Agenda Item #_____

City of Wichita
City Council Meeting
**March 19, 2002**

Agenda Report #_____

**TO:** Mayor and City Council Members

**SUBJECT:** **ZON2002-00002 ZONE CHANGE FROM "SF-5" SINGLE-FAMILY RESIDENTIAL TO "MF-18" MULTI-FAMILY RESIDENTIAL. GENERALLY LOCATED ONE-QUARTER MILE NORTH OF 21ST STREET NORTH ON THE WEST SIDE OF 127TH STREET EAST.** (District #II)

**INITIATED BY:** Metropolitan Area Planning Department

**AGENDA ACTION:** Planning

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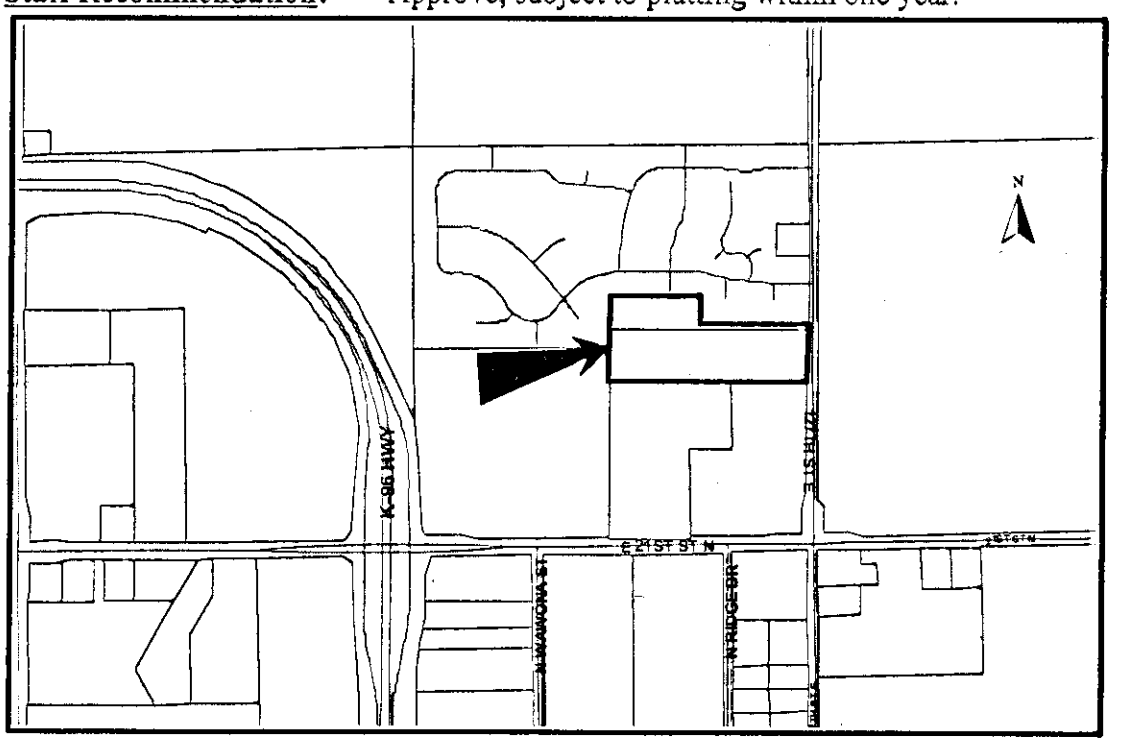
**MAPC Recommendation:** Approve, subject to the staff recommendation. (12-0)

**Staff Recommendation:** Approve, subject to platting within one year.



**BACKGROUND:** The applicant requests a zone change from "SF-5" Single-Family Residential to "MF-18" Multi-Family Residential on a 14.23 acre unplatted tract located one-quarter mile north of 21st Street North on the west side of 127th Street East. The applicant proposes to develop the property with an unspecified multi-family use.

The surrounding area is on the fringe of the developing urban area for Wichita, with much of the land in the area still used for agriculture. The properties to the south and west are developing with institutional uses on properties zoned "SF-5" Single-Family Residential. The property to the north is zoned "SF-5" Single Family Residential and is used for agriculture; however, the property to the north is platted for single-family development. The property to the east is zoned "SF-20" Single-Family Residential and is used for agriculture; however, the property to the east has been approved for "MF-18" Multi-Family and "LC" Limited Commercial zoning pending platting.

