



Wichita-Sedgwick County Metropolitan Area Planning Department

Jeremiah H. Johnson
10940 S. Parker Rd. #84
Parker, CO 80134

January 3, 2022

John S. Lines
132 S. Westlink St
Wichita, KS 67209

RE: ZON2022-00060: Zone change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential to build a duplex residence; located approximately 200 feet north of West 1st Street on North Hoover Street.

Dear Applicant;

At its regular meeting on **January 3, 2022**, the Wichita City Council considered the above captioned request. The action of the City Council was to **APPROVE TF-3 Two-Family Residential District Zoning** on the subject property.

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

Sincerely,

A handwritten signature in cursive script that reads 'E. Ebach'.

Eryn Ebach
Associate Planner

Copies to: MABCD
Maggie Ballard, City Council District VI



Wichita-Sedgwick County Metropolitan Area Planning Department

Jeremiah H. Johnson
10940 S. Parker Rd. #84
Parker, CO 80134

December 2, 2022

John S. Lines
132 S. Westlink St
Wichita, KS 67209

RE: ZON2022-00060: Zone change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential to build a duplex residence; located approximately 200 feet north of West 1st Street on North Hoover Street.

Dear Applicant;

At its regular meeting on **December 1, 2022**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request.

Property owners opposed to the application may file with the City Clerk a signed, written protest of the MAPC's recommendation. (Unsigned e-mails are not considered to be legal protests.) **To be effective, the protest must be filed by 5:00 p.m. on December 15, 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 the valid protest area, and must be submitted to the City Clerk by **December 15, 2022 at 5:00 p.m.**

NOTE: District Advisory Board VI (DAB) will consider this case at their meeting to be held at **6:30 p.m., Monday, December 5, 2022**. Additional information regarding the DAB meeting may be obtained by calling the Community Services Representative, Ana Lopez at 303-8043, or alopez@wichita.gov (www.wichita.gov/council).

This application is scheduled for consideration by the Wichita City Council on **Tuesday, January 3, 2022, beginning at 9:00 a.m.** The City Council meeting will be held in the City Council Chambers, First Floor, City Hall, 455 N. Main, Wichita, Kansas.

This is a reminder that the 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,

Eryn Ebach
Associate Planner

Copies to: MABCD
Maggie Ballard, City Council District VI

OCA 150004

PUBLISHED IN THE WICHITA EAGLE ON

Jan. 13, 2023

ORDINANCE NO.

52-022

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. ZON2022-00060

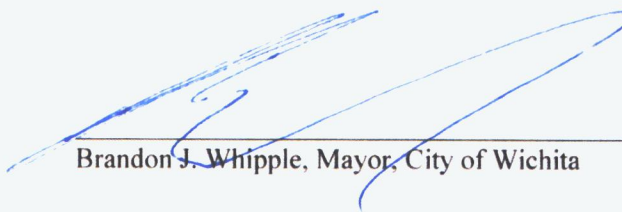
City zone change from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District on property described as:

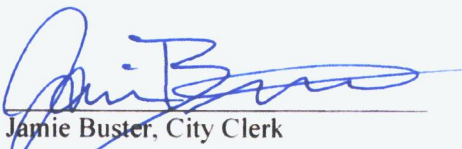
The West half of Lot 5, Block 1, Westbreeze Addition, an Addition to Wichita, Sedgwick County, Kansas.

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.

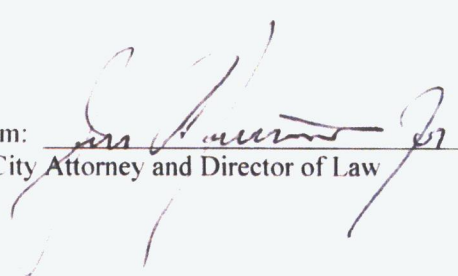
ATTEST:

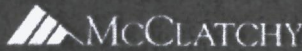

Brandon J. Whipple, Mayor, City of Wichita


Jamie Buster, City Clerk

(SEAL)



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



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
32522	369438	Print Legal Ad-IPL01050450 - IPL0105045		\$50.29	1	60 L

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

LEGAL PUBLICATION

OCA 150004

PUBLISHED IN THE WICHITA EAGLE

ON January 13, 2023

ORDINANCE NO. 52-022

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. ZON2022-00060

City zone change from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District on property described as:

The West half of Lot 5, Block 1, West-breeze Addition, an Addition to Wichita, Sedgwick County, Kansas.

