



Wichita-Sedgwick County Metropolitan Area Planning Department

June 28, 2022

Audrey and Jesse Patrick
2042 West Columbine Lane
Wichita, Ks. 67204

RE: CON2022-00008: City Conditional Use to allow an Accessory Apartment in SF-5 Single Family Residential zoning district, generally located within 500 feet of North Amidon Avenue and within 500 feet south of West 25th Street North (2042 West Columbine Lane).

Dear Applicant;

At its regular meeting on June 2, 2022, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend APPROVAL the request subject to the enclosed conditions.

No protests were filed against this case. Therefore, the decision of the MAPC is final.

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

Sincerely,

A handwritten signature in blue ink that reads 'Mary M. Hunt'.

Mary M. Hunt,
Principal Planner

Copies to: MABCD
Maggie Ballard, City Council District VI
Cory Buchta, CSR District VI
File

Enclosure



Wichita-Sedgwick County Metropolitan Area Planning Department

June 9, 2022

Audrey and Jesse Patrick
2042 W. Columbine Lane
Wichita KS 67204

RE: CON2022-00008: City Conditional Use for Accessory Apartment in SF-5 Single-Family Residential; generally located within 500 feet west of North Amidon Avenue and within 500 feet south of West 25th Street North (2042 West Columbine Lane).

Dear Applicant;

At its regular meeting on June 2, 2022 the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request with the following conditions:

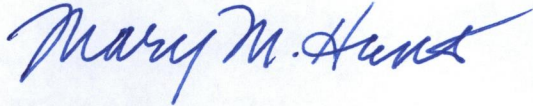
1. The conditional use shall adhere to all the Supplementary Use Regulations set forth in Section III-D.6.p of the Unified Zoning Code.
2. The applicant shall submit a revised site plan illustrating the required screening and landscaping for review and approval by the Planning Department prior to the issuance of building permits.
3. If the Zoning Administrator finds there is a violation of any of the conditions of approval 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 the Conditional Use 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 June 16, 2022. 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 **June 16, 2022 at 5:00 p.m.**

If there are no protests, the MAPC's approval is final. If there are protests, this application will be presented to the Wichita City Council on **Tuesday, July 5, 2022** beginning at 9:00 a.m.

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

Sincerely,



Mary M. Hunt
Principal Planner

Copies to: MABCD
 Maggie Ballard, Council Member District VI
 Cory Buchta, CSR District VI
 File

CONDITIONAL USE RESOLUTION NO. CON2022-00008

WHEREAS, Audrey R. Bearden, Owner, pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), request a Conditional Use to allow an Accessory Apartment on property zoned SF-5 Single-Family Residential located at 2042 West Columbine Lane legally described as:

Lot 18, Block 5, Riverlawn Heights, an 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 June 2, 2022, 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 to allow an Accessory Apartment on property zoned SF-5 Single-Family Residential located at 2042 W. Columbine Lane legally described as:

Lot 18, Block 5, Riverlawn Heights, an Addition to Wichita, Sedgwick County, Kansas

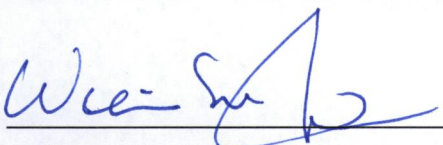
Approved subject to the following conditions:

- 1) The Accessory Apartment shall remain accessory to and under the same ownership as the principal single-family residence (Located at 2042 West Columbine Lane) 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 Apartment 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) This 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.

Adopted this 2nd Day of June 2022.

METROPOLITAN AREA PLANNING COMMISSION

ATTEST:



William M. Johnson, Chairman



Scott Wadle, Secretary



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	259625	Print Legal Ad - IPL0072298		\$236.56	3	94 L

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

LEGAL PUBLICATION

OCA 150004

Published in The Wichita Eagle on May 12, 2022
(One Time Only)

MAPC/EZA June 2, 2022
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, June 2, 2022, no earlier than 1:30 p.m., the WichitaSedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held virtually, public participation is available in multiple ways, those without technology options can participate by going to the Wichita City Hall Building - 1st Floor Council Chambers - 455 N. Main Street, 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 WichitaSedgwick County Metropolitan Area Planning Department at (316) 268-4421.

