

Agenda Item # _____

City of Wichita
City Council Meeting
August 14, 2001

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: ZON2001-00041 - ZONE CHANGE FROM "SF-5"
SINGLE-FAMILY RESIDENTIAL TO "NO"
NEIGHBORHOOD OFFICE, LOCATED 110 FEET (ONE
LOT) SOUTH OF DOUGLAS ON THE WEST SIDE OF
RIDGE ROAD (109 S. RIDGE ROAD). (District #V)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to the provisions of a two-foot utility easement dedication and a (P-O) Protective Overlay (11-0).

Staff Recommendation: Approve, subject to the provisions of a two-foot utility easement dedication and a (P-O) Protective Overlay.

DAB Recommendation: DAB V will hear case on August 6, 2001.

Background: The applicant is requesting "NO" Neighborhood Office on a .44 acre platted lot along the west side of Ridge Road, located one lot south of Douglas, between Douglas and Maple. The property is currently zoned "SF-5" and developed with a single-family residence. The owners intend to redevelop the property as an office, and move to a different home.

The application area is located toward the north end of a string of eight similarly sized lots, each with typical single-family residential structures. The property three lots to the south was re-zoned from "SF-5" to "NO" in 2000, two single family houses are between this "NO" property and the application area. The "NO" property three lots to the south has a protective overlay requiring residential character construction and limits on building height, signage, points of access, and lighting. Also, the property abutting the application area to the north serves as an insurance office; this lot was rezoned to "BB" office district in 1983.

The property across Ridge to the east is zoned "SF-5" but is developed with the Maple Ridge Apartments, a 168 unit garden apartment complex. It is part of DP-42 Willow-Esque Residential C.U.P.

The proposed conversion of the property to office use would entail providing off-street parking and screening in accordance with the zoning code. Compatibility setbacks would not be required if the conversion does not involve new construction. Similarly, the Landscape Ordinance would not be triggered unless the increased value after conversion to the residential use was more than 50 percent of the original improvements.

At the MAPC hearing on July 19, 2001 the applicant spoke in support of the planning staff recommendation requesting approval for the zone change from SF-5 to NO. The MAPC motioned to approve the zone change request, subject to a two-foot utility easement dedication and the following Protective Overlay:

1. The property shall be developed and/or redeveloped with a building that has a residential character, and that includes brick, masonry, wood or composite siding; a double-pitched roof with a minimum vertical rise of 4 inches for every twelve inches; and a maximum height of 25 feet.
2. Freestanding signs shall be monument-type with a maximum height of 8 feet.
3. The property shall be restricted to one point of access onto Ridge Road. If in the future, the abutting lot to the south also converts to a non-residential use, the property owner may be required to pay all costs to modify or close the driveway, to pay one-half the cost of reconstructing the driveway, and to modify the off-street parking area, as required by the Traffic Engineer, in order to allow joint access and cross lot circulation.
4. Lighting shall conform to lighting standards in Sec. IV-B.4 of the Unified Zoning Code and be limited to no more than 14 feet in height.
5. Landscaping shall be provided that is equivalent to a landscaped street yard, parking lot landscaping and screening along Ridge Road, and a buffer along the property lines adjoining a residential district, as required in the City of Wichita Landscape Ordinance. A Landscape Plan shall be submitted to the Director of Planning for approval prior to the issuance of a building permit.

The approval motion carried with a 10-0 vote.

Recommended Action:

1. Concur with the findings of the MAPC and approve the zone change, subject to the recommended provisions of a Protective Overlay District; approve first reading of the ordinance; withhold publication of the ordinance until the dedication instrument is submitted and accepted by the City Engineer and Law Office; 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.)

Knebel, Scott

From: Knebel, Scott
Sent: Thursday, October 25, 2001 10:08 AM
To: Burnett, Patricia; Pewewardy, Kathy
Subject: Zoning Ordinances

Sensitivity: Private

The following cases were approved on first reading with publication to be withheld until dedications and/or guarantees were submitted:

<u>Case #</u>	<u>1st Reading</u>
ZON2001-00028	7-17-01
ZON2001-00041	8-14-01

The required dedications and guarantees have been submitted; therefore, the zoning ordinance may now be published. Thanks for your assistance.

Print
Recd 8-14-01
W.H. Pub.
Dugl

() Published in The Wichita Eagle on _____

ORDINANCE NO. 45-039

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. ZON2001-00041

Request for zone change from "SF-5" Single-Family Residential to "NO" Neighborhood Office and to "P-O" Protective Overlay District #101 described as:

Lot 16, Block C Westview Addition to Wichita, Sedgwick County, Kansas. Generally located 100 feet (one lot) south of Douglas on the west side of Ridge Road.

