

ORDINANCE NO. 50-543

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. ZON2017-00009

City zone change from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District described as:

The south 65.5 feet of Lot 13, Block 1, Sunset Gardens Addition to 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:

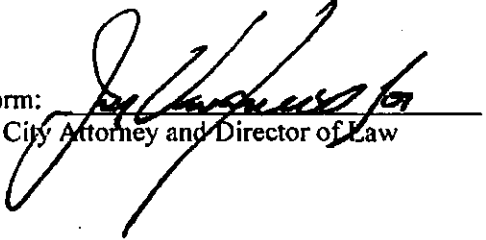
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.


Jeff Longwell, Mayor

ATTEST:


Karen Sublett, City Clerk



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

STAFF REPORT
MAPC-May 4, 2017
DAB III-May 3, 2017

CASE NUMBER: ZON2017-00009

APPLICANT Mike Harbour

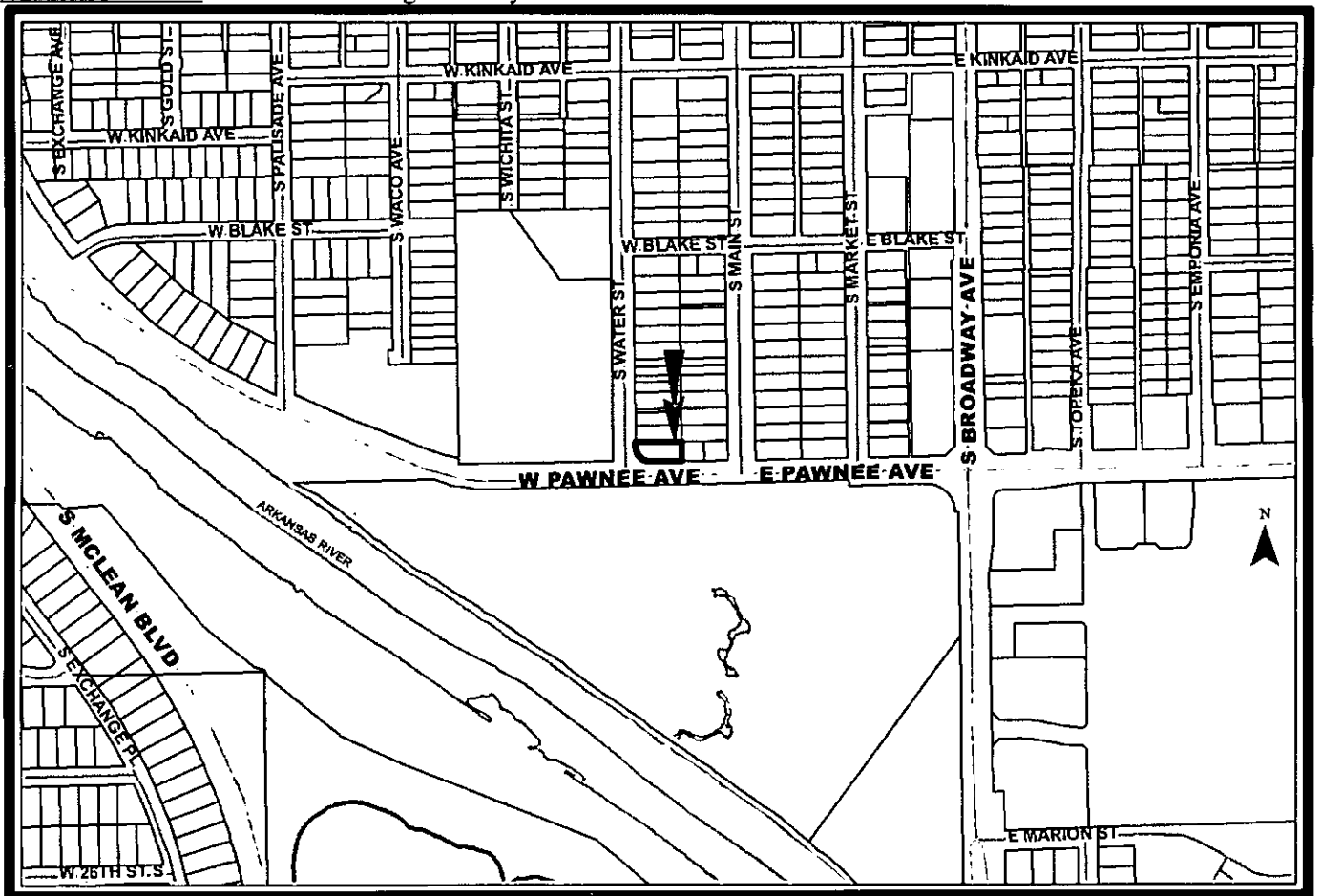
REQUEST: TF-3 Two-family Residential

CURRENT ZONING: SF-5 Single-family Residential

SITE SIZE: 0.22 acre

LOCATION: Northeast corner of West Pawnee Avenue and South Water Street
(2368 South Water Street)

