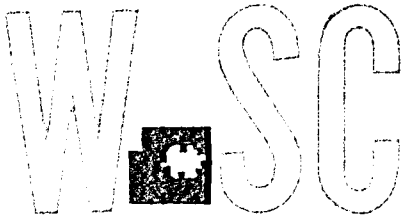


WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421
FAX (316) 268-4390

November 14, 1997

Evies O. and Sharon H. Cranford
2420 N. Dellrose
Wichita, KS 67220

RE: Z-3258 - Zone change from "MF-29" Multi-Family Residential to "GO" General Office;

AND

CU-459 - Conditional use to allow a vocational school on property generally located north of Roseberry on the west side of Holyoke (2673 S. Holyoke).

Dear Mr. and Mrs. Cranford:

At its regular meeting on November 13, 1997, the Metropolitan Area Planning Commission considered the above-captioned request. The action of the Planning Commission was the following:

- A. APPROVE the zone change (Z-3258) to "GO", subject to the additional provisions of a Protective Overlay (P-O) district, as outlined below:
1. The use of the property shall be limited to a vocational school with a maximum enrollment of 20 persons, and all other uses permitted in the "MF-29" Multi-Family Residential district.
 2. There shall be no free-standing signs permitted. All building signs shall be restricted to a maximum of 25 square feet in area, and any internal illumination shall be prohibited.
- B. APPROVE the Conditional Use (CU-459), subject to the following conditions:
1. All vocational school use shall cease from the site within 5 years after approval of this conditional use permit by the Metropolitan Area Planning Commission and the Governing Body, unless an extension is granted after a public hearing is held by the MAPC.
 2. Approval of this request would require compliance with all applicable code requirements (e.g. parking requirements, compatibility setback standards, screening requirements of the zoning code and the landscape ordinance).

3. This proposed vocational school use shall be in compliance with all conditions approval by the MAPC, and the Governing Body, as specified above, or this conditional use shall be considered null and void.

This matter will be forwarded to the City Council for consideration at their regular meeting on Tuesday, December 9, 1997. This meeting will be held in the City Council Chambers, First Floor, City Hall, 455 N. Main, Wichita, Kansas, beginning at 9:00 a.m. We would remind you that zoning items are considered after all other matters of business. In recognition of the official public hearing held by the Planning Commission, the City Council does not permit additional debate by proponents or opponents of zone change requests.

This is a reminder that the zoning notification signs should now be removed from the property. If you have any questions concerning this matter, please contact our office at 268-4421.

Sincerely,

A handwritten signature in black ink, appearing to read 'RE' followed by a stylized flourish.

Russ Ewy
Senior Planner

RE/sh

cc: 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

FLAT PLAN

Hillside Avenue

78.9'

149.57'

Parking

2673 Holyoke Court

Parking

149.03'

76.35'

Holyoke Court

STAFF REPORT

CPO(3) November 13, 1997

MAPC November 13, 1997

CASE NUMBER: Z-3258 & CU-459

APPLICANT/AGENT: Evies and Sharon Cranford (property owners/applicants)

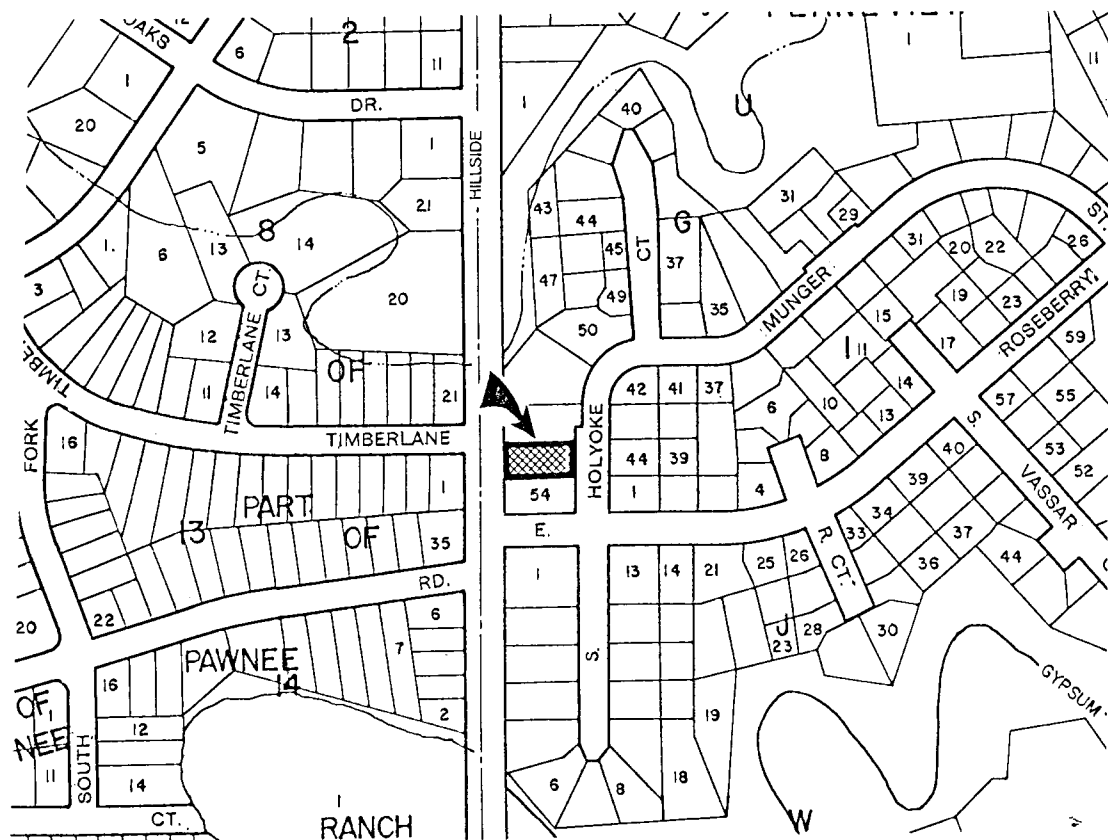
REQUEST: Zone change to "GO" General Office and an associated Conditional Use to allow a vocational school

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

SITE SIZE: 0.27 acres

LOCATION: North of Roseberry, west of Holyoke (2673 S. Holyoke)

PROPOSED USE: Vocational school



BACKGROUND: The applicants request a zone change from "MF-29" Multi-Family Residential to "GO" General Office on a platted lot totaling approximately 0.27 acres, located north of Roseberry, west of Holyoke. The applicants are also requesting approval of an associated Conditional Use to allow the site to be used as a vocational school.

The applicants are requesting the zone change and Conditional Use to provide 20 persons with and without mental disabilities job training and instruction, in association with a second request (Z-3257 and CU-458) located within the Midtown neighborhood. Such use is considered a "vocational school" and is first permitted in the "GO" zoning district with an associated Conditional Use. The Unified Zoning Code defines "vocational school" as "a use providing educational training in business, commercial trades, language, arts or other similar activity or occupational pursuit, and not otherwise defined as a 'college or university' or 'elementary or secondary school.'"

The site is currently zoned "MF-29" and is developed with a tri-plex unit with access to Holyoke. The existing structure was approved by the Board of Zoning Appeals on October 25, 1977 for a use exception to permit a child care center for 36 children, and a parking variance to reduce the number of required off-street parking spaces from 4 to 0. In the minutes of that meeting, it was stated that the tri-plex was converted into a single unit and used as a boarding home for mentally retarded adults.

The surrounding properties to the north, east, and south are also zoned "MF-29" and developed with tri-plexes. Properties to the west, across Hillside, are zoned "SF-6" Single-Family Residential, and developed with single-family homes.

The site plan submitted with the application (copy attached) shows the location of the 2,125 square foot tri-plex on the subject property. There is an existing parking area between Holyoke and the structure. Approval of this request would require the applicants comply with the parking, compatibility setback and screening requirements in the zoning code and the landscape ordinance.

CASE HISTORY: The subject property was platted as part of the Planeview Subdivision #1 Addition on August 30, 1955. The site was also approved for a use exception to permit a child care center (BZA 45-77), and a parking variance (BZA 46-77) by the Board of Zoning Appeals on October 25, 1977.

ADJACENT ZONING AND LAND USE:

NORTH:	"MF-29"	Tri-plexes
SOUTH:	"MF-29"	Tri-plexes
EAST:	"MF-29"	Tri-plexes
WEST:	"SF-6"	Single-family residences across Hillside

PUBLIC SERVICES: Both water and sewer service are available to this site. The property has access to Holyoke, a local street.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies the area as appropriate for medium-density residential uses. The medium-density residential category includes semi-attached dwelling units such as duplexes and town homes, and mobile home parks.

