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ORDINANCE NO. 48-132

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. ZON 2008-28

Zone change request from un-zoned land to MH Manufactured Housing on property described as:

Reserve A, Block 1, River Oaks Mobile Home Park 2nd Addition.

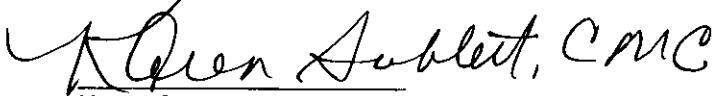
Generally located east of Hydraulic and on the north side of 55th Street South (extended).

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 9th day of Dec, 2008.

ATTEST:



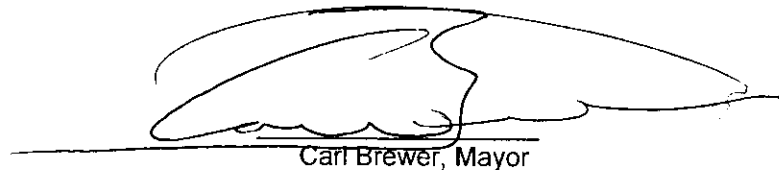
Karen Sublett, City Clerk



Approved as to form:



Gary E. Rebenstorf, Director of Law



Carl Brewer, Mayor

STAFF REPORT

MAPC June 5, 2008

CASE NUMBER: ZON2008-28

APPLICANT: Mobile Home Living Inc. (Owner), Ruggles & Bohm c/o Tom Ruggles (Agent)

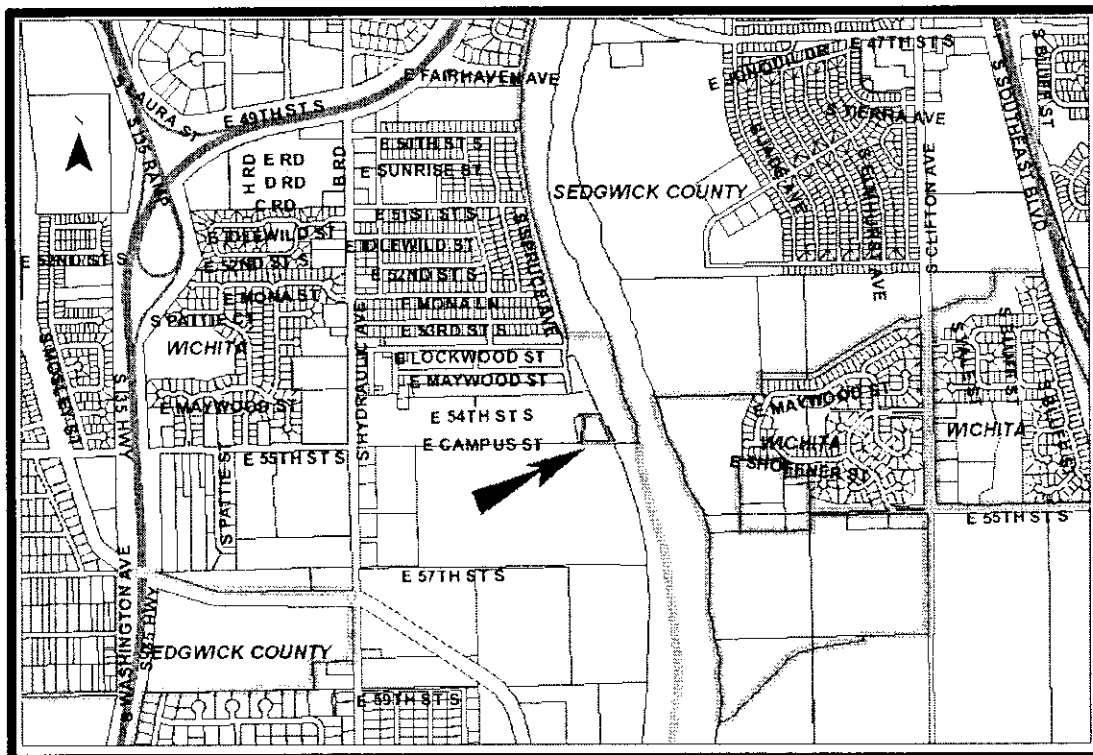
REQUEST: MH Manufactured Housing

CURRENT ZONING: None

SITE SIZE: 1.79 acres

LOCATION: Generally located east of South Hydraulic and north of Campus.

PROPOSED USE: Mobile home park storage.



BACKGROUND: The application area is an unzoned parcel along the Arkansas River. The property is under the same ownership as the mobile home park to the north and west of the site. The applicant wishes to develop the site with storage for the mobile home park and therefore requested a rezoning to MH Manufactured Housing ("MH"). The property is currently unplatted; however, the applicant has initiated the platting process.

Property north and west of the site is zoned MH and is developed with manufactured home pad sites. Property south of the site is zoned SF-5 Single-family Residential and utilized as a municipal sewage treatment site. Property east of the site is the unzoned Arkansas River.

CASE HISTORY: The site is unplatted.

ADJACENT ZONING AND LAND USE:

NORTH:	MH	Manufactured housing
SOUTH:	SF-5	Sewage treatment
EAST:	Unzoned	Arkansas River
WEST:	MH	Manufactured housing

PUBLIC SERVICES: The site has access from Spruce Ave., a two-lane paved private street internal to the larger mobile home park. City water and sewer are available at the site.

CONFORMANCE TO PLANS/POLICIES: The "2030 Wichita Functional Land Use Guide" of the Comprehensive Plan identifies this site as appropriate for "Urban Residential." The Urban Residential category includes all densities of residential development found within the urban municipality.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to platting within one year.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: Property north and west of the site is zoned MH and is developed with manufactured home pad sites. Property south of the site is zoned SF-5 Single-family Residential and utilized as a municipal sewage treatment site. Property east of the site is the unzoned Arkansas River.
2. The suitability of the subject property for the uses to which it has been restricted: The site cannot be developed if unzoned, therefore the property is not suitable

for the uses to which it has been restricted.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval of the request will allow the site to be used for manufactured housing, or in support of a manufactured housing development. There should be no detrimental effect on nearby property.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The “2030 Wichita Functional Land Use Guide” of the Comprehensive Plan identifies this site as appropriate for “Urban Residential.” The Urban Residential category includes all densities of residential development found within the urban municipality.
5. Impact of the proposed development on community facilities: The proposed zone change should have no impact on community facilities.