

Planning Agenda Item # _____

City of Wichita
City Council Meeting
July 17, 1990

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-3000 - ZONE CHANGE FROM THE "AA" ONE-FAMILY DWELLING DISTRICT TO THE "B" MULTIPLE-FAMILY DWELLING DISTRICT, LOCATED AT THE SOUTHWEST CORNER OF 2ND AND ROOSEVELT STREETS. (District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve (5-1).

Staff Recommendation: Approve.

CPO Recommendation: CPO Council "2A" recommended approval (5-1).

Background: On June 21, 1990, the MAPC held a public hearing to consider a zone change request from the "AA" One-Family Dwelling District to the "B" Multiple-Family Dwelling District for a portion of a platted lot located at the southwest corner of 2nd Street North and Roosevelt. The application area measures .4 of an acre and was platted in 1884 as part of Lot 4, Block 6, College Hill Addition. The site has 177 feet of frontage to Roosevelt Street and 150 feet of frontage to 2nd Street. If this case is approved, the applicant's intended use for the property is a house museum of Frank Lloyd Wright architecture. Attached to this report is a four-page statement (Exhibit A) prepared by the applicant's agent which describes the proposed museum use. Central Inspection has interpreted that the first zoning district that permits the use described by the applicant is the "B" District [28.04.070(A)(6)].

The residential building at 255 North Roosevelt, known historically as the Henry J. Allen House, has been listed on the National Register of Historic Places since 1973. Internationally renowned architect Frank Lloyd Wright designed the dwelling; construction of it was completed in 1919. Designation of the building as an historic landmark is based on the significance of it being the only residential building in Kansas designed by Wright; its association with the prominent journalist and statesman Henry J. Allen; and it being an outstanding architectural representation of the "Prairie House" for which Wright is most noted.

The applicant's agent has advised that floor plans of the 4,954-square-foot house on the subject property have been submitted to Central Inspection for a determination of required parking for the proposed house museum use. It has been determined that a minimum of 20 off-street parking spaces will be required. According to the applicant's agent, 5 to 7 of these required parking spaces can be provided on site and an agreement is being worked out with St. James Episcopal Church (3750 E. Douglas) to permit the use of 15 parking spaces in the church's parking lot. The church parking lot is approximately 720 feet from the proposed house museum. The applicant is advised that a variance will be needed to permit required parking to be located in a parking lot which is more than 600 feet from the boundary of the use for which the parking is provided [28.04.145(1.2)].

After the MAPC hearing, staff requested that the applicants submit a draft covenant indicating the types of restrictions that they would be willing to offer on the use of the property. Attached is the applicants' response. The draft covenant would limit the use to a house museum and other uses permitted in "AA", but does not include more specific limitations that were suggested by staff, CPO, MAPC and nearby residents.

Legal Consideration: Valid protest petitions have been filed by property owners representing 75% of the property within 200 feet of the application area. Since the amount of protest is greater than 20%, a 6/7 vote or greater by the Council is required to approve this zone change request.

In accordance with K.S.A. 75-2724, this zone change request has been reviewed by the State Historic Preservation office. This review is required since the application area includes the historic Henry J. Allen House. A copy of the Kansas State Historical Society's findings is attached.

- RECOMMENDATIONS/ACTIONS:
1. Concur with the findings of the MAPC and approve the zone change request, subject to the covenant; place the ordinance establishing the zone change on first reading and instruct the City Clerk to withhold publication until a recorded copy of the covenant has been provided to the Planning Department.
 2. Return the application to the MAPC for reconsideration, stating reasons.

- ATTACHMENTS:
- 1) Exhibit A prepared for MAPC by applicant listing activities and restrictions for proposed museum;
 - 2) Draft restrictive covenant prepared for Council by applicant;
 - 3) Letter from Kansas State Historical Society;
 - 4) Letter from Robert Puckett
 - 5) Letter from Susan Miner

(_____) Published in The Daily Reporter on 8/6/90

ORDINANCE NO. 41-118

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 28.04.210, THE CODE OF THE CITY OF WICHITA, KANSAS.

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 Section 28.04.210, The Code of the City of Wichita, Kansas, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. Z-3000
Zone change request from "AA" One-Family Dwelling
District to "B" Multiple-Family Dwelling District

The north 50 feet of the south 75 feet of the north 202 feet of the east 150 feet AND the north 127 feet of the east 150 feet of Lot 4, Block 6, College Hill Addition, Wichita, Sedgwick County, Kansas. Located at the southwest corner of 2nd and Roosevelt.

SECTION 2. That upon the taking effect of the 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 zoning Ordinance 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.