Agenda Item #_____

City of Wichita
City Council Meeting
May 25, 1999

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: **Z-3316 - ZONE CHANGE FROM "SF-6" SINGLE-FAMILY RESIDENTIAL TO "GO" GENERAL OFFICE, LOCATED ON THE SOUTHWEST CORNER OF EAST CENTRAL AND JACKSON.** (District #II)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to platting within one year and the additional provisions of Protective Overlay #51 (8-5).

Staff Recommendation: Approve, subject to platting within one year and the additional provisions of a (P-O) Protective Overlay District.

CPO Recommendation: Approve, subject to MAPD staff recommendations (7-0).

Background: The applicant requests a zone change from "SF-6" Single-Family Residential to "GO" General Office for a 8.9 acre tract located south of Central and west of Jackson Street in order to develop an office park. The tract consists of Lots 7 and 8 of Gilder's Addition, as well as an unplatted property immediately west of Lot 7. There are two homes situated within the application area, and a non-residential structure that is the location of an existing Conditional Use (CU-453) allowing the sale of agricultural products for a five-year time period. The Conditional Use was approved on September 11, 1997 by the MAPC.

The application area is surrounded on the west and south by single-family homes on large lots zoned "SF-6" Single-Family Residential. The property north of Central is an undeveloped pasture with "SF-6" and "SF-20" zoning. The property to the east is the proposed location of Plaza Central Office Park, an 8.6 acre tract approved for "GO" General Office zoning with a Protective Overlay. It would be similar to the use proposed by this rezoning request.

The "GO" district was added to the Unified Zoning Code to "accommodate office development and other complimentary land uses" and is "generally compatible with the 'Office' designation of the Wichita-Sedgwick County Comprehensive Plan." The "GO" district allows such uses as hotels/motels, hospitals, medical service uses, in addition to offices. The "GO" district also restricts signs to a maximum of 96 square feet per zoning lot, with no artificial illumination, and limits the height to 22 feet.

The request was heard at the CPO(2) meeting on March 22, 1999, and the CPO requested the applicant defer the request for 30 days for the applicant to meet with neighbors.

The request was heard again by CPO(2) on April 26, 1999. Two citizens spoke in opposition. The CPO voted (7-0) to approve the request subject to staff comments, and with the amendment to General Provision 7 of the Protective Overlay stipulating that access on Central shall be limited to one opening and access on Jackson limited to two openings, and the addition of a general provision that the buffer provided along the west property line be 1.5 times the required buffer per the Landscape Ordinance.

At the MAPC meeting on April 29, 1999, two citizens spoke in opposition. Some commission members raised concerns that the request allows commercial use into a residential area. There were questions about the adjoining tract to the east which was rezoned "GO" General Office in 1997, that established a precedence for non-residential zoning in the area. Some commissioners responded that "two wrongs do not make a right". Motion was made to deny the request; the motion failed (6-7). A substitute motion was made to approve the request subject to the protective overlay and with the modifications recommended by CPO(2). Motion carried (8-5).

Recommendation:

1. Concur with the findings of the MAPC and approve the zone change, subject to the additional recommended provisions of a Protective Overlay District and subject to the condition of platting within one year; instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Council; or

2. Return the application to the MAPC for reconsideration.

   (An override of the Planning Commission's recommendation requires a 2/3rd majority vote of the membership of the governing body on the first hearing.)

(_____) Published in the Daily Reporter on _____

ORDINANCE NO. 44-674

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 CITY OF WICHITA CODE SEC. 28.04.010.

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 City of Wichita Code Sec 28.04.010, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. Z-3316

Zone change request from "SF-6" Single-Family Residential District to "GO" General Office District, and to "P-O" Protective Overlay District #51, on property described as:

Plaza Central Office Park Second Addition, Wichita, Sedgwick County Kansas.

Generally located on the south side of Central, east of Greenwich Road.

SUBJECT TO THE FOLLOWING PROTECTIVE OVERLAY RESTRICTIONS:

1. Development shall be limited to the following uses: single-family, duplex, day care (limited and general) automatic teller machine, medical services, and office (general).

2. Development shall be limited to a maximum gross floor area of 80,000 square feet.

3. All free-standing signs shall be monument-type signs with a maximum height of 20 feet.

4. Architectural Control:

   A. All buildings on the property shall share the similar architectural character, color, texture and the same predominate exterior building material. Building walls and roofs shall have predominately earth-tone colors, with vivid colors limited to incidental accent.

   B. All parking lot light poles shall be of the same color and design, and shall have cut-off fixtures, which direct light away from nearby residential areas. Light poles must be limited to a maximum height of 14 feet.

5. All buildings shall be limited to 35 feet in height with a maximum of two (2) stories.

6. Minimum building setback from the centerline of Central shall be 150 feet.

7. Access shall be limited to one (1) opening on Central and two (2) openings on Jackson.

8. Landscape requirements shall be 1.5 times the requirements for buffering in the Landscape Ordinance for the west property line.

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 AT WICHITA, KANSAS, JUL 11 2000

ATTEST:

Pat Burnett, City Clerk

Bob Knight, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney