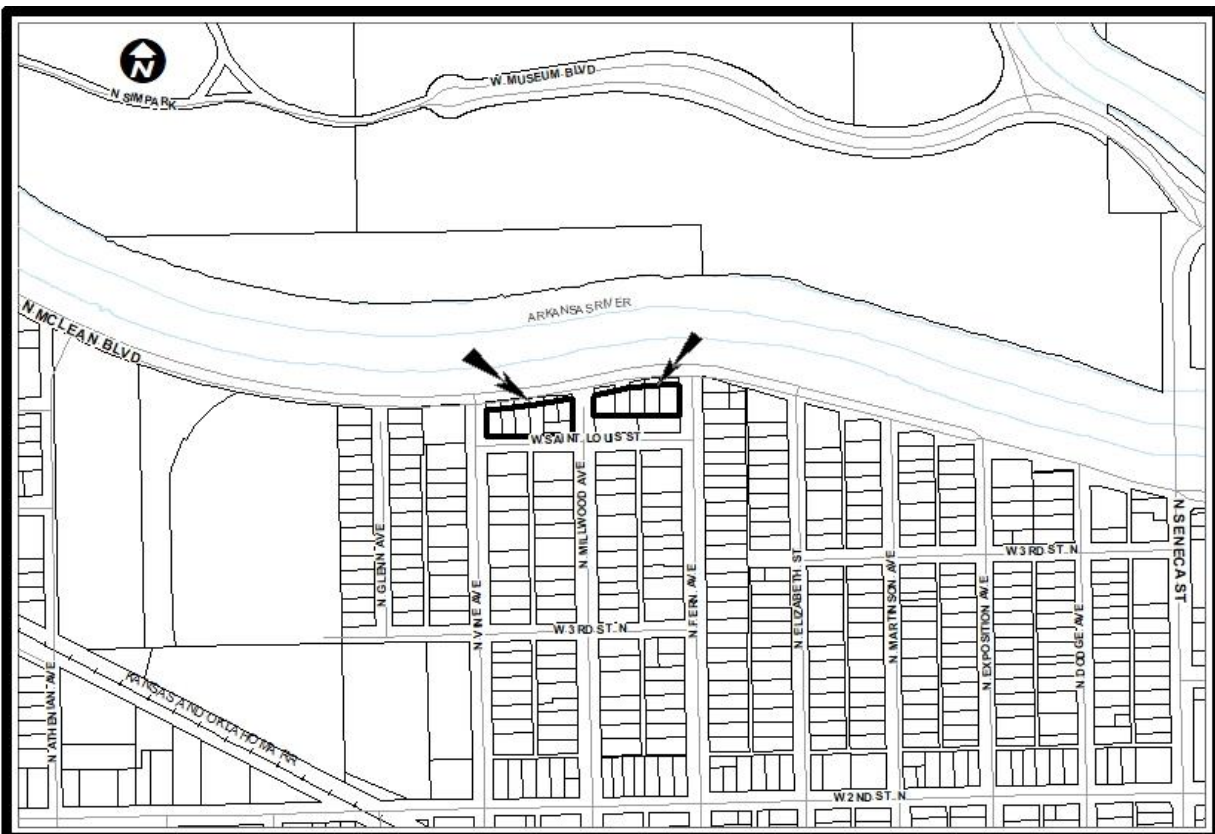


STAFF REPORT
MAPC: June 2, 2022
DAB VI: June 15, 2022

<u>CASE NUMBER:</u>	PUD2022-00011 (City)
<u>APPLICANT/AGENT:</u>	City of Wichita (applicant)/Jeff Englert, NAI Martens (contract purchaser)/ KE Miller Engineering (Agent)
<u>REQUEST:</u>	Create the North McLean Planned Unit Development #100
<u>CURRENT ZONING:</u>	SF-5 Single-Family Residential
<u>SITE SIZE:</u>	1.28 acres
<u>LOCATION:</u>	Generally located on the south side of North McLean Boulevard and one-half mile West of North Seneca, between North Vine and North Fern Avenues.
<u>PROPOSED USE:</u>	Create custom zoning for multi-family uses with reduced setbacks.
<u>RECOMMENDATION:</u>	Approval with conditions.



