

City Council
overrode the
Planning Commission
and approved
"LC" (Not "NO").

Planning Agenda Item # _____

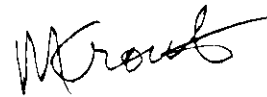
City of Wichita
City Council Meeting
March 17, 1998

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-3267- RANDY KETZNER, TODD ROADS, AND KEVIN P. LEWIS (PROPERTY OWNERS/APPLICANTS); TERRY SMYTHE, BAUGHMAN CO. (AGENT) REQUEST ZONE CHANGE FROM "SF-6" SINGLE-FAMILY RESIDENTIAL TO "LC" LIMITED COMMERCIAL, LOCATED WEST OF 119TH STREET WEST, SOUTH OF CENTRAL.
(DISTRICT #5)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

MAPC Recommendation: Approve "NO" Neighborhood Office, subject to replatting within 1 year. (7-2)

CPO Recommendation: Deny (4-2)

Staff Recommendation: Deny

Background: The applicants request a zone change from "SF-6" Single-Family Residential to "LC" Limited Commercial on a 2.4 acre tract, located west of 119th Street West, south of Central.

This request has been filed in tandem with a request for "TF-3" Two-Family Residential on approximately 6.7 acres located adjacent to the west of the subject property. Approval of that zone change would permit the development of approximately 17 duplex lots (34 dwelling units) between the requested "LC" tract and a drainage reserve (Reserve "A" of the Bay Country Addition) separating the two tracts from the other single-family lots within the Bay Country Addition.

The subject property is in a developing area of northwest Wichita, with the majority of the surrounding property zoned "SF-6" Single-Family Residential. There is a 1 acre tract across Central to the north which was recently zoned for office uses ("NO") and is surrounded by a developing single-family subdivision, the existing Westside Bible Church, and existing single-family residential at the northwest corner of the intersection, all on property zoned "SF-6". There are single-family

homes to the southwest in the Bay Country Addition, with the St. Elizabeth Ann Seton church and school complex located adjacent to the south, on property also zoned "SF-6". The northeast and southeast corners of this intersection are developed (strip retail/office, Golden Hills Office Park, and Phillips 66, respectively), with the southwest corner currently undeveloped. The rezoning at this intersection occurred between 1980 and 1987.

CPO Council 5 considered the request, and heard a number of speakers in opposition to the changes. After a 3-3 vote on a motion to support "NO" Neighborhood Office zoning, they voted 4-2 to recommend disapproval.

During the Planning Commission meeting on January 29, 1998, several area residents stated a preference that the application area, as well as the application area for the duplex development (Z-3268) adjacent to the west, remain zoned for single-family residential use. Although a few residents voiced concern over the impact additional "LC" Limited Commercial zoned property would have on their property values, most did not oppose the commercial zoning.

After discussion, the MAPC voted (7-2) to approve "NO" Neighborhood Office, subject to replatting the property within one year. As part of that motion was a condition that access to Central be provided for the St. Elizabeth Ann Seton Church located adjacent to the south of the subject property. This "amended" request will be considered again by CPO(5) on Wednesday, March 11, 1998, before the City Council meeting.

Recommendation:

1. Concur with the findings of the MAPC and approve the zone change to "NO" Neighborhood Office , subject to the condition of platting; instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Council; or
2. Return the application to the MAPC for reconsideration.

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

Depl.
() Published in The Daily Reporter on _____

ORDINANCE NO. 43-981

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 SEC. 28.04.010.

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 City of Wichita Code Sec 28.04.010, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. Z-3267

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

Lots 2, The Havens Addition to Wichita, Sedgwick County Kansas.
Generally located west of 119th Street West, south of Central.

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 AT WICHITA, KANSAS, _____ 2002

ATTEST:

Pat Burnett
Pat Burnett, City Clerk



Bob Knight
Bob Knight, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf
Gary E. Rebenstorf, City Attorney