Planning Agenda Item #_____

City of Wichita
City Council Meeting

January 31, 1995

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: Z-3152 - ZONE CHANGE FROM THE "LC" LIGHT COMMERCIAL DISTRICT TO THE "AA" ONE-FAMILY DWELLING DISTRICT; "LC" LIGHT COMMERCIAL DISTRICT TO "A" TWO-FAMILY DWELLING DISTRICT; AND "AA" ONE-FAMILY DWELLING DISTRICT TO "A" TWO-FAMILY DWELLING DISTRICT, LOCATED NORTHEAST AND NORTHWEST OF THE MAIZE ROAD AND PAWNEE INTERSECTION.
(District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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

Staff Recommendation: Approve, subject to platting.

CPO Recommendation: CPO Council Northwest "5" voted 6-0-1 to recommend approval of the request.

Background: On December 29, 1994, the MAPC considered zone changes for 12.94 acres located at northwest and northeast of the Maize Road / Pawnee intersection. The subject property is part of a 145.66 acre tract that was annexed by Wichita in November 1994. Two 6-acre "LC" Light Commercial tracts are currently located at the northwest and northeast corners of the intersection. The property owner indicates that the large tract of land will be used for development of 189 single family homes, 72 duplexes, with office and commercial uses at the intersection. The 72 duplex units would be developed on approximately 11.9 acres which is a density of 6.05 units per acre, just slightly over the typical density levels for low density residential development as identified by the Comprehensive Plan (1 to 6 units per acre).

The application area is currently undeveloped and used for agricultural purposes. The surrounding area is also mostly agricultural at this time, with developing subdivisions located ¼ mile to the north and west. In 1975, the Board of City Commissioners approved "The Park" Residential Community

Unit Plan (DP-66) in area southeast of the Maize Road / Pawnee intersection. This CUP permits the development of 972 single family, single family patio homes, townhouses, and clustered detached dwelling units with an overall density of 8.8 dwelling units per acre. The Pawnee Prairie Park is located ¼ mile to the east.

On November 10, 1994, a preliminary plat was approved by the MAPC Subdivision Committee for a portion of the larger 145 acre site. As part of the development for this area, the applicant intends to construct duplex residential homes around and within portions of the tracts currently zoned "LC" at the intersection. Therefore, the applicant requests the following:

Proposed zone change	Northwest corner of intersection	Northeast corner of intersection	Total
"LC" to "AA"	0.01 acres (450 sq. ft.)	1.04 acres	1.05 acres
"LC" to "A"	4.19 acres	3.36 acres	7.55 acres
"AA" to "A"	3.01 acres	1.33 acres	4.34 acres
Total	7.21 acres	5.73 acres	12.94 acres

At the MAPC hearing, one property owner spoke in opposition to the request for "A" Two-Family Dwelling District zoning. The citizen expressed concern that duplexes and renters would decrease property values.

Recommendations/Actions:

1. Concur with the findings of the MAPC and approve the zone change, subject to the condition of platting; instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Council; or

2. Return the application to the MAPC for reconsideration.

(An override of the Planning Commission's recommendation requires a 2/3rd majority vote of the membership of the governing body on first hearing).

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

April 20, 1995

TO: Pat Burnett, Deputy City Clerk

FROM: Kevin Kokes, Senior Planner, Current Plans Division

SUBJECT: Zoning Ordinance for Z-3152

On March 21, 1995, the Wichita City Council approved the plat of Prairie Woods Addition and placed on first reading the associated zone change ordinance. Publication of the zoning ordinance was to be withheld until the plat was recorded.

The plat was recorded with the Register of Deeds on April 17, 1995, and therefore, the Ordinance establishing the zone change may now be published.

EAST HALF ONLY
(WEST ½ REMAINS TO BE PLATTED)

( ) Published in The Daily Reporter on _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 28.04.210, THE CODE OF THE CITY OF WICHITA, KANSAS.

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 Section 28.04.210, The Code of the City of Wichita, Kansas, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. Z-3152

Zone change from the "LC" Light Commercial District to the "AA" One-family and "A" Two-family Dwelling Districts and from the "AA" One-Family Dwelling District to the "A" Two-family Dwelling District.

