

PIKE ADDITION PLANNED UNIT DEVELOPMENT PUD #80

PROJECT DESCRIPTION:

The intent of this Planned Unit Development is to permit accessory apartments within an otherwise traditional residential development. The P.U.D. allows a certain level of flexibility with site development regulations which would otherwise not be permitted under the existing zoning.

GENERAL PROVISIONS:

- This development contains a gross area of 154.62 acres, more or less.
- All lots shall be subject to the property development standards of the "SF-5" Single-Family Residential zoning district, unless otherwise indicated on the P.U.D. The special "SF-5" District regulations (Article III-B.5.e) may be permitted. The accessory use development and performance standards of Article III-D.7.e shall apply.
- Signs shall be in accordance with the "SF-5" Single-Family Residential zoning district.
- Uses in Parcel 1 shall be limited to those permitted by-right in the "SF-5" Single-Family Residential zoning district, with the addition of one accessory apartment per residential lot. Accessory Apartments shall be subject to the following standards:
 - A maximum of one Accessory Apartment may be allowed on the same lot as a Single-Family Dwelling Unit and may be within the main building, within an accessory building, or constructed as an accessory building.
 - The appearance of an Accessory Apartment shall be compatible with the main dwelling unit and with the character of the neighborhood.
 - Accessory Apartment shall remain accessory to and under the same ownership as the principal single-family dwelling unit, and the ownership shall not be divided or sold as a condominium.
 - The water and sewer service provided to the accessory structure shall not be provided as separate service from the main dwelling. Electric, gas, telephone and cable television utility service may be provided as separate utility services.
- The home occupation standards of Article IV-E for the "SF-5" Single-Family Residential zoning district shall apply, with the following exceptions:
 - A maximum of one non-resident employee may be permitted per zoning lot.
 - A home occupation may be conducted within an accessory structure, garage or accessory apartment.
- Amendments, adjustments or interpretations to this P.U.D. shall be done in accordance with the Unified Zoning Code. The property owner(s) of a plat(s) in a parcel may file to amend or adjust the P.U.D. general provisions as they relate to their lot(s) within the P.U.D. without the requirement that owners of other lots in the parcel join in the application.
- The Transfer of title of all or any portion of land included within the Planned Unit Development (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.
- The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the Governing Body, and any substantial deviation of the plan, as determined by the Zoning Administrator or the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.
- Prior to publishing the resolution establishing the zone change, the applicant(s) shall record a document with the Register of Deeds indicating this tract (referenced as P.U.D. #80) includes special conditions for development on this property.
- All hatched Lots (See Drawing) are not owned by the applicant and are not subject to this PUD.

PARCEL 1

- Net Area: 6,735,104 sq. ft. or 154.62 acres ±
- Density: 2.13 DU/Acre
- Minimum Lot Area: Per Zoning Regulations
- Minimum Lot Width: Per Zoning Regulations
- Setbacks: Per Zoning Regulations, If Different, Per Recorded Plat
- Maximum building height: 35 feet
- Access Points: Per Recorded Plat
- Permitted Uses: See General Provisions #5 & #6.

LEGAL DESCRIPTION:

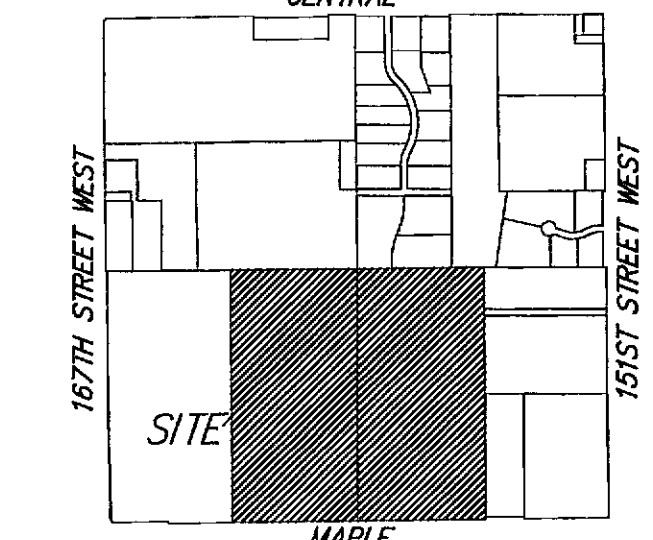
All of Lots 1 through 15, inclusive, Block A, TOGETHER with all of Lots 1 through 15, inclusive, Block B, TOGETHER with all of Lots 1 through 8, inclusive, Block C, TOGETHER with all of Lots 1 through 117, inclusive, Block D, TOGETHER with all of Lots 1 through 175, inclusive, Block E, TOGETHER with all of Reserves "A", "B", "C", "D", "E", "F", "G", and "H", all as platted in Pike Addition, Wichita, Sedgwick County, Kansas.

