Agenda Item #_____

City of Wichita
City Council Meeting
May 7, 2002

Agenda Report #_____

TO: Mayor and City Council Members

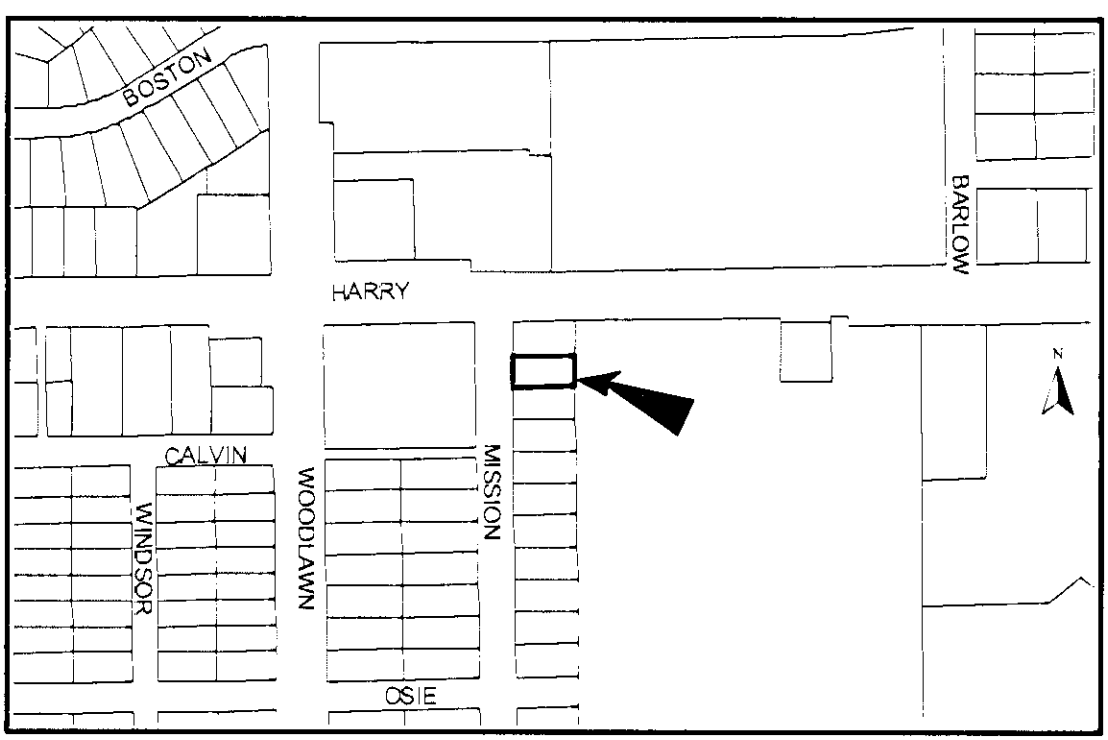
SUBJECT: **ZON2002-00011 – Zone Change from "MF-29" Multi-Family Residential to "GO" General Office. Generally located south of Harry and east of Mission. (District III)**

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve. (12-0)

Staff Recommendation: Approve.



BACKGROUND: The applicant requests a zone change from "MF-29" Multi-Family Residential to "GO" General Office on a 0.19 acre platted tract located south of Harry and east of Mission. The subject property also is located within Airport Overlay District III – North, which places additional land use controls on the property to ensure compatibility with operations at McConnell Air Force Base.

The subject property formally was developed with a duplex that recently has been razed. The applicant proposes to develop the subject property with expanded parking facilities for the adjacent dental office the applicant owns on the property to the north.

The surrounding area is characterized by commercial and multi-family residential uses. The property to the east is zoned "GO" General Office and "GC" General Commercial and is developed with a golf driving range. The property to the west is zoned "LC" Limited Commercial and is developed with a convalescent care facility. The properties to the north across Harry are zoned "LC" Limited Commercial and "B" Multi-Family Residential and are developed with a grocery store and apartments, respectively. The properties to the south are zoned "MF-29" Multi-Family Residential and are developed with duplexes.

At the April 4, 2002 public hearing, the MAPC voted (12-0) to recommend the rezoning request for approval. There were no speakers in favor of or in opposition to the request at the hearing.

Recommended action:

1. Concur with the findings of the MAPC and approve the zone change; place the ordinance establishing the zone change on first reading; or

2. Return the application to the MAPC for reconsideration.

(An override of the Planning Commission's recommendation requires a 2/3rd majority vote of the membership of the governing body on the first hearing.)

(150004) Published in The Wichita Eagle on MAY 18 2002

ORDINANCE NO. 45-314

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. ZON2002-00011

Zone change from "MF-29" Multi-Family Residential and "AOD III-N" Airport Overlay District III – North to "GO" General Office and "AOD III-N" Airport Overlay District III – North on property described as:

Lot 2, Lincoln Hills Third, an Addition to Wichita, Kansas, Sedgwick County, Kansas. Generally located south of Harry and east of Mission.

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 AT WICHITA, KANSAS, MAY 14 2002

ATTEST:

Pat Burnett, City Clerk

Bob Knight, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney

WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 11

STAFF REPORT

MAPC April 4, 2002

CASE NUMBER: ZON2002-00011

APPLICANT/AGENT: Steven and Mary Jo Röhr (Owner/Applicant); John H. Tasset (Agent)

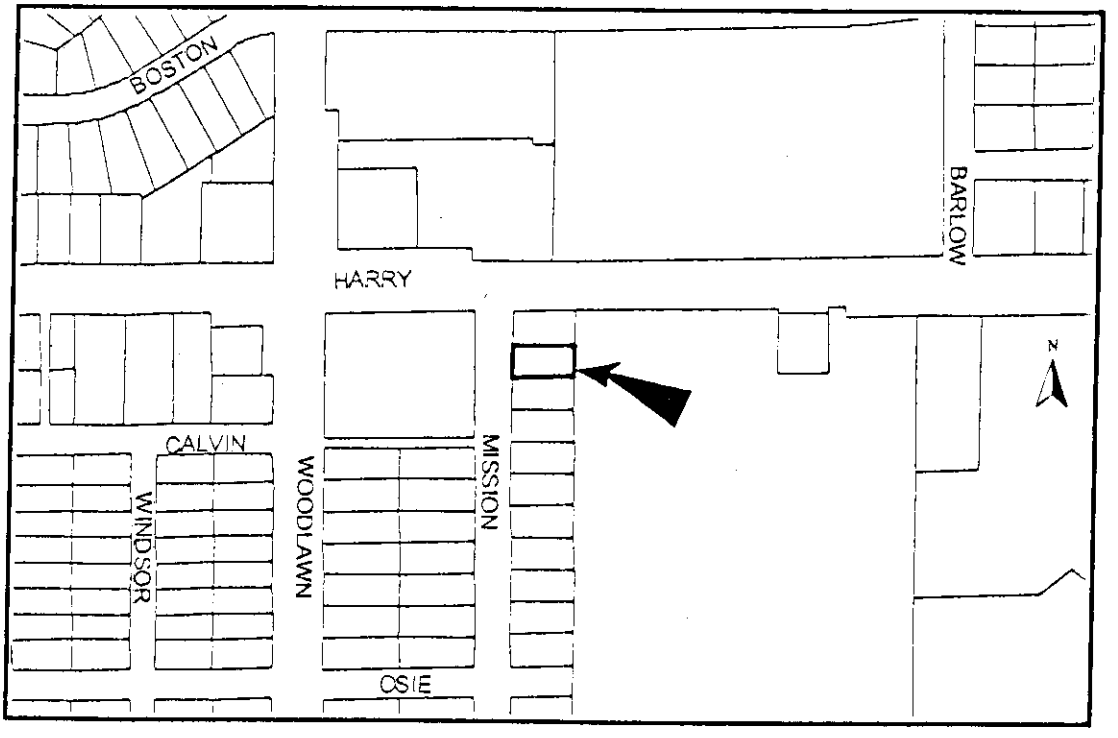
REQUEST: "GO" General Office

CURRENT ZONING: "MF-29" Multi-Family Residential

SITE SIZE: 0.19 acres

LOCATION: South of Harry and east of Mission

PROPOSED USE: Expand parking facilities for adjacent dental office



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The subject property formally was developed with a duplex that recently has been razed. The applicant proposes to develop the subject property with expanded parking facilities for the adjacent dental office the applicant owns on the property to the north.

The surrounding area is characterized by commercial and multi-family residential uses. The property to the east is zoned "GO" General Office and "GC" General Commercial and is developed with a golf driving range. The property to the west is zoned "LC" Limited Commercial and is developed with a convalescent care facility. The properties to the north across Harry are zoned "LC" Limited Commercial and "B" Multi-Family Residential and are developed with a grocery store and apartments, respectively. The properties to the south are zoned "MF-29" Multi-Family Residential and are developed with duplexes.

CASE HISTORY: The property is platted as Lot 2, Lincoln Hills 3rd Addition, which was recorded January 16, 1954.

ADJACENT ZONING AND LAND USE:

NORTH:	"LC" & "B"	Grocery store, apartments
SOUTH:	"MF-29"	Duplexes
EAST:	"GO" & "LC"	Golf driving range
WEST:	"LC"	Convalescent care facility

PUBLIC SERVICES: The subject property has frontage along Mission, a paved local street; however, the subject property will have access to Harry through the abutting property to the north. Harry is a five-lane arterial street at this location with current traffic volumes of approximately 23,000 vehicles per day. The 2030 Transportation Plan projects traffic volumes on Harry to increase to approximately 36,000 vehicles per day. The proposed use of the subject property for parking should not increase the traffic generated by the property. In fact, providing additional parking for the dental office should reduce the potential for congestion on Harry from turning movements into the parking lot, which is small and requires tight turning movements to reach some of the parking spaces. Public water and sewer service are currently available to the subject property.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies this area as appropriate for "High-Density Residential" development.

The High-Density Residential category is intended to support residential densities in excess of 10 unit per acre, such as garden apartments, condominiums, and special residential accommodations for the elderly. The High-Density Residential designation is inconsistent with the Airport Overlay District, which limits residential development of the subject property to a density of less than 9 units per acre; therefore, office use of the subject property is more appropriate than high-density residential use.

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

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The surrounding area is characterized by commercial and multi-family residential uses and on properties that primarily are zoned "LC" Limited Commercial and "GC" General Commercial. The proposed "GO" General Office zoning is compatible with the zoning, uses, and character of the neighborhood.

2. The suitability of the subject property for the uses to which it has been restricted: The subject property is zoned "MF-29" Multi-Family Residential, which accommodates high-density, multi-family residential development and complementary land uses. High-density residential use of the subject property is not permitted by Airport Overlay District; therefore, using the subject property to expand the existing office use located on the abutting property to the north is a more suitable use of the subject property.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Detrimental affects should be minimized by the screening and lighting standards of the Unified Zoning Code and the buffer requirement of the Landscape Ordinance, which should limit noise, lighting, and other activity from adversely impacting the residential area to the south.

4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The Land Use Guide of the Comprehensive Plan identifies this area as appropriate for "High-Density Residential" development. The High-Density Residential designation is inconsistent with the Airport Overlay District; therefore, office use of the subject property is more appropriate than high-density residential use.

5. Impact of the proposed development on community facilities: No detrimental impacts on community facilities are anticipated.