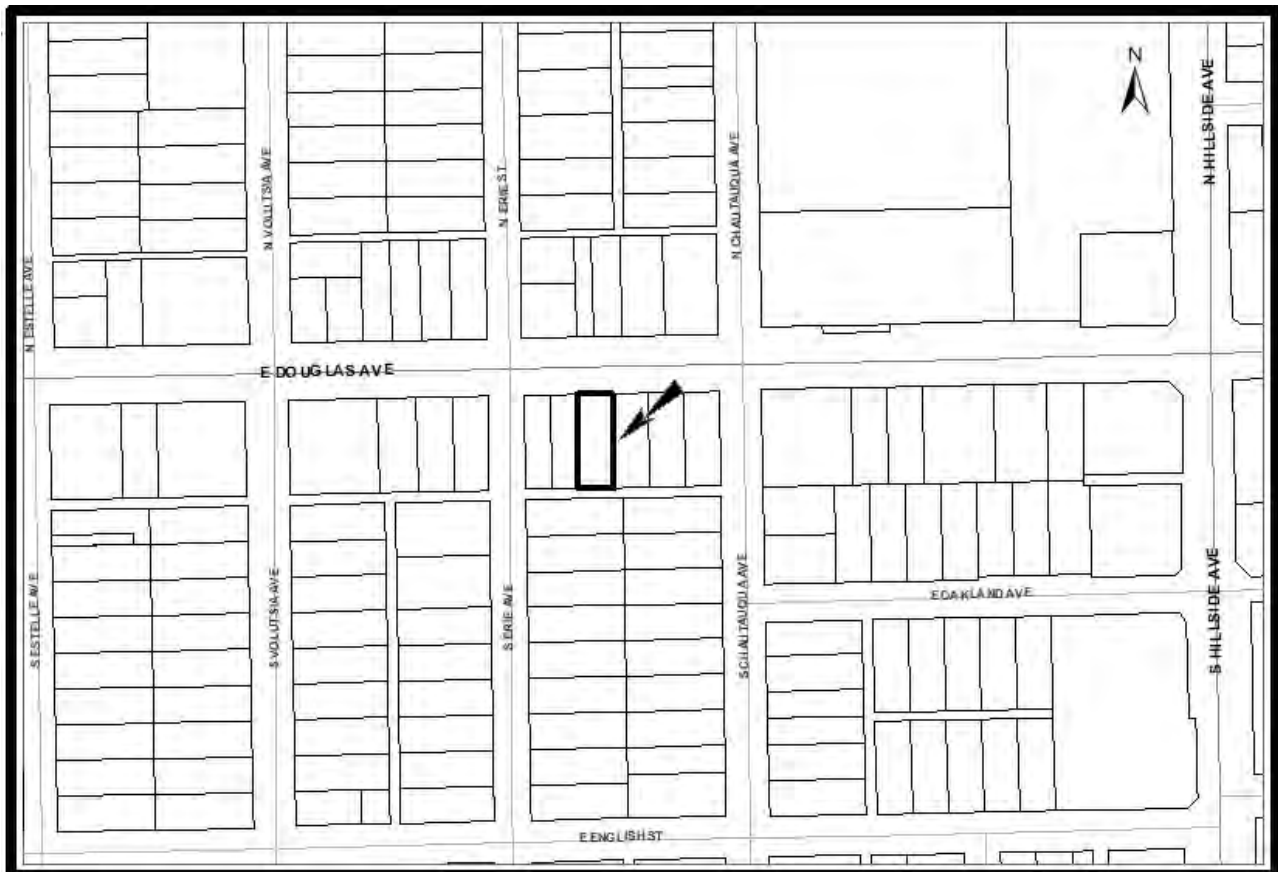




STAFF REPORT

MAPC: February 17, 2022
DAB I: February 7, 2022

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- CASE NUMBER:** ZON2022-00002 (City)
- APPLICANT:** Jeffrey Breault
- REQUEST:** OW Office Warehouse
- CURRENT ZONING:** LC Limited Commercial
- SITE SIZE:** 0.15 acres
- LOCATION:** Generally located on the south side of East Douglas Avenue and within one-quarter mile west of South Hillside Avenue (2911 East Douglas Avenue).
- PROPOSED USE:** Office Use and Product Storage
- RECOMMENDATION:** Approval Subject to Protective Overlay #389