REVISIONS:

Draft Planned Unit Development (PUD2020-12) November 30, 2020
Revised per staff comments December 14, 2020
Approved by MAPC: January 7, 2021
Approved by City Council: February 9, 2021

APPROVED PUD

MAPC 1/7/21
Copy 3.14

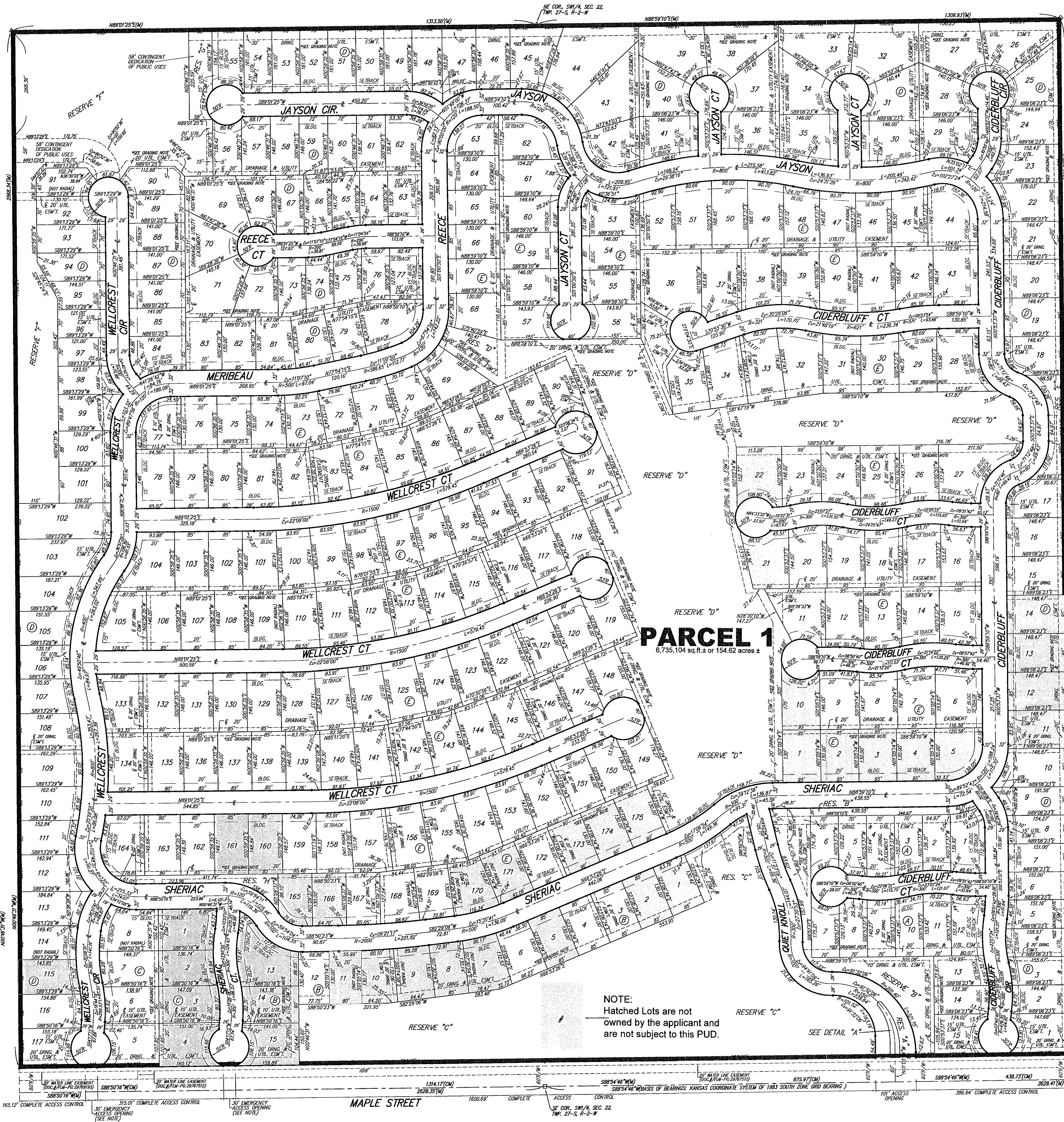


