

City of Wichita
City Commission Meeting
August 19, 1986

Agenda Report # _____

TO: Mayor and City Commissioners

SUBJECT: Z-2785 - REQUEST FOR ZONE CHANGE FROM "A" TWO-FAMILY DWELLING DISTRICT TO "R-5" GENERAL RESIDENCE, LOCATED ON THE NORTH SIDE OF 32ND STREET NORTH IN AN AREA EAST OF GOVERNEOUR, IF EXTENDED FROM THE SOUTH.
(Metropolitan Area Planning Commission)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Zoning

MAPC Recommendation: Approve (7-0 - 1 abstention)

Staff Recommendation: Approve

Background: On July 24, 1986, the MAPC held a public hearing to consider a zone change from "A" to "R-5" for the Townhouses of Greenbrook development located on the north side of 32nd Street North in an area east of Gouverneour, if extended from the south. As a result of the recent deletion of DP-113, the Planning Commission has initiated a zone change on the portion of the Townhomes of Greenbrook plat which is developed with townhomes. The balance of this platted lot is undeveloped, under separate ownership, and has recently been approved for "R-5" zoning. When regulated by the provisions of DP-113, this property (a portion of Parcel 8) was designated for townhomes at a permissible density of 12 dwelling units per acre. It has been developed at 10.5 du/acre. The first zoning district to permit this density with multiple structures on one lot is the "R-5" district which has a maximum density of 17.4 du/acre. No one spoke in opposition to the zone change. The Planning Commission unanimously recommended approval.

CPO Council "I" voted 7-0 to recommend approval of the request.

Analysis: Property to the north and west is zoned "AA", unplatted, and recently approved for "R-5". Property to the east is "A" but also approved for "R-5". To the south are single-family homes in "AA" zoning. With the deletion of DP-113, which permitted townhomes on this property in the "A" district, the development would be legal but nonconforming. To provide for its conformity, "R-5" zoning is needed.

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 zone change.

- Actions:
1. Concur with the findings of the MAPC and approve the zone change; place the ordinance establishing the zone change on first reading; or
 2. Return the application to the MAPC for reconsideration stating reasons.

Attachments: Area map
7-24-86 MAPC Minutes
- CPO Memorandum

(2642) Published in The Daily Record on August 29, 1986

ORDINANCE NO. 39-656

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-2785

Zone Change from the "A" Two-Family Dwelling District to the "R-5" General Residence District

A part of Lot 1, Block 1, Townhomes of Greenbrook, an addition to Wichita, Sedgwick County, Kansas, more specifically described as:

Beginning at the southwest corner of Townhomes of Greenbrook, an addition to Wichita, Sedgwick County, Kansas; thence N0°58'40"W, 336.66 feet; thence N53°40'42"E, 293.88 feet; thence S36°19'18"E, 307.83 feet; thence N89°04'12"E, 110.00 feet; thence S0°55'48"E, 225.00 feet to the south line of said addition; thence S89°04'12"W, 268.00 feet to the beginning of a curve to the left having a radius of 681.64 feet, a central angle of 11°28' 48", and a long chord bearing S83°19'48"W, 136.35 feet; thence along said curve an arc length of 136.58 feet; thence S77°35'24"W, 27.24 feet to the beginning of a curve to the right having a radius of 620.44 feet, a central angle of 9°03'13" and a long chord bearing S82°07'01"W, 97.94 feet to the point of beginning. Generally located on the north side of 32nd Street North in an area east of Gouverneur, if extended from the south.

SECTION 2. That upon the taking effect of the Ordinance, the above zoning changes shall be entered and shown on the 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

(SEAL)

Approved as to form City Attorney