Planning Agenda Item #_____

City of Wichita
City Council Meeting

June 6, 1995

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: Z-3166 - ZONE CHANGE REQUEST FROM THE "AA" ONE FAMILY DWELLING DISTRICT AND THE "B" MULTIPLE FAMILY DWELLING DISTRICT TO THE "LC" LIGHT COMMERCIAL DISTRICT, LOCATED AT THE NORTHEAST CORNER OF MAPLE AND TRACY.

(District #4)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve "LC" Light Commercial for only the southern 250 feet (measured from the section line), and subject to platting within one year (12-1-1).

Staff Recommendation: Approve the "LC" Light Commercial zoning for the southern 250 feet of this site (measured from the section line), and deny the "LC" Light Commercial zoning on the northern 85-foot portion of this site which is developed with the single family home that fronts onto Tracy.

CPO Recommendation: Southwest CPO Council "4" voted 4-1 to recommend approval only for the southern 250 feet of the property, and to recommend disapproval for the "LC" Light Commercial requests on the northern 85 feet of the property, subject to MAPD staff comments.

Background: On April 27, 1995, the MAPC considered a zone change from the 'AA' One Family Dwelling District and the 'B' Multiple Family Dwelling District to the 'LC' Light Commercial District for a 0.93 acre unplatted site located at the northeast corner of Maple and Tracy. The site has 135 feet of frontage along Maple and is currently developed with two single family homes that front onto Maple. The site also has 335 feet of frontage along Tracy, with the northern 85 feet developed with a single family home that fronts onto Tracy. No uses are proposed for the site at this time.

The subject property is bordered by a Phillips 66 convenience store at the northwest corner of the intersection, a Spears restaurant and Venture discount store on the south side of Maple, Snappy Photo to the east at the northwest corner of Maple and Nevada, and single family homes to the north and also to the west.

Recommendation:

1. Concur with the findings of the MAPC and approve the zone change for the southern 250 feet (measured from the section line) and deny the zone change for the northern 85-foot portion of the application area, 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 Council; 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).

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

March 21, 1996

TO: Pat Burnett, Deputy City Clerk

FROM: Kevin Kokes, Senior Planner, Current Plans Division

SUBJECT: Zoning Ordinance for Z-3166

On February 27, 1996, the Wichita City Council approved the plat of Carley Addition and placed on first reading the associated zone change ordinance. Publication of the zoning ordinance was to be withheld until the plat was recorded.

The plat was recorded with the Register of Deeds on March 13, 1996, and therefore, the Ordinance establishing the zone change may now be published.

( ) Published in The ily Reporter on _____

ORDINANCE NO. _____

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-3166

Zone Change from the "AA" One-family and "B" Multiple-family Dwelling Districts to the "LC" Light-Commercial District.

Lot 1, Carley Addition, Wichita, Sedgwick County, Kansas

Generally located north of Maple and west of West Street.

SECTION 2. That upon the taking effect of the Ordinance, the above zoning change 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, _____.

ATTEST:

_____
(SEAL) Pat Burnett, Deputy City Clerk

_____
Bob Knight, Mayor

Approved as to form:

_____
Gary E. Rebenstorf, City Attorney

ABOVE

WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 4

STAFF REPORT

April 13, 1995

CASE NUMBER: Z-3166

APPLICANT/AGENT: Lois M. & Paul E. Smith / Everett Fettis

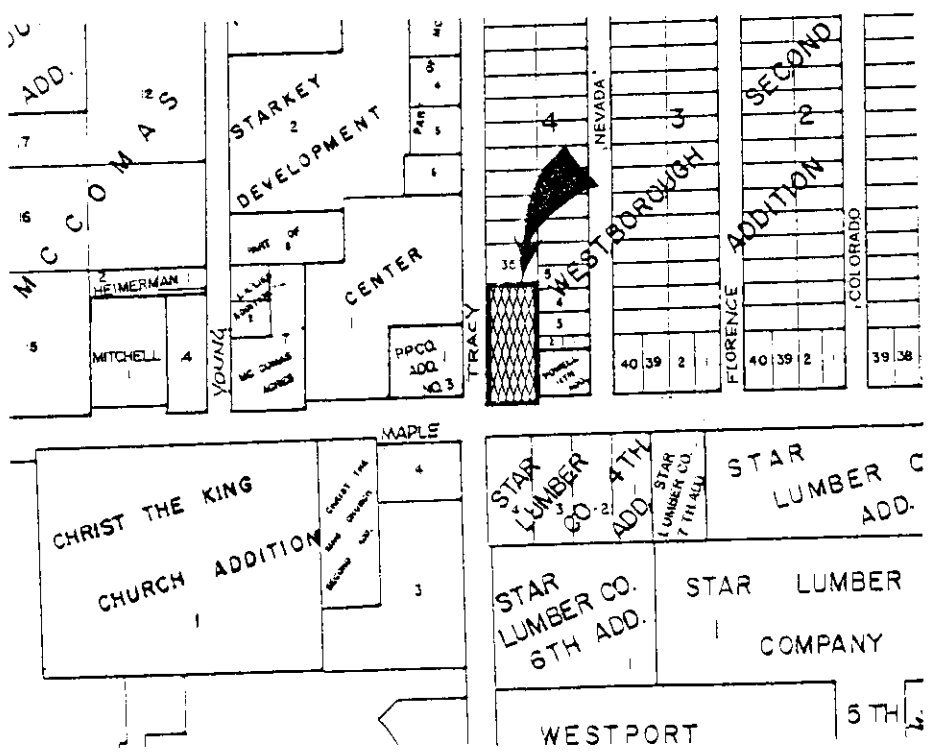
REQUEST: Zone change to 'LC' Light Commercial

