

Agenda Item # _____

City of Wichita
City Council Meeting
January 12, 1998

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: **Z-3306 -ZONE CHANGE FROM "SF-6" SINGLE-FAMILY RESIDENTIAL TO "GO" GENERAL OFFICE ON PROPERTY, LOCATED NORTH OF THE NORTHEAST CORNER OF 21ST STREET NORTH AND TYLER ROAD. (District V)**

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

MAPC Recommendation: Approve for "GO" General Office (13-0).

Staff Recommendation: Deny request for "LC" but approve "GO" General Office.

CPO Recommendation: Approve "LC" Limited Commercial with the additional provisions of a P-O Protective Overlay District (5-1).

Background: The applicant requests "LC", Limited Commercial zoning on a vacant 1.12 acre tract of unplatted ground located one-quarter mile north of 21st Street, east of Tyler Road. The site is one acre in size and is currently zoned "SF-6", Single-family Residential. The applicant did not identify any specific intended use for the property other than to indicate a desire to develop the site for limited commercial uses. In the course of the hearings, the agent displayed a site plan showing possible use of this land as an extension of development planned on the abutting tract to the south, for a restaurant and parking. The site has approximately 153 feet of frontage along Tyler.

Neighboring land to the north and east is zoned "SF-6", Single-family Residential. Land to the north is part of the Reflection Ridge Residential Community Unit Plan (DP-170), and is shown in that plan as being developed with single-family homes. The tract to the east is owned by the applicant, and has a BZA use exception (BZA 1-96) to permit off-street parking for customers of the Village charter and Travel service.. Land to the south and west of the application area is zoned "LC", Limited Commercial. The applicant owns the lots to the south and southeast. Two of the lots are vacant, while one is developed with Village Charter. The lots west of Tyler Road are developed with retail commercial uses and theater parking.

However, if approved, the applicant will be required to meet the screening requirements of the Unified Zoning Code and the landscape requirements of the Landscape Ordinance.

Planning staff recommended denial of "LC" zoning but approval of "GO" General Office zoning, as a more appropriate transitional district to the planned residential development to the north, and in order to avoid "strip commercial" continuing northward along Tyler.

At the November 18th CPO 5 Council meeting, the CPO voted 5-1 to approve the request for "LC" subject to the conditions of a Protective Overlay volunteered by the agent. The PO would limit some undesirable uses otherwise permitted in this district.

At the December 3rd MAPC hearing, the applicant's agent was present to describe the request. A letter from the owner to the north in opposition to the request and indicating that he will also seek "LC" zoning if it is approved on this tract was handed to the Planning Commissioners. After discussion the MAPC voted unanimously to deny the request for "LC" but approve "GO" for this property, per staff recommendations, subject to replatting.

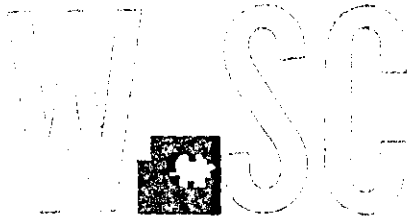
The Ordinance establishing the zoning change shall not be published until the plat has been recorded with the Register of Deeds.

Recommendation:

1. Concur with the findings of the MAPC and approve the zone change to "GO" Ge, 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.)

WICHITA -- SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

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FILE COPY

January 13, 1999

Village Charter and Travel
% Rick Marney
8620 W. 21st Street
Wichita KS 67205

RE: Z-3306 Zone Change from "SF-6" Single-Family Residential to "GO" General Office on property, located North of the Northeast corner of 21st street North and Tyler road.

Dear Mr. Marney:

On January 12, 1999, the City Council considered the above-referenced request. The action of the Council was to APPROVE "GO" General Office subject to platting within one year or the case will be considered denied and closed. The ordinance establishing the request will not be published until the plat has been recorded with the Register of Deeds.

You will need to contact a surveyor or an engineer to prepare the platting documents for you. This should be done as soon as possible. This will be our only letter advising you of your platting deadline. If you have not recorded the plat by January 12, 2000, the case file will be marked denied and closed.

If you have any further questions concerning this matter, please contact the Planning Department office at 268-4421.

Sincerely,

Keith Gooch
Senior Planner

KG/rs

cc: Baughman Company, P.A., %Terry Smythe, 315 Ellis, Wichita KS 67211
Kurt Schroeder, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
Paul Hays, Office of Central Inspection
J.R. Cox, Office of Central Inspection