



Wichita-Sedgwick County Metropolitan Area Planning Department

October 25, 2006

MKEC Engineering Consultants
ATTN: Brian Lindebak
411 N. Webb Rd.
Wichita, KS 67206

RE: ZON2006-34 - Zone change from "RR" Rural Residential to "GI" General Industrial - associated with CON2006-37 - Conditional Use to permit "hazardous operations" on 60.95 acres

Dear Mr. Lindebak:

At its regular meeting on **October 17, 2006**, the Wichita City Council considered the above-captioned request. The action of the City Council was to **APPROVE** the request.

If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

Donna Goltry, Principal Planner, A.I.C.P.
Current Plans Division

DJM:mc

Copies to: Paul Gray, WCC IV, Mail Stop #1-13
Kelli Glassman, NA IV, Mail Stop #1-135
Vicky Huang, Engineering Division, Mail Stop #1-71

**City of Wichita
City Council Meeting
October 24, 2006**

Agenda Report No. _____

TO: Mayor and City Council

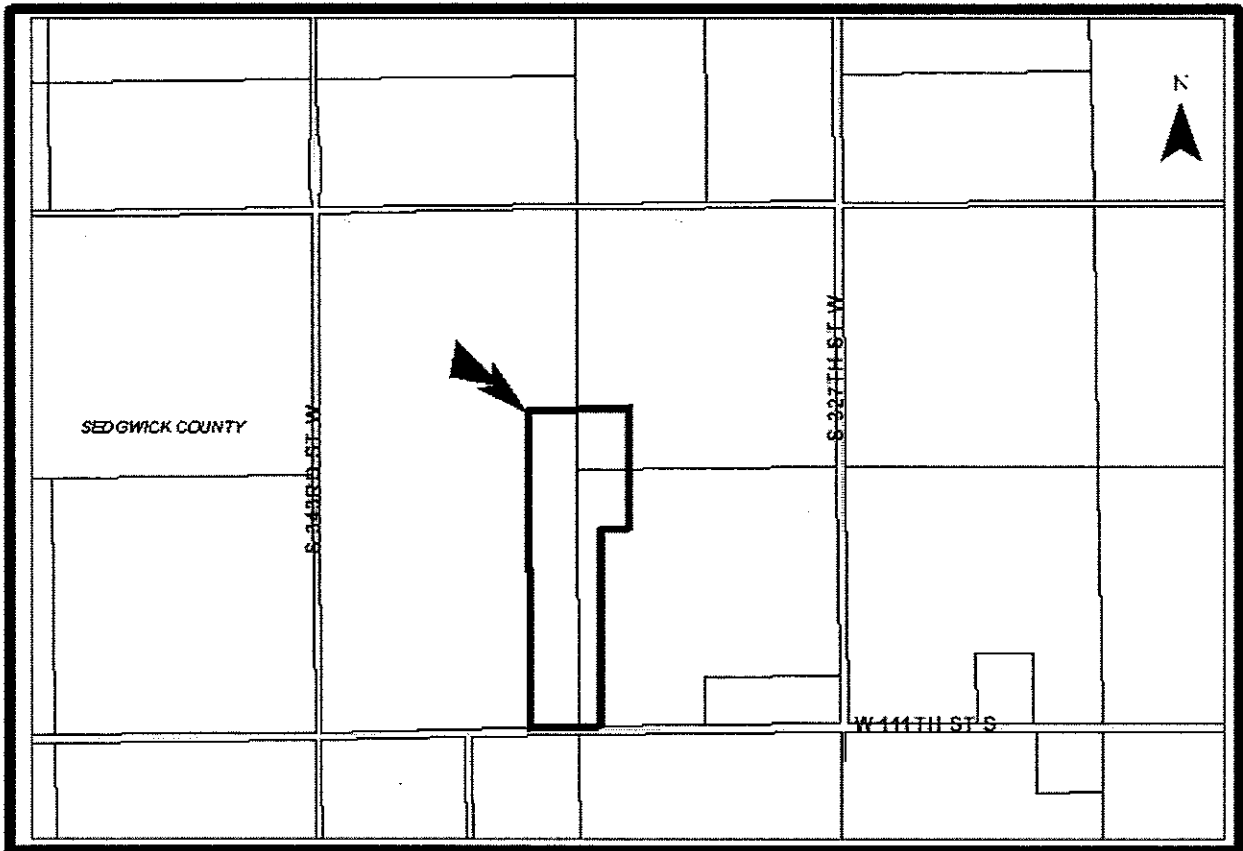
SUBJECT: ZON2006-34 (Associated with CON2006-37) Zone change from SF-5 Single-family Residential to GI General Industrial and a Conditional Use for hazardous operations. Generally located north of 111th Street South and one-half mile west of 327th Street West. (District IV)

INITIATED BY: Metropolitan Area Planning Department *JLS*

AGENDA: Planning (consent)

MAPC Recommendation: Approve zone change and conditional use subject to conditions

Staff Recommendation: Approve subject to staff recommendations (12-0).



