Agenda Item #_____

City of Wichita
City Council Meeting
November 23, 1999

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: **Z-3337 – REQUEST FOR ZONE CHANGE FROM "B" MULTI-FAMILY RESIDENTIAL TO "U" UNIVERSITY, LOCATED SOUTH OF MAPLE AND EAST OF MERIDIAN.** (District #IV)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve (11-0-1).

Staff Recommendation: Approve.

CPO Recommendation: Approve (6-0).

Background: The applicant is requesting to rezone all property owned by Friends University from "B" Multi-family and "MF-29" Multi-family to the "U" University district. The university owns 58 acres located south of Maple and east of Meridian. The majority of Friends University property is currently developed with a variety of uses typically found on university campuses – classrooms, living quarters, auditoriums, sports facilities and parking lots. Among the buildings located on the campus is Davis Hall. Davis Hall is listed on the National, State and Local Registers of Historic Places.

Some of the university's land is vacant or is developed with single-family homes. These properties were purchased with the idea of providing expansion opportunities for the university. The university's pattern of ownership is contiguous, except for three tracts located west of Hiram, between Maple and Kellogg. East of Hiram, the university's ownership is less contiguous. However, the university owns the majority of the land on the two blocks located between Mentor, Glenn, Kellogg and Hiram.

The university needs additional residential housing. To address that housing need, they intend to re-develop some of the lots they own located southwest of the intersection of Mentor and Glenn. A concept plan has been developed with two, two-story apartment buildings containing 34 units. These lots are currently zoned "MF-29", Multi-family Residential and are developed with older single-family homes. The "MF-29" Multi-family district does not permit colleges and universities, while the "B" Multi-family

district does. Both districts permit multi-family residential uses, just at different densities. The "MF-29" district permits up to 29 units per acre, while the "B" district permits up to 75 dwelling units per acre.

The residential project that the university proposes exceeds the 29 unit per acre standard, so it is necessary to rezone the Mentor and Glenn site to either the "B" district or "U" district. The "U" University district permits the following uses "by-right:" universities, colleges, seminaries and other institutions of learning, including their buildings owned or leased for administrative and faculty offices, classrooms, laboratories, chapels, auditoriums, lecture halls, dormitories, group home (limited), halfway house (limited), day care (limited) and student and faculty housing; provided, however, the main learning activities are housed within the above facilities. Permitted outside activities shall include marching, drill, band, athletics, campus celebrations and displays, graduations, scientific research, music and drama presentations, off-street parking and similar functions. Excluded are those primary uses which are conducted outside a structure or have major outside storage of materials used in the instructional process, including the teaching of repair maintenance or driving of heavy equipment or trucks; the teaching of body or fender work; metal forming or such other trade that involves basically physical or manual skills; flying instruction; weapon instruction; fire fighting instruction and other similar uses. The "U" district has a maximum floor area ratio of .50 with 20 foot setbacks on all sides, and does not have a height limit.

The "U" district more closely identifies with the uses found on the university's property than the "B" and "MF-29" districts, and would allow the university more flexibility to meet its facility needs. Therefore, the applicant is requesting to rezone their entire ownership to the "U", University district.

Adjacent to Friends University property are single-family homes, which are located to the north, east and west on property zoned "TF-3" and "MF-29." University Friends Church is located on the northeast corner of Glenn and Mentor, and has a parking lot located just south of the area for re-development. A couple of commercial uses are also intermixed with these single-family homes on land zoned "LC." South of the application area is US-54.

At this point in the development of the campus, there are three fairly distinct use areas established. East of Hiram, all university owned properties are residential in character. There are not any teaching, auditorium or athletic field uses east of Hiram. These non-residential uses are located west of Hiram, with the majority of the classroom-related facilities located between Hiram and St. Claire, except for the football field located just east of St. Claire. The basketball arena is located west of St. Claire. There are two major parking areas located north and west of the main campus. The campus has a progression of intensity of uses with the least intense located on the east side, closest to the University Neighborhood, and becoming more intense the farther west one goes. Representatives of the university were not able to provide staff with a "master plan" for the university as requested. However, they have indicated to staff that the university intends to continue this pattern of development, and given the pattern of ownership, Glenn is the logical eastern boundary.

Since Davis Hall is listed on the three historic registers, this rezoning application will need to be reviewed by the Historic Preservation Board as an "environs" issue, prior to City Council consideration. Any future demolition and rebuilding projects within 500 feet of that property would need to reviewed as well, whatever the zoning.

The MAPC heard this case on October 28, 1999 and recommended approval. There were neighbors who protested the application on the basis they felt the "U", University district would allow a broader range of uses than the univsersity's current zoning, and that their property values would decrease as a result of the proposed change. Others were concerned that parking problems would worsen with the rezoning.

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.)

(_____) Published in The Daily Reporter on December 10, 1999

ORDINANCE NO. 44-434

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. Z-3337

Request for zone change from "B" Multi-family Residential and "MF-29" Multi=family Residential to "U" University, on property described as:

Lots 28-42 even inclusive, Lots 94-96 even inclusive, on Glenn Street, University Place Addition, Wichita, Sedgwick County, Kansas; TOGETHER WITH the west 150 feet of Lots 27-29 odd inclusive, on Hiram Avenue, University Place Addition, Wichita, Sedgwick County, Kansas; TOGETHER WITH Lots 43-47 odd inclusive, on Hiram Avenue, University Place Addition, Wichita, Sedgwick County, Kansas; TOGETHER WITH Lots 102-112 even inclusive, except that part taken for road, on Bonn Street, University Place Addition, Wichita, Sedgwick County, Kansas; TOGETHER WITH Lots 107-111 odd inclusive, except that part taken for road, on Everett Avenue, University Place Addition, University Place Addition, Wichita, Sedgwick County, Kansas; TOGETHER WITH Lots 28-112 even inclusive, except that part of Lots 28 and 30 platted as Friends University Addition and except that part taken for road, on Everett Avenue, University Place Addition, Wichita, Sedgwick County, Kansas; TOGETHER WITH Lots 31-111 odd inclusive, except that part of Lots 31, 33 and 35 platted as Friends University Addition and except that part taken for road, on St. Clair Avenue, University Place Addition, Wichita, Sedgwick County, Kansas; TOGETHER WITH the south 20 feet of Lot 44, Lots 46-54 and Lots 60-102, even inclusive, except that part taken for road, on St. Clair Avenue, University Place Addition, Wichita, Sedgwick County, Kansas; TOGETHER WITH Lots 63-99 odd inclusive, except that part taken for road, on Sedgwick (formerly Power) Avenue, University Place Addition, Wichita, Sedgwick County,

Kansas; TOGETHER WITH Lots 64-98 even inclusive, except that part taken for road, on Sedgwick (formerly Power) Avenue, University Place Addition, Wichita, Sedgwick County, Kansas; TOGETHER WITH Lots 63-89 odd inclusive, except that part taken for road, on Meridian Avenue, University Place Addition, Wichita, Sedgwick County, Kansas; TOGETHER WITH Lots 98-102 even inclusive, except the north 75 feet thereof, on University Avenue, University Place Addition, Wichita, Sedgwick County, Kansas; TOGETHER WITH Lots 104-110 even inclusive, on University Avenue, University Place Addition, Wichita, Sedgwick County, Kansas; TOGETHER WITH Lots 122-128 even inclusive, Armstrong Addition, Wichita, Sedgwick County, Kansas; TOGETHER WITH Lots 101-111 odd inclusive, on University Avenue, University Place Addition, Wichita, Sedgwick County, Kansas; TOGETHER WITH Lots 143-165 odd inclusive, on University (formerly Shirley) Avenue, University Place Addition, Wichita, Sedgwick County, Kansas; TOGETHER WITH Lots 167-171 odd inclusive, except the south 51 feet threof, on University (formerly Shirley) Avenue, University Place Addition, Wichita, Sedgwick County, Kansas; TOGETHER WITH Lot 1, Block A, Friends University Addition, Wichita, Sedgwick County, Kansas; TOGETHER WITH Lots 1 and 2, Friends University 2nd Addition, Wichita, Sedgwick County, Kansas; TOGETHER WITH the University Campus, as platted in the University Place Addition, Wichita, Sedgwick County, Kansas; TOGETHER WITH Lot 1, Friends Manor Addition, Wichita, Sedgwick County, Kansas, except the south 75 feet of the north 175 of the west 141 feet thereof; TOGETHER WITH that part of the NW 1/4 of Sec. 30, Twp. 27-S, R-1-E of the 6th P.M., Sedgwick County, Kansas lying south of the south line of Lot 1, Block A, Friends University Addition, Wichita, Sedgwick County, Kansas and north of the north line of the University Campus, as platted in the University Place Additin, Wichita, Sedgwick County, Kansas and north of the north line of Lot 28, on Everett Avenue, University Place Addition, Wichita, Sedgwick County, Kansas and north of the north line of former Everett Avenue (Vacated by Ord. 9668); TOGETHER WITH that part of Everett Avenue lying south of the north line of Lot 28 and north of the north line of Lot 72, on Everett Avenue, University Place Addition, Wichita, Sedgwick County, Kansas (Vacated by Ord. 9668); TOGETHER WITH that part of University (formerly Alexander) Avenue lying between the east line of St. Clair Avenue and the former west line of Everett Avenue (Vacated by Ord. 9067); TOGETHER WITH that part of Taft (formerly Burgess) Avenue lying adjacent to Lots 89, 90, 91 and 92, on Sedgwick (formerly Power) Avenue, University Place Addition, Wichita, Sedgwick County, Kansas (Vacated, Misc. Book 650, Page 495-497); TOGETHER WITH that part of Taft (formerly Burgess) Avenue lying adjacent to Lot 89 on Meridian Avenue, University Place Addition, Wichita, Sedgwick County, Kansas (Vacated, Misc. Book 650, Page 495-497); TOGETHER WITH that part of Sedgwick (formerly Power) Avenue lying adjacent to Lots 63-998, on Sedgwick (formerly Power) Avenue, University Place Addition, Wichita, Sedgwick County, Kansas Avenue, University Place Addition, Wichita, Sedgwick County, Kansas (Vacated, Misc. Book 650, Page 495-497);

TOGETHER WITH that part of Taft (formerly Burgess) Avenue lying adjacent to Lots 90 and 92, on St. Clair Avenue, University Place Addition, Wichita, Sedgwick County, Kansas (Vacated, V-1964); TOGETHER WITH that part of St. Clair Avenue lying adjacent to Lots 92-102, even inclusive, and Lots 91-111, odd inclusive, except that part taken for road, on St. Clair Avenue, University Place Addition, Wichita, Sedgwick County, Kansas (Vacated, V-1964). Generally located south of Maple and east of Meridian.

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, December 8, 1999

ATTEST:

for Patsy Ellis, Deputy
Pat Burnett, City Clerk

Bob Knight, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney