



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

Tom George  
1900 N. Red Brush Ct.  
Wichita, KS 67206

July 17, 2024

Shelden Architecture  
Attn: Daniel Gensh  
800 E. 1<sup>st</sup> St. N.  
Wichita, KS 67202

**RE: PUD2024-00009** – Rezone to create the Blackbear Bosin-Price Residential District PUD #128, generally located one block west of North Woodlawn Boulevard and two block south of East 13<sup>th</sup> Street North.

Dear Applicant,

On July 16, 2024, the Wichita City Council considered the above captioned request. The action of the WCC was to **APPROVE** the request with the following conditions:

1. The PUD shall be developed in accordance with the approved PUD language.
2. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #128 Blackbear Bosin-Price Residential District Planned Unit Development) has special conditions for development on the property.
3. A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of governing body approval, or the request shall be considered denied and closed.

If you have any questions concerning this matter, please contact our office.

Sincerely,

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

Brad Eatherly  
Current Plans  
Senior Planner

Copies to: MABCD  
 Brandon Johnson, Council Member District I  
 Cameron Jackson, District I, CSR  
 Kim Garland 1064 N. Patricia Ave. Wichita KS 67208  
 Ian and Sumer Crane 6514 E. Beachy Ave. Wichita KS 67208  
 Larry Hatfield 1012 N. Patricia Ave. Wichita KS 67208  
 James Talbott 1226 N. Patricia Ave. Wichita KS 67208  
 Rick Neal 1118 N. Charlotte St. Wichita KS 67208  
 Mike Levand 6803 E. 10<sup>th</sup> St. N. Wichita KS 67208

**BLACKBEAR BOSIN – PRICE RESIDENTIAL DISTRICT**

**LEGAL DESCRIPTION**

**BLOCK D MC EWEN 4TH. ADD. EXEMPT**

**PROJECT DESCRIPTION**

The intent of this Planned Unit Development (PUD) is to adapt the existing school grounds at 6123 E. 11<sup>th</sup> St North into a unique residential neighborhood that allows multifamily residential. The PUD would allow a certain level of flexibility with site development that would be similar to standard SF-5 (Single Family Housing) with the exception of multifamily limited to the existing school footprint and shell only. The overall architectural character of the school structure would be preserved. The site’s primary structure and out parcel classroom structure would be transformed into no more than 24 multifamily living units. The site development for the initial phase of construction would be preserved and mostly remain untouched. Future site development would be restricted under the same limitations of the surrounding SF-5 zoning. Parcels could be added along Patricia Street or East Beachy Ave. that serve future private single-family residences. The purpose of the PUD is to allow the school’s transformation to multifamily where multifamily would otherwise be not allowed. The applicants wish to begin adaptive reuse construction of the existing school after receiving development application approvals. Future development would require an amendment to the PUD with the division of single-family lots in Block D of the Mc Ewen 4<sup>th</sup> ADD.

**PARCEL 1:**

- A. NET AREA 134,556 SF (3.089 ACRES)
- B. MAXIMUM NUMBER OF MULTI-FAMILY DWELLING UNITS:24
- C. MAXIMUM BUILDING HEIGHT 35 FT
- D. SETBACKS SEE SITE PLAN DRAWING
- E. ACCESS POINTS 11TH ST PRIMARY AND FARMSTEAD ST SECONDARY
- F. PARKING SEE GENERAL PROVISIONS

**G. PERMITTED USES** **MULTI-FAMILY**

**PARCEL 2:**

- A. NET AREA 157,139 SF (3.607 ACRES)
- B. MAXIMUM BUILDING HEIGHT 35 FT
- C. SETBACKS SEE SITE PLAN DRAWING AND GENERAL PROVISIONS
- D. PARKING SEE GENERAL PROVISIONS
- E. DENSITY MAXIMUM 15 DWELLING UNITS
- F. PERMITTED USES SINGLE FAMILY, TO BE GOVERENED BY LISTED DENSITY

**GENERAL PROVISIONS**

1. Total Land Area: 291,695 SF (6.696 ACRES)
2. Parking shall be provided at a rate of
  - A. Parcel 1:
    - a. 1.25 parking stalls per 1 bedroom unit,
    - b. 1.75 parking stalls per 2 bedroom for multi-family residential.
  - B. Parcel 2:
    - a. 1 per dwelling unit.
    - b. Overflow parking located on parcel 1 can be used by residents and guests of parcel 2
3. Setbacks are as indicated on the PUD Site Plan drawing. Parcel 2 setbacks shall comply with SF-5 Single-Family Residential District standards.
4. Parking Lot Lighting Elements (i.e., fixtures, poles, lamps, etc.)
  - A. Maximum height 15 ft, and
  - B. Shielded to direct light disbursement in a downward direction and away from adjacent residential properties.
  - C. Existing 40 FT tall light feature in Parcel 1 is exempt from the 15 FT height restriction.
5. Signs in Parcel 1 and Parcel 2 shall be in accordance with the TF-3 Two-Family Residential District.
6. Utilities shall be installed underground.
7. Screening and Landscaping