BACKGROUND: The contract purchaser is requesting a zone change from SF-5 Single-Family Residential to PUD Planned Unit Development to create the North McLean Planned Unit Development PUD #100. The 1.28-acre property is generally located on the south side of North McLean Boulevard and one-half mile west of North Seneca Street, between North Vine and North Fern Streets. North Millwood dead-ends into the subject property, dividing it into the two proposed parcels. Concurrently, the contract purchaser is requesting to vacate the portion of North Millwood where it abuts the subject property to provide additional space for drive and circulation within the development. The property is comprised of platted lots that were acquired by the City of Wichita for the construction of North McLean Boulevard. The site currently acts as landscaped opens space with a number of mature trees buffering the residential development to the south from North Mclean Boulevard. The contract purchaser is in the process of buying the property from the City in order to redevelop it.

Development Standards and Density

As seen on the attached PUD drawing, the contract buyer is proposing to create two parcels for multi-family development. The PUD is proposing a total of 19 dwelling units split between the two parcels. The permitted uses in the PUD are those permitted in TF-3 Two-Family Residential zoning with the following modifications to the setbacks and density from what is permitted in TF-3 in order to accommodate the proposed development.

Standards	Parcel 1	Parcel 2	TF-3
Front Setback (on St. Louis)	10 feet	10 feet	25 feet
Rear Setback (on McLean)	0 feet	0 feet	20 feet
Street Side Setback	10 feet	10 feet	15 Feet
Height	35 feet	35 feet	35 feet

DENSITY	Size	Proposed Density	Proposed Dwelling Units (DUs)	TF-3 Density	TF-3 Permitted Dwelling Units
Parcel 1	0.63 Acres	11.11 DUs/Acre	7	14.5 DUs/Acre	9
Parcel 2	0.65 Acres	18.45 DUs/Acre	12	14.5 DUs/Acre	9

The platted lots that make up Parcel 2 have platted 25-foot building setbacks along each street right-of-way. The zoning setbacks of a PUD do not supersede platted setbacks. Therefore, the applicant will either have to vacate the platted setbacks in order for the zoning setback to apply or replat the property prior to receiving any building permits for Parcel 2.

Parking and Sidewalks

Section IV-A.4 of the Unified Zoning Code sets the minimum parking requirement for multi-family residential as 1.25 spaces for one bedroom or efficiency dwellings and 1.75 parking spaces for two-bedroom or larger dwellings. The PUD document proposes 19 multi-bedroom dwellings, which would require a total of 34 parking spaces. General Provision #2 of the PUD states that 23 off-street parking spaces shall be provided not counting driveways and garages. When driveways and garages are included, the total parking count equates to 39 spaces because eight units are proposed to have garages and driveways, totaling 16

additional spaces.

Signs and Architectural Controls

The PUD text does not state a specific provision regarding signage. However, it states that unless otherwise specified, the underlying zoning will be TF-3 Two-Family Residential. Therefore, signage will be required follow the provisions of the Sign Code related to TF-3 zoning. General Provision #11 requires all building exteriors to share a consistent architectural design, color, and texture; and that all utility boxes, mechanical equipment, etc. shall be screened and/or painted according to the acceptable color range. Light fixtures must also share consistent design. This property is within the Delano Neighborhood Overlay, therefore, all exterior design must be submitted to the Delano Review Committee for review and approval prior to the issuance of building permits.

Screening and Landscaping

General Provision 8 includes the following requirements for landscaping per the Wichita Landscape Ordinance.

- A landscaped street yard and parking lot screening shall be installed along the boundary of Parcel 1, Parcel 2, and Millwood right-of-way abutting North McLean Boulevard.
- A landscape street yard and parking lot screening shall be installed along the boundary of Parcel 1 abutting West St. Louis Street.
- Landscape buffers shall be installed along abutting property lines at a rate of one shade tree per 40 linear feet.

