

OCA 150004

PUBLISHED IN THE WICHITA EAGLE ON

Nov. 16, 2018

ORDINANCE NO. 50-883

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. ZON2018-00038**

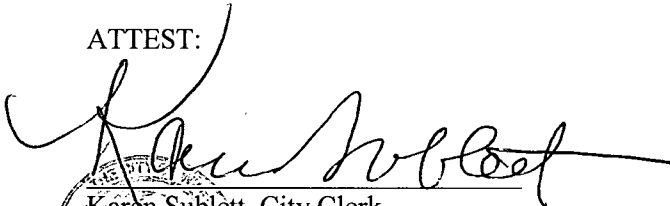
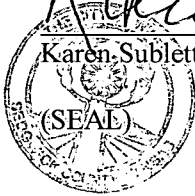
City zone change from TF-3 Two-Family Residential to MF-29 Multi-Family zoning described as:

Lots 48, 50, 52, 54, 56, 58, 60, 62 and 64, on Fairmount, and the West half of Lots 47, 49, 51, 53 and 55, on Vassar, Fairmount Addition to Wichita, Sedgwick County, Kansas

**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.

ATTEST:

  
\_\_\_\_\_  
Karen Sublett, City Clerk  


  
\_\_\_\_\_  
Jeff Longwell, Mayor

Approved as to form:

  
\_\_\_\_\_  
Jennifer Magaña, City Attorney and Director of Law



### STAFF REPORT

MAPC September 20, 2018  
DAB I October 1, 2018

**CASE NUMBER:** ZON2018-00038

**APPLICANT/AGENT:** Premier Holdings LLC/Rick Hoffman (owner)/ Kirk Miller (agent)

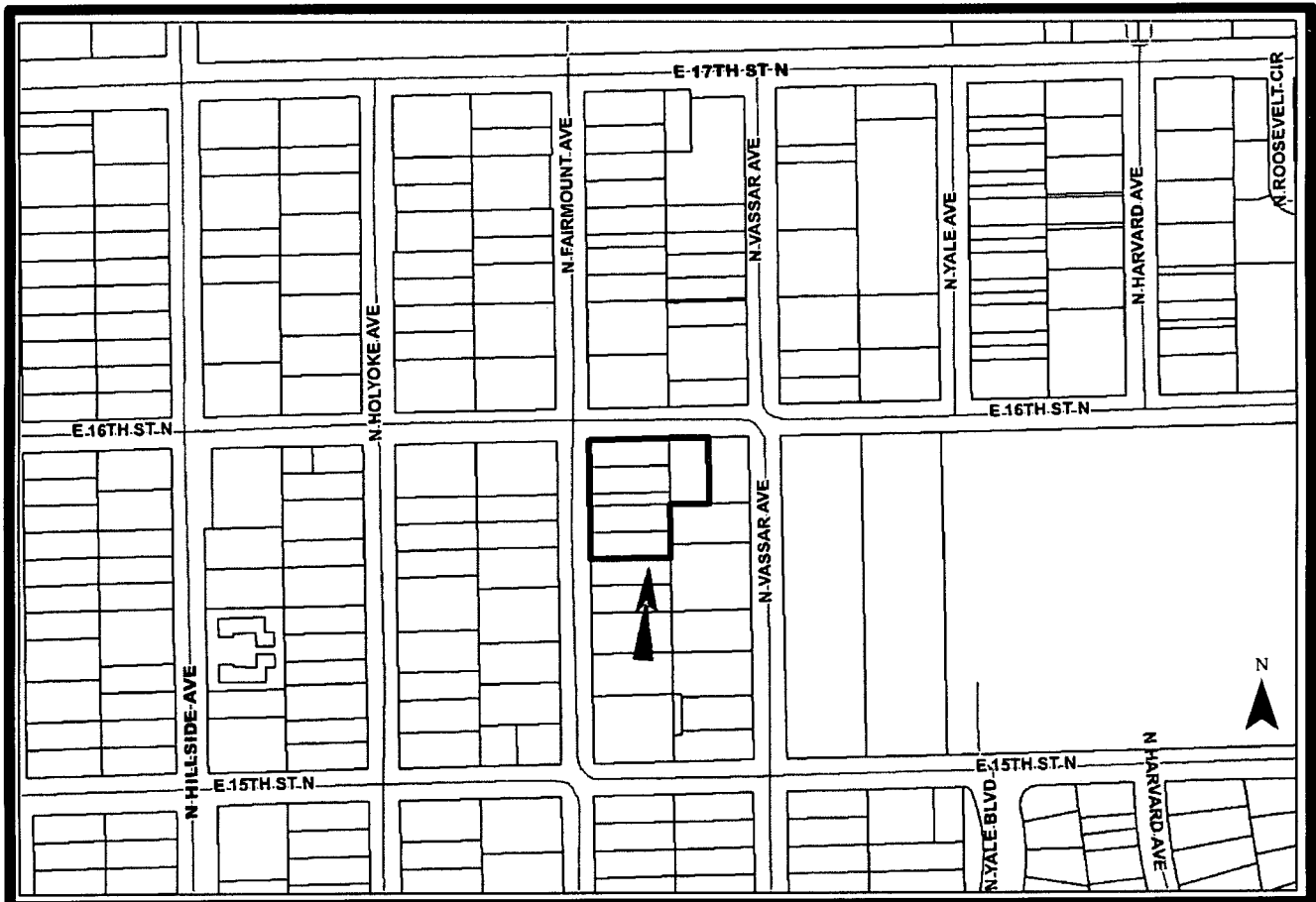
**REQUEST:** MF-29 Multi-Family Residential

