

Planning Agenda Item # _____

City of Wichita
City Council Meeting
September 9, 1997

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-3240 - FLOYD D. & RUBY V. LOWDERMAN (PROPERTY OWNERS/
APPLICANT) REQUEST ZONE CHANGE FROM "SF-6" SINGLE-
FAMILY RESIDENTIAL TO "LC" LIMITED COMMERCIAL, LOCATED
ON THE NORTHWEST CORNER OF CENTRAL AND NEVADA (4300
W. CENTRAL).

(DISTRICT #5)

INITIATED BY: Metropolitan Area Planning Department ^{ML} _{DM}

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to the applicant dedicating by separate instrument complete access control along Central (9-0).

CPO Recommendation: Approve, subject to staff recommendations (7-0).

Staff Recommendation: Approve, subject to the applicant dedicating by separate instrument complete access control along Central.

Background: The applicant requests a zone change from "SF-6" Single-Family Residential to "LC" Limited Commercial on a 0.60 acre platted tract located at the northwest corner of Central and Nevada. The applicant intends to rezone in order to remove the existing structure and construct a new building on the site for an antique and collectible retail store.

On October 11, 1990 the MAPC approved a request (Z-3007) for "LC" Limited Commercial for the subject property, but was nullified due to a failure to complete the platting requirement. At the time, a nonconforming tire shop existed on the site and was requesting the zone change in order continue using the site for that use. The staff report for that case recommended that the site be replatted in order to obtain adequate half-street right-of-way along Central, access controls to Central, and appropriate setbacks from both Central and Nevada. Both the MAPC and the City Council unanimously approved the request, with no one protesting the matter.

The surrounding zoning and land uses are predominately commercial to the east, south, and west with residential zoning and uses to the north. The site is situated between strip commercial development to the west and undeveloped property also zoned "LC" across Nevada to the east. There are various commercial uses zoned "LC" to the south, across Central, with several single-family residences to the north on property zoned "SF-6". The commercial property to the west of the application area was rezoned to the "LC" district (Z-3144) on September 22, 1994 and platted as the Jacob's Addition. The residences immediately to the north are located within the same platted lot as the application area.

After limited discussion of this matter, the MAPC voted (9-0) to approve the request as recommended by staff. The applicant has since complied with the requirement to provide complete access control along the Central frontage.

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.

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-3240

Zone change request from "SF-6" Single-Family Residential District to "LC" Limited Commercial District, described as:

The south 326.7 feet of the east 80 feet of Lot 2, Central Place Addition to Wichita, Sedgwick County, Kansas, except the east 30 feet thereof for road. Generally located on the northwest corner of Nevada and Central (4300 W. Central).

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, _____

FILE COPY