PROPOSED USE: Single-Family home



BACKGROUND: This application was filed to rezone the subject property from a SF-5 Single-Family Residential (SF-5) to a TF-3 Two-family Residential (TF-3). The subject property is located at 2368 South Water Street, the northeast corner of West Pawnee Avenue and South Water Street. With this request, the applicant would like rezone the property to a TF-3 district and submit a lot split to divide the property and construct a new single-family home.

The existing lot is 9,583 square feet, and is improved with a single family home. The lot dimensions are 65 feet x 150 feet. The proposed TF-3 District has a minimum lot size of 3,500 square feet for a single family home, so the existing lot can be split to meet the minimum lot size for two single family units in a TF-3 district. The proposed new home would be subject to all applicable setback requirements of the TF-3 district.

There are several TF-3 zoning districts with similar lot splits in the immediate area of the subject property. Adjoining the site at the northwest corner of East Pawnee and South Main Street is an example of the same type of lot split and home construction. There are also examples just north at the southwest corner of West Blake Street and South Main Street, and the southwest corner of West Blake Street and South Market Street.

Please see the attached area map showing similar situations, and other locations of TF-3 Two-Family zoning districts.

Properties surrounding the subject site area are primarily zoned SF-5, but there are numerous locations of TF-3 zoning in the immediate area. North of the site along South Water Street are single-family homes zoned SF-5. East of the property is a lot zoned TF-3 with development similar to the applicants proposal. South of the site is a Herman Hill Park, a regional park. West of the site is a light industrial development, Envision Industries.

CASE HISTORY: The property is platted as Lot 13, Sunset Gardens Addition, 1947.

ADJACENT ZONING AND LAND USE:

North:	SF-5; Single-family residences
South:	SF-5; Herman Hill Park/open space
East:	TF-3; Single-family residences
West:	PUD; Light industrial

PUBLIC SERVICES: West Pawnee Street is a fully improved arterial street. South Water Street is an improved local street. All municipal services are available for the property.

CONFORMANCE TO PLANS/POLICIES: The *Community Investment Plan* depicts the subject site as appropriate for “residential uses.” The residential use category encompasses areas that reflect the full diversity of residential development densities and types found in a large urban municipality. The site is also in the Established Central Area (ECA) where infill housing is encouraged with the Wichita Urban Infill Strategy.

RECOMMENDATION: Based upon the information available at the time the staff report was prepared, it is recommended the application be approved.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: Properties surrounding the subject site area are primarily zoned SF-5, but there are numerous locations of TF-3 zoning in the immediate area. North of the site along South Water Street are single-family homes zoned SF-5. East of the property is a lot zoned TF-3 with development similar to the applicants proposal. South of the site is a Herman Hill Park, a regional park. West of the site is a light industrial development, Envision Industries.
2. The suitability of the subject property for the uses to which it has been restricted: The site is currently zoned SF-5, which primarily allows single-family residences. The lot being considered for rezoning could be improved with new single family homes with the existing zoning.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval of TF-3 zoning would allow a new single family home with a smaller minimum lot size to be constructed on the property. There are several corner lots in this area that have similar lot splits and development. Approval of the request should not detrimentally impact nearby property owners.
4. Length of time the property has remained vacant as currently zoned: The property is currently improved with a single family home. The lot is large enough to permit a lot split in the TF-3 zoning district to permit the new construction.
5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The *Community Investment Plan* depicts the subject site as appropriate for “residential uses.” The residential use category encompasses areas that reflect the full diversity of residential development densities and types found in a large urban municipality. The site is also in the Established Central Area (ECA) where infill housing is encouraged with the Wichita Urban Infill Strategy.
6. Impact of the proposed development on community facilities: Existing municipal facilities are in place or can be extended to serve the application area.

Staff Report Attachments:

1. Area Map