

City of Wichita
City Commission Meeting
July 8, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: Z-2771 - REQUEST FOR ZONE CHANGE FROM "A" TWO-FAMILY
DWELLING DISTRICT TO "BB" OFFICE DISTRICT, LOCATED AT
THE NORTHWEST CORNER OF SECOND AND MARTINSON.
(Kelly C. & Cathy D. Grant)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Zoning

MAPC Recommendation: Approve (9-0)

Staff Recommendation: Approve

Background: On June 12, 1986, the MAPC held a public hearing to consider a zone change from the "A" to the "BB" district for a 15,625 square-foot tract of land located at the northwest corner of Second and Martinson. The west 25 feet is platted; the east 100 feet is unplatted. The 2,700 square-foot Enoch Dodge House, built in 1887 and included in 1982 in the Wichita Register of Historic Places, occupies the site. The house has been extensively renovated in the past four years by the present owners. One neighboring property owner spoke in opposition citing the potential for an increase in the traffic in an already congested area. The Planning Commission recommended approval subject to platting the property within one year and subject to obtaining a Certificate of Appropriateness from the Historic Landmark Preservation Committee.

CPO Council "O" voted 4-3 to recommend that the zone change be approved.

Analysis: All properties in the immediate vicinity are developed with single family homes with the exception of the legal, nonconforming escort service use at the northeast corner of Second and Martinson which is in a small building dating back to the 1920's and which was originally a filling station. A number of different commercial-type uses have occupied that building over the years. The Enoch Dodge house is larger than adjacent houses and sits on a site which is adequate in size to provide off-street parking if converted to offices. The alley to the north is only fifteen feet wide.

The Planning Commission found that the character of the neighborhood, the zoning and uses of properties nearby, the unsuitability of subject property for the uses to which it has been restricted, and the recommendation of staff justified the zone change.

- Actions:
1. Concur with the findings of the MAPC and approve the zone change subject to the condition of platting; instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Commission; or
 2. Return the application to the MAPC for reconsideration stating reasons.

Attachments: Area map
6-12-86 MAPC Minutes
CPO Memorandum

(788) Published in The Daily Record on June 24, 1987

ORDINANCE NO. 39-901

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-2771

Zone Change from the "A" Two-Family Dwelling District
to the "BB" Office District

Lot 21, First Street now Second Street, Walter Morris and Sons Third Addition to Wichita, Sedgwick County, Kansas and a tract beginning at the southeast corner of Lot 21, Walter Morris and Sons Third Addition to Wichita, Sedgwick County, Kansas, thence north 125 feet to the northeast corner of said Lot 21, thence east 100 feet to the west line of Martinson Avenue, thence south 125 feet to the north line of Second Street, thence west 100 feet to the point of beginning, being a part of the NE $\frac{1}{4}$ of Section 19, Township 27 South, Range 1 East of the 6th P.M. in Sedgwick County, Kansas. (Now platted as Lot 1, David Matthew Grant Addition, Wichita, Sedgwick County, Kansas)

Generally located at the northwest corner of Second Street and
Martinson Avenue.

SECTION 2. That upon the taking effect of the Ordinance, the above zoning changes shall be entered and shown on the 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

(SEAL)

Approved as to form City Attorney