

ORDINANCE NO. 46-399

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 2003-12

Zone change from SF-20, Single-Family Residential District to GO, General Office District, on property described as:

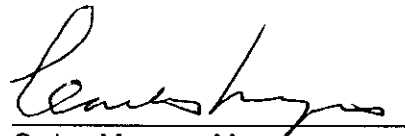
The east 315 feet of Lot 1, Block 1, Thorn Creek Farms Addition, Wichita, Sedgwick County, Kansas.

Generally located on the west side of Greenwich Road and north of Harry.


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 9th day of November, 2004.


Carlos Mayans, Mayor

ATTEST:

for 
Karen Sublett, City Clerk

(SEAL)



Approved as to form:


Gary E. Rebenstorf, City Attorney

AGENDA ITEM REQUEST

 Approved by County Manager for Consent
Agenda

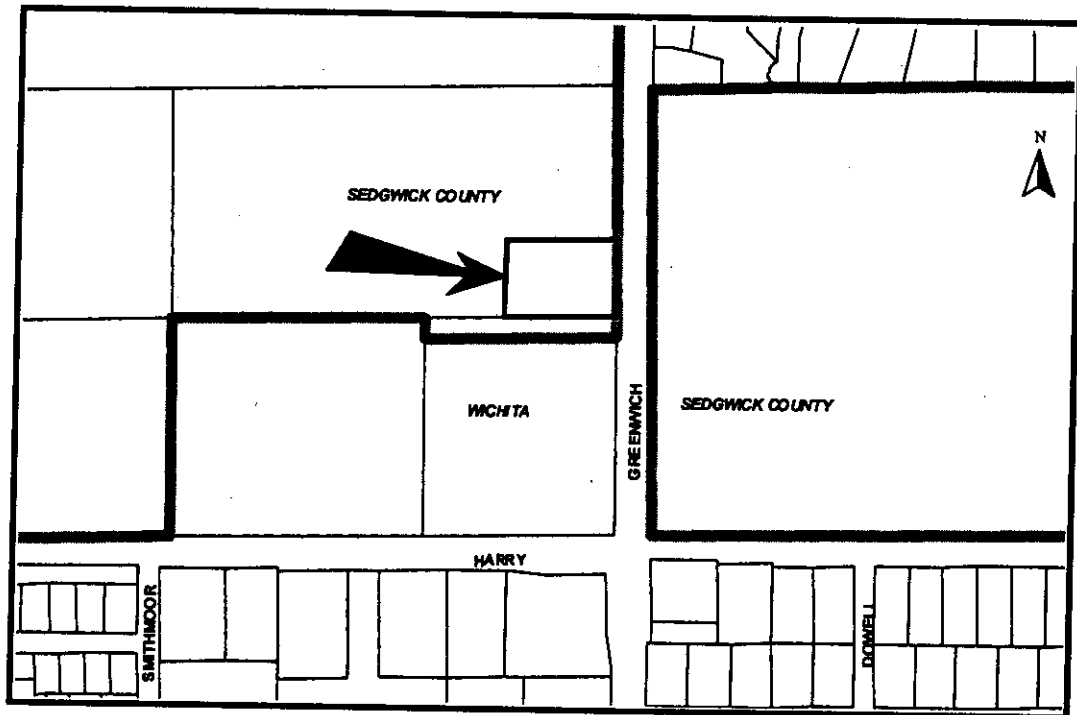
Proposed Agenda Item: ZON2003-12 – Zone change from “SF-20” Single-family Residential to “GO” General Office. Generally located northwest of the Harry Street and Greenwich Road intersection. (District V)

Submitted by: Dale Miller, Acting Planning Director *DM*

Recommended Action: Approve the zone change subject to platting within one year, direct staff to prepare the appropriate resolution after the plat is approved, and authorize the Chairman to sign the resolution

Proposed Agenda Date: May 7, 2003

Donations: Not applicable.



BACKGROUND: The applicant is requesting "GO" General Office zoning on 1.9 acres of unplatted property located approximately 625-feet northwest of the Harry Street and Greenwich Road intersection. The site is located approximately 70 feet outside the Wichita city limits. The site has a large building (approximately 6,736.30 square feet) with two (2) asphalt parking areas on it. The building is brick and composite or wood siding with a residential design. The applicant proposes initially to use a portion of this building, which is developed as an office, for his insurance business. The site is part of approximately 20 acres, all of which is zoned "SF-20", Single-Family Residential.

Properties abutting the site to the north and west are zoned "SF-20". The property north of the site has a large single-family residence on it, while the property west of the site is undeveloped. Property east of Greenwich Road is zoned "SF-20" and "SF-5" Single-family Residential. These properties are developed as three (3) single-family residences and the Ball Addition with single-family residences. Properties south of the site are zoned "LC" Limited Commercial (part of the commercial zoned node with 600-foot x 600-foot "LC" zoning on the four (4) corners of the intersection) at the Harry Street and Greenwich Road intersection) and "SF-5" southwest of the site. The "LC" zoned property is developed as a farmstead, while the "SF-5" zoned property is undeveloped. There is an automotive repair shop south of the intersection and single-family residential and undeveloped properties

The site will have to be developed in compliance with all the code requirements including buffering, landscaping and screening.

Analysis: At the April 10, 2003 MAPC public hearing no one spoke in opposition to the zoning change request. Staff recommended approval of the request subject to platting within a year. The MAPC voted (11-0) to approve the request subject to platting within a year. There have been no phone calls protesting the request and there have been no written protest opposing the request.

Alternatives:

1. Concur with the findings of the MAPC, approve the zone change subject to platting within one year, direct staff to prepare the appropriate resolution after the plat is approved, and authorize the Chairman to sign the resolution.
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 consideration.)

Financial Considerations: Not applicable.

Policy Considerations: The MAPC recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood. The surrounding properties are developed as farms and farmland on land zoned "SF-20", "SF-5" or "LC". There is one single-family residence on a lot of over 10-acres zoned "SF-20" north of the site and an urban scale single-family subdivision on "SF-5" northeast of the site. Property to the south is zoned "LC" as part of the commercial node located at the intersection.
2. The suitability of the subject property for the uses to which it has been restricted. The site is currently zoned "SF-20" which allows a lower density of development and has fewer uses "by-right" than the district requested. The property could be developed as zoned, but the requested office zoning is an appropriate buffer zoning district between the "LC" commercial node at the intersection south of the site and the low-density residential zoning north of the site.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Intensity of use and traffic volumes will increase over current conditions if the request is approved. However if the site is developed in compliance with all codes including landscaping, screening and buffering, the negative impact on the nearby properties will be minimal.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan: The site is located within the "Wichita Land Use Guide's" 2010 Urban Service Area. The recommended land use guide did not anticipate office development at this location, however office use is an appropriate buffer between commercial and residential uses. "Office Location Guidelines" indicate that offices should be located adjacent to arterial streets and they should be incorporated within or adjacent to neighborhood and community uses at an appropriate scale.
5. Impact of the proposed development on community facilities: Traffic will increase, and there will be increase demand for municipal type services over the non-commercial use that exists today. However, already planned improvements, or those obtained during the platting process, will address these additional needs.

Legal Considerations:
Office



Approved as to form and signed by County Counselor's