BACKGROUND: The applicant is requesting the rezoning from LC Limited Commercial to OW Office Warehouse on a 0.15-acre property addressed as 2911 East Douglas Avenue, which is generally located on the south side of East Douglas and within one-quarter mile west of South Hillside Avenue. The reason for their request is to support office uses in addition to product storage (warehousing). Office uses are currently permitted in LC zoning. The OW zoning is required for the storage of product. The storage of product that is accessory to a retail use is permitted in LC Limited Commercial zoning, but the applicant indicates that there will be no retail use on the site. The applicant states that the offices are used in conjunction with his nearby R & J Discount Liquor store (3015 East Douglas), and he intends to use the storage area for liquor storage for the same business.

The OW Office Warehouse District is primarily intended to accommodate office and warehousing activities for the building trades and similar businesses with operating characteristics that do not require highly visible locations or the type of vehicular access needed for retail and high- intensity office development. The OW District is generally compatible with the "Employment/Industry Center" designation of the Wichita-Sedgwick County Comprehensive Plan. It is primarily intended for application within the City of Wichita, although it may be appropriate for application in areas of unincorporated Sedgwick County that have been designated as "Wichita 2030 Urban Growth Area."

Properties to the north, east and west are zoned LC Limited Commercial and are developed with commercial uses such as retail, office, and personal care/improvement services. Properties to the south, across a platted alley, are zoned TF-3 Two Family Residential and are developed with single and two-family dwellings. The property directly adjacent to the subject site is owned by the applicant and is vacant lot with a small, paved parking area on the rear portion of the site. In 1977, the site was approved for a use exception (BZA48-77) to permit this parking lot on a residentially-zoned lot.

Section IV-B.2 of the Unified Zoning Code (UZC) requires screening of commercial properties when abutting or across a street or alley from residential zoning districts. The property currently is not in compliance with this screening requirement and will need to provide applicable screening. The Wichita Landscape Ordinance requires a landscape street yard along East Douglas and a landscape buffer along the rear property line. However, this property was zoned commercial prior to those standards being adopted. Therefore, the standards are not applicable to this property.

CASE HISTORY: On February 27, 1887 the property was platted as part of the Allen’s Subdivision in Richland’s 2nd Addition.

ADJACENT ZONING AND LAND USE:

NORTH:	LC	Office use and Treatment Center
SOUTH:	TF-3 with BZA48-77	Vacant and Parking Lot
EAST:	LC	Personal Care Services
WEST:	LC	Personal Care Services

PUBLIC SERVICES: East Douglas Avenue is a paved, four-lane arterial with sidewalks on both sides. Wichita Transit provides regular bus service along East Douglas with bus stops within one-block in each direction. The site is currently served by municipal water and sewer. The site has access to a rear parking lot via a drive off of East Douglas in addition to a platted alley that runs east/west between South Erie and South Chautauqua Streets.

CONFORMANCE TO PLANS/POLICIES: The following plans provide guidance for land use development of the subject site.

The Community Investments Plan: The requested zoning is in conformance with the Community Investment Plan. The Community Investment Plan (the Wichita-Sedgwick County Comprehensive Plan) depicts the subject site as appropriate for “New Residential” on the 2035 Wichita Future Growth Concept Map. This category “Encompasses areas of land that likely will be developed or redeveloped by 2035 with uses predominately found in the Residential category. Pockets of Major Institutional and Commercial uses likely will be developed within this area as well based upon market-driven location factors.” This portion of East Douglas is an established commercial corridor and the

requested use is not dissimilar to those in the surrounding area.

Wichita: Places for People Plan: The requested zoning aligns with the goals of the Wichita: Places for People Plan. The Wichita: Places for People Plan provides recommendations for urban infill development in the Established Central Area (ECA). The subject site is located within the ECA. In general, the ECA is envisioned as “a place for people - a place that provides for the movement of people - on foot, on bike and through transit - in balance with automobiles.”

