Wichita-Sedgwick County Metropolitan Area Planning Department

Vintage Court, LLC
2959 North Rock Rd. Ste 520
Wichita, KS 67226

June 5, 2023

KE Miller Engineering, P.A.
Attn: Kirk Miller
117 E Lewis
Wichita, KS 67202

Re: **ZON2023-00032: Administrative Adjustment in the City to PO #324 to adjust the requirements for a masonry wall to a solid fence on property zoned LC Limited Commercial; located on west side of South Julia Street, between West Taft and West Maple Streets (361-387 South Julia).**

Legal Description LOT 3 & ALL LOT 5 EXCEPT STREET RIGHT OF WAY, AND THAT PART OF THE NORTH 1/2 OF THE VACATED UNIVERSITY AVE ADJACENT ON THE SOUTH, BLOCK B WEST MAPLE GARDENS AND LOT 1 EXCEPT THE SOUTH 333.58 FT THEREOF AND THAT PART OF THE SOUTH 1/2 OF THE VACATED UNIVERSITY AVE ADJACENT ON NORTH, ERNEST JORDAN ADDITION

Dear Applicants:

We have reviewed your request for a Zoning Adjustment to Conditions #2 and #3 in PO #324 to alter the screening requirements to permit the use of a solid screening fence instead of a masonry wall because the development on the subject parcel will be residential.

On the basis of our review, we find that adjusting the PO as requested is consistent with the approved PO and the LC Limited Commercial zoning district and will not have an adverse effect on the PO or on adjacent properties, nor will it be a substantial deviation of the original PO. The establishment of PO #324 was a continuation of PO #80 on property abutting to the south. The establishment of the original PO #80 on property abutting to the south was based on concerns expressed by property owners. Those concerns were not expressed when the subject site was rezoned and PO #324 was established. The current use on the site is a multi-family duplex development which typically only requires a six-foot wooden fence as the minimum screening. This requested Administrative Adjustment has not had any questions or concerns raised by any surrounding property owners.

Our signatures below indicate that PO #324 shall be adjusted as stated below. This PO adjustment shall not be deemed to alter any other provisions of PO except as expressly stated herein. This PO does not alter any other applicable codes including but not limited to zoning, building, health or fire.

2. ***A six-foot solid screening fence*** shall be constructed parallel to the west property line…

3. If the vacant property to the north of the site develops with residential uses, a six-foot high ***solid screening fence*** shall be constructed along the north property line.

Section V-C.14 of the Unified Zoning Code ("UZC") allows the Planning Director, with the concurrence of the Zoning Administrator, to approve minor adjustments to an approved PO. We find that modifying Conditions #2 and #3 to alter the screening requirements meets the conditions required by Sec. V.I.6 of the UZC.

The "Development Application" sign should now be removed from the property.

Scott Wadle, Planning Director
Metropolitan Area Planning Department

J.R. COX JR.

John R. Cox, Jr., Zoning Administrator
Metropolitan Area Planning Department

cc: MABCD
Jeff Blubaugh, Council Member District IV
Brooke Kauchak, Community Services Representative District IV

OCA 150004 PUBLISHED IN THE WICHITA EAGLE ON May 4, 2018

ORDINANCE NO. 50-699

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. ZON2018-00010

City zone change from SF-5 Single-Family Residential to LC Limited Commercial zoning with Protective Overlay #324; described as:

Lots 3 & 5, Block B, West Maple Gardens Addition; and Lot 1, Ernest Jordan Addition, except the south 333.58 feet; and vacated University Street between the east line of Brummett and the west line of Julia.

The proposed Protective Overlay #324 reads as follows:

1. The following uses shall not be permitted: convenience store; drive-thru restaurant; cemetery; correctional placement residence; golf course; halfway house; recycling collection station; reverse vending machine; animal care, general; car wash; kennel; marine facility, recreational; night club; pawnshop; printing and publishing, general; recreation and entertainment, outdoor; and recreational vehicle campground.

2. A six-foot high masonry wall shall be constructed parallel to the west property line. A 15-foot landscaped buffer shall be provided along the entire length of the west property line on the west side of the masonry wall. The landscaped buffer shall be planted with one (1) shade tree or two (2) ornamental trees per 30 lineal feet of frontage along Brummett, if used for other than residential purposes. If used for residential purposes, there shall be an eight–foot landscape buffer planted with one (1) shade tree or two (2) ornamental trees per 30 lineal feet of frontage along Brummett.

