



Wichita-Sedgwick County Metropolitan Area Planning Department

May 17, 2023

Tom George Investments, LLC
c/o Tom George
1900 North Red Brush Court
Wichita, KS 67206

Shelden Architecture
800 East First Street
Suite 140
Wichita, KS 67202

RE: PUD2023-00002: Zone change request in the City from B Multi-Family Residential to PUD Planned Unit Development for duplex development with flexible development standards; generally located west of North Wellington Street and approximately 300 feet north of West 11th Street North.

Dear Applicant;

At its regular meeting on May 16, 2023, the Wichita City Council considered the above captioned request. The action of the City Council was to APPROVE the request subject to the enclosed recommended PUD text and the following conditions:

1. The text of the PUD shall be revised in accordance with the recommended text as approved by the Planning Commission.
2. The applicant shall revise the PUD language to include the required landscape buffer per the Wichita Landscape Ordinance along the north and west property lines for the portion of the site that the dwellings are proposed to be constructed.
3. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #112 Wellington Place Duplexes Planned Unit Development) has special conditions for development on the property.
4. A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of governing body approval, or the request shall be considered denied and closed.
5. All other federal, state, and local laws and ordinances must be observed.

The General Provisions shall read:

1. Total Land Area 37,100 SF or 0.86 acres
2. Parking shall be provided at a rate of 1 parking stall per dwelling unit.
3. Setbacks are as indicated on the PUD drawing.
4. A drainage plan shall be submitted to the City Engineering for approval. Required guarantees for drainage shall be provided at the time of plotting improvements.
5. Parcel 1 shall install similar or consistent parking for lighting elements (i.e. fixtures, poles, and lamps, and etc.)
 - a. The height of all light poles, including pole base, is limited to 15 feet.

- b. All exterior lighting shall be shielded to direct light disbursement in a downward direction and away from residential areas.
- 6. Utilities shall be installed underground on Parcel 1.
- 7. Screening shall be per Section IV-B of the Unified Zoning Code. A landscape buffer along the north and west property lines shall be in accordance with the Wichita Landscape Ordinance where abutting TF-3 Two-Family Residential District zoning. Landscaping shall only be required along the north portion along the property lines along where the dwellings are constructed.
- 8. Repurposed shipping containers may be used on Parcel 1 as the building shell material for residential purposes.
- 9. All rooftop mechanical equipment shall be screened from ground level view from adjacent residential areas and adjacent street right-of-way.
- 10. Trash receptacles and ground level mechanical equipment shall be screened to reasonably hide them from ground level view and adjacent Residential Zoned property.
- 11. All building exteriors in the PUD shall share a consistent architectural design, color, and texture. Vibrant colors shall be restricted to incidental accent only. Exterior utility boxes, mechanical equipment, and etc. shall be screened and/or painted according to the acceptable color range. All light fixtures shall share consistent design (i.e. fixtures, poles, lamps, etc.). Prior to issuance of building permits, architectural renderings shall be submitted to the Director of Planning for final approval. Variations must be approved by the Director of Planning.
- 12. Development of the site will not be permitted without connection to public water and sewer.
- 13. All internal circulation drives shall be paved with concrete or asphalt to mitigate dust.
- 14. A site circulation plan shall be required for review and approval by the Planning Director prior to the issuance of any building permits. The site circulation plan shall ensure pedestrian linkages between building and the sidewalk system and shall ensure internal vehicular circulation among developments within the PUD, including joint use of ingress/egress openings and ensuring that drive openings are not impacted/blocked by the layout of parking stalls or landscaping.
- 15. Amendments, adjustments, or interpretations to this PUD shall be done in accordance with the Unified Zoning Code.
- 16. The Transfer of title of all or any portion of land included within the Planned Unit Development (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.
- 17. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approval by the Governing Body, and any substantial deviation of the plan, as determined by the Zoning Administrator or the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- 18. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.
- 19. The design layout show on the plan illustrates only one development concept. Slight modifications to the location of improvements may be permitted provided they meet all requirements of this plan. All decks, patios and outdoor seating areas shall not count towards building coverage or gross floor area calculations.
- 20. Parcel 1 shall be limited to those uses permitted by-right in the "B" Multi-Family Residential District, provided that portable shipping containers may be used for the construction of permanent dwelling units, which shall be placed on permanent foundations and shall meet all applicable development codes.

Parcel 1

Net Area:	37,100 square feet (0.86 acres)
Maximum Building Coverage:	15,000 square feet
Maximum Gross Floor Area:	13,000 square feet
Floor Area Ratio	0.35
Maximum Number of Buildings:	17

Maximum Building Height:
Setbacks:
Access Points
Parking

40 feet
See Drawing
One on North Wellington Place
Per General Provisions

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

Sincerely,

A handwritten signature in cursive script that reads "Christina Rieth".

Christina Rieth
Current Plans, Associate Planner



Wichita-Sedgwick County Metropolitan Area Planning Department

April 14, 2023

Tom George Investments, LLC
c/o Tom George
1900 North Red Brush Court
Wichita, KS 67206

Shelden Architecture
800 East First Street
Suite 140
Wichita, KS 67202

RE: PUD2023-00002: Zone change request in the City from B Multi-Family Residential to PUD Planned Unit Development for duplex development with flexible development standards; generally located west of North Wellington Street and approximately 300 feet north of West 11th Street North.

Dear Applicants;

At its regular meeting on **April 13, 2023**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** of 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 July 6, 2023. 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 **July 6, 2023 at 5:00 p.m.**

This application will be heard by the Wichita City Council on **Tuesday, May 16, 2023**, 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,

A handwritten signature in cursive script that reads 'Christina Rieth'.

Christina Rieth
Current Plans
Associate Planner

Copies to: MABCD
Maggie Ballard, Councilmember District VI
Ana Lopez, CSR District VI

(Published in the Wichita Eagle, 5/24/23)

ORDINANCE NO. 52-178

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. PUD2023-00002

Zone change request in the City from B Multi-Family Residential to PUD Planned Unit Development for duplex development with flexible development standards; generally located west of North Wellington Street and approximately 300 feet north of West 11th Street North, on property described as:

Lots 25, 27, 29, 31, 33, 35, 37, 39, and the East 100 feet of Lot 41, and the South 10 feet of the East 100 feet of Lot 43, Water Street, in Allen's Re-survey of Turners Addition to the City of Wichita, Sedgwick County, Kansas.

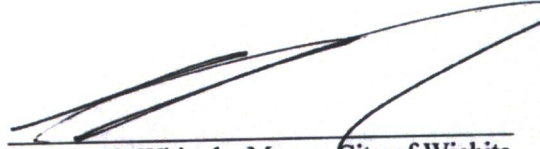
The Wellington Place Duplexes Planned Unit Development (PUD #112) shall be subject to the following conditions:

1. The text of the PUD shall be revised in accordance with the recommended text as approved by the Planning Commission.
2. The applicant shall revise the PUD language to include the required landscape buffer per the Wichita Landscape Ordinance along the north and west property lines for the portion of the site that the dwellings are proposed to be constructed.
3. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #112 Wellington Place Duplexes Planned Unit Development) has special conditions for development on the property.
4. A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of governing body approval, or the request shall be considered denied and closed.
5. All other federal, state, and local laws and ordinances must be observed.

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.

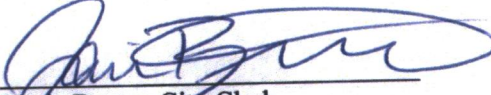
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

Adopted this 23rd day of May, 2023.



Brandon J. Whipple, Mayor, City of Wichita

ATTEST:

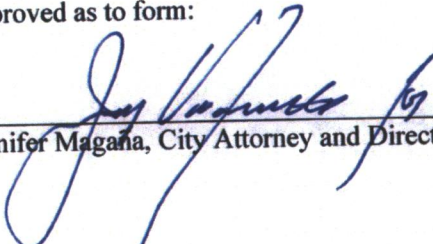


Jamie Buster, City Clerk

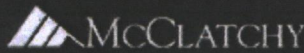
(SEAL)



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
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 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	425201	Print Legal Ad-IPL01242570 - IPL0124257		\$92.19	2	55 L

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

LAlvarez@wichita.gov

LEGAL PUBLICATION

OCA 150004

(Published in the Wichita Eagle, May 26, 2023)
 ORDINANCE NO. 52-178

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. PUD2023-00002

Zone change request in the City from B Multi-Family Residential to PUD Planned Unit Development for duplex development with flexible development standards; generally located west of North Wellington Street and approximately 300 feet north of West 11th Street North, on property described as:

Lots 25, 27, 29, 31, 33, 35, 37, 39, and the East 100 feet of Lot 41, and the South 10 feet of the East 100 feet of Lot 43, Water Street, in Allen's Re-survey of Turners Addition to the City of Wichita, Sedgwick County, Kansas.

The Wellington Place Duplexes Planned Unit Development (PUD #112) shall be subject to the following conditions:

1. The text of the PUD shall be revised in accordance with the recommended text as approved by the Planning Commission.
2. The applicant shall revise the PUD language to include the required landscape buffer per the Wichita Landscape Ordinance along the north and west property lines for the portion of the site that the dwellings are proposed to be constructed.
3. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #112 Wellington Place Duplexes Planned Unit Development) has special conditions for development on the property.
4. A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of governing body approval, or the request shall be considered denied and closed.
5. All other federal, state, and local laws and ordinances must be observed.

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 23rd day of May, 2023.

Brandon J. Whipple, Mayor, City of Wichita

ATTEST:
 Jamie Buster, City Clerk
 (SEAL)

Approved as to form:
 Jennifer Magana, City Attorney and Director of Law
 IPL0124257
 May 26 2023

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

1 insertion(s) published on:
 05/26/23

STATE OF KANSAS)

SS

County of Sedgwick)

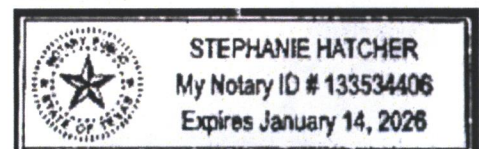
Hayley Martin, of lawful age, being first duly sworn, deposeeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper 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 05/26/2023 to 05/26/2023.

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

DATED: 05/26/2023

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
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 San Luis Obispo Tribune
 Tri-City Herald
 Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	398642	Print Legal Ad-IPL01149060 - IPL0114906		\$231.52	3	92 L

Attention: MANDY HEBERT
 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
 1 insertion(s) published on:
 03/23/23

LEGAL PUBLICATION

OGA 156004
 Published in The Wichita Eagle on March 23, 2023
 (One Time Only)
 MAPC/BZA April 13, 2023
 OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, April 13, 2023, 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.

EZA2023-00008: Variance in the City to allow a rooftop sign in the CBD Central Business District on property located on the northwest corner of South Broadway Avenue and East William Street (230 East William).

EZA2023-00013: Variance request in the City to allow an off-site sign in the 20-foot west front setback on property zoned GI General Industrial; generally located west of North Hydraulic Avenue and approximately one-quarter-mile north of East 37th Street North (4035 N. Hydraulic).

CON2023-00005: Conditional Use request in the City to permit expansion of existing bar with live entertainment (defined as Night Club in the City) on property zoned LC Limited Commercial; located on the south side of East 17th Street and within one block east of North Hillside Avenue (3227 East 17th Street North).

DEF2023-00006: Wichita-Sedgwick County Unified Zoning Code (UZC) amendment to include Short-Term Rental businesses.

FUD2023-00001: Zone change request in the City from LI Limited Industrial District with PO #162 to PUD Planned Unit Development for mixed-use development; generally located on the northwest corner of East 29th Street North and North Greenwch Road.

FUD2023-00002: Zone change request in the City from B Multi-Family Residential to PUD Planned Unit Development for duplex development with flexible development standards; generally located west of North Wellington Street and approximately 300 feet north of West 11th Street North.

VAC2023-00004: Request in the County to vacate a portion of platted access control located along East 71st Street South, within one block east of South 143rd Street East.

VAC2023-00005: Request in the County to vacate a platted 70-foot contingent street dedication between Lots 6 and 7, Downs Country Estates Addition, on properties zoned SF-20 Single-Family Residential; located within one-quarter mile northwest of South Webb Road and East 47th Street South (9314 and 9207 E Cherish).

VAC2023-00006: Request in the County to vacate a floodway reserve easement dedicated by separate instrument; generally located one-half-mile south of West 125th Street North and east of North Seneca (10th) Street West (12220 North Seneca).

VAC2023-00007: Request in the City to vacate a platted 30-foot utility easement on property zoned GI General Industrial; generally located north of North Cleveland Avenue and west of North New York Avenue.

ZON2023-00007: Zone change in the City from SF-5 Single-Family Residential District to GO General Office District to allow GO uses including duplexes; generally located east of South Meizo Road and north of West Kellogg Drive.

ZON2023-00008: Zone change request in the City from SF-5 Single Family Residential to LC Limited Commercial to build a commercial building with drive-through; located at South Seneca Street and South Walnut Street, within one block South of West 31st Street South (3234 Seneca Street & 3241 South Walnut Street).

