

Planning Agenda Item # _____

City of Wichita
City Council Meeting
January 8, 1991

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-3015 - ZONE CHANGE FROM THE "R-5" GENERAL RESIDENCE DISTRICT TO THE "LC" LIGHT COMMERCIAL AND "BB" OFFICE DISTRICTS, LOCATED ON THE WEST SIDE OF SENECA BETWEEN 48TH STREET SOUTH AND 50TH STREET SOUTH. (District #4)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve (9-0).

Staff Recommendation: Approve.

CPO Recommendation: CPO Council "4B" voted 5-0 to recommend approval of the request.

Background: On December 6, 1990, the MAPC held a public hearing to consider a zone change request from the "R-5" General Residence District to the "BB" Office and "LC" Light Commercial Districts for a portion of a platted lot located on the west side of Seneca, between 48th Street South and 50th Street South. The "LC" rezoning area measures 70 feet by 200 feet (.3 acre) and the "BB" rezoning area measures approximately 200 feet by 250 feet (1.2 acres). The subject lot was platted in 1985. All of the "LC" rezoning area is located within a platted floodway and a small portion of the "BB" area is within the same floodway. The applicants' agent has advised that he has discussed the future vacation of the subject portion of floodway with the City Engineer's office and, based on Engineering's tentative support for the possible floodway vacation, has chosen to file this rezoning case.

The applicants are the owners of Dutch's Greenhouse to the south and have requested these zone changes in order to gain more suitably zoned land for that business. Specifically, the additional "LC"-zoned land will be used for off-street parking and future sales area when Seneca Street is improved to a four-lane facility. The "BB" area is requested to provide additional room for overflow parking and space for construction of greenhouses.

Even though the adopted policy statement for Seneca Street adjacent to this case is to not favor requests for non-residential zoning, staff supports the "LC" and "BB" rezoning requests. This support

is based on the fact that the "LC" rezoning request is relatively minor in nature and is needed to provide expansion room for the long-standing business to the south. The applicants' agent has advised that the greenhouse/plant nursery business has been at that location for 33 years. The request for "BB" zoning is recommended for approval because it is believed that the granting of this rezoning request will establish a partial buffer zone between the arterial street and the "R-5" zoning to the west. Staff does not believe that the granting of these rezoning requests will substantially damage the future development of residences on the adjacent "R-5"-zoned land.

RECOMMENDATIONS/ACTIONS:

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

(_____) Published in The Daily Reporter on 1/18/91

ORDINANCE NO. 41-294

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 28.04.210, THE CODE OF THE CITY OF WICHITA, KANSAS.

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

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of Section 28.04.210, The Code of the City of Wichita, Kansas, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. Z-3015
Zone Change Request from "R-5" General
Residence District to "LC" Light Commercial
and "BB" Office District

"R-5" to "LC"

The south 70 feet of the east 200 feet of Lot 1, Block 1, Seneca Hills 2nd Addition to Wichita, Sedgwick County, Kansas.

"R-5" to "BB"

Beginning at a point on the east line of Lot 1, Block 1, Seneca Hills 2nd Addition to Wichita, Sedgwick County, Kansas, 70 feet north of the southeast corner of said lot; thence north along the east line of said Lot 1, 330 feet; thence west, parallel with the south line of said Lot 1, 200 feet; thence south, parallel to and 200 feet west of the east line of said Lot 1, 250 feet; thence east, parallel to the south line of said Lot 1, 172 feet; thence south, parallel to the east line of said Lot 1, 80 feet; thence east, parallel to the south line of said Lot 1, 28 feet to the point of beginning. The above-described tract contains 1.2 acres ±.

Generally located on the west side of Seneca between 48th St. South and 50th St. South.

z-3015 Ordinance
Page 2

SECTION 2. That upon the taking effect of the Ordinance, the above zoning change shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Zoning Ordinance as amended.

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

ADOPTED AT WICHITA, KANSAS, _____

ATTEST:

Mayor

City Clerk

(S E A L)

Approved as to form:

City Attorney