

OCA 150004

ORDINANCE NO. 49.088

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:

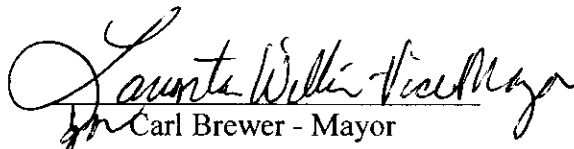
Case No. ZON2011-00023

Zone change from SF-5 Single-Family Residential ("SF-5") to TF-3 Two-Family Residential ("TF-3") on an approximately 10,500-square foot property described as:

Lots 41, 43 and 45, Block 2, College Green Addition; generally located south of Maple Street, on the west side of Sheridan Avenue and north of University Avenue, 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.


Carl Brewer - Mayor

ATTEST:


Karen Sublett, City Clerk

(SEAL)

Approved as to form
Gary E. Rebenstorf, City Attorney


by 

City of Wichita
City Council Meeting
September 13, 2011

TO: Mayor and City Council

SUBJECT: ZON2011-00023 – City zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential; generally located south of Maple Street, on the west side of Sheridan Avenue and north of University Avenue. (District IV)

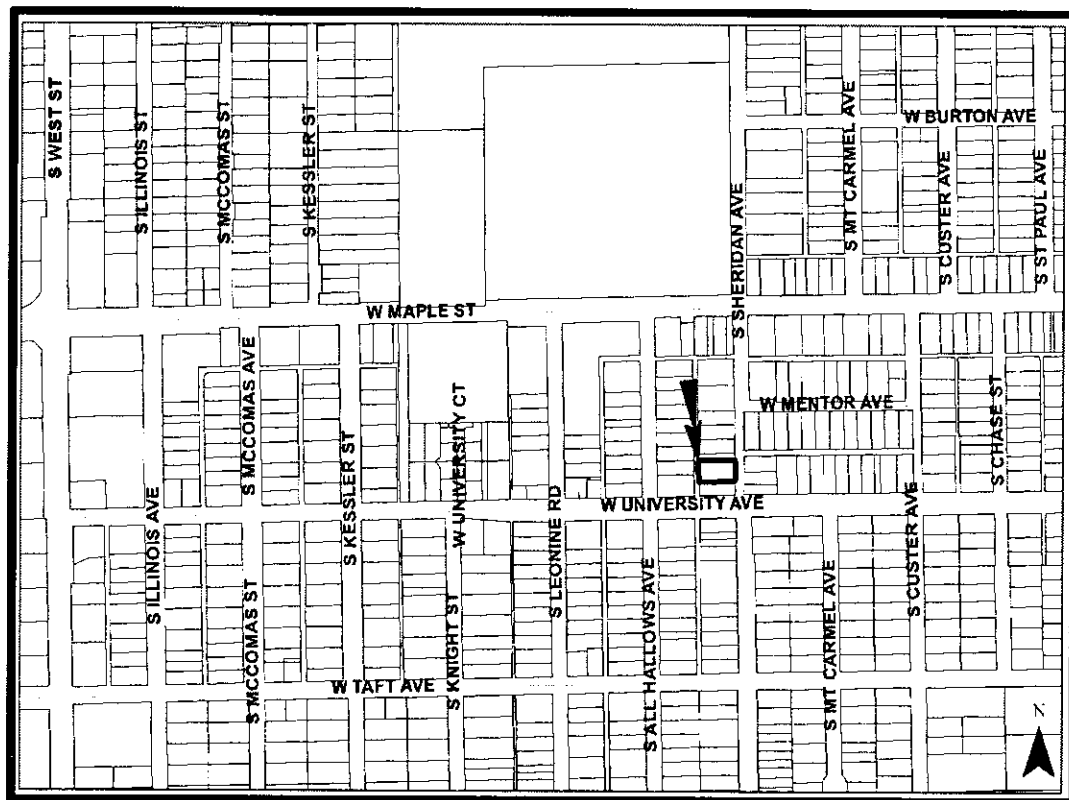
INITIATED BY: Metropolitan Area Planning Department. *JVS*

AGENDA: Planning (Consent)

MAPC Recommendation: Approve unanimously (10-0).

DAB IV recommendation: Approve unanimously (7-0).

MAPD Staff Recommendation: Approve.



Background: The applicant requests a zone change from SF-5 Single-Family Residential (“SF-5”) to TF-3 Two-Family Residential (“TF-3”) on Lots 41, 43 and 45, Block 2, the College Green Addition. The site has a duplex on it and the zone change is needed to make the use conform to the Unified Zoning Code (UZC). The City’s Geozone shows a residence on the site to have been built in 1920; it is not known when it was converted into a duplex.

The area around the site is developed as mostly single-family residential with scattered duplexes, all zoned SF-5 and TF-3. There is also a B Multi-Family Residential (“B”) zoned single-family residence and vacant land and a MF-29 Multi-Family Residential (“MF-29”) zoned four-plex in the area. West of the site, across a platted alley, Lots 46, 48, and 50, Block 2, College Green Addition were rezoned from SF-5 to TF-3, by ZON2010-41; this property now has a duplex on it. A block north of the site, across Maple Street, the SF-5 zoned Mayberry Middle Magnet School – Lawrence Elementary – West Douglas Public Park complex is the largest development in the area. Maple Street has uninterrupted LC Limited Commercial (“LC”), GC General Commercial (“GC”) and LI Limited Industrial (“LI”) zoning from Sheridan to West Street, with the exception of the already noted school – park development. The nonresidential zoned development along Maple includes self-storage warehouses, a bar, office – warehouses, strip retail, strip office, vehicle repair, small apartments, a vet clinic, vacant land, park land and a Quick Trip convenience store.

Analysis: At the District Advisory Board IV (DAB IV) meeting held August 1, 2011, the DAB voted (7-0) to approve the request. At the MAPC meeting held August 4, 2011, the MAPC voted (10-0) to approve the request. No one spoke in opposition to this request at the DAB IV meeting or the MAPC’s advertised public hearing meeting. No written protests have been filed.

Financial Considerations: All improvements will be to City standards and at the applicant’s expense.

Goal Impact: The application supports the City’s goal to promote Economic Vitality.

Legal Considerations: The ordinance has been reviewed and approved as to form by the Law Department.

Recommendation/Actions: Adopt the findings of the MAPC and approve the zone change, authorize the Mayor to sign the ordinance and place the ordinance on first reading (simple majority required).

Attachments:

- Ordinance
- MAPC Minutes
- DAB IV Minutes