

DR-77-2 - Alternatives to Accom-
modate Commercial Uses.

ACTION

DATE

COMMITTEE ADoption OF OC. Dist.
Eliminates need for this study

M.A.P.C. _____

B.C.C./B. CO. C. _____

DR-77-2 - Alternatives to Accom-
modate Commercial Uses.

July

Alan: Save this memo as we may use part in a memo to the P.C.

Jabin suggests we suggest a new limited retail district. We may not want to permit any residential use at all or certainly not over the density of "A4"; or we may want to permit the R-6 densities.

Two things bother me, one is should we attempt to state the intent - to utilize the district only in older residential structures where the outside character of the structure has to be retained; or two, should we go straight for a district as B-3? If we go to a district as B-3, we should come up with a new code and title such as BB-LC Limited ^{Retail} ~~Commercial~~ District or "LR".

Begin reviewing this again and think about scheduling something at a noon luncheon agenda around the 3rd of March.

JLJ

D R A F T

To: Wichita-Sedgwick County Metropolitan Area
Planning Commission

From: Robert A. Lakin, Director of Planning

Subject: DR-77-2-Alternatives to accommodate commercial uses.

At the planning commission meeting of September 30, 1976, the commission requested that the staff review the alternatives of permitting limited commercial uses within certain areas other than the existing commercial zoning districts. This was a result of ^{the} discussion related to a zoning change request on East Douglas. The application was for ^{the} 'BB' Office and 'LC' Light Commercial zoning ^{districts} to allow the conversion of an existing residence to office usage. In addition to office usage the applicant had requested 'LC' to accommodate an "Art Studio" in the structure.

In this particular zoning change request the Planning Commission recommended denial and the City Commission concurred in that recommendation.

BACKGROUND

The City of Wichita zoning ordinance was originally adopted with one commercial zoning district in 1923. Numerous amendments over the years have expanded the original ordinance of five districts to the present fourteen districts, including three commercial districts ('LC', 'C' and 'D') and the 'BB' office district which is considered a quasi-commercial district.

Such amendments and changes are usually the result of shifting patterns of land usage brought about by technological advances in development or merchandising methods, general economic atmosphere, or the termination of the useful life of existing structures for the original use. Most frequently, the changes have been the result of a particular problem ^{created} perpetrated by a zone change request to ^{overcome} ~~circumvent~~ some provision of the ordinance restricting the use of a property.

The 'BB' Office District was adopted into the ordinance in 1954 to provide a district for uses previously required to be in the 'LC' Light Commercial district. This was apparently the result of zone change requests to 'LC' zoning that were not approved due to the impact the ~~uses permitted~~ would have on an area. The 'BB' Office District now is limited to uses that generate approximately one-half the average daily trips of the general list of uses permitted in the 'LC' light commercial district.

~~The~~ ^{The} alternatives to accommodate commercial uses set forth herein are recommended on the basis of compliance with the state enabling legislation.

ALTERNATIVES

1. Provide an exception to the 'BB' Office District to allow a specific list of restricted commercial uses. This would allow the Board of Zoning Appeals to determine the appropriateness of a restricted use after a public hearing, ~~required for such exceptions.~~

2. Create a special restricted commercial zoning district that would permit offices and limited commercial uses, to be used in conversion areas on the fringe of existing 'LC' areas. These areas would be established in the same manner ^{that} ~~as~~ all other zone changes are made.

3. Amend the 'BB' Office district to allow certain commercial uses with limitations. These limitations could include a list of low traffic generation commercial uses, the maximum floor area an individual use could occupy, the limitations of visual exposure for a use, and other limitations deemed appropriate to insure that the district would not be detrimental to adjacent residential development.

ASSESSMENT OF ALTERNATIVES

ALTERNATIVE NO. 1. As an exception to be approved by the Board of Zoning Appeals, this would require notice to all adjacent property owners to give them an opportunity to be heard on any application. This would be in addition to the zone change hearing that would be required for all properties not previously zoned 'BB'. This procedure would provide the best control of property, but would also add 30 to 60 days to the time required for approval.

ALTERNATIVE NO. 2. This new district could be used in two different ways. One would be to use it in areas adjacent to commercial to provide for uses more compatible to residential areas than

some of the uses permitted in the 'LC' district that are ^{often} ~~may~~ times objected to by a neighborhood. [Another method would be to create a new district to be used in conjunction with the Historic designation where a certain amount of control on the exterior appearance of the structure is also maintained]

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ALTERNATIVE NO. 3. This type of amendment would provide an increase in the number of permitted uses in the 'BB' district. Although it would be necessary to hold the public hearings required for a change in the zoning text, this would not provide notice to all existing property owners within 200 feet of existing 'BB' zoning districts that changes were being considered to increase the usage of such properties. *All existing BB would receive these the additional use rights automatically,*

Robert A. Lakin
Director of Planning

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RECOMMENDATION