

First published in the Wichita Eagle 3/23/18

ORDINANCE NO. 507681

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. ZON2017-0056

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

Lots 20, 22, 24, 26 and 28, Block 8, Simpsons Addition to the City of 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.

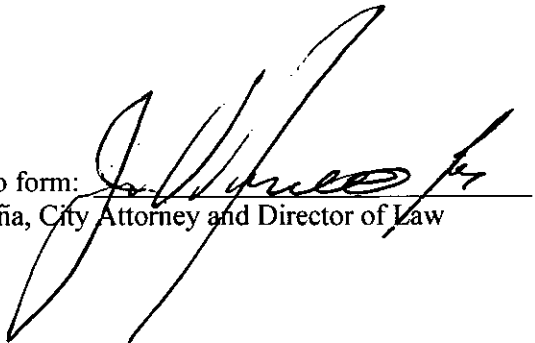
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.


Jeff Longwell, Mayor

ATTEST:


Karen Sublett, City Clerk

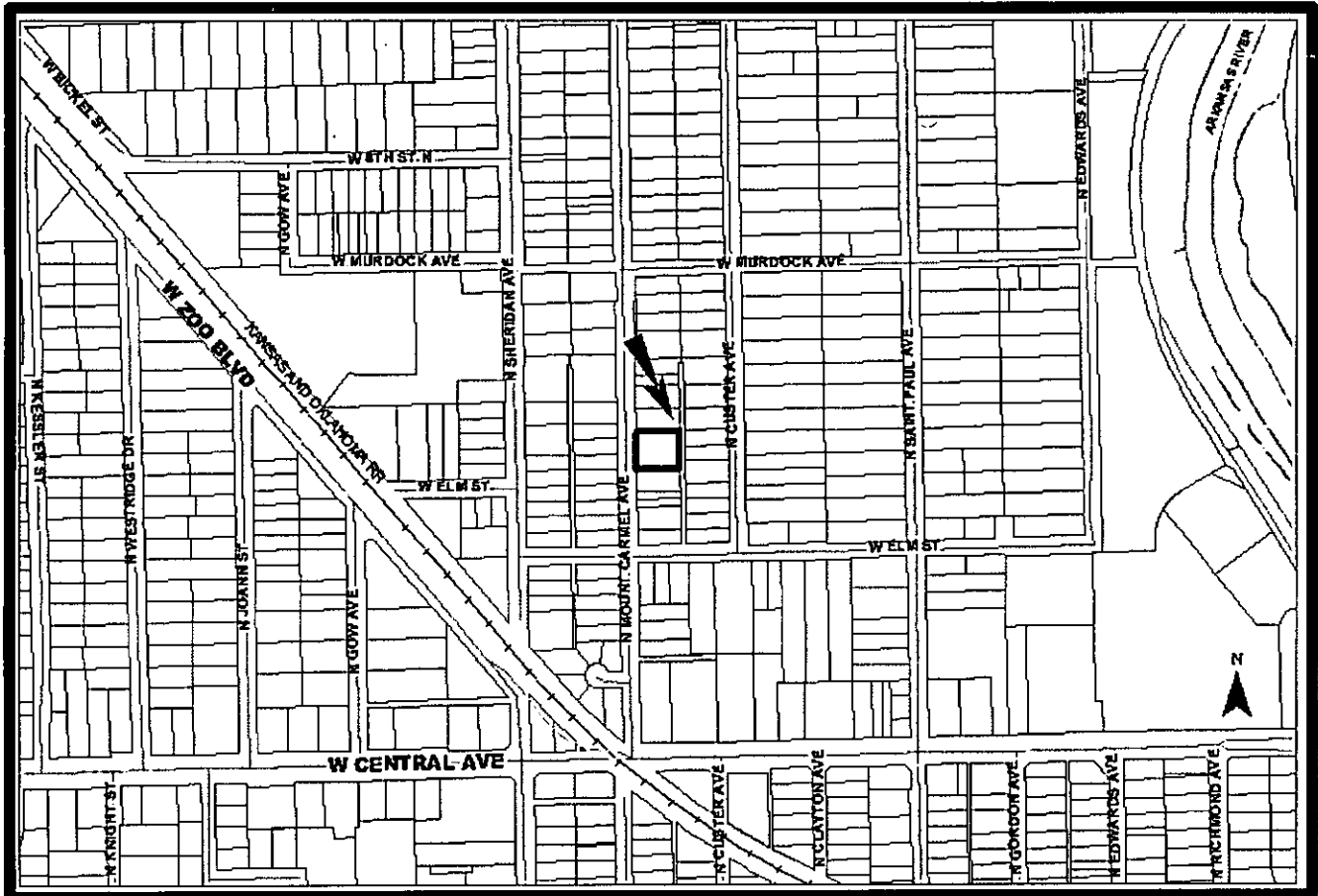


Approved as to form: 
Jennifer Magaña, City Attorney and Director of Law



STAFF REPORT
MAPC January 18, 2018
DAB VI January 17, 2018

- CASE NUMBER:** ZON2017-00056
- APPLICANT/AGENT:** LUCA Investment Properties, LLC, Philip and Elona Ruffo (Owners)
- REQUEST:** TF-3 Two Family Residential
- CURRENT ZONING:** SF-5 Single Family Residential
- SITE SIZE:** .41 acres
- LOCATION:** Located on the east side of Mount Carmel Avenue, east of Zoo Boulevard and north of Central Avenue (756 North Mount Carmel Avenue)
- PROPOSED USE:** Two-family residential development



ZON2017-00056

BACKGROUND: The applicant is requesting the rezoning of the five lots they own at this location from SF-5 Single Family Residential (SF-5) to TF-3 Two Family Residential (TF-3) in order to construct two duplexes on these lots. Copies of the proposed duplex design, as well as a site plan showing the location of the duplexes on these lots have been provided to see the manner in which this development will occur. Since this is all under single ownership and the plan is to redevelop existing platted lots, no further platting action is needed. The reconfiguration of these five lots into two building sites can be processed through a “boundary shift” process permitted by the Subdivision Regulations.

The original plat creating this property was the plat of the Simpson’s Addition to the City of Wichita, Kansas, recorded with the Register of Deed’s on December 27, 1886.

The surrounding neighborhood is primarily residential uses. Everything in the adjacent area is zoned SF-5 and is occupied by single-family homes. There is some property to the north on the east side of Mount Carmel that has been rezoned TF-3 and is occupied by a couple of duplexes. There are also some duplexes on the south side of Elm Street east of Mount Carmel.

