



Wichita-Sedgwick County Metropolitan Area Planning Department

FILE COPY

September 16, 2002

Van Asdale Construction
%Jeffery B. Van Asdale
353 N. Pennsylvania
Wichita, KS 67214

RE: ZON2002-00045 – Zone change from “LC” Limited Commercial to “GC” General Commercial. Generally located at the southwest corner of 31st Street South and Wichita Street.

Dear Ladies and Gentlemen:

At its regular meeting on September 10, 2002, the Wichita City Council considered the above-captioned request. The action of the City Council was to DENY the request.

If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

Jess McNeely
Associate Planner

JMC/rms

Cc: Phil Lambke, City Council, District III, Mail Stop 1-13
Vicki Mork, District Advisory Board III, Mail Stop 1-135
Kurt Schroeder, Office of Central Inspection, Mail Stop 1-72
Randy Sparkman, Office of Central Inspection, Mail Stop 1-72
Paul Hays, Office of Central Inspection, Mail Stop 1-72
J.R. Cox, Office of Central Inspection, Mail Stop 1-72

Agenda Item # _____

City of Wichita
City Council Meeting
September 10, 2002

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: **ZON2002-00045 – Zone change from “LC” Limited Commercial to “GC” General Commercial. Generally located at the southwest corner of 31st Street South and Wichita Street. (District III)**

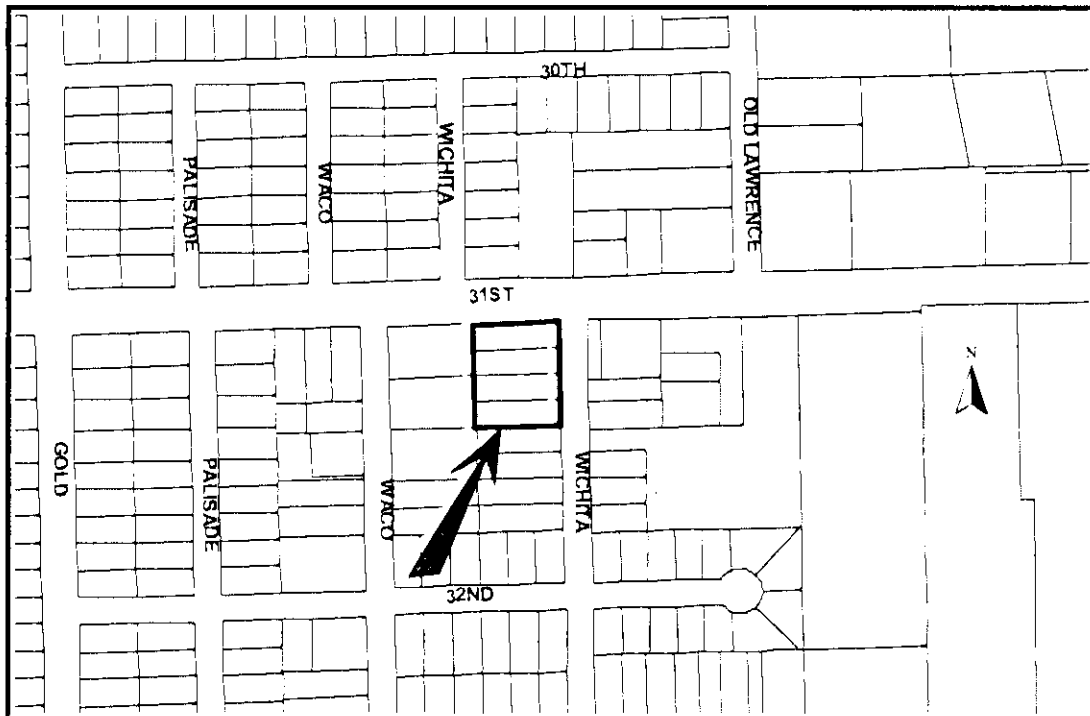
INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Deny. (9-0)

DAB Recommendation: Deny. (8-0)

Staff Recommendation: Deny.



BACKGROUND: The applicant is requesting a zone change from "LC" Limited Commercial to "GC" General Commercial on a 1.0-acre tract located on the southwest corner of 31st Street South and Wichita Street. The proposed use of the property is for warehouse, self-service storage units, although the applicant did not request a protective overlay to restrict the property to only this "GC" use.

The surrounding area has high intensity commercial and industrial uses to the east toward Broadway (vehicle sales and vehicle storage), but is mostly residential uses to the north, south and west. More specifically, the adjoining property to the south is zoned "LC" and "B" Multi-Family and is developed with a new group home owned by the Mental Health Association Group. The property to the west, along Waco, is zoned "LC" along 31st Street South and is developed with a small commercial building. Immediately to the south along Waco, the property is zoned "SF-5" Single-Family and is occupied by a house with a large number of vehicles, although it is not zoned for this use. The property to the east of Wichita Street, along 31st Street South, is zoned "GC" and "SF-5", and includes a commercial building and an American Legion lodge, with vacant property south of the lodge. The property on the north side of 31st Street South is zoned "SF-5" Single-Family and "B" Multi-Family and is developed with residences.

Self-service warehouses are permitted with a Conditional Use in the "GO" General Office and "LC" Limited Commercial districts, subject to 19 specific conditions requiring landscaping, architectural review, restrictions on outdoor storage, lot coverage, and use of rental space by individual businesses. Self-service warehousing located in the "GC" district does not have to comply with these restrictions. Rezoning the property "GC" General Commercial would be out of character with the zoning and uses in three directions; rezoning to "GC" would also allow warehouse, self-service storage units to be constructed without regard to the supplementary regulations of the Unified Zoning Code. The supplementary regulations are designed to lessen the impact of mini-storage units on nearby residential uses. They include landscaping, use of materials compatible with surrounding residential use, presence of an on-site manager and other requirements to ensure the units do not pose a safety threat or nuisance to the neighborhood. In the absence of these requirements, the only safeguards would be the UZC requirements for compatibility setbacks that would require a 25-foot setback and landscape buffer along the southern half of the west property line. Based upon these considerations and the information available prior to the public hearings, planning staff recommended that the request be denied.

At the DAB III hearing on August 7, 2002, a prospective buyer of the property indicated that he was not aware that the owner had requested the zone change and that if he purchased the property he intended to develop it with an insurance office. The DAB voted 8-0 to recommend denial of the request. At the MAPC hearing on August 8, 2002, there were no speakers, not even the applicant, either in favor of or in opposition to the request. The MAPC voted 9-0 to recommend denial of the request.

Recommended action:

1. Concur with the findings of the MAPC and deny the request; or
2. Return the application to the MAPC for reconsideration.

(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.)