The site currently has approximately 40 trees. It is undetermined how many trees can remain after construction if this project is approved. The rate of the landscape buffer would require a minimum of 12 trees planted along the abutting property lines. Landscape street yards require one shade tree (or two ornamental) per 500 square feet of required street yard. The total number of shade trees required to be planted based on the combined landscape street yard calculation is 13. This number is greater if the applicant chooses to plant two ornamental trees instead of one shade tree. Additional landscaping will be provided for the parking lot screening. Finally, staff is recommending the applicant plant street trees along North McLean for the entire north boundary of the PUD at rate of one tree per 40 linear feet. This would add an additional 19 trees. Overall, the final quantity of landscaping will be determined by the approved landscape plan.

General Provision 9 requires screening to adhere to the requirements of the Unified Zoning Code with a minimum of a six-foot screening fence when abutting residentially zoned property in addition to that part of the Millwood right-of-way that is not used as an access drive.

Properties to the south and east are zoned SF-5 Single-Family Residential and are developed with single-family dwellings. These dwellings were built between the 1920s and the 1950s with a predominate number built in the 1950s. On the south side of West St. Louis, there are instances of TF-3 Two-Family Residential zoning within one block. Many of those dwellings are single-family, but a couple are duplexes. Property to the west, across North Vine Avenue, is zoned GO General Office and is developed with a chiropractic clinic and associated parking. Property to the north, across North McLean Boulevard, is the Arkansas River and bike path.

CASE HISTORY:

Proposed PUD Parcel 1

- In 1887, the west portion of the subject site between North Millwood and North Vine Avenues was platted as part of the Dodges 2nd Addition. The subject portions of Lots 111 – 122 inclusive were originally platted as extending north to the south bank of the Arkansas River.
- Prior to 1938, portions of the subject lots in the Dodge's 2nd Addition were acquired by the City of

Wichita in order to construct North McLean Street.

- In the 1960s, the remnants of these lots were developed with houses with access to North McLean.
- In 1994-1995, the City of Wichita negotiated purchase of the lot remnants in order to widen North McLean and create a boulevard.
- The remnants of the lots have remained as opens space owned by the City.

Proposed PUD Parcel 2

- In 1886, the land was originally platted as a reserve as part of the Dodge's Addition, with land extending to the south bank of the Arkansas River
- Prior to 1938, portions of the subject lots in the Dodge Addition were acquired by the City of Wichita in order to construct North McLean Street
- In 1951, the site was replatted as part of the Case Addition, which included the platted right-of-way for North Mclean Street
- In 1994-1995, the City of Wichita negotiated purchase of the replatted lots in order to widen North McLean and create a boulevard.
- The remnants of these lots have remained as open space owned by the City.

No other zoning cases have been submitted for this property.

ADJACENT ZONING AND LAND USE:

NORTH:	None	Arkansas River
SOUTH:	SF-5	Single-family dwellings
EAST:	SF-5	Single-family dwellings
WEST:	GO	Chiropractic Office

PUBLIC SERVICES: The site is bounded by North McLean Boulevard on the north, North Vine Avenue on the west, North Fern Avenue on the east, West St. Louis Street on the south, and North Millwood Avenue bisecting the site in the middle. North McLean Boulevard is a paved, five-lane arterial built as a boulevard with a landscaped median where not used for dedicated turn lanes. North McLean has a sidewalk on the south side and there is a sidewalk/bike path on the north side along the bank of the river (not at street grade). Portions of the sidewalk on the south side cross over the boundary of the PUD and will have to be rebuilt along the public right-of-way by the developer. The PUD contains language to require this. The site will not have access to North McLean.

North Vine, North Millwood, North Fern Avenues are paved, two-way local streets with no sidewalks. As stated before, the portion of North Millwood abutting the boundaries of the PUD is requested to be vacated to be included as part of the PUD development and used for access. Access to the development is also permitted on North Vine and North Fern where access drives already exist. West St. Louis Street is a local street without sidewalks that is paved between North Fern and North Millwood, but it is gravel between North Millwood and North Vine.

CONFORMANCE TO PLANS/POLICIES: The following plans govern the subject site of the requested zone change. Conformance to these plans is discussed below:

The Community Investments Plan: The majority of the subject site of the requested zone change is in conformance with the Future Growth Concept Map of the Community Investment Plan. The Community Investments Plan (the Wichita-Sedgwick County Comprehensive Plan) includes the 2035 Wichita Future Growth Concept Map. The Map identifies the east three-quarters of the site as appropriate for residential development. The west one-quarter is designated as appropriate for Parks and Open Space. The east three-quarters of the developed is in conformance with the Comprehensive Plan. The Residential category encompasses the full diversity of residential development including multi-family. The Parks and Open

Space category identifies land as appropriate for major parks, golf-courses, public open space, private development reserves, and recreational facilities/corridors (such as floodplain, natural drainage channels, easements, etc.). This portion of the proposed development is not in conformance with the Comprehensive Plan because it currently is developed as public open space.

The proposed development is in conformance to the following Locational Guidelines of the Comprehensive Plan.

- Development Pattern within the Established Central Area: This guideline *encourages infill development that maximizes public investment in existing and planned infrastructure services*. The property is eligible for redevelopment upon proper procurement from the City of Wichita. Municipal water and sewer services are available to serve the site in addition to the existing grid street network and sidewalk system along North McLean Boulevard.
- Land Use Compatibility within the Established Central Area:
 - This guideline states that *high-density residential uses can be appropriate along arterial streets on small infill sites near residential uses if appropriate site design features are included that limit traffic, noise, lighting, and adverse impacts on surrounding residential properties and the scale of the development is appropriate for the context*. Though there is no direct access to the arterial street (North McLean) existing driveways provide access off of North Vine and North Fern immediately south of the North McLean, which will reduce the amount of traffic along West St. Louis and North Millwood. In addition, the PUD text requires screening, landscaping, and limits the height of the structures to 35 feet, which is appropriate for the surrounding single-family/two-family residential context.
 - This guideline also states that *small scale multi-family developments can be appropriate in existing residential areas if appropriate site design limits adverse impacts on surrounding residential uses, the design of the buildings is compatible with existing residences, and the scale of the development is compatible with the intensity of the surrounding use*. As discussed previously, the site design and the design of the exterior of the buildings shall adhere to the design requirements of the Delano Neighborhood Overlay. This review and approval process will guarantee design compatibility with the surrounding residential context. The proposed development proposes higher intensity residential uses, but the placement of the use is along the edge of the neighborhood, directly abutting the arterial street. This is a compatible location for multi-family development when mixed with lower intensity residential development and discussed in the previous guideline.

Wichita: Places for People Plan: The requested zoning aligns with the goals of the Wichita: Places for People Plan. The Wichita: Places for People Plan provides recommendations for urban infill development in the Established Central Area (ECA). The subject site is located within the ECA. In general, the ECA is envisioned as “a place for people - a place that provides for the movement of people - on foot, on bike and through transit - in balance with automobiles.”

- **Strategies:** The Plan recommends strategies to help guide the community in their actions to create walkable places within Wichita. The requested zoning aligns with Strategy 5, “Provide a diversity of housing options to attract new residents and allow existing residents to remain in the ECA.” The proposed development provides a diversity of housing options in the Delano neighborhood, which will provide opportunity for new residents to move to the ECA. Additionally, the proposed development promotes walkable development with the buildings set close to the street and the parking behind the building. The sidewalk along McLean will remain providing walking and bicycle connections through Delano, Downtown, and other nearby neighborhoods. The Delano Neighborhood Design Requirements will ensure a pedestrian scale design for the development.
- **Current Condition:** The subject property is located within an area identified as an “area of opportunity.”

The Places for People Plan defines Areas of Opportunity as those “areas that generally exhibit economic challenges, a disconnected development pattern, and a lack of walkable places and facilities. These areas are in need of strategic reinvestment, both public and private, to assist in redefining and reinvigorating the area physically and socially.” The proposed rezoning allows private investment in the area through the construction of additional housing in the ECA.

Delano Neighborhood Plan: The proposed rezoning is in conformance with the 2019 Delano Neighborhood Plan. The Plan includes a Future Land Use map, which depicts the site as appropriate for “residential use.” The proposed PUD will permit development of a multi-family residential on the site.

RECOMMENDATION: Based on the information available at the time of the public hearing, staff recommends **APPROVAL** of the application subject to adherence to the recommended PUD text (attached) and the following conditions listed below. Staff recommends (not requires) the applicant install sidewalks on North Vine Avenue and North Fern Avenue for the boundary of the PUD.

Recommended Conditions of Approval

1. The text of the PUD shall be revised in accordance with the recommended text as approved by the Planning Commission.
2. The applicant shall submit a landscape plan for review and approval to the Planning Department prior to the issuance of building permits.
 - a. The applicant shall plant street trees along McLean Boulevard for the entire north boundary of the PUD at a rate of one tree per 40 linear feet.
3. The platted setbacks on Parcel 2 shall be vacated prior to the issuance of building permits on Parcel 2.
4. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #100 North McLean Planned Unit Development) has special conditions for development on the property.
5. A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of governing body approval, or the request shall be considered denied and closed.
6. All other federal, state, and local laws and ordinances must be observed.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** Properties to the south and east are zoned SF-5 Single-Family Residential and are developed with single-family dwellings. These dwellings were built between the 1920s and the 1950s with a predominate number built in the 1950s. On the south side of West St. Louis, there are instances of TF-3 Two-Family Residential zoning within one block. Many of those dwellings are single-family, but a couple are duplexes. Property to the west, across North Vine Avenue, is zoned GO General Office and is developed with a chiropractic clinic and associated parking. Property to the north, across North McLean Boulevard, is the Arkansas River and bike path.
2. **The suitability of the subject property for the uses to which it has been restricted:** Site is zoned SF-5 Single-Family Residential and could be developed with single-family residential. However, with access to the site limited to North Vine, North Millwood, and North Fern Avenues in addition to the constrained size of the site, redeveloping the site while meeting required setbacks may be difficult.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** The

proposed PUD provides the opportunity for infill development with uses compatible with surrounding, existing residential uses. The PUD provides opportunity to maximize the buildable area on the site, promote walkable development along North McLean, while also providing protections such as screening and landscape buffering from the existing residential uses to the south.

4. **Length of time the property has been vacant as currently zoned:** Historical aerials indicate a number of detached, residential housing units developed on the entire site from at least 1968 through the early 1990s. All of which had direct access to North McLean Boulevard. In 1994-1995, McLean Boulevard was expanded and all houses fronting North McLean in these two blocks were removed for the expansion project.
5. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The requested zone change is in conformance with the Future Growth Concept Map, the Development Pattern Guidelines, and Land Use Compatibility Guidelines of the *Community Investment Plan* in addition to being in conformance with the *Wichita: Places for People Plan* and the *Delano Neighborhood Plan* as discussed in the staff report.
6. **Impact of the proposed development on community facilities:** The proposed development will likely increase traffic along the local streets immediate to the development. However, it is likely to be localized North Vine and North Fern given the direct access to the parking areas and less localized on West St. Louis. The redevelopment will also remove public open space including a number of mature trees. However, landscaping, including the requirement to plant trees for the landscape buffer and street trees is a required provision in the PUD text. The sidewalk along the south side of North McLean Boulevard will be reoriented as part of the development, but no part of the sidewalk will cease to exist.

