

Agenda Item # _____

City of Wichita
City Council Meeting
August 14, 2001

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: ZON2001-00039 - ZONE CHANGE FROM "SF-5"
SINGLE-FAMILY RESIDENTIAL TO "NO"
NEIGHBORHOOD OFFICE, LOCATED WEST OF
RIDGE ROAD AND SOUTH OF BITTERSWEET LANE
(1935 N. RIDGE ROAD). (District #V)

INITIATED BY: Metropolitan Area Planning Department 

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to the conditions of a two-foot utility easement dedication and a (P-O) Protective Overlay (8-2).

Staff Recommendation: Deny.

DAB Recommendation: Dab V will hear case on August 6, 2001.

Background: The applicant is requesting "NO" Neighborhood Office on an .80 acre platted lot located along the west side of Ridge Road, and south of Bittersweet Lane. The property is currently zoned "SF-5" single-family residential and developed with a single-family residence. The owner currently rents the property. The owner intends to use the existing residential structure for an office use. The property has one drive entrance onto Ridge Road and one onto Bittersweet Lane. Bittersweet Lane is a two lane residential road without curbs, sidewalks, or paved shoulders. Bittersweet Lane is served by a storm drainage system of small swale ditches with culverts at several locations.

The application area is located in a string of seven similarly sized residential lots facing Ridge Road. "LC" Limited Commercial zoning exists approximately 925 feet to the north, at the intersection of Ridge and 21st Street N. "TF-3" Two-family zoning exists approximately 525 feet to the south on Ridge Road. The county owned property across Ridge to the east is zoned "SF-20" but developed with a county park; a pedestrian/bicycle path sits directly east of the application area.

Single-family residential uses border this site to the north, south and west, and open space/park uses are to the east. Introduction of the neighborhood office district at this

location would increase traffic in the neighborhood and permit a wider range of uses that are not in character with adjacent zoning districts and uses. A change in zoning would likely have a detrimental effect on adjacent residential properties, and a change in zoning would trigger requests for more zoning changes along this stretch of Ridge Road. No similar zoning changes have been approved on this section of Ridge Road. In 1990 this property requested a zone change from "R-1" Suburban Residential to "BB" Office District; the MAPC recommended denial and the County Board of Commissioners denied the request.

At the MAPC hearing on July 19, 2001 the applicant's agent spoke against the planning staff recommendation, and requested approval for the zone change from SF-5 to NO. Two neighbors from the notification area spoke in support of staff's recommendation and requested that MAPC deny the zone change request. The neighbors cited concern of increased traffic, change in neighborhood character, and decline of residential property values should the requested "spot zoning" take place. The neighbors noted that each of the protest area residential neighbors had filed a protest petition. The MAPC motioned to deny the zone request, but this move failed by a 2-8 vote. The MAPC then motioned to approve the request, subject to a two-foot utility easement dedication and the following Protective Overlay:

1. The property shall be developed and/or redeveloped with a building that has a residential character, and that includes brick, masonry, wood or composite siding; a double-pitched roof with a minimum vertical rise of 4 inches for every twelve inches; and a maximum height of 25 feet.
2. Freestanding signs shall be monument-type with a maximum height of 8 feet.
3. The property shall be restricted to one point of access onto Ridge Road, and no access to Bittersweet Lane. If in the future, the abutting lot to the south also converts to a non-residential use, the property owner may be required to pay all costs to modify or close the driveway, to pay one-half the cost of reconstructing the driveway, and to modify the off-street parking area, as required by the Traffic Engineer, in order to allow joint access and cross lot circulation.
4. Lighting shall conform to lighting standards in Sec. IV-B.4 of the Unified Zoning Code and be limited to no more than 14 feet in height.
5. Landscaping shall be provided that is equivalent to a landscaped street yard, parking lot landscaping and screening along Ridge Road, and a buffer along the property lines adjoining a residential district, as required in the City of Wichita Landscape Ordinance. A Landscape Plan shall be submitted to the Director of Planning for approval prior to the issuance of a building permit.

The approval motion carried with an 8-2 vote.

Ten protest petitions have been received by the Planning Department, totaling 8.4 percent of the protest area. The only property within the statutory protest area not to file a protest petition is Sedgewick County, owner of the park across Ridge Road from the application

area. Because the statutory notice area extends 1000 feet into unincorporated areas, and the County park is outside the city limits, it accounts for 91.6 percent of the protest area.

Recommended Action:

1. Concur with the findings of the MAPC and approve the zone change, subject to the recommended provisions of a Protective Overlay District; approve first reading of the ordinance; withhold publication of the ordinance until the dedication instrument is submitted and accepted by the City Engineer and Law Office; or
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 hearing.)



Wichita-Sedgwick County Metropolitan Area Planning Department

August 14, 2001

FILE COPY

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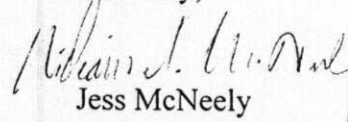
RE: ZON2001-00039 – Zone change from “SF-5” Single-family Residential to “NO” Neighborhood Office. Generally located west of Ridge Road and south of Bittersweet Lane (1935 N. Ridge Road).

Dear Ladies and Gentlemen:

At its regular meeting on August 14, 2001, the Wichita City Council considered the above-captioned request. The action of the City Council was to **DENY** the request.

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

Sincerely,


Jess McNeely
Associate Planner

JM/rs

Cc: Property Owners/Protestor(s)
Ferris Consulting, c/o Greg Ferris, P. O. Box 573, Wichita, KS 67201
Bob Martz, City Council Member, District V, Mail Stop 1-13
Dana L. Brown, DAB, District V, Mail Stop 1-135
Kurt Schroeder, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
Paul Hays, Office of Central Inspection
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