



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

March 3, 2021

K.E. Miller Engineering, P.A.  
117 E. Lewis St.  
Wichita, KS 67202

**RE: ZON2020-00047: City zone change from SF-5 to TF-3 located immediately south of a parcel addressed as 4929 W Douglas; generally located south of the parcel located on the southeast corner of W Douglas Avenue and S Clara Street.**

Dear Applicant;

At its regular meeting on **February 23, 2021** the Wichita City Council considered the above captioned request. The action of the Council was to **APPROVE** the request in accordance with the attached ordinance.

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

Sincerely,

A handwritten signature in blue ink that reads 'Matt Williams'.

Matthew Williams, AICP  
Associate Planner

Copies to: Justin Dutton, Dutton Construction and Plumbing, 4858 N. Emerald Ct., Maize, KS  
MABCD

(Published in the Wichita Eagle, Mar. 5, 2021)

ORDINANCE NO. 51-420

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. ZON2020-00047

City zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential, legally described as:

South 127 feet of Lot 4, Block B, Westbreeze Addition, Wichita, Sedgwick County, Kansas.

Subject to the following Protective Overlay #360 as follows:

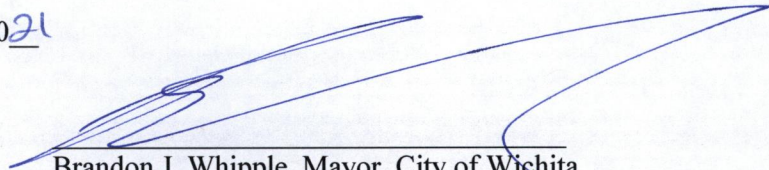
1. The following conditions shall apply to ZON2020-00047:
  - a. **Garages.** The garage face shall occupy no more than 50 percent of the ground-level façade facing the street and may not project more than five feet in front of the main facade.
  - b. **Entrances.** Pedestrian scaled entry shall be a prominent feature of the front elevation. Front doors shall be oriented to the street in front of the units.
  - c. **Architectural Variety.** Developments shall achieve architectural variety by accommodating a variety of architectural styles that are compatible or consistent with the surrounding neighborhood, variation of the same architectural style, and through the use of multiple design elements. Duplicative house designs adjacent to each other are highly discouraged. Simple reverse configurations of the same house design on adjacent lots are not sufficient to meet this standard.
  - d. **Windows and Transparency.** Transparent windows and/or doors facing the street are required. To meet this requirement, at least 10 percent of the façade must be transparent. The façade is measured from the base of the house to the start of the roofline and any other vertical walls facing the street, except for gabled portions of the facade not containing livable floor area. Garages facing the street shall count as part of the façade.
  - e. **Roof Design.** Roofs shall have variation in roof planes in order to break up the large roof mass through dormers, gables, or changes in elevation. Roof forms and roof pitches of porches, dormers and garages shall be consistent and complement the building style within the neighborhood.
  - f. **Siding materials.** Siding materials shall be appropriate to the architectural style of the structure. Traditional materials consistent with the neighborhood architectural styles are encouraged such as wood, masonry and brick. Siding materials and window trim should be consistent on all sides of the structures.
  - g. **HVAC.** HVAC units shall be located away from the front of the buildings and screened from public view through landscaping and/or screen walls.

2. The parking area shall not cover more than 50% of the front yard and trash dumpsters shall not be permitted in front of the duplex building.
3. A site plan shall be approved by the Director of Planning before any building permits are issued.
4. Prior to publishing the ordinance establishing the zone change, the applicants shall record a document with the Register of Deeds indicating that this tract includes special conditions for development on this property.

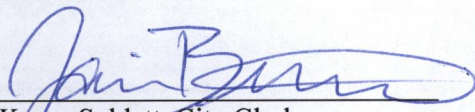
**SECTION 2.** That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

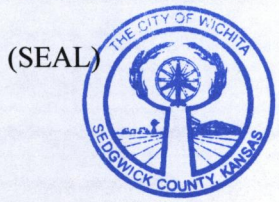
**SECTION 3.** That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

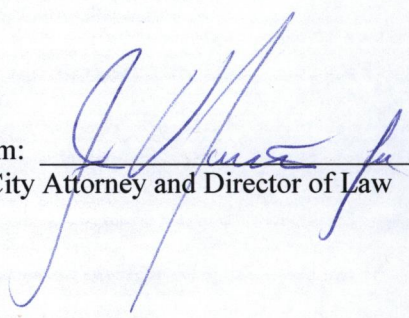
Adopted this 2<sup>nd</sup> Day of Mar. 2021

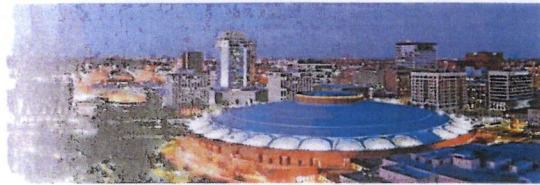
  
\_\_\_\_\_  
Brandon J. Whipple, Mayor, City of Wichita

**ATTEST:**

  
*Ses* Karen Sublett, City Clerk



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



**AFFIDAVIT OF PUBLICATION**

Account #	Ad Number	Identification	PO	Amount	Cols	Depth
453868	0004839659		OCA 150004	\$109.20	1	13.00 In

**Attention:** Betsy Pagán

CITY OF WICHITA/PLANNING DEPT  
 271 WEST THIRD ST., 2ND FL, SU 203  
 WICHITA, KS 67202

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

1 Insertions

Beginning issue of: 12/31/2020

Ending issue of: 12/31/2020

STATE OF KANSAS)  
 .SS  
 County of Sedgwick)

VICTORIA RODELA, 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 12/31/2020 to 12/31/2020.