At the February 21, 2002, MAPC hearing, there were no speakers, other than the applicant's agent, either for or against the request. The MAPC voted, 12-0, to approve the request subject to platting within one year.

**Recommended Action:**

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

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.)

First Read 6-17-03

(150004) Published in The Derby Reporter 7-23-03

ORDINANCE NO. 45-750

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. ZON 2002-02

Request for zone change from "SF-5" Single-Family Residential District to "MF-18" Multi-Family Residential District, described as

Lot 1, Block A, The Fairmont Second Addition, Wichita, Sedgwick County, Kansas.

Generally located on the west side of 127th Street East, north of 21st Street North.

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 this 1st day of July, 2003.

ATTEST:

Pat Graves

Pat ~~Burnett~~, City Clerk

(SEAL)

Carlos Mayans, Mayor

Approved as to form:

Gary E. Rebenstorf, City Attorney

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METROPOLITAN PLANNING
ROUTE

WICHITA – SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 8

# STAFF REPORT

MAPC February 21, 2002

CASE NUMBER: ZON2002-00002

APPLICANT/AGENT: Jack Ritchie, Kevin M. Mullen, George E. Laham, II, & Ritchie Development Corporation c/o Rob Ramseyer (Owners/Applicants); Baughman Company, PA c/o Phil Meyer (Agent)

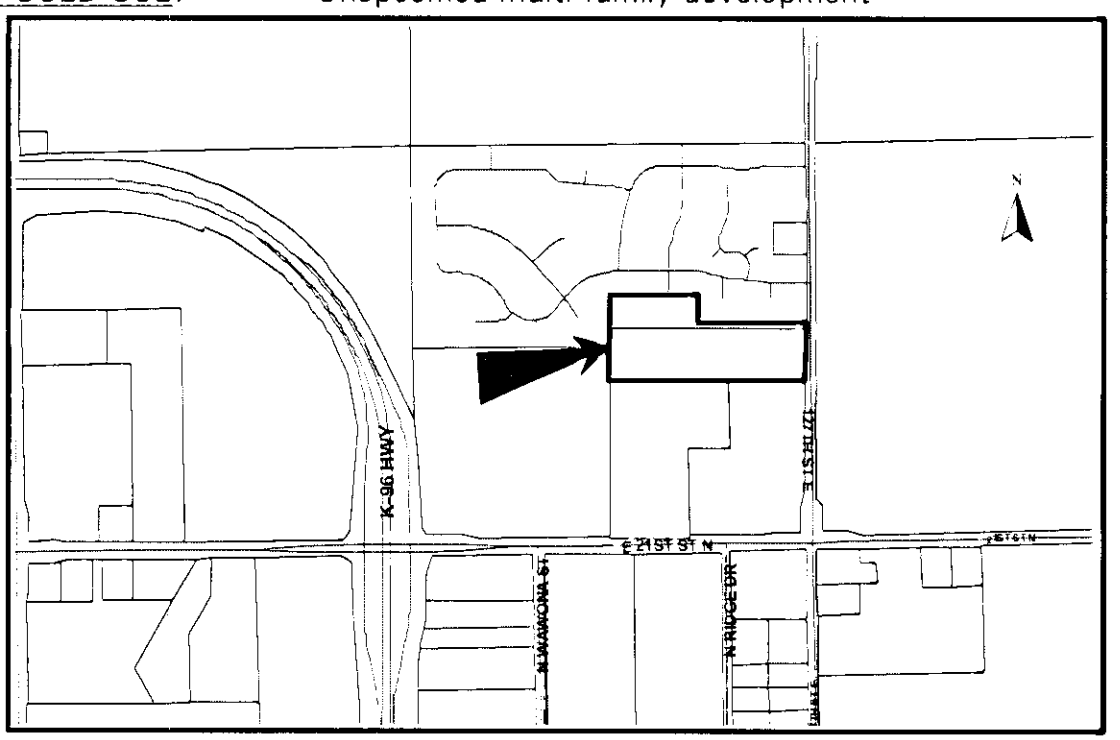
REQUEST: "MF-18" Multi-Family Residential

