

City of Wichita
City Council Meeting
December 14, 2004

Agenda Report No. _____

TO: Mayor and City Council

SUBJECT: ZON2004-00055 – Zone change from “B” Multi-Family and “GC” General Commercial to “LI” Limited Industrial and from “B” Multi-Family to “GC” General Commercial. Generally located south of Kellogg and west of Water Street. (District I)

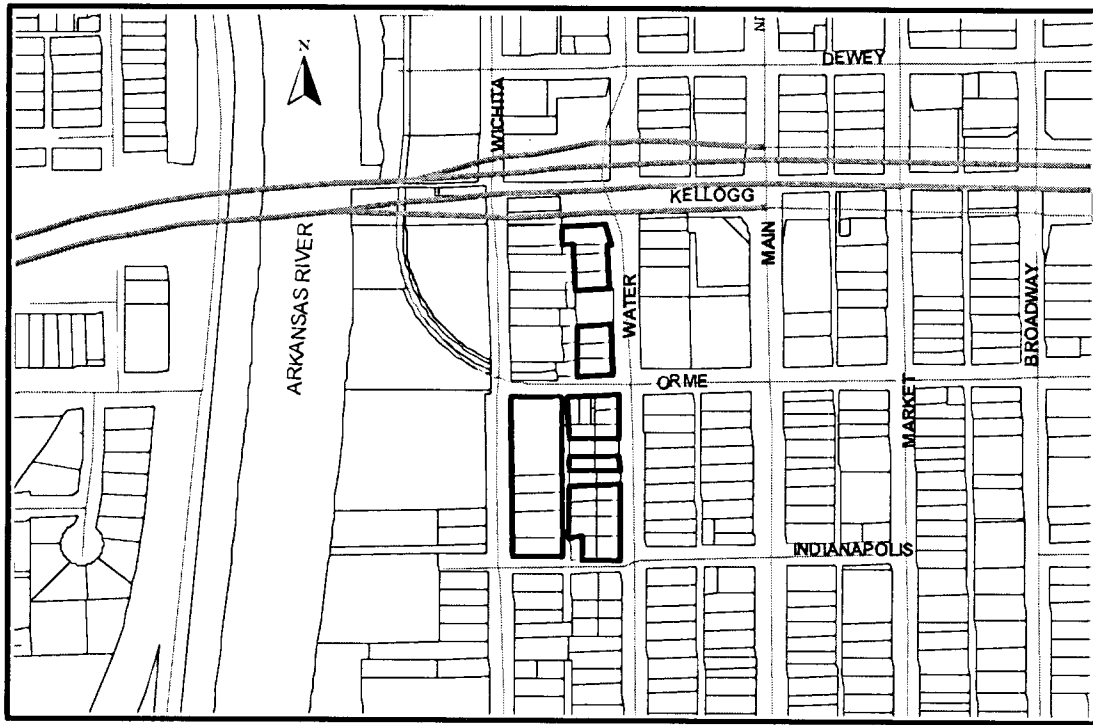
INITIATED BY: Metropolitan Area Planning Department *JLS*

AGENDA: Planning (Consent)

MAPC Recommendations: Approve. (Vote 12-0)

MAPD Staff Recommendations: Approve.

DAB Recommendations: Approve. (Vote 8-0)



BACKGROUND: The applicant requests a zone change for 1.41 acres that fronts Wichita Street from “B” Multi-Family and “GC” General Commercial to “LI” Limited Industrial. The applicant also requests a zone change for 3 acres that fronts Water Street from “B” Multi-Family to “GC” General Commercial. The subject property is platted and is located south of Kellogg and west of Water Street. The portion of the subject property proposed for “LI” zoning is currently developed with a parking lot. The portion of the subject property proposed for “GC” zoning is currently developed primarily with residential uses. The proposed use of the subject property is to expand the applicant’s existing business, which is located west of the subject property.

The character of the surrounding area is dominated by the Kellogg Freeway and the various commercial uses along its frontage. The properties to the north are zoned “LI” Limited Industrial and “CDB” Central Business District and are being redeveloped as the “Waterwalk.” The properties to the east are zoned “LC” Limited Commercial and “B” Multi-Family and are developed with a hotel and residential uses, respectively. The properties to the south are zoned “B” Multi-Family and are developed with residential uses. The properties to the west are zoned “LI” Limited Industrial and are developed with the applicant’s business, BG Products, Inc.

Analysis: There were no speakers in opposition to the request at the DAB meeting on November 1, 2004, or at the MAPC meeting on November 4, 2004. Both the DAB and MAPC voted unanimously to recommend approval of the zone change.

Financial Considerations: None.

Legal Considerations: The ordinance has been reviewed and approved as to form by the Law Department.

Recommendation/Actions:

1. Adopt the findings of the MAPC and approve the zone change; place the ordinance establishing the zone change on first reading; or
2. Return the application to the MAPC for reconsideration

(An override of the Planning Commission's recommendation requires a two-third majority vote of the City Council on the first hearing.)

(150004) Published in The Wichita Eagle on 12-28-04

ORDINANCE NO. 46-430

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

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 The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2004-00055

Zone change from "B" Multi-Family and "GC" General Commercial to "LI" Limited Industrial and from "B" Multi-Family to "GC" General Commercial on property described as:

"B" and "GC" to "LI"

Even Lots 2 through 34 Duncan's Addition Supplementary.

"B" to "GC"

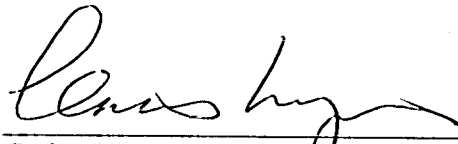
Lot 8 Greenbay Addition. Even Lots 2 through 10 and 20 through 30, and 1/2 of adjacent vacated alley to the west Fechheimer Addition. Lots 1 through 19 on Water Street, except Lots 5 and 6, the south 13 feet of Lot 9, all of Lot 10, and the north 5 feet of Lot 11 Hagerty's Addition. Odd Lots 1 through 33, and 15 feet of vacated right-of-way for Indianapolis Street, except Lots 9 and 11, the south 13 feet of Lot 15, all of Lot 17 and the north 5 feet of Lot 19, and the west 34.50 feet of Lot 31 through 33, and the north 15 feet of vacated street adjacent on south of Lot 33 Duncan's Addition Supplementary.

Generally located south of Kellogg and west of Water Street.

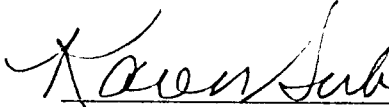
SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

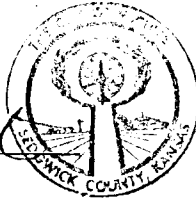
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED AT WICHITA, KANSAS, 12-21-04


Carlos Mayans, Mayor

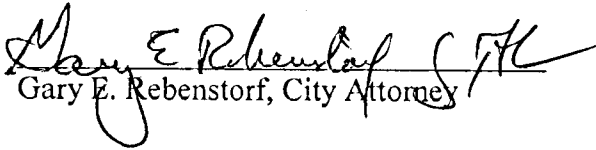
ATTEST:


Karen Sublett, City Clerk



(SEAL)

Approved as to form:


Gary E. Rebenstorf, City Attorney