3. If the vacant property north of the site develops with residential uses, a 6-foot high masonry wall shall be constructed along the north property line.

4. Light poles shall be limited to a maximum height of 14 feet.

If the site is used for commercial uses, building exteriors shall share uniform architectural character and shall be predominantly earth-tone colors with vivid colors limited to incidental accent. Extensive use of backlit canopies and neon or fluorescent tube lighting on buildings shall not be permitted.

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

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(SEAL)

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Jennifer Magaña, City Attorney and Director of Law

AGENDA ITEM NO. 13

WICHITA–SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

STAFF REPORT
MAPC March 22, 2018
DAB IV April 2, 2018

CASE NUMBER: ZON2018-00010

OWNER/APPLICANT: Vintage Construction LLC. (owner/applicant) / KE Miller Engineering, Kirk Miller (Agent)

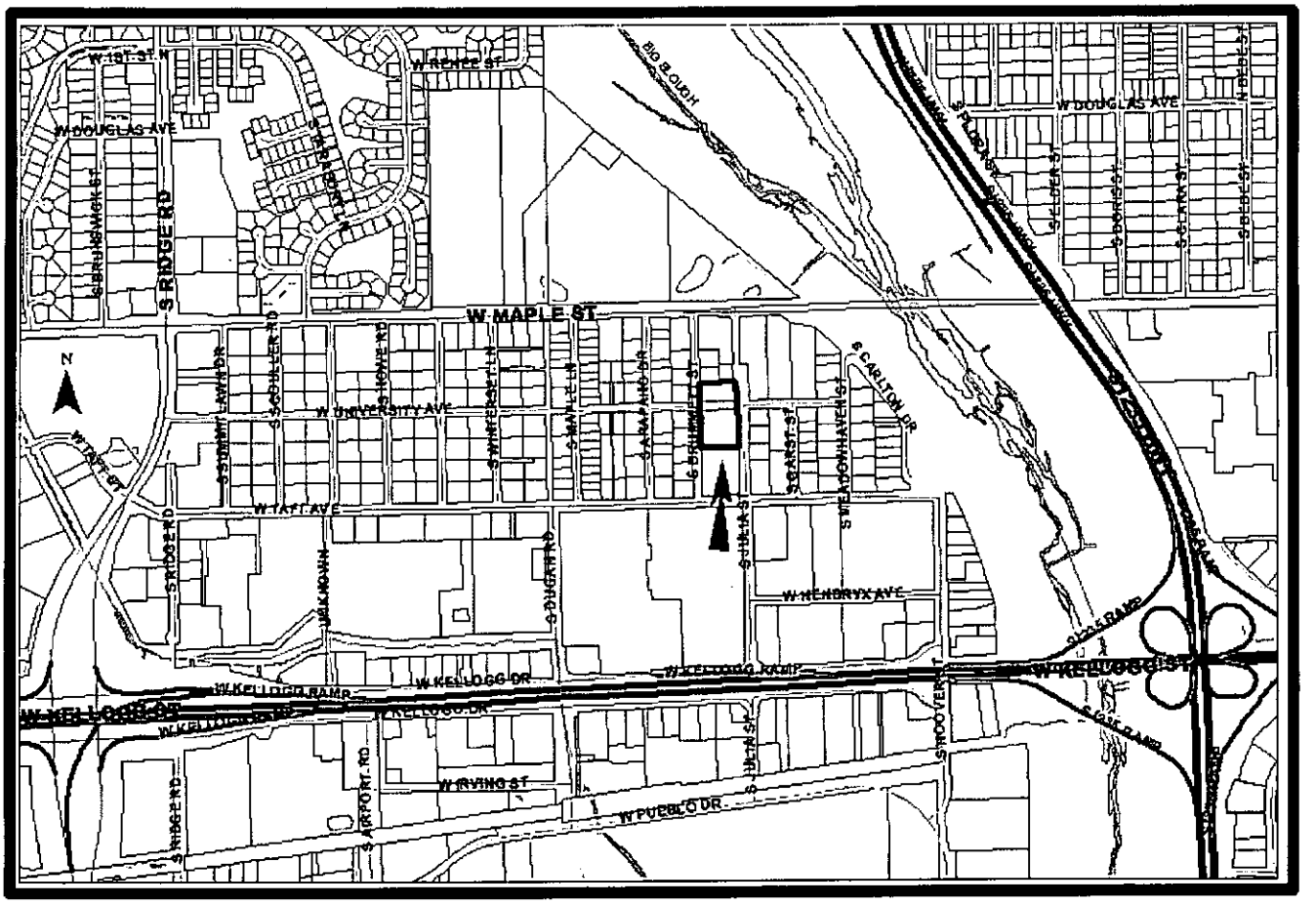
REQUEST: Rezone to LC Limited Commercial with a Protective Overlay

