

CONDITIONAL USE RESOLUTION NO. CU-466

WHEREAS, Wesley A. and Paula L. Pechin, pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requested a Conditional Use to allow the building of tri-plex units on 1 acres zoned "TF-3" Two-Family Residential described as:

Lots 55 and 56, except the west 30 feet thereof for street, Park Vista Addition to Wichita, Sedgwick County, Kansas, subject to right-of-way for public road across the east 10 feet of said Lots 55 and 56. Generally located on the west side of Meridian, south of 13th Street, immediately west of Indian Hills Pool.

WHEREAS, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission (hereinafter referred to as MAPC) has been given; and

WHEREAS, the MAPC did, at the meeting of February 26, 1998, consider said application; and

WHEREAS, the MAPC has authority to permit a Conditional Use, subject to any special conditions deemed appropriate in order to assure full compliance with the criteria of the Unified Zoning Code.

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Area Planning Commission that this application be approved to permit a conditional use to allow the building of tri-plex units on 1 acres zoned "TF-3" Two-Family Residential described as:

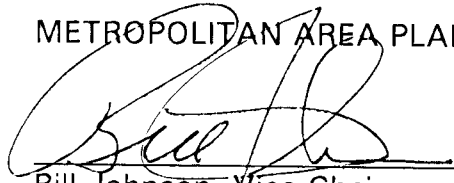
Lots 55 and 56, except the west 30 feet thereof for street, Park Vista Addition to Wichita, Sedgwick County, Kansas, subject to right-of-way for public road across the east 10 feet of said Lots 55 and 56. Generally located on the west side of Meridian, south of 13th Street, immediately west of Indian Hills Pool.

subject to the following conditions:

- A. The site shall be developed in accordance with the site plan submitted by the applicant. The applicant shall submit a revised elevation drawing and a landscape plan to the Planning Department for approval, and the applicant shall develop this site as shown on these approved plans.
- B. Any violation of the conditions approved as part of this request shall render the conditional use null and void.

Adopted this 24th day of February, 1998. This resolution shall become effective on the fifteenth day after the date last noted above unless the matter is forwarded to the Governing Body for final action under the provisions of Section V-D.6. When any one or more of the exceptions listed in Section V-D.6 exist, this resolution with its conditions of approval shall be considered a recommendation of the MAPC to the Governing Body which shall then have final authority to approve, approve with conditions or modifications, or deny the Conditional Use application.

METROPOLITAN AREA PLANNING COMMISSION



Bill Johnson, Vice-Chairman

ATTEST:



Marvin S. Krout, Secretary

MULTI TO SINGLE FLOOR -
 15' SETBACK
 LANDSCAPE - SIDE YD.

LEGALS

LOT 55 - EXCEPT THE EAST 139 FT. AND EXCEPT THE WEST 30 FT DEEDED FOR STREET

THE EAST 139 FT OF LOT 55 EXCEPT THE EAST 10 FT THEREOF FOR STREET

LOT 56 - EXCEPT THE EAST 139 FT. AND EXCEPT THE WEST 30 FT DEEDED FOR STREET.

THE EAST 139 FT OF LOT 56 EXCEPT THE EAST 10 FT THEREOF FOR STREET

EXISTING TREES
 (SURRENDER)

