

RECOMMENDATION: Should the Board determine that a cable assembly business is permitted in the Light Commercial District, it is recommended that the exception be approved, subject to the following conditions:

1. The type of cable assembly authorized by this use exception shall be limited to that which is performed by manual labor using hand tools and small benchtop tooling equipment only.
2. All inventory, merchandise and equipment shall be completely within an enclosed building and any vehicles used in conjunction with the business must be stored within an enclosed building.
3. Parking shall be provided on site as required by Central Inspection based on the size and use of the building.
4. All parking shall be surfaced with concrete, asphalt or asphaltic concrete and marked in accordance with the site plan as submitted with this application.
5. Signs shall be limited to those permitted in the "LC" district.
6. All lights shall be shielded to reflect or direct light away from adjoining properties.
7. No sound-projecting devices shall be used so as to be heard outside of an enclosed building.
8. No repair work shall be conducted except within an enclosed building, and provided further, vehicle maintenance shall be limited to lubrication, oil changes, washing and other normal maintenance items not including body repair or modification.
9. The resolution authorizing this cable assembly business may be declared null and void upon a find by the Board that the applicant has failed to comply with any of the foregoing conditions.

SECRETARY'S REPORT

CASE NUMBER: BZA 35-93

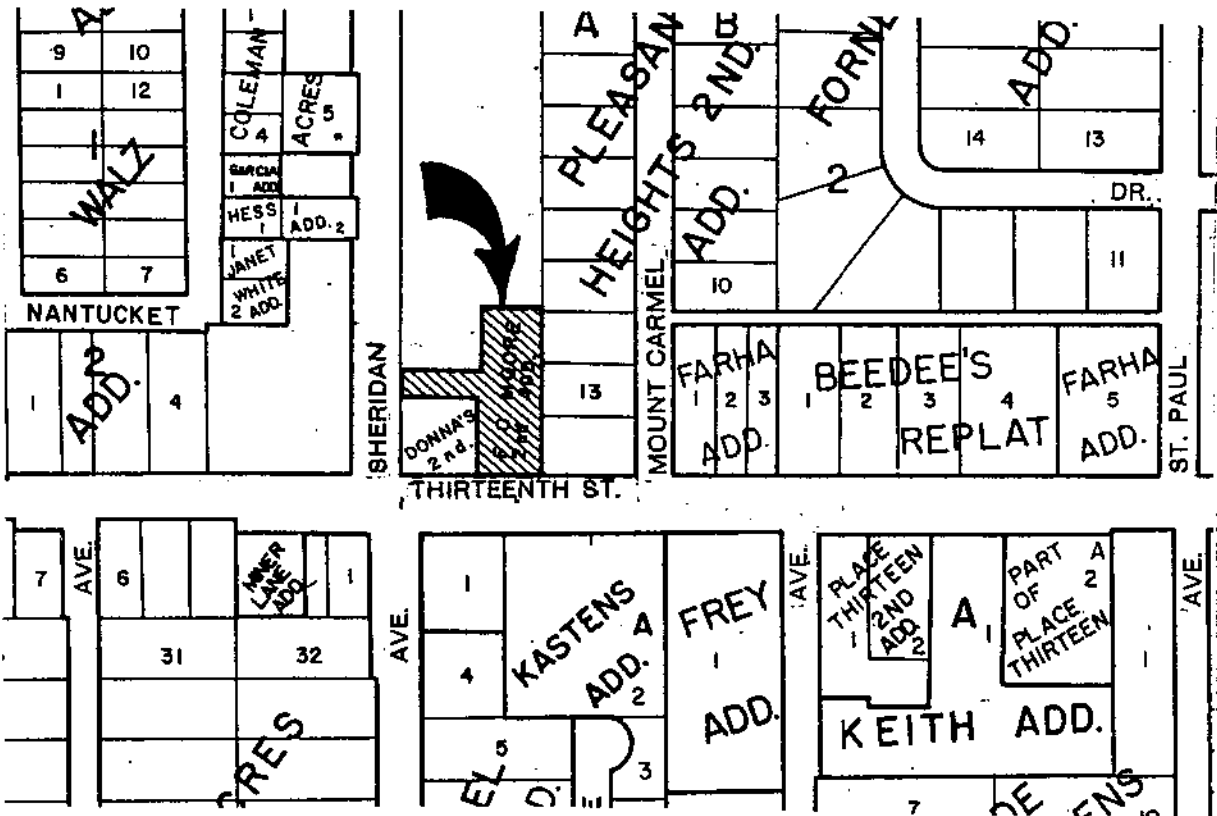
OWNER/APPLICANT: Anderson Properties, L.L.C.
AGENT: Klenda, Mitchell, Austerman & Zuercher

REQUEST: Exception to permit cable assembly.

CURRENT ZONING: "LC" Light Commercial and "BB" Office District

SITE SIZE: 1 acre

LOCATION: On the North side of 13th St. in an area East of Sheridan.
(3246 W. 13th St.).



JURISDICTION: The Board has jurisdiction to consider this request under the provisions outlined in Section 2.12.590.C, Code of the City of Wichita. The Board may grant the exception, provided the conditions set out in Section 28.04.183.6 can be complied with.

BACKGROUND: Pioneer Cable Company is in the process of renovating the long-vacant building at 3246 W. 13th for the purpose of relocating from their present facility at 1720 E. Morris. Both locations are zoned "LC" Light Commercial. (The west 125 feet of the application lot is zoned "BB" Office but is only 42 feet wide and contains only an access drive). Prior to moving to 1720 E. Morris, Pioneer Cable had operations on the upper floor of Parklane Center and in a bank building.

A letter submitted by the applicant's agent states: "Pioneer Cable Company is in the business of producing cable assemblies, most of which are used on computers. The cable assembly process involves the procurement of wire, cable and connectors. These connectors are then assembled onto the wire and cable using handtool and benchtop tooling. The assembly process does not need heavy equipment or large machinery. The work does involve specialized and skilled labor doing very detailed work." Due to the assembly or manufacturing of a product, the use has been determined by the Superintendent of Central Inspection to not be a use permitted in "LC". This business's location in various other "LC" districts may never have required building renovation and therefore OCI may never have been required to determine the appropriate zoning for this particular use until now.

Section 28.04.183.6 of the Zoning Ordinance allows the Board of Zoning Appeals to grant exceptions and authorize as a use within "LC" other uses which are determined to be of the same general category as those listed in 28.04.090(A). The applicant and his agent believe that "Pioneer Cable Company's operations are similar in process to jewelers, print shops, service businesses maintaining or servicing equipment used in retail businesses, eyeglass shops, and picture framing shops." They liken Pioneer Cable particularly to a picture framing shop which "procures wood, metal, glass, cardboard, wire and string. These items are measured and cut, then assembled using nail and glue. A finish of paint and stain is then applied to produce a custom made saleable produce." They further state that "no hazardous, carcinogenic or odor producing materials are used. There are no materials stored outside the building, no vehicles to garage and a privacy fence is already in place". Retail sales to the general public are a part of Pioneer Cable's operation although the majority of their business is large quantity sales to large businesses. Pioneer Cable usually employs about 16 people.

ADJACENT ZONING AND LAND USE:

NORTH:	"AA"	One-Family Dwellings
SOUTH:	"BB" & "LC"	Animal clinic and Undeveloped
EAST:	"LC"	Knights of Columbus
WEST:	"LC"	Kennedy Tire

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421

December 29, 1993

Tom Anderson
Anderson Properties, L.L.C.
P.O. Box 4348
Wichita, KS 67204

Re: BZA 35-93 - Exception to permit cable assembly in the "LC" Light Commercial District on property located at 3246 W. 13th Street.

Dear Mr. Anderson:

Enclosed is a signed copy of the above-referenced BZA Resolution adopted by the Board of Zoning Appeals on December 28, 1993. This resolution reflects the official action of the Board to grant your request and sets out the conditions of approval. It is forwarded to you for your information and files.

This is a reminder that the zoning adjustment signs should now be removed from the property. If you have any questions concerning this matter, please call our office.

Sincerely yours,


Louise Olivarez, Secretary
Board of Zoning Appeals

Enclosure
LO/prf

cc: John B. Gilliam, Klenda, Mitchell, Austerman & Zuercher, 301N. Main, 67202
Randy Sparkman, OCI
Paul Hays, OCI
Ray Sledge, OCI
Pat Burnett, Deputy City Clerk

8. No repair work shall be conducted except within an enclosed building, and provided further, vehicle maintenance shall be limited to lubrication, oil changes, washing and other normal maintenance items not including body repair or modification.
9. The resolution authorizing this cable assembly business may be declared null and void, upon a finding by the Board that the applicant has failed to comply with any of the foregoing conditions.

ADOPTED AT WICHITA, KANSAS, this 28th day of December, 1993.



Keith A. Alter, President

ATTEST:



Louise Olivarez, Secretary

BZA RESOLUTION NO. 35-93

WHEREAS, Anderson Properties, L.L.C., pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit cable assembly on property zoned the "LC" Light Commercial District and legally described as follows:

Lot 1, Block A, F.O. Moore 2nd Addition, Wichita, Sedgwick County, Kansas. Generally located on the North side of 13th Street in an area East of Sheridan. (NOTE: The West 125 feet is zoned "BB" Office District but is only 42 feet wide and contains only an access drive.)

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

WHEREAS, the Board of Zoning Appeals did, at the meeting of December 28, 1993, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for an exception under the provisions of Section 2.12.590.C, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has authority to permit cable assembly on property zoned the "LC" Light Commercial, subject to the conditions outlined in Section 28.04.183.6, Code of the City of Wichita.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this application be approved to permit cable assembly on property zoned the "LC" Light Commercial and legally described as follows:

Lot 1, Block A, F.O. Moore 2nd Addition, Wichita, Sedgwick County, Kansas. Generally located on the North side of 13th Street in an area East of Sheridan. (NOTE: The West 125 feet is zoned "BB" Office District but is only 42 feet wide and contains only an access drive.)

subject to the following conditions:

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