Planning Agenda Item #_____

City of Wichita
City Commission Meeting
April 1, 1986

Agenda Report #_____

TO: Mayor and City Commissioners

SUBJECT: Z-2747 - REQUEST FOR ZONE CHANGE FROM "A" TWO-FAMILY DWELLING TO "BB" OFFICE DISTRICT AND FROM "B" MULTIPLE FAMILY DWELLING DISTRICT TO "LC" LIGHT COMMERCIAL DISTRICT LOCATED ON THE SOUTH SIDE OF KELLOGG IN AN AREA WEST OF BLUFF. (Ernest H. Doyon, et al)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Zoning

MAPC Recommendation: Approve "A" to "BB & "B" to "LC" (7-0)

Staff Recommendation: Approve "A" to "BB" & "B" to "LC"

Background: On March 6, 1986, the MAPC held a public hearing to consider a zone change from "A" to "BB" for property located on the south side of Kellogg approximately 150 to 200 feet west of Bluff and a zone change from "B" to "LC" for a small strip of land located midway between Kellogg and Longview Lane approximately 50 to 150 feet west of Bluff. The "A" portion of the application area is currently being utilized in violation of the zoning ordinance as a parking lot for an adjacent newly converted commercial building. The "B" portion of the application area is currently in violation due to the location of a refrigeration unit and trash receptacle which are associated with the commercial businesses to the north. No one appeared in opposition to the requests. The Planning Commission recommended approval subject to the applicant dedicating twelve feet of additional right-of-way for Kellogg from Lot 4 (the "BB" application area). The dedication document has been submitted.

CPO Council "F" considered these requests on March 10, 1986, and recommended 5-2 to deny the change from "B" to "LC" but recommended 7-0 to approve the change from "A" to "BB".

Analysis: These existing zoning violations were brought to the applicant's attention when he recently filed for a variance of the front yard setback on Lot 3 where the newly converted commercial building is located. Since zoning to the east of the "BB" application area is light commercial and zoning to the west is multi-family residential, "BB" would be an appropriate buffer zone. Properties to the north and south of the "LC" application area are all in one ownership and development and therefore this additional 2100 square feet of light commercial zoning should have no negative effect on the neighborhood. The Planning Commission found that the

character of the neighborhood; the zoning and uses of nearby properties; and the suitability of subject properties for the uses proposed, justified the zone changes.

Actions:

1. Concur with the findings of the MAPC and approve the zone change; accept the dedication and instruct the City Clerk to record the dedication document with the Register of Deeds, the recording cost of which shall be billed to the Planning Department; place the ordinance establishing the zone change on first reading; or

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

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

(1934) Published in The Daily Record on April 11, 1986

ORDINANCE NO. 39-511

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-2747
Zone change from the "B" Multiple-Family Dwelling District to the "LC" Light Commercial District

The North 21 feet of Lots 12 and 13, Block A, Longview Terrace Addition, Wichita, Sedgwick County, Kansas, AND,

Zone Change from the "A" Two-Family Dwelling District to the "BB" Office District

Lot 4 and the North 21 feet of Lot 11, Block A, Longview Terrace Addition, Wichita, Sedgwick County, Kansas. Generally located on the south side of Kellogg in an area west of Bluff.

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