Planning Agenda Item #_____

City of Wichita
City Council Meeting
November 7, 1989

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: Z-2956 - ZONE CHANGE FROM THE "B" MULTIPLE-FAMILY DWELLING DISTRICT TO THE "BB" OFFICE DISTRICT, LOCATED AT THE SOUTHWEST CORNER OF 10TH AND MARKET. (District #1)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Denial (8-1-1).

Staff Recommendation: Denial.

CPO Recommendation: CPO Council "1A" recommended denial by a vote of 3-0.

Background: On July 6, 1989, the Planning Commission considered this rezoning request. At that meeting, the Commission voted to defer consideration of the request for 90 days to provide the applicant with sufficient time to hopefully bring back a definite proposal which might be acceptable to the Midtown Citizens Association. Representatives of this citizens group have been notified of this rehearing before the Planning Commission.

The applicant is requesting a zone change from the "B" Multiple-Family Dwelling District to the "BB" Office District for 3 platted lots at the southwest corner of 10th and Market. This site contains 10,125 square feet of area and is developed with a residential structure (Basham House) which was built in 1906. The structure was originally located at 824 N. Emporia and was moved to its present location in 1978. This property is not located within an historic district and the structure has not received landmark designation. The property does, however, lie within an area in which the Mid-Town Citizens group has actively promoted the preservation of residential structures and the use of the area for residential purposes.

There are two past zone cases in the general area that are similar to this one. The first of these is Z-1715, which requested "B" to "BB" for 6 platted lots on the west side of Main Street in an area south of 10th Street. This case was recommended for denial by the MAPC on August 14, 1975, and the City Commission took that action the following month. The minutes from the August 1975 meeting do not

clearly state reasons for the motion to deny the case, but it can generally be inferred that a majority of the Commissioners did not believe the change to office zoning would be compatible with the residential uses of the neighborhood.

The second case is Z-1970 (Amidon House), which also requested "B" to "BB" for 3-1/2 lots located at the northwest corner of 9th Street and Market. This case was recommended for approval by the MAPC on September 29, 1977, and the City Commission concurred with that recommendation on October 25, 1977. Once again, the minutes from the Planning Commission meeting fail to directly state reasons that support the rezoning, but the minutes do indicate that there was sentiment among the Commissioners that something had to be done to provide for an adaptive reuse of Amidon House because of its deteriorated condition. It can be inferred that rezoning to the "BB" district was thought to be an action which would provide for the property to be renovated for use for attorneys' offices and thereby save Amidon House. Unlike the case on Main Street (Z-1715), the Midtown Citizens group supported this "BB" rezoning request. Also, staff pointed out that light commercial zoning was west of Amidon House and the granting of "BB" zoning could be construed to be a buffer between "B" and "LC".

One of the problems to be overcome before Basham House could be developed for offices is providing required off-street parking spaces. A field inspection of the property has indicated that in order to provide required off-street parking, an existing two-car garage would need to be removed. If this was done, perhaps eight 90° parking spaces could be provided on site.

Because this property is located within an area entirely zoned "B" and because of the numerous surrounding residences, staff does not believe this property should be taken out of a residential zoning classification.

RECOMMENDATIONS/ACTIONS:

1. Concur with the findings of the MAPC and deny the application; or

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

WICHITA — SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT
CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4561

October 13, 1989

Jack & Norma Scheall
1063 N. Market
Wichita, KS 67214

Re: Z-2956 - Zone change from the "B" Multiple-Family Dwelling District to the "BB" Office District, located at the southwest corner of 10th & Market.

Dear Mr. & Mrs. Scheall:

At its regular meeting on October 12, 1989, the Metropolitan Area Planning Commission considered the above-captioned zoning change request. The action of the Planning Commission was to recommend that the application not be approved.

This matter will be forwarded to the City Council for consideration at their regular meeting on November 7, 1989. This meeting will be held in the City Council Chambers, First Floor, City Hall, 455 N. Main, Wichita, Kansas, beginning at 9:00 a.m. We would remind you that zoning items are considered after all other matters of business. In recognition of the official public hearing held by the Planning Commission, the City Council does not permit additional debate by proponents or opponents of zone change requests.

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:jcm

cc: Marilyn Lueker, 1212 N. Topeka, 67214
Sharon Fearey, 1323 N. Emporia, 67214
Jerry Cole, 1341 N. Emporia, 67214
Barbara Kenney, 1137 N. Market, 67214
Mary Abbott, 1141 N. Market, 67214

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