zoning, except for one lot at the southwest corner of Central and Brookside Parkway for which "OC" zoning was still desired.

After concurring in the City Commission policy favoring "BB" zoning in this area, adding they would also favor "OC" zoning if requested, the MAPC voted 8-0 to recommend approval of "BB" zoning, as amended, for Z-2804 subject to replatting within one year after City Commission approval. At the time of replatting, a preliminary plat was to be submitted for all lots in Z-2804 and Z-2805 so that lots could be grouped into larger, fewer lots and joint use of access and circulation to rear parking lots could be considered. It was also required that drainage be directed away from lots to the south. This MAPC recommendation was forwarded to the City Commission for their January 20, 1987 meeting, at which time they referred the matter back to the MAPC once again with instructions that the plat be reviewed with the zoning request. A two-lot preliminary plat known as Atkisson Addition has now been reviewed and approved by the Subdivision Committee and the Planning Commission. Lot 4, Block 4 of Oakwood Estates has not been included in the replat and should therefore not be approved for rezoning. Lots 5, 6 and 7 are combined into one new lot and Lots 8 and 9 (Z-2805) are combined into the second new lot. Access to Central from Atkisson Addition will be limited to two driveways and because of this limitation, no decel lane is being required. The proposed parking areas in the rear of the lots will drain east into the Brookside Parkway drainage channel. The residential neighborhood to the south is concerned about additional runoff which will be created by new paved areas and expressed concern again at the November 12th hearing about the existing flooding problems and their fear of even worse flooding should these application areas redevelop for business uses. The City Engineer's office has reviewed the drainage plan for all three zone cases (two plats) and has stated that "the proposed development for these two plats will not have significant effect on the downstream property."

All issues raised by the Planning Commission and City Commission in previous meetings have been addressed and satisfactorily resolved by the replat. The number of curb cuts in Atkisson Addition will be reduced from five to two; rear yard parking lots have been designed to interconnect; ten feet of additional right-of-way will be dedicated for Central; and a 20-foot building setback line will be established from the new right-of-way line. Most structures are at or behind this setback line now. Because of the limited size of Atkisson Addition properties and the limited number of access points to Central, it was felt that a decel lane would not be needed.

Legal Consideration: 20.08% of the property within 200 feet is represented by valid protest petitions which were filed, as provided by law, within fourteen days after the original MAPC action date. This is sufficient to require a 4/5ths vote of the Council in order to grant the zoning change.

Recommendations/Actions:

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 final plat is forwarded to the City Council; or

2. Take appropriate action stating reasons.

Attachments: Area Map
CPO Memo 10-1-86
MAPC Minutes 10-2-86; 11-13-86; 12-22-86; 11-12-87
Drainage Memo 11-6-87
Atkisson Addition plat and staff report)

PL/1538/2

Planning Agenda Item #_____

City of Wichita
City Council Meeting
December 8, 1987

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: Z-2804 - ZONE CHANGE FROM "AA" ONE-FAMILY DWELLING DISTRICT TO "BB" OFFICE DISTRICT (AS AMENDED), LOCATED ON THE SOUTH SIDE OF CENTRAL BETWEEN ROCKWOOD AND BROOKSIDE PARKWAY. (District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

- -

MAPC Recommendation: Approve "BB", as amended, for Lots 5, 6, & 7 only in Block 4, Oakwood Estates subject to recording the associated plat of Atkisson Addition. Deny rezoning for Lot 4 as it has not been included in the replat. (10-0)

Staff Recommendation: Approve "BB", as amended, for Lots 5, 6, & 7 only in Block 4, Oakwood Estates subject to recording the associated plat of Atkisson Addition. Deny rezoning for Lot 4 as it has not been included in the replat.

CPO Recommendation: Council "G", in September 1986, went on record as favoring the conversion of single family houses to office use on the south side of Central between Edgemoor and Woodlawn. (see memo attached)

Background: On November 12, 1987, the MAPC held a public hearing to consider three zone change requests on the south side of Central between Edgemoor and Woodlawn filed in August 1986 (Z-2804, Z-2805 and Z-2806). Office Commercial ("OC") zoning was originally requested for Z-2804 and was unanimously approved by the MAPC on November 13, 1986 after the east Central zoning policy was reviewed and "BB" and "OC" zoning were recommended by the MAPC as being suitable for this area. The City Commission, in subsequently reviewing the east Central zoning policy, favored only the "BB" district and on November 25, 1986 adopted a revised zoning policy for the south side of Central which reads as follows: "Retain the existing "LC" district at Central and Woodlawn and the "OC" district at Central and Edgemoor and look with favor on "BB" Office District zoning from Rockwood to Hillcrest but only if replatting is required and the issues of drainage, access, accel-decel lanes, parking and building setbacks are resolved at the time of platting. This policy applies to only those lots facing Central and future requests for the deepening of non-residential zoning further south into the neighborhood will not be looked upon with favor." On December 9, 1986, cases Z-2804, Z-2805 and Z-2806, all of which included "OC" zoning as part of the MAPC recommendations, were returned to the MAPC by the City Commission for rehearing even though the applicants' agent had amended all applications to request only "BB"

(880) Published in The Daily Reporter on June 30, 1988

ORDINANCE NO. 40-339

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-2804

Zone Change from the "AA" One-Family Dwelling District to the "BB" Office District

Lots 5, 6 and 7, Block 4, Oakwood Estates Addition to Wichita, Sedgwick County, Kansas. (Now platted as Lot 1, Atkisson Addition.)

Generally located on the south side of Central, between Rockwood and Brookside Parkway.

SECTION 2. That upon the taking effect of the Ordinance, the above zoning changes shall be entered and shown on the 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:

_____
Mayor

_____
City Clerk

(SEAL)

_____
Approved as to form City Attorney

PL/8594/5