The Planning Commission determined that the character of the neighborhood; the zoning and uses of properties nearby; the suitability of subject property for the uses proposed; and the recommendation of staff justified the approval of the zone change.

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 plat is forwarded to the City Commission; or

2. Return the application to the MAPC for reconsideration stating reasons.

Attachments: Area map
11-13-86 MAPC Minutes
CPO Memorandum

Planning Agenda Item #_____

City of Wichita
City Commission Meeting
December 9, 1986

Agenda Report #_____

TO: Mayor and City Commissioners

SUBJECT: Z-2814 - REQUEST FOR ZONE CHANGE FROM "B" MULTIPLE-FAMILY DISTRICT TO "LC" LIGHT COMMERCIAL DISTRICT AND "BB" OFFICE DISTRICT, LOCATED ON THE EAST SIDE OF OLIVER BETWEEN BUNKER HILL DRIVE AND NEW JERSEY DRIVE. (Mid-Kansas Federal Savings and Loan)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Zoning

MAPC Recommendation: Approve (8-0)

Staff Recommendation: Approve

Background: On November 13, 1986, the MAPC held a public hearing to consider a zone change from "B" to "LC" for 5.75 acres of land and from "B" to "BB" for 3.43 acres located east of Oliver between Bunker Hill Drive and New Jersey Drive. The site is currently undeveloped. In 1965 this property was included in a request for zone change from "LC" to "B" because the owner wanted to build apartments and did not want the greater tax burden of commercial zoning. Apartments have never been developed on this site. No one spoke in opposition to the application. The Planning Commission recommended that the application be approved subject to replatting the property within one year after approval by the City Commission in order to address street paving, drainage, access, building setbacks, and utility easements.

CPO Council "D" voted 6-0 to recommend approval of the request.

Analysis: Land to the north across Bunker Hill Drive is developed with general retail businesses which front on George Washington Boulevard. To the east are multi-family dwellings in "LC" and "B" zoning. To the south are multi-family dwellings in the "B" district. To the west is undeveloped land in the "LC" district and, on the west side of Oliver, a city park in the "AA" district.

The zoning policy for Oliver, adopted in 1978, is to look with favor on retention of the existing zoning district classifications in this area. However, a few months after adoption of this policy, the Air Force released their AICUZ report which identifies this area as having a day/night average sound level of 70 to 80 which is not considered suitable for residential development. Office and commercial uses are considered appropriate if building construction methods reduce the noise level by 25 to 30. Bunker Hill Drive is not paved and there are considerable drainage problems in this area.

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) City Clerk Mayor

Approved as to form:

_____

City Attorney

(_____) Published in The Daily Reporter on 5/8/89

ORDINANCE NO. 40-685

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-2814

Zone Change from "B" Multiple Family Dwelling District to "LC" Light Commercial District and "B" Multiple Family Dwelling District to "BB" Office District.

"B" to "LC"
Lot 1, Block 1, Replat of Blocks I & J, Washington Heights addition to Wichita, Sedgwick County, Kansas, and that part of Lot 3, Block 1, Replat of Blocks I & J, Washington Heights Addition to Wichita, Sedgwick County, Kansas, described as beginning at the northeast corner of said Lot 3, thence southerly along the east property line a distance of 40 feet; thence westerly to a point on the west lot line 100 feet southeast of the northwest corner of said Lot 3; thence along the westerly and northerly boundaries of said Lot 3 to the place of beginning; (Now platted as Lot 1, Concord Business Park, Wichita, Sedgwick County, Kansas) AND

"B" to "BB"
Lot 3, Block 1, Replat of Blocks I & J, Washington Heights Addition to Wichita, Sedgwick County, Kansas, except that part described as beginning at the northeast corner of said Lot 3, thence southerly along the east property line a distance of 40 feet; thence westerly to a point on the west lot line 100 feet southeast of the northwest corner of said Lot 3; thence along the westerly and northerly boundaries of said Lot 3 to the place of beginning. (Now platted as Lot 2, Concord Business Park, Wichita, Sedgwick County, Kansas)

Generally located on the east side of Oliver between Bunker Hill Drive and New Jersey Drive.

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.