

1001 N. St. Paul

PLANNED UNIT DEVELOPMENT No. 118

APPROVED PUD

MAP 11-36-2023
 1 OF 4
 PUD 2023-00013

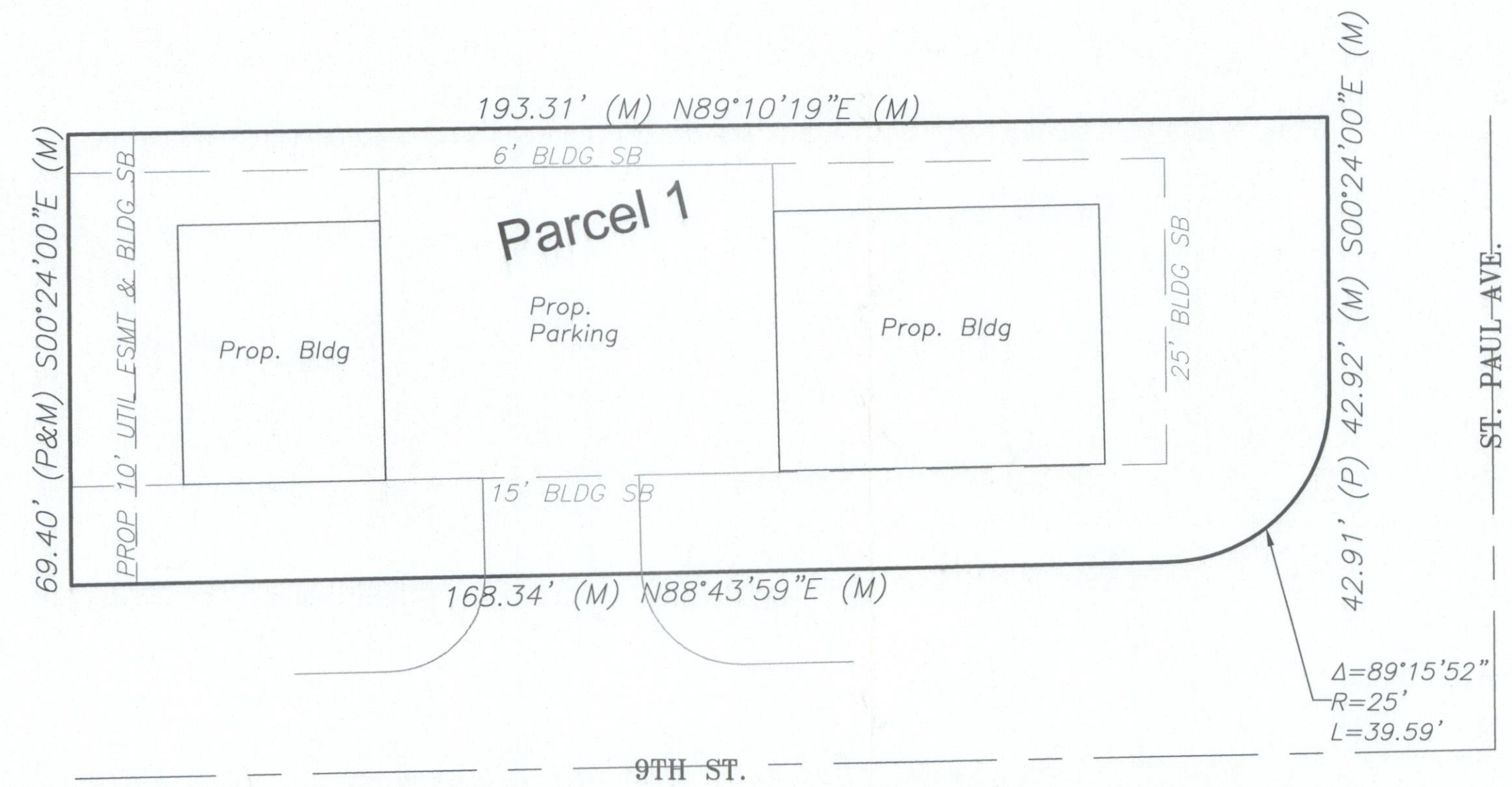
LEGAL DESCRIPTION:

Parcel 1

Lot 4, excluding the West 100 feet, Sroade Acres Addition, Wichita, Sedgwick County, Kansas.

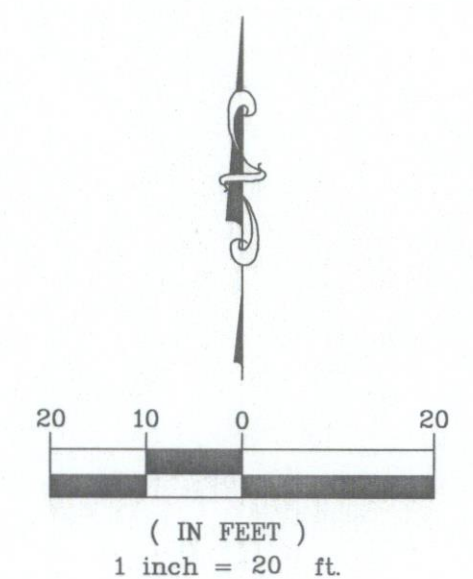
GENERAL PROVISIONS:

1. Total Land Area 13,313 square feet or 0.30 acres
2. The lot will be limited to 6 dwelling units in any combination of single family, duplex, or triplex.
3. Maximum building coverage shall be 4600 square feet.
4. Easements and setbacks are shown on the drawing.
5. Off-street parking required shall be one space per dwelling unit.
6. New utilities shall be installed underground.
7. Development of the site will not be permitted without connection to public water and sewer.
8. Relocation of any existing utilities and sidewalks will be the responsibility of the developer.
9. Amendments, adjustments, or interpretations to this PUD shall be done in accordance with 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 planning 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. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.



PARCEL 1:

- | | |
|------------------------------|--------------------------------------|
| A. Net Area: | 13,313 square feet ± or 0.30 acres ± |
| B. Maximum Building Coverage | 4600 square feet |
| C. Maximum Height | 35 feet |
| D. Setbacks | See Drawing |
| E. Screening | Per Unified Zoning Code |
| F. Landscaping | Per Wichita Landscape Ordinance |





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

JBJ LLC
7540 West Northwind Street
Suite 300
Wichita, KS 67205

January 3, 2024

K.E. Miller Engineering
Attn: Kirk Miller
117 East Lewis Street
Wichita, KS 67202

RE: PUD2023-00013 - Zone change request in the City from SF-5 Single-Family Residential District to PUD #118 Planned Unit Development for multi-family development and custom parking standards, generally located on the northwest corner of West 9th Street North and North Saint Paul Avenue (1001 North Saint Paul).

Dear applicant,

On January 2, 2024, the Wichita City Council considered the above captioned request. The action of the WCC was to **APPROVE** the request with the following conditions:

1. Any new construction on site shall have a hipped or gabled roof. The roof cannot have a single plane.
2. The applicant shall implement screening and landscaping per the Unified Zoning Code and the Wichita Landscape Ordinance, respectively, as described above.
3. The PUD shall be developed in accordance with the approved PUD language.
4. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #118 1001 N. St. Paul Planned Unit Development) has special conditions for development on the property.
5. 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.

If you have any questions concerning this matter, please contact our office.

Sincerely,

A handwritten signature in cursive script that reads 'Christina Rieth'.

Christina Rieth
Associate Planner

Cc: Maggie Ballard, Councilmember District VI
Ana Lopez, CSR District VI
MABCD



Wichita-Sedgwick County Metropolitan Area Planning Department

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

November 30, 2023

K.E. Miller Engineering
Attn: Kirk Miller
117 East Lewis Street
Wichita, KS 67202

RE: PUD2023-00013 – Zone change request in the City from SF-5 Single-Family Residential District to PUD #118 Planned Unit Development for multi-family development and custom parking standards, generally located on the northwest corner of West 9th Street North and North Saint Paul Avenue (1001 North Saint Paul).

