Agenda Item #_____

City of Wichita
City Council Meeting
November 7, 2000

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: **ZON2000-00042 - ADDITION OF "OT-O" OLD TOWN OVERLAY ON 3,000 SQUARE FEET ZONED "LI" LIMITED INDUSTRIAL, LOCATED ON THE SOUTH SIDE OF DOUGLAS APPROXIMATELY 125 FEET WEST OF WASHINGTON (917 E. DOUGLAS)** (District #I)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to staff comments (12-0).

Staff Recommendation: Approve, subject to conditions.

Background: The applicant is requesting "OT-O" Old Town Overlay zoning district designation. The underlying zoning of the property would remain "LI" Limited Industrial, but the property would become subject to the design and parking requirements of the "OT-O" district. Also, the property could be developed with residences on the upper floors since residential use is permitted in the "OT-O" district even though it would not be permitted in the underlying "LI" zoning absent the "OT-O" designation.

The existing building is a three-story structure that is 25 feet wide with an old grain elevator shaft on the rear. It fronts onto Douglas Avenue and abuts an alley on the south. The applicant proposes to redevelop the building with a small pizzeria-type restaurant on the first floor and three apartments on the second and third floors. The apartments are proposed to be two-story units.

The application area is located across Douglas from the existing "OT-O" Old Town Overlay district, which is bounded by Washington on the east, the BNSF right-of-way on the west, Douglas on the south, and 2nd Street on the north. The Old Town area is one of Wichita's earliest commercial and warehousing districts with identifying characteristics of a strong grid street pattern and a predominate style of red brick Italianate architecture typical of early 20th Century commercial and industrial buildings.

The building maintains some similarity to the predominant style in the Old Town area. It has a continuous façade line along Douglas and common interior walls with the adjoining buildings.

On-street parallel parking is permitted along Douglas. An alley on the south (rear) gives a second means of access, but no parking. The owner intends to meet the on-site parking requirements partially by a shared parking agreement for some of the spaces on a parking lot to the south and partially by participation in the Old Town Parking District (see attached memo). The "OT-O" overlay designation reduces the total parking requirement for a restaurant from one space per four occupants to one space per three occupants.

Nearby uses along the south side of Douglas include a design studio, a boutique (Southwest Studio), The Beacon Restaurant, the Wichita Eagle-Beacon and the historic Rock Island Depot. A parking lot south of the alley is divided between private parking for the Wichita Eagle-Beacon and the architectural office to the south, McCluggage Van Sickle & Perry.

At the MAPC meeting held October 5, 2000, MAPC voted (12-0) to recommend approval subject to Staff comments. There were no citizens present to speak.

Recommended Action:

1. Concur with the findings of the MAPC and approve the Old Town Overlay, subject to recommended conditions, and approve first reading of the ordinance.

2. Return the application to the MAPC for reconsideration

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

(_____) Published in The Wichita Eagle on _____

ORDINANCE NO. _____

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. ZON2000-00042

Request addition of "OT-O" Old Town Overlay on property described as:

Lot 55, on Douglas, Abbott's Addition to East Wichita in Sedgwick County, Kansas. Generally located on the south side of Douglas approximately 125 feet west of Washington (917 E. Douglas).

SUBJECT TO THE FOLLOWING OLD TOWN OVERLAY RESTRICTIONS:

1. The approval of the building permit by the Director of Planning with the concurrence of the Zoning Administrator in conformance the "OT-O" design review standards of Section III-C.4.d. of the Unified Zoning Code.

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.

WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 3

STAFF REPORT

MAPC October 5, 2000

CASE NUMBER: ZON2000-00042

APPLICANT/AGENT: #1 Old Town Development, LLC, c/o Ted Timsah (owner); Ferris Consulting. c/o Greg Ferris (agent)

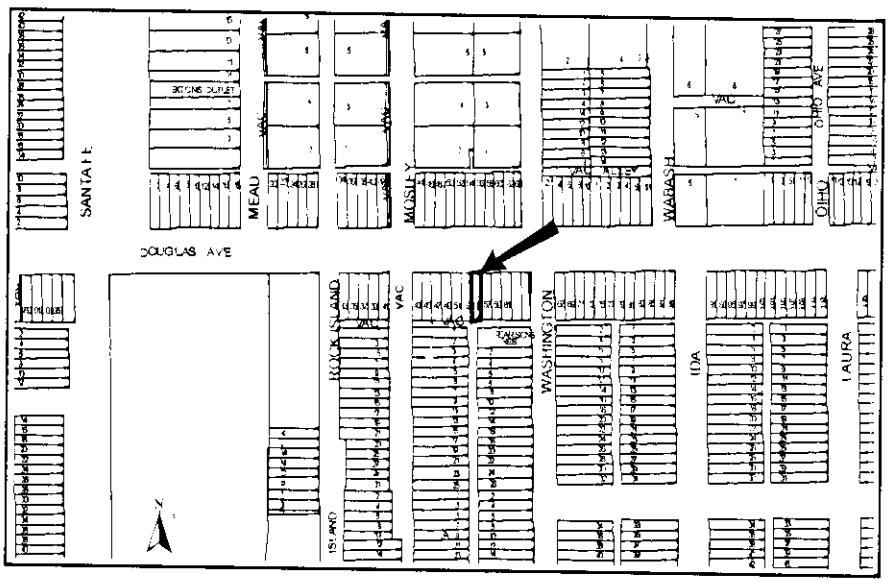
REQUEST: Addition of "OT-O" Old Town Overlay

CURRENT ZONING: "LI" Limited Industrial

SITE SIZE: 3,000 square feet

LOCATION: On the south side of Douglas approximately 125 feet west of Washington (917 W Douglas)

PROPOSED USE: Mixed use with a restaurant on the first floor and three apartments on the second and third floor



BACKGROUND: The applicant is requesting "OT-O" Old Town Overlay zoning district designation. The underlying zoning of the property would remain "LI" Limited Industrial, but the property would become subject to the design and parking requirements of the "OT-O" district. Also, the property could be developed with residences on the upper floors since residential use is permitted in the "OT-O" district even though it would not be permitted in the underlying "LI" zoning absent the "OT-O" designation.

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The application area is located across Douglas from the existing "OT-O" Old Town Overlay district, which is bounded by Washington on the east, the BNSF right-of-way on the west, Douglas on the south, and 2nd Street on the north. The Old Town area is one of Wichita's earliest commercial and warehousing districts with identifying characteristics of a strong grid street pattern and a predominate style of red brick Italianate architecture typical of early 20th Century commercial and industrial buildings.

The building maintains some similarity to the predominant style in the Old Town area. It has a continuous façade line along Douglas and common interior walls with the adjoining buildings.

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CASE HISTORY: The property was platted as the Abbott's Addition in 1878.

ADJACENT ZONING AND LAND USE:

NORTH:	"LI" Limited Industrial	Commercial shops
SOUTH:	"LI" Limited Industrial	Parking lot, architectural office

EAST:	"LI" Limited Industrial	Studio, Southwest Studio
WEST:	"LI" Limited Industrial	Beacon Restaurant, Wichita Eagle-Beacon

PUBLIC SERVICES: The site is served by public water and sewer services. The building has access via Douglas and the alley on the south.

CONFORMANCE TO PLANS/POLICIES: The "Wichita Land Use Guide" of the 1999 Update to the Wichita-Sedgwick County Comprehensive Plan does not specifically address this area but refers to the "Development Plan for Downtown Wichita (June 1989)." Similarly, the Downtown Plan does not provide specific land use recommendations for the area, but identified the area north of Douglas as the "Old Town/Rock Island Rehabilitation" challenge.

The Downtown Plan included a goal of mixed-use development, with the objective of introducing lodging, residential and/or recreational activities to areas that were "dead" during non-working hours. It also noted an unmet demand for more urban style, loft housing, and indicated the market could be absorbed by Old Town.

A strategy for residential land use in the 1999 Update of the Comprehensive Plan (II.A.1) is to "use Community Unit Plans, Planned Development Districts and ***zoning*** as tools to promote mixed use development, higher density residential environments and appropriate buffering."

RECOMMENDATION:

The "OT-O" designation assists in redevelopment of the property in two ways. It allows the mixed residential/commercial use of the property that would otherwise be prohibited since the base zoning district is "LI" Limited Industrial. It also supports the Downtown Plan goal of providing mixed commercial and residential use in the Downtown area.

The "OT-O" designation reduces the amount of on-site parking required, thus encouraging redevelopment of the property. Since design approval is required for remodeling of the exterior of all buildings within the "OT-O" district, it is recommended that the redevelopment be compatible with the character of the Old Town area, as expressed by the design standards of the "OT-O" district.

While the current boundaries of the "OT-O" district are Douglas, this building is compatible in terms of age of structure and general architectural charactistics.

Based on these factors and information available prior to the public hearing, Staff recommends the application be APPROVED subject to the approval of the building permit by the Director of Planning with the concurrence of the Zoning Administrator in conformance the "OT-O" design review standards of Section III-C.4.d. of the Unified Zoning Code.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The area is comprised of a mix of commercial businesses, including other restaurants. All the surrounding land is zoned "LI" Limited Industrial. The "OT-O" district includes all the property to the north across Douglas from the application area. The proposed apartments will be the first residential use on the south side of Douglas between the BNSF right-of-way and Washington, but is supported by the Downtown Plan recommendations for mixed use loft style apartments in the Old Town area.

2. The suitability of the subject property for the uses to which it has been restricted: The property could be developed with commercial uses without the "OT-O" designation, but it would be required to meet the more stringent parking requirements of the Unified Zoning Code.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: The restaurant would be expected to generate greater parking demand on the nearby parking lots in the Old Town area and the on-street parking along Douglas. The nearest Old Town lots are across Douglas between Mosley and Mead, and the lot to the north of the stores on Douglas along Washington Street. It might create pressure on other private parking areas nearby.

4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and Policies: The requested change supports the Downtown Plan in encouraging mixed use. It corresponds to the strategy for residential use in the 1999 Comprehensive Plan for encouraging mixed use developments through the zoning process.

5. Impact of the proposed development on community facilities: The main impact would be a modest increase in parking demand. Since the owner has agreed to participate in the Old Town Parking District, this will contribute financially to long term provision of parking to meet the demands generated by the new development.