Legal Consideration: Protest petitions have been filed by owners of 14.4% of the land within 200 feet of the application area. This is not sufficient to require a 4/5ths vote to approve the zone change.

Actions:
1. Concur with the findings of the MAPC and approve the zone change subject to the condition of platting; instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Commission; or

2. Return the application to the MAPC for reconsideration stating reasons.

Attachments:
Area map
8-21-86 MAPC Minutes
CPO Memorandum

Planning Agenda Item #_____

City of Wichita
City Commission Meeting
October 14, 1986

Agenda Report #_____

TO: Mayor and City Commissioners

SUBJECT: Z-2801 - REQUEST FOR ZONE CHANGE FROM "AA" ONE-FAMILY DWELLING DISTRICT TO "R-5" GENERAL RESIDENTIAL DISTRICT, LOCATED AT THE NORTHWEST CORNER OF CENTRAL AND GOLDEN HILLS (1/4-MILE EAST OF 119TH STREET WEST).

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Zoning

MAPC Recommendation: Approve (9-0)

Staff Recommendation: Approve

Background: On September 18, 1986, the MAPC held a public hearing to consider a zone change from "AA" to "R-5" for a 5-acre unplatted tract of land located at the northwest corner of Central and Golden Hills. The site is currently undeveloped. It has been included in the approved preliminary plat of Golden Hills Addition but has not been final platted. Several area residents spoke in opposition to the application. The MAPC unanimously recommended approval subject to platting.

CPO Council "A" voted 5-2 to recommend that the application be approved.

Analysis: Property in all directions from the application area is zoned "AA". To the east and south are single-family houses; to the west and north is undeveloped land. A large lot at the southeast corner of Central and 119th Street is zoned and platted for light commercial development and there is a preliminary proposal for two "LC" lots at the northeast corner although that zone change application has not officially been filed.

A large Phillips Pipe Line Company easement defines the northwesterly boundary of this triangular site. Since street crossings of a pipeline easement should be kept to a minimum, this five-acre tract naturally lends itself to development as one large lot. Limited access to Central can be obtained if developed as one lot.

The "R-5" district permits development up to 17.4 du's/acre. The application states that the developer intends to construct 15 to 20 patio homes. Adequate sewer, water and paved access will be available to the site.

The Planning Commission determined that the character of the neighborhood; the zoning and uses of properties nearby; and the suitability of subject property for the uses proposed; and the recommendation of staff justified the approval of the zone change.

(R977) Published in The Daily Record on July 30, 1987

ORDINANCE NO. 39-917

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 28.04.210, THE CODE OF THE CITY OF WICHITA, KANSAS.

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 Section 28.04.210, The Code of the City of Wichita, Kansas, the zoning classification or districts of the lands legally described hereby are changed as follows:

CASE NO. Z-2801

Zone Change from the "AA" One-Family Dwelling District to the "R-5" General Residence District

Lot 1, Block 1, Golden Hills 3rd Addition, Wichita, Sedgwick County, Kansas. Generally located at the northwest corner of Central and Golden Hills ($\frac{1}{4}$-mile east of 119th Street West).

SECTION 2. That upon the taking effect of the Ordinance, the above zoning changes shall be entered and shown on the the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Zoning Ordinance 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, _____

ATTEST:

_____
Mayor

_____
City Clerk

(SEAL)

_____
Approved as to form City Attorney