Planning Agenda Item #_____

City of Wichita
City Council Meeting
April 1, 1997

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: Z-3221 - ROBERT BOORIGIE (APPLICANT); KIRK MILLER (AGENT) REQUEST ZONE CHANGE FROM "LC"LIGHT COMMERCIAL & "SF-6" SINGLE-FAMILY RESIDENTIAL TO "LI" LIMITED INDUSTRIAL, LOCATED WEST OF HILLSIDE, NORTH OF CONAMORE (2853 S. HILLSIDE).
(DISTRICT #3)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to platting within 1 year, and the additional provisions of a (P-O) Protective Overlay (7-0-1).

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

CPO Recommendation: Approve (5-4).

Background: The applicant requests a zone change from"LC" Limited Commercial and "SF-6 Single-Family Residential to "LI" Limited Industrial on a 2.32 acre unplatted tract located west of Hillside in an area north of Conamore.

The applicant is requesting the zone change in order to expand the existing machine ship, Precision Metalcraft, Inc. Machine shops are first permitted in the GC" General Commercial district, provided that the entire frontage of the ground floor along the principle street frontage is used for office space, display, or wholesale or retail sales, otherwise the use would be permitted in the "LI" district. The zone change would bring the use into conformance and provide the applicant the ability to expand the business more than the 30 percent allowed nonconforming uses on unplatted property.

To the south of the application area is an automotive repair shop on property zoned "LC". Across Hillside to the east is another automotive repair shop with "LC" zoning.

During the Planning Commission's discussion of this matter on February 27, 1997, questions were asked by area residents concerning the potential use of the western portion of the subject property

for industrial uses. In response, the agent for the applicant described Precision Metalcraft's future expansion plans. the agent also outlined the Protective Overlay (P-O) developed with staff, based on the P-O recommended by CPO(3), to limit the use of the western portion of the site to accessory parking, warehouse uses, or machine shop uses. The P-O also restricts delivery service and includes screening requirements. After discussion, the MAPC voted (7-0-1) to approve the request with the additional provisions of a Protective Overlay as recommended by staff.

Recommendation:

1. Concur with the findings of the MAPC and approve the zone change, subject to the additional recommended provisions of a Protective Overlay District and 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 consideration.

(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-3221

Zone change request from "LC" Limited Commercial & "SF-6" Single-Family Residential District to "LI" "Limited Industrial District and to "P-O" Protective Overlay District #14, described as:

A tract in the Southeast Quarter of Section 3, Township 28 South, Range1 east of the 6th P.M., Sedgwick County, Kansas described as: Beginning 550 feet south of the northeast corner of said Southeast Quarter; thence west 700 feet; thence south 223 feet; thence east 700 feet; thence north 223 feet to beginning, EXCEPT the north 90 feet of the east 300 feet thereof; AND EXCEPT commencing at a point 500 feet west and 550 feet south of the northeast corner of said Southeast Quarter; thence west 200 feet; thence south 223 feet; thence east 35 feet; thence northeasterly to the point of beginning. Generally located west of Hillside, north of Conamore (2853 S. Hillside).

SUBJECT TO THE FOLLOWING PROTECTIVE OVERLAY RESTRICTIONS:

1. The uses allowed on the portion of the property west of the east 300 feet shall be limited to machine shop, warehouse, and accessory parking. All other uses permitted in the "LI" district are allowed on the east 300 feet of the property.

2. There shall be no delivery service allowed on the portion of the property west of the east 300 feet between the hours of 11:00 PM and 6:00 AM.

3. The required screening, where adjacent to residential zoning, shall be constructed at the time the portion of the property west of the east 300 feet is developed, and shall be a solid masonry wall at least 6 feet in height.

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, _____

ATTEST:

_____ _____

Pat Burnett, City Clerk Bob Knight, Mayor

(SEAL)

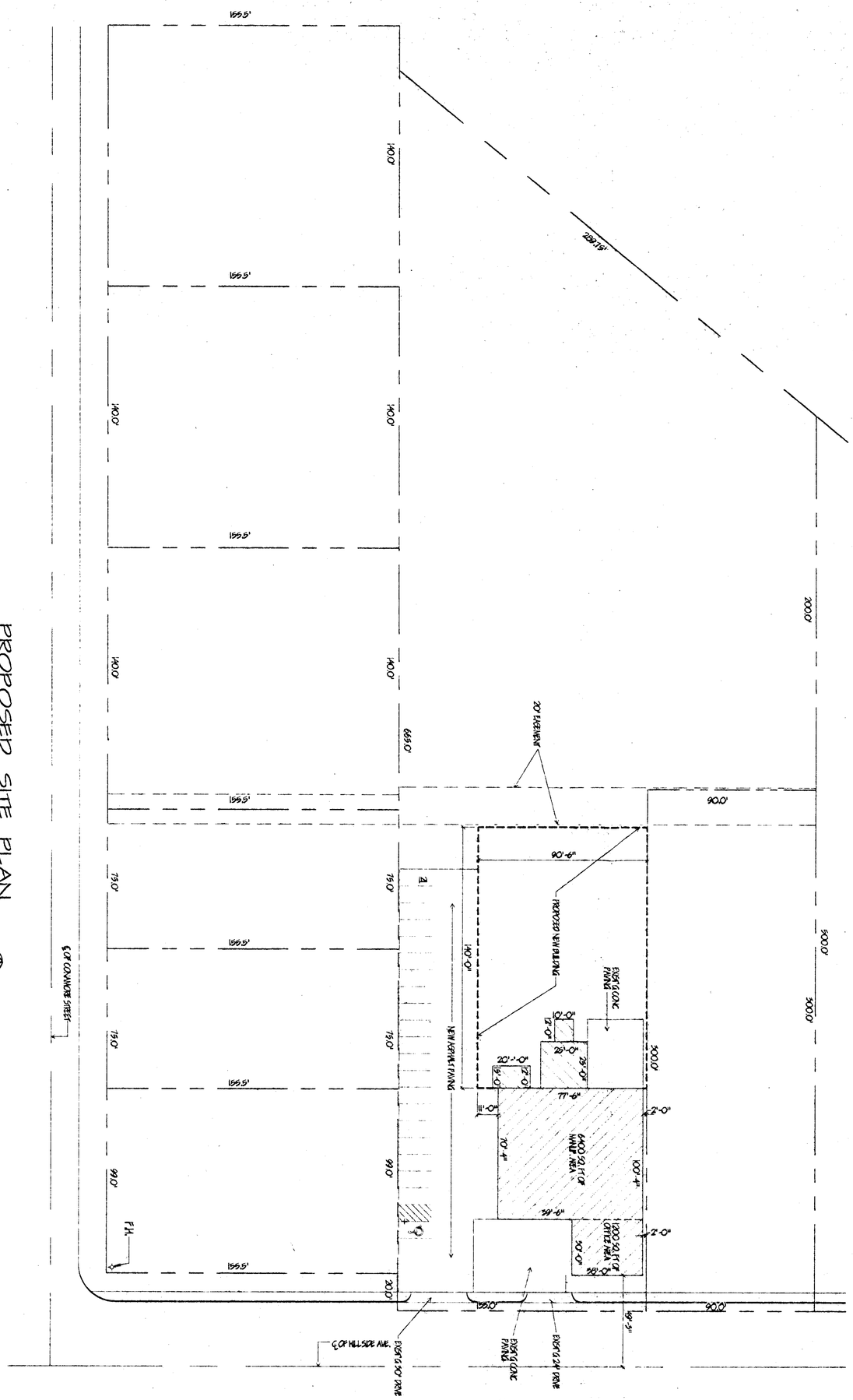
Approved as to form:

_____

Gary E. Rebenstorf, City Attorney

PROPOSED SITE PLAN

1" = 30'-0"



Z-3221

PROJECT NO.	96-168
SHEET	SA-1
OF	
DATE:	12/16/96
DR. BY:	MPW.
CK. BY:	
NO.	REVISIONS
1	2/18/97 MW
PROJECT STATUS	
PROPERTY	

PRECISION METALCRAFT, INC.

2853 S. HILLSIDE WICHITA, KS.

EVANS BUILDING CO., INC.

9801 W. YORK WICHITA, KANSAS 67209