

City of Wichita
City Commission Meeting
June 10, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: Z-2767 - REQUEST FOR ZONE CHANGE FROM "RB" FOUR-FAMILY DWELLING DISTRICT TO "LC" LIGHT COMMERCIAL LOCATED SOUTH OF MARVIN PLACE BETWEEN BEVERLY DRIVE AND SYLVAN LANE. (Lindy Andeel, et al)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Zoning

MAPC Recommendation: Approve (6-0)

Staff Recommendation: Approve

Background: On May 15, 1986, the MAPC held a public hearing to consider a zone change from "RB" four-family dwelling district to "LC" light commercial on four and a half platted lots containing 1.3 acres located south of Marvin Place between Beverly Drive and Sylvan Lane. Two duplexes and one single-family house occupy the site. A preliminary plat has been submitted (New Western 2nd Addition) which vacates Marvin Place and Sylvan Lane adjacent to this re-zoning area and combines the property with the applicant's ownership to the north into one lot. A turnaround is to be provided for the remaining portion of Sylvan Lane north of Orme.

Two property owners on Sylvan Lane spoke in opposition to the zone change. The MAPC voted 6-0 to recommend approval of the request subject to replatting the property into one lot with the applicant's ownership to the north within one year.

CPO Council "G" voted 6-1 to recommend that the zone change be approved contingent upon screening (6 ft. masonry wall) being guaranteed by a letter of credit guaranteeing construction (along the south line of the commercial property where it abuts the residential zoning district) within six months after City Commission approval of the zone change.

Analysis: Marvin Place and Sylvan Lane now are the dividing lines between residential and commercial zoning and development in this immediate vicinity. Single-family homes exist to the southwest and south with single-family homes and duplexes to the east. However, a recent zone change (Z-2639) established "LC" zoning on the east side of Pinecrest (one block west of Sylvan Lane) south as far as Orme. A new multi-story motel is now being constructed on that site. The Cowboy Club is located

at the southwest corner of Kellogg and Beverly Drive and patrons of that club often park on adjacent streets, especially Marvin Place. If Marvin Place is vacated and the application area combined into one lot with the Cowboy Club, there would be screening requirements along the south line of the commercial property where it abuts the residential zoning district. Access control to Sylvan Lane from the commercial property would also be obtained.

A zoning policy adopted by MAPC in 1973 and by the City Commission in 1975 states that deepening of light commercial zoning on East Kellogg for existing businesses oriented to Kellogg would be looked upon with favor.

The Planning Commission found that the character of the neighborhood; the zoning and uses of properties nearby, especially the commercial to the north and west; the suitability of subject property for the uses proposed; and the recommendations of staff and CPO justified the zone change.

- Actions:
1. Concur with the findings of the MAPC and approve the zone change subject to the condition of platting; instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Commission; or
 2. Return the application to the MAPC for reconsideration stating reasons.

Attachments: Area map
5-15-86 MAPC Minutes
CPO Memorandum

(1199) Published in The Daily Record on September 4, 1987

ORDINANCE NO. 40-014

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 28.04.210, THE CODE OF THE CITY OF WICHITA, KANSAS.

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 Section 28.04.210, The Code of the City of Wichita, Kansas, the zoning classification or districts of the lands legally described hereby are changed as follows:

CASE NO. Z-2767

Zone Change from the "RB" Four-Family Dwelling District to the "LC" Light Commercial District

Lots 1, 2, 3, 12 and the north 25 feet of Lot 11, replat of a portion of Block 3 of Beverly Manor, an addition to Wichita, Sedgwick County, Kansas. (Now platted as a portion of Lot 1, New Western 2nd Addition, Wichita, Kansas.)

Generally located on the west side of Beverly Drive, in an area south of Kellogg.

SECTION 2. That upon the taking effect of the Ordinance, the above zoning changes shall be entered and shown on the the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Zoning Ordinance 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:

Mayor

City Clerk

(SEAL)

Approved as to form City Attorney