

DR 86-11 - Reconsideration of Zoning Policy on Central between Edgemoor and Woodlawn. (Metropolitan Area Planning Dept.)

ACTION

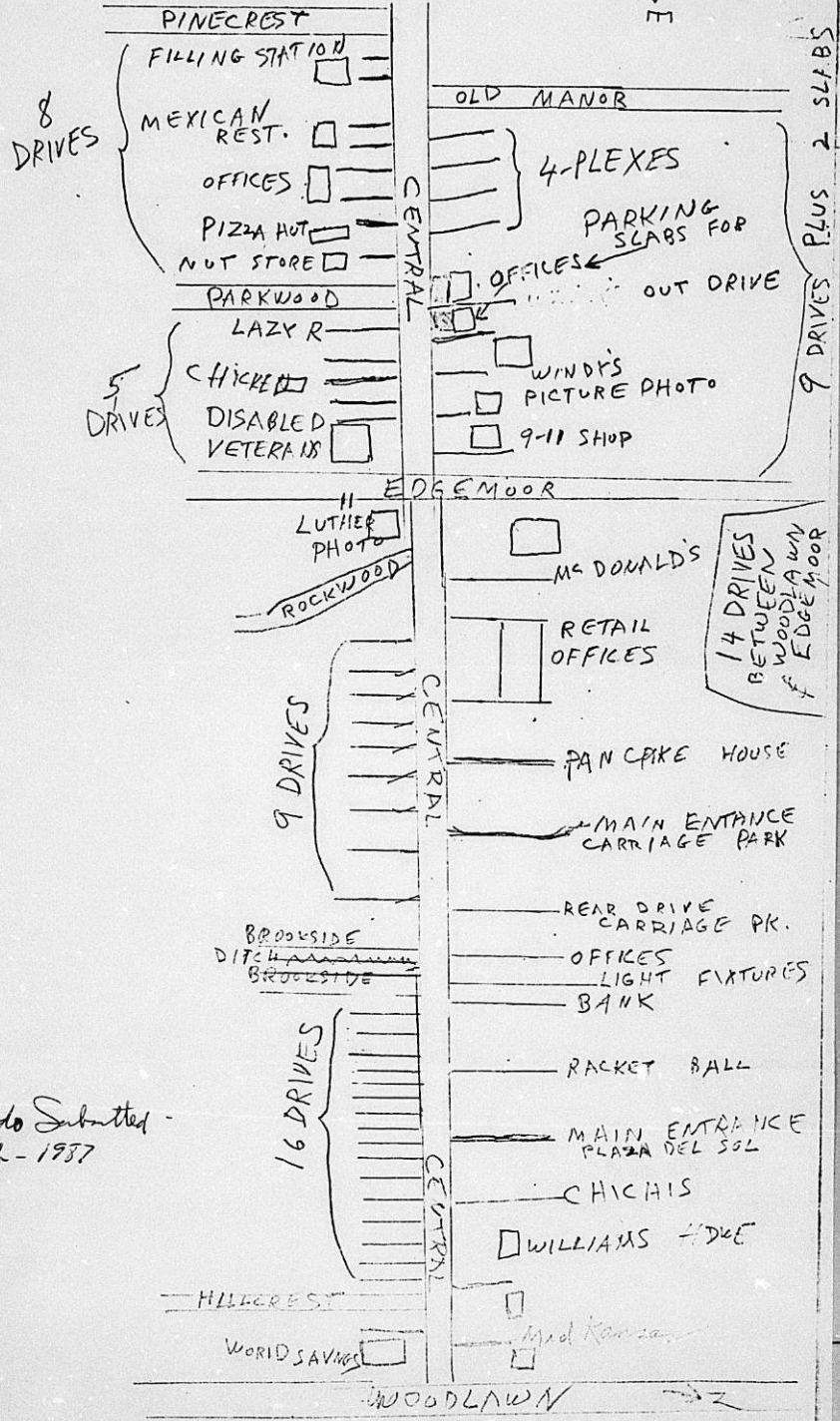
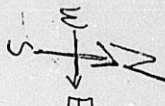
COMMITTEE	DATE
M.A.P.C. <i>Approved &amp; recommended</i>	<i>10-30-86</i>
E.C.C./B.S.C.C. <i>Approved in part</i>	<i>11-25-86</i>
MAPC <i>Consent in policy</i>	<i>12-22-86</i>
<i>to be adopted by the City Council</i>	

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Policy in Central between Edgemoor and  
Woodlawn. (Metropolitan Area Planning  
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Closed



Coado Submitted -  
Feb - 1987

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

December 23, 1986

TO: Zoning Policy Statement File

FROM: Jack H. Galbraith

SUBJECT: Policy Statement Amendment on east Central Avenue between Edgemoor and Woodlawn (DR 86-11).

The Board of City Commissioners on November 25, 1986, and the MAPC on December 22, 1986, amended their zoning policy on east Central Avenue by substituting the following statements for the segment of Central between Edgemoor and Woodlawn:

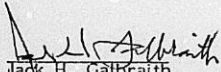
1. North side of Central:

"Look with favor on no more intensive use than "LC" Light Commercial."

2. South side of Central:

"Retain the existing "LC" district at Central and Woodlawn and the ~~OC~~ "OC" district at Central and Edgemoor and look with favor on "BB" Office District zoning from Rockwood to Hillcrest but only if replatting is required and the issues of drainage, access, accel-decel lanes, parking and building setbacks are resolved at the time of platting. This policy applies to only those lots facing Central and future requests for the deepening of non-residential zoning further south into the neighborhood will not be looked upon with favor."

The Planning Commission further stated that they would also look with favor on requests for "OC" zoning between Rockwood and Hillcrest on the south side of Central.

  
Jack H. Galbraith  
Chief Planner

JHG/LO:blw

cc: DR 86-11 File  
Policy Statement #19 File  
Z-2804, Z-2805, Z-2806 Files

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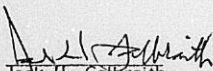
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DE AGENDA ITEM NO 3

December 16, 1986

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

TO: Metropolitan Area Planning Commission  
FROM: Jack H. Galbraith, Chief Planner, Current Plans Division  
SUBJECT: DR 86-11 - East Central Zoning Policy - Edgemoor to Woodlawn

On November 25, 1986, the City Commission adopted a new zoning policy for Central from Edgemoor to Woodlawn which is as follows:

1. North side of Central:

"Look with favor on no more intensive use than "LC" Light Commercial."

2. South side of Central:

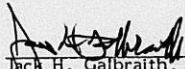
"Retain the existing "LC" district at Central and Woodlawn and the "OC" district at Central and Edgemoor and look with favor on "BB" Office zoning from Rockwood to Hillcrest but only if replatting is required and the issues of drainage, access, accel-decel lanes, parking and building setbacks are resolved at the time of platting. This policy applies to only those lots facing Central and future requests for the deepening of non-residential zoning further south into the neighborhood will not be looked upon with favor."

This policy differs from your October 30th recommendation in only two respects:

1. The "OC" Office Commercial District was deleted from the policy for the south side of the street between Rockwood and Hillcrest.
2. The phrase "accel-decel lanes" was added to the conditions which are to be considered at the time of replatting.

The three zone cases which brought about this policy review (Z-2804, Z-2805 and Z-2806) have all been returned to you for reconsideration. They have been amended to delete any request for "OC" zoning except for the one lot at the southwest corner of Central and Brookside Parkway where the barber shop home occupation is now located.

Suggested Action: Concur in the policy as approved by the Board of City Commissioners.

  
\_\_\_\_\_  
Jack H. Galbraith, Chief Planner  
Current Plans Division

JHG/LO:blw

Planning Agenda Item # \_\_\_\_\_

City of Wichita  
City Commission Meeting  
November 25, 1986

Agenda Report # \_\_\_\_\_

TO: Mayor and City Commissioners

SUBJECT: DR 86-11 - RECONSIDERATION OF ZONING POLICY ON CENTRAL  
BETWEEN EDGEWOOD AND WOODLAWN IN RELATION TO Z-2804,  
Z-2805 AND Z-2806.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Zoning

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MAPC Recommendation: Approve revised policy (7-0)

Staff Recommendation: Approve revised policy

Background: On October 30, 1986, the MAPC held a public hearing to reconsider the zoning policy on Central between Edgemoor and Woodlawn. The existing zoning policy on the south side of Central between Edgemoor and Woodlawn was adopted by the Planning Commission and the City Commission in 1978. It states "that the existing residential, office, and light commercial classifications be retained, and that conversions of single family homes to offices and more intensive uses not be looked upon with favor". In 1984, in conjunction with a zone change request at the southeast corner of Central and Edgemoor, the planning staff and the Planning Commission recommended a revised policy which would have looked with favor on conversion of the houses to office uses between Rockwood and Hillcrest. The City Commission did not concur with that policy change although they did approve "OC" zoning at the southeast corner of Central and Edgemoor and they had previously approved "BB" zoning (in 1964, 1982 and 1983) for three lots west of Hillcrest.

The existing zoning policy on the north side of Central between Edgemoor and Woodlawn was also adopted by the Planning Commission and City Commission in 1978. It states "that the existing zoning classifications be retained, except look with favor on no higher density than the "R-5" General Residence District for the 620 feet of frontage that is presently zoned "AA"." Since adoption of that policy, the balance of the north side of Central in this half mile has been approved for "LC" zoning.

About five people spoke in opposition to the proposed zoning policy. The Planning Commission unanimously recommended that the revised zoning policy be adopted as presented by staff.

CPO Council "C" voted 5-2 to support the MAPD staff recommendation.

Analysis: When the current policy was adopted in 1978, the north side of Central between Edgemoor and Woodlawn still had a significant amount of residential zoning

(over)

west of Brookside Parkway. That zoning, however, was changed to the light commercial district in early 1983 even though the policy favored no higher density than "R-5" zoning. Eighteen acres of commercial uses are now under development in Carriage Parkway. An additional 18½ acres are already commercially developed in the Plaza del Sol shopping area and in the Kretchmar and Huston additions east of Carriage Parkway, these areas having been zoned "LC" between 1967 and 1973.

A traffic count taken in March 1986 indicates that approximately 25,000 cars a day travel Central between Edgemoor and Woodlawn. This is ten times the average traffic count on a residential collector street. With intense commercial development on the north side of Central and with the great amount of traffic on Central, it is not realistic to expect continued long-term residential uses on the south side of Central. The problem is one of protecting the neighborhood on Oakwood, and further south, from future deepening of non-residential zoning once the Central frontage is rezoned. The lots on Central between Rockwood and Hillcrest are shallow (120 feet to 130 feet) and will become even more shallow once the right-of-way which is needed for Central is dedicated. Issues such as drainage, access, parking and building setbacks need to be addressed prior to any change in land use in this area.

