

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.

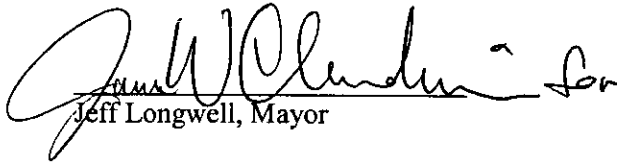
SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010; as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2015-00026

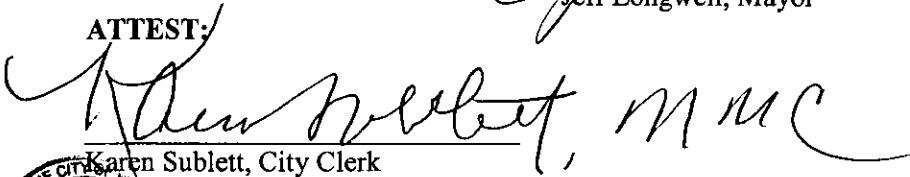
City zone change from Single-Family Residential (SF-5) to Two-Family Residential (TF-3) zoning on approximately 5.81 acres of Siena Lakes Addition to Wichita, Sedgwick County, Kansas described as Lots 19 through 39 subject to the development standards enumerated in the plat.

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.

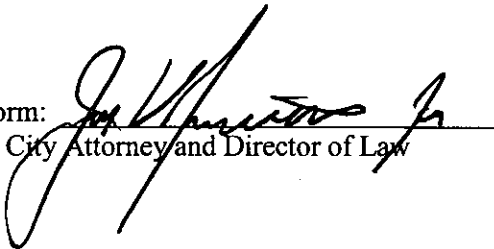

Jeff Longwell, Mayor

ATTEST:


Karen Sublett, City Clerk



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





AGENDA ITEM NO. 5

STAFF REPORT

MAPC August 20, 2015

DAB V August 10, 2015

CASE NUMBER: ZON2015-00026

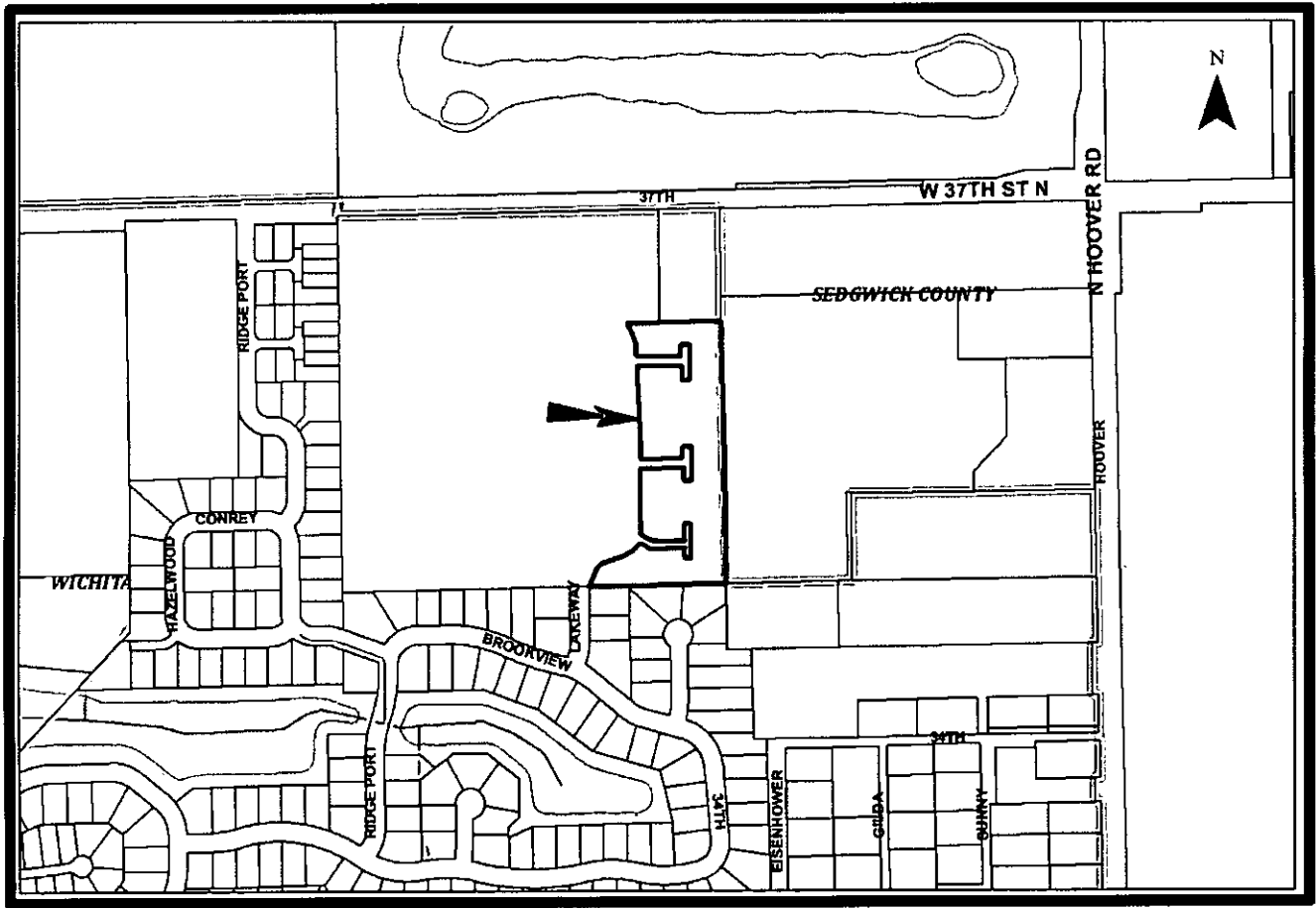
APPLICANT/AGENT: Siena Lakes LLC (owner) Chris Bohm, Ruggles & Bohm (Agent)

