OCA 150004

ORDINANCE NO. 50-558

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. ZON2017-00022

City zone change from SF-5 Single-Family Residential to MF-18 Multi-Family; described as:

That part of the Northwest Quarter of the Southwest Quarter of Section 26, Township 28 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas described as follows:

Commencing at the southwest corner of the Northwest Quarter of said Southwest Quarter, said southwest corner also being the northwest corner of Woodvale Addition, Sedgwick County, Kansas, (a portion of said Woodvale Addition now vacated by virtue of the instrument entitled Vacation Order, Case No. VAC2015-00023, recorded in DOC.#/FLM-PG: 29559186); thence easterly along the south line of the Northwest Quarter of said Southwest Quarter, and along the north line of that part of said Woodvale Addition now vacated, (DOC.#/FLM-PG: 29559186), 218.38 feet to the northeast corner of Lot 2, Block A, in that part of said Woodvale Addition now vacated, (DOC.#/FLM-PG: 29559186); thence northerly parallel with the west line of the Northwest Quarter of said Southwest Quarter, 1018.30 feet; thence easterly with a deflection angle to the right of 90°01'54", 29.40 feet; thence southeasterly with a deflection angle to the right of 14°53'14", 140.12 feet; thence easterly with a deflection angle to the left of 14°53'14", 317.16 feet; thence northeasterly with a deflection angle to the left of 14°52'20", 84 feet, more or less, for a Point of Beginning; thence continuing northeasterly with a deflection angle to the left of 14°52'20", 56.26 feet; thence easterly with a deflection angle to the right of 14°52'20", 482.18 feet to a point on the east line of the Northwest Quarter of said Southwest Quarter; thence southerly along the east line of the Northwest Quarter of said Southwest Quarter, 300 feet; thence west 530 feet; thence north parallel to the east line of the Northwest Quarter of said Southwest Quarter 285.52 feet, more or less, to the point of beginning, EXCEPT for road rights-of-way of record; generally located one-third mile north of East 63rd Street South on the west side of South Clifton Avenue.

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:

Karen Sublett, City Clerk

(SEAL)

