



Wichita-Sedgwick County Metropolitan Area Planning Department

April 5, 2023

Lynn Allen, LLC
5209 W 68th
Prairie Village, KS 66208

Stan Stover
8918 W 21st Street North, Ste. 200 #126
Wichita, KS 67205

RE: ZON2023-00001: Zone change request in the City from SF-5 Single-Family Residential to MF-18 Multi-Family Residential to convert existing structure into a triplex; generally located on the northwest corner of West 20th Street North and North Porter Avenue (1606 West 20th Street North).

Dear Applicants;

At its regular meeting on **April 4, 2023**, the Wichita City Council considered the above captioned request. The action of the MAPC was to **APPROVE** the request subject to the enclosed Protective Overlay.

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,

A handwritten signature in blue ink, appearing to read 'Philip Zevenbergen'.

Philip Zevenbergen, AICP
Current Plans
Division Manager

Copies to: Maggie Ballard, Council Member District VI
Ana Lopez, CSR, District VI
MABCD

Protective Overlay #406

1. The maximum number of dwelling units shall be three (3).
2. A site plan shall be submitted to the Planning Department for review and approval prior to the issuance of building permits. The site plan shall include the location of required parking spaces and the location of solid screening.
3. A landscape plan shall be submitted to the Planning Department for review and approval prior to the issuance of building permits.
4. Required parking spaces shall not occupy any portion of the front setback.
5. Any additions to the existing structure or new buildings on site shall have compatible residential character to existing residential structures in the immediate vicinity with hip or gabled roofs. Building elevations shall be reviewed and approved by the Planning Department prior to the issuance of building permits.



Wichita-Sedgwick County Metropolitan Area Planning Department

February 24, 2023

Lynn Allen, LLC
5209 W 68th
Prairie Village, KS 66208

Stan Stover
8918 W 21st Street North, Ste. 200 #126
Wichita, KS 67205

RE: ZON2023-00001: Zone change request in the City from SF-5 Single-Family Residential to MF-18 Multi-Family Residential to convert existing structure into a triplex; generally located on the northwest corner of West 20th Street North and North Porter Avenue (1606 West 20th Street North).

Dear Applicants;

At its regular meeting on **February 23, 2023**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** the request subject to the enclosed Protective Overlay.

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 March 9, 2023.** 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 **March 9, 2023, at 5:00 p.m.**

This application will be presented to the Wichita City Council on **Tuesday, April 4, 2023** beginning at 9:00 a.m.

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,

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Division Manager

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OCA 150004

PUBLISHED IN THE WICHITA EAGLE ON April 14, 2023

ORDINANCE NO. 52-056

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. ZON2023-00001

Zone change request in the City from SF-5 Single-Family Residential District to MF-18 Multi-Family Residential District zoning subject to the provisions of Protective Overlay #406, on property legally described as:

Lot 15, Block B, Cornelison Addition, Sedgwick County, Kansas.

Protective Overlay #406

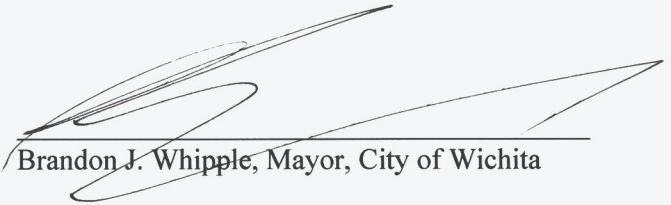
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5. Any additions to the existing structure or new buildings on site shall have compatible residential character to existing residential structures in the immediate vicinity with hip or gabled roofs. Building elevations shall be reviewed and approved by the Planning Department prior to the issuance of building permits.

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.

[Remainder of page intentionally left blank]

Adopted this 11th day of April, 2023.



Brandon J. Whipple, Mayor, City of Wichita


ATTEST:



Jamie Buster, City Clerk

(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
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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	408367	Print Legal Ad-IPL01182150 - IPL0118215		\$73.81	1	88 L

Attention: Jamie Buster
 CITY OF WICHITA/CLERKS OFFICE
 455 N MAIN ST FL 13
 ABurgardt@wichita.gov

In The STATE OF KANSAS
 In and for the County of Sedgwick
 1 insertion(s) published on:
 04/14/23

LEGAL PUBLICATION

DECA 180004
 PUBLISHED IN THE WICHITA EAGLE
 ON April 14, 2023
 ORDINANCE NO. 52-056

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. ZON2023-00001
 Zone change request in the City from SF-5 Single-Family Residential District to MF-16 Multi-Family Residential District zoning subject to the provisions of Protective Overlay #406, on property legally described as:
 Lot 15, Block B, Cornelison Addition, Sedgwick County, Kansas.