CON2022-00008: Request in the City for a Conditional Use for Accessory Apartment in SF-5 Single-Family Residential, Generally located within 500 feet west of North Amidon Avenue and within 500 Feet south of West 25th Street North (2042 West Columbine Lane).

CON2022-00009: Request in the City for a Conditional Use to allow a Group Residence on property zoned TF-3 Two-Family Residential, generally located northwest of East 14th Street North and North Hillside Avenue (3104 E. 14th St. N.).

CON2022-00010: Request in the City for a Conditional Use to permit vehicle sales on property zoned LC Limited Commercial, generally located on the north side of West Central Avenue and one-block east of I-235 Highway (5534 West Central).

CUP2022-00019: Request in the City for a minor amendment to CUP DP-204 to allow a night club as an accessory to a restaurant on Parcel 6 on the LC Limited Commercial zoned property, generally located approximately one-eighth mile north of West 21st Street North, on the east side of North Maize Road.

PUD2022-00010: Request in the City for a zone change from SF-5 Single-Family Residential to PUD Planned Unit Development to permit office and duplex development on vacant land surrounding church, generally located on the west side of North Maize Road, within one-quarter mile south of West 21st Street North.

PUD2022-00011: Request in the City for a zone change from SF-5 Single-Family Residential to PUD Planned Unit Development for multi-family development on property located on the south side of North McLean Blvd and one-half mile west of North Seneca Street (between N. Vine and N. Fern Avenues).

VAC2022-00013: Request in the city to vacate a portion of a platted drainage and utility easement on property zoned SF-5 Single-Family Residential within a quarter mile west of Webb Road and within a quarter mile north of 13th Street (9451 E. Lakelore Circle).

VAC2022-00014: Request in the City to vacate a portion of North Millwood Avenue for redevelopment (associated with PUD2022-00011 for multi-family use); generally located on the south side of North McLean Blvd, one-half mile west of North Seneca Street, between N. Vine and N. Fern Avenues.

VAC2022-00015: Request in the City to vacate a portion of an easement dedicated by separate instrument on SF-5 Single-Family Residential zoned property generally located west of North West Street, south of West 2nd Street on the east side of North Tracy Street (238 N. Tracy).

ZON2022-00023: Request in the City for a zone change from SF-5 Single Family 5 to TF-3 Two Family Residential; generally located on the west side of Webb Road, one quarter mile south of East Pawnee.

ZON2022-00027: Request in the City for a zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential; generally located on the west side of North Meridian, within one-half mile north of West 53rd Street (5735 N. Meridian Ave.).

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202. As provided in Section V of the WichitaSedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MAPC as by law provided.

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-Meeting. You have multiple options to participate:
1) submit comments ahead of time, 2) participate remotely, or 3) attend in-person at the Wichita City Hall Building (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 5pm 3 days prior to the meeting. Please be sure to provide ample time for delivery. The comments can be submitted in the following formats: email; letter; video; and audio message (mp3, etc.). The comment should indicate which item they pertain to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff using the contact information below. The comments received ahead of the submission deadline will be shared with the MAPC, prior to or during the meeting.

Email: Planning@wichita.gov

Mailing Address: Wichita-Sedgwick County Metropolitan Area Planning Department

Attn: Scott Wadley

271 W. 3rd 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.gotomeeting.com/join/651544141>

You can also dial in using your phone.

United States: +1 (671) 517-3112

Access Code: 651-544-141

Join from a video-conferencing room or system.

Dial in or type: 67.217.95.2 or inroomlink.goto.com

Meeting ID: 651 544 141

Or dial directly: 651544141 @ 67.217.95.2 or 67.217.95.2##651544141

New to GoToMeeting? Get the app now and be ready when your first meeting starts.

<https://global.gotomeeting.com/install/651544141>

Attend In-Person

You may also participate in the hearing in-person at the Wichita City Hall Council Chambers (455 N. Main Street, Wichita, KS 67202). Please note that security screening is required for public access to the building, self-paid parking is available nearby, and COVID-19 protocols are in place. For more information please visit www.wichita.gov/visitchityhall. The in-person option is primarily intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-268-4464) by 5pm, 3 days prior to the meeting.

