

proposed along the north and east property lines of the larger Executive Plaza, to be installed by the land owner. The project meets all UDO requirements for landscaping and architecture.

One waiver is requested to increase the maximum parking allowance in the C-3 District from a total of 85 parking spaces to 152 parking spaces. The proposed parking areas will accommodate 50 employees, customer parking, and vehicle storage areas. A stipulation is recommended that all vehicles awaiting repair will be brought indoors at night. Salvage vehicles being removed from the site are not included in this requirement; however, a stipulation is recommended that salvage vehicles will only be parked along the east property line.

During the February 26, 2024 Planning Commission meeting, staff maintained its recommendation of denial, but provided an overview of the revised preliminary plans and recommended stipulations based on City Council direction. There was discussion regarding the outdoor storage of materials, car parts and debris. Staff noted that there are already requirements in the Municipal Code prohibiting the outdoor storage of these items. The Planning Commission made a motion to recommend acceptance of all stipulations as provided by staff, and the motion failed 3-3.

In summary, both the rezoning request to the C-3 District and the revised preliminary plan are before the City Council for consideration this evening. An ordinance has been prepared by City staff for City Council's consideration. In accordance with KSA 12-757(d) and UDO Section 18.40.060.B.5, after the Planning Commission's reconsideration, a simple majority (4 votes) of the City Council is required to approve the rezoning ordinance and preliminary site development plan.

FINANCIAL IMPACT:

None

ACTION NEEDED:

1. Approve Ordinance No. 24-11 for a rezoning to the C-3 (Regional Center) District (4 positive votes required).
2. Deny Ordinance No. 24-11 for a rezoning to the C-3 (Regional) District (if 4 positive votes to approve are not achieved).
3. Return the application to the Planning Commission for further consideration with a statement specifying the basis for the Governing Body's failure to approve or disapprove (votes of a majority of the members present required).

ATTACHMENT(S):

- A. February 26, 2024 Planning Commission Packet
- B. February 26, 2024 Planning Commission Minutes
- C. Ordinance No. 24-11