



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

Icefox Housing LLC
2327 West Skyler Drive
Fayetteville, AR 72703

December 4, 2024

RE: ZON2024-00048 – Zone change request in the City from TF-3 Two-Family Residential District to MF-18 Multi-Family Residential District to convert the garage into a third dwelling unit, generally located on the east side of South Main Street, within 150 feet north of East Osie Street (1650 South Main Street).

Dear Applicant;

At its regular meeting on **December 3, 2024**, the Wichita City Council heard the above captioned request. The action of the WCC was to **APPROVE** the request. 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

CC: Becca Johnson, CSR District III
Tanner Brandt, *via email*



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

Icefox Housing LLC
2327 West Skyler Drive
Fayetteville, AR 72703

October 25, 2024

RE: ZON2024-00048 – Zone change request in the City from TF-3 Two-Family Residential District to MF-18 Multi-Family Residential District to convert the garage into a third dwelling unit, generally located on the east side of South Main Street, within 150 feet north of East Osie Street (1650 South Main Street).

Dear Applicant;

At its regular meeting on **October 24, 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 November 7, 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 **November 7, 2024, at 5:00 p.m.**

This application will be heard on **Wednesday, November 6, 2024**, by the District III Advisory Board (DAB), beginning at 6:30 p.m. The meeting shall take place at the Water Center (101 East Pawnee, Wichita, KS 67211). For more information, please contact the Community Services Representative for DAB III, Becca Johnson, at rejohnson@wichita.gov or 316-303-8030. Lastly, this application will be heard by the Wichita City Council on **Tuesday, November 19, 2024**, beginning at 9:00 a.m., at 455 North Main Street, Wichita, KS 67202, for final action.

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,

Christina Rieth
Current Plans
Associate Planner

CC: Becca Johnson, CSR District III
Tanner Brandt, *via email*

OCA 150004

PUBLISHED AT WICHITA.GOV/LEGALNOTICES ON

December 13, 2024

ORDINANCE NO. 52-583

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. ZON2024-00048

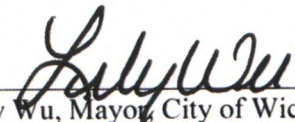
Zone change request in the City from TF-3 Two-Family Residential District to MF-18 Multi-Family Residential District on property legally described as:

Lots 37 and 39, on Main Street, in English's 6th Addition to Wichita, Sedgwick County, Kansas.

SECTION 2. That upon the taking effect of this Ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

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

Adopted this 10th day of December, 2024.




Lily Wu, Mayor, City of Wichita

ATTEST:

Shinita Rice, Deputy City Clerk

(SEAL)

Approved as to form: 

Jennifer Magaña, City Attorney and Director of Law



AFFIDAVIT OF PUBLICATION

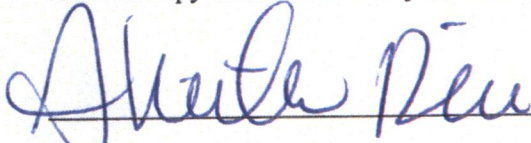
State of Kansas, Sedgwick County, ss:

Shinita Rice, Deputy City Clerk

Being first duly sworn, deposes and says:

That I, Shinita Rice, Deputy City Clerk of the City of Wichita, Kansas has published the attached notice on the City of Wichita website, www.wichita.gov/LegalNotices, which website is designated as the official City News Outlet Publication Site for the City of Wichita, Kansas by Charter Ordinance No. 240 effective September 4, 2024.

That the attached Notice of Public Hearing / Ordinance No. 52-583 / Resolution No. _____ is a true copy thereof and was published on such website beginning on the 13th day of December, 2024.

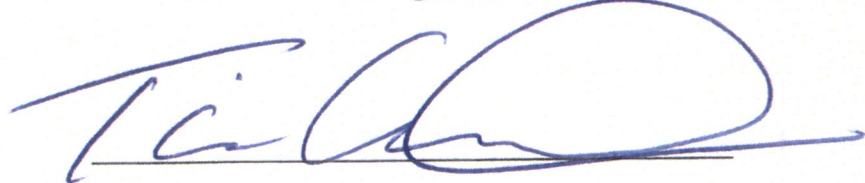


Signature

SUBSCRIBED AND SWORN to before me this 13 day of December 2024



(seal)



Notary Public

City Clerk's Office

City Hall • 13th Floor • 455 N. Main • Wichita, Kansas 67202

316.268.4529

www.wichita.gov



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Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
3252	619596	Print Legal Ad-IPL02082120 - IPL0208212	ORD 52-583	\$36.06	1	60 L

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

srice@wichita.gov

**OCA 150004 PUBLISHED AT
 WICHITA.GOV/LEGALNOTICES
 ON DECEMBER 13, 2024
 ORDINANCE NO. 52-583**

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. ZON2024-00048

Zone change request in the City from TF-3 Two-Family Residential District to MF-18 Multi-Family Residential District on property legally described as:

Lots 37 and 39, on Main Street, in English's 6th Addition to Wichita, Sedgwick County, Kansas.

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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 10th day of December, 2024.

Lily Wu, Mayor, City of Wichita

ATTEST:

Shinita Rice, Deputy City Clerk

(SEAL)

Approved as to form:

Jennifer Magana, City Attorney and

Director of Law

IPL0208212

Dec 13 2024

In The STATE OF KANSAS

In and for the County of Sedgwick

1 insertion(s) published on:

12/13/24

STATE OF KANSAS)

SS

County of Sedgwick)

Mary Castro, of lawful age, being first duly sworn, depose and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 12/13/2024 to 12/13/2024.

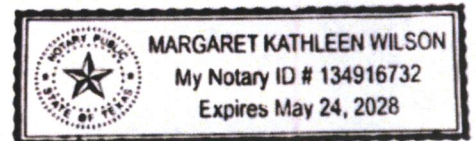
Mary Castro

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

DATED: 12/13/2024

Margaret K. Wilson

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



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Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	597810	Print Legal Ad-IPL01969270 - IPL0196927		\$109.38	2	65 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 October 2, 2024
(One Time Only)
MAPC/BZA October 24, 2024
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, October 24, 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. Full notice can be found at www.wichita.gov/LegalNotices.

CON2024-00210: Conditional Use request in the City to allow Ancillary Parking on property zoned TF-3 Two-Family Residential District, generally located on the west side of South Clifton Street, within 200 feet south of East Douglas Avenue (123 & 125 South Clifton, and 3344 E. Oakland).

CON2024-00212: Conditional Use request in the City to allow an Entertainment Establishment (Event Venue which could have entertainment and alcohol) on property zoned LC Limited Commercial District, generally located on the northeast corner of West Pawnee and South Seneca (1040 West Pawnee).

CUP2024-00033: CUP Amendment in the City to CUP DP-317 to allow Warehouse, Self-Service Storage, change building size and height, and exempt Parcel 2 from architectural controls, generally located on the west side of North 127th Street East, within 400 feet south of East 21st Street North.

PUD2024-00017: Zone Change request in the City from SF-5 Single-Family Residential to PUD #134 to establish the West Patrol Station PUD; generally located on the southwest corner of West 13th Street North and North Country Acres Avenue.

PUD2024-00018: Zone change request in the City from LC Limited Commercial District to PUD Planned Unit Development #132 to allow for mixed-use development, generally located on the southeast corner of East Central Avenue and North Oliver Road (4801 East Central Avenue).

PUD2024-00019: Major Amendment to PUD #55 to increase the capacity from 850 to 2,066, generally located on the south side of East Douglas Avenue, within 100 feet east of North Hillside Avenue (3207 East Douglas Avenue).

PUD2024-00020: Zone change request from LC Limited Commercial to PUD Planned Unit Development #133 to permit basic industry, warehousing, and freight terminal with custom development standards, located on the east side of South Seneca St., within 500 feet north of West 47th St. South (4720 South Seneca St).

VAC2024-00044: Vacation request in the City to vacate a portion of platted access control to permit a 3rd driveway for future EMS station on property zoned LC Limited Commercial, located on the south side of West 13th Street North and within one-half mile west of North Meridian Avenue.

VAC2024-00045: Vacation request in the City to vacate a portion of a platted streetside setback, generally located on the 255 meters northeast side of South Broadway Avenue and East 55th Street South (5505 S Emporia Ave).

VAC2024-00047: Vacation request in the City of a platted access control; Generally located on the southwest corner of West 13th Street North and North Country Acres Avenue.

VAC2024-00048: Vacation request to vacate the plat's text for Reserves A and B, generally located on the south side of East Stonybrook Street, within 275 feet west of North 127th Street East.

VAC2024-00049: Vacation request to vacate the north 20 feet of the south 30 feet of the platted setback to create room for a receiving dock and trash enclosures, generally located on the east side of South Seneca Street, within 500 feet north of West 47th Street South (4720 South Seneca).

ZON2024-00048: Zone change request in the City from TF-3 Two-Family Residential District to MF-18 Multi-Family Residential District to convert the garage into a third dwelling unit, generally located on the east side of South Main Street, within 150 feet north of East Osie Street (1650 South Main Street).

IPL0196927
 Oct 2 2024

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

1 insertion(s) published on:
 10/02/24

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 10/02/2024 to 10/02/2024.

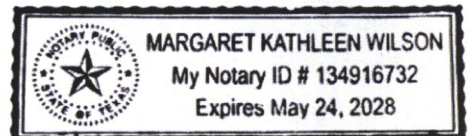
Mary Castro

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

DATED: 10/02/2024

Margaret K. Wilson

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



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STAFF REPORT
MAPC: October 24, 2024
DAB III: November 6, 2024

AGENDA ITEM NO. 4.8

CASE NUMBER: ZON2024-00048 (City)

APPLICANT/AGENT: IceFox Housing LLC (Applicant)/ Tanner Brandt (Agent)

REQUEST: MF-18 Multi-Family Residential District

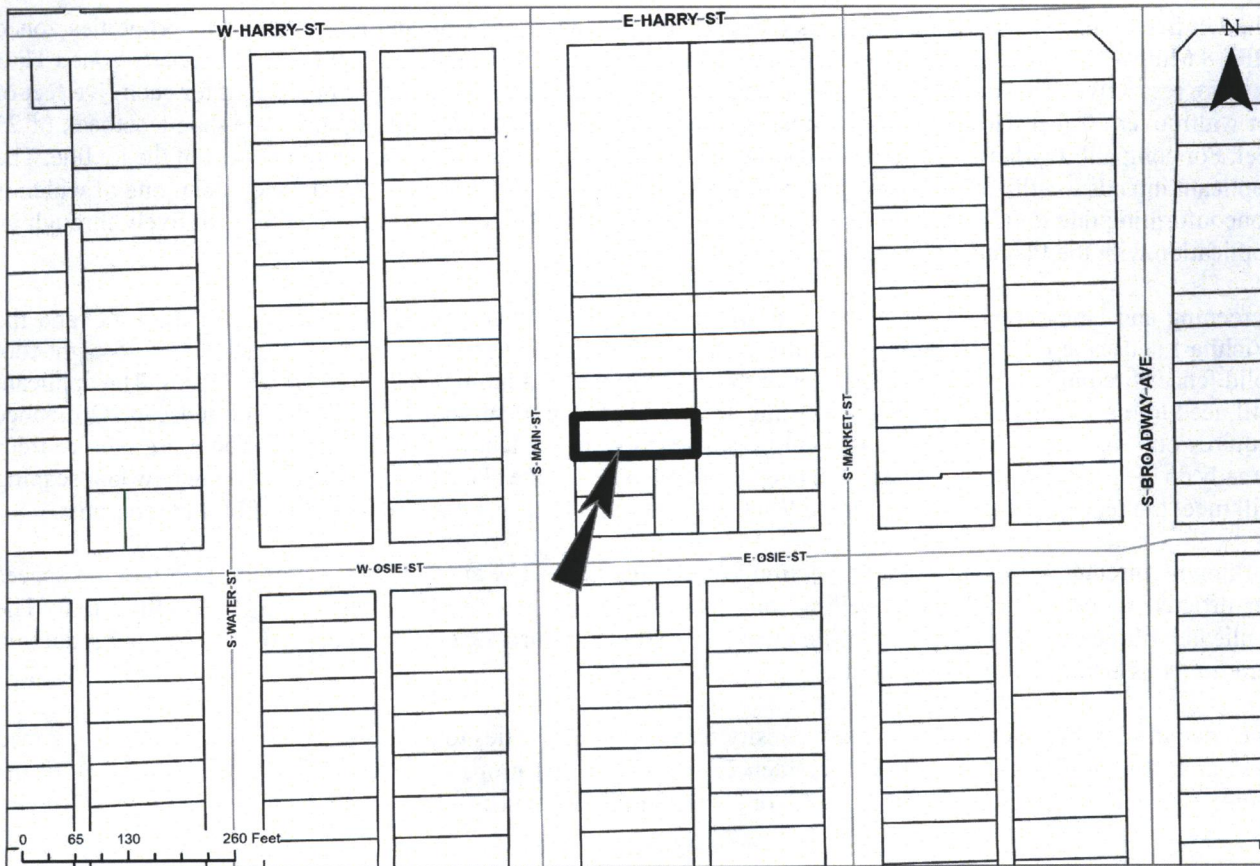
CURRENT ZONING: TF-3 Two-Family Residential District

SITE SIZE: 0.18 acres

LOCATION: Generally located on the east side of South Main Street, within one-block south of East Harry Street (1650 South Main Street).