CASE HISTORY: As noted earlier, other than the platting of the property in 1886, there is no other previous zoning activity on this parcel.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	residential
SOUTH:	SF-5	residential
EAST:	SF-5	residential
WEST:	SF-5	residential

PUBLIC SERVICES: Mount Carmel Avenue is a fully improved two-lane residential street with on-street parking allowed. All municipal services are provided to the site.

CONFORMANCE TO PLANS/POLICIES: The Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the area in which the site is located as appropriate for Residential uses. The site is a part of the Established Central Area (ECA), where infill development and higher density is encouraged. The uses envisioned for redevelopment in this area include duplexes.

RECOMMENDATION: Based upon the information available at the time the staff report was completed, staff recommends APPROVAL of the request, as submitted. This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The surrounding neighborhood is predominantly residential uses. The neighborhood has been relatively stable for residential uses. There are already duplexes within the neighborhood, so the introduction of a couple of new duplexes is not felt to be out of character with the neighborhood.
2. The suitability of the subject property for the uses to which it has been restricted: The property is presently zoned SF-5 Single Family Residential and the property is unlikely to be developed for new single family homes.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The proposed TF-3 zoning is acceptable to the neighborhood and is not considered to be detrimental to anyone.
4. Length of time the property has been vacant as currently zoned: The property has remained vacant for some time and the redevelopment as proposed is considered appropriate for the neighborhood.

6. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the area in which the site is located as appropriate for Residential uses within the Established Central Area of the City. This includes development of duplexes.
7. Impact of the proposed development on community facilities: Development of the property would not have any impact on community facilities or resources. All public improvements are available to serve the property.

Staff Report Attachments:

1. Site Plan and Supporting documents