Plann. .g Agenda Item #_____

City of Wichita
City Commission Meeting
June 24, 1986

Agenda Report #_____

TO: Mayor and City Commissioners

SUBJECT: Z-2758 - REQUEST FOR ZONE CHANGE FROM "AA" SINGLE FAMILY DISTRICT & "LC" LIGHT COMMERCIAL TO "LC" LIGHT COMMERCIAL DISTRICT (PARCEL 5A) AND

DP-155 - REQUEST FOR APPROVAL OF W.D.C. PARCEL 5A COMMERCIAL C.U.P., LOCATED AT THE NORTHWEST CORNER OF ROCK ROAD AND 37TH STREET NORTH.
(Woodlawn Development Co.)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Zoning

MAPC Recommendation: Approve (7-0)

Staff Recommendation: Approve

Background: On May 29, 1986, the MAPC held a public hearing to consider a zone change from "AA" and "LC" to "LC" for a 10.77-acre tract of unplatted land located on the northwest corner of 37th Street North and Rock Road. The property is currently undeveloped. No one spoke in opposition to the requests. The MAPC unanimously recommended approval of the requests subject to platting within two years and other conditions as noted in the minutes.

A motion by CPO Council "I" to approve the requests failed by a vote of 2-7. Too much flexibility in the development plan was cited as the main reason for opposing these requests.

Analysis: Property to the north is zoned "AA" and is being platted as Willowbend Third Addition. East across Rock Road is "E" zoning on undeveloped property. To the south is "LC" and "A". The "LC" area is undeveloped; the "A" area is part of DP-115 and is developed with apartments. Due to the proposed deletion of DP-115, "R-6" zoning is being requested for the 352-unit apartment complex. To the west is undeveloped "AA" land for which "R-6" zoning is being requested.

The proposed C.U.P. creates five parcels with a potential gross floor area of 182,800 square feet. A total of nine buildings would be permitted with setbacks from both streets being only 35 feet. Seven access points to 37th Street and three to Rock Road are being proposed. Uses in all parcels include all uses permitted in "LC" except for food locker plants, public and storage garages, hotels, motels, and mortuaries. Filling stations would be permitted only in the corner parcel, Parcel 4. Residential uses have not been excluded from any parcel but it is recommended that this exclusion be noted in the parcel descriptions.

The Planning Commission found that the character of the neighborhood, the zoning and uses of properties nearby, the suitability of subject site for the use proposed and the recommendation of staff justified the zone change.

Actions: 1. Concur with the findings of the MAPC and approve the zone change and C.U.P. subject to the recommended conditions; instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Commission; or

2. Return the application to the MAPC for reconsideration stating reasons.

Attachments: Area map
5-29-86 MAPC Minutes
CPO Memorandum (see Z-5757)

(660) Published in The Daily ~~Record~~ Reporter on April 29, 1988

ORDINANCE NO. 40-148

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 28.04.210, THE CODE OF THE CITY OF WICHITA, KANSAS.

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 Section 28.04.210, The Code of the City of Wichita, Kansas, the zoning classification or districts of the lands legally described hereby are changed as follows:

CASE NO. Z-2758

Zone Change from "AA" One-Family Dwelling District and the "LC" Light Commercial District to the "LC" Light Commercial District

Lots 1, 2, 3, 4 and 5, Block 1, Frank and Johnny's Addition, an addition to Wichita, Sedgwick County, Kansas.

Generally located at the northwest corner of Rock Road and 37th Street North.

SECTION 2. That upon the taking effect of the Ordinance, the above zoning changes shall be entered and shown on the the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Zoning Ordinance 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, _____

ATTEST:

_____
Mayor

_____
City Clerk

(SEAL)

_____
Approved as to form City Attorney

PL/8209/5