

Agenda Item # _____

City of Wichita
City Council Meeting
May 2, 2000

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: ZON2000-00001 - ZONE CHANGE FROM "LC" LIMITED COMMERCIAL TO "B" MULTI-FAMILY DISTRICT, LOCATED APPROXIMATELY 100 FEET NORTH OF 12TH AND EAST OF HILLSIDE (1312 NORTH HILLSIDE) (District #1)

INITIATED BY: Metropolitan Area Planning Department *BLC*

AGENDA ACTION: Planning

MAPC Recommendation: Approve (9-0).

Staff Recommendation: Approve.

Background: The applicant indicates that he wishes to "down zone" property currently zoned "LC" Limited Commercial to the "B" Multiple-Family District. The site contains a small, wood framed, residential building. The property is ¼ acre in size and is platted. The applicant intends to sell the property to the two tenants who have lived in the single-family dwelling for a number of years. A residential category is needed so the applicants can apply for a mortgage loan application. The adjoining properties are zoned "B" Multi-Family or "LC" Limited Commercial. The application area is a rectangular shaped parcel and is located approximately 100 feet north of 12th and east of Hillside (1312 N. Hillside).

The property north of the application area is vacant and zoned "B" Multi-Family District and "LC" Limited Commercial, the property south is used for residential purposes and is zoned "B" Multi-Family District and "LC" Limited Commercial, east is "LC" Limited Commercial that is used residentially and the property to the west, with a commercial use, is also "LC." The "B" Multi-Family areas have a mixture of single and multiple family residential uses. Access to the site is currently from Hillside.

At the MAPC meeting held on March 30, 2000, the MAPC voted (9-0) to recommend approval. The agent stated that the applicant was requesting the rezoning so that the tenants might secure a mortgage loan to purchase the property.

Recommended Action:

1. Concur with the findings of the MAPC and approve the zone change to "*B*" *Multiple-Family District* and 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 2/3-majority vote of the membership of the governing body on the first hearing.)

() Published in The Daily 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 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. ZON20000-00001

Request for zone change from "LC" Limited Commercial to "B" Multi-Family District on property described as:

A tract in the Northwest Quarter of the Northwest Quarter of Section 14, Township 27 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas, described as beginning 30 feet East and 392.66 feet South of the Northwest corner of said Northwest Quarter; thence South 49.84 feet; thence East 150 feet; thence North 49.84 feet; thence West to the point of beginning, formerly described as the South 12.34 feet of Lot 29, all of Lot 31 and the N/2 of Lot 33, on Hillside Avenue, Baldock's Addition to the City of Wichita, Sedgwick County, Kansas. Generally located approximately 100 feet north of 12th and east of Hillside (1312 North Hillside).

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.

FILE COPY



AGENDA ITEM NO. 6

STAFF REPORT
MAPC – March 30, 2000

CASE NUMBER: ZON2000-00001

APPLICANT/AGENT: Francis I. Smith (Applicant/Owner)

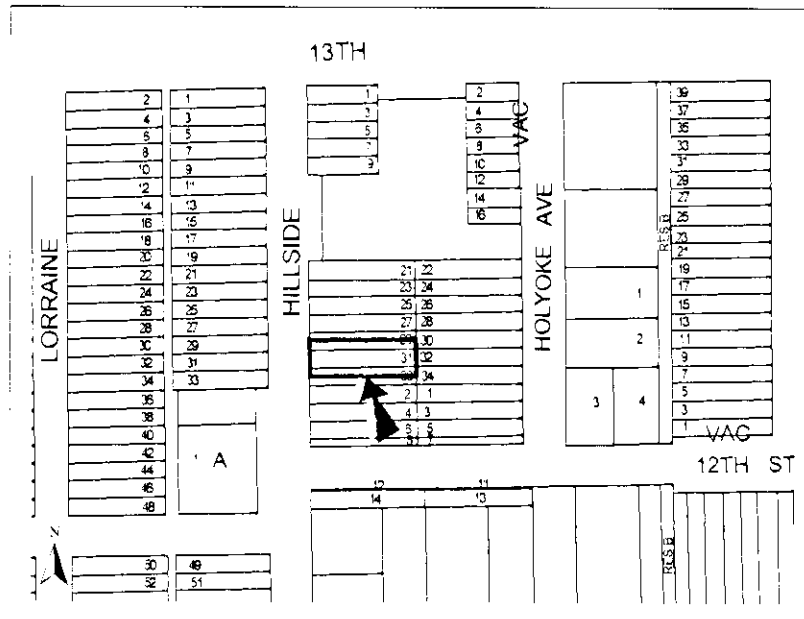
REQUEST: Zone change from "LC" Limited Commercial to "B" Multi-Family District