- Protective Overlay #406
- The maximum number of dwelling units shall be three (3).
 - A site plan shall be submitted to the Planning Department for review and approval prior to the issuance of building permits. The site plan shall include the location of required parking spaces and the location of solid screening.
 - A landscape plan shall be submitted to the Planning Department for review and approval prior to the issuance of building permits.
 - Required parking spaces shall not occupy any portion of the front setback.
 - Any additions to the existing structure or new buildings on site shall have compatible residential character to existing residential structures in the immediate vicinity with hip or gabled roofs. Building elevations shall be reviewed and approved by the Planning Department prior to the issuance of building permits.

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 11th day of April, 2023.
 Brandon J. Whipple, Mayor, City of Wichita

ATTEST:
 Jamie Buster, City Clerk
 (SEAL) Approved as to form:
 Jennifer Magana, City Attorney and Director of Law
 PLO118215
 Apr 14 2023

STATE OF KANSAS)

SS

County of Sedgwick)

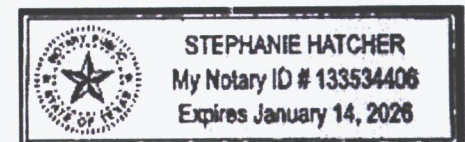
Hayley Martin, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper 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 04/14/2023 to 04/14/2023.

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

DATED: 04/14/2023

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!



STAFF REPORT
MAPC: February 23, 2023
DAB VI: March 13, 2023

CASE NUMBER: ZON2023-00001 (City)

APPLICANT/AGENT: Lynn Allen, LLC (Applicant)/ Stan Stover

REQUEST: MF-18 Multi-Family Residential District

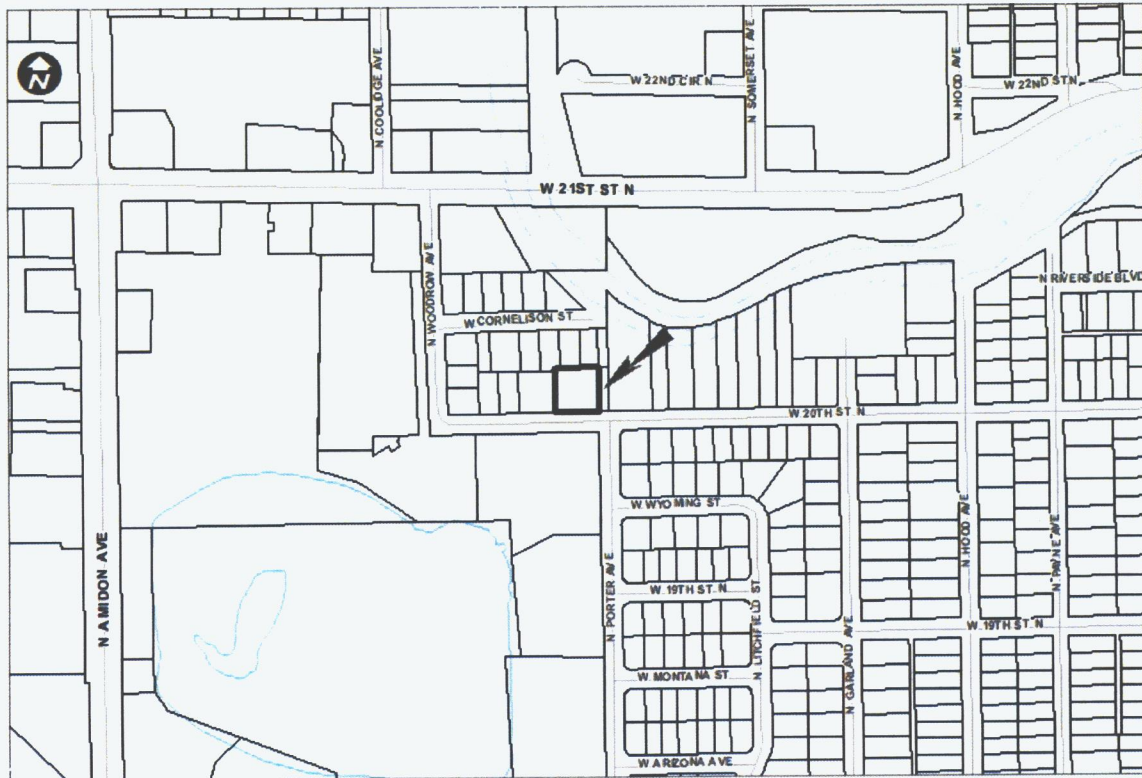
CURRENT ZONING: SF-5 Single-Family Residential District

