



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

Q & A Properties, LLC
7540 W Northwind, BLDG 300
Wichita, KS 67205

June 7, 2024

RJ Castle LLC
7540 W Northwind, BLDG 300
Wichita, KS 67205

RE: ZON2024-000017 – Zone Change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District, located on the west side of North Joann Street and within one-quarter mile south of West Saint Louis Avenue (339 North Joann Street).

Dear Applicant;

At its regular meeting on **June 4, 2024**, the Wichita City Council considered the above captioned request. The action of the City Council was to **APPROVE** of the zone change from SF-5 Single Family Residential District and TF-3 Two-Family Residential District to TF-3 Two-Family Residential District subject to PO #436, listed below. If you have any questions concerning this application, please contact our office at 268-4421.

Protective Overlay #436

1. Dwellings shall have a hip or gabled roof.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brad Eatherly'.

**Brad Eatherly
Current Plans
Senior Planner**

CC: Maggie Ballard, Council Member District VI
Ana Lopez, CSR, District VI
Gwen Holt, 335 N. Joann St., Wichita, KS 67203
MABCD



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

Q & A Properties, LLC
7540 W Northwind, BLDG 300
Wichita, KS 67205

April 25, 2024

RJ Castle LLC
7540 W Northwind, BLDG 300
Wichita, KS 67205

RE: ZON2024-000017 – Zone Change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District, located on the west side of North Joann Street and within one-quarter mile south of West Saint Louis Avenue (339 North Joann Street).

Dear Applicant,

At its regular meeting on **April 25, 2024**, the Wichita-Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** the request to change zoning from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District.

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 May 9, 2024. 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 **May 9, 2024, at 5:00 p.m.**

This application will be presented to the Wichita City Council on **Tuesday, June 6, 2024**, 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 316-268-4421.

Sincerely,

Brad Eatherly
Current Plans
Senior Planner

CC: Maggie Ballard, Council Member District VI
Ana Lopez, CSR, District VI
Gwen Holt 335 N. Joann St Wichita, KS 67203
MABCD

OCA 150004

PUBLISHED IN THE WICHITA EAGLE ON June 14, 2024

ORDINANCE NO. 52-497

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. ZON2024-00017

Zone change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District zoning, on property legally described as:

The South Half of the East Half of Lot 15, on Clark, now Joann Street, EXCEPT the East 10 feet as dedicated for street, in Clark's Addition to Wichita, Sedgwick County, Kansas.

Protective Overlay #436

1. Dwellings shall have a hip or gabled roof.

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.

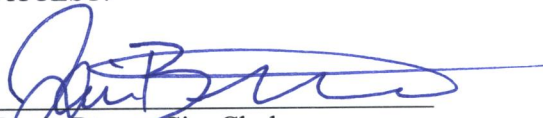
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

Adopted this 11th day of June, 2024.



Lily Wu, Mayor, City of Wichita

ATTEST:

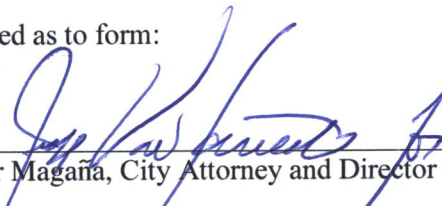


Jamie Buster, City Clerk

(SEAL)



Approved as to form:



Jennifer Magaña, City Attorney and Director of Law



The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer

Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald

The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
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The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
32522	562506	Print Legal Ad-IPL01781820 - IPL0178182	ORD# 52-497	\$55.53	1	66 L

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

JMBuster@wichita.gov

**OCA 150004 PUBLISHED
IN THE WICHITA EAGLE ON
June 14, 2024**

ORDINANCE NO. 52-497

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.

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10 feet as dedicated for street, in Clark's Addition to Wichita, Sedgwick County, Kansas.

Protective Overlay #436

Dwellings shall have a hip or gabled roof.

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 11th day of June 2024.

Lily Wu, Mayor, City of Wichita

ATTEST:

Jamie Buster, City Clerk
(SEAL)

Approved as to form:

Jennifer Magana, City Attorney and
Director of Law

IPL0178182

Jun 14 2024

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

1 insertion(s) published on:

06/14/24

STATE OF KANSAS)

SS

County of Sedgwick)

Mary Castro, 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 06/14/2024 to 06/14/2024.

