

Agenda Item # \_\_\_\_\_

City of Wichita  
City Council Meeting  
March 7, 2000

Agenda Report # \_\_\_\_\_

**TO:** Mayor and City Council Members

**SUBJECT:** Z-3355 - ZONE CHANGE REQUEST FROM "SF-6"  
SINGLE-FAMILY RESIDENTIAL TO "LC" LIMITED  
COMMERCIAL, LOCATED NORTH OF MAPLE ON  
THE WEST SIDE OF TYLER. (District #V)

**INITIATED BY:** Metropolitan Area Planning Department

**AGENDA ACTION:** Planning

**MAPC Recommendation:** Approve, subject to the additional provisions of a (P-O)  
Protective Overlay (9-0).

**Staff Recommendation:** Approve, subject to the additional provisions of a (P-O)  
Protective Overlay.

**Background:** The applicant requests a zone change from the "SF-6" Single-Family Residential District to the "LC" Limited Commercial District for the northern half of a 1.03 acre platted lot located north of Maple on the east side of Tyler. The southern half of this lot is zoned "LC" and is part of the standard 600-foot commercially zoned corners that are present at the perimeter of the City of Wichita. The applicant wants to be able to develop the entire lot with limited commercial uses, instead of just the southern half. The applicant's intention is to develop the site for multiple tenants for use as a plumbing, electrical, and mechanical retail center.

The subject property is bordered by single-family homes on the west, north and east and a mixture of uses on the south. There is a tile and floor store on the same lot and to the south of the subject property, which is zoned "LC" Limited Commercial. All other surrounding property is zoned "SF-6".

The applicant has submitted a proposed site plan that accommodates the addition of retail space for two additional tenants. The existing retail floor supply store and residence will remain on the lot. There are existing trees along the fence-line of the property to the north. The site plan shows a 6-to 8-foot fence on the north property line with landscaping, as required by the City of Wichita Landscape Ordinance, south of the fence. Staff feels that placing the fence on the property line would be detrimental to the existing

trees on the site. Instead, staff recommends that the fence be placed 10 feet south of the property line with landscaping north of the fence to create a buffer for the residential property to the north, retaining as many of the existing trees as possible. A landscaping plan would require approval by the Director of Planning. Staff also feels that access along Tyler should be reduced to one access point with a standard 30-foot driveway, preferably at the northern edge of the lot.

The MAPC heard this case on February 10, 2000 and recommended approval, subject to a Protective Overlay. The Protective Overlay limits uses and signage to those uses permitted in the "NR", Neighborhood Residential district, and "construction sales and service." Landscaping and fencing will be required, access to Lot 1 is limited to one opening and additional utility easement shall be granted. No one spoke in opposition to the request.

**Recommended Action:**

1. Concur with the findings of the MAPC and approve the zone change, subject to the additional recommended provisions of a Protective Overlay District; 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 2/3 majority vote of the membership of the governing body on the first hearing.)

( ) Published in The Daily Reporter on \_\_\_\_\_

ORDINANCE NO. 44-504

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 SECTION 28.04.010, AS AMENDED.

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 Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

**Case No. Z-3355**

Zone change request from "SF-6" Single-Family Residential District to "LC" Limited Commercial to, and to "P-O" Protective Overlay District #66 on property described:

Lot 1, Sinclair Addition to Wichita, Sedgwick County, Kansas. Generally located north of Maple on the west side of Tyler Road.

SUBJECT TO THE FOLLOWING PROTECTIVE OVERLAY RESTRICTIONS:

1. The area to be rezoned shall be limited to those uses permitted in the "NR" Neighborhood Retail district, parking for uses permitted in that district, and Construction Sales and Service. Signage on the north half of Lot 1, Sinclair Addition, shall be limited to those signs permitted in the "NR" district.
2. The applicant shall submit a landscape plan to the Director of Planning for approval prior to development. This plan shall identify the trees along the north property line to be preserved, and include a 6- to 8-foot fence 10 feet south of the north property line with a landscaping buffer north of the fence to be maintained by the property owner. A landscape street yard is required on the west boundary of the property adjacent to Wood Lane right-of-way.
3. Access to all of Lot 1, Sinclair Addition shall be limited to one driveway constructed to city standards of 30 feet.

4. The applicant shall dedicate, by separate instrument, 4 feet of additional utility easement, 2 feet on either side of the existing 16-foot utility easement, thus upgrading this utility easement to current city standards.

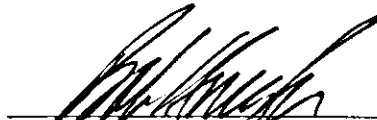
**SECTION 2.** That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita-Sedgwick County Unified Zoning Code as amended.

