

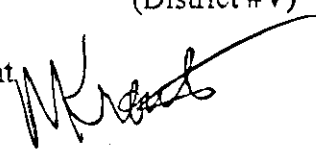
Agenda Item # _____

City of Wichita
City Council Meeting
June 5, 2001

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: ZON2001-00026 - ZONE CHANGE FROM "GO" GENERAL OFFICE TO "LC" LIMITED COMMERCIAL, LOCATED NORTH OF CENTRAL AND WEST OF BOYD. (District #V)

INITIATED BY: Metropolitan Area Planning Department 

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to the conditions of a (P-O) Protective Overlay (13-0).

Staff Recommendation: Approve, subject to the conditions of a (P-O) Protective Overlay.

Background: The applicant is seeking a zone change from "GO" General Office to "LC" Limited Commercial. The application area is a platted lot located at the northwest corner of west Central Avenue and Boyd Avenue. The site is .32 acre in size. A vacant office building with garage door openings to the north and south exists on the site today (the building was previously occupied by an insurance claims office). The applicant has a windshield replacement business that is interested in locating on this site. Curb cuts exist on Arapaho and on Boyd Avenue. A screening fence exists along the west property line.

Nearby properties are zoned "SF-6" Single-family Residential or "LC" Limited Commercial. These properties are developed with retail commercial, office or single-family residential uses. Between the Wichita-Valley Center Floodway and I-235 there are only two lots having frontage on Central, other than the application area, that are not zoned "LC".

The landscape ordinance will not be triggered by this zone change application so street, parking lot and buffer landscaping normally obtained with new construction will not be required unless significant remodeling or parking lot improvements are made. A 25-foot compatibility setback would be required along the west property line if this were new construction. The site appears to be nonconforming for this requirement unless an

adjustment is obtained as it does not appear that there is currently a sufficient compatibility setback today.

MAPC heard this request on May 10, 2001, and recommended approval (13-0), subject to conditions contained in (P-O) Protective Overlay #96. Conditions contained in PO #96 address access control to Central Avenue and Arapaho, and a requirement that the overhead doors facing north are to be closed except when needed to provide access. No one spoke in opposition.

Recommended Action:

1. Concur with the findings of the MAPC and approve the zone change, subject to the additional recommended provisions of Protective Overlay #96; 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 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 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. ZON2001-00026

Request for zone change from "GO" General Office to "LC" Limited Commercial and to "P-O" Protective Overlay District #96 described as:

Lot 1, except the South 10 feet for street, Block A, West Central Gardens Third Addition, Sedgwick County, Kansas. Generally located north of Central and west of Boyd.

SUBJECT TO THE FOLLOWING PROTECTIVE OVERLAY RESTRICTIONS:

- A. Complete access control to Central.
- B. If the site is redeveloped, then complete access control shall be provided along Arapaho.
- C. The garage doors to the north shall remain closed at all time except when needed to provide access to the business.

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

STAFF REPORT

MAPC 5/10/01

CASE NUMBER: ZON2001-00026

APPLICANT/AGENT: Sedgwick County Farm Bureau Association (applicant);
Baughman Company, P.A. (Terry Smythe) and Quest Realty
(Calvin Klaassen, agents)

