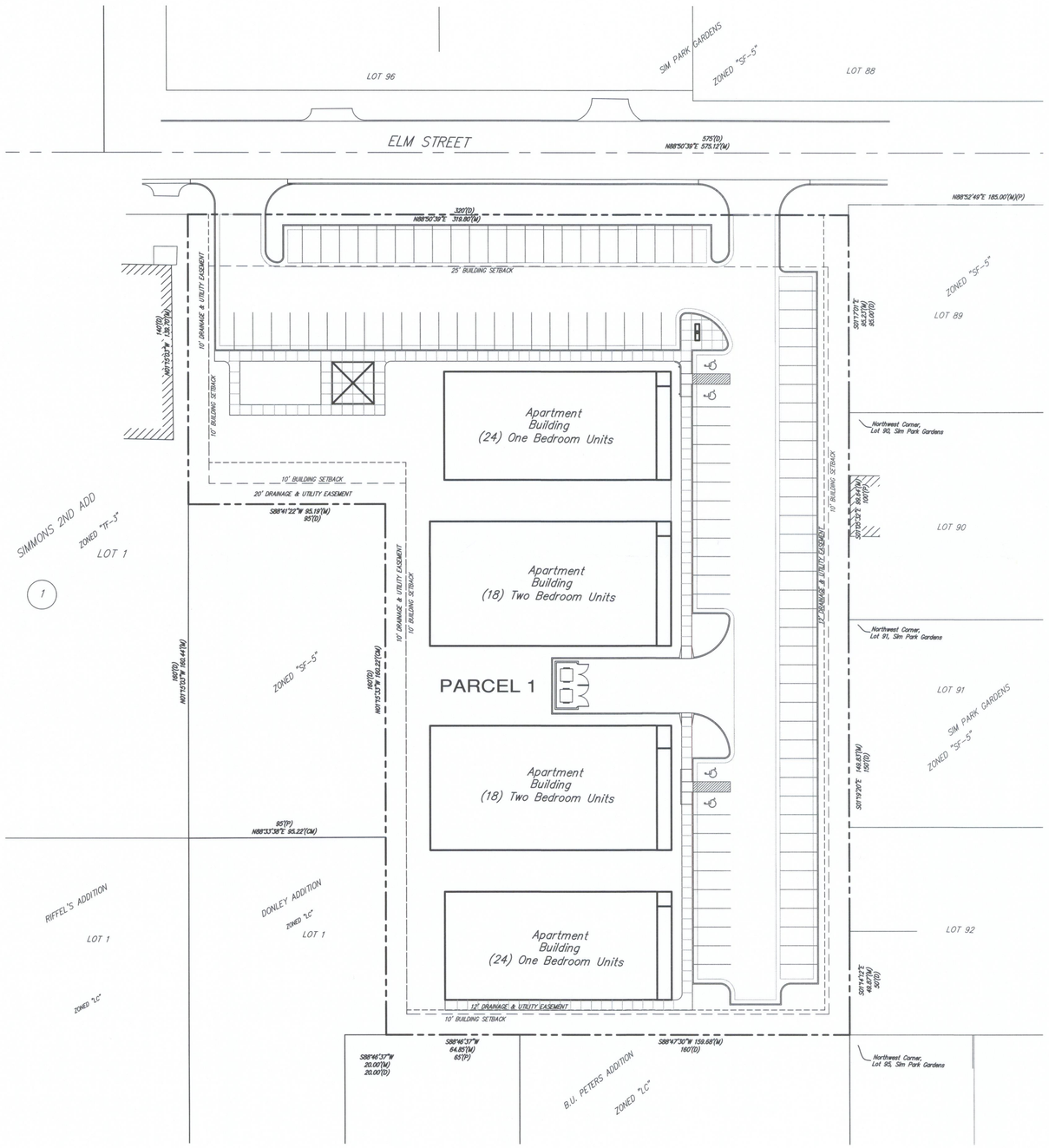
ELM STREET APARTMENTS

PLANNED UNIT DEVELOPMENT

PUD-156



SCALE: 1" = 30'

LEGAL DESCRIPTION

Elm Street Addition, Wichita, Sedgwick County, Kansas

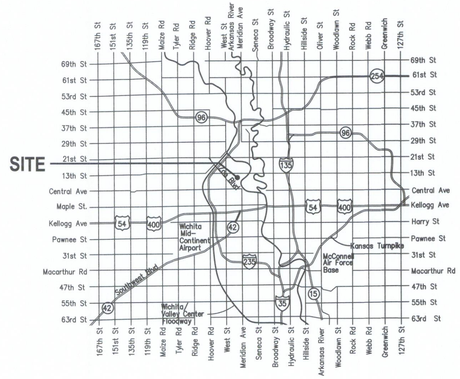
PROJECT DESCRIPTION:

The Planned Unit Development allows a certain level of flexibility with site development regulations which would otherwise not be permitted under the existing zoning. The intent of this PUD is to expand the density of dwelling units per acre to 40 and decrease the required parking to 1.25 stalls per dwelling unit regardless of number of bedrooms.

GENERAL PROVISIONS:

1. This development contains a gross area of 2.34 acres or 101,922 sq. ft. ±.
2. Setbacks within Parcel 1 shall be as shown on the PUD drawing.
3. Ground Signs shall be in accordance with the "MF-29" Multi-Family Residential zoning district except that Parcel 1 shall be allowed one (1) monument sign up to 48 SF of sign area with a maximum height of 8'. All sign illumination standards for the MF-29 District shall apply.
4. Uses in Parcel 1 shall be limited to those permitted by-right in the "MF-29" Multi-Family Residential zoning district, however with a maximum density of 40 dwelling units per acre.
5. Required parking shall be provided at a rate of 1.25 stalls per dwelling unit. Per the development plan, this would equal 105 stalls.
6. All ground-mounted mechanical equipment and trash enclosures shall be screened from view by permanent opaque screen fence.
7. A six-foot opaque screen fence shall be constructed where Parcel 1 abuts Single-Family Residential zoning.
8. Landscaping shall be provided per the Wichita Landscape Code.
9. Lighting shall adhere to the standards of Section IV-B.4 of the Unified Zoning Code.
10. Amendments, adjustments or interpretations to this PUD shall be done in accordance with the Unified Zoning Code.
11. 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.
12. 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.
13. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.
14. Prior to publishing the resolution establishing the zone change, the applicant(s) shall record a document with the Register of Deeds indicating this tract (referenced as PUD #156) includes special conditions for development on this property.

VICINITY MAP



PARCEL 1

A.	Net Area:	101,922 sq.ft., or 2.34 acres ±
B.	Maximum Building Coverage:	30,577 sq.ft., or 30 percent
C.	Maximum Gross Floor Area:	76,442 sq.ft.
D.	Floor Area Ratio:	75 percent
E.	Maximum Number of Buildings:	Four (4)
F.	Maximum building height:	45 feet
G.	Setbacks:	See Drawing
H.	Access Points:	See Drawing
I.	Permitted Uses:	All uses permitted by-right in the the "MF-29" multi-family zoning district, but with a maximum density of 40 dwelling units per acre

REVISIONS

--

APPROVED PUD
MAPC 3/26/26
PUD2026-00002
1 of 4

PUD-156
ELM STREET APARTMENTS
PLANNED UNIT DEVELOPMENT

BAUGHMAN COMPANY
315 Ellis St. Wichita, KS 67211 316-262-7271
BaughmanCo.com

APPROVED BY CITY COUNCIL: MAY, 05, 2026

F:\planning\PUD\Elm Street PUD\PUD\ElmStreetApartments PUD Drawing.dwg

Wichita-Sedgwick County Metropolitan Area Planning Department

May 7, 2026

DNG W. Elm Holdings LLC
ATTN: Nela Bayouth
312 S. Laura
Wichita, KS 67211

Baughman Co. P.A.
Attn: Jeff Best
315 S. Ellis St.
Wichita, KS 67211

RE: PUD2026-00002 – Zone change request in the City from MF-18 Multi-Family Residential District to create the Elm Street Apartments Planned Unit Development PUD #156; Generally located on the south side of West Elm Street between North Mt. Carmel Avenue and North Saint Paul Avenue

Dear Applicant,

At its regular meeting on **May 5, 2026**, the Wichita City Council considered the above captioned request. The action of the WCC 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 #156 Elm Street Apartments 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 prior to the publication of the zoning ordinance. If drawings are not submitted within 60 days of governing body approval, the request shall be considered denied and closed.

