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OCA 150004

ORDINANCE NO. 50-617

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. ZON2017-00044

City zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential on property generally located south of Kellogg and west of Maize Road, described as:

Lots 2, 3, and 4, Block A, Steve Kelly 6th Addition, 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.

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

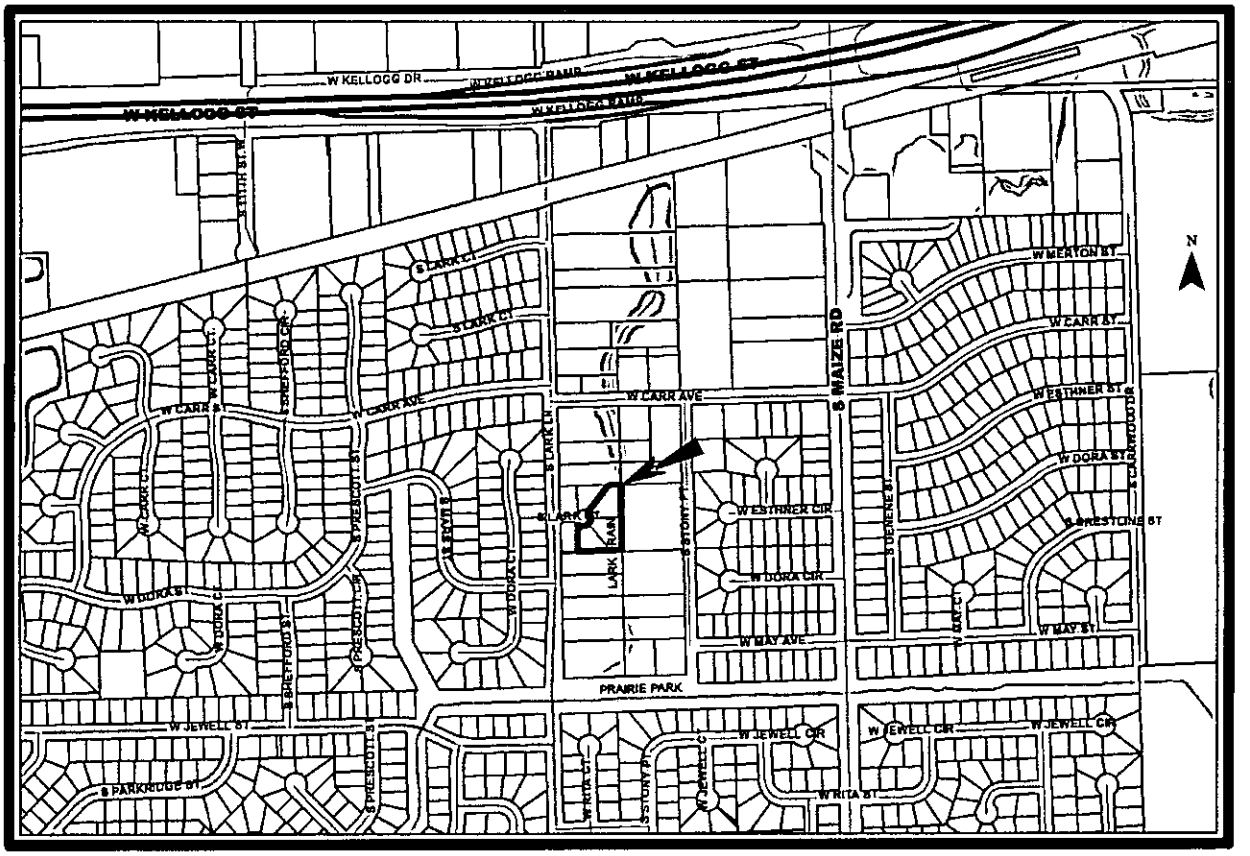
Approved as to form:
Jennifer Magaña, City Attorney and Director of Law

WICHITA–SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 7

STAFF REPORT
MAPC-October 5, 2017
DAB IV-October 2, 2017

CASE NUMBER:	ZON2017-00044
APPLICANT/AGENT:	Steve Kelly Homes / Russ Ewy
CURRENT ZONING:	SF-5 Single-Family Residential
REQUEST:	TF-3 Two-Family Residential
SITE SIZE:	0.98 acres
LOCATION:	At the End of South Lark Court on the East Side of South Lark Lane, Approximately One-Third of a Mile South of West Kellogg Drive
PROPOSED USE:	Two-Family homes



BACKGROUND: The application was filed to rezone the subject property from SF-5 Single-Family Residential (SF-5) to TF-3 Two-Family Residential (TF-3). The subject property is located at the end of South Lark Court on the east side of South Lark Lane, approximately one-third of a mile south of West Kellogg Drive. With the request, the applicant would like to rezone the property to a TF-3 district and construct new two-family dwelling units.

The existing parcel is 0.98 acres, contains three lots, and is vacant. Following rezoning, the applicant intends to build one two-family home on each of the three lots, for a total of six dwelling units. Each of the three lots meet the TF-3 minimum lot size of 3,000 square feet per dwelling unit and would be subject to all applicable setback requirements.

There are several examples of TF-3 zoning within a half-mile of the subject property. To the northeast, there are 41 lots with TF-3 zoning along West Merton Street and West Merton Court. To the south, there are 38 lots with TF-3 zoning along West Grant Street.

Properties surrounding the subject site area are zoned SF-5. North, south, east, and west of the site are single-family homes zoned SF-5.

CASE HISTORY: The parcel was platted as three lots in 2010 and each of the lots have remained vacant since that date.

ADJACENT ZONING AND LAND USE:

North: SF-5 single-family residences
South: SF-5 single-family residences
East: SF-5 single-family residences
West: SF-5 single-family residences

PUBLIC SERVICES: South Lark Court is a paved local street. All municipal services are available or can be extended to the site.

CONFORMANCE TO PLANS/POLICIES: The *Community Investment Plan* depicts the subject site as appropriate for "residential uses." The residential use category encompasses areas that reflect the full diversity of residential development densities and types found in a large urban municipality.

RECOMMENDATION: Based upon the information available at the time the staff report was prepared, it is recommended the application be approved.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: Properties surrounding the subject site area are zoned SF-5. North, south, east, and west of the site are single-family homes zoned SF-5.

2. The suitability of the subject property for the uses to which it has been restricted: The site is currently zoned SF-5, which primarily allows single-family residences. The lot being considered for rezoning could be improved with new single family homes with the existing zoning.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval of TF-3 zoning would allow two-family homes to be constructed on the property. There are several

examples of TF-3 zoning within a half-mile of the subject property. To the northeast, there are 41 lots with TF-3 zoning along West Merton Street and West Merton Court. To the south, there are 38 lots with TF-3 zoning along West Grant Street. The requested TF-3 zoning would enable a limited number of new two-family homes and approval of the request should not detrimentally impact nearby property owners.

4. Length of time the property has remained vacant as currently zoned: The property is currently vacant and has not developed with single-family homes under the current zoning district.

5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The Community Investment Plan depicts the subject site as appropriate for "residential uses." The residential use category encompasses areas that reflect the full diversity of residential development densities and types found in a large urban municipality and does not distinguish between single-family and two-family homes.

6. Impact of the proposed development on community facilities: Existing municipal facilities are in place or can be extended to serve the application area.

Staff Report Attachments:

1. Area Map
2. Aerial Map
3. 2035 Wichita Future Growth Concept Map