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.

ATTEST:

Brandon J. Whipple, Mayor, City of Wichita

Jamie Buster, City Clerk

(SEAL) Approved as to form:

Jennifer Magan a. City Attorney and Director of Law

IPL0105045

Jan 13 2023

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

1 insertion(s) published on:

01/13/23

STATE OF KANSAS)

SS

County of Sedgwick)

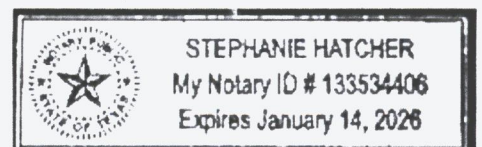
Hayley Martin, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 01/13/2023 to 01/13/2023.

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

DATED: 01/13/2023

Stephanie Hatcher

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!



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	344843	Print Legal Ad-IPL00974790 - IPL0097479		\$150.99	2	90 L

Attention: MANDY HEBERT
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 November 10, 2022
(One Time Only)
MAPC/EZA December 1, 2022
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, December 1, 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 at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation may also occur through virtual methods (specified at the end of this notice). If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Department at (316) 2684421.

CON2022-00044: Conditional Use in the City to amend CON2011-00015 to allow Event Center in the City; generally located on the east side of South Rock Road, within one-quarter mile north of East Harry Street (1210 South Rock Road).

CUP2022-00047: Request in the City for an amendment to Community Unit Plan DP-169 to permit Vehicle Repair, General (with ZON2022-62, zone change from LC to GC General Commercial); generally located on the west side of South Oliver Avenue and within one-quarter mile south of East Pawnee Avenue.

ZON2022-00060: Zone change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential to build a duplex residence; located approximately 200 feet north of West 1st Street on North Hoover Street.

ZON2022-00061: Zone change request in the City from SF-5 Single-Family Residential to LC Limited Commercial on property located on the west side of South Meridian Avenue and 500 feet south of West Pawnee Avenue (2639 South Meridian).

ZON2022-00062: Zone change request in the City from LC Limited Commercial to GC General Commercial (with CUP2022-00047) to permit Vehicle Repair, General on property; generally located on the west side of South Oliver Avenue and within one-quarter mile south of East Pawnee 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 WichitaSedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MAPC as by law provided.

Options to participate (see below):

- 1) Participate virtually
- 2) Attend in-person at the Ronald Reagan Building
- 3) Submit comments ahead of time

Participate Virtually

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 (571) 317-3112

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

Submit Comments Ahead of Time

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

Email Planning@wichita.gov

Mailing Address Wichita-Sedgwick County Metropolitan Area Planning Department

Attn: Scott Wadle

271 W. 3rd Street - Suite 201

Wichita, KS 67202

Phone 316.268.4421

Fax 316.858.7764

WITNESS MY HAND on November 10, 2022

Scott Wadle, Secretary

WichitaSedgwick County

Metropolitan Area Planning Commission

IPL0097479

Nov 10 2022

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

No. of Insertions: 1

Beginning Issue of: 11/10/2022

Ending Issue of: 11/10/2022

STATE OF KANSAS)

SS

County of Sedgwick)

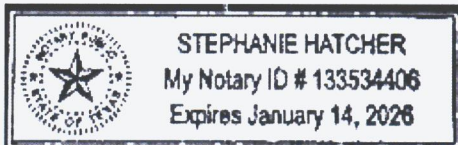
Hayley Martin, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 11/10/2022 to 11/10/2022.

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

DATED: 11/10/2022

Stephanie Hatcher

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!

MAPC: December 1, 2022
DAB VI: December 5, 2022

BACKGROUND: The applicant is requesting a zone change from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District for a .20-acre property generally located within 200 feet north of West 1st Street North and on the east side of North Hoover Road. If this request is approved, the applicant plans to develop a duplex on the vacant property.

TF-3 Two-Family Residential District zoning accommodates single-family and duplex development, very limited density Multi-Family residential development (by Conditional Use approval), and some civic uses such as churches and schools.

