

Agenda Item # _____

City of Wichita
City Council Meeting
January 9, 2001

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: ZON2000-00053 - ZONE CHANGE FROM "MF-29"
MULTI-FAMILY RESIDENTIAL TO "MH"
MANUFACTURED HOUSING, LOCATED SOUTH OF
WATERMAN, EAST OF ELLSON. (District #II)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to conditions (10-0).

Staff Recommendation: Approve, subject to conditions.

D.A.B. Recommendation: Approve, subject to conditions.

Background: The applicants are seeking "MH" Manufactured Housing zoning on a 11.13 acre site located south of Waterman and east of Ellson to develop a manufactured home park. The site is platted as the Baxter Place Addition and is currently zoned "MF-29" Multi-family Residential. Baxter Place Addition has platted 25 foot building setbacks established along Lewis, Ellson and Waterman. A 25-foot wide, east to west, utility easement exists midway through the addition.

The applicant's revised site plan shows a total of 48 pad sites (4.3 units per acre). Primary access is off Waterman with an emergency access on Ellson. Internal circulation is via a 25-foot wide private drive. The entire site is to be fenced or walled. A clubhouse / storm shelter with a pool is shown in the eastern half of the development. The clubhouse / pool area is approximately 10,000 square feet in size. Minimum recreation area required by the code is 8% of the site with a minimum of 10,000 square feet for any recreation area. The site needs a total of 38,785 square feet of recreation area. A sidewalk is shown running through the middle of the development. Each pad site has off-street parking spaces provided.

The Unified Zoning Code requires a minimum site size of 5 acres for "MH" zoning in the City of Wichita. The Code requires a minimum lot width of 200 feet for parks. Minimum setbacks are 20 feet from public street right-of-way, 10 feet from all lot lines

and 5 feet from private roadways. A minimum separation of 10 feet shall also be maintained between all manufactured home units within the park. The maximum density of dwelling units permitted is 8 dwelling units per acre. Maximum height permitted is 35 feet. Compatibility setbacks of a minimum of 15 feet up to 25 feet are required along side and rear lot lines where adjacent to property zoned TF-3 or more restrictive (minimum of 15 feet plus 1 foot for each five feet of lot width over 50 feet up to a maximum of 25 feet). Dumpsters and refuse receptacles are to be located a minimum of 20 feet from property zoned "TF-3" or more restrictive. A landscape buffer is required consisting of either a screening wall or fence, a 15 foot wide strip with one shade tree or two ornamentals and 5 shrubs every 30 feet.

Further, Chapter 26.04 of the City Code as well as the Zoning Code require the submission of a development plan for approval by the Director of Planning in order to obtain a manufactured home park license. The plan is to show the relationship of the home spaces to roadways, parking, open space and other information affecting overall park environment. Key requirements include: all spaces are to have access from a park roadway (no space is to have direct access to a public street or highway; all roadways are to be paved; parking is to be provided per the zoning code; sidewalks are to be provided per the sidewalk ordinance; eight percent of lot's gross area is to be set aside for recreation area, with a minimum size of 10,000 square feet; and all spaces are to be identified.

The applicant's original site plan was recommended by staff to be modified as follows:

1. 25-foot building setbacks along the east property line.
2. Relocation of the accessory structures in the setback.
3. Submission of a landscape plan prior to occupancy.
4. A sidewalk that connects all the lots together and connects the lots with the storm shelter site and Waterman Street.
5. Minimum recreation space requirements. (Calculations to show that the present plan provides required minimums or revised plan to depict required minimums.) Better access needs to be provided to the reserve areas if they are to count as recreation space.
6. Commit to saving mature trees along street rights-of-way as identified on the submitted site plan.
7. Any gated access points shall set the gates back far enough to provide for off-street queuing.
8. Fencing should be "decorative" and should be set back from right-of-way lines along the streets at least 10 feet.

District Advisory Board II heard this request on December 4, 2000, and recommended approval provided the density of development is kept below five dwelling units per acre. (The dwelling unit density shown on the site plan is 4.3 units per acre.) This request was also heard by the MAPC on December 7, 2000. The Commission approved the request, subject to the submission of a revised site plan (attached), guarantees to participate in the paving of Ellson and Lewis Streets, approval of the site plan by the governing body and

approval of an updated drainage plan. Protest petitions representing 21.82% have been received. A three-fourths majority vote will be required of the Council to override this protest and approve the request. Citizens speaking in opposition expressed concern over the density of development, loss of trees and economic burden of paving Ellson and Lewis Streets.

Recommended Action:

1. Concur with the findings of the MAPC and approve the zone change and revised site plan; authorize staff to withhold publication of the ordinance establishing this zone change until a new drainage plan for the site and paving petitions have been submitted to and approved by the City Engineer, 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 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. ZON2000-00053

Request for zone change from "MF-29" Multi-family Residential to "MH" Manufactured Housing, on property described as:

Lot 1, Baxter Place, an Addition to Wichita, Sedgwick County, Kansas. Generally located south of Waterman, east of Ellson.

