Agenda Item #_____

City of Wichita
City Council Meeting
May 25, 1999

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: **Z-3320 - ZONE CHANGE REQUEST FROM "LC" LIMITED COMMERCIAL TO "SF-6" SINGLE-FAMILY RESIDENTIAL, LOCATED NORTH OF 47TH STREET SOUTH AND WEST OF MERIDIAN.** (District IV)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve (13-0).

Staff Recommendation: Approve.

CPO Recommendation: Approve (8-0).

Background: The applicant is requesting to rezone 2.2 acres of property from "LC" to "SF-6" located north of 47th Street North and west of Meridian. This property is being platted as the Angel Acres Addition.

The applicant is requesting this rezoning due to requirements in the Subdivision Regulations. If this property remained "LC" Limited Commercial, the Subdivision Regulations would require a wider road right-of-way as well as the road being developed to a higher standard. A covenant on this property to limit this property to single-family uses would not have allowed staff to waive the Subdivision Regulations on commercial street standards. Therefore, the applicant needs to rezone this property.

This property was annexed into the City of Wichita on April 16th.

There is undeveloped land located north and east of the property, zoned "LC." South of the property across 47th Street South is a single-family home, zoned "LC." A portion of the Angel Acres Addition is located west of the site and is zoned "SF-6."

At the April 22nd CPO 4 hearing, the applicant's agent was present to address the Council. One person spoke in opposition to the request. This person did not feel that the plat should be approved until such time as the traffic congestion in the area was reduced. The CPO voted 8-0 to approve the request.

At the April 29th MAPC hearing, the applicant's agent discussed the request. No one spoke in opposition to the request. The MAPC voted 13-0 to approve the request, subject to platting.

Recommendation:

1. Concur with the findings of the MAPC and approve the zone change request, subject to platting within one year; 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-3320

Zone change request from "LC" Limited Commercial District to "SF-6" Single Family Residential District on property described as:

Lots 1-4, Block 1, and Lots 6-9, Block 2, Angel Acres Addition, Wichita, Sedgwick County.

Generally located on the north side of 47th Street South, on the west side of Meridian.

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