CURRENT ZONING: SF-5 Single Family Residential

SITE SIZE: Approximately 2.64 acres

LOCATION: Generally located 500 feet west of the Wichita Valley Center Floodway and 500 feet south of West Maple Street on South Julia Street

PROPOSED USE: Senior housing four-plexes



BACKGROUND: The subject site is zoned SF-5 Single-Family Residential (SF-5). The applicant is requesting LC Limited Commercial (LC) zoning to build eight (8) four-plex units for senior housing. The applicant is applying for Low Income Housing Tax Credits (LIHTC) to finance the project. Should funding not be allocated, the applicant wants to use the property for commercial development with a Protective Overlay #324 to limit uses, define screening and landscaping, and create architectural controls.

The proposed Protective Overlay #324 reads as follows:

1. The following uses shall not be permitted: convenience store; drive-thru restaurant; cemetery; correctional placement residence; golf course; halfway house; recycling collection station; reverse vending machine; animal care, general; car wash; kennel; marine facility, recreational; night club; pawnshop; printing and publishing, general; recreation and entertainment, outdoor; and recreational vehicle campground.

2. A six-foot high masonry wall shall be constructed parallel to the west property line. A 15-foot landscaped buffer shall be provided along the entire length of the west property line on the west side of the masonry wall. The landscaped buffer shall be planted with one (1) shade tree or two (2) ornamental trees per 30 lineal feet of frontage along Brummett, if used for other than residential purposes. If used for residential purposes, there shall be an eight–foot landscape buffer planted with one (1) shade tree or two (2) ornamental trees per 30 lineal feet of frontage along Brummett.

3. If the vacant property north of the site develops with residential uses, a 6-foot high masonry wall shall be constructed along the north property line, if the site is used for other than residential purposes.

4. Light poles shall be limited to a maximum height of 14 feet.

5. If the site is used for commercial uses, building exteriors shall share uniform architectural character and shall be predominantly earth-tone colors with vivid colors limited to incidental accent. Extensive use of backlit canopies and neon or fluorescent tube lighting on buildings shall not be permitted.

Properties north, east and west of the subject site are zoned SF-5 and developed with single-family dwellings. The property south of the site is zoned LC with PO#82 with similar use limitations and screening requirements. That LC zoned lot is currently undeveloped.

CASE HISTORY: West Maple Gardens Addition was recorded with the Sedgwick County Register of Deeds February 1, 1956.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single-family residential
SOUTH:	LC	Undeveloped
WEST:	SF-5	Single-family residential
EAST:	SF-5	Single-family residential

PUBLIC SERVICES: The proposed site has access to West Maple Avenue and West Taft Avenue from South Julia Street. Maple is a four-lane arterial street with a dedicated center turn lane. Taft is a collector street with travel in both directions. Sewer and water are in proximity to the site, but will have to be extended to serve the proposed project.

CONFORMANCE TO PLANS/POLICIES: The adopted Wichita-Sedgwick County Comprehensive Plan, *the Community Investments Plan*, identifies the site as being located within the Established Central Area. The Future Growth Concept Map identifies the area as New Residential. New Residential Growth will likely be developed or redeveloped by 2035 as predominately residential with pockets of major institutional and commercial uses. Locational guidelines further encourage infill development that maximizes public investment in existing infrastructure along arterial streets.

RECOMMENDATION: Based on the information available prior to the public hearing, MAPD staff recommends the application be APPROVED, subject to the following provisions of PO #324:

1. The following uses shall not be permitted: convenience store; drive-thru restaurant; cemetery; correctional placement residence; golf course; halfway house; recycling collection station; reverse vending machine; animal

care, general; car wash; kennel; marine facility, recreational; night club; pawnshop; printing and publishing, general; recreation and entertainment, outdoor; and recreational vehicle campground.

