

PUBLISHED IN THE WICHITA EAGLE ON 6/21/19

ORDINANCE NO. 51-057

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. ZON2019-00012

City zone change from SF-5 Single-Family Residential to B Multiple-Family Residential and described as follows:

Lots 16, 17, 18, 19, and 20, Block A, and Lots 1, 2, and 19, Block D, University Park 2nd Addition to Wichita, Kansas, Sedgwick County, Kansas. (Generally located on the South side of East 17th Street North and either side of North Bluff Avenue).

and pursuant to Section VI-C(7) of the Unified Zoning Code, the parking requirements shall be adjusted to require only 76 percent of the parking needed based on the size of the project actually built.

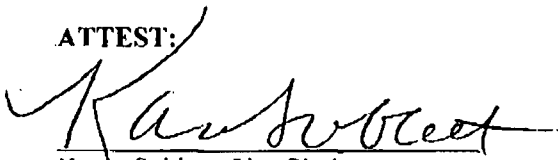
SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

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

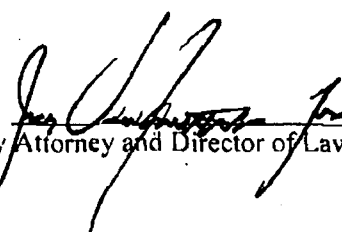
ADOPTED this 18 day of June, 2018.


Jeff Longwell, Mayor

ATTEST:


Karen Sublett, City Clerk



Approved as to form: 
Jennifer Magaña, City Attorney and Director of Law



AGENDA ITEM NO. _____

STAFF REPORT

MAPC May 9, 2019

DAB I May 6, 2019

CASE NUMBER:

ZON2019-00012

APPLICANT/AGENT:

Linear Properties, LLC – Andrew Nolan (Owner)/Brian Lindebak – MKEC Engineering, Inc. (Agent)

REQUEST:

B Multiple-Family Residential

CURRENT ZONING:

SF-5 Single-Family Residential

SITE SIZE:

