

City of Wichita
City Council Meeting
May 6, 2003

Agenda Report No.

TO: Mayor and City Council

SUBJECT: ZON2003-00008 – Zone change from “B” Multi-family Residential to “GC” General Commercial. Generally located south of Murdock and west of Market. (District VI)

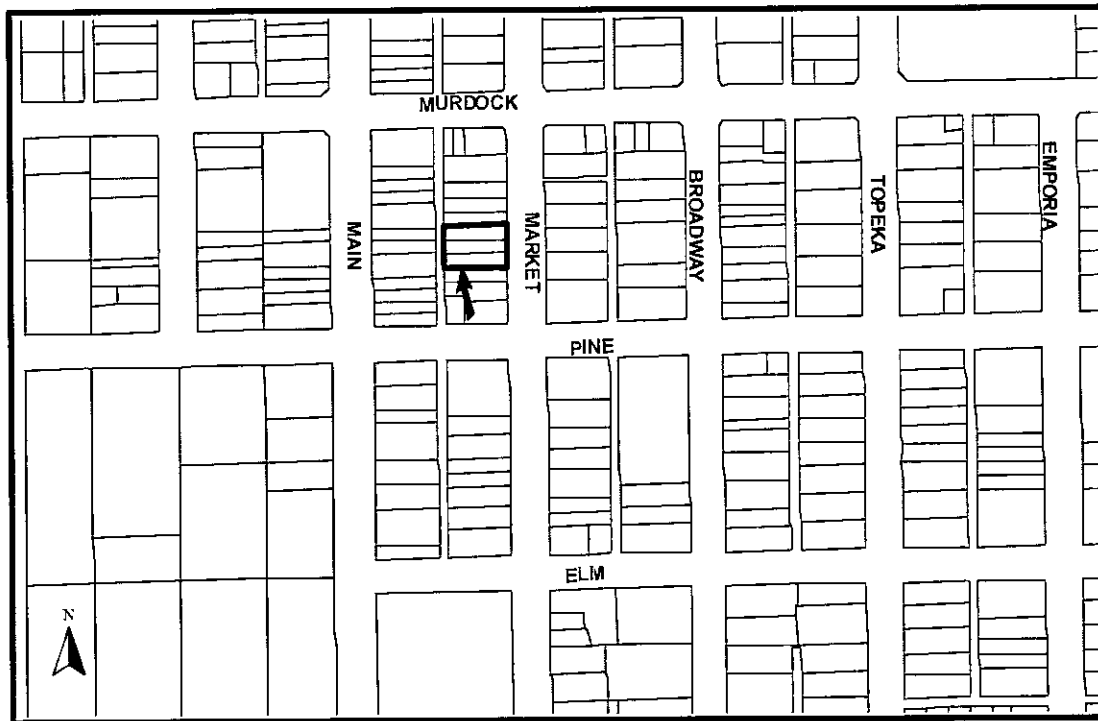
INITIATED BY: Metropolitan Area Planning Department *DM*

AGENDA: Planning

MAPC Recommendation: Approve (11-0)

DAB VI Recommendation: Approve (9-0)

Staff Recommendation: Approve



BACKGROUND: The applicant is seeking "GC" General Commercial zoning for Lots 65, 67 & 69, Munger's Original Town Addition, on the Market Street Side, located northwest of the Market Street & East Pine Street Intersection. The lots are currently zoned "B" Multi-Family Residential and are vacant. These lots are part of a site that the applicant proposes to develop into the Sedgwick County Emergency Communications Center (ECC). Rezoning the lots will give the applicant the same zoning for the proposed site of the ECC.

The site is part of a block wide area with approximately two-thirds of it zoned "GC" and the southeastern, continuous one-third zoned "B". There are two office buildings on the block with the most recent development being the Wichita Area Builders Association (WABA) building on the north end. The office faces Main Street. Parking for this office is to the south and southeast of it. The other office building is located in the southwest section of the block, faces Main Street, with parking in the front of the building and on its north side. The office has an attached garage that has access onto a 20-foot wide alley. The alley separates the east and west halves of the block, except for the northern one-third where the alley has been vacated. The applicant has filed a request to vacate the remainder of the alley; VAC2003-00005. Private parking lots for Eby Construction and Utility Contractors are located on the southeast and southwest end of the block and abut Pine Street. There are two undeveloped sites also located in the block.

The area around the site is developed predominately as office with commercial zoning with some "B" zoning. Single-story and two-story offices are north of the area. West of the area are offices, for Sedgwick County (with multi-story parking), the Red Cross, and Fire Station #1. South of the area is a vacant commercial building, Eby Construction's office and Utility Contractors' office. In this southern area there are several structures that have National Historical Site Status, including the Ark Valley Lodge and the Old Sedgwick County Courthouse. These buildings' National Historical Site Status puts a small southwestern section of Lot 65 within their historical buffer area. There are single-story offices and older apartments east of the site's area, across Market Street.

At the DAB VI meeting on April 7, 2003, DAB VI voted (9-0) to recommend approval of the requesting zoning change, based on Staff's recommendation. The applicant, Sedgwick County, agreed with Staff's recommendation. Staff and the applicant addressed the DAB's question in regards to the site and development in the general area to the DAB's satisfaction. No one spoke in opposition to the requesting zoning change at the DAB VI meeting. At the MAPC hearing on April 10, 2003, the MAPC voted (11-0) to recommend approval of the requesting zoning change. There have been no written protest received and no phone calls received protesting the requested zoning change.

Recommendation/Actions:

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

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

(150004) Published in The Derby Reporter on MAY 16 2003
ORDINANCE NO. 45-719

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2003-00008

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


Lots 65, 67, & 69, Munger's Original Town Addition, Wichita, Sedgwick County, Kansas.
Generally located south of Murdock and west of Market.

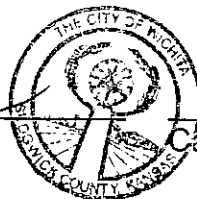
SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

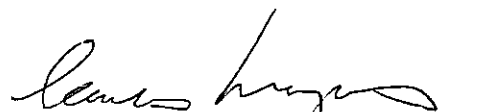
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED AT WICHITA, KANSAS, MAY 13 2003

ATTEST:



Pat Graves, City Clerk




Carlos Mayans, Mayor

(SEAL)

Approved as to form:


Gary E. Rebenstorf, City Attorney