

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

City of Wichita  
City Council Meeting  
April 29, 1997

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

**TO:** Mayor and City Council Members

**SUBJECT:** Z-3224 - ZONE CHANGE FROM "TF-3" TWO-FAMILY RESIDENTIAL DISTRICT TO "LC" LIMITED COMMERCIAL DISTRICT; AND

DP-183 - AMENDMENT #6 - DEBORAH KLAUS; KDA, INC., C/O T.G. DAVIS (APPLICANT) REQUEST AN AMENDMENT TO THE DAVIS-MOORE COMMUNITY UNIT PLAN TO PERMIT EXPANSION OF AUTOMOTIVE DEALERSHIP (EMPLOYEE PARKING AREA). LOCATED SOUTH OF KELLOGG, EAST OF LIGHTNER (548 S. LIGHTNER), AND WEST OF LEXINGTON (549 S. LEXINGTON).

(DISTRICT #2)

**INITIATED BY:** Metropolitan Area Planning Department *NK own*

**AGENDA ACTION:** Planning

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**MAPC Recommendation:** Approve, subject to conditions (10-0-2).

**Staff Recommendation:** Approve, subject to conditions.

**CPO Recommendation:** Approve (6-0).

**Background:** The applicant requests a zone change from "TF-3" Two-Family Residential to "LC" Limited Commercial for Lots 14 and 17, Drivers Addition (548 S. Lightner and 549 S. Lexington), located south of Kellogg, east of Lightner, and west of Lexington. The applicant also requests an amendment to expand the Davis-Moore Community Unit Plan to add the two lots proposed for rezoning to the CUP.

The subject property is currently developed with single-family homes and is bordered by the Davis-Moore auto complex to the north, single-family homes to the west and east, and two single-family homes to the south. The applicant indicates that the existing homes on the subject property will be removed and the lots will be used for an expansion of the previously approved (Amendments #3 and #4) parking area for employees of the auto complex. Amendment #4 placed a height restriction for the parking lot lights of 15 feet for former Lots 13 and 18, and the applicant is revising that provision

to include the subject property. The applicant is also providing a site plan for the proposed parking area.

The CUP drawing shows complete access control along Lot 14 and 17 where adjacent to Lightner and Lexington. The expanded parking area will have access to Lightner through an opening created through a recent amendment to this CUP (#5). The required 10 foot landscape planting strip along Lightner and Lexington, as well as the extension of the wood fence between the auto dealership and adjacent residential properties to the south, will be extended through this amendment. As in past amendments, the required planting strips will be installed when any improvements are initiated on those lots.

During the Planning Commission's discussion of this matter on March 27, 1997, neighborhood residents raised questions concerning the traffic along Orme, and felt some of the problems were a result of the Davis-Moore expansion to the south. The agent for the applicant argued that the traffic situation on Orme was a result of Kellogg traffic problems and not from the car lot. After discussion, the MAPC voted (10-0-2) to approve the CUP amendment and zone change, subject to the recommended conditions.

**Recommendation:**

1. Concur with the findings of the MAPC and approve the zone change and C.U.P. 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.

(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-3224**

Zone change request from "TF-3" Two-Family District to "LC" Limited Commercial District, described as:

Lots 14 and 17, Drivers Addition to Wichita, Kansas. Generally located south of Kellogg, east of Lightner (548 S. Lightner), and west of Lexington (549 S. Lexington).

**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.

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