

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. ZON2009-00039

Zone change request from SF-5 Single-family Residential ("SF-5") to MF-18 Multi-family Residential ("MF-18") on property described as:

Lot 35, Block 2, through Lot 47, Block 2, and Lot 34, Block 2, except the South 42.79 feet thereof, Terradyne West Addition, Wichita, Sedgwick County, Kansas; generally located west of 159th Street East and 1/3 mile north of East Central Avenue.

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 2nd day of March 2010.

ATTEST:

Karen Sublett
Karen Sublett, City Clerk

Carl Brewer
Carl Brewer, Mayor



Approved as to form:

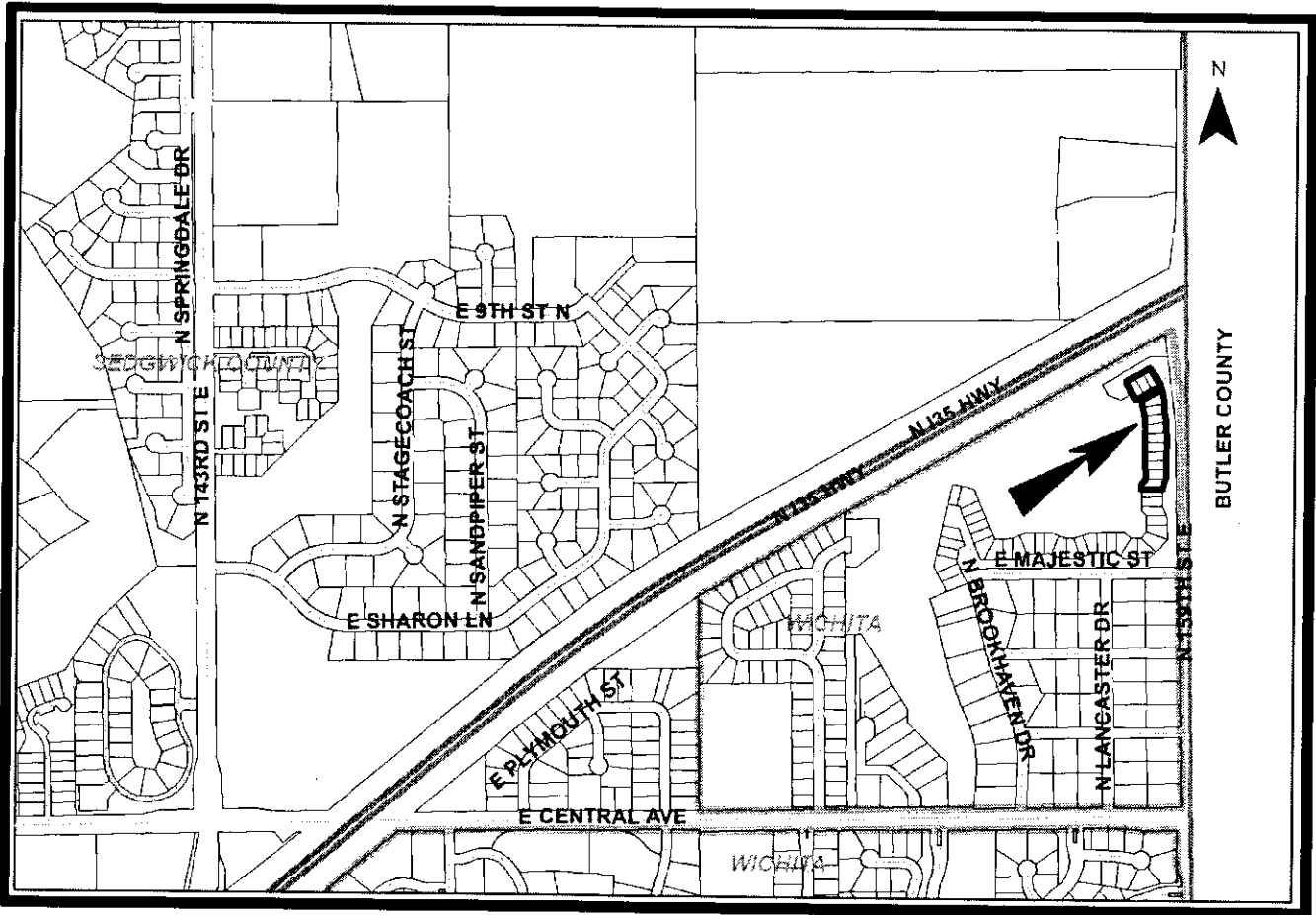
Gary E. Rebenstorf
Gary E. Rebenstorf, Director of Law

City of Wichita
City Council Meeting
February 23, 2010

TO: Mayor and City Council
SUBJECT: ZON2009-00039 – City zone change from SF-5 Single-family Residential (“SF-5”) to MF-18 Multi-family Residential (“MF-18”); generally located west of 159th Street East and 1/3 mile north of East Central Avenue. (District II)
INITIATED BY: Metropolitan Area Planning Department *JIS*
AGENDA: Planning (Consent)

MAPC Recommendation: Approve, vote (10-0).

MAPD Staff Recommendation: Approve.



Background: The applicant requests a zone change from SF-5 Single-family Residential (“SF-5”) to MF-18 Multi-family Residential (“MF-18”) on two acres comprised of Lot 35, Block 2 and Lot 47, Block 2 through Lot 34, Block 2, except the South 42.79 feet thereof, all in Terradyne West an Addition to Wichita, Sedgwick County, Kansas. The subject site is located west of 159th Street East and north of Sharon Lane, which is 1/3 mile north of Central Avenue. The applicant proposes to develop the property with multi-family uses, possibly including duplexes, tri-plexes and four-plexes.

Property north of the site, across the Kansas Turnpike, is zoned SF-20 Single-family Residential (“SF-20”) and developed with single-family residences with farming and ranching. South of the site is property zoned SF-5 and is currently vacant, undeveloped land. Property to the west of the site is also zoned SF-5 and is developed with a golf course/country club use. Property to the east of the site, across North 159th St. East, is in Butler County and is developed as a golf course/country club.

Analysis: At the MAPC meeting held January 21, 2010, the MAPC voted (10-0) to recommend approval of the request for MF-18 zoning. The case was approved by consent, and there was no one in the public to speak for or against the application.

Financial Considerations: None.

Goal Impact: Promote Economic Vitality

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

Recommendation/Actions:

1. Adopt the findings of the MAPC, approve the zone change and place the ordinance on first reading.

(An override of the Planning Commission’s recommendation requires a two-thirds majority vote of the City Council on the first hearing.)