- A. Parcel 1: shall be per Article IV-B of the Unified Zoning Code. A landscape buffer along the east property line shall be in accordance with the Wichita Landscape Code where abutting SF-5 Residential District zoning. Landscape screening shall be required along the north portion of the existing parking lot serving the multi-family adaptive reused school structure, and along the north edge of the existing service road north of the structure parallel to E 11th St N.
  - B. Parcel 2: No screening requirements for SF-5 zoning under the Wichita-Sedgwick County Unified Zoning Code. Landscaping requirements shall be in accordance with the Wichita Landscape Ordinance.
8. Mechanical Equipment Screening
    - A. Parcel 1: shall be screened by landscaping or fencing such that it is reasonably hidden from ground level view from adjacent residential properties and adjacent street right of way.
    - B. Parcel 2: Shall be per the Unified Zoning Code.
  9. Parcel 1 Trash Receptacles Screening
    - A. Parcel 1: shall be screened by landscaping or fencing such that it is reasonably hidden from ground level view from adjacent residential properties and adjacent street right of way.
    - B. Parcel 2: Shall be per the Unified Zoning Code.
  10. Development of the site will not be permitted without connection to public water and sewer.
  11. All internal circulation drives shall be paved with concrete or asphalt to mitigate dust.
  12. A site circulation plan shall be required for review and approval by the Planning Department and the Traffic Engineer prior to the issuance of any building permits. The site circulation plan shall ensure pedestrian linkages between buildings and the sidewalk system and shall ensure internal vehicular circulation among developments within the P.U.D., including joint use of ingress/egress openings and ensuring that drive openings are not impacts/blocked by the layout of parking stalls or landscaping.
  13. Amendments, adjustments or interpretations to this PUD shall be done in accordance with the Unified Zoning Code.
  14. The Transfer of title of all or any portion of land included within the Planned Unit Development (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.
  15. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approval by the Governing Body, and any substantial deviation of the plan, as determined by the Zoning Administrator or the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
  16. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for its consideration.



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

Tom George  
1900 N Red Brush Ct  
Wichita, KS 67206

June 13, 2024

Daniel Gensh (Shelden Architecture)  
800 E 1<sup>st</sup> St  
Wichita, KS 67202

**RE: PUD2024-00009** – Rezone to create the Blackbear Bosin-Price Residential District Planned Unit Development PUD #128, generally located one block west of North Woodlawn Boulevard and two blocks south of East 13<sup>th</sup> Street North.

Dear Applicant,

At its regular meeting on **June 13, 2024**, 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, subject to the following conditions:

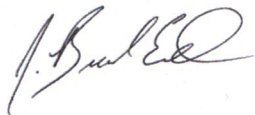
1. The PUD shall be developed in accordance with the approved PUD language. (Attached)
2. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #128 Blackbear Bosin-Price Residential District Planned Unit Development) has special conditions for development on the property.
3. A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of governing body approval, or the request shall be considered denied and closed.

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 June 27, 2024. 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 June 27, 2024, at 5:00 p.m.

This application will be heard by the Wichita City Council on Tuesday, July 16, 2024, 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,



**Brad Eatherly**  
Senior Planner

CC: MABCD  
Brandon Johnson, Council Member District I  
Cameron Jackson, District I, CSR  
Kim Garland 1064 N. Patricia Ave. Wichita, KS 67208  
Ian and Sumer Crane 6514 E. Beachy Ave. Wichita, KS 67208  
Larry Hatfield 1012 N. Patricia Ave. Wichita, KS 67208  
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Mike Levand 6803 E 10<sup>th</sup> St N Wichita, KS 67208

# BLACKBEAR BOSIN - PRICE RESIDENTIAL DISTRICT

## PLANNED UNIT DEVELOPMENT

PUD2024-~~XXXXX~~

00009

### LEGAL DESCRIPTION

BLOCK D MC EWEN 4TH. ADD. EXEMPT 6076-0

### PROJECT DESCRIPTION

The intent of this Planned Unit Development (PUD) is to adapt the existing school grounds at 6123 E 11th St N into a unique residential neighborhood that allows multifamily residential. The PUD would allow a certain level of flexibility with site development that would be similar to standard SF-5 (Single Family Housing) with the exception of multifamily limited to the existing school footprint. The overall architectural character of the school structure would be preserved. The site's primary structure and out parcel classroom structure would be transformed into no more than 24 multifamily living units. The site development for the initial phase of construction would be preserved and mostly remain untouched. Future site development would be restricted under the limitations as prescribed by this PUD's general provisions. Parcels could be added along Patrica Ave or Beachy Ave that serve future private single-family, duplex, and fourplex residences. The purpose of the PUD is to allow the school's transformation to multifamily where multifamily would otherwise be not allowed. The applicants wish to begin adaptive reuse construction of the existing school after receiving development application approval. Future development would require an adjustment to the PUD with the replating of lots in block D (Parcel 2) of the Mc Ewen 4th ADD.