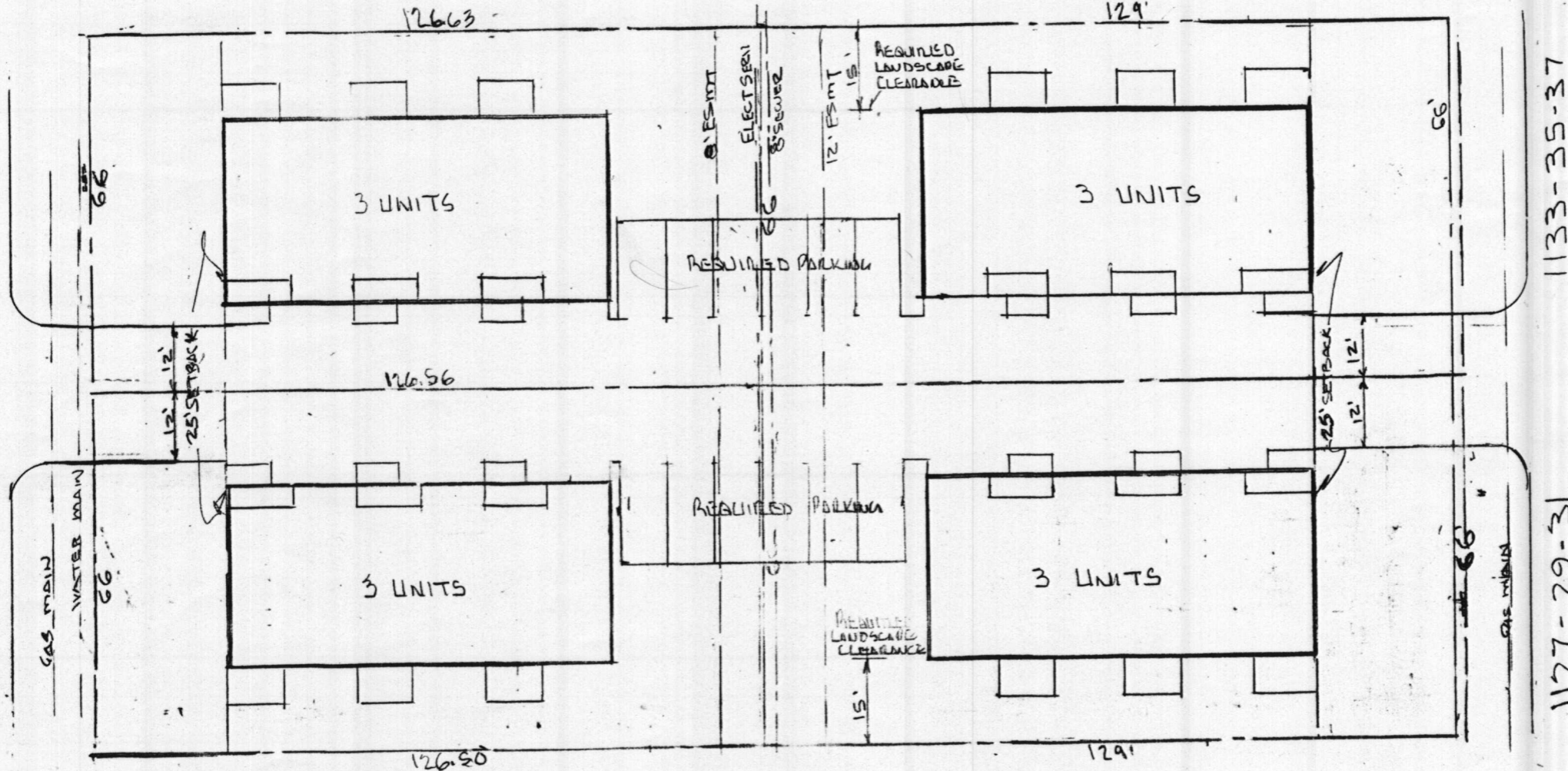
NOTE! DRAWING IS FOR 15' LANDSCAPE SETBACK - REQUEST LENIENCY ON SETBACK

* NO EXISTING TREES CAN BE SAVED
 * LANDSCAPING (NEW) WILL BE DONE

RICHMOND AVE

1132-34-36

1126-28-30



1133-35-37

1127-29-31

MERIDIAN AVE

HYDRANT
 0 130 FT
 50'



STAFF REPORT

CPO (6) February 25, 1998

MAPC February 26, 1998

CASE NUMBER: CU-466

APPLICANT/AGENT: Wesley A. & Paula Pechin (Applicant)

REQUEST: A Conditional use to allow the construction of triplexes on land zoned "TF-3" Two-Family

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

SITE SIZE: 1 acre

LOCATION: West of Meridian and north of 10th St. North



BACKGROUND: The applicants are requesting a conditional use to allow the construction of triplexes on vacant property zoned "TF-3" Two-Family Residential District, located north of 10th St and west of Meridian. The property consists of 2 platted lots, each fronting on both Meridian and Richmond, each 66 feet wide by 300 feet deep, just under 1 acre in size.

The applicants are proposing four buildings with three dwelling units in each building. Two buildings will be built on each of the lots. The site would have access to Meridian and Richmond with parking provided between the proposed structures. The site plan shows 12 parking spaces provided in the parking lot and each dwelling unit having a one car garage, for a total of 24 parking spaces on-site. Therefore, the number of parking spaces shown on the site plan are sufficient to meet the number of required spaces for a multi-family development (21). This site will be required to meet the requirements of the Landscape Ordinance.

The Unified Zoning Code permits multi-family projects in the TF-3 district if reviewed and approved by the Planning Commission in accordance with the procedures and standards for conditional uses. The Code establishes a minimum lot size of 3,000 square feet per dwelling unit for multi-family and duplex and establishes a maximum of 14.5 dwelling units per acre. The Code also requires a minimum front setback of 25 feet and maximum height of 35 feet. The Landscape Ordinance requires a Multi-Family Development to be separated from Single-Family Districts and Two-Family Zoning Districts by a 15' landscape buffer. The applicant has indicated the need to reduce the 15 foot landscape buffer by 5 feet in order to permit the construction of patios.

CASE HISTORY: A zone change was approved in 1976 on the subject property. This approval changed the zoning from "SF-6" Single-Family to "TF-3" Two-Family Residential. The application area was platted as Lots 55 and 56 of Park Vista Addition.

ADJACENT ZONING AND LAND USE:

| | |
|--------|---|
| NORTH: | "TF-3" and "SF-6" Residential Uses |
| SOUTH: | "SF-6" Church, Single-Family Residences and vacant land |
| EAST: | "SF-6" Single-Family Homes and Indian Hills Swimming Pool |
| WEST: | "SF-6" Residential Uses |

PUBLIC SERVICES: Municipal water and sewer service is available to this site. Access to this site is provided by Richmond, a local street with no traffic volumes available, and Meridian, with 1995 traffic volumes of 3,162 and will decrease to 2,660 in 2020 according to the 2020 Transportation Plan.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan

identifies this general area as low density residential and part of a “conservation” area. The low density residential category of the Land Use Guide recommends 1 to 6 dwelling units per acre. However, this area has been developed with both single-family homes and duplexes. At 12 dwelling units per acre, this development does not technically agree with the Comprehensive Plan recommendation. However, the plan does support increased development densities if compatible with the surrounding area and encourages the infill of vacant lots in older areas. These 2 lots could be subdivided into 4 lots of 9,900 square feet each and accommodate 8 dwelling units under the existing zoning.

RECOMMENDATION: The intent of the Conditional Use provision is to consider well-designed multi-family projects in areas where duplexes are already permitted. Staff believes that this project would be suitable for this location with some design changes to improve its’ street appearance. Specifically, we recommend that the elevation of the buildings facing the two streets be revised to add window openings and other design features so that there is some visual “surveillance” of the street by residents and it is more in character with existing structures along this street. Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to the following conditions:

- A. The site shall be developed in accordance with the site plan submitted by the applicant. The applicant shall submit a revised elevation drawing and a landscape plan to the Planning Department for approval, and the applicant shall develop this site as shown on these approved plans.
- B. Any violation of the conditions approved as part of this request shall render the conditional use null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The surrounding areas are developed with mix uses of duplexes, single-family residences and a church. The use and character of the site as proposed should blend into the residential uses in the neighborhood, with proper landscaping and the recommended design changes.
2. Extent to which removal of the restrictions will detrimentally affect nearby property: The use of this site for four triplex units should not have a detrimental impact on the area. The site is generally surrounded by duplexes and single-family homes.
3. Conformance of the requested change to the adopted or recognized

Comprehensive Plan: The Land Use Guide of the Comprehensive Plan identifies this area as appropriate for low density (1 to 6 units per acre) residential uses. This development does not agree with the Comprehensive Plan but is compatible with the single-family residences and duplexes located in the neighborhood, with proper landscaping and the recommended design changes.

4. Impact of the proposed development on community facilities: The proposed use should not generate significant additional traffic or have a negative impact on other community facilities in the area.