



Wichita-Sedgwick County Metropolitan Area Planning Department

February 13, 2023

Warden Group 234, LLC
PO Box 332
Towanda, KS 67144

Manroj Sangha
2509 North Fox Run
Wichita, KS 67226

RE: ZON2022-00057: Zone change request in the City to amend Protective Overlay PO #257 to permit duplexes on property zoned B Multi-Family Residential; generally located North of West Maple Street and South of West Douglas Avenue, on the east side of South Anna Street (230 South Anna Street).

Dear Applicants;

At its regular meeting on **December 20, 2022**, the Wichita City Council considered the above captioned request. The action of the Council was to **APPROVE** the request, subject to the revised Protective Overlay #257 language:

Permitted uses are those permitted by right in the SF-5 Single Family Residential ("SF-5") zone district plus "Duplexes," "Assisted Living," "Group Home," "Nursing Facility" and "Medical Service" that is an accessory to the uses permitted above, as allowed in the B Multi-Family Residential ("B") zone district. Medical Services not accessory to the permitted uses are prohibited.

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

Sincerely,

A handwritten signature in black ink that reads 'Christina Rieth'.

Christina Rieth
Current Plans, Associate Planner

Copies to: MABCD
Jeff Blubaugh, District Advisory Board IV
Rebecca Fields, Community Service Representative IV



Wichita-Sedgwick County Metropolitan Area Planning Department

December 2, 2022

Warden Group 234, LLC
PO Box 332
Towanda, KS 67144

RE: ZON2022-00057: Zone change request in the City to amend Protective Overlay PO #257 to permit duplexes on property zoned B Multi-Family Residential; generally located North of West Maple Street and South of West Douglas Avenue, on the east side of South Anna Street (230 South Anna Street).

Dear Applicant;

At its regular meeting on **November 17, 2022**, 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 December 1, 2022.** 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 **December 1, 2022 at 5:00 p.m.**

This application is scheduled for consideration by the Wichita City Council on **Tuesday, December 20, 2022, beginning at 9:00 a.m.** The City Council 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,

Christina Rieth
Associate Planner

Copies to: MABCD
Jeff Blubaugh, City Council District IV
Rebecca Fields, CSR District IV
Manroj Sangha, 2509 North Fox Run, Wichita, KS 67226
Dustin Marsh, *via email*

(Published in the Wichita Eagle, Dec. 30, 2022)

ORDINANCE NO. 52-015

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. ZON2022-00057

City zone change to amend Protective Overlay #257 to allow the development of duplexes, on property described as:

Lot 16, McComas Acres Addition, City of Wichita, Sedgwick County, Kansas.

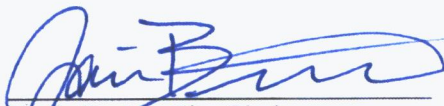
Protective Overlay #257

- Permitted uses are those permitted by right in the SF-5 Single Family Residential ("SF-5") zone district plus "Duplexes," "Assisted Living," "Group Home," "Nursing Facility" and "Medical Service" that is an accessory to the uses permitted above, as allowed in the B Multi-Family Residential ("B") zone district. Medical Services not accessory to the permitted uses are prohibited.

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.

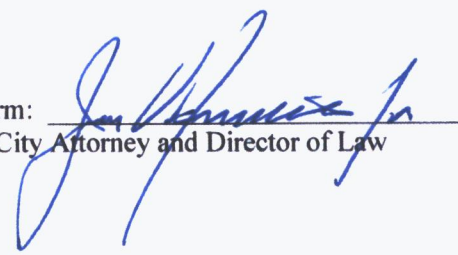
ATTEST:


Jamie Buster, City Clerk


Brandon J. Whipple, Mayor, City of Wichita

(SEAL)



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



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
32522	364323	Print Legal Ad-IPL01035300 - IPL0103530		\$59.53	1	71L

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

LEGAL PUBLICATION

CCA 180004

(Published in the Wichita Eagle,
December 30, 2022)
ORDINANCE NO. 52-015

AN ORDINANCE CHANGING THE
ZONING CLASSIFICATIONS OR DIS-
TRICTS OF CERTAIN LANDS LOCAT-
ED IN THE CITY OF WICHITA, KANSAS,
UNDER THE AUTHORITY GRANTED
BY THE WICHITA-SEDGWICK COUN-
TY UNIFIED ZONING CODE, SEC-
TION V-C, AS ADOPTED BY SECTION
28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERN-
ING BODY

OF THE CITY OF WICHITA, KANSAS.
SECTION 1. That having received a
recommendation from the Planning
Commission, and proper notice hav-
ing 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. ZON2022-00057

City zone change to amend Protective
Overlay #257 to allow the develop-
ment of duplexes, on property de-
scribed as:

Lots 1, McComas Acres Addition, City
of Wichita, Sedgwick County, Kansas.
Protective Overlay #257

• Permitted uses are those permitted
by right in the SF-5 Single Family
Residential ("SF-5") zone district plus
"Duplexes," "Assisted Living," "Group
Home," "Nursing Facility" and "Med-
ical Service" that is an accessory to
the uses permitted above, as allowed
in the B Multi-Family Residential ("B")
zone district. Medical Services not
accessory to the permitted uses are
prohibited.

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 re-
incorporated as a part of the Wichi-
ta-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
Jamie Buster, City Clerk
(SEAL) Approved as to form:
Jennifer Magan a, City Attorney and
Director of Law
IPL0103530
Dec 30 2022

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

1 insertion(s) published on:
12/30/22

STATE OF KANSAS)

SS

County of Sedgwick)

Hayley Martin, 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 12/30/2022
to 12/30/2022.

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

DATED: 12/30/2022

Stephanie Hatcher

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



STEPHANIE HATCHER
My Notary ID # 133534406
Expires January 14, 2026

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



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	337863	Print Legal Ad-IPL00953900 - IPL0095390	OCA 150004	\$211.36	3	84 L

Attention: MANDY HEBERT

CITY OF WICHITA/PLANNING DEPT
271 WEST THIRD ST., 2ND FL, SU 203
WICHITA, KS 67202

LEGAL PUBLICATION

OCA 150004

Published in The Wichita Eagle on October 27, 2022
(One Time Only)

MAPC/BZA November 17, 2022
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, November 17, 2022, no earlier than 1:30 p.m., the WichitaSedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation may also occur through virtual methods (specified at the end of this notice). If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Department at (316) 2684421.

CUP2022-00049: Request in the City for a minor amendment to Parcels 29 & 30 of the Ridge Plaza CUP DP-37 (with ZON2022-00059 for OW Office Warehouse) on property zoned LC Limited Commercial; generally located north of W. Kellogg, one-quarter mile west of S. Eisenhower Pkwy, between S. Woodchuck and S. Holland.

DER2022-00008: Community Investments Plan Update of population forecast, Wichita Future Growth Concept Map, and financial forecast.

DER2022-00009: Amendment to the Wichita-Sedgwick County Unified Zoning Code regarding the definitions of a "Day Care, General" and "Day Care, Limited", and number of pupils, employees and loading spaces to conform to state regulations.

PUD2022-00021: Zone change request in the City from LC Limited Commercial, GO General Office, and TF-3 Two-Family Residential to create the Hunter Health Planned Unit Development to expand the existing medical use; generally located on the northwest corner of East Central Avenue and North Grove Street.

VAC2022-00032: Reprocessing a request in the City to vacate an alley right-of-way abutting property zoned LC Limited Commercial District, generally located northeast of North Meridian Avenue and Kellogg.

VAC2022-00033: Request in the City to vacate a platted alley right-of-way abutting property zoned GO General Office District and TF-3 Two-Family Residential District; generally located on the northeast corner of East Central Avenue and North Grove Street.

ZON2022-00057: Zone change request in the City to amend Protective Overlay PO #257 to permit duplexes on property zoned B Multi-Family Residential; generally located North of West Maple Street and South of West Douglas Avenue, on the east side of South Anna Street (230 South Anna Street).

ZON2022-00058: Zone change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District; generally located within one-half mile west of North Arkansas Ave, within one block north of West 21st Street North (2331 North Burns).

ZON2022-00059: Zone change request in the City from LC Limited Commercial to OW Office Warehouse (with CUP2022-00049 to amend CUP DP-37) on property generally located north of West Kellogg, within one-half mile west of South Eisenhower Pkwy, between South Woodchuck Lane and South Holland Lane.

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202. As provided in Section V of the WichitaSedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MAPC as by law provided.

Options to participate (see below):

- 1) Participate virtually
- 2) Attend in-person at the Ronald Reagan Building
- 3) Submit comments ahead of time

Participate Virtually

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/651544141>

You can also dial in using your phone.

United States: +1 (571) 317-3112

Access Code: 651-544-141

Join from a video-conferencing room or system.

Dial in or type: 67.217.95.2 or inroomlink.goto.com

Meeting ID: 651 544 141

Or dial directly: 651544141 @ 67.217.95.2 or 67.217.95.2#651544141

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/651544141>

Attend In-Person

You may also participate in the hearing in-person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202. The in-person option is primarily intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-2684464) by 5pm, 3 days prior to the meeting.

Submit Comments Ahead of Time

You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department no later than 5pm 3 days prior to the meeting. Please be sure to provide ample time for delivery. The comments can be submitted in the following formats: email; letter; video; and audio message (mp3, etc.). The comment should indicate which item it pertains to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff using the contact information below. The comments received ahead of the submission deadline will be shared with the MAPC, prior to or during the meeting.

