

Agenda Item # _____

City of Wichita
City Council Meeting
March 7, 2000

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-3356 - ZONE CHANGE FROM "LC" LIMITED COMMERCIAL TO "GC" GENERAL COMMERCIAL; AND

DP-50 AMENDMENT #3 - AMENDMENT TO THE WEST 395 FEET OF PARCEL 2 OF THE CARRIAGE HOUSE PLAZA C.U.P. TO ALLOW OUTDOOR VEHICLE AND EQUIPMENT SALES AND WAREHOUSING, LOCATED ON THE NORTHEAST CORNER OF TYLER AND MCCORMICK. (District #III)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to conditions (9-0).

Staff Recommendation: Approve, subject to conditions.

Background: The applicant is requesting an amendment to the west 395 feet of Parcel 2 of the Carriage House Plaza C.U.P. and a zone change to "GC" General Commercial on this same property to allow outdoor vehicle and equipment sales and warehousing on a 3.9 acre platted tract developed as the Crosstown West shopping center, located at the northeast corner of Tyler and McCormick. The applicant is proposing to use the site for an Internet-based business (TheMerc.com) which matches buyers and sellers of second-hand merchandise (including vehicles and equipment) and serves as a broker for the transaction and a drop-off/pick-up point for the merchandise.

The subject property is currently zoned "LC" Limited Commercial and is limited by the Carriage House Plaza C.U.P. to the following uses: shopping center and/or offices, professional personal services, comparison and convenience shopping, and outdoor overnight parking of accessory vehicles. The "GC" General Commercial zoning district requested permits outdoor vehicle and equipment sales and warehousing by right, and the requested amendment to the C.U.P. is needed to add these more intensive uses to the list of permitted uses on Parcel 2.

North of the site is vacant property zoned "NR" Neighborhood Retail and duplexes and apartments on property zoned "TF-3" Two Family Residential and "MF-29" Multi-family Residential. To the east, and part of the Carriage House Plaza C.U.P., is the remainder of the Crosstown West shopping center, Home Depot, and a Davis-Moore vehicle sales lot under construction on property zoned "LC" Limited Commercial and "GC" General Commercial. South of the site is a bank, offices, a liquor store, and a convenience store on property zoned "LC" Limited Commercial and "GC" General Commercial. To the west is a church and single family residences on property zoned "SF-6" Single Family Residential.

The applicant has submitted a site plan showing the proposed changes for the west 395 feet of Parcel 2, that shows a fenced vehicle and equipment sales lot totaling 27,200 square foot located west of an existing building, and a portion of that existing building totaling 45,000 square feet to be used for warehousing, retailing, offices, and a second hand store. Customer and employee parking is located south of the sales lot and the existing building.

To limit the impact of the proposal on surrounding properties, planning staff recommends approving the zone change to "GC" General Commercial and amending the permitted uses to allow outdoor vehicle and equipment sales and warehousing only for that portion of Parcel 2 where the applicant has indicated these activities will be undertaken. Planning staff does not recommend changing the zoning or the permitted uses for that portion of Parcel 2 that the applicant indicates will be used for customer and employee parking. Planning staff also recommends some conditions of approval regarding fencing, signage, landscaping, lighting, noise, and display area to further limit the impact of the proposal on surrounding properties.

The MAPC heard this case on February 10, 2000 and recommended that the requested amendment be approved, subject to conditions. Key conditions include: permitting outdoor vehicle sales and warehousing on "GC", General Commercial zoned portions of Parcel 2, submission of a landscape plan, fencing of outdoor sales area shall be wrought iron, signs are restricted to those that are permitted in the "LC", Limited Commercial district and only passenger vehicles may be displayed within 50 feet of the west property line of Parcel 2. No one spoke in opposition.

Recommended Action:

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

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ORDINANCE NO. 44-503

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 SECTION 28.04.010, AS AMENDED.

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 Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. Z-3356

Request for zone change from "LC" Limited Commercial to "GC" General Commercial, on property described as:


The West 395 feet of the north 295 feet of Lot 5, Block 2, Carriage House Plaza 2nd Addition, City of Wichita, Sedgwick County, Kansas. Generally located on the northeast corner of Tyler and McCormick.

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, MAR 21 2000

ATTEST:

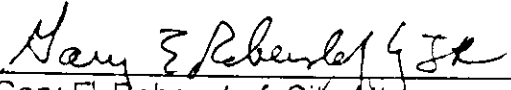

Pat Burnett, City Clerk


Bob Knight, Mayor

(SEAL)

Approved as to form:




Gary E. Rebenstorf, City Attorney