



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

November 27, 2023

Brandon Knowles
VEK Holdings, LLC
2250 N Rock Rd
Wichita, KS 67226

RE: ZON2023-00053: Zone Change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential to allow Duplex development, generally located to the east of South Kessler Street and south of West Angel Street (Lots 28-41, Block C, Angel Fire Subdivision).

Dear Applicant;

At its regular meeting on **November 21, 2023**, the Wichita City Council considered the above captioned request. The action of the WCC was to **APPROVE** the request.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Brad Eatherly'.

Brad Eatherly
Current Plans
Senior Planner

Copies to: Jeff Blubaugh, Council Member District IV
Brooke Kauchak, CSR, District IV
MABCD



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

Brandon Knowles
VEK Holdings, LLC
2250 N Rock Rd
Wichita, KS 67226

Oct. 16, 2023

RE: ZON2023-000053 – Zone Change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential to allow Duplex development, generally located to the east of South Kessler Street and south of West Angel Street (Lots28-41, Block C, Angel Fire Subdivision).

Dear applicant,

At its regular meeting on **October 12, 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 to change zoning from SF-5 Single-Family Residential to TF-3 Two-Family Residential to allow Duplex development.

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 **October 26, 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 **October 26, 2023, at 5:00 p.m.**

This application was heard by the District Advisory Board (DAB) IV on **Monday, October 2, 2023** beginning at 6:30 p.m. at the Alford Branch Library (3447 S Meridian Ave). For more information on this meeting, please contact Community Services Representative for District IV, Brooke Kauchak at (316) 268-4197 or bkauchak@wichita.gov. This application will be presented to the Wichita City Council on **Tuesday, November 21, 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 316-268-4421.

Sincerely,

Brad Eatherly
Current Plans
Senior Planner

cc: Jeff Blubaugh, Council Member District IV
Brooke Kauchak, CSR, District IV
MABCD

OCA 150004

(Published in the Wichita Eagle, 12/1/23)

ORDINANCE NO. 52-296

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. ZON2023-00053

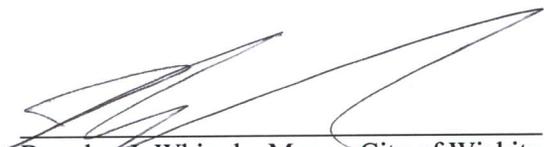
City zone change from SF-5 Single-family Residential District to TF-3 Two-family Residential District on property described as:

Lots 28-41, Block C, in the Angel Fire Addition to Wichita, Sedgwick County, Kansas.

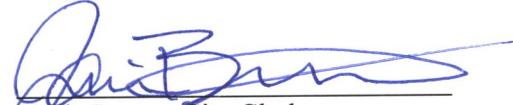
SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

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

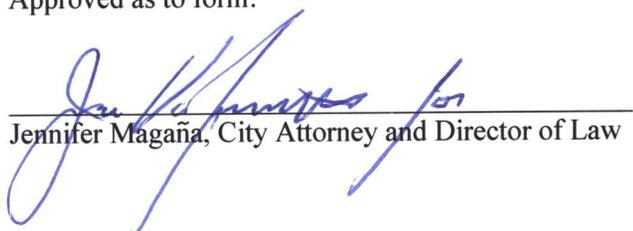
Adopted this 20th day of Nov, 2023.


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



The Beaufort Gazette
 The Belleville News-Democrat
 Bellingham Herald
 Centre Daily Times
 Sun Herald
 Idaho Statesman
 Bradenton Herald
 The Charlotte Observer
 The State
 Ledger-Enquirer

Durham | The Herald-Sun
 Fort Worth Star-Telegram
 The Fresno Bee
 The Island Packet
 The Kansas City Star
 Lexington Herald-Leader
 The Telegraph - Macon
 Merced Sun-Star
 Miami Herald
 El Nuevo Herald

The Modesto Bee
 The Sun News - Myrtle Beach
 Raleigh News & Observer
 Rock Hill | The Herald
 The Sacramento Bee
 San Luis Obispo Tribune
 Tacoma | The News Tribune
 Tri-City Herald
 The Wichita Eagle
 The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
32522	495069	Print Legal Ad-IPL01499520 - IPL0149952	ORD#52-296	\$51.33	1	61L

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

JMBuster@wichita.gov

OCA 150004
 (Published in the Wichita Eagle
 December 1, 2023)
ORDINANCE NO. 52-296

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. ZON2023-00053

City zone change from SF-5 Single-family Residential District to TF-3 Two-family Residential District on property described as:

Lots 28-41, Block C, in the Angel Fire Addition to Wichita, Sedgwick County, Kansas.

