



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

Antonio Galicia and Maria Flores de Galicia
845 North Crest Court
Wichita, KS 67206

February 18, 2025

RE: ZON2024-00057 – Zone Change request in the City from SF-5 Single-Family Residential to MF-29 Multi-Family Residential; generally located on the west side of South Handley Street and within 600 feet of South Seneca Street (4301 South Handley Street).

Dear Applicant;

At its regular meeting on **February 11, 2025**, 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
Associate Planner

CC: Dalton Glasscock, Councilmember District IV
Brooke Kauchak, CSR District IV
MABCD



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

Antonio Galicia and Maria Flores de Galicia
845 North Crest Street
Wichita, KS 67206

January 10, 2025

RE: ZON2024-00057 – Zone Change request in the City from SF-5 Single-Family Residential to MF-29 Multi-Family Residential; generally located on the west side of South Handley Street and within 600 feet of South Seneca Street (4301 South Handley Street).

Dear Applicant;

At its regular meeting on **January 9, 2025**, 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 January 23, 2025. 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 **January 23, 2025, at 5:00 p.m.**

This application will be heard by the Wichita City Council on **Tuesday, February 11, 2025**, 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: Dalton Glasscock, Councilmember District IV
Brooke Kauchak, CSR District IV
Glenda Flores, *via email*

OCA 150004

PUBLISHED AT WICHITA.GOV/LEGALNOTICES ON February 21, 2025

ORDINANCE NO. 52-625

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. ZON2024-00057

Zone change request in the City from SF-5 Single-Family Residential District to MF-29 Multi-Family Residential District on property legally described as:

Lot 8, Block 2, Bartlow 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 18th day of February, 2025.

Lily Wu

Lily Wu, Mayor, City of Wichita

ATTEST:

Paul Leeker

Paul Leeker, City Clerk



(SEAL)

Approved as to form: *Jennifer Magaña*

Jennifer Magaña, City Attorney and Director of Law



AFFIDAVIT OF PUBLICATION

State of Kansas, Sedgwick County, ss:

Paul Leeker, City Clerk

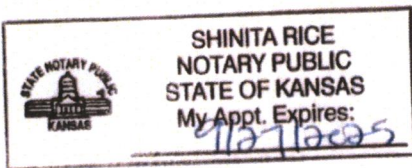
Being first duly sworn, deposes and says:

That I, Paul Leeker, 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. 52-625 / Resolution No. _____ is a true copy thereof and was published on such website beginning on the 21st day of February, 2025.

Signature

SUBSCRIBED AND SWORN to before me this 21st day of February, 2025.



(seal)

Notary Public

City Clerk's Office

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

316.268.4529

www.wichita.gov



The Beaufort Gazette
 The Belleville News-Democrat
 Bellingham Herald
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 Idaho Statesman
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 The State
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Durham | The Herald-Sun
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 The Telegraph - Macon
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 Miami Herald
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The Modesto Bee
 The Sun News - Myrtle Beach
 Raleigh News & Observer
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 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
3252	638086	Print Legal Ad-IPL02184960 - IPL0218496	Ord. 52-625	\$46.80	2	38 L

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

srice@wichita.gov

**PUBLISHED AT WICHITA.GOV/LEGAL NOTICES ON
 FEBRUARY 21, 2025
 ORDINANCE NO. 52-625**

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:

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Case No. ZON2024-00057

Zone change request in the City from SF-5 Single-Family Residential District to MF-29 Multi-Family Residential District on property legally described as:

Lot 8, Block 2, Bartlow 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 18th day of February, 2025.

/s/Lily Wu
 Mayor, City of Wichita

ATTEST:
 /s/Paul Leeker,
 City Clerk (SEAL)

Approved as to form:
 /s/gc for
 Jennifer Magana, City Attorney and
 Director of Law

IPL0218496
 Feb 21 2025

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

1 insertion(s) published on:
 02/21/25

STATE OF KANSAS)

SS

County of Sedgwick)

Mary Castro, of lawful age, being first duly sworn, deposeseth 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 02/21/2025 to 02/21/2025.