- **Strategies:** The Plan recommends strategies to help guide the community in their actions to create walkable places within Wichita. The requested zoning aligns with Strategy 6, “Encourage infill and redevelopment that is contextual to the environment in which it is occurring.” The proposed rezoning would allow uses consistent with the established commercial context along East Douglas Avenue.
- **Current Condition:** The subject property is located within an area identified as an “area of opportunity.” The Places for People Plan defines Areas of Opportunity as those “areas that generally exhibit economic challenges, a disconnected development pattern, and a lack of walkable places and facilities. These areas are in need of strategic reinvestment, both public and private, to assist in redefining and reinvigorating the area.” The proposed rezoning would permit the site to be used to support an existing, established business within the same area of East Douglas Avenue.
- **Nodal Development Pattern:** The Places for People Plan recommends a nodal development pattern that creates a critical mass at the center of a Node and transitions in scale and intensity as uses shift from commercial to residential. The subject property falls within the Transition Area around the Neighborhood Hub (Node) at Douglas and Hillside. Transition areas are meant to scale down development intensity from the higher intensity uses at the hub to the lower intensity, residential uses at the edge.

Central Northeast Area Plan: The requested zone change aligns with the priorities of the Central Northeast Area Plan. The Central Northeast Area Plan Update was adopted in 2015. The purpose of the Plan is to address numerous community redevelopment and revitalization issues for several low-moderate income neighborhoods located in central northeast Wichita. The plan includes over 90 recommended strategies to achieve positive long-term change. The plan lists several priorities related to resolving important issues in community. The requested zoning aligns with Priority 6 “Retain and Attract New Businesses and Jobs.” The requested zoning will support an established retail business in the Central Northeast Area by providing office space and warehousing of product.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be **APPROVED** subject to Protective Overlay #389 as follows:

1. The subject property shall be limited to all uses permitted by-right in the LC Limited Commercial zoning district in addition to Warehousing as permitted in OW Office Warehouse.
2. Signs shall be in accordance with the LC zoning district in the Sign Code of the City of Wichita, with the following additional requirements:
 - a. Portable signs are not permitted.
 - b. Ground signs shall be monument type.
 - c. No off-site /billboard signs.
 - d. No signs, except small directional signs shall be permitted on the south side of the building.
3. Noise from the site shall not be audible from adjacent or surrounding property above the local, ambient noise. No outdoor speaker systems shall be permitted.
4. All rooftop mechanical equipment shall be screened from ground-level view from adjacent residential areas and adjacent street right of way.
5. Trash receptacles and ground level mechanical equipment shall be screened to reasonably hide them from ground level view, adjacent property and street right of way.

6. Parking shall be per Section IV-A.4 of the Unified Zoning Code.
7. Amendments, adjustments or interpretations to this Protective Overlay shall be done in accordance with the Unified Zoning Code.
8. The Transfer of title of all or any portion of land included within the Protective Overlay (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.
9. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approval by the Governing Body, and any substantial deviation of the plan, after a joint determination by the Zoning Administrator and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** Properties to the north, east and west are zoned LC Limited Commercial and are developed with commercial uses such as retail, office, and personal care/improvement services. Properties to the south, across a platted alley, are zoned TF-3 Two-Family Residential and developed with single and two-family dwellings. The property directly adjacent to the subject site is owned by the applicant and is vacant lot with a small, paved parking area on the rear portion of the site. In 1977, the site was approved for a use exception (BZA48-77) to permit this parking lot on a residentially-zoned lot.
2. **The suitability of the subject property for the uses to which it has been restricted:** The subject is currently zoned LC Limited Commercial, which permits all densities of residential development, civic and public development, and multiple types of commercial development including General Office. The current zoning is an established pattern of commercial uses abutting the East Douglas Avenue.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** The area is a mix of commercial and residential. The provisions of Protective Overlay #389 should mitigate possible negative impacts. The residential area to the south has co-existed with the established commercial properties along East Douglas for some time. The requested zone change will likely not change the types of vehicles using the alley between the subject site and the residential zoning to the south.
4. **Length of time the property has been vacant as currently zoned:** The current structure on the property was constructed in 1978 and is currently being used for General Office.
5. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The requested rezoning is in conformance with *The Community Investments Plan*, *The Wichita Places for People Plan*, and the *Central Northeast Area Plan Update* as discussed in the staff report.
6. **Impact of the proposed development on community facilities:** Community facilities are not expected to be noticeably impacted by this approval. All municipal services are available to the site.

