Planning Agenda Item #_____

City of Wichita
City Council Meeting
December 9, 1997

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: Z-3255 - GARY WILBERT AND ROBERT ARMSTRONG (PROPERTY OWNERS/APPLICANTS) REQUEST ZONE CHANGE FROM "SF-6" SINGLE-FAMILY RESIDENTIAL TO "TF-3" TWO-FAMILY RESIDENTIAL, LOCATED ON THE NORTHWEST CORNER OF FIRST STREET AND TRACY.

(DISTRICT #4)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to the applicants' written agreement not to protest participation in a petition for any future paving project on First Street and to the additional provisions of a "P-O" Protective Overlay. (8-6).

CPO Recommendation: Deny (5-1).

Staff Recommendation: Approve, subject to the applicants' written agreement not to protest participation in a petition for any future paving project on First Street and to the additional provisions of a "P-O" Protective Overlay.

Background: The applicant requests a zone change from "SF-6" Single-Family Residential to "TF-3" Two-Family Residential on a 0.45 acre tract (three platted lots), located at the northwest corner of First Street and Tracy.

The applicant originally stated that he intended to build a 1,820 square foot duplex on each of the three lots, for a total of six dwelling units. The subject property is currently vacant and surrounded by single-family homes on property zoned "SF-6" Single-Family Residential.

This matter was first heard during the October 16, 1997 MAPC meeting, where several area residents spoke against the request, stating that the three proposed duplexes would create on-street parking

problems and that the density of the development would be incompatible with the neighborhood. The matter was deferred in order for the applicants to study the possibility of limiting the number of dwelling units on the site, as well as providing some off-street parking for the development.

The MAPC again heard this case on October 30, 1997, with staff recommending a Protective Overlay limiting the number of duplex units permitted, requiring additional off-street parking, and an architectural requirement. The applicant was in agreement with the conditions, however the area residents contesting the zone change were still opposed despite these additional conditions.

After the discussion, the MAPC voted (8-6) to approve the request subject to the applicants' written agreement not to protest participation in a petition for any future paving project on First Street and to the additional provisions of a "P-O" Protective Overlay. There have been 19 protest petitions filed against this request totaling a 90.9% protest of the surrounding property within 200 feet of the application area, therefore requiring a super majority vote to be approved.

Recommendation:

1. Concur with the findings of the MAPC and approve the zone change, subject to the applicants' written agreement not to protest participation in a petition for any future paving project on First Street and to the additional provisions of a "P-O" Protective Overlay; place the ordinance establishing the zone change on first reading (6 votes are required to pass this motion); or

2. Return the application to the MAPC for reconsideration; or

3. Override the recommendation and deny the request by a 2/3rd majority vote, citing appropriate findings.

CITY — SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT
CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1568
(316) 268-4421
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December 11, 1997

Gary Wilbert, AW Corp.
9136 Harvest Court
Wichita, KS 67212

RE: Z-3255 - Zone change from "SF-6" Single-Family Residential to "TF-3" Two-Family Residential on property generally located at the northwest corner of First Street and Tracy.

Dear Wilbert:

On December 9, 1997, the City Council considered the above-referenced request. The action of the Council was to DENY the request.

If you have any further questions concerning this matter, please contact the Planning Department office at 268-4421.

Sincerely,

Russ Ewy
Senior Planner

RE/sh

cc: Robert Armstrong, AW Corp., 4200 W. Douglas, Wichita, KS 67213
Roger Kaiser, 231 N. Tracy, Wichita, KS 67212
Steve Kirk, 235 N. Tracy, Wichita, KS 67212
John Taylor, 512 S. Floyd, Wichita, KS 67212
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