OCA 150004 PUBLISHED IN THE WICHITA EAGLE ON June 8, 2018
ORDINANCE NO. 50-797

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. ZON2018-00013

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

Lots 1, 2 and 3, Reynolds 2nd 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.

ADOPTED this 5th day of June, 2018.

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

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

AGENDA ITEM NO. **6**

WICHITA—SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

STAFF REPORT

MAPC April 19, 2018
DAB II May 14, 2018

CASE NUMBER: ZON2018-00013

APPLICANT/AGENT: Jacob Management Company, LLC, Craig Harms (Owner)

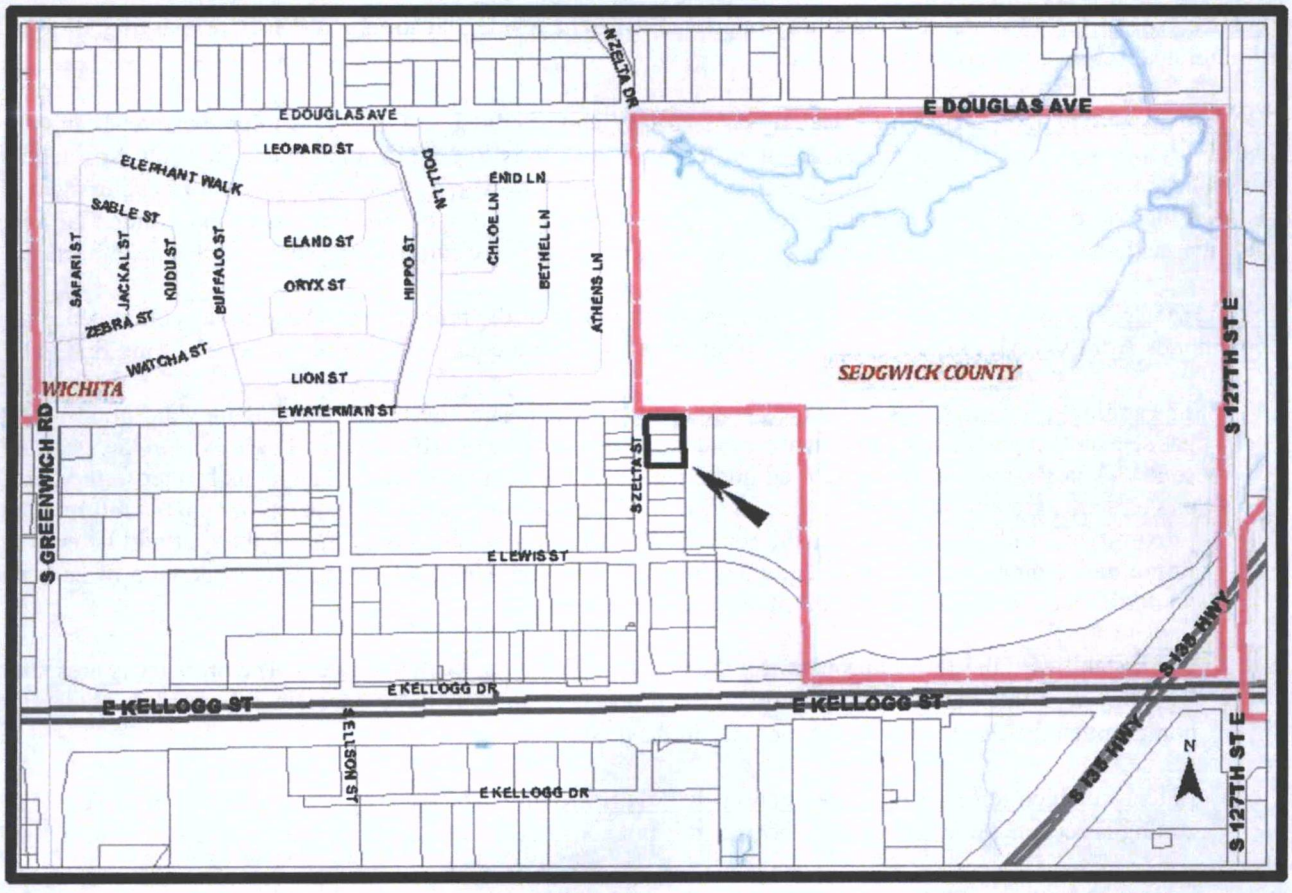
REQUEST: TF-3 Two Family Residential

CURRENT ZONING: SF-5 Single Family Residential

SITE SIZE: .85 acres

LOCATION: Located on the east side of Zelta Street, south of Waterman Street

PROPOSED USE: Two-family residential development



BACKGROUND: The applicant is requesting the rezoning of the three lots he owns at this location from SF-5 Single Family Residential (SF-5) to TF-3 Two Family Residential (TF-3) in order to construct a duplex on each of the lots. A photo of what the finished duplex will look like is provided for general information purposes.

The original plat creating these lots was the plat of the Reynolds 2nd Addition to the City of Wichita, Kansas, recorded with the Register of Deed's on March 30, 1979.

The surrounding neighborhood is a mixture of uses. The property to the west on the west side of Zelta Street is zoned SF-5 Single-Family Residential and is occupied with single family homes. The land to the south is also zoned SF-5 Single-Family Residential with single family homes. East of the property is undeveloped land zoned SF-5 Single-Family Residential. The land immediately to the north is unplatted and zoned SF-20 Single Family Residential in the county. To the north and west is the Lifestyle Manufactured Home Park north of Waterman Street. Further to the south on Zelta is property fronting onto Kellogg which is zoned both LC Limited Commercial and GC General Commercial.

CASE HISTORY: Other than the platting of the property in 1979, there are no other previous zoning actions on these parcels.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-20	agricultural, vacant
SOUTH:	SF-5	residential
EAST:	SF-5	vacant, undeveloped
WEST:	SF-5	residential

PUBLIC SERVICES: Zelta Street 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 New Residential uses. The site is outside of the Established Central Area (ECA), however, the uses envisioned for development in this area include duplexes. The established land uses in the neighborhood are predominately residential and, consistent with the Comprehensive Plan, this type of residential use is considered acceptable for this neighborhood.

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 portion of the surrounding neighborhood which has seen development is predominantly residential uses. Single family residential uses exist to the west and south. A large, mature, manufactured home park is to the north and west. The lands further to the north and east are agricultural and otherwise undeveloped, but will see additional development in the future. The proximity of Kellogg to the south and the other highway improvements further to the east will determine future development in the area. The introduction of duplexes at this location is considered a reasonable land use transition for development of lands in the future.

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 given the nature of the other activity in the area.

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 development 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 New Residential uses. The site is outside of the Established Central Area (ECA), however, the uses envisioned for development in this area include duplexes. The established land uses in the neighborhood are predominately residential and, consistent with the Comprehensive Plan, this type of residential use is considered acceptable for this neighborhood.

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. Supporting documents