Wichita-Sedgwick County Metropolitan Area Planning Department

September 12, 2023

David and Janet Chadd
5310 West 63rd Street South
Wichita, KS 67215

Timothy Chadd
2326 North Lakeway Circle
Wichita, KS 67205

RE: **ZON2023-00040:** Zone change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District to allow duplexes, generally located on the south of West MacArthur Road and east of South Hoover Road (5515 West MacArthur Road).

Dear Applicants;

At its regular meeting on **September 5, 2023**, the Wichita City Council considered the above captioned request. The action of the WCC was to **APPROVE** the request.

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

Sincerely,

Christina Rieth
Current Plans
Associate Planner

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

Wichita-Sedgwick County Metropolitan Area Planning Department

July 27, 2023

David Chadd
5310 W 63rd St S
Wichita, KS 67215

RE: **ZON2023-00040:** Zone change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District to allow duplex development, generally located on the south of West MacArthur Road and east of South Hoover Road (5515 West MacArthur Rd).

Dear Applicant;

At its regular meeting on **July 27, 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.

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 **August 10, 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 **August 10, 2023 at 5:00 p.m.**

This application will be heard by the District Advisory Board (DAB) IV on **Monday, August 7, 2023**, beginning at 6:30pm. The DAB will meet at the Alford Branch Library, 3447 South Meridian Avenue. More information can be obtained by the Community Services Representative, Brooke Kauchak, by calling (316) 268-4197 or emailing at BKauchak@wichita.gov.

This application will be heard by the Wichita City Council on **Tuesday, September 5, 2023**, beginning at 9:00am at the Wichita City Council Chambers.

This is a reminder that development application signs should now be removed from the property. If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

Christina Rieth
Current Plans
Associate Planner

Copies to: Jeff Blubaugh, Council Member District IV
Brooke Kauchak, CSR District IV
MABCD
Janet Chadd, *via email*
Timothy Chadd, *via email*
Allison Siler, 3818 South Flora, Wichita, KS 67215

OCA 150004 PUBLISHED IN THE WICHITA EAGLE ON SEPTEMBER 15, 2023

ORDINANCE NO. 52-257

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2023-00040

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

That part of the Northwest Quarter of Section 14, Township 28 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas, lying North of a line described as being 1607.11 feet north of the southwest corner of said Northwest Quarter, said line being perpendicular to the west line of said Northwest Quarter, and lying West of the Wichita-Valley Center Flood Control as described in Condemnation Case: A-30410, now known as the MS Mitch Mitchell Floodway; and except the North 600 feet of the West 600 feet of said Northwest Quarter; and except road rights-of-way of record.

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 12th day of September, 2023.

Lily Wu, Mayor, City of Wichita

ATTEST:

Shinita Rice, Deputy City Clerk

(SEAL)

Approved as to form: Jennifer Magaña for
Jennifer Magaña, City Attorney and Director of Law

18

McClatchy

Beaufort Gazette | The Herald - Rock Hill | el Nuevo Herald - Miami | Sun News - Myrtle Beach
Belleville News-Democrat | Herald Sun - Durham | Modesto Bee | The News Tribune Tacoma
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Bradenton Herald | Island Packet | The Olympian | San Luis Obispo Tribune
Centre Daily Times | Kansas City Star | Sacramento Bee | Tri-City Herald
Charlotte Observer | Lexington Herald-Leader | Fort Worth Star-Telegram | Wichita Eagle
Columbus Ledger-Enquirer | Merced Sun-Star | The State - Columbia
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AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
32522	466721	Print Legal Ad-IPL01396210 - IPL0139621		$63.09	1	75 L

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

JMBuster@wichita.gov

OGA 180004 PUBLISHED IN THE WICHITA EAGLE ON September 15, 2023
ORDINANCE NO. 52-257

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

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OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2023-00040

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

That part of the Northwest Quarter of Section 1, Township 28 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas, lying North of a line described as being 1607.11 feet north of the southwest corner of said Northwest Quarter, said line being perpendicular to the west line of said Northwest Quarter, and lying West of the Wichita-Valley Center Flood Control as described in Condemnation Case: A-30410, now known as the MS Mitch Mitchell Floodway; and except the North 600 feet of the West 600 feet of said Northwest Quarter; and except road rights-of-way of record.