**CURRENT ZONING:** TF-3 Two-Family Residential

**SITE SIZE:** 0.9 acre

**LOCATION:** Located southeast of East 17<sup>th</sup> Street North and North Hillside Avenue at 16<sup>th</sup> and Fairmount

**PROPOSED USE:** Apartments



**BACKGROUND:** The applicant/owner is requesting a zone change from TF-3 Two-Family Residential to MF-29 Multi-Family Residential for the property at the southeast corner of E. 16<sup>th</sup> Street and North Fairmount in order to redevelop the existing, vacant church educational building and construct two new two-story apartment buildings. The two new buildings are proposed to eight units and the existing building is proposed to have 6 units for a total of 22 units. Per the attached site plan, the proposed development includes 33 on-site parking spaces of which 3 are handicap accessible. Cars will enter the parking area from E. 16<sup>th</sup> Street and exit onto N. Fairmount.

The property is currently developed with a brick structure that served as an educational building and church offices for Fairmount Congregational Church. There are four local, state and national register listed properties within 250 feet of the subject property.

The surrounding neighborhood is a mix of multi-family and two-family zoning developed with apartments, duplexes and single-family dwellings. The property north of the subject site is zoned B-Multi-Family, developed with single-family detached houses and purpose-built apartment buildings. TF-3 zoning is east, west and south of the subject property and is developed with duplexes and single-family detached houses.

**CASE HISTORY:** The Fairmount Addition was platted in 1887. BZA24-76 was approved in May 1976 for the operation of a day care center by Fairmount Congregational Church on the subject property. No other zoning actions have been filed for the subject site.

**ADJACENT ZONING AND LAND USE:**

NORTH:	B	apartments and single-family residential
SOUTH:	TF-3	residential
EAST:	TF-3	residential
WEST:	TF-3	residential

**PUBLIC SERVICES:** East 16<sup>th</sup> Street is a two-lane local street (60-foot right-of-way) with parking on both sides of the street at this location. North Fairmount Avenue is a two-lane local street (60-foot right-of-way) with parking on both sides of the street at this location. All municipal services are provided to the site.

**CONFORMANCE TO PLANS/POLICIES:** The Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the area in which the site is located as appropriate for Residential uses. The site is a part of the Established Central Area (ECA), where infill development and higher density is encouraged. The uses envisioned for redevelopment in this area include multi-family units.