Email Planning@wichita.gov

Mailing Address Wichita-Sedgwick County Metropolitan Area Planning Department

Attn: Scott Wadle

271 W. 3rd Street - Suite 201

Wichita, KS 67202

Phone 316.268.4421

Fax 316.858.7764

WITNESS MY HAND on October 27, 2022

Scott Wadle, Secretary

WichitaSedgwick County

Metropolitan Area Planning Commission

IPL0095390

Oct 27 2022

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

No. of Insertions: 1

Beginning Issue of: 10/27/2022

Ending Issue of: 10/27/2022

STATE OF KANSAS)

SS

County of Sedgwick)

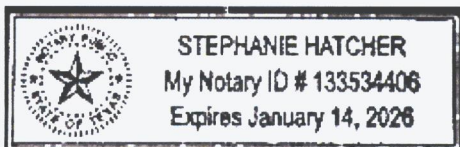
Hayley Martin, of lawful age, being first duly sworn, depose and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has 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 10/27/2022 to 10/27/2022.

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

DATED: 10/27/2022

Stephanie Hatcher

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



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

Mickelson compliments McIlroy as rhetoric seems to simmer

BY TIM KEYNOLDS
Associated Press

DORAL, Fla.

The back-and-forth between Phil Mickelson and Rory McIlroy continued Wednesday, with the rhetoric turned down considerably from some past verbal jousting involving PGA Tour players and those who left for Saudi-funded LIV Golf.

Mickelson complimented McIlroy for his win last week, those remarks coming a day after The Guardian published an interview

in which McIlroy — now the world's No. 1 player again — said the game isn't benefiting from all the acrimony between the sides.

"I see LIV Golf trending upwards, I see the PGA Tour trending downwards and I love the side that I'm on," Mickelson said two weeks ago in Saudi Arabia, the seventh of the eight stops on this season's inaugural LIV schedule.

But Wednesday, in advance of the LIV finale at Trump National Doral, Mickelson's tone was a bit softer: "Maybe I shouldn't

have said stuff like that, I don't know," he said.

"If I'm just looking at LIV Golf and where we are today to where we were six, seven months ago and people are saying this is dead in the water, and we're past that," Mickelson continued. "Here we are today, a force in the game that's not going away."

Part of Mickelson's word choice there wasn't accidental. Mickelson made the "dead in the water" comment in February, around the time that Dustin Johnson and Bryson DeChambeau said they would re-



Kevin Na, center, speaks during a news conference for the LIV Golf Team Championship at Trump National Doral Golf Club on Wednesday in Doral, Fla. At left is Phil Mickelson and at right is Martin Kaymer.

main with the PGA Tour. They both left for LIV anyway, lured by signing

bonuses reportedly worth an excess of \$100 million. Johnson has earned about

Classifieds

Legals

LEGAL PUBLICATION BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS

In the Matter of the Application of Patena Energy Company, for an Order Authorizing the Unitization and Unit Operation of the Many Creeks Morrow Unit to be located in Grant County, Kansas
Docket No. 23-0022-0001-01
CONSERVATION DIVISION
Docket No. 35851
NOTICE OF APPLICATION
TO ALL OIL AND GAS OPERATORS, PRODUCERS AND LESSEES, OIL AND GAS LESSORS AND ROYALTY OWNERS, MINERAL INTEREST OWNERS, LAND OWNERS, OVERLAPPING ROYALTY INTEREST OWNERS, OTHER OWNERS OF OIL AND GAS INTERESTS, HORIZONTAL OWNERS OF OIL AND GAS INTERESTS, AND ALL OTHER PERSONS CONCERNED:
You and each of you are hereby notified that Patena Energy Company ("Patena") has filed an Application with the Kansas Corporation Commission ("Commission") pursuant to K.S.A. 55-1301, et seq., seeking an order authorizing the unitization and unit operation of the Many Creeks Morrow Unit ("Unit"). The area of the proposed Unit, which will be operated by Patena, includes the following described lands situated in Grant County, Kansas:

Township 29 South, Range 35 West Section 33 E/2 NE/4 Section 34 W/2
Patena proposes to utilize the oil rights to a pool within the Morrow "B" and Morrow "C" formations underlying said lands. The stratigraphic equivalent of the top and bottom of said formations is shown to exist between the depths measured from surface of 5278' and 5316' in the type log for the Aherm LHM "A" well (API No. 15-087-21488). Patena intends to conduct enhanced oil recovery operations within said pool in order to increase the recovery of oil reserves, and will allocate oil production from this unit across several acreage tracts on a fair, reasonable and equitable basis.

The Application is pending with the Commission. Any persons who object or protest to the granting of the Application shall be required to file their objections or protests in writing with the Commission within 15 days after the date of this publication. If a written protest is not timely filed, the Application may be determined administratively by the Commission and may thereby be granted without hearing or further notice to any interested party. All objections or protests must clearly state the reasons why granting the Application will cause waste, violate correlative rights, or pollute water resources. Objections or protests shall be mailed to the Kansas Corporation Commission, Conservation Division, 268 N. Main St., Ste. 200, Wichita, KS 67202, with a copy to Patena's attorneys listed below. All parties in any way interested or concerned shall take notice of the foregoing and govern themselves accordingly.
Jonathan A. Schaller, Esq.
MORRIS LANG EVANS BROCK & KENNEDY, LTD.
300 N. Mead, Suite 200
Wichita, KS 67202-2745
Office: 316.265.2671
Fax: 316.265.4226
Attorney for Patena Energy Company
PL0095222
Oct 27 2022

LEGAL PUBLICATION LET 180564

Published in The Wichita Eagle on October 27, 2022
(One Time Notice)
MPC/PCA November 17, 2022
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, November 17, 2022, at or earlier than 1:30 p.m., the Wichita-Sedgewick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation may also occur through virtual methods specified at the end of this notice. If you have any questions regarding the meeting or items on this notice, please call the Wichita-Sedgewick County Metropolitan Area Planning Department at (316) 268-4421. CLP02022-0002: Request in the City to vacate a portion of the Bridge Plaza LUP DP-37 with door openings shall be boarded with 5/8" plywood out to the opening and secured with 2" zip screws on 12" center along the edge to include at least exterior openings, at or before 11:00 a.m. on Thursday, November 10, 2022, at 3:00 p.m. on Friday, November 11, 2022, at 3:00 p.m. on Saturday, November 12, 2022, at 3:00 p.m. on Sunday, November 13, 2022, at 3:00 p.m. on Monday, November 14, 2022, at 3:00 p.m. on Tuesday, November 15, 2022, at 3:00 p.m. on Wednesday, November 16, 2022, at 3:00 p.m. on Thursday, November 17, 2022, at 3:00 p.m. on Friday, November 18, 2022, at 3:00 p.m. on Saturday, November 19, 2022, at 3:00 p.m. on Sunday, November 20, 2022, at 3:00 p.m. on Monday, November 21, 2022, at 3:00 p.m. on Tuesday, November 22, 2022, at 3:00 p.m. on Wednesday, November 23, 2022, at 3:00 p.m. on Thursday, November 24, 2022, at 3:00 p.m. on Friday, November 25, 2022, at 3:00 p.m. on Saturday, November 26, 2022, at 3:00 p.m. on Sunday, November 27, 2022, at 3:00 p.m. on Monday, November 28, 2022, at 3:00 p.m. on Tuesday, November 29, 2022, at 3:00 p.m. on Wednesday, November 30, 2022, at 3:00 p.m. on Thursday, December 1, 2022, at 3:00 p.m. on Friday, December 2, 2022, at 3:00 p.m. on Saturday, December 3, 2022, at 3:00 p.m. on Sunday, December 4, 2022, at 3:00 p.m. on Monday, December 5, 2022, at 3:00 p.m. on Tuesday, December 6, 2022, at 3:00 p.m. on Wednesday, December 7, 2022, at 3:00 p.m. on Thursday, December 8, 2022, at 3:00 p.m. on Friday, December 9, 2022, at 3:00 p.m. on Saturday, December 10, 2022, at 3:00 p.m. on Sunday, December 11, 2022, at 3:00 p.m. on Monday, December 12, 2022, at 3:00 p.m. on Tuesday, December 13, 2022, at 3:00 p.m. on Wednesday, December 14, 2022, at 3:00 p.m. on Thursday, December 15, 2022, at 3:00 p.m. on Friday, December 16, 2022, at 3:00 p.m. on Saturday, December 17, 2022, at 3:00 p.m. on Sunday, December 18, 2022, at 3:00 p.m. on 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STAFF REPORT

MAPC: November 17, 2022

DAB IV: November 7, 2022

CASE NUMBER: ZON2022-00057 (City)

APPLICANT/AGENT: Warden Group 234, LLC (Applicant)/Manroj Sangha (Agent)

