Agenda Item #_____

City of Wichita
City Council Meeting
August 14, 2001

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: **ZON2001-00013 – ZONE CHANGE FROM "SF-5" SINGLE-FAMILY RESIDENTIAL TO "NO" NEIGHBORHOOD OFFICE, LOCATED NORTH OF WEST CENTRAL, ¼ MILE EAST OF 135TH STREET WEST** (District #V)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Deny (8-3).

Staff Recommendation: Deny.

DAB Recommendation: Have Public Works evaluate the curve to make it safe (9-0).

Background: The City Council originally heard this application as a request for "GO" General Office and a Conditional Use for "animal care, limited" on May 1, 2001. The Council referred that application back to the DAB and MAPC for re-hearing. The applicant then amended his request to "NO" Neighborhood Office only.

The application area is a 1.5 acre platted lot located on the north side of west Central, ¼ mile east of 135th Street West. The site is currently developed with a single-family residence with one point of access to Central Avenue. The application area is located next to an "S" curve in Central Avenue. There have been instances where vehicles have failed to negotiate the curve and have ended up on the applicant's property. The applicant states that due to these accidents, he cannot sell the property as currently zoned.

Land surrounding the application area is used either for single-family residential or is in agricultural use. All surrounding property is zoned "SF-6" Single-family Residential or "SF-20" Single-family Residential. There is a pond located west of the house that appears to be part of the Dry Creek drainage system. The closest of these residences is approximately 300 to 400 feet from the home on the application area.

DAB V heard the amended request on July 9, 2001. In general, most speakers expressed empathy for the applicant's situation but were not prepared to support a rezoning in this mid-mile location and in the middle of the neighborhood. A motion to deny failed (3-5-1). A motion to approve failed (4-4-1). A third motion to ask the Public Works department to make the road safe was approved (9-0).

The MAPC heard the request on July 19, 2001. No one spoke in opposition. The MAPC recommendation was based on concerns over location in relation to neighboring residences and mid-mile location. Three of the commissioners felt the request was a reasonable solution to the applicant's situation.

Recommended Action:

1. Concur with the findings of the MAPC and deny the application; or

2. Take other action as appropriate .

CITY OF WICHITA

FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

August 14, 2001

Sally A. Loesch
Lowell D. Loesch
13110 W. Central
Wichita, KS 67235

RE: **ZON2001-00013 (Associated with CON2001-00021) – Zone change from "SF-6" Single-family Residential to "NO" Neighborhood Office. Generally located north of west Central, ¼ mile east of 135th Street West.**

Dear Sally A. and Lowell D. Loesch:

This request was originally for a Conditional Use permit to allow "animal care, limited" and a zone change to "GO" General Office. The DAB and MAPC recommended denial on April 2, and April 5, 2001 respectively. The City Council has sent the case back to the DAB and MAPC for re-consideration. The applicant has indicated to staff that he will withdraw the request for the Conditional Use for "animal care, limited" and "GO" General Office zoning, and instead, ask for "NO" Neighborhood Office zoning.

At its regular meeting on July 19, 2001, the Metropolitan Area Planning Commission (MAPC) considered the revised request. The action of the Planning Commission was to **DENY** the revised request.

At its regular meeting on August 14, 2001, the Wichita City Council considered the revised request. The action of the City Council was to **DENY** the request.

If you have any questions concerning this case, please contact our office at 268-4421.

Sincerely,

Dale Miller
Chief Planner

DLM/rms

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