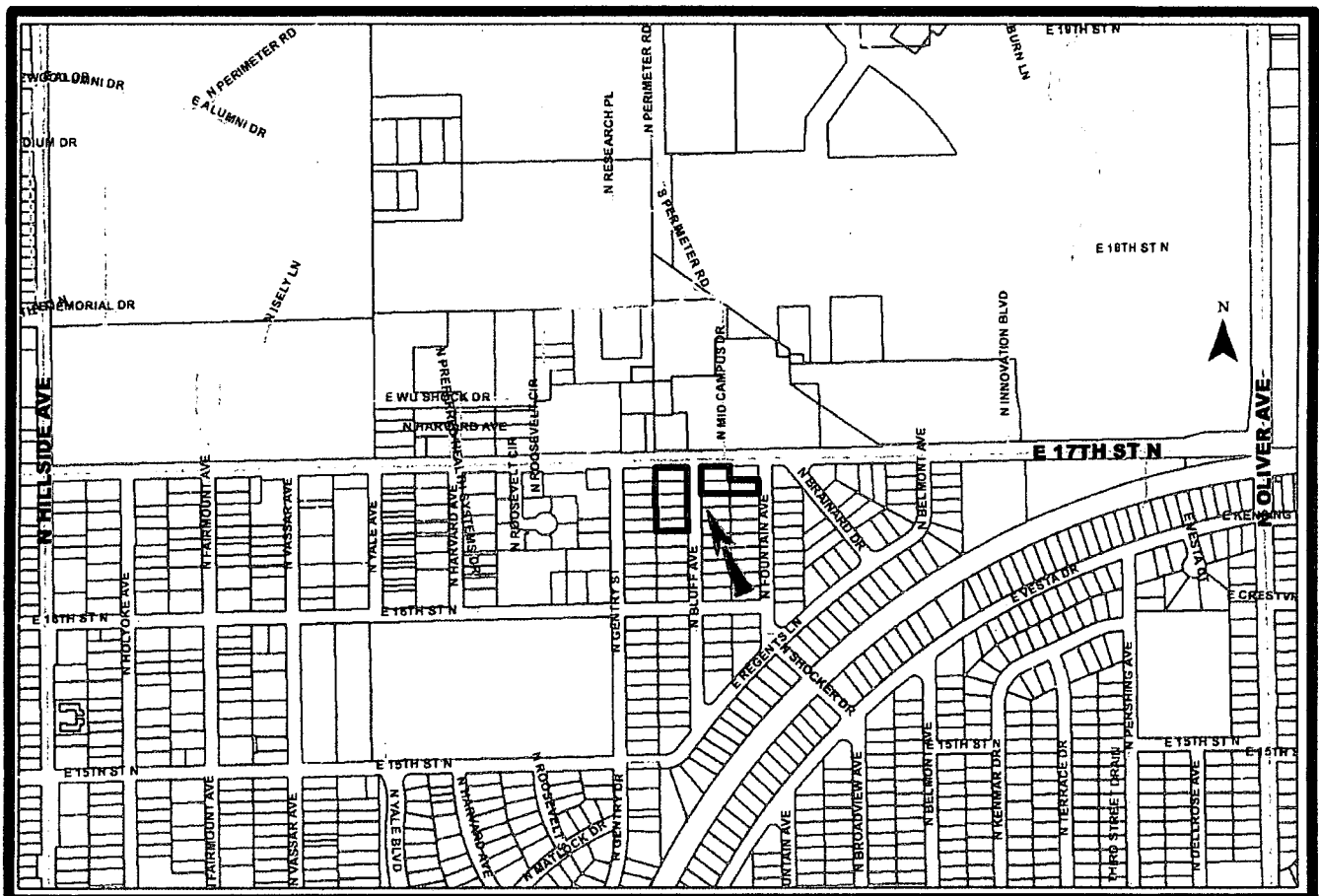
1.4 acres

LOCATION:

Located on the south side of East 17th Street North on either side of Bluff Avenue, approximately halfway between Hillside Avenue and Oliver Avenue

PROPOSED USE:

Allow multiple-family residential development



BACKGROUND: The application concerns the request of the owner to rezone the subject property from SF-5 Single-Family Residential (SF-5) to B Multiple-Family Residential (B) to allow the redevelopment of the property for multiple-family residential use. The subject property is immediately south of the campus of Wichita State University. It has historically been older single-family homes that have been used as rentals supporting students for many years. The homes on the subject property have been either razed or are being prepared to be removed to allow the redevelopment as proposed.

The applicant has provided a preliminary site plan and concept of the type of multiple-family housing proposed for this location. Additionally, there is information indicating the required off-street parking is not fully being met on the existing properties; however, the developers are seeking to obtain adjacent property that can be used to provide additional parking once the acquisition has been completed. There apparently is some issues that need to be resolved on the title before that can be completed. As a result, this rezoning request includes an adjustment of parking standards, which can be done with the rezoning action.

The original plat creating the subject property was the plat of the University Park 2nd Addition to the City of Wichita, Kansas, recorded with the Register of Deed's on September 14th of 1948. It should be noted the plat established a platted building setback of 30 feet along Bluff Avenue and Gentry Street. These will need to either be vacated or the property may need to be replatted to obtain building permits in conformance with the proposed site plan.

The surrounding neighborhood is a mixture of uses, dominated by Wichita State University to the north. That land is zoned B Multiple-Family and is occupied by many buildings supporting the University, as well as parking lots. The property to the west is zoned both LC Limited Commercial (LC) and B Multiple-Family Residential and is presently occupied with a multiple-family residential development. The land to the east and south is zoned SF-5 Single-Family Residential and is single-family residences.

CASE HISTORY: As previously noted, the property was included in the plat of University Park 2nd Addition to the City of Wichita, which was recorded on September 14, 1948. The subject property has been zoned SF-5 Single-Family Residential for many years. No other zoning actions are shown as occurring on the property.

