

Planning Agenda Item # _____

City of Wichita
City Commission Meeting
August 19, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: Z-2783 - REQUEST FOR ZONE CHANGE FROM "RB" FOUR-FAMILY DWELLING DISTRICT TO "BB" OFFICE DISTRICT, LOCATED ON THE EAST SIDE OF HILLSIDE IN AN AREA SOUTH OF THIRD STREET. (Jecki Investments)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Zoning

MAPC Recommendation: Approve (7-0 - 1 abstention)

Staff Recommendation: Approve

Background: On July 24, 1986, the MAPC held a public hearing to consider a zone change from "RB" to "BB" for a 0.15-acre platted lot located on the east side of Hillside in an area south of Third Street. The adjacent uses are residential with offices further south on Hillside. The zoning policy for this area is to look with favor on the "BB" Office District. No one spoke in opposition to the zone change. The Planning Commission unanimously recommended approval subject to the applicant dedicating 20 feet for additional street right-of-way on Hillside and granting four feet of additional utility easement on the east side of the lot.

CPO Council "G" made a motion to recommend approval but the motion failed by a vote of 2-7.

Analysis: An identical zone change request was previously considered by the MAPC and BCC in 1977. The case was approved subject to the contingent dedication of additional street right-of-way for Hillside adjacent to this property. Since the time of the original zoning case, the building that encroached into the area needed for additional street right-of-way has been removed and, therefore, an outright street dedication can now occur.

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; the support of neighborhood residents; and the recommendation of staff justified the approval of the zone change.

- Actions:
1. Concur with the findings of the MAPC and approve the zone change; accept the dedications and instruct the City Clerk to record the dedication documents 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
7-24-86 MAPC Minutes
CPO Memorandum

(2640) Published in The Daily Record on August 29, 1986

ORDINANCE NO. 39-654

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-2783

Zone Change from the "RB" Four-Family Dwelling District
to the "BB" Office District

Lot 3, Hillside Avenue, Floral Addition to Wichita, Sedgwick County, Kansas.
Generally located on the east side of Hillside in an area south of Third
Street.

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