Planning Agenda Item #_____

City of Wichita
City Council Meeting
May 20, 1997

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: Z-3225 - ALLEN R. AND GENDA L. POULTER (APPLICANT) REQUEST ZONE CHANGE FROM "SF-6" SINGLE-FAMILY RESIDENTIAL TO "LI" LIMITED INDUSTRIAL, LOCATED NORTH OF PAWNEE, EAST OF HOOVER ROAD (2152 S. HOOVER ROAD).

(DISTRICT #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to platting within 1 year (11-0).

Staff Recommendation: Approve, subject to platting within 1 year.

CPO Recommendation: Approve, subject to platting within 1 year. (7-0)

Background: The applicant requests a zone change from "SF-6" Single-Family Residential to "LI" Limited Industrial on a 7.47 acre unplatted tract located north of Pawnee (extended) on the east side of Hoover Road.

The request is being made in order to establish an automotive repair business. The applicants' residence is located on the site, with the balance of the 7.47 acres undeveloped. The applicants have stated they intend to construct a commercial building on the southwest corner of the subject property for their automotive repair business. The Unified Zoning Code first permits "vehicle repair, general" in the "GC" General Commercial district, however zoning a site of this size would also require a Community Unit Plan overlay. The applicants chose to request "LI" in order to develop their automotive repair business without the additional expense of the CUP, and also based on the fact that the surrounding "LI" zoning is not restricted in a similar manner.

The applicants have been advised that their residence will become a nonconforming use/structure if the rezoning is approved, and have indicated their understanding of the limits placed on the home in a nonconforming situation.

The surrounding uses are predominately industrial in nature, with property to the north zoned "LI" with residential uses. South of the application area is S.B.K. Supply and Millwork and zoned "LI". The Wichita-Valley Center Floodway is located on property zoned "SF-6" to the east. Across Hoover to the west is property owned by the Wichita Airport Authority and zoned "SF-6". The property zoned "SF-6" to the east and west are restricted from developing with residential uses, with the Wichita Airport Authority property to the west having the potential to be rezoned to "LI" for any future expansion of the Mid-Continent Airport or other aviation-related uses.

After limited discussion of this matter during the Planning Commission hearing, the MAPC voted (11-0) to approve the request as recommended by staff.

Recommendation:

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; or

2. Return the application to the MAPC for reconsideration.

   (An override of the Planning Commission's recommendation requires a 2/3rd majority vote of the membership of the governing body on the first hearing.)

(_____) Published in The Daily Reporter on _____

ORDINANCE NO. _____

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 CITY OF WICHITA CODE SEC. 28.04.010.

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 City of Wichita Code Sec 28.04.010, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. Z-3225

Zone change request from "SF-6" Single-Family Residential District to "LI" Limited Industrial District, described as:

> The north half of the following described tract: Beginning at the southwest corner of the southwest quarter of Section 35, Township 27 south, Range 1 west of the Sixth Principal Meridian, Sedgwick County, Kansas; thence north on west line of said southwest quarter to a point 348 feet south of north line of the southwest quarter; thence east to west line of the right-of-way of the Wichita-Valley Center Flood Control; thence southerly along west line of said right-of-way to south line of said southwest quarter; thence west to place of beginning EXCEPT right-of-way for Highway on west line of said southwest quarter of Section 35, and less the north 5 1/2 acres, thereof.

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.