

Planning Agenda Item # _____


City of Wichita
City Council Meeting
March 18, 1997

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-3216 - RALPH AND DELORES J. RUDY REQUEST ZONE CHANGE FROM "SF-6" SINGLE FAMILY RESIDENTIAL TO "OW" OFFICE WAREHOUSE, LOCATED NORTH OF CENTRAL ON THE WEST SIDE OF GOW (735 NORTH GOW).

(DISTRICT #6)

INITIATED BY: Metropolitan Area Planning Department 

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to applicant granting an additional 5 feet of utility easement along the west property line and limiting access to only one opening along Gow, by separate instruments, prior to the publication of the zoning ordinance. (11-0).

Staff Recommendation: Approve, subject to applicant granting an additional 5 feet of utility easement along the west property line and limiting access to only one opening along Gow, by separate instruments, prior to the publication of the zoning ordinance.

CPO Recommendation: Approve (8-0).

Background: The applicant requests a zone change from "SF-6" Single-Family Residential to "OW" Office Warehouse for a 150' x 100' platted lot located north of Central and west of Gow.

This application area is currently undeveloped and being used for outside storage purposes. There are residences located to the north and west of the application area in the "SF-6" Single Family Residential zoning district. Along Gow, to the south of the application area, is a commercial building owned by the applicants and used for a parking lot maintenance and janitorial service business. To the east of the application area is an apartment building within the "GO" General Office zoning district. Further to the south of the site, at the corner of Gow and Central, is located a machine shop within the "LI" Limited Industrial district.

There have been a number of zoning cases in the vicinity of the application area which have allowed commercial and industrial uses. Currently the highest intensity zoning district allowed as far north as the application area along Gow is "GO" General Office, on which is located apartment buildings directly to the east of the application area.

The proposed use for this lot is for the applicants to expand their existing business, which is currently located to the south and southwest of the application area. The applicant intends to construct a commercial building on this lot. The proposed building for this site would be similar to the existing buildings that the applicant owns and would be a steel building approximately 75' x 40'. The applicants have not established a timeframe for construction completion. Currently the existing buildings for the parking lot maintenance and janitorial service business are non-conforming uses in the "LC" Limited Commercial zoning district. These were interpreted as legal uses when the buildings were permitted and constructed in 1972 and added on to in 1978.

The applicants had originally requested "LC" Limited Commercial zoning for this site, but upon further study by staff, it was found that the proposed use would not be allowed in this district. Therefore, staff determined that "OW" Office Warehouse zoning is necessary for the proposed use. The "OW" district permits "wholesaling and business services," but limited retail uses, open space cannot exceed enclosed floor area in size, and signage is limited.

If this request is approved, the site will need screening along the north and west boundaries, but the expansion of the existing use will not trigger buffer tree planting along those edges, and due to the "GO" zoning across Gow, there will be no street landscaping requirement along that street.

During the Planning Commission's discussion of this matter, questions concerning the use of the site were asked by the Commission. The applicant stated that he intends to construct a metal building similar to his other buildings, located immediately south of the subject property, on this property. After discussion, the MAPC voted (13-0) to approve the request, subject to the applicant granting an additional 5 feet of utility easement along the west property line and limiting access to only one opening along Gow, by separate instruments, prior to the publication of the zoning ordinance as recommended by staff.

Recommendation:

1. Concur with the findings of the MAPC and approve the zone change, subject to the applicant granting an additional 5 feet of utility easement along the west property line and limiting access to only one opening along Gow, by separate instruments, prior to the publication of the zoning ordinance; place the ordinance establishing the zone change on first reading and instruct the City Clerk to withhold publication until the instruments have been recorded with the Register of Deeds; 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.)

(_____) 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 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. Z-3216

Zone change request from "SF-6" Single Family Residential District to "OW" Office Warehouse District, described as:

Lot 22, Davis Gardens, Sedgwick County, Kansas. Generally located north of Central on the west side of Gow (735 N. Gow).

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.

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