

Agenda Item # _____

City of Wichita
City Council Meeting
April 20, 1999

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-3314 - ZONE CHANGE FROM "TF-3" TWO FAMILY
RESIDENTIAL TO "LC" LIMITED COMMERCIAL, ON
PROPERTY LOCATED APPROXIMATELY 78 FEET EAST OF THE
NORTHEAST CORNER OF STADIUM DRIVE AND GROVE.
(District #I)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

MAPC Recommendation: Approve "NR" zoning, subject to staff recommendations (13-0).

Staff Recommendation: Deny "LC", but approve "NR".

CPO Recommendation: Approve "NR" zoning, subject to staff recommendations (8-0).

Background: The applicant is requesting a zone change from "TF-3" Two Family Residential to "LC" Limited Commercial on a 0.3 acre tract, located 78 feet east of the northeast corner of Stadium and Grove. The application area is one block south of the intersection of 21st Street North and Grove. The site plan provided by the applicant shows one building with 6,000 square feet of commercial space divided into four small retail sites of 1,500 square feet each. The site plan indicates that off-street parking will be provided on the lot between the proposed tract for rezoning and Grove, which is owned by the applicant and is zoned "LC" Limited Commercial.

Currently, the tract is vacant. There are commercial uses to the north and northwest, vacant property to the northeast, and residential uses to the east, south, and west. The tract immediately to the north is occupied by a small neighborhood commercial building zoned "LC" Limited Commercial with a shoe store and a hair care business, and is also owned by the applicant. Across 21st Street North is the Boy's & Girl's Club of Wichita. Commerce Bank has a new facility directly across Grove to the northwest. This bank facility is considered a key for spurring revitalization along the 21st Street corridor. The remaining uses surrounding the property are residential, with single family residences and duplexes east and south of the property. The residential area across Grove to the southwest

consists of single family residences. This area appears to be a solid neighborhood with good general condition of residences and no intrusion of non-residential use.

The site proposed for rezoning is located along Stadium Drive, a local residential street, and the lots to the east and south are zoned "TF-3" Two Family. Therefore, the site will need to conform to compatibility setback standards along the eastern edge of the site and provide screening along this edge as well as along the front street yard. Additionally, the parking lot will need to conform to landscaping requirements. The site plan shows the proposed tract to be rezoned as a part of an integrated site arrangement with a parking lot along Grove to serve off-street parking for both this site and the commercial building on the adjacent lot to the north.

At the CPO 1 Council hearing on March 22, the applicant was present to describe the request and stated that he "would accept" "NR" Neighborhood Retail as recommended by the MAPC staff. The Council voted 8-0 to recommend approval of "NR" (and not "LC" Limited Commercial) subject to MAPD staff comments.

At the Planning Commission discussion, two commissioners verified that staff was recommending approval of "NR" zoning and that this was not a "fall-back" position, which staff confirmed was the case. The agent for the applicant also stated that the applicant was agreeable with the "NR" classification because the applicant's intended uses fit this classification. No members of the public spoke on the request.

Recommendation:

1. Concur with the findings of the MAPC and approve the zone change to "NR"; 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 2/3rd majority vote of the membership of the governing body on the first hearing.)

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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. Z- 3314

Zone change request from "TF-3" Two-Family Residential District to "NR" Neighborhood Retail, described as:

The west 39 feet of Lot 37 and the east 37 feet of Lot 38, Block 4, Shadybrook Addition to the City of Wichita, Sedgwick County, Kansas. Generally located approximately 78 feet east of the northeast corner of Stadium drive and Grove.

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, _____

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