Dear applicant;

At its regular meeting on **November 30, 2023**, 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 with the following conditions:

1. The applicant shall implement screening and landscaping per the Unified Zoning Code and the Wichita Landscape Ordinance, respectively, as described above.
2. The PUD shall be developed in accordance with the approved PUD language.
3. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #118 1001 N. St. Paul Planned Unit Development) has special conditions for development on the property.
4. 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.

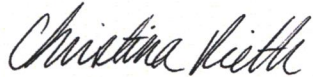
Property owners opposed to the application may file with the City Clerk a signed, written protest of the MAPC's recommendation. (Unsigned e-mails are not considered to be legal protests.) To be effective, the protest must be filed by 5:00 p.m. on December 14, 2023. In order to be considered a "valid" petition, the signatures must reflect the correct and entire ownership of the property, the property must be at least partially located within 200 feet of the property for which the application was filed, and must be submitted to the City Clerk by **December 14, 2023 at 5:00 p.m.**

This application will be heard by District Advisory Board VI on **Monday, December 11, 2023**, beginning at 6:30pm, at Evergreen Community Center & Library (2601 North Arkansas). For more information on this meeting, please contact the Community Service Representative, Ana Lopez, at (316) 303-8043 or

alopez@wichita.gov. This application will be considered by the Wichita City Council on **Tuesday, January 2, 2024**, beginning at 9:00 a.m.

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

Sincerely,



Christina Rieth
Current Plans
Associate Planner

CC: Maggie Ballard, Councilmember District VI
Ana Lopez, CSR District VI
MABCD

OCA 150004

(Published in the Wichita Eagle, January 12, 2024)

ORDINANCE NO. 52-319

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. PUD2023-00013

Zone Change Request from SF-5 Single-Family Residential District to PUD Planned Unit Development subject to the general provisions of PUD #118, on property legally described as:

Lot 4, excluding the West 100 feet, Sroade Acres Addition, Wichita, Sedgwick County, Kansas.

The 1001 N. St. Paul Planned Unit Development (PUD #118) shall be subject to the following conditions:

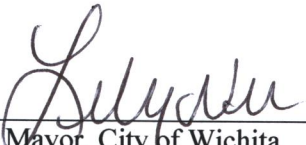
1. Any new construction on site shall have a hipped or gabled roof. The roof cannot have a single plane.
2. The applicant shall implement screening and landscaping per the Unified Zoning Code and the Wichita Landscape Ordinance, respectively, as described above.
3. The PUD shall be developed in accordance with the approved PUD language.
4. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #118 1001 N. St. Paul Planned Unit Development) has special conditions for development on the property.
5. 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 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.

[Remainder of page intentionally left blank]

Adopted this 9th day of January, 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
 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	508416	Print Legal Ad-IPL01549250 - IPL0154925	ORD#52-319	\$85.86	2	51L

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, January 12, 2024)
ORDINANCE NO. 52-319

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:

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Any new construction on site shall have a hipped or gabled roof. The roof cannot have a single plane.

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

The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #118 1001 N. St. Paul Planned Unit Development) has special conditions for development on the property.

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 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.

[Remainder of page intentionally left blank]

Adopted this 9th day of January, 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

IPL0154925

Jan 12 2024

In The STATE OF KANSAS

In and for the County of Sedgwick

1 insertion(s) published on:

01/12/24

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 01/12/2024 to 01/12/2024.