6. A six-foot high masonry wall shall be constructed parallel to the west property line. A 15-foot landscaped buffer shall be provided along the entire length of the west property line on the west side of the masonry wall. The landscaped buffer shall be planted with one (1) shade tree or two (2) ornamental trees per 30 lineal feet of frontage along Brummett, if used for other than residential purposes. If used for residential purposes, there shall be an eight–foot landscape buffer planted with one (1) shade tree or two (2) ornamental trees per 30 lineal feet of frontage along Brummett.

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4. If the site is used for commercial uses, building exteriors shall share uniform architectural character and shall be predominantly earth-tone colors with vivid colors limited to incidental accent. Extensive use of backlit canopies and neon or fluorescent tube lighting on buildings shall not be permitted.

This recommendation is based on the following findings:

(1) **The zoning, uses and character of the neighborhood:** Properties north, east and west of the subject site are zoned SF-5 and developed with single-family dwellings. The property south of the site is zoned LC with PO#82 with similar use limitations, screening and LC zoned lot is currently undeveloped.

(2) **The suitability of the subject property for the uses to which it has been restricted:** According to the city aerials dating back to 1938, this property has remained undeveloped. Properties south of West Taft Avenue have been developed with general commercial and limited commercial uses limiting the desire to develop the subject site with single-family residential.

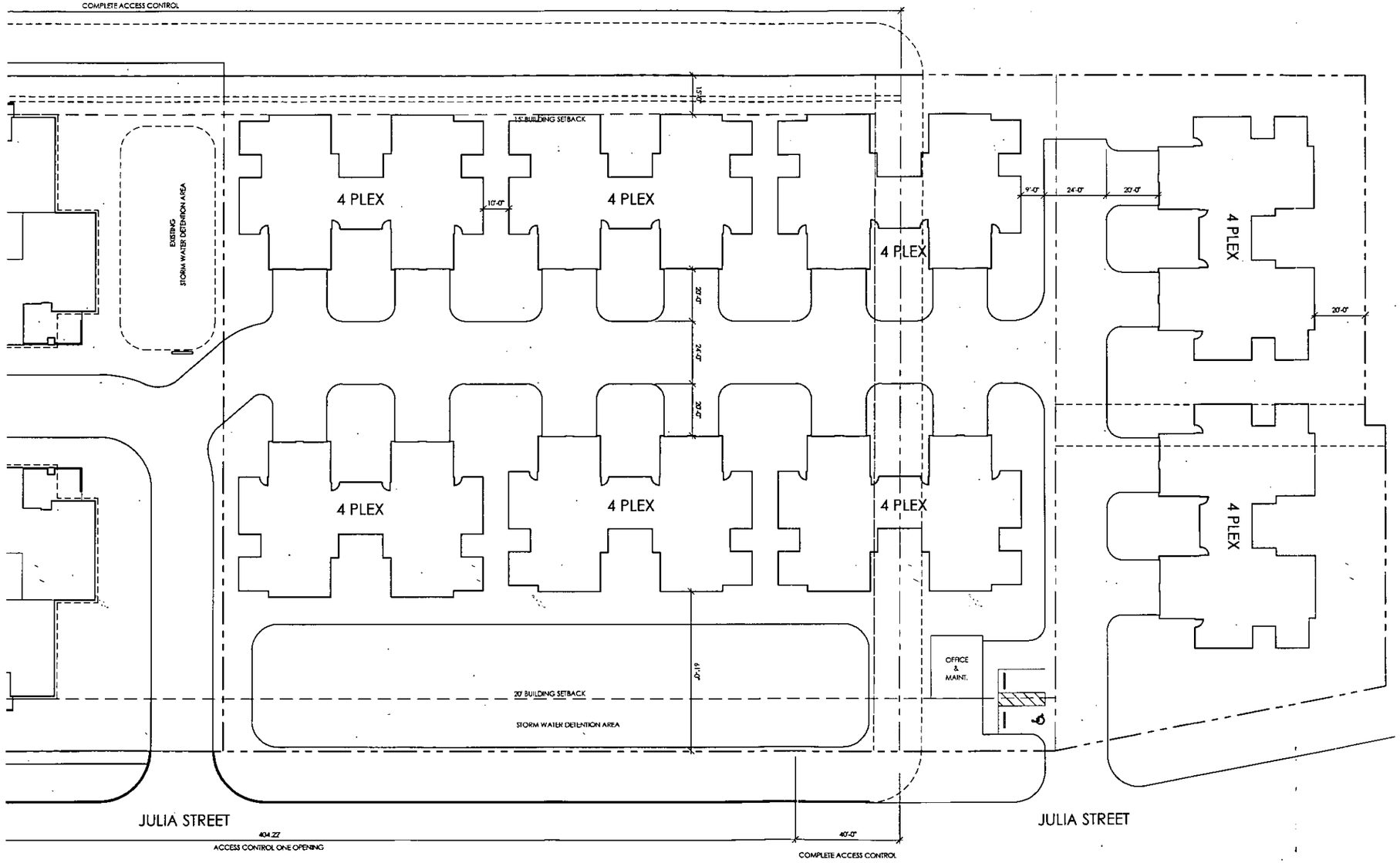
(3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** The requested PO #324 allows the area to be developed with higher density multi-family uses in addition to limiting more intensive uses allowed in the LC zoning district such as convenience store; drive-thru restaurant; correctional placement residence; night club; pawnshop; recreation and entertainment, outdoor; and recreational vehicle campground.

