Planning Agenda Item #_____

City of Wichita
City Council Meeting

August 29, 1995

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: Z-3175 - SALVATION ARMY REQUESTS A ZONE CHANGE FROM 'AA' ONE FAMILY DWELLING DISTRICT TO 'B' MULTIPLE FAMILY DWELLING DISTRICT, LOCATED SOUTH OF 51ST STREET NORTH BETWEEN DELAWARE AVENUE AND THE LITTLE ARKANSAS RIVER.
(District #6)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION Planning

MAPC Recommendation:	Approved, subject to replatting, and voluntary restrictive covenant. (10-0; 1 abstention)
Staff Recommendation:	Approved, subject to replatting, and voluntary restrictive covenant.
CPO Recommendation:	Approved, subject to replatting, and voluntary restrictive covenant. (7-0)

Background: The applicant requests a zone change from the 'AA' One Family Dwelling District to the 'B' Multiple Family Dwelling District for 41 acres located south of 51st Street North between Delaware Avenue and the Little Arkansas River. The Salvation Army is currently operating Camp Hiawatha on the site, which is a Christian camp for children and adults. The site is developed with 15 structures including camping cabins, a single family home, and a mobile home. The camp also has a barn and recreational facilities (i.e. barn pool, basketball court, etc.).

On June 20, 1995, the Wichita City Council approved a request by the Salvation Army to annex the property to Wichita. The campground, while in the county, was zoned 'R-1' Suburban Residential and converted to the 'AA' One Family Dwelling District when annexed to the city. The campground was a legal nonconforming use under the County Zone Resolution and continues to be a nonconforming use under the City Zoning Code. However, the Salvation Army wishes to extend water and sewer services to the site to accommodate existing and proposed new structures on the

site. Therefore, a zone change to the 'B' District is necessary because of the new uses proposed for the site. Future plans for the site may include rebuilding the existing cabins, developing a homeless shelter, short-term housing for battered women, a lodge, tabernacle, day care, and housing for retired Salvation Army members (not including a retirement center).

At the MAPC hearing, the applicant volunteered a restrictive covenant to address concerns about uses permitted by the 'B' District and the potential density of development on this 41 acre tract. The covenant applicant indicated that the following 'B' zoning uses would be prohibited: boathouses, cemeteries, doctor's offices, hospitals and clinics, private clubs, and fraternity and sorority houses. Also, a maximum of 400 dwelling units and/or beds for group residential (camp dormitory, shelter, etc.)would be permitted and a maximum of 500 people would be allowed to occupy the property during any 24 hour period, with the exception of religious assemblies. No members of the public attended the MAPC meeting in opposition to this request.

Recommendation:

1. Concur with the findings of the MAPC and approve the zone change subject to the condition of replatting and the condition of recording the voluntary restrictive covenant, and place the ordinance establishing the zone change on first reading; instruct the Clerk to withhold publication until the plat and the restrictive covenant has been recorded with the Register of Deeds; 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.)

Z-3175

CW98-1205 (First Published in The Daily Reporter, August 18, 1998)

ORDINANCE NO. 43-488

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 CITY OF WICHITA CODE SEC. 28.04.010.

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 City of Wichita Code Sec 28.04.010, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. Z-3175

Zone change from the "SF-6" Single-Family Dwelling District to the "B" Multiple-Family Dwelling District, described as:

Lot 1, Block 1, Camp Hiawatha Addition, Wichita, Sedgwick County, Kansas.

Generally located south of 51st Street North and west of Seneca.

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, MAY 20, 1997.

Bob Knight, Mayor

ATTEST: (Seal)

Pat Burnett, City Clerk

(Adv.)

Keith
Dale
Seneca
Kellogg
Main

WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 4

STAFF REPORT

July 27, 1995

CASE NUMBER: Z-3175

APPLICANT/AGENT: Salvation Army (property owner) / Yung Design Group c/o Terry Smythe (agent)

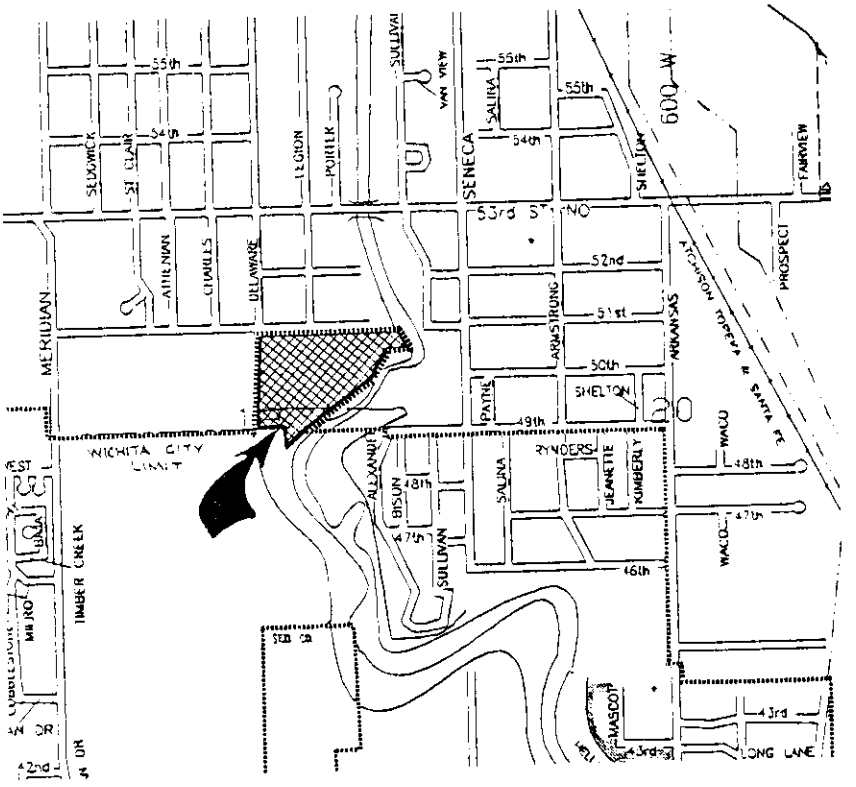
REQUEST: Zone change to 'B' Multiple Family Dwelling District

CURRENT ZONING: 'AA' One Family Dwelling District

SITE SIZE: 41 acres

LOCATION: South of 51st Street North between Delaware Avenue and the Little Arkansas River.

