



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

Bernard Knowles
2420 N Clubhouse
Wichita, KS 67226

June 14, 2024

RE: ZON2024-000025 – Zone Change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District, located on the northeast corner of the East 26th Street North and North Holyoke Street intersection (2710 North Holyoke Street).

Dear Applicant;

At its regular meeting on **July 16, 2024**, the Wichita City Council considered the above captioned request. The action of the City Council was to **APPROVE** of the zone change from SF-5 Single Family Residential District and TF-3 Two-Family Residential District to TF-3 Two-Family Residential District. 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

CC: Brandon Johnson, Council Member, District I
Cameron Jackson, CSR, District I
MABCD



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RE: ZON2024-000025 – Zone Change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District, located on the northeast corner of the East 26th Street North and North Holyoke Street intersection (2710 North Holyoke Street).

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** the request to change zoning from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District.

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 presented to 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 316-268-4421.

Sincerely,

Brad Eatherly
Current Plans
Senior Planner

CC: Brandon Johnson, Council Member, District I
Cameron Jackson, CSR, District I
MABCD

OCA 150004

PUBLISHED IN THE WICHITA EAGLE ON July 26, 2024

ORDINANCE NO. 52-515

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. ZON2024-00025

Zone change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District zoning, on property legally described as:

Lots 1, 3, 5, 7, 9, 11, and 13, Block 3, in Post & Christy's College Crest 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 23rd day of July, 2024.

Lily Wu
Lily Wu, Mayor, City of Wichita

ATTEST:

Jamie Buster
Jamie Buster, City Clerk

(SEAL)



Jennifer Magaña
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	576640	Print Legal Ad-IPL01854420 - IPL0185442	ORD#52-515	\$58.98	2	35 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 ON
 July 26, 2024
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Zone change request in the City from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District zoning, on property legally described as:
 Lots 1, 3, 5, 7, 9, 11, and 13, Block 3, in Post & Christy's College
 Crest Addition to Wichita, Sedgwick County, Kansas.

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 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
 IPL0185442
 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.

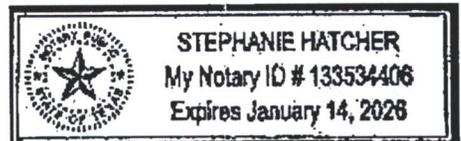
Mary Castro

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

DATED: 08/07/2024

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!



The Beaufort Gazette
 The Belleville News-Democrat
 Bellingham Herald
 Centre Daily Times
 Sun Herald
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 Bradenton Herald
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 The State
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Durham | The Herald-Sun
 Fort Worth Star-Telegram
 The Fresno Bee
 The Island Packet
 The Kansas City Star
 Lexington Herald-Leader
 The Telegraph - Macon
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 Miami Herald
 El Nuevo Herald

The Modesto Bee
 The Sun News - Myrtle Beach
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AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	554268	Print Legal Ad-IPL01740880 - IPL0174088	OCA 150004	\$201.86	3	80 L

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

MHEBERT@wichita.gov

OCA 150004
 Published in The Wichita Eagle on May 23, 2024
 (One Time Only)
 MAPC/BZA June 13, 2024
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, June 13, 2024, 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 in person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation is encouraged (see instructions below). Virtual participation is not available. 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.

BZA2024-00022: Variance request in the City to allow an Electronic Message Sign on property zoned TF-3 Two-Family Residential District; generally located at the intersection of North River Boulevard and West Briggs Avenue (1101 West River Boulevard).

BZA2024-00027: Variance request in the City to permit a Sexually Oriented Business within 500 feet of residential zoning on property zoned GC General Commercial; located on the east side of South Broadway Avenue and one-quarter mile south of East 47th Street South (4950 South Broadway).

BZA2024-00028: Variance request in the City to reduce the minimum lot size to build a duplex in TF-3 Two-Family Residential zoning from 6,000 square feet to approximately 3,000 square feet on property located one block south of West 21st Street North and one block east of North Arkansas Ave (512 West 20th Street North).

CUP2024-00015: CUP Amendment request in the City to DP-249 to amend the permitted uses on Parcel 5 (with ZON2024-00026 from GC to LI) to permit Freight Terminal and RV Sales and Service; located south of East 47th Street South and on the west side of I-135.

