

Planning Agenda Item # _____

City of Wichita
City Council Meeting
January 28, 1992

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: DP-172 (AMENDMENT #1) - GOLF PARK WEST COMMERCIAL
COMMUNITY UNIT PLAN, LOCATED ON THE SOUTH SIDE OF 21ST
STREET NORTH, 1/4 MILE EAST OF TYLER ROAD.

Z-3047 - ZONE CHANGE REQUEST FROM "BB" OFFICE DISTRICT
TO THE "C" COMMERCIAL DISTRICT.
(District #5)

INITIATED BY: Metropolitan Area Planning Department *McFrost*

AGENDA ACTION: Planning

MAPC Recommendation: Approve (8-2).

Staff Recommendation: Approve.

CPO Recommendation: CPO Council Northwest recommended approval
(6-0).

Background: On January 2, 1992, the MAPC held a public hearing to consider approval of an amendment to the Golf Park West Commercial C.U.P. and an associated zone change on an 0.85-acre portion of the site from the "BB" Office District to the "C" Commercial District. The applicant is requesting that the proposed use list for Parcel No. 1 and Parcel No. 3 be amended to allow the establishment of a go-cart track in the northwest corner of the site, adjacent to 21st Street. Parcel No. 1 is currently undeveloped, zoned "BB" Office, and approved to be used for parking purposes. Parcel No. 3 is currently zoned the "C" Commercial District and is developed with a miniature golf course, a driving range, a batting cage, an indoor recreational center and associated office, and concession facilities. The applicant intends to screen the go-cart facility with landscaped berms and a solid, 6-foot-high masonry type wall along the west and south sides of the track.

The applicant has been advised that the operation of the go-cart facility must comply with the noise limitation standards recently established by the City of Wichita. The amended C.U.P. contains a provision that states that the operation of the facilities will conform to the noise standards set forth in Chapter 7.41 of the Code of the City of Wichita. These standards specify that noise

generated from a property may not exceed a level that is 5 decibels (db) above the normal background sound level, or a level of 55db in residential areas and 60db in commercial areas between the hours of 8:00 a.m. and 10:00 p.m. and a level of 50db in residential areas and 55db in commercial areas after 10:00 p.m., whichever is greater. Measurement of the sound is taken at a distance of 25 feet outside of the property line. As a point of reference, the noise level for normal conversation measures approximately 65db.

The applicant feels confident that these noise standards can be met by using the latest equipment that is now on the market. In support of his conclusions, he has submitted recent noise studies from go-cart equipment suppliers which are attached for your reference.

The Environmental Health Division of the City-County Health Department has reviewed the reports and made sound level measurements around the site. They have concluded that the go-cart track will not adversely impact the surrounding neighborhood.

No formal protest petitions were filed. However, two letters in opposition were received and Mr. Mark Zlatnik, 8610 West Westlawn Circle, attended the Planning Commission and presented an informal petition in opposition signed by homeowners of 16 properties located approximately 1/4 mile southwest of the site. The letters and petition are included in the agenda material for reference.

- RECOMMENDATIONS/ACTIONS:
1. Concur in the findings of MAPC and approve the zone change and C.U.P. subject to the recommended conditions; place the ordinance on first reading; or
 2. Return the applications to the MAPC for reconsideration, stating reasons.

(_____) Published in The Daily Record on 41-636

ORDINANCE NO. 41-636

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 28.04.210, THE CODE OF THE CITY OF WICHITA, KANSAS.

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 Section 28.04.210, The Code of the City of Wichita, Kansas, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. Z-3047

Zone change request from the "BB" Office
District to the "C" General Commercial District

Lot 1, Block 1, Golf Park West Addition to
Wichita, Sedgwick County, Kansas.

Generally located on the south side of 21st
Street North, 1/4-mile east of Tyler Road.

SECTION 2. That upon the taking effect of the 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 Zoning Ordinance 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.

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