This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: Nearby properties are zoned "SF-5," Single-family Residential or "LC," Limited Commercial and developed with residential or office uses. The area is located adjacent to a four-lane arterial road.

2. The suitability of the subject property for the uses to which it has been restricted: The site is zoned "GO," General Office which allows a variety of medium to low intensity uses, ranging from single-family residences, multi-family residential to general and medical offices. The site is already developed with buildings suitable for office or small-scale retail use. The site could continue to be used as currently restricted, however personal improvement services should not be unsuitable uses given the site's orientation and location along an arterial road.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval of the request should not detrimentally affect nearby properties. Given the site's small size, existing development and building orientation, nearby property should not experience any detrimental affects.

4. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: Approval would increase the number of locations personal improvement services could be located. Denial presumable would result in an economic loss to the applicant.

5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The "2030 Wichita Functional Land Use Guide" map identifies this area as appropriate for "local commercial" uses, which include concentrations of predominately commercial, office and personal service uses that do not have a significant regional market draw. The Comprehensive Plan also recommends that office uses should be generally located adjacent to arterial streets, and they should be incorporated within or adjacent to neighborhood and community scale commercial development. This location is consistent with the recommended guidelines.

6. Impact of the proposed development on community facilities: No negative impacts on community facilities have been identified.

CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

July 24, 2007

Barrington LLC
Attn: Steve Robl
5842 W. 21st St.
Wichita, KS 67205

RE: CON2007-21 - City conditional use for personal improvement service on property zoned "GO" General Office at 530, 534 North Ridge Road, generally located on the northeast corner of Ridge Road and Freeman Lane.

Dear Ladies and Gentlemen:

At its regular meeting on **June 21, 2007** the Wichita-Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of MAPC was to **APPROVE** the request. A copy of the final resolution is attached.

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

Sincerely,

Dale Miller
Current Plans Manager
Current Plans Division

DLM/mc
Enclosure

Copies to: Jeff Longwell, WCC V, MAIL STOP #1-13
LaShonda Porter, NA WCC II, FOR WCC V, MAIL STOP #1-135
Vicky Huang, Engineering, MAIL STOP #1-71

CONDITIONAL USE RESOLUTION NO. CON2007-00021

WHEREAS, Barrington LLC (applicant); Baughman Company, c/o Russ Ewy (agent); pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), request a Conditional Use to permit a personal improvement service on 0.92 acre zoned "GO" General Office described as:

> Lots 1 & 2, Niedens 5th Addition, Wichita, Sedgwick County, Kansas. Generally located east of North Ridge Road and ¼ mile south of Central Avenue.

WHEREAS, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission (hereinafter referred to as MAPC) has been given; and

WHEREAS, the MAPC did, at the meeting of June 21, 2007, consider said application; and

WHEREAS, the MAPC has authority to permit a Conditional Use, subject to any special conditions deemed appropriate in order to assure full compliance with the criteria of the Unified Zoning Code.

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Area Planning Commission that this application be approved to permit a personal improvement service on 0.79 acre zoned "GO" General Office described as:

> Lots 1 & 2, Niedens 5th Addition, Wichita, Sedgwick County, Kansas. Generally located east of North Ridge Road and ¼ mile south of Central Avenue.

Adopted this 21st DAY of JUNE 2007. This resolution shall become effective on the fifteenth day after the date last noted above unless the matter is forwarded to the Governing Body for final action under the provisions of Section V-D.6. When any one or more of the exceptions listed in Section V-D.6 exist, this resolution with its conditions of approval shall be considered a recommendation of the MAPC to the Governing Body which shall then have final authority to approve, approve with conditions or modifications, or deny the Conditional Use application.

METROPOLITAN AREA PLANNING COMMISSION

Darrell Downing, Chair MAPC

ATTEST:

John L. Schlegel, Secretary

WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. _____

STAFF REPORT

MAPC 6-21-07

CASE NUMBER: CON2007-21

APPLICANT/AGENT: Barrington, LLC / Baughman Company, PA (Terry Smythe)