PROPOSED USE: Three dwelling units.

RECOMMENDATION: Approve.



BACKGROUND: The applicant is requesting a zone change from TF-3 Two-Family Residential District (TF-3) to MF-18 Multi-Family Residential District (MF-18). The property is located on the east side of South Main Street, within one-block south of East Harry Street (1650 South Main Street). The property is currently developed with a two-story duplex and a detached one-story garage. The applicant is requesting the zone change in order to convert the existing detached accessory structure into a third dwelling unit.

MF-18 is the most restrictive zoning that allows the number of units requested by the applicant. If approved, the requested zone change would permit more uses on site than its current zoning, namely multi-family development at 17.4 dwelling units per acre. Additionally, it would allow changes to the minimum lot area, minimum lot width, and setback requirements, as demonstrated in the table below.

Development Standard	TF-3 Two-Family Residential	MF-18 Multi-Family Residential
Minimum lot area	3,500 square feet for single-family; 3,000 square feet per dwelling unit for duplex and multi-family (maximum 14.5 dwelling units per acre); 5,000 square feet for nonresidential uses	3,500 square feet for single-family; 3,000 square feet per dwelling unit for duplex; 2,500 square feet per dwelling unit for multi-family (maximum 17.4 dwelling units per acre); 5,000 square feet for nonresidential uses
Minimum lot width	35 feet	35 feet for single-family; 50 feet for all other uses
Front setback	25 feet	25 feet
Rear setback	20 feet	20 feet
Interior side setback	Six feet	Six feet, except five feet if lot is below 6,000 square feet
Street side setback	15 feet	20 feet
Maximum height	35 feet	45 feet

The Unified Zoning Code (UZC) requires compatibility standards for side and rear lot lines of properties zoned MF-18 Multi-Family Residential District or less restrictive when they are within 500 feet of a property zoned TF-3 or more restrictive. The minimum building compatibility setback shall be 15 feet plus one foot for each five feet of lot width over 50 feet. However, the compatibility setback standards shall not require more than a setback of 25 feet. For compatibility height standards, no structure shall exceed 35 feet in height within 50 feet of the lot line. The applicant intends to utilize the existing structures to create a multi-family residential development, one of which is nonconforming due to its location on site. The compatibility standards can be waived administratively through an application with the Planning Department.

Screening and landscaping are required in accordance with the provisions of Section IV-B of the UZC and the Wichita Landscape Code, when multi-family or non-residential development occurs on site. A six- to eight-foot solid fence is required around the perimeter of the property where abutting single-family residences. The applicant will need to repair and/or complete the existing screening around the property. The Wichita Landscape Ordinance requires one shade tree (or two ornamental trees) per forty linear feet of street frontage. There are mature trees already on the property. The applicant will need to submit a landscape plan verifying the existing or new landscaping will meet the requirements set forth by the Wichita Landscape Code prior to the issuance of building permits.

Parking requirements are mandated by Section IV-A of the UZC. The applicant shall provide 1.25 parking spaces per efficiency and one bedroom dwelling unit and 1.75 spaces per two-bedroom or larger dwelling unit. The applicant will need to demonstrate the site meets the parking requirements or be approved for a parking reduction prior to the issuance of building permits.

The character of the neighborhood is low-density residential. Properties to the north, south, and west are all zoned SF-5 and developed with single-family residences. There are four properties zoned TF-3 within one-block of the subject site and are developed with duplexes or single-family residences.

CASE HISTORY: On May 24, 1885, the subject site was platted as Lots 37 and 39, on the Main Street Block of the English's 6th Addition. There are no zoning cases associated with this property.

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 has access to South Main Street, which is a three-lane, one-way southbound arterial street with sidewalks on each side. The site currently has access to all municipal services, including sewer and water. Wichita Transit stops one-quarter mile northeast of the subject site at the northeast corner of East Harry Street and South Broadway.

