

Planning Agenda Item # _____

City of Wichita
City Council Meeting
October 8, 1996

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-3208 - NESTOR R. WEIGAND, JR. (APPLICANT); AUTO ZONE, INC. C/O STEVE NIKEL (CONTRACT PURCHASER); PHIL MEYER, BAUGHMAN COMPANY (AGENT) REQUESTS ZONE CHANGE FROM 'B' MULTI-FAMILY FROM 'GC' GENERAL COMMERCIAL, LOCATED SOUTH OF CENTRAL, WEST OF MINNESOTA (445 N. MINNESOTA), (DISTRICT #1)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to replatting within 1 year (9-0).

Staff Recommendation: Approve, subject to replatting within 1 year.

CPO Recommendation: Approve (8-0).

Background: The applicant requests a zone change from "B" Multi-Family to "GC" General Commercial on 0.43 acres located south of Central, west of Minnesota (445 N. Minnesota). The applicant, Auto Zone, is requesting the zone change in order to redevelop the application area for an automotive parts store.

The applicant is also purchasing property zoned "GC" General Commercial adjacent to the application area to the north and is rezoning this tract in order for the entire ownership to be developed as an automotive parts store. The zoning application area is currently vacant with an alley separating the Multi-Family and General Commercial properties. There is a vacant building located on the north portion of the site with access to Minnesota.

A preliminary site plan for this development shows a 7,890 square foot Auto Zone store located approximately 95 feet south of Central and approximately 25 feet from Minnesota. The store faces Central and show parking to the west, north and south. The plan also shows one access opening to Central, approximately 150 feet west of Minnesota, and two access openings along Minnesota.

The application area has General Commercial zoning to the north along Central, and Multi-Family zoning to the south along Minnesota. The surrounding property is predominately Multi-Family to the southeast and south and developed with older apartment buildings and single-family homes. There is commercial development to the east of the application area with General Commercial zoning and a utility company with General Commercial zoning to the north.

The application area had included Lots 13-18 of the Ben Bailey's Addition to be rezoned to "GC" General Commercial. After reviewing the site plan, planning staff recommended "GC" zoning for Lot 13, and "GO General Office for Lots 14 and 15. During the Planning Commission's discussion of this matter, the agent for the applicant asked to include the north 5 feet of Lot 16 in the "GO" rezoning area recommended by staff. After discussion, the MAPC voted (9-0) to approve the request as recommended by staff with the inclusion of the north 5 feet of Lot 16 to be rezoned to "GO" General Office.

Recommendation:

1. Concur with the findings of the MAPC and approve the amended zone change to "GC" and "GO", subject to the condition of replatting; 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 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.

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-3208

Zone Change from the "B" Multi-Family Residential District to the "GC" General Commercial District.

Lots 13 through 18, inclusive, Ben Bailey's Addition to Wichita, Kansas. (Now being platted as part of the Autozone 2nd Addition).

Generally located south of Central, west of Minnesota.

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

ATTEST:

(SEAL) Pat Burnett, City Clerk

Bob Knight, Mayor

Approved as to form:

Gary E. Rebenstorf, City Attorney