

Planning Agenda Item # _____

City of Wichita
City Council Meeting
January 13, 1997

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: DP-183 AMENDMENT #9 - AN AMENDMENT TO THE DAVIS-MOORE
COMMUNITY UNIT PLAN; AND

Z-3261 - ZONE CHANGE REQUEST FROM THE "TF-3" TWO-FAMILY
RESIDENTIAL DISTRICT TO "LC" LIMITED COMMERCIAL
DISTRICT.

(DISTRICT #2)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to conditions (9-0-1).

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

Staff Recommendation: Approve, subject to conditions.

Background: The applicant requests a zone change from "TF-3" Two-Family Residential to "LC" Limited Commercial for Lot 6, Drivers Addition (554 S. Lexington), located north of Orme, east of Lexington. The applicant also requests an amendment to expand the Davis-Moore Community Unit Plan to add the lot proposed for rezoning to the C.U.P.

The subject property is currently developed with a single-family home and is bordered by the Davis-Moore auto complex to the east, north, and across Lexington to the west. There are single-family homes to the south across Orme, and one remaining home still zoned "TF-3" (Lot 8) two lots north of the site on Lexington. There are two homes across Lexington and one adjacent to the north remaining from previous amendments waiting to be moved, and the applicant indicates that the existing home on the subject property will be removed and the lot will be used, as in past

amendments, as a vehicle storage area for the auto complex. This amendment will extend all conditions approved as part of past amendments, including restrictions on placing loudspeakers within the proposed storage area and the provision addressing drainage from the subject property.

The C.U.P. drawing shows complete access control along Lot 6 where adjacent to Lexington and Orme. The expanded storage area will have access to the larger car lot to the east and north. Due to the fact that the properties to the south are still residential, the required 10 foot landscape planting strip along Lexington, as well as the extension of the wood fence between the auto dealership and adjacent residential properties, 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 MAPC hearings on the previous amendment, the issue of storm water drainage was raised by several of the area residents to the south of Orme. The applicant's engineer created a solution to mitigate the problems associated with increased runoff created by the paving of the former residential lots located between Lexington and Lightner. The solution requires the applicant to use the standard design of the parking area -- specifically the curbing -- to slow the drainage from the parking lot. This drainage plan can be implemented without any loss of use of the property to park vehicles. If and when Lot 8 to the north is acquired in the future and the entire ownership is consolidated by replatting to vacate Lexington, a more comprehensive drainage plan will be required.

After limited discussion during the December 18, 1997 MAPC meeting, the commission voted (10-0-1) to approve the request, subject to the conditions of the C.U.P., as recommended by staff. There have been no protest petitions filed for this case.

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.

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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- 3261

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

Lot 6, Driver's Addition to Wichita, Sedgwick County, Kansas. Generally located east of Lexington, north of Orme (554 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.

ADOPTED AT WICHITA, KANSAS, _____