Attachments:

1. Recommended PUD Language
2. PUD #100 Drawing
3. Aerial Map
4. Zoning Map
5. Land Use Map
6. Delano Neighborhood Plan Future Land Use Map
7. Site Pictures

Recommended Language for the North McLean PUD #100

GENERAL PROVISIONS:

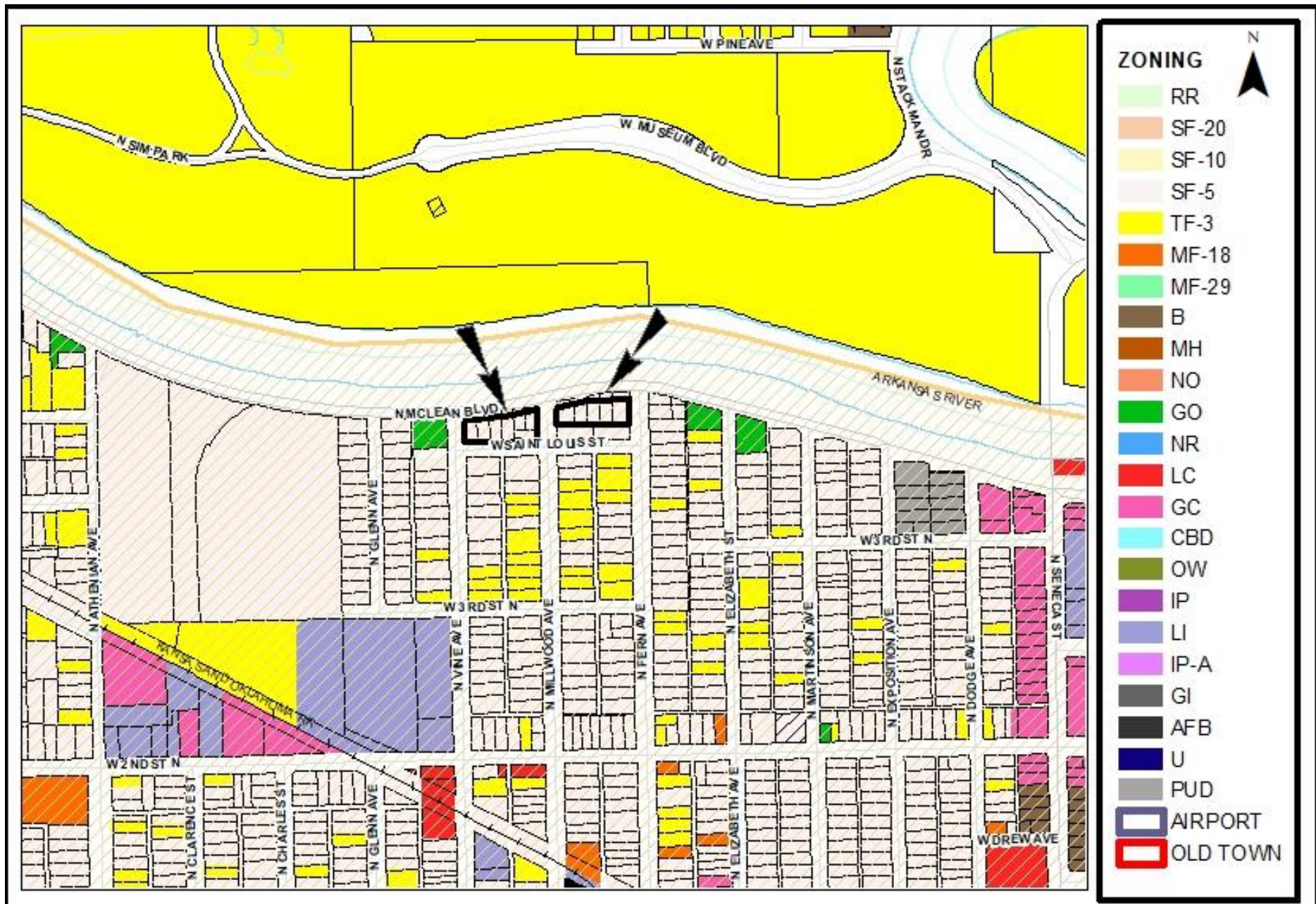
1. Total Land Area 55,854.38 sq ft. or 1.28 acres
2. Parking shall be provided as shown on P.U.D. drawing. A Minimum of 23 designated parking spaces shall be provided, not including driveways or garages.
3. Setbacks are 0' on McLean Blvd, 10' on St. Louis St, Vine Ave, Millwood Ave, and Fern Ave, and 10' from adjoining properties.
4. A drainage plan shall be submitted to City Engineering for approval. Required guarantees for drainage shall be provided at the time of plotting improvements.
5. Unless specified or shown on the drawing, the PUD will have an underlying zoning of TF-3.
6. Utilities shall be installed underground on all parcels
7. Access shall be as show on P.U.D. drawing. There will be no access to McLean Blvd.
8. Landscaping shall be in accordance with the City of Wichita Landscape Ordinance unless modified herein. A landscape street yard and parking lot screening shall be installed along North McLean for Parcels 1 and 2, and vacated Millwood right-of-way. A landscape street yard and parking lot screening shall be installed along west St. Louis Street on Parcel 1. Landscape buffers shall be installed along abutting property lines at a rate of 1 shade tree per 40 linear feet. Parking Lot screening shall be no less than the minimum required by the Landscape Ordinance. The quantity of landscaping for the street yards along North Mclean and West St. Louis Street shall be approved with a landscape plan.
 - A. A Landscape Plan shall be prepared by a Kansas Landscape Architect for the above referenced landscaping, indicating the type, location, and specifications of all plant material. The landscape plan shall also state how water is to be provided to the plant materials. This plan shall be submitted to the Planning Department for their review and approval prior to issuance of a building permit.
 - B. A financial guarantee for the plant material and watering requirements approved on the landscape plan for that portion of the P.U.D. being developed shall be required prior to issuance of any occupancy permit, if the required landscape has not been planted.
9. Screening shall be in accordance with the Unified Zoning Code. A 6' screening fence is required along adjoining lots and Millwood ROW
10. Trash receptacles and ground level mechanical equipment shall be screened to reasonably hide them from ground level view, adjacent property and street right of way.
11. Building Architecture is subject to the Delano Neighborhood Overlay District. All building