SITE SIZE: 0.41 acres

LOCATION: Generally located within one-block south of West 21st Street North and within one-block east of North Woodrow Avenue (1606 West 20th Street North).

PROPOSED USE: Triplex

RECOMMENDATION: Approve subject to Protective Overlay #406



BACKGROUND: The applicant is requesting a zone change from SF-5 Single-Family Residential District to MF-18 Multi-Family Residential District for a property addressed as 1606 West 20th Street North, which is generally located within one-block south of West 21st Street North, and within one-block east of North Woodrow Avenue. The purpose of the zone change request is to convert an existing structure into a triplex.

The 0.41-acre subject site is currently developed with a residential structure that recently has been renovated. The project included converting the attached garage into living space. The MF-18 zoning district permits up to 17.4 dwelling units per acre. Therefore, the maximum density permitted is seven dwelling units. The applicant does not intend to add any additional buildings and proposes to convert a single-family residence into a triplex.

Properties to the north, east, and west are zoned SF-5 Single-Family Residential District and developed with single-family homes. Property to the south, across West 20th Street, is zoned B Multi-Family Residential District and developed with an apartment complex that extends one-quarter mile to the south to West 18th Street North, on the west side of North Porter Avenue. Within 500 feet to the northwest, the property at 2118 North Woodrow Avenue is zoned GO General Office District. Within 500 feet to the west is property zoned LC Limited Commercial District, GC General Commercial District with CUP DP-3 and is developed with a large-scale commercial shopping center.

Section IV-B of the Unified Zoning Code (UZC) requires screening on multi-family-zoned properties when abutting residential properties. These requirements are intended to protect residential zoning districts from adverse visual impacts associated with multi-family development. Screening fences shall be not less than six feet nor more than eight feet in height, except that within 20 feet of street right-of-way line in the front setback, the height shall be reduced to three feet. The property is required to screen on the west, north, and east property lines.

The Wichita Landscape Ordinance requires multi-family developments to provide a landscape street yard with parking lot screening where across the street from residential zoning. Additionally, landscape buffer trees are required along properties lines where abutting residential zoning. The applicant shall comply with these regulations and a landscape plan is required to be reviewed and approved by the Planning Department prior to the issuance of building permits.

The site shall conform with minimum parking standards as outlined in Section IV-A of the UZC. Multi-family development requires 1.25 parking stalls per one-bedroom units and 1.75 stalls per two-bedroom or larger units. It is unknown how many bedrooms each unit of the proposed triplex has. The UZC prohibits placing off-street parking spaces within the front setback. Any parking area is required to be surfaced with an all-weather surface for low-density residential developments of four units or less. The applicant can apply for an administrative adjustment to reduce the parking requirement by up to 25 percent since this is a redevelopment project.

Section IV-C of the UZC requires adherence to compatibility setback and height standards for multi-family development where abutting TF-3 or more restrictive zoning. Due to the width of the lot, the required compatibility setback is 25 feet. This setback is applied to the west, east and north property lines, and the current structure conforms to this standard. If the property were to be redeveloped in the future, any new structure shall conform to this standard as well. The maximum height permitted in MF-18 zoning is 45 feet. Compatibility height requirements restrict building height to 35 feet when a structure is within 50 feet of a lot zoned TF-3 or more restrictive. The current structure does not exceed 35 feet. Based on the proximity of nearby lots lines zoned SF-5, if the property were redeveloped in the future, any future structure shall conform to the 35-foot compatibility height standard.

