

City of Wichita
City Council Meeting
April 18, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-2944 - ZONE CHANGE FROM THE "AA" ONE-FAMILY DWELLING, "LC" LIGHT COMMERCIAL DISTRICTS TO THE "E" LIGHT INDUSTRIAL, "C" COMMERCIAL AND "OC" OFFICE COMMERCIAL DISTRICTS, LOCATED ON THE SOUTH SIDE OF KELLOGG BETWEEN GREENWICH ROAD AND BRUNDIGE (District #2).

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve "OC", "C" and "E" with covenants, subject to replatting within two years (7-0).

Staff Recommendation: Approve "E" zoning, subject to platting within two years.

CPO Recommendation: CPO Council 2B recommended approval by a vote of 6-0.

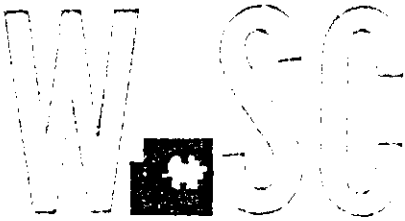
Background: On March 16, 1989, the MAPC held a public hearing to consider a zone change request from the "AA" One-Family Dwelling and "LC" Light Commercial Districts to the "E" Light Industrial District for an 80.3-acre unplatted tract. The subject property is located on the south side of Kellogg between Greenwich Road and Brundige. Approximately the north 600 feet of the property is currently zoned "LC" Light Commercial. The remainder of the site is zoned "AA" One-Family. The property, for the most part, is agricultural and is currently developed with three single-family residences. Two of these residences front onto Brundige Street and the third fronts onto Kellogg.

The applicant has not stated a specific use for all of the property, but has stated a willingness to submit a restrictive covenant which prohibits off-site advertising signs and provides restrictions for the screening of any outside storage along the turnpike. At the MAPC meeting, consideration was given to prohibiting portable signs and screening of outside storage from the single-family homes along Greenwich Road. The covenants or deed restrictions will be obtained at the time of platting.

Recommendations/Actions:

1. Concur with the findings of the MAPC and approve the zone change, subject to the condition of platting, including covenants; 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.

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1588
(316) 258-4561

April 19, 1989

Kenneth Pringle
Bank IV, Trustee
100 N. Broadway
Wichita, KS 67202

FILE COPY

RE: Z-2944 - ZONE CHANGE FROM THE "AA" ONE-FAMILY DWELLING, "LC" LIGHT COMMERCIAL DISTRICTS TO THE "E" LIGHT INDUSTRIAL, "C" COMMERCIAL AND "OC" OFFICE COMMERCIAL DISTRICTS, LOCATED ON THE SOUTH SIDE OF KELLOGG BETWEEN GREENWICH ROAD AND BRUNDIGE (District #2).

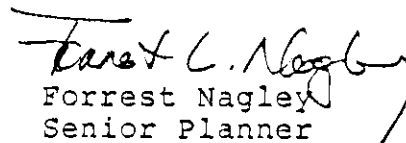
Dear Mr. Pringle:

On April 18, 1989, the City Council approved the above-referenced zone change subject to platting the property within two years or the case will be considered denied and closed. The rezoning ordinance will not be published until the plat has been recorded with the Register of Deeds. You will have until April 18, 1991 to record a plat of this property.

Enclosed is a subdivision application form. You will need to contact a surveyor or an engineer to prepare the platting documents for you. This should be done as soon as possible.

This will be our only letter advising you of your platting deadline. If you have to recorded the plat by April 18, 1991, the zone case file will be or marked denied and closed. If you have any questions about this zone change or required plat, please call our office at 268-4421.

Sincerely,


Forrest Nagley
Senior Planner

FN/pu

cc: Robert W. Kaplan, 430 N. Market, Wichita, KS 67214
Professional Engineering Consultants, 1440 English,

(_____) Published in The Daily Reporter on July 3, 1989

ORDINANCE NO. 40-698

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-2944

Zone change from "LC" light-commercial district to the "E" light-industrial district.

Lot 1, Block 1, Lesline Addition, Wichita, Sedgwick County, Kansas.

Generally located on the south side of Kellogg and east of Greenwich Road

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, June 2, 1989

ATTEST:

(SEAL) City Clerk

Mayor

Approved as to form:

City Attorney

March 16, 1989

STAFF REPORT

CASE NUMBER: Z-2944

OWNER/APPLICANT/AGENT: Gladys H.G. Wiedemann (owner/applicant)
Robert W. Kaplan (agent)

