

City of Wichita
City Council Meeting
February 12, 1991

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-3016 - ZONE CHANGE FROM THE "A" TWO-FAMILY DWELLING AND THE "RB" FOUR-FAMILY DWELLING DISTRICTS TO THE "LC" LIGHT COMMERCIAL DISTRICT, LOCATED ON THE EAST SIDE ELPYCO IN AN AREA SOUTH OF KELLOGG.
(District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve (6-0) subject to replatting.

Staff Recommendation: Approve "LC" subject to replatting.

CPO Recommendation: CPO Council "2B" voted 5-1 to recommend approval.

Background: On January 17, 1991, the MAPC held a public hearing to consider a zone change from the "RB" Four-Family Dwelling and the "A" Two-Family Dwelling Districts to the "LC" Light Commercial District for two platted lots located on the east side of Elpyco in an area south of Kellogg. The application area was platted in 1949, measures approximately .4 of an acre and has 116 feet of frontage along Elpyco Street. The northern lot is zoned "RB" and the southern lot is zoned "A". Single-family dwellings have recently been removed from both lots. The applicant's agent has advised that if this request is approved, his client plans to amend his adjacent BZA exception case for a new and/or used car sales lot to include this additional property.

Legal Consideration: A protest petition has been filed by a property owner within 200 feet of the application area. The percentage of protest will be announced at the City Council meeting. If the percentage of protest is 20% or greater, a 6/7 vote by the Council will be required to approve this rezoning case.

(4.7% protest)

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.

2. Return the application to the MAPC for reconsideration, stating reasons.

(_____) Published in The Daily Reporter on 4-18-91

ORDINANCE NO. 41-355
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-3016

Zone change from the "RB" Four Family Dwelling District and "A" Two Family Dwelling District to the "LC" Light Commercial District.

Lots 10 and 11, Block B, Nashville Park Addition, Wichita, Sedgwick County, KS. (Now being platted as Davis-Moore 7th Addition, Wichita, Sedgwick County, KS.)

Located on the east side of Elpyco between Kellogg and Orme.

FILE COPY

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.

Ordinance (Case No. Z-3016)
Page 2 of 2

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) City Clerk

Mayor

Approved as to form:

City Attorney