

Agenda Item # _____

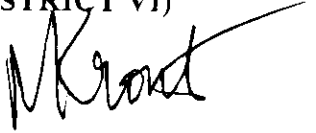
City of Wichita
City Council Meeting
June 4, 2002

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: ZON2002-00021 – Addition to “OT-O/NE” Old Town Overlay district on property zoned “LI” Limited Industrial. Generally located on the southeast corner of Rock Island and 3rd Street North. (DISTRICT VI)

INITIATED BY: Metropolitan Area Planning Department

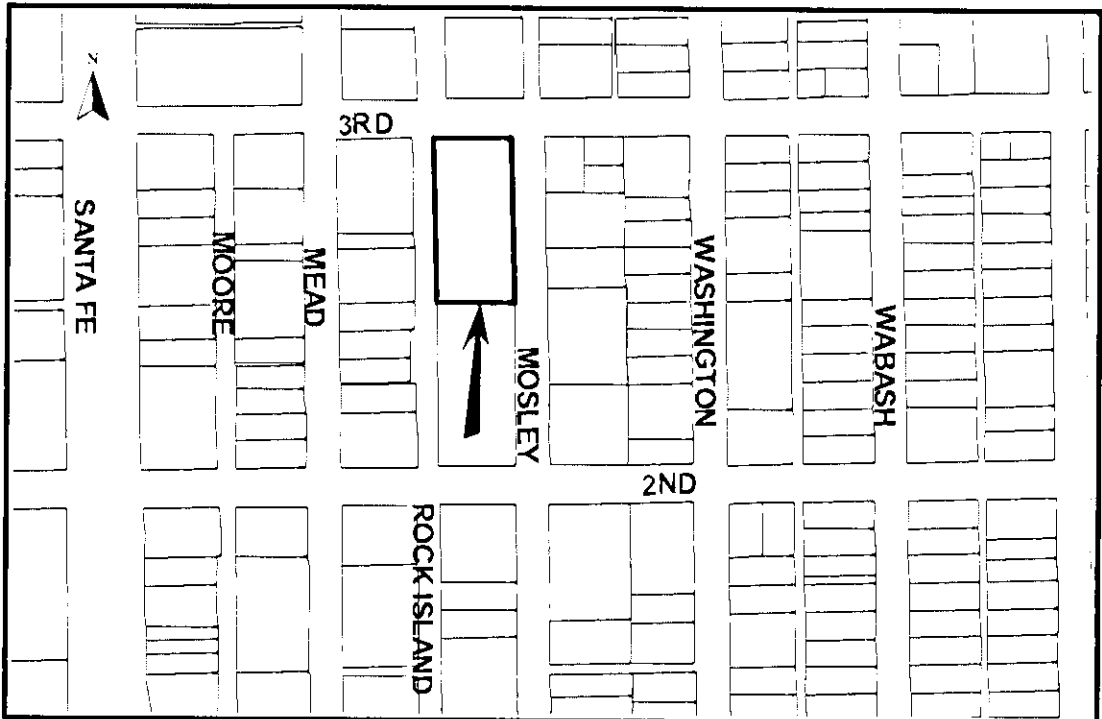


AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to staff recommendations. (12-0)

Staff Recommendation: Approve, subject to conditions.

D.A.B Recommendation: Recommended approved (9-0).



BACKGROUND: The applicant is requesting addition of approximately one acre to the "OT-O/NE" Old Town Overlay District, on property zoned "LI" Limited Industrial. The property is located on the southeast corner of Rock Island and 3rd Street North. Currently, the site is occupied by a row of warehouse buildings, with an open storage yard on the northwest corner of the lot. However, the applicant anticipates increasing demand for retail/commercial uses because of the nearby Old Town Cinema project currently under development, and the proposed apartment building directly across the street from the subject tract.

The "OT-O" Old Town Overlay District has reduced parking requirements when compared to most other zoning districts, and has provisions which allow for the use of off-site shared public parking spaces by property owners in the Old Town Parking District by paying a monthly fee, in lieu of providing the parking directly. The Northeast End district, created by the recent amendment to the Unified Zoning Code (DR2002-00002) further reduces the parking requirements in the vicinity north of 2nd Street and east of Rock Island Avenue. It eliminates some of the requirements for shared or leased parking agreements and allows off-site parking on the east side of Washington.

However, inclusion within the "OT-O" zoning district does not automatically include the property within the Old Town Parking District. A separate ordinance will have to be prepared and approved to include the site in the Old Town Parking District. Until the property is included in the parking district, the applicant will need to provide parking as required by the appropriate sections of the code.

If this request is approved, the underlying zoning on the property would remain "LI" Limited Industrial, but the property would become subject to the design, signage and parking requirements of the "OT-O/NE" district. The "OT-O/NE" district also permits a wider range of uses, including residential uses that are not permitted by the existing "LI" zoning.

Surrounding properties are zoned "LI" and are predominantly developed with commercial, industrial and warehouse uses. However, the area is rapidly changing character, as the influence of the Old Town entertainment district expands northward from 2nd Street North. As previously mentioned, the Old Town Cinema project is under development. This project (ZON2002-00007) was designated as the "OT/TH" Theater subdistrict. The property immediately west of the application area was added to the "OT-O" district last year for reuse of a 4 ½ story building for 47 apartments (ZON2001-00045). Another island of "OT-O" is located directly southeast of the application area (ZON2001-00043). This rezoning was to allow the warehouse to the southeast to be redeveloped with potential restaurant/night club/retail uses, but acknowledging the even greater shortage of potential parking areas in the vicinity. It spawned the amendments for the "OT-O/NE" subdistrict.

At the District VI Advisory meeting held May 6, 2002, the DAB voted to approve (9-0).

At the MAPC meeting held May 9, 2002, there was no additional discussion of the proposed change and MAPC voted (12-0) to recommend the requested change.

Recommended action:

1. Concur with the findings of the MAPC and approve the zone change; place the ordinance establishing the zone change 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.)

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(150004) Published in the Wichita Eagle on JUN 22 2002

ORDINANCE NO. 45-337

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. ZON2002-00021

Expansion of "OT-O/NE" Old Town Northeast End Overlay on property zoned "LI" Limited Industrial, described as:

Lots 13, 14, 15, 16, 17, 18 and vacated 10 feet adjacent on the East except for the W 10 feet for street, Block A, H.L. & Annie M. Taylor's Addition to the City of Wichita, Sedgwick County, Kansas. Generally located on the southeast corner of Rock Island and 3rd Street North.

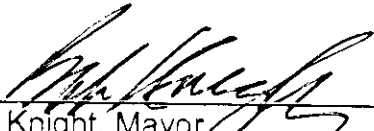
SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

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, JUN 18 2002

ATTEST:


Pat Burnett, City Clerk


Bob Knight, Mayor

(SEAL)



Approved as to form:


Gary E. Rebenstorf, City Attorney