CASE HISTORY: In 1953, the property was platted as part of the Cornelison Addition. There are no zoning cases associated with this property.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single-family residential dwelling
SOUTH:	B	Apartment complex
EAST:	SF-5	Single-family residential dwelling
WEST:	SF-5	Single family residential dwelling

PUBLIC SERVICES: This site has access to West 20th Street North, which is a two-lane local street with a sidewalk on the south side. Wichita Transit provide regular bus service within one-quarter mile north along West 21st Street North. All municipal services serve the site and are adequate for the proposed development.

CONFORMANCE TO PLANS/POLICIES

The Community Investments Plan. The requested zoning is in conformance with the *Plan's* 2035 Wichita Future Growth Concept Map. The Map identifies the area to be appropriate for "Residential" uses, which the *Plan* defines as "areas that reflect the full diversity of residential development densities and types typically found in a large urban municipality." A triplex is not out of character with the area given the large apartment complex across the street.

Wichita: Places for People Plan. The requested zoning aligns with the goals of the Wichita: Places for People Plan. The Wichita: Places for People Plan provides recommendations for urban infill development in the Established Central Area (ECA). The subject site is located within the ECA. In general, the ECA is envisioned as "a place for people - a place that provides for the movement of people - on foot, on bike and through transit - in balance with automobiles."

- **Current Conditions:** The subject site is located in an "Area of Opportunity", which "requires strategic reinvestment, both public and private, to assist in redefining and reinvigorating the area. The existing, former single-family dwelling with attached garage is being converted into a triplex. By converting the existing building, the site maintains the character of the existing neighborhood.
- **Strategies:** The requested zone change conforms to the following strategies of the *Wichita: Places for People Plan*:
 - Strategy #5 recommends providing a diversity of housing options within the ECA to attract new residents and allow existing residents to remain in the ECA. The proposed triplex accomplished aligns with this.
 - Strategy #6 recommends encouraging infill development that is contextual to the environment in which it is occurring. Property across the street is zoned multi-family and is developed with a large apartment complex. Multi-family development is not new to the area.
- **Nodal Development:** A nodal development pattern encourages higher density development closer to the node and a step down of intensity as distance away from the node increases. The subject site is approximately one-quarter mile away from the center of a Community Core node located at West 21st Street North and North Amidon Avenue. This places this site on the edge of the node and within the transition area where the intensity of uses begin to step down toward the edge. Multi-family development is an appropriate land use with the transition area.

21st Street North Corridor Revitalization Plan. The requested zoning is in partial conformance with the goals of the *21st Street North Corridor Revitalization Plan*. Goal #1 states: "Increase the long-term economic renewal, vitality, and sustainability of the 21st Street North Corridor Revitalization Plan Area." Within this goal, the plan encourages infill of existing vacant or underutilized sites within one mile of the plan area boundary. However, the requested zone change is not in conformance with the *Plan's* Preferred Land Use Map. This map identifies the site as appropriate for single-family residential use.

RECOMMENDATION: Based upon the information available at the time the staff report was completed, staff recommends **APPROVAL** of the zone change request subject to Protective Overlay #406

Protective Overlay #406

1. The maximum number of dwelling units shall be three (3).
2. A site plan shall be submitted to the Planning Department for review and approval prior to the issuance of building permits. The site plan shall include the location of required parking spaces and the location of solid screening.
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4. Required parking spaces shall not occupy any portion of the front setback.
5. Any additions to the existing structure or new buildings on site shall have compatible residential character to existing residential structures in the immediate vicinity with hip or gabled roofs. Building elevations shall be reviewed and approved by the Planning Department prior to the issuance of building permits.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** Properties to the north, east, and west are zoned SF-5 Single-Family Residential District and developed with single-family homes. Property to the south, across West 20th Street, is zoned B Multi-Family Residential District and developed with an apartment complex that extends one-quarter mile to the south to West 18th Street North, on the west side of North Porter Avenue. Within 500 feet to the northwest, the property at 2118 North Woodrow Avenue is zoned GO General Office District and the residential structure is likely converted for office use. Within 500 feet to the west is property zoned LC Limited Commercial District, GC General Commercial District with CUP DP-3 and is developed with a large-scale commercial shopping center.
2. **The suitability of the subject property for the uses to which it has been restricted:** The property is presently zoned SF-5 Single-Family Residential and developed with a residential structure that was originally designed as a single-family dwelling. The property could remain in use as a single-family dwelling.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** The zone change from SF-5 Single-Family Residential District to MF-18 Multi-Family District is not expected to have significant negative impacts on surrounding properties due to the requirement to adhere to screening, landscaping, parking, and compatibility standards in applicable Codes. Converting the existing structure to a triplex should have negligible impacts on surrounding properties.
4. **Length of time subject property has remained vacant as zoned:** The property is not vacant, the applicant is intending to convert the existing structure that was originally constructed in 1947 prior to the property being platted.
5. **Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant:** Prior to the renovations, the Sedgwick County Appraiser's office listed the condition of the structure as "poor." Renovating the structure and repurposing it is considered a gain to the public safety and welfare. Denial would necessitate using the property for uses permitted in the SF-5 zoning district.
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 *Wichita: Places for People Plan*. It is in partial conformance with the *21st Street North Corridor Revitalization*

