

OCA 150004 PUBLISHED IN THE WICHITA EAGLE ON July 29, 2016  
ORDINANCE NO. 50-292

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. ZON2016-00019

Zone change request from SF-5 Single-family Residential (SF-5) and LC Limited Commercial (LC) to TF-3 Two-family Residential (TF-3) on property located southwest of the 55th Street N. and Meridian intersection; described as:

Lots 1 through 10, Block B, Northgate Addition, Wichita, Sedgwick County, Kansas.

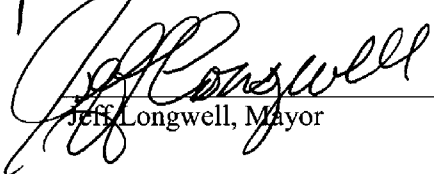
TOGETHER WITH

Lots 1 through 3, Block A, Northgate Commercial 2<sup>nd</sup> Addition, Wichita, Sedgwick County, Kansas.

SECTION 2. That upon the taking effect of this ordinance, the above zoning change 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 26 day of July, 2016

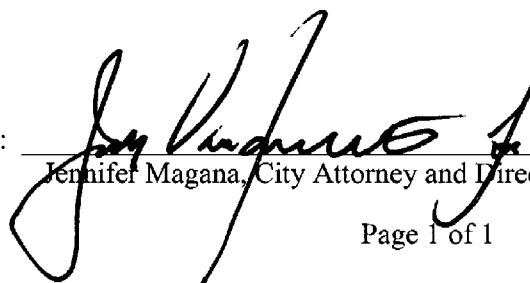
  
Jeff Longwell, Mayor

ATTEST:

  
Karen Sublett, City Clerk

(SEAL)

Approved as to form:

  
Jennifer Magana, City Attorney and Director of Law

City of Wichita  
City Council Meeting  
July 19, 2016

**TO:** Mayor and City Council

**SUBJECT:** ZON2016-00019 and CUP2016-00021 – Zone Change from SF-5 Single-family Residential and LC Limited Commercial to TF-3 Two-family Residential and CUP Amendment to DP-299 to Remove Parcels 13, 14 and 15 from the CUP to Allow Residential Development, Generally Located South of West 55<sup>th</sup> Street North and West of North Meridian Avenue (District VI)

**INITIATED BY:** Metropolitan Area Planning Department *DM*

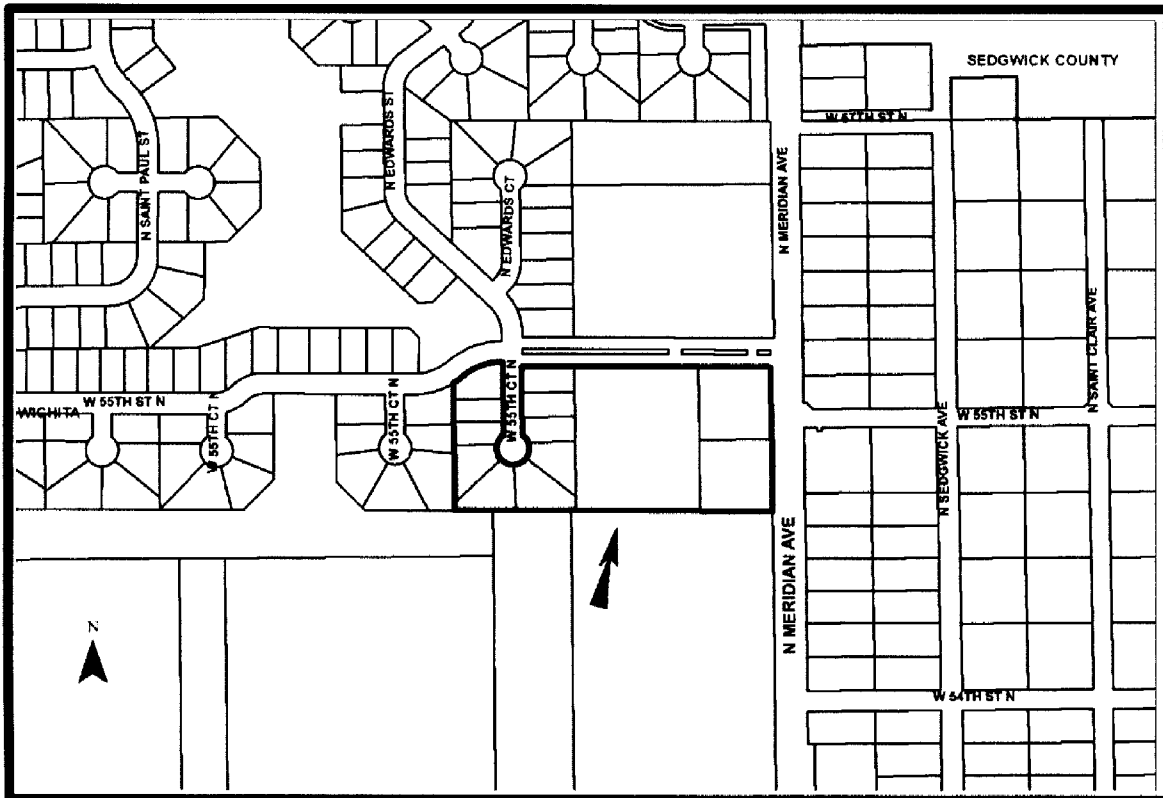
**AGENDA:** Planning (Consent)

