Planning Agenda Item #_____

City of Wichita
City Council Meeting

February 7, 1995

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: Z-3156 - ZONE CHANGE FROM THE "AA" ONE-FAMILY DWELLING DISTRICT TO THE "E" LIGHT INDUSTRIAL DISTRICT, LOCATED 1/8 MILE SOUTH OF 47TH STREET SOUTH ON THE WEST SIDE OF VICTORIA. **(District #4)**

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to replatting into one lot within one year if staff determines that platting is necessary to obtain a building permit (13-0).

Staff Recommendation: Approve, with no platting required.

CPO Recommendation: CPO Council Southwest "4" voted 6-0 to recommend approval subject to staff comments.

Background: On January 12, 1995, the MAPC considered a zone change from the "AA" One Family Dwelling District to the "E" Light Industrial District for a 0.25 acre unplatted strip of land located between two platted lots located ⅛ mile south of 47th Street South on the west side of Victoria.

The applicant proposes to use the subject property (approximately 35 feet in width by 305 feet in length) in conjunction with a parking lot for a freight business currently under construction to the north. The applicant owns property zoned "E" on both the north and south sides of the subject property. The surrounding area is characterized by warehouse businesses, except for the Funston Elementary School which is located northeast of the site along 47th Street South.

At the MAPC hearing, there were no members of the public to speak in opposition to the request. However, the applicant requested that the typical platting requirement be waived since the site would only be used for parking purposes. Therefore, the MAPC motion to approve stated that platting should only be required if staff determines that it is necessary in order to obtain a building permit.

Since the MAPC hearing, Central Inspection staff agreed that platting would not be required if the site is only used for parking purposes. However, the applicant would be required to dedicate 5 feet of right-of-way along Victoria by separate instrument for street right-of-way purposes.

Recommendations/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.

(An override of the Planning Commission's recommendation requires a 2/3rd majority vote of the membership of the governing body on first hearing).

(_____) Published in The Daily Reporter on _____

ORDINANCE NO. 42-614

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:

COPY

Case No. Z-3156

Zone change request from the "AA" One-Family Dwelling District to the "E" Light Industrial District

Beginning at SW corner of JoHerdt Addition to Wichita, Sedgwick County, Kansas; thence south 35 feet to north line of Overholdt Addition to Wichita, Sedgwick County, Kansas; thence southeasterly along said line 300 feet; thence north 30 feet to south line of JoHerdt Addition; to Wichita, Sedgwick County, Kansas; thence northwesterly along said line to point of beginning. Generally located 1/8 mile south of 47th Street South on the west side of Victoria.

SECTION 2. That upon the taking effect of the 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 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, _____

WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 4

STAFF REPORT

January 12, 1995

CASE NUMBER: Z-3156

APPLICANT/AGENT: Rose DeDominica, American Freightways / Savoy, Ruggles, & Bohm

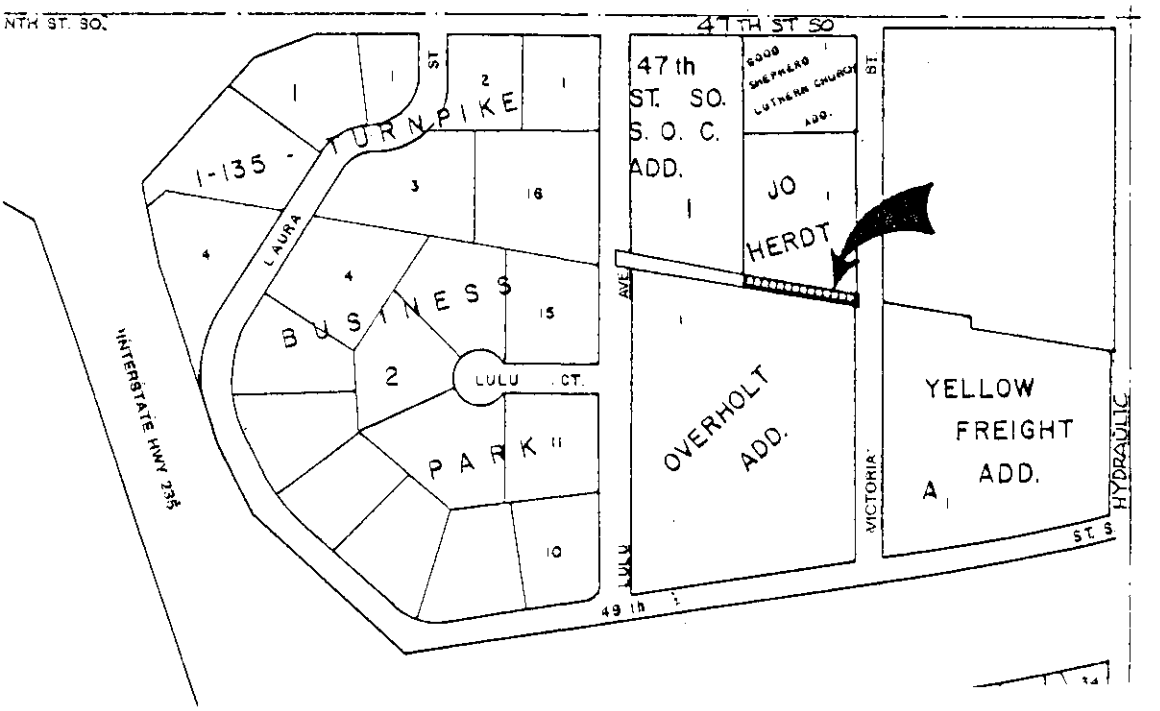
REQUEST: Zone change to "E" Light Industrial

