

City of Wichita
City Council Meeting
January 19, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-2890 - ZONE CHANGE FROM THE "BB" OFFICE DISTRICT TO THE "LC" LIGHT COMMERCIAL DISTRICT, LOCATED ON THE NORTH SIDE OF 29TH STREET SOUTH BETWEEN SENECA AND WALNUT. (District 4)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Deny "LC", approve "OC" Office Commercial zoning (8-0)

Staff Recommendation: Deny "LC", approve "OC" Office Commercial zoning

CPO Recommendation: Council "4B", at their meeting on 1/5/88, recommended unanimously that "LC" be approved, as requested.

Background: On December 21, 1987, the MAPC held a public hearing to consider a zone change from "BB" to "LC" for a 0.45-acre platted lot located on the north side of 29th Street South between Seneca and Walnut. The property has been zoned "BB" since 1965 when most of the west half of this block was rezoned but it was not replatted into a lot fronting on 29th Street until 1977 when the property to the west, which was under the same ownership, requested and received "LC" zoning. The proposed use, as stated by the applicant, is for a beauty shop and tanning salon. A beauty shop is first permitted in the "OC" district. A tanning salon, if accessory to the beauty shop, would also be permitted in "OC". If the tanning salon is a separate business, it would require Board of Zoning Appeals approval to locate in the "OC" district because it is not a use listed in the zoning text. Staff would support such a use in the "OC" district.

The zoning policy on the east side of Seneca between Pawnee and 31st Street South is to look with favor on the "LC" district. Many lots on Seneca are as deep as this lot is from Seneca but this lot does not have frontage on Seneca. The Planning Commission and City Council generally have not looked with favor on extension of the light commercial zoning down side streets when there is no frontage on the major street.

No one spoke in opposition to the application. After discussing with the applicant's agent the uses proposed and the differences between "OC" and "LC", the Planning Commission unanimously recommended denial of "LC" but approval of "OC".

Recommendations/Actions:

1. Concur with the findings of the MAPC and approve the zone change to "OC"; place the ordinance establishing the zone change on first reading; or
2. Return the application to the MAPC for reconsideration stating reasons.

(119) Published in The Daily Record on January 29, 1988

ORDINANCE NO. 40-129

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-2890

Zone Change from the "BB" Office District
to the "OC" Office Commercial District

Lot 2, Stevens-Ryan Addition to Wichita, Sedgwick County, Kansas.
Generally located on the north side of 29th Street South between Seneca
and Walnut.

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