Due to the limited depth of the lots on Central and the incompatibility of light commercial uses adjacent to the rear of one-family and two-family dwellings, "LC" zoning would not be appropriate for the south side of Central between Rockwood and Hillcrest. Office commercial ("OC") or office ("BB") zoning is considered appropriate provided replatting is required as a condition of the zone change so that the issues of drainage, access, parking and building setbacks can be addressed and resolved. The "OC" district limits building coverage to 40% of the lot while the "BB" district limits coverage to one-third. The minimum rear yard setback in "OC" is ten feet, while in "BB" it is fifteen feet.

It is unlikely that any required parking could be provided in the front yards if existing structures are retained. Therefore, parking must be in the rear yards and this introduces the problem of access to the rear yards and the problem of draining the rear yards once they are paved for parking. Lots may have to be grouped together so that joint access drives can be provided to rear parking lots. A continuous private drainage easement and perhaps an underground storm sewer system directing water to the drainage channel in Brookside Parkway may be needed to handle the drainage from paved areas so that it does not flow onto adjacent residential lots. The rear of these lots is lower than the front, therefore, it would probably not be possible to regrade them enough to drain to Central. Front yard building setbacks may need to be reduced at the time of platting depending on the amount of additional street right-of-way which is required for Central.

**Recommendation:** It is recommended that the east Central zoning policy between Edgemoor and Woodlawn on the south side of the street be changed to read as follows:

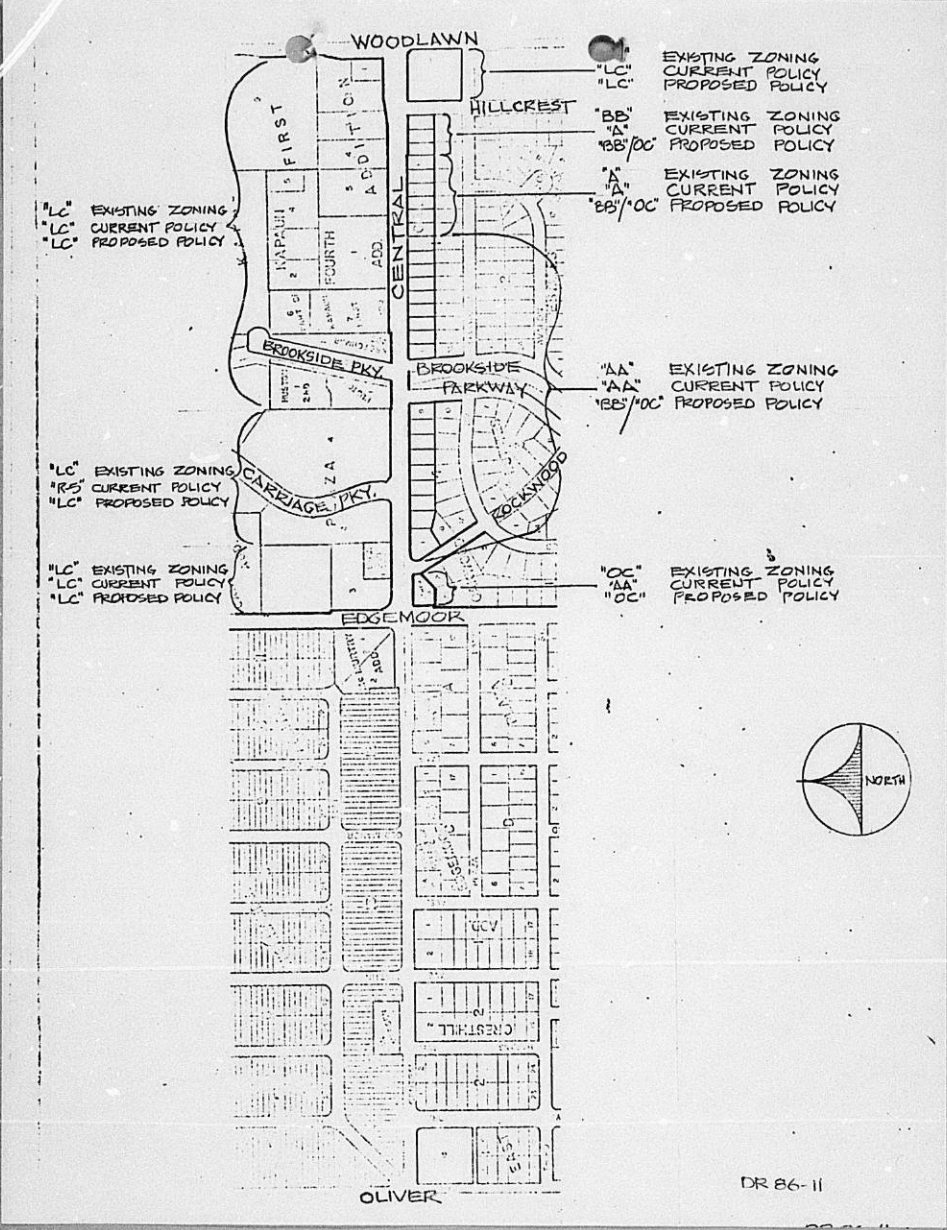
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It is recommended that the policy on the north side of Central between Edgemoor and Woodlawn be updated to reflect the "LC" zoning granted in 1983 and revised to read as follows:

"Look with favor on no more intensive use than "LC" Light Commercial".

- Actions:
1. Revise the east Central zoning policy between Edgemoor and Woodlawn as recommended by the MAPC; or
  2. Take such action as the Commissions deem appropriate.

Attachments: Area map  
10-30-86 MAPC Minutes  
CPO Memorandum



"LC" EXISTING ZONING  
 "LC" CURRENT POLICY  
 "LC" PROPOSED POLICY

"LC" EXISTING ZONING  
 "RS" CURRENT POLICY  
 "LC" PROPOSED POLICY

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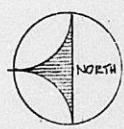
"LC" EXISTING ZONING  
 "LC" CURRENT POLICY  
 "LC" PROPOSED POLICY

"BB" EXISTING ZONING  
 "A" CURRENT POLICY  
 "BB/OC" PROPOSED POLICY

"A" EXISTING ZONING  
 "A" CURRENT POLICY  
 "BB/OC" PROPOSED POLICY

"AA" EXISTING ZONING  
 "AA" CURRENT POLICY  
 "BB/OC" PROPOSED POLICY

"OC" EXISTING ZONING  
 "AA" CURRENT POLICY  
 "OC" PROPOSED POLICY



DR 86-11

EXCERPT FROM PLANNING COMMISSION MINUTES OF OCTOBER 30, 1986

LEGAL:

Reconsideration of Zoning Policy on Central between Edgemoor and Woodlawn in relation to Z-2804, Z-2805 and Z-2806. (DR 86-11)

GALBRAITH stated that the present policy in this area has been to retain the existing zoning classifications. The policy back to the west of Edgemoor has been to favor "BB" Office zoning in those areas not presently zoned light commercial, and in the last two years the Planning Commission has granted several requests for changes from "B" Multiple Family to "BB", and some of the fourplexes are now being converted to real estate office facilities. GALBRAITH reviewed the following staff report:

Background:

The existing zoning policy on the south side of Central between Edgemoor and Woodlawn was adopted by the Planning Commission and the City Commission in 1978. It states "that the existing residential, office, and light commercial classifications be retained, and that conversions of single family homes to offices and more intensive uses not be looked upon with favor". In 1984, in conjunction with a zone change request at the southeast corner of Central and Edgemoor, the planning staff and the Planning Commission recommended a revised policy which would have looked with favor on conversion of the houses to office uses between Rockwood and Hillcrest. The City Commission did not concur with that policy change although they did approve "OC" zoning at the southeast corner of Central and Edgemoor and they had previously approved "BB" zoning (in 1964, 1982 and 1983) for three lots west of Hillcrest.

Analysis:

When the current policy was adopted in 1978, the north side of Central between Edgemoor and Woodlawn still had a significant amount of residential zoning west of Brookside Parkway. That zoning, however, was changed to the light commercial district in early 1983 even though the policy favored no higher density than "R-5" zoning. Eighteen acres of commercial uses are now under development in Carriage Parkway. An additional 18½ acres are already commercially developed in the Plaza del Sol shopping area and in the Kretchmar and Huston additions east of Carriage Parkway, these areas having been zoned "LC" between 1967 and 1973.

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Recommendation:

It is recommended that the east Central zoning policy between Edgemoor and Woodlawn on the south side of the street be changed to read as follows:

"Retain the existing "LC" district at Central and Woodlawn and the "OC" district at Central and Edgemoor and look with favor on "BB" Office or "OC" Office Commercial zoning from Rockwood to Hillcrest but only if replatting is required and the issues of drainage, access, parking and building setbacks are resolved at the time of platting. This policy applies to only those lots facing Central and future requests for the deepening of non-residential zoning further south into the neighborhood will not be looked upon with favor".

The policy on the north side of Central between Edgemoor and Woodlawn should be updated to reflect the "LC" zoning granted in 1983 and should now read as follows:

"Look with favor on no more intensive use than "LC" Light Commercial".

DISCUSSION:

GALBRAITH pointed out that approximately one month ago, three different applications were considered in this half-mile for both Office Commercial and Office zoning but they were deferred for six weeks and staff was instructed to again review the zoning policy. GALBRAITH showed slides of the

houses in the application along the south side of Central that wanted the change to "OC" or "BB". He pointed out that many of the driveways were quite narrow. He said he doubted that any driveway on any property would be sufficient in width by itself to provide access to the rear yard.

GALBRAITH stated that when staff examined the three zoning cases that were considered four weeks ago, staff emphasized a concern for later requests deeper in the block, and pointed out a number of things they thought were serious concerns that should be addressed at the time of a replat. They suggested that if zoning was proper to be changed here, that there should be grouping of lots in such a way as to provide a joint driveway adequate in width for both in and out traffic to go to rear yard parking lots; a minimal number of curb cuts; there may be a need for a storm sewer down the rear of the parking lots to Brookside Parkway; that every attempt should be made so that surface drainage does not go to the south on the rear of residential lots; and at the time of replatting a deceleration lane should be considered. GALBRAITH said that staff believes that a policy change is appropriate for this half-mile with reservations that they feel that a number of things need to be seriously looked at, at the time of platting.

CPO Council "C" recommended that the change be concurred in by a vote of 5-2.

JIM FISHER, 8928 Crestwood, stated that he was the person who, about two years ago, came in with the plans for the three properties east of Brookside, and they had considered all of the items Galbraith had just mentioned. They had the parking slanted back into the middle of the parking lot, fences, tall trees and had considered everything a prudent neighbor would do, and they are back again this year with some of their friends and neighbors all up and down Central who have the same problems. He said that they would appreciate the Commission's favorable vote on this policy.

ROBERT KAPLAN, attorney, 430 North Market, stated that this matter was discussed very thoroughly at two CPO meetings. The first CPO meeting recommended a policy change and wanted a higher density zoning. The second CPO meeting adopted staff's recommendation with a 5-2 vote, and recommended the policy change to "OC" and "BB" uses.