If you have any questions concerning this application, please contact our office at 316-268-4421.

Sincerely,

Brad Eatherly
Current Plans
Senior Planner

CC: Maggie Ballard, Council Member, District VI
Ana Lopez, CSR District VI

PUD #156 Text

GENERAL PROVISIONS – ELM STREET APARTMENTS PLANNED UNIT DEVELOPMENT

PROJECT DESCRIPTION:

The Planned Unit Development allows a certain level of flexibility with site development regulations which would otherwise not be permitted under the existing zoning. The intent of this PUD is to expand the density of dwelling units per acre to 40 and decrease the required parking to 1.25 stalls per dwelling unit regardless of number of bedrooms.

GENERAL PROVISIONS:

1. This development contains a gross area of 2.34 acres or 101,922 sq.ft., more or less.
2. Setbacks within Parcel 1 shall be as shown on the PUD drawing.
3. Ground signs shall be in accordance with the "MF-29" Multi-Family Residential zoning district except that Parcel 1 shall be allowed one (1) monument sign of up to 48 SF of sign area with a maximum height of 8'. All sign illumination standards for the MF-29 District shall apply.
4. Uses in Parcel 1 shall be limited to those permitted by-right in the "MF-29" Multi-Family Residential zoning district, however with a maximum density of 40 dwelling units per acre.
5. Required parking shall be provided at a rate of 1.25 stall per dwelling unit. Per the development plan, this would equal 105 parking stalls.
6. All ground mounted mechanical equipment and trash enclosures shall be screened from view by permanent opaque screen fence.
7. A six-foot opaque screen fence shall be constructed where property abuts Single-Family Residential zoning.
8. Landscaping shall be provided per the Wichita Landscape ~~Ordinance~~ Code.
9. Lighting shall adhere to the standards of Section IV-B.4 of the Unified Zoning Code.
10. Amendments, adjustments or interpretations to this PUD shall be done in accordance with the Unified Zoning Code.
11. 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.
12. 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.
13. Any major changes in this development plan shall be submitted to the Planning Commission and to the

Governing Body for their consideration.

14. Prior to publishing the resolution establishing the zone change, the applicant(s) shall record a document with the Register of Deeds indicating this tract (referenced as PUD #156) includes special conditions for development on this property.

PARCEL 1:

A. Net Area:	101,922 sq.ft., or 2.34 acres ±
B. Maximum Building Coverage:	30,577 sq.ft., or 30 percent
C. Maximum Gross Floor Area:	76,442 sq.ft.
D. Floor Area Ratio:	75 percent
E. Maximum Number of Buildings:	Four (4)
F. Maximum building height:	45 feet
G. Setbacks:	See Drawing
H. Access Points:	See Drawing
I. Permitted Uses:	All uses permitted by-right in the "MF-29" multi-family zoning district, but with a maximum density of 40 dwelling units per acre

CITY OF WICHITA

SEDGWICK COUNTY KANSAS

Wichita-Sedgwick County Metropolitan Area Planning Department

March 26, 2026

DNG W. Elm Holdings LLC
ATTN: Nela Bayouth
312 S. Laura
Wichita, KS 67211

Baughman Co. P.A.
Attn: Jeff Best
315 S. Ellis St.
Wichita, KS 67211

RE: PUD2026-00002 – Zone change request in the City from MF-18 Multi-Family Residential District to create the Elm Street Apartments Planned Unit Development PUD #156; Generally located on the south side of West Elm Street between North Mt. Carmel Avenue and North Saint Paul Avenue

Dear Applicant,

At its regular meeting on **March 26 2026**, the Wichita-Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **Approve** the Zone Change request, with 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 #156 Elm Street Apartments 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 prior to the publication of the zoning ordinance. If drawings are not submitted within 60 days of governing body approval, 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 **April 9, 2026**. 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 **April 9, 2026, at 5:00 p.m.**

This application will be heard by the District Advisory Board (DAB) VI on **Monday, April 13, 2026**, beginning at 6:30 p.m. at the Evergreen Community Center and Library, 2601 N. Arkansas Ave., Wichita, KS, 67204. For more information on this meeting, please contact Community Services Representative for District VI, Ana Lopez at (316) 303-8043 or mailto:alopez@wichita.gov. This application will be presented to the Wichita City Council on **Tuesday, May 5, 2026**, beginning at 9:00 a.m.

If you have any questions concerning this application, please contact our office at 316-268-4421.

Sincerely,

Brad Eatherly
Current Plans
Senior Planner

CC: Maggie Ballard, Council Member, District VI
Ana Lopez, CSR District VI

PUD #156 Text
MAPC-recommended text is in ***red***.

GENERAL PROVISIONS – ELM STREET APARTMENTS PLANNED UNIT DEVELOPMENT

PROJECT DESCRIPTION:

The Planned Unit Development allows a certain level of flexibility with site development regulations which would otherwise not be permitted under the existing zoning. The intent of this PUD is to expand the density of dwelling units per acre to 40 and decrease the required parking to 1.25 stalls per dwelling unit regardless of number of bedrooms.

GENERAL PROVISIONS:

1. This development contains a gross area of 2.34 acres or 101,922 sq.ft., more or less.
2. Setbacks within Parcel 1 shall be as shown on the PUD drawing.
3. Ground signs shall be in accordance with the "MF-29" Multi-Family Residential zoning district except that Parcel 1 shall be allowed ***one (1) monument sign of*** up to 48 SF of sign area with a maximum height of 8'. ***All sign illumination standards for the MF-29 District shall apply***.
4. Uses in Parcel 1 shall be limited to those permitted by-right in the "MF-29" Multi-Family Residential zoning district***, however with a maximum density of 40 dwelling units per acre***.
5. Required parking shall be provided at a rate of 1.25 stall per dwelling unit. Per the development plan, this would equal 105 parking stalls.
6. All ground mounted mechanical equipment and trash enclosures shall be screened from view by permanent opaque screen fence.
7. A six-foot opaque screen fence shall be constructed where property abuts Single-Family Residential zoning.
8. Landscaping shall be provided per the Wichita Landscape ~~Ordinance~~ ***Code***.
9. ***Lighting shall adhere to the standards of Section IV-B.4 of the Unified Zoning Code.***

10. Amendments, adjustments or interpretations to this PUD shall be done in accordance with the Unified Zoning Code.
11. 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.
12. 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.
13. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.
14. Prior to publishing the resolution establishing the zone change, the applicant(s) shall record a document with the Register of Deeds indicating this tract (referenced as PUD #***156***) includes special conditions for development on this property.