REQUEST: Amend Protective Overlay #257 to allow the development of duplexes

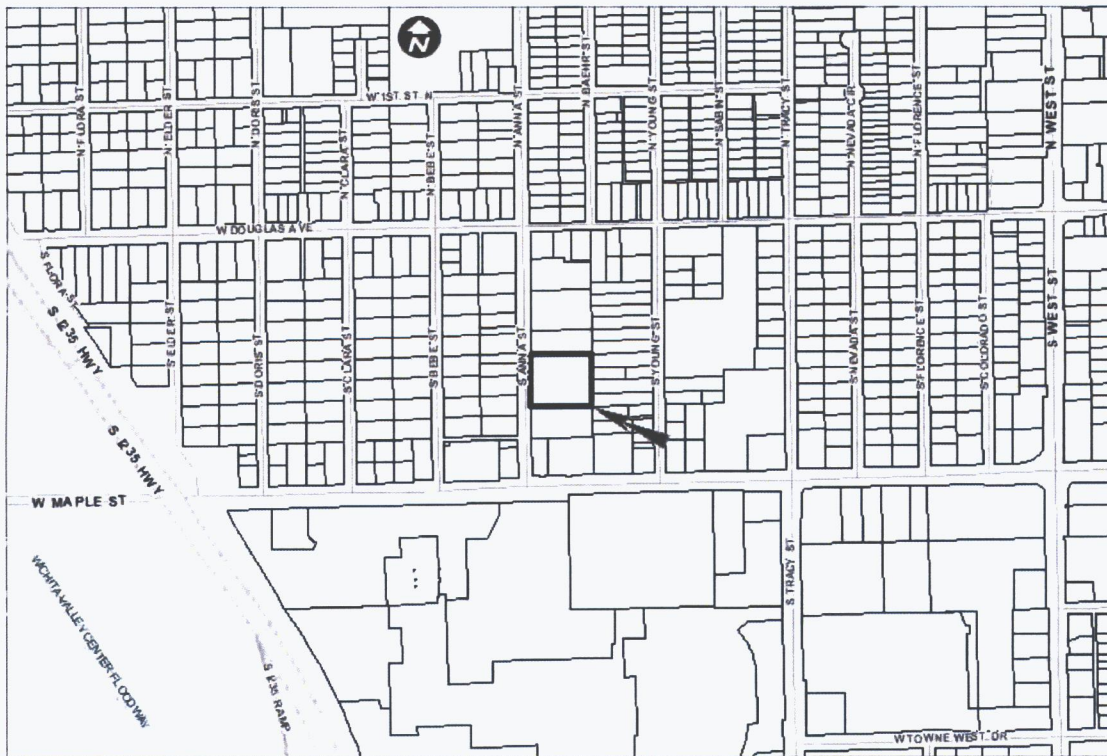
CURRENT ZONING: B Multi-Family Residential District with Protective Overlay #257

SITE SIZE: 1.86 acres

LOCATION: Generally located north of West Maple Street and south of West Douglas Avenue, on the east side of South Anna Street (230 South Anna Street).

PROPOSED USE: Allow for the development of duplexes

RECOMMENDATION: Approve



BACKGROUND: The applicant is requesting to amend Protective Overlay (PO) #257 on a property zoned B Multi-Family Residential District. The property is platted 1.86 acres and is generally located north of West Maple Street and south of West Douglas Avenue, on the east side of South Anna Street (230 South Anna Street). The property is currently undeveloped. The applicant requests to amend the PO to allow the development of duplexes.

In 2011, the City of Wichita approved a zone change from SF-5 Single-Family Residential District to B Multi-Family Residential District, subject to Protective Overlay #257, which reads:

1. Permitted uses are those permitted by-right in the SF-5 Single-Family Residential ("SF-5") zone district plus "Assisted Living," "Group Home," "Nursing Facility" and "Medical Service" that is an accessory to the uses permitted above, as allowed in the B Multi-family Residential ("B") zone district. Medical services not accessory to the permitted uses are prohibited.

The Protective Overlay applies to this parcel and the parcel directly south of the subject site at 234 South Anna.

The applicant is requesting to amend Protective Overlay #257 to allow duplexes to be built on the site. The Protective Overlay #257 would then state:

1. Permitted uses are those permitted by right in the SF-5 Single Family Residential ("SF-5") zone district plus "Duplexes," "Assisted Living," "Group Home," "Nursing Facility" and "Medical Service" that is an accessory to the uses permitted above, as allowed in the B Multi-family Residential ("B") zone district. Medical Services not accessory to the permitted uses are prohibited.

According to the site plan, the applicant proposes to build eight duplexes on site, for a total of 16 dwelling units. The proposed development will adhere to all minimum setbacks and utility easements. The duplexes will face each other and utilize a shared road off South Anna Street. Each duplex dwelling unit will have a one-car parking garage and a shared driveway, which will satisfy the parking requirements set forth by the Unified Zoning Code of one parking space per Dwelling Unit. B Multi-Family Residential District requires a minimum of 2,000 square feet per Dwelling Unit for duplexes. The proposed development will have approximately 5,000 square feet per Dwelling Unit.