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

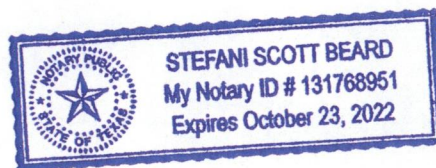
*V Rodela*

Signature of Principal Clerk  
 DATED: 1/3/2021

*SB*

Notary Public Dallas County, Texas

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



# LEGAL PUBLICATION

OCA 150004  
PUBLISHED IN THE WICHITA EAGLE  
ON DECEMBER 31, 2020 (48396597)  
(ONE TIME ONLY)

## MAPC/BZA January 21, 2021 OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, January 21, 2021, no earlier than 1:00 p.m.**, the Wichita Sedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held virtually, public participation is available in multiple ways, those without technology options can participate by going to Century II - Room 101B - 225 West Douglas Avenue, Wichita, Kansas 67202 (specified at the bottom of this notice). 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.

- BZA2020-00065** City of Wichita Variance to allow covered parking located approximately 200 feet west of S. Osage St. on W. University Ave. at 818 W. University Ave. City variance to allow on-site sign and increase height and size on property zoned LC Limited Commercial located 2300 feet east of South Rock Road, on the south side of U.S. 54/400 Highway (Kellogg)
- BZA2020-00067** City Conditional Use for Group Residence. Limited on property zoned SF-5 Single Family Residential; generally located on the south side of West Maple Street within a half mile to the east of South Meridian Avenue (1825 West Maple).
- CUP2020-00047** City CUP Amendment to DP-169 to allow Major Utility and revise screening wall requirements on property zoned LC Limited Commercial; generally located on the southwest corner of East Pawnee Avenue and South Oliver Avenue (2425 South Oliver)
- CUP2020-00049** City CUP amendment to Kellogg Mall CUP-DP-12 to modify Parcel 1 to modify allowed uses to include those that are considered as Nightclubs in the City; generally located at the northwest corner of South Rock Road and East Kellogg Drive (1700 E Kellogg Drive)
- PUD2020-00013** City PUD zoning district to create PUD #61 RF Addition to allow ADUs in a traditional neighborhood development with home occupations; generally located one-quarter mile east of South Rock Road and one-quarter mile south of East 31st Street South.
- PUD2020-00014** City PUD zoning district to create PUD #62 Falcon Falls Addition to allow ADUs in a traditional neighborhood development with home occupations; generally located one-half mile west of North Hillside Avenue on the north side of East 6th Street North.
- VAC2020-00052** City Vacation of portion of floodway for warehouse expansion on property zoned LI Limited Industrial located 600 feet north of K-42 Highway, on the east side of South Hoover Street (2820 South Hoover Street).
- ZON2020-00047** City zone change from SF-5 to TF-3 located immediately south of a parcel addressed as 4975 W. Douglas. This parcel has no address assigned yet as there is no building on it to date. This parcel is located south of the parcel located on the southeast corner of W. Douglas Ave. and S. Clara St.
- ZON2020-00050** City zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential located 1800 feet east of North Hydraulic Avenue, 2500 Feet south of East 21st Street North.
- ZON2020-00051** City zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential on property located 975 feet north of West 55th Street South, on the west side of South Seneca Street.
- ZON2020-00052** City zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential located 2300 feet south of West MacArthur Road, on the east side of South Meridian Avenue.

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202. As provided in Section V of the Wichita Sedgwick County Unified Zoning Code, the same will then 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.

**PLEASE NOTE THIS MEETING IS CONSIDERED AN EMERGENCY MEETING OF THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION** due to COVID-19, WHICH WILL IMPOSE SPECIAL PROCEDURES TO PARTICIPATE IN THE PUBLIC HEARING. THESE ARE AS FOLLOWS:

The meeting will be conducted "virtually" using Go-To-Meetings. You have multiple options to participate: 1) submit comments ahead of time, 2) participate remotely, or 3) attend a virtual connection site in-person (see below).

**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 3pm 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	BPagan@wichita.gov
Mailing Address	Wichita-Sedgwick County Metropolitan Area Planning Department Attn: Scott Wadle 271 W. 3 <sup>rd</sup> Street - Suite 201 Wichita, KS 67202
Phone	316-268-4421
Fax	316-858-7764

**Participate Remotely**  
Please join my meeting from your computer, tablet or smartphone.  
<https://global.solo.meeting.com/join/651544141>  
You can also dial in using your phone.  
United States: +1 (571) 317-3112  
Access Code: 651-544-141

Join from a video-conferencing room or system.  
Dial in or type: 67.217.85.2 or inroomk.go2.com  
Meeting ID: 651 544 141

Or dial directly: 651544141@67.217.85.2 or 67.217.85.2#651544141

New to GoToMeeting? Get the app now and be ready when your first meeting starts: <https://global.solo.meeting.com/install/651544141>

**Attend a Virtual Connection Site In-Person**  
You may also participate in the hearing by going to meeting room 101B at Century II (225 West Douglas) to participate in the Planning Commission meeting by "virtual" connection. Planning Department staff members will be available to assist in your participation at this location. This option is 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 (268-4464) by 3pm, 3 days prior to the meeting.

WITNESS MY HAND on December 28, 2020  
Scott Wadle, Secretary  
Wichita Sedgwick County  
Metropolitan Area Planning Commission