

AGENDA ITEM REQUEST

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Proposed Agenda Item: ZON2002-00054 – Sedgwick County Zone change from “SF-20” Single-family Residential to “GC” General Commercial. Generally located south of MacArthur and west of Tyler (87th Street West). (District II)

Presented By: Dale Miller, Chief Planner, MAPD *DM*

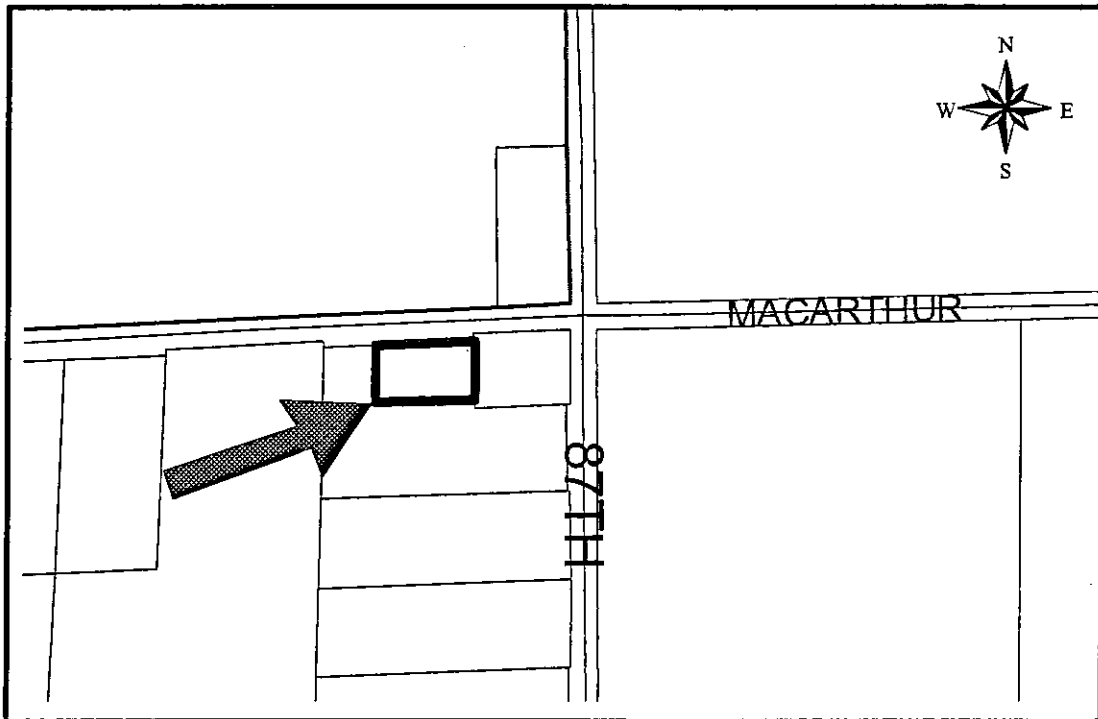
Recommended Action: Approve the zone change subject to platting within one year, direct staff to prepare the appropriate resolution after the plat is approved, and authorize the Chairman to sign the resolution

Proposed Agenda Date: October 23, 2002

Outside Attendees: James A. Eliot, Applicant, 4039 S. Tyler, Wichita, KS 67215

Multimedia Presentation: PowerPoint

Donations: n/a



Background:

The applicant requests a zone change from "SF-20" Single Family to "GC" General Commercial on a 1.18 acre unplatted tract located south of MacArthur and west of Tyler. The applicant owns a total of 6.52 acres at this location, and the remainder of the applicant's property will remain zoned "SF-20" Single Family and developed with the applicant's single family residence. The subject property is proposed to be developed as a self-storage service warehouse, which is first permitted by right in the "GC" General Commercial zoning district.

The surrounding area is characterized primarily by agricultural uses with Mid-Continent Airport and Mid-Continent Industrial Park within the general vicinity. The property to the north across MacArthur is zoned "SF-5" Single-Family, is owned by Mid-Continent Airport, and is undeveloped. The property to south and west is zoned "SF-20" Single Family, is owned by the applicant, and is developed with a single-family residence. The property to the east is zoned "SF-20" Single Family and is developed with a single family residence.

Since the surrounding properties have residential zoning, screening will be required along the south, east, and west property lines. The compatibility setback standards will require a 25-foot building setback along the south, east, and west property lines unless a Zoning Adjustment is granted by the Planning Director and Zoning Administrator to reduce or waive the compatibility setback. Since the property adjoins the Wichita city limit, annexation will be required as a condition of platting; therefore, the property will be developed according to the requirements of the City's Landscape Ordinance.

Analysis:

At the MAPC hearing on September 26, 2002, no speakers other than the applicant appeared either in favor of or in opposition to the request. The MAPC voted 10-0 to approve the request subject to platting the property within one year.

Alternatives:

1. Concur with the findings of the MAPC, approve the zone change subject to platting within one year, direct staff to prepare the appropriate resolution after the plat is approved, and authorize the Chairman to sign the resolution.
2. Return the application to the MAPC for reconsideration.
3. An override of the Planning Commission's recommendation requires a 2/3rd majority vote of the membership of the governing body on the first hearing.

Financial Considerations: n/a

Policy Considerations: n/a

Legal Considerations:  *AMP* Approved as to form and signed by County Counselor's Office

The zone change resolution has been reviewed and approved as to form by the County Counselor's Office.

ORDINANCE NO. 45-921

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

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 The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON 2002-54

Request for a zone change from "SF-20" Single-Family Residential District to "GC" General Commercial District, on property described as:

Lot 1, Block A, Eliot Addition, to Wichita, Sedgwick County, Kansas.

Generally located west of Tyler Road and on the south side of MacArthur Road.

SECTION 2. That upon the taking effect of this 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 Wichita-Sedgwick County Unified Zoning Code 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 this 4th day of November 2003.

ATTEST:

Karen Schofield
Karen Schofield, City Clerk

Carlos Mayans 11/21/03
Carlos Mayans, Mayor



Approved as to form:

Gary E. Rebenstorf
Gary E. Rebenstorf, City Attorney

JK