Floor Area Ratio:	35.0 percent
E. Maximum Building Height:	45 feet, except for any other structures exempt by the UZC.
F. Setbacks:	100' Front Setback
	0' Side and Rear Setback
G. Access Points:	See Drawing
H. Permitted Uses:	See General Provision #5

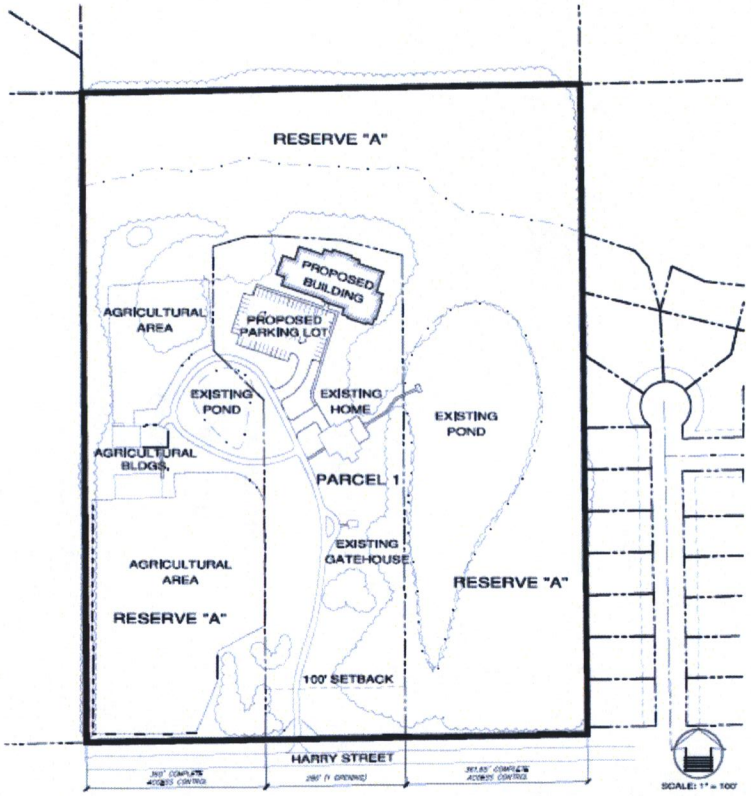
Reserve A

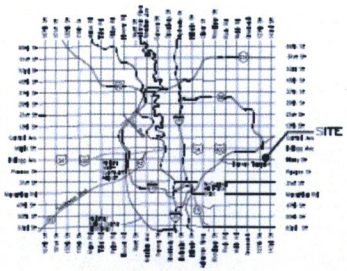
A. Net Area:	982,623 square feet or 22.56 acres
B. Permitted Uses:	See plat of subject property
C. Setbacks:	See General Provision #5

PUD #121 Drawing

HARRY STREET

PLANNED UNIT DEVELOPMENT
P.U.D.#x





VICINITY MAP

PROJECT DESCRIPTION:

The intent of this Planned Unit Development is to facilitate a mixed-use development that includes a residential component, agricultural facilities, and a commercial/office facility.

This Planned Unit Development allows a certain level of flexibility with site development regulation which would otherwise not be permitted under the existing zoning.

GENERAL PROVISIONS:

1. Total Land Area: 1,284,769 sq.ft. or 3.34 acres
   Total Gross Floor Area: 445,676 sq.ft.
   Total Floor Area Ratio: 35.0 percent
2. Parking shall be provided in accordance with the Unified Zoning Code unless otherwise specified on the parcel description.
3. Setbacks are displayed on the individual parcels within the PUD, or outlined in the Parcel description.
4. A Drainage Plan shall be submitted to the appropriate governing body for approval. Required guarantees for drainage shall be provided at the time of platting improvements.
5. Parcel 1 shall be limited to those permitted by-right in the "SF-5" Single-family Residential zoning district together with "GO" General Office district except for the following uses: Group Residence, General; Correctional Placement Residence, Limited; Correctional Placement Residence, General; Hospital; Recycling Collection Station, Private; Hotel or Motel; Marina Facility Recreational; and Asphalt or Concrete Plant, Limited.

   Reserve "A" shall serve as a buffer to adjacent property, and shall allow any existing or new agricultural uses. All setback requirements for new construction shall adhere to the "SF-5" Single-family Residential Zoning District.
6. Access shall be as indicated on the plan, and/or as approved during the platting process.
7. All outdoor lighting shall employ cutoff luminaries to minimize light trespass and glare, and will be aimed or shielded away from neighboring properties. Lighting sources shall be limited to sixteen (16) feet in height, including poles and base. The height of lighting may be increased to 24 feet in a photometric plan is submitted and approved by MAPD staff.
8. Reserve "A" shall serve as the landscape buffer between property lines. The 100' building setback shall serve as street yard requirement.
9. Amendments, adjustments or interpretations to this P.U.D. shall be done in accordance with the Unified Zoning Code.
10. The Transfer of title of all or any portion of land included within the Planned Unit Development (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.
11. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the Governing Body, and any substantial deviation of the plan, as determined by the Zoning Administrator and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
12. The design layout shown on the plan illustrates one development concept. Modifications to the size and/or location of improvements, building layout, and/or access locations may be permitted, provided they meet all requirements of this plan. The plan envisions the development of a mixed-use facility, as shown on the plan; however, in the event additional uses within separate buildings are proposed, the applicant shall submit a revised site plan to the Planning Director for review. If such modifications are determined by the Planning Director, with the concurrence of the Zoning Administrator, to be significant, the owner shall be required to file for an administrative adjustment to the P.U.D. If the change is considered greater than what can be approved administratively, the owner shall be required to file an amendment to the P.U.D., which shall be submitted to the Planning Commission for their consideration.

LEGAL DESCRIPTION:

Unplatted

REVISIONS

Drawn:	January 24, 2024
Submitted:	February 5, 2024
Revised:	
Approved by MAPC:	
Revised per City Council:	

PARCEL 1

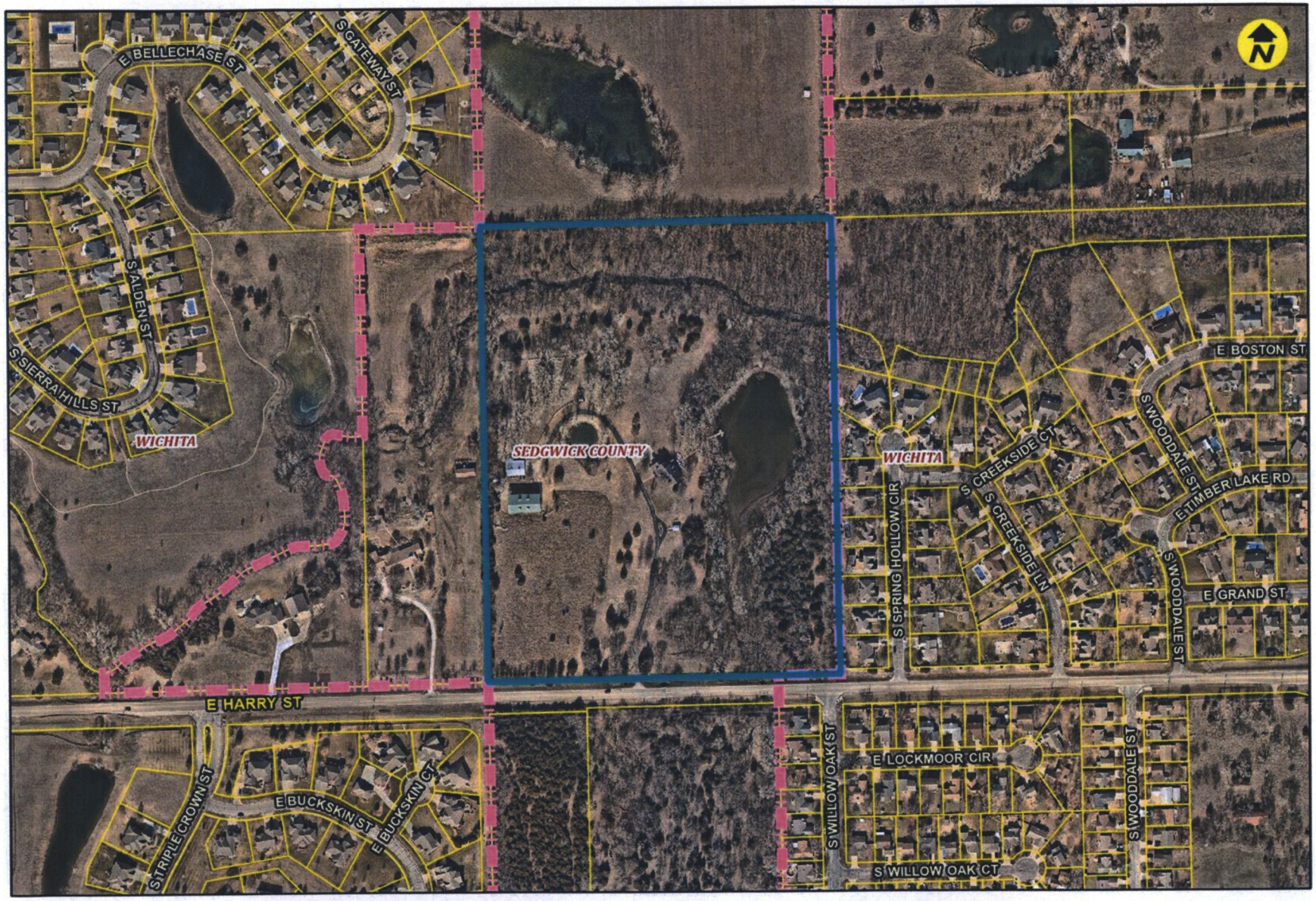
A. Net Area:	332,166 sq.ft. or 6.93 acres
B. Maximum Building Coverage:	105,758 sq.ft. or 35.0 percent
C. Maximum Gross Floor Area:	105,758 sq.ft.
D. Floor Area Ratio:	35.0 percent
E. Maximum Building Height:	45 feet, except for any other structures exempt by the UZC
F. Setbacks:	100' Front Setback 0' Side and Rear Setback
G. Access Points:	See Drawing
H. Permitted Uses:	See General Provision #5

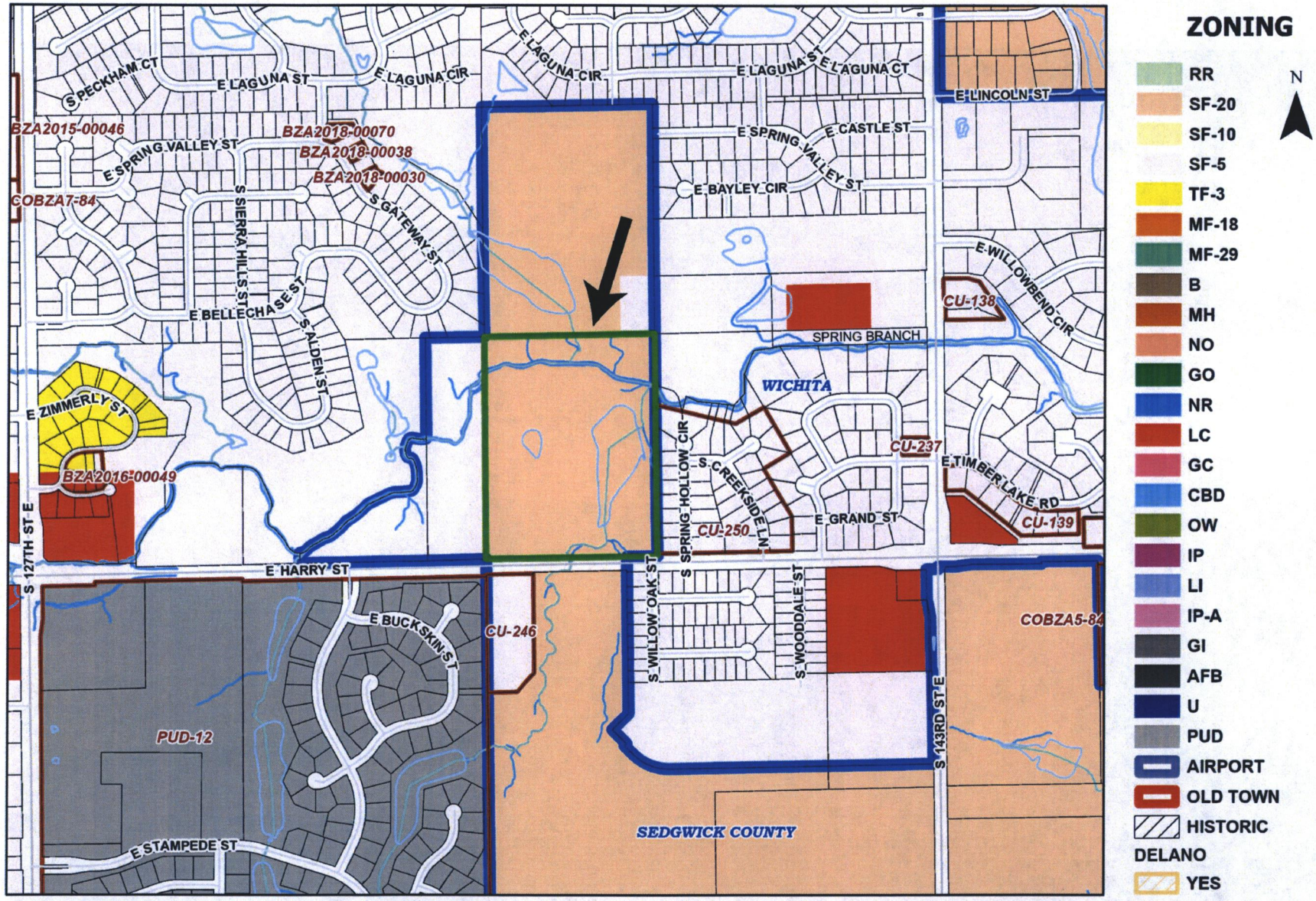
RESERVE "A"