ZON2023-00009: Zone change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District for duplex development; generally located on the northwest corner of North Fairview Avenue and West 31st Street North (3235 North Fairview).

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

Join Zoom Meeting
<https://us06web.zoom.us/j/4089866967?pwd=a0k3bW0ySjBhbnFJQTdFV0hPVkRlXUJ0>

Meeting ID: 408 986 6967

Passcode: 094136

One tap mobile

+1689806833,4089866967#,,,,*094136# US (San Jose)

+17193584580,4089866967#,,,,*094136# US

Meeting ID: 408 986 6967

Passcode: 094136

Find your local number: <https://us06web.zoom.us/j/kc65codfbl>

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 Wade

271 W. 3rd Street - Suite 201

Wichita, KS 67202

Phone 316.268.4421

Fax 316.858.7764

WITNESS MY HAND on March 23, 2023

Scott Wade, Secretary

WichitaSedgwick County

Metropolitan Area Planning Commission

IPL0114906

Mar 23 2023

STATE OF KANSAS)

SS

County of Sedgwick)

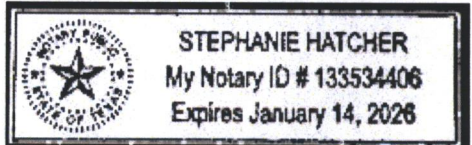
Hayley Martin, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper 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 03/23/2023 to 03/23/2023.

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

DATED: 03/23/2023

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!



STAFF REPORT
MAPC: January 19, 2023
DAB VI: February 13, 2023

CASE NUMBER: PUD2023-00002 (City)

APPLICANT/AGENT: Tom George Investments LLC/Tom George (Applicant);
Shelden Architecture/Daniel Gensch (Agent)

REQUEST: Create the Wellington Place Duplexes Planned Unit Development #112

CURRENT ZONING: B Multi-Family Residential District

SITE SIZE: 0.86 acres

LOCATION: Generally located on the west side of North Wellington Place, south of West 12th Street North (1237 North Wellington Place).

PROPOSED USE: Duplexes, studios, and one-bedroom dwelling units.

RECOMMENDATION: Approval with conditions.



BACKGROUND: The applicant is requesting a zone change from B Multi-Family Residential District to PUD Planned Unit Development to create the Wellington Place Duplexes Planned Unit Development PUD #112. The 0.86-acre property is generally located on the west side of North Wellington Place, south of West 12th Street North (1237 North Wellington Place). The subject site is currently developed with parking lots.

The applicant would like to develop a custom residential neighborhood, and a Planned Unit Development (PUD) allows a certain level of flexibility with site development regulations which would otherwise not be permitted under the current B Multi-Family District zoning.

Development Standards	Wellington Place Duplexes PUD #112 Standards	B Multi-Family Residential District Standards
Maximum Building Height	40 feet	55 feet, plus one foot of additional height for each foot of setback beyond the minimum required setbacks for all property lines
Front Setback	20 feet	20 feet
Rear Setback	10 feet	15 feet
Interior Side Setback	Five feet	Five feet
Parking	One per dwelling unit	One per dwelling unit for duplex development.

In the proposed Planned Unit Development, the applicant is proposing to reduce the maximum building height restrictions as well as the rear setback restrictions. The front setback, interior side setback, and parking requirements will remain the same.

The applicant is proposing to build duplexes made of shipping containers. The applicant proposes to develop 14 dwelling units on the site; however, the proposed PUD allows a maximum of 17 buildings on the subject site. Ten (10) of the dwelling units would be studio units and four of the dwelling units would be two-bedroom units. The maximum number of 17 dwelling units would be less than the maximum density permitted in B Multi-Family District zoning, which permits 75.1 dwelling units per acre. Per the Unified Zoning Code, portable shipping containers are not permitted to be permanently placed on residentially zoned lots. The PUD would permit the ability to use portable shipping containers for the proposed residential dwellings.

The parking requirements would adhere to Section IV-A of the Unified Zoning Code (UZC). Duplexes require one parking space per dwelling unit. A preliminary site plan shows 28 parking spaces, including two accessible spaces, which would satisfy the UZC parking requirements for a maximum of 14 duplexes.