PARCEL 1:

A. Net Area:	101,922 sq.ft., or 2.34 acres ±
B. Maximum Building Coverage:	30,577 sq.ft., or 30 percent
C. Maximum Gross Floor Area:	76,442 sq.ft.
D. Floor Area Ratio:	75 percent
E. Maximum Number of Buildings:	Four (4)
F. Maximum building height:	45 feet
G. Setbacks:	See Drawing
H. Access Points:	See Drawing
I. Permitted Uses:	All uses permitted by-right in the "MF-29" multi-family zoning district***, but with a maximum density of 40 dwelling units per acre***

OCA 150004 PUBLISHED AT WICHITA.GOV/LEGALNOTICES ON MAY 15, 2026

ORDINANCE NO. 53-026

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. PUD2026-00002

Zone Change Request in the City from MF-18 Multi-Family Residential District to PUD to Create the Elm Street Apartments PUD #156, on property legally described as:

Parcels 1, 2, 3, 4 and 5, more particularly described as the following: A portion of Block 12, Simpson's Addition to Wichita, Kansas, Sedgwick County, Kansas, lying within the Southeast Quarter of Section 13, Township 27 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas described as: Beginning at a point 30.00 feet East of the Northeast Corner of Block 12 in said Simpson's Addition, also being 5.00 feet south of the northwest corner of Lot 89, Sim Park Gardens, Wichita, Sedgwick County, Kansas; thence south coincident with the west line of said Lots 89, 90, 91 and 92 in said Sim Park Gardens, a distance of 395.00 feet to the southwest corner of said Lot 92, said southwest corner also being the northeast corner of B.U. Peters Addition to Wichita, Sedgwick County, Kansas; thence west coincident with the north line of said B.U. Peters Addition, a distance of 225.00 to a deflection corner in the east line of Donley Addition, to Wichita, Kansas, Sedgwick County, Kansas; thence north coincident with the most northerly segment of the east line of said Donley Addition, a distance of 95.00 feet to the northeast corner of said Donley Addition; thence continuing north coincident with the prolongation of the most northerly segment of the east line of said Donley Addition, 160.00 feet; thence west parallel with the north line of said Donley Addition, a distance of 95.00 feet to a point in the east line of Simmons 2nd Addition, Wichita, Sedgwick County, Kansas; thence north coincident with the east line of said Simmons 2nd Addition, 140.00 feet to the northeast corner of said Simmons 2nd Addition and to a point on the south road right-of-way line of Elm Street, also being a point 10.00 feet east of the northwest corner of said Block 12, Simpson's Addition; thence east coincident with the north line of said Block 12, Simpson's Addition and the south road right-of-way line of said Elm Street, 320.00 feet to the Point of Beginning. All as described in the Boundary Survey recorded with the Sedgwick County Register of Deeds on January 7, 2026, under Document #: 2026-000832.

The Elm Street Apartments Planned Unit Development (PUD #156) shall be subject to the following conditions:

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

GENERAL PROVISIONS – ELM STREET APARTMENTS PLANNED UNIT DEVELOPMENT

PROJECT DESCRIPTION:

The Planned Unit Development allows a certain level of flexibility with site development regulations which would otherwise not be permitted under the existing zoning. The intent of this PUD is to expand the density of dwelling units per acre to 40 and decrease the required parking to 1.25 stalls per dwelling unit regardless of number of bedrooms.

GENERAL PROVISIONS:

1. This development contains a gross area of 2.34 acres or 101,922 sq.ft., more or less.
2. Setbacks within Parcel 1 shall be as shown on the PUD drawing.
3. Ground signs shall be in accordance with the "MF-29" Multi-Family Residential zoning district except that Parcel 1 shall be allowed one (1) monument sign of up to 48 SF of sign area with a maximum height of 8'. All sign illumination standards for the MF-29 District shall apply.
4. Uses in Parcel 1 shall be limited to those permitted by-right in the "MF-29" Multi-Family Residential zoning district, however with a maximum density of 40 dwelling units per acre.
5. Required parking shall be provided at a rate of 1.25 stall per dwelling unit. Per the development plan, this would equal 105 parking stalls.
6. All ground mounted mechanical equipment and trash enclosures shall be screened from view by permanent opaque screen fence.
7. A six-foot opaque screen fence shall be constructed where property abuts Single-Family Residential zoning.
8. Landscaping shall be provided per the Wichita Landscape Ordinance Code.
9. Lighting shall adhere to the standards of Section IV-B.4 of the Unified Zoning Code.
10. Amendments, adjustments or interpretations to this PUD shall be done in accordance with the Unified Zoning Code.
11. 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.
12. 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.
13. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.
14. Prior to publishing the resolution establishing the zone change, the applicant(s) shall record a document with the Register of Deeds indicating this tract (referenced as PUD #156) includes special conditions for development on this property.

PARCEL 1:

A. Net Area:	101,922 sq.ft., or 2.34 acres ±
B. Maximum Building Coverage:	30,577 sq.ft., or 30 percent
C. Maximum Gross Floor Area:	76,442 sq.ft.
D. Floor Area Ratio:	75 percent
E. Maximum Number of Buildings:	Four (4)
F. Maximum building height:	45 feet
G. Setbacks:	See Drawing
H. Access Points:	See Drawing

I. Permitted Uses:	All uses permitted by-right in the "MF-29" multifamily zoning district, but with a maximum density of 40 dwelling units per acre

2. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #156 Elm Street Apartments 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 prior to the publication of the zoning ordinance. If drawings are not submitted within 60 days of governing body approval, the request shall be considered denied and closed.

SECTION 2. That upon the taking effect of this Ordinance, the above zoning change 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 May, 2026.

Lily Wu, Mayor, City of Wichita

ATTEST:

Shinita Rice, City Clerk

(SEAL)

Approved as to form:

Jennifer Magaña, City Attorney and Director of Law

Document #: 2026-035483
Date Recorded: 06/23/2026 11:02:29 AM
Pages: 2 Recording Fee: 38.00
Sedgwick County Kansas
Tonya Buckingham,
Register of Deeds

NOTICE OF PLANNED UNIT DEVELOPMENT

THIS NOTICE made this 18th day of June, 2026, by Elm Development, LLC, a Kansas limited liability company, hereinafter called "Declarants",

WITNESSETH

WHEREAS, Declarants are the owners of the following described property:

Parcels 1, 2, 3, 4 and 5, more particularly described as the following: A portion of Block 12, Simpson's Addition to Wichita, Kansas, Sedgwick County, Kansas, lying within the Southeast Quarter of Section 13, Township 27 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas described as beginning at a point 30.00 feet East of the Northeast Corner of Block 12 in said Simpson's Addition, also being 5.00 feet south of the northwest corner of Lot 89, Sim Park Gardens, Wichita, Sedgwick County, Kansas; thence south coincident with the west line of said Lots 89, 90, 91 and 92 in said Sim Park Gardens, a distance of 395.00 feet to the southwest corner of said Lot 92, said southwest corner also being the northeast corner of B.U. Peters Addition to Wichita, Sedgwick County, Kansas; thence west coincident with the north line of said B.U. Peters Addition, a distance of 225.00 to a deflection corner in the east line of Donley Addition, to Wichita, Kansas, Sedgwick County, Kansas; thence north coincident with the most northerly segment of the east line of said Donley Addition, a distance of 95.00 feet to the northeast corner of said Donley Addition; thence continuing north coincident with the prolongation of the most northerly segment of the east line of said Donley Addition, 160.00 feet; thence west parallel with the north line of said Donley Addition, a distance of 95.00 feet to a point in the east line of Simmons 2nd Addition, Wichita, Sedgwick County, Kansas; thence north coincident with the east line of said Simmons 2nd Addition, 140.00 feet to the northeast corner of said Simmons 2nd Addition and to a point on the south road right-of-way line of Elm Street, also being a point 10.00 feet east of the northwest corner of said Block 12, Simpson's Addition; thence east coincident with the north line of said Block 12, Simpson's Addition and the south road right-of-way line of said Elm Street, 320.00 feet to the Point of Beginning.