REQUEST: TF-3 Two-Family Residential zoning

CURRENT ZONING: SF-5 Single-Family Residential zoning

SITE SIZE: Approximately 5.81 acres

LOCATION: Generally located one-quarter mile west of Hoover on the south side of 37th Street North.



BACKGROUND: The applicant is requesting a zone change from Single-Family Residential (SF-5) to Two-Family Residential (TF-3) zoning on approximately 5.81 acres of Siena Lakes Addition to Wichita, Sedgwick County, Kansas. The applicant proposes to build 26 duplexes on the property.

West of the subject site is the undeveloped SF-5 zoned Siena Lake subdivision. North of the subject site is a 2-acre SF-5 zoned tract developed with a single-family house which was built in 2004. Property east of the subject site is located in the county Single-Family (SF-20) residential. South of the subject site is the Ridge Port Subdivision zoned SF-5, which is developed with single family residences.

CASE HISTORY: The site is located within the City limits of Wichita and consists of 5.81 acres on the south side of 37th Street North one-half mile west of North Hoover Road. Staff has received no calls expressing concerns about the proposed zoning change.

ADJACENT ZONING AND LAND USE:

NORTH: SF-5	Single-family residential, undeveloped (Siena Lakes)
SOUTH: SF-5	Single-family residential, Ridge Port Subdivision
WEST: SF-5	Single-family residential, undeveloped (Siena Lakes)
EAST: SF-5	Single-family (SF-20), unimproved farm land

PUBLIC SERVICES: The site has access to local collector streets that access West 37th Street North, a two-lane arterial. All utilities are available to the site.

CONFORMANCE TO PLANS/POLICIES: The 2030 Wichita Functional Land Use Guide map depicts the site as appropriate for “urban development growth” area. The urban development growth area is projected population growth and City limit expansion that reflect the full diversity of residential development densities and types typically found in a large urban municipality. Expansion of municipal services and infrastructure for subdivision development are important to encourage growth bases on Wichita population growth and current market trends. As such, the TF-3 zoning within the Siena Lakes Subdivision conforms to the urban growth area.

RECOMMENDATION: This request provides a residential development opportunity that is not uncommon for multiple (more than an acre) undeveloped lots of SF-5 zoned subdivisions located on the edges of the city. 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 site is located in a predominately SF-5 zoned single-family residential neighborhood. Single-family residences are located to the west and south of the newly platted Siena Lakes subdivision.
- (2) **The suitability of the subject property for the uses to which it has been restricted:** TF-3 zoning would allow single-family residences and duplexes to be built which is an appropriate use for urban residential development.
- (3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** The requested TF-3 zoning allows duplexes as well as single-family residences by right. There is TF-3 zoning within one mile of the subject site.
- (4) **Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant:** Approval of the request would limit development by right to single-family residential, duplex, and some (but not limited to) institutional uses such as a parks, schools and churches.

- (5) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The 2030 Wichita Functional Land Use Guide map depicts the site as appropriate for “urban development growth” area. The urban development growth area is projected population growth and City limit expansion that reflect the full diversity of residential development densities and types typically found in a large urban municipality. Expansion of municipal services and infrastructure for subdivision development are important to encourage growth bases on Wichita population growth and current market trends. As such, the TF-3 zoning within the Siena Lakes Subdivision conforms to the urban growth area.
- (6) **Impact of the proposed development on community facilities:** All services are in place and any increased demand on community facilities can be handled by current infrastructure.