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 12th day of September 2023.

Brandon J. Whipple, Mayor, City of Wichita
ATTEST:
Jamie Buster, City Clerk
(SEAL)
Approved as to form:
Jennifer Magana, City Attorney and Director of Law
IPL0139621
Sep 15 2023

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

1 insertion(s) published on:
09/15/23

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 09/15/2023 to 09/15/2023.

Stefani Beard

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 09/19/2023

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

Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
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Centre Daily Times
Charlotte Observer
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el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
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San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

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Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	439976	Print Legal Ad-IPL01299290 - IPL0129929		$142.59	2	85 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 July 6, 2023
(One Time Only)
MAPC/BZA July 27, 2023
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, July 27, 2023, no earlier than 1:30 p.m., the WichitaSedgwick County Metropolitan Area Planning Commission/ Board Zoning Appeals will consider the following applications. The meeting will be held at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation may also occur through virtual methods (specified at the end of this notice). If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Department at (316) 2684421.

DER2023-00004: Unified Zoning Code amendment to the Old Town Overlay to allow Tattoo and Body Piercing Facility as a permitted use within the Old Town Overlay District, located between North Santa Fe Avenue and North Washington Avenue, and between East Douglas Avenue and East 3rd Street North.

VAC2023-00025: Request in the City to vacate a portion of a platted 100-foot building setback for site development; generally located on the southwest corner of West Maple Street and South Ridge Road (333 S. Ridge Road).

VAC2023-00026: Request in the City to vacate a portion of platted street right-of-way and a 40 foot platted building setback; generally located on the northeast corner of Harry Street and Greenwich Avenue (1045 S. Dowell Terrace).

ZON2023-00040: Zone change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District to allow duplex; generally located on the south of W MacArthur Road and east of S Hoover Road (5515 W MacArthur Rd).

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 WichitaSedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MAPC as by law provided.

Options to participate (see below):
1) Participate virtually
2) Attend in-person at the Ronald Reagan Building
3) Submit comments ahead of time

Participate Virtually
Join Zoom Meeting
https://us06web.zoom.us/j/4089866967?pwd=a0k3bW0ySlBNbFJQTDFyV0xP-VDBXUT09
Meeting ID: 408 986 6967
Passcode: 094136
One tap mobile
+16699006833,,4089866967#,,,,*094136# US (San Jose)
+17193594580,,4089866967#,,,,*094136# US
Meeting ID: 408 986 6967
Passcode: 094136
Find your local number: https://us06web.zoom.us/u/kc65codfb1

Attend In-Person
You may also participate in the hearing in-person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202.The in-person option is primarily intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-2684464) by 5pm, 3 days prior to the meeting.

Submit Comments Ahead of Time
You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department no later than 5pm 3 days prior to the meeting. Please be sure to provide ample time for delivery. The comments can be submitted in the following formats: email; letter; video; and audio message (mp3, etc.). The comment should indicate which item they pertain to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff 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.

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

WITNESS MY HAND on July 6, 2023
Scott Wadle, Secretary
WichitaSedgwick County
Metropolitan Area Planning Commission
IPL0129929
Jul 6 2023

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

1 insertion(s) published on:
07/06/23

STATE OF KANSAS)
SS
County of Sedgwick)

Hayley Martin, 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 07/06/2023 to 07/06/2023.

H. Hayley

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 07/06/2023

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. 4.3

WICHITA—SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

STAFF REPORT
MAPC: July 27, 2023
DAB IV: August 7, 2023

CASE NUMBER: ZON2023-00040 (City)

APPLICANT/AGENT: David, Janet, and Timothy Chadd (Applicants)

REQUEST: TF-3 Two-Family Residential District

CURRENT ZONING: SF-5 Single-Family Residential District

SITE SIZE: 18.49 acres

LOCATION: Generally located on the east side of South Hoover Road and on the south side of West MacArthur Road (5515 West MacArthur Road).

PROPOSED USE: Duplex development.

RECOMMENDATION: Approve.



