Planning Agenda Item #_____

City of Wichita
City Council Meeting
March 5, 1996

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: DP-183 - ESTELLA M. VORDERSTRASSE (PROPERTY OWNER), K-DA, INC. C/O GRANT DAVIS (CONTRACT PURCHASER)/BAUGHMAN CO, C/O PHIL MEYER (AGENT) REQUESTS AN AMENDMENT TO THE DAVIS-MOORE COMMUNITY UNIT PLAN, AND

7b. Z-3194 - ESTELLA M. VORDERSTRASSE (PROPERTY OWNER), K-DA, INC. C/O GRANT DAVID (CONTRACT PURCHASER)/BAUGHMAN CO, C/O PHIL MEYER (AGENT) REQUESTS ZONE CHANGE FROM 'A' TWO FAMILY DWELLING DISTRICT TO 'LC' LIGHT COMMERCIAL, (DISTRICT #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to conditions (10-0).

Staff Recommendation: Approve, subject to conditions.

CPO Recommendation: Approve (6-0).

Background: The applicant requests a zone change from the 'A' Two Family Dwelling District to the 'LC' Light Commercial District for Lot 19, Drivers Addition (536 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 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 Drive.

The existing CUP requires 30 feet of complete access control 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 initially proposed to permit vehicular access to the auto dealership from Lot 19. However, the applicant has agreed to establish complete access control to Lot 19. The CUP amendment would move the screening requirements (i.e. wood fence) to the south side of Lot 19, vacate the existing access controls north of Lot 19, eliminate the requirement for the landscape planting strip north of Lot 19, but establish a required planting strip along Lightner Drive in Lot 19. The planting strip would be installed when any improvements are initiated on that lot.

The applicant indicates that the existing single family home will be retained, at least initially, and it will be used as a waiting area for customers of the auto service center. Also, it is likely that the home's garage will be removed and rebuilt with a larger drive-thru garage to allow customers to drop off vehicles and then directly enter the waiting area.

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 on the zone change requires a 2/3rd majority vote of the membership of the governing body on the first hearing. An override of the Planning Commission's recommendation on the CUP amendment requires a simple majority vote 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-3194

Zone Change from 'A' Two Family Dwelling District to 'LC' Light Commercial on property described as:

Lot 19, Drivers Addition to Wichita, Kansas, Sedgwick County, Kansas, generally located south of Kellogg, on the east side of Lightner.

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SECTION 2. That upon the taking effect of the 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 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, _____