Agenda Item #________

City of Wichita
City Council Meeting
August 1, 2000

Agenda Report #______

TO: Mayor and City Council Members

SUBJECT: **ZON2000-00021 - ZONE CHANGE FROM "LC" LIMITED COMMERCIAL TO "GC" GENERAL COMMERCIAL, LOCATED SOUTH OF McCORMICK AND EAST OF TYLER ROAD (8410 WEST KELLOGG)** (District V)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve (11-0).

Staff Recommendation: Approve.

Background: The application area is located south of McCormick, east of Tyler along Kellogg Drive and north of west Kellogg. Currently the "Kansas Credit Union" building is located on the application area which is zoned "LI" Limited Commercial. The site is a platted lot containing .77 acres. Access to the site is from McCormick from the north and Kellogg Drive from the south. The applicant owns a lot to the west that is zoned "GC" General Commercial and a lot to the east that is also zoned "GC." Both of these lots contain existing buildings.

The applicant would like for the entire ownership (three lots) to be zoned "GC." The City of Wichita and the applicant have recently negotiated a right-of-way agreement for the proposed expansion of West Kellogg. As a result, the applicant intends to demolish all three of his buildings and construct one large credit union on-site. Since the credit union routinely has clients who default on their loans for vehicles and boats, the applicant wants to display repossessed items on-site until they are sold.

Surrounding uses include a shopping center (Home Depot) located immediately north and is zoned "LC" Limited Commercial. To the west is a liquor store and it is zoned "GC" General Commercial. To the east is the "Mid America Credit Union" and is zoned "GC." To the south, and across West Kellogg, are various businesses that are zoned "LI" Limited Industrial. If approved, the applicant will need to comply with the City's Landscaping Ordinance.

Recommended Action:

1. Concur with the findings of the MAPC and recommend approval of "GC" General Commercial zoning.

2. Return the application to the MAPC for reconsideration

   (An override of the Planning Commission's recommendation requires a 2/3-majority vote of the membership of the governing body on the first hearing.)

(150003) Published in The Wichita Eagle 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 SECTION 28.04.010, AS AMENDED.

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 Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2000-00021

Request for zone change from "LC" Limited Commercial to "GC" General Commercial on property described as:

Lot 1 & Lot 2, excluding the east 250 feet, First Credit Union Addition, Wichita, Sedgwick County, Kansas. Generally located south of McCormick and east of Tyler Road (8410 W. 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.

WICHITA–SEDGWICK COUNTY
W SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. ____

STAFF REPORT
MAPC – June 29, 2000

CASE NUMBER: ZON 2000-00021

APPLICANT/AGENT: Mid American Credit Union (c/o Lowell E. Richardson, owner); PEC (c/o Gary Wiley, agent)

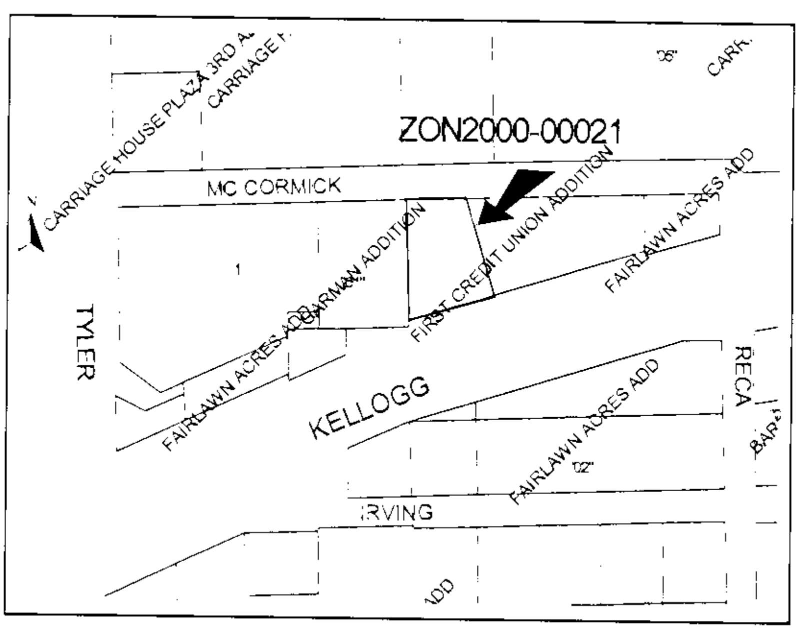
REQUEST: *"GC" [General Commercial]*

CURRENT ZONING: *"LC" [Limited Commercial]*

SITE SIZE: . 77 acres

LOCATION: 8410 West Kellogg

PROPOSED USES: Credit Union



which is zoned "LC" Limited Commercial.

north of

BACKGROUND: The application area is located south of McCormick, east of Tyler along Kellogg Drive and ~~West~~ West Kellogg. Currently the "Kansas Credit Union" building is located on the application area. The site is a platted lot containing .77 acres. Access to the site is from McCormick from the north and Kellogg Drive from the south. The applicant owns a lot to the west that is zoned *"GC" General Commercial* and a lot to the east that is also zoned *"GC."* The applicant would like for the entire ownership (three lots) to be zoned *"GC."* Both of these lots ~~have~~ contain existing buildings.

