

Planning Agenda Item # _____

City of Wichita
City Council Meeting
February 27, 1996

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-3193 - CITY OF WICHITA C/O MONTE ROBSON (PROPERTY OWNER)/MID KANSAS ENGINEERING CONSULTANTS, INC. (AGENT) REQUESTS ZONE CHANGE FROM "E" LIGHT INDUSTRIAL DISTRICT TO "D" CENTRAL BUSINESS DISTRICT, LOCATED NORTH OF LEWIS STREET BETWEEN WATER STREET AND THE BIG ARKANSAS RIVER, (DISTRICT # 6)

INITIATED BY: Metropolitan Area Planning Department 

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to replatting within 1 year (10-0).

Staff Recommendation: Approve

CPO Recommendation: Approve, subject to replatting within 1 year (5-3).

Background: The City of Wichita requests a zone change from the 'E' Light Industrial District to the 'D' Central Business District, for property located north of Lewis Street between Water Street and the Big Arkansas River. Portions of the property are currently paved as a parking lot, with the remaining area undeveloped or used for park and open space purposes. The City proposes the zone change to accommodate the proposed downtown Hyatt Hotel and convention center on the north side of Waterman, and additional related development between Lewis and Waterman. Improvements for the subject property include a 298-room hotel and an expansion of Century II meeting space. The zone change would provide more flexibility on building setbacks and parking requirements for the property.

Under the existing 'E' zoning, the property is subject to the City Zoning Code parking requirements for off-street parking spaces for hotels, which would be at least one parking space for each hotel room, plus one space for each two hundred fifty (250) square feet of floor area used for retail purposes, professional and service facilities, offices, meeting rooms, recreational spaces, etc. However, Section 28.04.141 of the Zoning Code exempts all non-residential structures in the 'D'

zoning district from all off-street parking requirements. Although the proposed hotel and convention center expansion would not be subject to parking requirements, the City has budgeted for construction of an associated parking garage to accommodate the increase parking needs after the hotel/convention center project is completed.

Recommendation:

1. Concur with the findings of the MAPC and approve the zone change, subject to the condition of replatting; 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 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.)

() Published in The Daily Reporter on _____

ORDINANCE NO. _____

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-3193

Zone change from the "E" Light Industrial District to the "D" Central Business District

That portion of Lots 48, 49, and 50, in River Addition to the City of Wichita, Kansas described as follows: Commencing at the intersection of the South line of English Street with the East line of Wichita Street; thence southwardly along the East line of Wichita Street, 49.9 feet; thence southeastwardly, along a curve to the right having a radius of 370.78 feet, 209 feet, more or less, to a point 221.3 feet southwardly from the South line of English Street as measured along a line parallel to and 120 feet, as measured at right angles, from the East line of Wichita Street for the point of beginning; thence southwardly, along said line parallel to Wichita Street, 57.55 feet, more or less, to a point on Missouri Pacific Railroad Company's existing northeasterly property line, said point also being the most southerly point of Lot 50, River Addition; thence northwestwardly, along said northeasterly property line and along the westerly lines of Lots 50, 49 and 48, River Addition, to a point in the east line of Wichita Street; thence northwardly, along the east line of Wichita Street, 42.95 feet, more or less, to a point 10 feet northeastwardly, as measured normal from a northerly extension of said curve having a radius of 370.78 feet; thence southeastwardly, along a curve to the right having a radius of 380.78 feet and concentric with said curve having a 370.78 foot radius, 90 feet, more or less, to a point 100 feet southwardly, as measured at right angles, from the South line of English Street; thence eastwardly, parallel to English Street, 55 feet, more or less, to a point on a line parallel to and 120 feet as measured at right angles, from the east line of Wichita Street; thence southwardly, along said line parallel to Wichita Street, 121.3 feet to the point of beginning;

EXCEPT that portion lying within the following tract: Commencing at the intersection of the south line of English Street with the east line of Wichita Street, thence southwardly, along the east line of Wichita Street, 49.9 feet; thence southeastwardly, along a curve to the right having a radius of 370.78 feet, 209 feet, more or less, to a point 221.3 feet southwardly from the south line of English Street as measured along a line parallel to and 120 feet, as measured at right angles, from the east line of Wichita Street; thence northwardly, along said line parallel to Wichita Street, to a point 10 feet northeastwardly, as measured normal, from

said curve having a radius of 370.78 feet for the point of beginning; thence northwestwardly, along a curve to the left having a radius of 380.78 feet and concentric with said curve having a 370.78 foot radius, 107 feet, more or less to a point 100 feet southwardly, as measured at right angles from the south line of English Street; thence eastwardly, parallel to the south line of English Street, 55 feet more or less, to a point on a line parallel to and 120 feet, as measured at right angles, from the east line of Wichita Street; thence northwardly, along said line parallel to Wichita Street, 100 feet to a point in the south line of English Street; thence eastwardly, along the south line of English Street, 27 feet; thence southwardly, parallel to Wichita street, 295.3 feet; thence northwardly, along a curve to the left having a radius of 380.78 feet, 107 feet, more or less, to the point of beginning.

