

OCA 150004 PUBLISHED IN THE WICHITA EAGLE ON Sept. 7, 2018

ORDINANCE NO. 50-842

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:

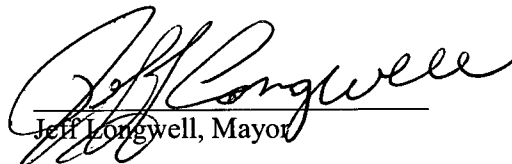
**Case No. ZON2018-00026**

City zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential on property Located 800 feet west of South Hydraulic Avenue on the south side of East McArthur Road, described as:

Lot 1, except the West 78 feet and except the North 10 feet, Block 2, Louis Addition, 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.

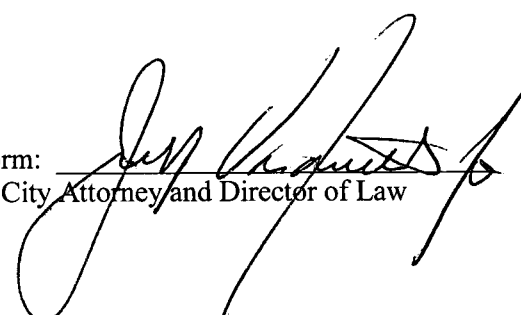
**SECTION 3.** That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

  
Jeff Longwell, Mayor

ATTEST:

  
Karen Sublett, City Clerk



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



AGENDA ITEM NO. \_\_\_\_\_

## STAFF REPORT

MAPC July 26, 2018  
DAB III August 1, 2018

**CASE NUMBER:** ZON2018-00026

**APPLICANT/AGENT:** Joselito and Imee Magno (owner)

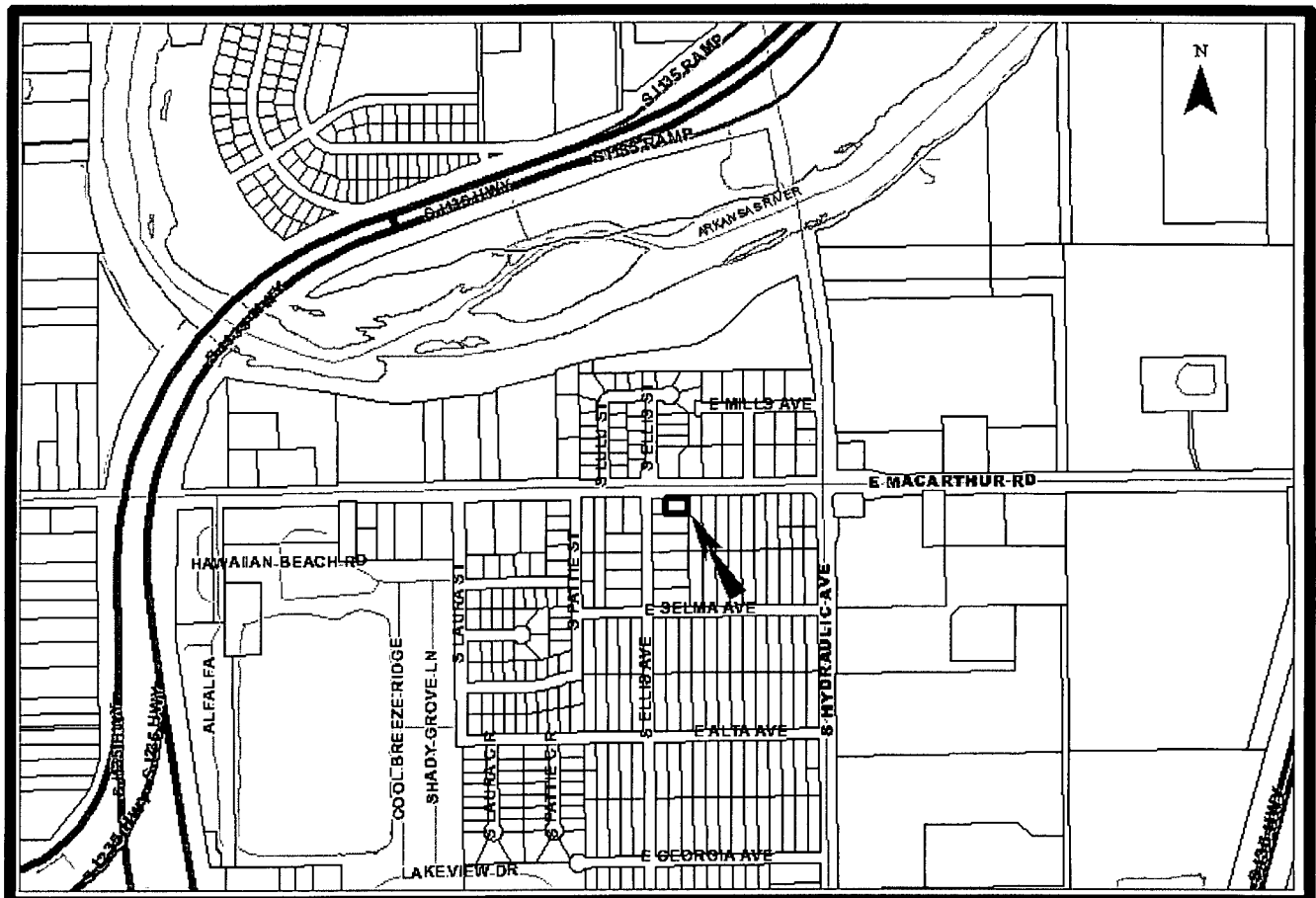
**REQUEST:** TF-3 Two Family Residential