KAPLAN stated that as the Commission hears from some of the people who may have some opposition to a policy change, they are going to come somewhat to a conclusion that he came to at two very lengthy CPO meetings and that is that much of the concern was not so much a zoning concern as it is concerns over the Subdivision Regulations and mechanics. Concerns about drainage are very real, concerns about access and items of this sort that they would expect to address in Subdivision and through the platting process. He did not think that, although there may be opposition, it was entirely use opposition but more mechanical opposition, such as concerns about the drainageway in Brookside Parkway, of which he knows that some of these people feel is already inadequate. KAPLAN felt that bringing in all of these properties at one time was a much better approach to this whole problem than the way it has been piecemealed out with 3 or 4 lots at a time. The City Commission, notwithstanding

their retention of the existing policy, has nevertheless gone along, and there have been 3 or 4 individual zoning cases approved which were brought in individually. He has 18 owners and 21 properties and they are not going to be able to address the drainage, storm water and access considerations as adequately if done independently as they can by bringing them in as a package. It is obviously not a C.U.P. but it has some of the same benefits in that they can look at the whole thing front door to back door and they can come up with a comprehensive plan for the whole block.

KAPLAN added that the idea that these people want to make big money, that they are converting their property for big economic benefits, was not at all true. He said that what they are really doing is trying to get back to where they were. While some properties have appreciated because of the changes along Central, these homes in fact have depreciated. They can't live in them, they can't sell them and they can't rent them. They are not looking for a big killing on the sale of these homes, they are trying to get back some of the depreciation that these properties have suffered and are trying to at least get the same value that they would get for these homes if they fronted Oakwood one block south.

RICHARD EUSON, 6035 Rockwood, stated that he was aware of the actions of the past planning commissions in this regard, and particularly in regard to some of the cases that have been referred to here. He said that his only purpose in appearing was that he wanted the Commission to be aware that a petition has been circulated among the residents of an area bounded by Central on the north, Second Street on the south, Woodlawn on the east, and Edgemoor on the west, and within that area, signatures of 37 persons have been obtained representing 73 lots within the area. He wanted the Commission to be aware that that petition was in existence.

MOORE asked if the petition was against the policy change.

EUSON said yes.

GLEN THRASHER, 5616 Rockwood, asked that the present policy not be changed. He said that it seemed to him that there was not much need for more office or commercial because there are plenty of vacant spaces for that right across the street, and up and down Central in both directions. He said that it has been mentioned that if the properties are changed to commercial that they will abide by all of the rules and make better looking buildings than they are now. He mentioned that they have properties zoned "AA" and they should see that they are taken care of and abide by the these rules. That would stop it from being a rundown area.

GORDON WOOD, 1919 Fabrique, stated that he was a homeowner at 5825 East Central. He said that they have owned that property for 24 years. They bought it back when it was a residential area, but now of course, the on-street parking is gone; the four-way stop signs at Woodlawn and Central, and Edgemoor and Central are gone; the high school is gone. WOOD said that they bought the property in 1962 and lived there for nine years. They considered finishing the basement and adding to the house, but by that time the

property was in an area where traffic was getting to be a considerable problem, so they decided to move and retain the property as rental property. For awhile he rented the property himself until it became difficult to rent, so he engaged a rental agency to handle the property for them. For awhile that worked, but for the last several years, it has been pretty difficult for them to rent. Last fall they had to look for new renters. They had several prospective renters but they all turned it down because of the traffic problems. They rent the property for a value recommended by the agency, which is a lot less than it would be in other areas they were assured, and since it didn't rent, they further reduced the rental by 50 dollars a month to see if that would encourage some renters, and finally they were able to rent it, but it took a total of four months to find someone who would accept the traffic problem. The house itself was vacant for a three-month period. A vacant house for that length of time is a real problem for him and the neighborhood. WOOD said that he understood from friends of theirs who are still living on Central that there are now two vacant houses, and shortly there will be a third. It really illustrates that it is difficult to do anything with the property by way of single family residences. He said that he was asking that the Commission approve the zoning policy change and then approve the zoning change so that he and other owners would have the option of doing something with the property.

ESTER SIEBEL, 110 North Brookside, stated that she lived the farthest from Central, but felt that she had the biggest, most valid concern. She has lived in her home for 27 years and did not have a water problem with the brook running there. Sometimes when there was a heavy rain, the water came up and spread out but never to the extent to where it came over the curb, into her drive, and onto the lawn until there was a large drainage pipe put in when north Central was developed, in the corner of Brookside and Central, and now when they have a heavy rain even Bayouth, as tall as he is, would have to walk on water to keep from drowning. When the water backs up over a foot high on the bridge on Douglas, the cars will not stop there. They drive and get stalled. The more cars that stall, the slower the water will go away. Then the traffic backs up clear to Courtleigh. She said that she appreciated that they put in the policy that they would look after the drainage before they do any other ruling.

J. D. ATKISSON, 461 North Brookside, stated that he had a petition concerning Z-2804 and Z-2805. He said that on case no. Z-2805, he has 100 percent of no opposition to his rezoning, and on case no. Z-2804, he has 98 percent of no opposition. On case no. Z-2806, across the canal, he has some signatures on their petition in favor of the zoning because they would like to see the property updated and get quality offices in there instead of low-type tenants.

DON BUTLER, 857 North Edgemoor, stated that he owns property at 5745 East Central. He said that he would appreciate the Commission approving staff's recommendation, and asked that they support it.

CONNIE WAREING, 6026 Rockwood, stated that Oakwood Addition originally was to be residential only. She said that they have a lot of vacant

businesses already in the new Carriage Parkway area, and wondered what kind of guarantee there would be that the space will be used for the same business, or will it be vacant like they already have in their locality. Can anything come in afterwards? She said that it might be a nice office to begin with, but what can they expect from the next one. She said that she noticed that most of the people were talking about wanting to get rid of their homes, but they live in Oakwood Addition and do care what it is going to look like. They want their homes to look nice and do not want their property to go down in value. WAREING wondered when the zoning would stop. Would it go into Oakwood Addition next? How can they be sure zoning would stop south of Central? WAREING emphasized that she was very much against this policy change.

MRS. MELVINA HITZEMAN, 317 North Brookside, stated that the gentleman just mentioned that he could not rent out the houses along Central. She said that was easy to see. She had friends tell her the same story, that they could not rent their apartments because they were overbuilt. She said that they are overbuilt, even south of Central. South of Central there are 14 fronts and not one leased or rented, and on the east side, nine fronts not leased or rented. She said that it has been that way for three years. There are 14 eating establishments within two to four blocks of her house. Normandie is there too. There are three acres of business buildings north of Central that are not leased. There are 3.2 acres north of Central which are empty. There are three acres of Murdock School which are not being used. She asked what do they mean by building more buildings. There are too many rental buildings, too many apartments. Why can't they build according to need. HITZEMAN said that the storm sewer was mentioned and everybody knows what a big problem that is, and can be a big problem if they are going to put everything in cement. She said that she has lived there for 36 years. The homes have been well-kept and are nearly all individually owned. She said that they were proud of that area clear to Douglas. It is a nice quiet place to live. She again said that she was opposed to any change whatsoever. Leave it as it is.

DAN LEWALLEN, co-owner with his son at 6115 East Central, stated his son had chose to put his architect office there and the Commission turned the zoning down about three years ago, and that has not changed yet. He said that they too have had their problems with that property and he suspected that it would continue when you look up and down the street and see some of the occupants there, and of course there are some that are not there. It is not well-cared for and a disgrace to that part of town. He said that he would appreciate seeing it changed and zoned for business.

PARSONS felt that the first thing that needed to be qualified was that they were talking about a policy change. They do not have a case that they were considering today for a zone change. PARSONS said that from what he has heard people say, there are valid comments both ways, however, he felt that this area was one that the staff has spent considerable time on, and he believed quality time, and has come back with a quality recommendation. PARSONS said that if it was possible to zone and develop this area all at one time, it would be much easier. He believed that if they have some rules and have a policy that sets out those rules so that everybody knows what is going

to happen before those cases come to the Commission, they could address some of the concerns that everybody present today had expressed both pro and con. He said that certainly the drainage can be a problem and that could be addressed so that they don't create more of a problem, and hopefully alleviate the existing ones. The traffic question is one of the things that if they could do it all at one time, they could address maybe a little better, but did not feel it was possible that they would get that kind of a request. The property on the north side of the street being light commercial at this time is a consideration for the property on the south side of Central. The policy recommendation that they have from staff does state that they would not look with favor on further encroachment into the neighborhood to the south. Those, along with other considerations, are the reasons he is in favor of the policy change as recommended by staff.

PETERS asked Lindebak if he had any comments on the sewer on Brookside.

LINDEBAK commented that a lot of the problems that exist there are really downstream from Brookside. There is a stream there that has some severe problems on its outfall further south. There was a design study that was done on all of the systems that dump into the north which are upstream, and those systems were designed to try to reduce the impact downstream. If they would have permitted the water to run 100 percent as fast as it could, the situation would be much worse downstream. He felt that it was just a continuation of problems that existed in that area of the city as well as others where original design standards and expectations were not as high as they are today.

BANZER commented that he would strongly recommend that at the time of replatting, consideration be given to accel-decel lanes. He did not feel that they would be well-served to have 15 access points along Central in this area or even 5 or 6. He felt that it would be much easier to handle the problem if they were doing it all in one block. He felt that it was important, with the traffic on Central, to at least underscore that access and indicate that there is some concern as to the ability to get in and out safely from those properties on this particular street since the traffic is abnormally high in this area.

The Planning Commission discussed the number of access points and stated that they expected to see a significant reduction in access points.

MOTION: That the Planning Commission adopt the revised zoning policy on Central between Edgemoor and Woodlawn as presented by staff. Conlee moved, Parsons seconded and it carried unanimously. Crockett was not present. Miles and Wilson were absent.

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THE CITY OF WICHITA

OFFICE OF Citizen Rights & Services DATE October 30, 1986

TO Michael E. Lindebak, Interim Director of Planning

FROM Annie K. Montgomery, CRS Director

SUBJECT Zoning Policy on Central  
between Edgemoor and Woodlawn

CPO Council "C" considered the captioned item at its October 27 meeting.

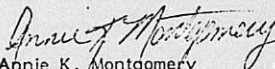
Jack Galbraith, Chief Planner, was present to explain the proposed zoning policy changes for the referenced area and to answer questions of the Council and members of the public.

Approximately twenty (20) adjoining property owners and area residents were present to hear or participate in the discussion of the east Central zoning policy between Edgemoor and Woodlawn. Of the residents present (mostly applicants associated with zoning cases Z-2804, Z-2805, and Z-2806) the majority indicated their support of the proposed zoning policy revisions. Robert Kaplan, agent, representing the applicants, expressed concern about a "decel lane" requirement". The residents who spoke in opposition to the zoning policy revisions expressed the following concerns: further commercial encroachment into the residential neighborhood; increased traffic placed on residential streets; access; parking; drainage; residential property values will depreciate; and that platting of the twenty-one (21) properties may be done in "bits and pieces".