Background: The applicant is requesting a zone change from “SF-5” Single Family Residential to “GI” General Industrial and a conditional use for hazardous operations on a 60.95-acre tract for a municipal safety operation. The site is located North of 111th Street South and one-half mile west of 327th Street West. The property was zoned “RR” Rural Residential prior to annexation, but upon annexation, it was converted to the SF-5 zoning district.

The conditional use plan shows explosive ordnance disposal sites surrounded by earthen berms. The conditional use is located within a larger tract of 616 acres owned by the City of Wichita. It is accessed by a private gravel drive from 111th Street South.

The surrounding area is very sparsely settled and all zoned RR. Only three farmsteads are located within the one-mile radius of the site. The farmsteads are located east of the site at a distance of approximately one-fourth mile, three-fourths mile and seven-eighths mile respectively.

Analysis: At the MAPC meeting held September 21, 2006, no citizens were present concerning the request. MAPC voted (12-0) to approve the zone change to GI General Industrial and the conditional use subject to the following conditions:

1. The subject property shall be developed in general conformance with the approved site plan.
2. Construction of improvements shall be commenced within one year of approval by the appropriate governing body.
3. The site shall be developed and operated in compliance with all government requirements/permits for the use.
4. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

Financial Considerations: None

Goal Impact: Promote Economic Vitality and Affordable Living

Legal Considerations: The ordinance has been reviewed and approved as to form by the Law Department.

Recommendations/Actions:

1. Adopt the findings of the MAPC and approve the zone change and approve the Conditional Use for hazardous materials subject to the recommended conditions; place the ordinance establishing the zone change on first reading and approve the resolution; or
2. Return the application to the MAPC for reconsideration.

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

A RESOLUTION AUTHORIZING A CONDITIONAL USE FOR HAZARDOUS OPERATIONS ON 60.95 ACRES ZONED "GI" GENERAL INDUSTRIAL, LOCATED NORTH OF 111TH STREET SOUTH AND ONE-HALF MILE WEST OF 327TH STREET WEST IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-D, AS ADOPTED BY ORDINANCE NO. 44-975, AS AMENDED.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. 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-D of the Wichita-Sedgwick County Unified Zoning Code, a Conditional Use to permit hazardous operations on 60.95 acres zoned "GI" General Industrial legally described below:

Case No. CON2006-00037

A Conditional Use Permit for hazardous operations, on 60.95 acres zoned "GI" General Industrial described as:

A tract of land lying within a portion of Section 26, Township 29 South, Range 4 West of the 6th P.M., Sedgwick County, Kansas EXCEPT the east 1396 feet of the south 537 feet AND EXCEPT for that part designated as road rights of way, said tract being described as:

The West 200 feet of the Southeast Quarter of said Section 26, TOGETHER WITH, the North 600 feet of the West 500 feet of said Southeast Quarter.

TOGETHER WITH

The East 500 feet of the Southwest Quarter of said Section 26.

TOGETHER WITH

The South 600 feet of the East 500 feet of the Northwest Quarter of said Section 26.

TOGETHER WITH

The South 600 feet of the West 500 feet of the Northeast Quarter of said Section 26.

Generally located north of 111th Street South and one-half mile west of 327th Street West.

SUBJECT TO THE FOLLOWING CONDITIONS:

1. The subject property shall be developed in general conformance with the approved site plan.
2. Construction of improvements shall be commenced within one year of approval by the

- appropriate governing body.
3. The site shall be developed and operated in compliance with all government requirements/permits for the use.
 4. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

SECTION 2. That upon the taking effect of this Resolution, the notation of such Conditional Use permit shall be shown on the "Official Zoning District Map" on file in the office of the Planning Director of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION 3. That this Resolution shall take effect and be in force from and after its adoption by the Governing Body.