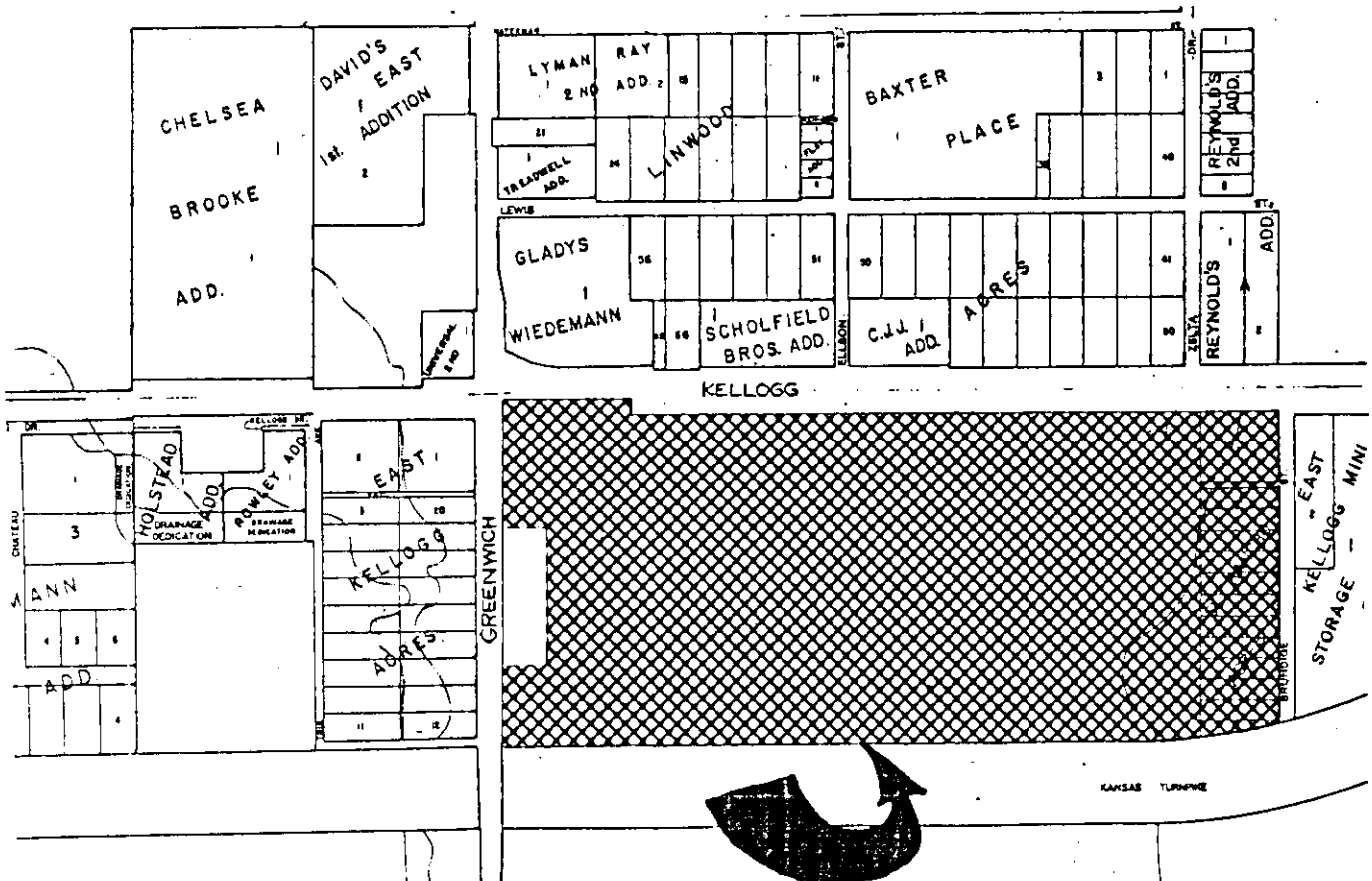
REQUEST: Zone change to the "E" Light Industrial District.

CURRENT ZONING: "AA" One-Family Dwelling and "LC" Light Commercial Districts.

SITE SIZE: 80.3 acres (irregular shape)

LOCATION: On the south side of Kellogg between Greenwich Road and Brundige.

PROPOSED USE: Those uses permitted within the "E" zoning district.



BACKGROUND: The applicant is requesting a zone change to the "E" Light Industrial District for an 80.3-acre unplatted tract. The subject property is located on the south side of Kellogg between Greenwich Road and Brundige. Approximately the north 600 feet of the property is currently zoned "LC" Light Commercial. The remainder of the site is zoned "AA" Single-Family. The property, for the most part, is agriculture and is currently developed with three single-family residences. Two of these residences front onto Brundige Street and the third fronts onto Kellogg.

The applicant has not stated a specific use for the property, but has stated a willingness to submit a restrictive covenant which prohibits off-site advertising signs and provides restrictions for the screening of any outside storage along the turnpike. Consideration should also be given to prohibiting portable signs and screening of outside storage from the single-family homes along Greenwich Road.

CASE HISTORY: Z-0421 - "AA" to "C" for that part of the current application area that is not presently zoned "LC" - In 1963, the City Commission denied this rezoning request.

ADJACENT ZONING AND LAND USE:

NORTH	"C" & "LC"	Car dealerships, feed store, trailer park & a van customizing business
SOUTH	"AA"	Turnpike right-of-way
EAST	"C"	Storage warehouses
WEST	"C" & "AA"	Modular home dealership & single-family residences

PUBLIC SERVICES: This property is currently served by municipal water. Sanitary sewer is available to extend to the property. Adjacent Kellogg is a paved four-lane divided arterial street. Greenwich Road is also an arterial street. Greenwich has four paved lanes adjacent to the northern portion of the application area and two paved lanes adjacent to the southern portion of the site. Additional street rights-of-way are needed for both Greenwich Road and Kellogg.

CONFORMANCE TO PLANS/POLICIES: The Land Use Element of the Comprehensive Plan depicts both commercial and residential land use for the application area. An MAPC zoning policy does not exist for this portion of either Kellogg or Greenwich.

RECOMMENDATION: Inasmuch as the applicant is willing to submit restrictive covenants regarding screening of outside storage and sign control, it is recommended that all of the application area be approved for "E" zoning, subject to platting the property within two years after City Council approval of the zone change, or the application shall be considered denied and closed. The zoning ordinance should not be published until the required plat has been recorded.