All as described in the Boundary Survey recorded with the Sedgwick County Register of Deeds on January 7, 2026, under Document #: 2026-000832.

COPY

and

WHEREAS, Declarants are desirous to file notice that a planned unit development plan approved by the Wichita City Council is on file with the Metropolitan Area Planning Department, known as Elm Street Apartments Planned Unit Development (PUD-156).

NOW, THEREFORE, the Declarants want to make notice that the approved planned unit development plan has placed restrictions on the use and requirements on the development of the above-described real property.

The Metropolitan Area Planning Department is located on the 2nd Floor, The Ronald Reagan Building, 271 West 3rd St, Wichita, Kansas, (316) 268-4421.

The planned unit development shall be binding on the owners, their heirs, or successors or assigns and is a document running with the land and is binding on all successors in title to the above described property.

EXECUTED the day and year first written above.

ELM DEVELOPMENT, LLC

By: _____
Nela Bayouth, Manager

STATE OF KANSAS)
COUNTY OF SEDGWICK) SS:

BE IT REMEMBERED, that on this 18th day of June, 2026, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Nela Bayouth, Manager of Elm Development, LLC, a Kansas limited liability company, personally known to me to be the same person who executed the within instrument of writing and such person duly acknowledged the execution of the same, for an on behalf of said Limited Liability Company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

LUNETTE A. SAUBER
Notary Public - State of Kansas
My Appt. Expires 09/20/26

_____
Notary Public

My Appointment Expires: 09/20/2026

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	Cols	Depth
41100	IPL0318973	Legal Ad - IPL0318973	3-26-2026 MAPC	2.0	156.0L

ATTENTION: CITY OF WICHITA/PLANNING DEPT IP
271 WEST THIRD ST., 2ND FL, SU 203
WICHITA, KS 67202
MHEBERT@wichita.gov;kgonzalez@wichita.gov

OCA 150004
Published in The Wichita Eagle on March 5, 2026
(One Time Only)
MAPC/BZA March 26, 2026
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, March 26, 2026, 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. Full notice can be found at www.wichita.gov/LegalNotices.

BZA2026-00008: Variance in the City to reduce the front setbacks on a thru-lot to 20.1 feet on the east and 12.4 feet on the west to build an addition onto a single-family house on property zoned TF-3 Two-Family Residential; located on the northwest corner of South Hydraulic Avenue and Southeast Boulevard (2221 South Hydraulic).

BZA2026-00013: Variance request in the City to reduce required parking from 11 spaces to 3 spaces for Group Residence, Limited; generally located on the west side of North Armour Drive and within 550 feet north of East Central Avenue (557 North Armour Drive).

CON2026-00019: Conditional Use in the City to allow a Tavern and Drinking establishment on property zoned CBD Central Business District; generally located on southeast corner of South Seneca Street and West Douglas Avenue (1029 West Douglas Avenue, Suite 101).

CON2026-00025: Conditional Use request in the City for an Accessory Apartment on property zoned SF-5 Single Residential; Generally located on the west side of North Belmont Avenue and 250 feet north of East 3rd Street North (425 North Belmont Avenue).

CON2026-00029: Conditional Use request in the City to allow wrecking and salvage with waiver of #1 and #3 (with ZON2026-00005 LC to LI) on property zoned LC Limited Commercial District; generally located northwest corner of South Broadway Avenue and East Mt. Vernon Street (1963 South Broadway Avenue).

CON2026-00032: Conditional Use request in the City to allow Group Residence, Limited on property zoned SF-5 Single-Family Residential District; generally located on the west side of North Armour Drive and within 550 feet north of East Central Avenue (557 North Armour Drive).

PUD2026-00002: Zone Change request in the City from MF-18 Multi-Family Residential with PO-371 to PUD to create the Elm Street Apartments PUD; generally located on the south side of West Elm Street, between North Mt. Carmel Avenue and North St. Paul Avenue.

VAC2026-00004: Vacation request in the City to vacate a portion of the platted street side building setback on property zoned SF-5 Single-Family Residential District, generally located at the southwest corner of West Del Sienno Street and West Pecos Avenue (3601 West Del Sienno Street).

VAC2026-00005: Vacation request in the City to vacate a 20 feet alley abutting between the lots, generally located on east of South Laura Avenue and 348 feet north of US-54 (428 South Laura Avenue, 427 South Pattie Avenue).

ZON2026-00002: Zone Change request in the City from B Multi-Family Residential District to OW Office Warehouse District, generally located on the east side of North Pennsylvania Avenue, within 300 feet south of East 3rd Street North (332 North Pennsylvania Avenue).

ZON2026-00004: Zone Change request in the City from SF-5 Single-Family Residential to TF-3 Two-family Residential to allow duplex development, generally located on the west side of North Clara Street and 300 feet north of West Saint Louis Avenue (525 North Clara Street).

ZON2026-00005: Zone Change requesting the City from LC Limited Commercial to LI Limited Industrial (with CON2026-29 for wrecking and salvage yard); generally located northwest corner of S Broadway Street and E Mt. Vernon Street (1963 S Broadway Avenue).
IPL0318973
Mar 4 2026

In The STATE OF KANSAS
In and for the County of Sedgwick
STATE OF KANSAS)
SS
County of Sedgwick)
the undersigned, 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.

1.0 insertion(s) published on:
03/04/26 Print

Print Tearsheet Link

Marketplace Link

Julie Ambry

DIGITALLY SIGNED

Julie Ambry

Amanda Rodela

DIGITALLY SIGNED

Sworn to and subscribed before me on Mar 4, 2026, 10:51 AM EST

NOTARY PUBLIC STATE OF TEXAS
AMANDA RODELA
ELECTRONIC NOTARY PUBLIC
STATE OF TEXAS
COMMISSION # 135511392
MY COMMISSION EXPIRES 4/15/2029

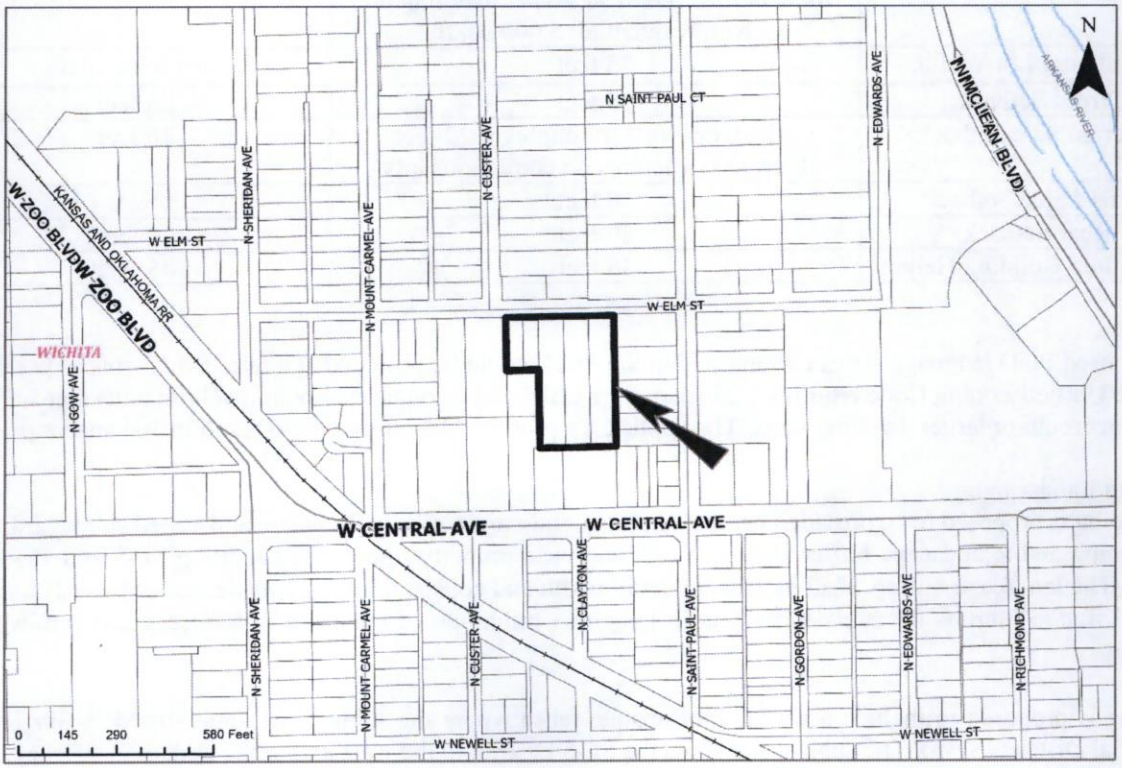
Online Notary Public. This notarial act involved the use of online audio/video communication technology Notarization facilitated by SIGNiX®