The Unified Zoning Code (UZC) Section IV-B would require screening because the PUD abuts residential zoning on the north and west sides. The PUD indicates that all screening shall follow the UZC. The applicant proposed PUD would waive the landscaping requirements of the Wichita Landscape Ordinance. No landscaping is shown on the preliminary site plan. Staff recommends requiring the minimum landscape requirements per the Wichita Landscape Ordinance of one shade tree per 40 lineal foot of buffer trees on the north and west sides for the portion of the site the dwellings are proposed to be built.

Properties to the north are zoned TF-3 Two-Family Residential District and are developed with single-family residential dwellings. Property to the south is zoned LI Limited Industrial District and is developed with a storage warehouse. Property to the east is zoned LI Limited Industrial District and is developed with an industrial warehouse. Properties to the west are zoned TF-3 Two-Family Residential District and B Multi-Family District and are developed with single-family residences.

CASE HISTORY: On October 28, 1885, the Allens Resurvey of Turner Addition subdivision was created. In 2001, the property was granted a Conditional Use to allow ancillary parking on site (CON2001-00007). In 2008, the Wichita City Council approved a zone change from B to LI with a Protective Overlay, but it was declared null and void due to a failure to meet conditions (ZON2008-00040).

ADJACENT ZONING AND LAND USE:

NORTH:	TF-3	Single-family residential dwellings
SOUTH:	LI	Storage warehouse
EAST:	LI	Industrial warehouse
WEST:	TF-3, B	Single-family residential dwellings

PUBLIC SERVICES: The property has access to North Wellington Place and State Street, which are both paved, two-way, local streets. Wellington Place has a sidewalk on the west side, while State Street has no sidewalks. Municipal services, such as water and sewer, already serve this site. Wichita Transit serves the subject site within one-half mile northwest, at the northeast corner of West 13th Street North and North Waco Avenue.

CONFORMANCE TO PLANS/POLICIES

The Community Investments Plan: The site of the requested zone change is in partial conformance with the *Community Investments Plan*. The *Community Investments Plan* (the Wichita-Sedgwick County Comprehensive Plan) includes the 2035 Wichita Future Growth Concept Map. The 2035 Wichita Future Growth Concept Map mostly identifies the area as “Industrial”, which the Comprehensive Plan describes as “*areas that reflect the full diversity of industrial development intensities and types typically found in a large urban municipality. Centers or concentrations of manufacturing, warehousing, distribution, construction, research, and technology are located in close proximity to highways and airports and may have rail service. Industrial uses associated with the extraction, processing or refinement of natural resources or recycling of waste materials typically are located along rail lines. Businesses with negative impacts associated with noise, hazardous emissions, visual blight, and odor typically are buffered from Residential Uses by Commercial Uses.*” However, the subject site is adjacent to residential properties on the north and west sides.

The requested zone change is in conformance with the *Community Investments Plan’s* Locational Guidelines. In the Established Central Area (ECA), “Accessory dwelling units, duplexes, and small-scale multi-family developments can be appropriate in existing residential areas if appropriate site design limits adverse impacts on surrounding residential uses, the design of the buildings is compatible with existing residences, and the scale of the development is compatible with the intensity of the surrounding area.” The subject site is adjacent to a residential neighborhood and TF-3 Two-Family Residential District zoning.

Wichita: Places for People Plan: The requested zoning aligns 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 zoning aligns with Strategy 5, “Provide a diversity of housing options to attract new residents and allow existing residents to remain in the ECA.”
- Current Condition: The subject property is located within an area identified as an “area of opportunity.” The Places for People Plan defines Areas of Opportunity as those “areas that generally exhibit economic

challenges, a disconnected development pattern, and a lack of walkable places and facilities. These areas are in need of strategic reinvestment, both public and private, to assist in redefining and reinvigorating the area, physically and socially.”

Midtown Neighborhood Plan: The requested zoning is in partial conformance with the goals for the *Midtown Neighborhood Plan*. The Historic Midtown Neighborhood Existing Land Use identifies the area as appropriate for “Industrial”. However, the subject site is adjacent to other land uses that are appropriate for “Residential Urban” uses.

Goal 3 of the *Midtown Neighborhood Plan* aims to “Identify vacant lots or blocks suitable for affordable and market-rate residential development, and market accordingly”. The subject site is situated on an underutilized lot and is suitable for residential development.

RECOMMENDATION: Based on the information available at the time of the public hearing, staff recommends **APPROVAL** of the application subject to adherence to the recommended PUD text (attached) and the following conditions listed below.