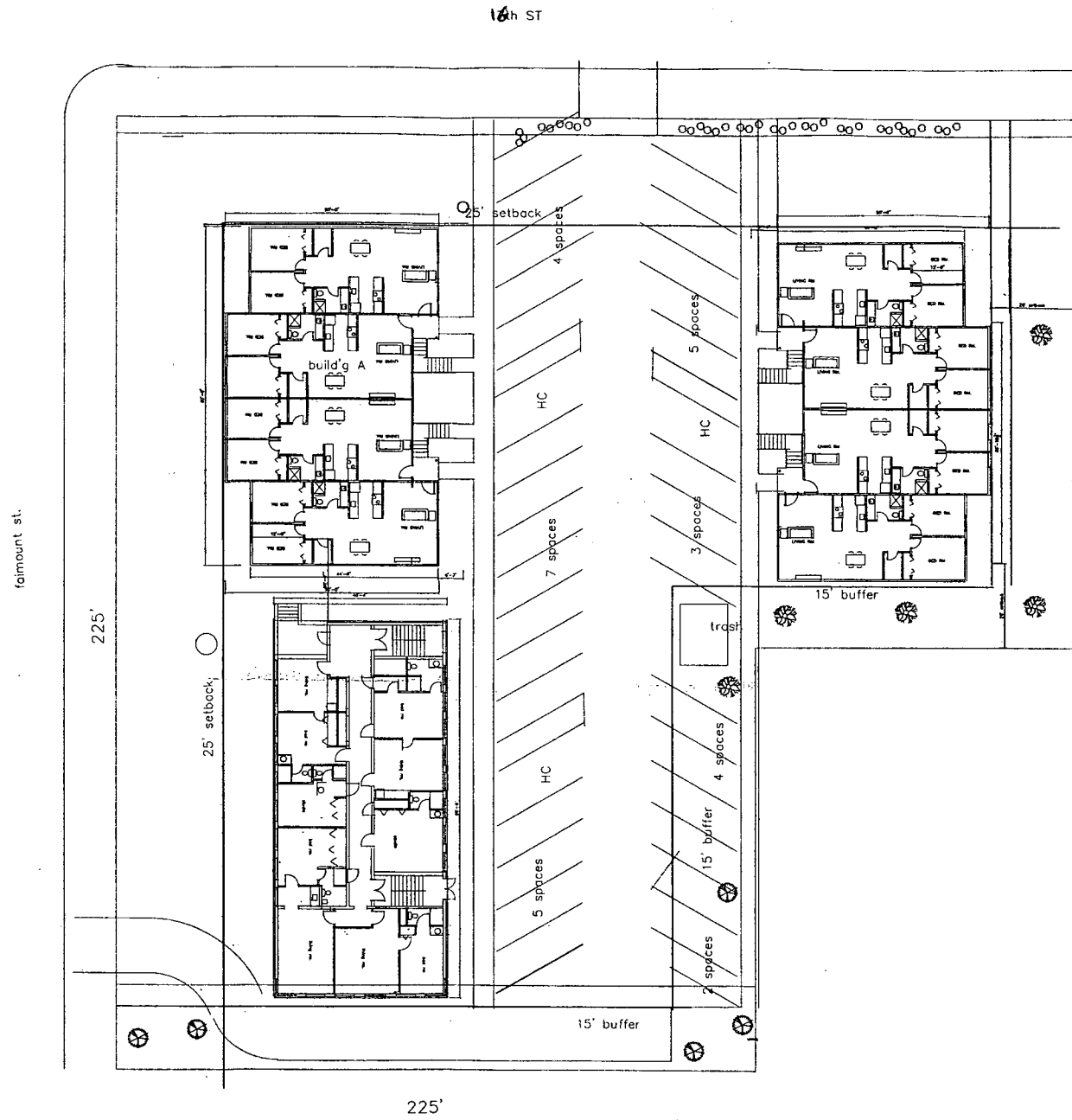
**RECOMMENDATION:** Based upon the information available at the time the staff report was completed, staff recommends APPROVAL of the request, as submitted. This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The surrounding neighborhood is predominantly residential uses. The neighborhood also provides housing options for WSU students in addition to the owner occupied dwelling units. There are already purpose-built apartments within the neighborhood, so the construction of another apartment building would not be out of character for the neighborhood.
2. The suitability of the subject property for the uses to which it has been restricted: The property is presently zoned TF-3 Two-Family Residential, and the property could be developed with duplexes.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The proposed MF-29 zoning, which allows up to 29 units per acre. The subject property is immediately across the street from B Multi-Family zoning which allows up to 75 units per acre.
4. Length of time the property has been used as currently zoned: The education building was constructed in 1952 and was occupied by the Fairmount Congregational Church until recently.

5. 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 area in which the site is located as appropriate for Residential uses. The site is a part of the Established Central Area (ECA), where infill development and higher density is encouraged. The uses envisioned for redevelopment in this area include multi-family units.
  
6. Impact of the proposed development on community facilities: Development of the property would not have any impact on community facilities or resources. All public improvements are available to serve the property.

Attachment: Proposed site plan

Building A	-----	7,040 sf
Building B	-----	7,040 sf
Building C	-----	7,120 sf
Allowable area:		
Building A	Type 5 B--R2 occupancy 7,000 sf	
	Separation increase	
	194 = 70% -25= 56%	3,920 sf
	238	10,920 sf
	Two story increase	21,840 sf
Building B	Type 5 B--R2 occupancy 7,000 sf	
	Separation increase	
	119 = 50% -25= 25%	1,750 sf
	238	8,750 sf
	Two story increase	17,500 sf
Building C	Type 2 B--R2 occupancy 16,000 sf	
	Separation increase	
	179 = 69% -25= 44%	3,080 sf
	258	10,080 sf
	Two story increase	20,160 sf
Percent of allowable area:		
Building A	6,636 = .30	21,840
Building B	6,636 = .38	17,500
Building C	6,530 = .32	20,160
total	1.0	



fairmount st.

*B2A 24-16*

Bldg. A	8 2 bed rm.
Bldg. B	8 2 bed rm.
Exist'g. bldg. 6	2 bed rm
total	22 units

PARKING  
STANDARD SPACES 30  
HANDICAP 3  
AREA OF SITE 43,125 SF  
~~1100~~ = 21.5--22 UNITS PERMITTED

SANDY ROBERTS ARCHITECT, REPRODUCTION WITHOUT WRITTEN APPROVAL IS PROHIBITED. CONTRACTOR SHALL VERIFY ALL DIMENSIONS PRIOR TO START OF WORK. ANY DISCREPANCIES SHALL BE REPORTED TO THE ARCHITECT FOR CORRECTION.

**SANDY ROBERTS ARCHITECT**  
1950 S. WEB RD. #111  
WICHITA, KS, 67207  
- M 204 0482  
sanjanr@cox.net

DATE: 6/30/18

REVISED:

SHEET  
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OF

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