

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

PROPOSED AGENDA ITEMS : SCZ-0712 & DP222 - Zone Change from 'SF-20' Single Family Residential to 'LC' Limited Commercial, on property located on 21st Street North and 127th Street East.

PRESENTED BY: Marvin S. Krout, Director of Planning **NK**

PROPOSED AGENDA DATE: June 12, 1996

COMMISSION DISTRICT #1

MAPC Recommendation: Approve, subject to platting within 1 year (9-1).

Staff Recommendation: Approve, subject to platting within 1 year.

Background/Discussion: The applicant requests a zone change for 17.1 acres from 'SF-20' Single-Family Residential to 'LC' Limited Commercial with an associated Commercial Community Unit Plan (CUP), located at the southeast corner of 21st Street North and 127th Street East. There is a single-family residence with several out buildings on the property.

The CUP shows development occurring on 15.98 net acres divided among five parcels ranging in size from 12.05 to 0.92 acres. Proposed uses for all five parcels include all uses in the 'LC' Limited Commercial district except night clubs. A six to eight foot solid or semi-solid wall of brick, stone, masonry, architectural tile or similar material would be constructed along the east and south property line where adjacent to residential zoning.

The maximum gross floor area permitted by the proposed CUP is 208,782 square feet, which could be developed with as many as 9 buildings. All buildings would have consistent architectural design and exterior building materials. Other issues addressed by the development plan include: drainage, parking, lighting, screening of roof top equipment and trash receptacles, guarantees for left turn and right turn lanes, landscape buffers, access control, and pedestrian walk way system.

During the Planning Commission's discussion of this matter, questions concerning the how the site was going to be served with water and sewer were asked by several Commissioners. The public voiced concerns over the establishment of commercial activity in an otherwise rural area and others questioned the ability to rezone adjacent

land for commercial uses. After discussion, the MAPC voted (9-1) to approve the request as recommended by staff.

Recommended Action: 1. Adopt the findings of fact of the Metropolitan Area Planning Commission and approve the zone change and C.U.P. subject to the condition of platting; adopt a resolution and authorize the chairman to sign; and instruct the Planning Department to withhold publication until the plat has been recorded with the Register of Deeds; or

2. Return to the Planning Commission for reconsideration.

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

Applicants:

Ritchie Associates 8100 E 22nd Street N Bldg 1000 Wichita KS 67226
P.E.C. c/o Rob Hartman 303 S Topeka Wichita KS 67226

Protestors:

Ralph Lanzrath 1857 Wawona Wichita KS 67206
Rixie Bush 1915 N 127th East Wichita KS 67206
Ben Leader 1968 Ridge Drive Wichita KS 67206

() Published in The Wichita Eagle on FEB 8 2003

ORDINANCE NO. 45-540

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. SCZ - 0712

Request for zone change from SF-20, Single-Family Residential District to LC, Limited Commercial District, for property described as

Lots 1-5, Reed's Commercial Addition.

Generally located on the southeast corner of 21st Street North and 127th Street East.

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 14th day of January, 2003.

ATTEST:

Pat Graves
Pat Graves, City Clerk

Bob Knight
Bob Knight, Mayor

(SEAL)



Approved as to form:

Gary E. Rebenstorf
Gary E. Rebenstorf, City Attorney