

ORDINANCE NO. 47.959

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. ZON2008-00031

Zone change from SF-5 Single-family Residential ("SF-5"), MF-18 (Multi-family Residential ("MF-18")) and MF-29 Multi-family Residential ("MF-29") to U University ("U") on property described as:

11324, 46, 48

The North 75 feet of Lots 98-100-102, University Avenue, University Place Addition;

AND

X The South 10 feet of Lot 43, All of Lots 45-47, Glenn Street, University Place Addition;

AND

The West 150 feet of Lots 35-37, Hiram Avenue, University Place Addition;

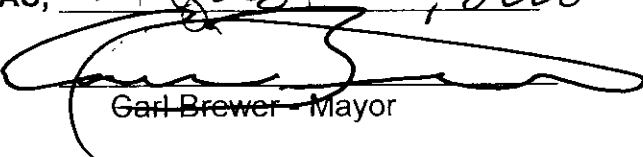
AND

Lots 39-41, Hiram Avenue, University Place Addition, Wichita, Sedgwick County, Kansas; generally located on the east side of Hiram Avenue (512 and 518 South Hiram Avenue) and west side of Glenn Avenue (519 and 537 South Glenn Avenue).

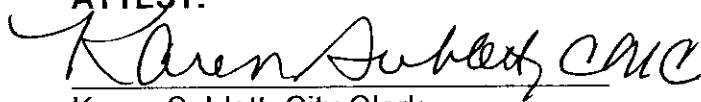
SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

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, August 19, 2008

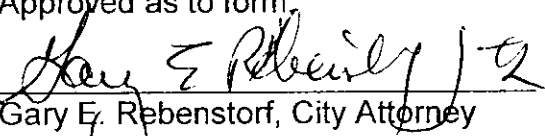

Carl Brewer - Mayor

ATTEST:


Karen Sublett, City Clerk



Approved as to form:


Gary E. Rebenstorf, City Attorney

City of Wichita
City Council Meeting
August 12, 2008

TO: Mayor and City Council

SUBJECT: ZON2008-00031 – City zone change from SF-5 Single-family Residential (“SF-5”), MF-18 (Multi-family Residential (“MF-18”) and MF-29 Multi-family Residential (“MF-29”) to U University (“U”); generally located on the east side of Hiram Avenue (512 and 518 South Hiram Avenue) and west side of Glenn Avenue (519 and 537 South Glenn Avenue.) (District IV)