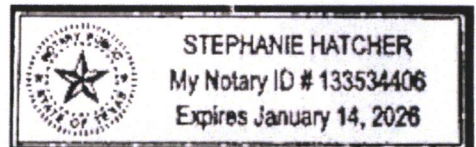
Stefani Beard

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

DATED: 01/12/2024

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
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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
16399	486952	Print Legal Ad-IPL01467920 - IPL0146792		\$198.76	3	79 L

Attention: MANDY HEBERT
 CITY OF WICHITA/PLANNING DEPT
 271 WEST THIRD ST., 2ND FL, SU 203
 WICHITA, KS 67202
 MHEBERT@wichita.gov

LEGAL PUBLICATION

OCA 150004
 Published in The Wichita Eagle on November 9, 2023
 (One Time Only)
 MAPC/BZA November 30, 2023
 OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, November 30, 2023, no earlier than 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held in person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation is encouraged (see instructions below). Virtual participation is not available. If you have any questions regarding the meeting or items on this notice, please call the Wichita-Sedgwick County Metropolitan Area Planning Department at (316) 268-4421.

- CON2023-00056:** Conditional Use request in the City for an Accessory Apartment; generally located on the northwest corner of West Central Avenue and North Clara Street (703 North Clara Street).
- CUP2023-00036:** CUP Amendment in the City to DP-327 to Parcel 8 to have a drive-thru and Parcel 8 to match architectural controls of Parcel 5, on property zoned LC Limited Commercial, located on the east side of North Maize Road, within one-quarter mile north of West 29th Street North (3220 N. Maize).
- DER2023-00018:** Unified Zoning Code amendment (City and County) to better define the term Entertainment Establishments, and Nightclubs in the City. Entertainment Establishments will now include alcohol and require a Conditional Use Permit in some cases. Nightclub in the City applies to uses with a capacity of 300 persons or more.
- PUD2023-00012:** Zone change request in the City from B Multi-Family to PUD (Planned Unit Development) to allow commercial uses for an existing building, generally located on the west side of South Minneapolis Avenue, within one block south of East Douglas Avenue. (104 South Kansas Avenue, 115 and 119 South Minneapolis Avenue).
- PUD2023-00013:** Zone change request in the City from SF-5 Single-Family Residential District to PUD #118 Planned Unit Development for multi-family development and custom parking standards, generally located on the northwest corner of West 9th Street North and North Saint Paul Avenue (1001 North Saint Paul).
- VAC2023-00043:** Vacation request in the City to vacate a portion of platted right-of-way (South Mosley Street) located one-quarter mile north of Highway 54 and 800-ft south of East Douglas Avenue.
- ZON2023-00060:** Zone Change request in the City from SF-5 Single-Family Residential to LC Limited Commercial for retail sales development; located south along West 21st Street North and within one-half mile east of North Tyler Road (8021 West 21st Street North).
- ZON2023-00061:** Zone change request in the City from SF-5 Single-Family Residential District and LC Limited Commercial District to LI Limited Industrial District to allow for industrial development, generally located on the southwest corner of 45th Street North and Hillside Avenue.
- ZON2023-00062:** Zone change request in the City from GC General Commercial to CBD Central Business District to redevelop the site in a consistent manner with the surrounding properties, located north-east corner of S Walnut Street and W Texas Avenue (110 S Walnut Street, 926 W Texas Avenue).
- ZON2023-00063:** Zone change in the City from GO General Office District to LC Limited Commercial District to allow a restaurant, generally located on the west side of South Webb Road, within 750 feet south of East Harry Street (1705 South Webb Road).
- ZON2023-00064:** Zone change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District for duplex development, generally located on the west side of North Webb Rd, within one-quarter mile south of East 45th Street North (4439 North Webb Road).

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:

- 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.
- 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 Department 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 November 9, 2023
 Scott Wadle, Secretary
 Wichita-Sedgwick County
 Metropolitan Area Planning Commission
 IPL0146792
 Nov 9 2023

In The STATE OF KANSAS
 In and for the County of Sedgwick
 1 insertion(s) published on:
 11/09/23

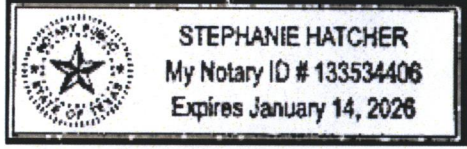
STATE OF KANSAS)
 SS
 County of Sedgwick)

Stefani Beard, of lawful age, being first duly sworn, depose and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterrupted 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 11/09/2023 to 11/09/2023.

