Planning Agenda Item #_____

City of Wichita
City Council Meeting
March 9, 1993

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: Z-3072 - ZONE CHANGE FROM THE "A" TWO-FAMILY DWELLING DISTRICT TO THE "LC" LIGHT COMMERCIAL DISTRICT, LOCATED 400 FEET SOUTH OF KELLOGG BETWEEN BLECKLEY AND ELPYCO. (District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to platting (9-3).

Staff Recommendation: Approve, subject to platting.

CPO Recommendation: CPO Council "East "2"'s motion to recommend disapproval resulted in a moot vote (3-3).

Background: This item was first considered at the Planning Commission's January 14 meeting. The action taken at that time was to defer the item so that compliance with BZA Resolution 3-91 could be verified.

On February 11, 1993, the MAPC reconsidered the zone change from the "A" Two-Family Dwelling District to the "LC" Light Commercial District for four platted lots generally located 400 feet south of Kellogg, between Bleckley and Elpyco. The applicant has indicated that the proposed use of the property is to expand an existing business.

The Land Use Element of the 1978 Comprehensive Plan, as well as the proposed Comprehensive Plan update, indicate this area for commercial use. The adopted MAPC zoning policy recommends looking favorably on deepening "LC" zoning on the south side of East Kellogg for existing businesses which are oriented toward Kellogg. The proposed Comprehensive Plan further recommends that commercial uses not located in planned centers, including auto-related uses, should be guided to areas including segments of Kellogg where these uses may already exist.

Previous zone changes in this area have supported deepening "LC" zoning along the south side of East Kellogg. In 1984, Z-2639 established "LC" zoning along the east side of Pinecrest from

Kellogg to Orme. Previous zone changes in 1990 (Z-2993) and 1991 (Z-3016) deepened the "LC" zoning to a depth of approximately 340 feet from Kellogg between Elpyco and Bleckley. A zone change in 1992 (Z-3062) extended "LC" zoning approximately 300 feet from Kellogg along Pinecrest.

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.

3. Override the Planning Commission's recommendation by a 2/3rd majority vote of the membership of the governing body.

( ) Published in The Daily Reporter 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 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-3072

Zone change from the "A" Two-family Dwelling District to the "LC" Light Commercial District

The south 10 feet of Lot 1, all of Lot 2, north 50 feet of Lot 3, all of Lots 8 and 9, Block B, Nashville Park Addition, to the City of Wichita, Sedgwick County, Kansas. (Now being platted as part of the Davis-Moore 11th Addition).

Generally located on the east side of Elpyco between Kellogg and Orme.

SECTION 2. That upon the taking effect of the Ordinance, the above zoning change 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:

_____ _____

(SEAL) Pat Burnett, Deputy City Clerk Elma Broadfoot, Mayor

Approved as to form:

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Gary E. Rebenstorf, City Attorney