

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

City of Wichita  
City Council Meeting

August 30, 1994

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

**TO:** Mayor and City Council Members

**SUBJECT:** Z-3137 - ZONE CHANGE FROM "AA" ONE FAMILY DWELLING DISTRICT AND "B" MULTIPLE FAMILY DWELLING DISTRICT TO "LC" LIGHT COMMERCIAL DISTRICT, LOCATED ¼ MILE WEST OF BROADWAY ON THE NORTH SIDE OF 31ST ST. SOUTH (130½ WEST 31ST ST. SOUTH)

**INITIATED BY:** Metropolitan Area Planning Department

**AGENDA ACTION:** Planning

*M. Krout  
by smv*

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**MAPC Recommendation:** Approve, subject to platting within 1- year. (12-0)

**Staff Recommendation:** Approve, subject to platting within 1-year.

**CPO Recommendation:** CPO Council "3" recommended approval by a vote of 8-0.

**Background:** The applicant requests a zone change from the "AA" One Family Dwelling District and "B" Multiple Family Dwelling District to the "LC" Light Commercial for a 0.34 acre unplatted site located ¼ mile west of Broadway on the north side of 31st St. South (130½ West 31st St. South).

The application area is currently occupied by a single family home and a transmission repair business (Lynn's Transmissions) is located directly behind the residence. The home is located on property zoned "B" Multiple Family Dwelling District and the business is located on land zoned "AA" One Family Dwelling District. The current property owner purchased the land approximately 8 years ago with the understanding that the subject property was zoned for commercial uses. The applicant requests a zone change to "LC" Light Commercial because the existing business is operating in an inappropriate zoning district.

The subject property is surrounded by a mixture of residential and commercial uses. Single family residences are located to the north and west, a club is located to the east, and auto sales, auto repair, and other strip commercial uses are located on the south side of 31st Street South.

The Zoning Ordinance requires screening on all properties developed for commercial uses when such uses are established on property within or adjacent to residential zoning districts. Therefore, the subject property would be required to provide screening, per the zoning code, along the north and west sides of the application area.

Recommendations/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 Council. —
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 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 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-3137

Zone change from the "AA" One-family and "B" Multi-family dwelling districts to the "LC" Light Commercial District.

Lot 1, Block A, Gann First Addition to Wichita, Sedgwick County, Kansas.

Generally located north of 31st Street South and west of Broadway.

**SECTION 2.** That upon the taking effect of the Ordinance, the above zoning change 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 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:

\_\_\_\_\_  
(SEAL) Pat Burnett, Deputy City Clerk

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Elma Broadfoot, Mayor

Approved as to form:

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Gary E. Rebenstorf, City Attorney