The area surrounding the subject site is generally developed with single-family residences constructed in the mid-1980s, though, more recent infill development has added a number of two-family residences to the area. Properties to the north, south, and east of the subject site are zoned SF-5 Single-Family Residential District and are developed with single-family residences and accessory structures. West of the subject site is a SF-5 Single-Family Residential property owned by Evergy. The north portion of the Evergy property is developed with the Hoover Electric Substation, and the south portion, directly west of the subject property, is undeveloped and hosts a community garden. Farther west of the site, abutting the Evergy property, is the I-235 right-of-way.

Should this request be approved, the proposed duplex will be subject to the property development standards of the TF-3 District, outlined in Section III-B.6 of the Unified Zoning Code. The applicant has not provided a site plan, but the subject property exceeds the minimum requirements for lot area and width, and ample area is available for the proposed duplex to comply with setback requirements. Due to the similarity of residential use, the UZC does not require screening between SF-5 and TF-3 zoning districts.

CASE HISTORY: In 1948, the property was platted as Lot 5, block 1 of the Westbreeze Addition to Wichita, Sedgwick County, Kansas. Lot 5 was split by sale prior to 1981, dividing the east and west halves of the property. There have been no other zoning actions requested on the site.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single-family residence
SOUTH:	SF-5	Single-family residence
EAST:	SF-5	Single-family residence
WEST:	SF-5	Electric substation and undeveloped land

PUBLIC SERVICES: In this area, North Hoover Street and West 1st Street North are paved, two-way local streets without sidewalks. Wichita Transit provides intermittent service a quarter mile away at West 1st Street North and North Doris Street and regular service just over a half-mile away to West Maple Street and North Doris Street. Municipal water and sewer are available to the site.

CONFORMANCE TO PLANS/POLICIES: The request to rezone the property is in conformance with the *Community Investments Plan* (the Wichita-Sedgwick County Comprehensive Plan) and the *Places for People Plan*.

Community Investments Plan: The 2035 Wichita Future Growth Concept Map, which outlines the preferred development pattern and land uses within the *Plan* area, identifies this subject site as appropriate for “Residential” development and use. “Residential” areas should “reflect the full diversity of residential development densities and types typically found in a large urban municipality.” Adding a two-family residence to the neighborhood would increase the diversity of residence types and densities in the area, adhering to this component of the *Plan*.

The subject site and surrounding area are located within the Established Central Area (ECA) of the City. Locational guidelines for the ECA encourage infill development where public investment in existing and planned infrastructure can be maximized. All municipal services currently serve the area and two-family development on the site would further utilize the existing infrastructure. Additionally, the *Plan* recommends infill development occur when the scale and intensity is compatible with existing uses. The proposed zone change would allow TF-3 Two-Family Residential District uses which are of a scale and intensity compatible with the surrounding neighborhood.

Wichita: Places for People Plan: The subject area is identified as an “Area of Opportunity” by the *Wichita: Places for People Plan*. In “Areas of Opportunity” small-scale infill development, like the requested two-family residential use, can be supported by the current market of the area, and build market support for larger development projects in the future.

RECOMMENDATION: Based on the information available at the time the staff report was prepared, it is recommended that the application be **APPROVED**.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The subject site is located on the east side of North Hoover Street, just north of West 1st Street North. Properties to the north, south, and east are zoned SF- 5 Single-Family Residential District and are developed with single-family residences and accessory structures. West of the subject site is a SF-5 Single-Family Residential property owned by Evergy. The north portion of the Evergy property is developed with the Hoover Electric Substation, and the south portion, directly west of the subject property, is undeveloped and hosts a community garden. Farther west of the site, abutting the Evergy property, is the I-235 right-of-way.
2. The suitability of the subject property for the uses to which it has been restricted: The site is currently zoned SF-5 Single-Family Residential District, which accommodates single-family development and complementary land uses.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: A zone change to TF-3 Two-Family Residential would allow all uses permitted in the TF-3 District on this site. Approval of the request should not have significant detrimental impacts on nearby property owners due to the compatibility of the requested and existing uses.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The request to rezone the property 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: It is not anticipated that approval of this request should generate any additional impact on community facilities. Existing infrastructure at the site will accommodate the proposed use.