After extensive discussion of the zoning policy, CPO Council "G" voted 5-2 to support the MAPD staff recommendation that the east Central zoning policy between Edgemoor and Woodlawn on the south side of the street be changed to read as follows: "Retain the existing "LC" district at Central and Woodlawn and the "OC" district at Central and Edgemoor and look with favor on "BB" Office or "OC" Office Commercial zoning from Rockwood to Hillcrest but only if replatting is required and the issues of drainage, access, parking and building setbacks are resolved at the time of platting. This policy applies to only those lots facing Central and future requests for the deepening of non-residential zoning further south into the neighborhood will not be looked upon with favor, and that the policy on the north side of Central between Edgemoor and Woodlawn be updated to reflect the "LC" zoning granted in 1983 and read as follows: Look with favor on no more intensive use than "LC" Light Commercial."

Citizen Rights and Services  
Page 2

Please provide the Council's recommendation to the MAPC and the City Commission when the proposed zoning policy on Central between Edgemoor and Woodlawn is considered.

  
Annie K. Montgomery  
CRS Director

AKM/SAS/dm

cc: Jack Galbraith, Chief Planner  
Louise Olivarez, Senior Planner

October 31, 1986

Robert Kaplan  
430 North Market  
Wichita, Kansas 67202

Re: DR 86-11 Reconsideration of Zoning Policy on Central between  
Edgemoor and Woodlawn

Dear Mr. Kaplan:

At its regular meeting on October 30, 1986, the Metropolitan Area Planning Commission considered the above-captioned policy change. The action of the Planning Commission was to recommend that the zoning policy on Central between Edgemoor and Woodlawn be amended as recommended by the Planning Department.

This matter will be forwarded to the Board of City Commissioners for consideration at their regular meeting on November 25, 1986. This meeting will be held in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas. We would remind you that Planning items are considered after all other matters of business.

If you have any questions concerning this matter, please contact our office.

Sincerely yours,

Jack H. Galbraith  
Chief Planner

JHG/lw

cc: James E. Fisher, III, 8928 Crestwood, Wichita, KS 67218  
Richard Euson, 6035 Rockwood, Wichita, KS 67208  
Gordon Wood, 1919 Fabrique, Wichita, KS 67218  
Esther Siebel, 110 N. Brookside, Wichita, KS 67206  
Don Butler, 857 N. Edgemoor, Wichita, KS 67208  
Dan Lewallen, c/o 1042 Lawrence Ct., Wichita, KS 67206  
Glen Thrasher, 5616 Rockwood, Wichita, KS 67208  
James D. Atkisson, Jr., 461 N. Brookside, Wichita, KS 67206  
Connie Wareing, 6026 Rockwood, Wichita, KS 67208  
Melvina Hitzeman, 317 N. Brookside, Wichita, KS 67206

Galbraith

THE CITY OF WICHITA

OFFICE OF Citizen Rights & Services DATE October 30, 1986

TO Michael E. Lindebak, Interim Director of Planning

FROM Annie K. Montgomery, CRS Director

SUBJECT Zoning Policy on Central  
between Edgemoor and Woodlawn

CPO Council "C" considered the captioned item at its October 27 meeting.

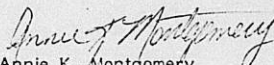
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Approximately twenty (20) adjoining property owners and area residents were present to hear or participate in the discussion of the east Central zoning policy between Edgemoor and Woodlawn. Of the residents present (mostly applicants associated with zoning cases Z-2804, Z-2805, and Z-2806) the majority indicated their support of the proposed zoning policy revisions. Robert Kaplan, agent, representing the applicants, expressed concern about a "decel lane" requirement". The residents who spoke in opposition to the zoning policy revisions expressed the following concerns: further commercial encroachment into the residential neighborhood; increased traffic placed on residential streets; access; parking; drainage; residential property values will depreciate; and that platting of the twenty-one (21) properties may be done in "bits and pieces".

After extensive discussion of the zoning policy, CPO Council "C" voted 5-2 to support the MAPD staff recommendation that the east Central zoning policy between Edgemoor and Woodlawn on the south side of the street be changed to read as follows: "Retain the existing "LC" district at Central and Woodlawn and the "OC" district at Central and Edgemoor and look with favor on "BB" Office or "OC" Office Commercial zoning from Rockwood to Hillcrest but only if replatting is required and the issues of drainage, access, parking and building setbacks are resolved at the time of platting. This policy applies to only those lots facing Central and future requests for the deepening of non-residential zoning further south into the neighborhood will not be looked upon with favor, and that the policy on the north side of Central between Edgemoor and Woodlawn be updated to reflect the "LC" zoning granted in 1983 and read as follows: Look with favor on no more intensive use than "LC" Light Commercial."

Citizen Rights and Services  
Page 2

Please provide the Council's recommendation to the MAPC and the City Commission when the proposed zoning policy on Central between Edgemoor and Woodlawn is considered.

  
Annie K. Montgomery  
CRS Director

AKM/SAS/dm

cc: Jack Galbraith, Chief Planner ✓  
Louise Olivarez, Senior Planner

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: October 21, 1986

TO: Metropolitan Area Planning Commission

FROM: Michael E. Lindebak, Interim Director of Planning

SUBJECT: Reconsideration of Zoning Policy on Central between Edgemoor and Woodlawn in relation to Z-2804, Z-2805 and Z-2806.

Background:

The existing zoning policy on the south side of Central between Edgemoor and Woodlawn was adopted by the Planning Commission and the City Commission in 1978. It states "that the existing residential, office, and light commercial classifications be retained, and that conversions of single family homes to offices and more intensive uses not be looked upon with favor". In 1984, in conjunction with a zone change request at the southeast corner of Central and Edgemoor, the planning staff and the Planning Commission recommended a revised policy which would have looked with favor on conversion of the houses to office uses between Rockwood and Hillcrest. The City Commission did not concur with that policy change although they did approve "OC" zoning at the southeast corner of Central and Edgemoor and they had previously approved "BB" zoning (in 1964, 1982 and 1983) for three lots west of Hillcrest.

Analysis:

When the current policy was adopted in 1978, the north side of Central between Edgemoor and Woodlawn still had a significant amount of residential zoning west of Brookside Parkway. That zoning, however, was changed to the light commercial district in early 1983 even though the policy favored no higher density than "R-5" zoning. Eighteen acres of commercial uses are now under development in Carriage Parkway. An additional 18½ acres are already commercially developed in the Plaza del Sol shopping area and in the Kretchmar and Huston additions east of Carriage Parkway, these areas having been zoned "LC" between 1967 and 1973.

A traffic count taken in March 1986 indicates that approximately 25,000 cars a day travel Central between Edgemoor and Woodlawn. This is ten times the average traffic count on a residential collector street. With intense commercial development on the north side of Central and with the great amount of traffic on Central, it is not realistic to expect continued long-term residential uses on the south side of Central. The problem is one of protecting the neighborhood on Oakwood, and further south, from future deepening of non-residential zoning once the Central frontage is rezoned. The lots on Central between Rockwood and Hillcrest are shallow (120 feet to 130 feet) and will become even more shallow once the right-of-way which is needed for Central is dedicated. Issues such as drainage, access, parking and building setbacks need to be addressed prior to any change in land use in this area.

Due to the limited depth of the lots on Central and the incompatibility of light commercial uses adjacent to the rear of one-family and two-family

MAPC re: Zoning Policy  
October 21, 1986  
Page 2

dwellings, "LC" zoning would not be appropriate for the south side of Central between Rockwood and Hillcrest. Office commercial ("OC") or office ("BB") zoning is considered appropriate provided replatting is required as a condition of the zone change so that the issues of drainage, access, parking and building setbacks can be addressed and resolved. The "OC" district limits building coverage to 40% of the lot while the "BB" district limits coverage to one-third. The minimum rear yard setback in "OC" is ten feet, while in "BB" it is fifteen feet.

It is unlikely that any required parking could be provided in the front yards if existing structures are retained. Therefore, parking must be in the rear yards and this introduces the problem of access to the rear yards and the problem of draining the rear yards once they are paved for parking. Lots may have to be grouped together so that joint access drives can be provided to rear parking lots. A continuous private drainage easement and perhaps an underground storm sewer system directing water to the drainage channel in Brookside Parkway may be needed to handle the drainage from paved areas so that it does not flow onto adjacent residential lots. The rear of these lots is lower than the front, therefore, it would probably not be possible to re-grade them enough to drain to Central. Front yard building setbacks may need to be reduced at the time of platting depending on the amount of additional street right-of-way which is required for Central.


Recommendation:

It is recommended that the east Central zoning policy between Edgemoor and Woodlawn on the south side of the street be changed to read as follows:

"Retain the existing "LC" district at Central and Woodlawn and the "OC" district at Central and Edgemoor and look with favor on "BB" Office or "OC" Office Commercial zoning from Rockwood to Hillcrest but only if replatting is required and the issues of drainage, access, parking and building setbacks are resolved at the time of platting. This policy applies to only those lots facing Central and future requests for the deepening of non-residential zoning further south into the neighborhood will not be looked upon with favor".

The policy on the north side of Central between Edgemoor and Woodlawn should be updated to reflect the "LC" zoning granted in 1983 and should now read as follows:

"Look with favor on no more intensive use than "LC" Light Commercial".

  
Michael E. Lindebak  
Interim Director of Planning

MEL/JHG/LO:blw







THE CITY OF WICHITA

OFFICE OF Citizen Rights & Services

DATE October 1, 1986

TO Jack Galbraith, Chief Planner, Current Plans

FROM Shirley Mast, Administrative Aide III

SUBJECT Z-2804: South side of Central between Rockwood and Brookside Parkway "AA" to "OC"

Z-2805: Southwest corner of Central and Brookside Parkway "AA" to "OC" and ~~"BB"~~

Z-2806: South side of Central between Brookside Parkway and Hillcrest "AA" & "A" to "OC" and "BB"

CPO Council "G" considered the captioned cases at its September 15th meeting and voted as follows:

Z-2804 - Voted 7-0 to recommend that the zone change from "AA" to "OC" be denied based on the following factors as stated in Policy Statement Number 10:

- b) the zoning and uses of properties nearby (i.e., to the south, east, and west); *east approved for OC*
- i) the previously adopted zoning policy of the MAPC and the governing body to not look favorably on conversion of single family homes to office uses along the south side of Central between Rockwood and Edgemoor; and
- j) consideration of the recommendation of professional staff.

Z-2805 - Voted 5-2 to recommend that the zone change from "AA" to "OC" be approved. The members voting in support of the motion indicated that their decision is based on the fact that zone case Z-2805 is different than zone cases Z-2804 and Z-2806 because there is single ownership and a specific development plan. The two dissenting voters indicated that their decision is based on the previously adopted zoning policy and the traffic problems (parking and circulation) resulting from the twenty-one (21) separate <sup>lots</sup> ~~ownerships~~ including zone cases Z-2804 and Z-2806. The two dissenting voters stated a coherent redevelopment plan involving the properties of all three zone cases (Z-2804, Z-2805, and Z-2806) should be presented.

Z-2806 - Voted 7-0 to recommend that the zone change from "AA" and "A" to "BB" and "OC" be denied based on the following factors as stated in Policy Statement Number 10:

- b) the zoning and uses of properties nearby (i.e., to the south and west);
- i) the previously adopted zoning policy of the MAPC and the governing body; and

j) consideration of the recommendation of professional staff.

Please note that CPO Council "C" Members indicated they would have voted to support the zone change on the properties for zone cases Z-2804 and Z-2806 if a proper application or redevelopment plan involving all the properties and sufficient information had been presented. The Council did vote 7-0 to request that the MAPC and the City Commission amend the zoning policy along the south side of Central between Edgemoor and Woodlawn to look favorably on the conversion of single family homes to office uses.

Robert Kaplan, agent, representing the applicants for zone cases Z-2804, Z-2805, and Z-2806 was present to describe the requests and respond to questions.

Approximately eighteen (18) adjoining property owners and area residents were present concerning zone cases Z-2804, Z-2805, and Z-2806. By a show of hands, the following persons (most applicants) indicated they supported the zone change requests to non-residential classifications along the referenced half mile on east Central:

Joanna Mark, 5731 East Central  
Bridget Werbin, 5739 East Central  
Wes Werth, 329 North Hampton (5903 East Central)  
Don Butler, 857 North Edgemoor (5745 East Central)  
Don Sandmire, 5805 East Central  
Gordon and Rita Wood, 1919 Fabrique (5825 East Central)  
Jim and Ruth Fisher, 46 Via Roma  
Dorothy Parish, 5915 East Central  
Dan Lawallen, 6115 East Central  
James D. Atkisson, Jr., 416 North Brookside

Of the persons who spoke in support of the zone changes, they stated Central has lost its residential characteristics and they cited problems being faced trying to rent the properties as residential.

The following persons indicated they were opposed to the rezoning:

Arthur L. Asher, 5609 Rockwood  
Launetta Rose, 5626 Rockwood  
W.A. Shrum, 5617 Rockwood  
Glen Lytle, 1102 South Gouverneur  
Esther Siebel, 401 North Brookside

The residents that spoke cited the following reasons for opposing the rezoning:

- the commercial zoning will decrease residential property values
- questions the need for more commercial development when much of the Heritage Park development to the north has not been leased

- there are no specific plans as to how the properties will be converted (one property owner noted she was told that the existing properties would be converted to offices, but now there are rumors of the existing structures being torn down)
- concern about off-street parking which will compound existing traffic problems

It should also be noted that the property owner at 401 N. Brookside indicated she would not be opposed to the rezoning if ingress and egress is prohibited on Brookside and Boyd Kookin, 5717 E. Central did not take a position of support or opposition regarding the rezoning.

Please provide the Council's recommendations to the MAPC and City Commission when cases Z-2804, Z-2805, and Z-2806 are considered.

*Shirley Mast*  
Shirley Mast  
Administrative Aide III

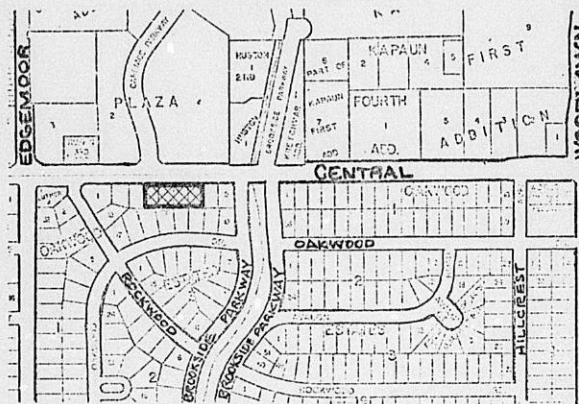
SM:dm

Noted:

*Annie K. Montgomery*  
Annie K. Montgomery  
CRS Director

OCTOBER 2, 1986

STAFF REPORT



Z-2804 - REQUEST FOR ZONE CHANGE FROM "AA" ONE-FAMILY DWELLING DISTRICT TO "OC" OFFICE COMMERCIAL DISTRICT, LOCATED ON THE SOUTH SIDE OF CENTRAL BETWEEN ROCKWOOD AND BROOKSIDE PARKWAY.

Applicant: Tony R. and Joanna Mark, et. al., (4 separate owners), 5731 E. Central, Wichita, KS 67208.

	Land Use	Zoning	Size
Application Area	Single family houses	"AA"	280'x120'
North	Undeveloped	"LC"	(0.8A)
South	Single family houses	"AA"	
East	Single family houses	"AA"	
West	Single family houses	"AA"	

History: None.

**Background:** The applicants are requesting a zone change from "AA" to "OC" for four separately owned platted lots, each 70 feet by 120 feet, located on the south side of Central in the middle of the block between Rockwood and Brookside Parkway. Four single-family homes now occupy the site.

**Analysis:** All property on the north side of Central between Edgemoor and Woodlawn is zoned "LC". The portion immediately north of this application is undeveloped but is platted as part of Central Avenue Plaza. To the east, south and west are single family houses in the "AA" district.

The zoning policy for the south side of Central between Edgemoor and Woodlawn states, "that the existing residential, office, and light commercial classifications be retained, and that conversions of single family homes to offices and more intensive uses not be looked upon with favor." This policy was adopted in 1978. In 1984, in conjunction with a zone change request at the southeast corner of Central and Edgemoor, the planning staff and the Planning Commission recommended a revised policy that would read, "conversions of single family homes to office uses be looked upon with favor for those properties along the south side of Central between Rockwood and Woodlawn." The City Commission, however, voted to retain the existing policy.

Zone cases Z-2805 and Z-2806 are also requests for changes to non-residential classifications in this half mile on east Central. With the potential for 21 different properties being redeveloped non-residentially, replatting should be required for all three cases so that there can be adequate review and requirements made for additional street right-of-way, a deceleration lane, access controls, drainage and parking. There appears to be inadequate side yards on the lots as now developed to be able to provide appropriate access to rear yard parking if each lot is redeveloped independently.

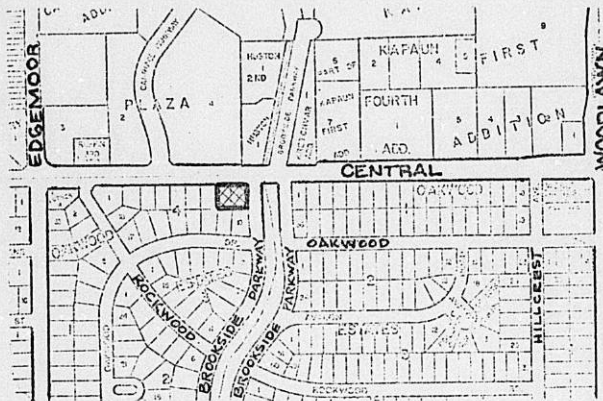
A recommendation of approval should be subject to replatting into no more than two lots within one year after City Commission approval or the zone change be considered denied and closed. The rezoning ordinance shall not be published until the plat is recorded. At the time of replatting, it is recommended that site development plans be required which reflect building locations, parking, and access drives to parking areas.

*10-2-86 MAPC deferred action and  
asked staff to prepare  
revised zoning policy*

*Z-2804  
2805  
2806*

OCTOBER 2, 1986

STAFF REPORT



Z-2805 - REQUEST FOR ZONE CHANGE FROM "AA" ONE-FAMILY DWELLING DISTRICT TO "OC" OFFICE COMMERCIAL DISTRICT, LOCATED ON THE SOUTHWEST CORNER OF CENTRAL AND BROOKSIDE PARKWAY.

Applicant: James D. Atkisson, Jr., 461 N. Brookside, Wichita, KS 67208.

	Land Use	Zoning	Size
Application Area	Single family house & barber shop (home occupation)	"AA"	152.5'x120'
North	Undeveloped & office building parking lot	"LC"	(0.4A)
South	Single family houses	"AA"	
East	Single family houses	"AA"	
West	Single family houses	"AA"	

History: None.

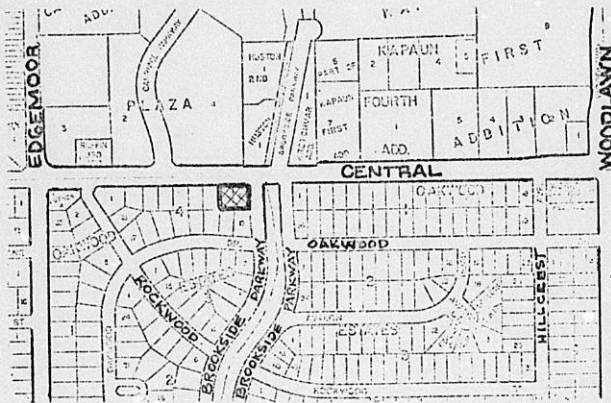
**Background:** The applicant is requesting a zone change from "AA" to "OC" for two platted lots, totaling 18,300 square feet, located at the southwest corner of Central and Brookside Parkway. A single-family house occupies the west lot and a house with barber shop occupies the east lot. The barber shop has had a home occupation license since 1971.

**Analysis:** All property on the north side of Central between Edgemoor and Woodlawn is zoned "LC". The portion immediately north of this application is partially undeveloped and partially developed with an office building which has a parking lot on the Central frontage. To the east, across Brookside Parkway and the drainage ditch, are single family houses in the "AA" district. To the south and west are also single family houses in "AA" zoning.

The zoning policy for the south side of Central between Edgemoor and Woodlawn states, "that the existing residential, office, and light commercial classifications be retained, and that conversions of single family homes to offices and more intensive uses not be looked upon with favor." This policy was adopted in 1978. In 1984, in conjunction with a zone change request at the southeast corner of Central and Edgemoor, the planning staff and the Planning Commission recommended a revised policy that would read, "conversions of single family homes to office uses be looked upon with favor for those properties along the south side of Central between Rockwood and Woodlawn." The City Commission, however, voted to retain the existing policy.

The barber shop on the east lot, which has been licensed as a home occupation since 1971, would first be permitted in the "OC" zoning district if operated independently of a residence.

STAFF REPORT



Z-2805 - REQUEST FOR ZONE CHANGE FROM "AA" ONE-FAMILY DWELLING DISTRICT TO "OC" OFFICE COMMERCIAL DISTRICT, LOCATED ON THE SOUTHWEST CORNER OF CENTRAL AND BROOKSIDE PARKWAY.

Applicant: James D. Atkisson, Jr., 461 N. Brookside, Wichita, KS 67208.

	Land Use	Zoning	Size
Application Area	Single family house & barber shop (home occupation)	"AA"	152.5'x120'
North	Undeveloped & office building parking lot	"LC"	(0.4A)
South	Single family houses	"AA"	
East	Single family houses	"AA"	
West	Single family houses	"AA"	

History: None.

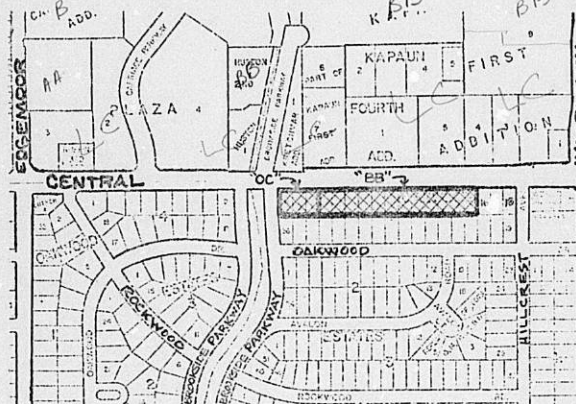
Background: The applicant is requesting a zone change from "AA" to "OC" for two platted lots, totaling 18,300 square feet, located at the southwest corner of Central and Brookside Parkway. A single-family house occupies the west lot and a house with barber shop occupies the east lot. The barber shop has had a home occupation license since 1971.

Analysis: All property on the north side of Central between Edgemoor and Woodlawn is zoned "LC". The portion immediately north of this application is partially undeveloped and partially developed with an office building which has a parking lot on the Central frontage. To the east, across Brookside Parkway and the drainage ditch, are single family houses in the "AA" district. To the south and west are also single family houses in "AA" zoning.

The zoning policy for the south side of Central between Edgemoor and Woodlawn states, "that the existing residential, office, and light commercial classifications be retained, and that conversions of single family homes to offices and more intensive uses not be looked upon with favor." This policy was adopted in 1978. In 1984, in conjunction with a zone change request at the southeast corner of Central and Edgemoor, the planning staff and the Planning Commission recommended a revised policy that would read, "conversions of single family homes to office uses be looked upon with favor for those properties along the south side of Central between Rockwood and Woodlawn." The City Commission, however, voted to retain the existing policy.

The barber shop on the east lot, which has been licensed as a home occupation since 1971, would first be permitted in the "OC" zoning district if operated independently of a residence.

STAFF REPORT



Z-2806 - REQUEST FOR ZONE CHANGE FROM "AA" ONE-FAMILY DWELLING DISTRICT AND "A" TWO-FAMILY DWELLING DISTRICT TO "BB OFFICE DISTRICT AND "OC" OFFICE COMMERCIAL DISTRICT, LOCATED ON THE SOUTH SIDE OF CENTRAL BETWEEN BROOKSIDE PARKWAY AND HILLCREST.

Applicant: James E., III and Donna L. Fisher, et. al., (14 separate owners), 8928 E. Crestwood Court, Wichita, KS 67206.

	Land Use	Zoning	Size
Application Area	Single family houses	"AA" & "A"	196'x130'-OC 744'x130'-BB 2.8 acres total
North	General businesses & offices	"LC"	
South	One-family & two-family dwellings	"AA" & "A"	
East	Offices	"BB"	
West	Barber shop home occupation	"AA"	
History:	Z-2693 AA to BB for Lots 1, 2 & 3 Approved by MAPC; denied by BCC 1985		
	Z-2514 A to BB for Lot 15 Approved by MAPC; denied by BCC 1983		
	Z-1935 A to LC (amended to BB) for Lot 15 LC denied, BB approved by MAPC; denied by BCC 1977		
	Lots 18, 17 & 16 approved for BB in 1964, 1982 and 1983		

Background: The applicants are requesting a zone change from "AA" to "OC" for three lots at the southeast corner of Central and Brookside Parkway and a change from "AA" and "A" to "BB" for the next 12 lots to the east. Each lot is approximately 62 feet by 130 feet for a total area of 2.8 acres. A single-family house now occupies each lot.

Analysis: Properties to the north are intensely developed with a variety of retail businesses and offices in the "LC" district; to the east are offices in converted houses in the "BB" district; to the south are two-family and one-family dwellings in the "A" and "AA" districts; to the west across Brookside Parkway and the drainage ditch is a barber shop in a residential structure in the "AA" district.

The zoning policy for the south side of Central between Edgemoor and Woodlawn states, "that the existing residential, office, and light commercial classifications be retained, and that conversions of single family homes to offices and more intensive uses not be looked upon with favor." This policy was adopted in 1978. In 1984, in conjunction with a zone change request at the southeast corner of Central and Edgemoor, the planning staff and the Planning Commission recommended a revised policy that would read, "conversions of single family homes to office uses be looked upon with favor for those properties along the south side of Central

between Rockwood and Woodlawn." The City Commission, however, voted to retain the existing policy.

Zone cases Z-2804 and Z-2805 are also requests for changes to non-residential classifications in this half mile on east Central. With the potential for 21 different properties being redeveloped non-residentially, replatting should be required for all three cases so that there can be adequate review and requirements made for additional street right-of-way, a deceleration lane, access controls, drainage and parking. There appears to be inadequate side yards on the lots as now developed to be able to provide appropriate access to rear yard parking. At the time of replatting, several lots should be grouped together into one new lot so that shared access drives between buildings can be provided.

A recommendation of approval should be subject to replatting into no more than seven lots within one year after City Commission approval or the zone change be considered denied and closed. The rezoning ordinance shall not be published until the plat is recorded. At the time of replatting, it is recommended that site development plans be required which reflect building locations, parking, and access drives to parking areas.

WICHITA-SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

August 9, 1984

TO The Board of Wichita City Commissioners  
(through E. H. Denton, City Manager)

FROM Robert A. Lakin, Director of Planning

SUBJECT MAPC Review of zoning policy on Central in association with  
reconsideration of zone change request Case No. Z-2609

As instructed by the Board of Wichita City Commissioners, the Metropolitan Area Planning Commission reviewed the existing zoning policy for Central Street between Edgemoor and Woodlawn. This was done in association with the reconsideration of a zone change request from the "AA" one family dwelling district to the "OC" office/commercial district on the southeast corner of the Edgemoor/Central Street intersection. This zone change request (Case No. Z-2609) had previously been reviewed by the Board of Wichita City Commissioners and returned to the MAPC for reconsideration on July 26, 1984.

To assist in their review, staff provided MAPC a report detailing the existing zoning policy and setting out the range of alternate actions available for consideration. A copy of the memorandum report is attached for reference.

Recommendation

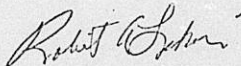
At the conclusion of their review the MAPC took the following action:

MOTION: "Having considered the facts as contained in Policy Statement No. 10; taking into consideration the zoning and uses of properties on the north side of Central; the unsuitability of this area for continued long term residential use; and the recommendation of staff; I move that we recommend that a change in the East Central policy be made in accordance with staff recommendations that in effect would read "conversions of single family homes to office uses be looked upon with favor for those properties along the south side of Central between Rockwood and Woodlawn."

Gardner moved, Bayouth seconded and it carried unanimously. Goebel and Wilson were absent.

The Board of Wichita City Commissioners  
(through E. H. Denton, City Manager)  
Page Two  
August 9, 1984

ACTION: Adopt the recommendation of the MAPC  
or take such action as the Commission  
desires.



Robert A. Lakin  
Director of Planning

RAL:RLY:jps  
Attachment

8-21-84  
BCC voted 3-1 to  
retain the existing  
policy  
Wright  
Knight  
Casella } retain policy  
Brown - change policy  
Kirk - absent

WICHITA-SEDGWICK COUNTY  
METROPOLITAN AREA PLANNING DEPARTMENT

Date  
July 20, 1984

TO: Metropolitan Area Planning Commission  
FROM: Robert A. Lakin, Director of Planning  
SUBJECT: Reconsideration of Zoning Policy on Central in  
Relation to Zone Case Z-2609

On July 7, 1984, the Board of Wichita City Commissioners considered Zone Case No. Z-2609 - a request to change the existing "AA" One-family Dwelling District to the "OC" Office Commercial District on the southeast corner of Central and Edgemoor. As you will recall, the Metropolitan Area Planning Commission had previously considered this request and recommended that the request be approved subject to platting.

After review of the information associated with the case and the Planning Commission's recommendation, the Board of Wichita City Commissioners took action to return the application to MAPC for reconsideration with instruction to examine the established zoning policy on Central to determine if amendments are needed.

The established zoning policy on Central as it relates to the property involved in zone case no. Z-2609 reads as follows:

"South side of Central: Edgemoor to Woodlawn - That the existing residential, office, and light commercial classifications be retained, and that conversions of single-family homes to offices and more intensive uses not be looked upon with favor."

Since the time of the adoption of the existing zoning policy on Central (January 31, 1978) there have been four requests for zoning changes between Edgemoor and Woodlawn. Three of the requests occurred on properties located immediately west of the office on Hillcrest. Two of these requests were approved for a change from "A" Two-family Dwelling to "BB" Office. The third and most recent request from "A" to "BB" was denied by the Board of City Commissioners on September 6, 1983. The fourth request was for a change from the "AA" One-family Dwelling District to the "LC" Light Commercial District on the same property involved in the current zone case. This request was recommended for denial by MAPC on November 19, 1981 and was subsequently withdrawn by the applicant. *after first being recommended for BB.*

In reviewing the existing zoning policy, several factors should be considered. First, in situations along major arterial streets where office or commercial development, and higher intensity zoning classifications exist on three of the four corners of an intersection with a collector or arterial street, provision for higher intensity office or commercial development on the remaining corner of the intersection is generally accepted as a consistent policy for the development pattern around the intersection irrespective of other policies.

Second, the existing zoning policy was approved prior to the time the "OC" Office/Commercial district was established in the City zoning regulations. The "OC" district was created to provide for a range of uses considered to be more compatible with the residential character of neighborhoods. As such, the "OC" district could be viewed as a buffer between residential zoning districts and more intense commercial classifications.

Third, significant changes are occurring in the development pattern of the area which are directly affecting the property involved in zone case no: Z-2609. The property is unique in that it is small in size and is bordered on one side by a collector street (Edgemoor), one side by an arterial street (Central) and the third side by a local street (Rockwood).

With the entire northern side of Central from Edgemoor and Woodlawn being developed under the "LC" Light Commercial zoning classification, there is pressure for more intensive development to occur on the south side of Central, especially as activity level to the north impinges on the quality of living on the south side of Central. The past approval of "LC" zoning on the north side of Central between Woodlawn and Hillcrest as well as the "BB" zoning on three lots just west of Hillcrest on the south side of Central verifies the development pressure that is occurring. When the current zoning policy was adopted which discourages conversions of single-family housing the apparent stability of the properties along the south side of Central was an important consideration. Presently in the area between Hillcrest and Edgemoor there are two houses for sale. In addition, the houses located just west of the existing "BB" zoning are showing signs of physical deterioration. The structures (single-family and duplexes) one-half block south of Central along Oakwood show little effect caused by the "BB" zoning approved west of Hillcrest.

Upon concluding review of the zoning policy for properties along the south side of Central a range of alternative actions would be available to the Planning Commission. These include:

1. Retain the existing zoning policy, which still permits modifications and conversions to uses permitted under the home occupation provisions of the City Zoning Code.
2. Recognizing the "3 corner" rule of treating a remaining corner in an equitable manner by establishing a similar or like zoning district on the remaining corner.
3. Substantially change the policy for all the properties along the south side of Central between Rockwood and Woodlawn to read "...conversions of single-family homes to office uses ("BB") be looked upon with favor".
4. Eliminate the zoning policy entirely and consider each case on its own merits.