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 28th day of November 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

IPL0149952
 Dec 1 2023

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

1 insertion(s) published on:
 12/01/23

STATE OF KANSAS)
 SS
 County of Sedgwick)

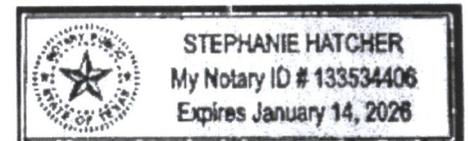
Stefani Beard, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper 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 12/01/2023 to 12/01/2023.

Stefani Beard

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
 DATED: 12/01/2023

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!



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	468101	Print Legal Ad-IPL01401430 - IPL0140143		\$218.92	3	87 L

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

MHEBERT@wichita.gov

LEGAL PUBLICATION

GCA 150004
Published in The Wichita Eagle on September 21, 2023
(One Time Only)
MAPC/BZA October 12, 2023
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, October 12, 2023, no earlier than 1:30 p.m., the Wichita-Sedgwick 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-Sedgwick County Metropolitan Area Planning Department at (316) 268-4421.

CON2023-00048: Conditional Use request to allow a detached Accessory Apartment to a single-family dwelling in the TF-3 Two-Family Residential District, generally located on the southwest corner of East 2nd Street North and North Yale Avenue (247 North Yale).

CON2023-00049: Conditional Use request in the City for Accessory Apartment, located within one-half mile southwest of the intersection of West Central Avenue and North Tyler Road (357 North Westfield).

CUP2023-00030: CUP Amendment in the City to remove residential property from the Neville Property CUP DP-241 (associated with ZON2023-52 from LC to GC), permit indoor/outdoor storage, and permit billboards; generally located on the northeast corner of West Kellogg Drive and South 167th Street West.

PUD2023-00009: Amendment to PUD #115 to add two parcels to reflect the approved plat; generally located one-quarter mile west of West 135th Street, on the south side of West 21st Street North.

VAC2023-00037: Vacation request within the City to allow vacation of a portion of the platted Right of Way and a platted building setback to build duplex on property, generally located at the intersection of South Dodge Avenue and West 44th Street South (1132 W 44th St South, 1206 W and 44th St S).

VAC2023-00038: Vacation request in the city to vacate 42 feet of platted 67 feet front building setback to allow for redevelopment of the property, in LC Limited Commercial Zone; generally located on the North of E Harry Street and 666 feet East of South Clifton Avenue (3802 E Harry).

VAC2023-00039: Vacation request in the city to vacate an existing Roadway easement, zoned SF-5 Single Family Residential; generally located to the east of Jackson Heights Street and 690 feet north of E Douglas Avenue (200 N Jackson Heights Street, 250 N Jackson Heights Street).

ZON2023-00052: Zone change request in the City from LC Limited Commercial to GC General Commercial to permit Vehicle Storage Yard as a permitted use within CUP DP-241 (with CUP2023-30); generally located on the northeast corner of West Kellogg and South 167th Street West.

ZON2023-00053: Zone change request in the City from SF-5 Single Family Residential to TF-3 Two Family Residential to build duplexes on Lots 28-41, Block C, Angel Fire Addition; generally to the east of South Kessler Street and south of West Angel Street.

ZON2023-00054: Zone change request in the City from LC Limited Commercial to GC General Commercial to permit a microbrewery in the existing restaurant/bar, located on the northeast corner of East Douglas Avenue and North Oliver Avenue (4800 East Douglas Avenue).