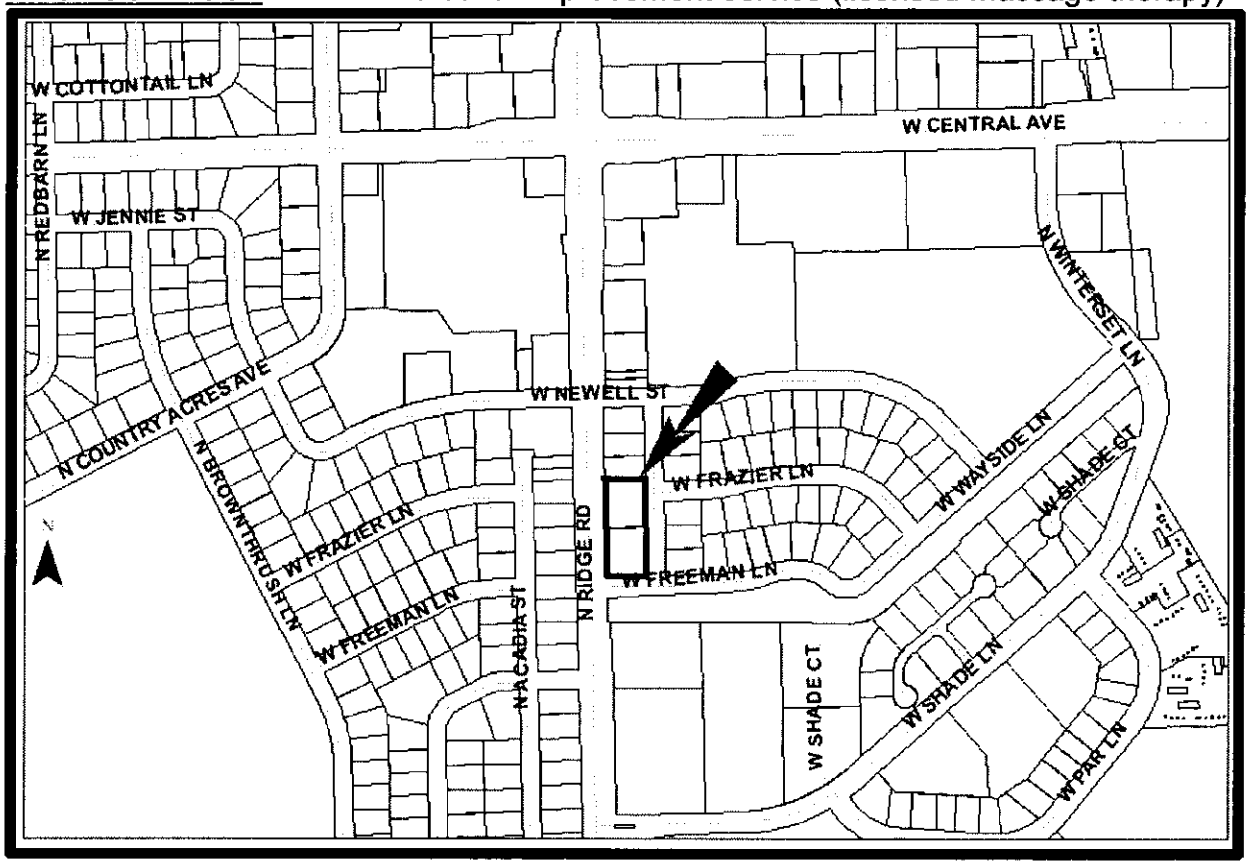
REQUEST: Conditional Use to permit personal improvement services

CURRENT ZONING: "GO" General Office

SITE SIZE: .92 acre

LOCATION: Approximately ¼ mile south of Central, east of Ridge Road (530 and 534 South Ridge Road)

PROPOSED USE: Personal improvement service (licensed massage therapy)



BACKGROUND: The application area is two platted lots (Lots 1 and 2, Niedens 5th Addition) zoned "GO," General Office located on the east side of North Ridge Road, approximately ¼ mile south of Central Avenue. The two lots contain .92 of an acre, and are developed each with an office building fronting Ridge Road. The applicant is seeking approval of a Conditional Use to permit "personal improvement services," to allow licensed massage therapy. Personal improvement services are only permitted by "conditional use" in the "GO," district.

Properties to the north, east and west of the application area are zoned "SF-5," Single-family Residential, and developed with residences. South of the subject property is a "SF-5" zoned drainage ditch with "LC," Limited Commercial zoning located immediately south of the ditch. The "LC" property is developed with an office building. Ridge Road on the west, Summitlawn Lane on the east and Freeman Lane on the south, separate the application area from surrounding properties.

CASE HISTORY: In 1981, the application area was part of a larger area that was considered as case number Z-2371. Z-2371 was a request for "LC," Limited Commercial and "BB," Office zoning. The MAPC recommended denial of the request, however, the City Council granted the office request. The Niedens 5th Addition was recorded in 1984.

ADJACENT ZONING AND LAND USE:

NORTH:	"SF-5," Single-family Residential; single-family residences
SOUTH:	"SF-5," Single-family Residential and "LC," Limited Commercial; drainage ditch / office
EAST:	"SF-5," Single-family Residential; single-family residences
WEST:	"SF-5," Single-family Residential; single-family residences

PUBLIC SERVICES: The site is located in a developed portion of town have the full range of utilities and publicly supplied services available. Ridge Road is an improved four-lane arterial street with 50 feet of half-street right-of-way at this location.

CONFORMANCE TO PLANS/POLICIES: The "2030 Wichita Functional Land Use Guide" map identifies this area as appropriate for "local commercial" uses, which include concentrations of predominately commercial, office and personal service uses that do not have a significant regional market draw. The Comprehensive Plan also recommends that office uses should be generally located adjacent to arterial streets, and they should be incorporated within or adjacent to neighborhood and community scale commercial development. (Office Locational Guidelines, p.35)

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED.

Sedgwick County Maps