AGENDA ITEM NO. 4.5

WICHITA—SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

STAFF REPORT
MAPC: March 26, 2026
DAB VI: April 13, 2026

CASE NUMBER:	PUD2026-00002 (City)
APPLICANT/AGENT:	DNG W. Elm Holdings, LLC (Applicant)/Baughman Company, P.A. (Agent)
REQUEST:	Rezone to create the Elm Street Apartments Planned Unit Development PUD #156
CURRENT ZONING:	MF-18 Multi-Family Residential District
SITE SIZE:	2.34 acres
LOCATION:	Generally located on the south side of West Elm Street between North Mt. Carmel Avenue and North Saint Paul Avenue
PROPOSED USE:	To allow for higher density than allowed, decreased required parking, and additional signage than allowed
RECOMMENDATION:	Approve with conditions



BACKGROUND: The applicant is requesting a zone change from MF-18 Multi-Family Residential District (MF-18) with Protective Overlay (PO) #371 to PUD Planned Unit Development (PUD) to create the Elm Street Apartment Planned Unit Development (PUD #156). The applicant is proposing to allow all uses permitted by right in the MF-29 District. The subject site is 2.34 acres in size and is generally located on the south side of West Elm Street between North Mt. Carmel Avenue and North Saint Paul Avenue. The subject site is currently undeveloped. The applicant is requesting the zone change to create a zoning district with unique development standards.

Development Standards

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 language submitted by the applicant, the site would consist of one (1) parcel (Parcel 1). Access to the site would be from West Elm Street. The proposed language states that PUD #156 would be restricted to all uses permitted by-right in the MF-29 Multi-Family Residential District (MF-29). The MF-29 District allows for 29 dwelling units per acre. However, the applicant's proposed density would be 40 units per acre. If approved, the subject site would be permitted to have 84 dwelling units. The existing PO #371 allows for "all uses permitted by-right in the TF-3 District, together with triplexes and fourplexes." The maximum density allowed by PO #371 is 14.5 dwelling units per acre, which would currently allow 33 dwelling units. All buildings are limited to a maximum height of 35 feet and two stories.

Other development standards deviating from the current MF-18 zoning district as proposed are shown in the following table:

Development Standards	MF-18 Multi-Family Residential with PO #371	Proposed PUD #156
Minimum Lot Area:	Single-family: 3,500 square feet Duplex: 3,000 sq. ft per dwelling unit (6,000 sq. ft. per duplex) Multi-family: 3,000 sq. ft. per dwelling unit Non-residential: 5,000 sq. ft	No minimum
Minimum Lot Width:	35 feet	No minimum
Front Setback:	25 feet	25 feet
Internal Side Setback:	6 feet, or 0 feet for duplex if 12 feet between structures on contiguous lots	10 feet
Street Side Setback	15 feet	N/A
Rear Setback:	20 feet	10 feet
Maximum Building Height	35 feet	45 feet

Parking

The proposed PUD language states parking within the PUD would be provided at a rate of 1.25 spaces per dwelling unit. The Unified Zoning Code requires 1.25 spaces per efficiency and one-bedroom dwelling units and 1.75 spaces per two-bedroom or larger dwelling units. The applicant's proposed language would result in 105 spaces provided.

Screening/Landscaping

Landscaping is proposed to be provided per the Wichita Landscape Code, including a landscaped street yard, parking lot screening and a landscape buffer along the east and west property lines where abutting SF-5 and TF-3 zoning districts. The landscape buffers shall be fifteen feet in width and consist of one (1) shade tree or two (2) ornamental trees and five (5) shrubs for every thirty feet in length. A minimum of one-third of the trees and shrubs shall be evergreen.

Screening is proposed to include a six (6) foot opaque fence where the subject site abuts the SF-5 Single-Family Residential District (SF-5). The subject site abuts the SF-5 District to the west and to the east.

Signage
Signs are proposed to be permitted in accordance with the Wichita Sign Code for the MF-29 Zoning District, except that Parcel 1 would be allowed up to 48 square feet of sign area with a maximum height of 8 feet. The Wichita Sign Code would typically limit a sign on property abutting a local street in the MF-29 District to 25 square feet of area but would permit them to have a maximum height of 20 feet. Staff recommends that the Parcel be limited to one sign that in monument in style and all sign illumination standards for the MF-29 District apply. The illumination standards for the MF-29 District are limited to indirect or internal illumination of white light only.

Lighting
Lighting is not referenced in the applicant's proposed language. Staff recommends that lighting shall adhere to the standards of Section IV-B.4 of the Unified Zoning Code.

The character of the neighborhood is a mixture of single-family and multi-family residential and commercial. Properties to the north, across West Elm Street, are zoned SF-5 and are developed with single-family dwellings. Properties to the east are zoned SF-5 and are developed with single-family dwellings. Properties south of the subject site are zoned LC Limited Commercial District (LC) and are developed with a restaurant and an office building. Properties to the west are zoned LC, SF-5, and TF-3 (with a Conditionals Use) and are developed with an office building, undeveloped, and multi-family residential, respectively.

CASE HISTORY: The property is comprised of five unplatted parcels. Platting is required prior to the issuance of building permits. In 2021, a zone change was approved (ZON2021-00033) with PO #371 from SF-5 to MF-18. The PO restricted the property in three ways:

1. The subject property shall be limited to all uses permitted by-right in the TF-3 Two-Family Residential zoning district, together with triplexes and fourplexes;
2. The subject property shall be limited to a maximum density of 14.5 dwelling units per acres, and;
3. All buildings shall be limited to a maximum height of 35 feet and two stories.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single-family dwellings
SOUTH:	LC	General office, Restaurant
EAST:	SF-5	Single-family dwellings
WEST:	LC, SF-5, TF-3	General Office, Undeveloped, Multi-family dwellings

PUBLIC SERVICES: The property has direct access to West Elm Street, a local paved street with no sidewalks on either side. Wichita Transit serves the site with bus stops on the northeast and southwest corners of West Central Avenue and North St. Paul Street, approximately 800 feet to the southeast. All municipal services are available to be extended to the site for development.

