Planning Agenda Item #_____

City of Wichita
City Council Meeting
April 9, 1996

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: Z-3200 - MELVIN L. & SHIRLEY C. HANSEN (PROPERTY OWNER) & BAUER & SON, INC. (CONTRACT PURCHASER) REQUESTS ZONE CHANGE FROM 'AA' ONE FAMILY DWELLING DISTRICT TO 'BB' OFFICE DISTRICT, LOCATED ON THE NORTHWEST CORNER OF ZELTA AND LEWIS STREETS.
(DISTRICT #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Failure to approve (denial) (6-6).

Staff Recommendation: Deny.

CPO Recommendation: Approve (4-3).

Background: The applicant requests a zone change from 'AA' One Family Dwelling District to 'BB' Office District for the south half of Lot 40, Linwood Acres Addition, located at the northwest corner of Zelta and Lewis Streets (one block north of Kellogg). Bauer & Son, Inc. (contract purchaser) proposes to construct an office on the site (northwest corner of the intersection) for the construction equipment and storage yard that is located southwest of the intersection.

The subject property is currently vacant and surrounded by several single family homes to the east, a single family home and church to the north, a vacant lot to the west, a mobile home park to the southwest, the applicant's construction equipment and storage yard to the south, and a commercial business to the southeast with frontage oriented to Kellogg. The site has access only to unpaved residential streets and there are no other examples of nonresidential zoning along Kellogg extending north of Lewis.

Planning staff recommended denial based on the exclusively residential character of the area north of Lewis street, and the option for this office, which has operated at a remote location from the storage yard for a number of years. At the MAPC hearing, two residents spoke in opposition and claimed to represent other residents in the area. The applicant's agent offered a number of restrictions, including use limitations, building setbacks, no access to Zelta, maximum one store height, sign limitations, and residential-looking design. The MAPC vote was 6-6 on a motion to approve the request, which is in effect a recommendation of disapproval.

Recommendation:

1. Concur with the findings of Planning Staff and the recommendation of MAPC, and deny the application; or

2. Return the application to the MAPC for consideration.

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

SEDGWICK COUNTY

METROPOLITAN AREA PLANNING
DEPARTMENT
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April 10, 1996

Bauer & Son,Inc.
c/o Greg Bauer
6572 E. Central, Suite 204
Wichita, KS 67206-1993

RE: Z-3200 - **Zone change from 'AA' One Family Dwelling District to 'BB' Office District, located at the northwest corner of Zelta and Lewis Streets.**

On April 9, 1996, the City Council considered the above-referenced request. The action of the Council was to deny the request.

If you have any questions, please call the Planning Department at 268-4421.

Sincerely,

Russ Ewy
Associate Planner

cc: Melvin L. & Shirley C. Hansen, 151 Jackson, Wichita, KS 67206
P.E.C., c/o Gary Wiley, 303 S. Topeka, Wichita, KS 67202
Greg Gilpin, 333 S. Zelta, Wichita, KS 67207
Lonnie Clark, 356 S. Zelta, Wichita, KS 67207
Office of Central Inspection