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 Wichita-Sedgwick 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

Join Zoom Meeting

<https://us06web.zoom.us/j/4089866967?pwd=e0k3bW0vSElnbFJQTDZlV0xPVDZlUj09>

Meeting ID: 408 986 6967

Passcode: 094136

One tap mobile
+16699006833,4089866967#...*094136# US (San Jose)

+17193594580,4089866967#...*094136# US

Meeting ID: 408 986 6967

Passcode: 094136

Find your local number: <https://us06web.zoom.us/j/kc65codfb1>

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 (316-268-4464) 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 they pertain 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 September 21, 2023

Scott Wadle, Secretary

Wichita-Sedgwick County

Metropolitan Area Planning Commission

IPL0140143

Sep 21 2023

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

1 insertion(s) published on:

09/21/23

STATE OF KANSAS)

SS

County of Sedgwick)

Stefani Beard, 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 09/21/2023 to 09/21/2023.

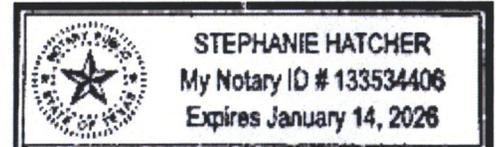
Stefani Beard

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

DATED: 09/21/2023

Stephanie Hatcher

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



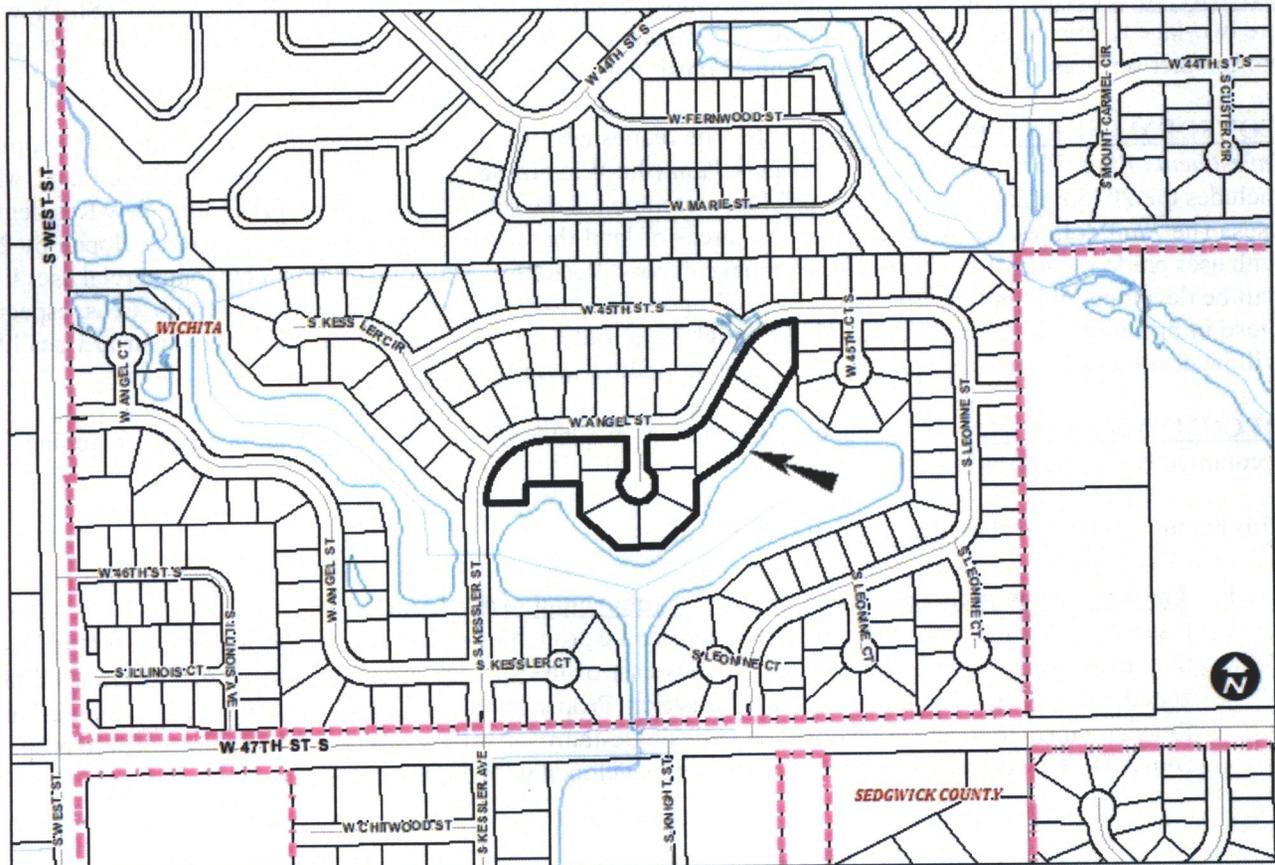
Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!



STAFF REPORT
MAPC: October 12, 2023
DAB IV: October 2, 2023

AGENDA ITEM NO. 4.7

- CASE NUMBER:** ZON2023-00053 (City)
- APPLICANT/AGENT:** Brandon Knowles, VEK Holdings, LLC (Applicant)/ Kirk Miller, (Agent)
- REQUEST:** TF-3 Two-Family Residential District
- CURRENT ZONING:** SF-5 Single-Family Residential District
- SITE SIZE:** 3.71 acres
- LOCATION:** Generally located to the east of South Kessler Street and south of West Angel Street (Lots 28-41, Block C, Angel Fire Subdivision).
- PROPOSED USE:** Duplex development.
- RECOMMENDATION:** Approve with conditions.



BACKGROUND: The applicant is requesting a zone change from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District. The 3.71-acre property is generally located on the east side of South Kessler Street and the south side of West Angel Street (Lots 28-41, Block C, Angel Fire Subdivision). The subject sites are currently undeveloped.

The applicant has indicated they intend to use the site for duplex development. Should the zone change request be approved, there will be no change in setbacks, parking requirements, or maximum height. SF-5 Single-Family Residential District requires a 5,000 square-foot minimum lot size, while TF-3 Two-Family Residential District requires a 3,000 square-foot minimum lot size per dwelling unit (6,000 square-feet for one duplex). The subject parcels range in size from 8,221 square-feet to 15,405 square-feet.

Immediately north of the subject sites is property zoned TF-3 Two-Family Residential District that is developed with duplex dwellings. Properties to the east are zoned SF-5 Single-Family Residential and are developed with single-family dwellings. Properties to the south are zoned SF-5 Single-Family Residential District and are developed with single-family dwellings. Properties to the west are zoned TF-3 Two-Family Residential District and are developed with duplex dwellings.

CASE HISTORY: The lots were platted in 2001 as part of the Angel Fire Subdivision. There are no zoning cases associated with these properties.

ADJACENT ZONING AND LAND USE:

NORTH:	TF-3	Duplexes
SOUTH:	SF-5	Single-family dwellings
EAST:	SF-5	Single-family dwellings
WEST:	TF-3	Duplexes

PUBLIC SERVICES: The subject site currently has access to West 47th Street South and South West Street, which are two-lane arterial streets with no sidewalks on either side. Municipal services, such as water, sanitary sewer and stormwater services all serve the area. Wichita Transit does not serve this area.

CONFORMANCE TO PLANS/POLICIES: The requested zone change is in conformance with the *Community Investments Plan*. The *Community Investments Plan* (the Wichita-Sedgewick County Comprehensive Plan), which includes the 2035 Future Growth Concept Map, recommends the subject site as appropriate for “New Residential” uses. The *Plan* defines “New Residential” as “areas of land that likely will be developed or redeveloped by 2035 with uses predominately found in the Residential category. Pockets of Major Institutional or Commercial uses likely will be developed within this area as well, based upon market-driven location factors. In certain areas, especially those in proximity to existing industrial uses, highways, rail lines, and airports, pockets of Industrial Uses likely will be developed.” Duplex development is an appropriate use for this area.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be **APPROVED**.

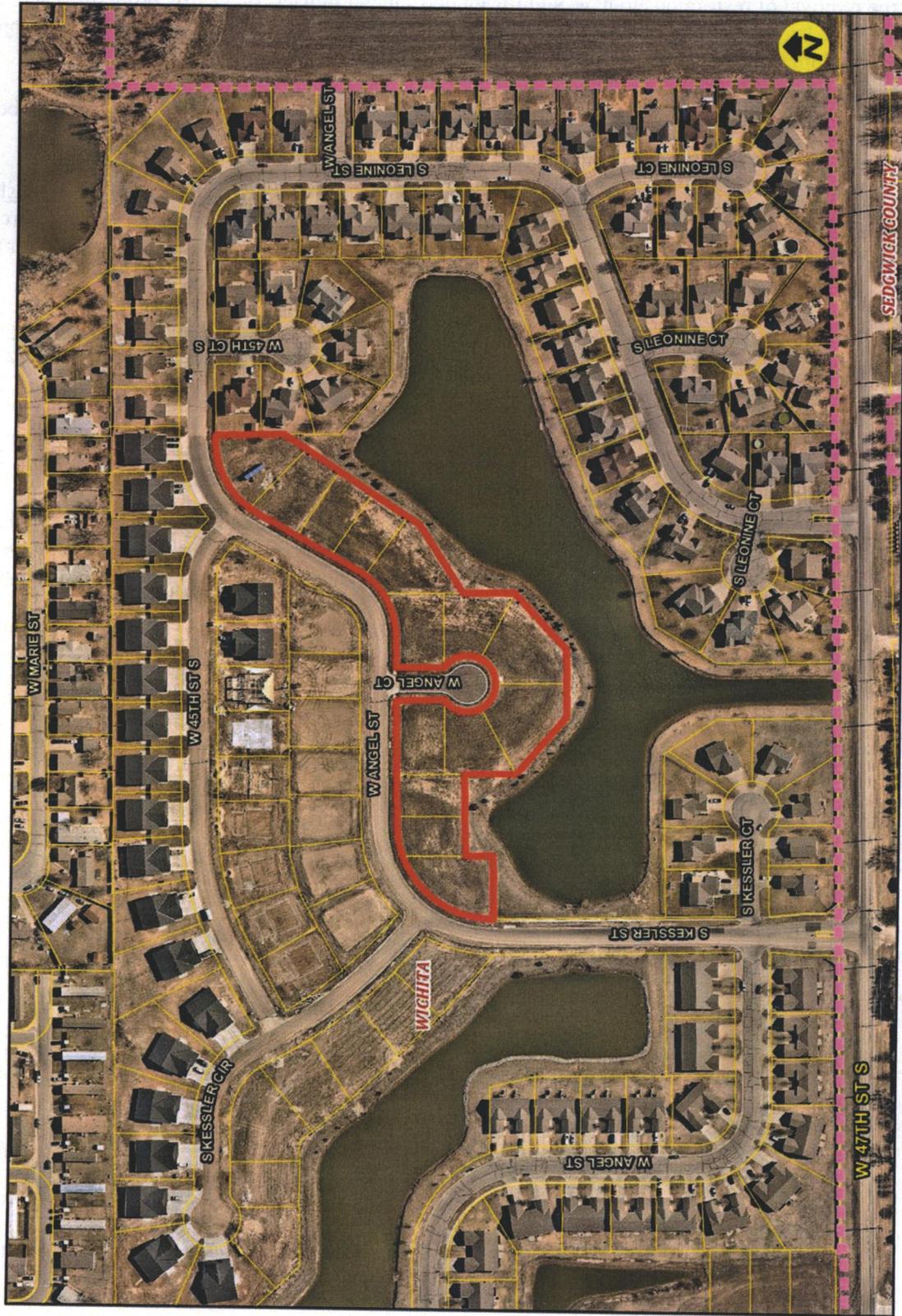
This recommendation is based on the following findings:

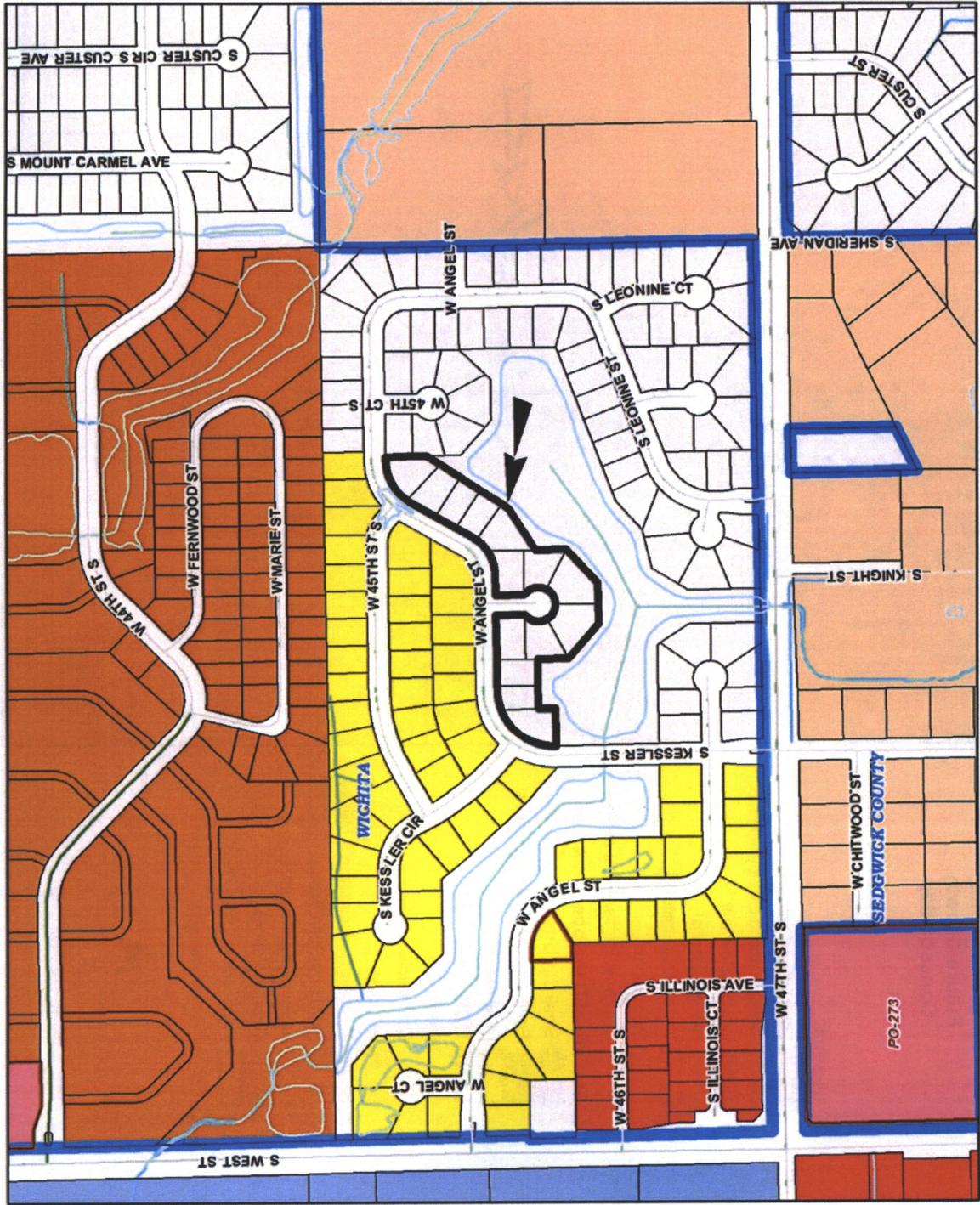
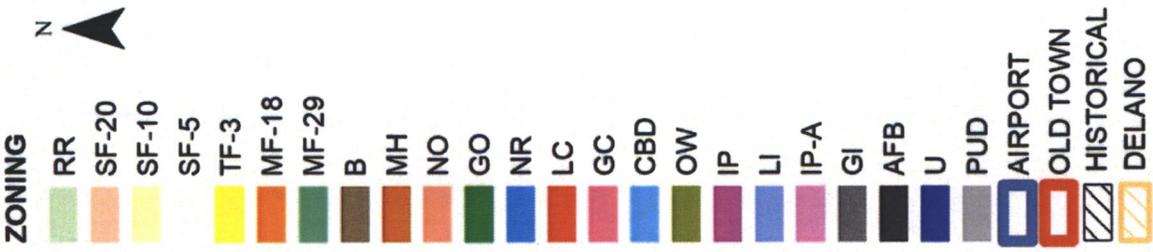
1. **The zoning, uses and character of the neighborhood:** The character of the neighborhood is suburban residential. Immediately north of the subject site are properties zoned TF-3 Two-Family Residential District that are developed with duplexes. Properties east of the subject site are single-family dwellings and are zoned SF-5 Single-Family Residential District. Properties to the south are zoned SF-5 Single-Family Residential District, and are developed with single-family dwellings. West of the subject site are properties zoned TF-3 Two-Family Residential District, developed with duplexes.

