

Agenda Item # _____

City of Wichita
City Council Meeting
May 15, 2001

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: ZON2001-00015 – ZONE CHANGE FROM “B” MULTI-FAMILY RESIDENTIAL TO “GO” GENERAL OFFICE, LOCATED NORTH OF 21ST STREET NORTH BETWEEN WACO AND FAIRVIEW. (District #VI)

INITIATED BY: Metropolitan Area Planning Department 

AGENDA ACTION: Planning

MAPC Recommendation: Approve (9-0).

Staff Recommendation: Approve.

DAB Recommendation: To be heard May 7, 2001, after agenda report was prepared.

Background: The applicant requests a zone change from “B” Multi-Family Residential to “GO” General Office on a 1 acre platted tract located north of 21st Street North between Waco and Fairview. The applicant requests the zone change to allow for a northward expansion the existing KPTS broadcast studio that is located immediately south of the subject property. The expansion of the broadcast studio will involve the removal of existing residential structures and the conversion of the existing land use from residential to office use. A broadcast studio is first permitted in the “GO” General Office district.

The surrounding area is characterized by a mixture of uses in the middle of the Midtown North neighborhood with commercial uses along 21st Street and residential uses along both sides of Waco and Fairview north of the 21st Street commercial uses. The properties immediately north of the subject property are zoned “TF-3” Two Family Residential and are developed with residential structures. The properties immediately south of the subject property are zoned “LC” Limited Commercial and are developed with a broadcast studio, a parking area, and two residential structures. The properties east of the subject property across Fairview and west of the subject property across Waco are zoned “B” Multi-Family Residential and are developed with residential structures.

At the hearing on April 19, 2001, the MAPC voted (9-0) to approve the request. There were no speakers, other than the applicant, for or against the request.

Recommended Action:

1. Concur with the findings of the MAPC and approve the zone change; place the ordinance establishing the zone change on first reading, 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.)

() Published in The Wichita Eagle 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 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. ZON2001-00015

Request for zone change from "B" Multi-Family Residential to "GO" General Office, on property described as:

Lot 535 and the South 9 feet of Lot 537, on Jewett, now Waco, Rosenthal's Subdivision of Meyers & Snyders Out-Lots to Wichita, Sedgwick County, Kansas

AND

Lots 1,3,5,7,9 & 11, on Jewett, now Waco, and Lots 2,4,6,8,10 & 12, on Fairview, Judgson's Addition to Wichita, Kansas, Sedgwick County, Kansas. Generally located north of 21st Street North between Waco and Fairview.

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.

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STAFF REPORT

MAPC April 19, 2001

CASE NUMBER: ZON2001-00015

APPLICANT/AGENT: Walter B. & Angeline M. Richardson; Ronald D. & Pamela K. Lamar; Gregory L. Guerrero; Miguel E. & Maria I. Hernandez; and KPTS, Inc. c/o Dave McClintock (Owners/Applicants)

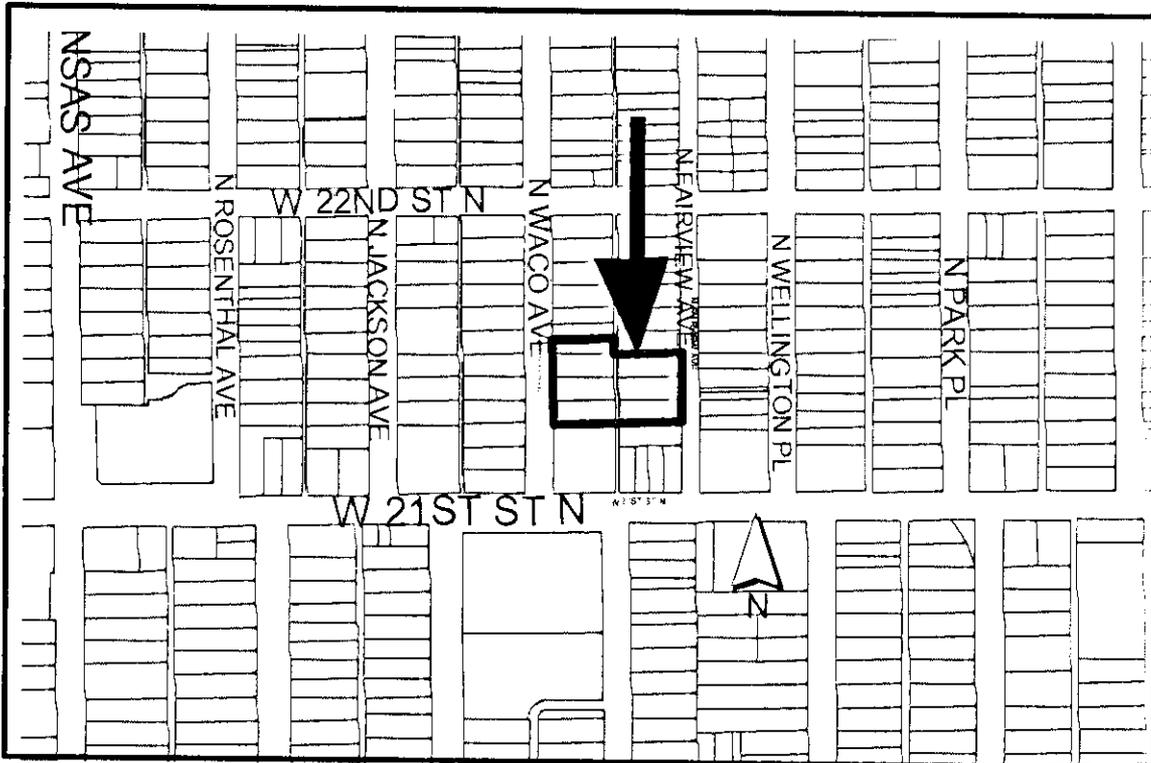
REQUEST: "GO" General Office

CURRENT ZONING: "B" Multi-Family Residential

SITE SIZE: 1 acre

LOCATION: North of 21st Street North between Waco and Fairview

PROPOSED USE: KPTS broadcast studio



FILE COPY

BACKGROUND: The applicant requests a zone change from "B" Multi-Family Residential to "GO" General Office on a 1 acre platted tract located north of 21st Street North between Waco and Fairview. The applicant requests the zone change to allow for a northward expansion the existing KPTS broadcast studio that is located immediately south of the subject property. The expansion of the broadcast studio will involve the removal of existing residential structures and the conversion of the existing land use from residential to office use. A broadcast studio is first permitted in the "GO" General Office district.

The surrounding area is characterized by a mixture of uses in the middle of the Midtown North neighborhood with commercial uses along 21st Street and residential uses along both sides of Waco and Fairview north of the 21st Street commercial uses. The properties immediately north of the subject property are zoned "TF-3" Two Family Residential and are developed with residential structures. The properties immediately south of the subject property are zoned "LC" Limited Commercial and are developed with a broadcast studio, a parking area, and two residential structures. The properties east of the subject property across Fairview and west of the subject property across Waco are zoned "B" Multi-Family Residential and are developed with residential structures.

CASE HISTORY: The platted lots within the subject property are separated by a north-south alley. The applicant has requested the vacation of this alley to allow development of the broadcast studio across the alley's current location. This vacation request (VAC2001-00011) is scheduled to be heard by the MAPC at the same hearing as the zone change request.

ADJACENT ZONING AND LAND USE:

NORTH:	"TF-3"	Residential
SOUTH:	"LC"	Broadcast studio, parking area, residential
EAST:	"B"	Residential
WEST:	"B"	Residential

PUBLIC SERVICES: The site will have access to 21st Street North through the existing KPTS broadcast studio property. Traffic volumes along 21st Street North are approximately 16,600 vehicles per day. The 2030 Transportation Plan projects traffic volumes on Harry to increase to approximately 22,000 vehicles per day. The City's Capital Improvement Program contains a project scheduled for completion in 2006 to repave 21st Street North from Hood to Broadway and to provide turn lanes where warranted. Public water and sewer service are available to be extended to the site.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the 1999 Update to the Comprehensive Plan identifies this area as appropriate for "Commercial"

development. The proposed Midtown North Neighborhood Plan also identifies this area as appropriate for commercial development. The proposed broadcast studio is compatible with the commercial land use designation.

RECOMMENDATION: Based upon the information available prior to the public hearings, planning staff recommends that the request be APPROVED.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The surrounding area is characterized by a mixture of uses in the middle of the Midtown North neighborhood with commercial uses along 21st Street and residential uses along both sides of Waco and Fairview north of the 21st Street commercial uses. The properties immediately north of the subject property are zoned "TF-3" Two Family Residential and are developed with residential structures. The properties immediately south of the subject property are zoned "LC" Limited Commercial and are developed with a broadcast studio, a parking area, and two residential structures. The properties east subject property across Fairview and west of the subject property across Waco are zoned "B" Multi-Family Residential and are developed with residential structures.
2. The suitability of the subject property for the uses to which it has been restricted: The site is zoned "B" Multi-Family Residential, which accommodates high-density, multi-family residential development and complementary land uses. The site is currently developed with residential uses and is suitable for continued residential use; however, the MAPC has in the past supported the redevelopment of adjacent residential properties for the expansion of existing office/commercial uses.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Detrimental affects should be minimized by the screening, lighting, and compatibility standards of the Unified Zoning Code and the landscaped street yard, parking lot screening, and buffer requirements of the Landscape Ordinance, which should limit noise, lighting, and other activity from adversely impacting surrounding residential areas. Additionally, the subject property is separated from adjacent residential properties to the east and west by a street, which should further limit detrimental affects on nearby properties.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The Land Use Guide of the 1999 Update to the Comprehensive Plan identifies this area as appropriate for "Commercial" development. The proposed Midtown North Neighborhood Plan also identifies this as appropriate for commercial development. The proposed broadcast studio is compatible with the commercial land use designation.

5. Impact of the proposed development on community facilities: No negative impacts on community facilities are anticipated.