Mary Castro

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

DATED: 02/21/2025

Amy Robbins

Notary Public in and for the state of South Carolina,
 residing in Beaufort County



AMY L. ROBBINS
 NOTARY PUBLIC
 SOUTH CAROLINA
 MY COMMISSION EXPIRES 11-03-32

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The Beaufort Gazette
 The Belleville News-Democrat
 Bellingham Herald
 Centre Daily Times
 Sun Herald
 Idaho Statesman
 Bradenton Herald
 The Charlotte Observer
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Durham | The Herald-Sun
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The Modesto Bee
 The Sun News - Myrtle Beach
 Raleigh News & Observer
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 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	620514	Print Legal Ad-IPL02086590 - IPL0208659	MAPC/BZA Jan. 9, 2025	\$73.33	2	61 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 December 18, 2024
(One Time Only)
MAPC/BZA January 9, 2025
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, January 9, 2025, 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.

BZA2024-00080: Variance request in the City to reduce the side and rear setbacks to 0 feet to build a two-car garage on the rear half of the property, generally located on the east side of North Dellrose, within 100 feet south of East 2nd Street North (240 North Dellrose).

CON2024-00259: Conditional Use request in the City to allow an Accessory Apartment on property zoned SF-5 Single-Family Residential District, generally located on the north side of East Gilbert Street, within 400 feet west of South Armour Drive (7310 East Gilbert Street).

CON2024-00273: Conditional Use request in the City to permit a drinking establishment on property zoned CBD Central Business District located at the northwest corner of East Waterman Street and South Hydraulic Avenue (1640 E Waterman).

CON2024-00275: Conditional Use request in the City to allow a Tavern and Drinking Establishment on property zoned LI Limited Industrial District, generally located on the northeast corner of East 35th Street North and North Oliver Avenue.

CUP2024-00046: CUP Amendment request in the City to amend CUP DP-86 to allow an off-site billboard, generally located on the west side of North Seneca Street, north of I-235 (4121 North Seneca Street).

VAC2024-00054: Vacation request in the City of platted access control; generally located on the east side of North Rock Road and within 200 feet north of East 35th Street North (3718 North Rock Road).

VAC2024-00055: Vacation request in the City for a portion of platted front setbacks; generally located on the north side of North Reece Street and within 650 feet south of West 21st Street North.

VAC2024-00056: Vacation request in the City to vacate a portion of the 30 foot front yard setback to allow for the creation of a garage addition on property zoned SF-5 Single-Family and located less than 200 feet south of the intersection of W. Columbine Ln. and N. Richmond Ave. (2380 N. Richmond Ave.)

VAC2024-00057: Vacation request in the City to vacate McLean Boulevard right-of-way and drainage facilities on property zoned LI Limited Industrial District, generally located at the intersection of South McLean Boulevard and West 47th Street South.

VAC2024-00058: Vacation request in the City to vacate a 20-foot utility easement and a portion of a 25-foot sewer easement for the development of a multi-family residential building on property zoned PUD #61, generally located on the northwest corner of West Maple Street and North McLean Boulevard.

ZON2024-00057: Zone Change request in the City from SF-5 Single-Family Residential to MF-29 Multi-Family Residential; generally located on the west side of South Handley Street and within 600 feet of South Seneca Street (4301 South Handley Street).

ZON2024-00058: Zone Change request in the City from TF-3 Two-Family Residential District to NR Neighborhood Retail, generally located on the west side of North Chautauqua Avenue and within 150 feet north of East Douglas Avenue (117 North Chautauqua Avenue).

IPL0208659
 Dec 18 2024

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

1 insertion(s) published on:
 12/18/24

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 12/18/2024 to 12/18/2024.

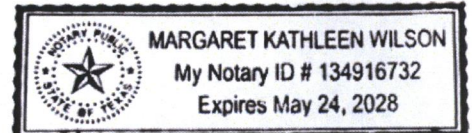
Mary Castro

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

DATED: 12/18/2024

Margaret K. Wilson

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



Extra charge for lost or duplicate affidavits.
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BACKGROUND: The applicant is requesting a zone change from SF-5 Single-Family Residential District (SF-5) to MF-29 Multi-Family Residential District (MF-29). The 0.47-acre property is located on the west side of South Handley Street, within 600 feet north of West 43rd Street South (4301 South Handley Street). It is currently developed with two (2) duplexes (4 dwelling units total on the site) built in 1958.