BACKGROUND: The applicant is requesting a zone change from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District. The 18.49-acre property is generally located on the east side of South Hoover Road and on the south side of West MacArthur Road (5515 West MacArthur Road). The subject site is currently undeveloped.

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

Immediately northwest of the subject site is a property zoned LC Limited Commercial District that is developed with a single-family dwelling. Properties north of the subject site, across West MacArthur Road, are single-family dwellings and an undeveloped lot that are zoned SF-5 Single-Family Residential District. Property to the south is located within unincorporated Sedgwick County, is zoned RR Rural Residential District and SF-20 Single-Family Residential District, and is undeveloped. Immediately east of the subject site is the Wichita Valley Center Floodway. East of the floodway is undeveloped land zoned LI Limited Industrial District. Properties to the west are zoned LC Limited Commercial District and SF-5 Single-Family Residential District and are developed with duplexes and single-family dwellings, respectively.

CASE HISTORY: On May 11, 2023, the subject site was annexed into the City of Wichita. The subject site is currently unplatted. Platting will be required prior to the issuance of building permits. There are no zoning cases associated with this property.

ADJACENT ZONING AND LAND USE:

NORTH:	LC, SF-5	Single-family dwelling, single-family dwellings, undeveloped
SOUTH:	RR, SF-20	Undeveloped (Unincorporated Sedgwick County)
EAST:	N/A	M.S. Mitchell Floodway
WEST:	LC, SF-5	Duplexes, single-family dwellings

PUBLIC SERVICES: The subject site currently has access to South Hoover Road and West MacArthur Road, which are two-lane arterial streets with no sidewalks on either side. Municipal services, such as water, sanitary sewer and stormwater services will need to be extended prior to development on-site. Wichita Transit does not serve this area.

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), which includes the 2035 Future Growth Concept Map, recommends the subject site as appropriate for "Residential and Employment Mix" uses. The *Plan* defines "Residential and Employment Mix" as "*areas of land that likely will be developed or redeveloped by 2035 with uses predominately of a mixed nature. Due to the proximity of higher intensity businesses uses, residential housing types within this area likely will be higher density. Due to the proximity of residential uses, employment uses likely will have limited negative impacts associated with noise, hazardous emissions, visual blight, and odor.*" Duplex development is an appropriate use for this area.

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

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** The character of the neighborhood is residential and rural. Immediately northwest of the subject site is a property zoned LC Limited Commercial District that is developed with a single-family dwelling. Properties north of the subject site, across West MacArthur Road, are single-family dwellings and an undeveloped lot that are zoned SF-5 Single-Family Residential District. Property to the south is located within unincorporated Sedgwick County, is zoned RR Rural

Residential District and SF-20 Single-Family Residential District, and is undeveloped. Immediately east of the subject site is the Wichita Valley Center Floodway. East of the floodway is undeveloped land zoned LI Limited Industrial District. Properties to the west are zoned LC Limited Commercial District and SF-5 Single-Family Residential District and are developed with duplexes and single-family dwellings, respectively.

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.

3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** Staff does not anticipate the removal of restrictions to have detrimental impacts on nearby property. There are duplexes developed on a property zoned LC Limited Commercial District west of the subject site, across South Hoover Road. Therefore, duplexes are not a new type of development to the area.

4. **Length of time subject property has remained vacant as zoned:** The property 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 in an area 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*, 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 received one comment in regards to the requested zone change. The comment is attached to the end of this report.