"LC" to "AA"

A tract of land lying in the Southwest Quarter of the Southwest Quarter, Section 32, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, more particularly described as follows:

Commencing at the Southwest corner of said Southwest Quarter; thence N 01° 35' 00" w, 600.00 feet along the West line of said Southwest Quarter; thence N 88° 02' 49" E, 388.31 feet to the point of beginning; thence N 88° 02' 56" E, 211.70 feet; thence S 01° 35' 00" E, 361.31 feet to a point on the North line of BIKE AND RIDER ADDITION, an addition to Sedgwick County, Kansas; thence S 88° 02' 56" W, 103.58 feet along the North line of said addition; thence N 01° 26' 34: W, 293.34 feet; thence S 88° 31' 32" W, 108.96 feet; thence N 01° 28' 28" W, 67.07 feet to the point of beginning, said tract containing 1.02 acres more or less; and

"LC" to "A"

A tract of land lying in the Southwest Quarter of the Southwest Quarter, Section 32, Township 27 South, Range 1 West of the 6TH P.M., Sedgwick County, Kansas, more particularly described as follows:

Commencing at the Southwest corner of said Southwest Quarter; thence N 01° 35' 00" W, 600.00 feet along the West line of said Southwest Quarter; thence N 88° 02' 05" E, 50.00 feet to the point of beginning; thence N 88° 02' 56" E, 338.31 feet; thence S 01° 28' 28" E, 67.07 feet; thence N 88° 31' 32" E, 108.96 feet; thence S 01° 26' 34" E, 293.34 feet to a point on the North line of BIKE AND RIDER ADDITION, an addition to Sedgwick County, Kansas; thence S 88° 02' 56" W, 350.07 feet; thence N 47° 18' 27" W, 134.58 feet to a point

lying 50.00 feet East of the West line of said Southwest Quarter; thence N 01° 35' 00" W, 266.73 feet parallel with said West line to the point of beginning, said tract containing 3.43 acres more or less; and

"AA" to "A"

A tract of land lying in the Southwest Quarter of the Southwest Quarter, Section 32, Township 27 South, Range 1 West of the 6TH P.M., Sedgwick County, Kansas, more particularly described as follows:

Commencing at the Southwest corner of said Southwest Quarter; thence N 01° 35' 00" W, 600.00 feet along the West line of said Southwest Quarter; thence N 88° 02' 05" E, 50.00 feet to the point of beginning; thence N 01° 35' 00" W, 191.75 feet; thence N 88° 31' 32" E, 277.67 feet; thence S 01° 28' 28" E, 37.00 feet to a point on a curve to the left; thence along said curve 121.51 feet, said curve having a central angle of 63° 52' 22", a radius of 109.00 feet, and a long chord of 115.32 feet, bearing S 33° 24' 38" E; thence S 01° 28' 28" E, 54.07 feet; thence S 88° 02' 56" W, 338.31 feet to the point of beginning, said tract containing 1.33 acres more or less.

(These areas now being platted as a part of Prairie Woods Addition, An Addition to Wichita, Sedgwick County, Kansas).

Generally located east of Maize Road and north of Pawnee.

SECTION 2. That upon the taking effect of the Ordinance, the above zoning change 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 Zoning Ordinance 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, _____.

ATTEST:

_____ _____

(SEAL) Pat Burnett, Deputy City Clerk Elma Broadfoot, Mayor

Approved as to form:

_____

Gary E. Rebenstorf, City Attorney

WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 5

STAFF REPORT

December 29, 1994

CASE NUMBER: Z-3152

APPLICANT/AGENT: Builders Inc. / Mid Kansas Engineering Consultants, Inc.

REQUEST: Zone change from "LC" Light Commercial to "AA" One-Family Dwelling District; "LC" to "A" Two-Family Dwelling District; and "AA" to "A"

