

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. ZON2006-00003**

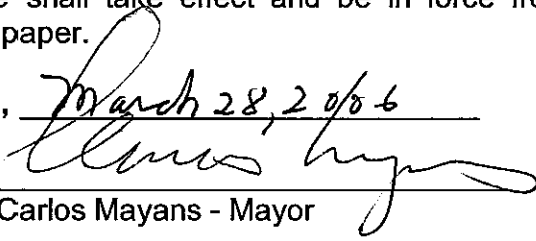
Request for Zone change from "SF-5" Single-family Residential to "MF-18" Multi-family Residential, on property described as:

Lot 1, Block 3, Avery Addition, Sedgwick County, Kansas. Generally located east of Gilda and south of 8th 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 AT WICHITA, KANSAS, March 28, 2006

  
Carlos Mayans - Mayor

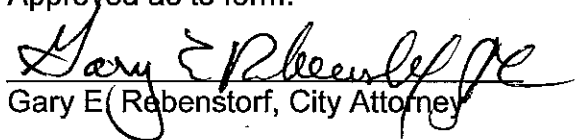
ATTEST:

  
Karen Sublett, City Clerk

(SEAL)



Approved as to form:

  
Gary E. Rebenstorf, City Attorney

**Background:** The application area consists of an undeveloped, platted lot located south of 8<sup>th</sup> Street and east of Gilda, west of I-235. The .36-acre site is zoned “SF-5” Single-family Residential, and the applicant requests “MF-18” Multi-family Residential zoning to allow for duplex development. Under MF-18 zoning, the applicant could develop two duplexes on the site without a lot split.

Property north of the site is zoned “B” and “MF-18” Multi-family Residential with a CUP (DP 70, Sandpiper Bay) and is developed with a nursing home and town homes. South and west of the site are SF-5 zoned single-family residences. East of the site is I-235. One MF-18 lot and several TF-3 lots are in the surrounding area.

**Analysis:** DAB V heard this request on February 6, 2006, and DAB members expressed concerns about off-street parking. The applicant stated a desire to build no more than three dwelling units. DAB V recommended approval of the request by a vote of 9-0, subject to a Protective Overlay limiting the site to three dwelling units. MAPC heard this request on February 16, 2006. No citizens were present to speak in opposition to the zone change request. The action of the MAPC was to approve 9-0 as a consent item, subject to staff recommendations that did not include a Protective Overlay.

**Financial Considerations:** None.

**Legal Considerations:** The resolution 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; or
2. Return the application to the MAPC for reconsideration.

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

City of Wichita  
City Council Meeting  
March 21, 2006



**FILE COPY**

Agenda Report No. \_\_\_\_\_

**TO:** Mayor and City Council

**SUBJECT:** ZON2006-00003 – Zone change from “SF-5” Single-family Residential to “MF-18” Multi-family Residential. Generally located southeast of 8<sup>th</sup> Street and Gilda. (District V)

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

**AGENDA:** Planning (Consent)

**MAPC Recommendations:** Approve, (9-0).

**MAPD Staff Recommendations:** Approve.

**DAB Recommendations:** Approve, with a protective overlay that a maximum of three living units could be built (9-0).

