

Planning Agenda Item # \_\_\_\_\_

**City of Wichita  
City Council Meeting**

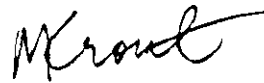
**May 17, 1994**

**Agenda Report # \_\_\_\_\_**

**TO:** Mayor and City Council Members

**SUBJECT:** Z-3127 - Zone change to "B" Multiple Family Dwelling District located on the south side of Merton between Seneca and Dodge. (District 4)

**INITIATED BY:** Metropolitan Area Planning Department



**AGENDA ACTION:** Planning

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**MAPC Recommendation:** Deny "B", Approve "R-6", subject to replatting within one year (11-0)

**Staff Recommendation:** Deny "B", Approve "R-6", subject to replatting within one year.

**CPO Recommendation:** Deny "B", Approve "R-6", subject to replatting within one year (7-0).

**Background:** The applicant requests a zone change from "RB" Four Family Dwelling District to "B" Multiple Family Dwelling District for 1.06 acres, generally located on the south side of Merton between Seneca and Dodge. The site currently consists of part of 8 platted lots in the Princess Addition. Two single family homes fronting on Merton occupy the north portion of the application area.

Under the existing "RB" zoning, a separate building lot is required for each 4-family structure. Technically, if lots in the "RB" District are platted properly, with access to dedicated streets, development can reach a density of 29 dwelling units per acre -- the same as in the "R-6" District. That would not be possible in this case.

In addition to the 2 existing single family residences currently on the site, the applicant proposes to construct 6 four-family structures on the site, for a total of 26 units, with 50 parking spaces to serve the units. A preliminary replat filed for this site consolidates the existing lots into one large lot, with access from Merton Avenue between the two existing homes. In order to develop the site as one lot with the density proposed (25 units/acre), either "R-6" General Residence District or "B" Multiple Family District is required. On this

site, "R-6" zoning would permit up to 30 units and a maximum building height of 35 feet, and "B" zoning would permit up to 74 units and a maximum building height of 55 feet.

The application area currently has a cedar fence around its perimeter. However screening and landscaping would not be required in this site under either "R-6" or "B" zoning, since all adjacent residential properties are zoned "RB" Four Family Dwelling District. A landscape buffer would only be required for the proposed development if adjacent residential properties were zoned "AA" One Family or "A" Two Family Dwelling Districts.

The application area has approximately 100 feet of frontage on Merton, a paved 2-lane residential street with 60 feet of right-of-way. A vacated alley to the south is included as part of the application area. The site is also bordered by unimproved alleys on the east and west. The west alley has 14 feet of existing right-of-way and the alley on the east has 17 feet of right-of-way where it borders the MAPCO Addition and 14 feet of right-of-way on the remaining portion of the alley extending south to Esthner Avenue. Since the standard right-of-way for alleys is 20 feet, additional right-of-way will be required at the time this site is replatted, or the applicants will need to vacate the alley with the consent of adjacent owners.

Because of the unimproved alleys bordering this site and the limited street frontage on Merton, drainage from this site is a concern. A preliminary plat for this site indicates that drainage from the site would be directed to the adjacent alleys. City Engineering indicates that if runoff is directed to the east or west, paved alleys would be required in order to handle runoff from this site. City Engineering also indicates that if drainage is directed north to Merton Avenue, the applicant would need to extend the stormsewer to accommodate the additional runoff from the proposed development.

**Recommendations/Actions:**

1. Concur with the findings of the MAPC and deny the application for "B" zoning and approve the zone change to "R-6" 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.
2. Return the item to MAPC for reconsideration stating reasons.

( ) Published in The Daily Reporter on 10-5-94  
ORDINANCE NO. 42-481

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-3127  
Zone change from the "RB" Four Family Dwelling District  
to the "R-6" General Residence District.

Lot 1, Merton Avenue-Crew Addition, Wichita, Sedgwick County, Kansas

Generally located west of Seneca and south of Merton.

**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:

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(SEAL) Pat Burnett, Deputy City Clerk

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Elma Broadfoot, Mayor

Approved as to form:

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Gary E. Rebenstorf, City Attorney