Agenda Item #_____

City of Wichita
City Council Meeting
November 23, 1999

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: **Z-3338 – ZONE CHANGE REQUEST FROM STREET RIGHT-OF-WAY TO "GO" GENERAL OFFICE, LOCATED AT THE NORTHEAST CORNER OF HILLSIDE AND GILBERT.** (District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to platting within one year and to the requested cross-circulation access agreement being submitted during the platting process (12-0).

Staff Recommendation: Approve, subject to platting within one year and to the requested cross-circulation access agreement being submitted during the platting process.

CPO Recommendation: Approve (5-0) subject to staff recommendations.

Background: The applicant is requesting "GO" General Office zoning for a tract of land of approximately 30,000 square feet, with approximate dimensions of 250 feet in width and 110 feet in depth. The application area is located at the northeast corner of the intersection of Hillside and Gilbert. The property is owned by the City of Wichita and has been identified as surplus land. It was originally purchased for the nearby Kellogg/Hillside interchange for use for street right-of-way. The contract purchasers have acquired the residual property rights in the land and intend to construct offices for their medical practices.

The surrounding land uses include a mix of residential and office uses along Hillside. The block directly across from the site includes three offices and nine residences. The property along Hillside in the block immediately south of the application area is interspersed with five office uses, one commercial use, and 15 residences. The remaining block on Hillside south to Lincoln includes all commercial uses except two four-plexes, and one residence. The prevailing sign heights along Hillside are low, generally below six feet in height, with two exceptions. Most are monument-style signs.

The area east of the site is all residential housing, mostly single-family. Calvary Cemetery is two blocks to the northeast. The land north of the site is vacant and also is surplus right-of-way.

The application area has been vacant since it was acquired and cleared as part of the Kellogg construction in the mid-1970s. Prior to that time the property was occupied by residences, similar in character to the houses in the surrounding area.

At the CPO(2) meeting held October 26, 1999, CPO voted (5-0) to recommend approval subject to staff comments. Members discussed the possible need for cross-lot circulation for the half-block north of the subject tract. The applicant (contract purchaser) was present and discussed his plans for a medical office. Three residents spoke, expressing concerns for traffic, screening and drainage.

At the MAPC meeting held October 28, 1999, MAPC voted (12-0) to approve subject to staff comments. There were no members of the public to speak.

Recommended Action:

1. Concur with the findings of the MAPC and approve the zone change, subject to the condition of platting and provision of cross-lot; 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 2/3 majority vote of the membership of the governing body on the first hearing.)

(_____) Published in The Daily Reporter on _____

ORDINANCE NO. _____

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.Z-3338

Request for zone change from street right-of-way to "GO" General Office, generally located at the northeast corner of Hillside and Gilbert. Described as:

Even Lots 78 thru 96, inclusive, on Hillside Avenue, in Indiana Subdivision, generally located at the northeast corner of Hillside and Gilbert.

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, _____

ATTEST: