

Planning Agenda Item # _____

City of Wichita
City Council Meeting
March 28, 1989

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-2943 - ZONE CHANGE FROM THE "B" MULTIPLE-FAMILY DWELLING AND "C" COMMERCIAL DISTRICTS TO THE "E" LIGHT INDUSTRIAL DISTRICT, LOCATED AT THE NORTHWEST CORNER OF MURDOCK AND HYDRAULIC (District #1).

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approval, subject to dedication by separate instrument of five feet of additional street right-of-way for Murdock Street (7-0).

Staff Recommendation: Approval, subject to dedication by separate instrument of 5 feet of additional street right-of-way for Murdock Street.

CPO Recommendation: CPO Council 1A recommended approval by a vote of 8-0.

Background: On March 2, 1989, the MAPC held a public hearing to consider a zone change request from the "C" Commercial and "B" Multiple-Family Dwelling Districts to the "E" Light Industrial District for a 4.3-acre platted site at the northwest corner of Hydraulic and Murdock. The site is presently developed with a building used for general business purposes. The existing building is located on that part of the application area that is currently zoned "C". The applicant's stated reasons for requesting this zone change are to obtain a single zoning classification for all of his property, thereby eliminating the site's "patchwork" zoning, and to provide additional buildable area for expansion of the existing building.

Recommendations/Actions:

1. Concur with the findings of the MAPC and approve the zone change; accept the dedication and instruct the City Clerk to record the dedication document with the Register of Deeds, the recording cost of which shall be billed to the Planning Department; place the ordinance establishing the zone change on first reading.
2. Return the application to the MAPC for reconsideration, stating reasons.

FILE COPY

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, April 4, 1989

ATTEST:

(SEAL) City Clerk

Mayor

Approved as to form:

City Attorney

(_____) Published in The Daily Reporter on April 7, 1989

ORDINANCE NO. 40-587

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-2943
Zone Change from the "B" Multiple-Family Dwelling District
and the "C" Commercial District
to the "E" Light Industrial District

Lots 28, 30, 32, 34, 36 and 38 on Oak Street, now Murdock Avenue, and the vacated alley adjacent to the North from Hydraulic to the West border of vacated alley running North-South between 8th Street and Murdock Avenue, Allen's 3rd Addition to City of Wichita, Sedgwick County, Kansas.

Lot 6 and the E $\frac{1}{2}$ of vacated New York Avenue abutting Lot 6, Kreisler Addition to City of Wichita, Sedgwick County, Kansas.

Lots 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, on Oak Street, now Murdock Avenue, and Lots 39, 41, 43, 45, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, on Grove Street now Pennsylvania Avenue, except that part of said Lot 45, lying West of a line parallel with and 183.28 feet West of the East line of said Lot 45; and Reserve B and the East 8.28 feet of Reserve C, all in Allen's Third Addition to the City of Wichita, Sedgwick County, Kansas, and all that portion of Pennsylvania Avenue between Eighth Street and Murdock Street, and the East-West Alley extending from the West line of Lot 2, to the West line of the North-South Alley leading south from Eighth Street, AND a tract in NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 16, Township 27 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas, beginning at the southwest corner of Lot 6, Kreisler Addition to Wichita, thence south to the center line of Chisholm Creek, thence northeast with meander line of center of said creek to point east of beginning, thence west to beginning; EXCEPT that part of Lots 26, 28, 30, 32, 34, 36, and vacated street on vacated Pennsylvania Avenue, in Allen's Third Addition to the City of Wichita, Sedgwick County, Kansas, described as follows: Beginning at the northeast corner of said Lot 26 thence southerly along the west alley line to the southeast corner of said Lot 36, thence northwesterly to a point on the north line of said Lot 36, said point being 70 feet westerly of the northeast corner of said Lot 36, thence northwesterly to a point on the west line of said Lot 30, said point being 12.5 feet northerly of the southwest corner of said Lot 30, thence northwesterly to a point on the south line of Eighth Street, in said Addition said point being 30 feet westerly of the northwest corner of said Lot 26, thence easterly along the south line of said Eighth Street to the place of beginning.

All of Lots 39, 41, 43, and 45 on Hydraulic Avenue in Allen's Third Addition to the City of Wichita, Sedgwick County, Kansas, and the vacated North-South alley adjacent to said lots; and that part of said vacated alley lying within a triangle described as: beginning at the southwest corner of said Lot 37, west to southeast corner of Lot 38, Pennsylvania Avenue, north to the northeast corner of said Lot 38, thence southeasterly to point of beginning, except the following described portion: Beginning at a point on the east line of Lot 45, 8 feet north of the southeast corner of said Lot 45; thence northwesterly to a point on the dividing line between Lots 39 and 41, and being 40 feet west of the east line of said lots; thence northwesterly to a point on the north line of Lot 39, said point being 50 feet east of the west line of said Lot 39; thence east along the north line of Lot 39 to the east line of Lot 39; thence south along the east lines of Lot 39, 41, 43, and 45 to a place of beginning. Generally located at the northwest corner of Murdock and Hydraulic.