



Wichita-Sedgwick County Metropolitan Area Planning Department

July 21, 2009

Genesis Health Clubs Management, LLC
Bldg #3 6100 E Central
Wichita, KS 67208

Genesis Health Clubs
854 N. Socora
Wichita, KS 67212

RE: ZON2009-00019 and CUP2009-00013 - City zone change from SF-5 Single-family Residential to GO General Office and City amendment to DP-11 to add three lots to the CUP Community Unit Plan and rezone the lots to GO General Office, generally located north of Central, east of Socora (854 N. Socora).

Dear Ladies and Gentlemen:

At its regular meeting on **July 21, 2009**, the Wichita City Council considered the above captioned request. The action of the Council was to **APPROVE** the request, subject to the **following conditions**:

1. Revise the provisions of Parcel 7 to read:
Net Area: 743,568 sq. ft. or 17.07 acres
Max. Land Coverage shall not exceed 23% of the net land area or 171,021 sq. ft.
Max. Gross Floor Area: 193,328 sq. ft.
Floor Area Ratio: 26%
Maximum building heights as per zoning ordinance except that portion north of line as shown on the plan which shall not exceed 35 feet in height.
Number of Buildings: 10
Building Setbacks: See Drawing
Parking ratio as per Unified Zoning Code
Access Points:
2 to Central
1 to Woodchuck (see General Provision #9)
Complete access control to School Circle

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www.wichita.gov

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Page 2

July 21, 2009

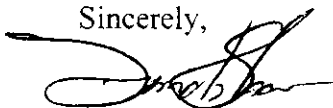
Proposed Uses:

General offices, personal improvement service, medical facilities, laboratories, optician, and other similar uses, hotel and motel as permitted in "GO" zoning district, no residential use is permitted except a retirement center associated with a nursing home.

2. Vacate the 20-foot utility easement that runs along the boundary of Parcel 7 and the three lots in question before any construction encroaches the easement.
3. The CUP plan shall be revised to show changes that have been made on the CUP by previous administrative adjustment and amendments. A "cleaned up" version of the CUP will be required when the applicant submits the 4 revised copies of the CUP to the Metropolitan Area Planning Department.
4. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Zoning Administrator and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
5. Any major changes in this development plan shall be submitted to the Planning Commission and to the governing body for their consideration.
6. The transfer of title of all or any portion of the land included within the Community unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.
7. The applicant shall submit 4 revised copies of the CUP to the Metropolitan Area Planning Department within 60 days after approval of this case by the Governing Body, or the request shall be considered denied and closed.

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

Sincerely,



Derrick K. Slocum
Associate Planner
Current Plans Division

DKS:mc

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Page 2

July 21, 2009

Copies to: Greg Ferris, P.O. Box 573, Wichita, KS 67201
Baughman Co, ATTN Russ Ewy, 315 S. Ellis, Wichita, KS 67211
Westlink, Ron Nutt, 1218 Maus Ln., Wichita, KS 67212
WCC V, Jeff Longwell, Mail Stop 1-13
N.A. V, Megan Buckmaster, Mail Stop 1-135
Julianne Kallman, Engineering, Mail Stop 1-71

ORDINANCE NO. 48-385

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. ZON2009-00019

Zone change request from SF-5 Single-family Residential ("SF-5") to GO General Office ("GO") on properties described as:

Lots 1, 3, 4 and 5, Tyler Acres Sixth Addition, Wichita, Sedgwick County, Kansas; generally located north of Central, east of Socora (854 N. Socora).

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 28 day of July, 2009

ATTEST:



Karen Sublett, City Clerk



Carl Brewer, Mayor



Approved as to form:



Gary E. Rebenstorf, Director of Law