Attachments:

1. TF-3 Two-Family Residential Property Development Standards
2. Aerial Map
3. Zoning Map
4. Land Use Map
5. Photos

Attachment 1. TF-3 Two-Family Residential District Property Development Standards

d. Property development standards. Each Site in the TF-3 District shall be subject to the following minimum property development standards except, however, that any Lot of Record located within the City of Wichita that existed at the time of adoption of Wichita Ordinance No. 10-107 on October 1, 1928, having a width of 40 feet or less and held under a distinct ownership from Contiguous Lots, shall not be required to provide any Side Yard Setback of greater than three feet. Setbacks and heights are for Principal Structures. See Sec. III-D.7.e for Setbacks and heights for Accessory Structures. See Secs. III-E.2.e (2) and III-E.2.e (3) for Front Setbacks on unplatted tracts or major roadways. Compatibility standards in Secs. IV-C.4 and IV-C.5 may take precedence.

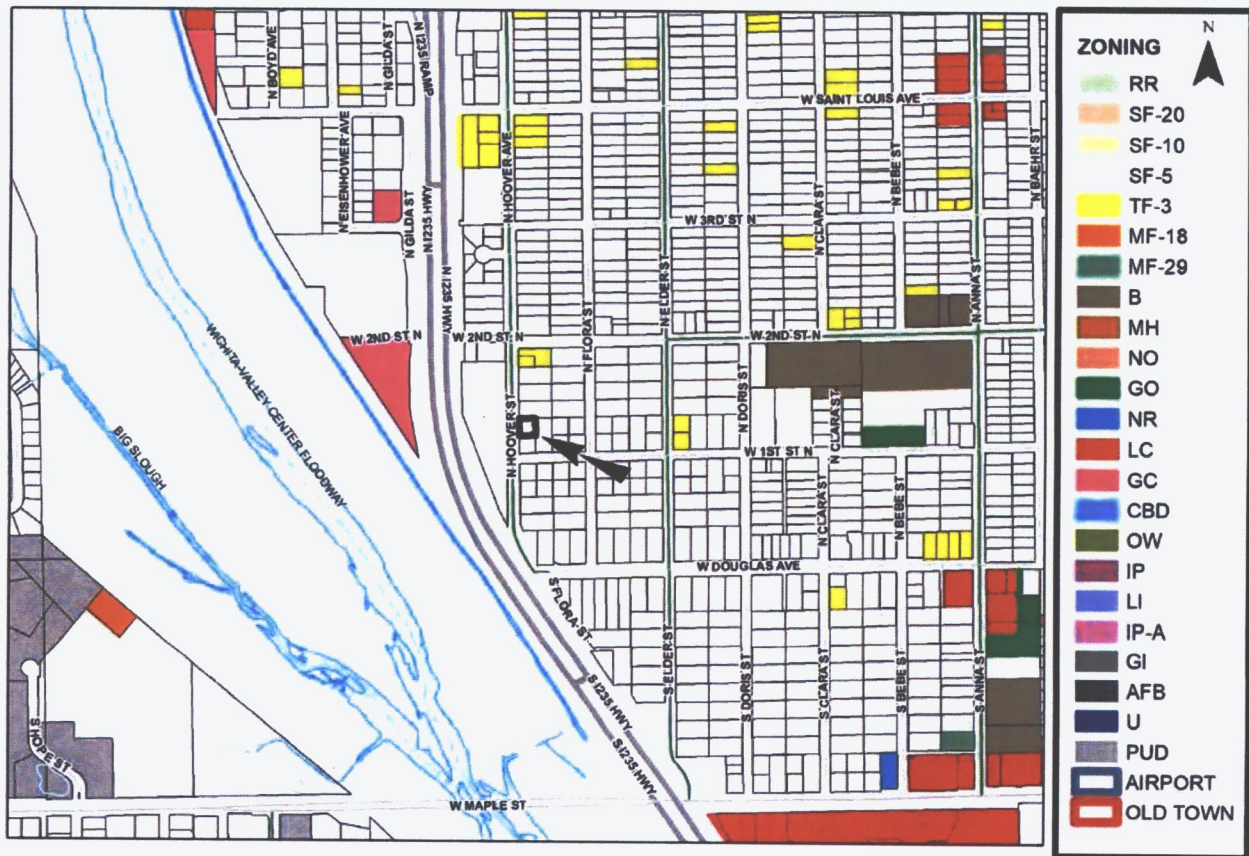
- 1) Minimum Lot Area: 3,500 square feet for Single-Family; 3,000 square feet per Dwelling Unit for Duplex and Multi-Family (maximum 14.5 Dwelling Units per acre); 5,000 square feet for nonresidential uses
- 2) Minimum Lot Width: 35 feet
- 3) Minimum Front Setback: 25 feet
- 4) Minimum Rear Setback: 20 feet
- 5) Minimum Interior Side Setback: six feet, except five feet if Lot is below 6,000 square feet, and that one required side Yard for a Single-Family Dwelling Unit or Duplex may be reduced to as little as zero feet if Setback lines are established that ensure a minimum of twelve feet between Structures on Contiguous Lots
- 6) Minimum Street Side Setback: 15 feet
- 7) Maximum Height: 35 feet

e. Special TF-3 District regulations. The following special regulations shall apply to property in the TF-3 District.
(1)None

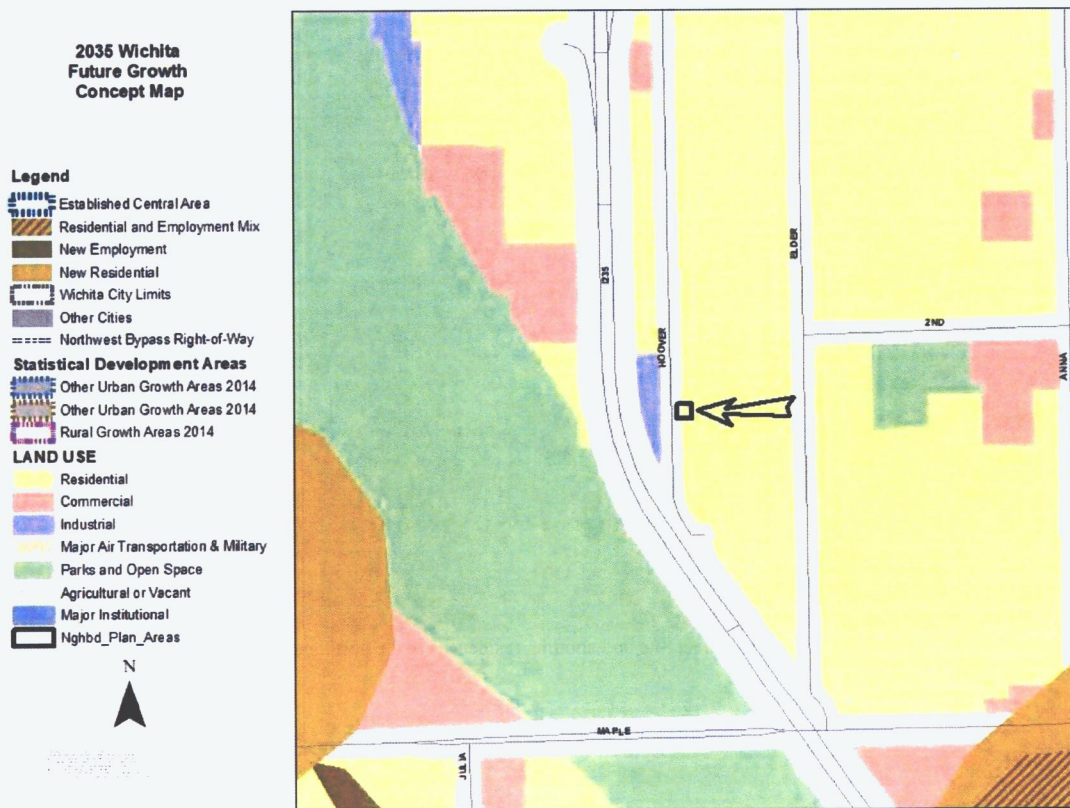
Attachment 2. Aerial Map



Attachment 3. Zoning Map



Attachment 4. Land Use Map



Attachment 5. Site Photos



Subject Site and abutting residences to the north and south.

Attachment 6. Site Photos



Properties to the south of the subject site.



Southwest of the subject site.



West of the subject site.



Northwest of the subject site.