Planning Agenda Item #_____

City of Wichita
City Council Meeting
August 18, 1998

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: Z-1192 - LOWE'S COMPANY, INC. (APPLICANT); REQUESTS ZONE CHANGE FROM "SF-6" SINGLE-FAMILY TO "LC" LIMITED COMMERCIAL LOCATED AT THE SOUTHEAST CORNER OF 135TH ST. WEST AND MAPLE.

(DISTRICT #5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to conditions.

Staff Recommendation: Approve, subject to conditions.

Background: This case was approved by the Board of City Commission (6-0) on September 1, 1970, subject to platting. The BCC did not place a time restriction on the platting requirement, therefore the zone case remains open until such time as the entire section is platted. A portion of the area does remain unplatted.

This plat was approved by the City Council on August 12, 1997; however, the action inadvertently did not include placing the zoning ordinance on first reading. Therefore the zoning ordinance has not been published.

Recommendation:

1. Place the ordinance establishing the zone change on first reading and instruct the City Clerk to publish the ordinance after second reading.

16. Any major changes in this development plan later on submitted to the Planning Commission and City Commission for their consideration.

It is now necessary that you make the required corrections as required by the Planning Commission and City Commission, and submit four corrected copies thereof, including all information for each parcel, at your earliest convenience so that they can be marked officially approved copies and forwarded to the Office of Central Inspection.

If you have any questions concerning this matter, please call.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:ber

cc: Dale Eaglesfield and Boyer & Brady
8105 East Kellogg
Wichita, Kansas 67206

Don E. Satterthwaite
6512 East Central
Wichita, Kansas 67206

Robert Feagins, Superintendent
of Central Inspection

Ralph Eberly
City Clerk

4. Indicating 60 feet of half-street right-of-way for Maple adjacent to the area zoned for "DF" and 50 feet adjacent to the area zoned for "BB".

5. That at the time of platting, the applicants shall provide for additional dedication and the guarantee for the improvement of the frontage road adjacent to the north side of U. S. 54 to City standards.

6. Increase the 35-foot setback from Maple and Ridge Road on Parcels #1, #3, #4, and #5 to 100 feet.

7. Indicate the maximum building height as 3 stories instead of 30 stories for Parcels #15 and #16.

8. At the time of any platting of Parcels 1-7, the applicant shall guarantee the necessary improvements for drainage.

9. Adding after the statement on sign height on Parcel #9, "subject to Board of City Commission approval".

10. The applicant taking into account the noise factor associated with the location of subject property, when designing and developing structures on subject property.

11. Approval of the establishmet of Parcels 7, 22, 23 and 24.

12. Under "Proposed Uses" for Parcels #4 and #5, qualify "Commercial Uses" as not including service stations or drive-in type uses; and qualify "Institutional Uses" as not including schools, hospitals, care or convalescent homes, or other similar uses of public assembly.

13. At the time of platting, determining whether or not the Board of Education is desirous of acquiring Parcel #19.

14. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the prsent owners, their successors and assigns, unless amended.

15. That development of this property proceeding in accordance with the development plan as approved by the Planning Commission and City Commission, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.

September 2, 1970

Mr. Robert Feagins
[illegible] & Kirby
[illegible] East Central
Wichita, Kansas 67206

Re: Zone change from "BB" and "DF"
DP-37 - North side of U. S. 54 and south of Maple, between Woodchuck and Ridge Road

Dear Mr. Feagins:

This is to advise you that the above-captioned cases were considered by the Board of City Commissioners at their regular meeting of September 1, 1970. The action of the City Commission was to approve the zone change and revised CUP, subject to the conditions as recommended by the Planning Commission on August 27, 1970, except that only 50 feet of half-street right-of-way was required for Maple adjacent to the area zoned for the "BB" Office District, and subject to the condition of platting, and the Planning Department was instructed to forward the ordinance for first reading when the plat is forwarded to the City Commission.

The conditions of approval now read as follows:

1. Approval of the provisional setback line from Ridge Road and U. S. 54 affecting Parcels 1, 2, 3 and 24 as shown on the revised CUP and described in the CUP "Note No. 6".

2. Adding the following note to the general provisions under curb cuts to Ridge Road and Maple: The location of the medial breaks proposed for Ridge Road and Maple on this plan are not to be considered final and the final location of said medial breaks shall be determined by the City at the time of the improvement of Ridge Road and Maple to major street standards.

3. Under curb cuts to Ridge Road Item #2 shall be changed to read: "...(Including Joint Medial cut with Parcels #3 and #4)."

(_____) Published in The Daily Reporter on _____

ORDINANCE NO. _____

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 CITY OF WICHITA CODE ORD. 43-558.

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

FILE COPY

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 City of Wichita Code Ord 43-558, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. Z-1192

Zone change request from "SF-6" Single-Family Residential District to "LC" Limited Commercial District, described as:

Lots 1, Lowe's Addition to Wichita, Sedgwick County, Kansas. Located at the southwest corner of Maple and Ridge 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.

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 2-4

April 25, 1991

STAFF REPORT
(Final Plat Approved 4/18/91)

CASE NUMBER:	S/D 91-21 - RIDGE PLAZA 11TH ADDITION
OWNER/APPLICANT:	Bowen H. Brady, 6405 E. Kellogg, Wichita, KS 67218
SURVEYOR/ENGINEER:	Baughman Co., 315 Ellis, Wichita, KS 67211
LOCATION:	SW corner of Mid-Continent Road and Taft Ave. (Maple)
SITE SIZE:	3.6 Acres
NUMBER OF LOTS	
Residential:	
Office:	
Commercial:	2
Industrial:	
Total:	2
MINIMUM LOT AREA:	70,893 sq. ft.
CURRENT ZONING:	"AA" One Family Dwelling (Approved for "LC" Light Commercial, Subject to Platting)

VICINITY MAP:

