

Planning Agenda Item # _____

City of Wichita
City Council Meeting
November 6, 1990

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-3005 - ZONE CHANGE FROM THE "AA" ONE-FAMILY DWELLING DISTRICT TO THE "LC" LIGHT COMMERCIAL DISTRICT, LOCATED AT THE SOUTHWEST CORNER OF MERIDIAN AND ATLANTA. (District #4)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve (8-0) subject to replatting.

Staff Recommendation: Approve subject to replatting.

CPO Recommendation: CPO Council "4B" recommended disapproval (6-0).

Background: On September 13, 1990, the MAPC held a public hearing to consider a zone change request from the "AA" One-Family Dwelling District to the "LC" Light Commercial District for a .5-acre site located at the southwest corner of Meridian and Atlanta. This property has 100 feet of frontage to Meridian. The site is currently undeveloped. If this zone change is approved, the applicant plans to construct a commercial building. A specific use for the property has not been stated. There are existing commercial uses on three sides of this property. The existing zoning policy for this area favors "LC".

The applicant was not present at the CPO or the MAPC meetings to answer questions about his plans for development of the property. There was some discussion about the inappropriateness of a possible bar or tavern this close to the residential neighborhood to the west. At the October 9, 1990 City Council meeting, this case was deferred for four weeks so the applicant could provide information about the proposed use. When contacted by Planning staff, the applicant stated he planned to construct a 6,000 square-foot auto parts store and that he had no plans for a bar or tavern. To assure that no bars or taverns would be built on this site, the applicant submitted a deed restriction excluding taverns, Class A or Class B clubs, and drinking establishments from this site.

RECOMMENDATIONS/ACTIONS:

1. Concur with the findings of the MAPC and approve the zone change, subject to the condition of platting; accept the deed restriction and record the document; place the ordinance establishing the zone change on first reading and instruct the City Clerk to withhold publication until the plat has been recorded with the Register of Deeds; or
2. Return the application to the MAPC for reconsideration, stating reasons.

(_____) Published in The Daily Reporter on 3/12/91

ORDINANCE NO. 41-253

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-3005

Zone change request from the "AA" One-Family Dwelling District to the "LC" Light Commercial District

Lots 1, 3, 5, 7, 9, 11, 13, 15 and 17, Block 8, Orienta Park 2nd Addition, Wichita, Sedgwick County, Kansas (being platted as G.L. Long Second Addition, Wichita, Kansas).

Generally located at the southwest corner of Meridian and Atlanta.

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.