

City of Wichita
City Council Meeting
April 26, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-2893 ZONE CHANGE FROM THE "A" TWO-FAMILY DWELLING DISTRICT TO THE "BB" OFFICE DISTRICT (AS AMENDED), LOCATED BETWEEN DORIS AND ELDER, IN AN AREA SOUTH OF CENTRAL. (District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve "BB" (as amended) (6-2)

Staff Recommendation: Deny "LC" and "BB"

CPO Recommendation: Council "5B" considered the original request for "LC" on February 17, 1988, and voted 5-2 to recommend denial. On April 20, they will consider the amended "BB" request.

Background: On March 31, 1988, the MAPC held a public hearing to consider a zone change from "A" to "BB" (as amended) for two platted lots south of the existing "LC" zoning for the Cherry Orchard furniture store located at 5215 W. Central. They had previously recommended approval of this applicant's "LC" request but the City Council, on March 15, returned the case for rehearing. The adopted policy for Central between West Street and I-235 is to favor "LC" zoning but the policy does not address the issue of the appropriate depth of "LC" zoning. Although the MAPC and City Council have generally favored the granting of zoning to accommodate expansion of existing businesses, the effects on existing residential development in the neighborhood should be considered.

Legal Consideration: The 31½ percent protest petition which was filed after the first public hearing is still valid and requires a 4/5ths vote of the Council to approve a zone 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 plat is forwarded to the City Council; or
 2. Take appropriate action stating reasons.

May 3, 1988

Mr. Marino Garci
M. G. Enterprises, Inc.
5215 West Central
Wichita, Kansas 67212

RE: Z-2893 - "A" to "BB" as amended. Between Elder and Doris in an area
south of Central.

Dear Mr. Garci:

On April 26, 1988, the Wichita City Council reviewed the above-referenced rezoning application for the second time. Their action was to deny the rezoning for a number of reasons as stated in their motion which include the predominately residential character of the neighborhood and the need to retain an appropriate scale for commercial development in this area, as well as the opposition expressed by neighboring property owners and staff. Based on their action, zone case Z-2893 has been marked "denied and closed".

If you have any questions regarding this matter, please call our office at 268-4421.

Sincerely,

Louise Olivarez
Principal Planner

LO:blw

cc: Baughman Company, 315 Ellis, Wichita, Kansas 67211

FILE COPY