Agenda Item #_____

City of Wichita
City Council Meeting
April 1, 2003

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: **ZON2003-00004 – Zone change from "SF-5" Single-family Residential to "TF-3" Two-family Residential. Generally located west of Hoover and north of Elm. (District VI)**

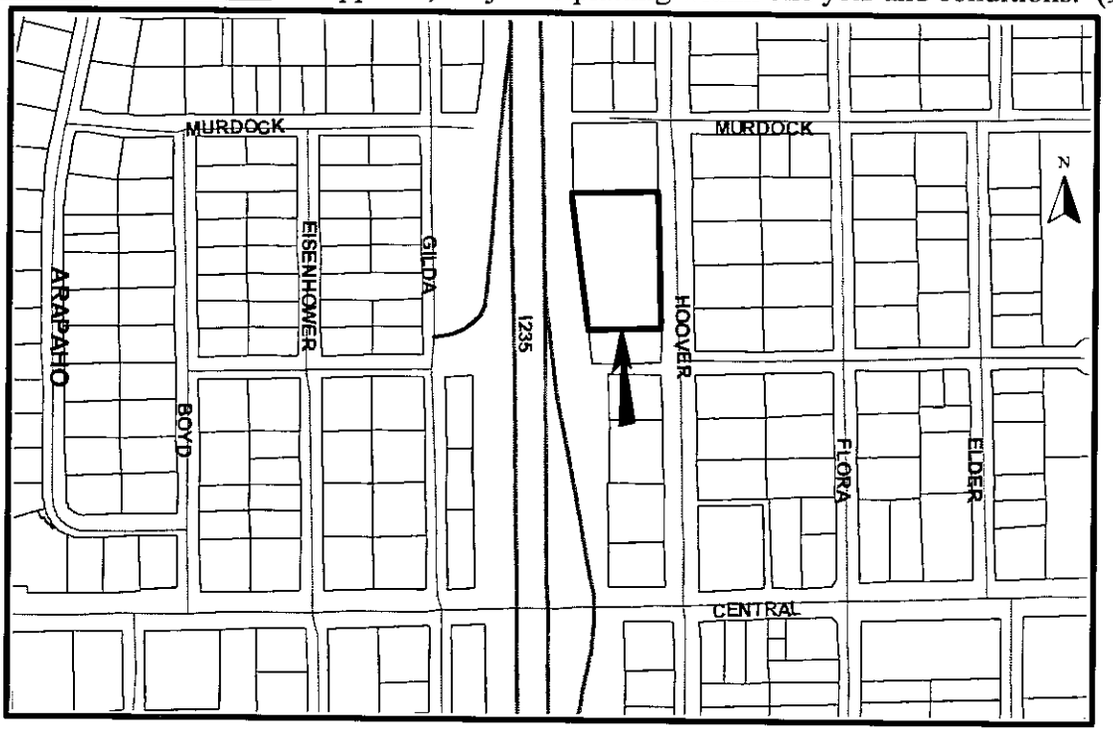
INITIATED BY: Metropolitan Area Planning Department DM

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to platting within one year and conditions. (10-0)

Staff Recommendation: Approve, subject to platting within one year and conditions.

D.A.B. Recommendation: Approve, subject to platting within one year and conditions. (9-0)



BACKGROUND: The applicant requests "TF-3" Two-family Residential zoning on a 1.81-acre site for duplex development; the application area is currently vacant. The site is on the west side of Hoover, and north of Elm. Most property surrounding the application area is zoned "SF-5" and developed with single-family residences. Some nearby property also remains vacant. Several lots north and south of the application area are zoned "TF-3". Most of those are developed with single-family uses. A few are developed with duplex units. Immediately west of the application area is I-235.

The proposed zone change, from "SF-5," to "TF-3" and the proposed development, would require conformance to all property development standards in the Wichita-Sedgwick County *Unified Zoning Code* (UZC).

At the DAB VI meeting held on March 3, 2003, the DAB voted (9-0) to approve the zone change subject to platting within one year, and subject to the owner/developer signing the petition to pave this section of Hoover. DAB members' questions about the number of duplexes, landscaping, utilities, access and the paving of this section of Hoover were answered to their satisfaction. The applicant agreed with the Planning Staff recommendation. No one spoke in opposition to the requested zoning change.

At the MAPC meeting held on March 6, 2003, the MAPC voted (10-0) to approve the zone change subject to platting within one year, and subject to the owner/developer signing the petition to pave this section of Hoover. The applicant agreed with the Planning Staff recommendation. No one spoke in opposition to the requested zoning change and there have been no written protest received.

RECOMMENDATION:

1. Concur with the findings of the MAPC and approve the zone change subject to platting within one year and conditions; place the zoning ordinance on first reading when the plat is forwarded to Council; or.

2. Return the application to the MAPC for reconsideration.

   (An override of the Planning Commission's recommendation requires a 2/3rd majority vote of the membership of the governing body on the first hearing.)

First Read 2-3-04 W. H. Pub.

(150004) PUBLISHED IN THE WICHITA EAGLE ON 6-1-04

ORDINANCE NO. 45-994

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. ZON 2003-04

Request for zone change from "SF-5" Single-Family Residential District to "TF-3" Two-Family Residential District on property described as:

Lots 1-6, Block 1, Spencer's Second Addition.

Generally located north of Central and on the west of Hoover.

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 10th **day of** February, **2004.**

ATTEST:

for Patsy Ellis, Deputy
Karen Scholfield, City Clerk

Carlos Mayans, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney