

Recommendations/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.

City of Wichita
City Council Meeting
July 12, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-2915 - ZONE CHANGE FROM THE "B" MULTIPLE-FAMILY DWELLING DISTRICT TO THE "LC" LIGHT COMMERCIAL DISTRICT, LOCATED ON THE EAST SIDE OF HILLSIDE BETWEEN 16TH AND 17TH STREETS. (District #1)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Deny (9-0)

Staff Recommendation: Because of the predominant residential character of area, staff recommended that "LC" not be approved. They further recommended that the "BB" Office District zoning be approved for this property in accordance with the adopted policy.

CPO Recommendation: Council "1B" recommends denial. (7-1)

Background: On June 9, 1988, the MAPC held a public hearing to consider a zone change from "B" to "LC" for 14 small platted lots totalling 1.2 acres and located on the east side of Hillside between 16th & 17th Streets North. Two multi-family structures occupy the north end of the site and a single-family structure occupies the south end of the site with undeveloped lots in between. In 1969, when "LC" zoning was requested on the southeast corner of 16th and Hillside, the MAPC twice recommended denial, but the City Commission granted the zone change. In 1977, both the MAPC and City Commission adopted a policy favoring "BB" on both sides of Hillside between 9th and 17th. There is a considerable grade change between this property and Hillside, and any redevelopment will require careful site planning. A number of area residents spoke in opposition.

Legal Considerations: Valid protest petitions have been filed by owners of 18.4% of the property within 200 feet of the application area. This is not sufficient to require a 4/5ths vote of the Council for approval. However, due to the MAPC's recommendation of denial, if the Council wishes to approve the application, it must first send the case back to the MAPC for rehearing, stating reasons.

July 19, 1988

Sophokles Anthimides
Athena Manufacturing, Inc.
219 East Douglas
Wichita, Kansas 67202

RE: Z-2915 - "B" to "LC". Zone change request on the east side of Hillside north of 16th Street.

Dear Mr. Anthimides:

On July 12, 1988, the Wichita City Council reviewed the above-referenced zone change request. Their action was to deny the rezoning due to the predominately residential character of the neighborhood, the zoning and uses of nearby properties, the extent to which removal of the restrictions would detrimentally affect nearby properties, the opposition of neighborhood residents, and the recommendations of the MAPC, CPO and staff.

Based on their action, zone case Z-2915 has been marked "denied and closed". Use of the property must comply with the "B" multiple-family district regulations.

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

Sincerely,

Louise Olivarez
Principal Planner

LO:blw

cc: Patrick L. Dougherty, 400 North Woodlawn, Suite 200, Wichita, KS. 67208

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