

City of Wichita
City Council Meeting
November 9, 2010

TO: Mayor and City Council

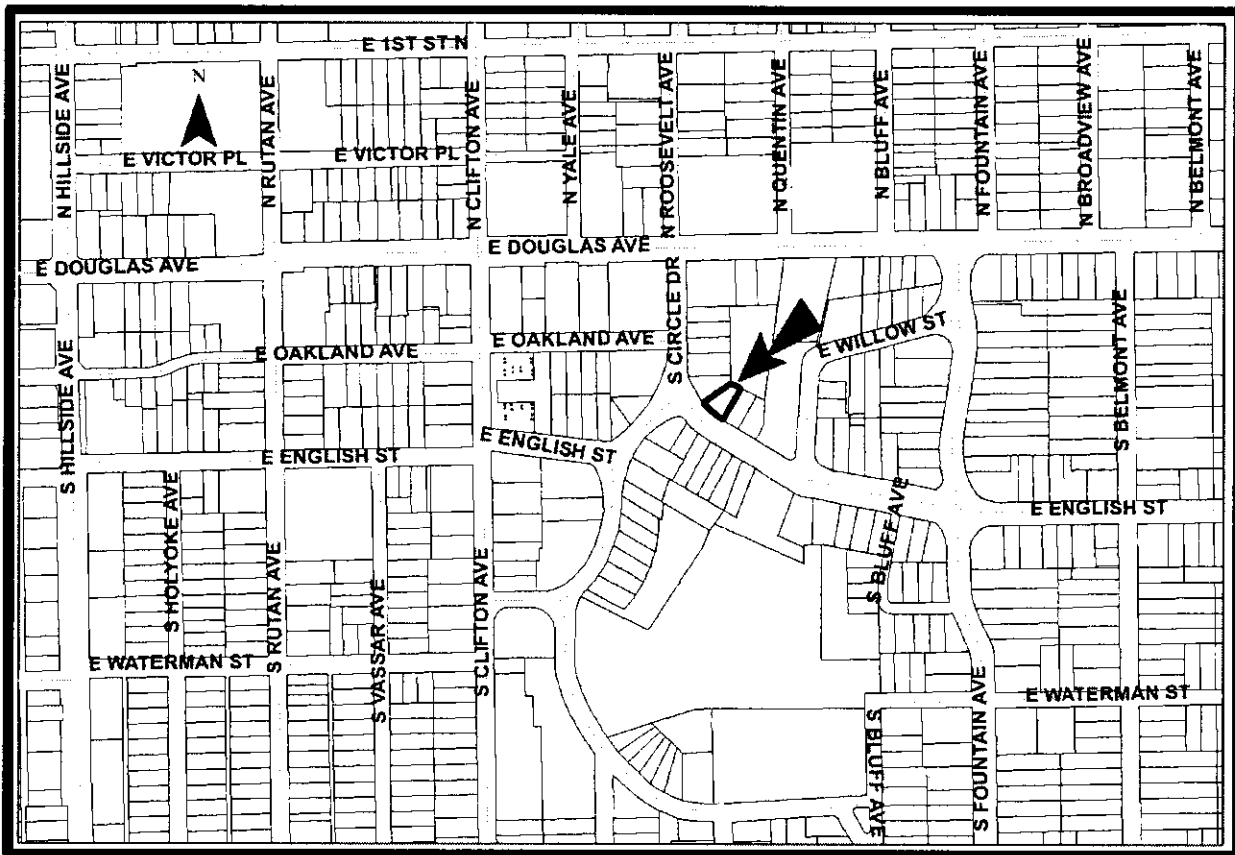
SUBJECT: ZON2010-00037 – City zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential; generally located one block south of Douglas Avenue and Circle Drive, on the north side of English Street at its connection to Circle Drive (3804 and 3806 East English Street). (District II)

INITIATED BY: Metropolitan Area Planning Department *ALS*

AGENDA: Planning (Consent)

MAPC Recommendation: Approve (12-0).

