OCA 150004

(Published in the Wichita Eagle, 7/19/2019

ORDINANCE NO. 51-065

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. ZON2019-00013

City zone change from SF-5 Single Family Residential to TF-3 Two Family Residential described as:

Lots 11 and 13 in Gilder's Garden 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)

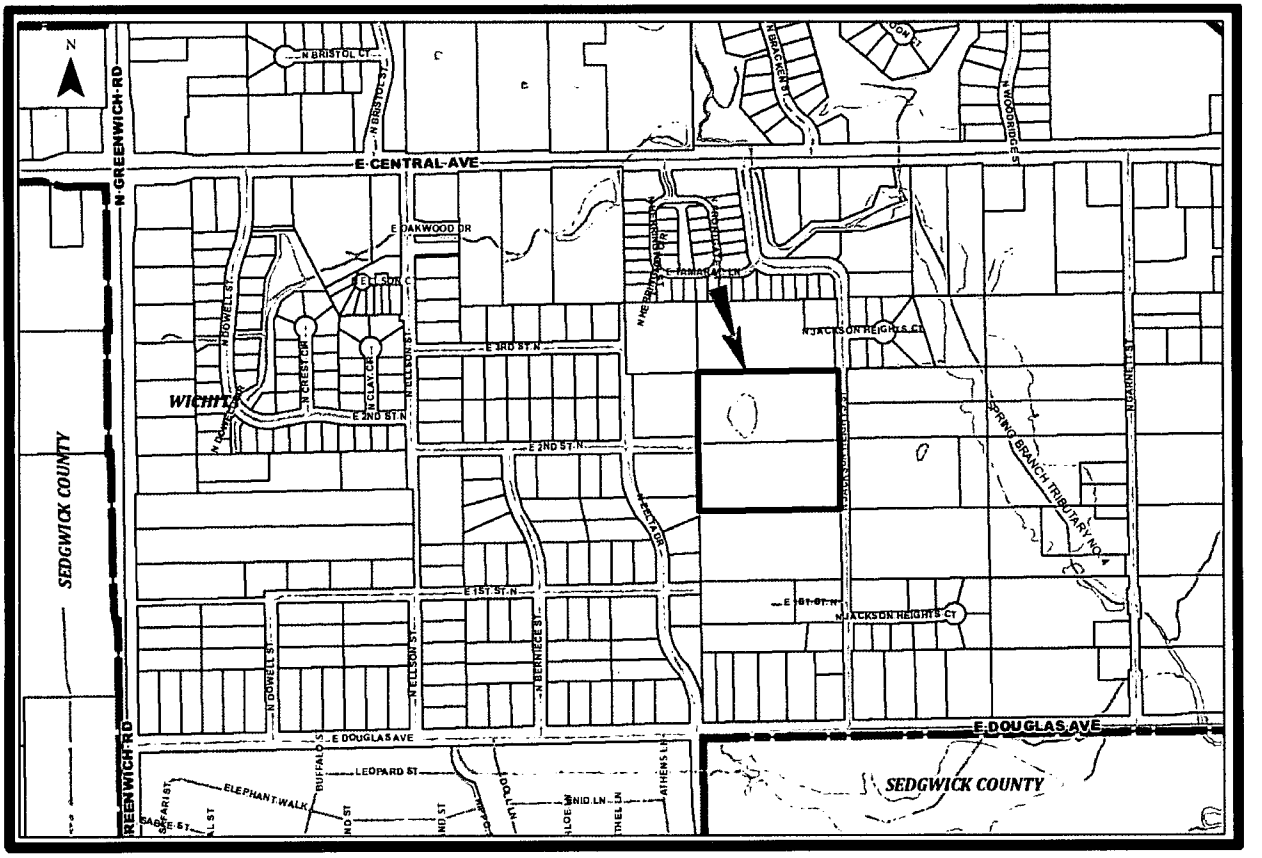
Approved as to form:
Jennifer Magaña, City Attorney and Director of Law

