

ORDINANCE NO. 50-101

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:

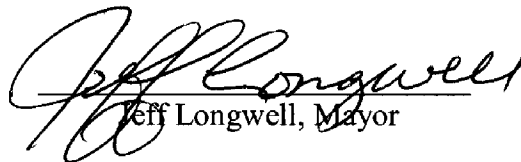
Case No. ZON2015-00033

Zone change from Single-Family Residential ("SF-5") to Two-Family Residential ("TF-3") on an approximately 0.25-acre property described as:

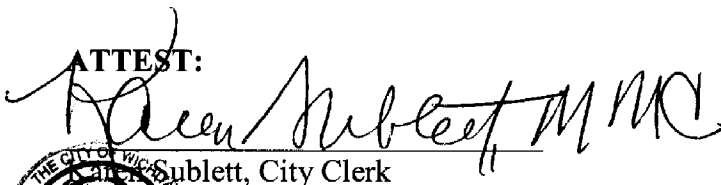
Lots 19 and 20, Block 17, Fruitvale Park Addition, Wichita, Sedgwick County, Kansas, generally located south of Central Avenue on the southeast corner of Hoover Avenue and Newell Street.

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.

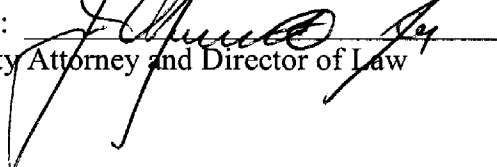
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.


Jeff Longwell, Mayor

ATTEST:


Sublett, City Clerk



Approved as to form:
Jennifer Magana, City Attorney and Director of Law


Background: The applicant is requesting TF-3 Two-Family Residential (TF-3) zoning on the platted approximately 120-foot (x) 191.85-foot (23,022-square foot) SF-5 Single-Family Residential (SF-5) zoned site. The subject site, Lots 19 and 20, Block 17, Fruitvale Park Addition, is located a block south of Central Avenue on the southeast corner of Hoover Avenue and Newell Street. The site is also located approximately 300 feet east of Interstate Highway I-235.

The subject site has SF-5 zoned single-family residences abutting its south and east sides; built 1970, 1931, 1950 and 1954. The site and these abutting properties are part of a mostly SF-5 zoned, single-family residential neighborhood that is located south, east and west of the site. Most of the residences in the neighborhood are small (+/- 1,000-square feet), wood framed homes, having been built in the 1940s. A SF-5 zoned civic organization, the Serenity Club of Wichita, is located directly west of the site, across Hoover Avenue. TF-3 zoned single-family residences (most built in the 1940s) and a few duplexes (built 1970s or later) are located north and northwest of the site, across Newell Street. With the exception of a single-family residences currently being built southwest of the site, it appears that the most recent residential development in the area are two duplexes built in 2009, located northwest of the site. The residential development located north of the site eventually ends up against LC Limited Commercial (LC) zoned older, small scale commercial development located along the arterial Central Avenue. The immediate area north, west and east of the site, also has some SF-5 zoned properties that appear to have been split by sale, resulting in small properties that are less than 5,000-sqaure feet in area.

Analysis: On September 16, 2015, District Advisory Board (DAB) VI considered the requested TF-3 zoning. There were protesters at the DAB VI meeting. DAB VI voted 7-0 to approve the request.

On September 17, 2015, the Metropolitan Area Planning Commission (MAPC) considered the request. There were no protesters at the MAPC meeting. The MAPC voted 13-0 to approve the requested TF-3 zoning. Planning staff has not received protests to the 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 concur with the findings of the MAPC and approve the zoning with the provisions of Protective Overlay 300 and place the ordinance on first reading (simple majority of four votes required).

Attachments:

- MAPC minutes
- DAB memo
- Ordinance