Agenda Item #_____

City of Wichita
City Council Meeting
October 17, 2000

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: **ZON2000-00037 - ZONE CHANGE FROM "B" MULTI-FAMILY RESIDENTIAL TO "NO" NEIGHBORHOOD OFFICE, LOCATED ON THE SOUTHEAST CORNER OF 2ND STREET NORTH AND TYLER ROAD.** (District #V)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to conditions (13-0).

DAB Recommendation: Approve, subject to staff recommendation (9-1).

Staff Recommendation: Approve, subject to dedication of complete access control along Tyler Road.

Background: The applicant requests a zone change from "B" Multi-Family to "NO" Neighborhood Office on a 1.2 acre platted tract located at the southeast corner of 2nd Street North and Tyler Road. The site is currently developed with a single-family residence that has been converted into an office for the applicant's dental practice. The structure on the site has been damaged by fire, and the applicant proposes to raze the existing structure and redevelop the site with an office center to house the applicant's dental practice as well as offices for other professionals such as accountants, architects, attorneys, etc. The site's current "B" Multi-Family zoning permits offices for medical services but does not permit offices for other professions. Although the size of the proposed office center is not indicated in the application, a 1.2 acre site typically can support an office center of approximately 15-18,000 square feet.

The surrounding area is characterized by institutional uses to the north and single-family residential uses to the south, east, and west. The property immediately north of the site across 2nd Street North is zoned "SF-6" Single-Family Residential and is developed with Wilbur Middle School. The remaining properties surrounding the site are zoned "SF-6"

Single-Family Residential and are developed with single-family residences. One single-family residence across Tyler Road is being used as a beauty shop, apparently as a home occupation.

At the hearing on September 21, 2000, the MAPC voted (13-0) to approve the request subject to the dedication by separate instrument of complete access control along the subject property's Tyler Road frontage except for the south 40 feet and cross lot access for the abutting lot to the south at such time that the lot to the south is developed with a non-residential use. There were no speakers, other than the applicant, for or against the request.

Recommended Action:

1. Concur with the findings of the MAPC and approve the zone change, subject to the condition of dedicating access control and cross-lot access; instruct the Planning Department to forward the ordinance for first reading when the dedication 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 2/3 majority vote of the membership of the governing body on the first hearing.)

(_____) 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. ZON2000-00037

Request for zone change from "B" Multi-Family Residential to "NO" Neighborhood Office on property described as:

Lot 1, Block 1 Lansdowne Addition, Wichita, Sedgwick County, Kansas. Generally located on the southeast corner of 2nd street North and Tyler Road.

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.

WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. _____

STAFF REPORT

DAB V September 11, 2000
MAPC September 21, 2000

CASE NUMBER: ZON2000-00037

APPLICANT/AGENT: Raymond P. and Sharon L. Lansdowne (Owner/Applicant)

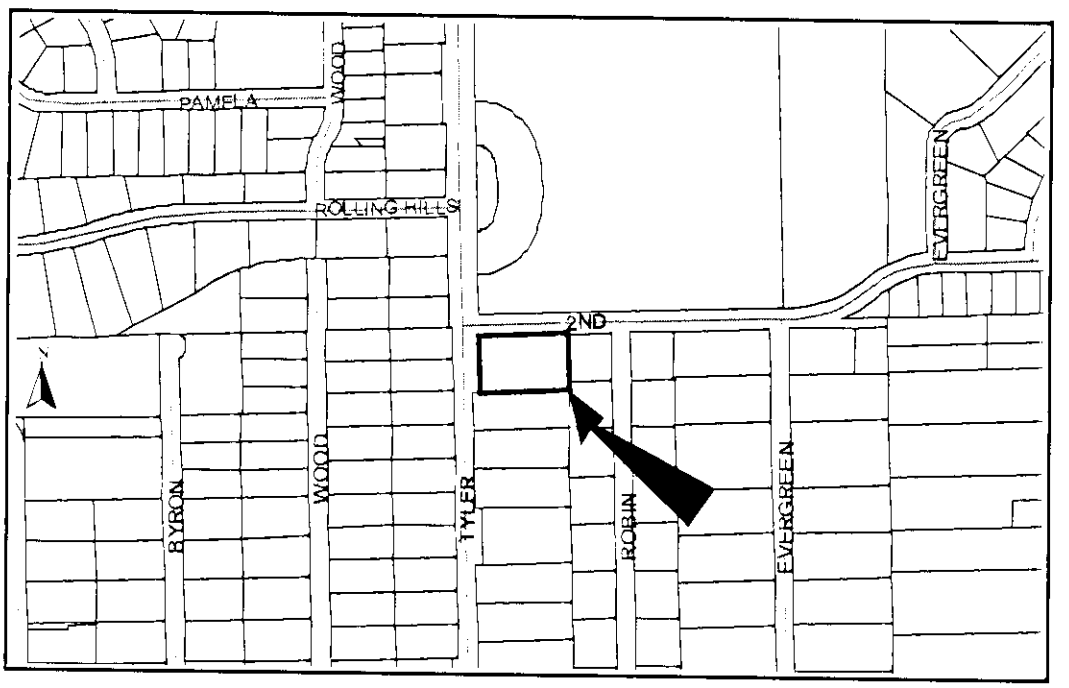
REQUEST: "NO" Neighborhood Office

CURRENT ZONING: "B" Multi-Family

SITE SIZE: 1.2 acres

LOCATION: Southeast corner of 2nd Street North and Tyler Road

PROPOSED USE: Office Center



BACKGROUND: The applicant requests a zone change from "B" Multi-Family to "NO" Neighborhood Office on a 1.2 acre platted tract located at the southeast corner of 2nd Street North and Tyler Road. The site is currently developed with a single-family residence that has been converted into an office for the applicant's dental practice. The structure on the site has been damaged by fire, and the applicant proposes to raze the existing structure and redevelop the site with an office center to house the applicant's dental practice as well as offices for other professionals such as accountants, architects, attorneys, etc. The site's current "B" Multi-Family zoning permits offices for medical services but does not permit offices for other professions. Although the size of the proposed office center is not indicated in the application, a 1.2 acre site typically can support an office center of approximately 15-18,000 square feet.

