Planning Agenda Item #_____

City of Wichita
City Council Meeting
September 9, 1997

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: Z-3241 - ECK & ECK MACHINE CO., INC. (PROPERTY OWNER/ APPLICANT); MATT ECK REAL ESTATE (PROPERTY OWNER/ APPLICANT); TERRY SMYTHE, BAUGHMAN CO. (AGENT), REQUEST ZONE CHANGE FROM "SF-6" SINGLE-FAMILY RESIDENTIAL TO "LI" LIMITED INDUSTRIAL, LOCATED NORTH OF HARRY, WEST OF SABIN (4530 W. HARRY).

(DISTRICT #4)

INITIATED BY: Metropolitan Area Planning Department MC DM

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to platting within 1 year (9-0).

CPO Recommendation: Approve, subject to staff recommendations (7-0).

Staff Recommendation: Approve, subject to platting within 1 year.

Background: The applicant requests a zone change from "SF-6" Single-Family Residential to "LI" Limited Industrial on a 3.9 acre unplatted tract located north of Harry, in an area west of Sabin (4530 W. Harry).

The applicants own and operate a business located adjacent to the southeast of the application area on property zoned "LI" Limited Industrial. The application states that the requested zone change is for the expansion of the existing Eck & Eck Machine Co., Inc (zoned and platted in the fall of 1969). There is an existing house on the site proposed for rezoning, with more homes further to the west on the north side of Harry.

The surrounding area holds a mix of industrial, residential, and public land uses. The request would expand the existing "LI" zoning located immediately east and south of the subject property (part of which is owned by the applicants). The area immediately to the north is undeveloped and zoned "SF-

6" Single-Family Residential, with a residence to the northeast on property also zoned "SF-6" Single-Family Residential. Across Harry to the south is various commercial and industrial uses on property zoned "LI".

To the north and northwest of the application area is a large, open detention pond owned by the City of Wichita (condemned in December of 1983 for water detention) and to the west is undeveloped property also owned by the City of Wichita. All three tracts total nearly 12.7 acres.

After limited discussion of this matter, the MAPC voted (9-0) to approve the request as recommended by staff.

Recommendation:

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

   (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.)

(_____) Published in The Daily Reporter on _____

ORDINANCE NO. _____

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 CITY OF WICHITA CODE SEC. 28.04.010.

FILE COPY

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 City of Wichita Code Sec 28.04.010, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. Z-3241

Zone change request from "SF-6" Single-Family Residential District to "LI" Limited Industrial District, described as:

TRACT 1
Beginning at a point 747 feet west southeast corner of the Southwest Quarter of the Southeast Quarter (SE/4 SE/4) of Section 26, T27S, R1W of the 6th P.M., Sedgwick County Kansas; thence north parallel to the east line of said Southwest Quarter of said Southeast Quarter (SW/4 SE/4) a distance of 660 feet; thence west parallel to the south line of said southwest quarter of said southeast quarter a distance of 164.87 feet; thence south parallel to the east line of the said southwest quarter of said southeast quarter a distance of 660 feet; thence east 164.87 feet to the point of beginning, containing 2.5 acres, mor or less.

TRACT 2
The north 462 feet of a tract beginning 615 feet west of the southeast corner of the southwest quarter of the southeast quarter of Section 26, T27S, R1W of the 6th P.M.; thence north parallel to the east half of the southwest quarter of said southeast quarter, 660 feet; thence west parallel to the south half of the southwest quarter of said southeast quarter, 132 feet; thence east 132 feet to beginning, Sedgwick County, Kansas. Generally located north of Harry, west of Sabin (4530 W. Harry).

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 AT WICHITA, KANSAS, _____

ATTEST:

_____ _____

Pat Burnett, City Clerk Bob Knight, Mayor

(SEAL)

Approved as to form:

_____

Gary E. Rebenstorf, City Attorney