WITNESS MY HAND on May 12, 2022

Scott Wadley, Secretary

WichitaSedgwick County

Metropolitan Area Planning Commission

IPL0072298

May 12 2022

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

No. of Insertions: 1

Beginning Issue of: 05/12/2022

Ending Issue of: 05/12/2022

STATE OF KANSAS)

SS

County of Sedgwick)

Hayley Martin, of lawful age, being first duly sworn, depose and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and 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 05/12/2022 to 05/12/2022.

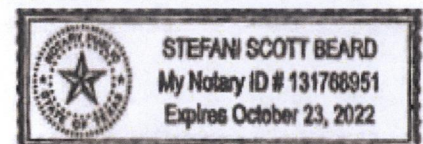
M. Hayley

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

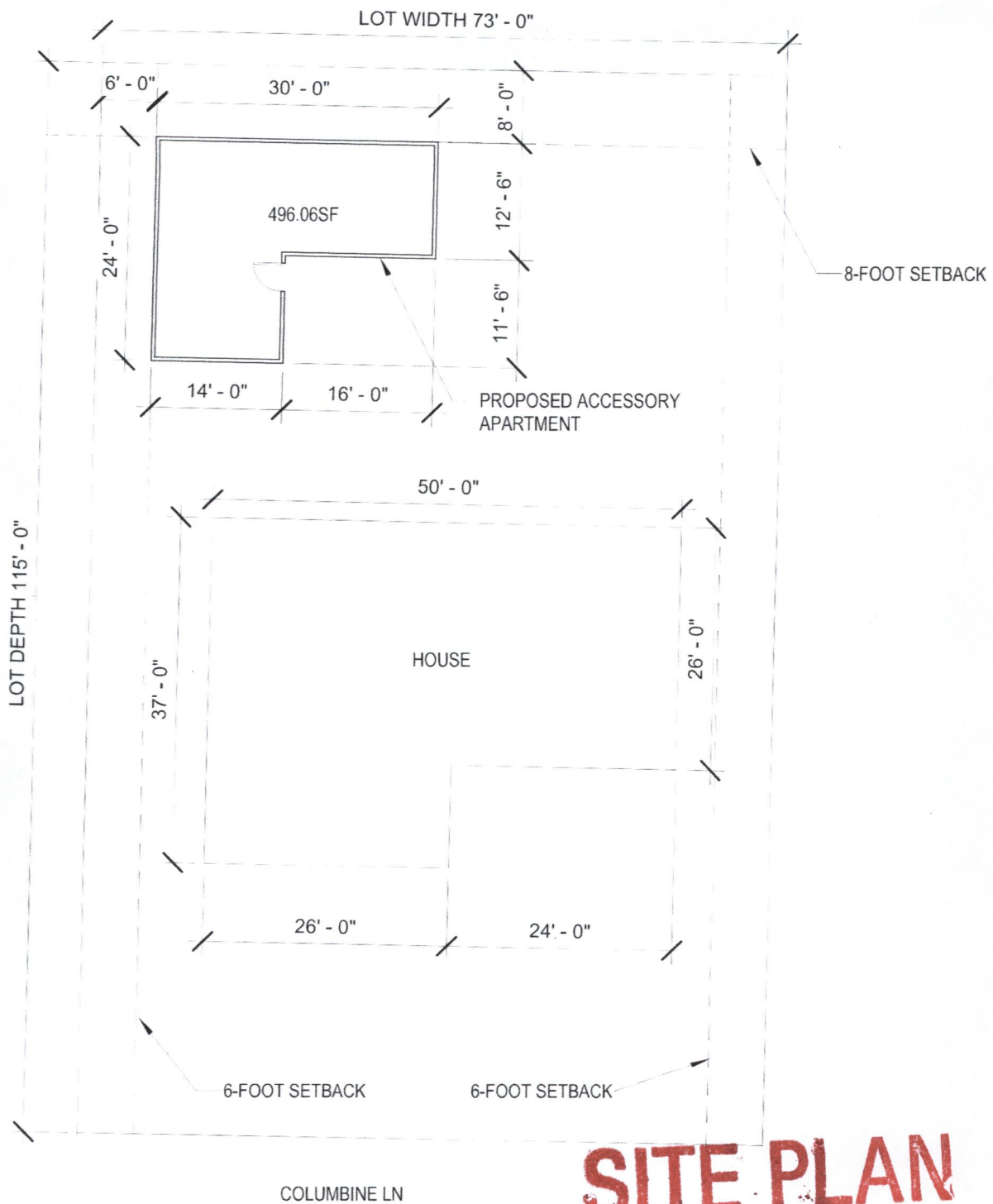
DATED: 05/12/2022

Stefani Beard

