uses proposed; and the recommendation of staff justified the approval of the development plan and the zone change request.

Actions: 1. Concur with the findings of the MAPC and approve the zone change and C.U.P. subject to the recommended conditions; 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
12-11-86 MAPC Minutes
CPO Memorandum
DP-164 site plan

Planning Agenda Item #_____

City of Wichita
City Commission Meeting
January 6, 1987

Agenda Report #_____

TO: Mayor and City Commissioners

SUBJECT: DP-164 - REQUEST FOR APPROVAL OF THE WESTWIND II COMMERCIAL COMMUNITY UNIT PLAN; AND

Z-2819 - REQUEST FOR ZONE CHANGE FROM "AA" ONE-FAMILY DWELLING TO THE "LC" LIGHT COMMERCIAL DISTRICT, LOCATED AT THE SOUTHEAST CORNER OF 21ST STREET NORTH AND TYLER. (Westwind Associates II)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

- -

MAPC Recommendation: Approve (9-0)

Staff Recommendation: Approve

Background: On December 11, 1986, the MAPC held a public hearing to consider a request for approval of a commercial C.U.P. and a zone change. Subject property is a 14.03-acre undeveloped tract of land located at the southeast corner of 21st Street North and Tyler. The properties in this commercial C.U.P. proposal, and in the residential C.U.P. proposal to the south were annexed in October 1986. No one spoke in opposition to the requests. The Planning Commission unanimously recommended approval subject to a number of conditions as itemized in the minutes.

CPO Council "A" voted 4-1 to recommend approval of the requests.

Analysis: The property to the south and to the immediate east is presently undeveloped and is within a residential C.U.P. proposal that was approved also by the MAPC on December 11. Village Charters Bus Company is located north across 21st Street North and to the west is an undeveloped tract of land that is zoned "LC" within a C.U.P. on the corner and "R-6" further south.

The proposed Development Plan divides the 14.03-acre site into five (5) parcels permitting light commercial uses. An associated zone case requesting "AA" One-family Dwelling to "LC" Light Commercial has been filed for a 7.8-acre portion of the overall commercial C.U.P. site. Some of the proposed uses for the parcels include--restaurants; financial institutions; offices; automotive tire battery and accessory stores; retail uses.

The Planning Commission determined that the character of the neighborhood; the zoning and uses of properties nearby; the suitability of subject property for the

(7) Published in The Daily Record on _____

ORDINANCE NO. _____

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-2819
Zone Change from the "AA" One-Family Dwelling District to the "LC" Light Commercial District

That part of the NW¼ of the NW¼ of Section 9, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, described as beginning at the northwest corner thereof; thence south along the west line of said NW¼, 820 feet; thence east parallel with the north line of said NW¼, 525 feet; thence northeasterly 258.02 feet more or less to a point 635 feet south of the north line of said NW¼, and 625 feet west of the east line of the NW¼ of said NW¼; thence north parallel with the east line of the NW¼ of said NW¼, 250 feet; thence east parallel with the north line of said NW¼, 550 feet; thence north parallel with the east line of the NW¼ of said NW¼, 385 feet to a point on the north line of said NW¼; thence west 1242.02 feet to the place of beginning, except the west 600 feet of the north 600 feet thereof. Now platted as Lot 5 and part of Lots 4 and 3, Westwind 3rd Addition, Wichita, Sedgwick County, Kansas. Generally located at the southeast corner of Tyler Road and 21st Street North.

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