**CURRENT ZONING:** SF-5 Single Family Residential

**SITE SIZE:** 0.25acre

**LOCATION:** Located 800 feet west of South Hydraulic Avenue on the south side of East McArthur Road

**PROPOSED USE:** Two-family residential development



**BACKGROUND:** The applicant/owner is requesting the rezoning of the east 119.5 feet of Lot 1, Block 2 of the Louis Addition (0.25 acre) at this location from SF-5 Single Family Residential (SF-5) to TF-3 Two Family Residential (TF-3). The property is currently vacant.

The surrounding neighborhood is a mix of commercial, multi-family and single-family zoning, primarily residential uses. The property north of the subject site is zoned LC Limited Commercial, developed with single-family detached houses and MF-29, developed with four-plexes. SF-5 zoning district is east, west and south of the subject property developed with single-family detached houses.

**CASE HISTORY:** The Louis Addition was platted in 1948, and the lot split of Lot 1 was perfected in July 2006.

**ADJACENT ZONING AND LAND USE:**

|        |           |             |
|--------|-----------|-------------|
| NORTH: | LC, MF-29 | residential |
| SOUTH: | SF-5      | residential |
| EAST:  | SF-5      | residential |
| WEST:  | SF-5      | residential |

**PUBLIC SERVICES:** East McArthur Road is a fully improved four-lane arterial street with dedicated turn lanes and medians at this location. All municipal services are provided to the site.

**CONFORMANCE TO PLANS/POLICIES:** The Wichita-Sedgwick County *Community Investments Plan*, identifies the area in which the site is located as appropriate for Residential uses. The site is located within the Wichita city limit, where residential development is encouraged. The uses envisioned for redevelopment in this area include duplexes.

**RECOMMENDATION:** Based upon the information available at the time the staff report was completed, staff recommends APPROVAL of the request, as submitted. This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The surrounding neighborhood is predominantly residential uses. The neighborhood has been relatively stable for residential uses. There are already four-plexes within the neighborhood, so the introduction of a couple of new duplexes is not felt to be out of character with the neighborhood.
2. The suitability of the subject property for the uses to which it has been restricted: The property is presently zoned SF-5 Single Family Residential and the property could be developed for new single family homes.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The proposed TF-3 zoning is present in the neighborhood within a two block radius.
4. Length of time the property has been vacant as currently zoned: The property has been undeveloped at least since 1938, as indicated in historic aerial photographs.
5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the area in which the site is located as appropriate for residential uses within the Wichita city limit. This includes development of duplexes.
6. Impact of the proposed development on community facilities: Development of the property would not have any impact on community facilities or resources. All public improvements are available to serve the property.