PUD2024-00009: Zone Change request in the City from SF-5 Single-Family to PUD to create the Blackbear Bosin-Price PUD #126 to convert school into apartments and permit single-family, duplexes, or fourplexes on school grounds; located one-block west of North Woodlawn and two blocks south of East 13th Street North.

VAC2024-00026: Vacation request in the City of the 40-foot platted front setback; generally located on the east side of South Decker Drive and within 400 feet south of West Maple Street (346 South Decker Drive).

VAC2024-00027: Vacation request in the City to vacate Reserve A on property zoned SF-5 Single-Family Residential; located one-quarter mile east of North 135th Street West and just south of West 21st Street North (13425 West 21st Street North).

VAC2024-00028: Vacation request in the City to vacate 5 feet of a platted 25-foot street side setback to construct a detached garage on property zoned SF-5 Single-Family Residential; generally located on-block south of West Maple Street and one block west of South Woodchuck Lane (384 South Floyd).

VAC2024-00029: Vacation request in the City to reduce the platted building setback from 30 feet to 25 feet on property located between 7811 and 7837 East Paget Lane.

VAC2024-00031: Vacation request in the City to vacate a 15-foot contingent street, drainage and utility easement and a 32-foot contingent right-of-way dedication for future development on property zoned GC General Commercial; located on the south side of East 47th Street South and West of I-135.

ZON2024-00025: Zone Change request in the City from SF-5 Single-Family Residential to TF-3 Two-Family Residential; generally located one-block east of North Hillside Avenue and within two blocks north of East 25th Street North (2710 North Holyoke Street).

ZON2024-00026: Zone Change request in the City from GC General Commercial to LI Limited Industrial (with CUP2024-00015) to permit freight terminal and RV sales and service; generally located south of East 47th Street South and on the west side of I-135.

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:

1) Attend In-Person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202. Self-paid parking is available nearby. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-268-4464) by 5:00 PM, 3 days prior to the meeting.

2) Submit Comments Ahead of Time regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department) – 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. Planning Department staff make efforts to share all comments but may not be able to share those received after the deadlines below. Please be sure to provide ample time for delivery. Written Comments should be submitted by 5:00 PM the day before the meeting. Video and Audio Comments (mp3, etc.) formats be submitted at least 3 days prior to the MAPC meeting. The comments should indicate which item they pertain to and be less than three (3) minutes in duration.

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

3) If you need accommodations pursuant to the ADA, please contact Planning Staff within one week prior to the scheduled meeting.

Option to View Remotely (Not Participate)

The meeting will be streamed live and recorded. Virtual comment is not available. To view the live stream or recording,

follow the link: <https://www.wichita.gov/Planning>.

WITNESS MY HAND on May 23, 2024

Scott Wadle, Secretary

Wichita-Sedgwick County

Metropolitan Area Planning Commission

IPL0174088

May 23 2024

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

1 insertion(s) published on:

05/23/24

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 05/23/2024 to 05/23/2024.

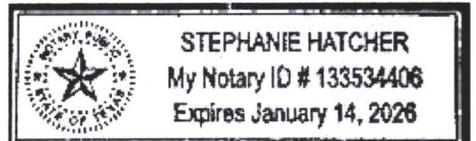
Mary Castro

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

DATED: 05/23/2024

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 TF-3 Two-Family Residential District (TF-3). The 0.57-acre property is located on the northeast corner of the East 26th Street North and North Holyoke Street intersection (2710 North Holyoke Street). The site is currently developed with a single-family dwelling.

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 requires a 5,000 square foot minimum lot size, while TF-3 requires a 3,000 square foot minimum lot size per dwelling unit (6,000 square feet for one duplex). The subject site is comprised of two parcels. Based on the size of the subject site, the applicant would be able to develop one duplex per parcel.

The character of the neighborhood is mostly residential. Properties to the north, east and south are zoned SF-5 and are developed with single-family dwellings. Properties to the west are zoned LC Limited Commercial District (LC) and are developed with multi-family residential. The nearest TF-3 zoned properties are over 1,300 feet to the northwest.

CASE HISTORY: On April 22, 1910, the subject site was platted as part of the Post & Christys College Crest Addition. There have been no other zoning cases associated with the site.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single-Family dwelling
SOUTH:	SF-5	Single-Family dwelling
EAST:	SF-5	Single-Family dwelling
WEST:	LC	Multi-Family dwellings

PUBLIC SERVICES: The subject site currently has access to North Holyoke Street, a two-lane, paved local street with no sidewalks on either side. Wichita Transit serves the area at the southwest corner of North Hillside Street and East 25th Street North, which is less than one-quarter of a mile from the subject property.

CONFORMANCE TO PLANS/POLICIES: The requested zone change is in conformance with the following plans:

Community Investments Plan: The requested zone change is in conformance with the *Community Investments Plan*. The *Community Investments Plan* (the Wichita-Sedgwick County Comprehensive Plan), which includes the 2035 Future Growth Concept Map, recommends the subject site as appropriate for “Residential” uses. The *Plan* defines “Residential” as “*areas that reflect the full diversity of residential development densities and types typically found in a large urban municipality. The range of housing densities and types includes, but is not limited to, single-family detached homes, semi-detached homes, zero lot line units, patio homes, duplexes, townhouses, apartments and multi-family units, condominiums, mobile home parks, and special residential accommodations for the elderly (assisted living, congregate care and nursing homes).*” Duplex development is an appropriate use for this area.

The Locational Guidelines of the *Community Investments Plan* provide a framework for decision-making regarding land use changes. Under the heading of “Development Pattern, Guideline 2.a encourages, “*infill development that maximizes public investment in existing and planned infrastructure and services.*”

Wichita: Places for People Plan: The requested zone change is in conformance 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.”

- Strategies: The Plan recommends strategies to help guide the community in their actions to create walkable places within Wichita. The requested duplex development partially aligns with Strategy 5: *Provide a diversity of housing options to attract new residents and allow existing residents to remain in the ECA.*

The scale of the request is not out of character with the neighborhood, multi-family uses directly to the west. The request aligns with Strategy 6: *Encourage infill and redevelopment that is contextual to the environment in which it is occurring*. Duplex development is contextual given the duplex development across the street to the west.

- **Current Condition:** The subject property is located within an area identified as an “Area of Stability.” The *Places for People Plan* defines Areas of Stability as Areas of Stability are defined as, “those areas of the ECA that exhibit less stress, or fewer economic, connectivity, and walkability issues. Areas of Stability should require fewer interventions and potentially less investment to maintain a viable development environment and community. Improvements should be geared toward continuing the area's momentum and strengthening the established context.”

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

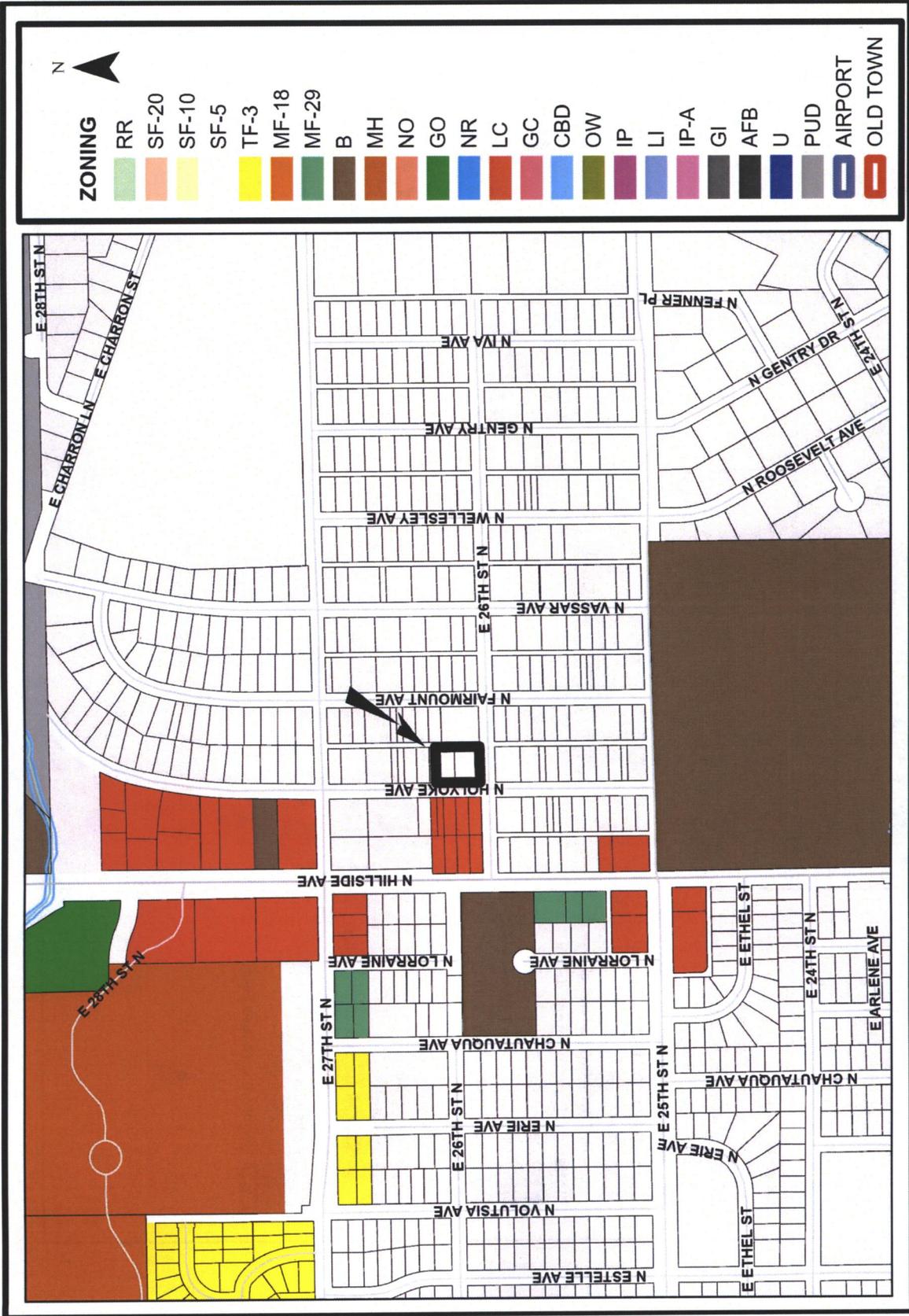
This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** The character of the neighborhood is mostly residential. Properties to the north, east and south are zoned SF-5 and are developed with single-family dwellings. Properties to the west are zoned LC Limited Commercial District (LC) and are developed with multi-family residential. The nearest TF-3 zoned properties are over 1,300 feet to the northwest.
2. **The suitability of the subject property for the uses to which it has been restricted:** The property is presently zoned SF-5, 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 detrimental impacts on nearby property. A multi-family development is located directly to the west, across North Holyoke Street.
4. **Length of time subject property has remained vacant as zoned:** The property is developed with a single-family dwelling. It appears that the dwelling is not currently in use.
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 that is 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 property to be in conformance with the *Community Investments Plan* and the *Wichita: Places for People 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 no comments in regards to the requested zone change.

Staff Report Attachments:

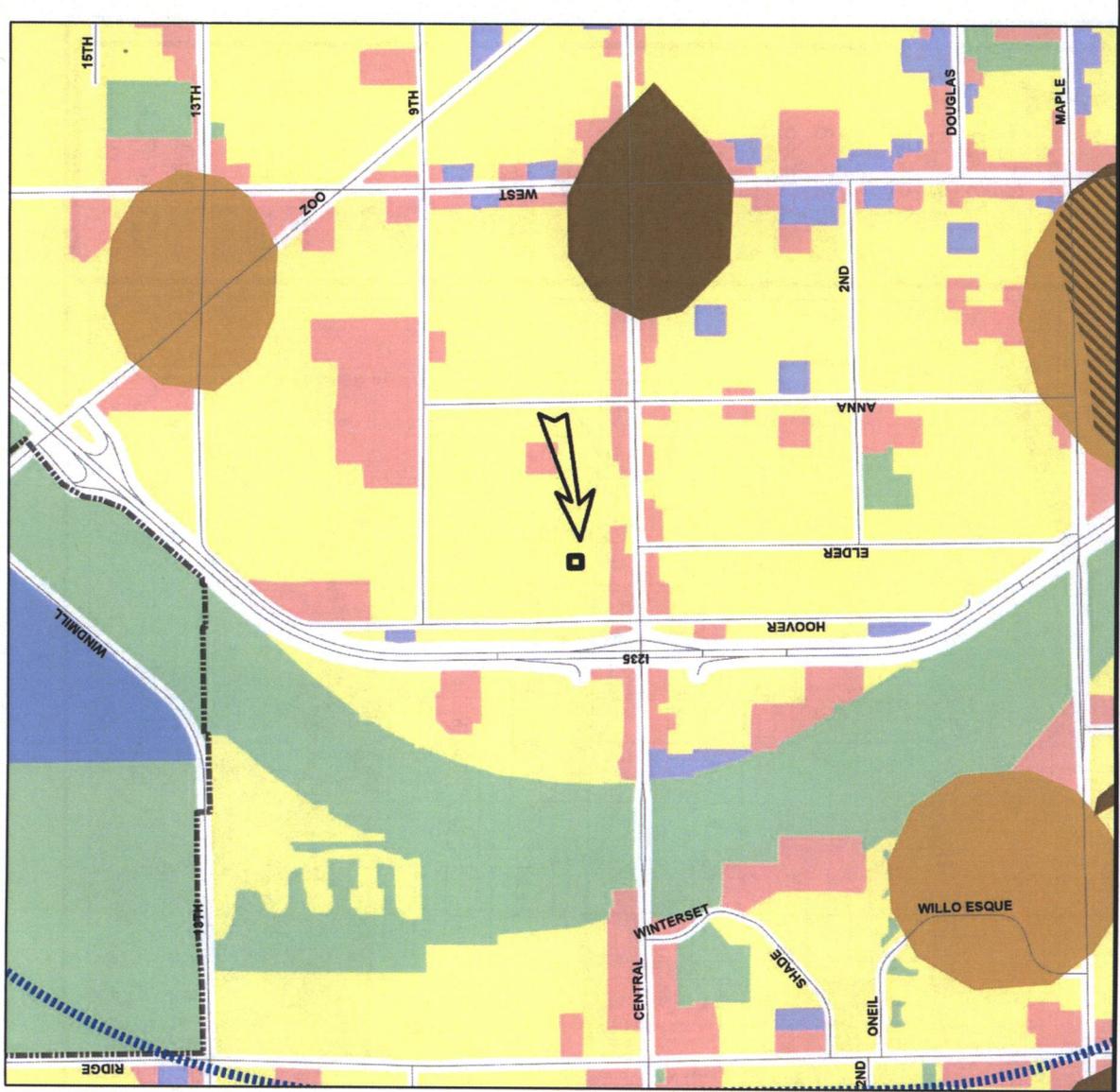
1. Aerial Map
2. Zoning Map
3. Land Use Map
4. Site Photos





2035 Wichita Future Growth Concept Map

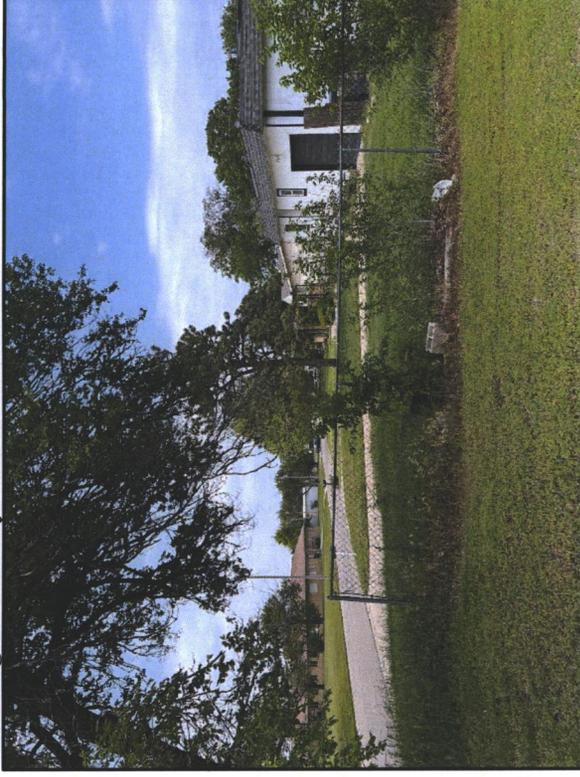
- Legend**
- Established Central Area
 - Residential and Employment Mix
 - New Employment
 - New Residential
 - Wichita City Limits
 - Other Cities
 - Northwest Bypass Right-of-Way
- Statistical Development Areas**
- Other Urban Growth Areas 2014
 - Other Urban Growth Areas 2014
 - Rural Growth Areas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



Looking east into site



Looking north away from site



Looking west away from site



Looking south away from site