### PARCEL 1:

A. NET AREA	134,556 SF (3.089 ACRES)
B. MAXIMUM NUMBER OF MULTI-FAMILY UNITS	24
C. MAXIMUM BUILDING HEIGHT	35 FT
D. SETBACKS	SEE SITE PLAN DRAWING
E. ACCESS POINTS	11TH ST PRIMARY AND FARMSTEAD ST SECONDARY
F. PARKING	SEE GENERAL PROVISIONS

### PARCEL 2:

A. NET AREA	157,139 SF (3.607 ACRES)
B. MAXIMUM BUILDING HEIGHT	35 FT
C. SETBACKS	SEE SITE PLAN DRAWING AND GENERAL PROVISIONS
D. PARKING	SEE GENERAL PROVISIONS
E. DENSITY	MAXIMUM 15 UNITS
F. PERMITTED USES	<del>SINGLE FAMILY-DUPLEX-AND/OR-FOURPLEX</del> TO BE GOVERNED BY LISTED DENSITY

### GENERAL PROVISIONS

1. Total Land Area: 291,695 SF (6.696 ACRES)
2. Parking shall be provided at a rate of
  - A. Parcel 1:
    - a. 1.25 parking stalls per 1 bedroom unit,
    - b. 1.75 parking stalls per 2 bedroom for multi-family residential.
  - B. Parcel 2:
    - a. 1 per dwelling unit.
    - b. Overflow parking from parcel 1 can be used by residents and guests of parcel 2
3. Setbacks are as indicated on the PUD Site Plan drawing. Parcel 2 future setbacks shall comply with ~~WF-3 Two-Family Residential or SF-5 Single-Family Residential District standards.~~
4. Parking Lot Lighting Elements (i.e., fixtures, poles, lamps, etc.)
  - A. Maximum height 15 ft, and
  - B. Shielded to direct light disbursement in a downward direction and away from adjacent residential properties.
  - C. Existing 36FT tall light fixture in Parcel 1 is exempt from the 15 FT height restriction
5. Utilities shall be installed underground.
6. Parking Lot Screening
  - A. Parcel 1: shall be per Article IV-B of the Unified Zoning Code. A landscape buffer along the east property line shall be in accordance with the Wichita Landscape Ordinance where abutting SF-5 Residential District zoning. Landscape screening shall be required along the north portion of the existing parking lot serving the multi-family adaptive reused school structure, and along the north edge of the existing service road north of the structure parallel to E 11th St N.
  - B. Parcel 2: No requirements other than what is standard for SF-5 zoning under the Wichita-Sedgewick County Unified Zoning Code.
7. Mechanical Equipment Screening
  - A. Parcel 1: shall be screened by landscaping or fencing such that it is reasonably hidden from ground level view from adjacent residential properties and adjacent street right of way.
  - B. Parcel 2: No requirements other than what is standard for SF-5 zoning under the Wichita-Sedgewick County Unified Zoning Code.
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  - A. Parcel 1: shall be screened by landscaping or fencing such that it is reasonably hidden from ground level view from adjacent residential properties and adjacent street right of way.
  - B. Parcel 2: No requirements other than what is standard for SF-5 zoning under the Wichita-Sedgewick County Unified Zoning Code.
9. Development of the site will not be permitted without connection to public water and sewer.
10. All internal circulation drives shall be paved with concrete or asphalt to mitigate dust.
11. A site circulation plan shall be required for review and approval by the Planning Director prior to the issuance of any building permits. The site circulation plan shall ensure pedestrian linkages between buildings and the sidewalk system and shall ensure internal vehicular circulation among developments within the P.U.D., including joint use of ingress/egress openings and ensuring that drive openings are not impacts/blocked by the layout of parking stalls or landscaping.
12. Amendments, adjustments or interpretations to this PUD shall be done in accordance with the Unified Zoning Code.
13. The Transfer of title of all or any portion of land included within the Planned Unit Development (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.
14. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approval by the Governing Body, and any substantial deviation of the plan, as determined by the Zoning Administrator or the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
15. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.

OCA 150004

(Published in the Wichita Eagle, July 26, 2024  
ORDINANCE NO. 52-512)

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. PUD2024-00009**

Zone Change Request in the City from SF-5 Single-Family Residential to Planned Unit Development (PUD) to create the Blackbear Bosin-Price Residential District PUD #128, subject to the general provisions of PUD #128, on property legally described as:

Block D, McEwen Fourth Addition, Wichita, Sedgwick County, Kansas.

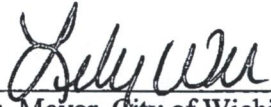
The Blackbear Bosin-Price Residential District Planned Unit Development (PUD #128) shall be subject to the following conditions:

1. The PUD shall be developed in accordance with the approved PUD language.
2. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #128 Blackbear Bosin-Price Residential District Planned Unit Development) has special conditions for development on the property.
3. A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of Governing Body approval, or the request shall be considered denied and closed.