Stefani Beard

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
 DATED: 11/09/2023

Stephanie Hatcher
 Notary Public in and for the state of Texas, residing in Dallas County



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



STAFF REPORT
MAPC: November 30, 2023
DAB VI: December 11, 2023

CASE NUMBER: PUD2023-00013 (City)

APPLICANT/AGENT: JBJ LLC (Applicant); K.E. Miller (Agent)

REQUEST: Rezone to create the 1001 N. St. Paul Planned Unit Development PUD #118

CURRENT ZONING: SF-5 Single-Family Residential District

SITE SIZE: 0.31 acres

LOCATION: Generally located on the northwest corner of West 9th Street North and North Saint Paul Street (1001 North Saint Paul Avenue).

PROPOSED USE: Multi-family development.

RECOMMENDATION: Approval with conditions.



BACKGROUND: The applicant is requesting a zone change from SF-5 Single-Family Residential District to PUD Planned Unit Development to create the 1001 N. St. Paul Planned Unit Development (PUD #118). The site is approximately 0.31 acres in size and is generally located on the northwest corner of West 9th Street North and North Saint Paul Avenue (1001 North Saint Paul Street). The site is made up of one parcel in the City of Wichita and is currently vacant. Until earlier this year, a single-family dwelling existed on site and has since been demolished. The proposed PUD would permit multi-family development with custom setback, development, and parking standards.

According to the PUD drawing submitted by the applicant, the lot will be limited to six (6) dwelling units in any combination of single-family, duplex, or triplex units. This allows a permitted density of 20 dwelling units per acre. The site plan shows a new access driveway from West 9th Street North, two residential buildings, and a parking lot in between. Parcel 1, the only parcel in the PUD, shall have the same development standards set forth in SF-5 Single-Family Residential zoning, with the exception of density and a reduction in the rear setback.

Development Standard	SF-5 Single-Family Residential District	PUD Planned Unit Development
Parking	One per dwelling unit	One per dwelling unit
Density	One dwelling unit	Six dwelling units
Maximum height	35 feet	35 feet
Interior side setback	Six feet	Six feet
Street side setback	15 feet	15 feet
Rear setback	20 feet	10 feet
Front setback	25 feet	25 feet

The PUD does not specify screening or landscaping requirements. Screening will be required on all four sides of the property, where it abuts residential zoning. The subject site has a total of 131 feet of street frontage on West 9th Street North and North Saint Paul Avenue, so it shall have 1,055 square feet of landscaped street yard. The Wichita Landscape Ordinance requires one shade tree or two ornamental trees for every 500 square feet of required landscaped street yard, so the applicant must install at least three shade trees or six ornamental trees. In addition to screening, buffer trees must be planted. This buffer requires a quantity of one shade tree or two ornamental trees per forty lineal feet of property line abutting the residential area. This will require the applicant to install a minimum of four trees on the north and south property lines. As a condition of approval, staff recommends screening and landscaping requirements that adhere to the Unified Zoning Code and the Wichita Landscape Ordinance, respectively.

Properties to the north, south, east and west are all zoned SF-5 Single-Family Residential District. Properties to the north, east and west are developed with single-family dwellings. Property to the south is developed with a place of worship. Property to the southeast is zoned TF-3 Two-Family Residential District with a Conditional Use for Multi-family and developed with three duplexes (six dwelling units) on one lot.

CASE HISTORY: On May 2, 1928, the subject site was platted as Lot 4 (except for the west 100 feet) of the Sroade Acres Addition. There are no zoning cases associated with this property.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single-family dwelling
SOUTH:	SF-5	Place of worship
EAST:	SF-5	Single-family dwelling
SOUTHEAST:	TF-3	Duplexes
WEST:	SF-5	Single-family dwelling

PUBLIC SERVICES: The subject site has access to West 9th Street North and North Saint Paul Avenue, which are both paved, two-way local streets with no sidewalks. Municipal water and sewer services already serve this site. Wichita Transit provides regular bus service within one-half-mile north of the subject site, on the southwest corner of West 13th Street North and North Saint Paul Avenue.