Slides → The surrounding area is characterized by institutional uses to the north and single-family residential uses to the south, east, and west. The property immediately north of the site across 2nd Street North is zoned "SF-6" Single-Family Residential and is developed with Wilbur Middle School. The remaining properties surrounding the site are zoned "SF-6" Single-Family Residential and are developed with single-family residences. One single-family residence across Tyler Road is being used as a beauty shop, apparently as a home occupation.

CASE HISTORY: The site is platted as the Lansdowne Addition, which was recorded March 5, 1985. The zoning of the site was changed (Z-2634) from "AA" One-Family to "B" Multi-Family on March 15, 1985.

ADJACENT ZONING AND LAND USE:

NORTH:	"SF-6"	Middle School
SOUTH:	"SF-6"	Single-Family
EAST:	"SF-6"	Single-Family
WEST:	"SF-6"	Single-Family

PUBLIC SERVICES: The site has access to 2nd Street North and Tyler Road. 2nd Street North is a two-lane collector street with no traffic volume data available. Tyler Road is a four lane arterial with a 1997 traffic volume of approximately 15,000 vehicles per day. The 2030 Transportation Plan estimates that traffic volume on Tyler Road will increase to approximately 23,000 vehicles per day and recommends that Tyler Road be widened to five lanes. The City's Capital Improvement Program includes a project to widen Tyler Road to five lanes from Maple to Central in 2007. As proposed, the office center would generate approximately 140-175 additional vehicles per day. Since the site has frontage to both an arterial street (Tyler Road) and a collector street (2nd Street North), planning staff recommends that access to the site be exclusively from the collector street to limit the impact of increased traffic and turning movements on the capacity of the arterial street. Public water and sewer currently serve the site.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the 1999 Update to the Comprehensive Plan identifies this area as appropriate for "Low Density Residential" development. The Low Density Residential category provides for the lowest density (1 to 6 units per acre) of urban residential land use and consists of single-family detached homes, zero lot line units, cluster subdivisions, and planned developments with a mix of housing types that may include townhouse and multi-family units.

The Comprehensive Plan indicates that neighborhood-oriented office developments are anticipated to take place as part of planned commercial centers. The Comprehensive Plan indicates that one type of planned commercial center is a commercial convenience center, which ranges in size from 2-4 acres, ~~is typically expected to develop at one or more corners~~ of arterial intersections, and may be appropriately located at the intersection of an arterial and a collector street, where proper turn lanes are in place or planned. The subject property is smaller than the typical convenience center and is located at the intersection of an arterial street and a collector street with a future turn lane planned for construction on the arterial street.

The Office Locational Guidelines in the Comprehensive Plan indicate that low-density office uses can serve as a transitional land use between residential uses and higher intensity uses. The proposed office center would serve as such a transitional use between the single-family residential uses located south of the subject property and the institutional use located north of the subject property.

RECOMMENDATION: Based upon several factors, planning staff finds the subject property appropriate for neighborhood office uses. First, the subject property is currently zoned "B" Multi-Family (which permits medical offices) and has been used as an office for approximately 15 years without noticeable detrimental impacts upon surrounding properties. Second, the "NO" Neighborhood Office district does not permit multi-family uses by-right (the "B" district permits multi-family uses up to 75 units per acre), and the proposed neighborhood office uses likely will have less impact on the surrounding properties than redeveloping the site with multi-family uses. Based upon these factors and the information available prior to the public hearings, planning staff recommends that the request be APPROVED subject to the following condition of a Protective Overlay:

1. The applicant shall dedicate by separate instrument complete access control along the subject property's Tyler Road frontage.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The surrounding area is characterized by institutional uses to the north and single-family residential uses

to the south, east, and west. The property immediately north of the site across 2nd Street North is zoned "SF-6" Single-Family Residential and is developed with Wilbur Middle School. The remaining properties surrounding the site are zoned "SF-6" Single-Family Residential and are developed with single-family residences. One single-family residence across Tyler Road is being used as a beauty shop, apparently as a home occupation.

2. The suitability of the subject property for the uses to which it has been restricted: The site is zoned "B" Multi-Family, which permits offices for medical services. The site could be redeveloped with an office center for strictly medical services; however, the proposed office center for multiple professions should have the same impact as an office center for medical services only.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: The "NO" Neighborhood Office district will reduce the potential detrimental affects that could result from the property being redeveloped with high-density residential uses under the current "B" Multi-Family zoning.

4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: Although the Land Use Guide of the 1999 Update to the Comprehensive Plan identifies this area as appropriate for "Low Density Residential" development, the Comprehensive Plan indicates that neighborhood-oriented office developments are anticipated to take place as part of planned commercial centers. The Comprehensive Plan indicates that one type of planned commercial center is a commercial convenience center, which ranges in size from 2-4 acres, is typically expected to develop at one or more corners of arterial intersections, and may be appropriately located at the intersection of an arterial and a collector street, where proper turn lanes are in place or planned. The subject property is smaller than the typical convenience center and is located at the intersection of an arterial street and a collector street with a future turn lane planned for construction on the arterial street.

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5. Impact of the proposed development on community facilities: Community facilities should not be adversely impacted, especially with the dedication of access control along the Tyler Road frontage. Once the planned turn lane is constructed on Tyler Road, the impact of the proposed development on the capacity of the arterial street will be further mitigated.