

Planning Agenda Item # _____

City of Wichita
City Council Meeting
December 9, 1997

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-3257 - EVIES AND SHARON CRANFORD (PROPERTY OWNERS/ APPLICANTS) REQUEST ZONE CHANGE FROM "MF'-29" MULTI-FAMILY RESIDENTIAL TO "GO" GENERAL OFFICE; AND

CU-458 - CONDITIONAL USE TO ALLOW A VOCATIONAL SCHOOL, LOCATED NORTH OF 19TH STREET NORTH, EAST OF WELLINGTON PLACE (2004 WELLINGTON PLACE).

(DISTRICT #6)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

MAPC Recommendation: Approve zone change, subject to the additional provisions of a Protective Overlay (P-O) district, and approve the Conditional Use, subject to conditions (7-5).

CPO Recommendation: Approve zone change, subject to the additional provisions of a Protective Overlay (P-O) district, and approve the Conditional Use, subject to conditions (7-1).

Staff Recommendation: Approve zone change, subject to the additional provisions of a Protective Overlay (P-O) district, and approve the Conditional Use, subject to conditions.

Background: The applicants request a zone change from "MF-29" Multi-Family Residential to "GO" General Office on two platted lots totaling approximately 0.31 acres, located north of 19th Street North, east of Wellington Place. The applicants are also requesting approval of an associated Conditional Use to allow the site to be used as a vocational school.

The applicants are requesting the zone change and Conditional Use to provide 20 persons with and without mental disabilities job training and instruction, in association with a second request (Z-3258 and CU-459) located in the Planeview neighborhood. Such use is considered a "vocational school" and is first permitted in the "GO" zoning district with an associated Conditional Use. The Unified Zoning Code defines "vocational school" as "a use providing educational training in business, commercial trades, language, arts or other similar activity or occupational pursuit, and not otherwise defined as a 'college or university' or 'elementary or secondary school.'"

The site is currently zoned "MF-29" and is developed with a single-family home fronting 19th Street. The existing structure was approved by the Board of Zoning Appeals on June 27, 1989 for two use exceptions. One use exception permits a group home for a maximum of four mentally retarded adults, and the second permits a day care facility for a maximum of twelve mentally retarded adults. Both resolutions state that any expansion of the facility to accommodate more clients, or clients other than mentally retarded adults, would require a new BZA application. To the east of the structure is a paved parking area also required by the BZA action. With approval of the request, the applicants have stated that the existing use of the site as a group home and adult day care would cease.

The site plan submitted with the application (copy attached) shows the location of the 2,600± square foot home on the subject property, with a 333 square foot garage along the north and east property line, and a 241 square foot garage located to the southeast of the home. This second garage has since been torn down, and is the location of the parking area.

The surrounding properties are also zoned "MF-29" and developed with single-family homes. The property to the north has a 6 foot wood fence separating that property from the application area. There is an assisted living complex further to the north along Wellington Place.

During the November 13, 1997 MAPC meeting, questions over staff's recommendation were asked. Staff stated that the property had been used for non-residential uses in the past and that the ability to approve the request with a protective overlay and a conditional use would mitigate any adverse impact on the neighborhood, as well as provide a time limit on the vocational school use. The applicants spoke on their proposed use of the property.

One CPO member spoke in opposition to the request, stating the zone change would set a precedent for future rezonings and that it would impact the Midtown Neighborhood's goal of improving the single-family residential character of the area.

After the discussion, the MAPC voted (7-5) to approve the request subject to the additional provisions of a Protective Overlay and the conditions of the conditional use, as recommended by staff. There have been 11 protest petitions filed against this request totaling a 33.7% protest of the surrounding property within 200 feet of the application area, therefore requiring a super majority vote to be approved.

Recommendation:

1. Concur with the findings of the MAPC and approve the zone change and conditional use, subject to the recommended provisions of a Protective Overlay District and the recommended conditions of the conditional use; place the ordinances establishing the zone change and conditional use on first reading (6 votes are required to pass this motion); or
2. Return the application to the MAPC for reconsideration; or
3. Override the recommendation and deny the request by a 2/3rd majority vote, citing appropriate findings.

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

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December 11, 1997

Evies O. and Sharon H. Cranford
2420 N. Dellrose
Wichita, KS 67220

RE: Z-3257 - Zone change from "MF-29" Multi-Family Residential to "GO" General Office;

AND

CU-458 - Conditional use to allow a vocational school on property generally located at the northeast corner of 19th Street North and Wellington Place (2004 Wellington Place)

Dear Mr. and Mrs. Cranford:

On December 9, 1997, the City Council considered the above-referenced request. The action of the Council was to DENY the request.

If you have any further questions concerning this matter, please contact the Planning Department office at 268-4421.

Sincerely,

A handwritten signature in black ink, appearing to read 'Russ Ewy', is written over the typed name.

Russ Ewy
Senior Planner

RE/sh

cc: Kurt Schroeder, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
Paul Hays, Office of Central Inspection
J.R. Cox, Office of Central Inspection

