Planning Agenda Item #_____

City of Wichita
City Council Meeting
September 10, 1996

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: Z-3206 -ZONE CHANGE REQUEST FROM 'TF-3' TWO FAMILY DWELLING TO 'LC' LIMITED COMMERCIAL; AND

CU-409 - CONDITIONAL USE TO ALLOW OUTDOOR VEHICLE SALES.
(DISTRICT #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to conditions (8-0).

Staff Recommendation: Approve, subject to conditions.

CPO Recommendation: Approve (6-0).

Background: The applicant requests a zone change from "TF-3" Two-Family Residential to "LC" Limited Commercial on Lot 24 and the south 1/2 of Lot 25, Block 1, Beverly Manor Addition (approximately 0.23). The applicant is also requesting a Conditional Use to allow outdoor vehicle sales on the expanded Davis-Moore site (approximately 1.74 acres).

The areas to the north and east are predominately commercial in nature with "LC" zoning, while the areas to the south and west, zoned "TF-3," remain basically residential in character. The proposed expansion of the sales lot is to the south along Edgemoor.

The existing sales lot was established through a series of rezonings and use exceptions. The conditions established in the use exception cases will be retained in the applicant's Conditional Use. Of particular interest is the extension of the landscaping requirements to the south along Edgemoor, as well as the extension of the screening fence and landscape buffer between the expanded lot and the residential property to the south.

Concerns over how the Kellogg expansion would affect this proposal were expressed by a citizen

during the C.P.O. meeting. After discussion, the C.P.O. voted 6-0 to approve the request as recommended by staff. During the Planning Commission's discussion of this matter, the agent for the applicant discussed the need to expand the car lot. It was noted that conditions of the old Board of Zoning Appeals use exception placed on the current sales lot were being retained for the expanded lot. After discussion, the MAPC voted (8-0) to approve the request as recommended by staff.

Recommendation:

1. Concur with the findings of the MAPC and approve the zone change and conditional use permit, subject to the recommended conditions; 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 consideration.

(An override of the Planning Commission's recommendation requires a 2/3rd majority vote of the membership of the governing body on the 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 THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY ORDINANCE NO. 43-014.

FILE COPY

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 Ordinance No. 43-014, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No.Z-3206

Zone change request from 'TF-3' Two Family Residential District to 'LC' Limited Commercial District, described as:

Lot 24 and the S 1/2 of Lot 25, Block 1, Beverly Manor, an addition to Wichita, Kansas. Generally located south of Kellogg, west of Edgemoor (537 S. Edgemoor).

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.

ADOPTED AT WICHITA, KANSAS, _____

ATTEST:

_____ _____

Pat Burnett, City Clerk Bob Knight, Mayor

WICHITA — SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT
CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421
FAX (316) 268-4390

December 21, 1998

Albert L. Keith
537 S. Edgemoor
Wichita, KS 67218

RE: Z-3206 - Zone change from "TF-3" Two-Family to "LC" Limited Commercial located south of Kellogg and west of Edgemoor

Dear Mr. Keith:

On September 10, 1996, the Wichita City Council considered the above-referenced request. The action of the Council was to APPROVE the request, subject to platting within one year or the case would be considered denied and closed.

We understand that there has not been a plat filed on this property. Therefore this case will be marked denied and closed.

If you have any questions, you can call me at (316) 268-4421.

Sincerely,

Keith Gooch

Keith Gooch
Senior Planner

cc: KDA, Inc., c/o T.G.Davis, 6215 E. Kellogg, Wichita, KS 67218
Everitt C. Fettis, 120 S. Market, Wichita, KS 67202
J.R. Cox, Office of Central Inspection
Paul Hays, Office of Central Inspection
Kurt Schroeder, Office of Central Inspection