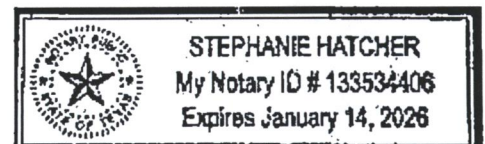
Mary Castro

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

DATED: 06/14/2024

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!



The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer

Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald

The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	537883	Print Legal Ad-IPL01670650 - IPL0167065		\$127.86	2	76 L

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

MHEBERT@wichita.gov

OCA 150004
Published in The Wichita Eagle on April 4, 2024
(One Time Only)

MAPC/BZA April 25, 2024
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, April 25, 2024, 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 in person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation is encouraged (see instructions below). Virtual participation is not available. **If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Department at (316) 268-4421.**

VAC2024-00016: Vacation request in the City to vacate a portion of an alley on property zoned LC Limited Commercial and B Multi-Family, generally located on the south side of East Kellogg Drive, west of South Hunter Street (6601 and 6603 East Kellogg Drive).

ZON2024-00016: Zone change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential, generally located on the northwest corner of West Elm Street and North Elder Street (729 North Elder Street).

ZON2024-00017: Zone change request in the City from SF-5 Single-family residential to TF-3 Two-family Residential, generally located on the west side of North Joann Street and within one-quarter mile south of West Saint Louis Avenue (339 North Joann Street).

ZON2024-00018: Zone Change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential, generally located on the east side of South Meridian Avenue and within one-half mile south of West 55th Street South.

ZON2024-00019: Zone Change request in the City from SF-5 Single-family residential to TF-3 Two-Family Residential, generally located on the east side of South 119th Street West and within one-half mile south of West 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:

1) **Attend in-Person** at the **Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202.** Self-paid parking is available nearby. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-2684464) by 5:00 PM, 3 days prior to the meeting.

2) **Submit Comments Ahead of Time** regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department) – 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. Planning Departments staff make efforts to share all comments but may not be able to share those received after the deadlines below. Please be sure to provide ample time for delivery. **Written Comments** should be submitted by 5:00 PM the day before the meeting. **Video and Audio Comments** (mp3, etc.) formats be submitted at least 3 days prior to the MAPC meeting. The comments should indicate which item they pertain to and be less than three (3) minutes in duration.

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

3) **If you need accommodations pursuant to the ADA, please contact Planning Staff within one week prior to the scheduled meeting. Option to View Remotely (Not Participate)**

The meeting will be streamed live and recorded. Virtual comment is not available. To view the live stream or recording, follow the link:

<https://www.wichita.gov/Planning>
WITNESS MY HAND on April 4, 2024

Scott Wadle, Secretary
WichitaSedgwick County
Metropolitan Area Planning Commission
IPL0167065
Apr 4 2024

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

1 insertion(s) published on:

04/04/24

STATE OF KANSAS)

SS

County of Sedgwick)

Mary Castro, 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 04/04/2024 to 04/04/2024.

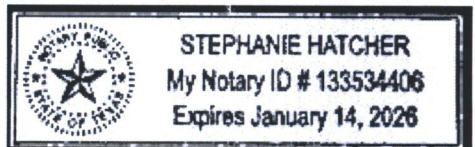
Mary Castro

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

DATED: 04/04/2024

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!

DAB VI: May 13, 2024

RECOMMENDATION: Approve.



BACKGROUND: The applicant is requesting a zone change from SF-5 Single-Family Residential District (SF-5) to TF-3 Two-Family Residential District (TF-3). The 0.45-acre subject site is generally located on the west side of North Joann Street and within one-quarter mile south of West Saint Louis Avenue (339 North Joann Street). The subject site is split into two lots. The southern parcel is developed with the single-family dwelling. The northern parcel is undeveloped. If the request is approved, it would permit a duplex to be built on each parcel. The applicants have indicated they intend to use the northern parcel for a duplex development while keeping the single-family dwelling on the southern parcel. Should the zone change request be approved, there will be no change in setbacks, parking requirements, or maximum height. SF-5 requires a 5,000 square foot minimum lot size, while TF-3 requires a 3,000 square foot minimum lot size per dwelling unit (6,000 square feet for one duplex). Based on the size of the subject site, the applicant would be able to place up to one duplex per lot.