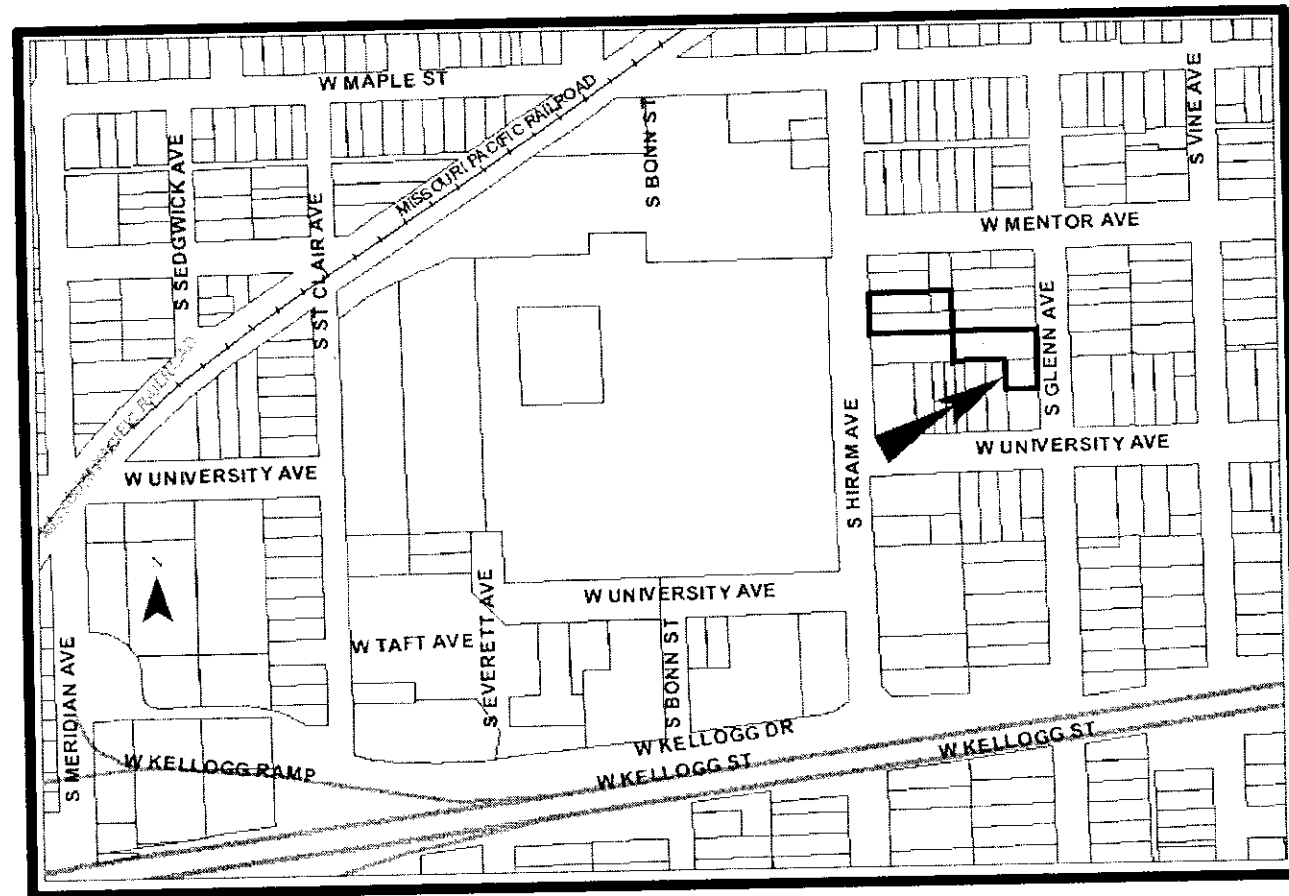
INITIATED BY: Metropolitan Area Planning Department *JVS*

AGENDA: Planning (Consent)

DAB IV Recommendation: Approve, subject to staff recommendations, vote 7-0.

MAPC Recommendation: Approve, subject to staff recommendations, vote 11-0.

MAPD Staff Recommendation: Approve



Background: The applicant is requesting a rezone from SF-5 Single-family Residential (“SF-5”), MF-18 Multi-family Residential (“MF-18”) and MF-29 Multi-family Residential (“MF-29”) to U University (“U”) zoning on four platted properties equaling 0.70 acre. The reason for the rezone is to bring zoning uniformity to Friends University owned properties. The application area is currently developed with single-family residences and multi-family residences.

The four properties are all located on the same block, two on the east side and two on the west side. Two of the properties in this application (519 and 537 South Glenn Avenue) are located northwest of the intersection of West University Avenue and South Glenn Avenue, while the other two properties (512 and 518 South Hiram Avenue) are located southeast of the intersection of West Mentor Avenue and South Hiram Avenue. Property to the north is zone SF-5 and is developed primarily with single-family residences. Property to the south is zoned SF-5, MF-18 and TF-3 Two-family Residential (“TF-3”) and is developed with single-family and two-family (duplex) residences. All property to the west is zoned U and is developed as the Friends University campus. Property to the east is zoned MF-29 and SF-5, which is developed with single-family residences and a church.

The properties at 512 and 518 South Hiram Avenue are located in the 500-foot buffer of the Davis Administrative Building historical environs review distance. The proposed zone change and any future development would require conformance to all property development standards in the Wichita-Sedgwick County Unified Zoning Code (UZC) and the design guidelines within the Delano Neighborhood Overlay District.

Analysis: Historic Preservation Board reviewed this application and approved it at their June 9, 2008 meeting. DAB IV recommended approval of the request with a vote of 7-0. At the MAPC meeting held July 10, 2008, the MAPC voted (11-0) to recommend approval of the request for U, subject to staff recommendations. There was no opposition to the rezone request.

Financial Considerations: None.

Goal Impact: 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, approve the zone change and publish the zone change ordinance; 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.)