

ORDINANCE NO. _____

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. ZON2011-00036

Zone change request from GC General Commercial ("GC") to SF-5 Single-family Residential ("SF-5") on properties described as:

Lots 89 and 91, on Ohio Avenue, in H.O. Burleigh's Third Addition to the City of Wichita, Sedgwick County, Kansas; generally located northwest of the intersection of 11th Street and N. Ohio (1207 N. Ohio).

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 ____ day of _____, 201__.

ATTEST:

Karen Sublett, City Clerk

Carl Brewer, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf, Director of Law

City of Wichita
City Council Meeting
January 10, 2012

TO: Mayor and City Council

SUBJECT: ZON2011-00036 – City zone change from GC General Commercial (“GC”) to SF-5 Single-family Residential (“SF-5”) generally located northwest of the intersection of East 11th Street and North Ohio Street (District I)

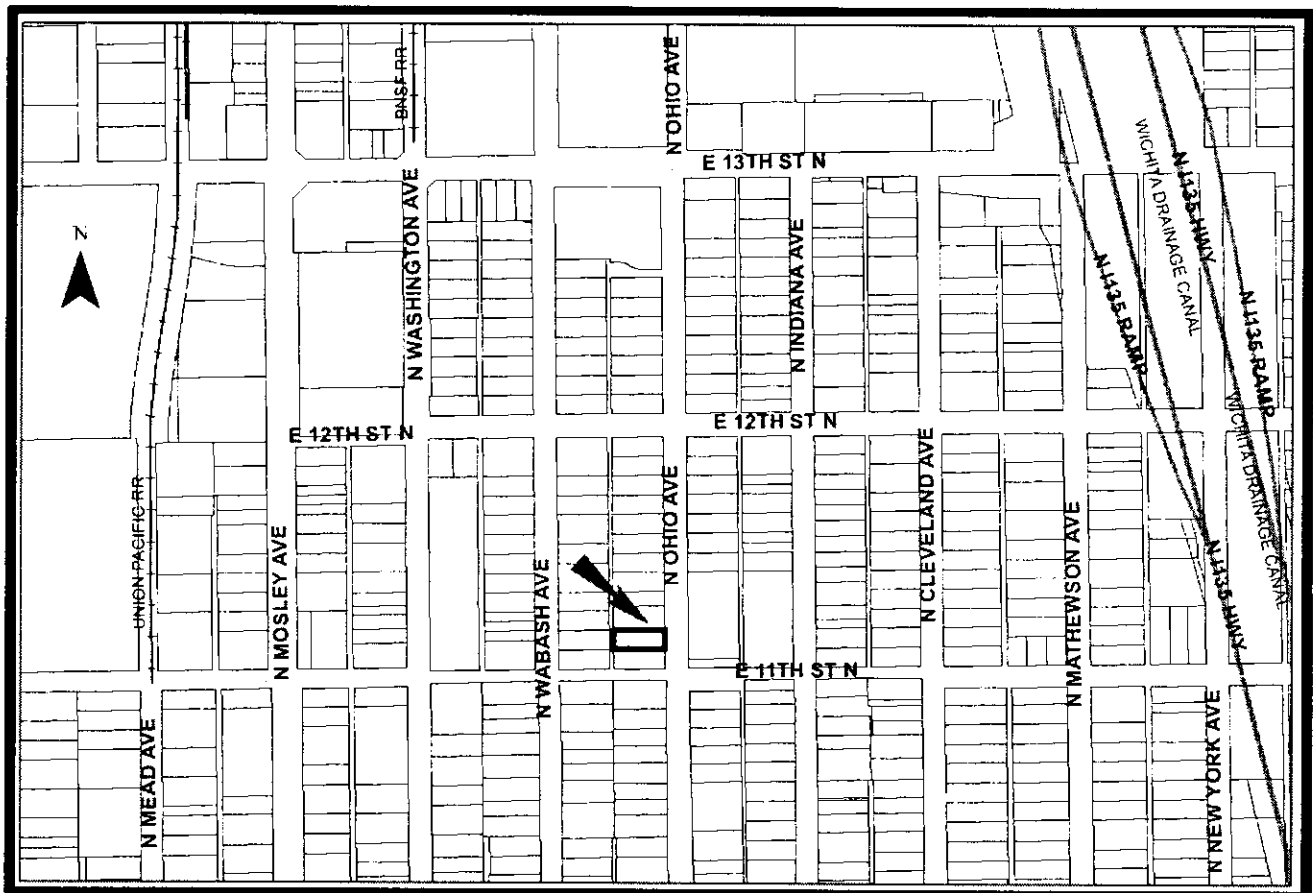
INITIATED BY: Metropolitan Area Planning Department *JLS*

AGENDA: Planning (Consent)

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

DAB IV Recommendation: Approve, vote (9-0).

MAPD Staff Recommendation: Approve.



Background: The 0.15-acre tract, a part of HO Burleighs 3rd Addition, is located northwest of the intersection of North Ohio and East 11th Street. The subject site is currently zoned GC General Commercial ("GC") and the applicant is requesting a rezone to SF-5 Single-family Residential ("SF-5") for the development of a single-family residence. The site is currently undeveloped, and is within a residential neighborhood, surrounded by single-family residences. The current zoning of the property and surrounding uses make this site undesirable for uses that are allowed in the GC zone district.

All surrounding property is zoned SF-5, and are developed with single-family residences, except for the property east of the subject site, across North Ohio Street, which is developed with a church.

Analysis: At the District I Advisory Board meeting on Monday, December 5, 2011, the DAB voted 9-0 to approve the request. Concerns included; any impact on historical sites in the area, are all adjacent properties single-family residential and if the property would have a basement size the lot size is small.

At the MAPC meeting held December 8, 2011, the MAPC voted on consent (10-0) to recommend approval of the request for SF-5 zoning.

No protests have been received during the subsequent two-week protest period.

Financial Considerations: There are no financial considerations in regards to the zoning request.

Goal Impact: The application will 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).

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

Attachments:

- Ordinance
- DAB Memo
- MAPC Minutes