PROPOSED USE: Camp Hiawatha Christian Camp for children and adults



BACKGROUND: The applicant requests a zone change from the 'AA' One Family Dwelling District to the 'B' Multiple Family Dwelling District for 41 acres located south of 51st Street North between Delaware Avenue and the Little Arkansas River. The Salvation Army is currently operating Camp Hiawatha on the site, which is a Christian camp for children and adults. The site is developed with 15 structures including camping cabins, a single family home, and a mobile home. The camp also has a barn and recreational facilities (i.e. barn pool, basketball court, ect.).

On June 20, 1995, the Wichita City Council approved a request by the Salvation Army to annex the property to Wichita. The campground, while in the county, was zoned 'R-1' Suburban Residential and converted to the 'AA' One Family Dwelling District when annexed to the city. The campground was a legal nonconforming use under the County Zone Resolution and continues to be a nonconforming use under the City Zoning Code. However, the Salvation Army wishes to extend water and sewer services to the site to accommodate existing and proposed new structures on the site. Therefore, a zone change to the 'B' District is necessary because of the new uses proposed for the site. Future plans for the site may include rebuilding the existing cabins, developing a homeless shelter, short-term housing for battered women, a lodge, tabernacle, day care, and housing for retired Salvation Army members (not including a retirement center).

The applicant has indicated that a restrictive covenant would be volunteered to address concerns about uses permitted by the 'B' District and the potential density of development on this 41 acre tract. Planning staff did not received a copy of the covenant restrictions at the time this report was completed. However, during preapplication discussions the applicant indicated that the following 'B' zoning uses would be prohibited: boathouses, cemeteries, doctor's offices, hospitals and clinics, private clubs, and fraternity and sorority houses. Staff also suggested the following restrictions to address the potential density of development and the impact of future development upon the surrounding residential neighborhoods:

1. A maximum of 200 dwelling units and/or beds for group residential (camp, dormitory, shelter, etc.) shall be permitted.

2. A maximum of 400 people may occupy the property during any 24 hour period, with the exception of religious assemblies.

3. Use of the entire property shall be in conformance with the City of Wichita regulations governing noise, odors, screening, and landscaping, and those regulations that are applicable to property nearby to residential zones shall be applicable whether the zones are located inside or outside the municipal boundaries of the City of Wichita.

4. All exterior lights shall be shielded to reflect light downward or direct light away from residential areas.

The general area is characterized mostly by suburban single family homes, which are located to the north, northwest, and east. The Little Arkansas River borders the property on the east and an undeveloped tract of land is located adjacent to the site to the west and is zoned 'R-1' Suburban Residential (County zoning).

CASE HISTORY: None.

ADJACENT ZONING AND LAND USE:

NORTH:	'R-1'	Suburban single family homes
SOUTH:	'AA'	Little Arkansas River
EAST:	'R-1'	Little Arkansas River, suburban single family homes
WEST:	'R-1'	Agricultural uses

PUBLIC SERVICES: Municipal water and sewer services are not currently available to serve this site. However, the property is located in the Policy 32 urban service area. City Engineering staff indicate that this area could potentially be served by sewer service by connecting to a system that was financed by the Moorings development. The Moorings lift station has excess capacity which is reserved for future development at The Moorings. New development in the area could connect to the lift station, provided that a guarantee is provided to expand the excess capacity of the lift station sufficiently to serve such development. The applicant has also indicated the desire to extend water service to the subject property. Water would need to be extended from the Moorings area (near the intersection of Meridian and Key West) along Meridian Avenue to 51st Street North and then east to the subject property.

The site has access to 51st Street North, a paved residential street with 50 feet of existing right-of-way. Existing traffic counts are not available for residential streets.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies this area for suburban residential uses. This category is characterized by large-lot residential living areas where a full range of municipal services, including public water and sewer, is not available or planned.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to replatting within 1-year and filing the voluntary restrictive covenant. At the time of platting adequate right-of-way, building setbacks, and access controls should be obtained.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The area is characterized by low density suburban residential uses. 'B' zoning is necessary for many of the programs and activities operated or planned for the site. While unrestricted 'B' zoning would permit higher densities of development on this site, the applicant has volunteered a restrictive covenant to limit densities similar to what could be developed under 'AA' zoning.

2. Extent to which removal of the restrictions will detrimentally affect nearby property: The change in zoning classification would permit a number of uses on the site not currently permitted by 'AA' zoning. However, the applicant has volunteered restrictions to buffer nearby residential properties and to limit the density of development in this suburban residential area.

3. Conformance of the requested change to adopted or recognized Plans/Policies: The Land Use Guide of the Comprehensive Plan identifies this area for suburban residential uses. However, the Guide does not reflect the recent annexations in this area or the potential extension of water and sewer services that would make this area appropriate for low density residential development. The Plan does not specifically address location camps or facilities for the low-income, elderly, or homeless.

4. Impact of the proposed development on community facilities: Municipal water and sewer services are not currently available to serve this area. However, such services could be extended to serve the subject property. The restrictions volunteered by the applicant would limit the density of development on the site and the potential traffic that could otherwise be generated by uses permitted by the 'B' District.