

METROPOLITAN AREA PLANNING  
DEPARTMENT

CITY HALL — TENTH FLOOR  
455 NORTH MAIN STREET  
WICHITA, KANSAS 67202-1688  
(316) 268-4421

December 29, 1993

Keith Parker  
3428 E. Douglas  
Wichita, KS 67208


Re: BZA 34-93 - Exception to allow automobile rental and leasing in the "LC" Light Commercial District on property located at 7300 E. Kellogg Drive.

Dear Mr. Parker:

Enclosed is a signed copy of the above-referenced BZA Resolution adopted by the Board of Zoning Appeals on December 28, 1993. This resolution reflects the official action of the Board to grant your request and sets out the conditions of approval. It is forwarded to you for your information and files along with a copy of the approved site plan which identifies the 35 spaces to be used for the lease/rental vehicles.

This is a reminder that the zoning adjustment signs should now be removed from the property. If you have any questions concerning this matter, please call our office.

Sincerely yours,

  
Louise Olivarez, Secretary  
Board of Zoning Appeals

Enclosure  
LO/prf

cc: East Kellogg Plaza Associates, Attn: Ronald Haddad  
Enterprise Leasing, Attn: Bill Carpenter  
Goldberg Property Assoc, Attn: Linda Sweetman King, V.P.  
Randy Sparkman, OCI  
Paul Hays, OCI  
Ray Sledge, OCI  
Pat Burnett, Deputy City Clerk

**BZA RESOLUTION NO. 34-93**

**WHEREAS**, East Kellogg Plaza Associates and Enterprise Leasing, pursuant to Section 2.12.590.C, Code of the City of Wichita, request an exception to permit automobile rental and leasing on property zoned the "LC" Light Commercial and legally described as follows:

Lot 2, except the South 10 feet thereof, Rockwood South 1<sup>st</sup> Addition, Wichita, Sedgwick County, Kansas. Generally located West of Armour on the North side of Kellogg Drive.

**WHEREAS**, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

**WHEREAS**, the Board of Zoning Appeals did, at the meeting of December 28, 1993, consider said application; and

**WHEREAS**, the Board of Zoning Appeals has proper jurisdiction to consider said request for an exception under the provisions of Section 2.12.590.C, Code of the City of Wichita; and

**WHEREAS**, the Board of Zoning Appeals has authority to permit automobile rental and leasing on property zoned the "LC" Light Commercial, subject to the conditions outlined in Section 28.04.183.2, Code of the City of Wichita.


**NOW, THEREFORE, BE IT RESOLVED** by the Board of Zoning Appeals of the City of Wichita that this application be approved to permit automobile rental and leasing on property zoned the "LC" Light Commercial, and legally described as follows:

Lot 2, except the South 10 feet thereof, Rockwood South 1<sup>st</sup> Addition, Wichita, Sedgwick County, Kansas. Generally located West of Armour on the North side of Kellogg Drive.

subject to the following conditions:

1. The maximum number of vehicles stored on site for rental or leasing shall not exceed 35. These vehicles shall be limited to passenger cars and vans. They shall be stored at the north end of the site in the spaces identified on the site plan submitted with this application.
2. There shall be no vehicle maintenance conducted on this site.
3. Any rental or lease vehicles which may be for sale shall not have any price or other advertising displayed on them.
4. This use exception shall become null and void if any addition to the building or any change in use of the building requires more than the number of spaces available EXCLUDING the 35 designated for rental/lease.

**ADOPTED AT WICHITA, KANSAS**, this 28th day of December, 1993.

  
\_\_\_\_\_  
Keith A. Alter, President

ATTEST:

  
\_\_\_\_\_  
Louise Olivarez, Secretary

**BACKGROUND:** The application area is the site of the former Children's Palace at 7300 E. Kellogg and is in the southwest corner of the Kellogg Mall commercial community unit plan (DP-12). A majority of the building is now occupied by Office Depot but several smaller tenants occupy suites in the front or south portion of the building. Enterprise Leasing, a car leasing and rental company, will be occupying one of the suites and is requesting a use exception to permit the outdoor storage of up to 35 cars. The spaces to be reserved for these cars are at the very north end of the site and are identified on the site plan submitted with this application. Tenants of the building are not promised any certain number or location of parking spaces. The building requires 207 spaces and 253 actually exist, therefore there appears to be an adequate number of extra spaces to accommodate the proposed use. The location of the lease/rental cars is well away from the entrance of any of the businesses and will not use up any spaces favored by customers or employees.

