

City of Wichita
City Council Meeting
December 22, 2009

To: Mayor and City Council

Subject: ZON2009-00034 - City zone change from NO Neighborhood Office ("NO"), MF-29 Multi-Family Residential ("MF-29") and LC Limited Commercial ("LC") to GO General Office ("GO"); generally located south of 21st Street North and west of Erie Avenue. (District I)

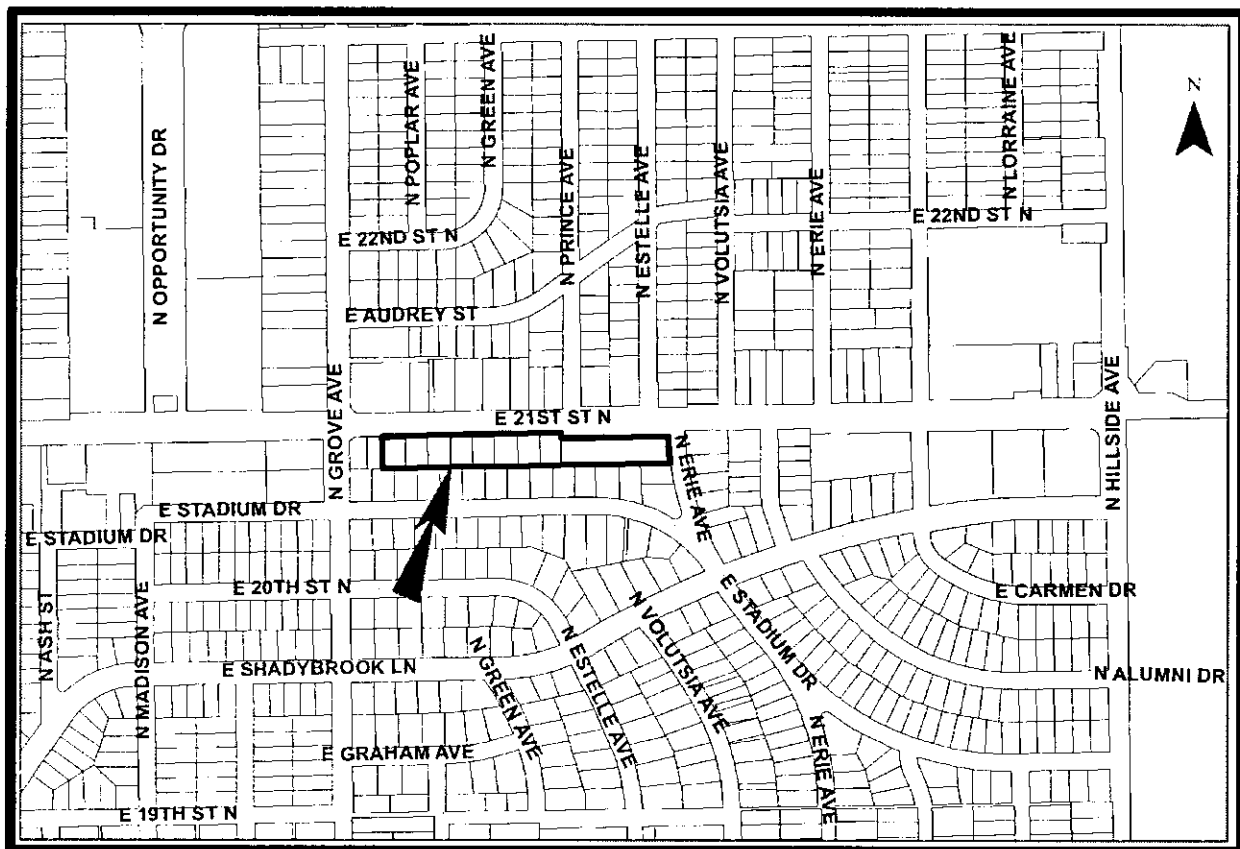
Initiated By: Metropolitan Area Planning Department *JLS*

Agenda: Planning (Consent)

MAPC Recommendation: Approve (10-0).

MAPD Staff Recommendation: Approve.

DAB Recommendation: Approve (9-0).



