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METROPOLITAN PLANNING
ROUTE

Agenda Item #_____

City of Wichita
City Council Meeting
May 7, 2002

Agenda Report #_____

ref to MAPC Ord.

TO: Mayor and City Council Members

SUBJECT: **ZON2002-00012 – Zone change from street right-of-way and "TF-3" Two-Family Residential to "GO" General Office.**
Generally located east of Hillside and south of Orme.
(District II)

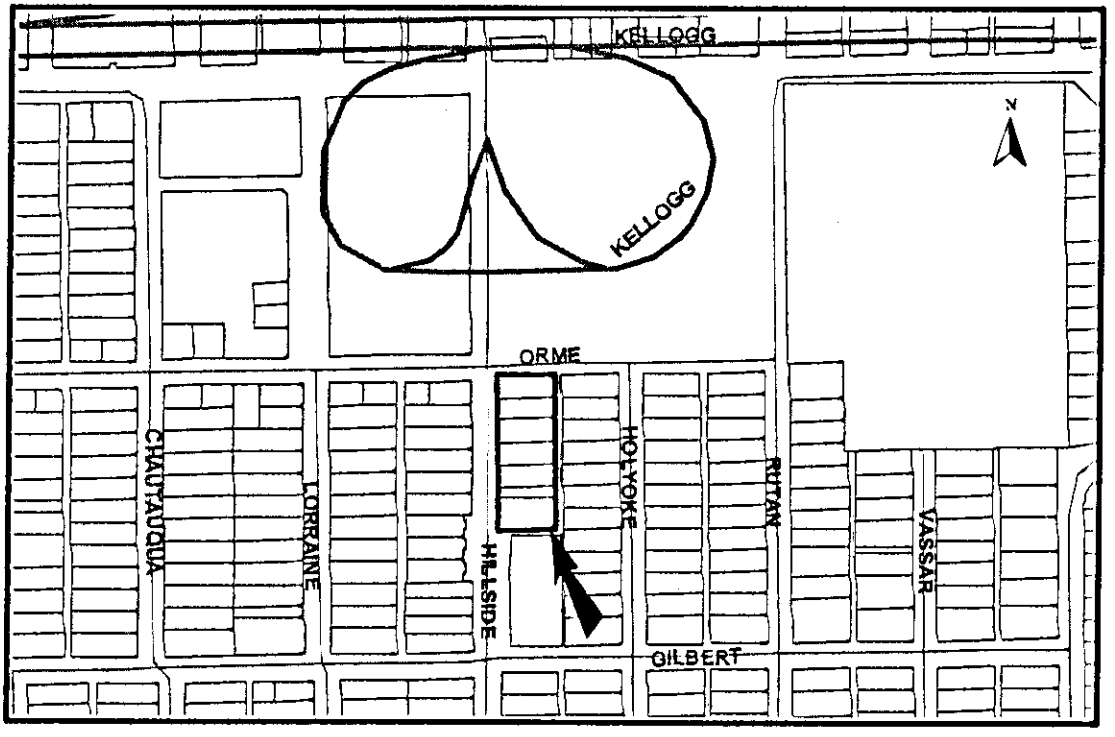
Ord. of Plat

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to staff recommendations. (12-0)

Staff Recommendation: Approve, subject to platting within one year.



BACKGROUND: The applicant is requesting "GO" General Office zoning for a 0.85-acre tract located at the southeast corner of Hillside and Orme. The property is owned by the City of Wichita and is identified as surplus right-of-way. It was originally acquired for the Kellogg/Hillside interchange. The contract purchasers have acquired the residual property rights in the land and intend to construct offices on the site. The land south of the site also is vacant, but is owned by the contract purchasers for this application and was rezoned to "GO" General Office in 1999, subject to platting that was completed in 2001. If this application is approved, the two tracts could be developed together.

The property to the south is vacant but zoned for office use. A mix of nine residences and three offices are located west of Hillside between Orme and Gilbert. The property along Hillside in the next block to the south is interspersed with five office uses, one commercial use, and 15 residences. The remaining block on Hillside south to Lincoln includes all commercial uses except two four-plexes, and one residence. The prevailing sign heights along Hillside are low, generally below six feet in height, with two exceptions. Most are monument-style signs.

The area east of the site is all residential housing, mostly single-family. Calvary Cemetery is located two blocks to the northeast.

The application area has been vacant since it was acquired and cleared as part of the Kellogg construction in the mid-1970s. Prior to the 1970s, residences similar in character to the houses in the surrounding area occupied the property.

At the MAPC meeting held April 4, 2002, MAPC voted (12-0) to approve subject to platting within one year, with the recommendation that as part of platting, a cross-circulation access agreement be submitted and there be a limitation of one right-in/right-out only access point located mid-block.

Recommended action:

1. Concur with the findings of the MAPC and approve the zone change, subject to platting within one year; instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Council; 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.)

Final Read 6-30-03 W. H Pub

D

(150004) Published in The Derby Reporter on _____

ORDINANCE NO. 45-737

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 2002-00012

Zone change from street right-of-way and "TF-3" Two-Family Residential District to "GO" General Office District, described as:

Lot 1, Block A, Chang and Arensberg Second Addition, Wichita, Sedgwick County, Kansas.

Generally located south of Kellogg, east of Hillside.

SECTION 2. That upon the taking effect of this Ordinance, the above zoning change 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 10 **day of** June **2003.**

ATTEST:

Pat Graves, City Clerk

Carlos Mayans, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney

WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 12

STAFF REPORT

MAPC April 4, 2002

CASE NUMBER: ZON2002-00012

APPLICANT/AGENT: City of Wichita (owner); W. Chris and Sheila R. Arensberg, and Joe and Diane Chang (contract purchasers); Baughman Company, P.A., c/o Philip J. Meyer (agent)

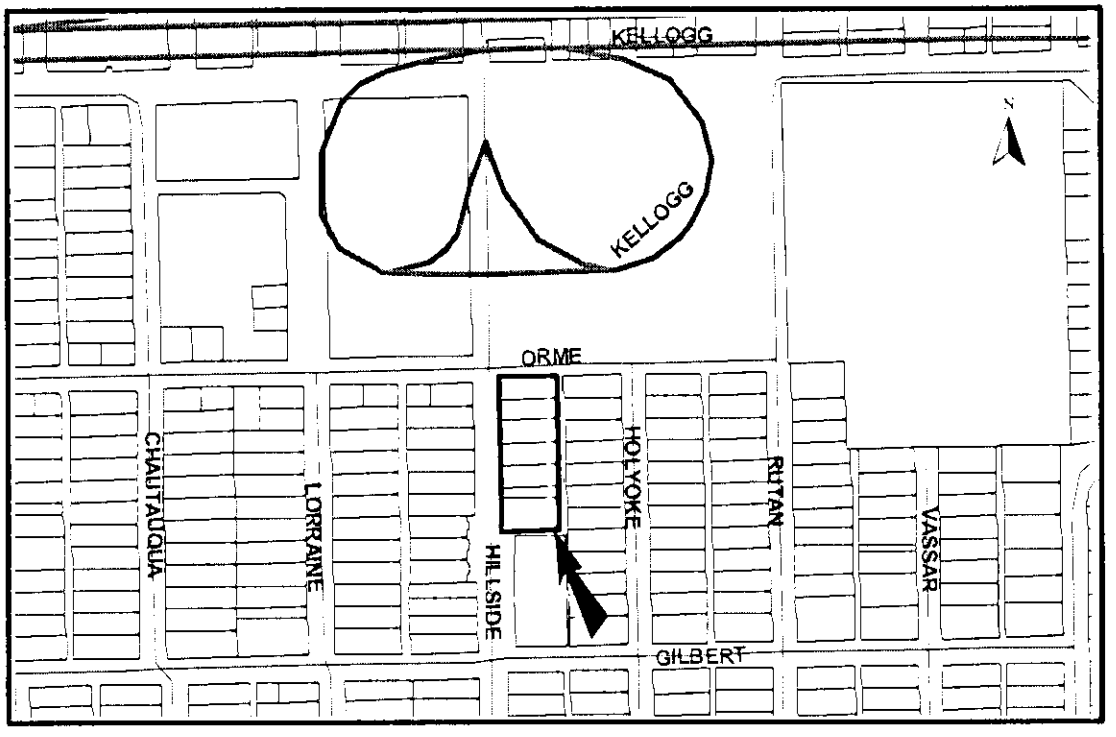
REQUEST: Zone change to "GO" General Office

CURRENT ZONING: Street right-of way /"TF-3" Two-Family Residential

SITE SIZE: 0.85 acre

LOCATION: East of Hillside and south of Orme

PROPOSED USE: General office development



BACKGROUND: The applicant is requesting "GO" General Office zoning for a 0.85-acre tract located at the southeast corner of Hillside and Orme. The property is owned by the City of Wichita and is identified as surplus right-of-way. It was originally acquired for the Kellogg/Hillside interchange. The contract purchasers have acquired the residual property rights in the land and intend to construct offices on the site. The land south of the site also is vacant, but is owned by the contract purchasers for this application and was rezoned to "GO" General Office in 1999, subject to platting that was completed in 2001. If this application is approved, the two tracts could be developed together.