SUBJECT TO THE FOLLOWING PROTECTIVE OVERLAY RESTRICTIONS:

1. The property shall be developed and/or redeveloped with a building that has a residential character, and that includes brick, masonry, wood or composite siding; a double-pitched roof with a minimum vertical rise of 4 inches for every twelve inches; and a maximum height of 25 feet.
2. Freestanding signs shall be monument-type with a maximum height of 8 feet.
3. The property shall be restricted to one point of access onto Ridge Road. If in the future, the abutting lot to the south also converts to a non-residential use, the property owner may be required to pay all costs to modify or close the driveway, to pay one-half the cost of reconstructing the driveway, and to modify the off-street parking area, as required by the Traffic Engineer, in order to allow joint access and cross lot circulation.
4. Lighting shall conform to lighting standards in Sec. IV-B.4 of the Unified Zoning Code and be limited to no more than 14 feet in height.

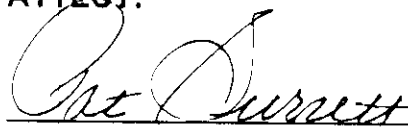
SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita-Sedgwick County Unified Zoning Code as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

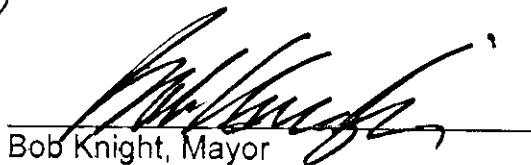
ADOPTED AT WICHITA, KANSAS, AUG 21 2001



ATTEST:



Pat Burnett, City Clerk



Bob Knight, Mayor

(SEAL)

Approved as to form:



Gary E. Rebenstorf, City Attorney

STAFF REPORT

MAPC 7-19-01
DAB 8-06-01

CASE NUMBER: ZON2001-00041

APPLICANT/AGENT: Otis W. and Charlotta M. Bearden (owners)

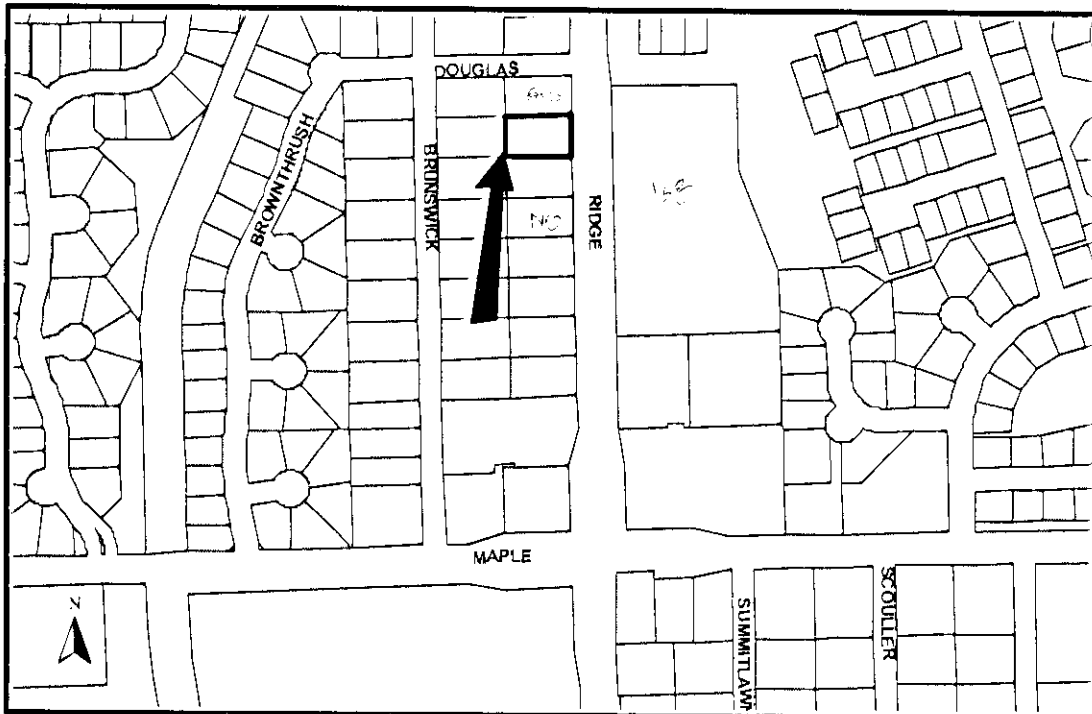
REQUEST: Zone change to "NO"

CURRENT ZONING: "SF-5" Single-Family

SITE SIZE: .44 acre

LOCATION: 110 feet (one lot) south of Douglas on the west side of Ridge Road (109 S. Ridge Road)

PROPOSED USE: conversion of a single family residence to an office



FILE COPY

BACKGROUND: The applicant is requesting "NO" Neighborhood Office on a .44 acre platted lot along the west side of Ridge Road, located one lot south of Douglas, between Douglas and Maple. The property is currently zoned "SF-5" and developed with a single-family residence. The owners intend to redevelop the property as an office, and move to a different home.