A. Net Area:	952,603 sq.ft. or 22.56 acres
B. Permitted Uses:	See plan of subject property
C. Setbacks:	See General Provision #5

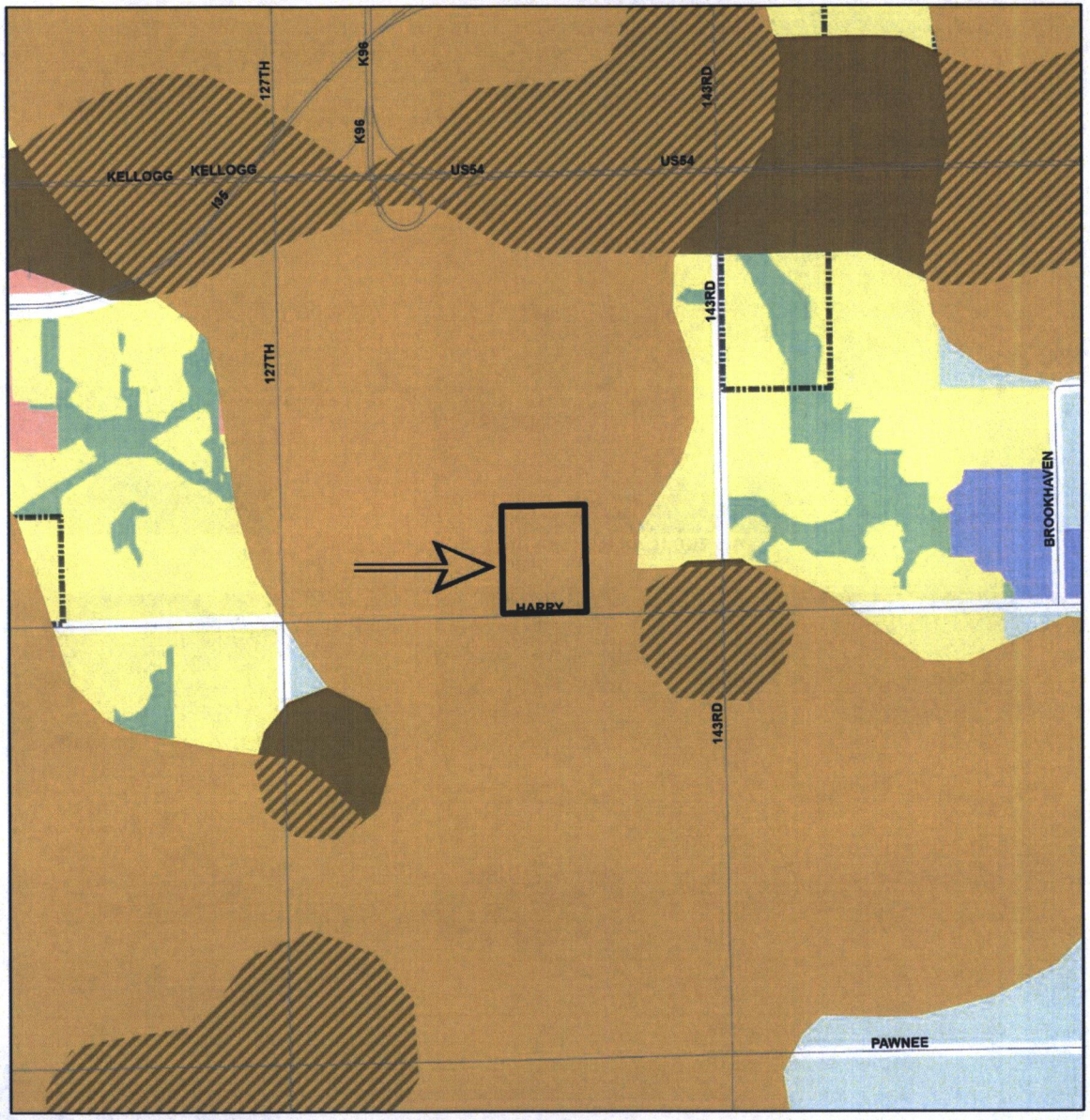
PUD #x
HARRY STREET
PLANNED UNIT DEVELOPMENT

