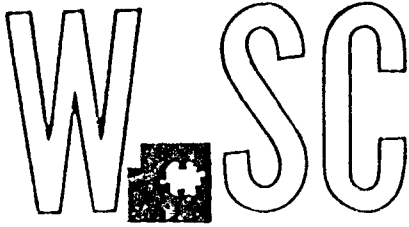


WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421
FAX (316) 268-4390

October 20, 1999

FILE COPY

Ahmed J. & Jennifer M. Karim
5702 E. Harry
Wichita, KS 67218

REVISED

RE: CU-540 & Z-3335 – Zone change to “GO” General Office and Conditional Use for personal care service. Generally located at the northeast corner of Harry and Christine.

Dear Ladies and Gentlemen:

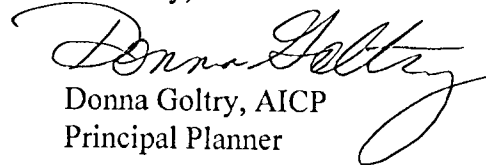
At its regular meeting on October 12, 1999, the Wichita City Council considered the above-captioned request. The action of the Council was to APPROVE the request, subject to the conditions stated below.

- A. Approve the zone change (Z-3335).
- B. Approve the Conditional Use (CU-540), subject to the following conditions:
 - 1. The use of the property shall be restricted to “personal care service,” “office, general,” “medical service,” and all other uses permitted by the “SF-6” Single-Family Residential district.
 - 2. No alteration of the principal building or premises shall be made which changes the residential character or appearance thereof.
 - 3. No equipment shall be used that creates noise, vibration, electrical interference, smoke or particulate matter emission, or odors that are in excess of ordinary and usual conditions prevailing in the immediate neighborhood as determined by the Zoning Administrator.
 - 4. There shall be no outdoor storage of equipment, materials or vehicles used in the “personal care service,” “office, general,” or “medical service” uses.
 - 5. No more than two persons shall be employed at the same time in the “personal care service” conducted on the subject property.
 - 6. No inventory shall be displayed or sold on the premises.

7. The "personal care service," "office, general," or "medical service" use shall be conducted entirely within the principal dwelling.
8. Signage shall be limited to one thirty-two square foot ground or monument-style sign not to exceed 8 feet in height. No banners, pennants, window signs, flashing signs, rotating signs, or string lights shall be permitted.
9. The property shall comply with screening and compatibility standards of the Unified Zoning Code and landscaping requirements of the Landscape Ordinance.
10. The site shall be developed in general conformance with the approved site plan attached to and made a part of this resolution.

This is a reminder that the zoning notification signs should now be removed from the property. If you have any question concerning this matter, please contact our office at 268-4421.

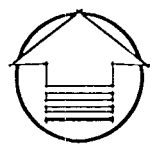
Sincerely,


Donna Goltry, AICP
Principal Planner

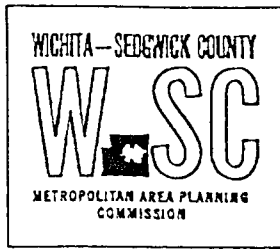
DG/rs

cc: John & Caroline Barber, 1615 South Edgemoor, Wichita, KS 67218
Baughman Company, %Russ Ewy, 315 Ellis, Wichita, KS 67211
Kurt Schroder, Office of Central Inspection
Paul Hays, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
J.R. Cox, Office of Central Inspection

40



SCALE: 1" = 20'



AGENDA ITEM NO. _____

STAFF REPORT

MAPC September 16, 1999

CPO(3) September 9, 1999

CASE NUMBER: CU 540 & Z-3335

APPLICANT/AGENT: Ahmed J. and Jennifer M. Karim (property owners); John and Caroline Barber (contract purchasers); Baughman Company, P.A. c/o Russ Ewy (agent)

REQUEST: Zone change to "GO" General Office and Conditional Use for personal care service

CURRENT ZONING: "SF-6" Single-Family

SITE SIZE: 0.16 acres ±

LOCATION: Northeast corner of Harry and Christine



BACKGROUND: The applicant is requesting a change in zoning classification to "GO" General Office and a Conditional Use for personal care service for a barber and alteration shop. The application area is located on a lot of approximately 0.16-acre site at the northeast corner of Harry and Christine, and located one block east of Edgemoor.

The application area is currently zoned "SF-6" Single Family and is occupied by a single-family residence. It is adjacent to single family houses to the east, to the north and across the street to the south, all of which are zoned "SF-6" Single Family. Across the street to the west is a QT convenience store on property zoned "LC" Limited Commercial. The QT occupies the block between Christine and Edgemoor. The other three properties at the intersection of Harry and Edgemoor are zoned "LC". Other uses at the intersection include a grocery store, a Dairy Queen and small strip center, and a Walgreen's and another small retail center with a liquor store and other office/neighborhood retail uses. It is in the vicinity of three schools, Caldwell Elementary, Curtis Middle School, and Southeast High School, all located west of Edgemoor between Harry and Lincoln.

The applicants have indicated that they intend to operate a barber shop and an alteration shop within the existing single-family home. The business would have an impact similar to a home occupation except that the applicants do not intend to live on the premises. The garage on the western end of the house would be removed and be the location of off-street parking for customers. The site plan incorporates a landscape street yard, parking lot screening, and buffering in conformance with the Landscape Ordinance. A proposed six-foot screening fence is shown on the northern and eastern property line in conformance with screening requirements of the Unified Zoning Code. The property also complies with the 25-foot compatibility setback on the northern line, and provides a 12-foot setback on the eastern property line. The property would be excepted from providing the full compatibility setback required by the UZC since it is an existing structure. Based on the square footage of the existing structure being 988 square feet, four off-street parking spaces would be required, as is shown on the proposed site plan.