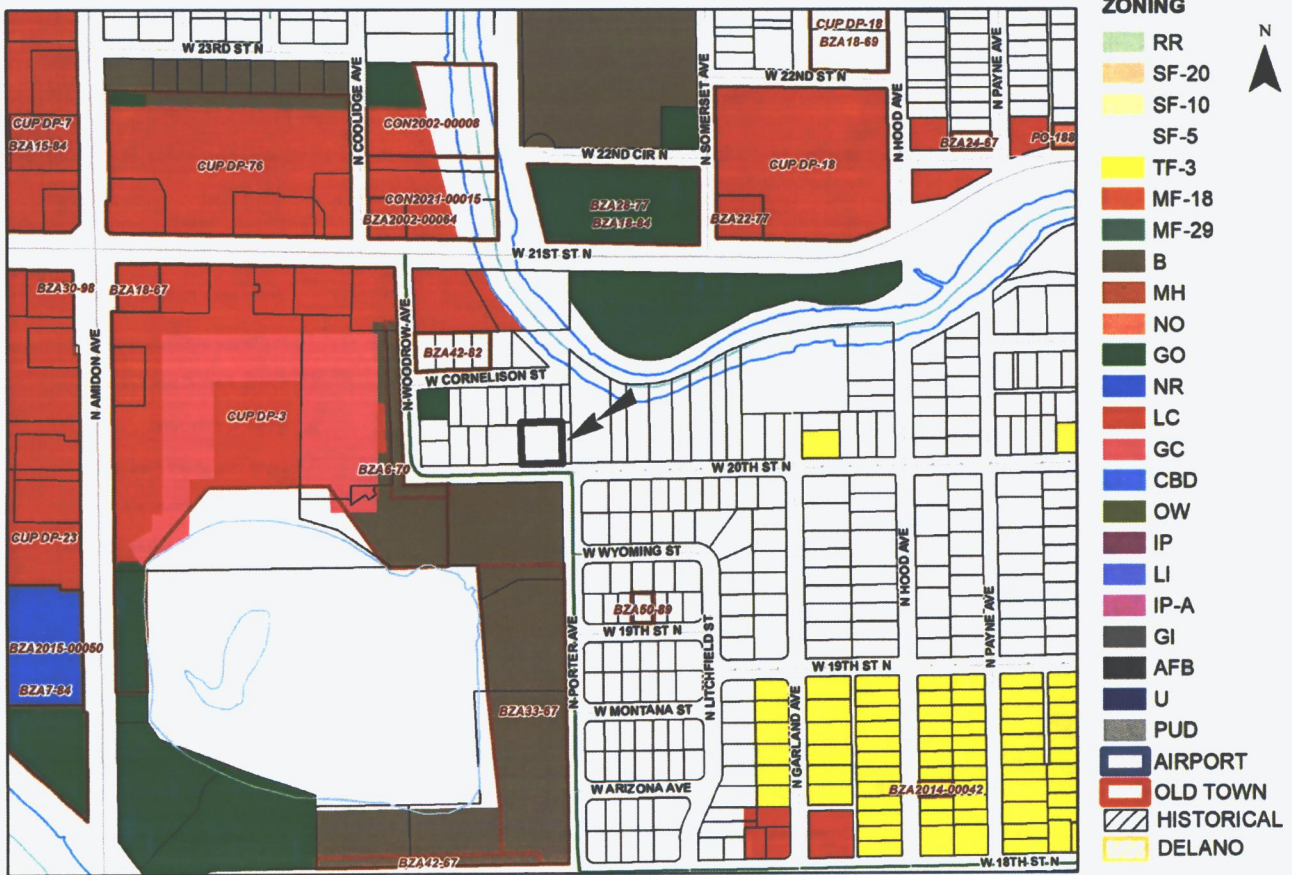
Plan, as discussed in the report.

