

Planning Agenda Item # _____

City of Wichita
City Council Meeting

June 6, 1995

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-3169 - ZONE CHANGE REQUEST FROM THE "B" MULTIPLE FAMILY DWELLING DISTRICT AND THE "C" COMMERCIAL DISTRICT TO THE "E" LIGHT INDUSTRIAL DISTRICT, LOCATED ON THE WEST SIDE OF WASHINGTON BETWEEN MORRIS AND LINCOLN.

(District #4)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to platting within one year (14-0).

Staff Recommendation: Approve, subject replatting within one year.

CPO Recommendation: Southwest CPO Council "4" voted 7-0 to recommend approval subject to MAPD staff comments.

Background: On April 27, 1995, the MAPC considered a zone change from the 'B' Multiple Family Dwelling District and the 'C' Commercial District for 0.68 acres located on the west side of Washington between Morris and Lincoln. The southern portion of the application area zoned 'C' is currently occupied by a small storage building for Jordan Building Co. Incorporated. The portions of the site zoned 'B' are occupied by two single family homes. The center portion of the site zoned 'C', located between the single family homes and platted as the JR Gunzelman Addition, is currently undeveloped. The applicant proposes to redevelop the application area with an office, warehouse, and retail sales area for Jordan Building Co. Inc., a building supply company.

Although offices, warehouses, and retail sales are permitted in the 'C' district, the applicant indicates that 'E' zoning is necessary for the proposed development because the business will likely include a building material storage yard area. The business is engaged in retail home improvements and home improvement products and wholesaling activities for materials such as siding, windows, doors,

insulation, and accessories for building contractors. The applicant proposes to construct a 12,000 square foot building on the site.

The subject property is bordered by a mixture of commercial and industrial uses. Dutch's Steak House is located to the south, a number of industrial buildings are located to the west, the Old Jack Club is located to the north, and the Cameron Body Shop and a vacant service station are located on the east side of Washington.

Recommendation:

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 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).

STATE OF KANSAS)

Sedgwick County) ss:

Letha Stephenson

, being first duly sworn,

Deposes and says: That he/she is Legal Manager of

THE DAILY REPORTER

a daily newspaper printed in the State of Kansas, and published in and of general circulation in Sedgwick County, Kansas, with a general paid circulation on a daily basis in Sedgwick County, Kansas, and that said newspaper is not a trade, religious or fraternal publication.

Said newspaper is a daily published Monday through Friday, and has been so published continuously and uninterrupted in said county and state for a period of more than five years prior to the first publication of said notice, and has been admitted at the post office of Derby, Kansas, in said County as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for 1 consecutive week, the first publication thereof being made as aforesaid on the 11th day of July, 19 97, with subsequent publications being made on the following dates:

_____, 19____
_____, 19____
_____, 19____
_____, 19____
_____, 19____
_____, 19____

Letha M. Stephenson

Subscribed and sworn to before me this 14th

day of July, 19 97

Brenda Mello



Notary Public

Printer's Fee \$ 701.48=3360

Additional Copies \$ _____

CW97-833 (First Published in The Daily Reporter, July 11, 1997)

ORDINANCE NO. 43-522

AN ORDINANCE CHANGING THE ZONING CLASSIFICATION OR DISTRICT 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 CITY OF WICHITA CODE SEC. 28.04.010.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1: That having received a recommendation from the Metropolitan Area 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 City of Wichita Code, Sec. 28.04.010, the zoning classification or district of the lands legally described hereby are changed as follows:

Case No. Z-9169

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

Lot 1, J.R. Gunzelman Addition to Wichita, Sedgwick County, Kansas, and the west 11.20 feet of Washington Avenue, lying east of and adjacent to said Lot 1, all of Lots 157, 159, 161, 163, 169, 171, and the south 11.5 feet of Lot 167 on Washington Avenue, Kelsch's Addition to Wichita, Sedgwick County, Kansas, except the east 8.8 feet thereof condemned for street and a tract in the NW1/4 of Sec. 28, Twp. 27-S, R-1-E of the 6th P.M., Sedgwick County, Kansas, described as beginning at a point 30 feet west and 117.75 feet north of the S.E. Corner thereof; thence north, 50 feet; thence west, 150 feet; thence south, 50 feet; thence east, 150 feet to the point of beginning, except the east 8.8 feet thereof condemned for street.

Generally located north of Lincoln and west of Washington.

SECTION 2: That upon the taking effect of this 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 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, July 8, 1997.

