

Planning Agenda Item # _____

City of Wichita
City Council Meeting
October 20, 1992

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-3066 - ZONE CHANGE FROM THE "C" COMMERCIAL DISTRICT TO THE "E" LIGHT INDUSTRIAL DISTRICT, LOCATED ONE HUNDRED FIFTY FEET NORTH OF 31ST STREET SOUTH, ON THE EAST SIDE OF WEST STREET. (District #4)

INITIATED BY: Metropolitan Area Planning Department *McCrout*

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to platting and submission of a restrictive covenant (12-0).

Staff Recommendation: Approve, subject to platting and submission of a restrictive covenant.

CPO Recommendation: CPO Council "Southwest 4" recommended disapproval (4-3).

Background: On September 24, 1992, the MAPC held a public hearing to consider a zone change from the "C" Commercial District to the "E" Light Industrial District for a 1.1-acre tract located north of 31st Street South, on the east side of West Street. The applicants have indicated that a machine shop is proposed for the site. The "E" Light Industrial District is the first district that allows a machine shop employing more than 10 persons.

The application area is located on a portion of Lot 10, Kessler-Koch Addition, which was rezoned from "LC" Light Commercial to "C" Commercial in 1989 (Z-2960). At that time, the applicants volunteered restrictive covenants which imposed land use, noise, setback, outside storage and signage restrictions on the property. The specific restrictions are attached for review.

Adjacent property to the north and west is zoned "E" light industrial. Property to the south and east is zoned "C" commercial. All property surrounding the application is developed with commercial and industrial uses, except for a vacant lot to the south. Residential uses exist in the Janzen Addition, directly east of the original Lot 10, Kessler-Koch Addition and at the southeast corner of 31st Street South and West Street. The application area is located at the southern

edge of a three-mile stretch of light industrial zoning on the east side of West Street, which begins at Maple.

The new Comprehensive Plan indicates this area for commercial uses. The plan also indicates that industrial uses shall be located in close proximity to major arterials and belt highways and as extensions of existing industrial uses. These uses shall also be located so that traffic does not feed directly onto residential streets. This location meets these criteria.

The applicants have also requested that the restrictive covenant for the application area be removed, thereby allowing a machine shop employing more than 10 persons on the property. Removal of the application area from the covenants still provides restrictions for those portions of the original Lot 10 which are adjacent to residential uses.

- RECOMMENDATIONS/ACTIONS:
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, stating reasons; or
 3. Override Planning Commission's recommendation by 2/3 majority vote of the membership of the governing body.

(_____) Published in The Daily Reporter on Jan 11, 93

ORDINANCE NO. 41-924

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-3066

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

Lot 1, Kessler Addition, Wichita, Sedgwick County, Kansas.

Generally located north of 31st Street South and east of West Street.

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.

ADOPTED AT WICHITA, KANSAS, _____.