Staff is in support of #2 feeling that inasmuch as three of the corners are already zoned commercial, that the "OC" classification is appropriate on the fourth corner. Staff also supports #3 and finds it difficult not to support a change in policy on the remainder of the half mile and look with favor on conversions to offices. Since three of the houses west of Hillcrest have been changed to the office classification, staff finds it difficult to say that other homes to the west should not be permitted to convert to offices.

7-26-84 MAPC agreed w/# 3 for properties between  
Rockwood and Woodlawn

*Robert A. Lakin*

Robert A. Lakin  
Director of Planning

8-21-84 BCC did NOT concur

RAL:RLY:sad

Z-2463 <sup>to BB & LC</sup> Carriage Phony zoning  
10-82 MAPC  
1-83 BCC (sent back once by BCC)

Z-1414 <sup>to LC & BB</sup> Chazy's property  
9-72 MAPC  
2-73 BCC (sent back once by BCC)

Z-0918 <sup>to LC</sup> Kretchman  
1967 MAPC denied LC  
BCC approved LC

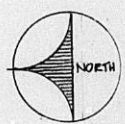
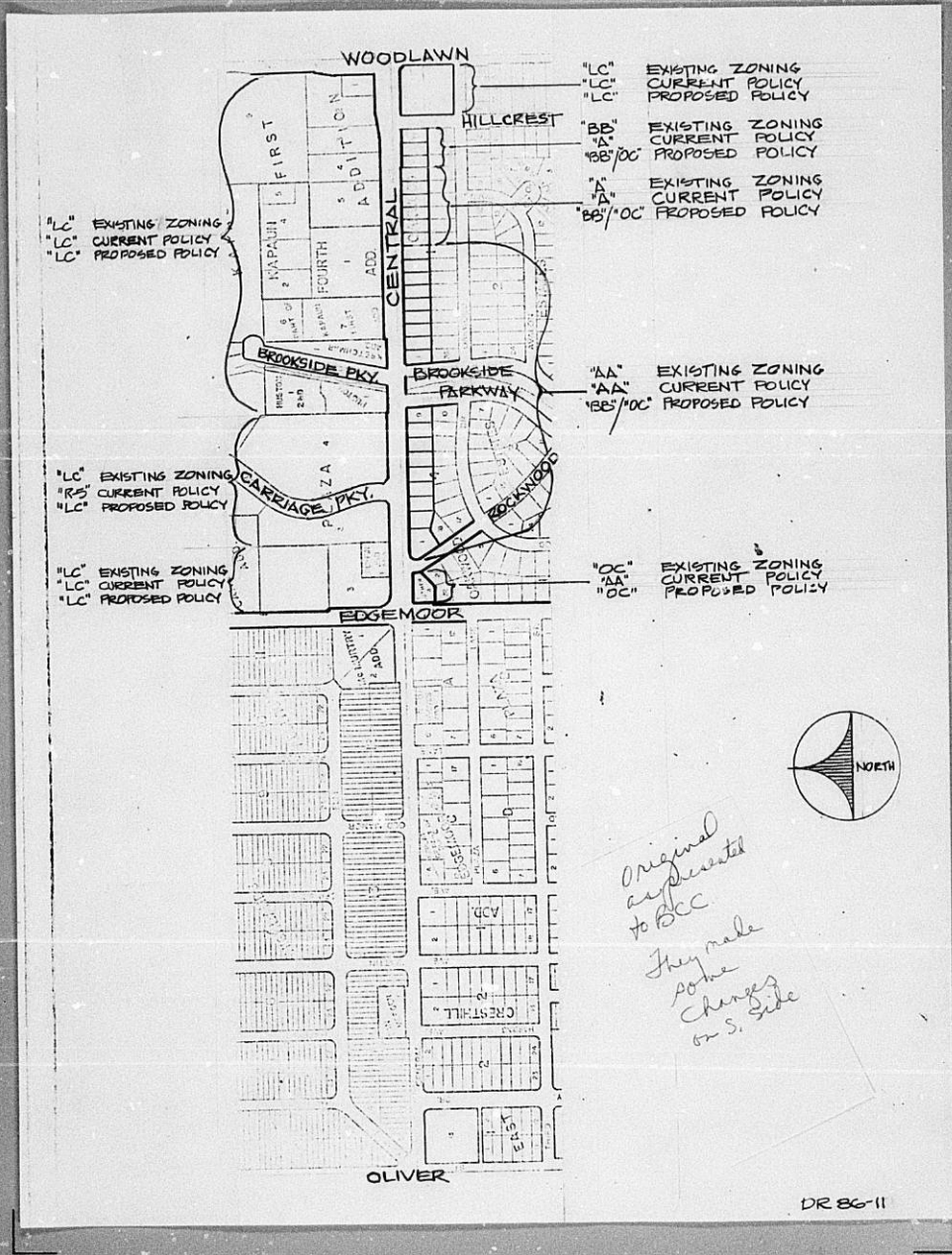
Z-0947 <sup>to BB</sup> ~~Houston 5~~ Z-1727 <sup>LC</sup> Houston 5  
1968 app

Z-1446 <sup>to BB</sup> Houston 4  
1972 app

< 2,000  
< 1-1,500 - 3,000

March '86 E of Carriage Phony collector 2510  
W of C. Phony 24,716  
25,109

e. of Regenor 21,906 (2 yrs ago)



*Original  
as presented  
to BEC  
They made  
some  
changes  
on S. side*

EXCERPT FROM PLANNING COMMISSION MINUTES OF OCTOBER 30, 1986

LEGAL:

Reconsideration of Zoning Policy on Central between Edgemoor and Woodlawn in relation to Z-2804, Z-2805 and Z-2806. (DR 86-11)

GALBRAITH stated that the present policy in this area has been to retain the existing zoning classifications. The policy back to the west of Edgemoor has been to favor "BB" Office zoning in those areas not presently zoned light commercial, and in the last two years the Planning Commission has granted several requests for changes from "B" Multiple Family to "BB", and some of the fourplexes are now being converted to real estate office facilities. GALBRAITH reviewed the following staff report:

Background:

The existing zoning policy on the south side of Central between Edgemoor and Woodlawn was adopted by the Planning Commission and the City Commission in 1978. It states "that the existing residential, office, and light commercial classifications be retained, and that conversions of single family homes to offices and more intensive uses not be looked upon with favor". In 1984, in conjunction with a zone change request at the southeast corner of Central and Edgemoor, the planning staff and the Planning Commission recommended a revised policy which would have looked with favor on conversion of the houses to office uses between Rockwood and Hillcrest. The City Commission did not concur with that policy change although they did approve "OC" zoning at the southeast corner of Central and Edgemoor and they had previously approved "BB" zoning (in 1964, 1982 and 1983) for three lots west of Hillcrest.

Analysis:

When the current policy was adopted in 1978, the north side of Central between Edgemoor and Woodlawn still had a significant amount of residential zoning west of Brookside Parkway. That zoning, however, was changed to the light commercial district in early 1983 even though the policy favored no higher density than "R-5" zoning. Eighteen acres of commercial uses are now under development in Carriage Parkway. An additional 18½ acres are already commercially developed in the Plaza del Sol shopping area and in the Kretchmar and Huston additions east of Carriage Parkway, these areas having been zoned "LC" between 1967 and 1973.

A traffic count taken in March 1986 indicates that approximately 25,000 cars a day travel Central between Edgemoor and Woodlawn. This is ten times the average traffic count on a residential collector street. With intense commercial development on the north side of Central and with the great amount of traffic on Central, it is not realistic to expect continued long-term residential uses on the south side of Central. The problem is one of protecting the neighborhood on Oakwood, and further south, from future deepening of non-residential zoning once the Central frontage is rezoned. The lots on Central between Rockwood and Hillcrest are shallow (120 feet to 130 feet) and will become even more shallow once the right-of-way which is needed for Central is dedicated. Issues such as drainage, access, parking and building setbacks need to be addressed prior to any change in land use in this area.

Due to the limited depth of the lots on Central and the incompatibility of light commercial uses adjacent to the rear of one-family and two-family dwellings, "LC" zoning would not be appropriate for the south side of Central between Rockwood and Hillcrest. Office commercial ("OC") or office ("BB") zoning is considered appropriate provided replatting is required as a condition of the zone change so that the issues of drainage, access, parking and building setbacks can be addressed and resolved. The "OC" district limits building coverage to 40% of the lot while the "BB" district limits coverage to one-third. The minimum rear yard setback in "OC" is ten feet, while in "BB" it is fifteen feet.

It is unlikely that any required parking could be provided in the front yards if existing structures are retained. Therefore, parking must be in the rear yards and this introduces the problem of access to the rear yards and the problem of draining the rear yards once they are paved for parking. Lots may have to be grouped together so that joint access drives can be provided to rear parking lots. A continuous private drainage easement and perhaps an underground storm sewer system directing water to the drainage channel in Brookside Parkway may be needed to handle the drainage from paved areas so that it does not flow onto adjacent residential lots. The rear of these lots is lower than the front, therefore, it would probably not be possible to regrade them enough to drain to Central. Front yard building setbacks may need to be reduced at the time of platting depending on the amount of additional street right-of-way which is required for Central.

Recommendation:

It is recommended that the east Central zoning policy between Edgemoor and Woodlawn on the south side of the street be changed to read as follows:

"Retain the existing "LC" district at Central and Woodlawn and the "OC" district at Central and Edgemoor and look with favor on "BB" Office or "OC" Office Commercial zoning from Rockwood to Hillcrest but only if replatting is required and the issues of drainage, access, parking and building setbacks are resolved at the time of platting. This policy applies to only those lots facing Central and future requests for the deepening of non-residential zoning further south into the neighborhood will not be looked upon with favor".

The policy on the north side of Central between Edgemoor and Woodlawn should be updated to reflect the "LC" zoning granted in 1983 and should now read as follows:

"Look with favor on no more intensive use than "LC" Light Commercial".

DISCUSSION:

GALBRAITH pointed out that approximately one month ago, three different applications were considered in this half-mile for both Office Commercial and Office zoning but they were deferred for six weeks and staff was instructed to again review the zoning policy. GALBRAITH showed slides of the

houses in the application along the south side of Central that wanted the change to "OC" or "BB". He pointed out that many of the driveways were quite narrow. He said he doubted that any driveway on any property would be sufficient in width by itself to provide access to the rear yard.

GALBRAITH stated that when staff examined the three zoning cases that were considered four weeks ago, staff emphasized a concern for later requests deeper in the block, and pointed out a number of things they thought were serious concerns that should be addressed at the time of a replat. They suggested that if zoning was proper to be changed here, that there should be grouping of lots in such a way as to provide a joint driveway adequate in width for both in and out traffic to go to rear yard parking lots; a minimal number of curb cuts; there may be a need for a storm sewer down the rear of the parking lot to Brookside Parkway; that every attempt should be made so that surface drainage does not go to the south on the rear of residential lots; and at the time of replatting a deceleration lane should be considered. GALBRAITH said that staff believes that a policy change is appropriate for this half-mile with reservations that they feel that a number of things need to be seriously looked at, at the time of platting.