CONFORMANCE TO PLANS/POLICIES: 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, which includes single-family, two-family, and multi-family residences.

The *Community Investment Plan's* Locational Guidelines provide a framework for decision-making regarding land use changes so as to encourage patterns of development that efficiently and effectively use land, public infrastructure, and services; strive for compatibility among various land uses; and promote quality of place through design. One of the General Development Patterns in the Established Central Area "Encourage infill development that maximizes public investment in existing and planned infrastructure and services."

The *Plan's* Land Use Compatibility Guidelines state that "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 surrounding neighborhood is developed with one- or two-story dwellings, both single-family and duplex residences, with detached garages. The applicant intends to create a total of three dwelling units using a similar footprint.

The requested zone change is in partial conformance with the *South Central Neighborhood Plan*. The *Plan's* Future Land Use Map identifies the subject site as appropriate for Low-Density Residential, where the *Plan* states: "The predominate land use in the neighborhood is low-density residential, which consists of single-family, detached dwellings that are typically developed at a gross density of less than 10 dwelling units per acre. Accessory dwelling units and duplexes could be appropriate in locations where compatibility with surrounding single-family uses can be maintained." While the applicant is requesting one more dwelling unit than what the *Plan* suggests is appropriate, the way in which the units are laid out by utilizing the existing rage structure on site continue the harmonious development of the community.

The requested zone change is in conformance with the *Wichita: Places for People Plan*. Strategy 5 in the *Wichita: Places for People Plan* seeks to "Provide a diversity of housing options to attract new residents and allow existing residents to remain in the Established Central Area (ECA)." Strategy 6 of the *Places for People Plan* seeks to "encourage infill and redevelopment that is contextual to the environment in which it is occurring." The applicant is requesting to convert the existing detached garage into a third dwelling unit, which allows for additional housing without

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 low-density residential. Properties to the north, south, and west are all zoned SF-5 and developed with single-family

residences. There are four properties zoned TF-3 within one block of the subject site and are developed with duplexes or single-family residences.

2. **The suitability of the subject property for the uses to which it has been restricted:** The subject site is presently zoned TF-3, which allows single-family and two-family residences by-right and multi-family residences with a Conditional Use at 14.5 dwelling units per acre. The requested zone change allows the requested number of dwelling units on site by-right at 17.4 dwelling units per acre.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** Staff does not anticipate the removal of restrictions to have a significant detrimental impact on nearby property. Screening, landscaping, and compatibility standards should mitigate any potential detrimental impacts to the adjacent residential properties.
4. **Length of time subject property has remained vacant as zoned:** The site is not vacant. It has been developed with a duplex and detached garage since 1897.
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 that continues the harmonious development of the neighborhood. 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 is in conformance with the *Community Investments Plan* and the *Wichita: Places for People Plan*, as discussed in the staff report. It is in partial conformance with the *South Central Neighborhood Plan*.
7. **Impact of the proposed development on community facilities:** Staff does not anticipate the requested zone change to have a significant impact on community facilities.
8. **Opposition or support of neighborhood residents:** At the time the staff report was prepared, staff did not receive any comments from the public on the requested zone change.

Staff Report Attachments:

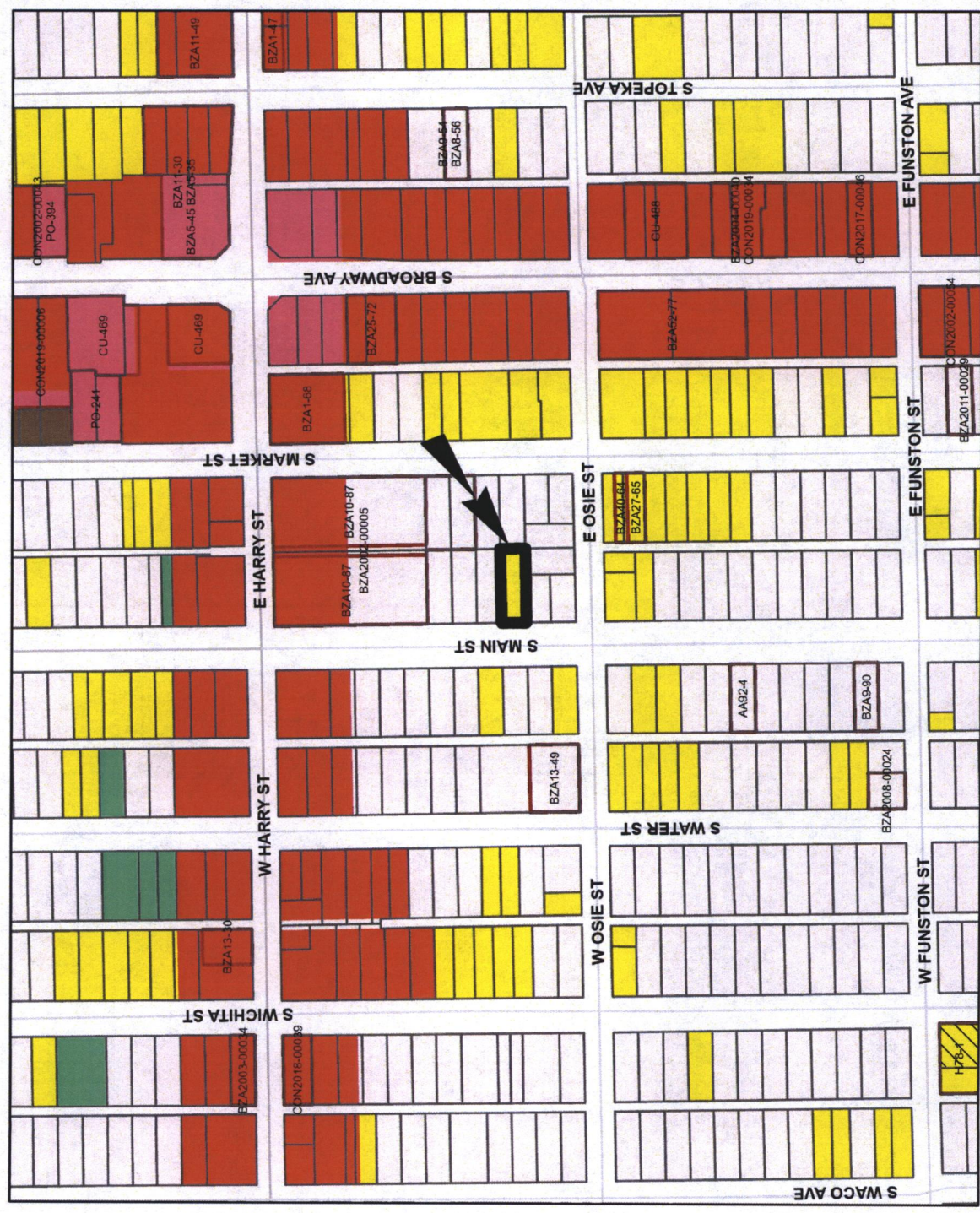
1. Aerial Map
2. Zoning Map
3. *Community Investments Plan* Future Growth Concept Map
4. *South Central Neighborhood Plan* Future Land Use Map
5. Site Photos





