

City of Wichita
City Commission Meeting
April 1, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: Z-2746 - REQUEST FOR ZONE CHANGE FROM "A" TWO-FAMILY DWELLING AND "BB" OFFICE DISTRICT TO "LC" LIGHT COMMERCIAL DISTRICT LOCATED ON THE WEST SIDE OF OLIVER BETWEEN 12TH AND 13TH STREETS NORTH. (Richard R. Ayesh)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Zoning

MAPC Recommendation: Approve "LC" (8-0)

Staff Recommendation: Approve "LC"

Background: On March 6, 1986, the MAPC held a public hearing to consider a zone change from "A" Two-family dwelling and "BB" Office district to "LC" Light Commercial district for six 25-foot lots located on the west side of Oliver approximately 200 feet south of 13th Street. Parking for the restaurant to the north, also owned by this applicant, and a single-family house occupy the site. The parking lot is in the "BB" district while the house is in the "A" district. One property owner to the west appeared in opposition. The Planning Commission recommended approval of "LC" zoning subject to the replatting of the applicant's entire ownership within one year.

On March 11, 1986, CPO Council "I" met to consider this case but due to lack of a quorum, no recommendation could be made. No area residents were in attendance to speak on this matter.

Analysis: Properties to the north and east are zoned "LC" while properties to the south and west are zoned "A". The light commercial zoning to the east is part of a commercial community unit plan which permits a wide variety of offices and retail sales uses. That site is currently undeveloped. To the southeast is a U.S. Post Office. The duplex district to the south and west is developed with single-family homes. Northwest of the application area is a parking lot for the restaurant owned by this applicant. It is located in "LC" zoning granted in 1957.

The current zoning policy on this portion of Oliver, adopted by the Planning and City Commissions in 1978, is to "not look with favor on more intensive zoning classifications than those currently existing on both the east and west sides of Oliver between Central and 13th Street North". However, due to this site's location on a major arterial and across from "LC" zoning, some district other than residential would appear to be appropriate. The Planning Commission recommended that the

policy be reviewed for possible future amendment. They found that the character of the neighborhood; the zoning and uses of properties nearby, especially the light commercial to the east; and the suitability of subject property for the proposed uses justified the zone change.

- Actions:
1. Concur with the findings of the MAPC and approve the zone change subject to the condition of platting; 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
3-06-86 MAPC Minutes

(96) Published in The Daily Record on January 23, 1987

ORDINANCE NO. 39-716

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-2746

Zone Change from the "A" Two-Family Dwelling District
and the "BB" Office District
to the "LC" Light Commercial District

Lots 9, 10, 11, 12, 13 and 14, Block 1, Country Club Heights Addition, Wichita, Sedgwick County, Kansas. (Now platted as a portion of Lot 1, Ayesh Addition, Wichita, Kansas.)

Generally located on the west side of Oliver, between 12th and 13th Streets 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