The property is surrounded on all sides by the SF-5 District and is developed on all sides by single-family dwellings. Several single-lot, TF-3 zoned properties are within a few hundred feet of the subject site.

CASE HISTORY: On October 29, 1926, the subject site was platted as Lot 15 of Clark's Addition. In 2018, a lot-split was completed, dividing the lot into Parcel A and Parcel B.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single-family dwelling
SOUTH:	SF-5	Single-family dwelling
EAST:	SF-5	Single-family dwelling
WEST:	SF-5	Single-family dwelling

PUBLIC SERVICES: The subject site currently has access to North Joann Street, a two-lane, paved local street with no sidewalks on either side. Wichita Transit serves the area at West 2nd Street North and North Custer Street, just over a quarter mile from the subject site. Municipal services such as water and sewer currently serve the area.

CONFORMANCE TO PLANS/POLICIES: The requested zone change is in conformance with the following plans:

Community Investments Plan: The requested zone change is in conformance with the *Community Investments Plan*. The *Community Investments Plan* (the Wichita-Sedgwick County Comprehensive Plan), which includes the 2035 Future Growth Concept Map, recommends the subject site as appropriate for "Residential" uses. The *Plan* defines "Residential" as "*areas that reflect the full diversity of residential development densities and types typically found in a large urban municipality. The range of housing densities and types includes, but is not limited to, single-family detached homes, semi-detached homes, zero lot line units, patio homes, duplexes, townhouses, apartments and multi-family units, condominiums, mobile home parks, and special residential accommodations for the elderly (assisted living, congregate care and nursing homes).*" Duplex development is an appropriate use for this area.

The Locational Guidelines of the *Community Investments Plan* provide a framework for decision-making regarding land use changes. Under the heading of "Development Pattern, Guideline 2.a encourages, "*infill development that maximizes public investment in existing and planned infrastructure and services.*"

Wichita: Places for People Plan: The requested zone change 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 Duplex partially aligns with Strategy 5: *Provide a diversity of housing options to attract new residents and allow existing residents to remain in the ECA.* The scale of the request is not out of character with the neighborhood, with TF-3 zoning within 300 feet of the subject site. The request aligns with Strategy 6: *Encourage infill and redevelopment that contextual to the*

environment in which it is occurring. Adding a duplex to the neighborhood will not adversely affect the area.

- **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 Areas of Stability are defined as, “those areas of the ECA that exhibit less stress, or fewer economic, connectivity, and walkability 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.”

