

ORDINANCE NO. 50-593

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. ZON2017-00029

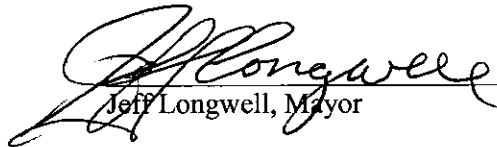
Zone change from IP Industrial Park to Two-Family Residential on property generally located south of 31st Street South and east of Rock Road described as:

Lot 7, Block A, Rocky Ford Industrial Park, Sedgwick County, Kansas TOGETHER WITH Reserve B and Reserve C in said Rocky Ford Industrial Park

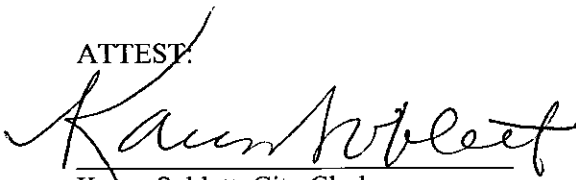
SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

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 26th day of September, 2017.

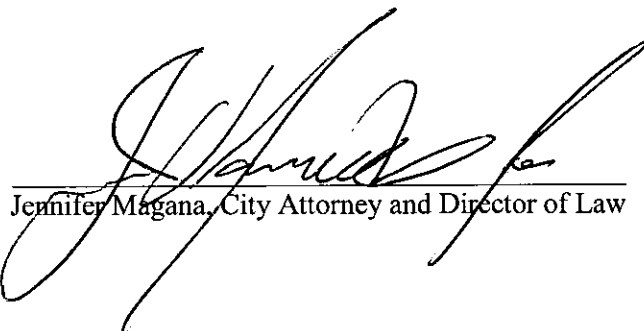

Jeff Longwell, Mayor

ATTEST:


Karen Sublett, City Clerk



Approved as to form:


Jennifer Magana, City Attorney and Director of Law

STAFF REPORT
 MAPC-August 10, 2017
 DAB II-August 14, 2017

CASE NUMBER: ZON2017-00029

APPLICANT/AGENT: 31st Rock Investments LLC, Kevin Mullen / Baughman Co., Russ Ewy

