

City of Wichita  
City Council Meeting  
June 23, 1998

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

**TO:** Mayor and City Council Members

**SUBJECT:** Z-3278 - JAY B. STOREY (APPLICANT), 220 NORTH 159TH STREET EAST, EAST, WICHITA, KANSAS/ ROBERT W. KAPLAN (AGENT), 430 N. MARKET, WICHITA, KS. REQUESTS ZONE CHANGE FROM "B" MULTIPLE-FAMILY RESIDENTIAL TO "LC" LIMITED COMMERCIAL (DISTRICT #1)

**INITIATED BY:** Metropolitan Area Planning Department

*Kraut  
Lew*

**AGENDA ACTION:** Planning

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**MAPC Recommendation:** Approve (13-0).

**Staff Recommendation:** Approve.

**CPO Recommendation:** Approve (6-0).

**Background:** The applicant operates the "Furniture on Consignment" store located at the northwest corner of 13th Street North and Terrace Avenue. Located just north of the existing store is a platted lot that is part of Reserve A of the Ken-Mar Addition. This reserve area is approximately 32,670 square feet in size and is zoned "B", Multiple-family. The applicant seeks to rezone this reserve area to the "LC", "Limited Commercial" district in order to expand his furniture store operations at this location.

Based on the applicant's landscape plan, a 24,461 square foot (200 x 125 feet) warehouse is to be built north of the existing store. Access to the addition would be from Terrace Avenue. Twelve parking spaces and a loading dock are to be located on the east side of the building. An additional 9 spaces can be provided west of the addition. Using the warehouse standard of 1 space per 1,000 square feet for the first 20,000 square feet, plus 1 per additional 5,000 square feet, the addition needs 21 parking spaces.

The proposed warehouse will be located approximately 67 feet east of the west property line, which meets the Compatibility Setback Standards of the Unified Zoning Code.

The landscape plan shows a nine foot wide landscape strip along the western edge of the site with a total of 11 trees. A screening fence, wall or landscaping will have to be installed along the western edge of the application area to meet zoning code. The existing furniture store site needs to have its screening brought up to code. The applicant indicates a masonry wall would be installed.

Property to the north is zoned "LC", Limited Commercial and "GC", General Commercial. The "Bull's Eye" shooting range is located on this property. To the east is undeveloped "LC", Limited Commercial. The applicant's existing business is located south of the application area on "LC" zoned land. Residences are located to the west on "TF-3", Two-family Residential district.

At the May 28, 1998 MAPC hearing, the applicant's agent spoke about this request and the proposed expansion of the existing business. No one spoke in opposition to this request. After limited discussion, the MAPC approved the request.

**Recommendation:**

1. Concur with the findings of the MAPC and approve the zone change; 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.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

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**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-3278**

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

Reserve A, except the South 270 feet, Ken-Mar Addition to Wichita, Kansas, Sedgwick County, Kansas. Generally located 265 feet north of 13th Street North, west of Terrace Drive.

**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, \_\_\_\_\_