CURRENT ZONING: "SF-5" Single-Family Residential

SITE SIZE: 14.23 acres

LOCATION: One-quarter mile north of 21st Street North on the west side of 127th Street East

PROPOSED USE: Unspecified multi-family development



**BACKGROUND**: The applicant requests a zone change from "SF-5" Single-Family Residential to "MF-18" Multi-Family Residential on a 14.23 acre unplatted tract located one-quarter mile north of 21st Street North on the west side of 127th Street East. The applicant proposes to develop the property with an unspecified multi-family use.

The surrounding area is on the fringe of the developing urban area for Wichita, with much of the land in the area still used for agriculture. The properties to the south and west are developing with institutional uses on properties zoned "SF-5" Single-Family Residential. The property to the north is zoned "SF-5" Single Family Residential and is used for agriculture; however, the property to the north is platted for single-family development. The property to the east is zoned "SF-20" Single-Family Residential and is used for agriculture; however, the property to the east has been approved for "MF-18" Multi-Family and "LC" Limited Commercial zoning pending platting.

**CASE HISTORY**: The site is unplatted. A portion of the subject property was approved (SCZ-0776) for "MF-18" Multi-Family zoning on December 30, 1998; however, the applicant elected not to complete the rezoning at that time since a portion of the property was sold for the relocation of the Magdalen church and school.

**ADJACENT ZONING AND LAND USE**:

| | | |
|---|---|---|
| NORTH: | "SF-5" | Agriculture |
| SOUTH: | "SF-5" | Church, school |
| EAST: | "SF-20" | Agriculture |
| WEST: | "SF-5" | Church |

**PUBLIC SERVICES**: The site has access to 127th Street East, an unimproved section line road. Traffic volumes for 127th Street East are not available. The site is not currently served with public water or sewer. Prior to development of the site with multi-family uses, 127th Street East will need to be paved and public water and sewer service will need to be extended to the site. The necessary public improvements can be addressed as part of the platting process. Additionally, access and traffic issues on 127th Street East will need to be addressed at platting, including aligning access with the property across the street and determining the need for any additional turn lanes.

**CONFORMANCE TO PLANS/POLICIES**: The Land Use Guide of the Comprehensive Plan identifies this area as appropriate for "Medium Density Residential" development. The Medium Density Residential category includes semi-detached dwelling units such as duplexes and townhomes at a density of up to 6 to 10 units per acre. The Locational Guidelines indicate that medium-density residential uses should be located within walking distance of commercial centers, parks, schools, and public transportation routes and in close proximity to concentrations of employment, major thoroughfares, and utility trunk lines. The Locational Guidelines also indicate that

medium-density residential uses should be located where they will not overload or create congestion in existing and planned community facilities and utilities.

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

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The surrounding area is on the fringe of the developing urban area for Wichita, with much of the land in the area still used for agriculture. Properties to the south and west are currently developed with large institutional uses: churches and schools. Other properties in the area have been approved for more intensive development, including approval for single-family uses to the north and multi-family and residential uses to the east. The proposed "MF-18" Multi-Family zoning is consistent with the planned zoning, uses, and character of the neighborhood.

2. The suitability of the subject property for the uses to which it has been restricted: The site is zoned "SF-5" 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 large institutional uses to the south and west and the planned development of multi-family and commercial uses to the east indicate that the site is suitable for higher intensity residential uses.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Detrimental affects should be minimized by the screening, lighting, and compatibility standards of the Unified Zoning Code and the landscaped street yard, parking lot screening, and buffer requirements of the Landscape Ordinance, which should limit noise, lighting, and other activity from adversely impacting the lower intensity residential area to the north.

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 "Medium Density Residential" development. Although the proposed "MF-18" Multi-Family zoning permits residential densities greater than the 6-10 units per acre identified with medium density residential uses, the site meets many of the Locational Guidelines for medium density residential uses, such as being within walking distance of schools and commercial centers and being within close proximity to centers of employment and a major thoroughfare.

5. Impact of the proposed development on community facilities: The necessary public improvements to address community facility needs will be addressed as part of the platting process.