**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,           MAY 19, 2000          

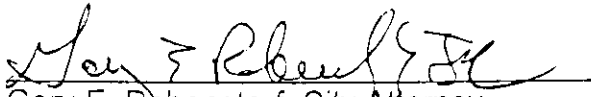
ATTEST:

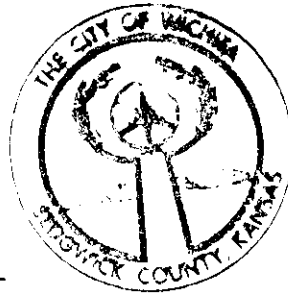
  
Pat Burnett, City Clerk

  
Bob Knight, Mayor

(SEAL)

Approved as to form:

  
Gary E. Rebenstorf, City Attorney

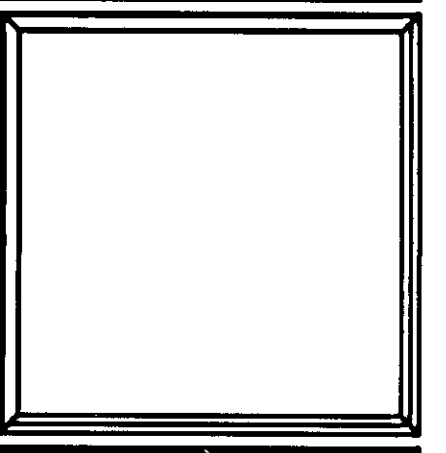




**FELT/KINGDOM ASSOCIATES**

Architecture  
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 Interior Design  
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 316-686-4308

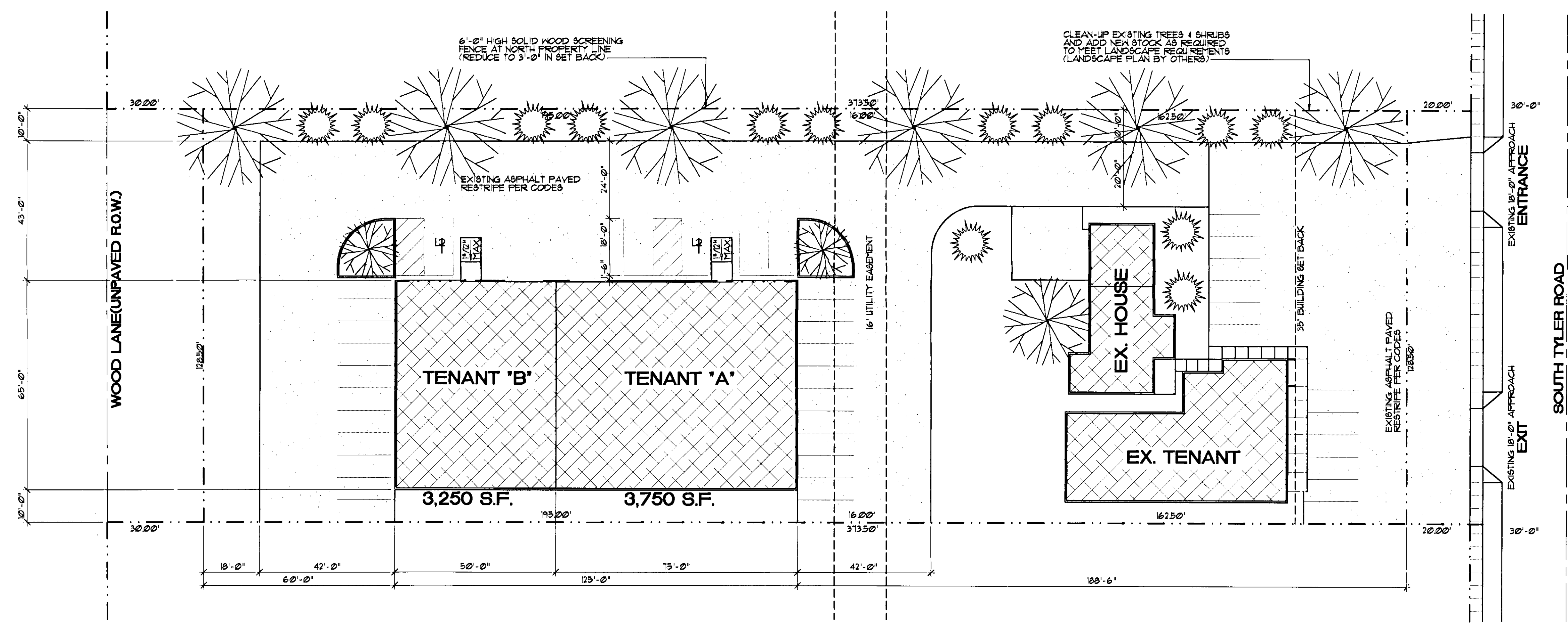


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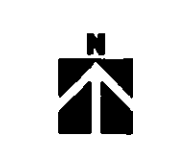
Project No: 00001

**Editions & Revisions**  
 JAN 10, 2000 REZONING

Sheet  
**A0**



**A SITE PLAN** 1" = 20'-0"



\\path\Filename  
 1/8" = 1'-0"