The site is also located in the "re-establishment" category of the Area Treatment Classification Map. This designation is applied to areas identified with the reality of severely deteriorated areas. This category recognizes that some areas may require a large scale overhaul to create vitality. It would also recognize that these areas may be in transition from residential to other land uses but now contain affordable housing for low-income residents.

The Plan states that "these areas would be characterized by lack of private reinvestment, leading to a decline of the built environment, and a deteriorating social organization. To improve these areas would require not just major physical improvements, but also improved social, economic, and educational opportunities. Solutions to social and economic problems would be given the highest priority for residents of these areas. Job training, specialized education ... would be developed to address the specific needs of residents. Also, traditional neighborhood elements such as ... schools would be reincorporated into the community. Higher levels of support for social services and capital investment would be required in this category when compared to 'Revitalization Areas'."

The Planeview Redevelopment Strategy's "Implementation Matrix", developed by an outside consultant, states that "life skills and adult education programs" should be provided to the residents of Planeview.

The plan's locational guidelines for office uses states that such uses (1) should generally be located adjacent to arterials, (2) local, service-oriented offices should be incorporated within or adjacent to neighborhood and community commercial developments, and (3) low-density office uses can serve as a transitional land use between residential uses and uses of a higher intensity.

RECOMMENDATION: Staff would typically be reluctant to recommend approval of this request; however, this application (zone change and a Conditional Use) allows the possibility to restrict the use of the property through a protective overlay in addition to setting a time limit on the use through the Conditional Use. This will allow the applicants a period of time to demonstrate they can operate at this location without creating an adverse impact on the residences in the area, and also give the MAPC and neighbors an opportunity to look again at this property in the future, when conversion back to residential use may be a goal for the neighborhood.

Although approval of this request could set a precedent for future rezoning requests and would not conform to the above-referenced locational guidelines for office uses, the property was found suitable by the BZA in 1977 for higher intensity uses, and planning policies for this area recognize the need for non-residential uses. Therefore, based upon information available prior to the public hearings, planning staff recommends the following:

- A. APPROVE the zone change (Z-3258) to "GO", subject to the additional provisions of a Protective Overlay (P-O) district, as outlined below:
 - 1. The use of the property shall be limited to a vocational school with a maximum enrollment of 20 persons, and all other uses permitted in the "MF-29" Multi-Family Residential district.
 - 2. There shall be no free-standing signs permitted. All building signs shall be restricted to a maximum of 25 square feet in area, and any internal illumination shall be prohibited.
- B. APPROVE the Conditional Use (CU-459), subject to the following conditions:
 - 1. All vocational school use shall cease from the site within 5 years after approval of this conditional use permit by the Metropolitan Area Planning Commission and the Governing Body, unless an extension is granted after a public hearing is held by the MAPC.
 - 2. Approval of this request would require compliance with all applicable code requirements (e.g. parking requirements, compatibility setback standards, screening requirements of the zoning code and the landscape ordinance).
 - 3. This proposed vocational school use shall be in compliance with all conditions approval by the MAPC, and the Governing Body, as specified above, or this conditional use shall be considered null and void.

This recommendation is based on the following findings:

- 1. The zoning, uses and character of the neighborhood: The character of the area is defined by tri-plex units on properties with "MF-29" Multi-Family Residential zoning. The existing structure has been approved for a child care center.
- 2. The suitability of the subject property for the uses to which it has been restricted: The site is currently zoned "MF-29" and is developed with a tri-plex unit, as is surrounding properties. The site could continue in a manner consistent with its existing zoning.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: The approval of the zone change and Conditional Use would alter the residential character of the immediate area, and would establish a precedent that may lead to future rezoning requests in similar locations away from arterials in a residential neighborhood. However, the requirements of the zoning code and the landscape ordinance for parking, compatibility setbacks, and screening requirements would help mitigate those impacts.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and Policies: The zone change to the "GO" General Office district would be not in conformance with the Plan's locational guidelines for office uses, but would conform to the objectives of the "re-establishment" category of the Area Treatment Classification Map and the Planeview Redevelopment Strategy's objectives.
5. Impact of the proposed development on community facilities: The development of this property will not negatively affect water or sewer service. The use of the property for a vocational school serving 20 people would increase the number of trips generated by the site beyond what would be expected if continued to be developed with the uses permitted in the "MF-29" zoning district.