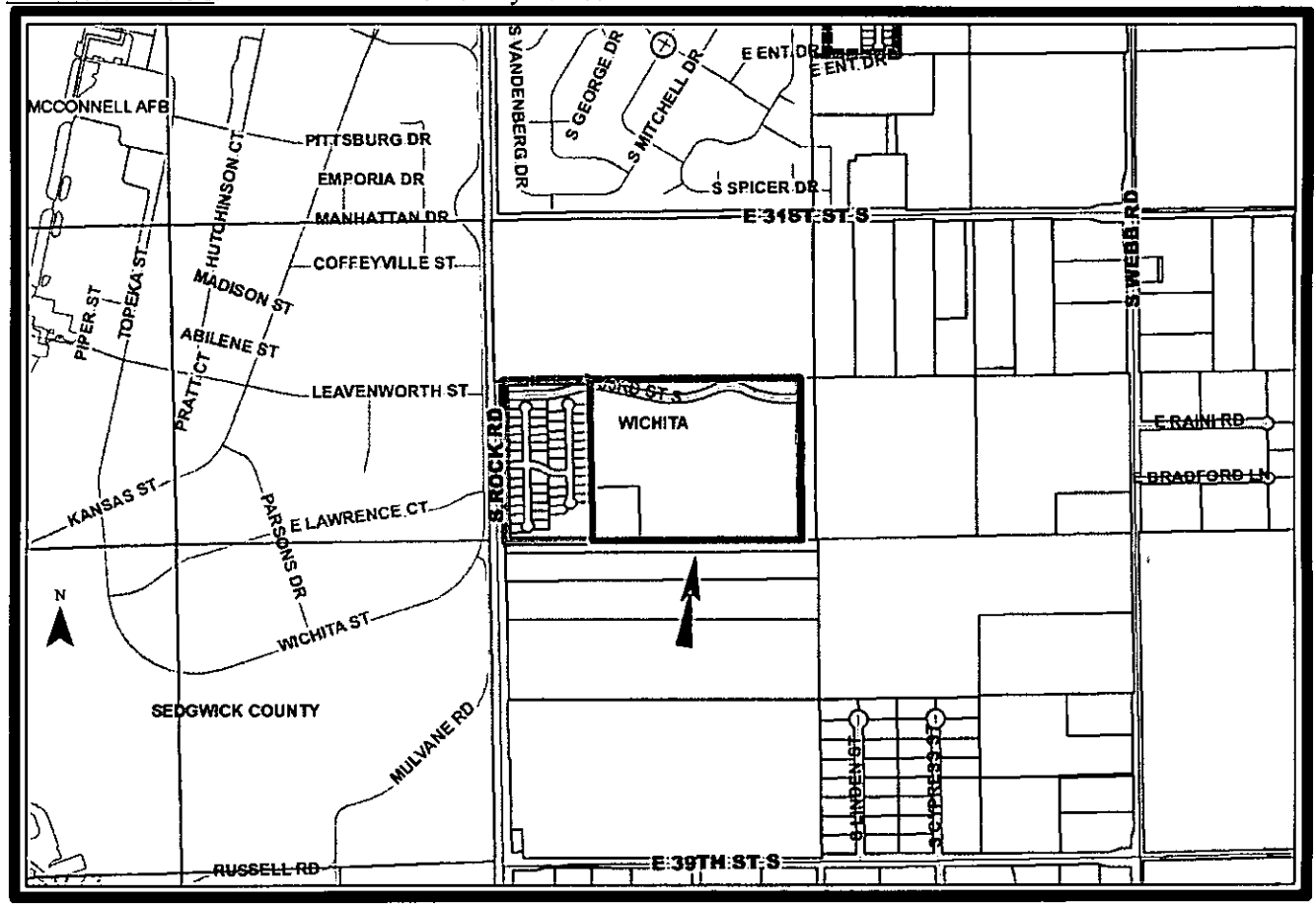
REQUEST: TF-3 Two-Family Residential

CURRENT ZONING: IP Industrial Park

SITE SIZE: 50-acres

LOCATION: 700 feet east of South Rock Road, on the south side of East 33rd Street South (extended).

PROPOSED USE: Two-Family homes



BACKGROUND: This application was filed to rezone the subject property from IP Industrial Park (IP) to TF-3 Two-Family Residential (TF-3). The subject property is located on the south side of East 33rd Street South (extended), approximately 700 feet east of South Rock Road. With this request, the applicant would like to construct a new community of two-family dwelling units. A preliminary plat has been approved for the development, Rocky Ford 2nd Addition. The Subdivision Committee of the Metropolitan Area Planning Commission reviewed this plat on July 13, 2017.

The subject property is a vacant 50-acre parcel currently zoned IP. Immediately west of this site along the Rock Road frontage is the Rocky Ford Addition, with 50 residential lots. This plat was recorded in May of 2017. East of this zoning parcel are additional lots in Rocky Ford 2nd Addition. Please see the attached zoning and plat overlay that helps explain these new subdivisions. This application for a zone change is associated with these new plats, and indicates a trend of residential development in this area.

North of the subject property is a vacant agricultural parcel zoned SF-20. South of the site is an additional vacant agricultural parcel zoned SF-20. There is a vacant property east of the site that is zoned SF-20 that was included in the Rocky Ford 2nd Addition plat. This property will be developed with duplexes in the future. West of the site along South Rock Road is a vacant property platted as Rocky Ford Addition with 50 residential lots. McConnell Air Force Base is on the west side of South Rock Road, in the general vicinity of the subject property.

The Air Operations Board of McConnell Air Force Base has reviewed the application, and found that it meets all appropriate requirements.

CASE HISTORY: The parcel was platted as Rocky Ford Industrial Park in December, 2007. A new preliminary plat has been processed for the proposed TF-3 development, Rocky Ford 2nd Addition. This preliminary plat was reviewed by the Subdivision Committee on July 13, 2017.

ADJACENT ZONING AND LAND USE:

North: SF-20 vacant
South: SF-20 vacant
East: SF-20 vacant, future duplexes
West: LC vacant, Rocky Ford Addition, McConnell Air Force Base

PUBLIC SERVICES: All public streets and utilities will have to be extended at the developers cost to serve the proposed subdivision.

CONFORMANCE TO PLANS/POLICIES: The *Community Investment Plan* depicts the subject site as appropriate for "New Residential." The residential use category encompasses areas that reflect the full diversity of residential development densities and types found in a large urban municipality. This category would include the proposed two-family units.

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:** North of the subject property is a vacant agricultural parcel zoned SF-20. South of the site is an additional vacant agricultural parcel zoned

residential lots. McConnell Air Force Base is on the west side of South Rock Road, in the general vicinity of the subject property.

2. The suitability of the subject property for the uses to which it has been restricted: The property is zoned IP Industrial Park, and no development has occurred with this zoning classification since the initial plat was filed in 2007. While the property may be suited for industrial development, the market has not provided opportunities at this location. Another limiting factor for industrial development is that the site is lacking direct or nearby highway access for industrial, warehouse and employment uses
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The east side of South Rock Road is characterized by many large, vacant tracts. Approval of TF-3 zoning and related platting would allow two-family homes to be constructed on the property. This would provide new housing opportunities in the area, and offer new housing choices near McConnell Air Force Base. Inasmuch as nearby properties are primarily vacant agricultural tracts, the rezoning should not adversely impact nearby properties.
4. Length of time the property has remained vacant as currently zoned: The property is currently vacant, and has never been developed.
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 “New Residential.” The residential use category encompasses areas that reflect the full diversity of residential development densities and types found in a large urban municipality. This category would include the proposed two-family units.
6. Impact of the proposed development on community facilities: Municipal facilities can be extended to the subject property.

Staff Report Attachments:

1. Preliminary plat, zoning exhibit