

along the north property line. Notices of the hearing on the paving petition have been sent to owners in the benefit district.

The Planning Commission determined that the character of the neighborhood; the zoning and uses of properties nearby; the suitability of subject property for the uses proposed; and the recommendation of staff justified the approval of the zone change.

- Actions:
1. Concur with the findings of MAPC and approve the zone change; accept the street dedication and record document; approve street paving petition and instruct staff to prepare resolution; place rezoning ordinance on first reading; or
  2. Return the application to the MAPC for reconsideration stating reasons.

Attachments: Area map  
12-22-86 MAPC Minutes  
CPO Memorandum

City of Wichita  
City Commission Meeting  
March 17, 1987

Agenda Report # \_\_\_\_\_

TO: Mayor and City Commissioners

SUBJECT: Z-2826 - REQUEST FOR ZONE CHANGE FROM "AA" ONE-FAMILY DWELLING DISTRICT TO "E" LIGHT INDUSTRIAL DISTRICT, LOCATED AT THE NORTHEAST CORNER OF HARRY AND SABIN.  
(Gary & Diane Dunn)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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MAPC Recommendation: Approve with conditions (7-0)

Staff Recommendation: Approve with conditions

Background: On December 22, 1986, the MAPC held a public hearing to consider a zone change from "AA" to "E" for a half-acre platted lot at the northeast corner of Harry and Sabin. The north part of the site was being used for storage of large signs and for truck parking for the sign company to the east in violation of the residential zoning district. No one appeared at the public hearing in protest although several calls and letters had been received from neighbors concerned about the untidiness of the site. Most did not object to the zone change if proper screening was provided.

The Planning Commission recommended approval of the zone change subject to the applicant dedicating an additional five feet for Sabin Street right-of-way; attempting to obtain a valid petition for paving Sabin from Harry to the north line of the application area; and providing the type of solid screening required by the zoning ordinance along the north boundary of the application area, all within 60 days.

CPO Council "B" on December 9th had recommended 5-0 that the zone change be denied until the lot is properly maintained and screening is provided along the north and west boundaries of the property.

Analysis: To the north of the application area is a single-family house in the "AA" district; to the east in the "E" district is the main office and storage facility for the sign company which now owns subject site; to the south is a contractor's storage yard in "E"; and to the west are industrial offices in the "E" district.

The site was recently purchased by the owner of the lot to the east, thinking it was already zoned light industrial as is most of the surrounding land. This site is in an area where light industrial zoning has been granted for numerous other properties in recent years. The applicant has submitted the required street dedication and a 56% petition for paving Sabin adjacent to this site, and has provided solid screening

( 451 ) Published in The Daily Record on March 27, 1987

ORDINANCE NO. 39-849

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-2826

Zone Change from the "AA" One-Family Dwelling District  
to the "E" Light Industrial District

Lot 2, Windover Addition, Sedgwick County, Kansas. Generally located at  
the northeast corner of Harry and Sabin.

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)

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Approved as to form City Attorney