



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

June 19, 2020

Progressive Opportunities, LLC
4313 N 119th Street W
Maize, KS 67101

Abbott Land Survey
Attn: Chad Abbott
631 N. Kessler
Wichita, KS 67203

RE: ZON2020-00016 - City zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential to build a two-story duplex on a vacant lot generally located west of Zoo Blvd and north of W. Central Ave on the east side of N. Kessler (792 N. Kessler)

Dear Applicants:

At its regular meeting on **June 18, 2020**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request subject to the following conditions:

1. The following conditions shall apply to ZON2020-00016:
 - a. **Garages.** The garage face shall occupy no more than 50 percent of the ground-level façade facing the street and may not project more than five feet in front of the main facade.
 - b. **Entrances.** Pedestrian scaled entry shall be a prominent feature of the front elevation. Front doors shall be oriented to the street in front of the units.
 - c. **Architectural Variety.** Developments shall achieve architectural variety by accommodating a variety of architectural styles that are compatible or consistent with the surrounding neighborhood, variation of the same architectural style, and through the use of multiple design elements. Duplicative house designs adjacent to each other are highly discouraged. Simple reverse configurations of the same house design on adjacent lots are not sufficient to meet this standard. The structure shall be limited to one-story.
 - d. **Windows and Transparency.** Transparent windows and/or doors facing the street are required. To meet this requirement, at least 10 percent of the façade must be transparent. The façade is measured from the base of the house to the start of the roofline and any other vertical walls facing the street, except for gabled portions of the facade not containing livable floor area. Garages facing the street shall count as part of the façade.
 - e. **Roof Design.** Roofs shall have variation in roof planes in order to break up the large roof mass through dormers, gables, or changes in elevation. Roof forms and roof pitches of porches, dormers and garages shall be consistent and complement the building style within the neighborhood.
 - f. **Siding materials.** Siding materials shall be appropriate to the architectural style of the structure. Traditional materials consistent with the neighborhood architectural styles are encouraged such as wood, masonry and brick. Siding materials and window trim should be consistent on all sides of the structures.

- g. **HVAC.** HVAC units shall be located away from the front of the buildings and screened from public view through landscaping and/or screen walls.
2. The parking area shall not cover more than 50% of the front yard and trash dumpsters shall not be permitted in front of the duplex building.
3. A site plan shall be approved by the Director of Planning before any building permits are issued.
4. Prior to publishing the ordinance establishing the zone change, the applicants shall record a document with the Register of Deeds indicating that this tract includes special conditions for development on this property.

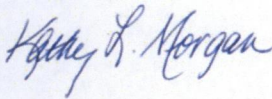
NOTICE: The public hearing on planning items is conducted by the MAPC under provisions of State Law. Adopted policy is that the City Council will not take additional testimony on zoning related applications and other issues for which the MAPC has held a public hearing. However, interested parties may file a written statement with the City Clerk by 5:00 p.m. on the Wednesday preceding this meeting, providing new facts on the issue or alleging an unfair hearing. The Council will determine from such statements whether to return the issue to the MAPC for reconsideration or to reverse their recommendation.

Property owners may also file written protest petitions on zoning related items heard by the MAPC. 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 within 200 feet of the property for which the application was filed, and must be submitted to the City Clerk within 14 days of the conclusion of the MAPC hearing, by **July 2, 2020, at 5 p.m.** Such petitions may cause the application to be disapproved, if the land area encompassed by the protesting owners exceeds 20% of the land area within 200 feet of the perimeter of the application area, unless the Council overrides such a protest and approves the application by a 6 of 7 vote of its members.

The application will be forwarded to the City Council for review and final action on **July 21, 2020**. This meeting will be held in the City Council Chambers, First Floor, City Hall, 455 N. Main, Wichita, Kansas.

This is a reminder that the zoning notification signs should now be removed from the property. If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,



Kathy L. Morgan, Senior Planner
Current Plans Division

Copies to: Cindy Claycomb, WCC VI, Mail Stop 1-13
Ana Lopez, CRS District VI, Mail Stop 1-135
Jeff Van Zandt, City Law, Mail Stop 1-72
MABCD
Seth Gotchey, Small Projects Engineer, Mail Stop 1-71

OCA 150004

PUBLISHED IN THE WICHITA EAGLE ON

Aug. 7, 2020

ORDINANCE NO. 51-328

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. ZON2020-00016

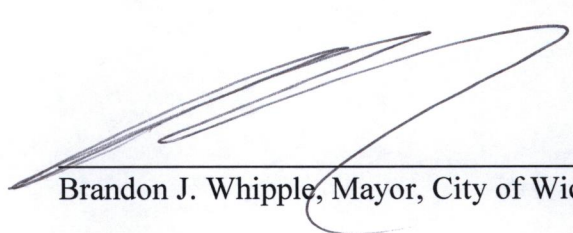
City zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential zoning lot described as:

The West 143 feet of Lot 35, West Ridge Acres Addition, Sedgwick County, Kansas, except the West 30 feet thereof.

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.

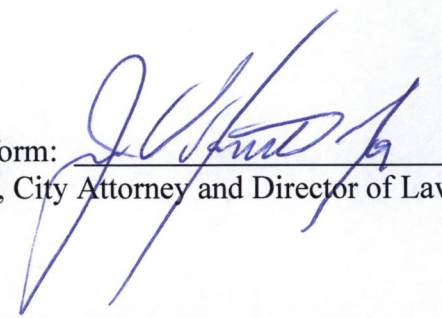
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

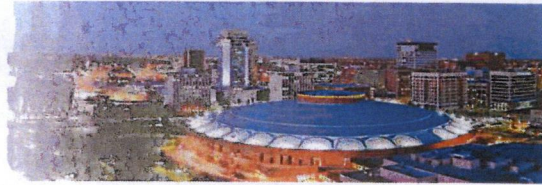
ATTEST:


Brandon J. Whipple, Mayor, City of Wichita


Karen Sublett, City Clerk



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



AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PQ	Amount	Cols	Depth
453697	0004718998		OCA 150004	\$50.40	1	6.00 In

Attention: Jamie Buster

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

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

1 Insertions

Beginning issue of: 08/07/2020

Ending issue of: 08/07/2020

STATE OF KANSAS)

.SS

County of Sedgwick)

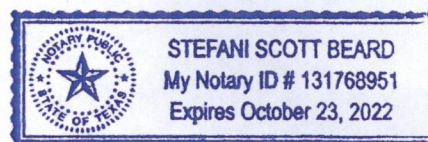
VICTORIA RODELA, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper 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 8/7/2020 to 08/07/2020.

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

V Rodela

Signature of Principal Clerk

DATED: 8/12/2020



Stefani Scott 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
ON AUGUST 7, 2020 (4718998)

ORDINANCE NO. 51-328

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. ZON2020-00016

City zone change from SF-5
Single-Family Residential to TF-3
Two-Family Residential zoning lot
described as:

The West 143 feet of Lot 35,
West Ridge Acres Addition,
Sedgwick County, Kansas, except
the West 30 feet thereof.

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.

ATTEST:

Brandon J. Whipple, Mayor,
City of Wichita

Karen Sublett, City Clerk

(SEAL) Approved as to form: _____
Jennifer Magaña, City Attorney
and Director of Law