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OCA 150004

ORDINANCE NO. 50-577

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. ZON2017-00020

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

That part of the East Half of the Northwest Quarter of Section 34, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, described as beginning at the Northwest corner of said East Half, thence S89°42'55"E along the north line of said East Half, 485.92 feet to the northerly most northwest corner of Willow Creek East 2nd Addition, Wichita, Sedgwick County, Kansas; thence S00°17'05"W, 60.00 feet to the northerly most northwest corner of Reserve "A" in said addition; thence S37°50'27"W along the northwest line of said Reserve "A", 796.96 feet to the westerly most northwest corner of said Reserve "A", also being the west line of said East Half, thence N00°16'22"E along said west line, 691.80 feet to the place of beginning.

Protective Overlay #319


1. Upon submission of the preliminary and final plat, there shall be no street connection to East Osie Street from the TF-3 zoning.

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.

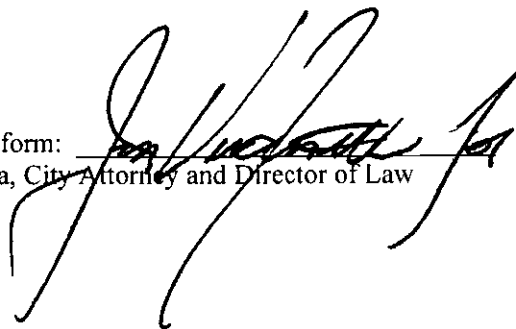

Jeff Longwell, Mayor

ATTEST:


Karen Sublett, City Clerk



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



STAFF REPORT
Original MAPC-June 8, 2017
Final MAPC-July 6, 2017
DAB II-June 12, 2017

CASE NUMBER: ZON2017-00020

APPLICANT/AGENT: Clear Ridge Investment Inc. / Will Clevenger

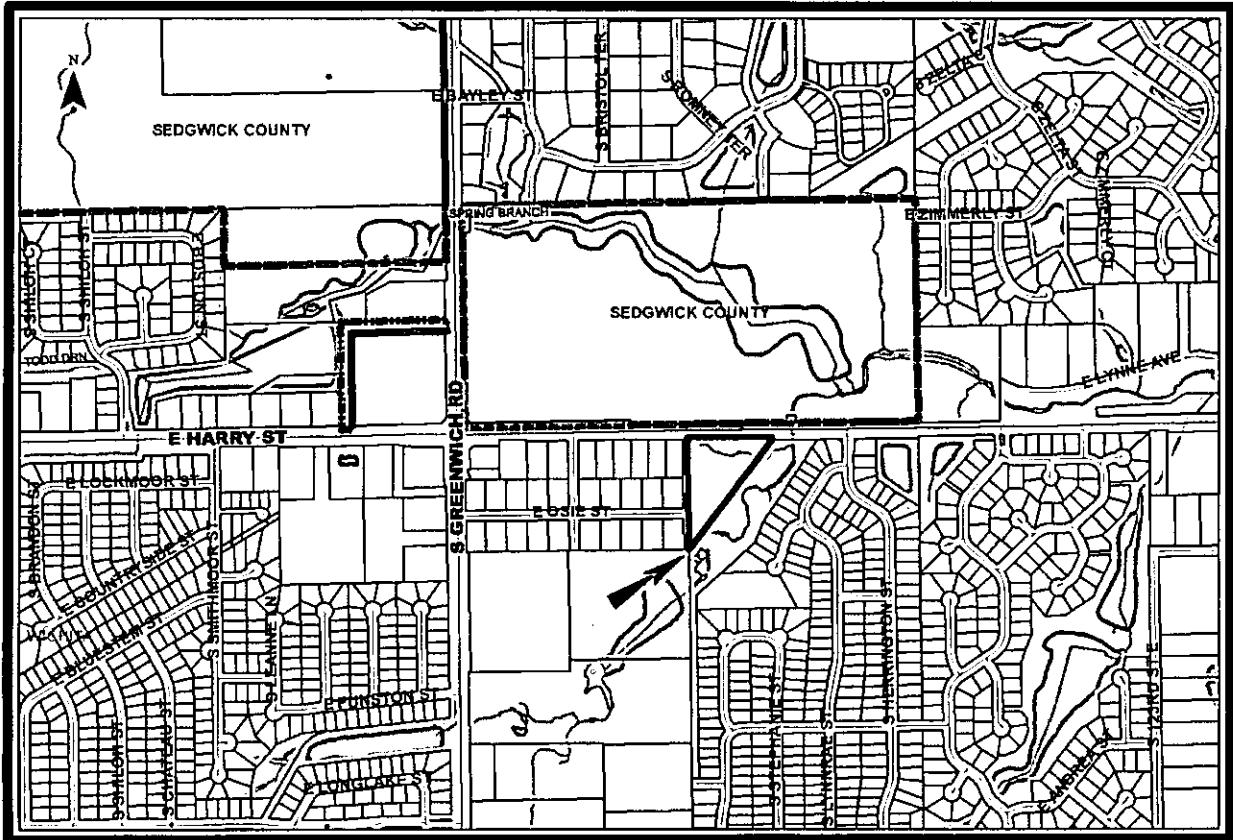
REQUEST: TF-3 Two-Family Residential

CURRENT ZONING: SF-5 Single-Family Residential

SITE SIZE: 3.74 acres

LOCATION: Southeast corner of East Harry Street and South Greenwich Road

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 one-fourth of a mile east of the Harry Street and Greenwich Road intersection, on the south side of Harry Street. 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 3.74 acres and is currently unimproved. The parcel is triangular in shape with roughly 400 feet of frontage along Harry Street. Following rezoning, the applicant intends to plat the land for a small development. Preliminary site plans includes an entrance off of Harry Street and ten lots for two-family homes or an entrance off of Harry Street with a connection to Osie Street and fifteen lots for two-family homes. Lots would be required to 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 no examples of TF-3 zoning within three-fourths of a mile of the subject property.

Properties surrounding the subject site area are primarily zoned SF-5 or SF-20. North of the site along East Harry Street is a large unimproved parcel zoned SF-20. South and east of the site is the Willow Creek Addition zoned SF-5 with single-family homes. West of the site are single-family homes zoned SF-5.

CASE HISTORY: The parcel has not been platted.

ADJACENT ZONING AND LAND USE:

North: SF-20; unimproved parcel
South: SF-5; single-family residences
East: SF-5; single-family residences
West: SF-5; single-family residences

PUBLIC SERVICES: East Harry Street is a paved arterial 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 primarily zoned SF-5 or SF-20. North of the site along East Harry Street is a large unimproved parcel zoned SF-20. South and east of the site is the Willow Creek Addition zoned SF-5 with single-family homes. 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 and subsequent platting would allow two-family homes to be constructed on the property. The Willow Creek neighborhood to the south and east of the site would be separated from the development by a roughly 250-foot floodway reserve that includes trees and a small creek. The single family residences to the west of the site would be separated from the development by a tree line. 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 unimproved.
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.
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