Agenda Item #_____

City of Wichita
City Council Meeting
November 6, 2001

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: **ZON2001-00059 – Zone Change from "SF-5" Single-Family Residential to "TF-3" Two-Family Residential. Generally located on the east side of Chase Street, south of Maple.** (District #IV)

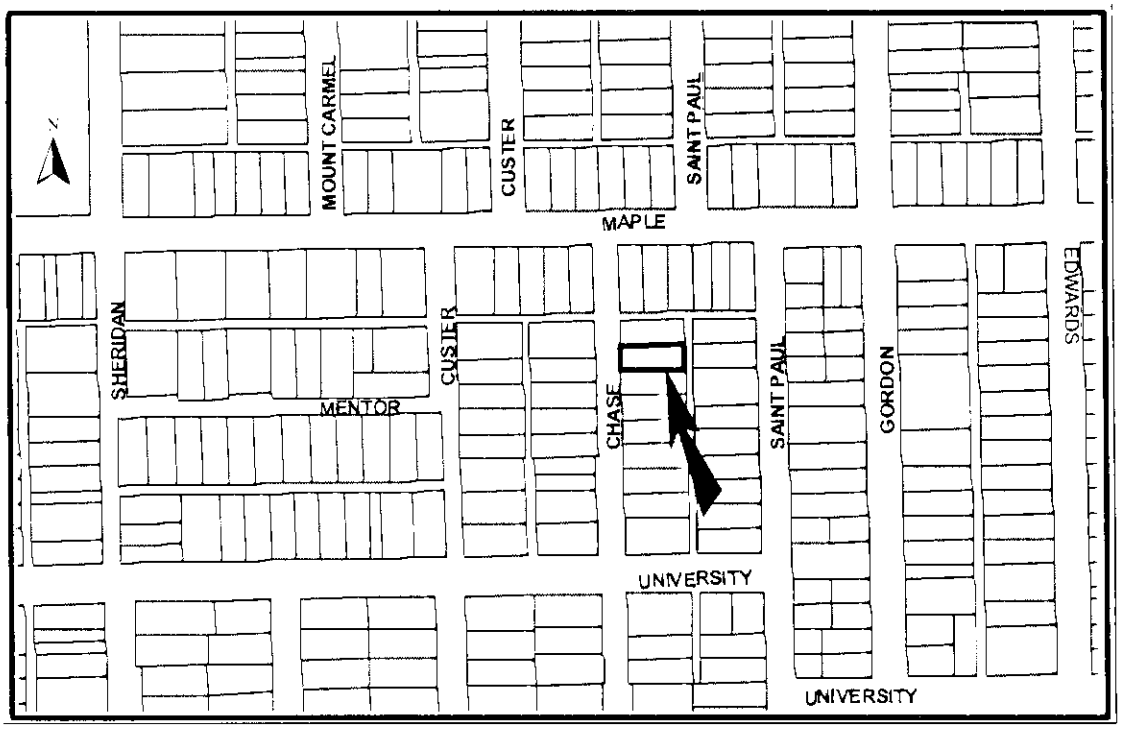
INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve (13-0).

Staff Recommendation: Approve.

DAB Recommendation: Approve (6-0).



Background: The applicant requests "TF-3" Two-Family zoning on a platted, infill lot located on the east side of Chase, south of Maple, at 322 Chase. The vacant property is currently zoned "SF-5" Single-Family. "TF-3" zoned properties exist along both sides of this section of Chase Street, including a property two lots south of the application area. This section of Chase is a mixture of "SF-5" and "TF-3" zoning. To the north of the application area, all properties facing Maple Street are zoned "TF-3."

The "Wichita Land Use Guide" of the *1999 Update to the Wichita-Sedgwick County Comprehensive Plan* identifies this area as "medium density residential." The *Unified Zoning Code* states that the "TF-3" zone is generally compatible with the "medium density residential" designation in the *Comprehensive Plan.* The Planning Staff has suggested that the designation be changed to "low density residential" in the proposed land use guide that is currently under consideration.