Attachments:




1. Aerial Map
2. Zoning Map
3. Land Use
4. Photos





2035 Wichita Future Growth Concept Map

Legend

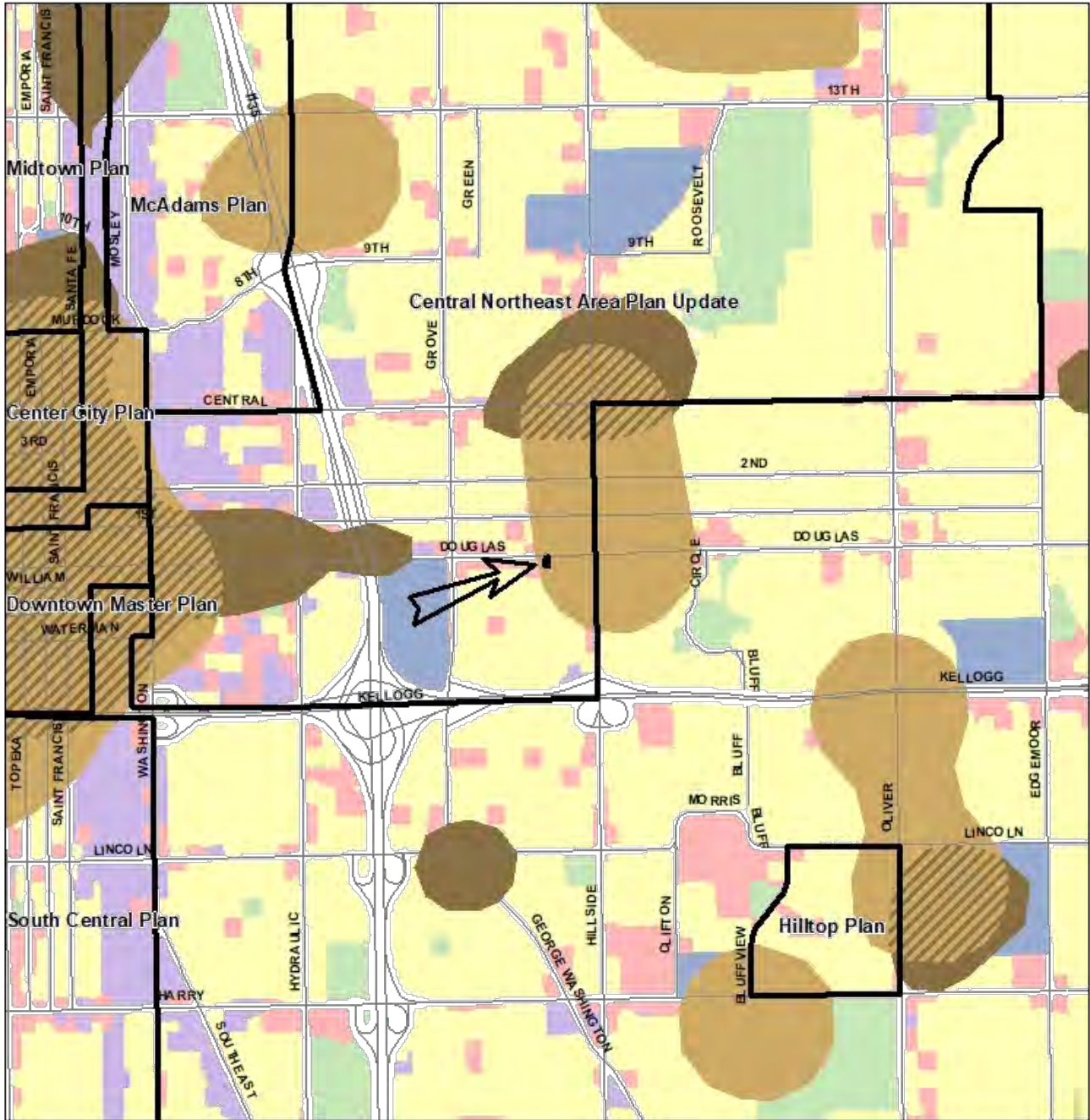
-  Established Central Area
-  Residential and Employment Mix
-  New Employment
-  New Residential
-  Wichita City Limits
-  Other Cities
-  Northwest Bypass Right-of-Way

- ### Statistical Development Areas
-  Other Urban Growth Areas 2014
 -  Other Urban Growth Areas 2014
 -  Rural Growth Areas 2014

- ### LAND USE
-  Residential
 -  Commercial
 -  Industrial
 -  Major Air Transportation & Military
 -  Parks and Open Space
 -  Agricultural or Vacant
 -  Major Institutional
 -  Nghbd_Plan_Areas



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Looking south at site



Looking northeast away from site



Looking southeast away from site



Looking northeast at rear of site

