Background: The applicant requests a zone change from "LC" Limited Commercial to "SF-5" Single-family Residential on a 0.57 acre unplatted tract located west of Webb Road and north of 13th Street North. The site is developed with a single-family residence. The applicant recently sought and obtained a rezoning and CUP (The Foliage Center Commercial Community Unit Plan-DP-282) on property southwest of this application area. This request is a downzoning which the applicant offered during his previous request for commercial zoning and a CUP.

North and west of the application area is "SF-5" zoned property under the same ownership as the application area. Southeast of this site is "LC" zoned vacant property recently approved for The Foliage CUP. Further south, across 13th Street, is a "GO" General Office and "LC" zoned office park. East of the application area, across Webb Road, is the "LI" Limited Industrial zoned Waterfront commercial development and lake.

Analysis: At its regular meeting on May 12, 2005, the Wichita-Sedgwick County Metropolitan Area Planning Commission considered and approved this request. No members of the public spoke regarding the request.

Financial Considerations: None.

Legal Considerations: The ordinance has been reviewed and approved as to form by the Law Department.

Recommendation/Actions: It is recommended that the City Council

1. Concur with the findings of the MAPC and approve the first reading of the ordinance establishing the zone change to "SF-5" Single-family Residential; or
2. Return the application to MAPC for reconsideration.

(An override of the Planning Commission's recommendation requires a two-thirds majority vote of the members of the governing body on the first hearing.)

Agenda Item No. _____

City of Wichita
City Council Meeting
June 14, 2005

Agenda Report No. _____

FILE COPY

TO: Mayor and City Council

SUBJECT: ZON2005-00014 – Zone change from "LC" Limited Commercial to "SF-5" Single-family Residential. Generally located at the northwest corner of 13th Street North and Webb Road. (District II)

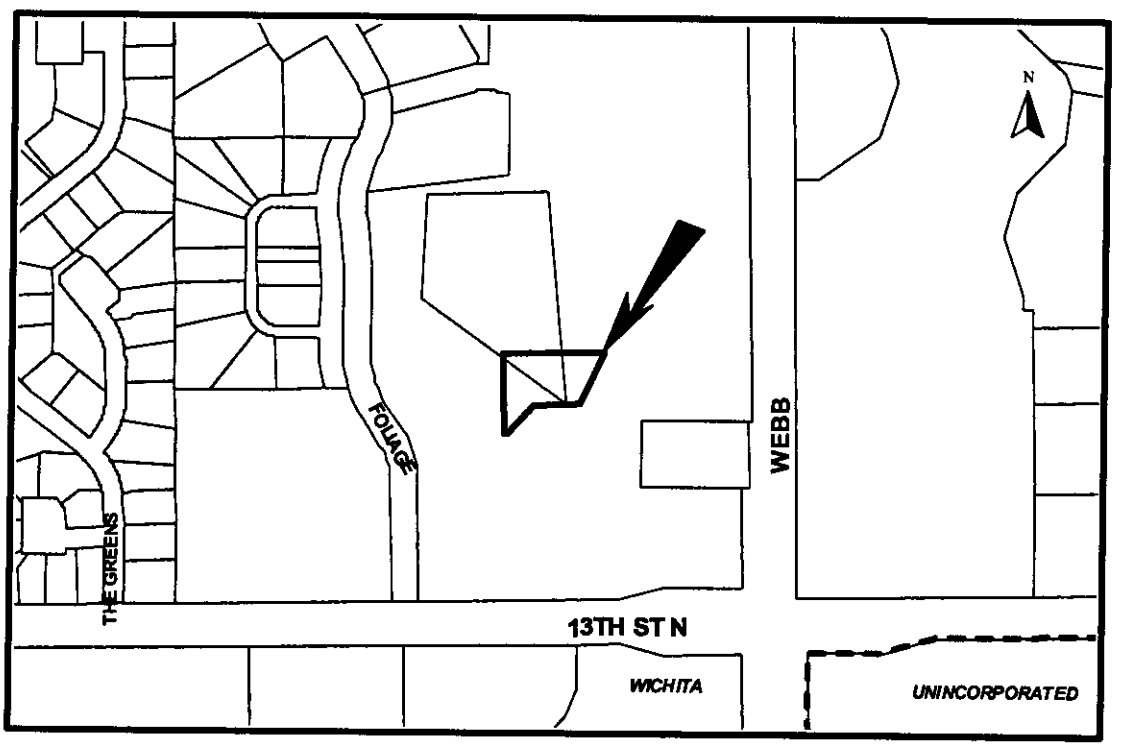
INITIATED BY: Metropolitan Area Planning Department JLS

AGENDA: Planning (Consent)

MAPC Recommendations: Approve, vote (10-0).

MAPD Staff Recommendations: Approve.

DAB Recommendations: Not applicable.



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, 6-21-05

Carlos Mayans - Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney

(150004) Published in The Wichita Eagle on 6-24-05

ORDINANCE NO. 46-610

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. ZON2005-00014

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

A tract of land in the East half of the Southeast Quarter of Section 8, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, more particularly described as follows:

Commencing at the Southeast corner of said Southeast Quarter; thence along the South line of said Southeast Quarter as shown on Kansas South Zone Grid bearing of S 89 degrees 04'47" W, 600.00 feet; thence parallel with and 600 feet West of the East line of said Southeast Quarter, N 00 degrees 53'35" W, 416.89 feet to the Point of Beginning; thence N 00 degrees 53'35" W, 183.11 feet to a point 600 feet North of said South line; thence parallel with and 600 feet North of said South line N 89 degrees 04'47" E, 224.09 feet; thence S 26 degrees 32'56" W, 133.03 feet; thence S 89 degrees 04'47" W, 99.83 feet; thence S 43 degrees 08'45" W, 90.57 feet to the point of beginning. Generally located at the northwest corner of 13th Street North and Webb 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.