

Planning Agenda Item # _____

City of Wichita
City Council Meeting
December 3, 1996

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: SCZ-0721 - STEVEN E. COX (PROPERTY OWNER/APPLICANT); MARK SAVOY (AGENT) REQUESTS A ZONE CHANGE FROM "SF-20" SINGLE-FAMILY RESIDENTIAL TO "LI" LIMITED INDUSTRIAL, LOCATED AT THE NORTHEAST CORNER OF 21ST STREET NORTH DRIVE AND LAKEWAY CIRCLE (5926 W. 21ST STREET NORTH).
(DISTRICT # 5)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

MAPC Recommendation: Approve the zone change, subject to subject to a Protective Overlay prohibiting off-site signs and replatting within 1 year (12-0).

Staff Recommendation: Approve the zone change, subject to a Protective Overlay prohibiting off-site signs and replatting within 1 year.

Background: The applicant requests a zone change from "SF-20" Single-Family Residential to "LI" Limited Industrial for a 1.15 acre unplatted tract located at the northeast corner of 21st Street Drive and Lakeway Circle. The applicant is requesting this rezoning in order to accommodate the future expansion of an existing machine shop located to the east of this site.

Included in the rezoning area is a residence that was purchased by the applicant along with the remainder of the property. The surrounding area to the west across Lakeway Circle is part of Parcel 5 of the Horseshoe Lake Commercial Community Unit Plan, and is currently undeveloped with a lake making up the majority of the parcel. The area to the north, lying between the application area and the property line for Parcel 6 of the Horseshoe Lake CUP, is currently undeveloped. Rainbows United is further to the north in Parcel 6 of the Horseshoe Lake CUP. Cox Machine, Inc. and Ship-Rite Packaging and Shipping service is located to the east of the subject property, and the Sedgwick County Zoo is located to the south across 21st Street.

The applicant submitted a request for this property to be annexed by the City of Wichita at the time the zoning application was filed. The annexation was approved by the City Council on October 22, 1996, therefore, the application is being referred to the City Council. Since the application area has been annexed, the City's landscape ordinance will apply to frontages along 21st Street and Lakeway Circle.

This case was deferred by the MAPC during its October 17, 1996 meeting in order to meet with property owners to the north of the site. During the October 31, 1996 Planning Commission's discussion of this matter, the agent for the applicant stated that concern over the expansion of industrial zoning voiced by a representative of Rainbow's United during the October 17th MAPC meeting had been lessened. Questions concerning groundwater contamination, the compatibility of industrial uses with the surrounding land uses, and the screening requirements of this site were asked by the Planning Commission. After discussion, the MAPC voted (12-0) to approve the request as recommended by staff, including a Protective Overlay to prohibit the placement of any off-site signs on this property.

Recommendation:

1. Concur with the findings of the MAPC and approve the zone change, subject to the additional provisions of a Protective Overlay district and 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 consideration.

(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.)

Attachments: None.

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ORDINANCE NO. 43-542

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 ORDINANCE NO. 43-014.

~~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 Ordinance No. 43-014, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. SCZ-0721

Zone change request from 'SF-20' Single-Family Residential District to 'LI' Limited Industrial District and to 'P-O' Protective Overlay District #4, described as:

Beginning 130 feet east of the southwest corner of the east half of the southeast quarter, thence north 350 feet, thence east 100 feet, thence south 350 feet, thence west to beginning, except beginning 130 feet east of the southwest corner of the east half of the southeast quarter, thence east 100 feet, thence north 85 feet, thence west to a point 100 feet north and 130 feet east of the southwest corner of said east half of southeast quarter, thence south to beginning, exception taken for highway purposes; Section 3, Township 27, Range 1 West, Sedgwick County, Kansas, located at the northeast corner of 21st Street North Drive and Lakeway Circle (5926 W. 21st Street North).

SUBJECT TO THE FOLLOWING PROTECTIVE OVERLAY RESTRICTIONS:


1. The placement of any off-site signs on this property is prohibited.


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, JUL 29 1997

ATTEST:


Pat Burnett, City Clerk




Bob Knight, Mayor

(SEAL)

Approved as to form:


Gary E. Rebenstorf, City Attorney