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 "Residential" uses, which the *Plan* defines 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)." Multi-family development, such as that proposed in the Planned Unit Development, is an appropriate use of the land.

The proposed rezoning is in conformance with the development pattern and land use compatibility locational guidelines of the *Community Investments Plan*. Development pattern guidelines support the expansion of existing uses to adjacent areas. There is duplex development on the southeast corner of West 9th Street North and North Saint Paul Avenue, which is similar to the applicant's proposal. Compatibility guidelines state that non-residential uses and residential uses should be separated by appropriate screening and buffering to ensure compatibility of uses. Staff recommends screening and landscaping to ensure compatibility with the proposed use and the lower density residential nearby.

The proposed rezoning is in conformance with the *Wichita: Places for People Plan*. The subject site is located within the Established Central Area, which the *Plan* describes as "a place that provides for the movement of people - on foot, on bike and through transit - in balance with automobiles." The requested zone change aligns with the *Plan's* Strategies 5 and 6, which aim to:

1. "provide a diversity of housing options to attract new residents and allow existing residents to remain in the ECA" and
2. "encourage infill and redevelopment that is contextual to the environment in which it is occurring."

The subject site is located in what the *Places for People Plan* calls an "Area of Stability", defined as "areas of the ECA that exhibit less stress, or fewer economic, connectivity, and walkability issues. Areas of Stability should require fewer interventions and potentially less investment to maintain a viable development environment and community. Improvements should be geared toward continuing the area's momentum and strengthening the established context." The requested zone change will continue the momentum initiated by the duplex development southeast of the subject site with multi-family housing at a similar rate of density.

RECOMMENDATION: Based on the information available at the time of the public hearing, staff recommends **APPROVAL** of the application subject to provisions of the 1001 N. St. Paul Planned Unit Development PUD #118, and subject to the following conditions:

1. The applicant shall implement screening and landscaping per the Unified Zoning Code and the Wichita Landscape Ordinance, respectively, as described above.
2. The PUD shall be developed in accordance with the approved PUD language.
3. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #118 1001 N. St. Paul Planned Unit Development) has special conditions for development on the property.
4. 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: Properties to the north, south, east and west are all zoned SF-5 Single-Family Residential District. Properties to the north, east and west are developed with single-family dwellings. Property to the south is developed with a place of worship. Property to the southeast is zoned TF-3 Two-Family Residential District with a Conditional Use for Multi-family and developed with three duplexes (six dwelling units) on one lot.

2. The suitability of the subject property for the uses to which it has been restricted: The property is currently zoned SF-5 Single-Family Residential District and is suitable for single-family residential development in addition to a limited number of civic uses such as church, golf-course, parks and recreation, schools, and minor utility.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The removal of restrictions has the potential to bring increased vehicular traffic to the area.
4. Length of time the property has been vacant as currently zoned: The property has only become vacant in the last month after the demolition of the single-family dwelling on site.
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 the development of additional housing, which is considered to be a gain to the general public. 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* and the *Wichita: Places for People 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 not received any public comment on the requested zone change.

Attachments:

1. Planning Department Staff Recommended PUD #118 Text
2. PUD Drawing
3. Aerial Map
4. Zoning Map
5. Land Use Map
6. Photos

Planning Department Staff Recommended PUD #118 Text
Staff recommends the following changes in red.

1001 N. ST. PAUL
Planned Unit Development No. 118
Case Number: PUD2023-00013
General Provisions

LEGAL DESCRIPTION

Parcel 1

Lot 4, excluding the West 100 feet, Sroade Acres Addition, Wichita, Sedgwick County, Kansas.