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**MAPC Recommendation:** The MAPC recommended approval of the request (8-0) subject to staff recommended conditions.

**DAB Recommendation:** District Advisory Board VI recommended approval of the request (8-0) subject to staff recommended conditions.

**MAPD Staff Recommendation:** Metropolitan Area Planning Department staff recommended approval of the request subject to required screening on Parcel 1 being constructed along the north property line of Parcel 1 adjacent to TF-3 zoning and the applicant providing four revised copies of the CUP.



**Background:** The applicant requests TF-3 Two-Family Residential (TF-3) zoning on 11.38 acres of platted, vacant property. The western portion of the application area is 10 SF-5 Single-family Residential (SF-5) zoned residential lots in the Northgate Addition. The eastern approximate two-thirds of the site is zoned LC Limited Commercial (LC) and is currently Parcels 13, 14 and 15 of DP-299, The Northgate Commercial Park Community Unit Plan (CUP). The applicant intends to develop the entire 11.38-acre site with duplex residential units, and therefore requests to rezone the property to TF-3 and remove the LC portion from DP-299. The platted, SF-5 zoned lots have access from West 55<sup>th</sup> Court North. The three LC zoned commercial lots are currently platted with one shared access point from North Meridian Avenue and access to West 55<sup>th</sup> Street North. A plat (SUB2016-16, Northgate 2<sup>nd</sup> Addition) was approved by the Metropolitan Area Planning Commission (MAPC) on June 16, 2016, to divide the subject property into 31 duplex lots.

North of the site is the SF-5 zoned Northgate Addition, the majority of which is undeveloped, and one single-family residence on six acres fronting North Meridian Avenue. South of the site is the remainder of the LC zoned DP-299 with retail uses. East of the site, across Meridian, are SF-5 zoned single-family residences on half-acre to one-acre lots. West of the site is the SF-5 zoned, undeveloped Northgate Addition.

**Analysis:** On June 16, 2016, the Metropolitan Area Planning Commission (MAPC) approved the request (8-0) subject to staff recommended conditions. No members of the public spoke at the MAPC hearing.

On June 15, 2016, District Advisory Board (DAB) VI reviewed the application and approved it 8-0 subject to staff recommended conditions. No members of the public spoke at the DAB hearing.

No protest petitions have been received. The request can be approved with a simple majority vote.

**Financial Considerations:** Approval of this request will not create any financial obligations for the City.

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

**Recommendation/Actions:** It is recommended that the City Council adopt the findings of the MAPC, approve the requested Zone Change and CUP amendment subject to staff recommended conditions and place the ordinance on the first reading (simple majority vote).

**Attachments:** Ordinance, MAPC minutes, DAB IV report, CUP document.