

City of Wichita  
City Council Meeting  
June 17, 2003

Agenda Report No.

TO: Mayor and City Council

SUBJECT: ZON2003-00024 – Zone change from “TF-3” Two-Family Residential to “GO” General Office with a “PO” Protective Overlay. Generally located at the northwest corner of Vassar Avenue and Central Avenue. (District I)

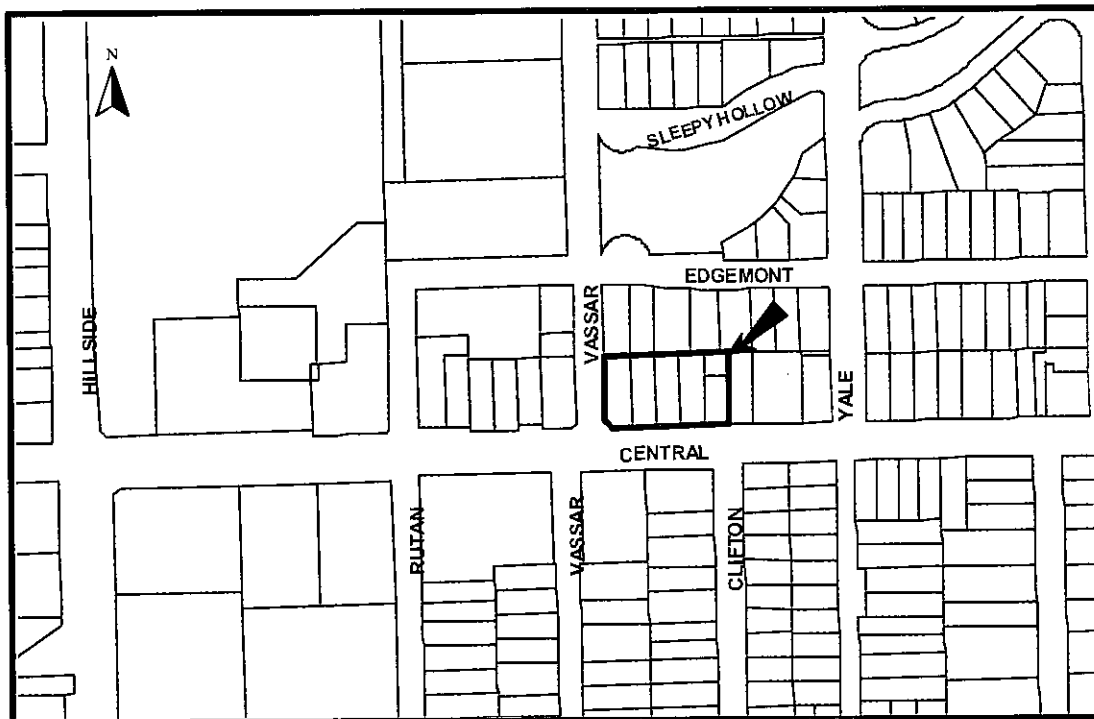
INITIATED BY: Metropolitan Area Planning Department *DM*

AGENDA: Planning

**MAPC Recommendation:** Approve, “GO” General Office and subject to Protective Overlay #128 conditions and replatting within one-year. (11-0-1)

**Staff Recommendation:** Approve “GO” General Office and subject to Protective Overlay #128 conditions and replatting within one-year.

**D.A.B. Recommendation:** Approve, GO” General Office and subject to Protective Overlay #128 conditions and replatting within one-year. (8-0)



**BACKGROUND:** The applicant requests a zone change from “TF-3” Two-Family Residential to “LC” Limited Commercial on Lots 21, 23, 25, 27, 29, 31, 33 a portion of 35, Reserve B, and what used to be Reserve A (see legal), Grandview Terrace Addition. The subject properties are located on the northwest corner of the Vassar Avenue – Central Avenue intersection. Starting at the intersection and going east the properties are developed with a brick, two-story duplex and four (4), one-story wood frame single-family residences. The structures appear to be vacant and in poor condition. The applicant proposes restricted “GO” uses and redevelopment of the property

One block west and southwest of the site are several ongoing current developments. These include, northwest of the Central – Hillside intersection, the expansion of the Wesley Hospital complex, which is the dominant development of the area. This development is occurring primarily along Central Avenue and east of Vassar. Southwest of the Central – Hillside intersection, development is occurring in the form of PUD01-02. Proposed uses include a multi-story office building, freestanding retail and a neighborhood shopping center restaurants; hotel or motel, hospital, medical service, personal care and improvement service, bank or financial institution, ATM, and day care. Immediately southwest and west of the site existing non-residential development includes a bank with a drive through, a dentist office, office buildings and a Ronald McDonald House. Development north, south and east are overwhelmingly single family residential with some duplexes along Central mixed with the single family residential. The Sleepy Hollow residential neighborhood abuts the site on the north and the College Hill residential neighborhood lies south of the site across Central. Edgemont and Sleepy Hollow Drive are cul-de-sacs, put in to prevent hospital traffic from splitting off of Vassar, (a four-lane street from Central to Murdock, designed to bring hospital traffic into the Wesley complex) and into the Sleepy Hollow residential neighborhood.

