Planning Agenda Item #_____

City of Wichita
City Council Meeting

March 29, 1994

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: Z-3115 - ZONE CHANGE FROM THE "AA" SINGLE FAMILY RESIDENTIAL AND "BB" OFFICE DISTRICTS TO THE "LC" LIGHT COMMERCIAL DISTRICT, LOCATED AT THE NORTHWEST CORNER OF McCOMAS AND KELLOGG.
(District #4)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to platting and filing of a restrictive covenant (12-0, and 1 abstention).

Staff Recommendation: Approve, subject to platting and filing of a restrictive covenant.
CPO Recommendation: CPO Council "4" voted 8-0 to recommend approval of the request.

Background: On March 1, 1994, the City Council considered this zone change request. At that meeting they voted 6-0 to return the case to the Planning Commission for reconsideration in the area of a restrictive covenant which would limit this zoning to a hotel/motel use, but not other uses first permitted in the "LC" Light Commercial District.

On March 10, 1994, the MAPC reconsidered this case. At that meeting, the applicant volunteered to file a restrictive covenant limiting the redevelopment to a hotel/motel and ancillary uses as allowed in "LC", but only other uses permitted in "BB". Based on this, the MAPC voted 12-0, with 1 abstention, to approve the request for "LC" Light Commercial subject to platting and filing of the restrictive covenant.

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; or

2. Take appropriate action, stating reasons.

( ) 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-3115

Zone Change from the "AA" One-Family Dwelling District and the "BB" Office District to the "LC" Light Commercial District.

Lot 20, Block 2, and East half of the vacated alley adjacent to the West of Lots 21, 22, and 23, Block 2; and Lots 21, 22 and 23, Block 2, except that part taken for highway by Condemnation Case #84C-3495, Eureka Gardens to Sedgwick County, Kansas (Now being platted as part of the Bonanza Addition, Wichita, Sedgwick County, Kansas)

Generally located at the northwest corner of McComas and Kellogg

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 Elma Broadfoot, Mayor

Approved as to form:

_____

Gary E. Rebenstorf, City Attorney