(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 allow additional residential housing to be developed that cater to senior needs which are lacking in this area.

(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 being located within the Wichita Urban Growth Area and the South Wichita/Haysville Neighborhood Plan. The Future Growth Concept Map identifies the area as New Residential. New Residential Growth will likely be developed or redeveloped by 2035 as predominately residential with pockets of major institutional and commercial uses. Locational guidelines further encourage infill development that maximizes public investment in existing infrastructure along arterial streets.

(6) **Impact of the proposed development on community facilities:** Sewer and water mains are located in proximity to the proposed development, but will have to be extended.

Attachment: Proposed site plan



A SITE DEVELOPMENT PLAN
1"= 20'-0"

NORTH

SITE DATA

16 - 1 BEDROOM UNITS
16 - 2 BEDROOM UNITS

DATE DRAWN
01-15-18
REVISIONS

PRINTS ISSUED
01-25-18

DATE

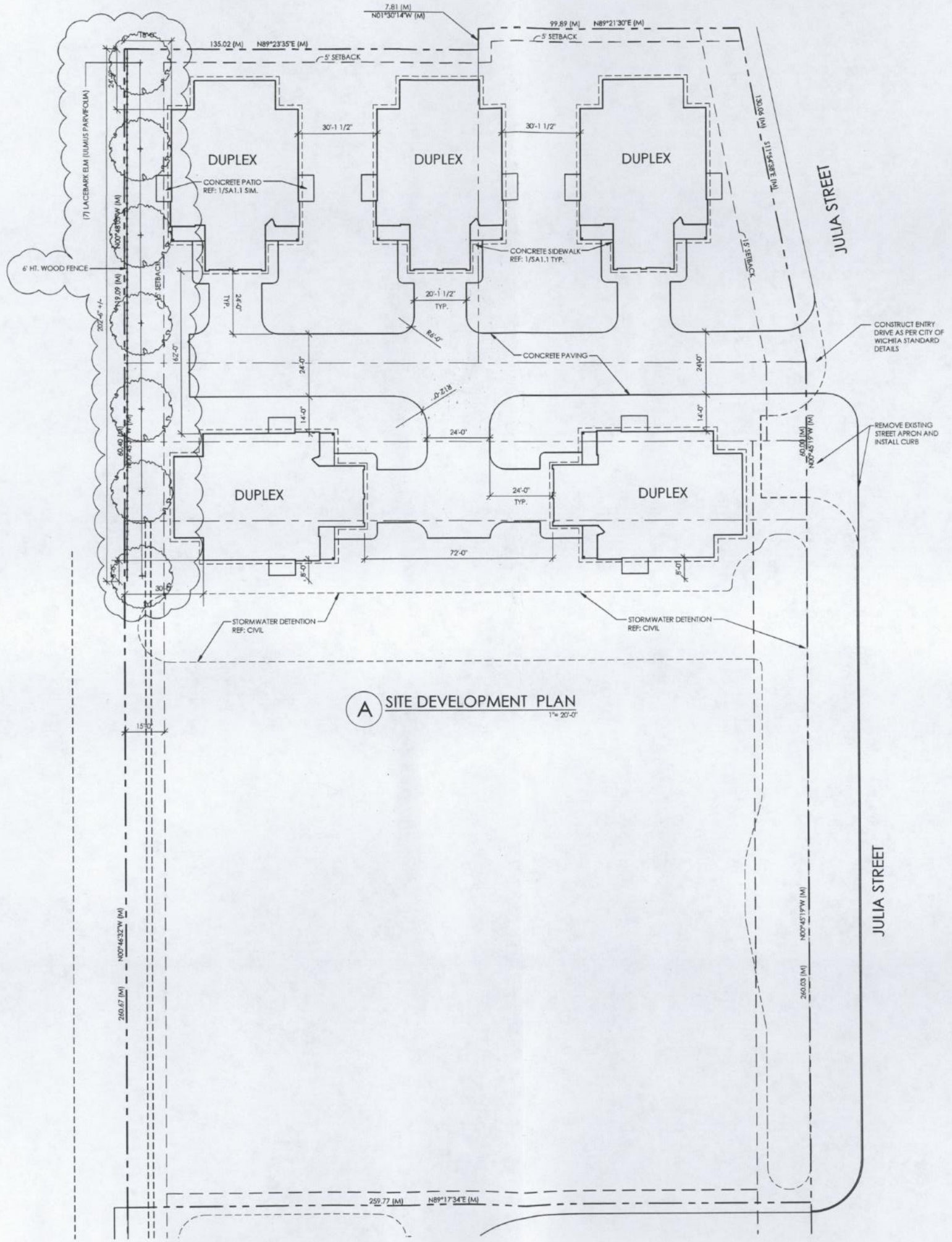
KREHBIEL
ARCHITECTURE
1300 E. Lewis
Wichita, KS 67211
316.267.8333
316.267.8844 fax
krehbielarchitecture.com

