

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

PROPOSED AGENDA ITEMS : SCZ-0725 - Zone change from "SF-20" Single Family Residential to "GC" General Commercial on property generally located south of 69th Street North, east of Santa Fe (6850 N. Santa Fe).

PRESENTED BY: Marvin S. Krout, Director of Planning *MK*

PROPOSED AGENDA DATE: January 8, 1997

COMMISSION DISTRICT #4

MAPC Recommendation: Approve (11-0), subject to the additional provisions of a Protective Overlay (P-O) district and subject to platting within 1-year.

Park City PC Recommendation: Approve (4-0), subject to the additional provisions of a Protective Overlay (P-O) district and subject to platting within 1-year.

Staff Recommendation: Approve, subject to the additional provisions of a Protective Overlay (P-O) district and subject to platting within 1-year.

Background/Discussion: The applicant requests a zone change from "SF-20" Single-Family Residential to "GC" General Commercial on an unplatted 1-acre site generally located south of 69th Street North, east of Santa Fe (6850 N. Santa Fe). The applicant is requesting the change in zoning in order to bring his business into conformance with the zoning code.

The applicant is currently using the property for his business, Johnson Gauge and Inspection, Inc., which was established in April of 1988, and is "engaged in the inspecting and performing calibrating service of precision instruments primarily for manufacturers and the inspection of close tolerance parts together with occasional replacement of minor parts." He has further stated that most of his work is away from this location and is at the place of the operation. The applicant has agreed to a Protective Overlay that will limit his ability to develop any other commercial use other than his inspection and calibration of precision instruments.

All of the surrounding land is zoned "SF-20" Single-Family Residential and used for agricultural purposes to the east, south and west, with three single-family residences to the north and northwest in the immediate area. There are several commercial uses located along 69th Street between Santa Fe and Broadway.

During the MAPC meeting the agent for the applicant stated that his client was in support of the staff recommendations, and that the few neighbors near the application area were not opposed to the request. The Protective Overlay restricts the commercial use of this property to the applicant's calibration business, as well as ensures that the landscaping which currently exists will remain. After discussing the request, the MAPC voted (11-0) to approve the request, subject to the additional provisions of a Protective Overlay (P-O) district and subject to platting within 1-year.

- Recommended Action:
1. Adopt the findings of fact of the Metropolitan Area Planning Commission and approve the zone change subject to the additional provisions of a Protective Overlay (P-O) district and subject to platting within 1-year; adopt the resolution and authorize the chairman to sign; and instruct the Planning Department to withhold publication until all conditions have been complied with; or
 2. Return to the Planning Commission for reconsideration.

(An override of the Planning Commission's recommendation requires a 2/3rd majority vote of the membership of the governing body on first hearing).

Applicants: Edward A. Johnson, 6850 N. Santa Fe, Wichita, KS 67219
Everett Fettis, 120 S. Market, Wichita, KS 67202

Protestors: None

RESOLUTION NO. 3-1997

FILE COPY

A RESOLUTION CHANGING THE ZONING CLASSIFICATION FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C AS ADOPTED BY RESOLUTION NO. 46-1996.

BE IT RESOLVED BY THE GOVERNING BODY OF SEDGWICK COUNTY, KANSAS.

SECTION I. That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section V-C of the Wichita Sedgwick County unified Zoning Code, the zoning classification or district of the lands legally described hereby are changed as follows:

Case No. SCZ-0725

Zone change from "SF-20" Single Family Residential to "GC" General Commercial and to "P-O" Protective Overlay District #6 on property described as:

A tract beginning 1181.4 feet East and 270.22 feet South of the Northwest corner of the Northwest Quarter of Section 9, Township 26 South, Range 1 East of the 6th P.M.; thence South parallel with the West line of the Northwest Quarter of said Section 9 a distance of 270.22 feet; thence East parallel with the North line of said Section 9 a distance of 161.2 feet; thence North 270.22 feet; thence West 161.2 feet to the place of beginning, subject to an easement to Kansas Gas & Electric Company on the East 5 feet of the North 90 feet of the said described property and further subject to a private road easement on the South 20 feet if the above described tract for the benefit and use of the property immediately East and adjacent to the above described property, generally located south of 69th Street North, east of Santa Fe (6850 N. Santa Fe).

SUBJECT TO THE FOLLOWING PROTECTIVE OVERLAY RESTRICTIONS:

1. The uses allowed in the application area shall be restricted to the inspection and calibration of precision instruments, and the inspection of close tolerance parts together with occasional replacement of minor parts.
2. The owner of the application area shall maintain the current screening and landscaping on the site.

3. All property included within this zone case shall be platted within one year after approval by the Governing Body, or the cases shall be considered denied and closed. The resolution or ordinance establishing the zone change shall not be published until the plat has been recorded with the Register of Deeds.

SECTION II. That upon the taking effect of this Resolution, the notation of such zone change shall be entered in the official zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the official county paper.

Commissioners present and voting were:

BETSY GWIN	<u>Yes</u>
PAUL W. HANCOCK	<u>Yes</u>
THOMAS G. WINTERS	<u>Yes</u>
MELODY C. MILLER	<u>Yes</u>
MARK F. SCHROEDER	<u>Yes</u>

DATED this 8th day of January, 1996.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

Thomas G. Winters
THOMAS G. WINTERS, Chairman

ATTEST:


SUSAN E. CROCKETT SPOON

County Clerk

APPROVED AS TO FORM ONLY:



Assistant County Counselor