Planning Agenda Item #_____

City of Wichita
City Council Meeting
October 24, 1989

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: Z-2965 - ZONE CHANGE FROM "B" MULTIPLE-FAMILY DWELLING DISTRICT TO "BB" OFFICE DISTRICT, LOCATED ON THE EAST SIDE OF RUTAN BETWEEN VICTOR AND 1ST STREET. (District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve (8-0).

Staff Recommendation: Approve.

CPO Recommendation: Council "2A" recommends approval (8-0).

Background: On September 28, 1989, the MAPC held a public hearing to consider a zone change request from the "B" Multiple-Family Dwelling District to the "BB" Office District for a .3-acre site located on the east side of Rutan between Victor and 1st Street. The application area involves four platted lots. The two southernmost lots are currently developed with a single-family residential dwelling. The two northernmost lots are developed with a parking lot established prior to June 21, 1988. Prior to that date, parking lots were an outright permitted use in the "B" district if adjacent to an office, commercial or industrial zoning district.

This application has been filed in order to permit the construction of a parking lot over the entire application area. Section 28.04.145 of the City Zoning Ordinance provides for off-street parking exceptions in any zoning district provided BZA approval is obtained. However, paragraph 3.5 of this section states that when a parking lot is located in a dwelling district, the parking lot shall not be located within a front yard setback. The front yard setback required in the "B" Multiple-Family Dwelling District is 20 feet. The applicant has chosen not to pursue a BZA parking exception, since they want to park within the west 20 feet of the application area.

Recommendations/Actions: Concur with the findings of the MAPC and approve the zone change; place the ordinance establishing the zone change on first reading.

(_____) Published in The Daily Reporter on 11/3/89

ORDINANCE NO. 40-807

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-2965
Zone change request from the "B" Multiple-Family Dwelling District to the "BB" Office District

Lots 6, 8, 10 and 12, Roembach's Addition, Wichita, Sedgwick County, Kansas. Generally located on the east side of Rutan Street between Victor Street and First Street.

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.

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:

_____ City Clerk

_____ Mayor