

Planning Agenda Item # _____

City of Wichita
City Council Meeting
January 13, 1997

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-3262 - ZONE CHANGE FROM "SF-6" SINGLE-FAMILY RESIDENTIAL TO "GO" GENERAL OFFICE, LOCATED AT THE SOUTHEAST CORNER OF JACKSON EAST AND CENTRAL (430 JACKSON EAST, 12123 AND 12211 E. CENTRAL).

(DISTRICT #2)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to platting within 1 year and the additional provisions of a (P-O) Protective Overlay (7-4).

CPO Recommendation: Approve, subject to platting within 1 year and the additional provisions of a (P-O) Protective Overlay (5-2).

Staff Recommendation: Deny.

Background: The applicant requests a zone change from "SF-6" Single-Family Residential to "GO" General Office for a 8.6 acre tract located south of Central and east of Jackson Street. The applicant is requesting the zone change in order to convert the existing homes into an "exclusive, low-density office park."

The application area is surrounded to the west, south, and east by single-family homes on large lots zoned "SF-6" Single-Family Residential. These properties were included in the recent unilateral annexations conducted this past fall. The property at the southwest corner of Central and Jackson allows the sale of agricultural products for a five-year time period via a Conditional Use (CU-453) approved on September 11, 1997 by the MAPC. Property north of Central remains in the County and is an undeveloped pasture with "SF-20" zoning. There are three homes situated within the application area, with the site bisected by the Spring Branch Tributary #4 and is characterized by wooded drainageways and mature trees. The two homes lying north of the creek have access to Central, while the third home south of the creek connects to Jackson.

According to the Soil Survey of Sedgwick County, this site does not contain any hydric soils commonly associated with wetlands. However, FEMA maps identify a portion of this area as floodplain. Any development within these identified floodplain areas will be reviewed as part of the platting process, if rezoning is approved.

The "GO" district was added to the Unified Zoning Code to "accommodate office development and other complimentary land uses" and is "generally compatible with the 'Office' designation of the Wichita-Sedgwick County Comprehensive Plan." The "GO" district allows such uses as hotels/motels, hospitals, medical service uses, in addition to offices. The "GO" district also restricts signs to a maximum of 96 square feet per zoning lot, with no artificial illumination, and limits the height to 22 feet.

During the December 8, 1997 CPO(2) meeting on this request (minutes attached) the agent for the applicants offered several restrictions on the proposed development in the form of a Protective Overlay in order to address the concerns of opposing area residents. This Protective Overlay (copy attached) includes use restrictions, limits of floor area, sign restrictions, architectural controls, height limits, setbacks from Central, and access controls. In addition to the P-O, the agent also submitted a concept plan of the proposed office park (copy attached). CPO(2) recommended approval (5-2) of the request, subject to these conditions.

During the December 18, 1997 MAPC meeting, the applicants stated that the changing character of the area and the substantial cost of sewer service were the primary reasons for requesting the zone change. Several area property owners spoke in opposition to the request, stating the change in land use would ruin the area's residential character, and that the applicants' P-O would not change their opinion. After the discussion, the commission voted (7-4) to approve the request, subject to the additional provisions of a Protective Overlay as volunteered during the December 8, 1997 CPO(2) meeting. There have been 3 protest petitions filed by area property owners opposing this case.

Recommendation:

1. Concur with the findings of the MAPC and approve the zone change, subject to the additional recommended provisions of a Protective Overlay District and subject to the condition of platting; 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.)

3-16-99
W/H

() Published in the Daily Reporter on 5-25-99

ORDINANCE NO. 44-223

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 CITY OF WICHITA CODE SEC. 28.04.010.

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 City of Wichita Code Sec 28.04.010, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. Z-3262

Zone change request from "SF-6" Single-Family District to "GO" General Office District, and to "PO" Protective Overlay District No. 33, described as:

Lots 1 through 5 and Reserve A, in Plaza Central Office Park, Wichita, Sedgwick County, Kansas. Generally located at the southeast corner of Jackson East and Central (430 Jackson East, and 12123 and 12211 E. Central).

SUBJECT TO THE FOLLOWING PROTECTIVE OVERLAY RESTRICTIONS:

1. Development shall be limited to the following uses: single-family, duplex, day care (limited and general), automatic teller machine, medical services, and office (general)
2. Development shall be limited to a maximum gross floor area of 80,000 square feet.
3. All free-standing signs shall be monument-type signs with a maximum height of 20 feet.
4. Architectural Control:
 - A. All buildings shall share similar architectural character, color, texture, and the same predominate exterior building material. Building walls and roofs shall have predominantly earth-tone colors, with vivid colors limited to incidental accent.
 - B. All parking lot light poles shall be of the same color and design, and shall have cut-off fixtures which direct light away from nearby residential areas. Light poles must be limited to a maximum height of 14 feet.
5. All buildings shall be limited to 35 feet in height with a maximum of two (2) stories.
6. Building setback from the center line of Central shall be 150 feet.
7. Access to Jackson shall be limited to one (1) opening.

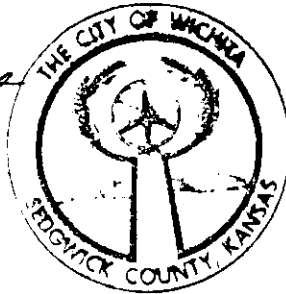
SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

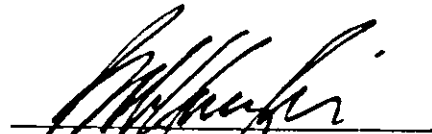
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED AT WICHITA, KANSAS, MAR 23 1999

ATTEST:

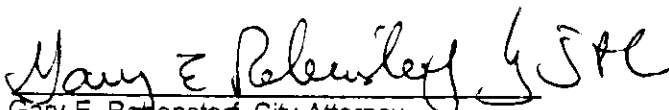

Pat Burnett, City Clerk




Bob Knight, Mayor

(SEAL)

Approved as to form:


Gary E. Regenstorf, City Attorney