CURRENT ZONING: "LC" Limited Commercial

SITE SIZE: ¼ acre

LOCATION: Approximately 100 Feet North of 12th and East of Hillside (1312 North Hillside)

PROPOSED USES: Single Family Residence



BACKGROUND: The applicant indicates that he wishes to “down zone” property currently zoned “LC” *Limited Commercial* to the “B” *Multiple-Family District*. The site contains a small, wood framed, residential building. The property is ¼ acre in size and is platted. The applicant intends to sell the property to the two tenants who have lived in the single-family dwelling for a number of years. A residential category is needed so the applicants can apply for a mortgage loan application. The adjoining properties are zoned “B” *Multi-Family* or “LC” *Limited Commercial*. The application area is a rectangular shaped parcel and is located approximately 100 feet north of 12th and east of Hillside (1312 N. Hillside).

The property north of the application area is vacant and zoned “B” *Multi-Family District* and “LC” *Limited Commercial*, the property south is used for residential purposes and is zoned “B” *Multi-Family District* and “LC” *Limited Commercial*, east is “LC” *Limited Commercial* that is used residentially and the property to the west, with a commercial use, is also “LC.” The “B” *Multi-Family* areas have a mixture of single and multiple family residential uses. Access to the site is currently from *Hillside*.

CASE HISTORY: The property was platted in 1888 as part of the *Baldock Addition*.

ADJACENT ZONING AND LAND USE:

NORTH:	“B” & “LC” <i>Limited Commercial</i>	Vacant Lot
EAST:	“LC” <i>Limited Commercial</i>	Residential
SOUTH:	“B” & “LC” <i>Limited Commercial</i>	Residential
WEST:	“LC” <i>Limited Commercial</i>	Business

PUBLIC SERVICES: The site has access from *Hillside* which is a paved four-lane arterial and 12th Street, a collector street. Traffic volumes are projected to be 14,000 (car trips) per day. Water and sewer services are available.

CONFORMANCE TO PLANS/POLICIES: The *Land Use Guide* of the *Comprehensive Plan* identifies the application area as appropriate for “medium density residential.” The *Plan* encourages commercial development to occur at the intersection of arterials. The site is located ¾ of a block away from the intersection of 13th and Hillside. The *Plan* also discourages the commercial “stripping out” of arterials.

RECOMMENDATION: Based on the information available prior to the public hearing, MAPD staff recommends the application be APPROVED.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: Most of the neighborhood is zoned "*B*" *Multi-Family* and "*LC*" *Limited Commercial*. The character of the neighborhood is one of mixed residential and commercial uses located to the north and west with single-family homes to the east and south.
2. The suitability of the subject property for the uses to which it has been restricted: The site is currently zoned "*LC*" *Limited Commercial*. It is developed with a residence. This site is more appropriately zoned as a residential district given its current usage and distance away from the corner.
3. Extent to which removal of the restrictions will detrimentally affect nearby property. Adjacent properties are zoned either "*B*" *Multi-Family* or "*LC*" *Limited Commercial*. Rezoning of this property to "*B*" *Multi-Family* will not introduce any new potential uses to the area.
4. Conformance of the requested change to the adopted or recognized *Comprehensive Plan and Policies*: The request is consistent with the statement that the application area is appropriate for "medium density residential." The *Plan* encourages commercial development to occur at the intersection of arterials. The site is located $\frac{3}{4}$ of a block away from the intersection of 13th and Hillside. The *Plan* also discourages the commercial "stripping out" of arterials.
5. Impact of the proposed development on community facilities: Since the use that exists today is intended to remain, no impact is foreseen by this request. The site is too small to allow any development that would create a significant impact on community facilities.