

Planning Agenda Item # _____

City of Wichita
City Council Meeting
December 9, 1997

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-3258 - EVIES AND SHARON CRANFORD (PROPERTY OWNERS/ APPLICANTS) REQUEST ZONE CHANGE FROM "MF-29" MULTI-FAMILY RESIDENTIAL TO "GO" GENERAL OFFICE; AND

CU-459 - CONDITIONAL USE TO ALLOW A VOCATIONAL SCHOOL, LOCATED NORTH OF ROSEBERRY, WEST OF HOLYOKE (2673 S. HOLYOKE).

(DISTRICT #3)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

MAPC Recommendation: Approve zone change, subject to the additional provisions of a Protective Overlay (P-O) district, and approve the Conditional Use, subject to conditions. (11-1).

CPO Recommendation: Approve zone change, subject to the additional provisions of a Protective Overlay (P-O) district, and approve the Conditional Use, subject to conditions. (7-0).

Staff Recommendation: Approve zone change, subject to the additional provisions of a Protective Overlay (P-O) district, and approve the Conditional Use, subject to conditions.

Background: The applicants request a zone change from "MF-29" Multi-Family Residential to "GO" General Office on a platted lot totaling approximately 0.27 acres, located north of Roseberry, west of Holyoke. The applicants are also requesting approval of an associated Conditional Use to allow the site to be used as a vocational school.

The applicants are requesting the zone change and Conditional Use to provide 20 persons with and without mental disabilities job training and instruction, in association with a second request (Z-3257 and CU-458) located within the Midtown neighborhood. Such use is considered a "vocational school" and is first permitted in the "GO" zoning district with an associated Conditional Use. The Unified Zoning Code defines "vocational school" as "a use providing educational training in business, commercial trades, language, arts or other similar activity or occupational pursuit, and not otherwise defined as a 'college or university' or 'elementary or secondary school.'"

The site is currently zoned "MF-29" and is developed with a tri-plex unit with access to Holyoke. The existing structure was approved by the Board of Zoning Appeals on October 25, 1977 for a use exception to permit a child care center for 36 children, and a parking variance to reduce the number of required off-street parking spaces from 4 to 0. In the minutes of that meeting, it was stated that the tri-plex was converted into a single unit and used as a boarding home for mentally retarded adults.

The surrounding properties to the north, east, and south are also zoned "MF-29" and developed with tri-plexes. Properties to the west, across Hillside, are zoned "SF-6" Single-Family Residential, and developed with single-family homes.

The site plan submitted with the application (copy attached) shows the location of the 2,125 square foot tri-plex on the subject property. There is an existing parking area between Holyoke and the structure. Approval of this request would require the applicants comply with the parking, compatibility setback and screening requirements in the zoning code and the landscape ordinance.

During the November 13, 1997 MAPC meeting, questions over the Comprehensive Plan's treatment of the area were asked, and if there were additional studies on Planeview that would help in determining the appropriateness of this request. The applicants again spoke on their proposed use of the property. After the discussion, the MAPC voted (11-1) to approve the request subject to the additional provisions of a Protective Overlay and the conditions of the conditional use, as recommended by staff. There have been no protest petitions filed.

Recommendation:

1. Concur with the findings of the MAPC and approve the zone change and conditional use, subject to the recommended provisions of a Protective Overlay District and the recommended conditions of the conditional use; place the ordinances establishing the zone change and conditional use on first reading; or
2. Return the application to the MAPC for reconsideration; or
3. Override the recommendation and deny the request by a 2/3rd majority vote, citing appropriate findings.

() Published in The Daily Reporter 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 CITY OF WICHITA CODE SEC. 28.04.010.

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 City of Wichita Code Sec 28.04.010, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. Z-3258

Zone change request from "MF-29" Multi-Family Residential District to "'GO" General Office District, and to "P-O" Protective Overlay District #31 described as:

Lot 53, Block G, Planeview Subdivision Number 1, Wichita, Sedgwick County, Kansas. Generally located north of Roseberry on the west side of Holyoke (2673 S. Holyoke).

SUBJECT TO THE FOLLOWING PROTECTIVE OVERLAY RESTRICTIONS:

1. The use of the property shall be limited to a vocational school with a maximum enrollment of 20 persons, and all other uses permitted in the "MF-29" Multi-Family Residential district.
2. There shall be no free-standing signs permitted. All building signs shall be restricted to a maximum of 25 square feet in area, and any internal illumination shall be prohibited.

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.

The City

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, _____

ATTEST:

Pat Burnett, City Clerk

Bob Knight, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney