Planning Agenda Item #_____

City of Wichita
City Council Meeting
April 29, 1997

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: Z-3223 - ZONE CHANGE REQUEST FROM "LC" LIMITED COMMERCIAL DISTRICT TO "GC" GENERAL COMMERCIAL DISTRICT; AND

DP-7 AMENDMENT #6 - BONANZA, INC. C/O JACK R. HUNT (APPLICANT); SUTHERLAND LUMBER (APPLICANT); DEAN W. FELT (AGENT), LOCATED IN AN AREA NORTH OF 21ST STREET NORTH AND WEST OF AMIDON.

(DISTRICT #6)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to conditions (11-0-1).

Staff Recommendation: Approve, subject to conditions.

CPO Recommendation: Approve (8-0).

Background: The applicant requests an amendment to the Sweetbriar Shopping Center Community Unit Plan located north of 21st Street North and west of Amidon to allow outdoor display and storage of "seasonal and non-seasonal" landscape materials and metal building products for the Sutherland's Lumber store.

The CUP was last amended on September 26, 1996 to allow 10,951 square feet for an outdoor storage area along the northern side of the existing building. The Sutherland's store is approximately 54,760 square feet in size, and the maximum storage area allowed in the Limited Commercial district is 20 percent. Therefore, the request includes a zone change from "LC" Limited Commercial to "GC" General Commercial in order to expand the area for outdoor storage and display.

As part of the last amendment, the storage area was required to be fully screened from view, therefore the applicant is also requesting that the storage area be fenced with material that would allow the merchandise to be visible from the parking lot.

The proposed amendment will create two new parcels (1A and 1B) as shown on the site plan. Parcel 1A is located at the northeastern portion of the existing building and will contain 10,525 square feet of display area (the amendment would move the display area to the east, thereby reducing the amount of area from what is currently allowed). The use of the parcel will be for "exterior storage of seasonal landscape materials (trees, shrubs, bedding plants, and other green planting materials) and the exterior storage of non-seasonal landscape materials (C.C.A. treated timbers, railroad ties, stones, rock, gravel, and other ground cover products)." The storage area is to be enclosed by an eight foot wood screening fence along the northwest portion of the display area (the west fence line and the west 40 feet of the north fence line) and an eight foot chain link fence on the balance of the parcel to allow the merchandise to be seen from the parking lot.

Parcel 1B is located in an area southeast of the Sutherland's Lumber store and contains 2,700 square feet. The use of the parcel will be for "exterior storage of metal building products (fencing materials, chain link and woven wire fence, gates, stock enclosures, water tanks, feed bunkers, dog runs, and other similar materials)." The storage area is to be enclosed by an eight foot chain link fence on the east, south, and west sides of the parcel (there is a fire exit located between the storage area and the existing building). The applicant proposes to rezone Parcel 1B to the "GC" district to permit the expanded storage area.

The application area is surrounded by "LC" Limited Commercial zoning to the north, east, and south and has developed with various commercial uses. There is "B" Multi-Family zoning west of the store site.

During the Planning Commission's discussion of this matter on March 27, 1997, questions concerning the type of fencing to be used for the storage and display areas were asked by the Commission. The agent and applicant stated the new tenant, Sutherland's Lumber, wanted these areas to be seen from the parking lot, and were planning to use chain link and wood fencing. After debating alternative fencing materials, the agent and applicant agreed to construct the fence surrounding the two new storage and display areas with wood and wrought iron fencing as recommended by the Commission. A representative of the Benjamin Hills Neighborhood Association spoke in support of the proposal, with no one speaking in opposition. After discussion, the MAPC voted (11-0) to approve the CUP amendment and zone change, subject to the recommended conditions.

Recommendation:

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

(_____) Published in The Daily Reporter on _____

FILE COPY

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 CITY OF WICHITA CODE SEC. 28.04.010.

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 City of Wichita Code Sec 28.04.010, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. Z-3223

Zone change request from "LC" Limited Commercial District to "GC" General Commercial District, on property described as:

Commencing at the SE corner of the SW 1/4 of Section 6, T2S, R1E, thence west 424 feet, thence north 240 feet to the point of beginning; thence north 60 feet, thence west 45 feet, thence south 60 feet, thence east to beginning. Generally located in an area north of 21st Street North and west of Amidon.

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, _____