

City of Wichita
City Council Meeting
March 29, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-2902 - ZONE CHANGE FROM THE "RB" FOUR-FAMILY DWELLING DISTRICT TO THE "LC" LIGHT COMMERCIAL DISTRICT, LOCATED ON BOTH SIDES OF SYLVAN LANE, IN AN AREA NORTH OF ORME. (District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve (8-1).

Staff Recommendation: Deny.

CPO Recommendation: A motion by Council 2B to recommend approval failed by a vote of 0-7.

Background: On March 3, 1988, the MAPC held a public hearing to consider a zone change from "RB" to "LC" for a quarter-acre site on both sides of Sylvan Lane, in an area north of Orme. A portion of Sylvan Lane (to be vacated) is included in the application. Property to the north and east, also owned by this applicant, has recently been rezoned to "LC" and replatted with his Cowboy Club (5327 E. Kellogg) into one lot. If additional zoning is granted, a 24,000 square-foot retail strip center is proposed behind the Cowboy Club. It would have access to Beverly Drive as well as to Kellogg. A site plan submitted by the applicant indicates that parking could be provided for 163 cars. Although this would meet the minimum code requirements, it would probably be insufficient unless the retail stores were closed during peak club hours and their parking made available for club patrons. No one spoke in opposition to the case at the MAPC hearing but several area residents spoke against the rezoning at the CPO hearing.

- Recommendations/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 Council; or
 2. Return the application to the MAPC for reconsideration stating reasons.

(1039) Published in The Daily Reporter on August 12, 1988

ORDINANCE NO. 40-383

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-2902
Zone Change from the "RB" Four-Family Dwelling District
to the "LC" Light Commercial District

The north 6 feet of Lot 10 and Lot 11, except the north 25 feet thereof, Replat of a portion of Block Three of Beverley Manor, an Addition in Sedgwick County, Kansas, together with that part of Sylvan Lane beginning at a point 6 feet south of the northwest corner of said Lot 10; thence north along the west line of said Lots 10 and 11, 50 feet to a point 25 feet south of the northwest corner of said Lot 11; thence west parallel with the south line of said Lot 11, 75 feet; thence south parallel with the west line of said Lot 11, 25.5 feet; thence east parallel with the south line of said Lot 11, 15 feet; thence south parallel with the west line of said Lots 11 and 10, 24.5 feet; thence east parallel with the south line of said Lot 11, 60 feet to the place of beginning, and together with that part of Block 3, Beverley Manor, Sedgwick County, Kansas, commencing at the intersection of the west line of Sylvan Lane as platted in Replat of a portion of Block Three of Beverley Manor, an addition in Sedgwick County, Kansas, and the center-line of a 40-foot drainage easement as recorded in Misc. Bk. 167 at Page 134; thence south along the west line of said Sylvan Lane, 112.13 feet to a point 18.5 feet north of the south line of said Lot 11, extended west to the west line of said Sylvan Lane for a place of beginning; thence continuing south, along the west line of said Sylvan Lane, 24.5 feet to a point 6 feet south of the south line of said Lot 11, extended west to the west line of said Sylvan Lane; thence west parallel with the south line of said Sylvan Lane, 45.51 feet to the center-line of said drainage easement; thence northeasterly along said center-line, being a curve to the left, having a radius of 483.10 feet, 27.68 feet to a point 18.5 feet north of the south line of said Lot 11, extended west, thence east parallel with the south line of said Lot 11, 32.61 feet to the place of beginning. (Now platted as that part of Lot 1, New Western 3rd Addition, Wichita, Kansas that was not previously zoned "LC" Light Commercial). Generally located on both sides of Sylvan Lane in an area north of Orme.

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