7. **Impact of the proposed development on community facilities:** The requested zoning is not anticipated to have significant adverse impacts on community facilities. Having multiple dwelling units on this lot will likely increase traffic. However, the increase in traffic will likely be negligible considering West 20th Street is the main access point into the North Riverside neighborhood from West 21st Street North.
8. **Opposition or support of neighborhood residents:** At the time of the writing of the staff report, staff has not received any comments regarding this case.

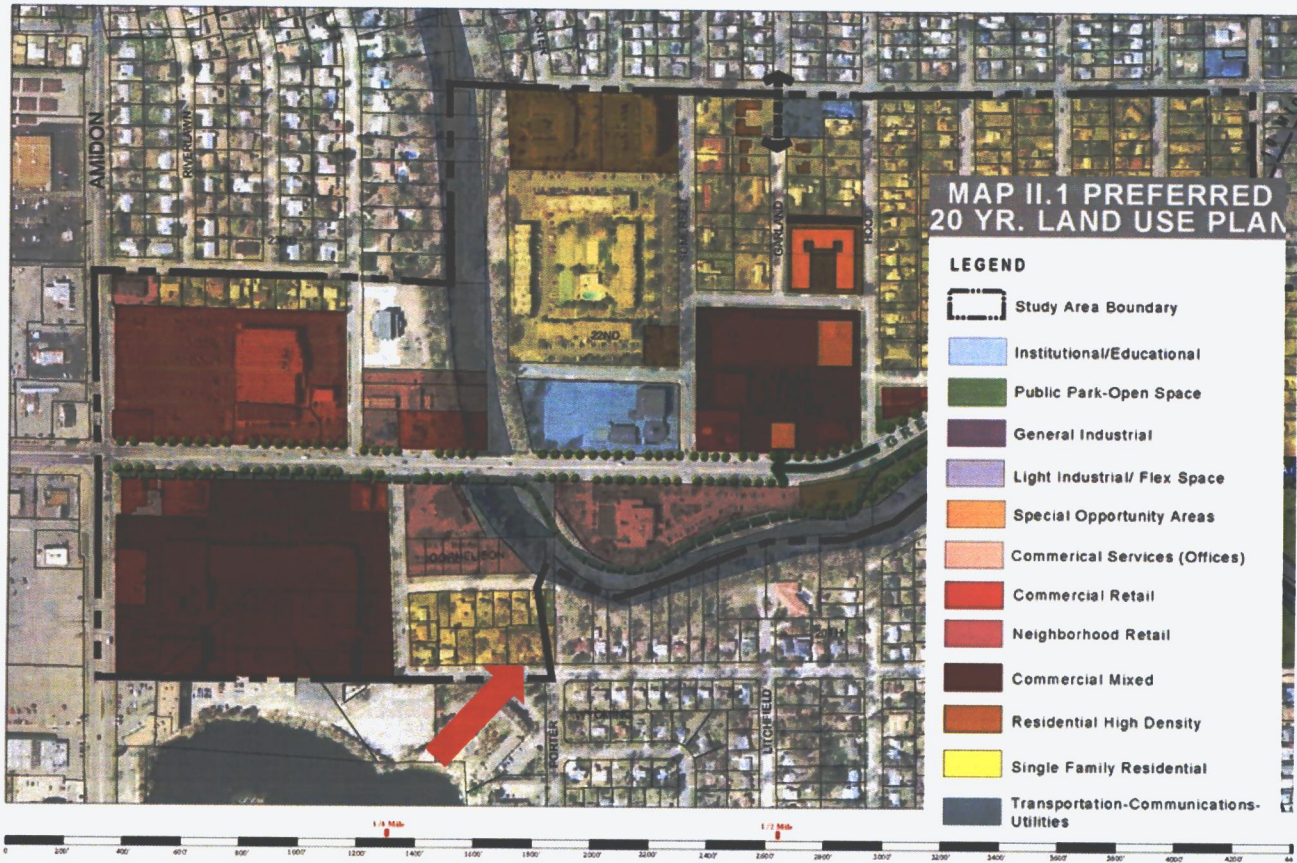
Attachments:

1. Aerial Map
2. Zoning Map
3. 21st Street North Corridor Revitalization Plan Preferred Land Use Plan
4. Future Growth Concept Map
5. Site Pictures





WEST SUB-AREA



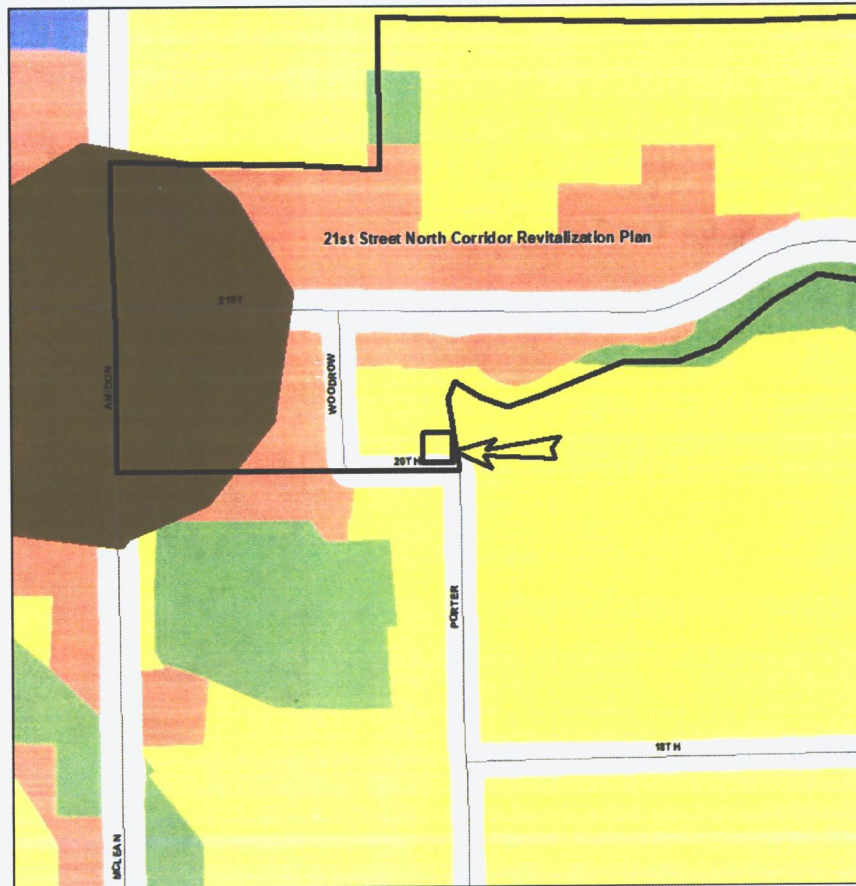
**2036 Wichita
Future Growth
Concept Map**

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
-  Neighb. Plan Areas



Wichita City Planning Department
2023-2036 Future Growth Concept Map
Map Date: 10/2023
Map Scale: 1" = 1000'



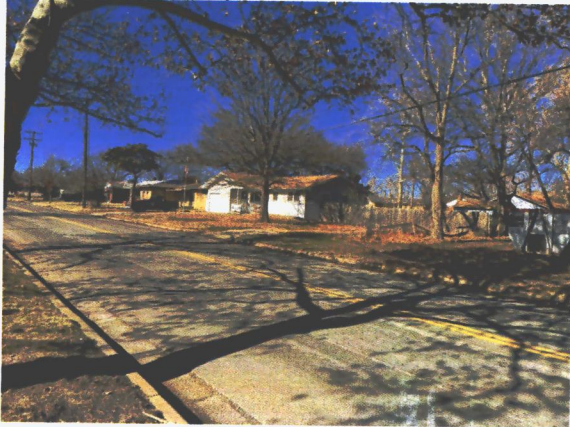
Looking north at site



Looking northeast away from site



Looking northwest away from site



Looking southwest away from site

