

STAFF REPORT

MAPC December 8, 2011

DAB III December 7, 2011

CASE NUMBER: ZON2011-00034

APPLICANT/OWNER: Randal Woods (applicant/owner)

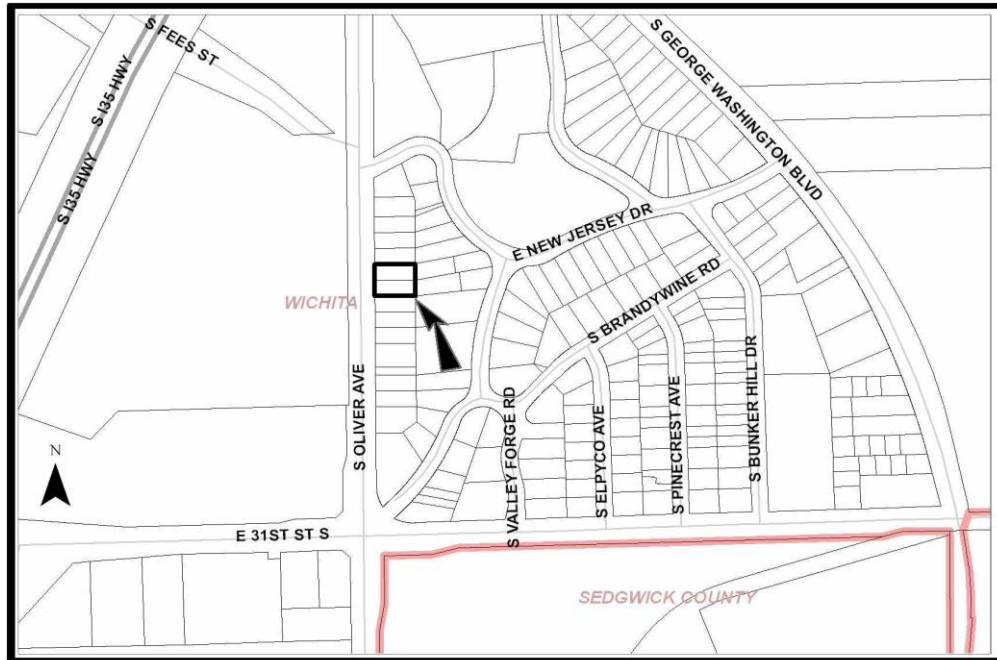
REQUEST: TF-3 Two-Family Residential (“TF-3”)

CURRENT ZONING: SF-5 Single-Family Residential (“SF-5”)

SITE SIZE: 0.4-acres (18,000-square feet)

LOCATION: Generally located on the east side of Oliver Avenue and north of 31st Street South

PROPOSED USE: Build duplexes



BACKGROUND: The applicant requests a zone change from SF-5 Single-Family Residential (“SF-5”) to TF-3 Two-Family Residential (“TF-3”) on the undeveloped Lots 27 and 28, Block H, Washington Heights Addition. A 1997 and subsequent aerials to the present shows the subject site to be undeveloped. The applicant proposes to build a duplex on each lot.

The site is located northeast of the 31st Street South – Oliver Avenue intersection, with its front yard facing Oliver. The SF-5 zoned property abutting the south side of the site is a nonconforming duplex (built 1950). Other properties located south and southeast of the site are SF-5 zoned single-family residences. There is a TF-3 and SF-5 zoned single-family residence (1950) abutting the north side of the site. Other properties located north and northeast of the site are MF-29 Multi-Family Residential (“MF-29”) and B Multi-Family Residential (“B”) zoned apartment complexes. The SF-5 zoned Planeview Public Park, with its ball fields, bike path and model aircraft fly area, is located west of the site, across Oliver, as is (further south) the SF-5 and LC Limited Commercial (“LC”) zoned Wichita Regional Fire Training (CON2008-00068) facility.

The area is dominated by AFB Air Force Base District (“AFB”) zoned McConnell Air Force base and the LI Limited Industrial (“LI”) zoned Spirit – Boeing aircraft manufacturing companies, which is the largest aircraft manufacturing complex in the state. The site is also located in an Airport Hazard Zone A and the McConnell AOI Adjacent Critical Area of Interest (“AOI”). An Airport Hazard Zone is defined as “...an area of land or water where man-made structures, trees or use of land can obstruct the airspace required for the flight of aircraft landing and taking off at any airport, as regulated by Appendix H of Sedgwick County Code and Chapter 28.08 of the Code of the City of Wichita.” Buildings located on land covered by the Zone A designation are limited to 25 feet in height, unless a more detailed review is conducted and an increased height is approved. The AOI was entered on November 9, 2010, as a “Memorandum of Understanding” between McConnell, Sedgwick County, and the cities of Wichita and Derby. ‘Municipal Responsibility,’ of the Memorandum requires notification to the designated representative of McConnell of any amendment to the zoning regulations or to the comprehensive plan that impact the AOI. Notification has been sent to McConnell.

CASE HISTORY: The Washington Heights Addition (27 and 28, Block H) was recorded with the Sedgwick County Register of Deeds January 8, 1936.

ADJACENT ZONING AND LAND USE:

NORTH:	TF-3, SF-5, MF-29, B	Single-family residence, apartments
SOUTH:	SF-5	Duplex, single-family residences
EAST:	B	Apartments
WEST:	SF-5, LC	Planeview Public Park, Wichita Regional Fire Training facility

PUBLIC SERVICES: The subject site is located on Oliver Avenue, a paved, four-lane arterial street, with a center turn lane. Traffic counts along the Oliver – 31st Street South intersection, range from 10,730 – 11,552 trips along Oliver, to 7,320 – 2,335 trips along 31st. The 2030 Transportation Plan shows no change to this portion of Oliver. All utilities are available to serve the site.

CONFORMANCE TO PLANS/POLICIES: The “2030 Wichita Functional Land Use Guide of the Comprehensive Plan” (2030 Plan) designates this area as appropriate for “Urban Residential” development. The Urban Residential category includes all housing types found in the municipality, including duplexes. The Comprehensive Plan contains the following objective: encourage residential redevelopment, infill and higher density residential development, which maximize the public investment in existing and planned facilities and services. The objective is intended to be achieved through several

strategies, including using zoning as a tool to promote mixed-use development, higher density residential environments, and appropriate buffering. The proposed TF-3 zoning for the undeveloped lots (Lots 27 and 28, Block H, Washington Heights Addition) is not at odds with the *2030 Plan*, nor are the existing MF-29 and B zoned apartment complexes that are adjacent and abutting the site. There are existing TF-3 zoned duplexes in the area, but they are located two blocks east of the site.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the requested TF-3 Two-Family Residential zoning be APPROVED.

This recommendation is based on the following findings:

- (1) The zoning, uses and character of the neighborhood: The site is located northeast of the 31st Street South – Oliver Avenue intersection, with its front yard facing Oliver. The SF-5 zoned property abutting the south side of the site is a nonconforming duplex (built 1950). Other properties located south and southeast of the site are SF-5 zoned single-family residences. There is a TF-3 and SF-5 zoned single-family residence (1940) abutting the north side of the site. Other properties located north and northeast of the site are MF-29 and B zoned apartment complexes. The SF-5 zoned Planeview Public Park, with its ball fields, bike path and model aircraft fly area, is located west of the site, across Oliver, as is (further south) the SF-5 and LC zoned Wichita Regional Fire Training (CON2008-00068) facility. The area is dominated by AFB zoned McConnell Air Force base and the LI zoned Spirit – Boeing aircraft manufacturing companies, which is the largest aircraft manufacturing complex in the state. The site is also located in an Airport Hazard Zone A and the McConnell AOI Adjacent Critical Area of Interest (“AOI”).
- (2) The suitability of the subject property for the uses to which it has been restricted: The SF-5 zoned site is not developed and the owner needs the requested TF-3 zoning to build a duplex on each lot; Lots 27 and 28, Block H, Washington Heights Addition. The close proximity of the site to the McConnell Air Force base and the Spirit – Boeing aircraft manufacturing companies and its facing the arterial Oliver Avenue has probably diminished its potential for single-family residential development. A 1997 and subsequent aerials to the present shows the subject site to be undeveloped.
- (3) Extent to which removal of the restrictions will detrimentally affect nearby property: Typical concerns expressed by neighbors in regards to duplex development is declining property values of the neighborhood brought on by poor maintenance of what is typically rental housing, i.e., the duplexes. Poor maintenance of rental property is not an absolute, nor is there any guarantee that a single-family residence will be maintained by its owner. There are also both multi-family zoned apartments (rentals) and TF-3 zoned duplexes (probably rentals) in the immediate area, thus the proposed TF-3 re-zoning of 18,000-square feet will probably have a minimal impact.
- (4) Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The *2030 Wichita Functional Land Use Guide of the Comprehensive Plan* (“*2030 Plan*”) designates this area as appropriate for “Urban Residential” development. The Urban Residential category includes all housing types found in the municipality, including duplexes. The Comprehensive Plan contains the following objective: encourage residential redevelopment, infill and higher density residential development, which maximize the public investment in existing and planned facilities and services. The objective is intended to be achieved through several strategies, including using zoning as a tool to promote mixed-use development, higher density residential environments, and appropriate buffering. The proposed TF-3 zoning for the undeveloped lots (27

and 28, Block H, Washington Heights Addition) is not at odds with the *2030 Plan*, nor are the MF-29 and B zoned apartment complexes that are adjacent and abutting the site. There are existing TF-3 zoned duplexes in the area, but they are located two blocks east of the site.

- (5) Impact of the proposed development on community facilities: The impact on community facilities will be minimal.