

ORDINANCE NO. 50-431

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. ZON2016-00063

City zone change from SF-5 Single-Family Residential District to TF-3 Two-Family Residential District; described as:

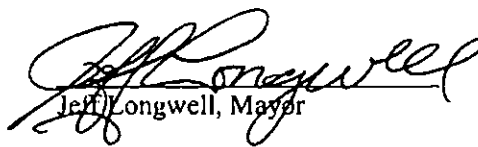
Lots 26 and 28, Gilder's Addition, Wichita, Sedgwick County, Kansas

SECTION 2. That the rezoning is subject to the following conditions:

- a. The development plan for Garnett Meadows shall be in substantial compliance with the site plan submitted for ZON2016-63 and CON2016-00060.
- b. The landscape plan shall meet the requirements of Wichita Landscape Ordinance, 28.06, and the screening requirements of the Unified Zoning Code and landscaping shall be designed at an increased rate of one and one-quarter of the Landscape Ordinance.
- c. There shall be three different elevations for the one story duplex buildings and three different elevations for the one-and-one half story duplex buildings. No two building elevations shall be constructed side-by-side. All the duplex buildings shall be constructed be in substantial compliance with the attached colored elevations.

SECTION 3. 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 4. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.


Jeff Longwell, Mayor

ATTEST:


Karen Sublett, City Clerk





STAFF REPORT
MAPC February 23, 2017
DAB II February 13, 2017

CASE NUMBER: ZON2016-00063 and CON2016-00060

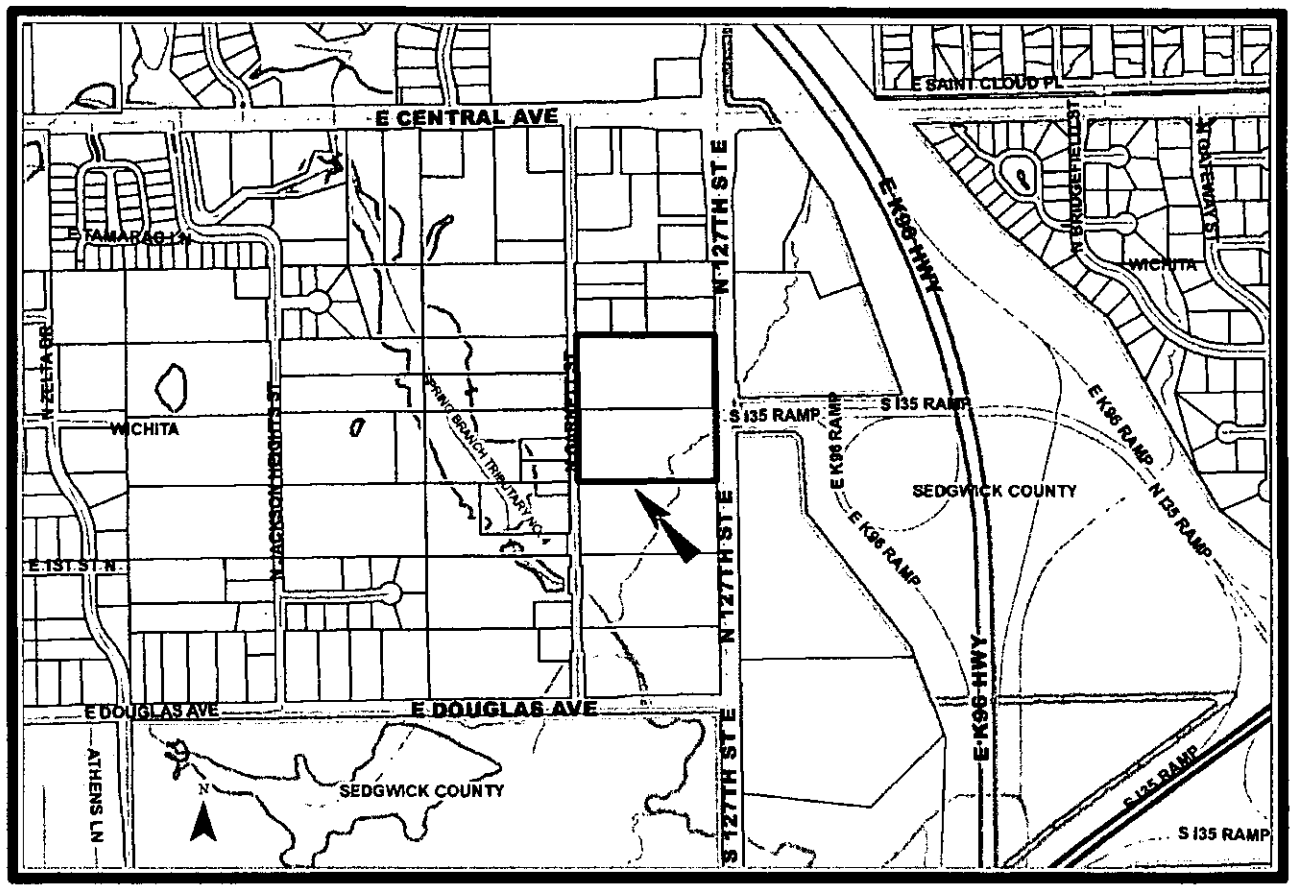
APPLICANT/AGENT: Wadley Construction, Duane Wadley

REQUEST: Rezone to TF-3 Two-Family Residential District and Conditional Use for Multi-Family

CURRENT ZONING: SF-5 Single Family Residential District

SITE SIZE: Approximately 9.24 acres

LOCATION: Generally located on the west side of North 127th Street East, approximately 1,000 feet south of East Central Avenue



BACKGROUND: The applicant is requesting a change in zoning from SF-5 Single-Family Residential District (SF-5) to TF-3 Two-Family Residential District (TF-3), and a Conditional Use for multi-family for a 9.24-acre site on the west side of North 127th Street East, and approximately 1,000 feet south of East Central Avenue. The purpose of the rezoning is to allow the development of *Garnett Meadows*, a duplex community consisting of 84 units in 42 duplex buildings. Please see the attached narrative from the applicant with additional details about the proposed development.

The proposed TF-3 district has the following requirements:

- a. Minimum Lot Area-A minimum of 3,000 square feet per dwelling unit is required for duplex buildings. The 9.24-acre site would allow a maximum of 134 dwelling units in 67 buildings. The proposed 84 duplex units provide 4,791 square feet per dwelling unit, exceeding the ordinance minimum.
- b. Minimum Lot Width-The minimum lot width is 35 feet. *Garnett Meadows* is on two existing platted lots with a width of 660 feet.
- c. Minimum Front Setback-The TF-3 district requires a 25-foot minimum front setback. The proposed plan provides a 25-foot front setback on North 127th Street East.
- d. Minimum Rear Setback-The TF-3 district requires a 20-foot rear setback. The proposed plan provides a 25-foot rear setback on North Garnett Street.
- e. Minimum Interior Setback-A six-foot interior setback is required. The plan provides a 20-foot interior setbacks along the north and south property lines.
- f. Maximum building height-The TF-3 district provides a 35-foot maximum building height. The proposed duplex units are 30 feet in height.

The Conditional Use application was filed in order to allow more than one duplex unit per lot, and to allow a site plan review of the proposed multi-family plan:

- a. Building design/materials-The applicant proposes a one story duplex building and a one-and one half story building. All the units will have two or three bedrooms and two car garages. The buildings will have a mix of materials and a partial brick or stone front façade.
- b. Landscaping/buffers-The site plan indicates the planting of shade trees along North 127th Street East and North Garnett Street, and along the north and south interior sideyards. A 10-foot landscape buffer is proposed along the north line, a 5-foot landscape buffer is proposed along the south line. There are 8-foot landscape buffers along North 127th Street East and North Garnett Street. The landscape plan will need to be revised to meet the requirements of Wichita Landscape Ordinance and the screening requirements of the Unified Zoning Code.
- c. Amenities-A pool and clubhouse are shown on the west side of the site plan. There is an east/west trail through the site providing pedestrian access to the pool and clubhouse.
- d. Stormwater management-a detention basin is located at the southeast corner of the site for stormwater control. The location and capacity of the pond have been conceptually reviewed and approved by the Public Works Department.
- e. Traffic-Vehicle traffic from *Garnett Meadows* will be restricted to one access point on North 127th Street East. No traffic will be allowed access to North Garnett Street, due to the existing narrow pavement width of North Garnett Street. However, a gated emergency vehicle access point is located at the southwest corner of the site, off of North Garnett Street. Interior circulation roads will be private streets built to city standards.
- f. Street dedications-The site plan includes a 10-foot dedication of right-of-way on the east side of North Garnett Street, and a 30-foot dedication of right-of-way along North 127th Street East.

SURROUNDING DEVELOPMENT: North of the subject property are single-family homes fronting on North 127th Street East and North Garnett Avenue. South of the site is a large lot single-family home. East of the property is a church and a controlled access point for Kansas Highway 96 and the Kansas Tollway. West of the subject site are single-family homes on the west side of North Garnett Street,

CASE HISTORY: The property is platted as Lots 26 and 28 in Glider's Gardens Addition, 1923.

ADJACENT ZONING AND LAND USE:

NORTH: SF-5 Single-Family	Single Family residential
SOUTH: SF-5 Single Family	Single-family residential
WEST: SF-5 Single-Family	Single-family residential
EAST: LC-Limited Commercial	vacant
SF-5 Single-Family	church

PUBLIC SERVICES: North 127th Street East is a fully improved arterial street. North Garnett Street is a local residential street that is presently unimproved. Only emergency vehicle access is allowed to access North Garnett Street with the proposed plan. The subject property has all municipal utilities available to the site.

CONFORMANCE TO PLANS/POLICIES: The Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as being suitable for development with new residential. This designation on the future growth map includes the full diversity of residential development densities and types including *duplexes*.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be **APPROVED**, subject to the following conditions:

- a. The development plan for *Garnett Meadows* shall be in substantial compliance with the site plan submitted for ZON2016-63 and CON2016-00060.
- b. The landscape plan shall meet the requirements of Wichita Landscape Ordinance, 28.06, and the screening requirements of the Unified Zoning Code. The landscape plan shall include a screening and design along the interior lot lines that minimizes impact on the adjoining single family home.
- c. There shall be three different elevations for the one story duplex buildings and three different elevations for the one-and-one half story duplex buildings. No two building elevations shall be constructed side-by-side. All the duplex buildings shall be constructed be in substantial compliance with the attached colored elevations.

This recommendation is based on the following findings:

- (1) **The zoning, uses and character of the neighborhood:** North of the subject property are single-family homes fronting on North 127th Street East and North Garnett Avenue. South of the site is a large lot single-family home. East of the property is a church and a controlled access point for Kansas Highway 96 and the Kansas Tollway. West of the subject site are single-family homes on the west side of North Garnett Street.
- (2) **The suitability of the subject property for the uses to which it has been restricted:** The existing zoning on the subject property is SF-5 Single Family. The property could be reasonably developed with single-family homes. While the property is suited for single-family development, duplex construction is considered appropriate for the property with the *Community Investments Plan*, and there has been duplex construction in the general vicinity of this site.
- (3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** The proposed TF-3 zoning district is not considered to have a detrimental effect on nearby property. This area of the city has experienced duplex construction in locations similar to the subject property, and

this duplex development has not negatively impacted these areas. With proper screening and landscaping, *Garnett Meadows* can be designed and built in a manner that will not impact adjoining properties.

- (4) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as being suitable for development with new residential. This designation on the future growth map includes the full diversity of residential development densities and types including duplexes.
- (5) **Impact of the proposed development on community facilities:** All public improvements and infrastructure are available and the proposed rezoning and plan have been reviewed and found that there will be no negative impact on existing community facilities.

Preliminary Site Plan
 Lots 26 & 28, Gilder's Gardens Addition

LEGEND

Total Acres = 9.24 Acres
 Total Units = 20-1 Story
 = 22-1 1/2 Story
 Bldg/Acres = 4.2 Bldgs/Per Acre
 Landscape Area = 15,743 sq. ft.
 Existing Zoning = Single Family (SF-5)
 Proposed Zoning = Two Family (TF-3)
 w/Conditional Use