MAPD Staff Recommendation: Approve.



BACKGROUND: This is a request for a City zone change from SF-5 Single-Family Residential (“SF-5”) to TF-3 Two-Family Residential (“TF-3”) in order to make the existing use, a duplex, conforming to the current zoning. The 0.15-acre lot is located one block south of Douglas Avenue and Circle Drive, on the north side of English Street at its connection to Circle Drive (3804 and 3806 East English Street).

The property has been a duplex since 1925 and has nonconforming use rights. By appearance, it looks like a single-family home, with one entrance on the front of the structure and the second entrance facing the driveway on the west side of the structure. The rezoning is requested due to difficulties in securing financing for sale of the property.

The property was originally zoned “A.” This district allowed both single-family and two-family dwellings. At that time, the city did not have an exclusive single-family zoning district. It was established as the “AA” district, published on August 31, 1946 (Ordinance No. 14-432).

A large-scale zone change from “A” to “AA” was approved for the square mile bounded by Hillside, Central, Oliver and Kellogg (except for objectors), published February 13, 1960. This lot’s use as a duplex would have become nonconforming then.

The property is located in the south College Hill neighborhood and is predominately single-family with a liberal scattering of duplexes and several institutional uses nearby. Twelve single-family residences, with 10 located on SF-5 zoned property and two on TF-3 zoned property, are located within 200 feet of the lot. Three duplexes on TF-3 zoned property also are located within 200 feet. This pattern of about 75 percent single-family and 25 percent duplex use is typical in the vicinity. Several institutional uses are located nearby. College Hill Park, zoned SF-5, abuts its northeast property line and the park stretches to the east and south for several blocks. The corner of Douglas and Roosevelt/Circle Drive, about one block to the northwest, is developed with all institutional uses. These include: Blessed Sacrament Church and School on the northeast corner and its parking lot on the southeast corner, zoned TF-3; Saint James Episcopal Church on the northwest corner, zoned B Multi-Family (“B”) and TF-3, and PUD #6; The Venue (now the location of Victory in the Valley), on the southwest corner.

Analysis: At the MAPC meeting held October 7, 2010, the MAPC voted (12-0) to approve the request. No citizens were present to speak. No protests have been received.

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 and approve the zone change and authorize the Mayor to sign the ordinance and place the ordinance on first reading (simple majority required).

Attachments:

- Ordinance
- MAPC Minutes

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. ZON2010-00037

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

Lots 18 and 19, Sargent Terrace Addition to Wichita, Sedgwick County, Kansas, generally located one block south of Douglas Avenue and Circle Drive, on the north side of English Street at its connection to Circle Drive (3804 and 3806 East English Street).

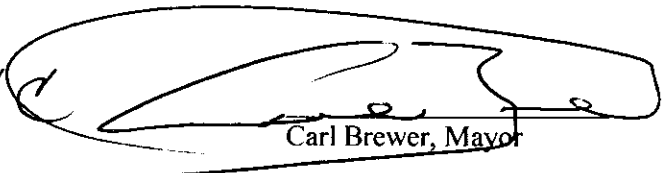
SECTION 2. That upon the taking effect of this Ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita-Sedgwick County Unified Zoning Code as amended.

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 16 day of Nov, 2010.

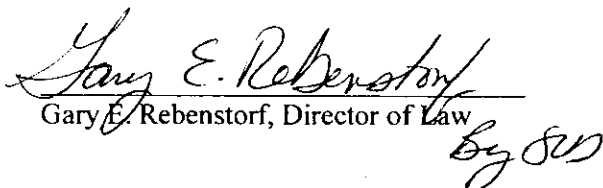
ATTEST:


Karen Sublett, City Clerk


Carl Brewer, Mayor



Approved as to form:


Gary E. Rebenstorf, Director of Law
By SW