

Planning Agenda Item # \_\_\_\_\_

City of Wichita  
City Council Meeting  
June 10, 1997

Agenda Report # \_\_\_\_\_

**TO:** Mayor and City Council Members

**SUBJECT:** Z-3226 - ZONE CHANGE REQUEST FROM "B" MULTI-FAMILY RESIDENTIAL TO "LC" LIMITED COMMERCIAL, LOCATED SOUTH OF 9TH STREET NORTH, WEST OF WEST STREET (901 N. WEST STREET).

(DISTRICT #5)

**INITIATED BY:** Metropolitan Area Planning Department



**AGENDA ACTION:** Planning

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**MAPC Recommendation:** Approve, subject to the applicant dedicating by separate instrument an additional 4 feet of utility easement along the western property line and dedicating by separate instrument complete access control along West Street except for one opening (13-0).

**Staff Recommendation:** Approve, subject to to the applicant dedicating by separate instrument an additional 4 feet of utility easement along the western property line and dedicating by separate instrument complete access control along West Street except for one opening.

**CPO Recommendation:** Approve (9-0).

**Background:** The applicant requests a zone change from "B" Multi-Family Residential to "LC" Limited Commercial on a 0.60 acre platted tract located south of 9th Street North and west of West Street. The applicant intends to rezone in order to sell the property for commercial development.

The site was developed with a single-family home as recently as February 1992, however, as the most recent aerial shows, the home was removed at some point prior to February 1995. The surrounding zoning and land uses are predominately commercial to the east, south, and north with residential zoning and uses to the west. The site is situated between Dave's Pool Service to the north and Dick's Automotive to the south. There are various commercial and residential uses to the east, with two single-family residences to the west.

After limited discussion of commercial development along West Street during the Planning Commission hearing on this matter, the MAPC voted 13-0 to approve the request as recommended by staff.

**Recommendation:**

1. Concur with the findings of the MAPC and approve the zone change, subject to the applicant dedicating by separate instrument an additional 4 feet of utility easement along the western property line and dedicating by separate instrument complete access control along West Street except for one opening; 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 the first hearing.)



**Wichita-Sedgwick County Metropolitan Area Planning Department**

October 4, 2001

Robert Keys  
9021 E. 71<sup>st</sup> St S.  
Derby, KS 67037

RE: Z-3226 – Zone change from “B” Multi-Family Residential to “LC” Limited Commercial.  
Generally located south of 9<sup>th</sup> St. N. and west of West St (901 N. West St.).

Dear Mr. Keys:

The above-reference zone change request was approved by the City Council on June 10, 1997 subject to the dedication of an additional four feet of utility easement along the western property line and the dedication of complete access control along West St. except for one opening. On March 16, 2001 you were sent a letter indicating that you have 30 days to the necessary arrangements for the required dedications. The letter also indicated that if you fail to make the necessary dedications, the case will be denied and closed, and you will be required to submit a new application in order to rezone the property. The necessary dedications have not been made; therefore, the above-referenced zone change is now denied and closed.

Please contact me if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Scott Knebel'.

Scott Knebel  
Senior Planner  
Current Plans Division