ADJACENT ZONING AND LAND USE:

NORTH:	TF-3	multiple family residential
SOUTH:	TF-3	multiple family residential and medical office
EAST:	TF-3	multiple family residential
WEST:	LC	single family residential

PUBLIC SERVICES: 17th Street is a fully developed collector street that accommodates the traffic demands associated with activity at Wichita State University. It is a four-lane street in this location. Both Bluff Avenue and Gentry Street are paved, residential streets with curb and gutters. All other public utilities are available to the subject property.

CONFORMANCE TO PLANS/POLICIES: The 2035 Wichita Future Growth Concept map (MAPC approval November 19, 2015) indicates the site is appropriate for "residential employment mix," and is located within both the Established Central area and Central Northeast Area Plan Update. The residential/employment mix encompasses areas of land that will likely be developed or redeveloped by 2035 with uses predominately of a mixed nature.

The *Community Investments Plan* discusses **Location Guidelines** in section 3 of the Future Land Use Policies. In the subsection titled **Development Pattern**, guideline 1.a. states "development should occur where necessary supporting infrastructure and services exist or are planned for extension concurrently with development. Guideline 3.c. states "small, neighborhood-serving retail and offices uses and high-density residential uses not located at arterial intersections should be limited to the intersection of an arterial and a collector street. Guideline 3.e. states

ZON2018-00049

“new development areas be separated from existing developed areas by major barriers (such as: highways, railroads, waterways, and airports) or by significant open space or undeveloped areas should be discouraged unless the scale of the development is sufficient to support the cost of extending infrastructure and services in a manner that supports additional development on surrounding sites.”

The site is located within the Established Central Area of the Community Investments Plan. The Wichita Urban Infill Strategy is focused on the Established Central Area – comprised of the downtown core and the mature neighborhoods surrounding it in a roughly three mile radius. Increased levels of infill redevelopment throughout the Established Central Area is a major policy goal of the Community Investments Plan. One of the strategies to promote infill redevelopment is to permit infill projects.

The overall spirit and intent of this rezoning appears to be in conformance with the above stated policies and guidelines of the adopted Plans for the City of Wichita.

RECOMMENDATION: Based upon the information available at the time the staff report was completed, staff recommends **approval** of the request to rezone the property from SF-5 Single-Family Residential to B Multiple-Family Residential, along with the approval of the adjustment of the parking requirements to meet the submitted number of off-street parking spaces.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The surrounding neighborhood is a mixture of uses, dominated by Wichita State University to the north. That land is zoned B Multiple-Family and is occupied by many buildings supporting the University, as well as parking lots. The property to the west is zoned both LC Limited Commercial (LC) and B Multiple-Family Residential and is presently occupied with a multiple-family residential development. The land to the east and south is zoned SF-5 Single-Family Residential and is single-family residences.
2. The suitability of the subject property for the uses to which it has been restricted: The subject property has been mostly cleared of older single-family homes. The structures that remain are scheduled for demolition soon. Given its location, the market would not support redevelopment of single-family homes.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The proposed B Multiple-Family Residential will be consistent with the development and redevelopment activity happening in the immediate area and should have no detrimental affect on nearby properties. The standards applicable within the Unified Zoning Code will provide acceptable mitigation as needed.
4. Length of time the property has been vacant as currently zoned: The property had previously been used residentially, but has seen the need to remove the older structures and the other structures have reached the end of their useful life. This rezoning is reasonable to accommodate the reuse of the subject property.
5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The 2035 Wichita Future Growth Concept map (MAPC approval November 19, 2015) indicates the site is appropriate for “residential employment mix,” and is located within both the Established Central area and Central Northeast Area Plan Update. The residential/employment mix encompasses areas of land that will likely be developed or redeveloped by 2035 with uses predominately of a mixed nature.

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6. Impact of the proposed development on community facilities: Rezoning of the property would not have any impact on community facilities or resources. All public improvements are available to serve the property.

Staff Report Attachments:

1. Supporting Documents

