Wichita-Sedgwick County Metropolitan Area Planning Department

Guadalupe Macias and Jazmin Macias-Aragon
3402 East Orchard Avenue
Wichita, KS 67208

February 13, 2026

RE: CON2025-00177 - Conditional Use request in the City for an Accessory Apartment on property zoned TF-3 Two-Family Residential District, generally located on the northeast corner of East Orchard Avenue and North Vassar Street (3402 Orchard Avenue).

Dear Applicant,

On **January 29. 2026**, the Wichita-Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The recommendation of the MAPC was to **APPROVE** the request, subject to the following conditions:

1. The Accessory Apartment shall remain accessory to and under the same ownership as the principal single-family residence (located at 3402 East Orchard Avenue), and the ownership shall not be divided or sold as a condominium.
2. Development of the site shall be in conformance with the approved site plan.
3. The appearance of the accessory structure shall be compatible with the main dwelling unit and with the character of the neighborhood.
4. The water and sewer provided to the Accessory Apartment shall not be provided as separate services from the main dwelling. Electric, gas, telephone and cable television utility service may be provided as separate utility services.
5. The applicant shall obtain all applicable permits including, but not limited to building, health, and zoning. This will include submission of plans for review and approval by the MABCD for the Accessory Apartment.
6. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

No protests were received. Therefore, the decision of the MAPC is final. If you have any questions concerning this matter, please contact our office.

Sincerely,

Christina Rieth

Christina Rieth, AICP
Associate Planner

Wichita-Sedgwick County Metropolitan Area Planning Department

Guadalupe Macias and Jazmin Macias-Aragon
3402 East Orchard Avenue
Wichita, KS 67208

January 29, 2026

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6. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

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 **February 12, 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 **February 12, 2026** at 5:00 p.m.

This case will be heard on **Monday, February 2, 2026**, by the District Advisory Board (DAB) I, which meets at the Atwater Neighborhood Resource Center (2755 East 19th Street North) at 6:00 p.m. For more

information, please contact Cameron Jackson, Community Services Representative for District I, at 316-303-8018 or CTJackson@wichita.gov.

If the District Advisory Board recommends approval, and no protest petitions are received, then the decision of the MAPC is final. Else, the Wichita City Council will meet on Tuesday, March 3, 2026, at 9:00 a.m. for final decision. The WCC meets at City Hall, 455 North Main Street, Wichita, KS 67202.

Development application signs may now be removed from the property. If you have any questions concerning this matter, please contact our office.

Sincerely,

Christina Rieth

Christina Rieth, AICP
Current Plans
Associate Planner

Cc: Joseph Shepard, Councilmember District I
Cameron Jackson, CSR District I
MABCD

CONDITIONAL USE RESOLUTION NO. CON2025-00177

WHEREAS, Guadalupe Macias and Jazmin Macias Aragon, Owners, pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), request a Conditional Use for an Accessory Apartment in the TF-3 Two-Family Residential District zoning, located at 3402 East Orchard Avenue, legally described as:

> Lots 2 and 4, on Orchard Avenue, Country Club Place Addition to Wichita, Sedgwick County, Kansas.

WHEREAS, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission (hereinafter referred to as MAPC) has been given; and

WHEREAS, the MAPC did, at the meeting of January 29, 2026, consider said application; and

WHEREAS, the MAPC has authority to permit a Conditional Use, subject to any special conditions deemed appropriate in order to assure full compliance with the criteria of the Unified Zoning Code.

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Area Planning Commission that this application be approved to allow a Conditional Use for an Accessory Apartment in the TF-3 Two-Family Residential District zoning, located at 3402 East Orchard Avenue, legally described as:

> Lots 2 and 4, on Orchard Avenue, Country Club Place Addition to Wichita, Sedgwick County, Kansas.

