

Planning Agenda Item # _____

City of Wichita
City Council Meeting
May 3, 1994

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-3125 - ZONE CHANGE FROM THE "B" MULTIPLE FAMILY DWELLING DISTRICT AND THE "LC" LIGHT COMMERCIAL DISTRICT, LOCATED ON THE EAST SIDE OF WACO NORTH OF 9TH STREET.

(District #6)

INITIATED BY: Metropolitan Area Planning Department *MK dm*

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to replatting within one year (10-1).

Staff Recommendation: Approve, subject to replatting within one year.

CPO Recommendation: CPO Council "6" voted 7-1 to recommend approval of the request.

Background: On April 7, 1994, the MAPC considered a zone change from the "B" Multiple Family Dwelling District to the "LC" Light Commercial District on 0.22 acres, generally located on the east side of Waco north of 9th Street. The site is currently vacant and platted as lots 915, 917, and 919 (except the north 3 feet of lot 919), Lewellens Addition. The applicant proposes to construct a building to include an office for a general contracting business with indoor storage of vehicles and equipment. The Office of Central Inspection indicates that the proposed use would be allowed in "LC" Light Commercial zoning.

The Lewellen's Addition was platted in the 1880's. The Rudy Addition, located to the north and zoned "LC" Light Commercial, was replatted in 1973. The area directly to the south of the application area was rezoned "C" Commercial and replatted as the Midtown-Waco Addition in 1991 to allow the building expansion for George Lay Signs, Inc..

The application area is surrounded by a mixture of residential and nonresidential zoning including Light Industrial to the east, Commercial to the south, Office District directly to the west, and Light Commercial to the north.

This site is located within 500 feet of the historic William Sternberg House, located at the southwest corner of 10th Street and Waco. Therefore, the Kansas State Historical Society must review this application for rezoning, plus future building plans, in accordance with the state preservation statute K.S.A. 75-2724. The State Historic Preservation Officer has determined that the proposed project will not encroach upon, damage, or destroy any historic properties or their environs. The landscape ordinance provisions will also apply to the proposed development.

Recommendations/Actions:

1. Concur with the findings of the MAPC and approve the zone change, 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 Council; or
2. Return the application to the MAPC for reconsideration.

(An override of the Planning Commission's recommendation requires a 2/3rd majority vote of the membership of the governing body on first reading).

() Published in The Daily Reporter on _____

ORDINANCE NO. 42-570

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-3125

Zone Change from the "B" Multiple-family District to the "LC" Light-commercial District.

Lot 1, Rudy's Second Addition, Wichita, Sedgwick County, Kansas

Generally located north of 9th Street North and east of Waco

SECTION 2. That upon the taking effect of the Ordinance, the above zoning change 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 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:

(SEAL) Pat Burnett, Deputy City Clerk

Elma Broadfoot, Mayor

Approved as to form:

Gary E. Rebenstorf, City Attorney