

City of Wichita
City Council Meeting
September 16, 2003

Agenda Report No.

TO: Mayor and City Council

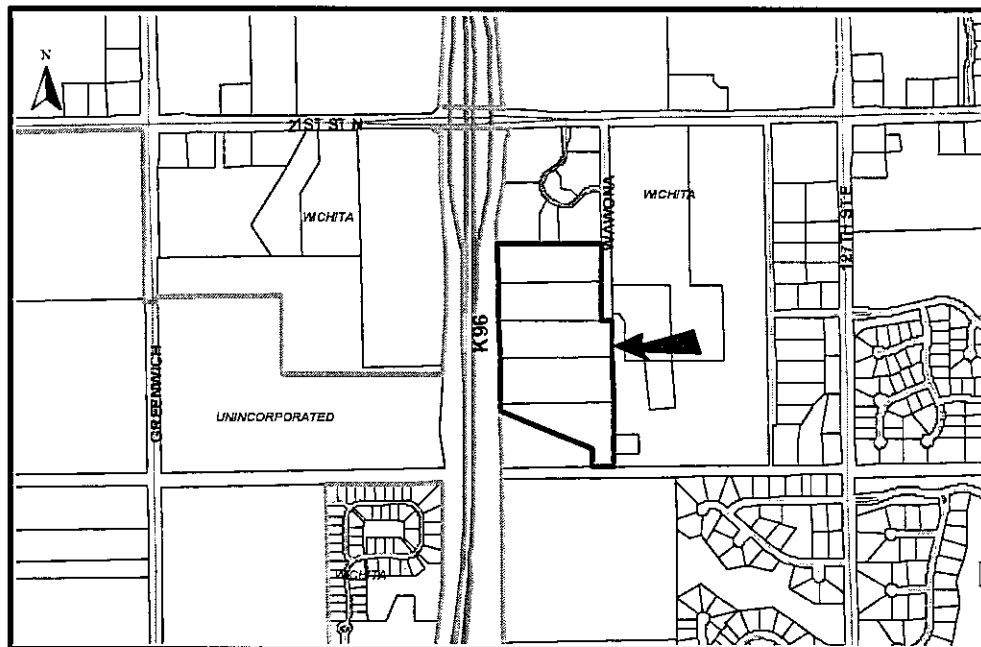
SUBJECT: ZON2003-00039 – Zone change from “SF-5” Single-Family Residential to “GO” General Office. Generally located southeast of the 21st Street North – K-96 interchange, 2021, 1961 & 1857 North Wawona. (District II)

INITIATED BY: Metropolitan Area Planning Department *TLS*

AGENDA: Planning (Consent)

MAPC Recommendation: Approve, subject to plat. (13-0)

Staff Recommendation: Approve, subject to plat.



BACKGROUND: The applicant requests a zone change from “SF-5” Single-Family Residential to “GO” General Office on Lots 4 & 5, Block 1, Lanzrath Addition and abutting unplatted tracts. The subject properties are located approximately 900-feet south of the 21st Street North Wawona intersection, along the west side of Wawona Street. The applicant proposes to develop the property into medical services. Current development on portions of the site includes three single-family residential houses, two on the northern platted portion of the site and the third, south of the other two houses, on an unplatted tract. These houses will be removed for redevelopment of the site.

The area around the site is moving from a rural character and uses to urban scale single-family subdivisions and three undeveloped “LC” zoned properties with CUP overlays. The development exceptions in the area are two recently completed large church complexes, a private school (all institutional uses) and two cemeteries.

The property abutting the north side of the site and having frontage on 21st Street North is zoned (ZON2001-24) "LC" Limited Commercial and has a CUP (DP-256) overlay on it. This property is not developed. North of Wawona are the two large church complexes, Messiah Baptist and the Church of the Magdalene. The property east of the site and across Wawona Street is zoned "SF-5". The private school, Trinity Academy, and its playing fields/grounds occupy most of this area. There is also a single-family residential house east of the site and the Water Department has a small facility on the southern portion of the east area. The owner of the house is protesting the proposed rezoning. The Burlington Northern right-of-way abuts the south end of the site. Properties south of the railroad ROW are zoned "SF-5", with the east portion developed as a single-family subdivision. The other property south of the site is owned by the same group, which owns Lakeview Cemetery. The cemetery development has not extended to the site's south side. K-96 is the west boundary of the site. West of K-96, property is zoned "SF-5" and "SF-20" single-family residential. These properties are either not developed or are part of the Kensington Gardens cemetery.

Any development on the subject property will be required to meet screening, compatibility standards and landscaping. Improvements to Wawona Street will have to be made in anticipation of the increase of traffic. Drainage plans will need to be reviewed and approved by the Public Works Engineer. The applicant has submitted a preliminary plat and the traffic and drainage issues will be addressed during platting.

The Metropolitan Area Planning Commission (MAPC) considered the zone change request on August 21, 2003, and voted (13-0) to recommend that the request be approved subject to platting within a year. Staff has not received any calls against the requested zoning change. A written protest was withdrawn at the August 21, 2003 MAPC meeting by the protester. There has been no other written protest received.

Recommendations:

1. Concur with the findings of the MAPC and approve the zone change subject to platting within a 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.)

Print and 12-2-03 WH
(150004) Published in The Derby Reporter on January 15, 2004

ORDINANCE NO. 45-955

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. ZON 2003-39

Request for zone change from "SF-5" Single-family Residential District to "GO" General Office District, on property described as:

Lot 1, Block 1, Wichita Clinic Addition, Wichita, Sedgwick County, Kansas.

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, this 2nd day of Dec., 2003.

Vice mayor
Sharon Stearns for
Carlos Mayans, Mayor

ATTEST:

Karen Schofield
Karen Schofield, City Clerk

(SEAL)

Approved as to form:

Gary E. Rebenstorf
Gary E. Rebenstorf, City Attorney