Approved subject to the following conditions:

1. The Accessory Apartment shall remain accessory to and under the same ownership as the principal building (located at 3402 East Orchard Avenue) and the ownership shall not be divided or sold as a condominium. If the lot is divided in the future, the Accessory Apartment shall only apply to the lot on which the current principal dwelling is located.
2. Development of the site shall be in conformance with the approved site plan.
3. The appearance of the accessory structure shall be compatible with the main dwelling unit and with the character of the neighborhood.
4. The applicant shall obtain all applicable permits including, but not limited to building, health, and zoning. This will include turning in plans for review and approval by MABCD for the Accessory Apartment.
5. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

Adopted this 12th Day of MARCH, 2026.

METROPOLITAN AREA PLANNING COMMISSION

Bryan Frye, Chairman

ATTEST:

Scott Wadle, Secretary



SITE PLAN

APPROVED 3/9 BY CMR

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	IPL0302752	Legal Ad - IPL0302752	01-29-2026 MAPC Wichita Eagle Summary	2.0	106.0L

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

MAPC/BZA January 29, 2026
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, January 29, 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.**

CON2025-00176: Conditional Use in the City to amend CON2015-00003 to allow outdoor entertainment, music and recreation on property zoned LC Limited Commercial District, generally located on the southwest corner of West Douglas Avenue and South Anna Street (4801 West Douglas Avenue).

CON2025-00177: Conditional Use request in the City for an Accessory Apartment on property zoned TF-3 Two-Family Residential District, generally located on the northeast corner of East Orchard Avenue and North Vassar Street (3402 Orchard East Avenue).

VAC2025-00058: Vacation request in the City to vacate the 15-foot rear platted setback on property zoned SF-5 Single-Family Residential District, generally located on the east side of North Duckcross Cove Street, within one-half mile south of East 19th Street North (1720 North Duckcross Cove Street).

VAC2025-00059: Vacation request in the City to vacate a portion of complete access control, generally located at the northeast corner of West 29th Street North and North 119th Street West (11820 West 29th Street North).

VAC2025-00060: Vacation request in the City to vacate a 20-foot drainage and utility easement, generally located at the northeast corner of West 29th Street North and North 119th Street West (11820 West 29th Street North).

ZON2025-00068: Zone Change request in the City from PUD Planned Unit Development PUD-112 to OW Office Warehouse District, generally located west of North Wellington Place and one block south of West 13th Street North (1237 North Wellington Place).

ZON2025-00070: Zone Change request in the City from SF-5 Single Family Residential to MF-29 Multi-family Residential, generally located approximately a quarter of a mile northwest of West Central Avenue and North West Street (721 North Dougherty).

ZON2025-00071: Zone Change request in the City from SF-5 Single-Family Residential District to MF-18 Multi-Family Residential District for multi-family development, generally located on the west side of North McLean Boulevard, within 200 feet south of West 13th Street North.
IPL0302752
Jan 7 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:
01/07/26 Print

Print Tearsheet Link

Marketplace Link

Amanda Rodela

DIGITALLY SIGNED

Amanda Rodela

Sherry J Chasteen

DIGITALLY SIGNED

Sworn to and subscribed before me on Jan 7, 2026, 10:02 AM EST

NOTARY PUBLIC STATE OF TEXAS
SHERRY J CHASTEEN
ELECTRONIC NOTARY PUBLIC
STATE OF TEXAS
COMMISSION # 125328493
MY COMMISSION EXPIRES 4/16/2029

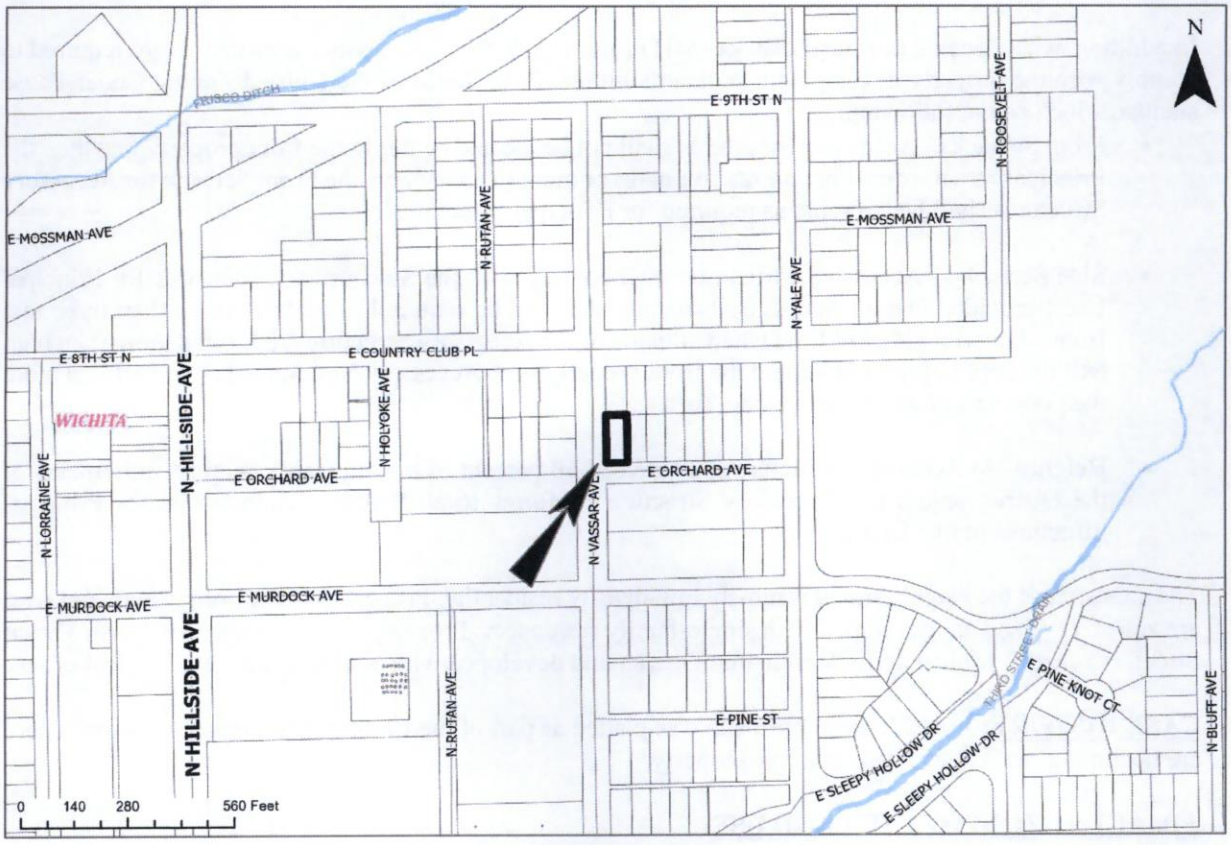
Online Notary Public. This notarial act involved the use of online audio/video communication technology. Notarization facilitated by SIGNiX®

AGENDA ITEM NO. 4.4

WICHITA–SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

STAFF REPORT
MAPC: January 29, 2026
DAB I: February 2, 2026

CASE NUMBER:	CON2025-00177 (City)
APPLICANT/AGENT:	Guadalupe Macias and Jazmin Macias-Aragon (Applicants)
REQUEST:	Conditional Use to allow an Accessory Apartment
CURRENT ZONING:	TF-3 Two-Family Residential District
SITE SIZE:	0.16 acres
LOCATION:	Generally located on the northeast corner of East Orchard Avenue and North Vassar Avenue (3402 East Orchard Avenue)
PROPOSED USE:	Accessory Apartment
RECOMMENDATION:	Approve with conditions



BACKGROUND: The applicant is requesting a Conditional Use to allow an Accessory Apartment on a property zoned TF-3 Two-Family Residential District (TF-3). The 0.16-acre property is generally located on the northeast corner of East Orchard Avenue and North Vassar Avenue (3402 East Orchard Avenue). The subject site is currently developed with a 1,421-square-foot single-family residential dwelling constructed in 1937. The applicant is requesting the Conditional Use to construct a detached dwelling unit on the north side of the property.