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



2035 Wichita Future Growth Concept Map

Legend

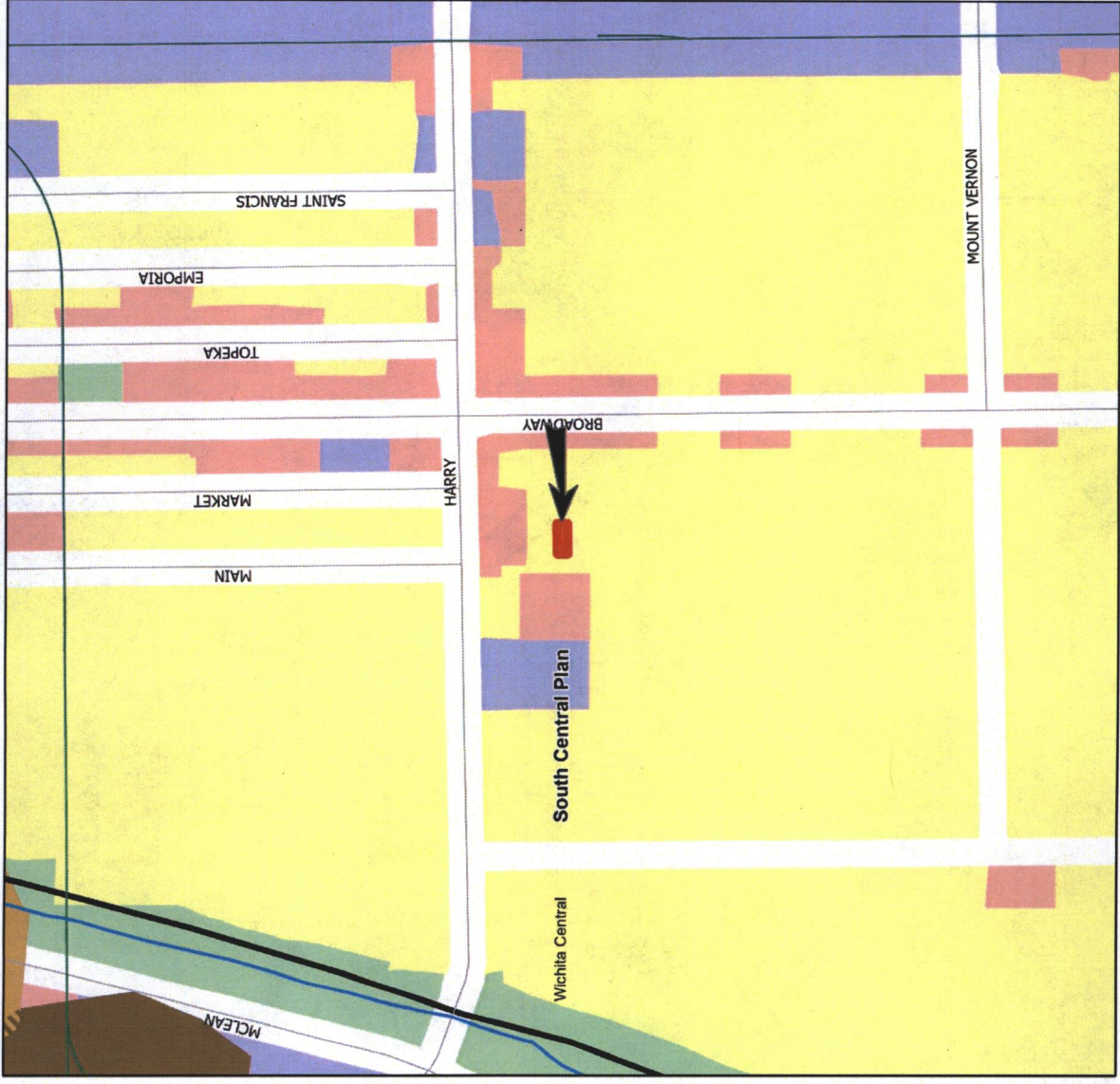
- Established Central Area
- Residential and Employment Mix
- New Employment
- New Residential
- Wichita City Limits
- Other Cities
- Northwest Bypass Right-of-Way
- Other Urban Growth Areas 2014
- Other Urban Growth Areas 2014
- Rural Growth Areas 2014