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

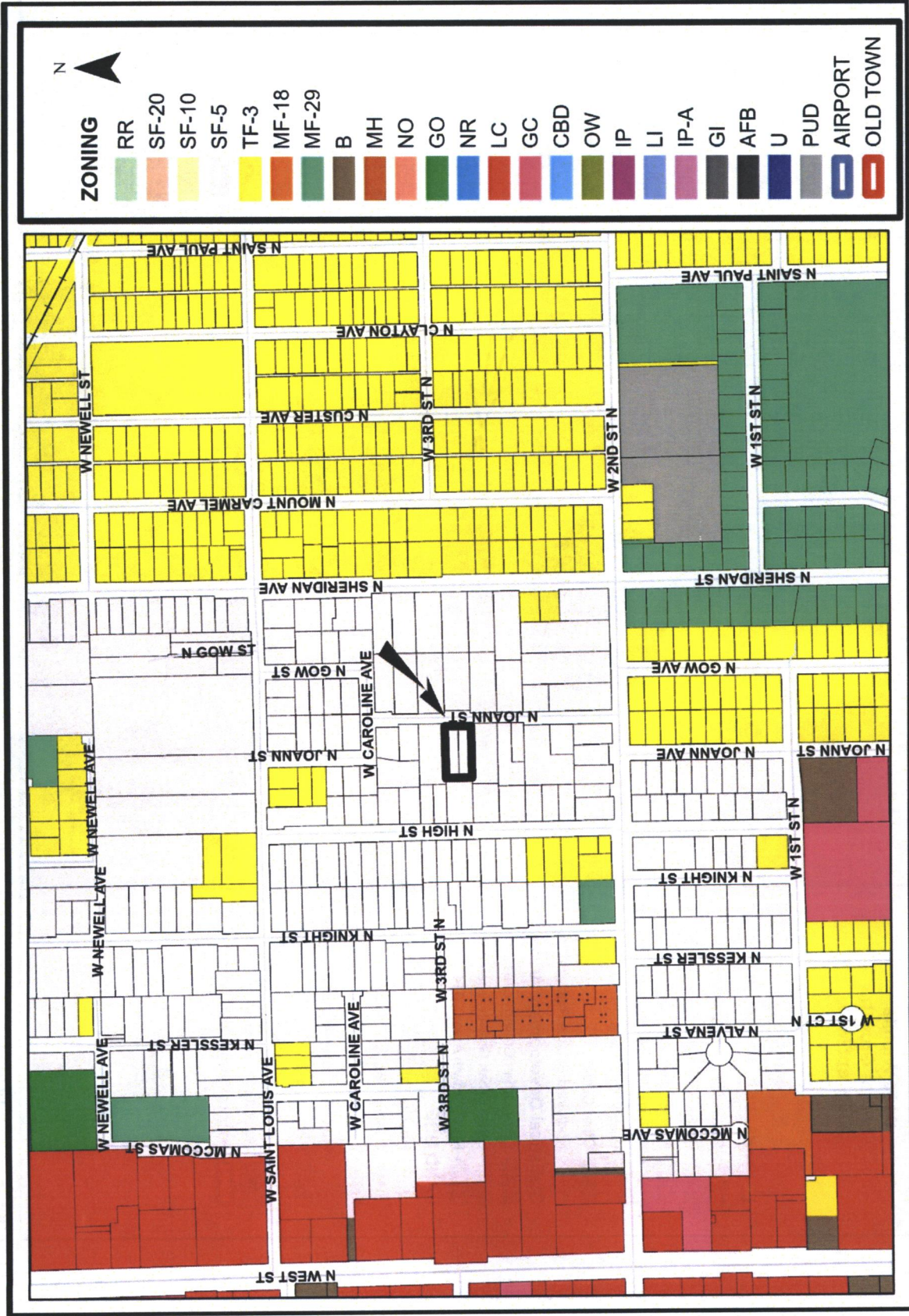
This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** The property is surrounded on all sides by the SF-5 District and is developed on all sides by single-family dwellings. Several single-lot, TF-3 zoned properties are within a few hundred feet of the subject site. Therefore, duplexes are not a new type of development to the area.
2. **The suitability of the subject property for the uses to which it has been restricted:** The property is presently zoned SF-5, which is suitable for a limited number of residential, public, and civic uses, including single-family residences.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** Staff does not anticipate the removal of restrictions to have detrimental impacts on nearby property. There are duplexes developed on properties zoned TF-3 approximately 300 feet from the subject site in multiple directions. Therefore, duplexes are not a new type of development to the area.
4. **Length of time subject property has remained vacant as zoned:** The property is developed with a single-family dwelling. It appears that the dwelling is not currently in use.
5. **Relative gain to public health, safety, and welfare as compared to the loss in value or the hardship imposed upon the applicant:** Approval would permit new development in an area on an under-developed parcel that is also appropriate for such development. Denial may represent a loss of economic opportunity for the applicant.
6. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The requested zoning would continue to allow the property to be in conformance with the *Community Investments Plan*, and the *Wichita: Places for People Plan*, as discussed in the staff report.
7. **Impact of the proposed development on community facilities:** The Planning Department does not anticipate the requested zone change will have a significant impact on community facilities.
8. **Opposition or support of neighborhood residents:** At the time the staff report was prepared, staff has received no comments in regards to the requested zone change.

Staff Report Attachments:

1. Aerial Map
2. Zoning Map
3. Land Use Map
4. Site Photos





2035 Wichita Future Growth Concept Map

Legend

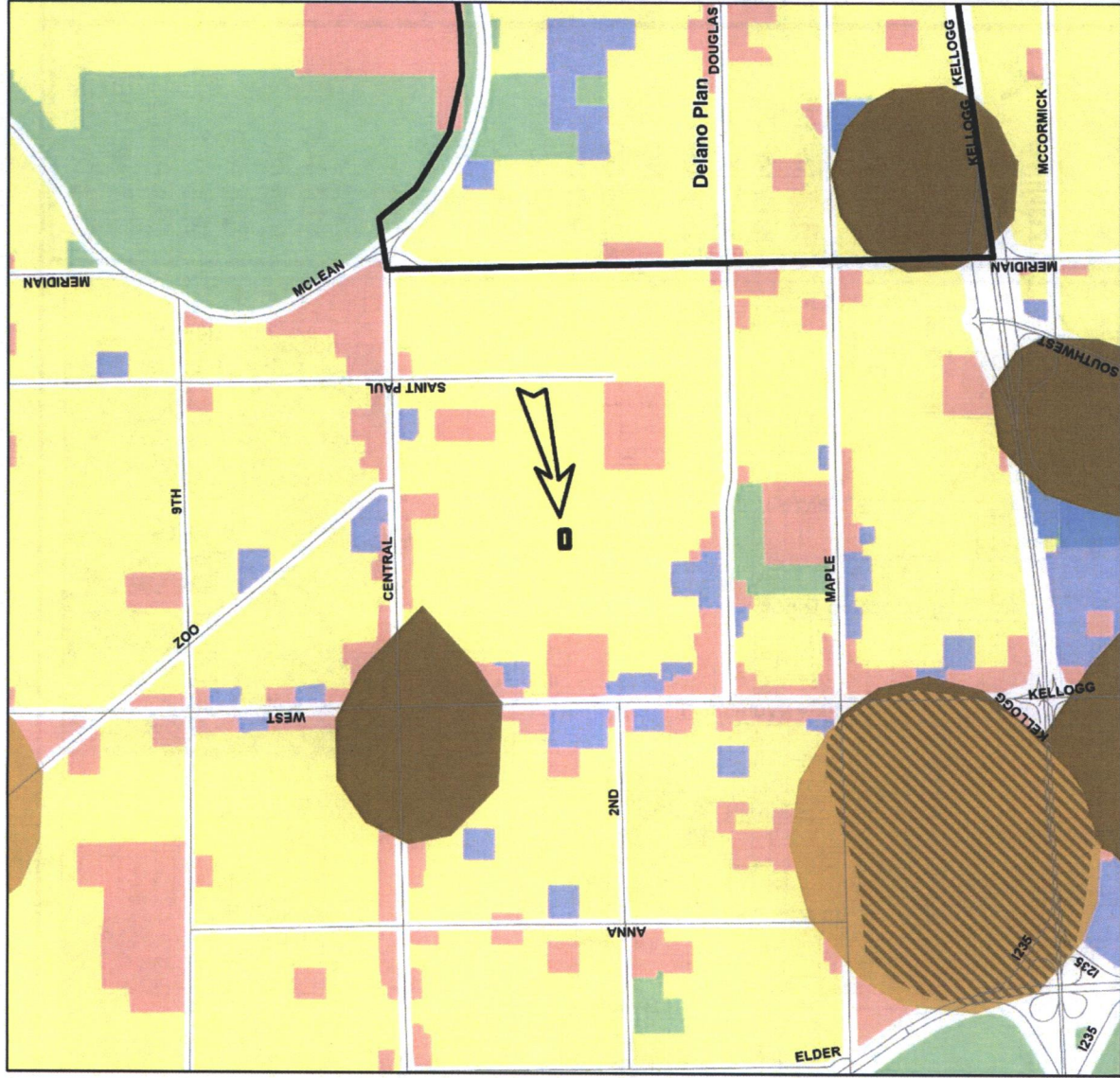
- Established Central Area
- Residential and Employment Mix
- New Employment
- New Residential
- Wichita City Limits
- Other Cities
- Northwest Bypass Right-of-Way

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
- Neighborhood & Area Plans

