

City of Wichita
City Commission Meeting
August 5, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: Z-2778 - REQUEST FOR ZONE CHANGE FROM "LC" LIGHT COMMERCIAL
AND "B" MULTIPLE-FAMILY TO "C" COMMERCIAL AND "BB" OFFICE,
LOCATED ON THE NORTH SIDE OF DOUGLAS WEST OF GROVE.
(TWD, Inc.)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Zoning

MAPC Recommendation: Approve (8-0 with 1 abstention)

Staff Recommendation: Approve

Background: On July 10, 1986, the MAPC held a public hearing to consider a zone change from the "LC" to the "C" district for four 25-foot platted lots on Douglas and a change from "B" to "BB" for one platted lot on Grove. There is a vacant commercial building on the Douglas property. The Grove property is undeveloped. No one spoke in opposition to the zone change. The Planning Commission recommended approval subject to dedicating additional alley right-of-way.

CPO Council Area "K" voted 5-0, on July 1, 1986, to recommend disapproval of the request because no one was present to answer questions about the application.

Analysis: Commercial buildings are attached to the Douglas property on both the east and the west sides. Across Douglas to the south is East High School. The lot on Grove which is in the application area is bounded by single-family homes on the north, a parking lot on the west, an alley, commercial buildings and a parking lot on the south, and single family homes across Grove Drive and Grove Street on the east. The only access to Grove Drive from Grove Street is aligned with the east-west alley and provides direct access to the "BB" application site without having to pass by residences. The "BB" zoning is requested so that a parking lot for the commercial building can be developed. The "C" zoning is requested so that a warehousing-type business can occupy the existing building on Douglas.

Because Douglas Avenue is fully developed on both sides and buildings exist in most cases to the street right-of-way line with no setback being observed, the Planning and City Commissions have previously approved zone changes in this area without requiring additional street right-of-way or building setback lines. The east-west alley in this block is 17.33 feet in width. An additional 1.34 feet on each side of the alley was required to be dedicated by separate instrument. No buildings encroach into this additional right-of-way.

The Planning Commission determined that the character of the neighborhood; the zoning and uses of properties nearby; the suitability of subject property for the uses proposed; and the recommendation of staff justified the zone change.

- Actions:
1. Concur with the findings of the MAPC and approve the zone change; accept the dedication and instruct the City Clerk to record the dedication document with the Register of Deeds, the recording cost of which shall be billed to the Planning Department; place the ordinance establishing the zone change on first reading; or
 2. Return the application to the MAPC for reconsideration stating reasons.

Attachments: Area map
7-10-86 MAPC Minutes
CPO Memorandums

(2543) Published in The Daily Record on August 15, 1986

ORDINANCE NO. 39-623

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 28.04.210, THE CODE OF THE CITY OF WICHITA, KANSAS.

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 Section 28.04.210, The Code of the City of Wichita, Kansas, the zoning classification or districts of the lands legally described hereby are changed as follows:

CASE NO. Z-2778

Zone Change from the "LC" Light Commercial District
and the "B" Multiple-Family Dwelling District
to the "C" Commercial District
and the "BB" Office District

"LC" to "C":

Lots 10, 12, 14, and 16 on Douglas Avenue, Park Place Addition,
Wichita, Sedgwick County, Kansas; AND

"B" to "BB":

Lot 42 on Grove Avenue, Park Place Addition, Wichita, Sedgwick
County, Kansas. Generally located on the north side of Douglas west
of Grove.

SECTION 2. That upon the taking effect of the Ordinance, the above zoning changes shall be entered and shown on the the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Zoning Ordinance 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, _____

ATTEST:

Mayor

City Clerk

(SEAL)

Approved as to form City Attorney