Agenda Item #_____

City of Wichita
City Council Meeting
March 18, 2003

Agenda Report #_____

TO: Mayor and City Council Members

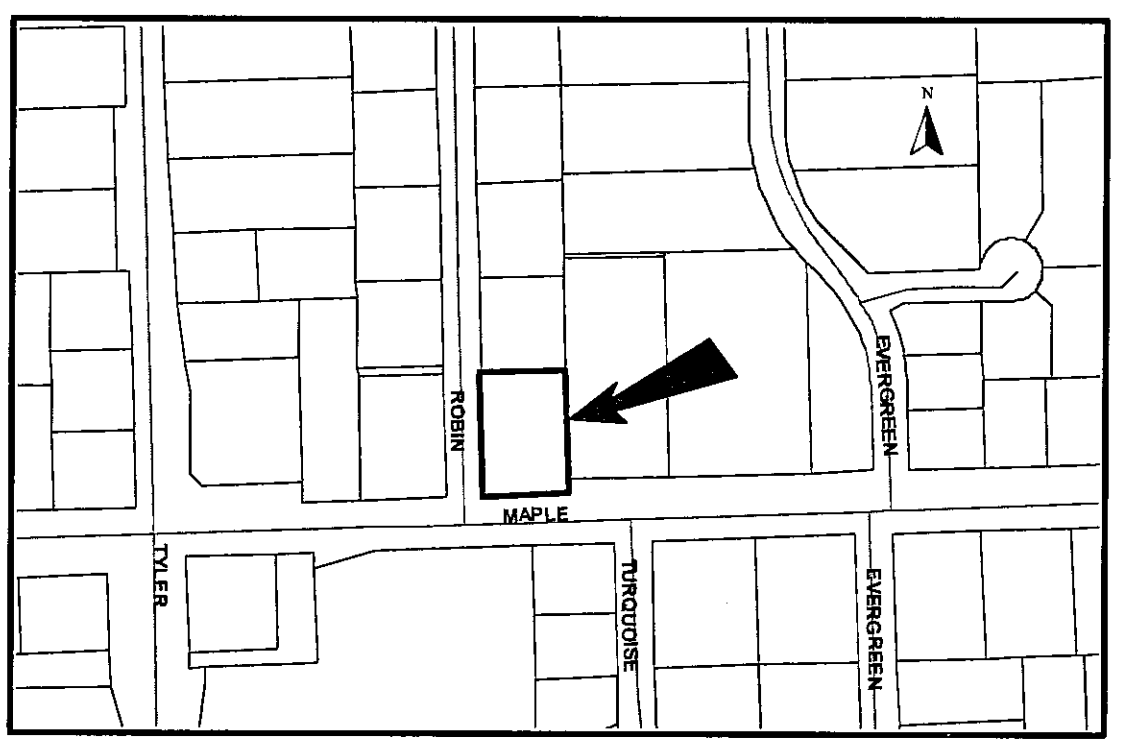
SUBJECT: **ZON2003-0002 - Zone change from "SF-5" Single-family Residential to "MF-18" Multi-family Residential. Generally located at the northeast corner of Maple and Robin (254 S. Robin). (District V)**

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to staff recommendation. (8-1)

Staff Recommendation: Approve, subject to conditions.



BACKGROUND: The applicant requests a zone change from "SF-5" Single-Family Residential to "MF-18" Multi-Family Residential on a 0.6 acre platted tract located at the northeast corner of Maple and Robin. The subject property is Lot 32, excluding the north 150 feet thereof, Park Acres 2nd Addition and is developed with a single-family residential structure that is currently used as a group home licensed by the State of Kansas as an adult care home. The Unified Zoning Code defines such a use as "Group Home, Limited", which is permitted by right in the "SF-5" Single-Family Residential zoning district. The applicant has requested the zone change to "MF-18" Multi-Family Family to provide the flexibility to operate an assisted living facility, which has fewer operational restrictions in the zoning regulations and is permitted a sign to advertise the business. An assisted living facility is first permitted by right in the "MF-18" Multi-Family zoning district.