In some previous applications to do infill at a higher density, staff has proposed special conditions by Protective Overlay to ensure that the new development is compatible with the surrounding residences. Initially, staff had some concern about how this very small, narrow lot could be developed properly for two dwelling units. Maintaining a consistent setback, using the same materials and forms of existing homes, minimizing the visual impact of parking, and creating an entrance feature facing the street are the kinds of issues that may need to be addressed in certain areas. However, in this case, the variety of housing types and styles in the surrounding area does not seem to warrant special regulations.

Recommended Action:

1. Concur with the findings of the MAPC and approve the zone change; place the ordinance establishing the zone change on first reading: or

2. Return the application to the MAPC for reconsideration

   (An override of the Planning Commission's recommendation requires a 2/3 majority vote of the membership of the governing body on the first hearing.)

(_____) Publ. ed in The Wichita Eagle on NOV 23 2001

ORDINANCE NO. 45-140

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. ZON2001-00059

Request for zone change from "SF-5" Single-Family Residential to "TF-3" Two-Family Residential, described as:

Lots 6 and 8, on Chase, Stewarts Subdivision of Reserve A in NE 1/4 Sec. 25, T27S, R1W of 6th P.M. in Wichita, Kansas, Sedgwick County, Kansas. Generally located on the east side of Chase Street, south of Maple.

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 AT WICHITA, KANSAS, NOV 20 2001

ATTEST:

Pat Burnett, City Clerk

Bob Knight, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney

WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 13

STAFF REPORT

MAPC 10-11-01
DAB 10-03-01

CASE NUMBER: ZON2001-00059

APPLICANT/AGENT: Tom St. Peter (owner); SRB, P.A., Mark Savoy (agent)

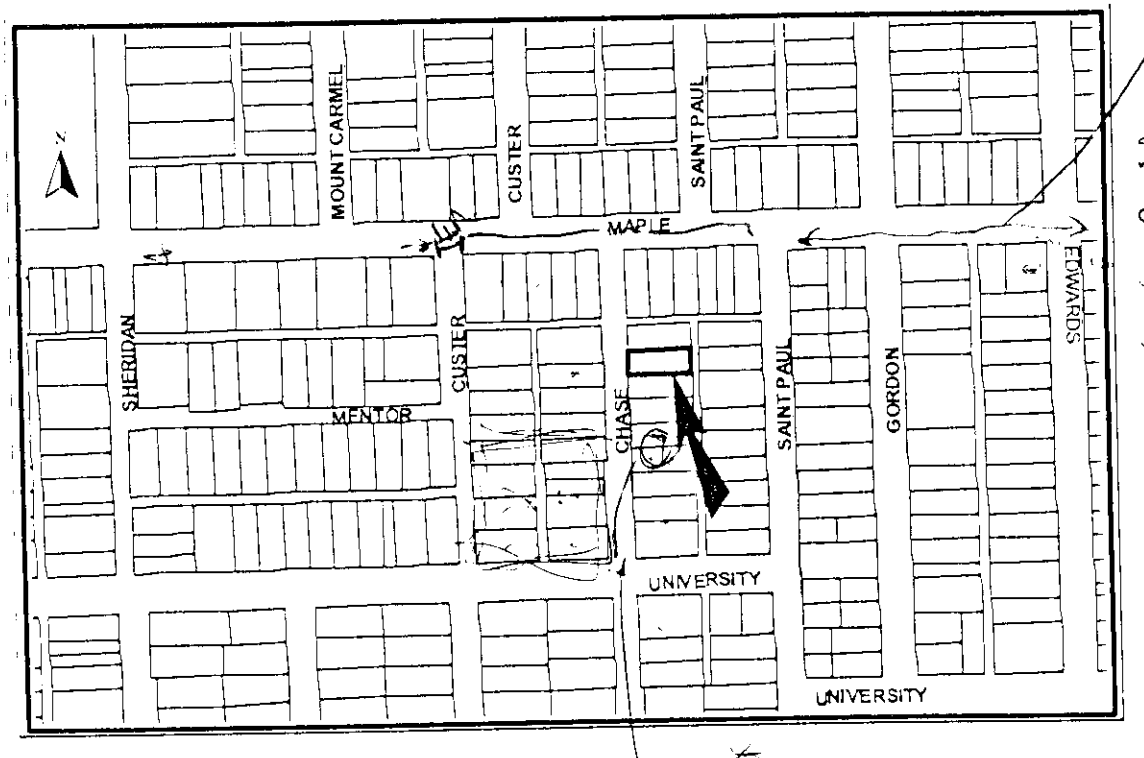
REQUEST: Zone change to "TF-3" Two-Family

CURRENT ZONING: "SF-5" Single-Family

SITE SIZE: 0.15 acres

LOCATION: East side of Chase Street, south of Maple (322 Chase).

PROPOSED USE: Construction of a two-family dwelling on a vacant lot.



BACKGROUND: The applicant requests "TF-3" Two-Family zoning on a platted, infill lot located on the east side of Chase, south of Maple, at 322 Chase. The vacant property is currently zoned "SF-5" Single-Family.

"TF-3" zoned properties exist along both sides of this section of Chase Street, including a property two lots south of the application area. This section of Chase is a mixture of "SF-5" and "TF-3" zoning. To the north of the application area, all properties facing Maple Street are zoned "TF-3."

CASE HISTORY: None.

ADJACENT ZONING AND LAND USE:

mixed development

NORTH:	"SF-5," "TF-3"	single and two-family residences
SOUTH:	"SF-5," "TF-3"	single and two-family residences
EAST:	"SF-5"	single-family residences
WEST:	"SF-5," "TF-3"	single and two-family residences

PUBLIC SERVICES: The property is located along Chase Street, a two-lane residential street. As this is a residential street, no traffic counts or projections exist, likewise no street projects exist in the C.I.P. The existing half-width right-of-way for Chase Street is 25 feet.

CONFORMANCE TO PLANS/POLICIES: The "Wichita Land Use Guide" of the *1999 Update to the Wichita-Sedgwick County Comprehensive Plan* identifies this area as "medium density residential." The *Unified Zoning Code* states that the "TF-3" zone is generally compatible with the "medium density residential" designation in the *Comprehensive Plan*. The Planning Staff has suggested that the designation be changed to "low density residential" in the proposed land use guide that is currently under consideration.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED.

This recommendation is based on the following findings: note These

1. The zoning, uses and character of the neighborhood: The application area's immediate neighborhood is a mixture of "TF-3" and "SF-5" zoning, and is characterized by a mix of single-family and two-family land uses.

2. The suitability of the subject property for the uses to which it has been restricted: The property possibly could be developed with a single-family residence; however, the substantial number of duplexes in the immediate area and the neglected maintenance of some nearby properties limits this potential.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Development of a two-family, as opposed to single-family, dwelling unit should not detrimentally affect nearby property, due to the presence of other two-family dwellings in the immediate area.

4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The requested change in zoning classification is in conformance with the *Comprehensive Plan* "Wichita Land Use Guide," and in conformance with the *Unified Zoning Code* designation of "TF-3" zoning as "medium density residential." Even if the designation of the general area is changed to "low density residential," that should not rule out the possibility of some infill or redevelopment being permitted at a higher density.

5. Impact of the proposed development on community facilities: The only impact on community facilities would be the slight increase in vehicular traffic on Chase Street, as a result of a two-family dwelling at this location as opposed to a single-family dwelling. This impact on community facilities was considered when the area was designated "medium density residential" in the "Wichita Land Use Guide" of the *Comprehensive Plan*.

In some previous applications to do infill at a higher density, staff has proposed special conditions by Protective Overlay to ensure that the new development is compatible with the surrounding residences. Initially, staff had some concern about how this very small, narrow lot could be developed properly for two dwelling units. Maintaining a consistent setback, using the same materials and forms of existing homes, minimizing the visual impact of parking, and creating an entrance feature facing the street are the kinds of issues that may need to be addressed in certain areas. However, in this case, the variety of housing types and styles in the surrounding area does not seem to warrant special regulations.