Planning Agenda Item #_____

City of Wichita
City Council Meeting

May 17, 1994

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: Z-3112 - A request for a zone change from the "BB" Office District to the "LC" Light Commercial District, generally located at the southwest corner of Central and Kessler (District #4)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

City Council Action (1-11-94): Deferred for 3-weeks
City Council Action (2-1-94): Referred back to MAPC

MAPC Recommendation (12-16-94): Approve zone change (11-2).
MAPC Recommendation (4-21-94): Approve zone change (7-3).

Staff Recommendation: Deny zone change.

CPO Recommendation: Approve zone change (8-0).

Background: The applicant is requesting a zone change from the "BB" Office district to the "LC" Light Commercial district for a 2.2 acre portion of a platted lot generally located at the southwest corner of Central and Kessler. The application area is currently vacant. The applicant has not indicated any proposed use for the property.

Surrounding property to the north is zoned "BB" Office, "LC" Light Commercial and "AA" Single family and is partially vacant and developed with single family homes, a bank and a vacant retail store/office. Single family homes exist to the east on property zoned "AA" Single Family. A Food Barn and various other retail uses are located to the west of the application area on property zoned "LC" Light Commercial. Property south of the application area is zoned "AA" Single family and "BB" Office and is vacant except for two single family homes. Apartments exist south of Newell Street.

A 0.5 acre site adjacent to the west of the application area is currently zoned "LC" Light Commercial. When combined with the current request, the applicant's potential "LC" Light Commercial ownership is slightly less than 3 acres. Contiguous lands 6 acres in size or greater and held in single ownership require a Community Unit Plan. Property owners that do not meet these requirements may volunteer to submit a C.U.P. to restrict development and create site design features to ensure compatibility with surrounding land uses. The applicant has chosen not to submit a C.U.P.

The Comprehensive Plan identifies this area for residential uses and the Area Treatment Classification Map shows the area for revitalization efforts. While commercial development is important in any revitalization effort, staff feels that any commercial development adjacent to residential uses should be carefully planned and designed in order to address negative impacts and ensure the viability of the neighborhood. Staff recommends that the request for "LC" Light Commercial be denied.

In December 1993, the MAPC recommended that the request for "LC" Light Commercial be approved. The City Council at their February 1, 1994 meeting, referred this matter back to the MAPC to reconsider "OC" Office Commercial zoning for the site. When the MAPC heard this matter at their April 21, 1994 meeting, the applicants indicated that they have no identified use for this site. However, they still want to rezone the property to allow for uses permitted in the "LC" Light Commercial district. The applicants indicated that they did not want to consider "OC" Office Commercial. The MAPC recommended approval of "LC" Light Commercial, with the condition that the applicants work with staff to develop an appropriate landscape buffer design along Kessler to protect existing residential uses surrounding the property.

Recommendations/Actions:

1. Concur with the findings of the MAPC and approve the zone change; place the ordinance establishing the zone change on first reading -or-

2. Adopt staff findings and deny the application, but approve rezoning to the "OC" classification.

(An override of the Planning Commission's recommendation requires a 2/3 majority vote of the membership of the governing body of first hearing).

(_____) Published in The Daily Reporter on 5-12-94

ORDINANCE NO. 42-438

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:

FILE COPY

Case No. Z-3112

Zone change request from the "BB" Office District
to the "OC" Office Commercial District

The North 305 feet of Lot 1, Block A, dePaul Addition, Wichita, Sedgwick County, Kansas, except the west 125 feet of the north 231.77 feet thereof. Generally located on the southwest corner of Central and Kessler.

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.