Planning Agenda Item #_____

City of Wichita
City Commission Meeting
September 2, 1986

Agenda Report #_____

TO: Mayor and City Commissioners

SUBJECT: DP-159 - REQUEST FOR APPROVAL OF THE HATTRUP RESIDENTIAL COMMUNITY UNIT PLAN; AND

Z-2776 - REQUEST FOR ZONE CHANGE FROM "LC" LIGHT COMMERCIAL TO "AA" ONE-FAMILY DWELLING DISTRICT. LOCATED ON THE WEST SIDE OF WEBB ROAD IN AN AREA SOUTH OF 29TH STREET NORTH. (R. J. Hattrup)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Zoning

MAPC Recommendation: Approve (10-0)

Staff Recommendation: Approve

Background: On August 7, 1986, the MAPC held a public hearing to consider a request for approval of a residential community unit plan, and a request for zoning from "LC" to "AA". This property and the three surrounding "exception" areas were annexed in March, 1986 at the applicant's request. It is undeveloped except for an existing residence located to the west of the southern lake. No one spoke in opposition to the applications. The Planning Commission unanimously recommended approval subject to several conditions as outlined in the minutes, including the condition of platting all the applicant's property within one year or the cases be considered denied and closed.

CPO Council "I", on August 14, 1986, voted 5-3 to recommend disapproval of the applications.

Analysis: The properties to the west are developed with single family houses and a church is planned adjacent to 29th Street North. A golf course and single family houses are developed to the south while the undeveloped land to the east is proposed to be used for offices and light commercial activity. The Development Plan proposes to divide the 20.65-acre site into two parcels with an overall density of 7.26 dwelling units per net acre if the parcels are developed as illustrated. The associated zoning case requests that a portion of this property within the C.U.P. be rezoned from "LC" to "AA" for residential development.

The Northeast Expressway, planned to the north of 29th Street North and this site, requires the realignment of 29th Street North and will necessitate additional right-of-way being obtained from this property. City Engineering is currently in the process of appointing appraisers and acquiring the needed right-of-way.

The Planning Commission determined that the character of the neighborhood; the zoning and uses of properties nearby; the suitability of subject property for the uses proposed; and the recommendation of staff justified the approval of the development plan and the zone change request.

Actions:

1. Concur with the findings of the MAPC and approve the zone change and C.U.P. subject to the recommended conditions; instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Commission; or

2. Return the applications to the MAPC for reconsideration stating reasons.

Attachments:
Area map
8-7-86 MAPC Minutes
CPO Memorandum
DP-159 site plan

(1364) Published in The Daily Reporter on October 24, 1988

ORDINANCE NO. 40-411

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 28.04.210, THE CODE OF THE CITY OF WICHITA, KANSAS.

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 Section 28.04.210, The Code of the City of Wichita, Kansas, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. Z-2776

Zone Change from the "LC" Light Commercial District to the "AA" One-Family Dwelling District

A tract of land lying in Government Lot 1 in the NE 1/4 of Section 5, Township 27 South, Range 2 East from the 6th P.M., Wichita, Sedgwick County, Kansas; more particularly described as follows: Commencing at the northeast corner of said NE 1/4; thence S 0°56'49" E, 600.00 feet along the east line of said NE 1/4; thence S 89°06'38"W, 262.05 feet parallel to the north line of said NE 1/4 to the point of beginning; thence S 89°06'38"W, 337.96 feet; thence N 0°56'49"W, 190.00 feet; thence S 61°33'30"E, 387.87 feet to the point of beginning. Now platted as a portion of Reserve B and a portion of Lots 21 and 22, all in Block 1, Fox Pointe, an addition to Wichita, Sedgwick County, Kansas. Generally located on the west side of Webb Road in an area south of 29th Street North.

SECTION 2. That upon the taking effect of the Ordinance, the above zoning change 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 Zoning Ordinance 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:

_____ _____
(SEAL) City Clerk Mayor

Approved as to form:

_____
City Attorney

Returned to City Clerk 10-11-88