GENERAL PROVISIONS:

1. Total Land Area: 13,313 square feet or 0.30 acres
2. The lot will be limited to six dwelling units in any combination of single family, duplex, or triplex.
3. Maximum building coverage shall be 460 square feet.
4. Easements and setbacks are shown on the drawing.
5. Off-street parking shall be one space per dwelling unit.
6. New utilities shall be installed underground.
7. Development of the site will not be permitted without connection to public water and sewer.
8. Relocation of any existing utilities and sidewalks will be the responsibility of the developer.
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 planning 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. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.

Parcel 1

- | | |
|-------------------------------|----------------------------------|
| A. Net Area: | 13,313 square feet or 0.30 acres |
| B. Maximum Building Coverage: | 4600 square feet |
| C. Maximum Height: | 35 feet |
| D. Setbacks | See Drawing |
| E. Screening | Per Unified Zoning Code |
| F. Landscaping | Per Wichita Landscape Ordinance |

PUD #118 Drawing

**1001 N. St. Paul
PLANNED UNIT DEVELOPMENT**

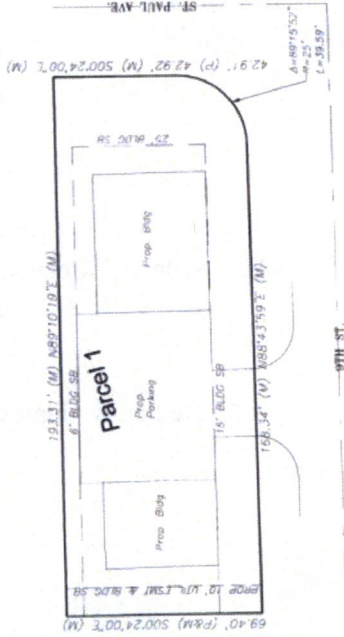
LEGAL DESCRIPTION:

Parcel 1

Lot 4, excluding the West 100 feet, Strade Acres Addition, Wichita, Sedgwick County, Kansas.

GENERAL PROVISIONS:

1. Total Land Area 13,313 sq. ft. or 0.30 acres
2. The lot will be limited to 6 dwelling units in any combination of single family, duplex, or triplex
3. Maximum building coverage shall be 4600 SF.
4. Easements and setbacks are shown on the drawing
5. Off-street parking required shall be one space per dwelling unit.
6. New utilities shall be installed underground
7. Development of the site will not be permitted without connection to public water and sewer.
8. Relocation of any existing utilities and sidewalks will be the responsibility of the developer.
9. Amendments, adjustments, or interpretations to this PUD shall be done in accordance with 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.
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12. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.

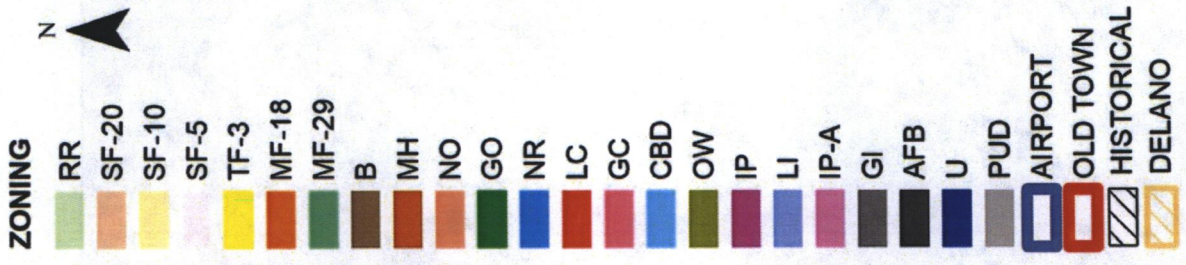


PARCEL 1:

- A. Net Area: 13,313 sq. ft. ±
0.30 acres ±
- B. Maximum Building Coverage: 4600 sq. ft.
- C. Maximum Height: 35 feet
- D. Setbacks: See Drawing

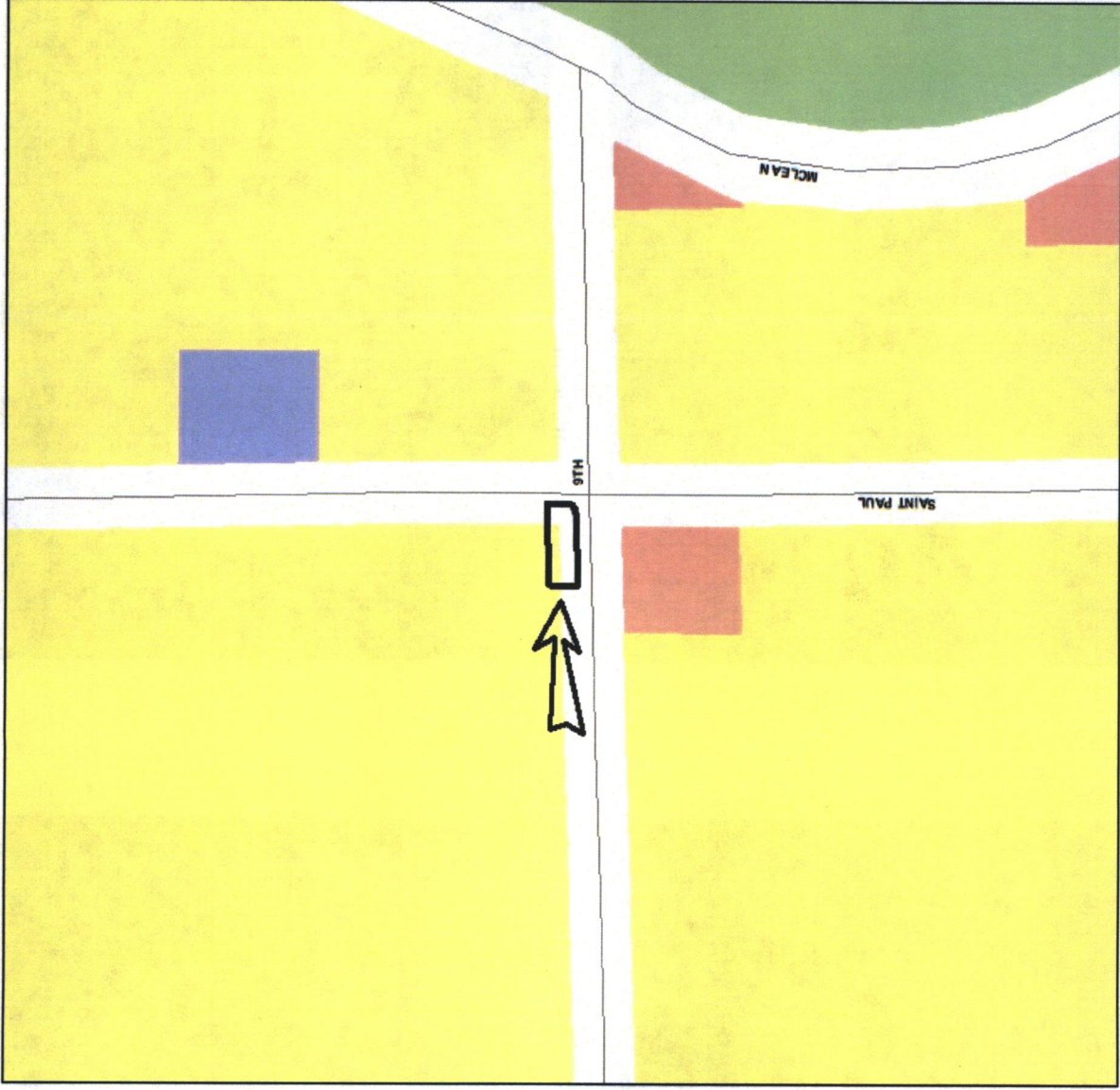






**2035 Wichita
Future Growth
Concept Map**

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



Looking north towards site



Looking south away from site



Looking west towards site



Looking east away from site