According to the submitted site plan, the applicant has removed the existing two-car garage and plans to construct a new, 30-foot by 30-foot garage behind the principal structure. The new structure would sit six feet from the rear property line and six feet from the side (east) property line. The site plan does not identify the setback from the west property line on North Vassar Ave. The Unified Zoning Code (UZC) requires a 15-foot street side setback from North Vassar Avenue in TF-3 zoning. It also requires a three-foot minimum building separation between the principal structure and the proposed accessory structure.

Accessory Apartments are subject to Section III-D.6.a of the UZC, which states:

1. A maximum of one Accessory Apartment may be allowed on the same lot as a single-family dwelling unit and may be within the main building, within an accessory building or constructed as an accessory building.
2. The appearance of an Accessory Apartment shall be compatible with the main dwelling unit and with the character of the neighborhood.
3. The Accessory Apartment shall remain accessory to and under the same ownership as the principal Single-Family Dwelling Unit, and the ownership shall not be divided or sold as a condominium.
4. The water and sewer service provided to the Accessory Structure shall not be provided as separate service from the main dwelling. Electric, gas, telephone and cable television utility service may be provided as separate utility services.

In addition, when located in zoning districts MH or more restrictive, Accessory Apartments are required to comply with the property development standards in Sec. III-D.7.e(2) of the Unified Zoning Code. Those standards include the following.

- Front Setbacks - Accessory Structures shall not be located nearer to the front property line than the Principal Structure except on Lots five acres or more in area where the Front Setback for Accessory Structures shall be the same as required for Principal Structures.

- Side Setbacks - Accessory Structures shall comply with the Side Setback standards for Principal Uses, provided that an Accessory Structure shall not be required to set back more than three feet from an interior side Lot Line when all parts of the Accessory Structure are located more than one-half the depth of the Lot behind the front property line. Accessory Structures may not utilize more than one-half of any required side Yard.

- Height - No Accessory Structure shall exceed 60 percent of the allowable height requirements of the District unless the Accessory Structure conforms to all Setback requirements for Principal Structures in that District.

The character of the neighborhood is mostly low-density residential. Properties to the north, south and west are zoned TF-3 and are developed with single-family residences. Property to the west, across North Vassar Street, is zoned B Multi-Family Residential District and developed with a parking lot for a medical office.

CASE HISTORY: In 1923, the subject site was platted as part of the Country Club Place Addition. There are no zoning cases associated with this property.

ADJACENT ZONING AND LAND USE:

North:	TF-3	Single-family dwelling

South:	TF-3	Single-family dwelling
East:	TF-3	Single-family dwelling
West:	B	Medical office parking lot

PUBLIC SERVICES: The subject site has access to East Orchard Avenue and North Vassar Avenue, which are both a two-way local streets. East Orchard Avenue has sidewalks on both sides, and North Vassar Avenue has a sidewalk on the west side. All municipal services and utilities, such as water and sewer, already serve this site. Wichita Transit stops within one-half mile of the subject site, on the northeast corner of East Murdock Avenue and North Hillside Street.

CONFORMANCE TO PLANS/POLICIES: The proposed use is in conformance with the *Community Investments Plan*. The *Community Investments Plan*'s 2035 Wichita Future Growth Concept Map primarily identifies the site as appropriate for "New Employment", which the Plan defines as follows: "*Encompasses areas that likely will be developed or redeveloped by 2035 with uses that constitute centers or concentrations of employment primarily in manufacturing, warehousing, distribution, construction, research, technology, business services, or corporate offices. Major shopping centers and office parks likely will be developed within this area as well, based upon market driven location factors. In certain areas, especially those in proximity to existing residential uses, higher density housing and convenience retail centers likely will be developed.*" The Conditional Use request is to create a higher density of housing in proximity to existing residential uses, which aligns with the goals of the *Plan*.

The requested Conditional Use is in conformance with the *Wichita: Places for People Plan*. The *Places for People Plan* outlines a list of Strategies intended to help guide the community in their actions to create walkable places within Wichita. Strategy 5 aims to "Provide a diversity of housing options to attract the new residents and allow existing residents to remain in the [Established Central Area] ECA." The requested Conditional Use allows for additional housing for new residents. Strategy 6 aims to "Encourage infill and redevelopment that is contextual to the environment in which it is occurring." The proposed Accessory Apartment would create infill housing that, per the Supplementary Use Regulations, is architecturally compatible with the surrounding environment.