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



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



SITE PLAN

APPROVED *mm. Hunt* BY *6/*

**PROPOSED
ACCESSORY APARTMENT**

AUDREY BEARDN
2042 W. COLUMBINE LN
WICHITA, KS 67204
(316)993-5042





STAFF REPORT
MAPC: June 2, 2022
DAB VI: June 15, 2022

CASE NUMBER: CON2022-00008 (City)

APPLICANT/OWNER: Audrey and Jesse Patrick

REQUEST: Conditional Use request for an Accessory Apartment

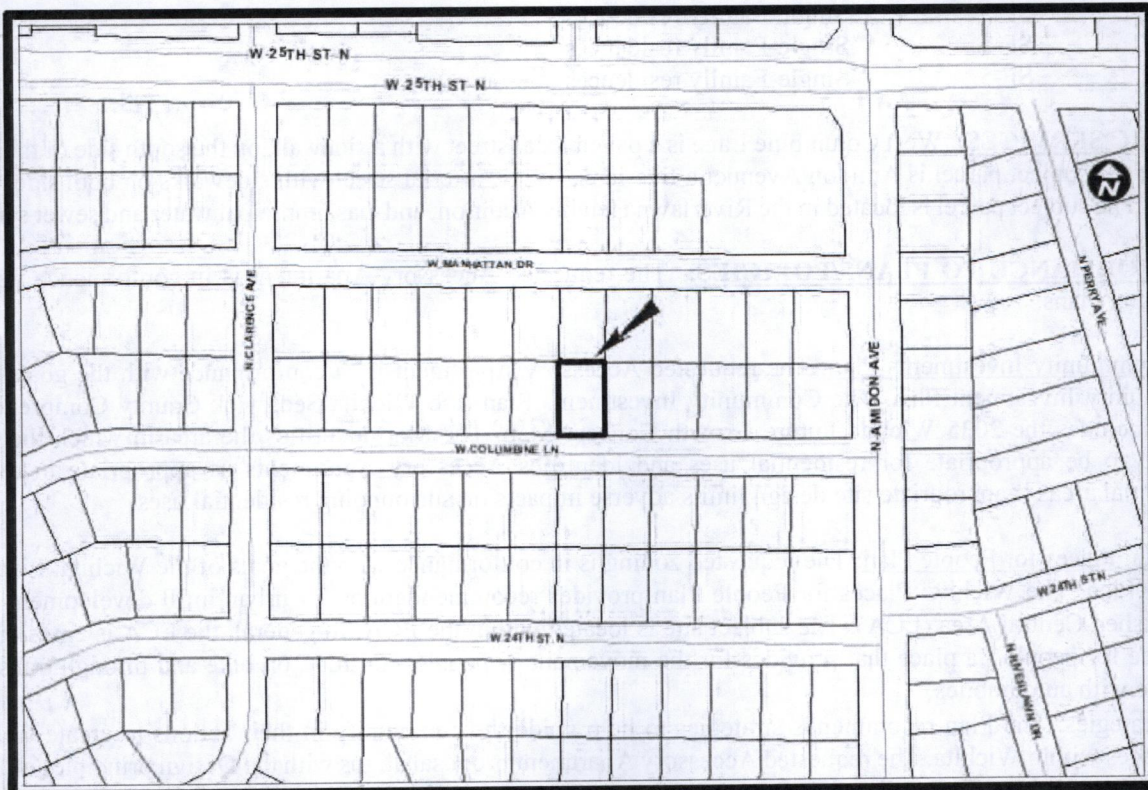
CURRENT ZONING: SF-5 Single-Family Residential

SITE SIZE: .194 acres

LOCATION: Generally located within 500 feet west of North Amidon Avenue and within 500 feet south of West 25th Street North (2042 West Columbine Lane).

