

Agenda Item #

City of Wichita
City Council Meeting
August 19, 2003

Agenda Report No.

TO: Mayor and City Council

SUBJECT: ZON2003-00034 – Zone change “SF-5” Single-Family Residential to “GO” General Office. Generally located south of 33rd Street North and east of Arkansas Avenue. (District VI)

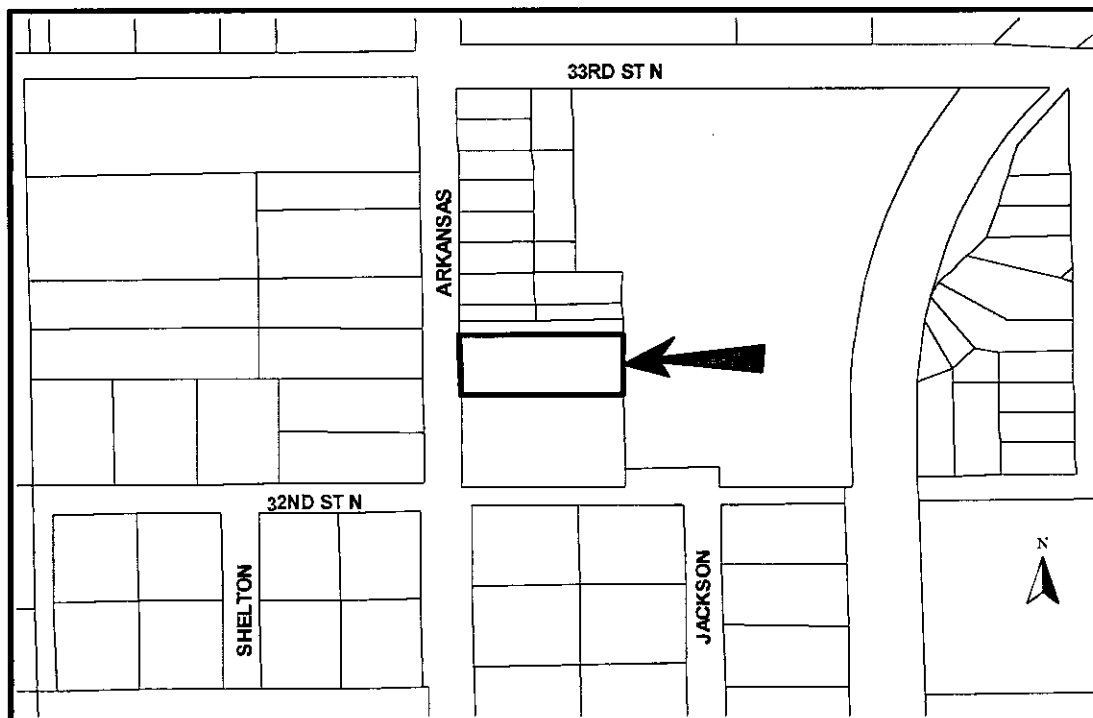
INITIATED BY: Metropolitan Area Planning Department *JLS*

AGENDA: Planning

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

D.A.B. Recommendation: Approve, subject to platting within one-year. (8-1)

Staff Recommendation: Approve, subject to platting within one-year.



BACKGROUND: The applicant requests a zone change from “SF-5” Single Family to “GO” General Office on a 0.58 acre unplatted tract located south of 33rd Street North and east of Arkansas Avenue. The subject property is currently vacant, but formerly was developed with single family residences that recently have been razed.

The applicant proposes to construct a multi-family infill project on 6.5 acres located immediately east of the subject property. The proposed multi-family development needs a point of access to Arkansas Avenue. Since access control is platted to 32nd Street North south of the apartment property, sufficient right-of-way is not available to improve 32nd Street North, and neighboring residents to the south on Jackson have objected to apartment traffic through their neighborhood, the applicant proposes the access drive to Arkansas Avenue be located on the subject property. The Unified Zoning Code requires that access drives be zoned to permit the use to which the access is being provided; therefore, the subject property would need to be zoned to permit multi-family uses to allow the proposed access drive. Since the applicant also proposes to use a portion of the subject property for low-density office development, the applicant has requested a zone change to the “GO” General Office zoning district since it is the first zoning district that permits both office and multi-family uses.

The surrounding area is characterized by a mixture of residential and commercial uses along the Arkansas Avenue Corridor, with several non-conforming uses that were established prior to the adoption of zoning for the area in 1958. The most proximate existing commercial uses are located at the intersection of 33rd Street North and Arkansas Avenue, which is approximately 400 feet north of the subject property. The property to the south is zoned “SF-5” Single Family and was developed with a non-conforming service station for many years until it was abandoned and razed in the past decade. The properties to the north and west are zoned “SF-5” Single Family and are developed primarily with single family residences. The property to the east is zoned “MF-29” Multi Family and is undeveloped.

RECOMMENDATION:

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 establishing the zone change for first reading when the plat is forward 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.)

First Read 3-16-04
(150004)

Published in The Derby Reporter on 4-23-04

ORDINANCE NO. 46-123

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. ZON 2003-34

Zone change from "SF-5" Single-Family Residential District to "GO" General Office District on property described as:

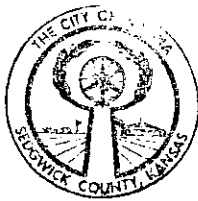
Lot 1, Block A, Casa De La Familia Addition, Wichita, Sedgwick County, Kansas.

Generally located north of 29th Street North, west of Broadway.

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 this 6th day of April, 2004.



ATTEST:

Karen Schofield
Karen Schofield, City Clerk

(SEAL)

Approved as to form:

Gary E. Rebenstorf
Gary E. Rebenstorf, City Attorney

Carlos Mayans
Carlos Mayans, Mayor