Agenda Item #_____

City of Wichita
City Council Meeting
April 16, 2002

Agenda Report #_____

TO: Mayor and City Council Members

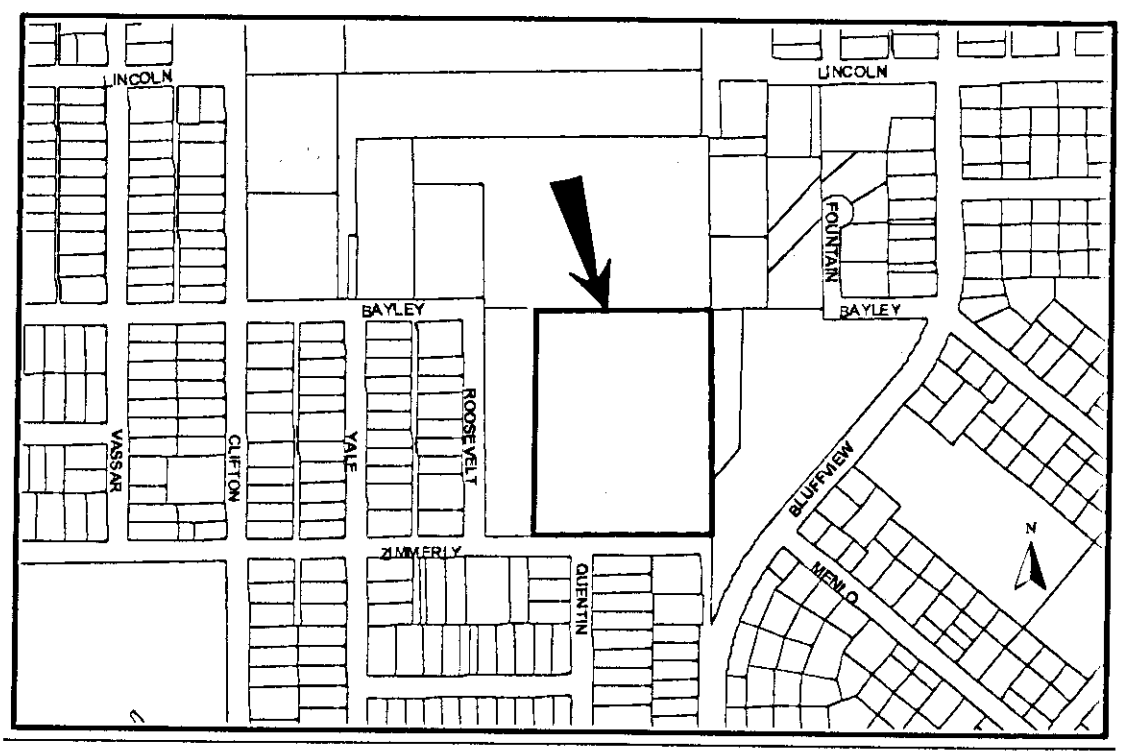
SUBJECT: **ZON2002-00008 – Zone Change from "TF-3" Two-Family Residential to "B" Multi-Family Residential. Generally located 150 feet east of South Roosevelt Avenue, north of Zimmerly Street. (District III)**

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to platting within one year. (11-0)

Staff Recommendation: Approve, subject to platting within one year.



BACKGROUND: The applicant requests "B" Multi-family zoning on 7.3 unplatted acres located east of Roosevelt Ave., west of Bluff View, and north of Zimmerly. The parcel is currently zoned "TF-3" Two-Family Residential, and is used as open space. The proposed use would be approximately 65 to 70 apartment units for elderly independent living.

The applicant, the Sisters of St. Joseph, is a charitable corporation. The applicant also owns over 35 acres of contiguous property to the north of the application area; this property is zoned "B" and "TF-3", and used for open space, religious facilities, and living facilities. South of the application area is property zoned "TF-3" and developed with single and two-family residential units. East of the application area is property zoned "B"; immediately east of the application area is a creek and open space, further east is small lot single-family residential units. West of the application area is "TF-3" zoned open space and single-family residential units. The current neighborhood character is a mix of "B" and "TF-3" zoned open space, a large religious complex, single family-housing units, and two-family housing units. The proposed zone change, from "TF-3" to "B" would require conformance to all property development standards in the Unified Zoning Code.

The applicant proposes that the primary site access be from the east, off Bluff View (see the attached site plan). Bluff View is a collector, and should be able to accommodate this potential traffic increase. This access plan requires deeded park land from the City, which will require future approval from the Park Board.

