

City of Wichita
City Council Meeting
May 20, 2003

Agenda Report No.

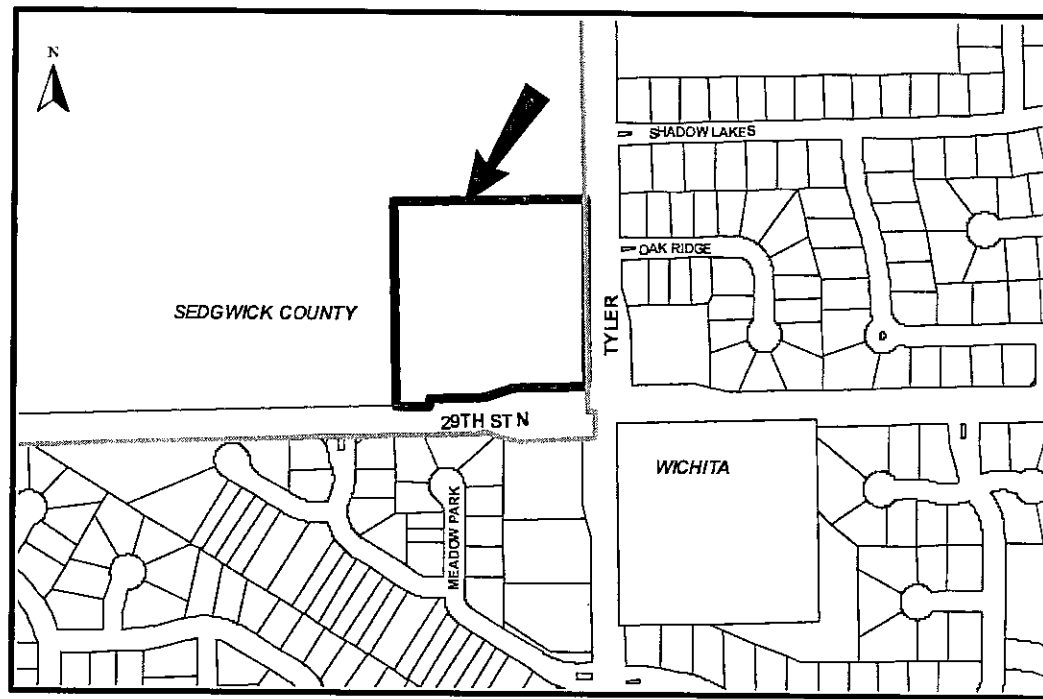
TO: Mayor and City Council

SUBJECT: ZON2003-00015 - Zone change from "LC" Limited Commercial to "SF-5" Single-family Residential. Generally located northwest of the 29th Street North - Tyler Road intersection. (District V)

INITIATED BY: Metropolitan Area Planning Department *DM*

AGENDA: Planning

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



BACKGROUND: The applicant is requesting that the 8.26 acre site currently zoned "LC" Limited Commercial be rezoned to "SF-5" Single-Family Residential. The site is located on the northwest corner of 29th Street North - Tyler Road intersection and is part of 260 acres, north and west of the site, being platted as the Fox Ridge Addition; SUB2003-07. The Fox Ridge Addition proposes to have 390 "SF-5" zoned single-family lots. The zoning change request will allow the site's 8.26 acres match the zoning of the rest of the subdivision. The site is currently being used for agriculture.

The surrounding area consist of recently developed single-family residential, some recently developed duplexes, land being readied for development as single-family residential and agricultural land. The site and the land abutting it on its north and west sides are actively being used for agriculture, while being advertised as the site of a new single-family residential subdivision; the Fox Ridge Addition. The site, as well as the other three (3) corners of the intersection, is zoned "LC". These 600 foot (x) 600 foot commercial nodes are the result of the 1958 Sedgwick County initiated re-zoning of land within the projected growth areas of the County. The abutting land on the site's north and west sides are currently zoned "SF-20".

Land south of the site and across 29th Street North is zoned "TF-3" and "SF-5", with development reflecting the zoning. There is an undeveloped "LC" zoned site (a site is less than the original 600 foot (x) 600 foot commercial node) on this southwest corner of the intersection. Land southeast of the site and across the 29th Street North – Tyler Road intersection is zoned "SF-5", is platted and work on the land is beginning to prepare it for single-family residential development. There is an undeveloped "LC" zoned node on this southeast corner of the intersection. Land east and northeast of the site, across Tyler Road, is zoned "TF-3" and "SF-5", with development reflecting the zoning or the land being used for agriculture. There is a small, undeveloped "LC" zoned site on this southeast corner of the intersection.

At the MAPC hearing on April 24, 2003, the MAPC voted 13-0 to recommend approval of the request with the condition that the plat be completed within one (1) year. The applicant agreed with the Planning Staff recommendation. No one spoke in opposition to the requested zoning change and there have been no written protest received.

Recommended Action:

1. Concur with the findings of the MAPC and approve the zone change, subject to platting within a 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.)

August 15, 2003

ORDINANCE NO. 45-744

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. ZON 2003-15

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

The South 660 feet of the East 660 feet of the Southeast Quarter of Section 32, Township 26 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas. Generally located on the north side of 29th Street North, between Maize Road 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 this 17th day of May, 2003.

ATTEST:

for Patsy Ellis, Deputy
Pat Graves, City Clerk

Carlos Mayans, Mayor

(SEAL)



Approved as to form:

Gary E. Rebenstorf, City Attorney