

Planning Agenda Item # _____

City of Wichita
City Council Meeting
March 19, 1991

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-3018 - ZONE CHANGE FROM THE "LC" LIGHT COMMERCIAL AND "A" TWO-FAMILY DWELLING DISTRICTS TO THE "LC" LIGHT COMMERCIAL DISTRICT, LOCATED AT THE SOUTHWEST CORNER OF KELLOGG AND EDGEMOOR. (District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve subject to replatting (9-0).

Staff Recommendation: Approve subject to replatting.

CPO Recommendation: CPO Council "2B" voted 6-0 to recommend approval.

Background: On February 14, 1991, the MAPC held a public hearing to consider a zone change from the "LC" Light Commercial and "A" Two-Family Dwelling Districts to the "LC" Light Commercial District. The application area consists of platted property located at the southwest corner of Edgemoor and Kellogg. The site measures approximately 1.1 acres and is currently developed with a small strip commercial center with associated parking lot and a single-family dwelling. The application area was platted in 1929 and has 263 feet of frontage along Kellogg and 170 feet of frontage to Edgemoor. The east/west 20-foot alley that separates the northern and southern portions of the site is paved and the applicants' agent has advised that this public right-of-way will be proposed for vacation. If this zone change is approved, the contract purchaser proposes to redevelop the property with a new and/or used car sales lot. This will require approval of an exception for a car sales lot in "LC" zoning by the Board of Zoning Appeals (BZA). Lots 1 and 2 of the site are already approved for car sales by virtue of a 1963 BZA case.

Inasmuch as (1) the contract purchaser's proposed use (automobile sales) is in character with existing commercial uses along the south side of Kellogg between Oliver and Woodlawn; (2) the case represents a request to deepen existing "LC" zoning at a Kellogg Street intersection; (3) the contract purchaser has stated a willingness to dedicate the "complete access control" described in the "Recommendation" portion of the staff report; and (4) the

applicants' proposed use of automobile sales will require site plan review as part of an exception request to be reviewed by the BZA, staff supports this request for "LC" zoning. It should be noted, however, that this is the type of zone change case where a site plan review procedure, as part of the zone change process and/or improved screening and landscaping requirements, would be helpful to ensure that adverse impacts to residential uses to the south and west would not occur as a result of commercial development.

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 8-9-91

ORDINANCE NO. 41-472
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-3018

Zone change from the "LC" Light Commercial and "A" Two Family Dwelling District to "LC" Light Commercial,

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, the north 16-2/3 feet of Lot 12 and Lot 28, Block 1, Beverly Manor, Sedgwick County, Kansas, now platted as part of Davis-Moore 8th Addition.

Located on the southwest corner of Kellogg and Edgemoor.

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.

ADOPTED AT WICHITA, KANSAS, _____

ATTEST:

(SEAL) City Clerk

Mayor

Approved as to form:

City Attorney