

Published in The Wichita Eagle on 5-23-14

ORDINANCE NO. 47-753

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. ZON2014-00001

Zone change request from SF-5 Single-family Residential to MF-18 Multi-family Residential on property described as:

Lot 1, Block A, Castlegate Addition, Wichita, Sedgwick County, Kansas.

Generally located on the north side of Central, west of 119th Street West.

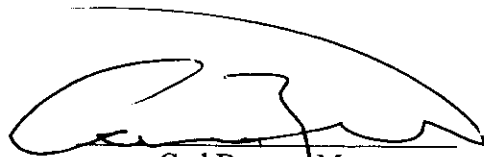
SECTION 2. That upon the taking effect of this Ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita-Sedgwick County Unified Zoning Code as amended.

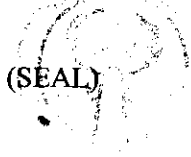
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED this 20 day of May, 2014.

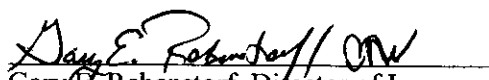
ATTEST:


Karen Sublett, City Clerk


Carl Brewer Mayor



APPROVED AS TO FORM:


Gary E. Rebenstorf, Director of Law

Background: The applicant requests MF-18 Multi-family Residential (MF-18) zoning on vacant, unplatted property within a larger single-family residential development, see the attached preliminary plat document. The 1.98-acre site is currently zoned SF-5 Single-Family Residential (SF-5). The Unified Zoning Code (UZC) permits up to 18 multi-family dwelling units per acre in MF-18 zoning, the application area could in theory accommodate 35 dwelling units. However, UZC required setbacks, compatibility setbacks from SF-5 zoning, parking and landscaping will limit the total number of units on the site. The UZC requires a 25-foot compatibility setback from SF-5 zoning, it limits building height to 35 feet within 50 feet of SF-5 zoning, it limits maximum height to 45 feet, and it requires 1.25 parking spaces per efficiency or one bedroom dwelling and 1.75 spaces per two bedroom or larger dwelling.

Property to the north, south and east is zoned SF-5 and is developed with or planned for single-family residences. Three single-family residential properties immediately east of the site range in size from .75 to 10 acres. Property west of the site is zoned SF-20 Single-family Residential and used for agriculture and a farmstead. The application area will be developed within a larger single-family development, and will be accessed from Thornton Street within the development. The preliminary plat for this site indicates that the southwest corner of the site could have right-in right-out access to Central.

Analysis: District Advisory Board (DAB) V heard the rezone request on March 17, 2014, and recommended approval (7-0). No citizens spoke at the DAB hearing on this request.

At the Metropolitan Area Planning Commission (MAPC) meeting held on March 20, 2014, the MAPC voted (10-0) to recommend approval of the request with a Protective Overlay limiting building height to 25 feet. No citizens spoke at the MAPC hearing and no protests were filed on this request.

Financial Considerations: Approval of this request will not create any financial obligations for the City.

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

Recommendation/Actions: It is recommended that the City Council adopt the findings of the MAPC and approve the zone change with a Protective Overlay subject to platting within one year of the governing body approval, and instruct the Planning Department to forward the ordinance for first reading when the plat is complete (simple majority vote required).

Attachments:

- Ordinance
- DAB memorandum
- MAPC minutes
- Site Plan