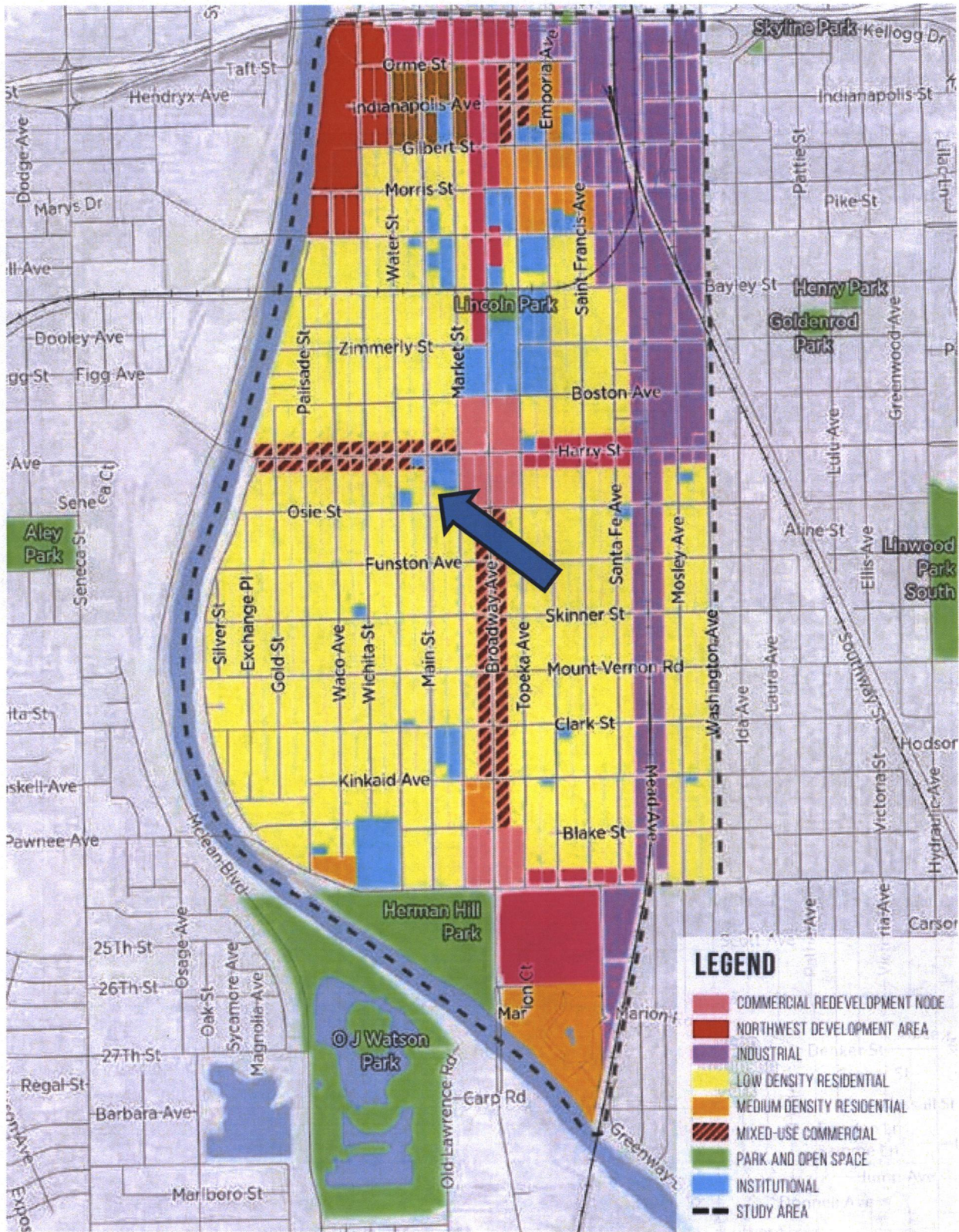
LAND USE

- Residential
- Commercial
- Industrial
- Major Air Transportation & Military
- Parks and Open Space
- Agricultural or Vacant
- Major Institutional
- Neighborhood & Area Plans
- Application Area

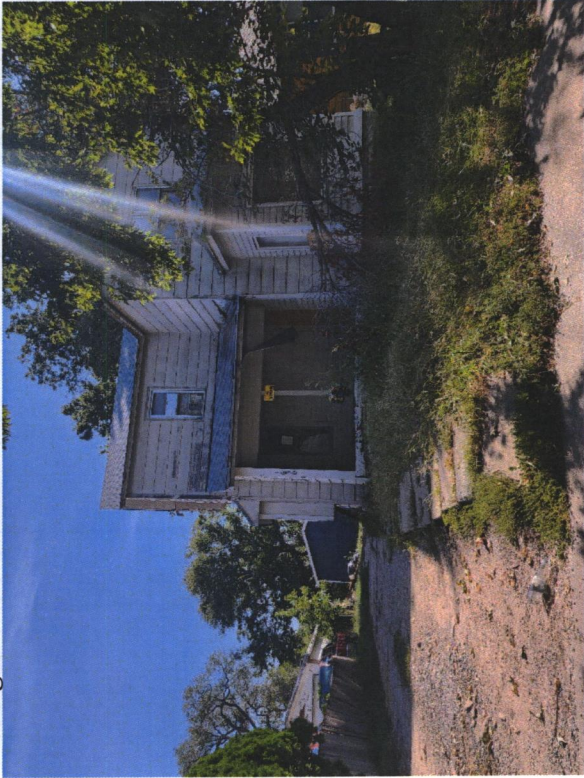


Map prepared by the Metropolitan Area Planning Commission, 2024. All rights reserved. This map is for informational purposes only and does not constitute a contract or warranty of any kind. The Commission and its staff assume no liability for any errors or omissions. For more information, contact the Commission at (316) 241-1234.





Looking east towards site



Looking north away from site



Looking west away from site



Looking south away from site



