

City of Wichita  
City Council Meeting  
August 20, 1996


Agenda Report # \_\_\_\_\_

**TO:** Mayor and City Council Members

**SUBJECT:** Z-3204 - ZONE CHANGE FROM 'TF-3' TWO FAMILY RESIDENTIAL;  
TO 'LC' LIMITED COMMERCIAL AND

DP-183 -AMENDMENT #3 TO THE DAVIS-MOORE COMMERCIAL  
COMMUNITY UNIT PLAN TO PERMIT EXPANSION OF  
AUTOMOTIVE DEALERSHIP (PARKING AREA).

(DISTRICT #2)

**INITIATED BY:** Metropolitan Area Planning Department 

**AGENDA ACTION:** Planning

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**MAPC Recommendation:** Approve, subject to conditions. (11-0).

**Staff Recommendation:** Approve, subject to conditions.

**CPO Recommendation:** (CPO #2) Approve. (7-0).

**Background:** The applicant requests a zone change from the 'TF-3' Two-Family Residential to 'LC' Limited Commercial for Lot 18, Drivers Addition (542 S. Lightner Dr.), located south of Kellogg on the east side of Lightner Drive. The applicant also requests an amendment to the Davis-Moore Community Unit Plan to add the lot proposed for rezoning to the CUP. The zone change and CUP amendment are requested to allow for an expansion of the Davis-Moore automotive dealership.

The subject property is currently developed with a single family home and is bordered by the Davis-Moore service center to the north, a parking lot for the automotive dealership and a single family home to the east, single family homes to the south, and a duplex and single family homes to the west. The existing single family home has a garage and driveway that enters from Lightner. The applicant indicates that the existing single family home will be removed and the lot will be used as a parking area for employees of the auto complex.

The existing CUP requires 60 feet of complete access control along Lightner to the north and a 10' by 60' landscape planting strip at the south side of the CUP along Lightner Drive (directly north of

the subject property), as well as a wood fence between the auto dealership and adjacent residential properties. As part of the CUP amendment, the applicant is requesting one point of access to the proposed parking lot (Lot 18) from Lightner. The CUP amendment would move the screening requirements (i.e. wood fence) to the south side of Lot 18, maintain the existing access controls north of Lot 18, maintain the requirement for the landscape planting strip north of Lot 18, and establish a required planting strip along Lightner on Lot 18. The planting strip would be installed when any improvements are initiated on that lot.

During the Planning Commission's discussion of this matter, questions concerning access to the proposed parking lot were raised by several Commissioners. Also raised were questions concerning the lighting restrictions on the expanded area of the auto complex. The public voiced their concerns over the expansion of the auto dealer closer to their neighborhood and thereby decreasing their value of their property. After discussion, the MAPC voted (11-0) to approve the request as recommended by staff.

**Recommendation:**

1. Concur with the findings of the MAPC and approve the zone change and C.U.P., subject to the recommended conditions; place the ordinance establishing the zone change on first reading; 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.

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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-3204

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

Lot 18, Drivers Addition, Wichita, Sedgwick County, Kansas. Generally located east of Lightner, South of Kellogg.

**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, \_\_\_\_\_