

City of Wichita
City Council Meeting
December 13, 2005

Agenda Report No. _____

TO: Mayor and City Council

SUBJECT: ZON2005-00041 – Zone change from “SF-5” Single-family Residential, to “GO” General Office. Generally located north of 21st Street North and west of Somerset (1620 W. 21st Street North). (District VI)

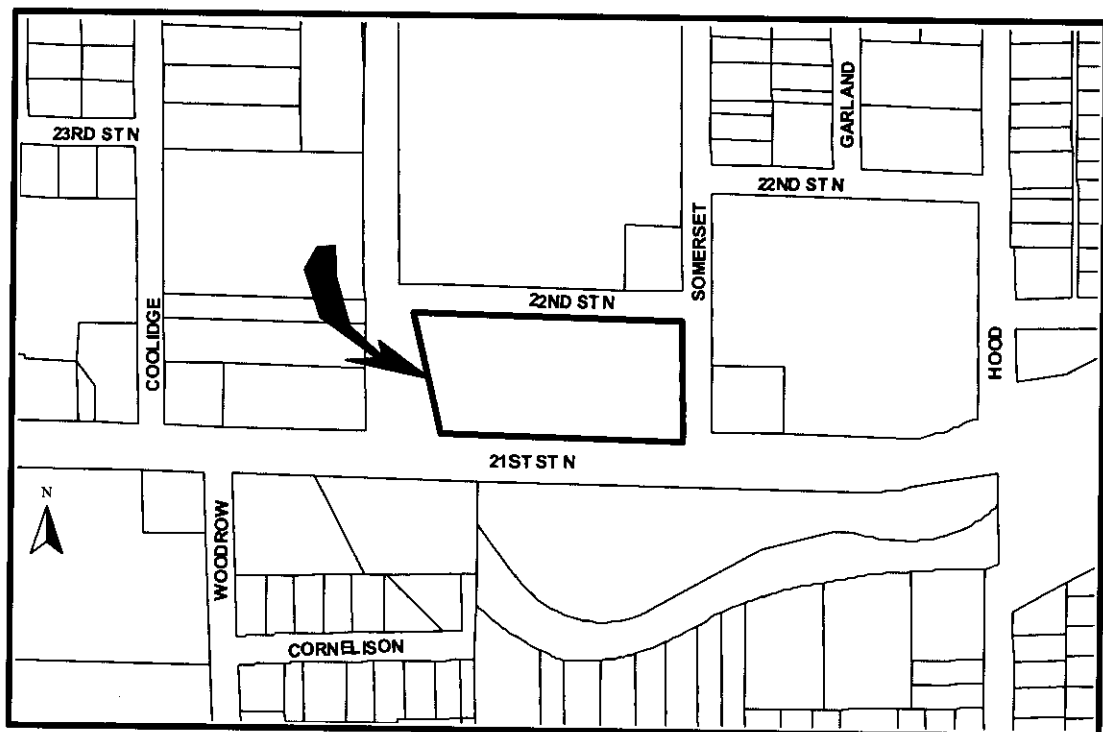
INITIATED BY: Metropolitan Area Planning Department *TLS*

AGENDA: Planning (Non-Consent)

MAPC Recommendations: Approve (10-0).

MAPD Staff Recommendations: Approve.

DAB Recommendations: Approve (7-0).



Background: The applicant requests a zone change from “SF-5” Single-family Residential to “GO” General Office on a 3.04-acre lot located north of 21st Street and west of Somerset. The subject property is a platted lot and is developed with a church. The applicant intends to make child care a function of the facility; under the current SF-5 zoning “Day Care, General” would require a Conditional Use. Likewise, the church intends to conduct office use for other social services in the future. Given these land use desires, and the location of this site along 21st Street, staff felt that a zone change request to “GO” General Office would best suit the applicant’s long term plans.

The surrounding area is characterized by commercial uses along 21st Street, with some office and multi-family residential uses in the immediate area. The property to the north, across 22nd Street, is zoned “B” Multi-family and developed with an apartment complex. South of the site, across 21st Street, is a GO zoned medical/dental facility. East and west of the site are “LC” Limited Commercial zoned retail uses. The 21st Street and Amidon intersection is approximately ¼ mile to the west, with commercial zoning and development on all four corners. Immediately west of this site is the Little Arkansas River.

Analysis: DAB VI heard this request on October 19, 2005; a representative of the apartment complex north of the site spoke in opposition to the zone change request. DAB VI recommended approval of the request by a vote of 7-0. MAPC heard this request on October 20, 2005. A representative of the apartment complex north of the site again spoke in opposition to the zone change request; the action of the MAPC was to approve 10-0. The apartment complex property north of the site filed a protest petition, amounting to 34.2 percent of the protest area, requiring a governing body ¾ majority override to approve the zone change request.

Financial Considerations: None.

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

Recommendation/Actions:

1. Adopt the findings of the MAPC, approve the zone change and place the ordinance on first reading; or
2. Return the application to the MAPC for reconsideration.

(An override of the Planning Commission’s recommendation requires a two-thirds majority vote of the City Council on the first hearing.)

(150004) Published in The Wichita Eagle on _____
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. ZON2004-00041

Request for zone change from "SF-5" Single-family Residential to "GO" General Office on property described as:

Lot 1, Pleasant Valley Addition to the City of Wichita, Sedgwick County, Kansas. Generally located north of 21st Street North and west of Somerset (1620 W 21st Street North).

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, _____

Carlos Mayans, Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney



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Wichita-Sedgwick County Metropolitan Area Planning Department

December 15, 2005

Wilma and Henry A. Foster
Breakthrough Ministries Inc.
P O Box 8891
Wichita, KS 67208

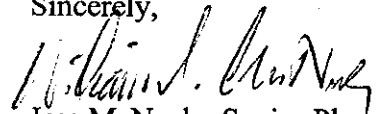
**RE: ZON2005-41 – Zone change from “SF-5” Single-family Residential to
“GO” General Office. Generally located north of 21st Street North and west of
Somerset (1620 W. 21st Street North). (District VI)**

Dear Ladies and Gentlemen:

At its regular meeting on **December 13, 2005**, the Wichita City Council considered the above-captioned request. The action of the City Council was to APPROVE.

If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,


Jess McNeely, Senior Planner
Current Plans Division

JMC/rms

Cc: Randy Esterline, 1620 W. 21st N., Wichita, KS 67203
Sharon Fearey, WCC VI, Mail Stop, 1-13