

Agenda Item # _____

City of Wichita
City Council Meeting
June 5, 2001

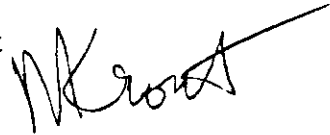
Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: ZON2001-00025 – ZONE CHANGE FROM “B” MULTI-FAMILY RESIDENTIAL TO “GC” GENERAL COMMERCIAL, LOCATED WEST OF HYDRAULIC, SOUTH OF THIRD STREET. (District #I)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning



MAPC Recommendation: Approve, subject to staff comments (13-0).

Staff Recommendation: Approve, subject to the dedication of complete access control and 20 feet of right-of-way.

DAB Recommendation: DAB #1 will hear case on May 21, 2001.

Background: The applicant is seeking “GC” General Commercial zoning for a platted vacant lot that is currently zoned “B” Multi-Family Residential. The site is located west of Hydraulic and south of 34d Street and is less than one acre in size. The applicant owns Frontier Electronics that is located just north of the application area, and indicates the reason for the request is to expand his Frontier Electronics business. Frontier Electronics repairs electronic devices such as televisions and microwave ovens. An unpaved alley exists to the rear of the application area. Since the request is to expand an existing business that currently has access to Hydraulic, the application area should grant complete access control to Hydraulic.

Nearby property is zoned “GC” General Commercial or “B” Multi-Family Residential. Adjoining land is developed with commercial or residential uses.

The Landscape Ordinance will be triggered with new construction on the site. A landscape plan will need to be submitted for approval prior to the issuance of building permits. Zoning Code screening will be required along the south and west property lines.

MAPC heard this request on May 10, 2001, and recommended approval (13-0) subject to the dedication of complete access control and 20 feet of right-of-way. No one spoke in opposition.

Recommended Action:

1. Concur with the findings of the MAPC and approve the zone change; place the ordinance establishing the zone change on first reading; and withhold publication of the ordinance until the dedication instruments have been submitted for recording; 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.)

() Published in The Wichita Eagle on _____

ORDINANCE NO. _____

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. ZON2001-00025

Request for zone change from "B" Multi-Family Residential to "GC" General Commercial on property described as:

Lot 42, on Hydraulic, Mathewson's 4th Addition to Wichita, Sedgwick County, Kansas.
Generally located west of Hydraulic, south of Third Street.

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 AT WICHITA, KANSAS, _____

FILE COPY

CASE NUMBER: ZON2001-00025

APPLICANT/AGENT: Richard and Dana Loffland (owner)