Bob Knight, Mayor

ATTEST (Seal)

Pat Burnett, City Clerk

(Jyl1)

STAFF REPORT

April 27, 1995

CASE NUMBER: Z-3169

APPLICANT/AGENT: Douglas C. Myers, David L. & Katherine E. Jordan /
Stephen Jordan

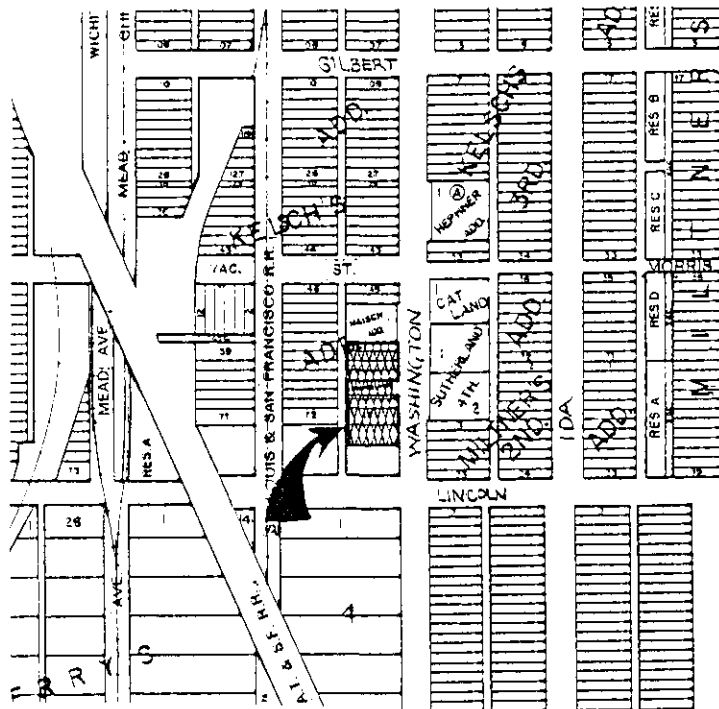
REQUEST: Zone change to 'E' Light Industrial

CURRENT ZONING: 'B' Multiple Family Dwelling District and 'C' Commercial
District

SITE SIZE: 'B' to 'E': 0.38 acres
'C' to 'E': 0.30 acres

LOCATION: On the west side of Washington between Morris and
Lincoln.

PROPOSED USE: Office, warehouse, and retail sales for a building supply
company



BACKGROUND: The applicant requests a zone change from the 'B' Multiple Family Dwelling District and the 'C' Commercial District for 0.68 acres located on the west side of Washington between Morris and Lincoln. The southern portion of the application area zoned 'C' is currently occupied by a small storage building for Jordan Building Co. Incorporated. The portions of the site zoned 'B' are occupied by two single family homes. The center portion of the site zoned 'C', located between the single family homes and platted as the JR Gunzelman Addition, is currently undeveloped. The applicant proposes to redevelop the application area with an office, warehouse, and retail sales area for Jordan Building Co. Inc., a building supply company.

Although offices, warehouses, and retail sales are permitted in the 'C' district, the applicant indicates that 'E' zoning is necessary for the proposed development because the business will likely include a building material storage yard area. The business is engaged in retail home improvements and home improvement products and wholesaling activities for materials such as siding, windows, doors, insulation, and accessories for building contractors. The applicant proposes to construct a 12,000 square foot building on the site.

The subject property is bordered by a mixture of commercial and industrial uses. Dutch's Steak House is located to the south, a number of industrial buildings are located to the west, the Old Jack Club is located to the north, and the Cameron Body Shop and a vacant service station are located on the east side of Washington.

CASE HISTORY: None.

ADJACENT ZONING AND LAND USE:

NORTH:	'C'	Night club
SOUTH:	'C'	Restaurant
EAST:	'C'	Automotive repair, vacant service station
WEST:	'E'	Warehouses

PUBLIC SERVICES: Municipal water service is available from a 6-inch line along Washington. Sewer service is available from a 15-inch line along Washington and an 8-inch line along the alley on the west side of the property. The site has access to Washington, a 4-lane arterial with a raised median. The majority of the application area has 38.8 feet of existing half-street right-of-way, with 50 feet of existing half-street right-of-way along the portion platted as the JR Gunzelman Addition. At the time this area is replatted, additional right-of-way will be required.

Existing traffic volumes at the Washington / Lincoln intersection are approximately 25,323 average daily trips (ADT) and is projected by the 2020 Transportation Plan to increase to approximately 27,240 ADT, which is within the intersection's traffic

capacity. Transportation planning staff indicate that the intersection has capacity for 29,000 ADT under its current design.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies this area on the west side of Washington for industrial uses. The industrial locational guidelines of the Plan recommend that industrial areas should be located in close proximity to support services and provided good access to major arterials, truck routes, highways, utility lines, along railroads, near airports, and as extensions of existing industrial uses. Also, traffic should not feed directly onto local streets in residential areas.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to replatting within 1-year.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The proposed use would be consistent with the character of the surrounding area which is a mixture of commercial and industrial uses.

2. The suitability of the subject property for the uses to which it has been restricted: Given the uses already located in the area, the 'B' zoned properties are becoming less desirable for residential uses.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: The proposed zone change would be consistent with the zoning located to the west and should not impact any residential properties in the area. Also, landscaping and screening of any outside storage / work areas will be required along Washington.

4. Conformance of the requested change to adopted or recognized Plans/Policies: The Land Use Guide of the Comprehensive Plan identifies this area on the west side of Washington for industrial uses. The request is consistent with the Comprehensive Plan's recommendation to located industrial uses in close proximity to support services and provided good access to major arterials, utility lines, and as an extension of existing industrial uses. Also, the MAPC has an informal policy to support the expansion of existing businesses.

5. Impact of the proposed development on community facilities: Municipal water and sewer services are located nearby and are available to serve this property. The Washington / Lincoln intersection is projected to have available traffic capacity in the future.