Planning Agenda Item #_____

City of Wichita
City Council Meeting
January 6, 1998

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: Z-3227 - AMENDED ORDINANCE FOR A ZONE CHANGE FROM "SF-6" SINGLE-FAMILY RESIDENTIAL AND "LC" LIMITED COMMERCIAL TO "TF-3" TWO-FAMILY RESIDENTIAL AND "SF-6" SINGLE-FAMILY RESIDENTIAL, GENERALLY LOCATED AT THE NORTHEAST CORNER OF 29TH STREET NORTH AND TYLER ROAD.

(DISTRICT #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

Staff Recommendation: Approve the amended zoning ordinance for Z-3227

Background: Staff is submitting a revised ordinance for the rezoning of property located at the northeast corner of 29th Street North and Tyler Road. The zoning case, Z-3227, was approved by the City Council on June 10, 1997, subject to platting the property within one year. The subject property was part of the Oak Ridge 2nd Addition, which was recorded on July 28, 1997. Upon review of the ordinance establishing the zone change, staff identified an error with the published legal description, and is seeking to rectify the discrepancy.

Recommendation:

1. Place the ordinance establishing the zone change on first reading.

Planning Agenda Item #_____

City of Wichita
City Council Meeting
June 10, 1997

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: Z-3227 - FREEDOM DEVELOPMENT, INC., C/O J.V. ALLEN (APPLICANT); GREG ALLISON, MKEC (AGENT) REQUEST ZONE CHANGE FROM "LC" LIMITED COMMERCIAL TO "TF-3" TWO-FAMILY RESIDENTIAL, LOCATED ON THE NORTHEAST CORNER OF 29TH STREET NORTH AND TYLER ROAD.

(DISTRICT #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to platting within 1 year (13-0).

Staff Recommendation: Approve, subject to platting within 1 year.

CPO Recommendation: Approve (9-0).

Background: The applicant requests a zone change from "LC" Limited Commercial to "TF-3" Two-Family Residential on 6.12 acres, currently being platted as part of the Oak Ridge 2nd Addition, located at the northeast corner of 29th Street North and Tyler Road.

The applicant has stated an intent to develop duplexes to act as a buffer between the remaining "LC" zoning at the intersection and the rest of the residential development. The final plat for the Oak Ridge 2nd Addition (approved on April 10, 1997), shows the subject property as Lots 2 through 14, Block 1, with a proposed cul-de-sac (Oak Ridge Circle) serving only those lots. The plat also shows a small lot (Lot 1, Block 1), measuring approximately 230 feet by 230 feet, that will remain zoned "LC". The balance of the subdivision will consist of 77 single-family lots.

The subject property is in a developing residential area, with the majority of the property zoned "SF-20" Single-Family Residential to the south and west. The balance of the Oak Ridge development has converted from the "SF-20" district to the "SF-6" district upon its annexation into the City of Wichita, and surrounds the application area to the north and east. A small portion of the northeast

After limited discussion of this matter, the MAPC voted 13-0 to approve the request as recommended by staff.

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 reconsideration.

(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 CITY OF WICHITA CODE SEC. 28.04.010.

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 City of Wichita Code Sec 28.04.010, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. Z-3227

Zone change request from "SF-6" Single-Family Residential and "LC" Limited Commercial District to "TF-3" Two-Family Residential District and "SF-6" Single-Family Residential, described as:

From "SF-6" and "LC" to "TF-3":

A tract of land lying in the southwest Quarter, Section 33, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, more particularly described as follows: Commencing at the southwest corner of said southwest Quarter; thence N 00° 31'19"W, 300.00 feet along the West line of said southwest Quarter; thence N 89° 24'17" E, 30.00 feet to the point of beginning; thence N 00° 31' 19" W, 317.99 feet; thence N 89° 24' 17" E, 525.84 feet; thence S 14° 22' 33" E, 263.48 feet; thence S 00° 31' 19" E, 322.09 feet; thence S 89° 24'17"W 323.93 feet; thence N 00° 31'19"W, 270.00 feet; thence S 89° 24'17"W, 265.00 feet to the point of beginning, said tract containing 6.12 acres more or less. Generally located at the northeast corner of 29th Street North and Tyler Road; AND

From "LC" to "SF-6":

A tract of land lying in the southwest Quarter, Section 33, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, more particularly described as follows: Commencing at the southwest corner of said southwest Quarter; thence N 00° 31'19"W, 300.00 feet along the West line of said southwest Quarter; thence N 89° 24'17" E, 30.00 feet; thence N 00° 31' 19" W, 300.00 ± feet; thence N 89° 24' 17" E, 535.00 ± feet to the point of beginning; thence S 14° 22' 33" E, 145.00 ± feet; thence N 00° 31' 19" E, 140.00 ± feet; thence S 89° 24'17"W, to the point of beginning. Generally located at the northeast corner of 29th Street North and Tyler Road.

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, _____

ATTEST:

_____ _____

Pat Burnett, City Clerk Bob Knight, Mayor

(SEAL)

Approved as to form:

_____

Gary E. Rebenstorf, City Attorney