The application area is located toward the north end of a string of eight similarly sized lots, each with typical single-family residential structures. The property three lots to the south was re-zoned from "SF-5" to "NO" in 2000, two single family houses are between this "NO" property and the application area. The "NO" property three lots to the south has a protective overlay requiring residential character construction and limits on building height, signage, points of access, and lighting. Also, the property abutting the application area to the north serves as an insurance office; this lot was rezoned to "BB" office district in 1983.

The property across Ridge to the east is zoned "SF-5" but is developed with the Maple Ridge Apartments, a 168 unit garden apartment complex. It is part of DP-42 Willow-Esque Residential C.U.P.

The proposed conversion of the property to office use would entail providing off-street parking and screening in accordance with the zoning code. Compatibility setbacks would not be required if the conversion does not involve new construction. Similarly, the Landscape Ordinance would not be triggered unless the increased value after conversion to the residential use was more than 50 percent of the original improvements.

CASE HISTORY: The property was platted as the Westview Addition on May 16, 1952.

ADJACENT ZONING AND LAND USE:

NORTH:	"GO;" "SF-5"	office, residences
SOUTH:	"SF-5;" "LC"	residences, restaurants, retail
EAST:	"SF-5"	multi-family apartments
WEST:	"SF-5"	single-family residences

PUBLIC SERVICES: The property is located along Ridge Road, a four-lane arterial street. The traffic count for year 2000 was 20,026 cars per day (ADTs) between Maple and Central. The projected traffic volume for 2030 is 26,484 cars per day. No street projects are included in the C.I.P. The property has one drive entrance onto Ridge Road. The existing half-width right-of-way for Ridge is 50 feet.

The property currently has an eight-foot utility easement running along the rear of the property.

Public water and sewer services are available.

CONFORMANCE TO PLANS/POLICIES: The "Wichita Land Use Guide" of the *1999 Update to the Wichita-Sedgwick County Comprehensive Plan* identifies this property as "high density residential."

"Office Locational Guidelines" of the *Comprehensive Plan* include (1) being located adjacent to arterial streets; (2) having local, service-oriented offices incorporated within or adjacent to neighborhood and community scale commercial development, and (3) having low-density office use as a transitional land use between residential uses and higher intensity uses.

RECOMMENDATION: The purpose of the "NO" Neighborhood Office district is to accommodate very low intensity office development generally appropriate near residential neighborhoods. The *Comprehensive Plan* "Wichita Land Use Guide" designates this property as high density residential. Single-family residential uses abut this site to the south and west; although office uses, multi-family apartment uses, and commercial uses are also adjacent to or near this property. The character of the non-single family residential land uses near this property, coupled with its location along a major arterial with a significant traffic volume, argues that small-scale office use with a residential character may be a reasonable alternative to the current single-family use. So long as the property maintains a residential design, provides ample compatibility setbacks and landscape buffers, and provides adequate parking, the effect of an office use on adjacent single-family residences should be minimized. Also, staff recommends that a change in zoning require the current eight-foot utility easement to be increased with a two-foot dedication, bringing the utility easement to the current ten-foot standard.

Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to the mentioned two-foot utility easement dedication and the following Protective Overlay.

1. The property shall be developed and/or redeveloped with a building that has a residential character, and that includes brick, masonry, wood or composite siding; a double-pitched roof with a minimum vertical rise of 4 inches for every twelve inches; and a maximum height of 25 feet.
2. Freestanding signs shall be monument-type with a maximum height of 8 feet.
3. The property shall be restricted to one point of access onto Ridge Road. If in the future, the abutting lot to the south also converts to a non-residential use, the property owner may be required to pay all costs to modify or close the driveway, to pay one-half the cost of reconstructing the driveway, and to modify the off-street parking area, as required by the Traffic Engineer, in

- order to allow joint access and cross lot circulation.
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This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The property adjoining the application area to the north is zoned "GO" and is used as an insurance office. The property across Ridge to the east is zoned "SF-5" but developed with garden apartments. A property 265 feet to the south is zoned "NO" and is used as an office. The character of the property surrounding the application area, along Ridge Road, is becoming less desirable for traditional single-family homes due to road improvements and resulting increased traffic volume. As a result, more intensive zoning has been approved in this area.
2. The suitability of the subject property for the uses to which it has been restricted: The property could continue to be used for a single-family residence. However, similarly situated property owners have increasingly sought approval for more intense uses.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: So long as the property is developed with strong site development requirements to mitigate the impact of parking, lighting, and maintain the residential character of the structure, the impact on surrounding residences should be reduced. The effect of approving this request for "NO" might be to encourage adjacent residences to seek a similar approval.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The requested change in zoning classification is not in conformance with the Wichita Land Use Guide. It is in conformance with the purpose of the "NO" district as a very low-intensity office use that is compatible with nearby residential use, so long as site design compatibility requirements are included in the approval.
5. Impact of the proposed development on community facilities: The main impact would be to increase turning movements at the mid-block location on Ridge Road. Planning for future access management as this frontage redevelops will help minimize the number of traffic conflicts and accidents.