CURRENT ZONING: 'AA' One Family Dwelling District & 'B' Multiple Family Dwelling District

SITE SIZE: 0.93 acres

LOCATION: Northeast corner of Maple and Tracy

PROPOSED USE: No proposed uses



BACKGROUND: The applicant requests a zone change from the 'AA' One Family Dwelling District and the 'B' Multiple Family Dwelling District to the 'LC' Light Commercial District for a 0.93 acre unplatted site located at the northeast corner of Maple and Tracy. The site has 135 feet of frontage along Maple and is currently developed with two single family homes that front onto Maple. The site also has 335 feet of frontage along Tracy, with the northern 85 feet developed with a single family home that fronts onto Tracy. No uses are proposed for the site at this time.

The subject property is bordered by a Phillips 66 convenience store at the northwest corner of the intersection, a Spears restaurant and Venture discount store on the south side of Maple, Snappy Photo to the east at the northwest corner of Maple and Nevada, and single family homes to the north and also to the west.

CASE HISTORY: None.

ADJACENT ZONING AND LAND USE:

NORTH:	'AA'	Single family homes
SOUTH:	'E'	Restaurant, discount store
EAST:	'AA', 'A', 'LC'	Single family homes, photo shop
WEST:	'LC', 'C'	Convenience store

PUBLIC SERVICES: Municipal water service is available from an 8-inch line along Tracy and a 12-inch line along Maple. Municipal sewer service is available from an 8-inch line along the east property line. The site has access to Maple, a 4-lane arterial with left-turn lanes and 30 feet of existing half-street right-of-way, and Tracy, a 2-lane paved residential street with 60 feet of right-of-way. When this property is platted, additional right-of-way for accel / decel lanes and turn lanes will be necessary.

Existing traffic at the Maple / Tracy intersection is 25,506 average daily trips (ADT) and is projected by the 2020 Transportation Plan to increase to over 27,000 ADT. According to transportation planning staff, the intersection under its current design (4-lanes x 2 lanes + 2 turn-lanes) has a capacity of 25,750 ADT. Therefore, the intersection is already close to capacity and is projected to have capacity problems in the future. If this site were developed with a fast food restaurant and a 10,000 square foot strip retail center, an additional 3,500 ADT (or more) could be generated, which would further contribute to the intersection's traffic capacity problems.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies the north side of Maple for a mixture of residential and commercial uses. The commercial locational guidelines of the Comprehensive Plan recommend that commercial uses should be located in compact clusters versus extended strip

development. The Plan recommends that commercial developments should be located in "planned centers" and that such "centers" would be most appropriately located at arterial intersections or at the intersection of an arterial and collector street, where proper turn lanes are in place or planned. Commercially-generated traffic should not feed directly onto residential streets. Also, commercial and office uses should have required site design features which limit noise, lighting, and other activity so as to not adversely impact surrounding residential areas.

RECOMMENDATION: Given the traffic capacity problems that are projected for the Maple / Tracy intersection and the potential for commercial uses to front onto Tracy, which is a 2-lane residential street, planning staff is concerned about granting any nonresidential zoning for the northern portion of this site. However, because of the character of the commercial uses along the south side of Maple, the portions of the north side of Maple already zoned 'LC', and the site's location at a signalized intersection, staff can support the requested rezoning for the southern portion of the site along Maple. Therefore, planning staff recommends that the request for 'LC' Light Commercial be approved only for the southern 250 feet of the property, which is consistent with the depth of the other 'LC' zoned parcels nearby. Staff recommends that the request for 'LC' zoning on the northern 85 feet of the property, which is occupied by the existing house fronting onto Tracy, be denied. If any rezoning is approved, it should be subject to platting within 1-year.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The subject property is surrounded by nonresidential zoning and characterized by commercial uses to the west, south, and east. However, residential uses are located to the north and also to the west. Commercial zoning on the southern portion of this site would be consistent with the commercial uses located along Maple.

2. The suitability of the subject property for the uses to which it has been restricted: Given the character of the commercial uses along the south side of Maple, the portions of north side of Maple already zoned 'LC', and the site's location at a signalized intersection, the southern portion of the site is becoming less desirable for residential uses.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Nonresidential zoning on the southern portion of the site near the intersection should not have a significant impact upon nearby properties. However, residential properties could be negatively impacted by commercial uses if the requested zoning is approved for the northern portion of the site.

4. Conformance of the requested change to adopted or recognized Plans/Policies: The Land Use Guide of the Comprehensive Plan identifies the north side of Maple

for a mixture of residential and commercial uses. While the Comprehensive Plan recommends that commercial development occur in "planned centers" rather versus extended strip development, staff anticipates that the north side of Maple between Maple and Tracy will eventually become commercialized with strip commercial uses.

5. Impact of the proposed development on community facilities: Municipal water and sewer services are available and located nearby to serve the subject property. The Maple / Tracy intersection, under its current design, is already close to capacity and is projected to have capacity problems in the future. Therefore, if any nonresidential zoning is approved, the applicant should be required to guarantee any necessary road improvement projects.