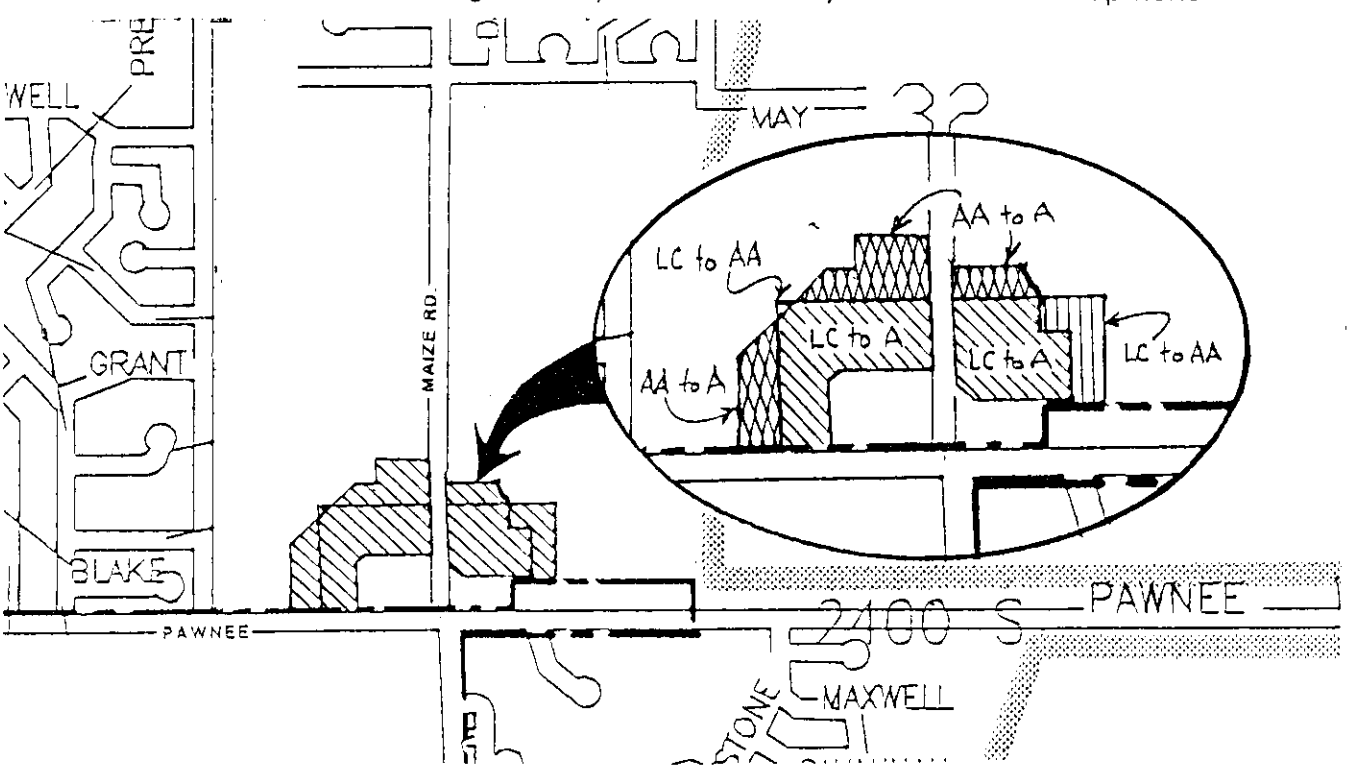
CURRENT ZONING: "AA" One-Family Dwelling District and "LC" Light Commercial District

SITE SIZE: 12.94 acres (Total)

"LC" to "AA":	1.05 acres (450 sq. ft.)
"LC" to "A":	7.55 acres
"AA" to "A":	4.34 acres

LOCATION: Northeast and northwest of the Maize Road and Pawnee intersection.

PROPOSED USE: Single family and two-family residential development



BACKGROUND: The applicant requests zone changes for 12.94 acres located at northwest and northeast of the Maize Road / Pawnee intersection. The subject property is part of a 145.66 acre tract that was annexed by Wichita in November 1994. Two 6-acre "LC" Light Commercial tracts are currently located at the northwest and northeast corners of the intersection. The property owner indicates that the large tract of land will be used for development of 189 single family homes, 72 duplexes, with office and commercial uses at the intersection. The 72 duplex units would be developed on approximately 11.9 acres which is a density of 6.05 units per acre, just slightly over the typical density levels for low density residential development as identified by the Comprehensive Plan (1 to 6 units per acre).

The application area is currently undeveloped and used for agricultural purposes. The surrounding area is also mostly agricultural at this time, with developing subdivisions located ¼ mile to the north and west. In 1975, the Board of City Commissioners approved "The Park" Residential Community Unit Plan (DP-66) in area southeast of the Maize Road / Pawnee intersection. This CUP permits the development of 972 single family, single family patio homes, townhouses, and clustered detached dwelling units with an overall density of 8.8 dwelling units per acre. The Pawnee Prairie Park is located ¼ mile to the east.

On November 10, 1994, a preliminary plat was approved by the MAPC Subdivision Committee for a portion of the larger 145 acre site. As part of the development for this area, the applicant intends to construct duplex residential homes around and within portions of the tracts currently zoned "LC" at the intersection. Therefore, the applicant requests the following:

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CASE HISTORY: This area was zoned in the 1960s as part of the County's 3-mile zoning around Wichita. On November 10, 1994, the Wichita City Council approved a request for annexation of a 145.66 acre tract.

ADJACENT ZONING AND LAND USE:

NORTH:	"AA"	Undeveloped, agricultural uses
SOUTH:	"R-1", "R-5"	Undeveloped, agricultural uses
EAST:	"AA"	Undeveloped, Pawnee Prairie Park
WEST:	"AA"	Undeveloped, agricultural uses

PUBLIC SERVICES: The subject property is currently not served by municipal water or sewer services. However, the site is located within the urban growth/service area map adopted by the City Council on May 22, 1990. This map is a composite of current utility service area maps, projected land needs based on available population projections, location of existing annexation agreements, and identified land development trends. The map delineates the boundaries for future extension of water and sewer utilities. According to City Engineering officials, water and sewer lines are located nearby and can be extended to serve this area.

The subject property has access to Maize Road and Pawnee, both 2-lane section line roads. The 2020 Transportation Plan designates Maize Road as a 2-lane arterial and it also designates Pawnee as a 2-lane arterial between Maize Road and 119th Street West. Maize Road was recently paved and extended through this area and it has adequate right-of-way. Pawnee is currently unpaved and has 50 feet of existing half street right-of-way west of the Maize Road intersection and 30 feet of existing half street right-of-way east of the intersection. A total of 50 feet of half street right-of-way will be required when the property is platted.

Traffic counts are not currently available for Pawnee. Existing traffic volumes on Maize Road are estimated at approximately 1,000 average daily trips (ADT) near the Pawnee intersection and this is projected to increase to approximately 2,000 ADT, according to the 2020 Transportation Plan. In November 1994, the Board of County Commissioners approved a zone change request for 145 acres of "E" Light Industrial zoning on the east side of Maize Road between Highway K-42 and 31st Street South. As a result of that request, MAPD's Transportation Division projects that traffic levels on Maize Road would increase an additional 300-600 ADT if the industrial site is fully developed.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies this area for low density residential uses (1 to 6 dwelling units per acre). This residential category provides the lowest density of urban residential land use and consists of traditional, single-family detached homes, zero lot line units and cluster subdivisions, as well as schools, churches, and similar uses found in such areas. The Plan also notes that higher-density residential developments would be expected and encouraged in appropriate locations of this zone.

RECOMMENDATION: Planning staff recommends that the zone change requests be APPROVED, subject to platting within 1-year.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The surrounding area is characterized by a mixture of agricultural and developing single family and higher-density residential uses. The proposed zone changes would permit residential uses at densities that would be consistent with uses currently permitted in the surrounding area.

2. Extent to which removal of the restrictions will detrimentally affect nearby property: The proposed down zoning from "LC" to more restrictive residential zoning districts should have no negative impact upon nearby properties.

3. Conformance of the requested change to adopted or recognized Plans/Policies: The Land Use Guide of the Comprehensive Plan identifies this area for low density residential uses (1 to 6 dwelling units per acre). The proposed 72 duplex units would be developed on approximately 11.9 acres which is a density of 6.05 units per acre, just slightly over the typical density levels for low density residential development. However, the Plan states that higher densities are expected in some locations, and the overall density for the subdivision will be less than 6 units per acre.

4. Impact of the proposed development on community facilities: The subject property is currently not served by municipal water or sewer services. However, the site is located within the urban growth/service area map adopted by the City Council and water and sewer lines can be extended to serve this area, according to City Engineering officials. The proposed residential zoning district should result in less traffic being generated from this site than if it were developed with nonresidential uses under the existing "LC" zoning. Traffic projected for this area is well within the traffic capacity of Maize Road. Also, as part of the platting process, the developer will be required to guarantee paving improvements for Pawnee to at least the equivalent of a 2-lane residential street.