

Planning Agenda Item # _____

City of Wichita
City Council Meeting
November 30, 1993

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-3108 - ZONE CHANGE FROM THE "RB" FOUR FAMILY DWELLING DISTRICT TO THE "LC" LIGHT COMMERCIAL DISTRICT, LOCATED 550 FEET WEST OF RUTAN ON THE NORTH SIDE OF NEELY COURT.

(District #3)

INITIATED BY: Metropolitan Area Planning Department

Krant

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to replatting (12-0).

Staff Recommendation: Approve, subject to replatting.

CPO Recommendation: CPO Council Area "3" voted 7-0 to recommend approval of the application.

Background: On November 4, 1993, the MAPC considered a zone change from the "RB" Four Family district to the "LC" Light Commercial district for a 11,520 square foot platted lot generally located west of Rutan on the north side of Neely Court. A parking lot for the adjacent tire store and marine center is planned for the undeveloped lot. It does appear from the aerial photos that a portion of this lot is already being used for parking. Sixty percent of the lot is covered by utility easements.

Surrounding property to the east is zoned "RB" Four Family and is developed with multiple family housing. All remaining surrounding property is zoned "LC" Light Commercial and is developed with Marine and Recreational Service, Quik-Trip and Garrison Tire.

Municipal services are available at this location. Access to the site is currently from Neely Court. Should this property be approved for "LC" Light Commercial zoning, replatting will be necessary to obtain access control along Neely and to obtain access to Hillside.

The Light Commercial district will allow parking lots and storage garages, where all storage is inside. Outdoor storage of boats, vehicles and equipment is not permitted in Light Commercial. Central Inspection has confirmed that illegal outdoor storage of boats is currently occurring on the applicant's adjacent property.

Recommendations/Actions:

1. Concur with the findings of the MAPC and approve the zone change, subject to the condition of platting; 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 reconsideration.

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

() Published in The Daily Reporter on 9/27/95
ORDINANCE NO. 42-853

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-3108

Zone Change from the "RB" Four-family Dwelling District to the "LC" Light Commercial District

Lot 45, Block C, Plainview Subdivision Second Addition, Wichita, Sedgwick County, Kansas (now being platted as part of the Garrison Tire Addition).

Generally located east of Hillside and north of 31st Street South.

SECTION 2. That upon the taking effect of the Ordinance, the above zoning change 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, _____.

ATTEST:

(SEAL) Pat Burnett, Deputy City Clerk

Bob Knight, Mayor

Approved as to form:

Gary E. Rebenstorf, City Attorney