CPO Council "C" recommended that the change be concurred in by a vote of 5-2.

JIM FISHER, 8928 Crestwood, stated that he was the person who, about two years ago, came in with the plans for the three properties east of Brookside, and they had considered all of the items Galbraith had just mentioned. They had the parking slanted back into the middle of the parking lot, fences, tall trees and had considered everything a prudent neighbor would do, and they are back again this year with some of their friends and neighbors all up and down Central who have the same problems. He said that they would appreciate the Commission's favorable vote on this policy.

ROBERT KAPLAN, attorney, 430 North Market, stated that this matter was discussed very thoroughly at two CPO meetings. The first CPO meeting recommended a policy change and wanted a higher density zoning. The second CPO meeting adopted staff's recommendation with a 5-2 vote, and recommended the policy change to "OC" and "BB" uses.

KAPLAN stated that as the Commission hears from some of the people who may have some opposition to a policy change, they are going to come somewhat to a conclusion that he came to at two very lengthy CPO meetings and that is that much of the concern was not so much a zoning concern as it is concerns over the Subdivision Regulations and mechanics. Concerns about drainage are very real, concerns about access and items of this sort that they would expect to address in Subdivision and through the platting process. He did not think that, although there may be opposition, it was entirely use opposition but more mechanical opposition, such as concerns about the drainageway in Brookside Parkway, of which he knows that some of these people feel is already inadequate. KAPLAN felt that bringing in all of these properties at one time was a much better approach to this whole problem than the way it has been piecemealed out with 3 or 4 lots at a time. The City Commission, notwithstanding

their retention of the existing policy, has nevertheless gone along, and there have been 3 or 4 individual zoning cases approved which were brought in individually. He has 18 owners and 21 properties and they are not going to be able to address the drainage, storm water and access considerations as adequately if done independently as they can by bringing them in as a package. It is obviously not a C.U.P. but it has some of the same benefits in that they can look at the whole thing front door to back door and they can come up with a comprehensive plan for the whole block.

KAPLAN added that the idea that these people want to make big money, that they are converting their property for big economic benefits, was not at all true. He said that what they are really doing is trying to get back to where they were. While some properties have appreciated because of the changes along Central, these homes in fact have depreciated. They can't live in them, they can't sell them and they can't rent them. They are not looking for a big killing on the sale of these homes, they are trying to get back some of the depreciation that these properties have suffered and are trying to at least get the same value that they would get for these homes if they fronted Oakwood one block south.

RICHARD EUSON, 6035 Rockwood, stated that he was aware of the actions of the past planning commissions in this regard, and particularly in regard to some of the cases that have been referred to here. He said that his only purpose in appearing was that he wanted the Commission to be aware that a petition has been circulated among the residents of an area bounded by Central on the north, Second Street on the south, Woodlawn on the east, and Edgemoor on the west, and within that area, signatures of 87 persons have been obtained representing 73 lots within the area. He wanted the Commission to be aware that that petition was in existence.

MOORE asked if the petition was against the policy change.

EUSON said yes.

GLEN THRASHER, 5616 Rockwood, asked that the present policy not be changed. He said that it seemed to him that there was not much need for more office or commercial because there are plenty of vacant spaces for that right across the street, and up and down Central in both directions. He said that it has been mentioned that if the properties are changed to commercial that they will abide by all of the rules and make better looking buildings than they are now. He mentioned that they have properties zoned "AA" and they should see that they are taken care of and abide by these rules. That would stop it from being a rundown area.

GORDON WOOD, 1919 Fabrique, stated that he was a homeowner at 5825 East Central. He said that they have owned that property for 24 years. They bought it back when it was a residential area, but now of course, the on-street parking is gone; the four-way stop signs at Woodlawn and Central, and Edgemoor and Central are gone; the high school is gone. WOOD said that they bought the property in 1962 and lived there for nine years. They considered finishing the basement and adding to the house, but by that time the

property was in an area where traffic was getting to be a considerable problem, so they decided to move and retain the property as rental property. For awhile he rented the property himself until it became difficult to rent, so he engaged a rental agency to handle the property for them. For awhile that worked, but for the last several years, it has been pretty difficult for them to rent. Last fall they had to look for new renters. They had several prospective renters but they all turned it down because of the traffic problems. They rent the property for a value recommended by the agency, which is a lot less than it would be in other areas they were assured, and since it didn't rent, they further reduced the rental by 50 dollars a month to see if that would encourage some renters, and finally they were able to rent it, but it took a total of four months to find someone who would accept the traffic problem. The house itself was vacant for a three-month period. A vacant house for that length of time is a real problem for him and the neighborhood. WOOD said that he understood from friends of theirs who are still living on Central that there are now two vacant houses, and shortly there will be a third. It really illustrates that it is difficult to do anything with the property by way of single family residences. He said that he was asking that the Commission approve the zoning policy change and then approve the zoning change so that he and other owners would have the option of doing something with the property.

ESTER SIEBEL, 110 North Brookside, stated that she lived the farthest from Central, but felt that she had the biggest, most valid concern. She has lived in her home for 27 years and did not have a water problem with the brook running there. Sometimes when there was a heavy rain, the water came up and spread out but never to the extent to where it came over the curb, into her drive, and onto the lawn until there was a large drainage pipe put in when north Central was developed, in the corner of Brookside and Central, and now when they have a heavy rain even Bayouth, as tall as he is, would have to walk on water to keep from drowning. When the water backs up over a foot high on the bridge on Douglas, the cars will not stop there. They drive and get stalled. The more cars that stall, the slower the water will go away. Then the traffic backs up clear to Courtleigh. She said that she appreciated that they put in the policy that they would look after the drainage before they do any other ruling.

J. D. ATKISSON, 461 North Brookside, stated that he had a petition concerning Z-2804 and Z-2805. He said that on case no. Z-2805, he has 100 percent of no opposition to his rezoning, and on case no. Z-2804, he has 98 percent of no opposition. On case no. Z-2806, across the canal, he has some signatures on their petition in favor of the zoning because they would like to see the property updated and get quality offices in there instead of low-type tenants.

DON BUTLER, 857 North Edgemoor, stated that he owns property at 5745 East Central. He said that he would appreciate the Commission approving staff's recommendation, and asked that they support it.

CONNIE WAREING, 6026 Rockwood, stated that Oakwood Addition originally was to be residential only. She said that they have a lot of vacant

businesses already in the new Carriage Parkway area, and wondered what kind of guarantee there would be that the space will be used for the same business, or will it be vacant like they already have in their locality. Can anything come in afterwards? She said that it might be a nice office to begin with, but what can they expect from the next one. She said that she noticed that most of the people were talking about wanting to get rid of their homes, but they live in Oakwood Addition and do care what it is going to look like. They want their homes to look nice and do not want their property to go down in value. WAREING wondered when the zoning would stop. Would it go into Oakwood Addition next? How can they be sure zoning would stop south of Central? WAREING emphasized that she was very much against this policy change.

MRS. MELVINA HITZEMAN, 317 North Brookside, stated that the gentleman just mentioned that he could not rent out the houses along Central. She said that was easy to see. She had friends tell her the same story, that they could not rent their apartments because they were overbuilt. She said that they are overbuilt, even south of Central. South of Central there are 14 fronts and not one leased or rented, and on the east side, nine fronts not leased or rented. She said that it has been that way for three years. There are 14 eating establishments within two to four blocks of her house. Normandie is there too. There are three acres of business buildings north of Central that are not leased. There are 3.2 acres north of Central which are empty. There are three acres of Murdock School which are not being used. She asked what do they mean by building more buildings. There are too many rental buildings, too many apartments. Why can't they build according to need. HITZEMAN said that the storm sewer was mentioned and everybody knows what a big problem that is, and can be a big problem if they are going to put everything in cement. She said that she has lived there for 36 years. The homes have been well-kept and are nearly all individually owned. She said that they were proud of that area clear to Douglas. It is a nice quiet place to live. She again said that she was opposed to any change whatsoever. Leave it as it is.

DAN LEWALLEN, co-owner with his son at 6115 East Central, stated his son had chose to put his architect office there and the Commission turned the zoning down about three years ago, and that has not changed yet. He said that they too have had their problems with that property and he suspected that it would continue when you look up and down the street and see some of the occupants there, and of course there are some that are not there. It is not well-cared for and a disgrace to that part of town. He said that he would appreciate seeing it changed and zoned for business.

PARSONS felt that the first thing that needed to be qualified was that they were talking about a policy change. They do not have a case that they were considering today for a zone change. PARSONS said that from what he has heard people say, there are valid comments both ways, however, he felt that this area was one that the staff has spent considerable time on, and he believed quality time, and has come back with a quality recommendation. PARSONS said that if it was possible to zone and develop this area all at one time, it would be much easier. He believed that if they have some rules and have a policy that sets out those rules so that everybody knows what is going

to happen before those cases come to the Commission, they could address some of the concerns that everybody present today had expressed both pro and con. He said that certainly the drainage can be a problem and that could be addressed so that they don't create more of a problem, and hopefully alleviate the existing ones. The traffic question is one of the things that if they could do it all at one time, they could address maybe a little better, but did not feel it was possible that they would get that kind of a request. The property on the north side of the street being light commercial at this time is a consideration for the property on the south side of Central. The policy recommendation that they have from staff does state that they would not look with favor on further encroachment into the neighborhood to the south. Those, along with other considerations, are the reasons he is in favor of the policy change as recommended by staff.

PETERS asked Lindebak if he had any comments on the sewer on Brookside.

LINDEBAK commented that a lot of the problems that exist there are really downstream from Brookside. There is a stream there that has some severe problems on its outfall further south. There was a design study that was done on all of the systems that dump into the north which are upstream, and those systems were designed to try to reduce the impact downstream. If they would have permitted the water to run 100 percent as fast as it could, the situation would be much worse downstream. He felt that it was just a continuation of problems that existed in that area of the city as well as others where original design standards and expectations were not as high as they are today.

BANZER commented that he would strongly recommend that at the time of replatting, consideration be given to accel-decel lanes. He did not feel that they would be well-served to have 15 access points along Central in this area or even 5 or 6. He felt that it would be much easier to handle the problem if they were doing it all in one block. He felt that it was important, with the traffic on Central, to at least underscore that access and indicate that there is some concern as to the ability to get in and out safely from those properties on this particular street since the traffic is abnormally high in this area.

The Planning Commission discussed the number of access points and stated that they expected to see a significant reduction in access points.

**MOTION:** That the Planning Commission adopt the revised zoning policy on Central between Edgemoor and Woodlawn as presented by staff. Conlee moved, Parsons seconded and it carried unanimously. Crockett was not present. Miles and Wilson were absent.

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