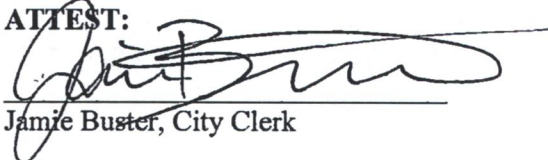
**SECTION 2.** That upon the taking effect of this Ordinance, the above zoning change shall be entered and shown on the "Official Zoning Map" previously adopted by reference and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

**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 23<sup>rd</sup> day of July, 2024.

  
\_\_\_\_\_  
Lily Wu, 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
3252	576642	Print Legal Ad-IPL01854450 - IPL0185445	ORD#52-512	\$68.97	1	82 L

**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,  
 July 26, 2024)

**ORDINANCE NO. 52-512**  
 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. PUD2024-00009**  
 Zone Change Request in the City from SF-5 Single-Family Residential to Planned Unit Development (PUD) to create the Blackbear Bosin-Price Residential District PUD #128, subject to the general provisions of PUD #128, on property legally described as: Block D, McEwen Fourth Addition, Wichita, Sedgwick County, Kansas. The Blackbear Bosin-Price Residential District Planned Unit Development (PUD #128) shall be subject to the following conditions:  
 The PUD shall be developed in accordance with the approved PUD language.

The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #128 Blackbear Bosin-Price Residential District Planned Unit Development) has special conditions for development on the property.

A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of Governing Body approval, or the request shall be considered denied and closed.

SECTION 2. That upon the taking effect of this Ordinance, the above zoning change 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 23rd day of July, 2024.  
 Lily Wu, Mayor, City of Wichita  
 ATTEST:  
 Jamie Buster, City Clerk  
 (SEAL)  
 Approved as to form:  
 Jennifer Magana, City Attorney and Director of Law  
 IPL0185445  
 Jul 26 2024

In The STATE OF KANSAS  
 In and for the County of Sedgwick  
 1 insertion(s) published on:  
 07/26/24

STATE OF KANSAS)  
 SS  
 County of Sedgwick)

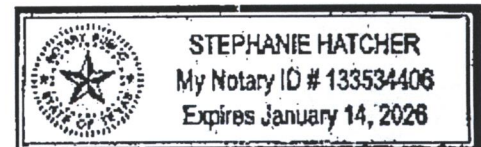
Mary Castro, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has 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 07/26/2024 to 07/26/2024.

Mary Castro

I certify (or declare) under penalty of perjury that the foregoing is true and correct.  
 DATED: 08/05/2024

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!



**BACKGROUND:** The applicant is requesting a zone change from SF-5 Single-Family Residential District (SF-5) to PUD Planned Unit Development (PUD) to create the Blackbear Bosin-Price Residential District Planned Unit Development (PUD #128). The subject site is 6.696 acres in size and is located one block west of North Woodlawn and two blocks south of East 13<sup>th</sup> Street North. The subject site is currently developed as a former school building.

The applicant is requesting the zone change in order to adaptively reuse the existing structure as a multi-family residential use. Currently, the SF-5 zoning restricts Multi-Family as a use on the property. The PUD would allow a certain level of flexibility with site development that would be similar to standard SF-5 with the exception of multi-family limited to the existing school footprint.

According to the PUD drawing submitted by the applicant, the site will consist of two parcels (Parcel 1 and Parcel 2). Parcel 1 will be part of the first phase while Parcel 2 will be completed in a later phase. The applicant intends to adaptively re-use the vacant school building for multi-family dwelling units. The applicant proposes to use Parcel 2 for dwelling units up to four-plexes in the future. Primary access to the site will be from East 11<sup>th</sup> Street North, with secondary access coming off Farmstead Street. Uses in Parcel 1 would be limited to Multi-Family Residential with a maximum density of 24 units. Uses in Parcel 2 would be limited to Single-Family, Duplex, and/or Four-Plexes with a maximum density of 15 dwelling units. Development standards for Parcel 1 would conform to the standards set for the SF-5 District. Development standards for Parcel 2 would conform to the standards set for the SF-5 or TF-3 Two-Family Residential District (TF-3) Districts. All street side setbacks are per the PUD Site Plan drawing, with 30-foot setbacks where the property faces a street and a six-foot interior side setback on the east portion of the subject site.

Parking within the PUD shall be provided in accordance with the Unified Zoning Code (UZC) with Parcel 1 requiring 1.25 parking stalls for one-bedroom units and 1.75 parking stalls for two-bedroom or more units. A landscape buffer along the east property line shall be installed in accordance with the Wichita Landscape Code for Parcel 1 where abutting SF-5 Districts. Landscape screening shall be required along the north portion of the existing parking lot serving proposed multi-family structure, and along the north edge of the existing service road north of the existing structure and parallel to East 11<sup>th</sup> Street North, Signs in Parcel 1 and Parcel 2 shall conform to the Wichita Sign Code for the TF-3 District. All mechanical equipment and trash receptacles will be screened with landscaping or fencing.

The character of the neighborhood is residential in nature. The property is surrounded on all sides by the SF-5 District and is developed on all sides with single-family dwellings.