WICHITA—SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 10

STAFF REPORT
MAPC-May23, 2019
DAB II- May 13, 2019

CASE NUMBER:	ZON2019-00013
APPLICANT/AGENT	Steve Miller, Kuzens, LLC (applicants)/ Garver, LLC (agent)
REQUEST:	TF-3 Two-family Residential
CURRENT ZONING:	SF-5 Single-family Residential
SITE SIZE:	9.63 acres
LOCATION:	Approximately 1,000 feet south of East Central Avenue and 1/3rd mile west of North 127th Street East (321 North Jackson Heights Street)
PROPOSED USE:	Construction of duplexes



BACKGROUND: This application was filed to rezone a portion of the subject property from SF-5 Single-Family Residential (SF-5) to TF-3 Two-Family Residential (TF-3). The subject property is located approximately 1,000 feet south of East Central Avenue and 1/3rd mile west of North 127th Street East. With this request, the applicant would like to rezone the property to a TF-3 district and develop 27 lots for duplexes equating to 54 dwelling units (see attached site plan). The preliminary plan also identifies an area in the northeast corner of the subject site as a retention pond and a potential street dedication for the continuation of East 2nd Street North.

The immediate area is characterized by large lot/tract single-family residential development with SF-5 zoning as the primary classification in the area. There are a couple pockets of TF-3 zoning nearby as well as GO General Office zoning along East Central Avenue which is developed as patio homes and a small office park. The size of these lots/tracts range from 0.25- 5 acres with houses on them having been built anywhere from the 1920 to 1980, with the majority of them being built during the 1940s and 1950s. A duplex development south and east of the subject property was constructed in 2005 and the patio home/office park development north of the site was constructed in the early 2010s. Materials used on the houses vary from brick, to brick and wood or composite siding, to wood and composite siding. Some larger lots, with houses on them, also have outbuildings on them allowing those property owners to keep their horses on property. The area also features mature trees, landscaping and some mixed tree hedges.

The subject portion of the lot is 9.63 acres and is mostly vacant. There currently is a single family home with accessory structures located in the northeast portion of the site. The proposed TF-3 District has a minimum lot size of 6,000 square feet per dwelling unit, so the existing lot meets the minimum lot size for duplexes. The proposed duplexes would be subject to all applicable setback requirements of the TF-3 district.

CASE HISTORY: The property is platted as Lots 11 and 13, Gilders Gardens Addition, Wichita, Sedgwick County, Kansas, December 29, 1923.

ADJACENT ZONING AND LAND USE:

North:	SF-5;	Single Family Residential.
South:	SF-5	Single Family Residential.
East:	SF-5;	Single Family Residential.
West:	SF-5;	Single Family Residential, Religious Temple

PUBLIC SERVICES: North Jackson Heights Street is a paved local street with a 15-foot width and open ditches on either side. All municipal services are nearby, but will need to be extended to serve the subject site.

CONFORMANCE TO PLANS/POLICIES: The *Community Investment Plan* depicts the subject site as appropriate for "new residential" uses. The "new residential" use category "encompasses areas of land that likely will be developed or redeveloped by 2035 with uses predominately found in the Residential category." Appropriate uses in the Residential category include a range of housing densities and types including duplexes. The site is outside the Established Central Area (ECA), but is a good example of infill development.

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 primarily zoned SF-5, but there is TF-3 and GO zoning in the immediate area showing a history of these large lots being subdivided for the construction of higher density development.

2. The suitability of the subject property for the uses to which it has been restricted: The site is currently zoned SF-5, and has a one single family residence with some accessory structures. The majority of the land is undeveloped and could be improved with a development of duplexes with this rezoning.

