


Agenda Item # _____

City of Wichita
City Council Meeting
August 6, 2002

Agenda Report # _____

TO: Mayor and City Council Members

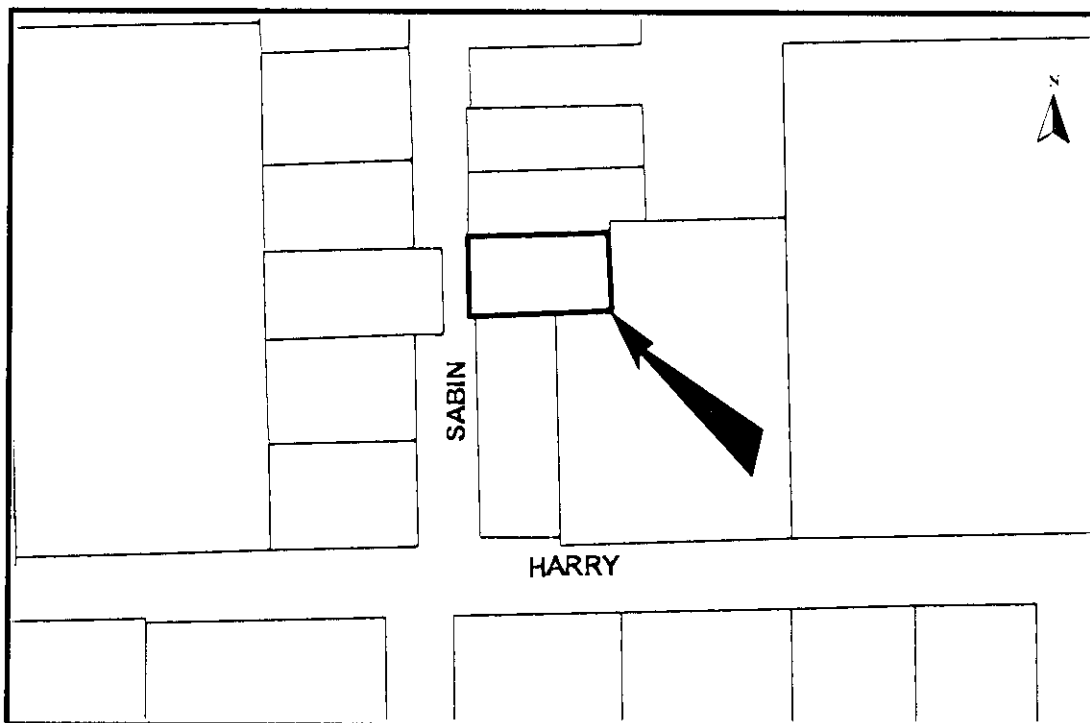
SUBJECT: ZON2002-00030 – Zone change from “SF-5” Single-Family Residential to “LI” Limited Industrial. Generally located north of Harry and east of Sabin. (DISTRICT IV)

INITIATED BY: Metropolitan Area Planning Department 

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to staff recommendations. (10-0).

Staff Recommendation: Approve, subject to the submittal of a “no protest” agreement for the paving of Sabin and the dedication by separate instrument of an additional 5 feet of right-of-way for Sabin and an additional 2 feet of utility easement along both the south as east property lines.



BACKGROUND: The applicant requests a zone change from “SF-5” Single-Family Residential to “LI” Limited Industrial on a 0.36 acre platted tract located north of Harry and east of Sabin. The subject property formally was developed with a single family residence that recently has been razed. The applicant proposes to develop the subject property with an office/warehouse building for a construction business.

The surrounding area is characterized primarily by industrial uses; although, there are almost a dozen single-family residences remaining along Sabin. The property to the south and east are zoned “LI” Limited Industrial and is developed with an electrical contractor’s business. The properties to the north and west are zoned “SF-5” Single-Family Residential and are developed with single-family residences.

Since the property to the north has residential zoning, screening will be required along the north property line. The buffer landscape requirements also will apply along the north property line. The compatibility setback standards will require a 24-foot building setback along the north property line unless a Zoning Adjustment is granted by the Planning Director and Zoning Administrator to reduce or waive the compatibility setback. Since the property to the west has residential zoning, the landscape street yard and parking lot screening requirements will apply to the subject property.

At the MAPC hearing on July 11, 2002, there were no speakers either in favor of or in opposition to the request. The MAPC voted (10-0) to approve the request subject to the staff recommendation.

Recommended action:

1. Concur with the findings of the MAPC and approve the zone change, subject to the submittal of a “no protest” agreement for the paving of Sabin and the dedication by separate instrument of an additional 5 feet of right-of-way for Sabin and an additional 2 feet of utility easement along both the south as east property lines; place the ordinance establishing the zone change on first reading; instruct the Clerk to withhold publication until the petition is received and the dedications are recorded with the Register of Deeds; 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.)

(150004) Published in The Wichita Eagle on 10-11-02

ORDINANCE NO. 45-379

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. ZON2002-00030

Zone change from "SF-5" Single-Family Residential to "LI" Limited Industrial, described as:

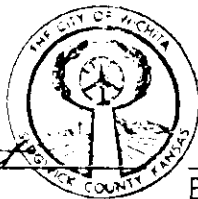
Lot 3, Windover Addition, Wichita, Sedgwick County Kansas. Generally located north of Harry and east of Sabin.

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, AUG 13 2002

ATTEST:

Pat Burnett Pat Burnett, City Clerk  Bob Knight Bob Knight, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf Gary E. Rebenstorf, City Attorney