VICINITY MAP
SEC. 22, T27S, R2W

**PUD #80
PIKE ADDITION
PLANNED UNIT DEVELOPMENT**

BAUGHMAN COMPANY
315 Ellis St. Wichita, KS 67211 316-262-7271
baughmanco.com

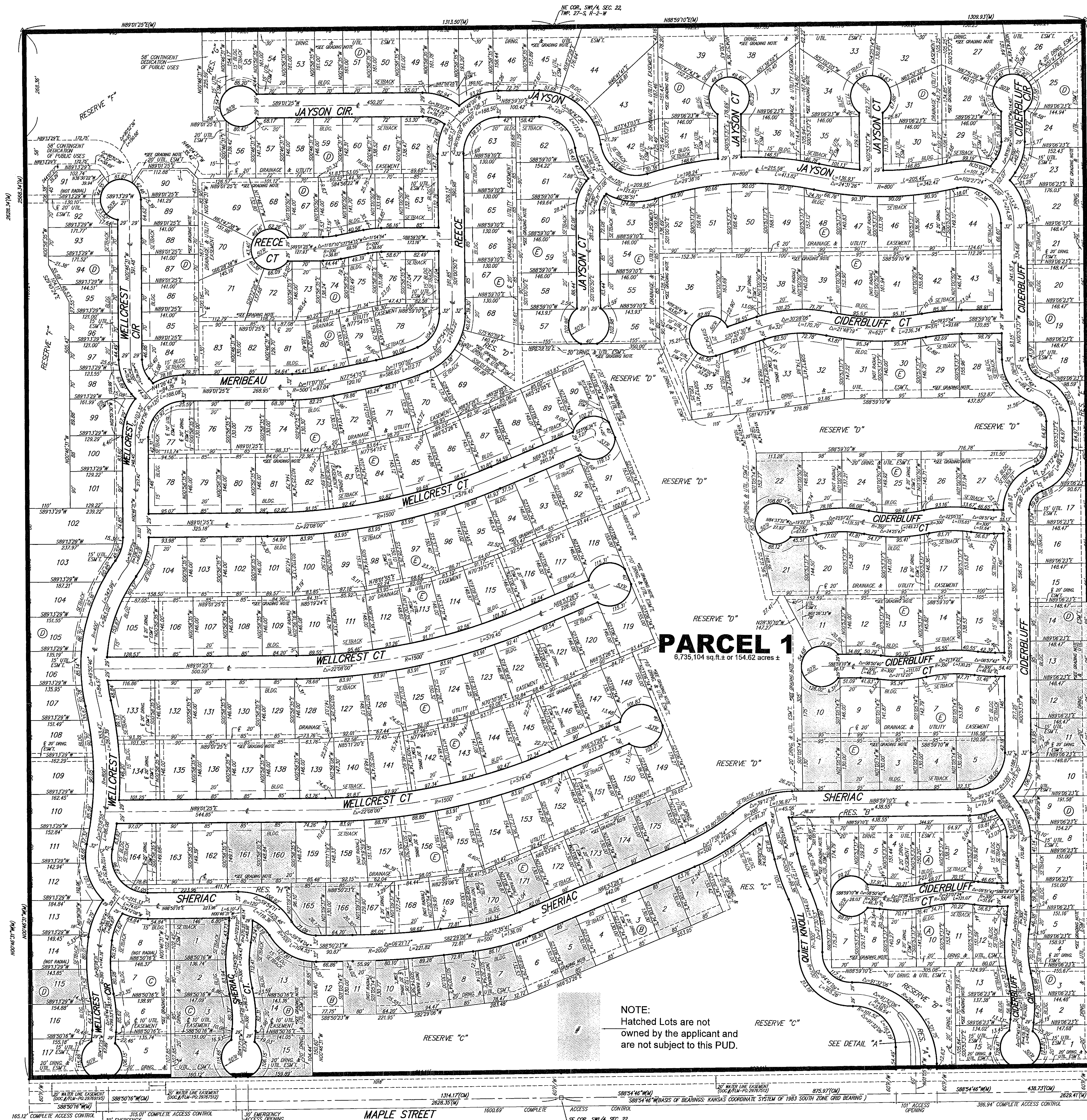
NOTE:
Hatched Lots are not
owned by the applicant and
are not subject to this PUD.



