

OCA#: 150004

ORDINANCE NO. 49-253

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. ZON2012-00002

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

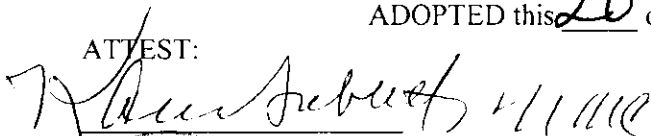
Lot 3, Block 2, Butler's Addition, Wichita, Sedgwick County, Kansas; generally located south of Navajo and east of South Hillside (3301 E. Navajo Lane).

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.

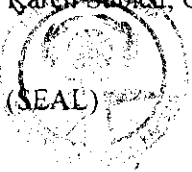
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED this 20 day of March, 2012.

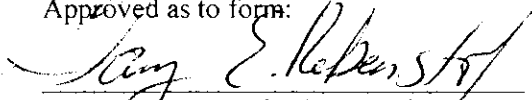
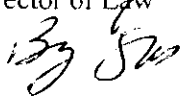
ATTEST:


Karen Sublett, City Clerk


Carl Brewer, Mayor



Approved as to form:


Gary E. Rebenstorf, Director of Law


City of Wichita
City Council Meeting
March 20, 2012

TO: Mayor and City Council

SUBJECT: ZON2012-00002 – City zone change from SF-5 Single-family Residential (“SF-5”) to TF-3 Two-family Residential (“TF-3”) for an existing duplex; generally located south of East Navajo Lane and west of Rutan Street (3301 E. Navajo Lane.). (District III)

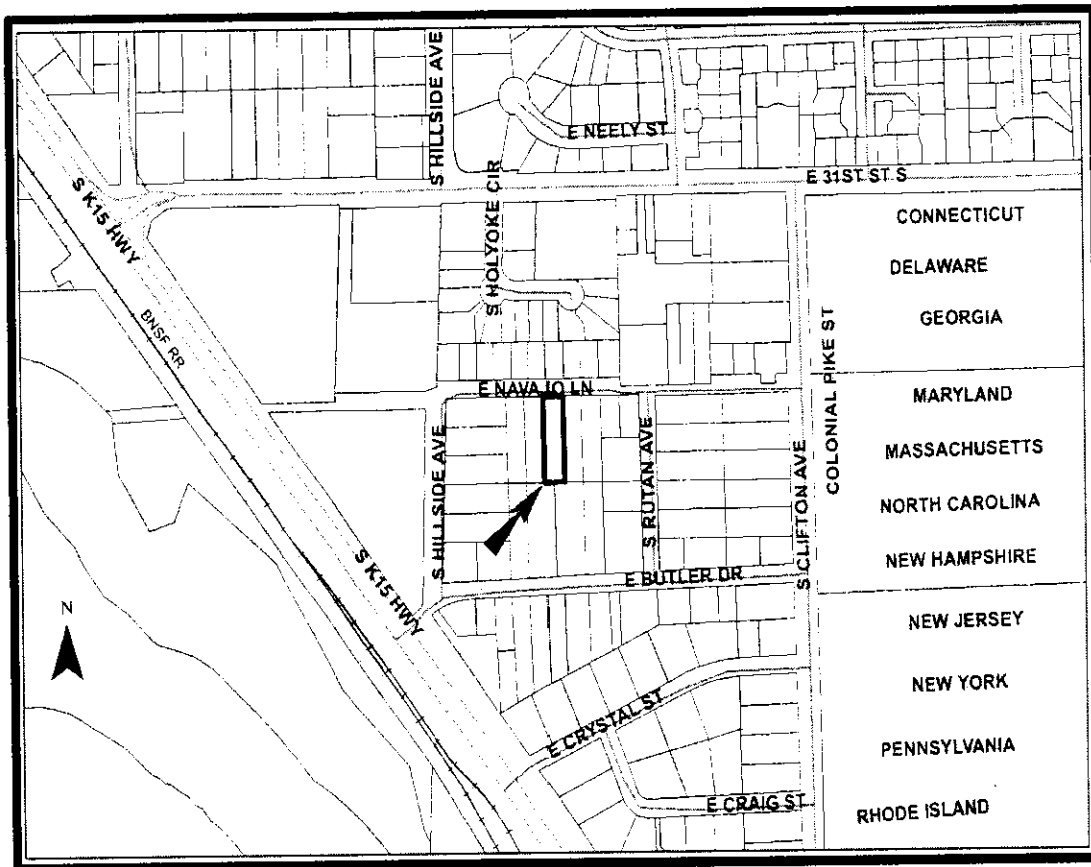
INITIATED BY: Metropolitan Area Planning Department *JLS*

AGENDA: Planning (~~Consent~~)-Non-Consent

MAPC Recommendation: Approve (10-0).

DAB III Recommendation: Approve (8-0).

MAPD Staff Recommendation: Approve.



Background: The applicants' request a zone change from the existing SF-5 Single-family Residential ("SF-5") to TF-3 Two-family Residential ("TF-3") zoning on a 0.5-acre platted property. The site was developed in 1930, presumably with the existing duplex structure. This area came under County zoning in 1958 within the "R-1" zoning district; the R-1 zoning district permitted only single-family residential uses, and did not permit duplexes. The area was subsequently annexed into the City of Wichita, and zoned the current SF-5 district. The applicants are seeking re-financing on this property, and are required by a lending institution to bring the property into zoning conformance.

All immediate surrounding properties are also zoned SF-5 and developed with single-family residences, the bordering lot to the east is vacant. Lots one block north are zoned MF-18 Multi-family Residential ("MF-18") and developed with duplexes and multi-family buildings. The application area is 700 feet south of 31st Street South and the Planeview neighborhood. Approximately 900 feet to the east and west of this site are manufactured home parks in LC Limited Commercial ("LC") and MH Manufactured Housing ("MH") zoning.

Analysis: At the MAPC meeting held February 16, 2012, the MAPC voted (10-0) to approve the request for TF-3 zoning. No citizens spoke at the MAPC hearing regarding this request. District Advisory Board (DAB) III heard this request on February 1, 2012. The DAB voted (8-0) to approve the request, no citizens spoke in opposition to the request. No protests were received during the two-week protest period following the MAPC hearing.

Financial Considerations: There are no financial considerations in regards to the zoning request.

Goal Impact: The application will 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 and approve the zone change, authorize the Mayor to sign the ordinance and place the ordinance on first reading (simple majority required).

(An override of the Planning Commission's recommendation requires a two-thirds majority vote of the City Council on the first hearing.)

Attachments:

- Ordinance
- DAB Memo
- MAPC Minutes