Background: This is a request for a City zone change from NO Neighborhood Office (“NO”), MF-29 Multi-Family Residential (“MF-29”) and LC Limited Commercial (“LC”) to GO General Office (“GO”), generally located south of 21st Street North and west of Erie Avenue. The contract purchaser has an existing medical office and counseling service on the property zoned NO at the southwest corner of 21st Street North and Erie Avenue. The contract purchaser would like to expand its office facility and parking lot areas to the west on property zoned MF-29 and LC. The area to be rezoned would be Lots 3-13, Block 4 of Shadybrook Addition except the north 18 feet of these lots. The contract purchaser also has requested to rezone the NO tract to GO since the expanded office building would exceed the maximum size allowable for an office building in the NO zoning district. GO zoning will accommodate the expansion plans.

The site is extremely long and narrow. The applicant is requesting a Zoning Adjustment to the parking requirement and a compatibility setback reduction (BZA2009-00050).

The site is located along the south side of 21st Street North, in the redevelopment corridor. It occupies all of the block between Erie Avenue and Grove Avenue except the speedy cash operation, zoned LC, on the southeast corner. About two-thirds of the property north of 21st is zoned LC and is the location of a car wash and a small-scale commercial retail and office center, a vacant LC tract, medical offices on GO zoning and NR Neighborhood Retail (“NR”), and a house on SF-5 Single-Family Residential (“SF-5”). The property on the northeast corner of 21st and Grove is a vacant building most recently used as the Boys and Girls Club prior to the relocation of the Boys and Girls Club two blocks west to the Opportunity Place Planned Unit Development. The northwest corner is the location of a liquor store and the southwest corner is the location of a bank. The property to the east of the site is a police station on property zoned TF-3 Two-Family Residential (“TF-3”). The property to the south is zoned TF-3 and developed with single-family residences and duplexes, several vacant properties and several properties in poor repair.

Analysis: At the District I Advisory Board meeting held on November 2, 2009, the DAB voted (9-0) to approve this request. No citizens spoke in opposition. At the MAPC meeting held on November 19, 2009, the MAPC voted (10-0) to approve the requested zoning. There were no protests to this request at the MAPC meeting. Staff has not received any protests to the requested zoning.

Financial Considerations: None.

Goal Impact: Promote Economic Vitality

Legal Considerations: The ordinance has been reviewed and approved as to form by the Law Department.

Recommendation/Actions:

1. Adopt the findings of the MAPC and approve the zone change; place the ordinance establishing the zone change on first reading.

Attachment: None

OCA 150004

ORDINANCE NO. _____

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. ZON2009-00034

Zone change from NO Neighborhood Office ("NO"), MF-29 Multi-Family Residential ("MF-29") and LC Limited Commercial ("LC") to GO General Office ("GO") on property described as:

Lot 1, Block 1, Center for Health and Wellness Addition to Wichita, Sedgwick County, Kansas and Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13, Except the North 18 feet thereof, Block 4, Shadybrook Addition to Wichita, Sedgwick County, Kansas., generally located south of 21st Street North and west of Erie Avenue.