Recommended Conditions of Approval

1. The text of the PUD shall be revised in accordance with the recommended text as approved by the Planning Commission.
2. The applicant shall revise the PUD language to include the required landscape buffer per the Wichita Landscape Ordinance along the north and west property lines for the portion of the site that the dwellings are proposed to be constructed.
3. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #112 Wellington Place Duplexes Planned Unit Development) has special conditions for development on the property.
4. A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of governing body approval, or the request shall be considered denied and closed.
5. All other federal, state, and local laws and ordinances must be observed.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood**: The character of the neighborhood is industrial adjacent to a residential neighborhood. Properties to the north are zoned TF-3 Two-Family Residential District and are developed with single-family residential dwellings. Property to the south is zoned LI Limited Industrial District and is developed with a storage warehouse. Property to the east is zoned LI Limited Industrial District and is developed with an industrial warehouse. Properties to the west are zoned TF-3 Two-Family Residential District and B Multi-Family District and are developed with single-family residences.
2. **The suitability of the subject property for the uses to which it has been restricted**: The site is currently zoned B Multi-Family Residential District, which can serve a variety of residential uses and a limited number of civic and commercial uses. The current setback standards and landscaping requirements for B Multi-Family Residential District do not allow for the proposed development.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property**: Staff does not anticipate substantial negative impacts on surrounding properties with the removal of restrictions.
4. **Length of time subject property has remained vacant as zoned**: According to historic aerials, the

property has been developed as a parking lot since at least 1974.

5. **Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant:** Approval of this application will bring housing to an underdeveloped site. Denial of this application may result in the loss of economic opportunity for the applicant.
6. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The requested zone change is in partial conformance with the *Community Investments Plan* and the *Midtown Neighborhood Plan*, but it is in conformance with the *Wichita: Places for People Plan*, as discussed in the staff report.
7. **Impact of the proposed development on community facilities:** The proposed PUD should have minimal impacts on community facilities.
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 zone change.

Attachments:

1. Staff Recommended Language for the Wellington Place Duplexes PUD #112
2. PUD #112 Drawing
3. Aerial Map
4. Zoning Map
5. Land Use Map
6. Midtown Plan Existing Land Use Map
7. Site Pictures

Staff Recommended Language for the Wellington Place Duplexes PUD #112

General Provisions

1. Total Land Area 37,100 SF or 0.86 acres
2. Parking shall be provided at a rate of 1 parking stall per dwelling unit.
3. Setbacks are as indicated on the PUD drawing.
4. A drainage plan shall be submitted to the City Engineering for approval. Required guarantees for drainage shall be provided at the time of plotting improvements.
5. Parcel 1 shall install similar or consistent parking for lighting elements (i.e. fixtures, poles, and lamps, and etc.)
 - A. The height of all light poles, including pole base, is limited to 15 feet.
 - B. All exterior lighting shall be shielded to direct light disbursement in a downward direction and away from residential areas.
6. Utilities shall be installed underground on Parcel 1.
7. Screening shall be per Section IV-B of the Unified Zoning Code. ~~Landscaping requirements per the Wichita Landscape Ordinance shall not be required.~~ **A landscape buffer along the north and west property lines shall be in accordance with the Wichita Landscape Ordinance where abutting TF-3 Two-Family Residential District zoning. Landscaping shall only be required along the north portion along the property lines along where the dwellings are constructed.**
8. Repurposed shipping containers may be used on Parcel 1 as the building shell material for residential purposes.
9. All rooftop mechanical equipment shall be screened from ground level view from adjacent residential areas and adjacent street right-of-way.
10. Trash receptacles and ground level mechanical equipment shall be screened to reasonably hide them from ground level view and adjacent Residential Zoned property.
11. All building exteriors in the PUD shall share a consistent architectural design, color, and texture. Vibrant colors shall be restricted to incidental accent only. Exterior utility boxes, mechanical equipment, and etc. shall be screened and/or painted according to the acceptable color range. All light fixtures shall share consistent design (i.e. fixtures, poles, lamps, etc.). Prior to issuance of building permits, architectural renderings shall be submitted to the Director of Planning for final approval. Variations must be approved by the Director of Planning.
12. Development of the site will not be permitted without connection to public water and sewer.
13. All internal circulation drives shall be paved with concrete or asphalt to mitigate dust.
14. A site circulation plan shall be required for review and approval by the Planning Director prior to the issuance of any building permits. The site circulation plan shall ensure pedestrian linkages between building and the sidewalk system and shall ensure internal vehicular circulation among developments within the PUD, including joint use of ingress/egress openings and ensuring that drive openings are not impacted/blocked by the layout of parking stalls or landscaping.
15. Amendments, adjustments, or interpretations to this PUD shall be done in accordance with the Unified Zoning Code.
16. The Transfer of title of all or any portion of land included within the Planned Unit Development (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.
17. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approval by the Governing Body, and any substantial deviation of the plan, as determined by the Zoning Administrator or the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.

18. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.
19. The design layout show on the plan illustrates only one development concept. Slight modifications to the location of improvements may be permitted provided they meet all requirements of this plan. All decks, patios and outdoor seating areas shall not count towards building coverage or gross floor area calculations.
20. Parcel 1 shall be limited to those uses permitted by-right in the "B" Multi-Family Residential District, provided that portable shipping containers may be used for the construction of permanent dwelling units, which shall be placed on permanent foundations and shall meet all applicable development codes.

Parcel 1

Net Area:	37,100 square feet (0.86 acres)
Maximum Building Coverage:	15,000 square feet
Maximum Gross Floor Area:	13,000 square feet
Floor Area Ratio	0.35
Maximum Number of Buildings:	17
Maximum Building Height:	40 feet
Setbacks:	See Drawing
Access Points	One on North Wellington Place
Parking	Per General Provisions












ZONING

- RR
- SF-20
- SF-10
- SF-5
- TF-3
- MF-18
- MF-29
- B
- MH
- NO
- GO
- NR
- LC
- GC
- CBD
- OW
- IP
- LI
- IP-A
- GI
- AFB
- U
- PUD
- AIRPORT
- OLD TOWN
- HISTORICAL
- DELANO









**2035 Wichita
Future Growth
Concept Map**

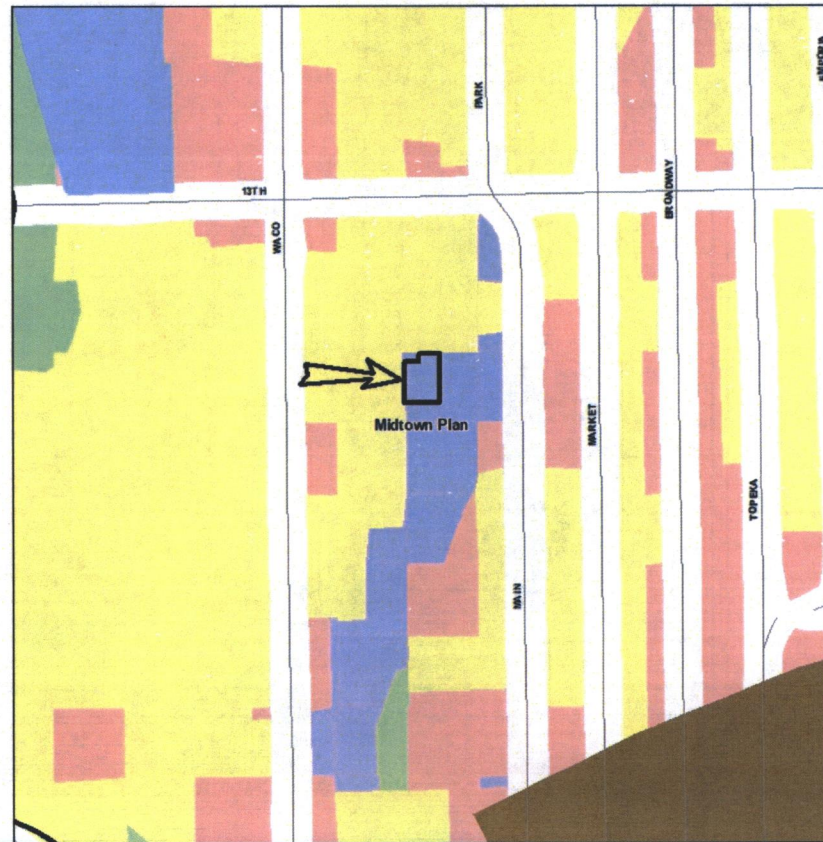
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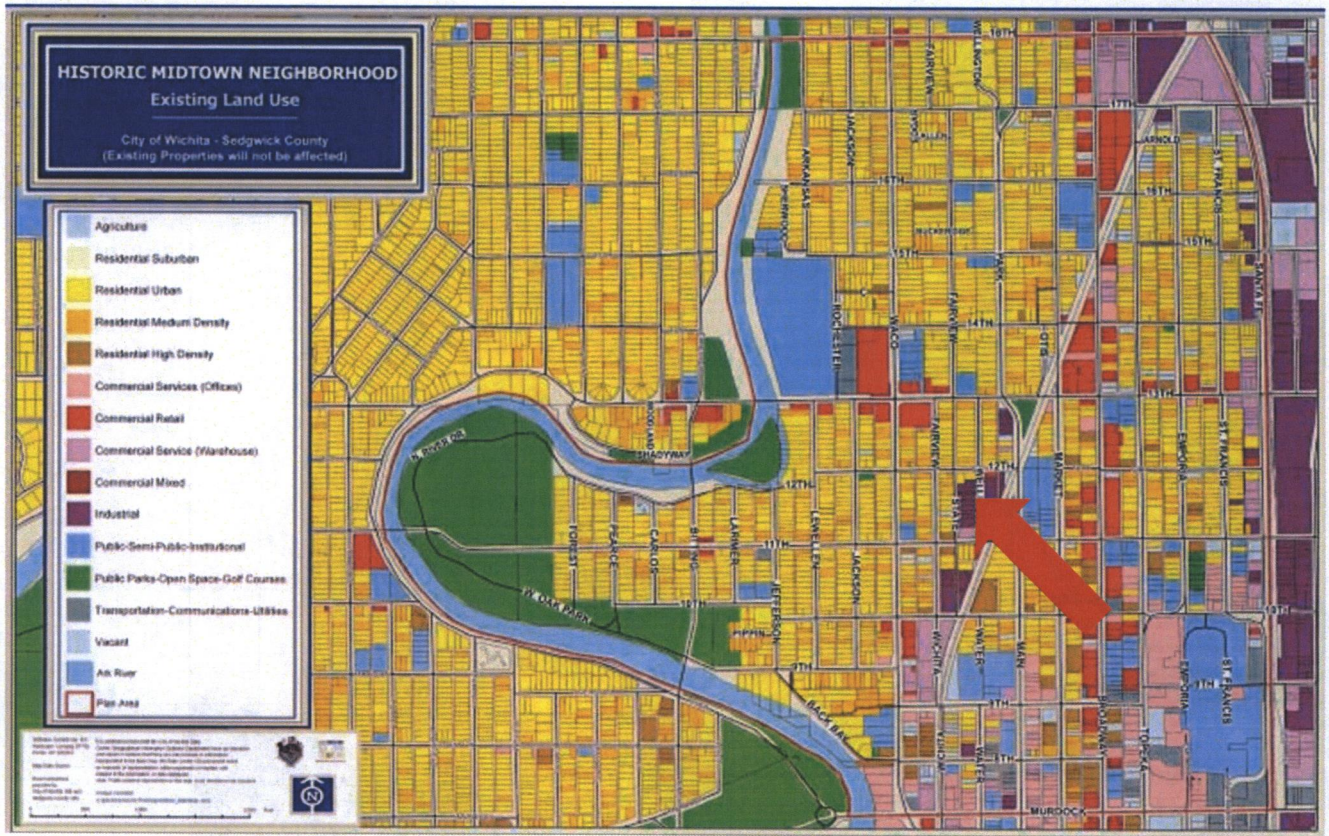
-  Established Central Area
-  Residential and Employment Mix
-  New Employment
-  New Residential
-  Wichita City Limits
-  Other Cities
-  Northwest Bypass Right-of-Way

- 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

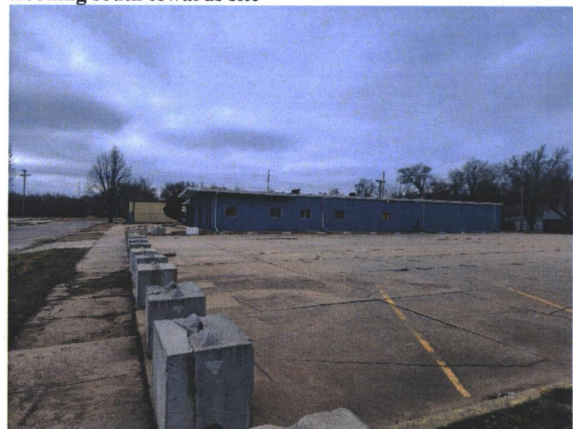




Looking west towards site



Looking south towards site



Looking east away from site



Looking north away from site

