Agenda Item #_____

City of Wichita
City Commission Meeting
December 17, 1985

Agenda Report #_____

TO: Mayor and City Commissioners

SUBJECT: Z-2730 - REQUEST FOR ZONE CHANGE FROM THE "C" COMMERCIAL DISTRICT TO THE "E" LIGHT INDUSTRIAL DISTRICT. GENERALLY LOCATED ON THE NORTH SIDE OF PATTERSON BETWEEN WICHITA STREET AND BROADWAY.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning & Zoning

MAPC Recommendation: Approve zone change (8-0).

Staff Recommendation: Approve zone change.

Background: On November 14, 1985, the MAPC held a public hearing to consider a request for a change of zoning from "C" Commercial to "E" Light Industrial for a 1.5-acre platted site located on the north side of Patterson approximately 600 feet west of Broadway. Martin Roofing Company occupies the site and has filed this application for the stated purpose of constructing a building for a sheet metal business. Although "C" zoning permits roofing and sheet metal businesses, the number of employees on the premises is limited to ten. There is no limit to the number of employees for such businesses when located in the "E" district.

The agent for the applicant indicated agreement with the staff report. One property owner to the west spoke in opposition, stating her objections to the current uses of the property.

CPO Council "C" voted 4-0 on November 4, 1985, to recommend approval.

Analysis: The properties to the north, east and south are occupied by legal non-conforming uses, primarily auto salvage, which would normally require light industrial zoning and a special use permit. Current zoning is "AA" (single-family) and "C" (commercial). Single-family zoning and development is found to the west.

The Planning Commission found that the character of the neighborhood, the zoning and uses of nearby properties, and the suitability of subject property for the proposed use justified the zone change. They passed a motion, by a unanimous vote of the eight members present, to recommend approval of the zone change.

Legal Consideration: 3.7% of the property within 200 feet is represented by valid protest petitions which have been filed as provided by law.

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

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

Attachments: Area Map
11-14-85 MAPC Minutes
CPO memorandum
2 protest letters

(14752) Published in The Daily Record on January 10, 1986

ORDINANCE NO. 39-357

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-2730

Zone Change from the "C" Commercial District to the "E" Light Industrial District

Lot 18, except the East 45 feet thereof, and all of Lot 19, Bromilow's South Broadway Addition to Wichita, Sedgwick County, Kansas. Generally located on the north side of Patterson between Wichita Street and Broadway Avenue.

SECTION 2. That upon the taking effect of the Ordinance, the above zoning changes shall be entered and shown on the 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.

ADOPTED AT WICHITA, KANSAS, _____

ATTEST:

_____
Mayor

_____
City Clerk

(SEAL)

_____
Approved as to form City Attorney