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, _____

Carl Brewer - Mayor

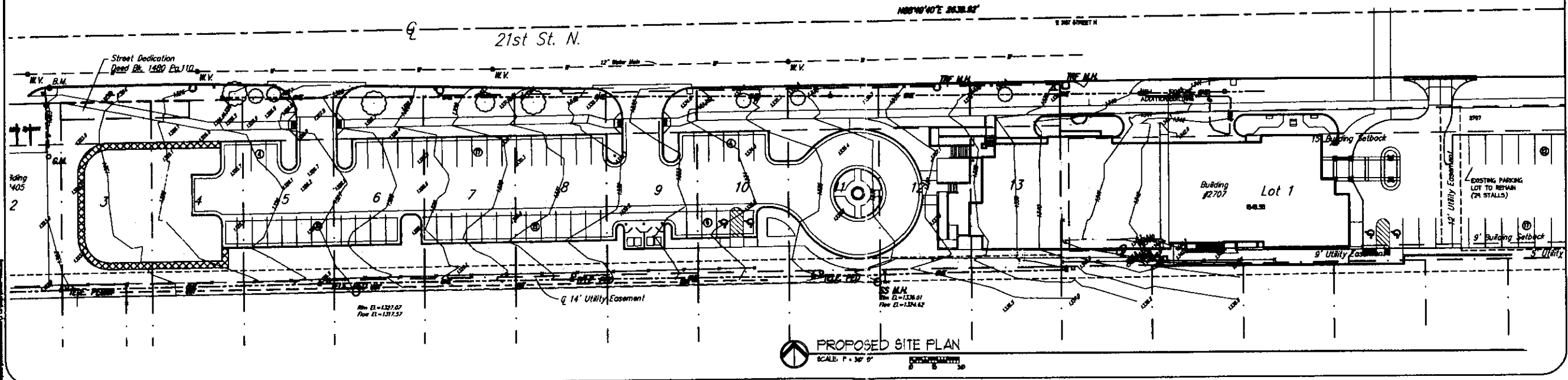
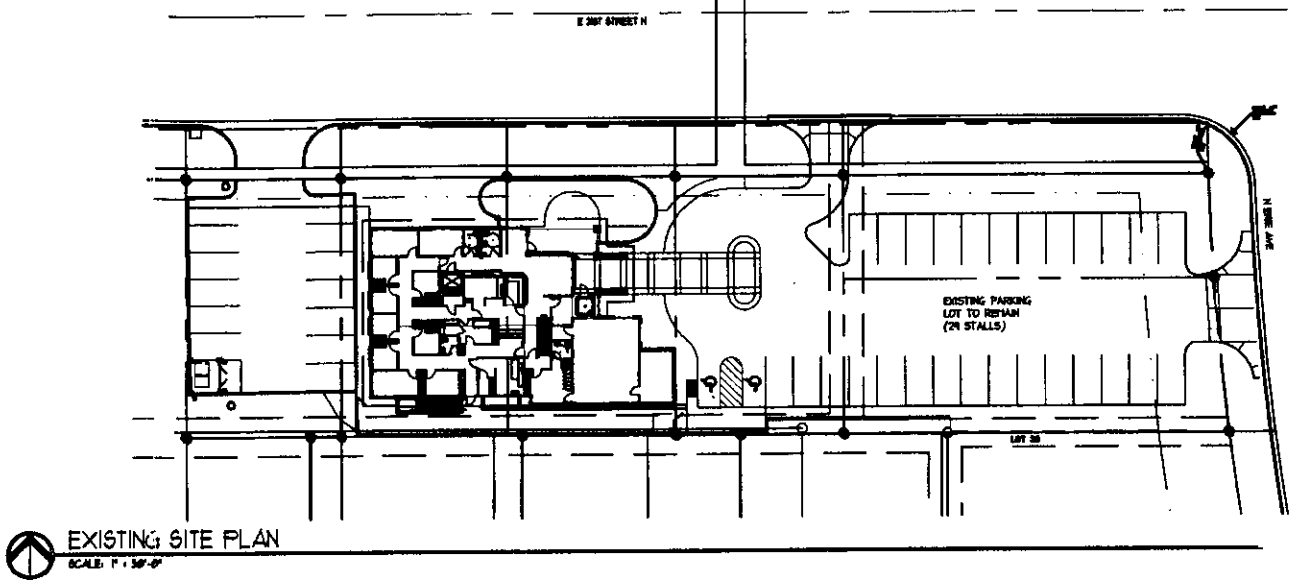
ATTEST:

Karen Sublett, City Clerk

SURVEY: LOTS 3, 4, 5, 1A, 1B AND 1C, EXCEPT THE NORTH 1/2 THEREOF, BLOCK 4, SHADYBROOK ADDITION TO THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS. PROPERTY INCLUDES LOT 1, CENTER FOR HEALTH AND WELLNESS ADDITION.	SURVEYOR: SAVIT COMPANY, P.A. JOB S. HYDRAULIC WICHITA, KS 67261-1400 316-262-0000
GENERAL NOTES: 1. BIDDERS SHALL FULLY ACQUAINT THEMSELVES WITH THE SITE AND FIELD VERIFY ALL EXIST. CONDITIONS AND DIMENSIONS PRIOR TO SUBMITTING BID. 2. TEMPORARY EROSION CONTROL TO BE PROVIDED BY THE GENERAL CONTRACTOR. 3. CONTRACTOR SHALL NOTIFY THE ARCHITECT IN WRITING OF ANY EXISTING UTILITIES ENCOUNTERED WHICH ARE NOT SHOWN ON THE SURVEY. RELOCATION IF REQUIRED SHALL BE PAID FOR BY THE OWNER. 4. CONTRACTORS SHALL CHECK AND VERIFY ALL DIMENSIONS AT THE PROJECT, AND SHALL NOTIFY ARCHITECT/ENGINEER IF DIFFERENT THAN SHOWN. 5. CALL UTILITY LOCATION SERVICE (1-800-DIG-SAFE) / HAVE UTILITIES LOCATED, BEFORE STARTING WORK. 6. ALL WORK SHOWN BY CONTRACTOR UNLESS NOTED OTHERWISE. 7. DIMENSIONS SHOWN ARE TO BACK OF CURB & GUTTER. 8. STRIPING OF PARKING SPACES TO BE PAINTED WHITE. 9. SALVAGE EXIST. TREES THAT ARE NOT NOTED TO BE REMOVED. 10. NEW CURB & GUTTER AT STREET & ACCESS DRIVES TO ALIGN W/ HT. OF EXIST. CURBS. 11. CUT EXIST. CONC. SIDEWALKS, CURB & GUTTER, . . . TO BE REMOVED AT NEAREST EXIST. JOINT. 12. REPLACE NEW CONC. . . . TO EXIST. JT. 13. CONTRACTOR TO PROVIDE GEOTECHNICAL ENGINEERING TESTING SUBGRADE SERVICES AS A PART OF THIS CONTRACT. GEOTECHNICAL ENGINEER TO COPY OWNER ON SUBGRADE REPORT. 14. PROVIDE IN DMLS, 6" 2'-0" O.C. & SEALANT OVER FILL/PAVEMENT @ ALL CONC. CONSTRUCTION JTS.	NOTES: 1. REMOVE EXISTING CHAIN LINK FENCE - PROVIDE NEW 6'-0" TALL WOOD FENCE TO MATCH EXISTING. 2. REMOVE EXIST. TREE. 3. REMOVE EXISTING CONCRETE CURB & GUTTER. 4. EXISTING ASPHALT PAVING TO REMAIN. 5. REMOVE EXIST. PAVING / CURB & GUTTER, PREP. FOR NEW CONSTRUCTION. 6. REMOVE EXIST. CONC. APPROACH PAVING / CURBS. 7. REMOVE EXIST. CURB & GUTTER, PREP. FOR NEW CONSTRUCTION. 8. 6" CONC. APPROACH W/ 6'-0" - 10'-0" WIDE OR 14'-0" - 14'-0" WIDE - FLAT SHEETS ONLY - ON SLAB BOLSTER CHAIRS @ 18" 2'-0" O.C. OVER 8" SUBGRADE. 9. NEW VAN ACCESSIBLE HANDICAP SIGN, REF. 7/77. 10. CONSTRUCTION JT. BETWEEN CONC. CURB/GUTTER & CONC. APPROACH. 11. ASPHALT PAVING. 12. 4" CONC. SIDEWALK OVER 4" SUBGRADE. 13. EXIST. LP. TO REMAIN. 14. 6" PIPE BOLLARD, SEE 7/77. 15. CURB RAMP, MAX. 1:12 SLOPE.

LEGEND E ELECTRIC OE OVERHEAD ELECTRIC RP POWER POLE LP LIGHT POLE CTV CABLE G GAS GM GAS METER T TELEPHONE OT OVERHEAD TELEPHONE FC FIBEROPTIC W WATER WM WATER METER WT WATER TEE SS SANITARY SEWER PH MANHOLE SP STORY WATER PIPE RLP RAIN LEADER PIPE FPD FOUNDATION DRAIN (PERFORATED PIPE) FLF FOUNDATION DRAIN LEADER PIPE	
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DATE: 09-30-09



Architectural Innovations, LLC
 17701 W. 10th Street, Suite 100
 Overland Park, KS 66207
 Phone: 913-465-9775
 Fax: 913-465-9776
 Email: info@archinnovations.com
 Website: www.archinnovations.com

project no. 0819

CONSTRUCTION DOCUMENTS - 75%
 ADDITION AND ALTERATIONS TO:
 CENTER FOR HEALTH AND WELLNESS
 2707 E. 21ST STREET
 WICHITA, KANSAS

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A12
 SITE
 PLAN