Because the subject property abuts SF-5 Single-Family Residential District zoning to the north, east, and west, it must adhere to the Wichita Landscape Ordinance and screening standards set forth in Section IV-B of the Unified Zoning Code. The City of Wichita passed a landscape ordinance (Title 28-Zoning: Chapter 28.06 of the Wichita City Code) to enhance the attractiveness of the city and improve the quality of life for its citizens and visitors. The ordinance seeks to protect residential developments from surrounding uses, soften harsh expanses of pavement, and screen undesirable views. Generally, the zoning code requires a solid screening fence or wall to separate nonresidential uses from abutting residential uses, and to separate multifamily and manufactured home parks from one- or two-family zoning districts. In addition to this screening, buffer trees must be planted. There are currently sparsely populated trees on site, but the applicant will need to submit a landscape plan prior to the issuance of building permits.

Property to the north is zoned SF-5 Single-Family Residential District and is developed with a single-family residential dwelling. Property to the south is zoned B Multi-Family Residential District, is subject to PO #257, is owned by the applicant, and is developed with a nursing home. Properties to the east are zoned SF-5 Single-Family Residential District and are developed with single-family residential dwellings. Properties to the west, across South Anna Street, are zoned SF-5 Single-Family Residential District and are developed with single-family residential dwellings.

CASE HISTORY: On September 15, 1925, the McComas Acres Addition subdivision was created. In 2011, the City of Wichita approved a zone change request from SF-5 Single-Family Residential District to B Multi-Family Residential District, subject to Protective Overlay #257.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single-family residential dwelling
SOUTH:	B with PO #257	Nursing home
EAST:	SF-5	Single-family residential dwellings
WEST:	SF-5	Single-family residential dwellings

PUBLIC SERVICES: South Anna Street is a two-way, paved, local street with no sidewalks on either side. Wichita Transit serves this area within one block north of the subject property on Maple Street, on the northwest corner of South Anna Street and West Maple Street. Municipal services, such as water and sewer, are available to serve this site.

CONFORMANCE TO PLANS/POLICIES: The subject site is located within the following plan boundaries.

- The Community Investments Plan. The requested Protective Overlay amendment is in conformance with the *Community Investment Plan*. The *Community Investments Plan* (the Wichita-Sedgwick County Comprehensive Plan) includes the 2035 Wichita Future Growth Concept Map. This map indicates the site to be primarily appropriate for “Residential” uses. This indicates that the proposed development will encompass “*areas that reflect the full diversity of residential development densities and types typically found in a large urban municipality. The range of housing densities and types includes, but is not limited to, single-family detached homes, semi-detached homes, zero lot line units, patio homes, duplexes, townhouses, apartments and multi-family units, condominiums, mobile home parks, and special residential accommodations for the elderly (assisted living, congregate care and nursing homes). Elementary and middle schools, churches, playgrounds, small parks and other similar residential-serving uses are located in these areas.*”
 - The site is in conformance with the Land Use Compatibility element of the *Community Investment Plan*’s Locational Guidelines, which state that higher-density residential uses should buffer lower-density residential uses from major commercial and employment centers and industrial uses. The B Multi-Family Residential District zoning and duplexes will serve as a buffer between the single-family residential dwellings north of the subject site and the commercial corridor along West Maple Street to the south of the subject site.
 - The site is located within the Established Central Area, which “encourages infill development that maximizes public investment in existing and planned infrastructure and services.” The applicant proposes to build duplexes on undeveloped land.
- Wichita: Places for People Plan. The requested Protective Overlay amendment is in conformance with the *Places for People Plan*. The subject site is located within an “Area of Opportunity”. The *Plan* states that “In Areas of Opportunities, where the economic markets are typically limited, small-scale infill and redevelopment projects will define the initial improvements.” Duplexes are considered small-scale infill and are thus considered appropriate for this site.

RECOMMENDATION: Based upon the information available at the time the staff report was completed, staff recommends **APPROVAL** of the Protective Overlay amendment request, subject to the revised Protective Overlay #257 language:

- Permitted uses are those permitted by right in the SF-5 Single Family Residential (“SF-5”) zone district plus “Duplexes,” “Assisted Living,” “Group Home,” “Nursing Facility” and “Medical Service” that is an accessory to the uses permitted above, as allowed in the B Multi-Family Residential (“B”) zone district. Medical Services not accessory to the permitted uses are prohibited.

This recommendation is based on the following findings:

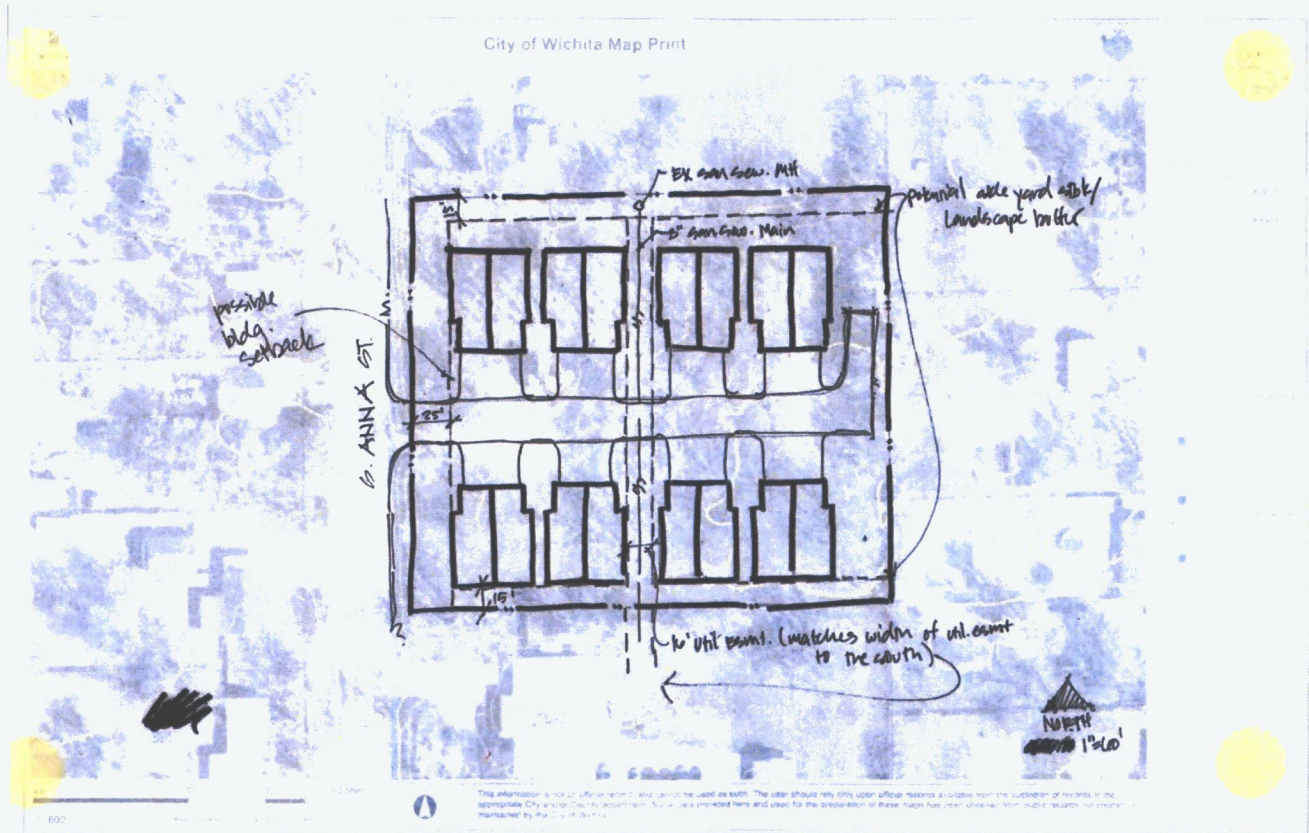
1. **The zoning, uses and character of the neighborhood:** The character of the neighborhood is mostly residential. Property to the north is zoned SF-5 Single-Family Residential District and is developed with a single-family residential dwelling. Property to the south is zoned B Multi-Family Residential District, is subject to PO #257, and is developed with a single-family residential dwelling. Properties to the east are zoned SF-5 Single-Family Residential District and are developed with single-family residential dwellings. Properties to the west, across South Anna Street, are zoned SF-5 Single-Family Residential District and are developed with single-family residential dwellings.
2. **The suitability of the subject property for the uses to which it has been restricted:** The property is presently zoned B Multi-Family Residential District, which supports a variety of residential, public, civic, commercial, industrial, and agricultural uses. There is presently a Protective Overlay #257 that restricts the permitted uses on the property and currently does not allow for the development of duplexes. The subject property is currently undeveloped.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** Staff does not anticipate that the requested Protective Overlay amendment will have a substantial impact on nearby properties. The Protective Overlay will remain on the property, will continue to restrict other uses on the property, and will minimize potential negative impacts on nearby property.
4. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The requested Protective Overlay amendment is in conformance with the *Community Investments Plan* and the *Places for People Plan*, as discussed in this staff report.
5. **Impact of the proposed development on community facilities:** The requested Protective Overlay amendment is not anticipated to have significant adverse impacts on community facilities or resources.

Attachments:

1. Revised Protective Overlay #257
2. Site Plan
3. Aerial Map
4. Future Growth Concept Map
5. Zoning Map
6. Site Pictures

Revised Protective Overlay #257

1. Permitted uses are those permitted by right in the SF-5 Single Family Residential (“SF-5”) zone district plus “Duplexes,” “Assisted Living,” “Group Home,” “Nursing Facility” and “Medical Service” that is an accessory to the uses permitted above, as allowed in the B Multi-Family Residential (“B”) zone district. Medical Services not accessory to the permitted uses are prohibited.





