Planning Agenda Item #_____

City of Wichita
City Council Meeting

October 4, 1994

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: Z-3145 - ZONE CHANGE FROM "AA" ONE FAMILY DWELLING DISTRICT TO THE "LC" LIGHT COMMERCIAL DISTRICT, LOCATED EAST OF THE WICHITA-VALLEY CENTER FLOOD CONTROL RIGHT-OF-WAY ON THE NORTH SIDE OF CENTRAL AVENUE.
(District #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to replatting within one year (7-2).

Staff Recommendation: Approve, subject to replatting within one year.

CPO Recommendation: CPO Council Northwest "5" voted 7-0 to recommend approval of the request.

Background: On September 8, 1994, the MAPC considered a zone change from the "AA" One Family Dwelling District to the "LC" Light Commercial District for a 3,775 square foot site located east of the Wichita-Valley Center Flood Control right-of-way on the north side of Central Avenue. The proposed use of the property is to accommodate parking for the commercial center.

In July 1993, the applicant filed for a zone change request (Z-3099) for "LC" Light Commercial for Lot 5, Block A, West Central Garden 3rd Addition, located north of the application area. The request was proposed to accommodate an expansion of an existing small retail center. It was discovered while processing the case that a portion of this land had been used for a number of years for off-street parking for the commercial development, without a formal agreement with the City. At the MAPC meeting, the applicant agreed to certain landscape and screening requirements, in the rear of his existing development and the rear of the additional lot requested for rezoning, abutting and across from single family homes.

On June 7, 1994, the Wichita City Council approved the zone change for the adjacent lot, subject to replatting the property with Lot 1 Kelley-Shaw Addition into one lot to obtain setbacks, utility

easements, appropriate access controls, and approval of a landscape plan, within one year. On August 1, 1994, the City Engineer's Office granted a minor street privilege permit to pave a portion of the right-of-way and to install two signs adjacent to the property.

After the Council's approval, it was discovered that the subject property was not included in the original request for rezoning for adjacent Lot 5. Therefore, the applicant filed for this zone change request to accommodate the existing parking lot along Central.

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.

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

( ) Published in The Daily Reporter on _____

ORDINANCE NO. 42-550

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-3145
Zone Change from the "AA" One-Family Dwelling District to the "LC" Light Commercial District

The south 50 feet of the west 100 feet of Lot 4, Block A, West Central Gardens 3rd Addition, Wichita, Sedgwick County, Kansas (now being platted as part of the Steve Kelley 3rd Addition, Wichita, Sedgwick County, Kansas)

Generally located north of Central and east of the Wichita-Valley Center Flood Control Right-of-Way.

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