

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. ZON2017-00010

City zone change from TF-3 Two-Family Residential to MF-29 Multi-Family; described as:

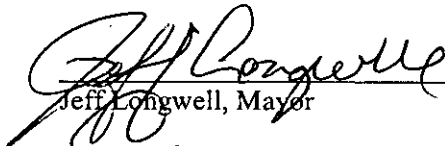
Lots 207 and 209, on Market Street, Hyde and Ferrell's Addition to the City of Wichita, Sedgwick County, Kansas.

With the following condition:

- 1. Each unit shall have two off-street parking spaces.

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 May 4, 2017
DAB VI May 1, 2017

CASE NUMBER: ZON2017-10

APPLICANT/AGENT: Derrek & Jeannine Schartz (owners/applicants) Brad Olson (Agent)

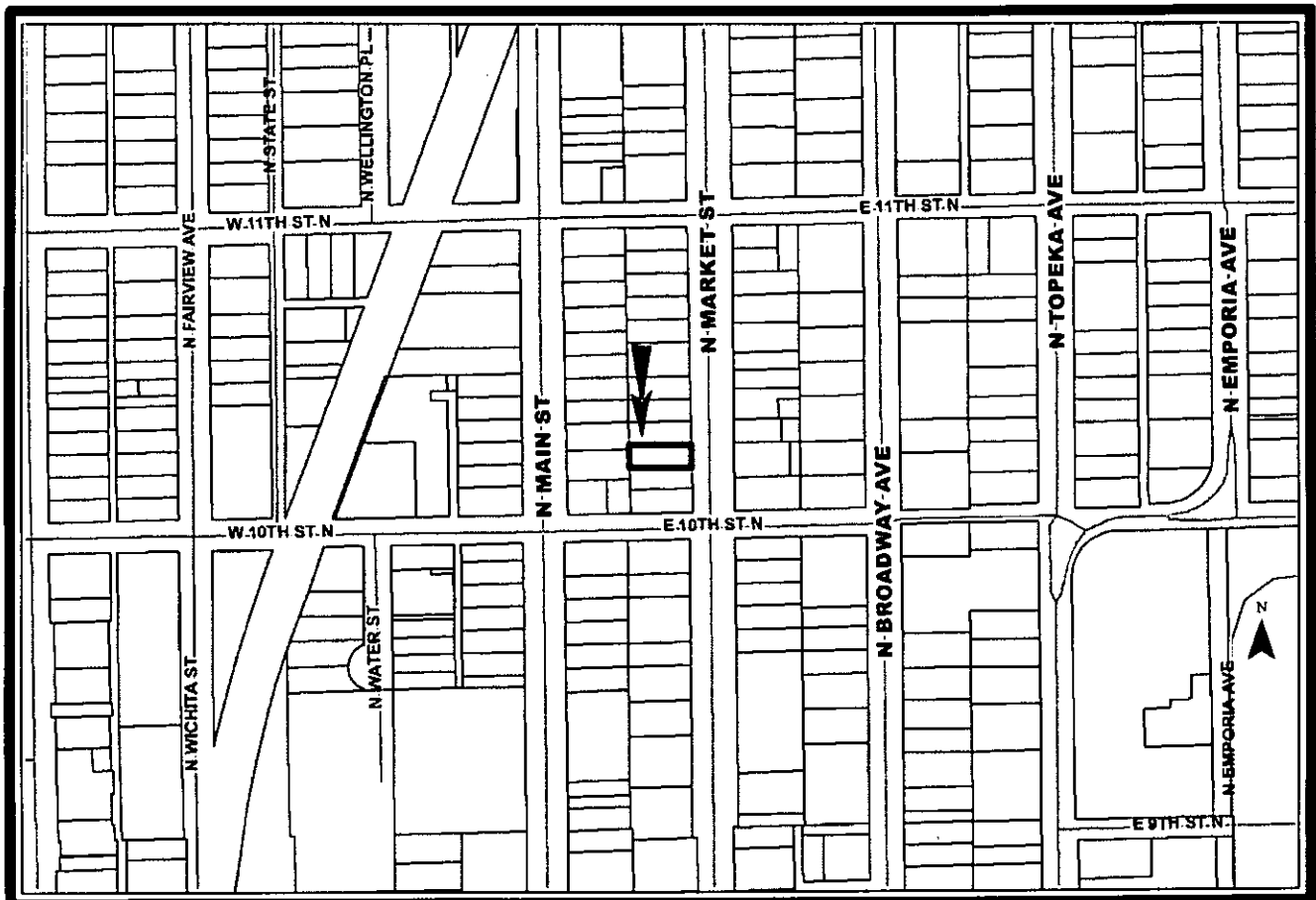
REQUEST: MF-29 Multi-Family Residential (MF-29)