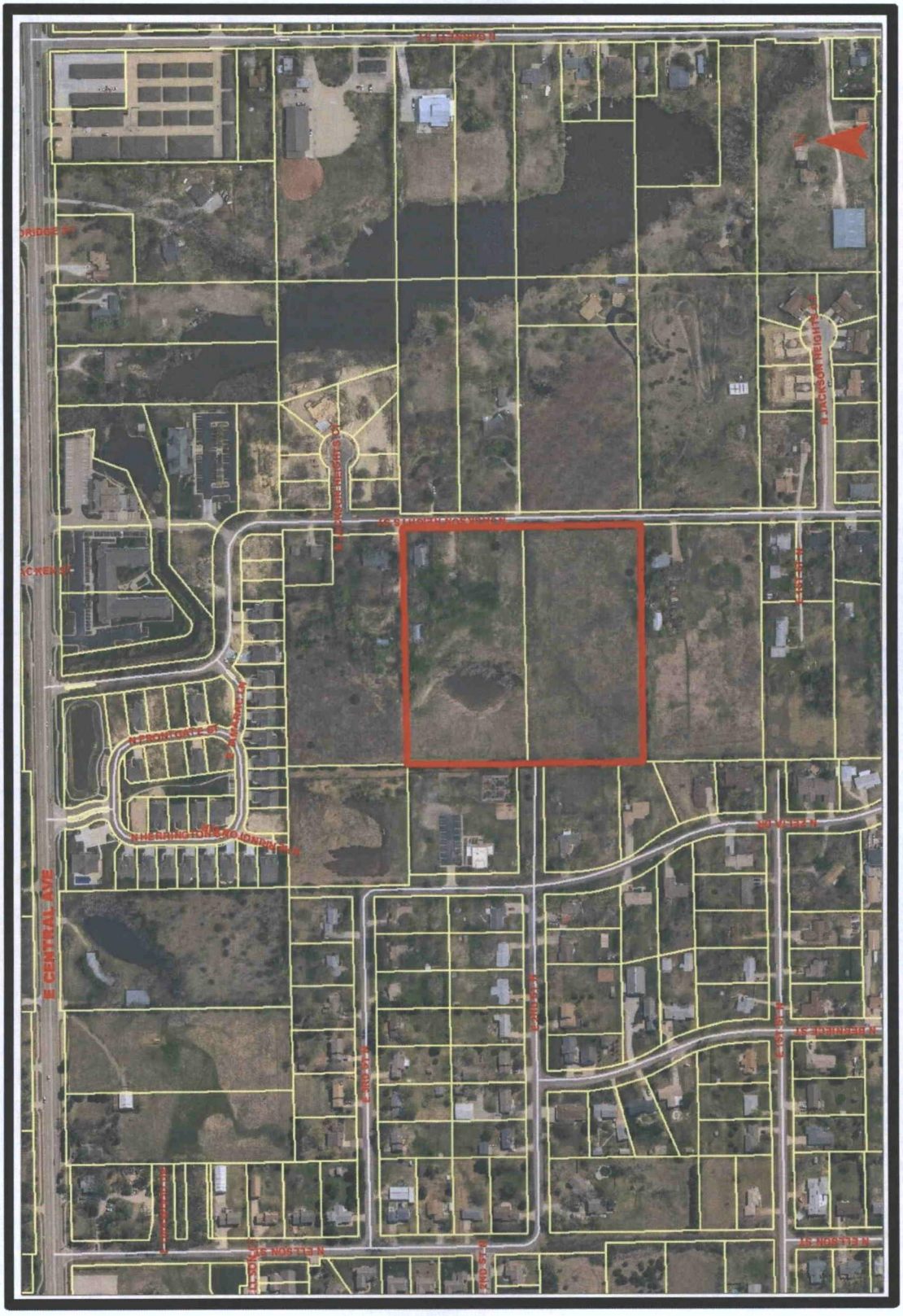
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval of TF-3 zoning would allow new two-family homes to be constructed on the property. Approval of the request should not detrimentally impact nearby property owners as there are already the presence of this type of development in the immediate area.

4. 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 "new residential" uses. The "new residential" use category "encompasses areas of land that likely will be developed or redeveloped by 2035 with uses predominately found in the Residential category." Appropriate uses in the Residential category include a range of housing densities and types including duplexes. The site is outside the Established Central Area (ECA), but is a good example of infill development.

5. Impact of the proposed development on community facilities: Existing municipal facilities are nearby but need to be extended to serve the application area.

Staff Report Attachments:

1. Area Map
2. Zoning Map
3. Land Use Map
4. Site Plan Submitted by Applicant


E CENTRAL AVE
N FRONTGATE ST
N HERRINGTON RD
N VICTORY ST
N JACKSON HEIGHTS AVE
N 2ND ST