

Planning Agenda Item # _____

City of Wichita
City Commission Meeting
August 19, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: Z-2782 - REQUEST FOR ZONE CHANGE FROM "B" MULTIPLE-FAMILY DWELLING DISTRICT TO "BB" OFFICE DISTRICT, LOCATED ON THE SOUTH SIDE OF CENTRAL IN AN AREA WEST OF ARMOUR. (O.L.C. Properties)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Zoning

MAPC Recommendation: Deny (7-1 - 1 abstention)

Staff Recommendation: Deny

Background: On July 24, 1986, the MAPC held a public hearing to consider a zone change from "B" to "BB" for a 1/2-acre platted lot located on the south side of Central in an area west of Armour. The site contains a vacant, newly-constructed office building. In November, 1984, a request for "OC" zoning was reviewed for this property. At that time a single-family home existed on the site. The Planning Commission recommended approval of "OC" by a 4 to 3 vote. A 63.9 percent protest petition was subsequently filed. The applicant withdrew his "OC" request prior to City Commission action, stating that he would construct a medical office building as permitted in the "B" district. The "B" district had been established on both lots in Normandy Village in 1965 prior to the adoption of the "R-5" and "R-6" districts. Nine property owners in the neighborhood spoke in opposition to the zone change and a protest petition bearing more than 100 signatures was submitted to the MAPC. The Planning Commission, by a 7-1 vote, recommended denial of the zone change.

CPO Council "G" voted 9-0 to recommend that the request be denied.

Analysis: Single family homes exist to the north across Central; condominium apartments exist to the east and south in the "B" district; and a temple is to the west in the "AA" district. The zoning policy for both sides of Central between Woodlawn and Webb Road is to retain existing zoning classifications.

The Planning Commission determined that the character of the neighborhood; the zoning and uses of properties nearby; the unsuitability of subject property for the uses proposed; the previously adopted zoning policy; the opposition of neighborhood residents; and the recommendation of staff justified the denial of the zone change.

Legal Considerations: Protest petitions have been filed by owners of 20.6% of the land within 200 feet of the application area. If the Commission wishes to approve the rezoning, a 4/5ths vote will be required, after a rehearing by MAPC.

- Actions:
1. Concur with the findings of the MAPC and deny the application; or
 2. Return the application to the MAPC for reconsideration stating reasons.

Attachments: Area map
7-24-86 MAPC Minutes
CPO Memorandum

August 21, 1986

Everett C. Fettis, Attorney
120 South Market, Suite 504
Wichita, Kansas 67202

RE: Z-2782 - "B" to "BB" - 7015 East Central

Dear Mr. Fettis:

On August 19, 1986, the Board of City Commissioners reviewed the above-referenced zone change request. Their action was to deny the rezoning due to the zoning and uses of nearby properties, the adopted zoning policy for this portion of east Central, the character of the neighborhood and the MAPC recommendation. Based on their action, zone case Z-2782 has been marked "denied and closed". Use of this property must comply with all "B" zoning district regulations.

If you have any questions regarding this matter, please call our office at 268-4421.

Sincerely,

Louise Olivarez
Senior Planner

LO:blw

cc: O.L.C. Properties c/o Rusty Eck, P.O. Box 18428, Wichita, KS. 67218