

Planning Agenda Item # \_\_\_\_\_

City of Wichita  
City Council Meeting  
August 25, 1998

Agenda Report # \_\_\_\_\_

**TO:** Mayor and City Council Members

**SUBJECT:** Z-3283 - FIDELITY DEVELOPMENT INC. (APPLICANT), 100 E. ENGLISH, WICHITA KS/RAY COWER 250 NORTH ROCK ROAD SUITE 210 WICHITA, KS, REQUEST ZONE CHANGE FROM "B" MULTIPLE - FAMILY RESIDENTIAL TO "LC" LIMITED COMMERCIAL, LOCATED SOUTH OF 30TH STREET SOUTH, WEST OF SENECA (1115, 1117 & 1119 W. 30TH STREET SOUTH), (DISTRICT #4)

**INITIATED BY:** Metropolitan Area Planning Department

**AGENDA ACTION:** Planning

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**MAPC Recommendation:** Approve, subject to staff comments (11-0).

**Staff Recommendation:** Approve, subject to the dedication of complete access control west of the existing driveway on 30th Street South.

**CPO Recommendation:** Approve (5-3).

**Background:** The applicant requests a zone change from "B" Multiple-Family Residential to "LC" Limited Commercial on a 0.17 acre tract in order to use the application area to provide parking for the Fidelity Bank Branch located immediately east at 3101 South Seneca. The bank currently has ten parking spaces. These spaces are located too close to the bank's drive-thru facilities to allow proper circulation. Approval of the request would allow for better internal circulation with the parking spaces moved 40 feet to the west. The bank also intends to add a 4th drive-through lane to reduce the number of cars backed up in these lanes. The north 60 feet of this lot is zoned "B" Multiple-Family and the south 50 feet of the application area is already zoned "LC" Limited Commercial. Fidelity Development Inc. has purchased the lot which is occupied by a tri-plex that will be moved. No additional access from 30th Street South is proposed.

There are Single-Family homes located north of the application area across 30th Street South, the bank is located to the east and a shopping center exists to the south. Other tri-plexes are located west of the application area as is a portion of the shopping center.

Parking lot screening and street yard landscaping will be required along 30th Street South at the north end of the proposed parking. A 6 foot screening fence and landscape buffing, with one shade tree or two ornamentals per 40 feet, is required along the west side where the application area abuts residential zoning.

CPO heard concerns from several nearby residents about commercial intrusion and traffic, but voted (5-3) to recommend approval.

At the July 30, 1998 MAPC meeting, there was limited discussion on the impact of the parking lot next to residential, and no residents appeared in opposition. The MAPC voted (11-0) to recommend to the governing body that the request be approved.

**Recommendation:**

1. Concur with the findings of the MAPC and approve the zone change, subject to the dedication of complete access control west of the existing driveway on 30th street South, place the Ordinance on first reading, but withhold publication until the applicant submits a petition for dedication of complete access control acceptable to the City Engineer; 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.)

1st read  
7-25-98

( ) Published in The Daily Reporter on SEP 4 1998

ORDINANCE NO. 43-953

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. 43-558.

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 43-558, the zoning classification or districts of the lands legally described hereby are changed as follows:

**Case No. Z- 3283**

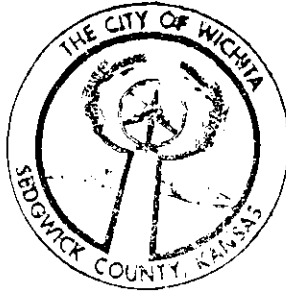
Zone change request from "B" Multiple-family Residential District to "LC" Limited Commercial District, described as:

Lot 4, Block 12, Replat of Iva Fultz Gardens, Wichita, Kansas. Generally located south of 30th Street South, west of Seneca (1115, 1117 & 1119 West 30th Street South).

**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, SEP 4 1998



ATTEST:

Pat Burnett  
Pat Burnett, City Clerk

Bob Knight  
Bob Knight, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf, Jr.  
Gary E. Rebenstorf, City Attorney