PROPOSED USE: Accessory Apartment

RECOMMENDATION: Approve with conditions.



BACKGROUND: The applicant is requesting a Conditional Use to build an L-shaped Accessory Apartment on the northwest area of the back yard of the SF-5 Single-Family Residential zoning district. The property is addressed as 2042 W. Columbine Lane and is generally located within 500 feet west of North Amidon Avenue and within 500 feet south of West 25th St North. The site is currently developed with a single-family home and an 8' by 6' storage shed that will be removed when the Accessory Apartment is built. This original home was built in 1955.

The Wichita-Sedgwick County Unified Zoning Code ("UZC") defines an "Accessory Apartment" (Art. II. Sec. II-B.1.b) as a dwelling unit that may be wholly within, or may be detached from a principal single-family dwelling unit. Accessory Apartments are also subject to supplementary use regulation Art. III.Sec.III-D.6.a:

- (1) a maximum of one Accessory Apartment may be allowed on the same lot as a single-family dwelling unit that may be within the main building, within an accessory building or constructed as an Accessory Apartment;
- (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; and
- (4) the water and sewer service provided to the Accessory Apartment 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.

Properties on the north, south, east and west are all zoned SF-5 Single-Family Residential, and developed with single-family homes. Surrounding property beyond the immediate neighboring lots are zoned SF-5 Single-Family Residential. Property northeast of the immediate neighboring lots is developed with a church and associated parking.

CASE HISTORY: In 1954, the site was platted as part of the Riverlawn Heights Addition.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single-Family residences
SOUTH:	SF-5	Single-Family residences
WEST:	SF-5	Single-Family residences
EAST:	SF-5	Single-Family residences

PUBLIC SERVICES: West Columbine Lane is a paved local street with a sidewalk on the south side of the street. East of the subject parcel is Amidon Avenue; a five-lane, paved, arterial street with sidewalks on both sides of the street. The subject parcel is located in the Riverlawn Heights Addition, and has municipal water and sewer services.

CONFORMANCE TO PLANS/POLICIES: The requested Accessory Apartment is in conformance with the following plans.

The Community Investments Plan: The requested Accessory Apartment is in conformance with the goals of the Community Investment Plan. The Community Investments Plan (the Wichita-Sedgwick County Comprehensive Plan) includes the 2035 Wichita Future Growth Concept Map. The Map identifies the area in which the site is located to be appropriate for residential uses and identifies Accessory Apartments as appropriate in existing residential areas if appropriate site design limits adverse impacts on surrounding residential uses.

Wichita: Places for People Plan: The requested zoning 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 requested Accessory Apartment proposal aligns with the Design principles of Places for People by "Supporting development of a variety of lot sizes and housing types." The Land Use

Compatibility principle encourages Accessory Apartments as appropriate in existing neighborhoods.

- **Current Condition:** The subject property is located within an area identified as an “area of stability.” The Places for People Plan defines Areas of Stability as those “areas of the ECA that exhibit less stress, or fewer economic, connectivity, and walkable issues. Areas of Stability should require fewer interventions and potentially less investment to maintain a viable development environment and community. Improvements should be geared toward continuing the area’s momentum and strengthening the established context” The addition of an Accessory Apartment provides a feature that fits the established context.

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

- (1) The Accessory Apartment shall remain accessory to and under the same ownership as the principal single-family residence (located at 2042 West Columbine Lane) 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 Apartment 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.