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

AGENDA ITEM NO. 12

WICHITA—SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

STAFF REPORT
MAPC June 8, 2017
DAB III June 7, 2017

CASE NUMBER: ZON2017-00022

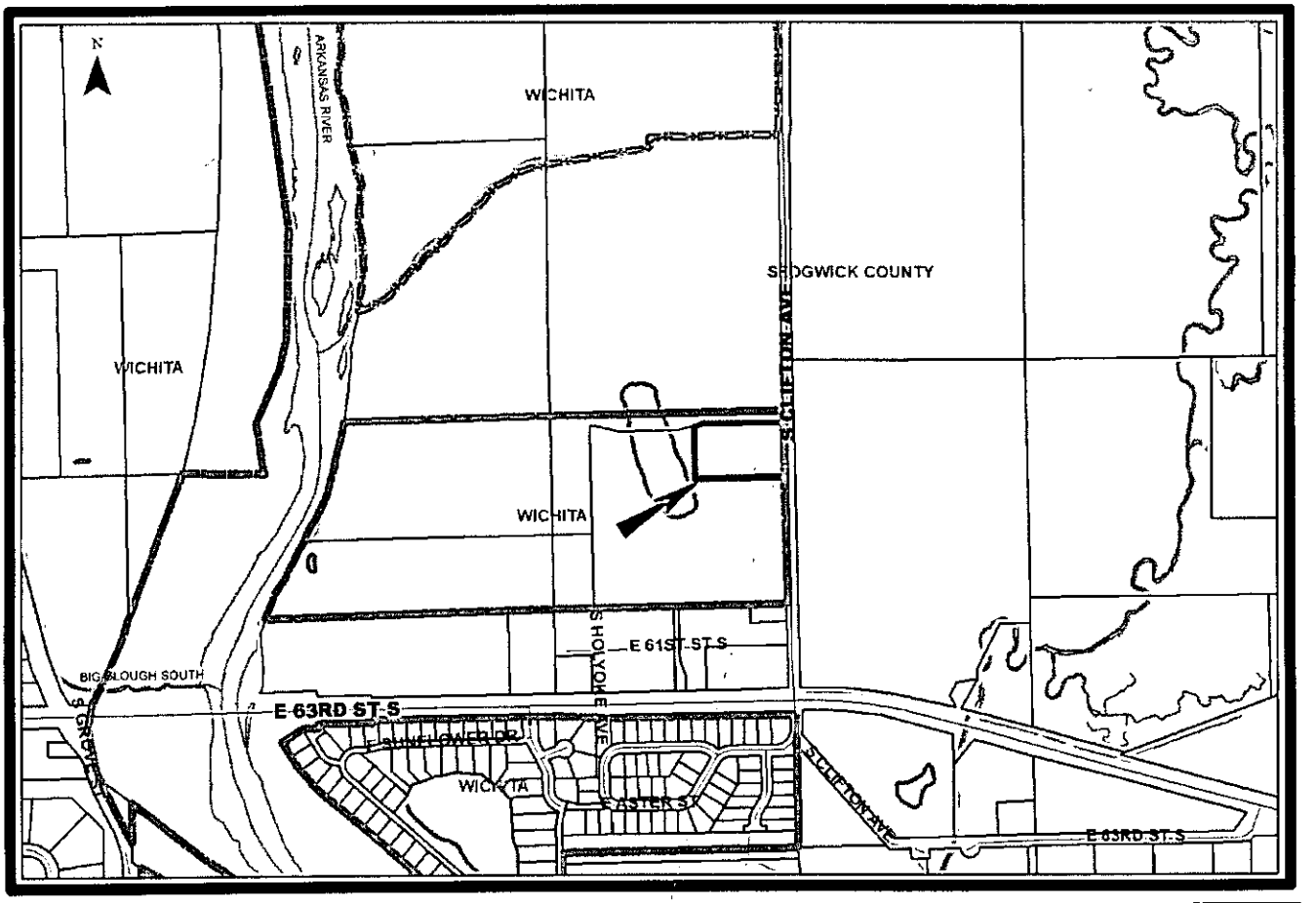
APPLICANT/AGENT: Cross Way Church, Joplin Emberson/ Baughman Company, P.A., Russ Ewy

REQUEST: MF-18 Multi-Family Residential zoning

CURRENT ZONING: SF-5 Single-Family Residential zoning

SITE SIZE: Approximately 3.44 acres

LOCATION: Generally located one-third mile north of East 63rd Street South on the west side of South Clifton Avenue.



BACKGROUND: The applicant is requesting a zone change from SF-5 Single-Family Residential (SF-5) to MF-18 Multi-Family Residential (MF-18) zoning on approximately 3.44 unplatted acres. The applicant proposes to build a mix of duplex, triplex and four-plex residential units, subject to final platting.

West and south of the subject site is a 21- acre tract zoned SF-5, which is part of the River Wood Preliminary Plat and is undeveloped. Cross Way Church submitted the attached preliminary copy of a site plan for their proposed new facility. The subject site is in the upper right corner of the site plan, and outlined in orange. North of the subject site is SF-20 Single-Family Residential (SF-20) zoned property located in Sedgwick County, developed with a residence and agricultural land. Property east of the subject site is SF-20 and RR Rural Residential (RR) zoned agricultural land with no improvements.

South of 63rd Street and west of Clifton Avenue is a new TF-3 subdivision currently under construction. This project was platted in January 2016 as the Vassar Addition. Also, the northwest corner of 63rd Street South and South Clifton Avenue was recently rezoned from SF-5 to LC Limited Commercial (LC).

CASE HISTORY: The site is located within the City limits of Wichita and is part of the River Wood Addition Preliminary plat approved March 8, 2007.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-20	Single-Family residence surrounded by agricultural land
SOUTH:	SF-5	Agricultural land
WEST:	SF-5	Agricultural land
EAST:	SF-20	Single-Family residence surrounded by agricultural land

PUBLIC SERVICES: The site has access to a paved arterial street with 60-foot right-of-way with traffic in both directions. Six-inch water and sewer lines serve the property as required under the River Wood Addition preliminary plat.

