Planning Agenda Item #_____

City of Wichita
City Council Meeting
July 17, 1990

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: Z-2997 - ZONE CHANGE FROM THE "B" MULTIPLE FAMILY DWELLING DISTRICT TO THE "C" COMMERCIAL DISTRICT, LOCATED ON THE EAST SIDE OF WACO BETWEEN 9TH AND 10TH STREETS. (District #1)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve (7-0).

Staff Recommendation: Approve "C" zoning for the south 25 feet of the site and "OC" zoning for the remainder of the application area.

CPO Recommendation: CPO Council "1A" voted 3-1 to concur with MAPD staff's recommendation.

Background: On June 21, 1990, the MAPC held a public hearing to consider a zone change request from the "B" Multiple-Family Dwelling District to the "C" Commercial District for three platted lots located on the east side of Waco, between 9th and 10th Streets. The application area measures .2 of an acre, has 75 feet of frontage to Waco, and was platted in 1884. The applicants' stated reasons for filing this rezoning request are to gain additional "C"-zoned land for expansion of their building and to gain suitably zoned land for additional off-street parking. The building to the south is used for offices, warehousing and some manufacturing. The first zoning district that permits parking lots as an outright use is the "BB" Office District [28.04.080(A)(12)]. A parking lot could be constructed in the existing "B" zoning district, provided the Board of Zoning Appeals first approves that use by granting an exception [28.04.145].

The applicants have provided staff with a drawing that depicts a proposed building addition and new off-street parking. The drawing indicates a 50-foot by 64-foot building addition. Thirty feet of the new building's 50 feet of frontage along Waco Street will be on property already zoned "C". That is, only 20 feet of the building's frontage is proposed to be located on land now zoned "B". However, the applicants would like the flexibility of possibly providing outdoor loading and unloading space along the north wall of the new addition. This use would also require "C"

zoning. Thirty feet of additional "C" zoning beyond the amount required for the new building should be sufficient to provide for the outdoor loading/unloading use. That is, 50 feet of additional "C" zoning is required to accommodate the applicants' tentative building plans and outdoor loading uses.

Legal Considerations: In accordance with K.S.A 75-2724, this zone change request has been reviewed by the State Historic Preservation office. This review is required since the zone change application area is within 500 feet of the historic William Sternberg House. A copy of the Kansas State Historical Society's findings is attached.

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

(_____) Published in The Daily Reporter on 4-18-91

ORDINANCE NO. 41-326

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.2997

Zone change from the "B" Multiple Family Dwelling District to the "C" Commercial District.

Lots 909, 911, 913, Lewellen's Addition, Wichita, Sedgwick County, Kansas. (Now being platted as part of Lot 1, Midtown-Waco Addition to Wichita, Sedgwick County, Kansas.)

Located east of Waco between 9th and 10th Streets.

FILE COPY

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:

_____ _____

(SEAL) City Clerk Mayor

Approved as to form:

_____

City Attorney