PIKE ADDITION

PLANNED UNIT DEVELOPMENT

PUD #80



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GENERAL PROVISIONS:

1. This development contains a gross area of 154.62 acres, more or less.
2. All lots shall be subject to the property development standards of the "SF-5" Single-Family Residential zoning district, unless otherwise indicated on the P.U.D. The special "SF-5" District regulations (Article III-B.5.e) may be permitted. The accessory use development and performance standards of Article III-D.7.e shall apply.
3. Signs shall be in accordance with the "SF-5" Single-Family Residential zoning district.
4. Uses in Parcel 1 shall be limited to those permitted by-right in the "SF-5" Single-Family Residential zoning district, with the addition of one accessory apartment per residential lot. Accessory Apartments shall be subject to the following standards:
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 - c) Accessory Apartment shall remain accessory to and under the same ownership as the principal single-family dwelling unit, and the ownership shall not be divided or sold as a condominium.
 - d) The water and sewer service provided to the accessory structure shall not be provided as separate service from the main dwelling. Electric, gas, telephone and cable television utility service may be provided as separate utility services.
5. The home occupation standards of Article IV-E for the "SF-5" Single-Family Residential zoning district shall apply, with the following exceptions:
 - a) A maximum of one non-resident employee may be permitted per zoning lot.
 - b) A home occupation may be conducted within an accessory structure, garage or accessory apartment.
6. Amendments, adjustments or interpretations to this P.U.D. shall be done in accordance with the Unified Zoning Code. The property owner(s) of a platted lot(s) in a parcel may file to amend or adjust the P.U.D. general provisions as they relate to their lot(s) within the P.U.D. without the requirement that owners of other lots in the parcel join in the application.
7. The Transfer of title of all or any portion of land included within the Planned Unit Development (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.
8. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the Governing Body, and any substantial deviation of the plan, as determined by the Zoning Administrator or the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
9. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.
10. Prior to publishing the resolution establishing the zone change, the applicant(s) shall record a document with the Register of Deeds indicating this tract (referenced as P.U.D. #80) includes special conditions for development on this property.
11. All hatched Lots (See Drawing) are not owned by the applicant and are not subject to this PUD.

PARCEL 1

- A. Net Area: 6,735,104 sq.ft.± or 154.62 acres ±
B. Density: 2.13 DU/Acre
C. Minimum Lot Area: Per Zoning Regulations
D. Minimum Lot Width: Per Zoning Regulations
E. Setbacks: Per Zoning Regulations, if Different, Per R
F. Maximum building height: 35 feet
G. Access Points: Per Recorded Plat
H. Permitted Uses : See General Provisions #5 & #6.

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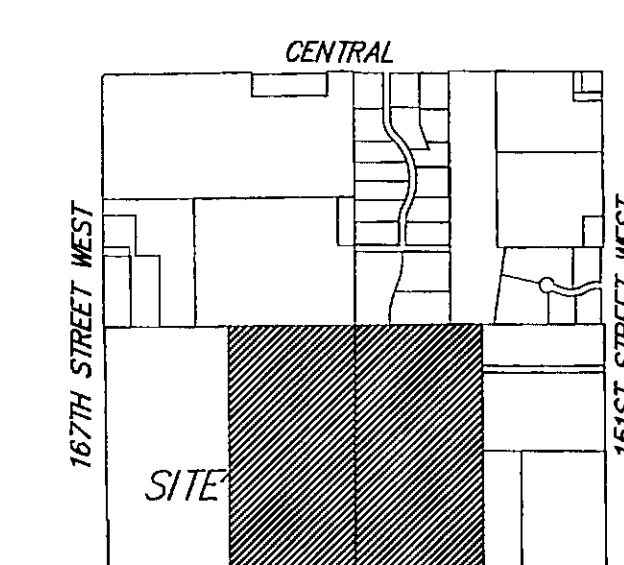
All of Lots 1 through 15, inclusive, Block A, TOGETHER with all of Lots 1 through 15, inclusive, Block B, TOGETHER with all of Lots 1 through 8, inclusive, Block C, TOGETHER with all of Lots 1 through 117, inclusive, Block D, TOGETHER with all of Lots 1 through 175, inclusive, Block E, TOGETHER with all of Reserves "A", "B", "C", "D", "E", "F", "G", and "H", all as platted in Pike Addition, Wichita, Sedgwick County, Kansas.

REVISIONS:
Draft Planned Unit Development (PUD2020-12)
Revised per staff comments:
Approved by MAPC:
Approved by City Council:

APPROVED PUD

MAPC 1/7/2001

Copy 1 of 4



**PUD #80
PIKE ADDITION
PLANNED UNIT DEVELOPMENT**





Wichita-Sedgwick County Metropolitan Area Planning Department

February 10, 2021

Pike, LLC
Attn: Jay Russell
PO Box 75337
Wichita, KS 67275

RE: PUD2020-00012: City PUD Planned Unit Development on zoned SF-5 Single Family Residential to permit accessory apartments within a residential area; generally located a half mile west of South 151st Street West and north of West Maple Street (PUD #80)

Dear Applicant;

At its regular meeting on **February 9, 2021**, the Wichita City Council considered the above captioned request. The action of City Council was to **APPROVE** the request subject to the attached PUD General Provisions.

Once the revisions are made, please provide the Planning Department with 4 copies of the PUD for review and approval.

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

Sincerely,

Philip Zevenbergen, AICP
Associate Planner

Copies to: MABCD
Brian Frye, Council Member District V
Cory Buchta, CSR District V
Baughman Company, Russ Ewy, 315 Ellis, Wichita, KS 67211
Mike Patry, 6101 N 199th Street West, Colwich, KS 67030

(Published in the Wichita Eagle, Feb. 19, 2021)

ORDINANCE NO. 51-416

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. PUD2020-00012

City zone change from SF-5 Single-Family Residential to PUD Planned Unit Development described as:

Lots 1 through 15, inclusive, Block A, TOGETHER with Lots 3, 4, 6, and 12, Block B, TOGETHER with Lots 5, 6, 7, and 8, Block C, TOGETHER with Lots 1 through 10, inclusive, Lots 15 through 114, inclusive, Lots 116 and 117, Block D, TOGETHER with Lots 6 through 9, inclusive, Lots 12 through 20, inclusive, Lots 23 through 159, inclusive, Lots 162 through 164, inclusive, Lots 167 through 169, inclusive, Lot 172, Block E, as platted in Pike Addition, Wichita, Sedgwick County, Kansas.

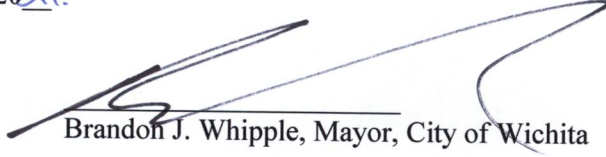
The Pike Addition Planned Unit Development (PUD #80) shall be subject to the following conditions:

1. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #80 Pike Addition Planned Unit Development (PUD) has special conditions for development on the property.
2. A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of governing body approval, or the request shall be considered denied and closed.

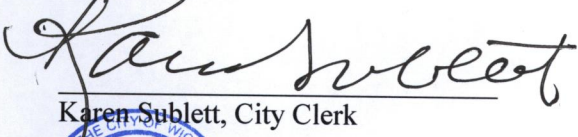
SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

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 16th Day of Feb 2021.

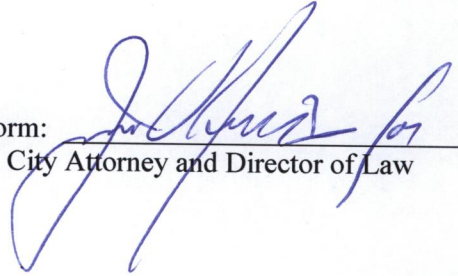

Brandon J. Whipple, Mayor, City of Wichita

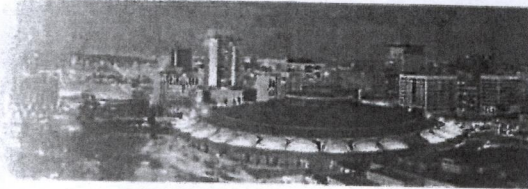
ATTEST:


Karen Sublett, City Clerk



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





AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Depth
453697	0004875372		OCA 150004	\$58.80	1	7.00 In

Attention: Jamie Buster

CITY OF WICHITA/CLERKS OFFICE
455 N MAIN ST FL 13
WICHITA, KS 67202

ord. 51-416

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

1 Insertions

Beginning issue of: 02/19/2021

Ending issue of: 02/19/2021

STATE OF KANSAS)

.SS

County of Sedgwick)

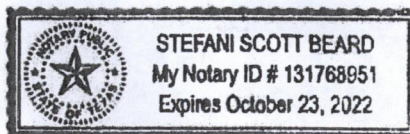
VICTORIA RODELA, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper 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 2/19/2021 to 02/19/2021.

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

V Rodela

Signature of Principal Clerk

DATED: 3/10/2021



Stefani Beard

Notary Public Dallas County, Texas

Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

LEGAL PUBLICATION

OCA 150004

PUBLISHED IN THE WICHITA EAGLE,
FEBRUARY 19, 2021 (4875372)

ORDINANCE NO. 51-416

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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The Pike Addition Planned Unit Development (PUD #60) shall be subject to the following conditions:

1. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #60 Pike Addition Planned Unit Development (PUD)) has special conditions for development on the property.
2. A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of governing body approval, or the request shall be considered denied and closed.

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.

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Adopted this 16th Day of February, 2021.

Brandon J. Whipple,
Mayor, City of Wichita

ATTEST:

Karen Sublett, City Clerk

(SEAL)

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

