Agenda Item #_____

City of Wichita
City Council Meeting
January 9, 2001

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: **ZON2000-00050 - ZONE CHANGE FROM "SF-6" SINGLE-FAMILY RESIDENTIAL TO "LC" LIMITED COMMERCIAL, LOCATED NORTH OF KELLOGG AND EAST OF MAIZE.** (District #V)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to platting within 1 year (10-0).

Staff Recommendation: Approve, subject to platting within 1 year.

Background: The applicant requests a zone change from "SF-6" Single-Family Residential to "LC" Limited Commercial on a 1.42 acre partially-platted tract located north of Kellogg and east of Maize. The applicant indicates that the "LC" Limited Commercial zoning is needed to relocate an existing convenience store (Quik Trip) currently located on the adjoining property to the south. The business needs to be relocated due to the construction of a Kellogg/Maize interchange (see attached site plan). According to the site plan, the relocated business would only require approximately 0.3 acres on the southern portion of the property requested for rezoning, with no use identified by the applicant for the northern 1.12 acres of the subject property.

A plat (SUB2000-00110) that includes the property requested for rezoning was approved by the MAPC at the same hearing as the rezoning request. Staff is recommending that as a condition of the plat that only two access openings be permitted full access along Maize, with southern-most access opening for the Quik Trip restricted to right-in, right-out access by a median in Maize.

The surrounding area is characterized by both commercial and residential uses with significant amounts of undeveloped property remaining along Kellogg. The property immediately south of the site is developed with a Quik Trip on property zoned "LC" Limited Commercial. The properties north of the site are developed with single-family residences on property zoned "SF-6" Single-Family Residential. The property west of

the site is undeveloped and is zoned "SF-6" Single-Family Residential. The properties east of the site across Maize are zoned "SF-6" Single-Family Residential and are developed with single-family residences.

At the MAPC hearing on December 7, 2000, one citizen spoke against the request citing potential problems with traffic (see attached letter). The MAPC voted (10-0) to approve the request subject to platting within one year. Subsequent to the public hearing staff discussed potential traffic problems with the applicant, and the applicant agreed to a condition of approval for the plat to limit the southern-most opening to right-in, right-out access by a median in Maize.

Recommended Action:

1. Concur with the findings of the MAPC and approve the zone change, subject to the condition of platting within one year; 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 2/3 majority vote of the membership of the governing body on the first hearing.)

(_____) Publ ed in the Wichita Eagle 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 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 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 districts of the lands legally described hereby are changed as follows:

Case No. ZON 2000-50

Zone change request from "SF-6" Single-Family Residential District to "LC" Limited Commercial District, described as:

The north 240 feet of Lot 1, Block A, of the Quiktrip Eighth Addition, Wichita, Sedgwick County Kansas. (Generally located north of Kellogg and east of Maize Road.)

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, _____

ATTEST:

_____ _____
Pat Burnett, City Clerk Bob Knight, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney

WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 19

STAFF REPORT

MAPC December 7, 2000

CASE NUMBER: ZON2000-00050

APPLICANT/AGENT: Bledsoe Enterprises, Inc. c/o Harry D. Bledsoe and John E. Dugan (Owners/Applicants); Baughman Company, P.A. c/o Philip J. Meyer (Agent)

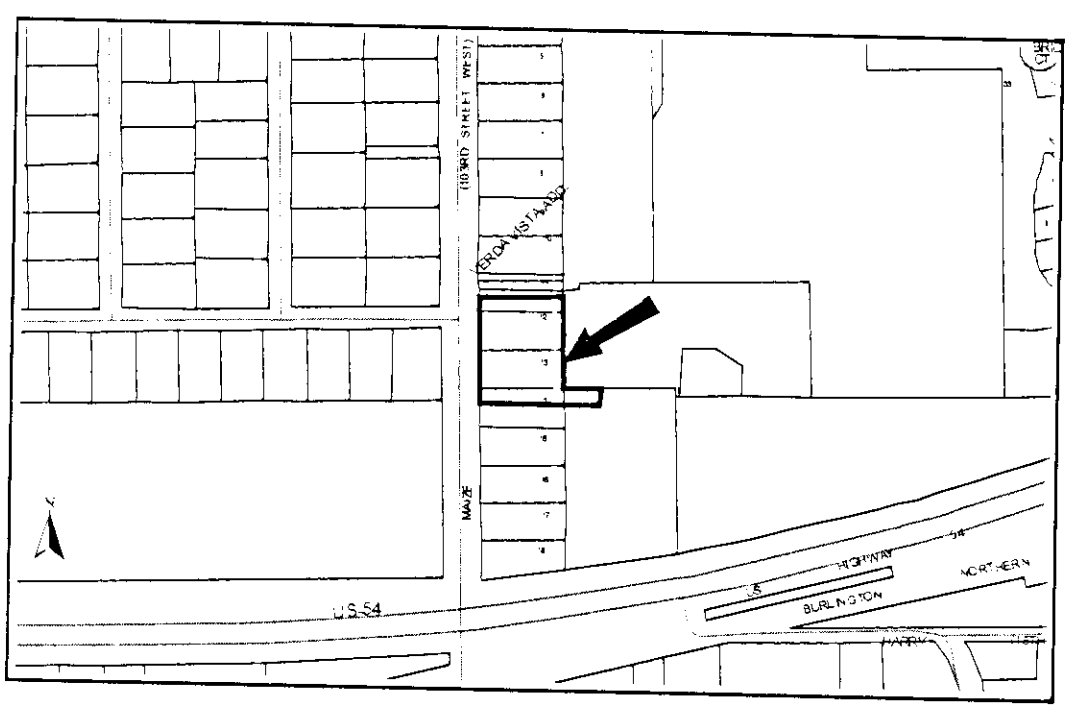
REQUEST: "LC" Limited Commercial

CURRENT ZONING: "SF-6" Single-Family Residential

SITE SIZE: 1.42 acres

LOCATION: North of Kellogg and east of Maize

PROPOSED USE: Convenience Store



BACKGROUND: The applicant requests a zone change from "SF-6" Single-Family Residential to "LC" Limited Commercial on a 1.42 acre partially-platted tract located north of Kellogg and east of Maize. The applicant indicates that the "LC" Limited Commercial zoning is needed to relocate an existing convenience store (Quik Trip) currently located on the adjoining property to the south. The business needs to be relocated due to the construction of a Kellogg/Maize interchange (see attached site plan). According to the site plan, the relocated business would only require approximately 0.3 acres on the southern portion of the property requested for rezoning, with no use identified by the applicant for the northern 1.12 acres of the subject property.

A plat (SUB2000-00110) that includes the property requested for rezoning is scheduled to heard by the MAPC at the same hearing as the rezoning request. Staff is recommending that as a condition of the plat that only two access openings be permitted along Maize, which would eliminate one of the access openings for the Quik Trip that is shown on the attached site plan unless the northern most opening were to be shared with the parcel to the north.

The surrounding area is characterized by both commercial and residential uses with significant amounts of undeveloped property remaining along Kellogg. The property immediately south of the site is developed with a Quik Trip on property zoned "LC" Limited Commercial. The properties north of the site are developed with single-family residences on property zoned "SF-6" Single-Family Residential. The property west of the site is undeveloped and is zoned "SF-6" Single-Family Residential. The properties east of the site across Maize are zoned "SF-6" Single-Family Residential and are developed with single-family residences.

CASE HISTORY: A portion of the site is platted as part of the Verda Vista Addition, which was recorded July 7, 1955.

ADJACENT ZONING AND LAND USE:

NORTH:	"SF-6"	Single-Family
SOUTH:	"LC"	Convenience Store
EAST:	"SF-6"	Single Family
WEST:	"SF-6"	Undeveloped

PUBLIC SERVICES: The site has access to Maize, a four-lane arterial street with 1997 traffic volumes of approximately 8,700 vehicles per day. The 2030 Transportation Plan estimates that traffic volume on Maize will increase to approximately 17,500 vehicles per day. Public water and sewer are available to serve the site.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the 1999 Update to the Comprehensive Plan identifies this area as appropriate for "Commercial"

development. The Commercial Locational Guidelines of the Comprehensive Plan recommend that commercial sites should be located adjacent to arterials and should have site design features which limit noise, lighting, and other activity from adversely impacting surrounding residential areas. The proposed use of the subject property meets these locational guidelines for commercial development. Additionally, expansions of businesses at existing sites are generally encouraged over constructing completely new sites for business expansions.

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

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The surrounding area is characterized by both commercial and residential uses with significant amounts of undeveloped property remaining along Kellogg. The property immediately south of the site is developed with a Quik Trip on property zoned "LC" Limited Commercial. The properties north of the site are developed with single-family residences on property zoned "SF-6" Single-Family Residential. The property west of the site is undeveloped and is zoned "SF-6" Single-Family Residential. The properties east of the site across Maize are zoned "SF-6" Single-Family Residential and are developed with single-family residences.

2. The suitability of the subject property for the uses to which it has been restricted: The site is zoned "SF-6" Single-Family Residential, which accommodates moderate-density, single-family residential development and complementary land uses. Given the limited size of the subject property and its location near a future freeway interchange, it is unlikely that the subject property would develop with single-family residential uses.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Detrimental affects should be minimized by the existing regulations of the Unified Zoning Code, Landscape Ordinance, and Sign Code, which should sufficiently limit noise, lighting, and other activity from adversely impacting surrounding residential areas.

4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The Land Use Guide of the 1999 Update to the Comprehensive Plan identifies this area as appropriate for "Commercial" development. The Commercial Locational Guidelines of the Comprehensive Plan recommend that commercial sites should be located adjacent to arterials and should have site design features which limit noise, lighting, and other activity from adversely impacting surrounding residential areas. The proposed use of

the subject property meets these locational guidelines for commercial development. Additionally, expansions of businesses at existing sites are generally encouraged over constructing completely new sites for business expansions.

5. Impact of the proposed development on community facilities: Community facilities should not be adversely impacted.