

Published in The Wichita Eagle on

6-27-14

ORDINANCE NO.

49-769

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. ZON2013-00018

Zone change request from SF-5 Single-family Residential to TF-3 Two-family Residential on property described as:

Lots 8-16, Block B, Reserves C and D, Southern Shores Addition, Wichita, Sedgwick County, Kansas.

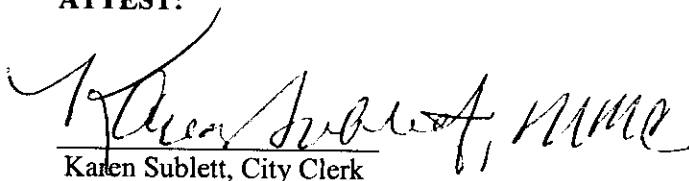
Generally located on the Northwest Corner of Seneca and 55th Street South.

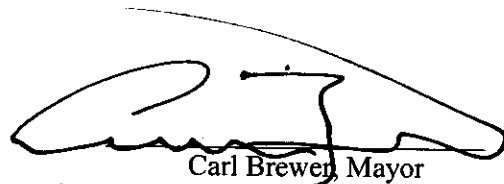
SECTION 2. That upon the taking effect of this Ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita-Sedgwick County Unified Zoning Code as amended.

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 24 day of June, 2014.

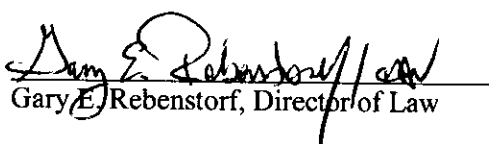
ATTEST:


Karen Sublett, City Clerk


Carl Brewer, Mayor

(SEAL)

APPROVED AS TO FORM:


Gary E. Rebenstorf, Director of Law

City of Wichita
City Council Meeting
 September 24, 2013

TO: Mayor and City Council

SUBJECT: ZON2013-00018 – Zone change from SF-5 Single-Family Residential (SF-5) to Two-Family Residential (TF-3) on property generally located north of 55th Street South and west of Seneca Street. (District IV)

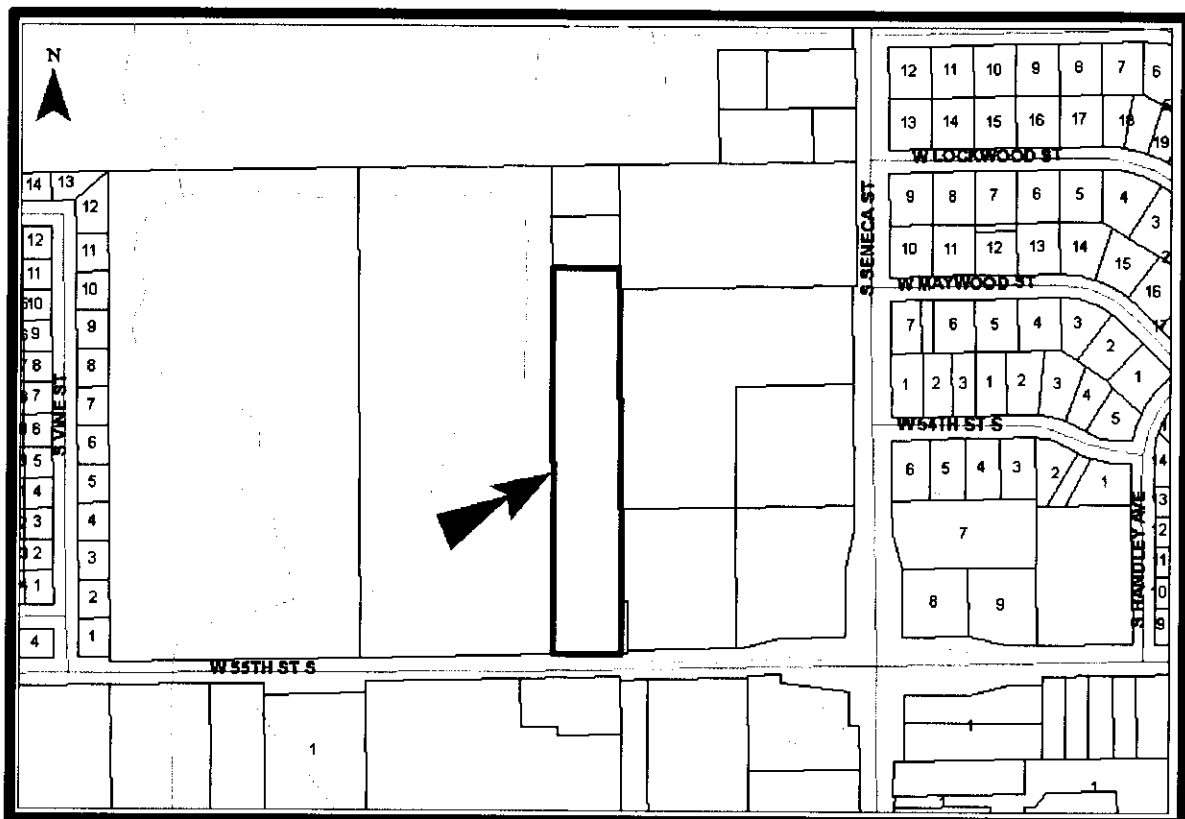
INITIATED BY: Metropolitan Area Planning Department *JVS*

AGENDA: Planning (Consent)

MAPC Recommendation: Approve (8-0) contingent upon Park Board approval and platting within one year.

DAB IV Recommendation: Approve (7-0) contingent upon Park Board approval and platting within one year.

MAPD Staff Recommendation: Approve contingent upon Park Board approval and platting within one year.



Background: The applicant is requesting TF-3 Two-Family Residential (TF-3) zoning on the 4.05 acre SF-5 Single-Family Residential (SF-5) zoned site. The tract is part of the southeast portion of the City of Wichita owned, unplatted, South Lakes Park. The applicant proposes a duplex development. Last year the applicant rezoned the abutting eastern properties TF-3, contingent on replatting; ZON2012-00022 is not in effect at this time. The Park Board has authorized the negotiation of the sale of the land and will need to give final approval of the sale and zone change, as will the City Council.

The site is located west of Seneca Street on the north side of 55th Street South. The SF-5 zoned South Lakes Public Park, which is where the site is located in, is one of the dominate feature of this area with its small lakes, open spaces and playing fields. The park's largest fishing lake abuts the west side of the site. A small SF-5 zoned manufactured home subdivision is located further west, as is the City of Haysville and its USD 261 public school facilities (the other dominant feature of the area), anchored by Campus High School. SF-5 zoned non-conforming outdoor storage abuts the north side, as well as a portion of the east side, of the site. Vacant MF-29 Multi-Family Residential (MF-29), GO General Office (GO) and LC Limited Commercial (LC) zoned properties also abut and are adjacent to the east side of the site. The abutting and adjacent MF-29, LC, GO zoned properties were approved for TF-3 zoning contingent on replatting; ZON2012-00022 is not in effect at this time. Urban scale SF-5 zoned single-family residential development makes up most of the development located further east, across Seneca. However, there is also a small group of LC zoned apartments and MF-29 and TF-3 zoned duplexes, clustered around a LC zoned convenience store. Development located south of the site, across 55th Street South, includes undeveloped LC zoned property, large and small tract LC and SF-5 zoned single-family residences, a LC zoned church, a GC General Commercial (GC) zoned contractor's stone and gravel yard, a vacant LC zoned bar and SF-5 and SF-20 Single-Family Residential (SF-20) zoned agricultural land.

Analysis: At the District Advisory Board (DAB IV) meeting held August 12, 2013, the DAB voted, unanimously (7-0), to approve the requested zoning contingent upon Park Board approval and platting within one year. At the Metropolitan Area Planning Commission (MAPC) meeting held August 22, 2013, the MAPC voted (8-0) to approve the request contingent upon Park Board approval and platting within one year. There were no citizens who spoke against the request at the MAPC or DAB meetings. Planning has received no phone calls protesting the request. There have been no valid protest petitions filed with the City Clerk.

Financial Considerations: There are no financial considerations in regards to the zoning request.

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

Recommendation/Actions: It is recommended that the City Council adopt the findings of the MAPC, approve the zone change contingent upon Park Board approval, subject to platting within one year of the governing body approval and instruct the Planning Department to forward the ordinance for first reading when the plat is complete (simple majority required).

Attachments:

- Ordinance
- MAPC minutes
- DAB memo