

City of Wichita  
City Council Meeting  
January 5, 1988

Agenda Report # \_\_\_\_\_

TO: Mayor and City Council Members

SUBJECT: DP-179, BEACON HILL COMMERCIAL COMMUNITY UNIT  
PLAN, AND

Z-2750 - ZONE CHANGE FROM "AA" ONE-FAMILY DWELLING  
DISTRICT AND "LC" LIGHT COMMERCIAL DISTRICT TO  
THE "LC" LIGHT COMMERCIAL DISTRICT, LOCATED AT THE  
SOUTHEAST CORNER OF OLIVER AND 29TH STREET NORTH.  
(District 1)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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MAPC Recommendation: Approve subject to conditions (8-0)

Staff Recommendation: Approve subject to conditions.

CPO Recommendation: Council "1B" - No recommendation. The CPO Council does not have a recommendation because they deferred the first scheduled meeting since the agent was not present and because the second meeting was cancelled due to inclement weather. (See the attached memo from the CPO office).

The CPO members and the CPO office have not received any comments from citizens regarding these cases.

Background: On December 10, 1987, the MAPC held a public hearing to consider a commercial community unit plan and an associated zone change request for a 7.4-acre unplatted and undeveloped tract of land on the southeast corner of Oliver and 29th Street North. This corner was not included in the Beacon Hill Residential C.U.P. (DP-147) located to the south and east. The "LC" rezoning request is for a 1.5-acre portion of the property that is presently zoned the One-family Dwelling District.

The C.U.P. proposal is divided into four (4) parcels proposing 122,000 square feet of maximum gross floor area for commercial and office uses. Some of the proposed uses are: financial institutions, convenience stores, retail shops, restaurants, theaters, grocery stores, schools, day care and fitness centers.

At MAPC, the applicant agreed to adding additional wording to the C.U.P. regarding a speaker system for drive-thru restaurants on Parcels 3 and 4, since staff felt the adjacent land use of drive-thru restaurants next to residential zoning to be inappropriate.

No one spoke in opposition to the requests. The Planning Commission unanimously recommended approval of the applications subject to conditions.

- Recommendations/Actions:
1. Concur with the findings of the MAPC and approve the zone change and C.U.P. subject to the recommended conditions; instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Council; or
  2. Return the applications to the MAPC for reconsideration stating reasons.

( 1262 ) Published in The Daily Record on October 3, 1988

ORDINANCE NO. 40-403

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-2750

Zone change from the "AA" One-Family Dwelling District and the "LC" Light Commercial District to the "LC" Light Commercial District.

The south 120 feet of Lot 12, Block 1, New Bedford Place Addition, an addition to Wichita, Sedgwick County, Kansas.

Generally located on the east side of Oliver in an area south of 29th Street North.

SECTION 2. That upon the taking effect of the 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 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:

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(SEAL) City Clerk

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Mayor

Approved as to form:

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City Attorney