Planning Agenda Item #_____

City of Wichita
City Council Meeting
January 11, 1994

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: Z-3114 - A Zone Change Request From the "A" Two Family District To The "LC" Light Commercial District, Generally Located At The Northeast Corner of 2nd and Martinson. (District #6)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation:	Deny request for "LC" Light Commercial, approve "BB" Office District. (13-0)
Staff Recommendation:	Deny request for "LC" Light Commercial, approve "BB" Office District.
CPO Recommendation:	Deny request for "LC" Light Commercial, approve "BB" Office District.

Background: The applicant is requesting a zone change from the "A" Two Family district to the "L" Light Commercial district for a 3,375 square foot portion of a platted lot at the northeast corner of 2nd and Martinson. A vacant retail structure exists on the property. The applicant proposes to sell tobacco products from the existing building. The building on the application area was originally a service station. Because the property has been vacant for 3-5 years, it has lost its non-conforming use rights.

Except for a vacant retail structure to the east of the application area, all surrounding property is developed with single family homes. Directly west of the application area is the Enoch Dodge house, designated as a historical structure in 1982. The home was built in 1887 and was the home of Enoch Dodge, one of the first two settlers in the Delano Township, a prime landowner and developer of West Wichita. In 1986, this property was rezoned to the "BB" Office district. All other surrounding properties north of 2nd Street are zoned "A" Two Family and properties south of 2nd Street are zoned "B" Multiple Family.

The Land Use Map of the Comprehensive Plan identifies this area for low density residential uses. Revitalization efforts are recommended by the Area Treatment Classification Map. Although a vacant structure does not add to the revitalization of the neighborhood, staff does not feel that commercial uses and the traffic and lighting they generate are appropriate for this site.

RECOMMENDATIONS/ACTIONS:

1. Concur with the findings of the MAPC and deny the request for "LC" Light Commercial and instead approve "BB" Office, or

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

3. Override the Planning Commission's recommendation by a 2/3 majority vote of the membership of the governing body.

(_____) Published in The Daily Reporter on 1-28-94

ORDINANCE NO. 42-257

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.

COPY

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-3114

Zone change request from the "A" Two Family District to the "BB" Office District

South 75 feet of Lot 19 and the West 20 feet of the South 75 feet of Lot 17, Walter Morris and Son's Third Addition, Wichita, Sedgwick County, Kansas. Generally located at 1326 West 2nd Street.

SECTION 2. That upon the taking effect of the Ordinance, the above zoning changes 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.