

City of Wichita
City Commission Meeting
February 18, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: Z-2731 - REQUEST FOR ZONE CHANGE FROM "B" MULTIPLE-FAMILY TO "OC" OFFICE COMMERCIAL, AS AMENDED. GENERALLY LOCATED ON THE WEST SIDE OF HILLSIDE BETWEEN FIRST AND SECOND STREETS. (Harold Brammer)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Zoning

MAPC Recommendation: Approve "OC" (9-0)

Staff Recommendation: Approve "BB"

Background: On November 25, 1985, the MAPC held a public hearing to consider a zone change from "B" Multiple-Family to "LC" Light Commercial for four 25-foot lots on the west side of Hillside between First and Second Streets. Two residential structures now occupy the site. No one was present to speak in opposition. Planning staff, in response to a question by Commissioner Crockett, stated that "BB" zoning is preferred but that "OC" would be acceptable as a buffer between the "LC" and the more restrictive districts. Although the applicant stated that "OC" zoning would be acceptable to him, the MAPC on November 25th recommended approval of "LC" by a vote of 6 to 4, subject to replatting into one lot within one year.

CPO Council "K" voted on November 26, 1985, to recommend approval of "LC" zoning.

The City Commission reviewed the applicant's request and these recommendations at their January 7th meeting and voted 5-0 to return the case to the MAPC for rehearing, stating they would look with favor on "BB" zoning which would comply with the adopted policy, the staff recommendation, and future planning along Hillside.

The Planning Commission reviewed the application again on January 23rd, at which time the applicant amended his request to "OC" zoning, and voted 9-0 to recommend approval of "OC" subject to replatting into one lot within one year.

Analysis: Property to the north is "BB" and contains a doctor's office; property to the east is "B" with a doctor's office; to the south is "LC" with a small strip commercial center; to the west is "A" with one-family dwellings. The "LC" zoning to the south was granted prior to adoption of the zoning policy for Hillside which favors "BB" zoning on both sides of the street from Lincoln to Central. Since adoption of the policy in 1977, ten separate "BB" re-zonings have occurred on Hillside between Douglas and Central.

The MAPC found that the location on a major street; the zoning and uses of nearby properties, particularly to the south; and the unsuitability of subject site for continued long-term residential use justified the change in zoning.

- Actions:
1. Concur with the findings of the MAPC and approve the zone change, as amended, subject to the condition of platting; instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Commission; or
 2. Take appropriate action, stating reasons.

Attachments: Area map
11-25-85 & 1-23-86 MAPC Minutes
CPO Memorandum

(2696) Published in The Daily Record on September 5, 1986

ORDINANCE NO. 39-662

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-2731

Zone Change from the "B" Multiple-Family Dwelling District to the "BB" Office District

Lots 25, 27, 29 and 31, on Hillside, Jones Subdivision of Lot 8, in Block 1, Chautauqua Addition to Wichita, Sedgwick County, Kansas. (Now platted as Lot 1, Block A, Brammer Addition to Wichita, Sedgwick County, Kansas.)

Generally located on the west side of Hillside, between First Street and Second 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