Planning Agenda Item #_____

City of Wichita
City Council Meeting
March 19, 1996

Agenda Report #_____

**TO:** Mayor and City Council Members

**SUBJECT:** Z-3196 LEEWOOD HOMES, INC. REQUESTS ZONE CHANGE FROM "BB" OFFICE DISTRICT TO "AA" ONE FAMILY DWELLING DISTRICT, LOCATED 1/8 MILE SOUTH OF 29TH STREET NORTH ON THE WEST SIDE OF WEBB ROAD. **(DISTRICT #2)**

**INITIATED BY:** Metropolitan Area Planning Department

**AGENDA ACTION:** Planning

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**MAPC Recommendation:** Approve, subject to replatting within 1 year (10-1).

**Staff Recommendation:** Approve, subject to replatting within 1 year.

**CPO Recommendation:** Approve, subject to replatting within 1 year (8-0).

**Background:** The applicant requests a zone change from the 'BB' Office District to the 'AA' One Family Dwelling District for 7.06 acres platted as Lot 24, Block 1, Fox Pointe Addition, located ⅛ mile south of 29th Street North on the west side of Webb Road. The subject property is currently undeveloped, and is being replatted as the Fox Point Second Addition for purposes of developing 24 single family residential lots. On January 25, 1996, the MAPC approved the replat, subject to a number of conditions, including a requirement for a zone change application to 'AA'. Otherwise, based on the existing 'BB' zoning, the plat would be required to meet standards for office uses (70-foot rights-of-way with 41-foot paving for streets). The proposed plat includes residential streets ranging in width from 25 feet to 32 feet.

The subject property is bordered by single family homes to the west and south, undeveloped property and the K-96 Expressway interchange to the east and undeveloped property to the north zoned 'LC' Light Commercial. The Kansas Surgery and Recovery Center is located to the southeast.

**Recommendation:**

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 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.)

( ) Published in The Daily Reporter 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 THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY ORDINANCE NO. 43-014.

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. Z-3196

Zone Change from 'BB' Office District (now 'GO' General Office) to 'AA' One Family Dwelling District (now 'SF-6' Single Family) on property described as:

All Lots and Reserves in Fox Pointe Second Addition, an Addition to Wichita, Sedgwick County, Kansas, generally located 1/8 mile south of 29th Street North on the west side of Webb Road.

**SECTION 2.** That upon the taking effect of this Ordinance, the above zoning change 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, _____.

ATTEST:

(SEAL) Pat Burnett, Deputy City Clerk

Bob Knight, Mayor

Approved as to form:

Gary E. Rebenstorf, City Attorney