exteriors in the P.U.D. shall share a consistent architectural design, color, and texture. Exterior utility boxes, mechanical equipment, and etc., shall be screened and/or painted according to the acceptable color range. All light fixtures shall share consistent design (i.e., fixtures, poles, lamps, etc.).

12. Uses in Parcel 1 and Parcel 2 shall be Duplex or Multifamily with a maximum of 19 units.
13. Development of the site will not be permitted without connection to public water and sewer.
14. Relocation of any existing utilities and sidewalks will be the responsibility of the developer.
15. All internal circulation drives shall be paved with concrete or asphalt to mitigate dust.
16. Amendments, adjustments or interpretations to this P.U.D. shall be done in accordance with the Unified Zoning Code.
17. The Transfer of title of all or any portion of land included within the Planned Unit Development (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.
18. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approval by the Governing Body, and any substantial deviation of the plan, as determined by the Zoning Administrator or the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
19. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.
20. Sidewalks along McLean will be relocated to the new right-of-way by the property owner. Sidewalks will be installed prior to the issuance of any occupancy permits.








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2035 Wichita Future Growth Concept Map







Legend

-  Established Central Area
-  Residential and Employment Mix
-  New Employment
-  New Residential
-  Wichita City Limits
-  Other Cities
-  Northwest Bypass Right-of-Way

Statistical Development Areas

-  Other Urban Growth Areas 2014
-  Other Urban Growth Areas 2014
-  Rural Growth Areas 2014

LAND USE

-  Residential
-  Commercial
-  Industrial
-  Major Air Transportation & Military
-  Parks and Open Space
-  Agricultural or Vacant
-  Major Institutional
-  Nghbd_Plan_Areas