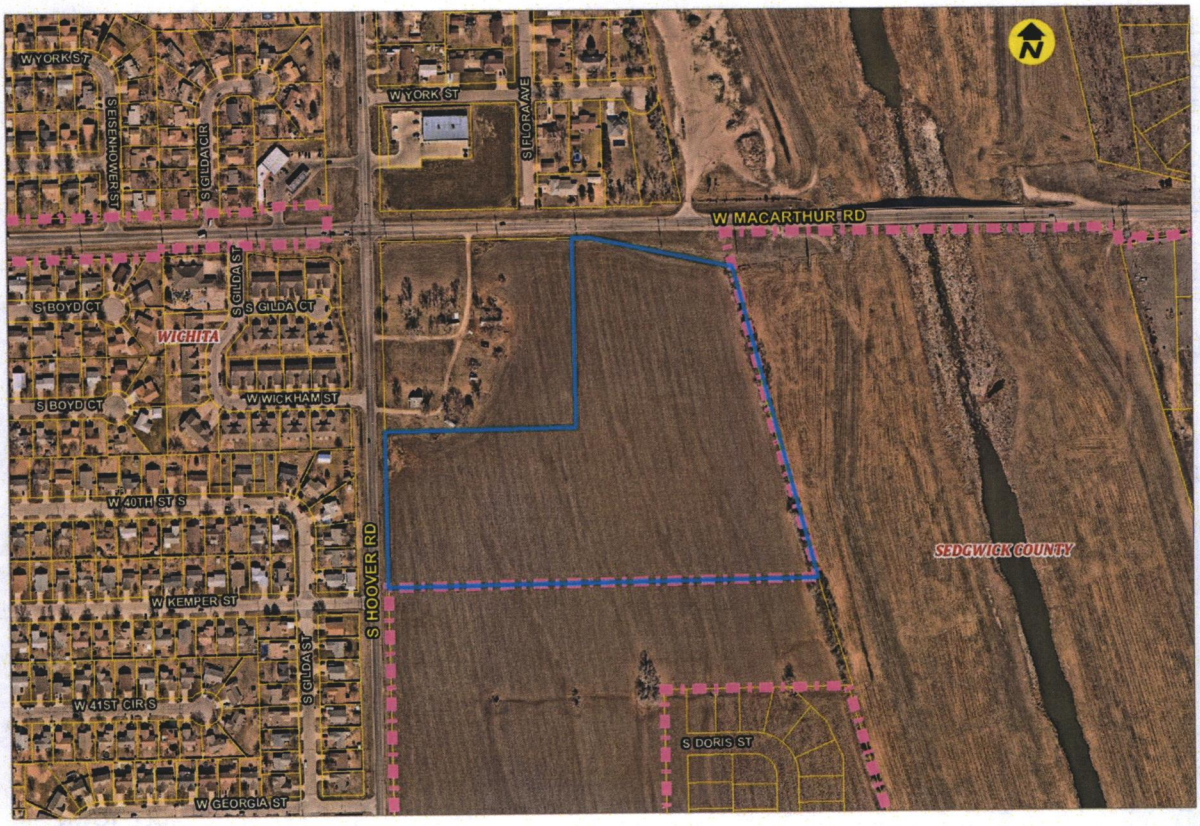
Staff Report Attachments:

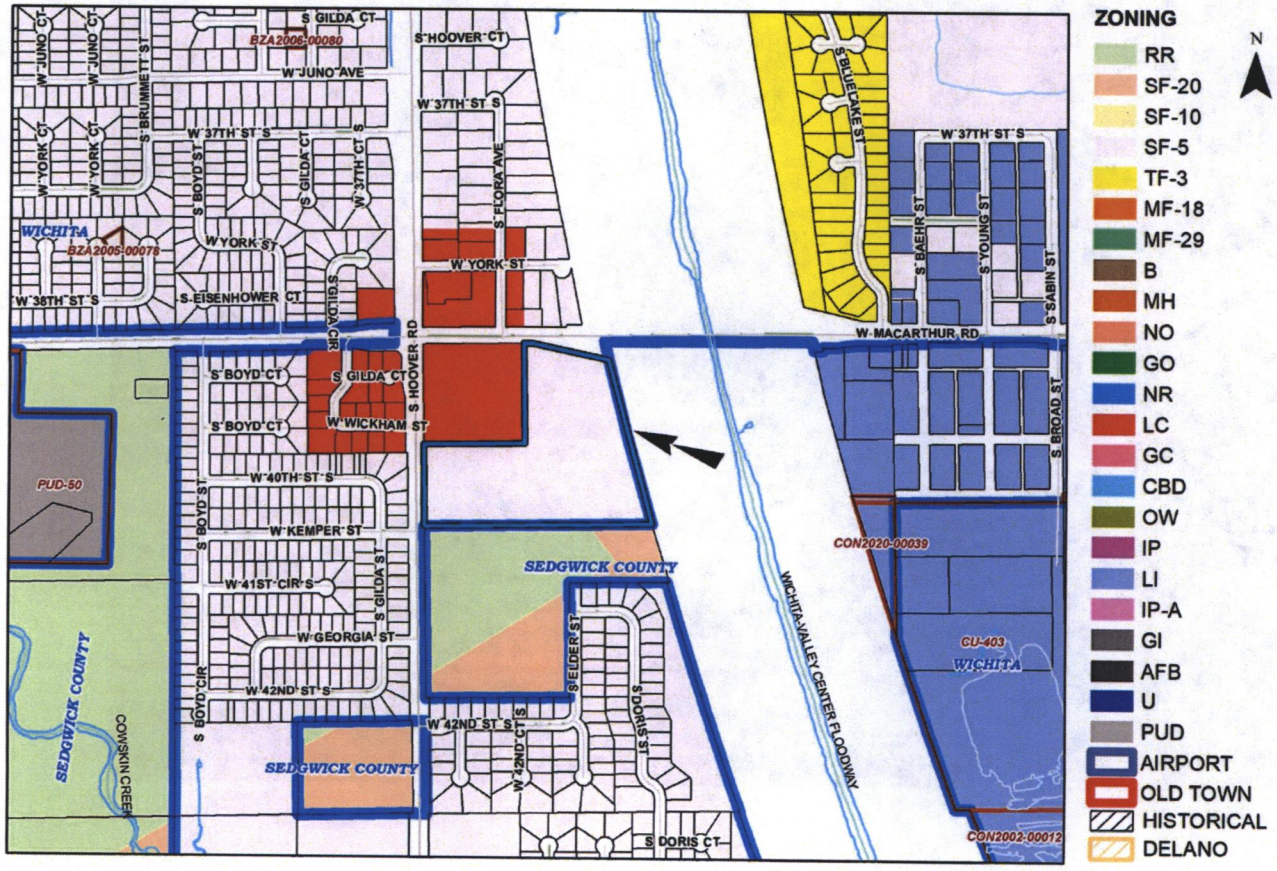
1. Public comment
2. Aerial Map
3. Zoning Map
4. Land Use Map
5. Site Plan
6. Site Photos

From: McCoy, Susan
To: Planning
Subject: Comments on Case ZON2023-00040 Rezone of West MacArthur and South Hoover
Date: Monday, July 17, 2023 12:37:24 PM
Attachments: image001.png
image002.png

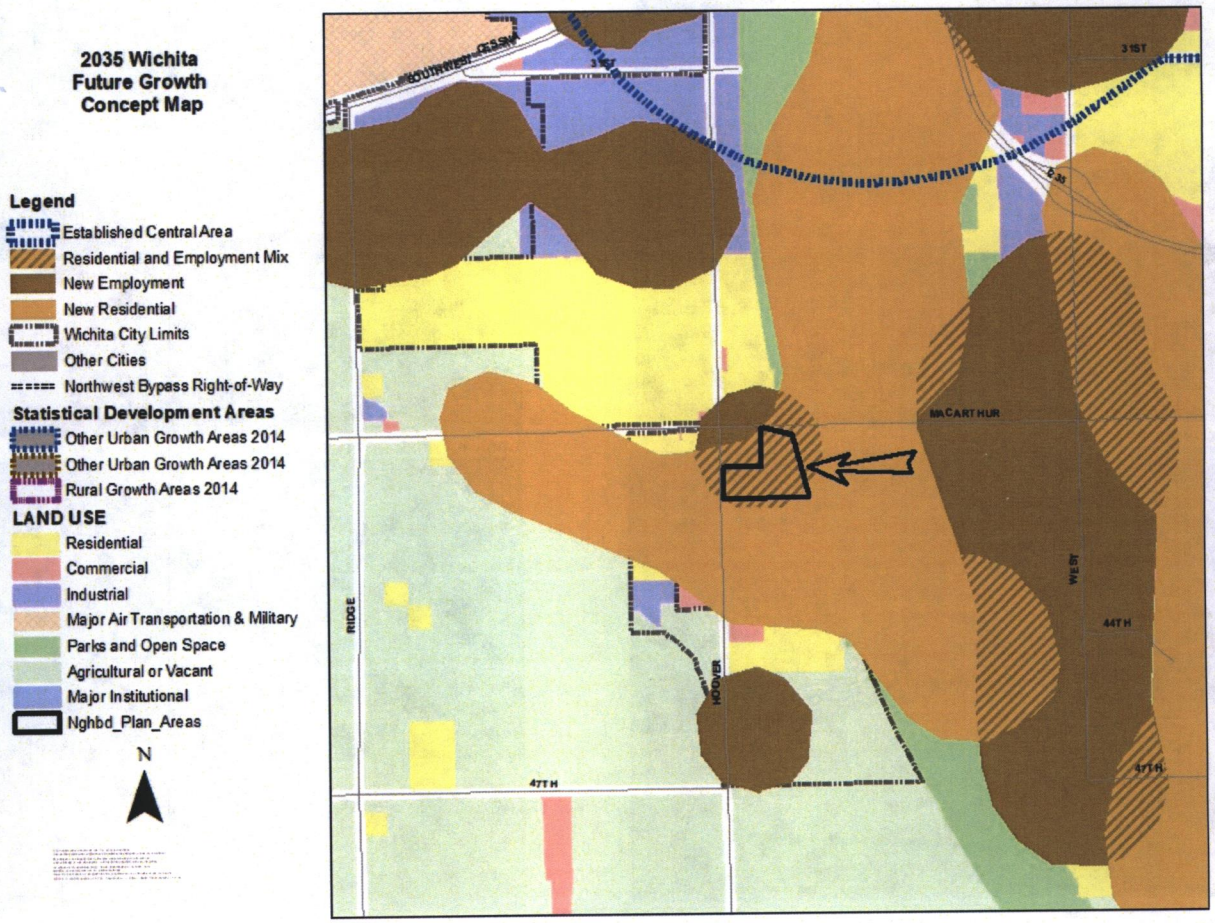
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The main concern I have concerning this rezone is that in recent years there is more and more traffic in this area and lese road maintenance and upkeep. The road shoulders in this area is narrow or nonexistent. There is a large amount of commercial traffic, that seem to overlap into residential areas. This area may need road widening and an appropriate shoulder(for bike use) before the influx of even more construction traffic. How will the addition of these duplexes affect the schools? It seems to me that as Wichita extends into this area it may be advantageous to evaluate the area. What does this area have to offer in the way of community , is it accessible to grocery stores, are there parks nearby? Basically, does this area reflect an appropriate build environment? Will residents grow old in this area or is it another transient population .
I understand the need for housing, but it seems to me that a main goal would be to provide an area for residents to stay in Wichita.
Thank you.
Susan McCoy
Susan L. McCoy CHMM. CLS(ASCP), MA
316-978-7362
316-779-6545


W YORK ST
W YORK ST
S FLORA AVE
S GILDA CIR
W MACARTHUR RD
S GILDA ST
S BOYD CT
S GILDA CT
WICHITA
S BOYD CT
W WICKHAM ST
W 40TH ST S
SEDGWICK COUNTY
S HOOVER RD
W KEMPER ST
S GILDA ST
W 41ST CIR S
S DORIS ST
W GEORGIA ST


ZONING
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SF-10
SF-5
TF-3
MF-18
MF-29
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S BLUE LAKE ST
W 37TH ST S
S BAEHR ST
S YOUNG ST
S SABIN ST
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W YORK ST
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S EISENHOWER CT
S GILDA CIR
W MACARTHUR RD
S BOYD CT
S GILDA CT
S HOOVER RD
S BOYD CT
W WICKHAM ST
S BROAD ST
PUD-50
W 40TH ST S
W KEMPER ST
CON2020-00039
SEDGWICK COUNTY
S BOYD ST
W 41ST CIR S
S GILDA ST
WICHITA VALLEY CENTER FLOODWAY
W GEORGIA ST
CU-403
WICHITA
S ELDER ST
SEDGWICK COUNTY
W 42ND ST S
S BOYD CIR
COWSKIN CREEK
SEDGWICK COUNTY
W 42ND CT S
S DORIS ST
S DORIS CT
CON2002-00012

2035 Wichita Future Growth Concept Map



Looking east towards site



Looking south towards site



Looking west away from site



Looking north away from site