The City of Wichita and the applicant have recently negotiated a right-of-row agreement for the proposed expansion of West Kellogg. As a result, the applicant intends to demolish all three of his buildings and construct one large credit union on-site. Since the credit union routinely has clients who default on their loans for vehicles and boats, the applicant wants to display repossessed items on-site until they are sold.

Surrounding uses include a shopping center (Home Depot) located immediately north and is zoned *"LC" Limited Commercial*. To the west is a liquor store and it is zoned *"GC" General Commercial*. To the east is the "Mid America Credit Union" and is zoned *"GC."* To the south, and across West Kellogg, are various businesses that are zoned *"LI" Limited Industrial*. If approved, the applicant will have to [illegible]

CASE HISTORY: The *First Credit Union Addition* was platted in 1985.

ADJACENT ZONING AND LAND USE:

NORTH:	*"LC", Limited Commercial*	[shopping center]
EAST:	*"GC" General Commercial*	[credit union]
SOUTH:	*"LI" Limited Industrial*	[businesses]
WEST:	*"GC" General Commercial*	[liquor store]

PUBLIC SERVICES: Public sanitary sewer and water service are currently available to this location.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies the general location as appropriate for *"commercial"* development. The Commercial Locational Guidelines of the Comprehensive Plan recommend that commercial sites should be located adjacent to arterial streets and should have site design features which limit noise, lighting, and other activity from adversely impacting surrounding residential areas. The Commercial Locational Guidelines also recommend that auto-related commercial uses should be guided to cluster in areas and streets where these uses may already exist or to locations where traffic patterns, surrounding land uses, and utilities can support these activities.

RECOMMENDATION: Based on the information available prior to the public hearing, MAPD staff recommends the application be APPROVED, subject to a Protective Overlay and that contain the following conditions:

1. All parking, storage and display areas shall be paved with concrete, asphalt, or asphaltic concrete. Parking barriers shall be installed, except at driveway entrances or where fences are erected, to prevent vehicles from encroaching onto the right-of-way.

2. Outdoor speakers and sound amplification systems shall not be permitted? (drive thru teller - OK??)

3. Lighting standards of Section IV-B.4 of the Unified Zoning Code shall be complied with.

4. The applicant shall submit a landscaping plan? (a building permit issue??)

Standard "LC" car lot

outdoor speakers

screen frontage road

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: Adjacent properties are zoned *"LC", Limited Commercial, "GC", General Commercial* and *"LI" Limited Commercial*. The overwhelming majority of uses surrounding this site are developed with commercial uses.

2. The suitability of the subject property for the uses to which it has been restricted: The *"GC" General Commercial* district permits a multitude of uses that are appropriate and compatible with existing uses and zoning.

3. Extent to which removal of the restrictions will detrimentally affect nearby property. This site is currently surrounded by commercial uses. Approval of this request should not negatively impact nearby properties.

4. Conformance of the requested change to the adopted or recognized *Comprehensive Plan and Policies*: The Land Use Guide of the Comprehensive Plan identifies the general location as appropriate for *"commercial"* development. The Commercial Locational Guidelines of the Comprehensive Plan recommend that commercial sites should be located adjacent to arterial streets and should have site design features which limit noise, lighting, and other activity from adversely impacting surrounding residential areas. The Commercial Locational Guidelines also recommend that auto-related commercial uses should be guided to cluster in areas and streets where these uses may already exist or to locations where traffic patterns, surrounding land uses, and utilities can support these activities.

5. Impact of the proposed development on community facilities: Public sewer and water is available to this site.

5. <u>Impact of the proposed development on community facilities</u>: Public sewer and water is available to this site.

WICHITA–SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. _____

STAFF REPORT
MAPC – June 29, 2000

CASE NUMBER:	**ZON 2000-00021**
APPLICANT/AGENT:	Mid American Credit Union (c/o Lowell E. Richardson, owner); PEC (c/o Gary Wiley, agent)
REQUEST:	*"GC" [General Commercial]*
CURRENT ZONING:	*"LC" [Limited Commercial]*
SITE SIZE:	. 77 acres
LOCATION:	8410 West Kellogg
PROPOSED USES:	Credit Union