**CASE HISTORY:**

**ADJACENT ZONING AND LAND USE:**

NORTH:	SF-5	Single-Family dwellings
SOUTH:	SF-5	Single-Family dwellings
EAST:	SF-5	Single-Family dwellings
WEST:	SF-5	Single-Family dwellings

**PUBLIC SERVICES:** The subject site has access to East 11<sup>th</sup> Street North and Farmstead Street, both of which are paved, two-lane local streets with sidewalks along the subject property. City services such as sanitary sewer and water currently serve the site. Wichita Transit provides service at the southwest and northeast corners of East 13<sup>th</sup> Street North and North Woodlawn Boulevard, both approximately one-quarter mile from the subject site.

**CONFORMANCE TO PLANS/POLICIES:** The requested PUD is in conformance with the *Community Investments Plan's* 2035 Wichita Future Growth Concept Map. The Map identifies the area to be appropriate for "Commercial" uses. The *Plan* defines "Commercial" as "*areas that reflect the full diversity of commercial development intensities and types typically found in a large urban municipality. Convenience retail, restaurants, small offices, and personal service uses are located in close proximity to, and potentially mixed with, Residential Uses. Major destination areas (centers and corridors) containing concentrations of commercial and office uses that have regional market areas and generate high volumes of traffic are located in close proximity to major arterials or*

highways and typically are buffered from lower density residential areas by higher density housing types.”

The proposed PUD is in conformance with the Land Use Compatibility Guidelines of the *Community Investments Plan*. Under the heading *Development Pattern*, Guideline 2.a states, “Encourage infill development that maximizes public investment in existing and planned infrastructure and services.” Also, under the heading *Land Use compatibility*, Guideline 2.a states that “Neighborhood-serving retail and office uses and high-density residential uses can be appropriate along arterial streets on small infill sites near residential uses or through conversions of residential structures if appropriate site design features that limit traffic, noise, lighting, and adverse impacts on surrounding residential are provided and the scale of the development is appropriate for its context.” The proposed PUD would be utilizing an infill site that is proposing a site design with a density level that is expected to result in limited traffic and noise. In addition, the PUD includes screening that is consistent with the scale of the proposal.

The proposed rezoning is in conformance with the *Wichita: Places for People Plan*. The subject site is located within the Established Central Area. The proposed PUD is in conformance with Strategy 6, which encourages, “infill and redevelopment that is contextual to the environment in which it is occurring.” The context surrounding is single-family residential and the small-scale redevelopment of the site is contextual to the environment. The subject site is located in what the *Places for People Plan* calls an “Area of Opportunity,” defined as “areas that generally exhibit economic challenges, a disconnected development pattern, and a lack of walkable places and facilities. These areas are in need of strategic reinvestment, both public and private, to assist in redefining and reinvigorating the area, physically and socially.” The requested PUD will allow for a vacant school building to be adaptively re-used while also allowing for up to 39 total residential units on the property. Per the development standards of the SF-5 District, the site could be redeveloped by-right with up to 58 dwelling units.

**RECOMMENDATION:** Based on the information available at the time of the public hearing, staff recommends **APPROVAL** of the application subject to provisions of the Blackbear-Bosin Price Residential District Planned Unit Development PUD #128 as attached hereto, and subject to the following conditions:

1. The PUD shall be developed in accordance with the approved PUD language.
2. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #128 Blackbear Bosin-Price Residential District Planned Unit Development) has special conditions for development on the property.
3. A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of Governing Body approval, or the request shall be considered denied and closed.

This recommendation is based on the following findings:

1. The zoning, uses, and character of the neighborhood: The character of the neighborhood is residential in nature. The property is surrounded on all sides by the SF-5 District and is developed on all sides with single-family dwellings.
2. The suitability of the subject property for the uses to which it has been restricted: The property is currently zoned SF-5, which is suitable for single-family dwellings, several public and civic uses, and a limited number commercial and industrial uses through conditional use. The applicant is requesting to adaptively re-use a vacant school building for a multi-family dwelling use and develop dwelling units up to four-plexes on the remaining school grounds (Parcel 2).
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Staff does not anticipate the requested zone change to have significant detrimental effects on nearby property. It is reasonable to conclude that there will be additional traffic in the area based on the proposed land use.
4. Length of time the property has been vacant as currently zoned: The site has been unoccupied since 2011.

5. Relative gain to the public health, safety, and welfare, compared to the loss in value or the hardship imposed upon the applicant: Approval of the request would allow for the adaptive re-use of a vacant school building to be converted into multi-family housing as well as the addition of up to 15 dwelling units on Parcel 2. Denial may represent economic loss to the applicant.
6. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The requested rezoning is in partial conformance with the *Community Investments Plan* and is in conformance with the *Wichita: Places for People Plan*, as discussed in the staff report.
7. Impact of the proposed development on community facilities: Staff does not anticipate the proposed development to have significant detrimental impact on community facilities.
8. Opposition or support of neighborhood residents: At the time of the publication of the staff report, staff has not received any comments from the public regarding the proposal.

Attachments:

1. PUD #128 Text
2. PUD Drawing
3. Aerial Map
4. Zoning Map
5. Land Use Map
6. Site Photos

Applicant proposed PUD language (staff recommended changes in *red*)

**BLACKBEAR BOSIN – PRICE RESIDENTIAL DISTRICT**

**LEGAL DESCRIPTION**

**BLOCK D MC EWEN 4TH. ADD. EXEMPT**

**PROJECT DESCRIPTION**

The intent of this Planned Unit Development (PUD) is to adapt the existing school grounds at 6123 E. 11<sup>th</sup> St North into a unique residential neighborhood that allows multifamily residential. The PUD would allow a certain level of flexibility with site development that would be similar to standard SF-5 (Single Family Housing) with the exception of multifamily limited to the existing school footprint and shell only. The overall architectural character of the school structure would be preserved. The site's primary structure and out parcel classroom structure would be transformed into no more than 24 multifamily living units. The site development for the initial phase of construction would be preserved and mostly remain untouched. Future site development would be restricted under the same limitations of the surrounding SF-5 zoning. Parcels could be added along Patrica Street or East Beachy Ave. that serve future private single-family residences. The purpose of the PUD is to allow the school's transformation to multifamily where multifamily would otherwise be not allowed. The applicants wish to begin adaptive reuse construction of the existing school after receiving development application approvals. Future development would require an amendment to the PUD with the division of single-family lots in Block D of the Mc Ewen 4<sup>th</sup> ADD.

**PARCEL 1:**

- A. NET AREA 134,556 SF (3.089 ACRES)
- B. MAXIMUM NUMBER OF MULTI-FAMILY *DWELLING* UNITS: 24
- C. MAXIMUM BUILDING HEIGHT 35 FT
- D. SETBACKS SEE SITE PLAN DRAWING
- E. ACCESS POINTS 11TH ST PRIMARY AND FARMSTEAD ST SECONDARY
- F. PARKING SEE GENERAL PROVISIONS
- G. PERMITTED USES MULTI-FAMILY*

**PARCEL 2:**

- A. NET AREA 157,139 SF (3.607 ACRES)
- B. MAXIMUM BUILDING HEIGHT 35 FT
- C. SETBACKS SEE SITE PLAN DRAWING AND GENERAL

## PROVISIONS

- D. PARKING SEE GENERAL PROVISIONS
- E. DENSITY MAXIMUM 15 **DWELLING** UNITS
- F. PERMITTED USES SINGLE FAMILY, DUPLEX, AND/OR FOURPLEX TO BE GOVERNED BY LISTED DENSITY

### GENERAL PROVISIONS

1. Total Land Area: 291,695 SF (6.696 ACRES)
2. Parking shall be provided at a rate of
  - A. Parcel 1:
    - a. 1.25 parking stalls per 1 bedroom unit,
    - b. 1.75 parking stalls per 2 bedroom for multi-family residential.
  - B. Parcel 2:
    - a. 1 per dwelling unit.
    - b. Overflow parking located on parcel 1 can be used by residents and guests of parcel 2
3. Setbacks are as indicated on the PUD Site Plan drawing. Parcel 2 setbacks shall comply with TF-3 Two-Family Residential or SF-5 Single-Family Residential District standards.
4. Parking Lot Lighting Elements (i.e., fixtures, poles, lamps, etc.)
  - A. Maximum height 15 ft, and
  - B. Shielded to direct light disbursement in a downward direction and away from adjacent residential properties.
  - C. Existing 40 FT tall light feature in Parcel 1 is exempt from the 15 FT height restriction.
5. **Signs in Parcel 1 and Parcel 2 shall be in accordance with the TF-3 Two-Family Residential District.**
6. Utilities shall be installed underground.
7. Screening and Landscaping
  - A. Parcel 1: shall be per Article IV-B of the Unified Zoning Code. A landscape buffer along the east property line shall be in accordance with the Wichita Landscape Code where abutting SF-5 Residential District zoning. Landscape screening shall be required along the north portion of the existing parking lot serving the multi-family adaptive reused school structure, and along the north edge of the existing service road north of the structure parallel to E 11th St N.
  - B. Parcel 2: No **screening** requirements for **single-family or two-family uses, otherwise screening shall be in accordance with** the Wichita-Sedgwick County Unified Zoning Code. **Landscaping requirements shall be in accordance with the Wichita Landscape Ordinance.**

8. Mechanical Equipment Screening
  - A. Parcel 1: shall be screened by landscaping or fencing such that it is reasonably hidden from ground level view from adjacent residential properties and adjacent street right of way.
  - B. Parcel 2: ***Shall be per the Unified Zoning Code.***
9. Parcel 1 Trash Receptacles Screening
  - A. Parcel 1: shall be screened by landscaping or fencing such that it is reasonably hidden from ground level view from adjacent residential properties and adjacent street right of way.
  - B. Parcel 2: ***Shall be per the Unified Zoning Code.***
10. Development of the site will not be permitted without connection to public water and sewer.
11. All internal circulation drives shall be paved with concrete or asphalt to mitigate dust.
12. A site circulation plan shall be required for review and approval by the Planning ***Department and the Traffic Engineer*** prior to the issuance of any building permits. The site circulation plan shall ensure pedestrian linkages between buildings and the sidewalk system and shall ensure internal vehicular circulation among developments within the P.U.D., including joint use of ingress/egress openings and ensuring that drive openings are not impacts/blocked by the layout of parking stalls or landscaping.
13. Amendments, adjustments or interpretations to this PUD shall be done in accordance with the Unified Zoning Code.
14. The Transfer of title of all or any portion of land included within the Planned Unit Development (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.
15. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approval by the Governing Body, and any substantial deviation of the plan, as determined by the Zoning Administrator or the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
16. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for ***its*** consideration.





