

City of Wichita
City Council Meeting
September 17, 2002

Agenda Report # _____

TO: Mayor and City Council Members *MS*

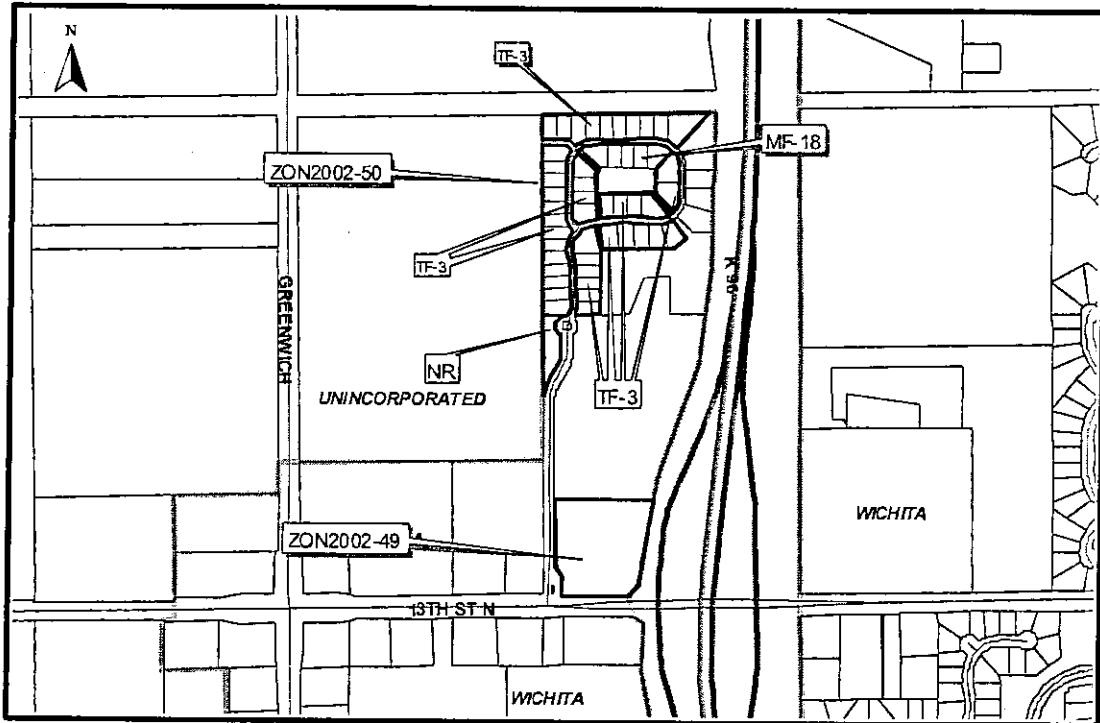
SUBJECT: ZON2002-00049 (Associated with ZON2002-00050) – Zone change from “SF-5” Single-family Residential to “LC” Limited Commercial, “NR” Neighborhood Retail, “MF-18” Multi-Family and “TF-3” Two-family Residential. Generally located at the northwest corner of 13th Street North and K-96. (District II)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject staff recommendation. (12-0)

Staff Recommendation: Approve, subject to replatting within one year.



BACKGROUND: The applicant requests a zone change from “SF-5” Single Family to “LC” Limited Commercial, “NR” Neighborhood Retail, “MF-18” Multi-Family, and “TF-3” Two-Family on 18.2 acres of platted property located at the northwest corner of 13th Street North and K-96. An attached plat of the property illustrates the areas requested for rezoning. The applicant owns a total of 43.2 acres at this location, with the remainder of the property to remain zoned “SF-5” Single-Family and to be developed with a church and a detention pond. The applicant proposes to develop the areas to be rezoned with a retail center, a broadcast studio, multi-family housing, and duplexes.

The surrounding area is characterized primarily by developing commercial uses with much of land still undeveloped. The property to the south across 13th Street North is zoned “LC” Limited Commercial and is developed with a movie theater. The property to the east across K-96 is zoned “SF-5” Single-Family and is developed as a cemetery. The property to the north is zoned “SF-20” Single-Family and is undeveloped. The property to the west is zoned “SF-20” Single-Family and “LC” Limited Commercial and is undeveloped.

At the MAPC hearing on August 22, 2002, there were no speakers, other than the applicant, either in favor of or in opposition to the request. The MAPC voted (12-0) to recommend approval of the zone change subject to replatting the property within one year, except that the narrow strips of Reserve A between Lots 11 & 12 and Lots 1 & 15, Block 3 be rezoned to “TF-3” instead of “MF-18”.

Recommended action:

1. Concur with the findings of the MAPC and approve the zone change as recommended by the MAPC, subject to the condition of replatting within one year; 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.)

*Frick Road
5-6-03*

(150004) Published in The Derby Reporter on JUN 20 2003

ORDINANCE NO. 45-706

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 SECTION 28.04.010, AS AMENDED.

**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 Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON 2002-50

Request for zone change from "SF-5" Single-Family Residential District to "NR" Neighborhood Residential District on property described as:

Lot 1, Block 2, Chapel Hill Second Addition, Wichita, Sedgwick County, Kansas;

Request for zone change from "SF-5" Single-Family Residential District to "MF-18" Multi-Family Residential District on property described as:

Lot 1, Block 3, Chapel Hill Second Addition, Wichita, Sedgwick County, Kansas; and

Request for zone change from "SF-5" Single-Family Residential District to "TF-3" Two-Family Residential District on property described as:

Lots 5-13 and 19-26, Block 1; Lots 2-10, Block 2; and Lots 2-9, Block 3, Chapel Hill Second Addition, Wichita, Sedgwick County, Kansas.

Generally located on the north side of 13th Street North, east of Greenwich 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.

RECEIVED

JUN 17 2003

METROPOLITAN PLANNING
ROUTE _____

ADOPTED THIS 6th DAY OF May, 2003.

ATTEST:

for Patsy Ellis, Deputy
Pat Graves, City Clerk

Carlos Mayans
Carlos Mayans, Mayor

(SEAL)



Approved as to form.

Gary E. Rebenstorf
Gary E. Rebenstorf, City Attorney