

Planning Agenda Item # _____

City of Wichita
City Council Meeting

June 6, 1995

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-3168 - ZONE CHANGE REQUEST FROM THE "A" TWO FAMILY DWELLING DISTRICT TO THE "BB" OFFICE DISTRICT, LOCATED SOUTHWEST OF EDWARDS AND ELM STREETS.

(District #6)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to replatting within one year to obtain necessary building setbacks and access controls (12-1-1).

Staff Recommendation: Approve, subject replatting within one year to obtain necessary building setbacks and access controls.

CPO Recommendation: North Central CPO Council "6" voted 7-0 to recommend approval subject to MAPD staff comments.

Background: On April 27, 1995, the MAPC considered a zone change from the 'A' Two Family Dwelling District to the 'BB' Office District for 1.57 acres platted as Lots 25-28, Sim Park Gardens. The site is located in an area southwest of Edwards and Elm Streets. The Riverside Hospital proposes to develop the site with a parking lot for the hospital complex.

The subject property is surrounded by a mixture of residential and institutional uses. Zongker Drugs is located to the south, Riverside Hospital and parking for the hospital are located to the east and southeast, duplex dwellings are located on the north side of Elm with single family homes also located further to the north, and single family homes are located adjacent to the site to the west. The residential dwellings nearby are predominately one (1) story in height.

Riverside Hospital proposes to initially construct a surface parking lot on the site. A surface parking lot would be permitted under the existing zoning with approval of an exception of the zoning

regulations by the Board of Zoning Appeals. However, Riverside Hospital indicates the desire to construct a parking garage on this site in the future. Thus requiring the need for a zoning change.

The proposed 'BB' zoning district would be consistent with the zoning of the remainder of the hospital complex, yet it would also permit additional uses to be developed on the site and also allow for a 55 foot structure at the building setback lines or a much taller structure if it were set back further for the required setback lines -- as opposed to the 35 foot height restriction of the 'AA' and 'A' zoning districts. The maximum building height in the 'BB' district can be increased by one (1) foot for each one (1) foot that a building is set back from the required setback lines. For instance, if a building were constructed 25 feet from the setback lines, an 80 foot structure would be permitted.

Recommendation:

1. Concur with the findings of the MAPC and approve the zone change, subject to the condition of platting; 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 first hearing).

**WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT**

September 19, 1995

TO: Pat Burnett, Deputy City Clerk
FROM: Kevin Kokes, Senior Planner, Current Plans Division
SUBJECT: Zoning Ordinance for Z-3168

On August 29, 1995, the Wichita City Council approved the plat of Osteopathic 3rd Addition and placed on first reading the associated zone change ordinance. Publication of the zoning ordinance was to be withheld until the plat was recorded.

The plat was recorded with the Register of Deeds on September 13, 1995, and therefore, the Ordinance establishing the zone change may now be published.

() Published in The Daily Reporter on 9/22/95

ORDINANCE NO. 42-844

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. 3168

Zone Change from the "A" Two-family Dwelling District to the "BB" Office District

Osteopathic 3rd Addition, Wichita, Sedgwick County, Kansas.

Generally located north of Central and west of Meridian.

SECTION 2. That upon the taking effect of the Ordinance, the above zoning change 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.

ADOPTED AT WICHITA, KANSAS, _____.

ATTEST:

(SEAL) Pat Burnett, Deputy City Clerk

Bob Knight, Mayor

Approved as to form:

Gary E. Rebenstorf, City Attorney

1007

STAFF REPORT

April 27, 1995

CASE NUMBER: Z-3168

APPLICANT/AGENT: Riverside Health Services, Inc. c/o Robert Dixon /
 Baughman Co., c/o Phil Meyer

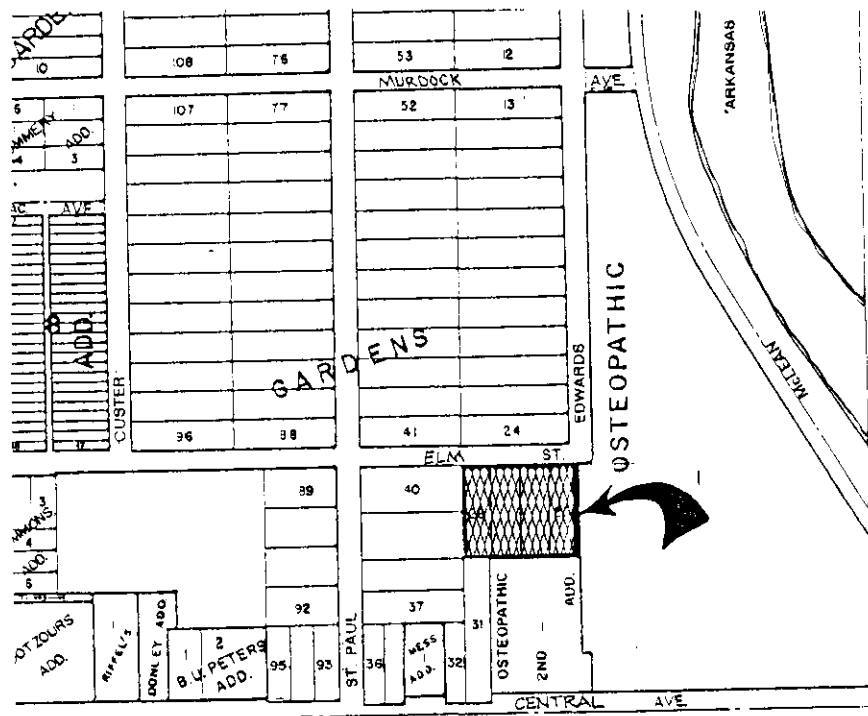
REQUEST: Zone change to the 'BB' Office District

CURRENT ZONING: 'A' Two Family Dwelling District

SITE SIZE: 1.57 acres

LOCATION: Southwest of Edwards and Elm Streets

PROPOSED USE: Parking lot



BACKGROUND: The applicant requests a zone change from the 'A' Two Family Dwelling District to the 'BB' Office District for 1.57 acres platted as Lots 25-28, Sim Park Gardens. The site is located in an area southwest of Edwards and Elm Streets. The Riverside Hospital proposes to develop the site with a parking lot for the hospital complex.

The subject property is surrounded by a mixture of residential and institutional uses. Zongker Drugs is located to the south, Riverside Hospital and parking for the hospital are located to the east and southeast, duplex dwellings are located on the north side of Elm with single family homes also located further to the north, and single family homes are located adjacent to the site to the west. The residential dwellings nearby are predominately one (1) story in height.

Riverside Hospital proposes to initially construct a surface parking lot on the site. A surface parking lot would be permitted under the existing zoning with approval of an exception of the zoning regulations by the Board of Zoning Appeals. However, Riverside Hospital indicates the desire to construct a parking garage on this site in the future. Thus requiring the need for a zoning change.

The proposed 'BB' zoning district would be consistent with the zoning of the remainder of the hospital complex, yet it would also permit additional uses to be developed on the site and also allow for a 55 foot structure at the building setback lines or a much taller structure if it were set back further for the required setback lines -- as opposed to the 35 foot height restriction of the 'AA' and 'A' zoning districts. The maximum building height in the 'BB' district can be increased by one (1) foot for each one (1) foot that a building is set back from the required setback lines. For instance, if a building were constructed 25 feet from the setback lines, an 80 foot structure would be permitted.

CASE HISTORY: None.

ADJACENT ZONING AND LAND USE:

NORTH:	'A'	Duplex residential dwellings
SOUTH:	'BB'	Drug store
EAST:	'BB'	Hospital and parking
WEST:	'A'	Single family homes

PUBLIC SERVICES: The proposed parking lot does not require water or sewer services. However, if the site were developed with other uses, municipal services would be available from an existing 8-inch water line along Elm Street and an 8-inch sewer line running through the center of the site. The subject property has direct access only to Elm, a 2-lane paved residential street with 50 feet of right-of-way. Existing traffic volumes are not available for the nearby residential streets.

Traffic volumes on Central range from 18,725 average daily trips (ADT) near St. Paul to 20,800 ADT near McLean Blvd. The 2020 Transportation Plan projects traffic on Central to increase to 27,600 ADT between Zoo and McLean Boulevard. The proposed parking lot should not increase traffic in the area.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies the Riverside Hospital complex for public / institutional uses, with the remainder of the area identified for low density residential uses. The Public / institutional locational guidelines of the Comprehensive Plan recommend that such facilities should have convenient access to arterials, public transportation, and utility lines. The Plan also recommends that the detrimental impacts of higher intensity land uses should be minimized when located near residential living environments.

RECOMMENDATION: Planning staff is somewhat concerned about the potential for a multiple story building or parking structure on this site and the compatibility between such a structure and the nearby residential properties. The height issue should be addressed in the proposed Unified Zoning Code for Wichita-Sedgwick County, through compatibility height limits for structures located adjacent to or across the street from lower density residential zoning districts. Such height limitations would maintain a 35 foot height limit within 50 feet of the lot line and allow an increase in building height of one foot for each three feet of setback beyond 50 feet. Hopefully this new standard would be adopted before the hospital decides to build a garage on this site.

Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to replatting within 1-year to obtain necessary building setbacks and access controls.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The subject property is surrounded by a mixture of residential and institutional uses. The proposed 'BB' zoning district would be consistent with the zoning of the remainder of the hospital complex.
2. Extent to which removal of the restrictions will detrimentally affect nearby property: The proposed 'BB' zoning district would permit additional uses to be developed on the site and also allow for a 55 foot structure at the building setback lines or a much taller structure if it were set back further for the required setback lines -- as opposed to the 35 foot height restriction of the 'AA' and 'A' zoning districts. However, the proposed Unified Zoning Code for Wichita-Sedgwick County should include provisions for height compatibility standards. The required replat would address necessary building setbacks for the property.

3. Conformance of the requested change to adopted or recognized Plans/Policies: The MAPC has an informal policy to support the expansion of existing businesses.

4. Impact of the proposed development on community facilities: The proposed parking lot does not require water or sewer services. However, if the site were developed with other uses, municipal services are available to serve the site. The required replat would address access controls along Elm Street.