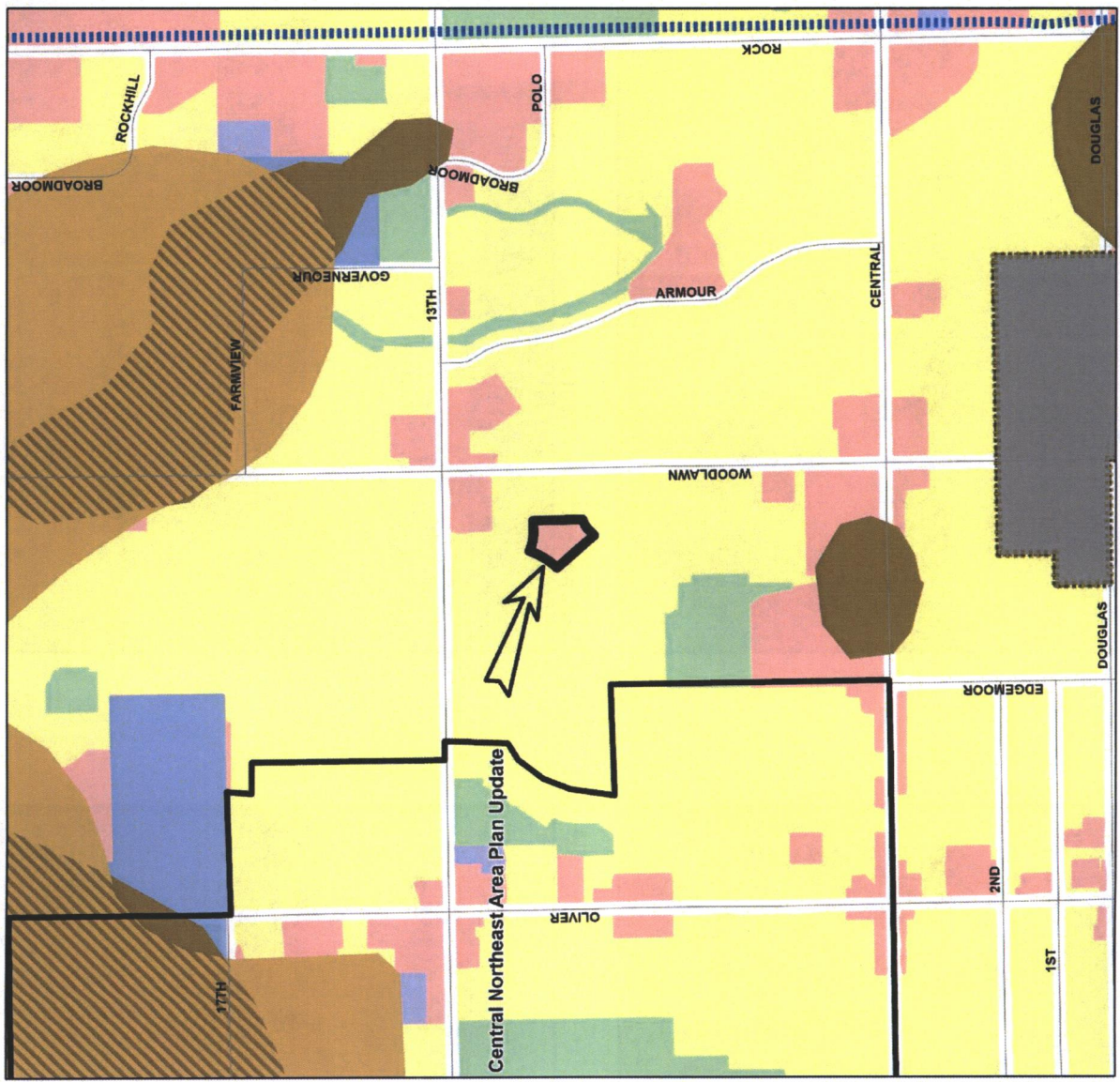


# 2035 Wichita Future Growth Concept Map

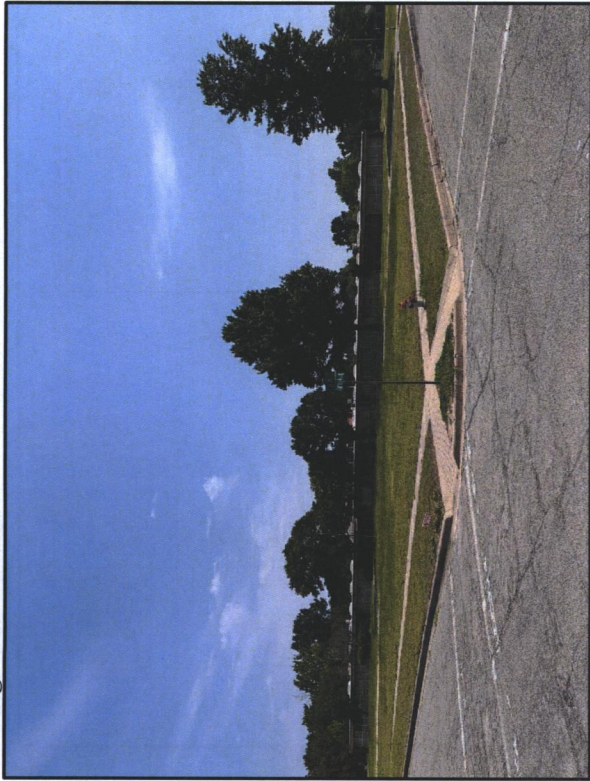
- Legend**
- Established Central Area
  - Residential and Employment Mix
  - New Employment
  - New Residential
  - Wichita City Limits
  - Other Cities
  - Northwest Bypass Right-of-Way
- Statistical Development Areas**
- Other Urban Growth Areas 2014
  - Other Urban Growth Areas 2014
  - Rural Growth Areas 2014
- LAND USE**
- Residential
  - Commercial
  - Industrial
  - Major Air Transportation & Military
  - Parks and Open Space
  - Agricultural or Vacant
  - Major Institutional
  - Neighborhood & Area Plans



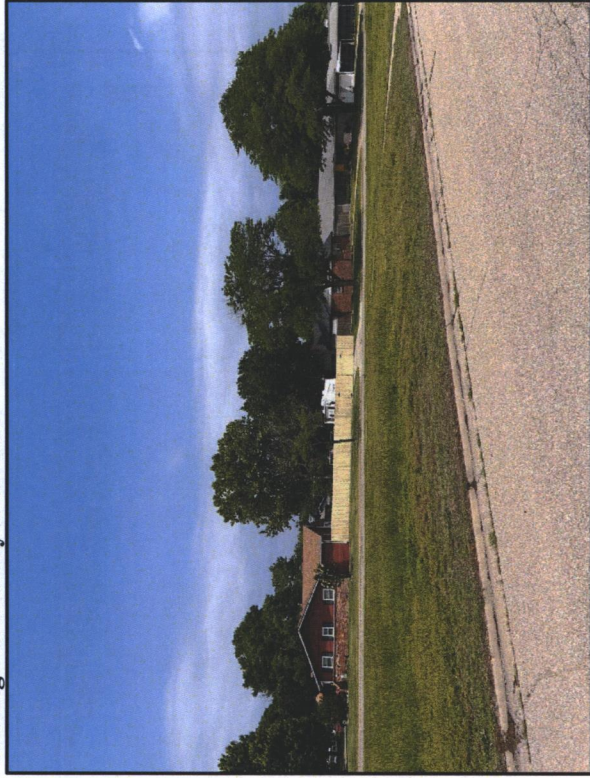
Map prepared by the Metropolitan Area Planning Commission, 1000 North Main Street, Wichita, KS 67202. Map data provided by the City of Wichita, Kansas Department of Planning and Economic Development, and the Kansas Department of Transportation. Map scale: 1 inch = 1 mile. Map date: 10/2023.



Looking south into site



Looking north away from site



Looking west away from site



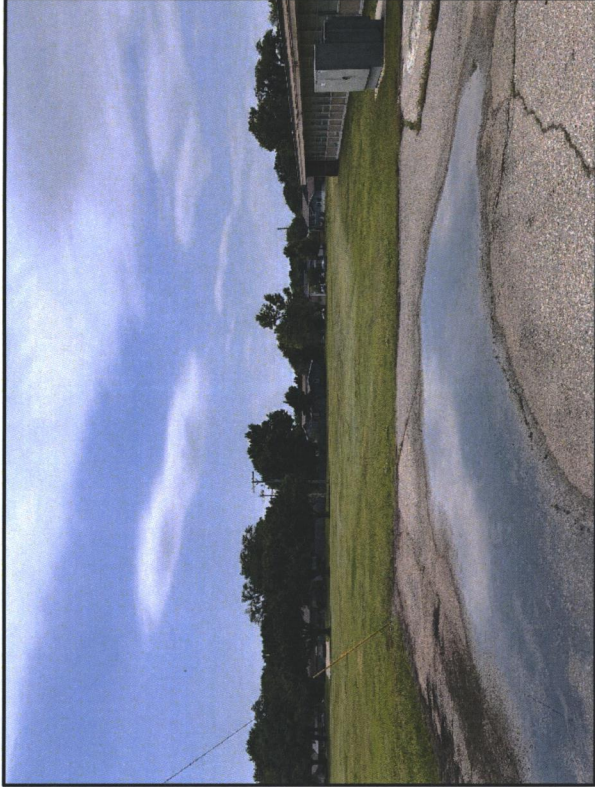
Looking south away from site



Looking east away from site



Looking west from behind the building



Looking north into site from behind building