The applicant has volunteered to abide by a set of conditions that would result in the use functioning similar to a home occupation. The conditions proposed by the applicant are the following:

1. The use of the property shall be restricted to "personal care service" and all other uses permitted by the "SF-6" Single-Family Residential district.
2. The use of the property shall be consistent with the site plan approved as part of the Conditional Use.
3. No alteration of the principal building or premises shall be made which changes the residential character or appearance thereof.

4. No equipment shall be used that creates noise, vibration, electrical interference, smoke or particulate matter emission, or odors that are in excess of ordinary and usual conditions prevailing in the immediate neighborhood as determined by the Zoning Administrator.
5. There shall be no outdoor storage of equipment, materials or vehicles used in the "personal care service."
6. No more than two persons shall be employed in the "personal care service" conducted on the subject property.
7. No inventory shall be displayed or sold on the premises.
8. The "personal care service" use shall be conducted entirely within the principal dwelling.
9. Signage shall be limited to one thirty-two square foot ground or monument-style sign not to exceed 8 feet in height.

CASE HISTORY: The property consists of Lot 1, Block 4, Purcell's 7th Addition in 1949, and recorded January 3, 1950.

ADJACENT ZONING AND LAND USE:

NORTH:	"SF-6" Single Family	Single-family residences
SOUTH:	"SF-6" Single Family	Single-family residences
EAST:	"SF-6" Single Family	Single-family residences
WEST:	"LC" Limited Commercial	Convenience store, small retail center

PUBLIC SERVICES: The site is situated along Harry, a five-lane arterial with 1997 traffic volumes of 19,187 ADTs for the westbound segment at the intersection of Harry and Edgemoor, one block west of the site. Traffic volume for 2020 is projected to increase to 25,000 ADTs. Municipal water and sewer service is available to serve the site.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies the application area and all adjacent land, including the site of the QT at the intersection of Harry and Edgemoor, as appropriate for low density residential. The remaining corners of Harry and Edgemoor are recommended as commercial. The Plan identifies all property on both sides of Harry to remain as low density residential extending eastward from the application area until one block east of Woodlawn, except for a parcel occupied by a church that is recommended for institutional use. Even though Harry is a relatively heavily traveled street, the Comprehensive Plan did not recommend the continued "stripping out" of commercial uses from Edgemoor to Woodlawn, but that it be maintained as a residential area. It falls within a "conservation" area on the Area

Treatment Classification Map of the Comprehensive Plan. This would be an area that is basically sound physically and should be protected from decline.

RECOMMENDATION:

Based on the Comprehensive Plan recommendations, the surrounding land use should be protected as a continued residential neighborhood. However, due to the stringent conditions volunteered by the applicant, the nature of the proposed "GO" General Office use would be to function similarly to a home occupation except for the fact that the operators of the personal care service businesses would not be residing in the residence. These conditions, coupled with the site design, should enable the personal care service to coexist with the surrounding residential area with minimal intrusion. An additional factor is the close proximity to the convenience store. The personal care service could perhaps function as a buffer between the QT and the remaining residential area, and serve as the endpoint for any non-residential encroachment eastward along Harry.

It is felt that perhaps the condition restricting the use to only personal care service and other "SF-6" uses is overly restrictive, and that other general office uses would also be appropriate as a use in this situation. The other changes recommended to the volunteered conditions is to ensure that signs be further limited to prohibit banners and window signs that are incompatible with a residential neighborhood. Based upon these factors and the information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to the following conditions:

1. The use of the property shall be restricted to "personal care service," "office, general," "medical service," and all other uses permitted by the "SF-6" Single-Family Residential district.
2. No alteration of the principal building or premises shall be made which changes the residential character or appearance thereof.
3. No equipment shall be used that creates noise, vibration, electrical interference, smoke or particulate matter emission, or odors that are in excess of ordinary and usual conditions prevailing in the immediate neighborhood as determined by the Zoning Administrator.
4. There shall be no outdoor storage of equipment, materials or vehicles used in the "personal care service," "office, general," or "medical service" uses.
5. No more than two persons shall be employed at the same time in the "personal care service" conducted on the subject property.
6. No inventory shall be displayed or sold on the premises.

7. The "personal care service," "office, general," or "medical service" use shall be conducted entirely within the principal dwelling.
8. Signage shall be limited to one thirty-two square foot ground or monument-style sign not to exceed 8 feet in height. No banners, pennants, window signs, flashing signs, rotating signs, or string lights shall be permitted.
9. The property shall comply with screening and compatibility standards of the Unified Zoning Code and landscaping requirements of the Landscape Ordinance.
10. The site shall be developed in general conformance with the approved site plan attached to and made a part of this resolution.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The site has commercial uses and "LC" Limited Commercial zoning located to the west, but the remaining areas to the north, east, and south are zoned "SF-6" Single Family and used as single family residences.
2. Extent to which removal of the restrictions will detrimentally affect nearby property: The proposed "GO" General Office zoning, with the proposed conditions, would allow a low-intensity personal care business or office use adjacent to single family dwellings. Customers to the business could be expected to generate a few additional cars to park in the area, although the off-street parking to be provided should be ample to satisfy demand generated by the use.
3. The suitability of the subject property for the uses to which it has been restricted: The property could continue to be used as a single-family residence.
4. Impact of the proposed development on community facilities: The use of this property should have very limited impact on community facilities.