Wichita-Sedgwick County Metropolitan Area Planning Department

July 8, 2020

Jerrome Castillo
906 N. Main, Suite 2
Wichita, KS 67203

K.E. Engineering, P.A.
Attn: Kirk Miller
117 E. Lewis Street
Wichita, KS 67202

Nha Ngoc Nguyen
8230 E. Brentmoor Street
Wichita, KS 67206

Joe Weible
1003 N. Sheridan
Wichita, KS 67203

RE: **ZON2019-00059 -** City zone change from SF-5 Single-family Residential to TF-3 Two-family Residential zoning district, generally located on the on the North side of West 9th Street North and one-half mile West of North McLean Boulevard. (3318 W. 9th St. N. and 1003 N. Sheridan).

Dear Applicants:

At its regular meeting on **July 7, 2020**, the Wichita City Council considered the above captioned request. The action of the MAPC was to **APPROVE** the zone change from SF-5 Single Family Residential to TF-3 Two-Family Residential with the following conditions:

Protective Overlay #345

1. All uses that are allowed in the TF-3 zoning district.
2. The following conditions shall apply to ZON2019-59:
    a. **Garages.** The duplexes may have front garages. Two shade trees shall be planted on each lot. Trees will be located so that street visibility is not impaired.
    b. **Corner lot.** There shall be five-foot sidewalks along the north side of 9th Street for the 3 platted duplex lots.
    c. **Entrances.** Pedestrian scaled entry shall have an architectural element in front of the door, five feet behind the garage.
    d. **Architectural Variety.** Developments shall achieve architectural variety by using different materials between adjacent structures, an example being a brick façade on the bottom 42" of the front of the structure and a native stone on the next one. Also we will have two different roof lines on the front on the structure with offset garages.
    e. **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 garage door panels shall not have glass.
    f. **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.

g. **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.

h. **HVAC.** HVAC units shall be located away from the front of the buildings and screened from public view through landscaping and/or screen walls.

3. The zoning lot shall be platted and limited to three (3) duplexes for a total of six (6) units.
4. Any changes to PO #345 will require approval by the Metropolitan Area Planning Commission.
5. 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.

Sincerely,

Kathy L. Morgan

Kathy L. Morgan, Senior Planner, Current Plans Division
kmorgan@wichita.gov 316-268-4392

Copies to: Cindy Claycomb, WCC VI, Mail Stop 1-13
Ana Lopez, CSR WCC VI, Mail Stop 1-135
Jeff Van Zandt, City Law, Mail Stop 1-72
MABCD

OCA 150004 PUBLISHED IN THE WICHITA EAGLE ON July 17, 2020

ORDINANCE NO. 51-302

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. ZON2019-00059 with Protective Overlay #345

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

A tract of land in the Northwest Quarter of Section 13, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas described as: Beginning at 2437.76 feet south and 30 feet west of the northeast corner of the Northwest Quarter; thence West 329 feet; thence South 114 feet; thence East 329 feet; thence North 111.24 feet to beginning.

TOGETHER WITH

A tract of land in the Northwest Quarter of Section 13, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas described as: Beginning 2437.76 feet south and 359 feet west of the northeast corner of the Northwest Quarter; thence West 116 feet; thence South 115 feet; thence East 116 feet; thence North 115 feet to beginning.

Protective Overlay #345 shall be recorded as follows:

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4. Any changes to PO #345 will require approval by the Metropolitan Area Planning Commission.
5. 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.

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.

Brandon J. Whipple, Mayor, City of Wichita

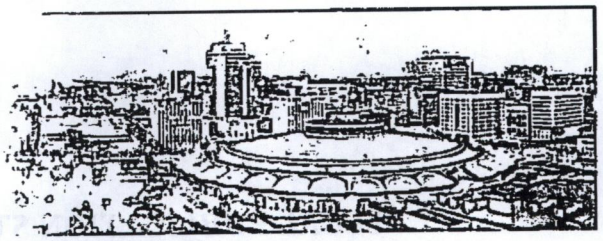
ATTEST:

Karen Sublett, City Clerk

(SEAL)

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

The Wichita Eagle
Kansas.com
330 N Mead St | Wichita, KS 67202 | 316-268-6000



LEGAL PROOF OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
453697	0004699941			$75.60	1	126

Attention: Jamie Buster

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

LEGAL PUBLICATION

OCA 150004
PUBLISHED IN THE WICHITA EAGLE
ON JULY 17, 2020 (4699941)
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Brandon J. Whipple, Mayor,
City of Wichita

Karen Sublett, City Clerk

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

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

1 Insertions

Beginning issue of: 07/17/2020

Ending issue of: 07/17/2020

STATE OF KANSAS)
.SS
County of Sedgwick)

Tony Berg, 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 7/17/2020 to 07/17/2020.

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

(Signature of Principal Clerk)
DATED: 7/17/2020

Notary Public Sedgwick County, Kansas

JENNIFER RAE BAILEY
Notary Public - State of Kansas
My Appt. Expires 10/4/2021