

Agenda Item # _____

City of Wichita
City Council Meeting
November 5, 2002

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: ZON2002-00052 – Zone change from “SF-5” Single-family Residential to “TF-3” Two-family Residential. Generally located west of Woodlawn, approximately 2,000 feet south of 29th Street. (District I)

INITIATED BY: Metropolitan Area Planning Department

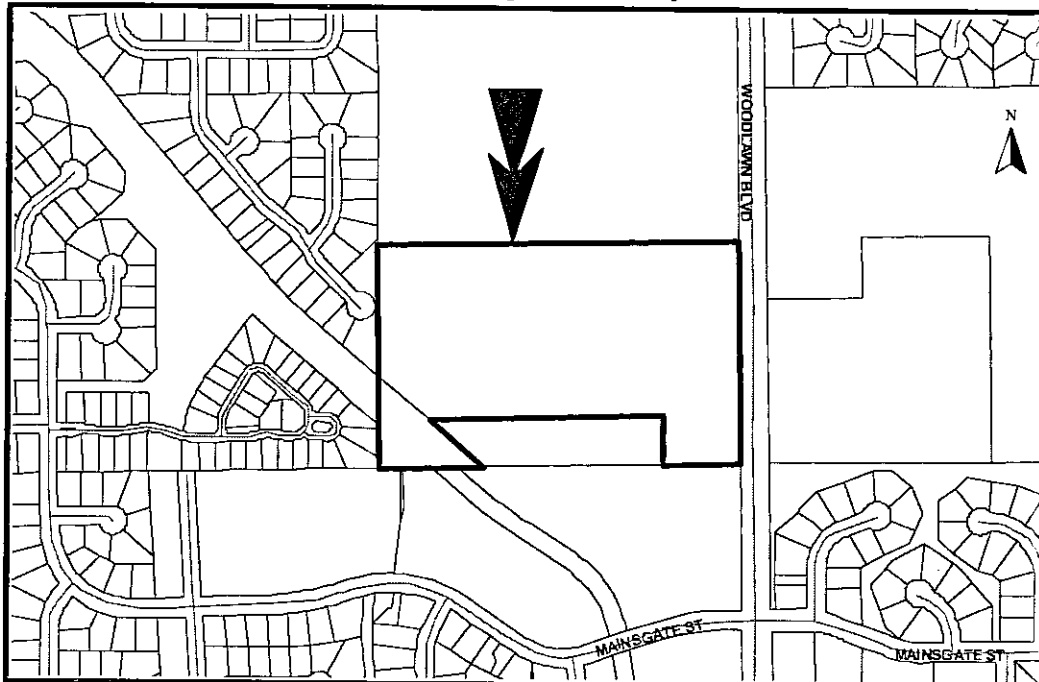


AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject staff recommendation. (10-0)

Staff Recommendation: Approve, subject to platting within one year.

D.A.B. I Recommendation: September 18, 2002 D.A.B. I voted 7-0 to recommend defer to October 7, 2002 D.A.B. I voted 6-0 to recommend approval subject to platting within one year.



BACKGROUND: The applicant is seeking to rezone property currently zoned SF-5, Single-family Residential to TF-3 Two-family Residential. The property is located approximately 2,000 feet south of 29th Street, west of Woodlawn, and is 20.24 acres in size.

The land to the north is zoned "SF-5" Single-family Residential, and is the proposed site for a new Northeast elementary school. Property to the east and south is zoned "GO" General Office, and is the location of a medical office, and is open space for an apartment complex. The property to the south is zoned "SF-5" and "GO". Voicestream is located on the "GO" property, and a Conditional Use for ancillary parking for Voicestream was recently approved by MAPC for the "SF-5" tract. Land to the west is zoned "SF-5" Single-family Residential and is developed with homes.

The *Wichita Land Use Guide* depicts this site as appropriate for "low density residential" uses. This residential category provides for the lowest density of urban residential land use and consists of single-family detached homes, zero lot line units, cluster subdivisions and planned developments with a mix of housing types that may include townhouse and multi-family units. "TF-3" zoning permits a minimum lot size of 3,500 square feet for single-family or 3,000 square feet per dwelling unit for duplex or a maximum of 14.5 dwelling units per acre. "TF-3" zoning is considered a medium density district. In contrast, the SF-5 Single-family residential district, which is considered to be low density, requires a minimum lot size of 5,000 square feet, unless the cluster provision is utilized which allows for a lot size of 4,000 square feet, provided permanent open space is provided.

Depending on the density of development, this project may generate the need for a left-turn lane and/or a decel-lane.

At the DAB I meeting held September 16, 2002, the board voted (7-0) to defer the case to October 7, 2002. At the DAB I meeting held October 7, 2002, the board voted (6-0) to approve the zone change subject to platting within one year. DAB members and citizens voiced concerns about duplex units becoming rental units and having a transient population that does not maintain the area and access only from Woodlawn, but expressed the view that duplex ("TF-3" Two-family) zoning was preferable to other possible uses.

At the MAPC meeting held September 26, 2002, MAPC voted (10-0) to approve subject to platting within one year. No members of the public were present to speak.

One letter of opposition and protest was received representing 1.13 percent, which would not require supermajority vote by the Council.

Recommended action:

1. Concur with the findings of the MAPC and approve the zoning change subject to the condition of platting within one year; place the ordinance establishing the zoning change on first reading; instruct the Clerk to withhold publication until the Plat is recorded with

the Register of Deeds; or

2. Return the application to the MAPC for reconsideration.

(An override of the Planning Commission's recommendation requires a 2/3-majority vote of the membership of the governing body on the first hearing)

ORDINANCE NO. 45-686

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. ZON 2002-52

Request for zone change from "SF-5" Single-Family Residential District to "TF-3" Two-Family Residential District, on property described as:

Ironhorse at Oxford Addition, Wichita, Sedgwick County, Kansas.

Generally located on the west side of Woodlawn, south of 29th Street North.

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 3-25-03

ATTEST:

Pat Graves
Pat Graves, City Clerk



Bob Knight
Bob Knight, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf
Gary E. Rebenstorf, City Attorney

RECEIVED

JUN 17 2003

METROPOLITAN PLANNING
ROUTE _____
