

Planning Agenda Item # _____

City of Wichita
City Council Meeting
July 1, 1997

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: DP-183 AMENDMENT #7 - JAMES AND DEVIN SUER (APPLICANT); ELSIE M. LAWRENCE (APPLICANT); KDA, INC. C/O T.G. DAVIS (APPLICANT); EVERETT FETTIS (AGENT), REQUEST AMENDMENT TO THE DAVIS-MOORE COMMUNITY UNIT PLAN; TO PERMIT EXPANSION OF AUTOMOTIVE DEALERSHIP (EMPLOYEE PARKING AREA); AND

Z-3231 - JAMES AND DEVIN SUER (APPLICANT); ELSIE M. LAWRENCE (APPLICANT); KDA, INC. C/O T.G. DAVIS (APPLICANT); EVERETT FETTIS (AGENT) REQUEST ZONE CHANGE FROM "TF-3" TWO-FAMILY RESIDENTIAL TO "LC" LIMITED COMMERCIAL, LOCATED NORTH OF ORME, EAST OF LIGHTNER (554 S. LIGHTNER), AND WEST OF LEXINGTON (555 S. LEXINGTON),

(DISTRICT #2)

INITIATED BY: Metropolitan Area Planning Department

W. Krout

AGENDA ACTION: Planning

MAPC Recommendation: Approve zone change, approve CUP amendment, subject to conditions (13-0-1).

CPO Recommendation: Approve zone change, approve CUP amendment, subject to conditions (8-0).

Staff Recommendation: Approve zone change, approve CUP amendment, subject to conditions.

Background: The applicant requests a zone change from "TF-3" Two-Family Residential to "LC" Limited Commercial for Lots 15 and 16, Drivers Addition (554 S. Lightner and 555 S. Lexington), located north of Orme, east of Lightner, and west of Lexington. The applicant also requests an amendment to expand the Davis-Moore Community Unit Plan to add the two lots proposed for rezoning to the CUP.

The subject property is currently developed with single-family homes and is bordered by the Davis-Moore auto complex to the north, single-family homes to the west and east, and single-family homes to the south across Orme. The applicant indicates that the existing homes on the subject property will be removed and the lots will be used for an expansion of the previously approved (Amendments #3, #4, and #6) parking area for employees of the auto complex. Amendment #4 placed a height restriction for the parking lot lights of 15 feet for former Lots 13, 14, 17, and 18, and the applicant is revising that provision to include the subject property. This amendment will also extend the restriction, approved as part of amendment #6, on placing loudspeakers within the proposed parking area.

The CUP drawing shows complete access control along Lot 15 and 16 where adjacent to Orme, Lightner, and Lexington. The expanded parking area will have access to Lightner through an opening created through a recent amendment to this CUP (#5). The required 10 foot landscape planting strip along Lightner and Lexington, as well as the extension of the wood fence between the auto dealership and adjacent residential properties to the south, will be extended through this amendment. As in past amendments, the required planting strips will be installed when any improvements are initiated on those lots.

After limited discussion of this matter, the MAPC voted (13-0-1) to approve the request as recommended by staff.

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 _____

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.

FILE COPY

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-3231

Zone change request from "TF-3" Two-Family Residential" District to "LC" Limited Commercial District, described as:

Lots 15 and 16, Driver's Addition to Wichita, Sedgwick County, Kansas. Generally located north of Orme, east of Lightner (554 S. Lightner), and west of Lexington (555 South Lexington).

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, _____