2. **The suitability of the subject property for the uses to which it has been restricted:** The properties are presently zoned SF-5 Single-Family Residential District, which is suitable for a limited number of residential, public, and civic uses, including single-family residences.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** Staff does not anticipate the removal of restrictions to have significant detrimental impacts on nearby property. There are duplexes developed on properties zoned TF-3 Two-Family Residential District west and north of the subject sites. Therefore, duplexes are not a new type of development to the area.
4. **Length of time subject property has remained vacant as zoned:** The properties have never been developed.
5. **Relative gain to public health, safety, and welfare as compared to the loss in value or the hardship imposed upon the applicant:** Approval would permit new development in an area on undeveloped parcels that is also appropriate for such development. Denial may represent a loss of economic opportunity for the applicant.
6. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The requested zoning would continue to allow the properties to be in conformance with the *Community Investments Plan*, as discussed in the staff report.
7. **Impact of the proposed development on community facilities:** The Planning Department does not anticipate the requested zone change will have a significant impact on community facilities.
8. **Opposition or support of neighborhood residents:** At the time the staff report was prepared, staff has received one voice of opposition to the zone change. The commenter was concerned about a buffer between the duplexes to the north of the single-family homes and the devaluation of existing homes in the Angel Fire subdivision.

Staff Report Attachments:

1. Aerial Map
2. Zoning Map
3. Land Use Map
4. Public Comment
5. Site Photos





2035 Wichita Future Growth Concept Map

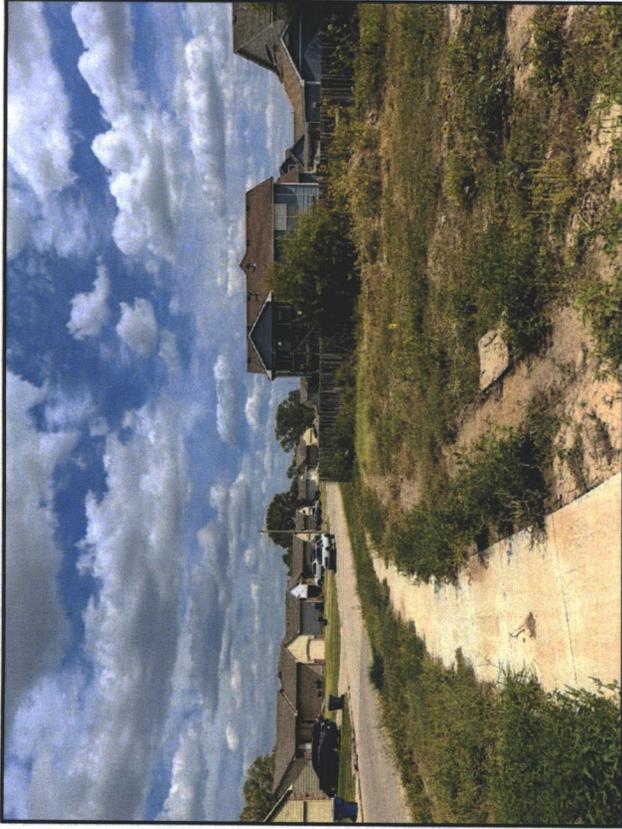
- Legend**
- Established Central Area
 - Residential and Employment Mix
 - New Employment
 - New Residential
 - Wichita City Limits
 - Other Cities
 - Northwest Bypass Right-of-Way
 - Statistical Development Areas**
 - Small City Urban Growth Areas
 - Small City Urban Growth Areas
 - Rural Areas
 - LAND USE**
 - Residential
 - Commercial
 - Industrial
 - Major Air Transportation & Military
 - Parks and Open Space
 - Agricultural or Vacant
 - Major Institutional
 - Neighborhood/Area Plans



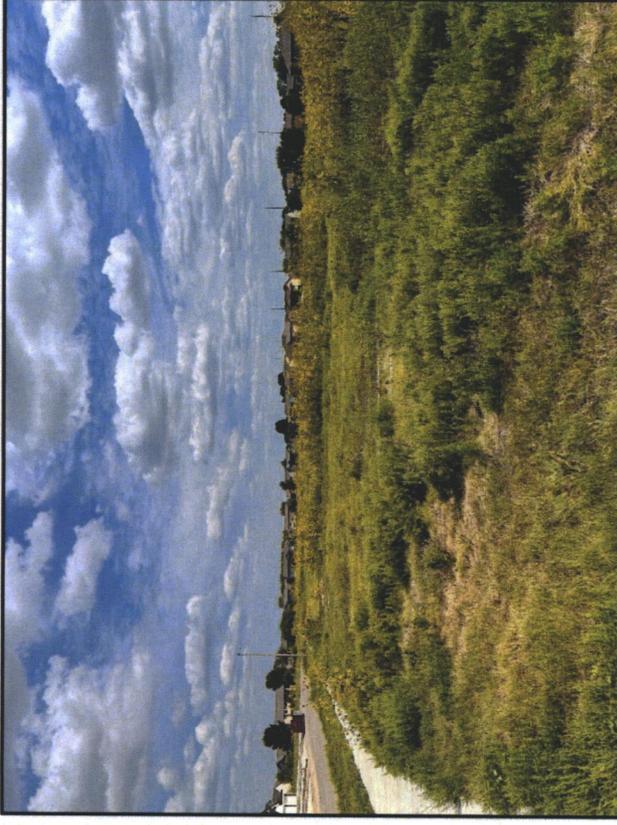
From: Matt Eck <matt@matteck.com>
Sent: Friday, September 22, 2023 12:08 PM
To: Planning <planning@wichita.gov>
Subject: Re-Zoning on Angel Fire lots

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am opposed to this rezoning. These lots were zoned single family to have a buffer between the duplex's to the north. The owners in Angel Fire bought their homes with this in mind. A zoning change will devalue the existing homes in Angel Fire plus go against what agreed to when these lots were platted. Thanks, Matt Eck



Looking east from eastern edge of subject sites



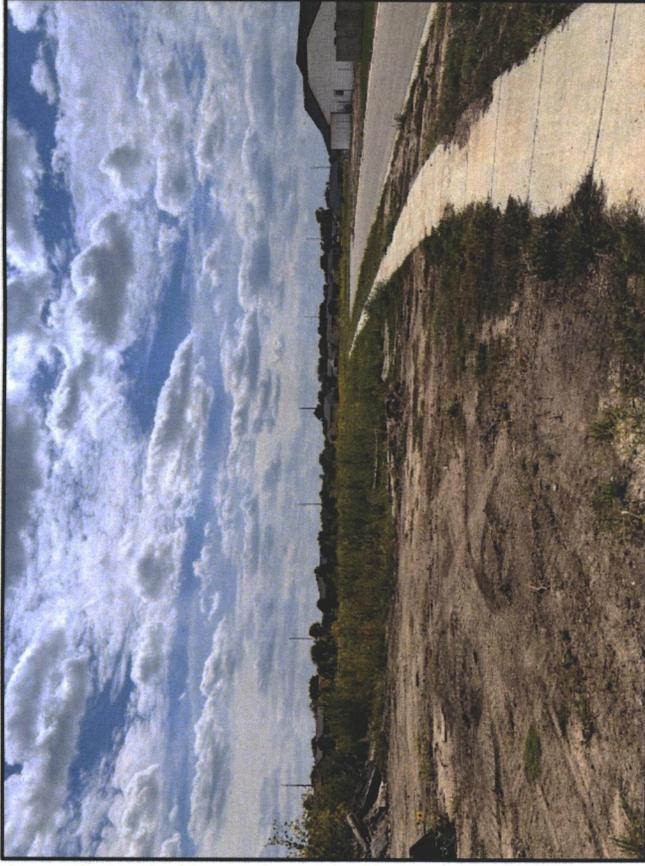
Looking east into site properties from western edge



Looking north from subject sites



Looking South into subject sites at Angel Ct.



Looking west into subject sites from eastern edge