**ADJACENT ZONING AND LAND USE:**

NORTH:	"LC"	Rusty Eck Ford
SOUTH:	"LC"	Auto sales
EAST:	"LC"	Rusty Eck Ford
WEST:	"LC" & "B"	Restaurant; electric substation; apartments

**RECOMMENDATION:** Should the Board determine that automobile rental and leasing is appropriate at this location, it is recommended that the exception be approved, subject to the following conditions:

1. The maximum number of vehicles stored on site for rental or leasing shall not exceed 35. These vehicles shall be limited to passenger cars and vans. They shall be stored at the north end of the site in the spaces identified on the site plan submitted with this application.
2. There shall be no vehicle maintenance conducted on this site.
3. Any rental or lease vehicles which may be for sale shall not have any price or other advertising displayed on them.
4. This use exception shall become null and void if any addition to the building or any change in use of the building requires more than the number of spaces available EXCLUDING the 35 designated for rental/lease.

SECRETARY'S REPORT

CASE NUMBER: BZA 34-93

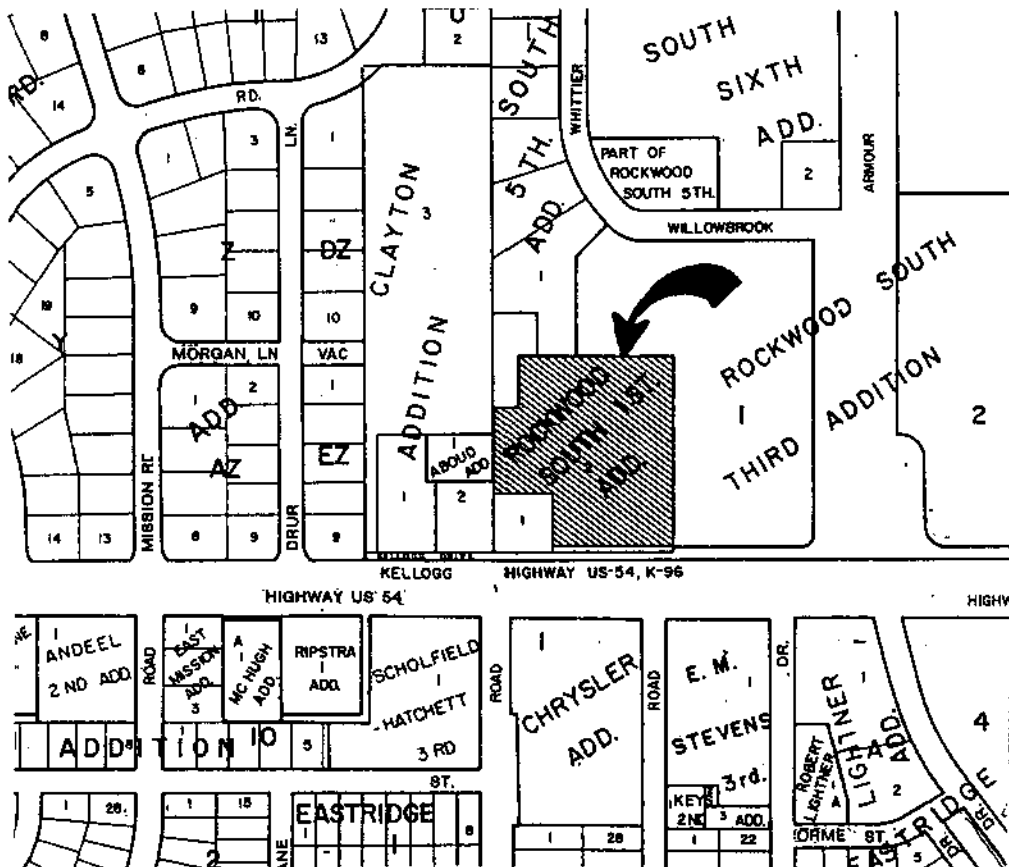
OWNER/APPLICANT: East Kellogg Plaza Associates and Enterprise Leasing

REQUEST: Exception to allow automobile rental and leasing.

CURRENT ZONING: "LC" Light Commercial

SITE SIZE: 4.40697 acres

LOCATION: West of Armour on the North side of Kellogg Drive.



**JURISDICTION:** The Board has jurisdiction to consider this request under the provisions outlined in Section 2.12.590.C, Code of the City of Wichita. The Board may grant the exception, provided the conditions set out in Section 28.04.183.2 can be complied with.