

City of Wichita
City Commission Meeting
April 1, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: DP-17 AMENDMENT #4 - REQUEST FOR AMENDMENT TO PARCEL 1A
AND A PORTION OF PARCEL 1 OF THE CENTRAL HEIGHTS SHOPPING
CENTER COMMUNITY UNIT PLAN, AND

Z-2748 - REQUEST FOR ZONE CHANGE FROM "LC" LIGHT COMMERCIAL
TO "C" COMMERCIAL AND FROM "C" COMMERCIAL TO "LC" LIGHT
COMMERCIAL LOCATED ON THE WEST SIDE OF RIDGE ROAD IN AN
AREA NORTH OF NEWELL.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Zoning

MAPC Recommendation: Approve (6-0)

Staff Recommendation: Approve

Background: On March 6, 1986, the MAPC held a public hearing to consider an amendment to Parcel 1A and a portion of Parcel 1 of the Central Heights Shopping Center Community Unit Plan and associated zone changes from "LC" to "C" and from "C" to "LC". "C" Commercial zoning was granted in 1981 for a 185' x 190' area south of the main building in the Central Heights Shopping Center for the purpose of accommodating an outdoor garden center. A building material center plus all uses permitted in the large shopping center parcel were also listed as permitted uses in Parcel 1A which was created to coincide with the "C" zoning. The garden center has now moved out and the owner wishes to develop the land for other "C" uses, including possibly a miniature golf course. The owner is proposing to move the "C" district west 55 feet. The east 50 feet of the existing "C" zoning is proposed to be downzoned to "LC". No one appeared in opposition at the hearing although several owners of the fourplexes to the south had expressed their concern of potential noise, late night lights, and increased traffic to planning staff members prior to the hearing. The Planning Commission recommended approval of the zone changes and C.U.P. amendment subject to adding a general provision requiring any outdoor lights for uses in Parcel 1A be directed away from residential areas to the southwest and any audio equipment in Parcel 1A not project sound beyond the limits of this C.U.P.

CPO Council "A" met on March 12, 1986, and voted 6-0 to recommend approval of the C.U.P. amendment and the associated zone changes.

Analysis: Whereas the original Parcel 1A was for a use which was an extension of the main shopping center, the proposed Parcel 1A, with the setbacks as shown, is being established for a use independent of the main building. It is across the street from "BB" and "RB" zoning and uses. Newell is paved as a residential street without sidewalks. The Planning Commission found that the character of the neighborhood; the zoning and uses of nearby properties; and the suitability of subject site for the proposed uses, justified these zone changes and C.U.P. amendment.

- Actions:
1. Concur with the findings of the MAPC and approve the zone changes and C.U.P. amendment subject to the recommended conditions; place the ordinance establishing the zone changes on first reading; or
 2. Return the applications to the MAPC for reconsideration stating reasons.

Attachments: Area map
3-06-86 MAPC Minutes
CPO Memorandum

(1933) Published in The Daily Record on April 11, 1986

ORDINANCE NO. 39-512

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-2748
Zone Change from the "LC" Light Commercial District
to the "C" Commercial District

A portion of Lots 4 and 5, Block K, Meadowview Estates, Wichita, Sedgwick County Kansas, described as beginning at the southeast corner of said Lot 4, thence north 50 feet along the east line of said Lot 4; thence west 325 feet perpendicular to said east line to the point of beginning; thence north 190 feet parallel to the east line of said Lot 4; thence west 55 feet; thence south 190 feet; thence east 55 feet to the point of beginning; AND

Zone Change from the "C" Commercial District
to the "LC" Light Commercial District

A portion of Lots 4 and 5, Block K, Meadowview Estates, Wichita, Sedgwick County, Kansas described as beginning at the southeast corner of said Lot 4, thence north 50 feet along the east line of said Lot 4; thence west 140 feet perpendicular to said east line to the point of beginning; thence north 190 feet parallel to the east line of said Lot 4; thence west 50 feet; thence south 190 feet; thence east 50 feet to point of beginning. Generally located on the west side of Ridge in an area north of Newell.

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