

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

PROPOSED AGENDA ITEMS : SCZ-0750 - Zone Change from "SF-20" Single-Family Residential to "GC" General Commercial on 0.9 acres of property located ¼ mile north of MacArthur, east of West Street (3842 S. West Street)

PRESENTED BY: Marvin S. Krout, Director of Planning

PROPOSED AGENDA DATE: October 22, 1997

COMMISSION DISTRICT #2

MAPC Recommendation: Approve, subject to platting within 1 year (10-0).

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

Background/Discussion: The applicant requests a zone change from "SF-20" Single-Family Residential to "LI" Limited Industrial on a 0.9 acre unplatted tract located ¼ mile north of MacArthur on the east side of West Street.

The request is being made in order to relocate the applicant's electronics business. There is an uninhabited residence located on the site, with three other homes adjacent to the site (unsure if occupied). The applicants have stated they intend to renovate the existing structure for their business use. The Unified Zoning Code first permits "retail, general" in the "NR" Neighborhood retail district, however the applicants chose to request "GC" General Commercial in order to have the potential to use the property for the sale of vehicles in the future.

The surrounding uses are a mix of residential and agricultural uses on land zoned "SF-20" bounded by non-residential uses on property zoned "LI" further to the north and "LI" and "LC" to the south. All property across West Street is zoned "LI" and has developed with uses predominately industrial in nature. East of the application area is agriculturally-used land zoned "SF-20".

During the September 25, 1997 MAPC meeting, the applicant discussed his business plans and the improvements he has made to the property. One neighboring resident expressed some concern over establishing a business at this location, but did state that he appreciated the improvements the applicant has made since acquiring the subject property.

After the discussion, the MAPC voted (10-0) to approve the request subject to platting the property within one year, as recommended by staff. There have been no protest petitions filed.

- Recommended Action:
1. Adopt the findings of fact of the Metropolitan Area Planning Commission and approve the zone change subject to the condition of platting; adopt the resolution and authorize the chairman to sign; and instruct the Planning Department to withhold publication until the plat has been recorded with the Register of Deeds; or
 2. Return to the Planning Commission for reconsideration; or
 3. Override the recommendation and deny the request, citing appropriate findings.

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

Applicants: Mark and Kelley J. Springs 3523 W 48th Street S Wichita KS 67217

Protestors: A. L. Houston 3854 South West Street Wichita KS 67217

RESOLUTION NO. 223-1997

A RESOLUTION CHANGING THE ZONING CLASSIFICATION FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C AS ADOPTED BY RESOLUTION NO. 57-1997.

BE IT RESOLVED BY THE GOVERNING BODY OF SEDGWICK COUNTY, KANSAS.

SECTION I. That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section V-C of the Wichita Sedgwick County unified Zoning Code, the zoning classification or district of the lands legally described hereby are changed as follows:

Case No. SCZ-0750

Zone change request from "SF-20" Single-Family Residential District to "GC" General Commercial on property described as:

The south 136 feet of the north 1621.93 feet of the west 282 feet of the southwest quarter of Section 12, Township 28 south, Range 1 west of the 6th P.M., Sedgwick County, Kansas. Generally located ¼ mile north of MacArthur, east of West Street (3842 S. West Street).

SECTION II. That upon the taking effect of this Resolution, the notation of such zone change shall be entered in the official zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

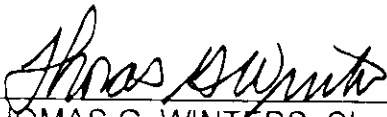
SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the official county paper.

Commissioners present and voting were:

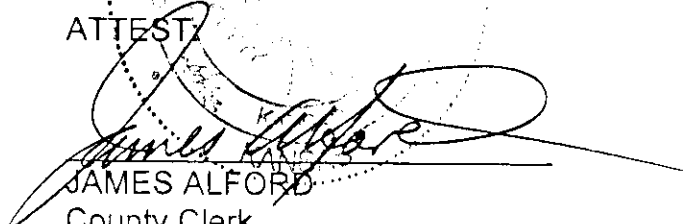
BETSY GWIN	<u>Aye</u>
PAUL W. HANCOCK	<u>Aye</u>
THOMAS G. WINTERS	<u>Aye</u>
MELODY C. MILLER	<u>Aye</u>
MARK F. SCHROEDER	<u>Aye</u>

DATED this 22nd day of October, 1997.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS



THOMAS G. WINTERS, Chairman

ATTEST


JAMES ALFORD
County Clerk

APPROVED AS TO FORM ONLY:



Assistant County Counselor