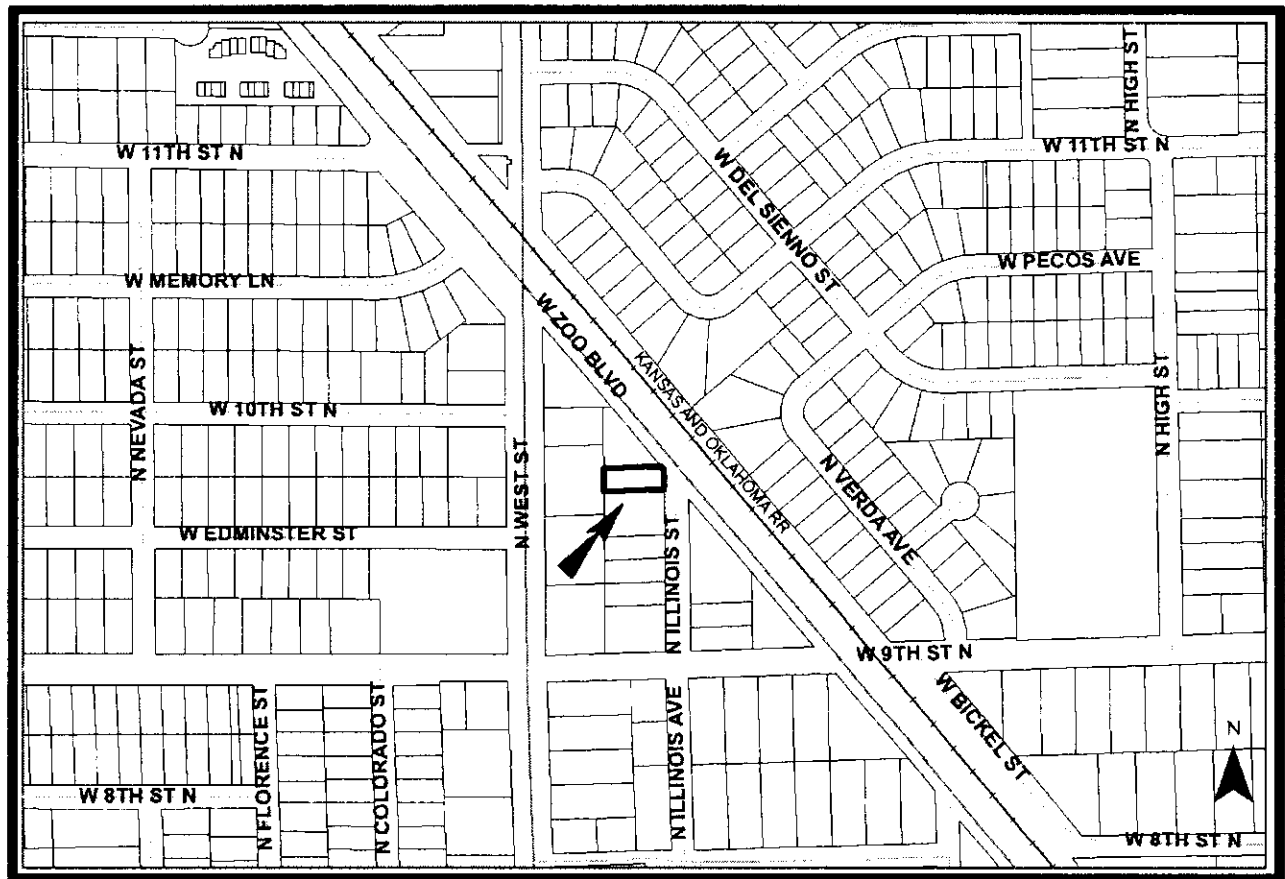


MAPD Staff Recommendation: Approve.



Background: The applicant is requesting TF-3 Two-Family Residential (“TF-3”) zoning on the SF-5 Single-Family Residential (“SF-5”) zoned Lot 2, Block 5, Golden Gardens Addition. The applicant proposes to develop the site, located on the southwest side of Zoo Boulevard and Illinois Street, with a duplex. There is a garage on the site which may or may not stay on the site. A garage without a residence located on the site is a storage warehouse, which is not a permitted use for the SF-5 or TF-3 zoning district. Per the Unified Zoning Code (“UZC”), the TF-3 zoning district requires a minimum lot size of 6,000-square feet with a minimum width of 35 feet for a duplex. The applicant’s 9,454-square foot (60-foot – 49.5-foot/13-foot x 160-foot) site exceeds these minimum requirements.

The SF-5 site is located on the short, irregular shaped block of unimproved Illinois Street. Illinois intersects at an angle with the arterial street Zoo Boulevard on its north side and the collector street, 9th Street on its south side. The front yard of the site is exposed to the vehicular traffic traveling on the northwest – southeast Zoo Boulevard. The site’s block is a mix of SF-5 zoned single-family residences (1920-1986) and an outdoor playground for a daycare and B Multi-Family Residential (“B”) zoned four-plexes (1940) and a parking lot for a DER or Tavern. Abutting or adjacent to the west of the site are LC Limited Commercial (“LC”) zoned tire sales, retail, office strip, day care and a DER or Tavern. North of the site and across Zoo Boulevard, a section of the City’s bike path and rail road right-of-way are TF-3 zoned single-family residences.

Analysis: At the MAPC meeting held April 18, 2013, the MAPC voted (9-0) to approve the request as a consent item. At the DAB VI meeting held May 6, 2013, the DAB voted, unanimously, to approve the requested zoning. There were no citizens who spoke against the request at the MAPC or DAB meetings. Planning has received no phone calls protesting the request. There have been no valid protest petitions filed with the City Clerk.

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

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

Recommendation/Actions: It is recommended that the City Council adopt the findings of the MAPC and approve the zone change, authorize the Mayor to sign the ordinance and place the ordinance on first reading (simple majority required).

Attachments:

- Ordinance
- MAPC minutes
- DAB memo

OCA 150004

ORDINANCE NO. 49-503

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:

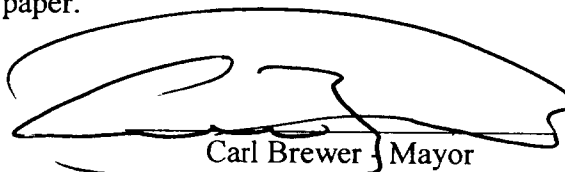
Case No. ZON2013-00004

Zone change from SF-5 Single-Family Residential ("SF-5") to TF-3 Two-Family Residential ("TF-3") on an approximately 0.21-acre property described as:

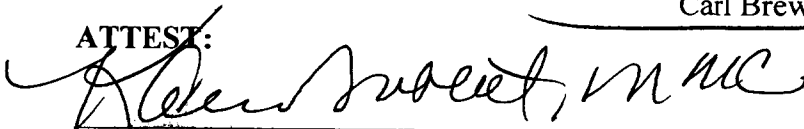
Lot 2, Block 5, Golden Gardens Addition, Wichita, Sedgwick County, Kansas; generally located on the southwest side of Zoo Boulevard and Illinois Street, south of 10th Street North.

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.

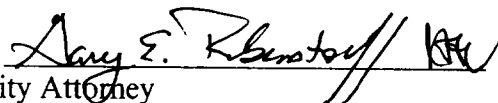
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.


Carl Brewer, Mayor

ATTEST:


Karen Sublett, City Clerk

(SEAL)

Approved as to form: 
Gary E. Rebenstorf, City Attorney