Wichita-Sedgwick County Metropolitan Area Planning Department

JBJ LLC
7540 W Northwind Street, #300
Wichita, KS 67205

April 24, 2024

RE: 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)

Dear applicant,

On April 16, 2024, 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 matter, please contact our office.

Sincerely,

Christina Rieth
Associate Planner

Cc: Dalton Glasscock, Councilmember District IV
Brooke Kauchak, CSR District IV
MABCD
Josh Wilson, 808 North Woodchuck, Wichita, KS 67212

Wichita-Sedgwick County Metropolitan Area Planning Department

JBJ LLC
7540 W Northwind Street, #300
Wichita, KS 67205

March 14, 2024

RE: 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).

Dear Applicant;

At its regular meeting on **March 14, 2024**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned requests. The action of the MAPC was to recommend **APPROVAL** of the request.

Property owners opposed to the application may file with the City Clerk a signed, written protest of the MAPC's recommendation. (Unsigned e-mails are not considered to be legal protests.) To be effective, the protest must be filed by 5:00 p.m. on **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 considered by the Wichita City Council on **Tuesday, April 16, 2024,** beginning at 9:00 a.m., at 455 North Main Street, Wichita, KS 67202.

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

Sincerely,

Christina Rieth
Current Plans
Associate Planner

CC: Dalton Glasscock, Councilmember District IV
Brooke Kauchak, CSR District IV
MABCD

OCA 150004 PUBLISHED IN THE WICHITA EAGLE ON April 26, 2024

ORDINANCE NO. 52-369

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. ZON2024-00004

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

The West Half of Lot 9, except the South 172 feet thereof, Haycraft Acres Addition, 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

Lily Wu, Mayor, City of Wichita

ATTEST:

Jamie Buster

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	545748	Print Legal Ad-IPL01703890 - IPL0170389	ORD#52-369	$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. 52-369

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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
IPL0170389
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

STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

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
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 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
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, 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 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

STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

AGENDA ITEM NO. 4.5

WICHITA—SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

STAFF REPORT
MAPC: March 14, 2024
DAB IV: March 4, 2024

CASE NUMBER: ZON2024-00004 (City)

APPLICANT/AGENT: JBJ LLC (Applicant)

REQUEST: TF-3 Two-Family Residential District

CURRENT ZONING: SF-5 Single-Family Residential District

SITE SIZE: 0.20 acres

LOCATION: Generally located on the south side of West Haskell Avenue, within one-quarter mile west of South Seneca Street

PROPOSED USE: One duplex

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) on an 0.20-acre property. The property is generally located on the south side of West Haskell Avenue, within one-quarter mile west of South Seneca Street. The subject site is vacant. According to historic aerials, the subject site has never been developed.

The applicant is requesting the zone change in order to build a duplex on site. Should the zone change request be approved, there will be no change in setbacks, parking requirements, or maximum height. SF-5 requires a 5,000 square foot minimum lot size, while TF-3 requires a 3,500 square foot minimum lot size per unit.

The character of the neighborhood is residential. Properties the north, south, east, and west are all zoned SF-5 and developed with single-family residences. There is duplex development within 850 feet northeast of the subject site, on the north side of West Haskell Avenue. The requested zone change is thus not introducing a new use to the area.

CASE HISTORY: On January 31, 1937, the subject site was platted as part of the Haycraft Acres Addition. There are no zoning cases associated with this property.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single-family residence
SOUTH:	SF-5	Single-family residence
EAST:	SF-5	Single-family residence
WEST:	SF-5	Single-family residence

PUBLIC SERVICES: The subject site currently has access to West Haskell Avenue, a two-way local street with a sidewalk on the north side. The site has access to all public utilities. Wichita Transit serves this site within one-half mile east of the subject site, on the west side of South Seneca Street, just south of West Lydia Street.

CONFORMANCE TO PLANS/POLICIES: The requested zone change is in conformance with the *Community Investments Plan*. The *Community Investments Plan* (the Wichita-Sedgwick County Comprehensive Plan) recommends the subject site as primarily appropriate for "Residential" development. 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 fits within this category.

The requested zone change is also in conformance with the *Wichita: Places for People Plan*. The subject site is located within an Area of Stability, which the *Plan* defines as "locations within the Established Central Area (ECA) that exhibit less stress, or fewer economic, connectivity and accessibility issues than the Areas of Opportunity. Areas of Stability require fewer interventions and potentially less public investment to maintain a stable development environment and community. Improvements should be targeted to support development momentum and strengthen the established physical context." The development of a residential use on this vacant parcel strengthens the surrounding residential context.

The requested zone change also aligns with the *Places for People Plan*'s Strategies 5 and 6, which aim to "provide a diversity of housing options to attract new residents and allow existing residents to remain in the ECA" and "encourage infill and redevelopment that is contextual to the environment in which it is occurring." The requested zone change will bring infill to a vacant lot and adds to the diversity of housing in the area, which includes single-family, two-family, and multi-family residences.

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 mostly residential. Properties to the north, south, east, and west are zoned SF-5 and developed with single-family residences. There is duplex development within 850 feet northeast of the subject site, on the north side of West Haskell Avenue.

2. **The suitability of the subject property for the uses to which it has been restricted:** The property is presently zoned SF-5 Single-Family Residential District, which is suitable for a limited number of residential, public, and civic uses, including single-family residences. It does not allow for a duplex.

3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** The property will bring additional residential development to an undeveloped lot. There is duplex development within 850 feet northeast of the subject site, on the north side of West Haskell Avenue. The requested zone change is thus not introducing a new use to the area.

4. **Length of time subject property has remained vacant as zoned:** According to historic aerials, the subject site has never been developed.

