

Agenda Item # _____

City of Wichita
City Council Meeting
February 4, 2003

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: ZON2002-00067 – Zone change from “GO” General Office to
“LC” Limited Commercial. Generally located south of 27th Street
South and east of Seneca. (District IV)

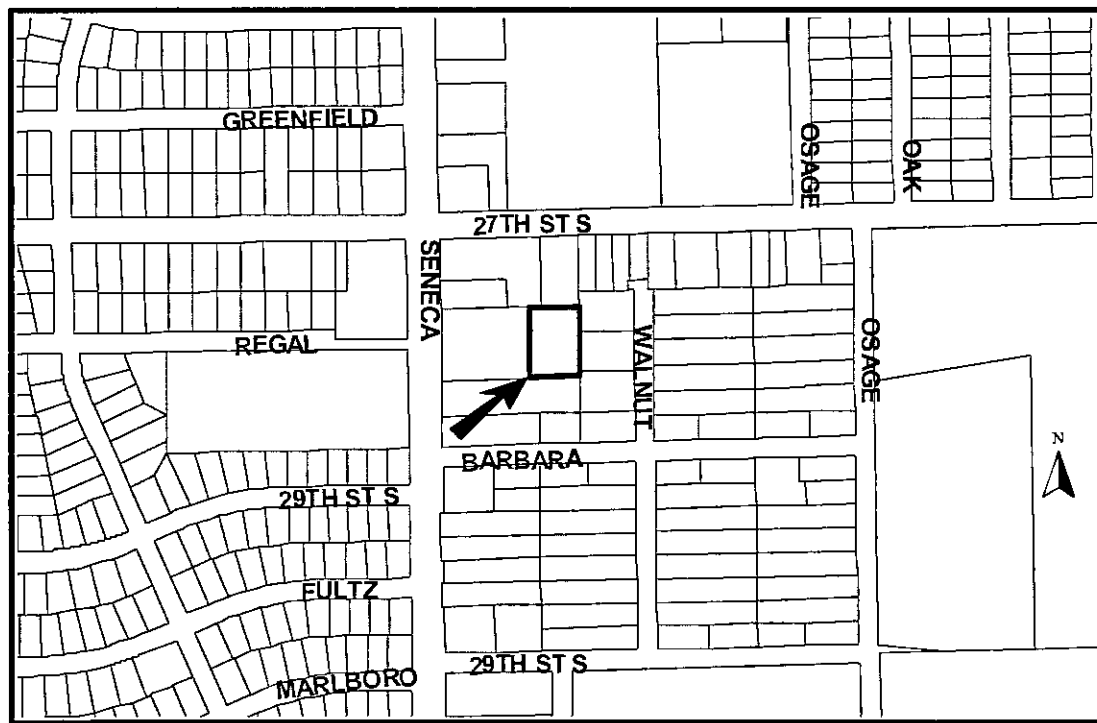
INITIATED BY: Metropolitan Area Planning Department *DM*

AGENDA ACTION: Planning

MAPC Recommendation: Approve (11-0)

D.A.B. Recommendation: Approve (6-0)

Staff Recommendation: Approve



BACKGROUND: The applicant requests a zone change from "GO" General Office to "LC" Limited Commercial on a 0.8 acre platted tract located south of 27th Street South and east of Seneca. The subject property is the east 152 feet of Lot 2, Heersche's Replat Addition and is developed with a non-conforming nursery and garden center that is currently vacant. The remainder of Lot 2 is currently zoned "LC" Limited Commercial. The applicant proposes to redevelop the subject property with an ALDI grocery store. A grocery store is first permitted by right in the "NR" Neighborhood Retail zoning district; however, the applicant has requested "LC" Limited Commercial zoning to match the zoning district of the remainder of the applicant's property.

The surrounding area is characterized by mixed-use commercial, office, institutional, and residential development. The properties to the north are zoned "LC" Limited Commercial and "GO" General Office and are developed with a restaurant, a vehicle repair shop, and a massage therapy clinic. The properties to the south are zoned "LC" Limited Commercial and "GO" General Office and are developed with medical offices. West of the subject property across Seneca is a church and school on properties zoned "SF-5" Single-Family Residential. The properties to the east are zoned "SF-5" Single-Family Residential and are developed with single-family residences.

Since the abutting properties to the east have residential zoning, screening and buffer landscaping will be required along the east property line. The compatibility setback standards will require a minimum 25-foot building setback along the east property line. Since the applicant's property has frontage along an arterial street, a landscaped street yard and parking lot screening will be required along the west property line.

At the MAPC hearing on January 9, 2003, there were no speakers for or against the request. The MAPC voted 11-0 to recommend approval of the request. There were no speakers at the DAB hearing either. At the DAB hearing on January 15, 2003, the DAB voted 6-0 to recommend approval of the request.

Recommended Action:

1. Concur with the findings of the MAPC and approve the zone change; place the ordinance on first reading; or
2. Return the application to the MAPC for reconsideration.

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

*Just
Revised-4-03*
(150004) Published in The Wichita Eagle on FEB 15 2003

ORDINANCE NO. 45-555

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

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 The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2002-00067

Zone change from "GO" General Office to "LC" Limited Commercial, on property described as:

The East 152 feet of Lot 2, Heersche's Replat, Wichita, Sedgwick County, Kansas.
Generally located south of 27th Street South and east of Seneca.

SECTION 2. That upon the taking effect of this 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 Wichita -Sedgwick County Unified Zoning Code 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, FEB 11 2003

ATTEST:

for Patsy Ellis, Deputy
Patsy Graves, City Clerk

Bob Knight
Bob Knight, Mayor



Approved as to form:

Gary E. Rebenstorf, City Attorney
Gary E. Rebenstorf, City Attorney