Planning Agenda Item #_____

City of Wichita
City Council Meeting
January 9, 1990

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: Z-2981 - ZONE CHANGE FROM THE "AA" ONE-FAMILY DWELLING DISTRICT TO THE "R-6" GENERAL RESIDENCE DISTRICT, LOCATED IN AREAS NORTH OF 37TH STREET NORTH, 1/2-MILE WEST OF ROCK ROAD. (District #2)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve (7-0).

Staff Recommendation: Approve.

CPO Recommendation: CPO Council "2A" recommends approval (8-0).

Background: On December 21, 1989, the MAPC held a public hearing to consider a zone change request from the "AA" One-Family Dwelling District to the "R-6" General Residence District for two triangular-shaped portions of a platted lot located north of 37th Street North, approximately 1/2-mile west of Rock Road. The application areas measure .17 of an acre.

The applicant owns the property to the north and east of the application areas. This adjacent property has been approved for "R-6" zoning (Z-2757) subject to platting and, at the time MAPC considered this zoning case, was in the process of being platted as The Ritz Addition. The Ritz Addition was recorded on December 26, 1989 and that plat encompassed the land subject to this zone case.

RECOMMENDATIONS/ACTIONS:

1. Concur with the findings of the MAPC and approve the zone change; place the ordinance establishing the zone change on first reading.

2. Return the application to the MAPC for reconsideration, stating reasons.

along said northeasterly line to the southeast corner of said addition; thence S89°18'12"W, 81.50 feet to the point of beginning. (Now platted as part of Lot 2, Block 1, The Ritz Addition, Wichita, Sedgwick County, Kansas)

Generally located on the north side of 37th St. North, approximately 1/2-mile west of Rock Road.

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:

_____
Mayor

_____
City Clerk

(S E A L)

Approved as to form:

_____
City Attorney

(_____) Published in **The Daily Reporter** on 1/26/90

ORDINANCE NO. 40-833

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-2981
Zone change request from the "AA" One-Family Dwelling District to the "R-6" General Residence District

Tract 1
A tract of land lying in a portion of 37th Street Booster Pumping Station Addition, an addition to Wichita, Sedgwick County, Kansas, more particularly described as follows:

Beginning at a point lying on the west line and 221 feet north of the southwest corner of said addition; thence N0°46'25"W, 88.29 feet to the north corner of said addition; thence S42°01'02"E, 117.56 feet along the northeasterly line of said addition; thence S89°18'12"W, 77.50 feet to the point of beginning. (Now platted as part of Lot 2, Block 1, The Ritz Addition, Wichita, Sedgwick County, Kansas)

Tract 2
A tract of land lying in a portion of 37th Street Booster Pumping Station Addition, an addition to Wichita, Sedgwick County, Kansas, more particularly described as follows:

Beginning at a point on the south line and 190 feet from the southwest corner of said addition; thence N0°46'25"W, 92.84 feet to a point on the northeasterly line of said addition; thence S42°01'02"E, 123.62 feet

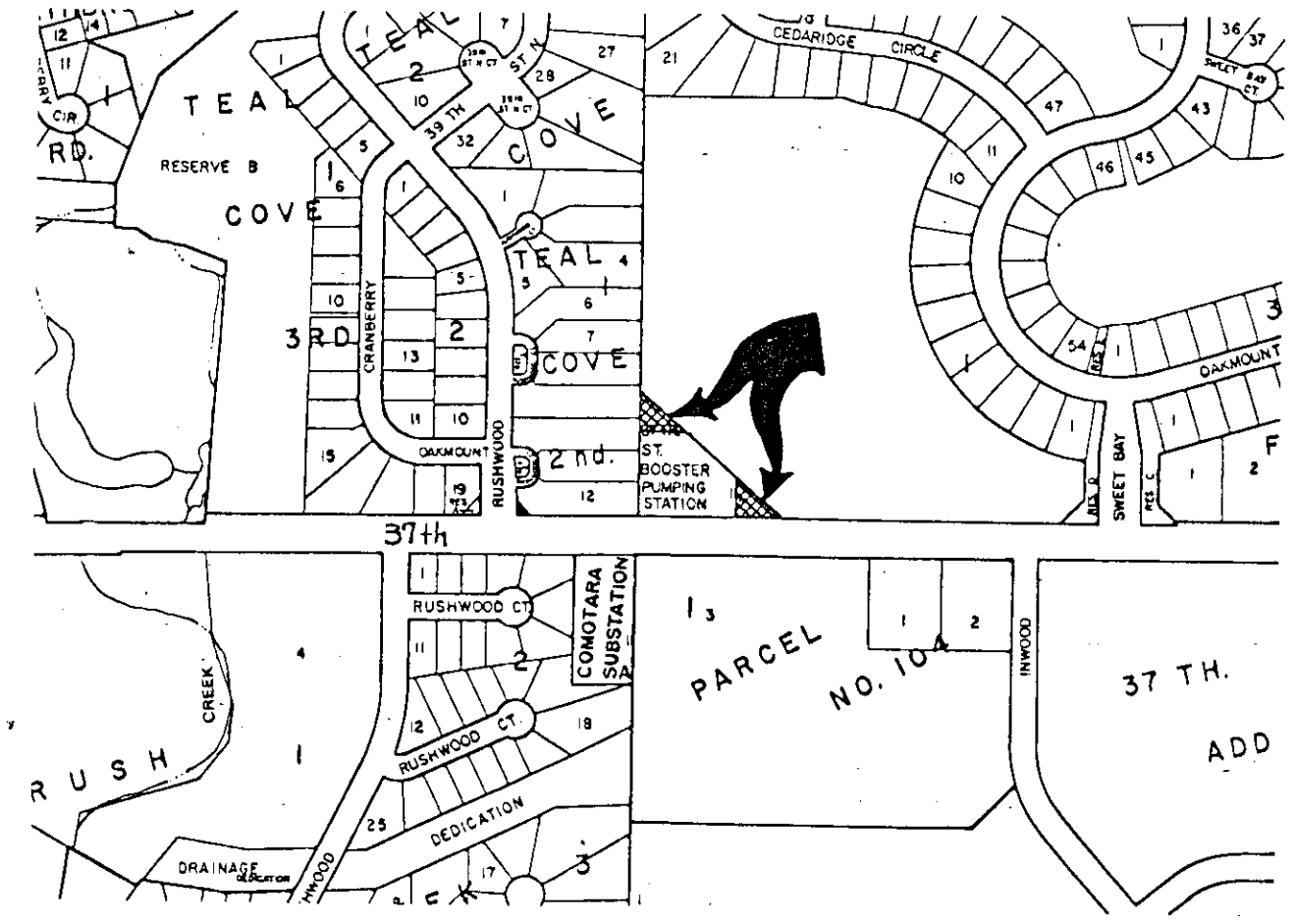
WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 4

December 21, 1989

STAFF REPORT

CASE NUMBER:	Z-2981
OWNER/APPLICANT/AGENT:	Woodlawn Development Co. (owner/applicant) Bill G. Yung Design (agent)
REQUEST:	Zone change to the "R-6" General Residence District
CURRENT ZONING:	"AA" One-Family Dwelling District
SITE SIZE:	.17 acre (two triangular-shaped tracts)
LOCATION:	In areas north of 37th Street North, ½-mile west of Rock Road.
PROPOSED USE:	Addition of these two tracts to a larger tract of property already approved for "R-6" zoning subject to platting. Development of apartment dwelling units.



BACKGROUND: The applicant is requesting a zone change from the "AA" One-Family Dwelling District to the "R-6" General Residence District for two triangular-shaped portions of a platted lot located north of 37th Street North, approximately 1/2-mile west of Rock Road. The application areas measure .17 of an acre.

The applicant owns the property to the north and east of the application areas. This adjacent property has been approved for "R-6" zoning (Z-2757) subject to platting and is in the process of being platted as The Ritz Addition. This zone change has been applied for in order to incorporate the application areas into the applicant's proposed plat of The Ritz.

CASE HISTORY: Both tracts were platted as parts of 37th Street Booster Pumping Station Addition in 1979.

ADJACENT ZONING AND LAND USE:

NORTH	"AA"*	Undeveloped
SOUTH	"LC"** & "AA"	Undeveloped and water dept. booster pumping station
EAST	"AA"*	Undeveloped
WEST	"AA"***	Water department booster pumping station and single-family residences

* Approved for "R-6" zoning, subject to platting
** With DP-122
*** With DP-119

PUBLIC SERVICES: A municipal water line exists in adjacent 37th Street to serve this property. Sanitary sewer is available for extension to serve the site. Adequate arterial street right-of-way exists for 37th Street adjacent to this property. At this location, 37th Street is a paved two-lane arterial street.

CONFORMANCE TO PLANS/POLICIES: An MAPC zoning policy does not exist for this segment of 37th Street North. The Land Use Element of the Comprehensive Plan depicts development of this property with residential land uses.

RECOMMENDATION: It is recommended that "R-6" zoning be approved subject to the applicant platting these tracts on or before June 23, 1990, in conjunction with the property to the east, which has been approved for "R-6" zoning (Z-2757). The rezoning ordinance shall not be published until the required plat has been recorded. If the property is not platted by June 23, 1990, the application shall be considered denied and closed.