CONFORMANCE TO PLANS/POLICIES: The requested zone change is in conformance with the following plans:

Community Investments Plan: The requested zone change is in conformance with the *Community Investments Plan.* The *Community Investments Plan* (the Wichita-Sedgwick County Comprehensive Plan), which includes the 2035 Future Growth Concept Map, recommends the subject site as appropriate for "Residential" uses. The *Plan* defines "Residential" as "*areas that reflect the full diversity of residential development densities and types typically found in a large urban municipality. The range of housing densities and types includes, but is not limited to, single-family detached homes, semi-detached homes, zero lot line units, patio homes, duplexes, townhouses, apartments and multi-family units, condominiums, mobile home parks, and special residential accommodations for the elderly (assisted living, congregate care and nursing homes). Elementary and middle schools, churches, playgrounds, small parks and other similar residential-serving uses are located in these areas.*" Multi-family development is an appropriate use for this area based on the current zoning of the property and the proximity to other multi-family uses.

The proposed PUD is in conformance with the Land Use Compatibility Guidelines of the *Community Investments*

Plan. Under the heading *Development Pattern*, Guideline 3.d states, "*Low-density residential uses should be buffered from commercial and industrial areas by open space, water bodies, changes in topography, or major barriers such as arterial streets or highways.*" Property to the south is zoned LC and property to the north is zoned SF-5. Developing the site for multi-family would buffer the commercial properties to the south from the single-family uses to the north.

Wichita Places for People Plan: The requested zone change is in conformance with the goals of the *Wichita: Places for People Plan.* The *Wichita: Places for People Plan* provides recommendations for urban infill development in the Established Central Area (ECA). The subject site is located within the ECA. In general, the ECA is envisioned as "a place for people - a place that provides for the movement of people - on foot, on bike and through transit - in balance with automobiles."

- Strategies: The Plan recommends strategies to help guide the community in their actions to create walkable places within Wichita. The request aligns with Strategy 5: *Provide a diversity of housing options to attract new residents and allow existing residents to remain in the ECA.* Allowing multi-family residential on this site would provide more choices for residents. The request aligns with Strategy 6: "*Encourage infill and redevelopment that contextual to the environment in which it is occurring."* Multi-family development is existing on property to the west, so this type of development is contextual to the environment.

RECOMMENDATION: Based on the information available at the time of the public hearing, staff recommends **APPROVAL** of the application subject to the staff recommended provisions of the Elm Street Apartments Planned Unit Development PUD #156 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 #156 Elm Street Apartments 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 prior to the publication of the zoning ordinance. If drawings are not submitted within 60 days of governing body approval, 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 a mixture of single-family and multi-family residential and commercial. Properties to the north, across West Elm Street, are zoned SF-5 and are developed with single-family dwellings. Properties to the east are zoned SF-5 and are developed with single-family dwellings. Properties south of the subject site are zoned LC Limited Commercial District (LC) and are developed with a restaurant and an office building. Properties to the west are zoned LC, SF-5, and TF-3 and are developed with an office building, undeveloped, and multi-family residential, respectively.

2. The suitability of the subject property for the uses to which it has been restricted: The subject site is zoned MF-18 Multi-Family Residential District with PO #371which allows for duplexes, triplexes and fourplexes and at a maximum density of 14.5 dwelling units per acre. PO #371 also restricts the height to 35 feet and two stories.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Should the PUD be approved, the site would not alter greatly in uses permitted. The density would increase from 14.5 dwelling units per acre to 40 units per acre. The staff recommended provisions of the PUD are designed to mitigate possible negative impacts.

4. Length of time the property has been vacant as currently zoned: The subject site has been vacant since at least 2006, based on historic aerial photography. Prior to being vacant, the site appears to have been

developed with one or two residential dwellings. The site has not been developed since previously rezoned.

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 allow an urban residential infill development, which is generally considered as public gain. Denial of the request may result in 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 *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 comments from the public

Attachments:

1. Staff recommended PUD #156 Text
2. PUD Drawing
3. Aerial Map
4. Zoning Map
5. Land Use Map
6. Site Photos

PUD #156 Text
Staff-recommended text is in ***red***.

GENERAL PROVISIONS – ELM STREET APARTMENTS PLANNED UNIT DEVELOPMENT

PROJECT DESCRIPTION:

The Planned Unit Development allows a certain level of flexibility with site development regulations which would otherwise not be permitted under the existing zoning. The intent of this PUD is to expand the density of dwelling units per acre to 40 and decrease the required parking to 1.25 stalls per dwelling unit regardless of number of bedrooms.

GENERAL PROVISIONS:

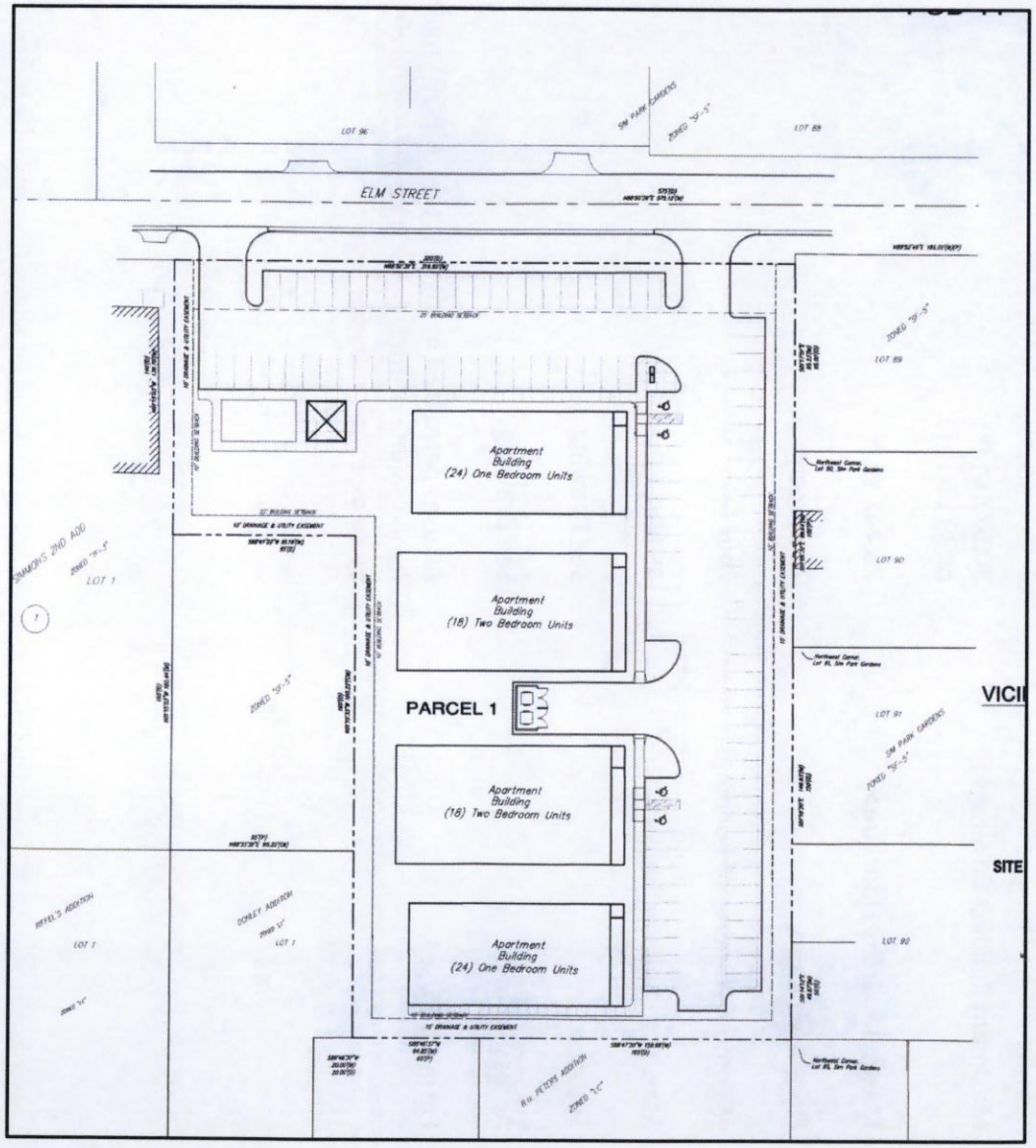
1. This development contains a gross area of 2.34 acres or 101,922 sq.ft., more or less.
2. Setbacks within Parcel 1 shall be as shown on the PUD drawing.
3. Ground signs shall be in accordance with the "MF-29" Multi-Family Residential zoning district except that Parcel 1 shall be allowed ***one (1) monument sign of*** up to 48 SF of sign area with a maximum height of 8'. ***All sign illumination standards for the MF-29 District shall apply***.
4. Uses in Parcel 1 shall be limited to those permitted by-right in the "MF-29" Multi-Family Residential zoning district***, however with a maximum density of 40 dwelling units per acre***.
5. Required parking shall be provided at a rate of 1.25 stall per dwelling unit. Per the development plan, this would equal 105 parking stalls.
6. All ground mounted mechanical equipment and trash enclosures shall be screened from view by permanent opaque screen fence.
7. A six-foot opaque screen fence shall be constructed where property abuts Single-Family Residential zoning.
8. Landscaping shall be provided per the Wichita Landscape ~~Ordinance~~ ***Code***.
9. ***Lighting shall adhere to the standards of Section IV-B.4 of the Unified Zoning Code.***
10. Amendments, adjustments or interpretations to this PUD shall be done in accordance with the Unified Zoning Code.
11. 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.
12. 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.
13. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.