VINTAGE COURT
WICHITA, KS

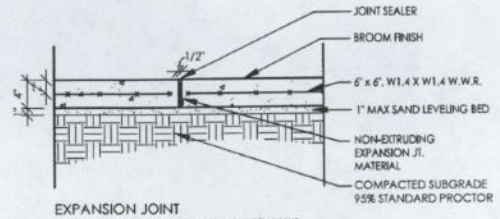
PROJECT NO.
17060
SHEET TITLE
ARCHITECTURAL SITE PLAN

SHEET NO.
SA1.1

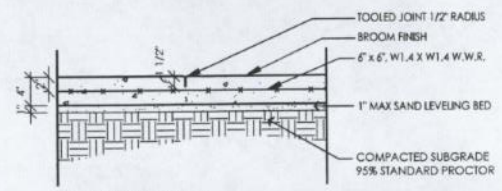
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A SITE DEVELOPMENT PLAN
1"= 20'-0"



EXPANSION JOINT
PLACE EXPANSION JOINTS @ 30'-0" O.C. BOTH WAYS



CONTRACTION JOINT
PLACE CONTRACTION JOINTS AT DISTANCE EQUAL TO WIDTH OF WALK

1 4" CONCRETE SIDEWALK
SCALE: 1" = 1'-0"

LANDSCAPE PLAN
APPROVED 3/22/22 BY JKS
PO 324

NOTE: LANDSCAPE BUFFER ITEMS ADDED ON 3/21/22 AND REVIEWED BY DUSTIN RANDOLPH

DUSTIN RANDOLPH 676 3.21.22 KANSAS LANDSCAPE ARCHITECT

DATE DRAWN
3-18-2021
REVISIONS

PRINTS ISSUED
3-18-2021 OWNER REVIEW
12-15-2021 OWNER REVIEW
12-21-2021 OWNER REVIEW
2-28-2022 PERMIT SET

KREHBIEL ARCHITECTURE
1300 E Lewis
Wichita KS 67211
316.267.8233
316.267.8566 fax
krehbielarchitecture.com

GREGORY L. KREHBIEL 561 2-28-22 KANSAS ARCHITECT

DATE

VINTAGE COURT DUPLEXES
Near West Maple & Julia Street
Wichita, Kansas

PROJECT NO.
21015
SHEET TITLE
ARCHITECTURAL SITE PLAN

SHEET NO.
SA1.1

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