AND

Lots 54, 55, and 56 in River Addition to the City of Wichita, Kansas, Sedgwick County, Kansas.

AND

A tract in the Southeast Quarter of Section 20, Township 27 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas, being 12 feet in width lying northerly and easterly of and adjacent to the easterly line of Lots 54, 55 and 56, beginning at the east line of Wichita street and terminating at the north line of Waterman, as shown in the plat of River Addition to the City of Wichita, Sedgwick County, Kansas.

AND

Lots 57, 58, 59, 60, 61, 62, 63, and 64, in River Addition to the City of Wichita, Sedgwick County, Kansas, and the south half of vacated English Street adjoining on the north.

AND

All of Lots 65, 66, 67, 68, 69, 70 and 71, River Addition together with all the unnumbered parcels lying between lots 67 and 68 on the east and Lots 69, 70, 71 on the west and the south line of Waterman Street, and the north line of Lewis Street as delineated on the River Addition Plat, City of Wichita, Sedgwick County, Kansas also being described as, to-wit: A parcel within River Addition beginning at a point on the south line of Waterman street, city of Wichita, 14 feet west of the northwest corner of Lot 77, on Water Street in Greiffenstein's 5th Addition, said point being the northeast corner of Lot 65, River Addition; thence west along the south line of Waterman Street to the northwest corner of Lot 69, River addition, said point being the Southeast corner of Waterman and Wichita Street; thence south along the east line of Wichita Street to the southwest corner of Lot 71, River Addition, said point being the northeast corner of Lewis and Wichita Street and being 311 feet west of the southwest corner of Lot 107, Water Street, Greiffenstein's 5th Addition; thence east along the north line of Lewis Street to the southeast corner of Lot 66, River Addition, said point being 14 feet west of the southwest corner of Lot 107, Water Street, Greiffenstein's 5th Addition; thence north along the east line of Lots 66 and 65, River Addition, to the point of beginning.

AND

Lots 72, 73, 74 and 75, in River Addition to the City of Wichita, Sedgwick County, Kansas.

AND

That portion of the MO PAC RR property as shown in the Plat of River Addition to the City of Wichita, Kansas, which was conveyed to the City of Wichita, Kansas by the Quit Claim Deed filed on Film 658, Page 288, EXCEPT that portion described as Lots 72, 73, 74 and 75, in River Addition to the City of Wichita, Sedgwick County, Kansas.

AND

A tract in the southeast Quarter of Section 20, Township 27 south, Range 1 East of the Sixth Principal Meridian, in the City of Wichita, Sedgwick County, Kansas described as follows: Beginning at a point on the south line of English street extended west and on the west line of the right of way of the Atchison, Topeka and Santa Fe Railway Company, defined in Deed Book 249 at Page 99; thence west along the south line of English Street extended a distance of 91.5 feet more or less, to the east line of the right of way of the Missouri pacific Railway Company, thence Southeasterly along the right of way 346 feet south of, and normally distance from the south line of English Street as extended to a point on the north line of Waterman Street; thence east along the north line of Waterman Street, a distance of 65.5 feet more or less to the west line of the AT&SF Railway Company right of way; thence Northwesterly along the said west line of said right of way to the place of beginning.

AND

A portion of the south one-half (1/2) of vacated English Street described as follows: Beginning at a point on the centerline of English Street 252.00 feet west of the west line of Wichita Street; thence east along said centerline a distance of 101.07 feet; thence south parallel to Wichita Street, a distance of 30 feet to a point on the south line of English Street; thence west along the south line of English Street a distance of 96.59 feet; thence northwesterly a distance of 30.33 feet to the point of beginning.

AND

A tract of land in the southeast Quarter of Section 20, Township 27 south, Range 1 east of the Sixth Principal Meridian, in the City of Wichita, Sedgwick County, Kansas, described as follows: All land lying west of the east line of the abandoned Missouri Pacific Railway right-of-way between English Street on the north and Waterman Street on the south, as said streets are shown on a recorded plat of the River Addition to the City of Wichita, and east of the approximate mean high bank line of the Arkansas River.

AND

A tract in the southeast Quarter of Section 20, Township 27 south, Range 1 east of the Sixth Principal Meridian, in the City of Wichita, Sedgwick County, Kansas, described as follows: The former right-of-way of the Atchison, Topeka & Santa Fe Railway Company, as defined in Deed Book 249 at page 99, lying south of the south line of vacated English Street as said street was vacated by City of Wichita Ordinance 31-293 dated September 18, 1970, and north of the north line of Waterman Street, in River Addition to the City of Wichita, Sedgwick County, Kansas. Now being platted as part of the East Bank Development Addition

Generally located north of Lewis Street between Water Street and the Big Arkansas River.

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) Pat Burnett, Deputy City Clerk

Bob Knight, Mayor

Approved as to form:

Gary E. Rebenstorf, City Attorney