

City of Wichita
City Commission Meeting
February 18, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: Z-2733 - REQUEST FOR ZONE CHANGE FROM "AA" SINGLE-FAMILY
TO "OC" OFFICE COMMERCIAL, LOCATED AT THE SOUTHEAST
CORNER OF CENTRAL AND EDGE Moor. (L.O.Luther)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Zoning

MAPC Recommendation: Approve "OC" (9-0)

Staff Recommendation: Approve "OC"

Background: On December 12, 1985, the MAPC held a public hearing to consider a zone change request from "AA" Single-Family Dwelling to "OC" Office Commercial for a recently replatted lot at the southeast corner of Central and Edgemoor. The site also has frontage on Rockwood to the east. A photography studio operated as a home occupation now utilizes this lot. The need for a business identification sign and additional off-street parking prompted this re-zoning application. In 1984, a request for "OC" was denied by the City Commission after receiving a favorable recommendation from MAPC (and a recommendation that the zoning policy for this area be amended). In 1981, prior to creation of the "OC" district, a request for "LC" had been submitted. MAPC had recommended "BB"; the City Commission returned it for rehearing; MAPC then recommended denial; and the case was withdrawn by that applicant (not the current applicant) before being reconsidered by the City Commission. Three neighboring property owners spoke in protest, citing their fear of further commercial encroachment into their area. The MAPC unanimously recommended approval of the current request for "OC" zoning on December 12.

CPO Council "G" had no quorum for their meeting of December 9th but met on January 6th and voted 5-1 to recommend denial.

The City Commission reviewed the applicant's request and these recommendations at their January 7th meeting and voted 3-2 to return the case to the MAPC for rehearing.

The Planning Commission, upon rehearing the case on January 23rd, again voted unanimously to recommend approval.

Analysis: Properties to the south and east are zoned "AA" and developed with single-family residences. Properties to the north and west are zoned "LC" and developed with a restaurant and used clothing store, respectively. The northwest corner of this intersection is also zoned "LC" and developed with a restaurant and convenience store. Although the adopted zoning policy for the south side of Central between Edgemoor and Woodlawn states that conversions of single-family homes to office and more intensive uses will not be looked upon with favor, the MAPC has previously recommended a policy change. They support "OC" for this corner site and "BB" for the south side of Central between Rockwood and Hillcrest.

"BB" zoning, if granted, would permit parking in the front yard setback but would not allow a business sign to be installed as a photographic studio would still have to be operated as a home occupation in the "BB" district.

The MAPC found that the numerous changes which have occurred with the commercial developments to the north and northwest and the recent widening of the Central/Edgemoor intersection; the zoning and uses of properties nearby, especially the light commercial to the north, northwest and west; as well as the unsuitability of subject site for continued long-term single-family use, justified the zone change.

Legal Consideration: 33.8% of the property within 200 feet is represented by valid protest petitions which have been filed as provided by law. A 4/5ths vote of the City Commission will be required in order to grant the zone change.

- Actions:
1. Concur with the findings of the MAPC and approve the zone change; place the zoning ordinance on first reading; or
 2. Take appropriate action, stating reasons.

Attachments: Area map
12-12-85 & 1-23-86 MAPC Minutes
CPO Memorandum

(1843) Published in The Daily Record on March 7, 1986

ORDINANCE NO. 39-500

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-2733

Zone Change from the "AA" One-Family Dwelling District
to the "OC" Office Commercial District

Lot 1, Block A, LUTHER ADDITION to Wichita, Sedgwick County,
Kansas. Generally located at the southeast corner of Edgemoor
and Central.

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