

Published 7-27-09

ORDINANCE NO. 48-305

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. ZON2009-02

Zone change request from SF-5 Single-family Residential ("SF-5") to TF-3 Two-family Residential ("TF-3") on property described as:

The South 70 feet of the North 125 feet of the West 500 feet of Lot 4, Central Acres Addition to Wichita, Sedgwick County, Kansas; generally located west of North Hoover and south of Central (625 North Hoover).

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 7 day of April, 2009.

ATTEST:

Karen Sublett, CMC
Karen Sublett, City Clerk

Carl Brewer, Mayor
Carl Brewer, Mayor



Approved as to form:

Gary E. Rebenstorf, JST
Gary E. Rebenstorf, Director of Law

STAFF REPORT
MAPC February 19, 2009

CASE NUMBER: ZON2009-02

APPLICANT/AGENT: Jeffery Niedens (applicant)

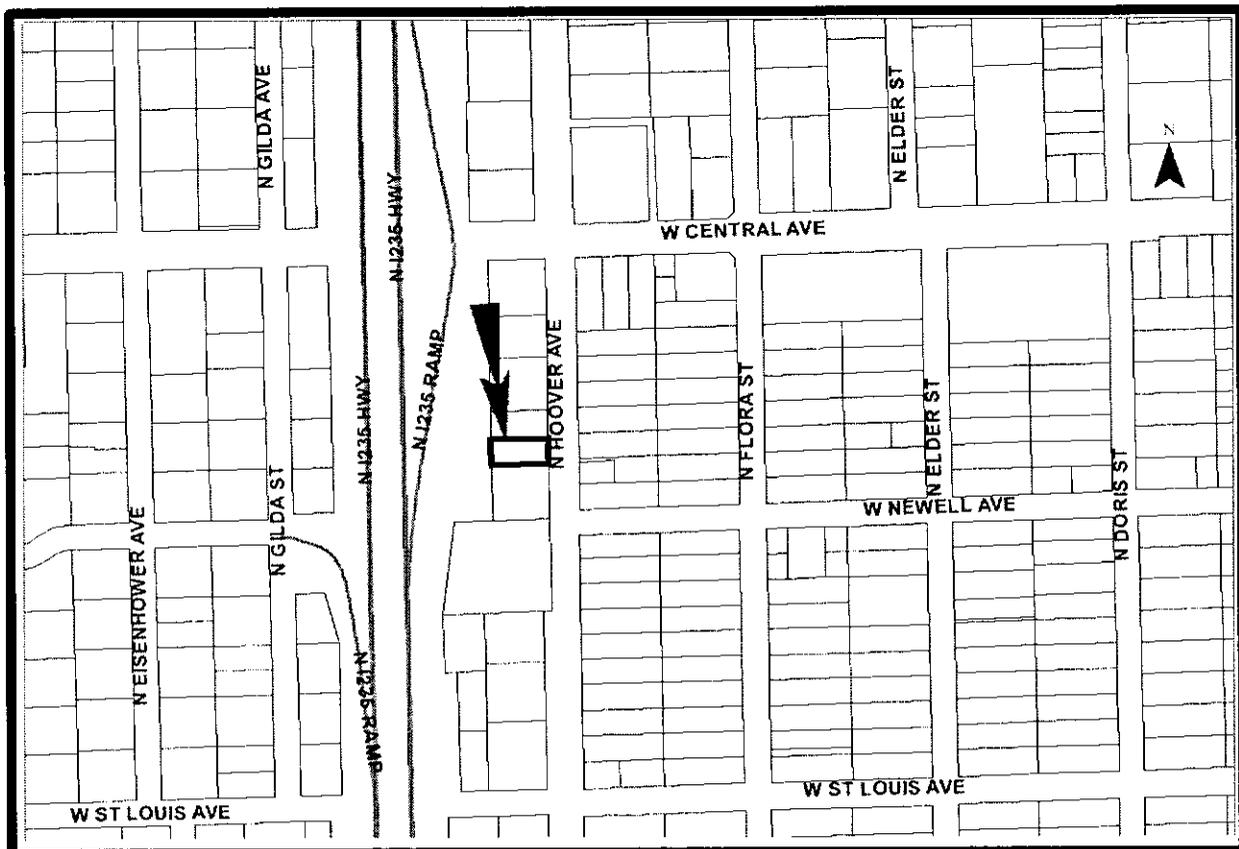
REQUEST: Zone change to "TF-3" Two-family Residential

CURRENT ZONING: "SF-5" Single-family Residential

SITE SIZE: .2 acres

LOCATION: West of North Hoover and south of Central (625 North Hoover)

PROPOSED USE: Duplex development



BACKGROUND: The applicant requests TF-3 Two-family Residential (“TF-3”) zoning on a .2-acre site, currently zoned SF-5 Single-family Residential (“SF-5”). The site was formerly developed with a manufactured home. The site is approximately 8,280 square feet in size with 60 linear feet of frontage along Hoover Avenue; the site will accommodate one duplex. Immediately north of the site is LC Limited Commercial (“LC”) zoned property, under the same ownership as the application area and within the same parcel as the application area. The applicant may develop the LC zoned portion with a duplex as well. Further north are LC zoned commercial uses at the Hoover/Central intersection. South of the site are SF-5 zoned single-family residences. East of the site are TF-3 zoned single-family residences. West of the site is the I-235 corridor.

CASE HISTORY: The Central Acres Addition was platted in 1927; this parcel was split off of Lot 4 at a subsequent date.

ADJACENT ZONING AND LAND USE:

NORTH:	LC	Single-family residential, commercial
SOUTH:	SF-5	Single-family residential
EAST:	TF-3	Single-family residential
WEST:	SF-5	I-235

PUBLIC SERVICES: Hoover is a paved local street at this location with a 30-foot half-width right-of-way. All other normal public services are available at the site.

CONFORMANCE TO PLANS/POLICIES: The “2030 Wichita Functional Land Use Guide” of the *Wichita-Sedgwick County Comprehensive Plan* identifies the application area as “Urban Residential.” The Urban Residential category encompasses all development densities found in the municipality.

RECOMMENDATION: The immediate neighborhood is a mixture of TF-3 and SF-5 zoning, with LC along the Central corridor. The residential neighborhood is primarily single-family with a few existing duplexes within two blocks of the application area. The proposed zone change is consistent with the zoning pattern in the immediate area, with most residential lots north of Newel Street zoned TF-3. Likewise, the request is in conformance with the Land Use Guide of the Comprehensive Plan.

Based on these factors, plus the information available prior to the public hearing, staff recommends the request be APPROVED, subject to separating the application area from the remaining LC zoned parcel with a lot split.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: North of the site is LC zoned property owned by the applicant, and an LC zoned single-family residence. Further north are LC zoned commercial uses at the Hoover/Central intersection. South of the site are SF-5 zoned single-family residences. East of the site are TF-3 zoned single-

family residences. West of the site is the I-235 corridor.

2. The suitability of the subject property for the uses to which it has been restricted: The property could be developed with a single-family residence as it is currently zoned.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Rezoning and two-family development should have no effects on surrounding single-family residences. The proposed zoning will serve as a transitional buffer from the more intense LC zoning north of the site and the SF-5 zoning south of the site.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and Policies: The “2030 Wichita Functional Land Use Guide” of the *Wichita-Sedgwick County Comprehensive Plan* identifies the application area as “Urban Residential”. The Urban Residential category encompasses all development densities found in the municipality.
5. Impact of the proposed development on community facilities: The proposed duplex development should have marginally noticeably greater impact on community facilities than development that could take place under the current single-family zoning.