

CASE NO. Z-2821

Zone Change from the "AA" One-Family Dwelling District
to the "B" Multiple-Family Dwelling District

A tract of land lying in the NE $\frac{1}{4}$, Section 17, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, more particularly described as follows:

Commencing at the northeast corner of said NE $\frac{1}{4}$; thence S00°06'51"W, 893.84 feet along the East line of said NE $\frac{1}{4}$; thence N89°53'09"W, 75.00 feet to the point of beginning; thence S00°06'51"W, 255.47 feet; thence S89°53'09"E, 15.00 feet; thence S00°06'51"W, 120.00 feet; thence N89°53'09"W, 70.00 feet; thence S64°48'46"W, 60.83 feet; thence N89°53'09"W, 150.00 feet; thence N00°06'51"E, 401.18 feet; thence S89°57'00"E, 260.00 feet to the point of beginning. Generally located on the west side of Webb Road in an area south of 13th Street North and Central Avenue.

City of Wichita
City Commission Meeting
January 6, 1987

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: DP-166 - REQUEST FOR APPROVAL OF THE LAKEPOINT
RESIDENTIAL COMMUNITY UNIT PLAN; AND

Z-2821 - REQUEST FOR ZONE CHANGE FROM "AA" ONE-FAMILY
DWELLING TO "B" MULTIPLE-FAMILY DWELLING (LOCATED WEST
OF WEBB ROAD IN AN AREA SOUTH OF 13TH STREET NORTH).
(Ritchie Associates)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve (8-0)

Staff Recommendation: Approve

Background: On December 11, 1986, the MAPC held a public hearing to consider a request for approval of a residential C.U.P. and a zone change. The applicant is requesting approval of a residential C.U.P. on the unplatted 108.2-acre site located west of Webb Road in an area south of 13th Street North. The applicant is also requesting a zone change for a 2.4-acre portion of the C.U.P. adjacent to Webb to permit the construction of a nursing home. This property is undeveloped and was annexed in June 1986. No one spoke in opposition to the applications. The Planning Commission recommended approval subject to a number of conditions as itemized in the minutes.

CPO Council "H" voted 7-0 to recommend approval of the requests.

Analysis: The Wichita Country Club and single-family houses are located west of the C.U.P. site. To the north across 13th Street North are single-family houses, while south of 13th Street North and still north of the site is Collegiate School. The southern part of the Beech Lake and Activity area is located east of Webb Road. South of the C.U.P. site is Minneha School, the Art Association and proposed single-family houses.

The proposed Development Plan now on file divides the 108.2 gross acres (or 99.3 net acres) into seven (7) parcels. The plan indicates lots for 79 single-family units, 251 zero lot line units, and 88 retirement community units for a total of 418 units. The overall density of the proposed plan is 4.20 dwelling units per acre, while the maximum permitted density is 6.13 dwelling units per acre. One of the parcels has a zone change to "B" Multiple-family Dwelling to accommodate the proposed use of a nursing center with related facilities on that parcel.

The Planning Commission determined that the character of the neighborhood; the zoning and uses of properties nearby; the suitability of subject property for the uses proposed; and the recommendation of staff justified the approval of the development plan and the zone change request.

- Actions:
1. Concur with the findings of the MAPC and approve the zone change and C.U.P. subject to the recommended conditions; instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Commission; or
 2. Return the application to the MAPC for reconsideration stating reasons.

Attachments: Area map
12-11-86 MAPC Minutes
CPO Memorandum
DP-166 site plan

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

January 22, 1987

TO: Monty Robson, Superintendent of Central Inspection

FROM: Barbara Harris, Senior Planner, Current Plans

SUBJECT: Approval of DP-166 - Lakepoint Residential Community Unit Plan and Associated Zone Case Z-2821 requesting "AA" to "B" on the west side of Webb Road in an area south of 13th Street North.

The Board of City Commissioners on January 6, 1987, considered the above-captioned C.U.P. and associated zone change request. Their action was to approve the zone change and C.U.P. subject to the following conditions:

- a. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, 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.
- b. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Commission for their consideration.
- c. 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 residential development and be binding upon the present owners, their successors and assigns, unless amended.
- d. The property included in this residential C.U.P. shall be platted within two years from the date of approval by the Board of City Commissioners or the provisions of this C.U.P. shall become null and void for the portions which remain unplatted. The ordinance establishing the zone change shall not be published until the plat has been recorded with the Register of Deeds.

By copy of this memo, the applicant is advised that the plat for the property being rezoned should be recorded with the Register of Deeds by January 6, 1989, or the zone case file will be marked denied and closed. The plat should be submitted as soon as possible, and this will be the only notification of the platting deadline.

Attached for your information and files are two approved C.U.P. copies. If you have any questions concerning this matter, please call me at 268-4421.

BH:blw
Attachments

cc: Ritchie Associates, 8100 East 22nd Street North, Bldg. 500, 67226
Bill G. Yung Design, 4912 East 29th Street North, Suite One, 67220

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