Any development on the subject property will be required to meet screening, compatibility standards and landscaping. For any proposed development, screening, buffer landscaping and compatibility standards will be required for the residential properties to the north, east and south. Existing vegetation on the subject property that is left in place after the development of the site can be used to satisfy the buffer landscaping requirement. Access control would be reviewed, by the Traffic Engineer, according to the redevelopment of the site, including access control and cross lot access. The existing individual drives for the existing residences on the site would be closed, by the access control, with continuous curb according to City Standards.

Prior to the MAPC hearing on May 22, 2003, the applicant agreed with Staff that the originally requested zoning of “LC” Limited Commercial was inappropriate for this site. Staff preferred “NO” Neighborhood Office zoning for the site. The applicant offered “GO” zoning with a “PO” Protective Overlay. Staff felt the “GO” zoning with the “PO” was a compromise that would work and the applicant agreed to “GO” zoning with the “PO”. No one spoke against the requested zoning change at the MAPC meeting and Staff has not received any calls or written protest against the requested zoning change. The MAPC voted (11-0-1) to approve the request subject to replatting within a year and “PO” #128.

1. Allow all those uses permitted by right in the “GO” zoning district with the following uses prohibited: manufactured home, group residence (general and limited), correctional placement residence (limited and general), cemetery, group home (limited, general, commercial), hospital, schools (elementary, middle, and high), broadcast and recording studios, funeral home, hotel-motel, marine facility (recreational), animal care (limited and general), heliport, personal improvement services, printing and coping limited, vocational schools, warehouse self-service, wireless communication facilities, funeral home, recycling collection station (private) and all industrial, manufacturing and extractive uses.

2. Meet all landscaping, screening, lighting, compatibility and buffering requirements, per the UZC and the Landscaping Ordinance, including one shade tree or the equivalent every 20 feet along the edge(s) of the development. Existing vegetation on the subject property that is left in place after the development of the site can be used to satisfy the buffer landscaping requirement.
3. Design and materials used in the development of the site will be compatible with the immediate residential and the current development of PUD2001-02.
4. Height restriction of 35 feet.

DAB I considered and approved the request for "GO" zoning, with "PO" #128 and subject to replating within a year (8-0) at their June 6, 2003 meeting. No one spoke against the requested zoning change request at the DAB I meeting and Staff has not received any calls or written protest against the requested zoning change.

**Recommendations:**

1. Concur with the findings of the MAPC and approve the zone change subject to the provisions of Protective Overlay District #128 and requiring platting within a year; 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.)

ORDINANCE NO. 46-174

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. ZON 2003-24**

Request for zone change from "TF-3" Two-Family Residential District to "GO" General Office District, and to P-O #128, Protective Overlay District, on property described as:

Lot 1, Block A, Grandview Terrace Second Addition, Wichita, Sedgwick County, Kansas.

Generally located East of Hillside, on the north side of Central.

**SUBJECT TO REPLATTING WITHIN ONE-YEAR AND THE FOLLOWING PROVISIONS OF PROTECTIVE OVERLAY DISTRICT #128:**

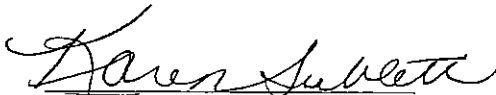
1. Allow all those uses permitted by right in the "GO" zoning district with the following uses prohibited: manufactured home, group residence (general and limited), correctional placement residence (limited and general), cemetery, group home (limited, general, commercial), hospital, schools (elementary, middle, and high), broadcast and recording studios, funeral home, hotel-motel, marine facility (recreational), animal care (limited and general), heliport, personal improvement services, printing and copying limited, vocational schools, warehouse self-service, wireless communication facilities, funeral home, recycling collection station (private) and all industrial, manufacturing and extractive uses
2. Meet all landscaping, screening, lighting, compatibility and buffering requirements, per the UZC and the Landscaping Ordinance, including one shade tree or the equivalent every 20 feet along the edge(s) of the development. Existing vegetation on the subject property that is left in place after the development of the site can be used to satisfy the buffer landscaping requirement.
3. Design and materials used in the development of the site will be compatible with the immediate residential and the current development of PUD2001-02.
4. Height restriction of 35 feet.

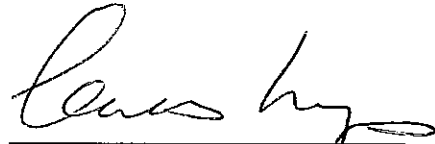
**SECTION 2.** That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

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 this ~~27th~~<sup>1<sup>st</sup></sup> day of May, 2004.

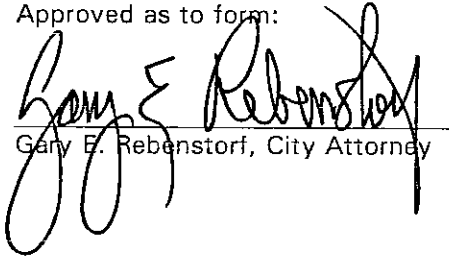
ATTEST:

  
Karen Sublett, City Clerk

  
Carlos Mayans, Mayor



Approved as to form:

  
Gary E. Rebenstorf, City Attorney