The surrounding area is characterized by mixed-use commercial, institutional, and residential development. The properties to the north are zoned "SF-5" Single-Family Residential and are developed with single-family residences. The properties to the south across Maple are zoned "LC" Limited Commercial and "SF-5" Single-Family Residential and are developed with apartments and a church. West of the subject property across Robin are a drive-in restaurant, a neighborhood shopping center, and a convenience store on properties zoned "LC" Limited Commercial. The properties to the east are zoned "MF-18" Multi-Family Residential, "B" Multi-Family Residential, and "NO" Neighborhood Office and are developed with multi-family and office uses.

Since the abutting property to the north is zoned "SF-5" Single-Family Residential, screening and buffer landscaping will be required along the north property line. The subject property likely meets the buffer landscaping requirements but does meet the screening requirements. Screening may be provided along the north property line by decorative fencing, evergreen vegetation, or landscaped earth berms. The compatibility setback standards require a minimum 25-foot building setback along the north property line. The subject property meets the compatibility setback requirement. Since the subject property has frontage along an arterial street, a landscaped street yard and parking lot screening will be required along the south property line for any new construction of buildings or parking areas. The street right-of-way, access controls, and utility easements do not meet current standards of the Subdivision Regulations and will need to be upgraded through dedications.

The subject property may not meet the Unified Zoning Code parking requirements since numerous vehicles from the subject property park on Robin Road on a daily basis. The Unified Zoning Code parking requirement is one space per employee plus one space per resident that is permitted to drive. Parking in residential zoning districts cannot be located within the front or street side setback without approval of a Zoning Adjustment by the Planning Director and Zoning Administrator. For the subject property, any additional parking spaces required cannot be located closer than 25 feet from Maple or 20 feet from Robin without approval of a Zoning Adjustment, and if a Zoning Adjustment is approved, parking spaces could be located no closer than eight feet from either the south or west property line.

W. H.

(150004) Published in August 29, 2003

ORDINANCE NO. 45-688

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. ZON2003-00002

Request for zone change from ""SF-5" Single-family Residential to "MF-18" Multi-family Residential on property described as:

Lot 32, except the North 150 feet, Park Acres Second, Sedgwick County, Kansas. Generally located at the northeast corner of Maple and Robin (254 S. Robin).

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, MAR 25 2003

ATTEST:

for Pat Graves, City Clerk — Bob Knight, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney

Approved for Filing by City
Title MAY 20 2003

CITY CLERK'S OFFICE
RETURN TO

DEDICATION OF STREET RIGHT OF WAY

KNOW ALL BY THESE PRESNTS:

That for and in consideration of the sum of One Dollar ($1.00) and other good and valuable considerations, the receipt of which is hereby acknowledged, the undersigned, Mark E. Hames and Jill M. Hames, husband and wife, being the owners of the following described real estate in Wichita, Sedgewick County, Kansas, to wit:

The south 20 feet of Lot 32 exc N 150 feet, Park Acres, 2nd add.

do hereby transfer and convey to the * appropriate governing body, the above-described real estate to the public for street right-of-way.

*City of Wichita, Sedgwick County, Kansas.

Executed on this 11th day of April, 2003.

BY: Mark E. Hames
Mark E. Hames

BY: Jill M. Hames
Jill M. Hames

STATE OF KANSAS)
)
COUNTY OF SEDGEWICK) SS:

BE IT REMEMBERED, that on this 11th day of April, 2003, before me, the undersigned, a Notary Public, in and for the County and State aforesaid, came Mark E. Hames and Jill M. Hames, husband and wife, personally known to me to be the same persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

Taffy Whitton
Notary Public

TAFFY WHITTON
NOTARY PUBLIC
STATE OF KANSAS
My Appt. Exp. 2/27/07

Ded 2003-12
(Ord 2003-02)
(My commission expires: 2/27/07)

$12.00