

Agenda Item # _____

City of Wichita
City Council Meeting
August 22, 2000

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: ZON2000-00028 - ZONE CHANGE FROM "TF-3" TWO-FAMILY RESIDENTIAL TO "SF-6" SINGLE-FAMILY RESIDENTIAL, LOCATED SOUTH OF CENTRAL AND EAST OF GREENWICH. (District #II)

INITIATED BY: Metropolitan Area Planning Department 

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to replatting within 1 year (11-0).

Staff Recommendation: Approve, subject to replatting within 1 year.

Background: The applicant requests a zone change from "SF-6" Single-Family Residential to "TF-3" Two-Family Residential on a 2.3 acre platted tract located south of Central and east of Greenwich. The zone change request is associated with a proposed replat of the property (SUB2000-00056 - Ellson Court Addition) that was heard by the MAPC on the same agenda. The applicant proposes to develop the site with duplexes on five lots fronting a cul-de-sac off Ellson. The applicant proposes a drainage reserve along the north of the subject property.

The surrounding area is characterized by commercial and industrial development at the corner of Central and Greenwich with residential and institutional development located further from the arterial intersection and more proximate to the subject property. The adjacent property west of the site is zoned "SF-6" Single-Family Residential and is developed with single-family residences and vacant home sites in the Fountains 2nd Addition. The adjacent property north of the site is zoned "SF-6" Single-Family Residential and is developed with the New Life Christian Church. The property east of the site across Ellson is zoned "SF-6" Single Family Residential and is developed with single-family residences in the Gott Addition. The adjacent property south of the site is zoned "SF-6" Single-Family Residential and is developed with single-family residences and vacant home sites in the Fountains 2nd Addition.

At the July 27, 2000 hearing, the MAPC heard from several neighboring property owners who were concerned about the potential impacts of the request on drainage in the area and on declining property values. The MAPC deferred the proposed replat of the property to allow the applicant time to work on out drainage issues with the neighboring property owners. The MAPC voted (11-0) to approve the zone change request subject to replatting within one year.

After the MAPC hearing on this request, neighboring property owners filed written protests representing 56.4% of the property within 200 feet of the property proposed for rezoning. Since the percentage of protesting properties exceeds 20%, a three-fourths majority vote (or 6 affirmative votes) is required for the City Council to approve the request.

Recommended Action:

1. Concur with the findings of the MAPC and approve the zone change, subject to the condition of replatting within one year; instruct the Planning Department to forward the ordinance for first reading when the plan 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 2/3 majority vote of the membership of the governing body on the first hearing.)

(_____) Published in the Wichita Eagle 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 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. ZON 2000-00028

Zone change request from "SF-6" Single-Family Residential District to "TF-3" Two-Family Residential District, described as:

Ellson Court Addition, Wichita, Sedgwick County, Kansas

Generally located south of Central, east of Greenwich Road.

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, _____.

ATTEST:

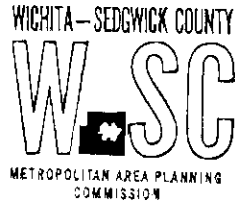
Pat Burnett, City Clerk

Bob Knight, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney



AGENDA ITEM NO. 8

STAFF REPORT

MAPC July 27, 2000

CASE NUMBER: ZON2000-00028

APPLICANT/AGENT: New Life Christian Church c/o Nick Harris (Owner/Applicant);
Phil Snodgrass (Agent)

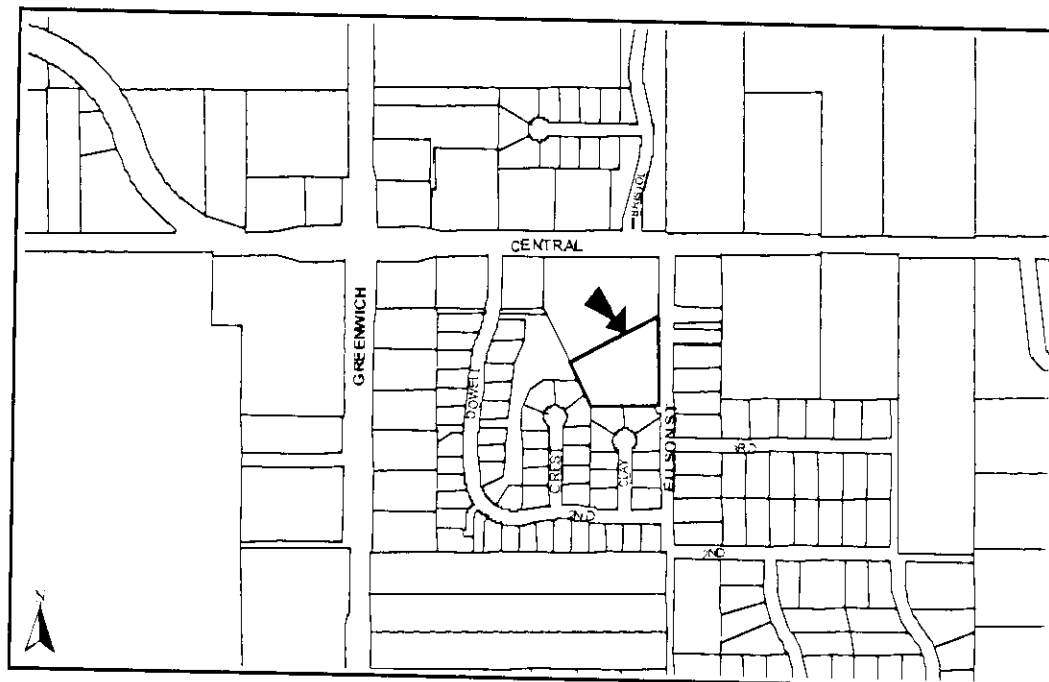
REQUEST: "TF-3" Two-Family Residential

CURRENT ZONING: "SF-6" Single-Family Residential

SITE SIZE: 2.3 acres

LOCATION: South of Central and east of Greenwich

PROPOSED USE: Duplexes



BACKGROUND: The applicant requests a zone change from "SF-6" Single-Family Residential to "TF-3" Two-Family Residential on a 2.3 acre platted tract located south of Central and east of Greenwich. The zone change request is associated with a proposed replat of the property (SUB2000-00056 – Ellson Court Addition) that is scheduled for hearing by the MAPC on the same agenda. The applicant proposes to develop the site with duplexes on five lots fronting a cul-de-sac off Ellson. The applicant proposes a drainage reserve along the north of the subject property.

The surrounding area is characterized by commercial and industrial development at the corner of Central and Greenwich with residential and institutional development located further from the arterial intersection and more proximate to the subject property. The adjacent property west of the site is zoned "SF-6" Single-Family Residential and is developed with single-family residences and vacant home sites in the Fountains 2nd Addition. The adjacent property north of the site is zoned "SF-6" Single-Family Residential and is developed with the New Life Christian Church. The property east of the site across Ellson is zoned "SF-6" Single Family Residential and is developed with single-family residences in the Gott Addition. The adjacent property south of the site is zoned "SF-6" Single-Family Residential and is developed with single-family residences and vacant home sites in the Fountains 2nd Addition.

CASE HISTORY: The site is in the New Life Christian Church Addition, which was recorded July 6, 1990.

ADJACENT ZONING AND LAND USE:

NORTH:	"SF-6"	Church
SOUTH:	"SF-6"	Single-Family
EAST:	"SF-6"	Single-Family
WEST:	"SF-6"	Single-Family

PUBLIC SERVICES: The site has access to Ellson, a two-lane asphalt mat local street with open ditches. Public water and sewer service are available to serve the site.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies this area as appropriate for "Low Density Residential" development. The Low Density Residential category provides for the lowest density (1 to 6 units per acre) of urban residential land use and consists of single-family detached homes, zero lot line units, cluster subdivisions, and planned developments with a mix of housing types that may include townhouse and multi-family units. The Residential Locational Guidelines of the Comprehensive plan indicate that medium-density residential uses, such as the proposed duplexes, may serve to buffer low-density residential uses from commercial uses. The adjacent property to the north of the subject property is identified in the Land Use Guide of the Comprehensive Plan as appropriate for "Commercial" development. The Comprehensive Plan contains the following objective:

encourage residential redevelopment, infill, and higher density residential development, that maximizes the public investment in existing and planned facilities and services. The objective is intended to be achieved through the following strategy: use Community Unit Plans, Planned Development Districts, and zoning as tools to promote mixed use development, higher density residential environments, and appropriate buffering.

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

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The surrounding area is characterized by commercial and industrial development at the corner of Central and Greenwich with residential and institutional development located further from the arterial intersection and more proximate to the subject property. The adjacent property west of the site is zoned "SF-6" Single-Family Residential and is developed with single-family residences and vacant home sites in the Fountains 2nd Addition. The adjacent property north of the site is zoned "SF-6" Single-Family Residential and is developed with the New Life Christian Church. The property east of the site across Ellison is zoned "SF-6" Single Family Residential and is developed with single-family residences in the Gott Addition. The adjacent property south of the site is zoned "SF-6" Single-Family Residential and is developed with single-family residences and vacant home sites in the Fountains 2nd Addition.
2. The suitability of the subject property for the uses to which it has been restricted: The site is zoned "SF-6" Single-Family Residential, which accommodates moderate-density single-family residential development and complementary land uses. The site could be developed with such uses; however, the development of 10 duplexes as proposed (4.4 units per acre) is within the appropriate density range (1 to 6 units per acre) for the "SF-6" district.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Detrimental affects should be minimized by lot orientation and similar density to single-family lots.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The Land Use Guide of the Comprehensive Plan identifies this area as appropriate for "Low Density Residential" development. The Low Density Residential category provides for the lowest density (1 to 6 units per acre) of urban residential land use and consists of

single-family detached homes, zero lot line units, cluster subdivisions, and planned developments with a mix of housing types that may include townhouse and multi-family units. The Residential Locational Guidelines of the Comprehensive plan indicate that medium-density residential uses, such as the proposed duplexes, may serve to buffer low-density residential uses from commercial uses. The adjacent property to the north of the subject property is identified in the Land Use Guide of the Comprehensive Plan as appropriate for "Commercial" development. The Comprehensive Plan contains the following objective: encourage residential redevelopment, infill, and higher density residential development, that maximizes the public investment in existing and planned facilities and services. The objective is intended to be achieved through the following strategy: use Community Unit Plans, Planned Development Districts, and zoning as tools to promote mixed use development, higher density residential environments, and appropriate buffering.

5. Impact of the proposed development on community facilities: Community facilities should not be adversely impacted due to the minor increase in density.