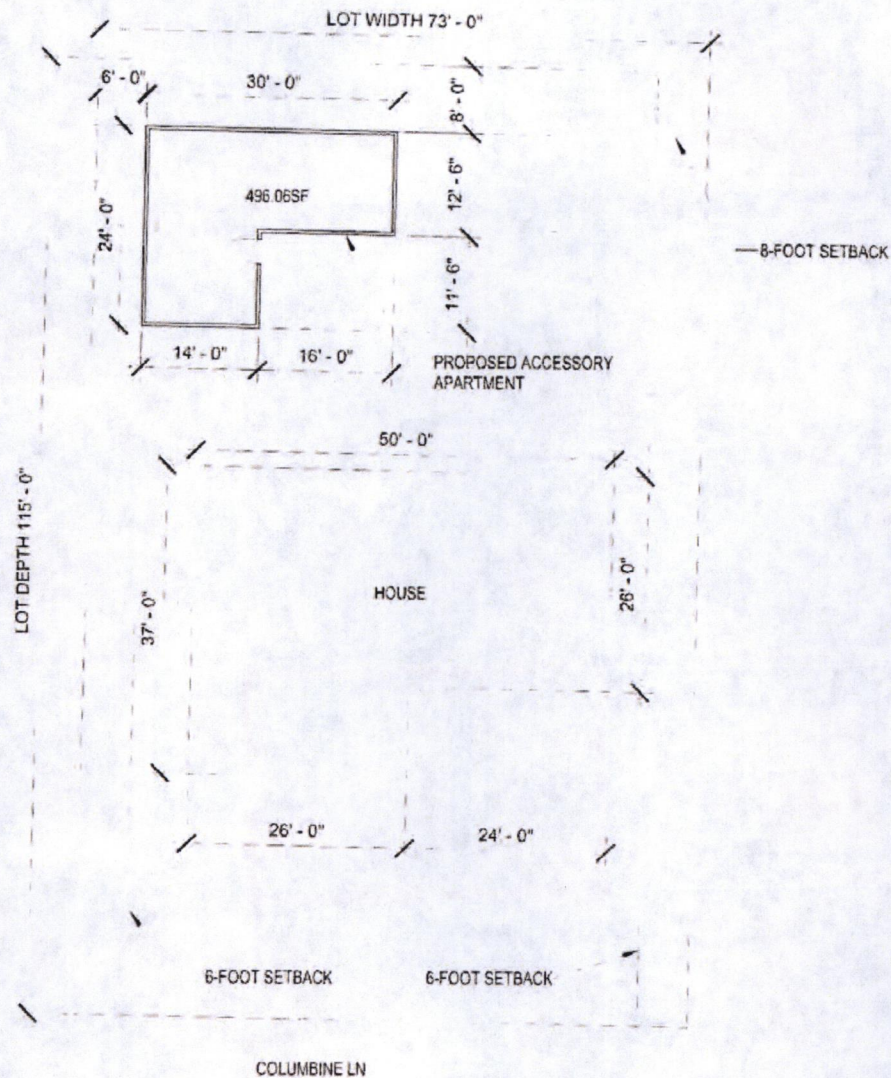
This recommendation is based on the following findings:

- (1) **The zoning, uses and character of the neighborhood:** Properties on the north, south, east and west are all zoned SF-5 Single-Family Residential. Farther north is a church with an associated parking lot. Accessory Apartments are permitted within SF-5 district by Conditional Use and must meet applicable setbacks. The residential development in the area is on standard urban lots with this parcel being 8,450 square feet or 0.194 acres.
- (2) **The suitability of the subject property for the uses to which it has been restricted:** The subject site is currently zoned SF-5 which allows the development of single-family residences. The property will continue to be used for one single-family residence; the size of the property easily accommodates an Accessory Apartment and the additional required parking spaces.
- (3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** Approval of the request should not detrimentally impact nearby properties. The conditions of approval should minimize any unanticipated detrimental impacts.
- (4) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The proposed Conditional Use is in conformance with the *Community Investments Plan* and the *Wichita: Places for People Plan* as discussed in the staff report.

- (5) **Impact of the proposed development on community facilities:** Community facilities are not anticipated to be significantly impacted by the Accessory Apartment located in an additional accessory structure. The property is served by municipal water and sewer services.

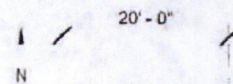
Attachments:

1. Site Plan
2. Aerial Map
3. Zoning Map
4. Community Investments Plan Land Use Map
5. Site Photos



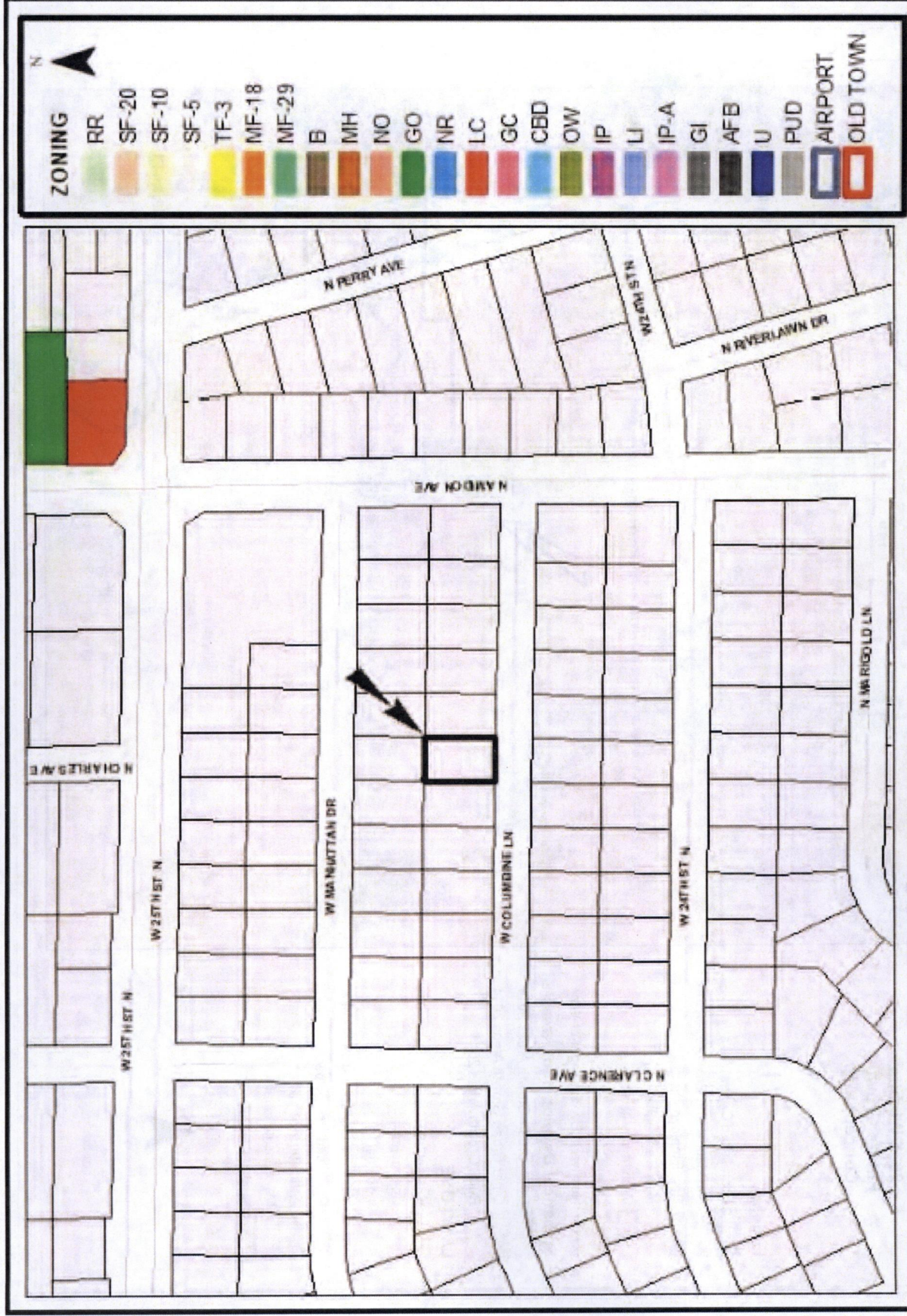
**PROPOSED
ACCESSORY APARTMENT**

AUDREY BEARDN
2042 W. COLUMBINE LN
WICHITA, KS 67204
(316)993-5042



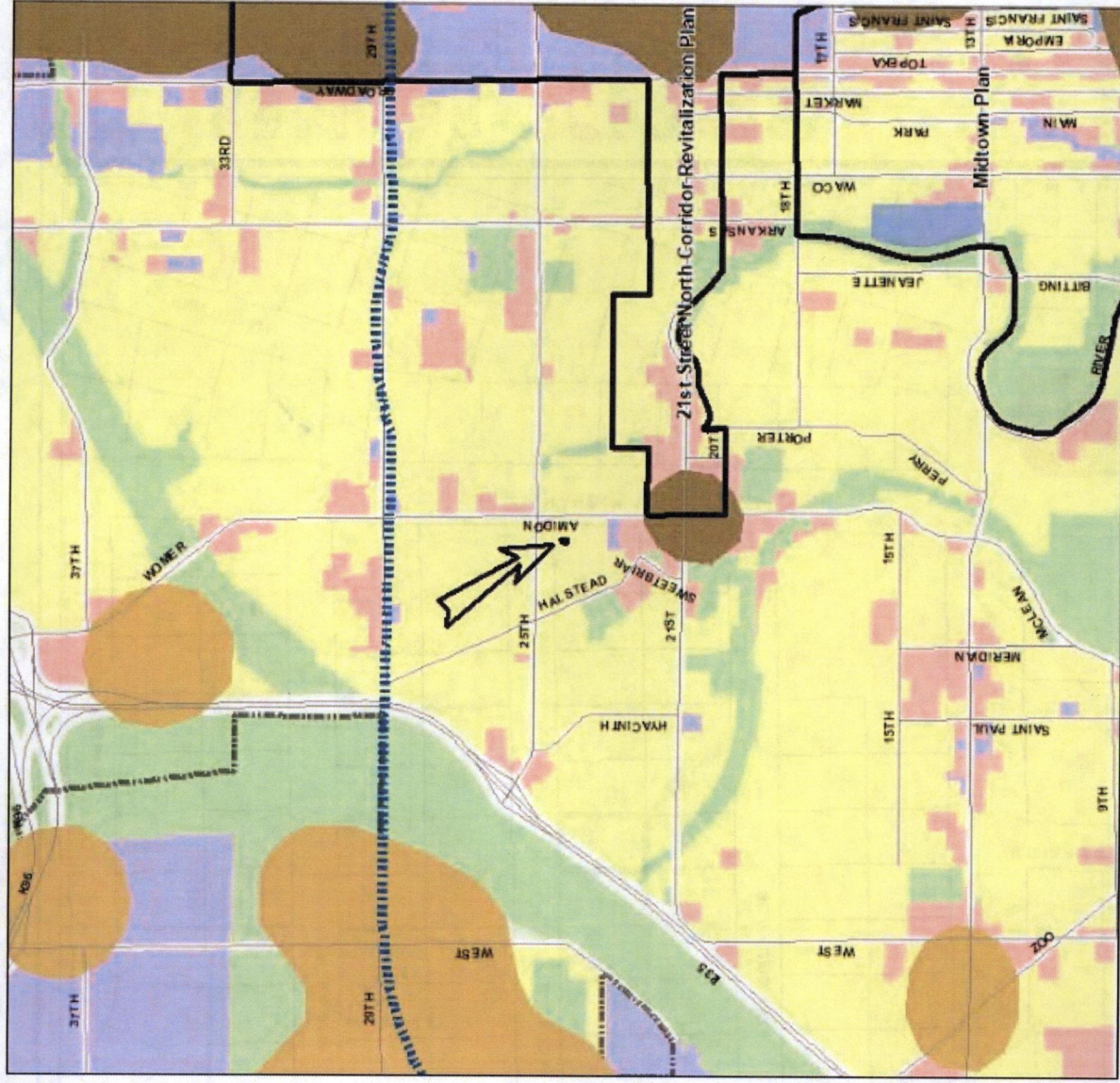
Site Plan of 2042 W. Columbine Lane





2035 Wichita Future Growth Concept Map

- Legend**
- Established Central Area
 - Residential and Employment Mix
 - New Employment
 - New Residential
 - Wichita City Limits
 - Other Cities
 - Northwest Bypass Right-of-Way
- Statistical Development Areas**
- Other Urban Growth Areas 2014
 - Other Urban Growth Areas 2014
 - Rural Growth Areas 2014
- LAND USE**
- Residential
 - Commercial
 - Industrial
 - Major Air Transportation & Military
 - Parks and Open Space
 - Agricultural or Vacant
 - Major Institutional
 - Nghbd_Plan_Areas



Subject Property – 2041 W. Columbine Ave.



Home across street from subject property



Looking west from subject property



Looking west along Columbine Ave.



Looking east along Columbine Ave.



Typical ranch home in neighborhood