BAUGHMAN COMPANY


E BELLECHASE ST
S GATEWAY ST
S ALDEN ST
S SIERRA HILLS ST
WICHITA
SEDGWICK COUNTY
WICHITA
E BOSTON ST
S WOODDALE ST
E TIMBER LAKE RD
S CREEKSIDE CT
S CREEKSIDE LN
S SPRING HOLLOW CIR
S WOODDALE ST
E GRAND ST
E HARRY ST
S TRIPLE CROWN ST
E BUCKSKIN ST
E BUCKSKIN CT
S WILLOW OAK ST
E LOCKMOOR CIR
S WOODDALE ST
S WILLOW OAK CT
N


ZONING
N
RR
SF-20
SF-10
SF-5
TF-3
MF-18
MF-29
B
MH
NO
GO
NR
LC
GC
CBD
OW
IP
LI
IP-A
GI
AFB
U
PUD
AIRPORT
OLD TOWN
HISTORIC
DELANO
YES
E LAGUNA ST
E LAGUNA CIR
E LAGUNA CT
S PECKHAM CT
E LINCOLN ST
E SPRING VALLEY ST
E CASTLE ST
E BAYLEY CIR
E WILLOWBEND CIR
BZA2015-00046
BZA2018-00070
BZA2018-00038
BZA2018-00030
COBZA7-84
S SIERRA HILLS ST
S GATEWAY ST
E BELLECHASE ST
S ALDEN ST
CU-138
SPRING BRANCH
WICHITA
E ZIMMERLY ST
BZA2016-00049
S 127TH ST E
S SPRING HOLLOW CIR
S CREEKSIDE LN
CU-237
E TIMBER LAKE RD
CU-139
CU-250
E GRAND ST
E HARRY ST
S WILLOW OAK ST
S WOODDALE ST
E BUCKSKIN ST
CU-246
COBZA5-84
S 143RD ST E
PUD-12
SEDGWICK COUNTY
E STAMPEDE ST

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

N

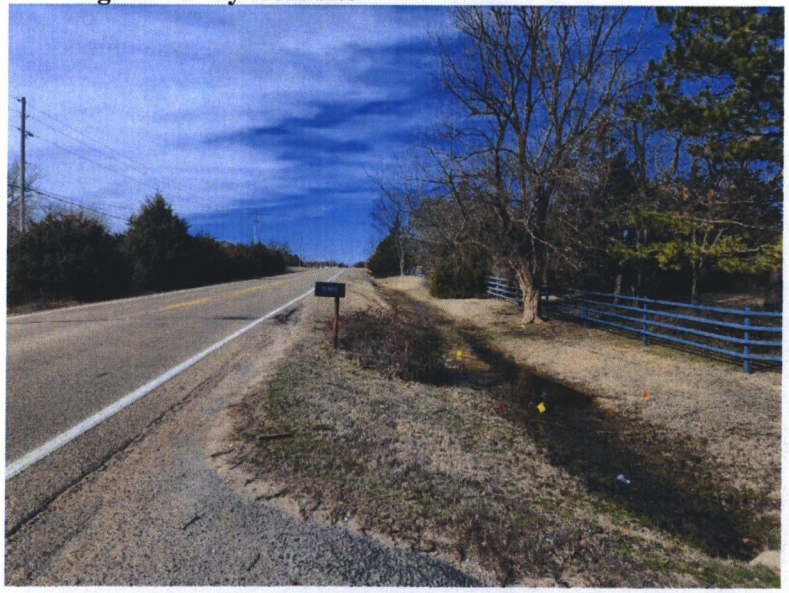
Looking north towards site



Looking south away from site



Looking west away from site



Looking east away from site

