



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

TBJ Holdings, LLC
9111 W. Douglas Ave.
Wichita, KS 67209

August 9, 2024

RE: ZON2024-00028 – Zone Change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential for a duplex on a newly created parcel from lot split; generally located within two blocks south of West Central Avenue and within two blocks west of North West Street (516 N. Tracy).

Dear Applicant;

At its regular meeting on **August 8, 2024**, the Wichita City Council considered the above captioned request. The action of the City Council was to APPROVE of the request subject to Protective Overlay #438.

Protective Overlay #438

1. Dwellings shall have a hip or gabled roof.

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'Philip Zevenbergen'.

Philip Zevenbergen
Current Plans, Division Manager

CC: MABCD
Maggie Ballard, Council Member District VI
Ana Lopez, CSR District VI



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

TBJ Holdings, LLC
9111 W. Douglas Ave.
Wichita, KS 67209

July 1, 2024

RE: ZON2024-00028 – Zone Change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential for a duplex on a newly created parcel from lot split; generally located within two blocks south of West Central Avenue and within two blocks west of North West Street (516 N. Tracy).

Dear Applicant;

At its regular meeting on **June 27, 2024**, 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 11, 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 **July 11, 2024 at 5:00 p.m.** The City Clerk is located at 455 North Main Street, Wichita, KS.

This application will be heard by the District VI Advisory Board (DAB IV) on **Monday, July 8, 2024**, beginning at 6:30pm. The meeting will take place at the Evergreen Community Center and Library, 2601 North Arkansas Ave. Wichita, KS 67204. For more information on this meeting, please contact the Community Services Representative for District VI, Ana Lopez, at (316) 303-8043 or alopez@wichita.gov. Lastly, this application will be considered by Wichita City Council on **Thursday, August 8, 2024**, beginning at 6:00 p.m. Meetings take place at 455 North Main Street, Wichita, KS.

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

Sincerely,

Philip Zevenbergen
Current Plans, Division Manager

CC: MABCD
Maggie Ballard, Council Member District VI
Ana Lopez, CSR District VI

OCA 150004

PUBLISHED IN THE WICHITA EAGLE ON Aug. 16, 2024

ORDINANCE NO. 52-531

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. ZON2024-00028

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 North Half of Lot 8, Block 7, Parkwilde Addition to Wichita, Sedgwick County, Kansas, EXCEPT the North 42.00 feet of the West 133.00 feet thereof.

Protective Overlay #438

- 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 13th day of August, 2024.

Lily Wu
Lily Wu, Mayor, City of Wichita

ATTEST:

Jamie Buster
Jamie Buster, City Clerk

(SEAL)



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



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Protective Overlay #438

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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 13th day of August, 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

IPL0189200

Aug 16 2024



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
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 Lexington Herald-Leader
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 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
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 Tri-City Herald
 The Wichita Eagle
 The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	559448	Print Legal Ad-IPL01763790 - IPL0176379	OCA 150004	\$131.22	2	78 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 June 6, 2024
(One Time Only)
MAPC/BZA June 27, 2024
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, June 27, 2024, no earlier than 1:30 p.m., the Wichita-Sedgwick 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 Wichita-Sedgwick County Metropolitan Area Planning Department at (316) 268-4421.

CON2024-00035: Conditional Use Amendment in the City to CON2012-00044 to amend Condition #5 to allow outdoor patio speakers and to increase the allowable restaurant square footage; generally located within one-block north of East Douglas Avenue and one-block east of North Oliver Avenue (115 N. Glendale).

CON2024-00039: Conditional Use request for to re-establish an Entertainment Establishment in the City (night club use of less than 300 capacity) that lost non-conforming status on property zoned LI Limited Industrial, located north of East Harry Street and West of Southeast Boulevard (1544 South Ida Avenue).

PUD2024-00011: Zone Change request in the City from SF-5 Single-Family Residential to PUD to establish the Esparza Addition PUD for a mix of single-family and duplex residential uses and office/warehouse uses; located on the west side of North Amidon Avenue and one-half mile north of West 29th Street North (3258 N. Charles).

ZON2024-00026: Zone Change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential for a duplex on a newly created parcel from lot split; generally located within two blocks south of West Central Avenue and within two blocks west of North West Street (516 N. Tracy).

ZON2024-00029: Zone Change request in the City from GO General Office to NR Neighborhood Retail with an amendment to Protective Overlay #270 to permit a market, cafe and personal care services; generally located on the south side of East 34th Street North and one-quarter mile east of North Woodlawn.