RECOMMENDATION: Based upon the information available at the time the report was prepared, staff recommends that the Conditional Use be **APPROVED**, subject to the following conditions:

1. The Accessory Apartment shall remain accessory to and under the same ownership as the principal single-family residence (located at 3402 East Orchard Street), and the ownership shall not be divided or sold as a condominium.
2. Development of the site shall be in conformance with the approved site plan.
3. The appearance of the accessory structure shall be compatible with the main dwelling unit and with the character of the neighborhood.
4. The water and sewer provided to the Accessory Apartment shall not be provided as separate services from the main dwelling. Electric, gas, telephone and cable television utility service may be provided as separate utility services.
5. The applicant shall obtain all applicable permits including, but not limited to building, health, and zoning. This will include submission of plans for review and approval by the MABCD for the Accessory Apartment.
6. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The character of the neighborhood is mostly low-density residential. Properties to the north, south and west are zoned TF-3 and are developed with single-family residences. Property to the west, across North Vassar Street, is zoned B Multi-Family Residential District and developed with a parking lot for a medical office.

2. The suitability of the subject property for the uses to which it has been restricted: The subject site is currently zoned TF-3 Two-Family Residential, which permits an Accessory Apartment by Conditional Use approval under Section III-D.6.a of the Unified Zoning Code.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Staff does not anticipate that approval of the request will generate significant amounts of additional traffic. The conditions of approval should minimize any possible significant negative impacts.

4. Length of time subject property has remained vacant as zoned: The subject property is not vacant. The property has been developed with a single-family residential dwelling since 1937.

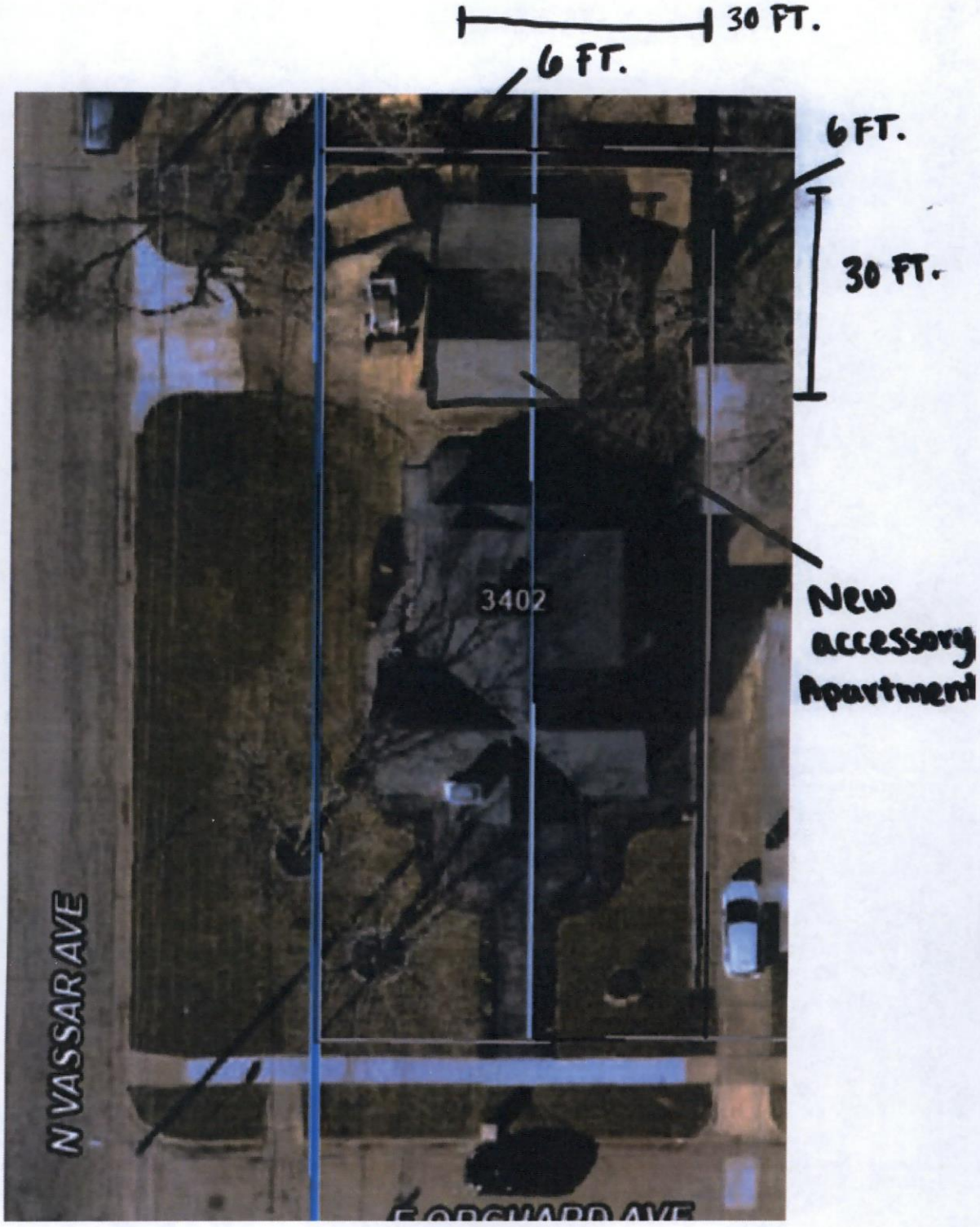
5. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: It is not anticipated that the requested Conditional Use will have a significant detrimental effect on the public health, safety, or welfare. Denial of the application may result in a loss of enjoyment for the applicant.

6. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The proposed use is in conformance with the *Community Investments Plan* and the *Wichita: Places for People Plan*, as discussed in the report.

7. Impact of the proposed development on community facilities: Staff expects that there will be minimal significant impact on public roads, water, and sewer service.

8. Opposition or support of neighborhood residents: At the time the staff report was prepared, staff did not receive any public comment on the requested Conditional Use.

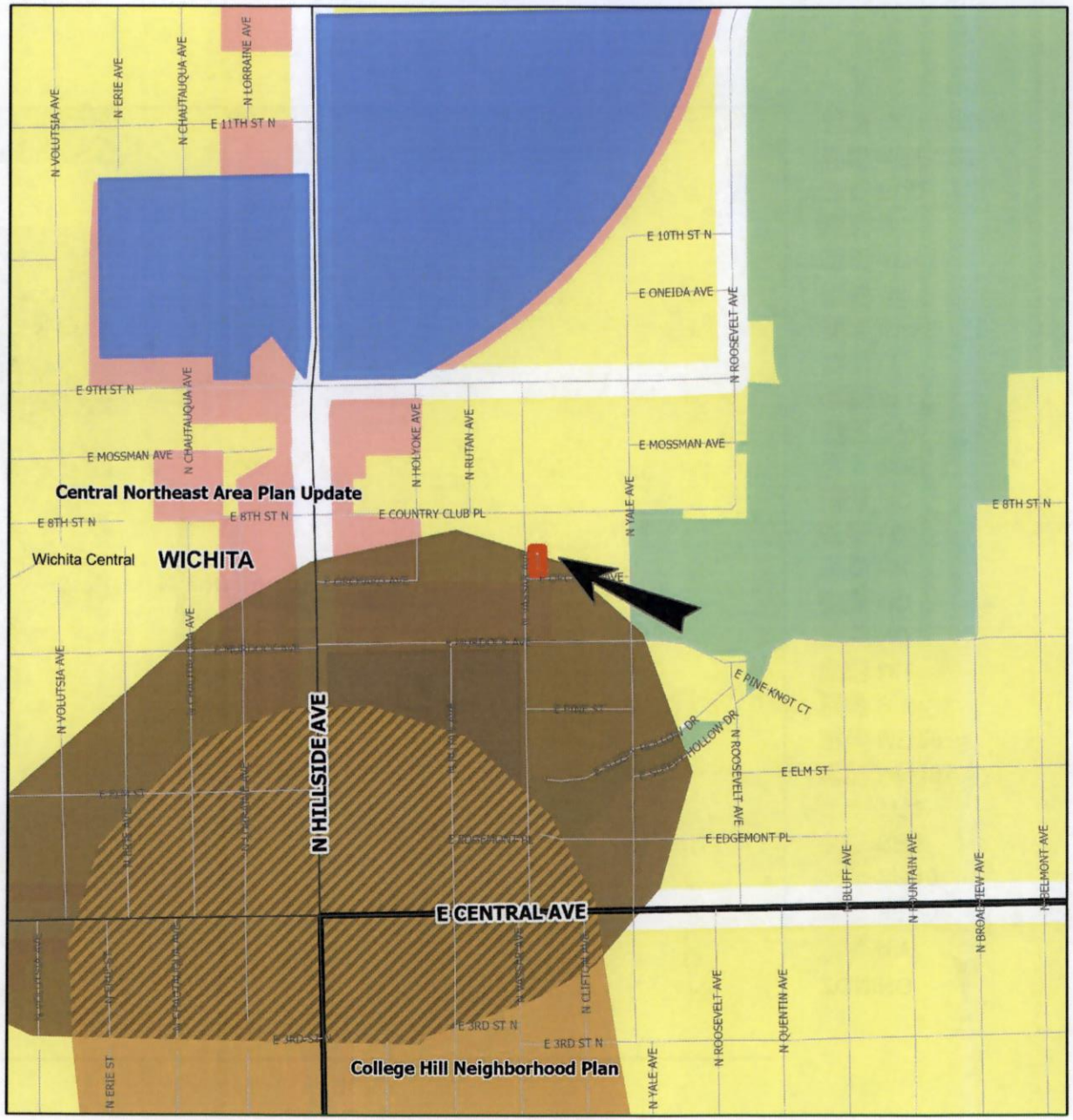
Attachments:
1. Site Plan
2. Aerial Map
3. Zoning Map
4. Land Use Map
5. Site Photos


30 FT.
6 FT.
6 FT.
30 FT.
3402
New accessory Apartment
N VASSAR AVE


N RUTAN AVE
E COUNTRY CLUB PL
WICHITA
N VASSAR AVE
E ORCHARD AVE
0 35 70 140 Feet
N


N HOLYOKE AVE
N RUTAN AVE
E COUNTRY CLUB PL
WICHITA
E ORCHARD AVE
N YALE AVE
N VASSAR AVE
E MURDOCK AVE
N AVE
N
ZONING
RR
SF-20
SF-10
SF-5
TF-3
MF-18
MF-29
B
MH
NO
GO
NR
LC
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CBD
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IP-A
GI
AFB
U
PUD
AIRPORT
OLD TOWN

2035 Wichita Future Growth Concept Map



Legend

- Application Area
- Established Central Area
- Residential and Employment Mix
- New Employment
- New Residential
- Wichita City Limits
- Other Cities
- Northwest Bypass Right-of-Way
- Other Urban Growth Areas 2014
- Other Urban Growth Areas 2014
- Rural Growth Areas 2014
- Major Institutional
- Neighborhood Area & Plans 2025

LAND USE

- Residential
- Commercial
- Industrial
- Major Air Transportation & Military
- Parks and Open Space
- Agricultural or Vacant

N

Scale: 1:8,373

0 330 660 1,320 US Feet

It is understood that while the City of Wichita Data Center Geographical Information Systems Department have no indication and reason to believe that there are inaccuracies in information incorporated in the base map, the Data Center-GIS personnel make no warranty or representation, either expressed or implied, with respect to the information, or data displayed.
Note: Public property represented on this map is not intended to be inclusive.

Looking east towards site



Looking north towards site



Looking west away from site



Looking south away from site