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

Statistical Development Areas

-  Other Urban Growth Areas 2014
-  Other Urban Growth Areas 2014
-  Rural Growth Areas 2014

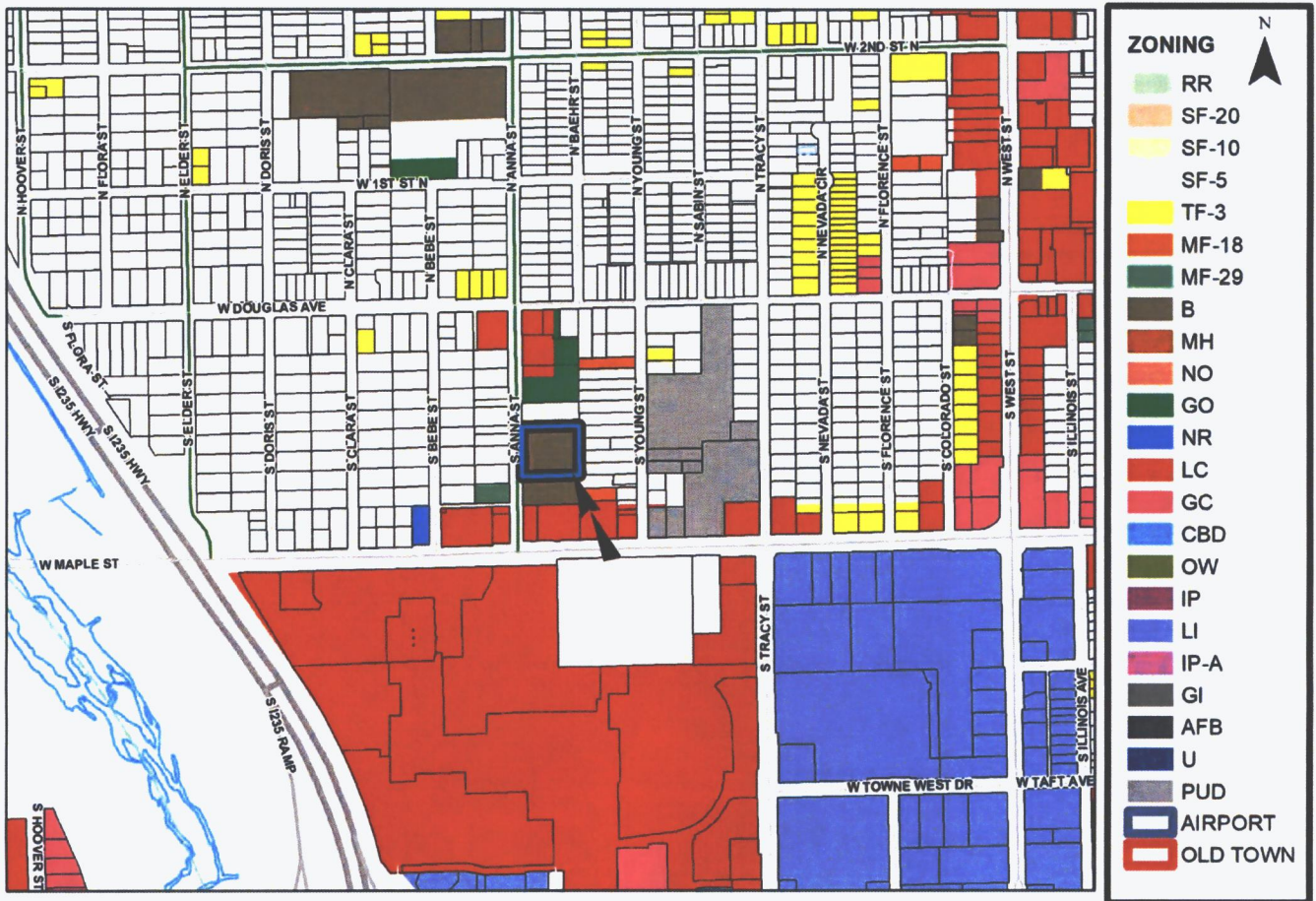
LAND USE

-  Residential
-  Commercial
-  Industrial
-  Major Air Transportation & Military
-  Parks and Open Space
-  Agricultural or Vacant
-  Major Institutional
-  Ngbhd_Plan_Areas



Page 7







Looking east towards site



Looking north away from site



Looking north towards site

ZON2022-00057

Metropolitan Area Planning Commission



Looking south away from site



Looking south towards site



Looking west away from site