

City of Wichita
City Council Meeting
September 9, 2003

Agenda Report No.

TO: Mayor and City Council

SUBJECT: ZON2003-00036 – Zone change from “LI” Limited Industrial, “GO” General Office, and “B” Multi-Family Residential to “GC” General Commercial. Generally located south of Murdock Avenue and between Emporia Avenue, Pine Street and Topeka Avenue. (732 N. Topeka) (District VI)

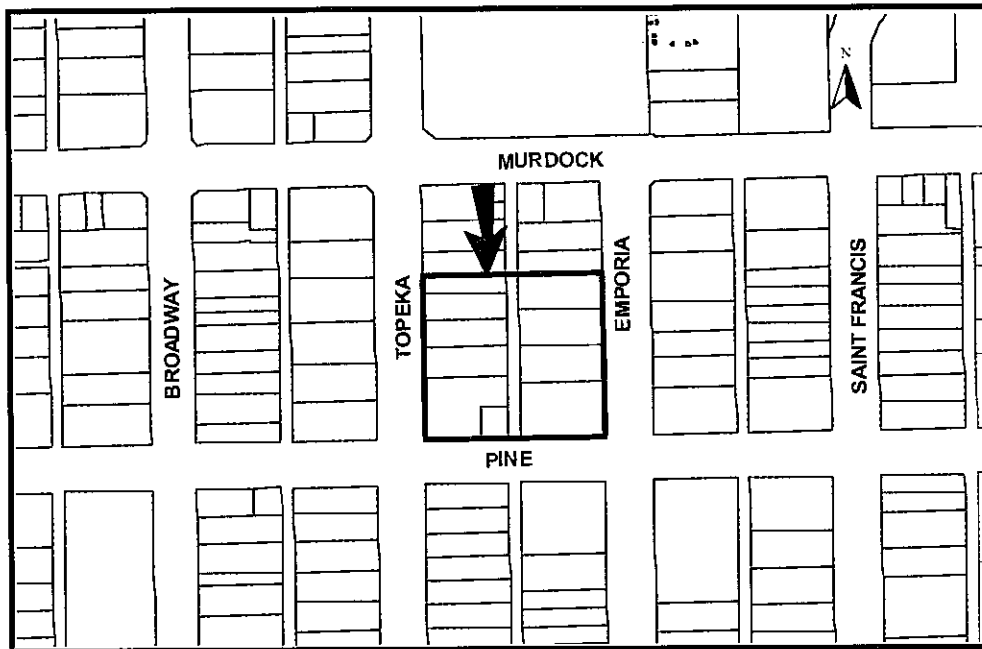
INITIATED BY: Metropolitan Area Planning Department *JLS*

AGENDA: Planning

MAPC Recommendation: Approve, subject to replatting within a year. (11-0)

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

D.A.B. Recommendation: Approve, subject to replatting within a year. (11-0)



BACKGROUND: The applicant is seeking “GC” General Commercial zoning for Lots 41& 43, Topeka Pines Addition, the north 20-feet of Lot 47, 49 -57 odd and 40-56 even, J.P. Hiltons Addition located south of Murdock and between Emporia Avenue, Topeka Avenue and Pine Street. The lots are currently zoned “LI” Limited Industrial, “GO” General Office & “B” Multi-Family Residential. These lots are part of a site/block that the applicant proposes to develop into a family clinic center.

The site, along with the “GC” property north of the site, has recently been prepared for redevelopment. Parking lots are the remaining active use on the site/block.

Across Murdock Avenue and north of the site is the dominant development of the area, the Saint Francis Via Christi Medical complex. The proposed development would follow a similar development pattern established in the area; assorted medical service offices expanding out of the Via Christi complex. West of the site (across Topeka) are older 2 -story single-family residences and a duplex. South of the site are a vacant bakery, a thrift store for bakery goods, the Metro Midtown Alternative High School, vacant properties and older apartments. Developments east of the site include a medical service, a small accessory structure, parking and vacant property.

No one spoke against the requested "GC" zoning change at the August 7, 2003 MAPC meeting and Staff has not received any calls or written protest against the requested zoning change. The MAPC voted (11-0) to approve the request subject to replatting within a year.

DAB VI considered and approved the request for "GC" zoning, subject to replatting within a year (11-0) at their August 4, 2003 meeting. No one spoke against the requested zoning change request at the DAB VI meeting and Staff has not received any calls or written protest against the requested zoning change.

Recommendations:

1. Concur with the findings of the MAPC and approve the zone change subject to replatting within a year; instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Council; or
2. Return the application to the MAPC for reconsideration

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

ORDINANCE NO. 45-800

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. ZON 2003-36

Request for zone change from "LI" Limited Industrial District, "GO" General Office District, and "B" Multi-family Residential District to "GC" General Commercial District, on property described as:

Lot 1, Block 1, Via Christi Family Practice Addition, to Wichita, Sedgwick County, Kansas.

Generally located north of Central, east of Broadway.

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 this 7th day of October, 2003.

ATTEST:

for Patsy Ellis, Deputy
Pat Graves, City Clerk

Carlos Mayans
Carlos Mayans, Mayor



Approved as to form:

Gary E. Rebenstorf
Gary E. Rebenstorf, City Attorney