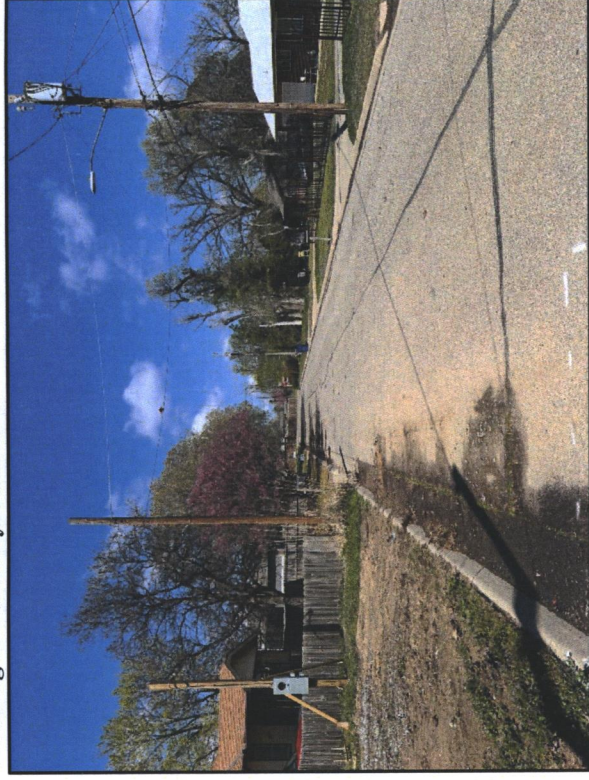


Looking west into property

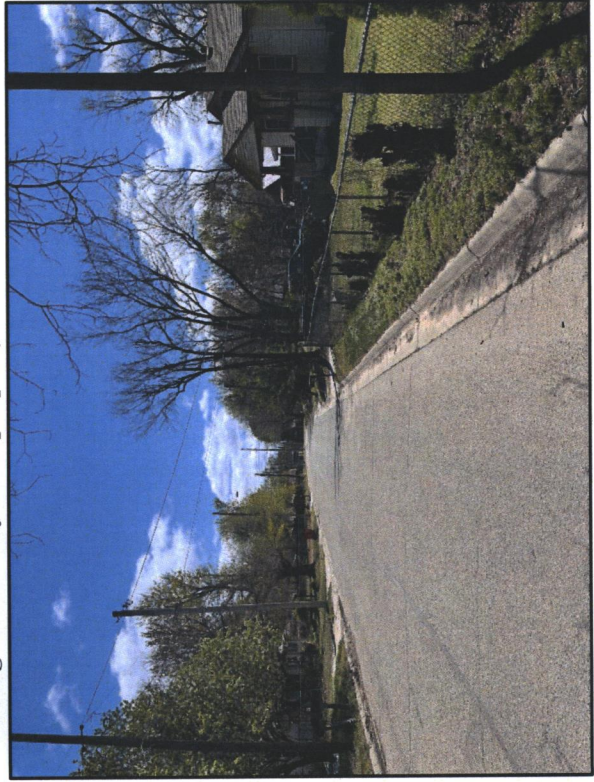
Looking west into subject site



Looking north away from site



Looking south away from property



Looking east away from property



SITE PLAN

1816 S Stacey Ct

Wichita, KS 67207

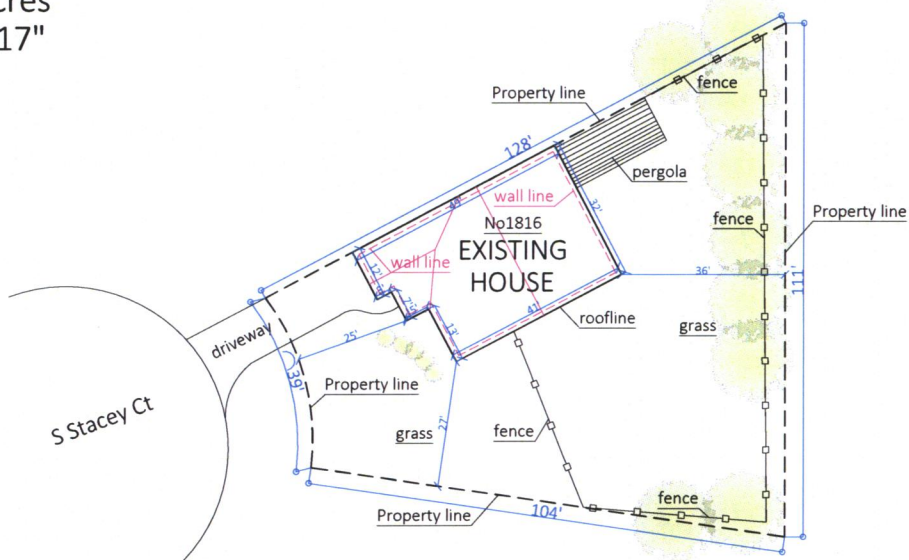
Parcel ID: 087-119-32-0-11-01-027.00

Lot area: 0.18 Acres

Paper Size: 11"x17"



scale 1"=20'



SITE PLAN

APPROVED 8/2/24 BY *[Signature]*
CON24-80