The applicant is requesting the zone change to bring the existing structures into compliance with the Unified Zoning Code and to build an additional fourplex on site. The highest residential density allowed in SF-5 zoning is a single-family dwelling. The duplexes may be nonconforming due to the age of the buildings on site and the current zoning classification. If they are, then should either of the structures be damaged in an amount that exceeds more than 50 percent of their value - then the structure would lose its nonconforming status. The MF-29 district allows for single-family, two-family, and multi-family development at 29 dwelling units per acre. The proposed additional fourplex would add four (4) additional dwelling units for a total of eight (8) dwelling units on the site, which is less than the maximum amount of 13 dwelling units allowed in the MF-29 district.

Should the zone change request be approved, it would allow changes to the minimum lot area, minimum lot width, and setback requirements, as demonstrated in the table below.

Development Standard	SF-5 Single-Family Residential	MF-29 Multi-Family Residential
Minimum lot area	5,000 square feet	3,500 square feet for single-family; 3,000 square feet per dwelling unit for duplex (6,000 square feet per duplex structure); 1,500 square feet per dwelling unit for multi-family (maximum 29 dwelling units per acre); 5,000 square feet for nonresidential uses
Minimum lot width	50 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, except five feet if lot is below 6,000 square 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 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. There is currently partial screening on the property. The Wichita Landscape Code requires one shade tree (or two ornamental trees) per forty linear feet of street frontage. 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. Off-street parking must be paved in multi-family developments greater

than four dwelling units. In accordance with Section IV-A.2.b of the UZC, parking shall be surfaced with concrete, asphaltic concrete, asphalt or other comparable surfacing and shall be maintained in good condition and free of all weeds, dust, trash and other debris.

The character of the neighborhood is mixed-density residential. Properties to the north, south and east are zoned SF-5 and developed with single-family dwellings. Properties to the west are zoned MF-29 and SF-5. The MF-29 property is developed with a single-family dwelling; the SF-5 property is developed with a non-conforming, multi-family development including a Manufactured Home Park.

CASE HISTORY: On October 1, 1950, the subject site was platted as part of the Bartlow 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:	MF-29, SF-5	Single-family dwelling; multi-family development

PUBLIC SERVICES: The subject site has access to South Handley Street, which is an unpaved local street with no sidewalks. The site currently has access to all municipal services, including sewer and water. Wichita Transit stops one-quarter mile southwest of the subject site at the southwest corner of South Seneca Street and West 43rd Street South.

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 Investments 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 single-family dwellings and multi-family dwellings of up to six units, some of which are nonconforming. The small-scale development allowed on site with MF-29 zoning is thus compatible with the intensity of the surrounding area.

The requested zone change is in conformance with the *South Wichita/Haysville Area Plan*. The *Plan*’s Future Land Use Map identifies the area as appropriate for “Residential Medium Density” uses. The *Plan* states this category “is intended to include both multi-family residential such as apartments and Manufactured Home Parks meeting the new recommended development standards.” It may include traditional multi-family developments as well as Manufactured Home Parks. The applicant is requesting a zone change that would allow for medium density residential uses on site akin to apartment complexes.

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:

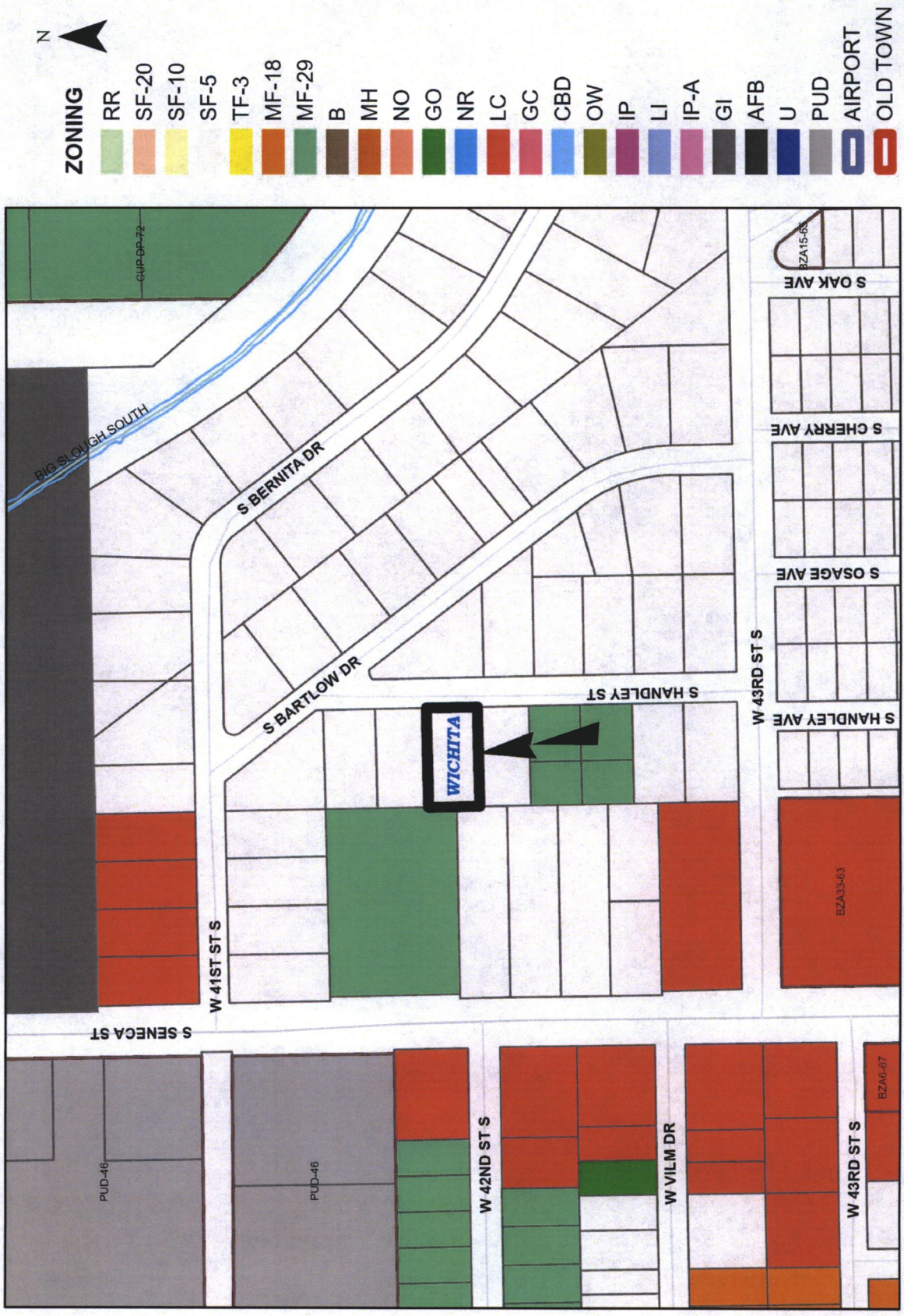
1. **The zoning, uses and character of the neighborhood:** The character of the neighborhood is mixed-density residential. Properties to the north, south and east are zoned SF-5 and developed with single-family dwellings. Properties to the west are zoned MF-29 and SF-5. The MF-29 property is developed with a single-family dwelling; the SF-5 property is developed with a multi-family development, including a Manufactured Home Park.

2. **The suitability of the subject property for the uses to which it has been restricted:** The subject site is presently zoned SF-5, which allows single-family dwellings by-right. The requested zone change allows the existing number of dwelling units on site by-right up to 13 dwelling units on this site.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** Staff does not anticipate the removal of restrictions to have significant detrimental impacts on nearby property. Screening, landscaping, and compatibility standards should help mitigate potential detrimental impacts to the adjacent residential properties.
4. **Length of time subject property has remained vacant as zoned:** The site has been developed with two duplexes since 1958.
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 is appropriate for the area. Denial may represent a loss of use or 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 *South Wichita/Haysville Area Plan*, as discussed in the staff report.
7. **Impact of the proposed development on community facilities:** Staff does not anticipate the requested zone change to have significant adverse impacts 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 Wichita/Haysville* Future Land Use Map
5. 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
 - 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 offer of any kind. The Commission and its staff assume no liability for any errors or omissions in this map. For more information, please contact the Commission at (316) 241-1234.

