

ORDINANCE NO. 50-416

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:

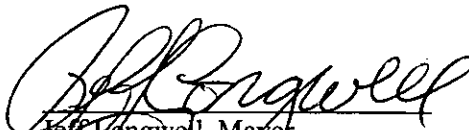
Case No. ZON2016-00060

City zone change from SF-5 Single-Family Residential to MF-18 Multi-Family Residential; described as:

LOTS 1 -23, BLOCK B AND LOTS 1-6, AND DRAINAGE RESERVES 1C, 2C, 3C, 4C AND 5C, ALL IN BLOCK C AND RESERVES C AND E, FALCON FALLS EAST ADDITION, Wichita, Sedgwick County, Kansas

**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.

  
Jeff Longwell, Mayor

ATTEST:

  
Karen Sublett, City Clerk

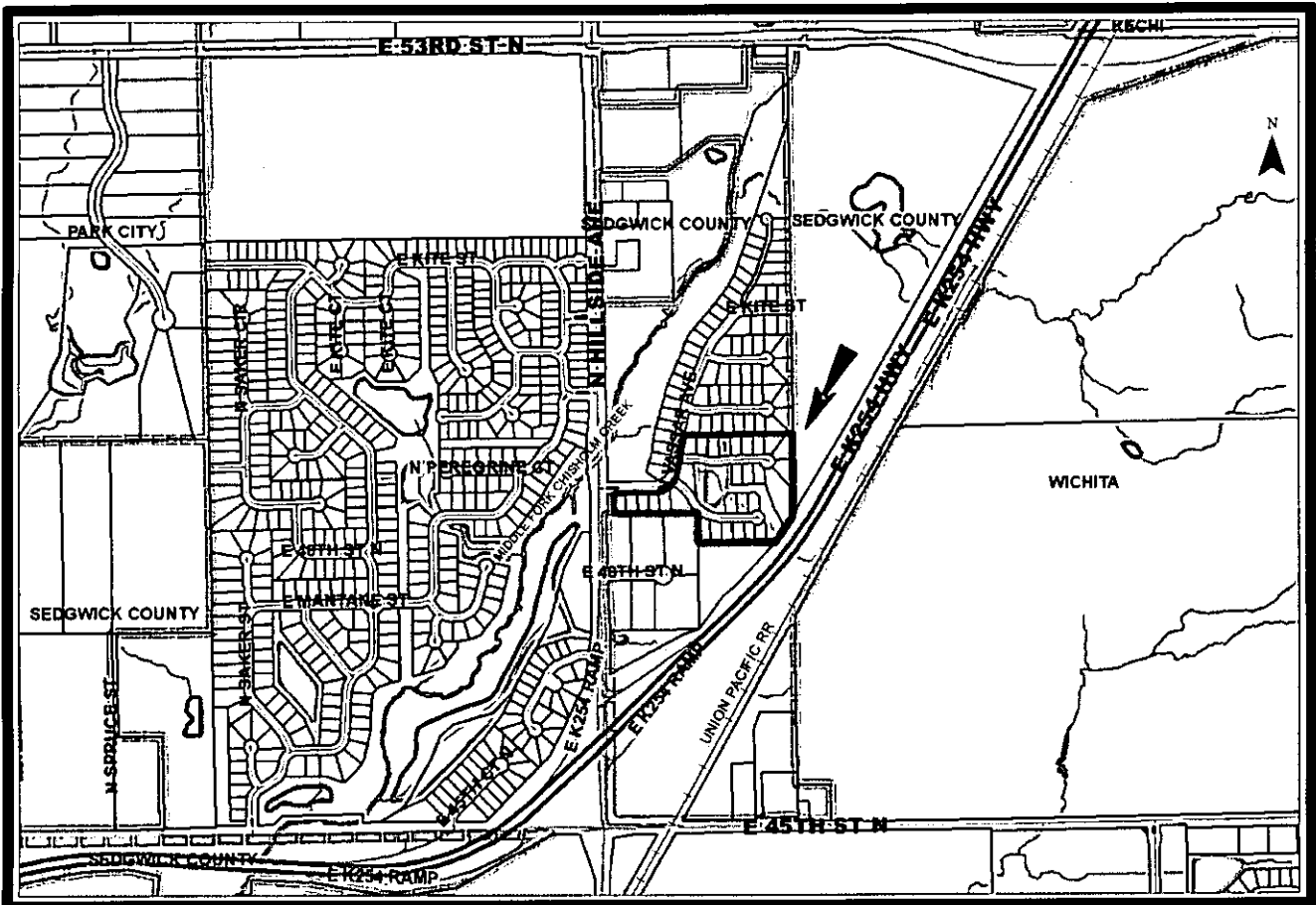


Approved as to form:   
Jennifer Magaña, City Attorney and Director of Law



**STAFF REPORT**  
MAPC January 5, 2017  
DAB I January 4, 2017

- CASE NUMBER:** ZON2016-60
- APPLICANT/AGENT:** Jason Bell (owner) Baughman Company/Russ Ewy (Agent)
- REQUEST:** MF-18 Multi-Family Residential (MF-18)
- CURRENT ZONING:** SF-5 Single-Family Residential (SF-5)
- SITE SIZE:** 13.82 acres
- LOCATION:** Generally located east of North Hillside Avenue approximately one-half mile north of 45<sup>th</sup> Street North
- PROPOSED USE:** Multi-Family Residential



**BACKGROUND:** The applicant requests MF-18 Multi-Family zoning on 13.82 acres (28 lots and reserves) platted as Falcon Falls East Addition to allow additional housing options with the subdivision. The lots meet the Unified Zoning Code (UZC) minimum lot dimensions and size for MF-18 zoning.

The site and the surrounding neighborhood are zoned SF-5 Single-Family Residential and SF-20 Single-Family residential. Normandy Park Addition, south of the subject site, has six, two-acre lots with only two lots that are developed. East of the site is unplatted acreage that is located in the county. West of the subject site, across Hillside, is Falcon Falls 3<sup>rd</sup> Addition, which is currently undeveloped. North of the site is Falcon Falls Addition, Falcon Falls 2<sup>nd</sup> Addition, and Falcon Falls East Addition. Less than one-quarter mile south of the subject site on the west side of Hillside is Falcon Falls 6<sup>th</sup> Addition, which is a 43 lot two-family subdivision under construction.

USD 259 Wichita Heights High School is located at the southwest corner of East 53<sup>rd</sup> Street North and North Hillside Avenue. Wichita Heights has approximately 1,150 students and 150 faculty and staff.

**CASE HISTORY:** The site was platted in February 2010 as the Falcon Falls East Addition.

**ADJACENT ZONING AND LAND USE:**

|        |       |  |
|--------|-------|--|
| NORTH: | SF-5  | Single-family residential, undeveloped |
| SOUTH: | SF-20 | Single-family residences               |
| EAST:  | SF-20 | Single-family residential, undeveloped |
| WEST:  | SF-5  | Single-family residences               |