MAPC heard this request at their regularly scheduled meeting on March 21st, 2002. No members of the public chose to speak on the zone change request; the applicant and their agent agreed with the Planning Staff recommendation. MAPC approved the request subject to staff comments by a vote of 11-0.

Recommended Action:

1. Concur with the findings of the MAPC and approve the zone change subject to replatting within one year; place the zoning ordinance on first reading when the plat is forwarded to Council.

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.)

First Published in Derby Reporter 8-15-03

(150004) Corrected and Republished in The Derby Reporter 11-26-03

ORDINANCE NO. 45-757
[corrected]

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. ZON 2002-08

Zone change from "TF-3" Two-Family to "B" Multi-Family on property described as:

Sisters of St. Joseph Addition, Wichita, Sedgwick County, Kansas. Generally located north of Harry and east of Hillside.

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 this 8th day of July, 2003

ATTEST:

for Patsy Ellis, Deputy
Karen Schofield, City Clerk

Carlos Mayans, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney

WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 5

STAFF REPORT

MAPC 03-21-02

CASE NUMBER: ZON2002-00008

APPLICANT/AGENT: Sisters of St. Joseph (owner); Baughman Co., Phil Meyer (agent)

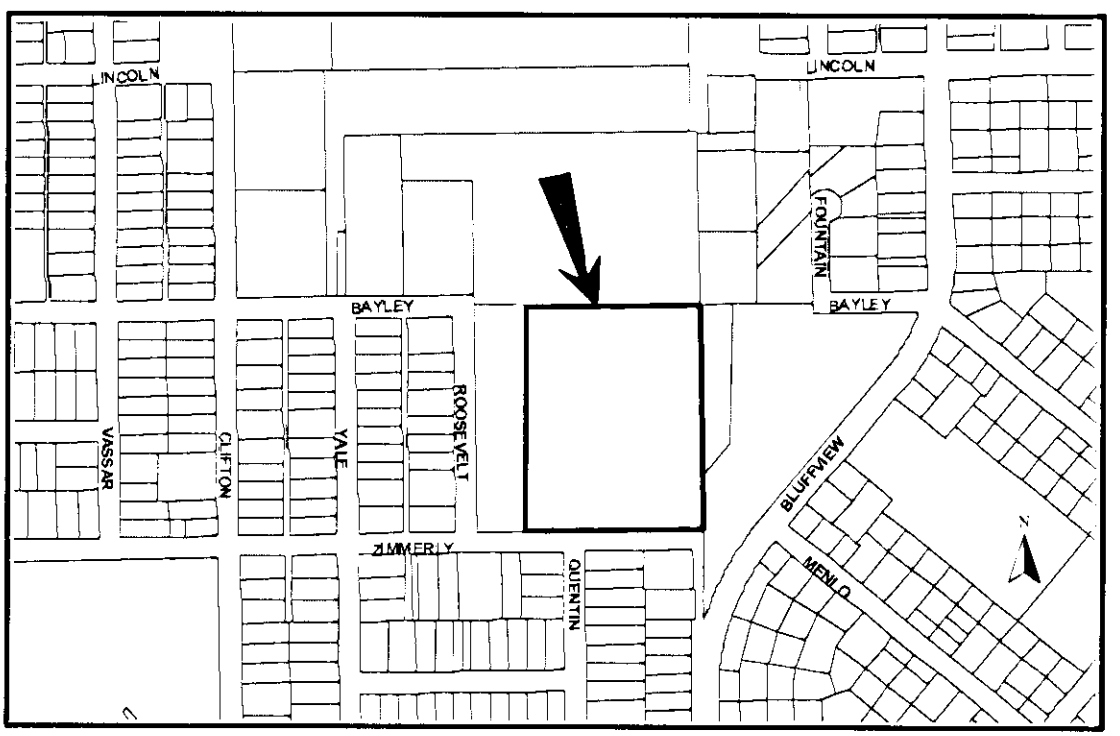
REQUEST: Zone change to "B" Multi-family

CURRENT ZONING: "TF-3" Two-Family Residential

SITE SIZE: 7.3 acres

LOCATION: 150 feet east of South Roosevelt Avenue, north of Zimmerly Street

PROPOSED USE: To allow for development of elderly independent living apartments.



BACKGROUND: The applicant requests "B" Multi-family zoning on an unplatted 7.3 acres located east of Roosevelt Ave., west of Bluff View, and north of Zimmerly. The parcel is currently zoned "TF-3" Two-Family Residential, and is used as open space. The proposed use would be approximately 65 to 70 apartment units for elderly independent living.

The applicant, the Sisters of St. Joseph, is a charitable corporation. The applicant also owns over 35 acres of contiguous property to the north of the application area; this property is zoned "B" and "TF-3", and used for open space, religious facilities, and living facilities. South of the application area is property zoned "TF-3" and developed with single and two-family residential units. East of the application area is property zoned "B"; immediately east of the application area is a creek and open space, further east is small lot single-family residential units. West of the application area is "TF-3" zoned open space and single-family residential units. The current neighborhood character is a mix of "B" and "TF-3" zoned open space, a large religious complex, single family-housing units, and two-family housing units. The proposed zone change, from "TF-3" to "B" would require conformance to all property development standards in the Unified Zoning Code.

The applicant proposes that the primary site access be from the east, off Bluff View (see the attached site plan). Bluff View is a collector, and should be able to accommodate this potential traffic increase. This access plan requires deeded park land from the City, which will require future approval from the Park Board.

CASE HISTORY: None.

ADJACENT ZONING AND LAND USE:

NORTH:	"B"	open space, religious and housing complex
SOUTH:	"TF-3"	single and two-family residential
EAST:	"B"	open space, single and two-family residential
WEST:	"TF-3"	open space, single-family residential

PUBLIC SERVICES: To the west of the application area lies South Roosevelt, an un-paved two-lane residential road with a 30-foot right of way. South of the application area lies East Zimmerly, a paved two-lane residential road with a 30-foot right of way. East Zimmerly is paved west of South Quentin, but is only platted and undeveloped east of South Quentin. The applicant proposes a primary entrance off Bluff View, a 75-foot right of way collector street (see attached site plan). Traffic counts are not available for either of the residential streets, this section of Bluff View had a traffic count in March 2001of 2,504 ADTs (average daily trips), no traffic projections are available for this section of Bluff View. However, the proposed use can be expected to generate an additional 50-200 daily trips on the collector street.

City water and sewer are available at the application area.

CONFORMANCE TO PLANS/POLICIES: The recently updated and adopted "Wichita Land Use Guide" of the *Wichita-Sedgwick County Comprehensive Plan* identifies the application area as "Public/Institutional", and adjacent areas to the east are identified as "High Density Residential" and "Medium Density Residential." The Unified Zoning Code defines the "B" zoning district as generally compatible with the "High Density Residential" designation of the Comprehensive Plan; however, the proposed use could be considered consistent with the "Public/Institutional" designation of the Plan as well. The application area is also consistent with the "Public/Institutional Locational Guidelines" and "Residential Locational Guidelines" of the *Wichita-Sedgwick County Comprehensive Plan*.

RECOMMENDATION: This zone change request is in conformance with the *Comprehensive Plan* "Wichita Land Use Guide" and Locational Guidelines. A zone change to "B" and the proposed development will require the application area to be in compliance with the landscape ordinance and all property development standards of the Unified Zoning Code. The application area, along with the existing Sisters of St. Joseph complex, will continue to be well buffered from residential neighbors with ample open green space (see the attached site plan). The application area must be platted prior to development; staff would anticipate a 30-foot half street right of way dedication on both Roosevelt and Zimmerly as a condition of platting. Likewise, staff would anticipate dedication of access control with the exception of planned access points.

Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED subject to platting within one year.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The surrounding area is a mixture of "B" and "TF-3" zoning, and a mixture of religious, multi-family, single-family, and two-family uses. Landscape requirements, and existing open space should mitigate any negative impacts from the application area onto the surrounding residential neighbors.

2. The suitability of the subject property for the uses to which it has been restricted: The property could be developed as currently zoned, for single or two-family residences. However, the "Wichita Land Use Guide" of the *Wichita-Sedgwick County Comprehensive Plan* identifies the application area as "Public/Institutional", a consistent designation with the proposed use.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval of "B" zoning on this property, and the proposed subsequent development of elderly independent living apartments, could increase traffic in the immediate area.

This increase in traffic would be minimal, as the proposed use is not expected to generate significant daily trips. The existing Sisters of St. Joseph complex currently fits well within this residential setting. The proposed development would leave a 150-foot green open space buffer between itself and the residential properties on Roosevelt to the east, mitigating any impact on these residential neighbors.

4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The requested zoning change is in conformance with the *Comprehensive Plan* "Wichita Land Use Guide," and it is in conformance with the locational guidelines of the plan.

5. Impact of the proposed development on community facilities: A zone change at the application area to "B" could increase traffic in the immediate residential area; however, any increase in traffic due to the proposed use would be slight. As an elderly housing facility, this proposal would potentially generate less traffic than conventional development under the current "TF-3" zoning.