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

- 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 (316-268-4464) by 5:00 PM, 3 days prior to the meeting.
- 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

- 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 June 6, 2024

Scott Wadle, Secretary

Wichita-Sedgwick County

Metropolitan Area Planning Commission

IPL0176379

Jun 6 2024

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

1 insertion(s) published on:

06/06/24

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 06/06/2024 to 06/06/2024.

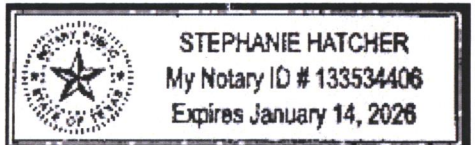
Mary Castro

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

DATED: 06/06/2024

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!



STAFF REPORT
MAPC: June 27, 2024
DAB VI: July 8, 2024

AGENDA ITEM NO. 4.7

-
- CASE NUMBER:** ZON2024-00028 (City)
- APPLICANT/AGENT:** TBJ Holdings, LLC (Applicant)
- REQUEST:** TF-3 Two-Family Residential District
- CURRENT ZONING:** SF-5 Single-Family Residential District
- SITE SIZE:** 0.29 acres
- LOCATION:** Located within two-blocks south of West Central Avenue and within two-blocks west of North West Street.
- PROPOSED USE:** Duplex development.
- 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 0.29-acre property is located within two-blocks south of West Central Avenue and within two-block west of North West Street. Concurrently a lot split is being reviewed to create the subject site as Parcel B of Lot 8, Block 7, Parkwilde Addition (See attached lot split survey). Parcel A of said Lot 7 is addressed as 516 North Tracy Street, is zoned SF-5, and is developed with a single-family dwelling. The applicant is requesting the zone change only for Parcel B. If approved, it would permit one duplex to be developed on Parcel B.

The lot split included land that fronts North Tracy Street in order to provide access to Parcel B. The lot split also requires necessary easements to ensure access to utilities.

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 one duplex.

The character of the neighborhood is residential. Properties to the north, east and south, and west are zoned SF-5 and are developed with single-family dwellings. Property to the northeast is zoned TF-3, split into multiple parcels, and developed with one duplex on each parcel. Within one block south of the subject site, there is a large, contiguous area of TF-3 zoning developed with a mixture of single-family and duplex dwellings.

CASE HISTORY: In 1887, the subject site was platted as part of the Parkwilde Addition. There are no other zoning cases associated with this site.

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 Tracy Street, a two-way, paved local street with no sidewalks on either side. Wichita water and sewer are available to the site. New service lines will need to be extended from the water and sewer mains to the proposed duplex. Wichita Transit within two blocks to the north with bus stops along West Central Avenue and within two-blocks to the east with bus stops along North West Street.

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 development 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, multi-family uses directly to the west. The request aligns with Strategy 6: *Encourage infill and redevelopment that is contextual to the environment in which it is occurring.* Adding a duplex to the neighborhood will not adversely affect the area. Duplex development is contextual given the duplex development to the northeast and within one-block to the south.

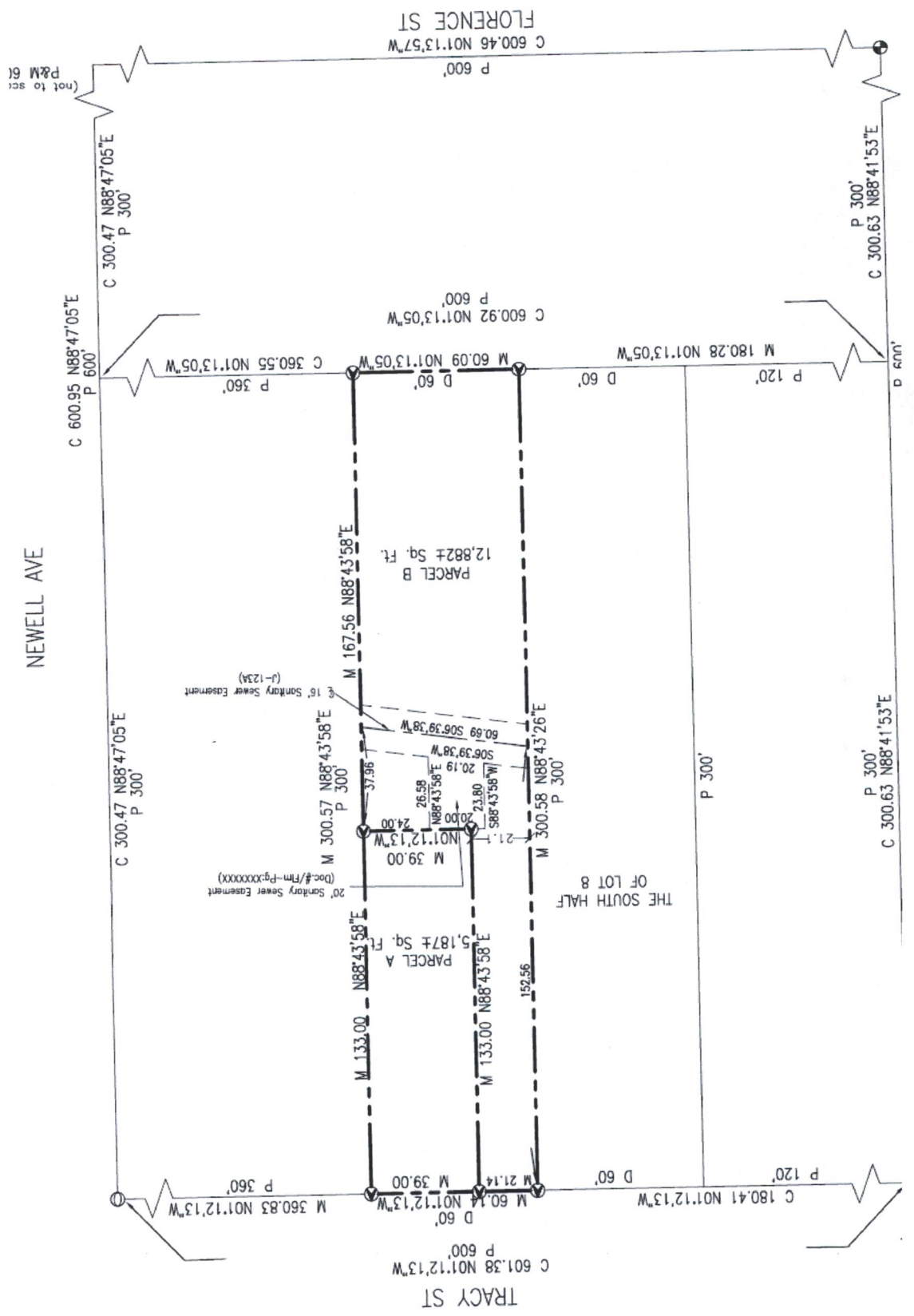
RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be **APPROVED.**

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** The character of the neighborhood is residential. Properties to the north, east and south, and west are zoned SF-5 and are developed with single-family dwellings. Property to the northeast is zoned TF-3, split into multiple parcels, and developed with one duplex on each parcel. Within one block south of the subject site, there is a large, contiguous area of TF-3 zoning developed with a mixture of single-family and duplex dwellings.
2. **The suitability of the subject property for the uses to which it has been restricted:** The property is presently zoned SF-5 and could be developed with a single-family dwelling upon approval of the lot split.
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 is the presence of TF-3 zoning and duplex development in the near vicinity.
4. **Length of time subject property has remained vacant as zoned:** Parcel B of Lot 7 is vacant because it was recently created.
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 that is 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 regard to the requested zone change.

Staff Report Attachments:

1. Lot Split Survey
2. Aerial Map
3. Zoning Map
4. Land Use Map
5. Site Photos

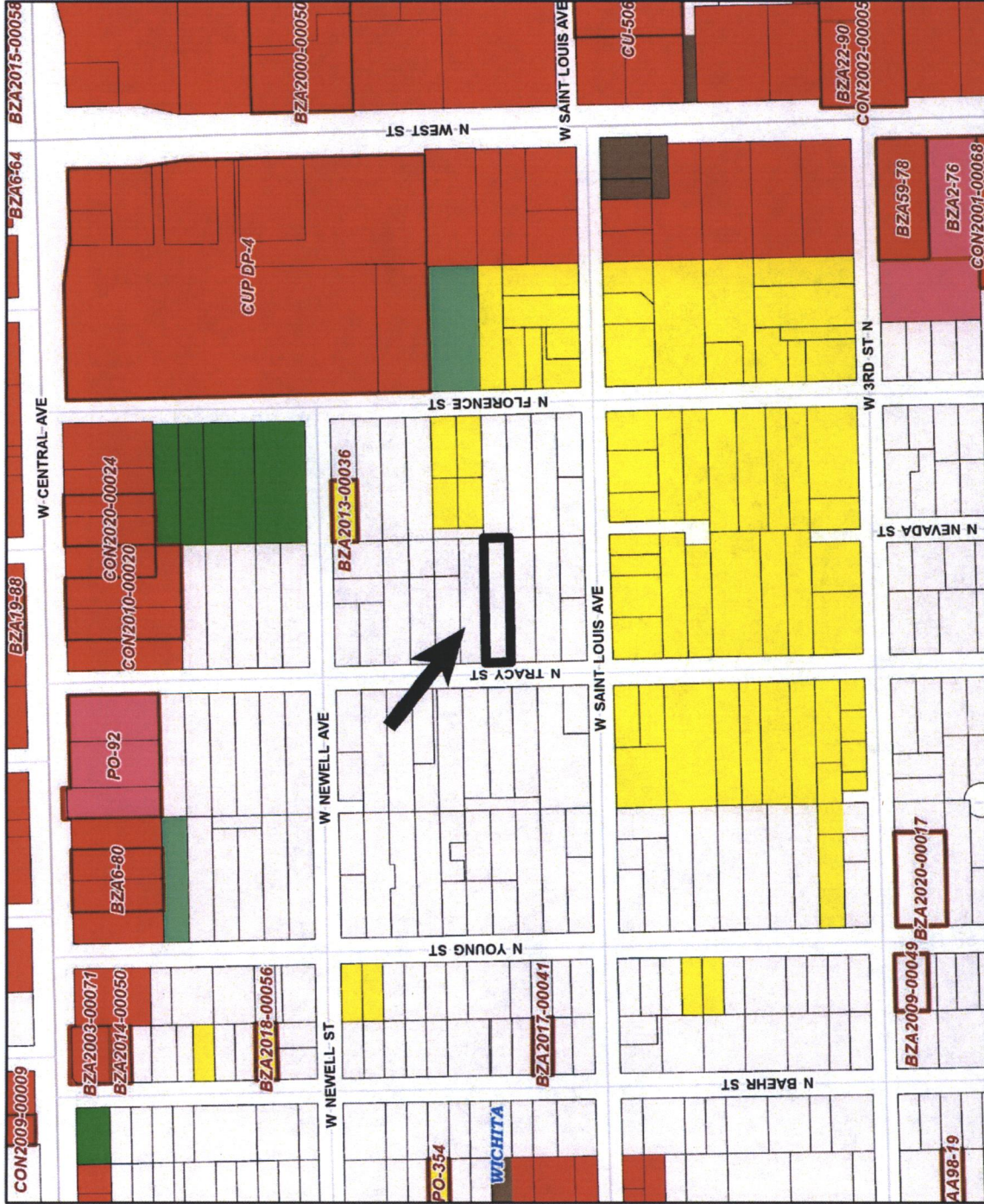




ZONING



- 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
- HISTORIC
- DELANO
- DELANO OVERLAY

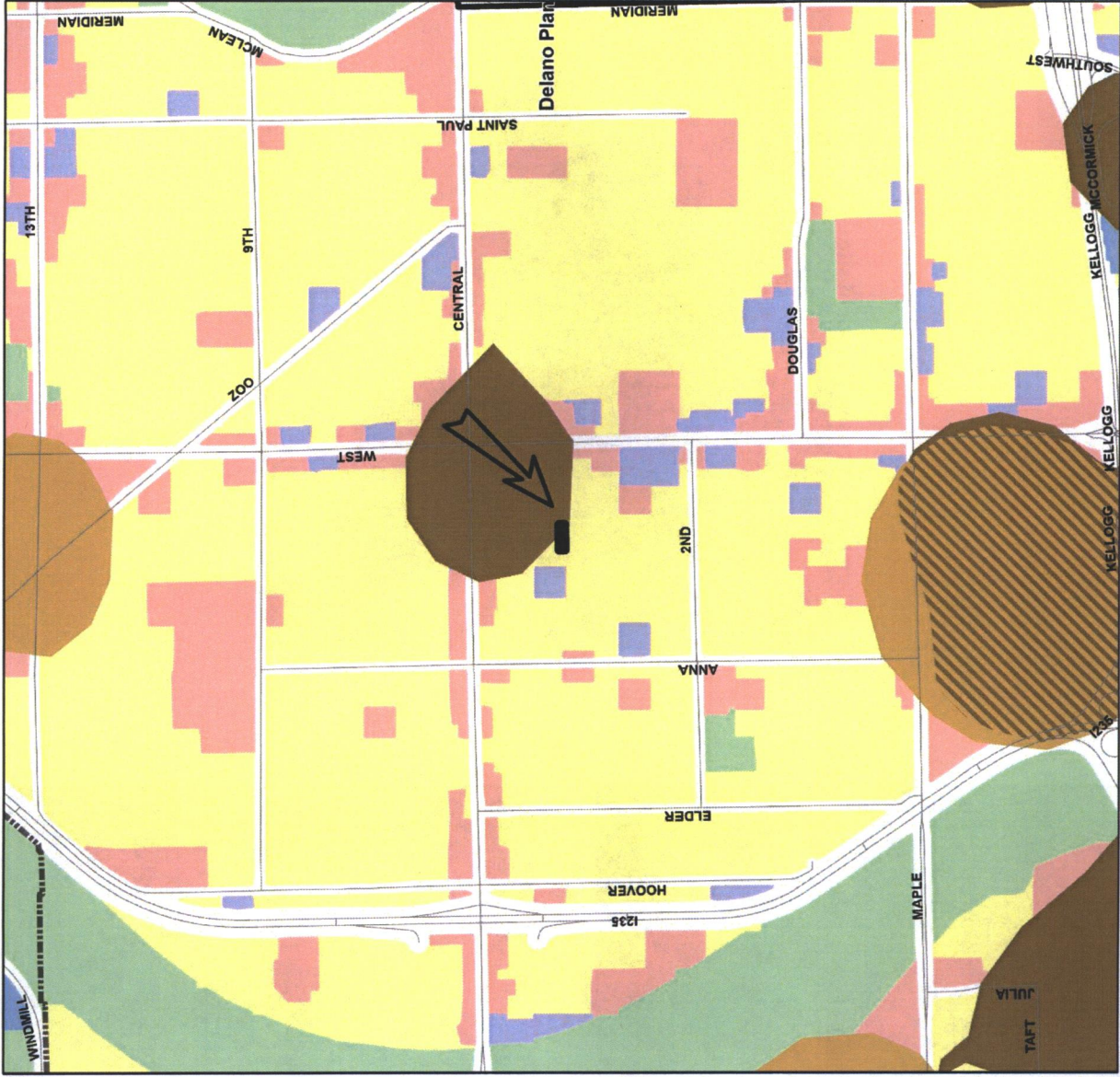


2035 Wichita Future Growth Concept Map

- 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



Map prepared by the City of Wichita, Kansas, Planning Department, 2024. All rights reserved. This map is for informational purposes only and does not constitute a contract or warranty of any kind. The City of Wichita, Kansas, Planning Department is not responsible for any errors or omissions on this map.



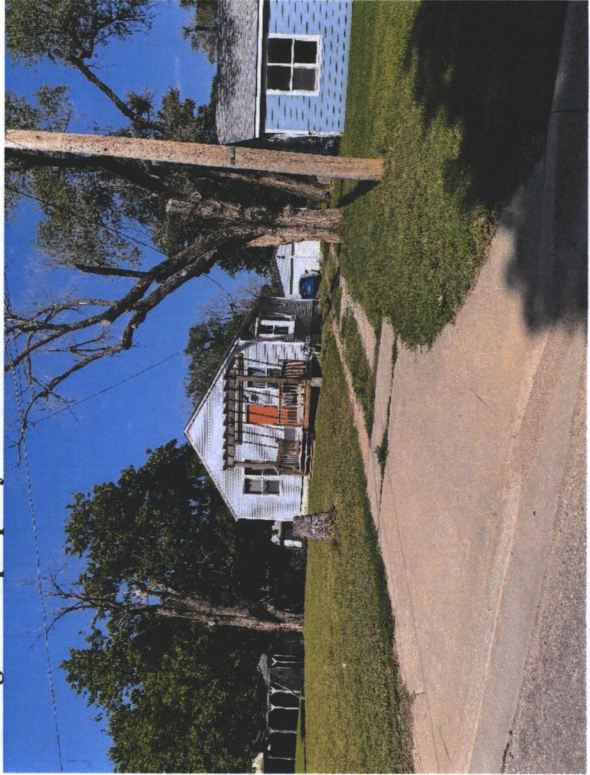
Looking east toward site



Looking east at property south of site



Looking east at property north of site



Looking west away from site



Looking northwest away from site

