

City of Wichita
City Council Meeting
January 19, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-2889 - ZONE CHANGE FROM THE "BB" OFFICE DISTRICT TO THE "OC" OFFICE COMMERCIAL DISTRICT, LOCATED BETWEEN TYLER AND PAULA ON THE NORTH SIDE OF TYLER COURT.
(District 5)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve subject to replatting within one year in order to establish appropriate setbacks to Tyler Road, complete access control to Paula and granting the standard avigational easement and noise covenant. (8-0)

Staff Recommendation: Approve subject to replatting within one year in order to establish appropriate setbacks to Tyler Road, complete access control to Paula and granting the standard avigational easement and noise covenant.

CPO Recommendation: Council "5A" recommends approval (8-0).

Background: On December 21, 1987, the MAPC held a public hearing to consider a zone change from "BB" to "OC" for a 0.3-acre platted lot located between Tyler and Paula on the north side of Tyler Court (1/4-mile north of Kellogg). The lot has been vacant since it was platted in 1968. It was first zoned "RB" then was changed to "BB" in 1973. The lot currently has no access to Tyler because of platted access control. It does have access to Paula, a residential street, which should be prohibited if "OC" zoning is granted. The zoning policy for both sides of Tyler Road from Harry to Maple is to retain existing zoning. This policy was adopted in 1979 prior to the "OC" district category being included in the zoning text.

No one spoke in opposition to the application, and the Planning Commission unanimously recommended approval subject to replatting.

- Recommendations/Actions:
1. Concur with the findings of the MAPC and approve the zone change 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 stating reasons.

(1261) Published in The Daily Record on October 3, 1988

ORDINANCE NO. 40-404

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-2889

Zone change from "BB" Office District to the "OC" Office Commercial District

Lot 12, Block 2, Floyd Bailey Fourth Addition to Wichita, Sedgwick County, Kansas. (Now platted as Lot 1, Josh's Addition, Wichita, Kansas).

Generally located at the northeast corner of Tyler Road and Tyler Court in an area south of Maple.

2. That upon the taking effect of the 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 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:

(SEAL) City Clerk

Mayor

Approved as to form:

City Attorney