

Agenda Item # _____

City of Wichita
City Council Meeting
April 8, 2003

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: ZON2002-00064/CUP2002-00053 – Zone change from “MF-18” Multi-family Residential to “GO” General Office, and amendment to DP 95 Parcel C (Fantasea Commercial CUP) to allow general office uses. Generally located north of 32nd Street North and west of Rushwood. (District I)

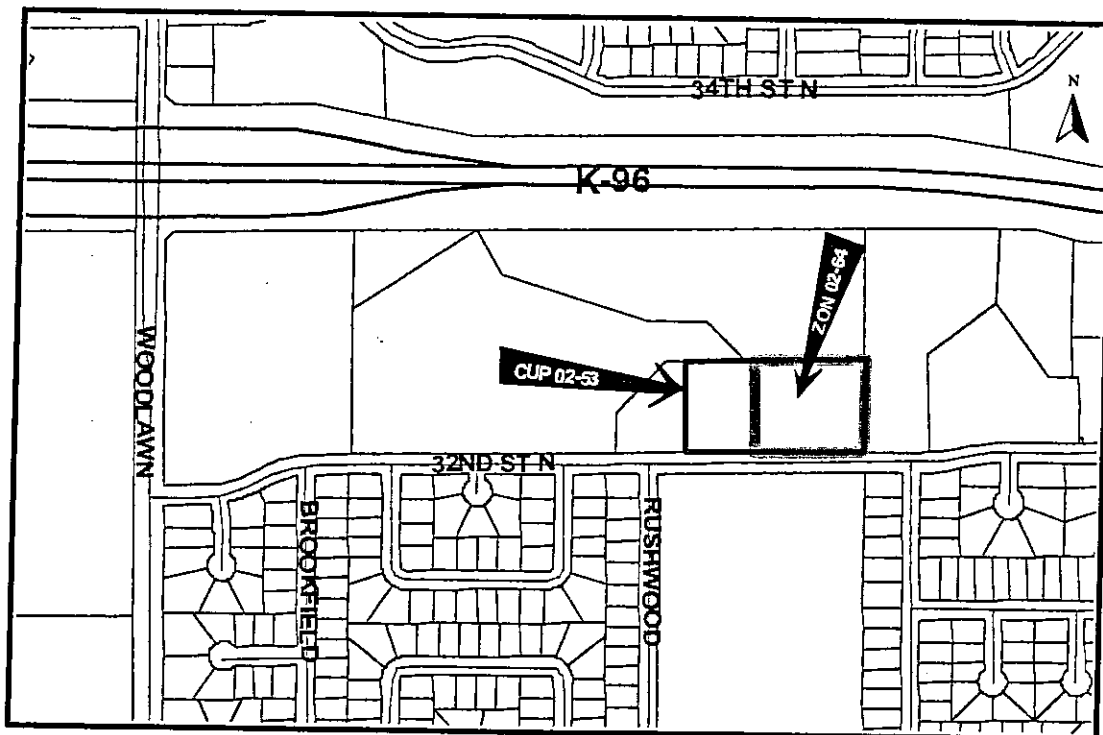
INITIATED BY: Metropolitan Area Planning Department *DM*

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to staff recommendations. (11-0)

DAB II Recommendation: Approve, subject to staff recommendations (7-0).

Staff Recommendation: Approve, subject to staff recommendations.



BACKGROUND: The applicant requests a zone change from "MF-18" to "GO" on a 2.75 acre platted site located north of 32nd Street North and east of Rushwood. The zone change application area is Tract 2 of Parcel C, DP 95. The applicant proposes to develop the subject property with general office uses, subject to restrictions within the existing DP 95 (see attached). The existing CUP limits the application area to a maximum of 33 multi-family dwelling units, 30% maximum building coverage, and 35-foot building height.

The applicant also requests an amendment to DP 95 Parcel C (4.48 acres - Tract 1 and 2) to allow for General Office uses on Tract 2, with the exception of 28 uses that may be considered more intense than those allowed by the current CUP, or may be considered out of character with the surrounding area. See attached exhibits for existing text and the applicant's proposed changes for Parcel C.

MAPC heard this request at their regularly scheduled meeting on January 3, 2003. No members of the public chose to speak on the zone change request; MAPC approved the request, subject to staff recommendations, by a vote of 11-0.

DAB I heard this request at their regularly scheduled meeting on January 23, 2003. Several members of the public asked questions about traffic and future improvements to 32nd Street North; DAB I approved the request, subject to staff recommendations, by a vote of 7-0.

Recommended Action:

1. Concur with the findings of the MAPC and approve the zone change and CUP amendment request, subject to the recommended conditions; approve first reading of the ordinance establishing the zone change and amendment; 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.)

First Read 4-8-03

(150004) Published in the Derby Reporter on 4-18-03

ORDINANCE NO. 45-700

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. ZON2002-00064

Request for zone change from "MF-18" Multi-family Residential to "GO" General Office on property described as:

Lot 2, except the west 240 feet, Block 1, Fantasea II, an Addition to Wichita, Sedgwick County, Kansas.

Generally located north of 32nd Street North and east of Rushwood.

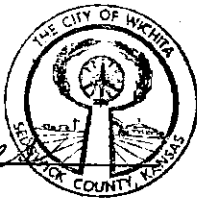
SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

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, APR 15 2003

ATTEST:

Pat Graves
Pat Graves, City Clerk



Lawrence Hays
Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorff
Gary E. Rebenstorff, City Attorney

RECEIVED

APR 29 2003

METROPOLITAN PLANNING
ROUTE 8