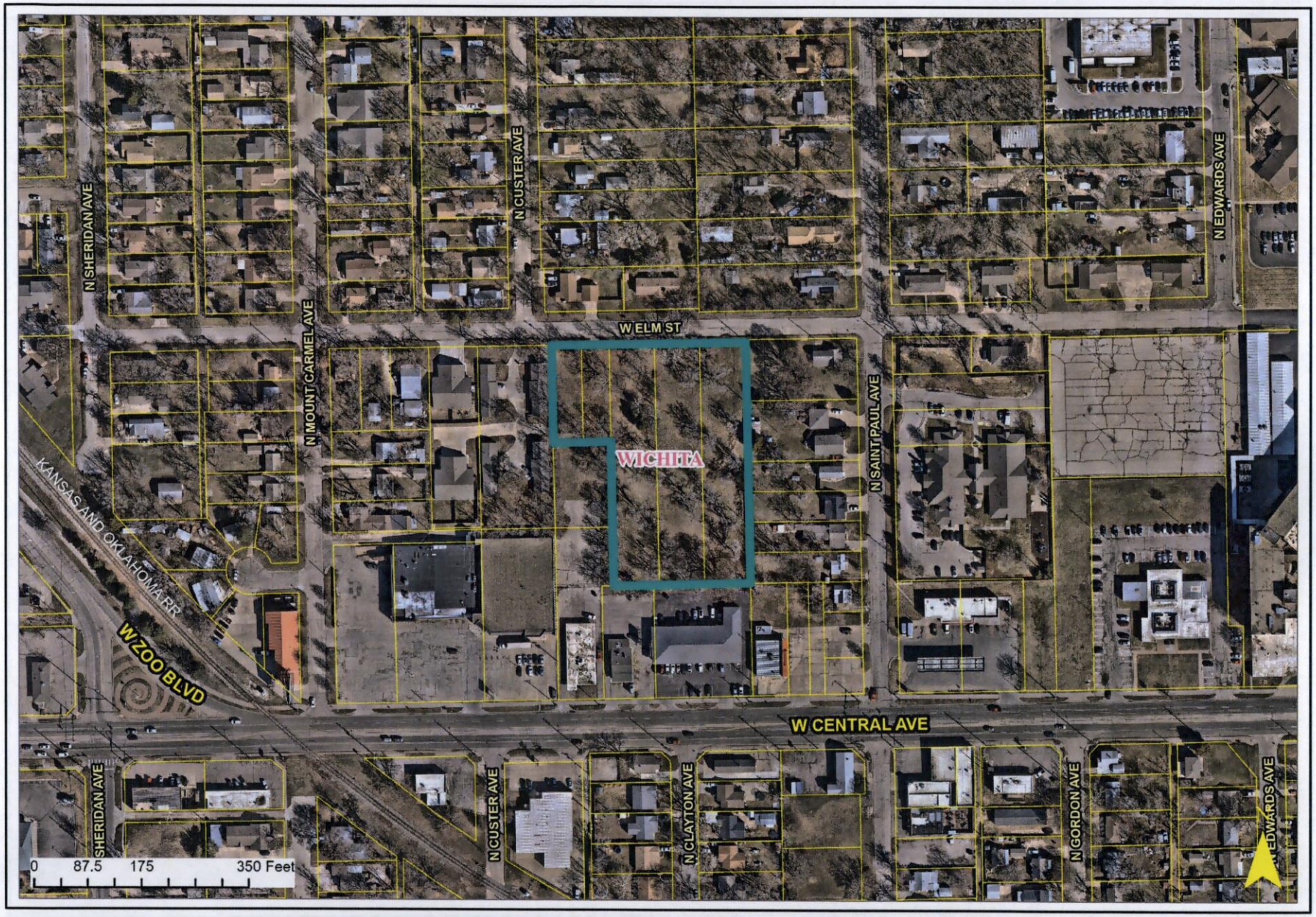
14. Prior to publishing the resolution establishing the zone change, the applicant(s) shall record a document with the Register of Deeds indicating this tract (referenced as PUD #***156***) includes special conditions for development on this property.