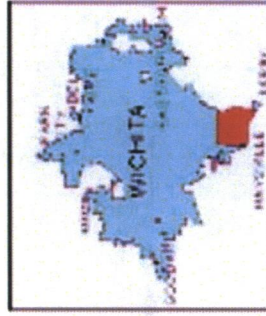
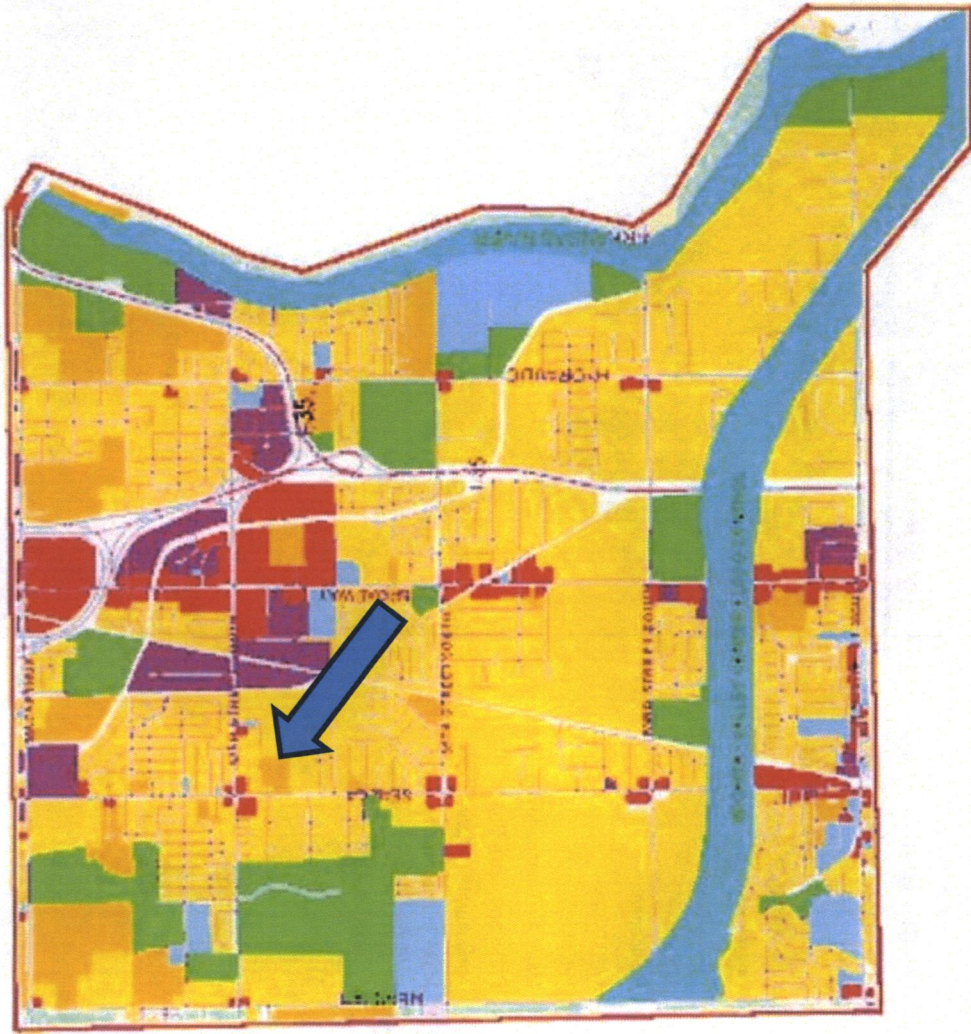


SOUTH WICHITA HAYSVILLE AREA PLAN

FUTURE LAND USE

LEGEND

- Residential Low Density
- Residential Medium Density
- Commercial Retail
- Industrial
- Public-Semi Public-Institutional
- Public Parks-Open space-Golf Courses
- Streets
- Project Boundary



Looking west towards site



Looking north away from site



Looking east away from site



Looking south away from site

