

OCA 150004

PUBLISHED IN THE WICHITA EAGLE ON Nov. 30, 2018

ORDINANCE NO. 50-298

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. ZON2018-00042**

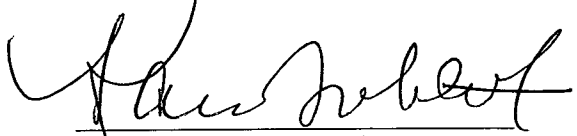
City zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential zoning lot described as:

Lot 18, Block 16, Fruitvale Park 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.

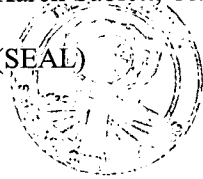
**SECTION 3.** That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ATTEST:



Karen Sublett, City Clerk

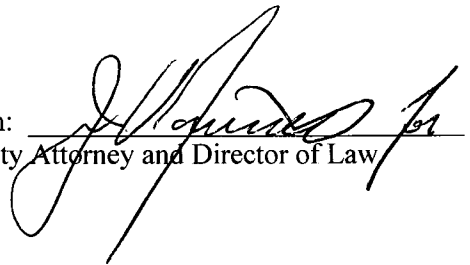
(SEAL)



  
Jeff Longwell, Mayor

Approved as to form:

Jennifer Magaña, City Attorney and Director of Law





**STAFF REPORT**  
MAPC October 18, 2018  
DAB VI October 17, 2018

**CASE NUMBER:** ZON2018-00042

**APPLICANT/AGENT:** KW Developments LLC/Gerard Wells (owner)

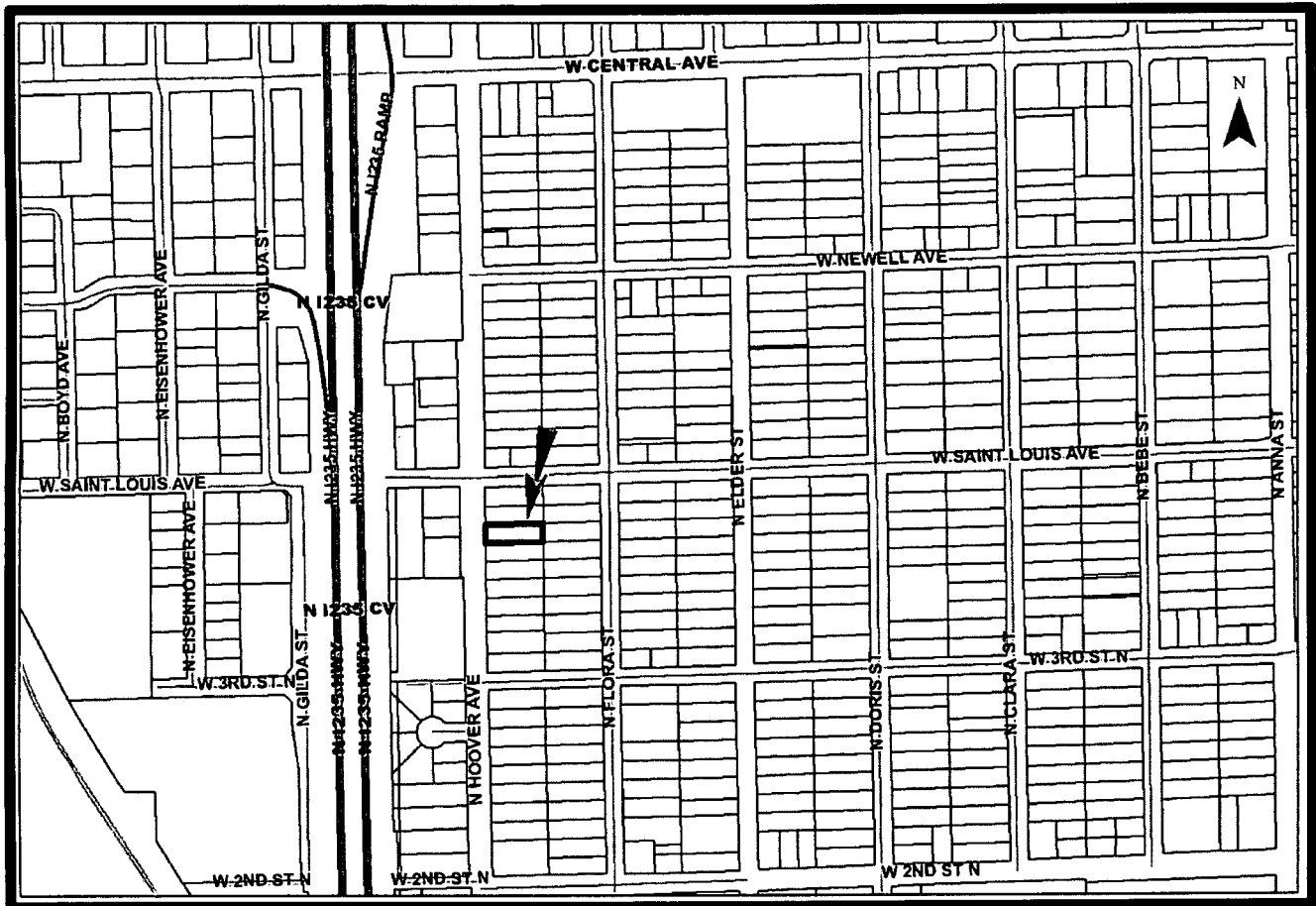
**REQUEST:** TF-3 Two-Family Residential

**CURRENT ZONING:** SF-5 Single-Family Residential

**SITE SIZE:** 0.26 acre

**LOCATION:** Located east of I-235 and one-quarter mile south of West Central Avenue on the east side of Hoover Avenue

**PROPOSED USE:** Duplex unit



**BACKGROUND:** The applicant/owner is requesting the rezoning 444 N Hoover Avenue (0.26 acre) SF-5 Single Family Residential (SF-5) to TF-3 Two Family Residential (TF-3). The property is currently vacant.

The surrounding neighborhood is residential uses on SF-5 and TF-3 zoned lots. The properties north and west of the subject site are zoned TF-3, which are developed with duplexes. East and south of the subject site is SF-5 zoning district, which are developed with single-family detached houses.

**CASE HISTORY:** The Fruitvale Park Addition was platted in 1929.

**ADJACENT ZONING AND LAND USE:**

NORTH:	TF-3	residential
SOUTH:	SF-5	residential
EAST:	SF-5	residential
WEST:	TF-3	residential

**PUBLIC SERVICES:** North Hoover Avenue is a 30-foot wide local collector street with an 80-foot right-of-way. All municipal services are provided to the site.

**CONFORMANCE TO PLANS/POLICIES:** The Wichita-Sedgwick County *Community Investments Plan*, identifies the area in which the site is located Established Central Area. The site is located within the urban infill strategy area, where residential development 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 located on Hoover Avenue in this location within the neighborhood. Expanding the TF-3 zoning district is not 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 could be developed with a new single-family dwelling.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: TF-3 zoning is immediately adjacent to the subject property.
4. Length of time the property has been vacant as currently zoned: A substandard structure on the property was demolished within the last 18 months.
5. 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 Wichita city limit. This includes development of duplexes.
6. 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.