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ORDINANCE NO. 48-909

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 2010-00024

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

Lots 1 through 18, Block 1, Casa Bella Third Addition, Wichita, Sedgwick County, Kansas.

Generally located north of Pawnee and on the west side of 127th Street East.

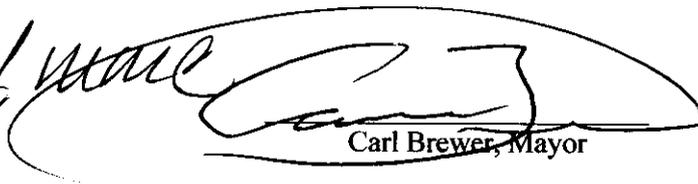
SECTION 2. That upon the taking effect of this Ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita-Sedgwick County Unified Zoning Code as amended.

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 23 day of Nov, 2010

ATTEST:


K. Allen Sublett, City Clerk



Carl Brewer, Mayor

APPROVED AS TO FORM:


Gary E. Rebenstorf, Director of Law

City of Wichita
City Council Meeting
September 14, 2010

TO: Mayor and City Council

SUBJECT: ZON2010-00024 – City zone change from SF-5 Single-family Residential (“SF-5”) to TF-3 Two-family Residential (“TF-3”) on property located north and south of Casa Bella Street; generally located north of Pawnee and west of 127th Street East. (District II)

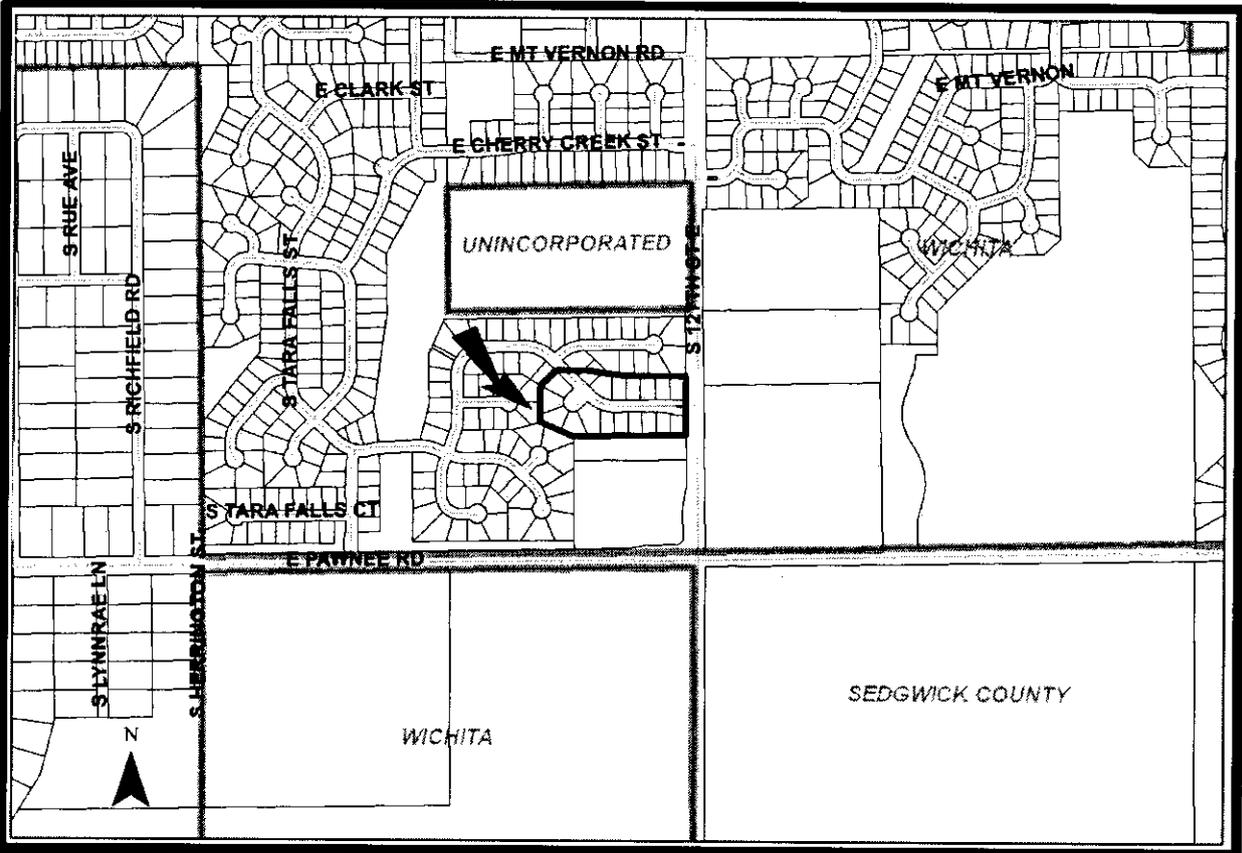
INITIATED BY: Metropolitan Area Planning Department *JLS*

AGENDA: Planning (Consent)

DAB Recommendation: None.

MAPC Recommendation: Approve (vote unanimous).

MAPD Staff Recommendation: Approve.



Background: The applicant is seeking TF-3 Two-family Residential (“TF-3”) zoning on 5.36 acres located on both sides of Casa Bella Street, west of 127th Street East. The property is undeveloped, is currently zoned SF-5 Single-family Residential (“SF-5”) and is platted as 18 lots in the Casa Bella 2nd Addition. The previously mentioned 18 single-family lots vary in size from approximately 9,000 to 10,000 square feet. The application area is now the subject of replatting, Casa Bella 3rd Addition (SUB2010-33), with the plat containing 46 lots that have a minimum lot area of 8,619 square feet. If this request is approved, Casa Bella 3rd Addition will create a self-contained duplex neighborhood that is served by a dead-end cul-de-sac street that is only connected to 127th Street East.

The property is located in a developing part of the city that has some: platted but undeveloped ground, developed ground and unplatted farm land. The land abutting the application area to the north, south and west is owned by the applicant and is zoned either SF-5 or LC Limited Commercial (“LC”). Land to the east, across 127th Street East, is zoned SF-5, but is unplatted and used for farming.

In the TF-3 district, the *Wichita-Sedgwick County Unified Zoning Code* requires each single-family residence to have a minimum lot area of 3,500 square feet or 6,000 square feet for a duplex unit (3,000 square feet per unit).

Analysis: At the Metropolitan Area Planning Commission (“MAPC”) meeting held August 5, 2010, the MAPC unanimously approved the request, as part of their consent agenda, subject to replatting within one year. There was not anyone present to speak against the proposal, and there have not been any protests filed.

Financial Considerations: None.

Goal Impact: Promote Economic Vitality

Legal Considerations: The ordinance has been reviewed and approved as to form by the Law Department.

Recommendation/Actions:

1. Adopt the findings of the MAPC, approve the zone change, and withhold publication of the ordinance, subject to replatting within one year.