**PUBLIC SERVICES:** North Hillside is a paved, two-lane secondary street at this location with a 135-foot right-of-way. All public services are available to the site.

**CONFORMANCE TO PLANS/POLICIES:** The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Wichita City limit. The Plan's *2035 Wichita Future Growth Concept Map* identifies this location as "new residential," encompassing areas that reflect the full diversity of residential development densities and types, including multi-family, typically found in large urban municipality.

**RECOMMENDATION:** Based upon information available prior to the public hearings, planning staff recommends that the request be **APPROVED**.

This recommendation is based on the following findings:

- (1) The zoning, uses and character of the neighborhood:** The site and the surrounding neighborhood are zoned SF-5 Single-Family Residential and SF-20 Single-Family residential. Normandy Park Addition, south of the subject site, has six, two-acre lots with only two lots that are developed. East of the site is unplatted acreage that is located in the county. West of the subject site, across Hillside, is Falcon Falls 3<sup>rd</sup> Addition, which is currently undeveloped. North of the site is Falcon Falls Addition, Falcon Falls 2<sup>nd</sup> Addition, and Falcon Falls East Addition. Less than

one-quarter mile south of the subject site on the west side of Hillside is Falcon Falls 6<sup>th</sup> Addition, which is a 43 lot two-family subdivision under construction. USD 259 Wichita Heights High School is located at the southwest corner of East 53<sup>rd</sup> Street North and North Hillside Avenue. Wichita Heights has approximately 1,150 students and 150 faculty and staff.

- (2) **The suitability of the subject property for the uses to which it has been restricted:** The site is currently zoned SF-5 and is undeveloped. Re-zoning the property to MF-18 would allow higher density residential development at the entrance into the subdivision, which has become a common request in the urban residential subdivisions.
- (3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** Impact on surrounding property due to the requested zone change should be minimal. Only a small percentage of the residential subdivision will be developed as duplexes.
- (4) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Wichita City limit. The Plan's *2035 Wichita Future Growth Concept Map* identifies this location as "new residential," encompassing areas that reflect the full diversity of residential development densities and types, including multi-family, typically found in large urban municipality.
- (5) **Impact of the proposed development on community facilities:** All services are in place. Any increased demand on community facilities can be handled by existing infrastructure.