

# AGENDA ITEM REQUEST

Proposed Agenda Item: ZON2002-00041 – Sedgwick County Zone change from “SF-20” Single-family Residential to “MF-18” Multi-family Residential. Generally located approximately 874 feet south of 21<sup>st</sup> Street North, east of 127<sup>th</sup> Street. (District I)

Presented By: Marvin Krout, MAPD Director



Recommended Action: Approve, subject to platting within one year, direct staff to prepare the appropriate resolution after the plat is approved, and authorize the Chairman to sign the resolution

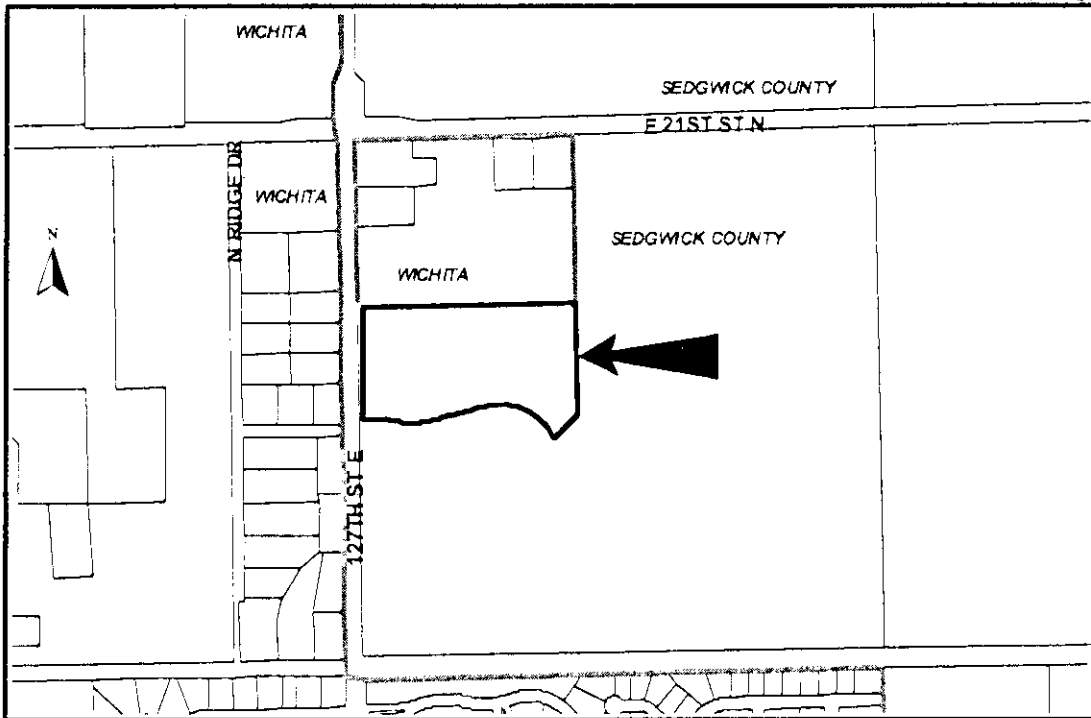
Proposed Agenda Date: August 28, 2002

Outside Attendees: 21-127 LLC, %James Stockton, 8100 E. 22<sup>nd</sup> St. N. Bldg. 1000 Wichita, KS 67226  
MKEC, %Greg Allison, 411 N. Webb Rd., Wichita, KS 67206

Multimedia Presentation: PowerPoint

Donations: n/a

**FILE COPY**



**BACKGROUND:** The applicant is seeking “MF-18” Multi-family Residential zoning for an unplatted tract containing 14.21 acres that is located approximately 874 feet south of 21<sup>st</sup> Street North and east of 127<sup>th</sup> Street. The property is an irregular rectangular shape, is currently used for crop production and is being platted as part of Reed’s Cove Addition. The property located east and south of the application area is under the control of the applicant, and is being platted for single-family residential development as part of Reed’s

Cove. At present, a collector street is planned to run along the southern edge of the application area to provide access to 127<sup>th</sup> Street.

Property to the north is currently zoned "SF-5" Single-family, but is approved for "LC" commercial development as CUP 222 once platting is complete. Other nearby or adjacent property is zoned SF-20 or SF-5. All nearby property is currently vacant or developed with older large lot residential uses. The general area is becoming the focus of new development activity as sewer and water services have become available, 21<sup>st</sup> Street has been improved, and as the areas to the north and northwest have been re-zoned and building has begun.

The city limits of Wichita are located immediately north and west of the application area so annexation of this site would be expected as part of the platting process. As part of the platting process, access controls, road improvements and other normal urban service commitments will be obtained. Screening of multi-family trash receptacles is required when residential zoning or a public street is located within 150 feet of the receptacle. Dumpsters must be located a minimum of 20 feet from any property zoned "TF-3" or more restrictive. Compatibility building side and rear setbacks between 15 and 25 feet are required when a multi-family development is located within 500 feet of property zoned TF-3 or more restrictive. Compatibility height standards restrict building height to 35 feet within 50 feet of property zoned "TF-3" or more restrictive, except for every three feet greater than 50 feet the building is set back, the building may increase one foot in height.

The Metropolitan Area Planning Commission heard this case on July 25, 2002. The action of the Commission was to recommend approval 11-0. No one spoke in opposition. No written protests have been received.

**Analysis:** n/a

**Alternatives:** Return to the Planning Commission for reconsideration.  
(An override of the Planning Commission's recommendation requires a 2/3<sup>rd</sup> majority vote of the membership of the governing body on first hearing.)

**Financial Considerations:** n/a

**Policy Considerations:** n/a

**Legal Considerations:**   *Approved as to form and signed by County Counselor's Office*

ORDINANCE NO. 45-541

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 2002-41

ZON 2002-41: Request for a zone change from "SF-20" Single-Family District to "MF-18" Multi-Family District, described as:

Lot 40, Block 1, Reeds Cove Addition

Generally located on the southeast corner of 21<sup>st</sup> Street North and 127<sup>th</sup> Street East.

**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 14<sup>th</sup> day of January, 2003.

ATTEST:

Pat Graves  
Pat Graves, City Clerk



Bob Knight  
Bob Knight, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf  
Gary E. Rebenstorf, City Attorney

# STAFF REPORT

July 25, 2002

#15

CASE NUMBER: ZON2002-41

APPLICANT/AGENT: 21/127 LLC (James Stockton) / MKEC (Greg Allison)

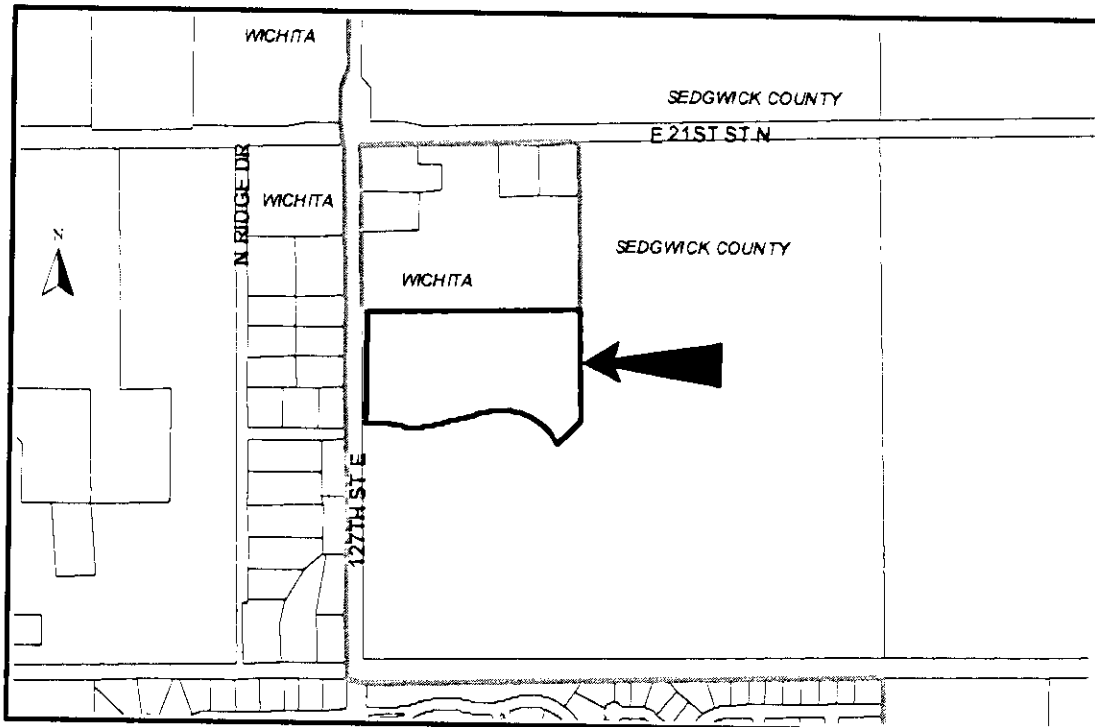
REQUEST: MF-18 Multi-family Residential

CURRENT ZONING: SF-20 Single-family Residential

SITE SIZE: 14.21 acres

LOCATION: Approximately 874 feet south of 21<sup>st</sup> Street North, east of 127<sup>th</sup> Street

PROPOSED USE: Multi-family development



**BACKGROUND:** The applicant is seeking "MF-18" Multi-family Residential zoning for an unplatted tract containing 14.21 acres that is located approximately 874 feet south of 21<sup>st</sup> Street North and east of 127<sup>th</sup> Street. The property is an irregular rectangular shape, is currently used for crop production and is being platted as part of Reed's Cove Addition. The property located east and south of the application area is under the control of the applicant, and is being platted for single-family residential development as part of Reed's Cove. At present, a collector street is planned to run along the southern edge of the application area to provide access to 127<sup>th</sup> Street.

Property to the north is currently zoned "SF-5" Single-family, but is approved for "LC" commercial development as CUP 222 once platting is complete. Other nearby or adjacent property is zoned SF-20 or SF-5. All nearby property is currently vacant or developed with older large lot residential uses. The general area is becoming the focus of new development activity as sewer and water services have become available, 21<sup>st</sup> Street has been improved, and as the areas to the north and northwest have been re-zoned and building has begun.

The city limits of Wichita are located immediately north and west of the application area so annexation of this site would be expected as part of the platting process. As part of the platting process, access controls, road improvements and other normal urban service commitments will be obtained. Screening of multi-family trash receptacles is required when residential zoning or a public street is located within 150 feet of the receptacle. Dumpsters must be located a minimum of 20 feet from any property zoned "TF-3" or more restrictive. Compatibility building side and rear setbacks between 15 and 25 feet are required when a multi-family development is located within 500 feet of property zoned TF-3 or more restrictive. Compatibility height standards restrict building height to 35 feet within 50 feet of property zoned "TF-3" or more restrictive, except for every three feet greater than 50 feet the building is set back, the building may increase one foot in height.

**CASE HISTORY:** None

**ADJACENT ZONING AND LAND USE:**

NORTH: "SF-5" Single-family; approved for a commercial CUP; vacant  
SOUTH: "SF-20" Single-family; vacant  
EAST: "SF-20" Single-family; vacant  
WEST: "SF-5" Single-family; vacant

**PUBLIC SERVICES:** 127<sup>th</sup> Street is currently an asphalt mat township road that is in

poor shape. Traffic counts are not available. The 2030 Transportation Plan projects this road segment as a two-lane arterial street with an average daily traffic volume of 5,439. There are not any CIP projects scheduled for 127<sup>th</sup> Street. Sanitary sewer is located at 21<sup>st</sup> Street and 127<sup>th</sup> Street and at the half-mile south of the site. Water is located in 127<sup>th</sup> Street.

**CONFORMANCE TO PLANS/POLICIES:** The site is located within the *Sedgwick County Development Guide's* 2010 Urban Service Area. The *Comprehensive Plan's* generalized recommended land use map shows this site to be appropriate for "low density residential". MF-18 zoning is a moderate-density, multi-family residential district that "...is intended for application primarily within the City of Wichita, although it may be appropriate for application in areas of unincorporated Sedgwick County that have been designated as "urban service areas." The *Comprehensive Plan's* residential location guidelines state that: medium density residential uses may serve as a transitional use between low and high density residential uses, and may also serve to buffer low-density residential uses from commercial uses; medium density uses should be allocated within walking distance of neighborhood commercial centers; they should be directly accessible to arterial or collector streets and these uses should be sited where they will not overload or create congestion in existing or planned facilities

**RECOMMENDATION:** Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to platting within 1-year.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: Property to the north is currently zoned "SF-5" Single-family Residential, but is approved for commercial development as CUP 222 (upon completion of a plat). Other nearby property is zoned "SF-20" or "SF-5" residential. All nearby properties are currently vacant or developed with older large lot residential uses. The 127<sup>th</sup> Street and 21<sup>st</sup> Street area is becoming the focus of new development activity as sewer and water services have become available, and since 21<sup>st</sup> Street has been improved.
2. The suitability of the subject property for the uses to which it has been restricted: The site is currently zoned "SF-20" which allows a lower density of development and has fewer uses "by-right" than the district requested. The property could be developed as zoned, however higher density urban type zoning has been sought and approved for nearby tracts, and higher density zoning "SF-20" would be more appropriate for this site.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Density and traffic volumes will increase over current conditions if the requested zoning is approved. However, property to the north is already zoned, subject to completing the plat, for more intense uses, and the properties located to the east and south are owned by the applicant. Expected impacts would not be greater than those experienced in other nearby areas experiencing conversion from rural or suburban uses to more intense urban scale developments.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The request is in conformance with recommended location guidelines for medium density residential uses (cited above). The site is located within the 2010 urban service boundary.
6. Impact of the proposed development on community facilities: Traffic volumes will increase and there will be increased demand for municipal type services over the vacant field that exists today. However, already planned improvements, or those obtained during the platting process, will account for impacts created by this development.