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:

STAFF REPORT

MAPC, 12/7/00

DAB II, 12/4/00

CASE NUMBER: ZON2000-00053

OWNER/APPLICANT: Chester-Kappelman Group Inc. (c/o Kathryn K. Churi, owner) / Pioneer Land Company L.L.C. (Doug Gaddis), Chester-Kappelman Group, Inc. c/o Kathryn K. Churi (applicants)

AGENT: Christopher A McElgunn / Milo M. Unruh, Jr.

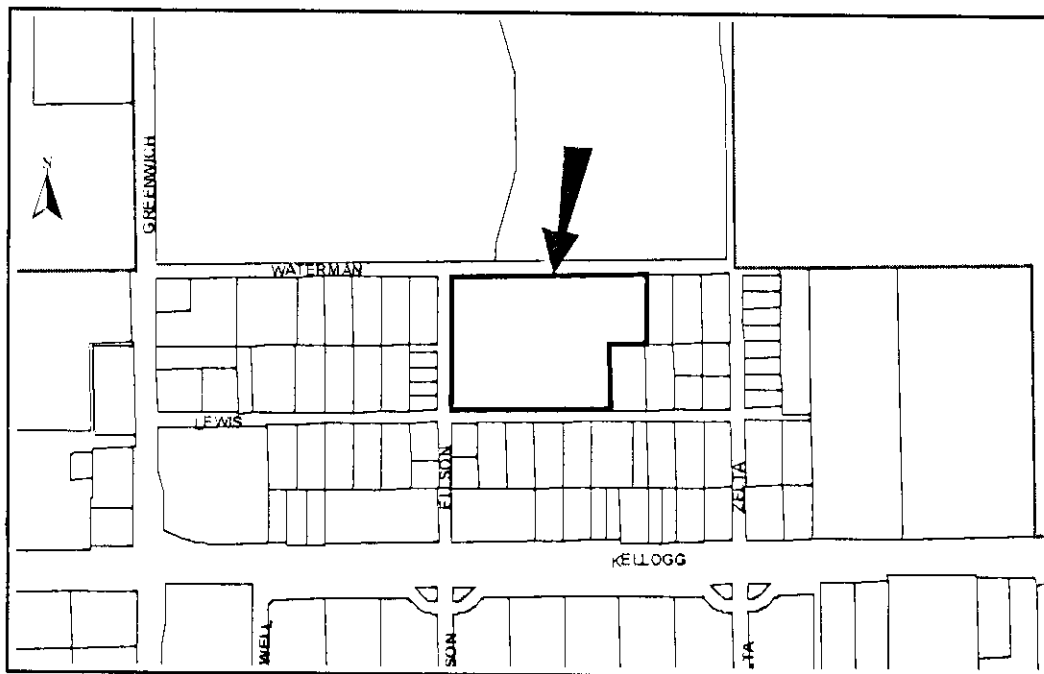
REQUEST: "MH" Manufactured Housing

CURRENT ZONING: "MF-29" Multi-family Residential

SITE SIZE: 11.13 acres

LOCATION: South of Waterman, east of Ellson

PROPOSED USE: Manufactured Home Park



BACKGROUND: The applicants are seeking "MH" Manufactured Housing zoning on a 11.13 acre site located south of Waterman and east of Ellson. The site is platted as the Baxter Place Addition and is currently zoned "MF-29" Multi-family Residential. Baxter Place Addition has platted 25 foot building setbacks established along Lewis, Ellson and Waterman. A 25-foot wide, east to west, utility easement exists midway through the addition.

The applicant's site plan shows a total of 49 pad sites (4.45 units per acre). Primary access is off Waterman with an emergency access on Ellson. Internal circulation is via a 25-foot wide private drive. The entire site is to be fenced or walled. A clubhouse / storm shelter with a pool is shown in the eastern half of the development. The clubhouse / pool area is approximately 10,000 square feet in size. Minimum recreation area required by the code is 8% of the site with a minimum of 10,000 square feet for any recreation area. The site needs a total of 38,785 square feet of recreation area. A sidewalk is shown running through the middle of the development. Each pad site has off-street parking spaces provided.

The Unified Zoning Code requires a minimum site size of 5 acres for "MH" zoning in the City of Wichita. The Code requires a minimum lot width of 200 feet for parks. Minimum setbacks are 20 feet from public street right-of-way, 10 feet from all lot lines and 5 feet from private roadways. A minimum separation of 10 feet shall also be maintained between all manufactured home units within the park. The maximum density of dwelling units permitted is 8 dwelling units per acre. Maximum height permitted is 35 feet. Compatibility setbacks of a minimum of 15 feet up to 25 feet are required along side and rear lot lines where adjacent to property zoned TF-3 or more restrictive (minimum of 15 feet plus 1 foot for each five feet of lot width over 50 feet up to a maximum of 25 feet). Dumpsters and refuse receptacles are to be located a minimum of 20 feet from property zoned "TF-3" or more restrictive. A landscape buffer is required consisting of either a screening wall or fence, a 15 foot wide strip with one shade tree or two ornamentals and 5 shrubs every 30 feet.

Further, Chapter 26.04 of the City Code requires the submission of a development plan for approval by the Director of Planning in order to obtain a manufactured home park license. When platting is required, the plan may be submitted at platting. When platting is not required, the plan may be submitted at any time. The plan is to show the relationship of the home spaces to roadways, parking, open space and other information affecting overall park environment. Key requirements include: all spaces are to have access from a park roadway (no space is to have direct access to a public street or highway; all roadways are to be paved; parking is to be provided per the zoning code; sidewalks are to be provided per the sidewalk ordinance; eight percent of lot's

gross area is to be set aside for recreation area, with a minimum size of 10,000 square feet; and all spaces are to be identified.

The applicant's site plan needs to be modified to reflect code requirements:

1. 25-foot building setbacks along the east property line.
2. Relocation of the accessory structures in the setback.
3. Submission of a landscape plan prior to occupancy.
4. A sidewalk that connects all the lots together and connects the lots with the storm shelter site and Waterman Street.
5. Minimum recreation space requirements. (Calculations to show that the present plan provides required minimums or revised plan to depict required minimums.) Better access needs to be provided to the reserve areas if they are to count as recreation space.
6. Commit to saving mature trees along street rights-of-way as identified on the submitted site plan.
7. Any gated access points shall set the gates back far enough to provide for off-street queuing.
8. Fencing should be "decorative" and should be set back from right-of-way lines along the streets at least 10 feet.

CASE HISTORY: Z-2625 granted (R-6)"MF-29" Multi-family Residential zoning in 1984. The Baxter Place Addition was recorded in 1985.

ADJACENT ZONING AND LAND USE:

NORTH: "MH" Manufacture Housing; manufactured housing park
SOUTH: "SF-6" Single-family Residential / "TF-3" Two-family Residential;
residential
EAST: "SF-6" Single-family Residential / "TF-3" Two-family Residential;
residential
WEST: "SF-6" Single-family Residential / "TF-3" Two-family Residential;
residential

PUBLIC SERVICES: Ellson and Lewis Streets are unpaved sand and gravel streets. Waterman is a paved roadway. If the site were to be developed at the maximum units per acre permitted under its current zoning, this site would generate 2,105 average trips per day. If developed at the maximum density permitted for a manufactured home park, the project could generate 422 average daily trips. Public water and sewer service is available.

CONFORMANCE TO PLANS/POLICIES: The Comprehensive Plan contains a Housing and Neighborhood objective of providing greater access to greater affordable owner and renter occupied housing opportunities. Manufactured

home parks should be located on larger tracts, buffered from single-family neighborhoods by physical barriers (e.g. freeways, drainage ways or railways). The Plan depicts this site as a "revitalization area" where market decline is evident, but development opportunities exist. The City also has policies supporting in-fill development on passed over parcels.

RECOMMENDATION: Planning staff generally discourages mobile home park developments because: 1) they are more susceptible to damage from high winds; 2) they are taxed as personal property that depreciates rather than as real estate; and 3) they compete against the large stock of existing housing in older neighborhoods where revitalization is desired. Planning staff also has a policy of not supporting new "MH" Manufactured Home zoning in areas where site built housing may still be suitable. This platted lot has remained vacant zoned for residential use for ten years without being developed. This tract is also adjacent to an existing manufactured home park, and is proposed for development at a relatively low density. Therefore, based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to: guarantees for proportional share of paving for Ellison and Lewis Streets, approval of an updated drainage plan, and approval of the site plan by the governing body.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood. All nearby property is zoned "SF-6" Single-family Residential, "TF-3" Two-family Residential or "MH" Manufactured Housing district. Surrounding uses are site built residential, manufactured housing park or vacant. There are retail and commercial uses fronting Kellogg within a block of this application. It has been quite some time since this area has seen new development.
2. The suitability of the subject property for the uses to which it has been restricted. The site has been zoned "MF-29" for 15 years and has not been developed to-date.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Code required buffers, landscaping, dwelling density and setback requirements should mitigate any detrimental impacts. The "MF-29" district permits up to 29 dwelling units per acre. Manufactured housing requirements restrict manufactured housing parks to a maximum of 8 units per acre. If the site were to be developed at the maximum units per acre permitted under its current zoning, this site would generate 2,105 average trips per day. If developed at the maximum density permitted for a manufactured home park, the project could generate 422

average daily trips

4. Conformance of the requested change to the adopted or recognized Comprehensive Plan: The Wichita Land Use Guide depicts this site as appropriate for low density residential uses (1-6 dwelling units per acre). The Plan also depicts this site as a “revitalization area” where market decline is evident, but development opportunities exist. The City also has policies supporting in-fill development on passed over parcels.
5. Impact of the proposed development on community facilities: None identified.