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 on an undeveloped parcel that is also appropriate for such development. Denial may represent a loss of economic opportunity for the applicant.

6. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The requested zoning would continue to allow the property to be in conformance with the *Community Investments Plan* and the *Wichita: Places for People Plan*, as discussed in the staff report.

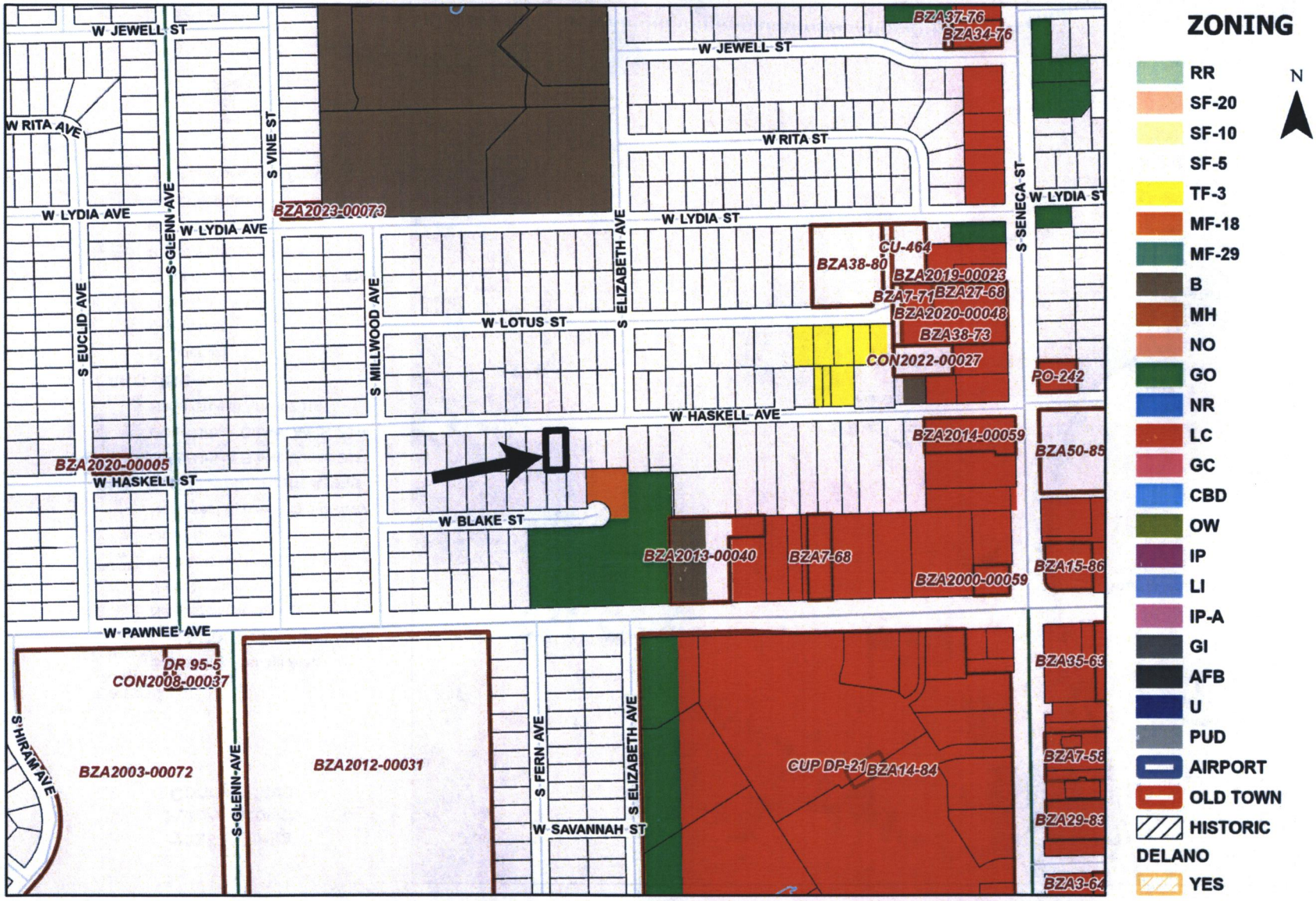
7. **Impact of the proposed development on community facilities:** The Planning Department does not anticipate the requested zone change will have a significant impact on community facilities.

8. **Opposition or support of neighborhood residents:** At the time the staff report was prepared, staff has not received any comments from the public on the requested zone change.

Staff Report Attachments:

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


W HASKELL AVE
S ELIZABETH AVE
W BLAKE ST
N


W JEWELL ST
W RITA AVE
W LYDIA AVE
S VINE ST
S GLENN AVE
S EUCLID AVE
S MILLWOOD AVE
S ELIZABETH AVE
W LOTUS ST
W HASKELL ST
W BLAKE ST
W PAWNEE AVE
S HIRAM AVE
S FERN AVE
W SAVANNAH ST
S SENECA ST
W LYDIA ST
W RITA ST
BZA2023-00073
BZA37-76
BZA34-76
CU-464
BZA38-80
BZA2019-00023
BZA7-71
BZA27-68
BZA2020-00048
BZA38-73
CON2022-00027
PO-242
BZA2014-00059
BZA50-85
BZA2020-00005
BZA2013-00040
BZA7-68
BZA2000-00059
BZA15-86
DR 95-5
CON2008-00037
BZA2003-00072
BZA2012-00031
CUP DP-21
BZA14-84
BZA35-63
BZA7-58
BZA29-83
BZA3-64
ZONING
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
N

2035 Wichita Future Growth Concept Map



Looking south towards site



Looking north away from site



Looking west away from site



Looking east away from site