The property to the south is vacant but zoned for office use. A mix of nine residences and three offices are located west of Hillside between Orme and Gilbert. The property along Hillside in the next block to the south is interspersed with five office uses, one commercial use, and 15 residences. The remaining block on Hillside south to Lincoln includes all commercial uses except two four-plexes, and one residence. The prevailing sign heights along Hillside are low, generally below six feet in height, with two exceptions. Most are monument-style signs.

The area east of the site is all residential housing, mostly single-family. Calvary Cemetery is located two blocks to the northeast.

The application area has been vacant since it was acquired and cleared as part of the Kellogg construction in the mid-1970s. Prior to the 1970s, residences similar in character to the houses in the surrounding area occupied the property.

CASE HISTORY: The property was platted as Indiana Subdivision to Vincennes Addition in 1887. The alley to the east has been vacated (V-7992, March 26, 1923).

ADJACENT ZONING AND LAND USE:

NORTH:	Right-of-way	Kellogg off-ramp
SOUTH:	"GO" General Office	Vacant
EAST:	"TF-3" Two-Family	Residences
WEST:	"TF-3" Two-Family; "GO" General Office	Residences, offices

PUBLIC SERVICES: Average daily traffic (ADTs) on Hillside between Lincoln and Kellogg was 19,819 vehicles per day in 2000, projected to increase to 25,832 between Gilbert and Kellogg in 2030. Traffic counts are unavailable for Orme, but it was observed that Orme serves as a collector for northbound Hillside traffic from the neighborhood to the east.

The property has access via Orme and the applicant is requesting one right-in/right-out access onto Hillside near the southern of the tract as a joint access for both tracts. The tract to the south already provided for cross-lot circulation between the tracts as part of the subdivision plat. No left-turn movements would be permitted from the site due to its proximity to the Kellogg off-ramps and the raised median along Hillside extending from Kellogg to approximately 150 feet north of Gilbert. A signalized intersection at the entrance of the ramps to Kellogg facilitates traffic flow on Hillside, and allows gaps for cars exiting from Orme or Gilbert to Hillside.

Normal municipal water and sewer services are available.

CONFORMANCE TO PLANS/POLICIES: The "Wichita Land Use Guide" of the *1999 Update to the Wichita-Sedgwick County Comprehensive Plan* identifies this property as "low density residential" along with the surrounding neighborhood to the east. However, the property directly to the south and some of the block face across Hillside is identified as "office." The next two blocks to the south between Gilbert and Lincoln are shown as "commercial". The site is located on an arterial, one of the criteria for "Office Locational Guidelines" in the *Comprehensive Plan*. The "Area Treatment Classification" identifies the area as "revitalization", which would be an area experiencing some decline, but where good market and development opportunities still exist.

RECOMENDATION: Based on these factors and upon information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to platting within one year. As part of the platting, staff will recommend that a cross-circulation access agreement be submitted and limitation of one right-in/right-out only access point located mid-block.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The land to the south is vacant but zoned "GO" for office development. The uses across Hillside from the site are mixed residential and office use. The property to the east (rear) of the site is in low-density residential use, zoned "TF-3" Two-Family Residential. Kellogg off-ramps form the northern boundary.

2. The suitability of the subject property for the uses to which it has been restricted: The property is currently vacant and is unlikely to be developed with single family or two-family residential use.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: "GO" General Office allows office uses, a few commercial uses, a wide range of public and civic uses, and a range of residential uses that would not be permitted in "TF-3" Two Family. The site size eliminates some of public, civic, and higher intensity residential uses. However, the development should provide a screening wall, a compatibility setback, and buffer of landscaping to reduce the impact on the residential neighbors to the east, as required by the Unified Zoning Code and Landscape Ordinance.

4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and Policies: The requested change in zoning classification is not in conformance with the Wichita Land Use Guide, although there is a precedence for "office" designation on the Land Use Guide nearby.

5. Impact of the proposed development on community facilities: The projected increase in traffic should be small compared with the existing volumes on Hillside.