Planning Agenda Item #_____

City of Wichita
City Council Meeting

October 18, 1994

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: Z- 3144 - REQUEST FOR ZONE CHANGE FROM "AA" ONE FAMILY DWELLING DISTRICT TO "LC" LIGHT COMMERCIAL LOCATED NORTH OF CENTRAL ON THE EAST SIDE OF DOUGHERTY. (District #5)

INITIATED BY: Metropolitan Area Planning Department MKroat

AGENDA ACTION: Planning

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

Staff Recommendation: Deny

CPO Recommendation: Approve (7-0)

Background: The applicant requests a zone change from the "AA" One Family Dwelling District to the "LC" Light Commercial District for 0.89 acres platted as Lots 5 & 6, Hickory Creek Addition. The subject property is located north of Central on the east side of Dougherty. The applicant proposes to construct a 15,000 to 16,000 square foot storage building for Automotive Supply Inc, located in the commercial strip center to the south.

The business sells auto parts and has a machine shop and engine rebuilding. The applicant indicates that additional space is needed for storage of auto parts for the business. However, an expansion of the strip center is not possible because of an existing utility easement along the north side of the building. The proposed storage building would have an enclosed loading area, with access only to Dougherty, a 2-lane paved residential street. However, this access would be located directly across the street from residential properties.

The subject property is currently occupied by two small 1950's single family homes, in average to fair condition. The site is surrounded by single family homes to the north and east and duplexes to the west. The existing commercial strip center is located to the south and an automotive repair business is located to the southwest at the corner of Central and Dougherty.

Planning staff recommends denial of the request due to a concern about the proposed expansion of commercial uses into the adjacent residential neighborhood and the lack of direct access to a major arterial roadway. The only access to the site would be directly across from residential properties and the proposed use would also feed truck traffic directly onto a residential street. The Comprehensive Plan recommends that large scale auto-related businesses should be located along arterials such as Kellogg.

At the MAPC hearing on September 22, 1994, no citizens appeared before the Commission concerning this request. The MAPC recommended approval (7-2), citing no opposition from the neighborhood, the CPO 5 recommendation for approval, and the long established business in the area.

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.

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. _____

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-3144

Zone change from the "AA" One-family Dwelling District to the "LC" Light Commercial District

Lots 5 and 6, Hickory Creek Addition, Wichita, Sedgwick County, Kansas (now being platted as a part of the Jacob's Addition).

Generally located north of Central and east of Dougherty.

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 Bob Knight, Mayor

Approved as to form:

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Gary E. Rebenstorf, City Attorney