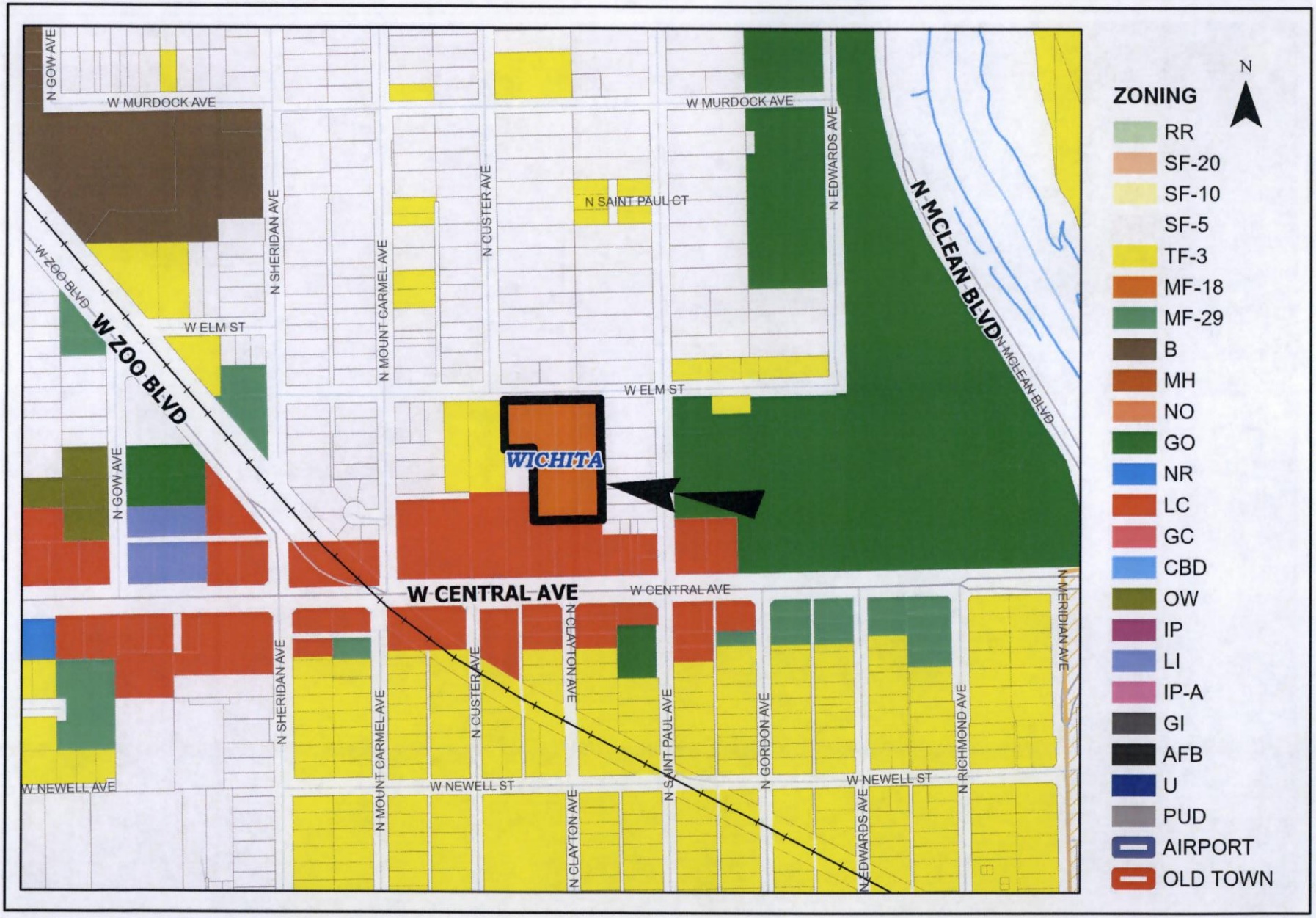
PARCEL 1:

A.	Net Area:	101,922 sq.ft., or 2.34 acres ±
B.	Maximum Building Coverage:	30,577 sq.ft., or 30 percent
C.	Maximum Gross Floor Area:	76,442 sq.ft.
D.	Floor Area Ratio:	75 percent
E.	Maximum Number of Buildings:	Four (4)
F.	Maximum building height:	45 feet
G.	Setbacks:	See Drawing
H.	Access Points:	See Drawing
I.	Permitted Uses:	All uses permitted by-right in the "MF-29" multi-family zoning district***, but with a maximum density of 40 dwelling units per acre***

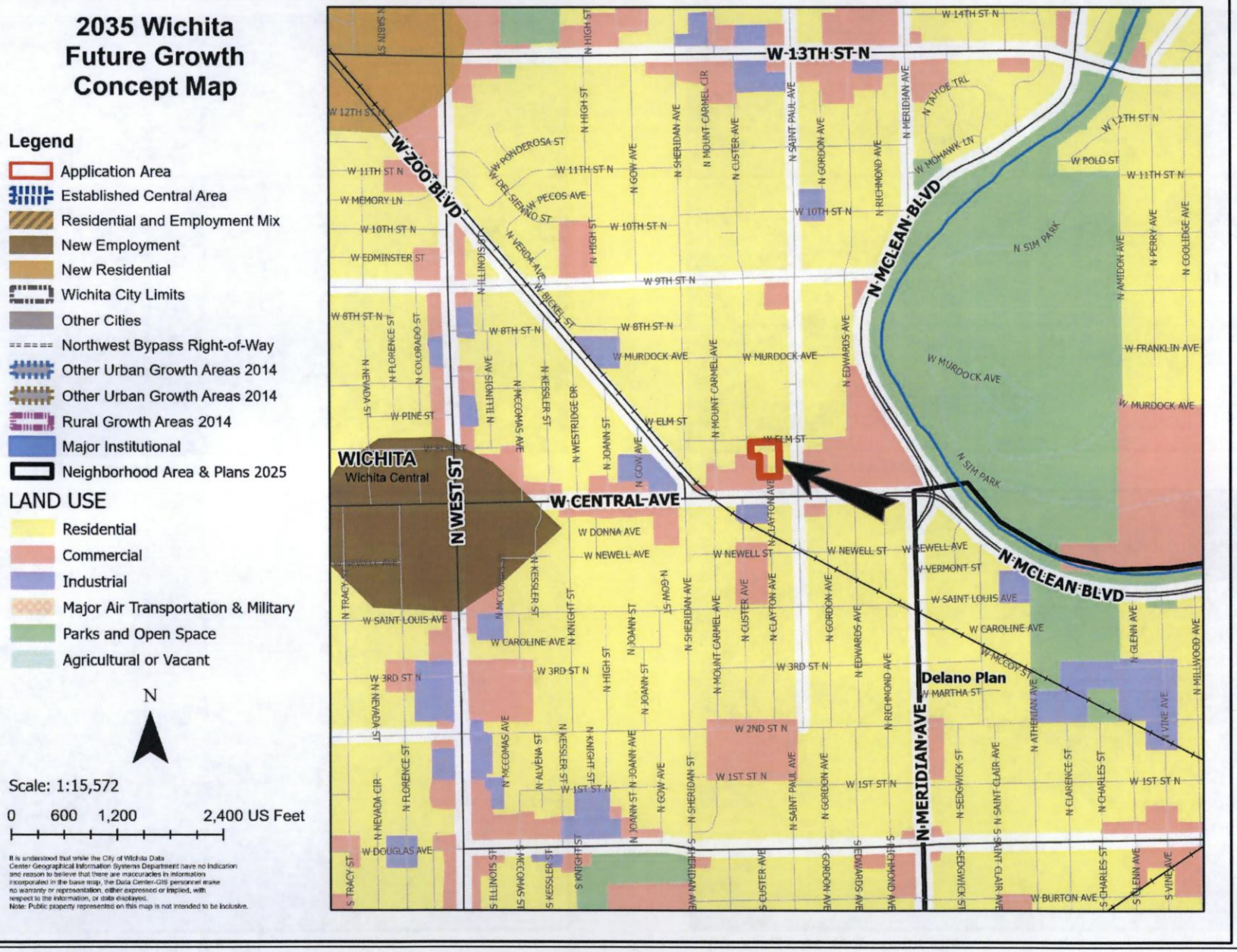
PUD #156 Drawing




N SHERIDAN AVE
N MOUNT CARMEL AVE
N CUSTER AVE
W ELM ST
N EDWARDS AVE
N SAINT PAUL AVE
WICHITA
KANSAS AND OKLAHOMA RR
W ZOO BLVD
W CENTRAL AVE
SHERIDAN AVE
N CUSTER AVE
N CLAYTON AVE
N GORDON AVE
EDWARDS AVE
0 87.5 175 350 Feet


N GOW AVE
W MURDOCK AVE
W MURDOCK AVE
N SHERIDAN AVE
N MOUNT CARMEL AVE
N CUSTER AVE
N SAINT PAUL CT
N EDWARDS AVE
N MCLEAN BLVD
N MCLEAN BLVD
W ZOO BLVD
W ZOO BLVD
W ELM ST
W ELM ST
N GOW AVE
WICHITA
W CENTRAL AVE
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N CUSTER AVE
N CLAYTON AVE
N SAINT PAUL AVE
N GORDON AVE
N RICHMOND AVE
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ZONING
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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

2035 Wichita Future Growth Concept Map



Looking south into the site



Looking east away from site



Looking north away from site



Looking west away from the site

