Agenda Item #_____

City of Wichita
City Council Meeting
April 1, 2003

Agenda Report #_____

TO: Mayor and City Council Members

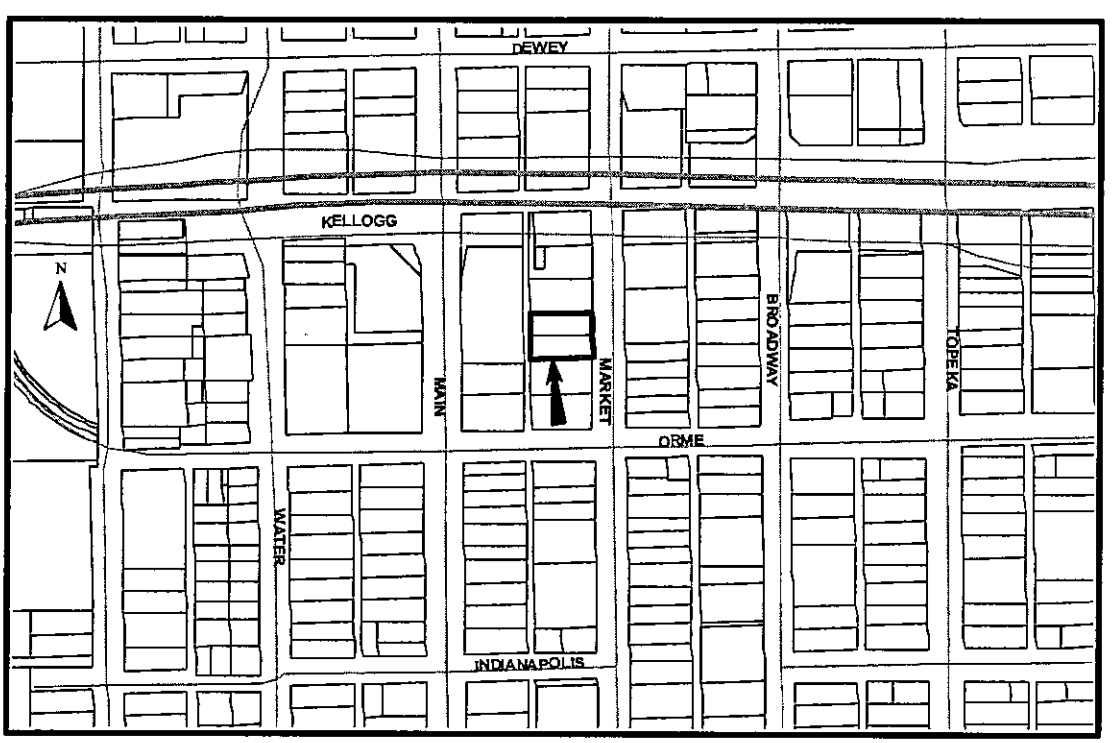
SUBJECT: **ZON2003-00005 – Zone change from "B" Multi-family Residential to "GC" General Commercial. Generally located southwest of Kellogg and Market. (District I)**

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to conditions. (12-1)

Staff Recommendation: Approve, subject to conditions.



BACKGROUND: The applicant is seeking "GC" General Commercial zoning for Lots 20, 22, 24 & 26, Payne's Addition, located southwest of the East Kellogg Drive and Market Street intersection. These lots are currently zoned "B" Multi-family Residential and are vacant. These lots are part of an approximate 1.03-acre site that the applicant proposes to develop for the relocating Lewis Street Glass Company and are the only part of the site that is not zoned "GC". Rezoning the lots will give the applicant the same zoning for the whole site, which has East Kellogg Drive on its north side, Market Street on its east side, Orme Street on its south side and a paved alley on its west side.

The site is undeveloped except for a vacant auto service on the south end. Development will consist of new buildings, parking and landscaping for the Lewis Street Glass Company with the primary frontage being on East Kellogg Drive. The vacant auto service will be renovated and be part of the glass company. East Kellogg Drive is a frontage road for Kellogg - US Highway-54. There is no direct access onto East Kellogg Drive and the City has recently installed landscaping in that ROW. Access onto the site is off of Market, Orme and the paved alley.

The site is part of a block wide area of mostly commercial zoning and recent commercial development, located between Orme Street on the south and Kellogg - US Highway-54 on the north. The block wide area extends to Water Street on the west and Topeka Street on the east. US-54 separates the site from the "CBD" Central Business District zoning area that covers most of downtown Wichita. The areas west and east of the site are a mix of recent developed and redeveloped "GC" & "LC" zoned properties and a fewer older, developed "B" zoned properties. The developed properties closest to the site include a renovated multi-storied hotel, Kansas Blueprint, a newer long-stay type motel, a retail business, a bank, and two older, large single-family homes. The long-stay type of motel is designed to appear more like an apartment complex. Properties to the south, across Orme Street, are overwhelmingly zoned "B" and developed as a mix of single-family residential with some duplex and multi-family.

The business of the Lewis Street Glass Company is considered Manufacturing, limited. Manufacturing is allowed in the "GC" zoning district when the entire frontage of the ground floor along the principal street frontage is used for office space, display, or wholesale or retail sales. East Kellogg Drive is the principal street frontage. The applicant has agreed to a combination of office space, display, or wholesale or retail sales for the entire frontage of the ground floor along East Kellogg Drive.

At the MAPC hearing on March 6, 2003, the MAPC voted 12-1 to recommend approval of the request with the condition that entire frontage of the ground floor along East Kellogg Drive be a combination of office space, display, or wholesale or retail sales. The applicant agreed with the Planning Staff recommendation. The Commissioner voting in opposition to the zoning request made no comment in regards to the vote against the request. No one spoke in opposition to the requested zoning change and there have been no written protest received.

CASE NO. CW03-163
ORDINANCE NO 45-699

STATE OF KANSAS)
ss.
County of Sedgwick)

_Susan Sublet_____, being first duly sworn, Deposes and says: That he/she is __Legal Assistant Manager_____of

THE DERBY REPORTER

a daily newspaper printed in the State of Kansas, and published in and of general circulation in Sedgwick County, Kansas, with a general paid circulation on a daily basis in Sedgwick County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a daily published Monday through Friday, and has been so published continuously and uninterrupted in said county and state for a period of more that five years prior to the first publication of said notice, and has been admitted at the post office of Derby, Kansas, in said county as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for __1 DAY__ the publication thereof being made as aforesaid on the __11TH__ day of___APRIL___, 2003.

Subscribed and sworn to before me this __11TH__ day of ___APRIL__, 2003.

Djuana Roth
Notary Public

DJUANA ROTH
Notary Public - State of Kansas
My Appt. Expires 11-16-2005

Printer's fee: **$ 23.40**

Additional copies $_____

CW03-163 First Published in The Derby Reporter, April 11, 2003) 150004

ORDINANCE NO. 45-699

AN ORDINANCE CHANGING THE ' NG CLASSIFICATIONS OR DISTRIC 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. ZON2003-00005

Request for zone change from "B" Multi-family Residential to "GC" General Commercial on property described as:

Lots 20, 22, 24 and 26, on Market Street, Payne's Addition to the City of Wichita in Sedgwick County, Kansas. Generally located southwest of Kellogg and Market.

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, April 8, 2003.

/s/ Bob Knight, Mayor

ATTEST: (SEAL)
/s/ PAT GRAVES, City Clerk
(A 11)

RECEIVED
APR 2 2 2003
METROPOLITAN PLANNING
ROUTE