Planning Agenda Item #_____

City of Wichita
City Council Meeting
July 17, 1990

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: Z-2998 - ZONE CHANGE FROM THE "G" MANUFACTURED HOME DISTRICT TO THE "C" COMMERCIAL DISTRICT, LOCATED ON THE NORTH SIDE OF CUSTY STREET IN AN AREA EAST OF BROADWAY. (District #4)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve (7-0).

Staff Recommendation: Approve.

CPO Recommendation: CPO Council "4B" recommended approval (5-0).

Background: On June 21, 1990, the MAPC held a public hearing to consider a zone change request from the "G" Manufactured Home District to the "C" Commercial District for a portion of a platted lot that is located on the north side of Custy Street in an area east of Broadway. The application area measures 2.4 acres. The applicant's agent has advised that this zone change has been requested in order to permit the construction of a 300-foot-tall cellular communication tower. The "C" zoning district is the first district that permits this intended use of the property. The application area is leased by Communication Equipment Specialists Inc. from the fee title owner of the property.

When Lot 2 of Southglen 3rd Addition was platted for development of a mobile home park, a portion of the lot measuring approximately 300,000 square feet was set aside for open space and recreational uses. The City's Mobile Home Code (Chapter 26 of the Code of the City of Wichita) requires that 8% of the area established for the mobile home park be devoted to recreation area for residents of the park. At the time of plat approval, it was determined that a minimum of 101,700 square feet of recreation area needed to be provided.

The application area for this zoning case is located within that portion of the subject lot established for recreational uses. However, after subtracting the size of the application area (103,950 square feet) from the total recreational area established at the time of platting (approximately 300,000 square feet), the

amount of land remaining available for recreational purposes (196,050 square feet) still exceeds the required minimum of 101,700 square feet.

RECOMMENDATIONS/ACTIONS:

1. Concur with the findings of the MAPC and approve the zone change; place the ordinance establishing the zone change on first reading; or

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

(_____) Published in The Daily Reporter on 7/27/90

ORDINANCE NO. 41-117

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-2998
Zone change request from "G" Manufactured Home District to "C" Commercial District

The south 350 feet, except the west 50 feet thereof, Lot 2, Southglen 3rd Addition, Wichita, Sedgwick County, Kansas. Located on the north side of Custy in an area east of Broadway.

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.