CONFORMANCE TO PLANS/POLICIES: The adopted Wichita-Sedgwick County Comprehensive Plan, *the Community Investments Plan*, identifies the site as Wichita Urban Growth Area. The Plan encourages expansion and extension of municipal services and infrastructure. Determination of growth is based on municipal political considerations, anticipate population growth, and efficient patterns of growth.

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:

(1) **The zoning, uses and character of the neighborhood:** The site is located in undeveloped area with SF-5 and SF-20, RR and LC. The proposed multi-family development will buffered from the surrounding uses with existing tree lines and additional landscaping as the proposed project develops.

(2) **The suitability of the subject property for the uses to which it has been restricted:** MF-18 zoning would allow for a mix of multi-family residences to be built, which is an appropriate use for urban residential development. The proposed multi-family development is associated with a

multi-use development proposed by Cross Way Church, which should mitigate any detrimental effects on nearby property.

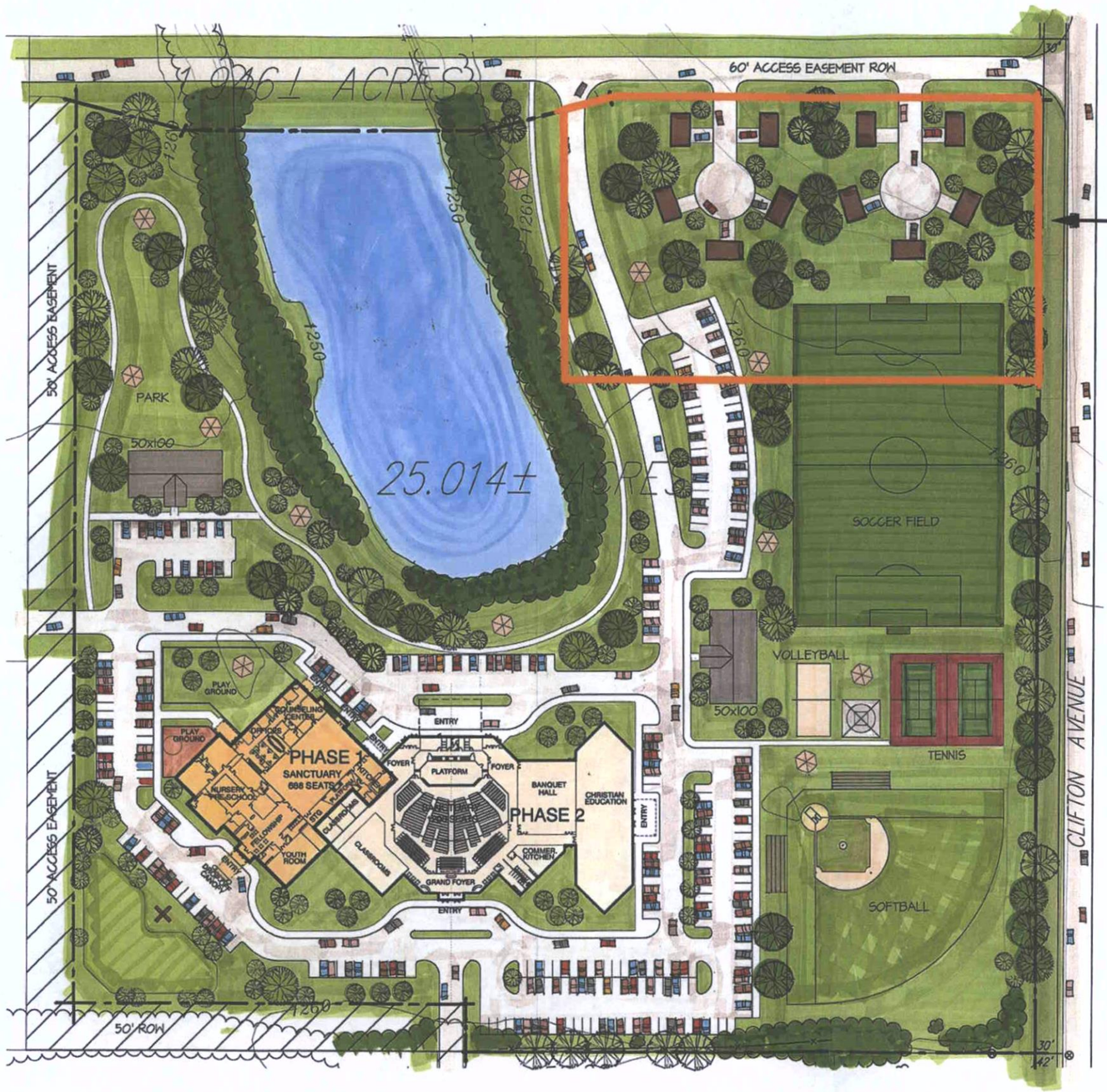
(3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** The requested MF-18 zoning allows fourplexes, triplexes and duplexes, as well as single-family residences by right. There is LC zoning and TF-3 zoning south of the subject site.