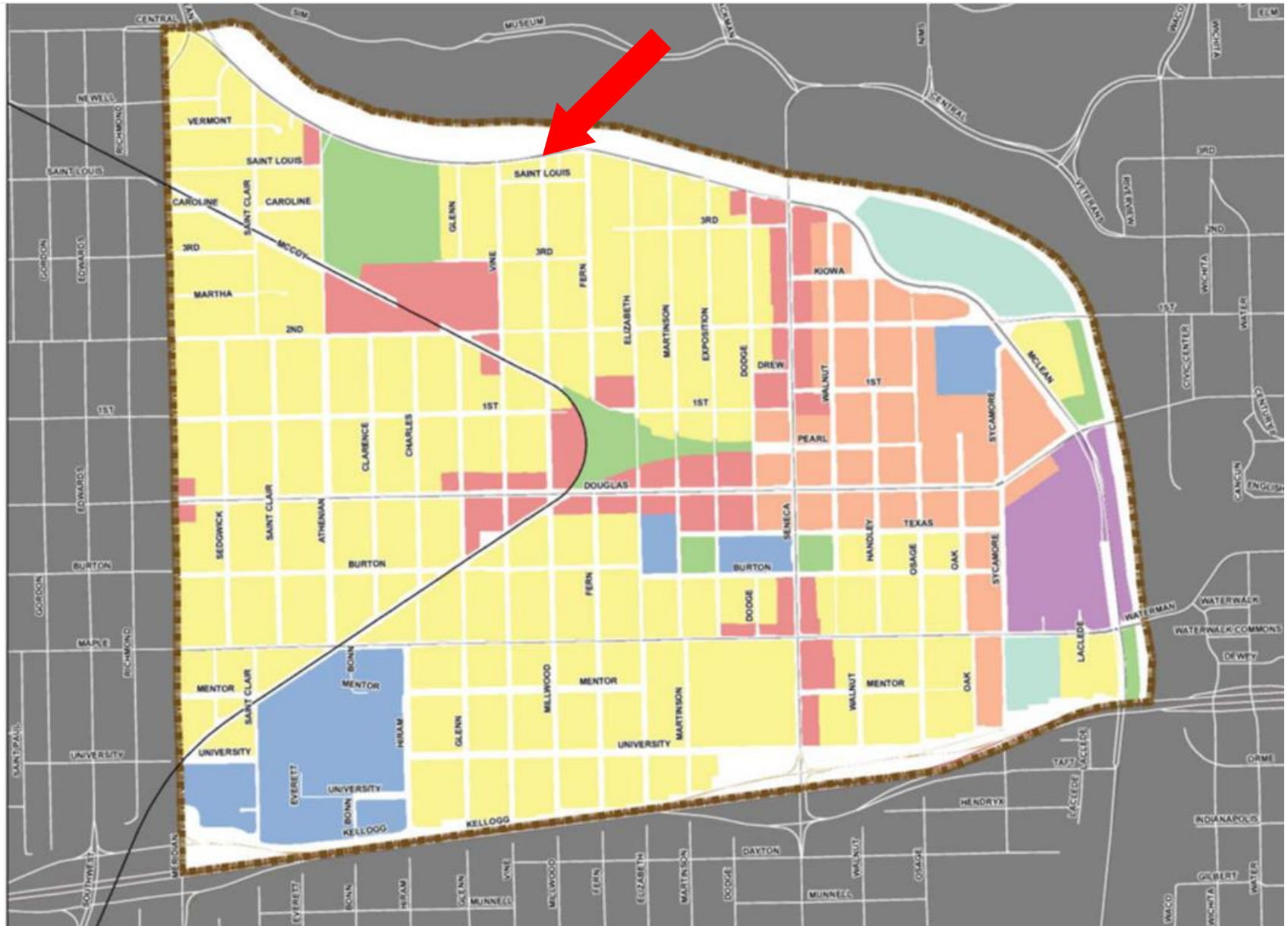
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Fig. 17 • Future Land Use Concept



Looking east at site from Vine



Looking west away from site at Vine



Looking southeast at and away from site at Vine



Looking east along McLean from Vine



Looking northeast away from site



Looking southwest away from site at Millwood



Looking south along Millwood



Looking west at site from Millwood



Looking southeast away from site at Millwood



Looking east toward Fern



Looking east at site from Millwood



Looking southeast away from site at Fern

