

Planning Agenda Item # _____


City of Wichita
City Council Meeting
February 23, 1993

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-3077 - ZONE CHANGE FROM THE "AA" ONE-FAMILY DWELLING, "C" COMMERCIAL AND "LC" LIGHT COMMERCIAL DISTRICTS TO THE "C" COMMERCIAL DISTRICT, LOCATED FOUR HUNDRED FIFTY FEET SOUTH OF 37TH STREET NORTH, ON THE EAST SIDE OF OLIVER. (District #1)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

MAPC Recommendation: Approve (9-0).

Staff Recommendation: Approve.

CPO Recommendation: CPO Council "Northeast 1" recommended approval (4-1).

Background: On January 28, 1993, the MAPC held a public hearing to consider a zone change from the "AA" One-Family Dwelling, "C" Commercial and "LC" Light Commercial Districts to the "C" Commercial District (as amended) for a seven-acre platted tract generally located south of 37th Street North, on the east side of Oliver. The applicant's property is currently being utilized by Goodwill Industries as a training center for handicapped individuals, including the preparation of donated goods for resale and small indoor manufacturing. All of these uses were permitted when the applicant's property was first zoned "C" Commercial in 1972 (SCZ-0280). Although the applicant's property is grandfathered, they would like to expand the number of persons employed and the intensity of the manufacturing allowed. The applicant's attorney originally advised him to seek a rezoning to "E" Light Industrial. However, they have now been advised that "C" Commercial will be sufficient.

Surrounding property to the south and east is zoned "E" Light Industrial and is undeveloped, except for a railroad track. Property to the north is zoned "LC" and is also undeveloped. Two single-family residences exist to the west on property zoned "LC" and "AA".

The Land Use Element of the proposed 1992 Comprehensive Plan depicts this area for public and institutional uses. The

good access to major arterials and belt highways. The Plan also recommends that industrial uses should not feed directly onto local streets and should be generally located away from existing and planned residential areas.

- RECOMMENDATIONS/ACTIONS:
1. Concur with the findings of the MAPC and approve the zone change, place the ordinance establishing the zone change on first reading; or
 2. Return the application to the MAPC for reconsideration; stating reasons; or
 3. Override the Planning Commission's recommendation by a 2/3rd majority vote of the membership of the governing body.

(_____) Published in The Daily Reporter on 3-12-93

ORDINANCE NO. 41-958

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-3077

Zone change request from "AA" One-Family Dwelling, "C" Commercial and "LC" Light Commercial Districts to the "C" Commercial District

Lot 1, Block A, Richland Heights Addition, Wichita, Sedgwick County, Kansas. Generally located four hundred fifty feet south of 37th Street North, on the east side of Oliver.

SECTION 2. That upon the taking effect of the 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 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:

(SEAL) _____ City Clerk

_____ Mayor

Approved as to form:

_____ City Attorney

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