(4) **Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant:** Approval of the request would limit development by right to single-family residential, duplex, multi-family and some (but not limited to) institutional uses such as a parks, schools and churches.

(5) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The adopted Wichita-Sedgwick County Comprehensive Plan, *the Community Investments Plan*, identifies the site as Wichita Urban Growth Area. The Plan encourages expansion and extension of municipal services and infrastructure. Determination of growth is based on municipal political considerations, anticipate population growth, and efficient patterns of growth.

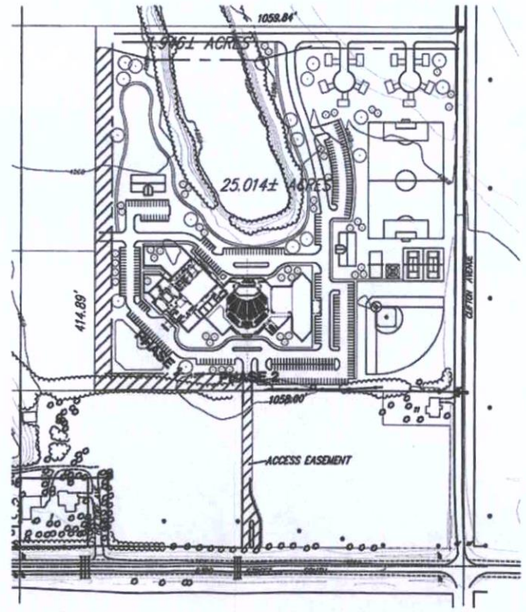
(6) **Impact of the proposed development on community facilities:** All services are in place and any increased demand on community facilities can be handled by current infrastructure.

Staff attachments: Proposed development plan



AREA PROPOSED FOR "MF-18" MULTI-FAMILTY RESIDENTIAL

*Preliminary site plan is for preliminary feasibility purposes only - for evaluation of minimum building/parking space requirements. Local civil engineer to verify local city/state requirements for: utility easements, setbacks, drainage/storm water/retention, landscaping, zoning, development, site access, traffic reports, environmental reports and other applicable site related issues. Topography, geotechnical reports and all site-related engineering must be provided by site/civil engineers, provided by owner.



NORTH

A ENLARGED PRELIMINARY SITE PLAN
1" - 60'-0"

NORTH

A PRELIMINARY SITE PLAN
1" - 200'-0"

ROE MESSNER & ASSOCIATES, INC.
'AMERICA'S CHURCH BUILDER'
EAST COAST DIVISION
MIDWEST DIVISION
WWW.ROEMESSNER.COM

A NEW WORSHIP FACILITY AT
63RD AND CLIFTON, DERBY KS FOR:

THE WELL WORSHIP CENTER

PASTORS JOPLIN EMBERSON

DON KIMBLE - Architect LLC
PO BOX 45 / 2835 E. 53TH.
ANDOVER, KANSAS 67002
PH (316) 655-3204 FAX (316) 440-3091

JOB NO: R-2016-01

ISSUE DATES:

CLIENT REVIEW	08-10-2016
CLIENT REVIEW	09-20-2016
CLIENT REVIEW	04-14-2016

REVISIONS:

NO.	DATE:

PROPOSED SITE PLAN

SA.1