ADOPTED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, this date _____

Carlos Mayans, Mayor

ATTEST:

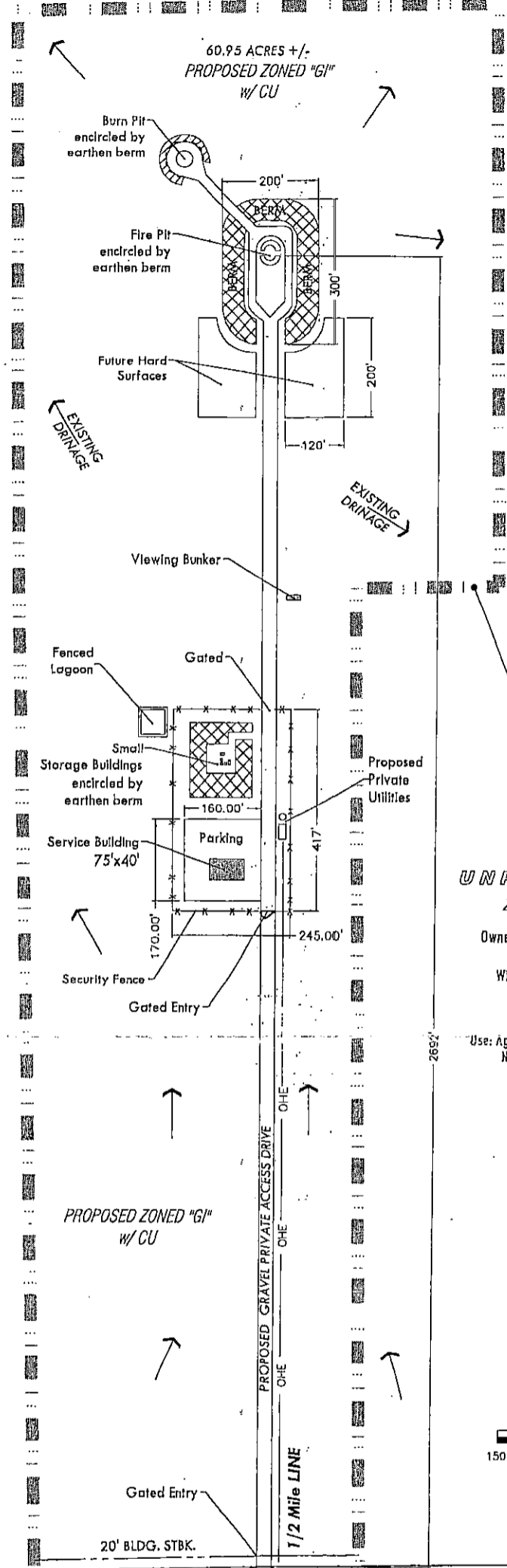
Karen Sublett, City Clerk

Approved as to form:

Gary E. Rebenstorf, City Attorney

Owners: City of Wichita Use: Agricultural Production
 455 N. Main NO STRUCTURES
 Wichita, KS 67202
 556 ACRES +/- UNPLATTED

60.95 ACRES +/-
 PROPOSED ZONED "GI"
 w/ CU



"GI" General Commercial with a conditional use permit allowing Hazardous Operations, for the placement of a municipal safety operation.

UNPLATTED

ZONED "RR"

Owners: City of Wichita
 455 N. Main
 Wichita, KS 67202

Use: Agricultural Production
 NO STRUCTURES

UNPLATTED

ZONED "RR"

Owners: City of Wichita
 455 N. Main
 Wichita, KS 67202

Use: Agricultural Production
 NO STRUCTURES

W. 345th ST.

W. 327th ST.

MAIN

W. 111th ST. S.

Use: Agricultural Production
 NO STRUCTURES
 UNPLATTED
 ZONED "RR"

Owners: Tangeman, James H. & Sandra G. Trust
 #141400 N Gatewood
 Wichita, KS 67206

Use: Agricultural Production
 NO STRUCTURES
 UNPLATTED
 ZONED "RR"

Owners: Casner, Donald L. ETUX
 24500 W. K-42 HWY
 Viola, KS 67149

METES AND BOUNDS DESCRIPTION

A tract of land lying within a portion of Section 26, Township 29 South, Range 4 West of the 6th Principal Meridian, EXCEPT, the east 1396 feet of the south 537 feet, AND EXCEPT, for that part designated as road rights of way, said tract being described as:

The west 200 feet of the Southeast Quarter of said Section 26, TOGETHER WITH, the north 600 feet of the west 500 feet of said Southeast Quarter.

TOGETHER WITH,

The east 500 feet of the Southwest Quarter of said Section 26.

TOGETHER WITH,

The south 600 feet of the east 500 feet of the Northwest Quarter of said Section 26.

TOGETHER WITH,

The south 600 feet of the west 500 feet of the Northeast Quarter of said Section 26.

CON2006-00037

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411 N. WEBB ROAD
 WICHITA, KS. 67206
 316-684-9600

EXPLOSIVE ORDNANCE DISPOSAL FACILITY

PROJECT NAME
 SITE PLAN FOR
 CONDITIONAL USE PERMIT
 SHEET TITLE

BDL	CMJ	BDL
DESIGN BY:	DRAWN BY:	CHECKED BY:
AUGUST 2006	06530	1 / 1
DATE	JOB NO.	SHEET OF