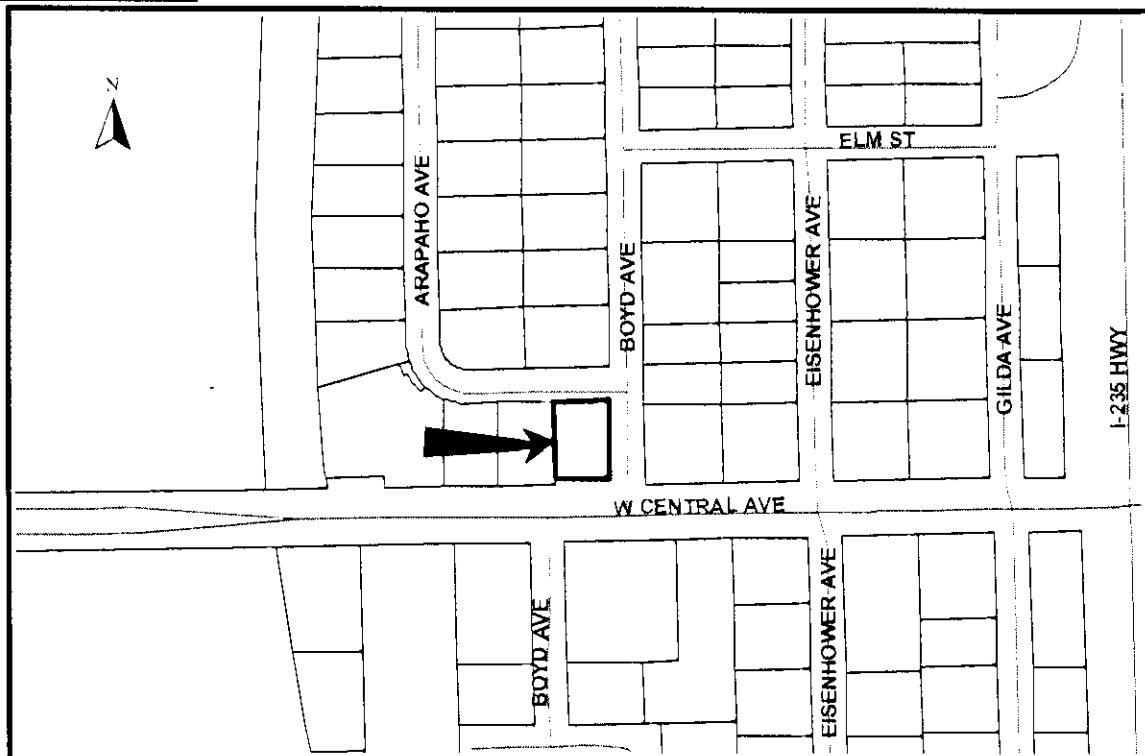
REQUEST: "LC" Limited Commercial

CURRENT ZONING: "GO" General Office

SITE SIZE: .32 acre

LOCATION: North of Central and west of Boyd

PROPOSED USE: "LC" Limited Commercial uses



BACKGROUND: The applicant is seeking a zone change from “GO” General Office to “LC” Limited Commercial. The application area is a platted lot located at the northwest corner of west Central Avenue and Boyd Avenue. The site is .32 acre in size. A vacant office building with garage door openings to the north and south exists on the site today (the building was previously occupied by an insurance claims office). The applicant has a windshield replacement business that is interested in locating on this site. Curb cuts exist on Arapaho and on Boyd Avenue. A screening fence exists along the west property line.

Nearby properties are zoned “SF-6” Single-family Residential or “LC” Limited Commercial. These properties are developed with retail commercial, office or single-family residential uses. Between the Wichita-Valley Center Floodway and I-235 there are only two lots having frontage on Central, other than the application area, that are not zoned “LC”.

The landscape ordinance will not be triggered by this zone change application so street, parking lot and buffer landscaping normally obtained with new construction will not be required unless significant remodeling or parking lot improvements are made. A 25-foot compatibility setback would be required along the west property line if this were new construction. The site appears to be nonconforming for this requirement unless an adjustment is obtained as it does not appear that there is currently a sufficient compatibility setback today.

CASE HISTORY: West Central Gardens 3rd Addition was platted in 1956.

ADJACENT ZONING AND LAND USE:

NORTH: “SF-6” Single-family Residential; single-family residence
SOUTH: “LC” Limited Commercial; convenience and service retail
EAST: “LC” Limited Commercial; office
WEST: “LC” Limited Commercial; single-family residence

PUBLIC SERVICES: Municipal water and sewer services are available. Central Avenue is currently developed as a 5-lane arterial, but is designated as a 6 or 7-lane arterial in the 2030 Transportation Plan. The City’s current CIP does not contain a project for these 2030 improvements. Central carries between 24,137 and 31,674 average daily trips between I-235 and Ridge Road. Boyd and Arapaho are local streets.

CONFORMANCE TO PLANS/POLICIES: The “Wichita Land Use Guide” depicts this site as appropriate for “commercial” uses. Commercial Location Guidelines contained in the Comprehensive Plan indicate: commercial sites should be located adjacent to

arterial streets or major thoroughfares; access should be located so as to avoid traffic congestion; site design features should limit noise, lighting or other aspects of commercial activity that may adversely impact surrounding residential land uses; commercial uses should be located in compact clusters or nodes versus extended strip developments; commercially generated traffic should not feed directly onto local streets and commercial uses not located in planned centers should be directed to ...established areas of similar development; and where, traffic patterns, surrounding land uses and utilities can support such development.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to the following Protective Overlay conditions:

- A. Complete access control to Central.
- B. If the site is redeveloped, then complete access control shall be provided along Arapaho.
- C. The garage doors to the north shall remain closed at all time except when needed to provide access to the business.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: Surrounding property is zoned "LC" Limited Commercial or "SF-6" Single-family Residential. Uses are a mix of retail commercial, office and single-family residential. A five-lane arterial carrying up to 31,600 trips per day is adjacent to many of the neighboring properties.
2. The suitability of the subject property for the uses to which it has been restricted: The site is zoned "GO" General Office and is developed with a combination office and drive through bay. It would be possible for the site to be used as currently zoned or the drive through could be remodeled into additional office space to make the building more marketable for office uses. However, the site is the only "GO" zoned track along Central between the "Big Ditch" and I-235.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The change in zoning would permit more intense uses than those permitted by the current zoning. The property is bounded on three sides by streets so only the property to the west shares a common lot line with the application area. The zoning code requires screening that is already in place along the western property line. However the landscape ordinance will not be triggered by this zoning application.
4. Relative gain to the public health, safety and welfare as compared to the loss in

value or the hardship imposed upon the applicant: Approval of the request should make the property more marketable thereby increasing the potential for the property to be occupied and providing useful services.

5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The "Wichita Land Use Guide" depicts this site as appropriate for "commercial" uses. Commercial Location Guidelines contained in the Comprehensive Plan indicate: commercial sites should be located adjacent to arterial streets or major thoroughfares; access should be located so as to avoid traffic congestion; site design features should limit noise, lighting or other aspects of commercial activity that may adversely impact surrounding residential land uses; commercial uses should be located in compact clusters or nodes versus extended strip developments; commercially generated traffic should not feed directly onto local streets and commercial uses not located in planned centers should be directed to ...established areas of similar development; and where, traffic patterns, surrounding land uses and utilities can support such development. For the most part, this site appears to be in compliance with adopted plans and policies.
6. Impact of the proposed development on community facilities: Traffic could increase, however existing facilities are in place to handle expected demands.