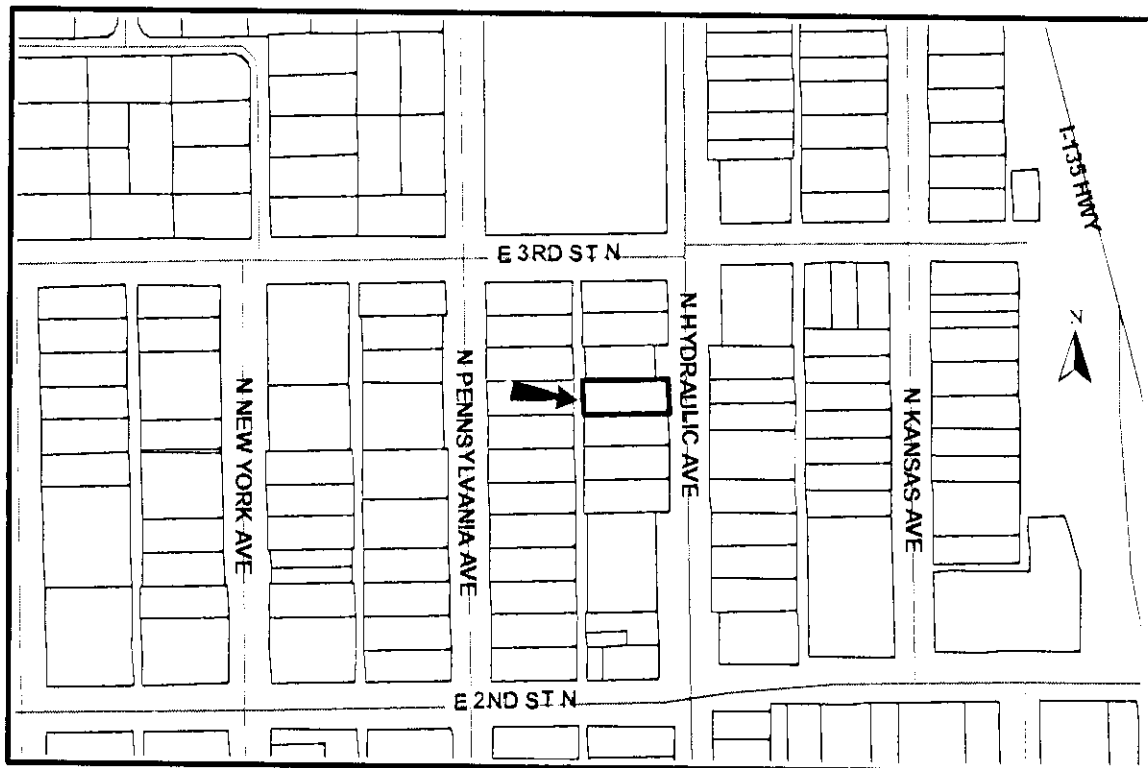
REQUEST: "GC" General Commercial

CURRENT ZONING: "B" Multi-family Residential

SITE SIZE: Less than one acre

LOCATION: West of Hydraulic, south of Third Street

PROPOSED USE: Expansion of Frontier Electronics



BACKGROUND: The applicant is seeking "GC" General Commercial zoning for a platted vacant lot that is currently zoned "B" Multi-family Residential. The site is located west of Hydraulic and south of 3^d Street and is less than one acre in size. The applicant owns Frontier Electronics that is located just north of the application area, and indicates the reason for the request is to expand his Frontier Electronics business. Frontier Electronics repairs electronic devices such as televisions and microwave ovens. An unpaved alley exists to the rear of the application area. Since the request is to expand an existing business that currently has access to Hydraulic, the application area should grant complete access control to Hydraulic.

Nearby property is zoned "GC" General Commercial or "B" Multi-family Residential. Adjoining land is developed with commercial or residential uses.

The Landscape Ordinance will be triggered with new construction on the site. A landscape plan will need to be submitted for approval prior to the issuance of building permits. Zoning code screening will be required along the south and west property lines.

CASE HISTORY: None

ADJACENT ZONING AND LAND USE:

NORTH: "GC" General Office; Commercial
SOUTH: "B" Multi-family Residential; single-family residence
EAST: "B" Multi-family Residential and "GC" General Commercial; single-family residences and commercial
WEST: "B" Multi-family Residential; single-family residences

PUBLIC SERVICES: Municipal sewer and water services are available. Hydraulic is designated as a 4-lane arterial on the 2030 Transportation Plan map needing 50 feet of half street right-of-way instead of the 30 feet it currently has at this location. Hydraulic currently carries an average of 4600 to 4800 average daily trips.

CONFORMANCE TO PLANS/POLICIES: The "Wichita Land Use Guide" depicts this site as appropriate for "commercial" uses. Commercial Location Guidelines contained in the Comprehensive Plan indicate: commercial sites should be located adjacent to arterial streets or major thoroughfares; access should be located so as to avoid traffic congestion; site design features should limit noise, lighting or other aspects of commercial activity that may adversely impact surrounding residential land uses; commercial uses should be located in compact clusters or nodes versus extended strip developments; commercially generated traffic should not feed directly onto local

streets and commercial uses not located in planned centers should be directed to ...established areas of similar development; and where, traffic patterns, surrounding land uses and utilities can support such development

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to the dedication of complete access control and 20 feet of right-of-way.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: Nearby property is zoned "GC" General Commercial or "B" Multi-family Residential. Adjoining land is developed with commercial or residential uses. The character of the area is a neighborhood that is in transition from what was once a well maintained neighborhood to one that is converting to nonresidential uses. New construction in the area has been for nonresidential uses.
2. The suitability of the subject property for the uses to which it has been restricted: The site is currently zoned "B" Multi-family Residential. The "B" district primarily restricts the site to residential uses. Given the existence of a commercial building immediately north of the application area and a newer commercial building located northeast of the site, this site is becoming less desirable for infill residential development.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval of "GC" zoning will permit uses not currently permitted at this location, however screening and landscaping requirements will minimize detrimental impacts.
4. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: Approval of the request would allow the expansion of an existing business on to a lot that is currently vacant. Failure to approve the request would make expansion by this business at this location virtually impossible.
5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The Planning Commission has a policy of generally supporting the expansion of existing businesses. The "Wichita Land Use Guide" depicts this site as appropriate for "commercial" uses. Commercial Location Guidelines contained in the Comprehensive Plan indicate: commercial sites should be located adjacent to arterial streets or major thoroughfares; access should be located so as to avoid traffic congestion; site design features should limit noise, lighting or other aspects of commercial activity that may adversely impact surrounding residential land uses; commercial uses should be

located in compact clusters or nodes versus extended strip developments; commercially generated traffic should not feed directly onto local streets and commercial uses not located in planned centers should be directed to ...established areas of similar development; and where, traffic patterns, surrounding land uses and utilities can support such development

6. Impact of the proposed development on community facilities: "GC" uses are capable of generating some of the highest traffic rates. Therefore the dedication of additional street right-of-way and complete access control would address potential increased demand on community facilities.