CURRENT ZONING: TF-3 Two-Family Residential (TF-3)

SITE SIZE: 0.16 acre

LOCATION: Generally located on the west side of North Market, north of East 10th Street (1111 N. Market)

PROPOSED USE: Existing Non-Conforming Multi-Family Residential



BACKGROUND: The applicant requests MF-29 Multi-Family Residential (MF-29) zoning on 0.16 acre at 1111 North Market Street to provide correct zoning for a non-conforming structure. The lots meet the Unified Zoning Code (UZC) minimum lot dimensions and size for MF-29 zoning, which requires 1,500 square feet per dwelling unit. The lot is currently zoned TF-3 Two-Family Residential (TF-3) which makes it a non-conforming use. The MF-29 zoning district is the correct classification for this lot and existing building.

The site is approximately 6,850 square feet developed with a four-unit apartment building and adequate on-site parking. According to the Sedgwick County Tax Assessor records, the structure was built in 1975. The properties to the north and south of the subject site are zoned TF-3 and developed with single-family residences. The properties to the west of the site are zoned TF-3, which are developed with single-family residences, and B Multi-Family Residential (B), which is developed with a duplex residential structure. Properties east of the site are zoned TF-3 and B, which are developed with single-family residences.

CASE HISTORY: The site was platted in November 1882 as the Hyde and Ferrell's Addition. The existing four-plex apartment building was constructed in 1975.

ADJACENT ZONING AND LAND USE:

NORTH:	TF-3	Single-family residences
SOUTH:	TF-3	Single-family residences
EAST:	B; TF-3	Single-family residences
WEST:	TF-3; B	Single-family residences; duplex

PUBLIC SERVICES: North Market is a one-way, paved, two-lane arterial street at this location with a 90-foot right-of-way, 15-foot drive lanes and on-street parking on both sides of the street. 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 Established Central Area - the downtown core and mature neighborhoods surrounding it in a roughly three-mile radius. The Plan encourages infill development within the Established Central Area that maximizes public investment in existing and planned infrastructure and services. The Future Growth Concept Map identifies the area "Residential."

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 predominantly zoned TF-3. The properties to the north and south of the subject site are zoned TF-3 and developed with single-family residences. The properties to the west of the site are zoned TF-3, which are developed with single-family residences, and B-Multi-Family Residential (B), which is developed with a duplex residential structure. Properties east of the site are zoned TF-3 and B, which are developed with single-family residences.
- (2) The suitability of the subject property for the uses to which it has been restricted:** The site is currently zoned TF-3 which requires 3,000 square feet per dwelling unit. The current non-conforming status would restrict the redevelopment of the property to a duplex should the structure be damaged to the extent that it would not be allowed to be re-built.
- (3) Extent to which removal of the restrictions will detrimentally affect nearby property:** There would be no impact on surrounding property due to the requested zone change. The property has existed as a multi-family structure since 1975 and on-site parking for the dwelling units are provided on-site.

- (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 Established Central Area - the downtown core and mature neighborhoods surrounding it in a roughly three-mile radius. The Plan encourages infill development within the Established Central Area that maximizes public investment in existing and planned infrastructure and services. The Future Growth Concept Map identifies the area “Residential.”
- (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.