Agenda Item #_____

City of Wichita
City Council Meeting
January 12, 1998

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: **Z-3300 - ZONE CHANGE FROM "B" MULTI-FAMILY AND "MF-29" MULTI-FAMILY RESIDENTIAL TO "NR" NEIGHBORHOOD RETAIL ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF MERIDIAN AND ORIENT.** (District IV)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approved for "NR" Neighborhood Retail (9-0-1).

Staff Recommendation: Deny request for "LC" but approve "NR" Neighborhood Retail.

CPO Recommendation: Deny the request (4-0).

Background: The applicant is proposing to rezone a vacant 1.35 acre platted tract located east of Meridian and south of Orient from "B" Multi-family and "MF-29" Multi-family to "LC" Limited Commercial. The applicant does not have a specific use or potential user for this site.

The applicant will be required to meet the compatibility setback on the east portion of the property where adjacent to "TF-3" zoned land. The applicant will also be required to screen and landscape along the rear property line except where adjacent to "LC" Limited Commercial zoned property.

Railroad tracks are located north of this site. An Eagles Lodge, vacant land and single family homes are located east of this site on property zoned "LC" and "TF-3." Single-family homes are located to the south and to the west, across Meridian are industrial uses.

CPO (4) voted 4-0 to deny this request at the December 10th meeting, stating as their reason the fact that the applicant was not in attendance at this meeting.

The MAPC voted to approve the request for "NR" Neighborhood Retail, subject to replatting. The

applicant's agent explained that the applicant is in agreement with staff's recommendation during the hearing.

The Ordinance establishing the zoning change shall not be published until the plat has been recorded with the Register of Deeds.

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 SECTION 28.04.010, AS AMENDED.

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 Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. Z-3300

Zone change request from "B" Multi-Family Residential District and "MF-29" Multi-Family Residential District to "NR" Neighborhood Retail District, described as:

Lots 43, 45, 47, Block I, lying South of Orient Avuenue and odd Lots 1 thru 19, Block P, South University Place Addition, Wichita, Sedgwick County, Kansas and vacated Dora Street. Generally located at the southeast corner of Meridian and Orient.

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.