

Agenda Item # _____

City of Wichita
City Council Meeting
December 10, 2002

Agenda Report # _____

TO: Mayor and City Council Members

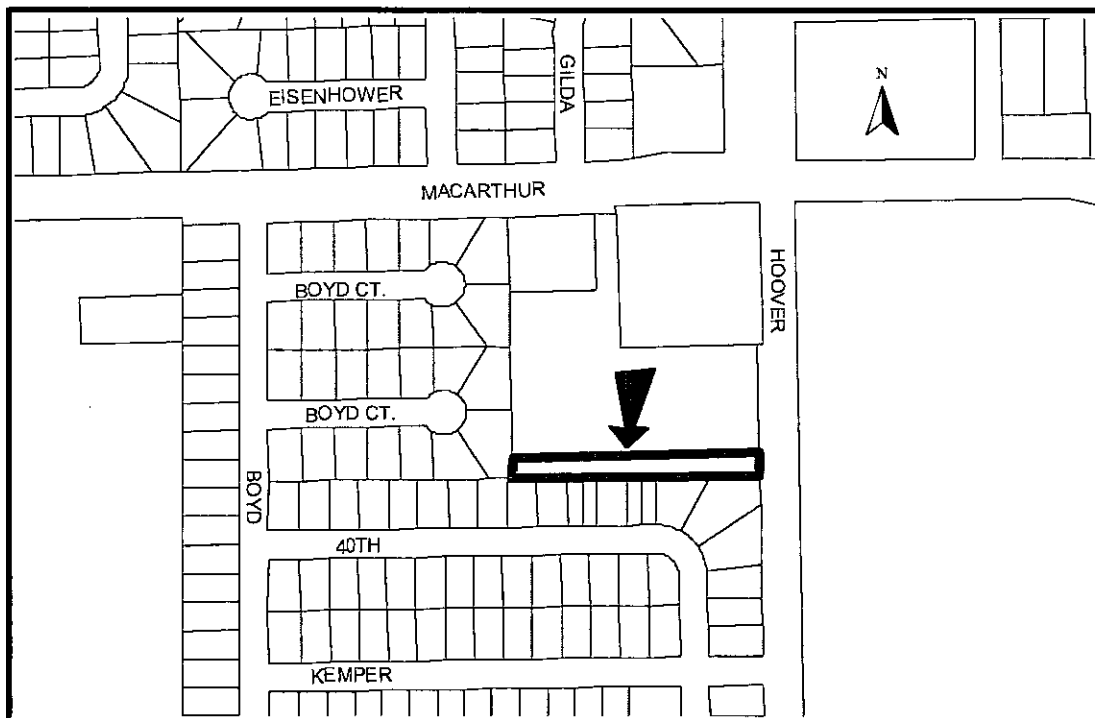
SUBJECT: **ZON2002-00059 – Zone change from “SF-5” Single-family Residential to “LC” Limited Commercial. Generally located west of Hoover and south of MacArthur. District V**

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject staff recommendation. (11-0)

Staff Recommendation: Approve, subject to dedication of 10 feet of right-of-way on Hoover at the application area.



BACKGROUND: The applicant requests "LC" zoning on a vacant .62-acre strip of land (42 feet by 450 feet) located west of Hoover and south of Macarthur, along the southern boundary of the "LC" zoned Wheatland Commercial Addition. The entire Wheatland Commercial Addition is currently undeveloped; this zone change application is associated with a request to vacate the platted 42-foot building setback located along the south boundary of the Addition.

The applicants intend to develop the application area with limited commercial uses. Northwest of the application area is an "LC" zoned medical clinic; north of the application area, across Macarthur, is an "LC" zoned gas station/convenience store/liquor store. South and West of the application area is an "SF-5" zoned and developed subdivision. East of the application area is an "LC" zoned corner developed with two farmhouses; these farmhouses are part of a larger 81-acre tract, zoned "SF-20" and "RR", and under agricultural production.

The proposed zone change, from "SF-5" to "LC," and the proposed development, would require conformance to all property development standards in the *Unified Zoning Code*. These development standards would include a 25-foot compatibility setback from the south property line at the application area.

MAPC heard this request at their regularly scheduled meeting on November 11, 2002. No members of the public chose to speak on the zone change request; the applicant and his agent agreed with the Planning Staff recommendation. MAPC approved the request by a vote of 11-0, subject to dedication of 10 feet of right-of-way on Hoover at the application area.

Recommended Action:

1. Concur with the findings of the MAPC and approve the zone change subject to dedication of 10 feet of right-of-way on Hoover; place the ordinance on first reading when the dedication is forwarded to Council.
2. Return the application to the MAPC for reconsideration.

(An override of the Planning Commission's recommendation requires a 2/3 majority vote of the membership of the governing body on the first hearing.)

ORDINANCE NO. 45-560

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. ZON2002-00059

Request for zone change from "SF-5" Single-family Residential to "LC" Limited Commercial on property described as:

That part of Lot 1, Block A, Wheatland Commercial Addition, Wichita, Sedgwick County, Kansas described as follows: Beginning at the SE corner of said Lot 1; thence N 89 degrees 59'06" W along the south line of said Lot 1, 549.97 feet to the SW corner of said Lot 1; thence N 00 degrees 00'00" E along the West line of said Lot 1, 41.84 feet to the intersection with a building setback line as platted in said Wheatland Commercial Addition; thence N 89 degrees 23'50" E along said building setback line, 550.00 feet to the intersection with the east line of said Lot 1, said intersection being 47.77 feet northerly of the SE corner of said Lot 1; thence S 00 degrees 00'00" E along the east line of said Lot 1, 47.77 feet to the point of beginning. Generally located west of Hoover and south of MacArthur.

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, MAR 4 2003

ATTEST:

for Paty Ellis, Deputy
Pat Graves, City Clerk
(SEAL)

Bob Knight
Bob Knight, Mayor

Approved as to form:

Gary E. Rebenstorf
Gary E. Rebenstorf, City Attorney