CURRENT ZONING: "AA" One Family Dwelling District

SITE SIZE: 0.25 acres

LOCATION: ⅛ mile south of 47th Street South on the west side of Victoria.

PROPOSED USE: Parking associated with an adjoining business



BACKGROUND: The applicant requests a zone change from the "AA" One Family Dwelling District to the "E" Light Industrial District for a 0.25 acre unplatted strip of land located between two platted lots located ⅛ mile south of 47th Street South on the west side of Victoria.

The applicant proposes to use the subject property (approximately 35 feet in width by 305 feet in length) in conjunction with a parking lot for a freight business currently under construction to the north. The applicant owns property zoned "E" on both the north and south sides of the subject property. The surrounding area is characterized by warehouse businesses, except for the Funston Elementary School which is located northeast of the site along 47th Street South.

CASE HISTORY: None. In 1984, the Board of City Commissioners approved a zone change from "AA" to "E" and a plat for property to the north platted as the Jo Herdt Addition.

ADJACENT ZONING AND LAND USE:

NORTH:	"E"	Freight business under construction
SOUTH:	"E"	Warehouse freight business
EAST:	"AA", "E"	Funston Elem. School, Warehouse freight business
WEST:	"C"	Warehouse freight business

PUBLIC SERVICES: The proposed parking area does not required municipal water or sewer services. The site has access to Victoria Street, a 2-lane unpaved street with 30 feet of existing half street right-of-way. According to City Engineering staff, a paving project is planned for Victoria Street, with construction expected to begin next summer. Properties located both north and south of the site have 35 feet of existing half street right-of-way. Therefore, an additional 5 feet of right-of-way will need to be dedicated when the property is platted. Traffic counts are not available for Victoria Street.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies this area for industrial uses. The industrial locational guidelines of the Plan recommend that industrial uses should be located away from existing or planned residential areas, and sited so as not to travel through less intensive land uses.

RECOMMENDATION: Planning staff recommends that the request be APPROVED, subject to replatting with the property to the north into one lot within 1-year.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The surrounding area is characterized by warehouse businesses, except for the Funston Elementary School which is located northeast of the site along 47th Street South. The proposed "E" zoning is consistent with the zoning both north and south of the subject property.

2. The suitability of the subject property for the uses to which it has been restricted: Given the size of the site and its proximity to nearby warehouse businesses, the restrictions of the "AA" district are not suitable for this location.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: The proposed "E" zoning for this site would be consistent with surrounding zoning and would have little impact upon the nearby elementary school.

4. Conformance of the requested change to adopted or recognized Plans/Policies: The request is consistent with the Land Use Guide of the Comprehensive Plan which identifies this area for industrial uses.

5. Impact of the proposed development on community facilities: The proposed parking area does not require municipal water or sewer services. Although Victoria Street is unpaved, this small parcel of land will have a minimal impact upon traffic in the area.