

City of Wichita
City Council Meeting
October 13, 1998

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: SCZ-0767 - UNITED METHODIST CHURCH BOARD OF TRUSTEES, CHAPEL HILL (OWNER) AND PEC C/O ROB HARTMAN (AGENT) REQUEST ZONE CHANGE FROM "SF-6" SINGLE-FAMILY TO "TF-3" TWO-FAMILY DISTRICT, LOCATED NORTH OF 13TH STREET NORTH AND WEST OF K-96. (DISTRICT #2)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to platting within 1 year (9-0).

Staff Recommendation: Approve, subject to platting within 1 year.

CPO Recommendation: Approve, subject to MAPC staff recommendations (5-1).

Background: The applicant is requesting to rezone a piece of property from "SF-6" Single-family to the "TF-3" Two-family district. The application area (2.4 acres) is located north of 13th Street North and west of K-96. The applicant is proposing to construct duplexes on this piece of land as part of a larger church and residential use development. This area was annexed by the City of Wichita in July, and the zoning was automatically converted from "SF-20" to "SF-6" in the process.

The applicants currently own land which is abutted on the north by the railroad, to the east by K-96; to the south and the west are the proposed single-family homes which are part of this development. The applicants have submitted a sketch plat which shows a church (26.9 acres) located just north of 13th Street North. Farther to the north is located a proposed ballfield and a lake. Single-family homes (47 lots and 11.1 acres) are proposed to the north and west of the lake, while the duplexes (6 lots) will be located just east of these single-family homes adjacent to K-96.

The applicant has stated that a developer will develop these single-family homes and duplexes, and then most of the homes will be sold to members of the church.

The proposed rezoning is approximately 3/4 mile northeast of Raytheon's recently extended runway, and is located within the County's Airport Hazard Zoning Ordinance. The Airport Hazard map depicts this area as an Area B location, which requires special review of developments over 75 feet in height to assure there is not an obstruction to air navigation. There is no zoning overlay established in this area to restrict uses or densities as there is for the runway approach areas near McConnell AFB. Raytheon's flight pattern tends to be easterly in order to avoid Jabara traffic, with some planes apparently flying directly over this property.

CPO 2 heard this case on August 10th and approved the request 5-1. The CPO member who voted against this request felt that there was short notice provided due to the recent annexation, and the case should be deferred and not rushed through.

At the September 10th MAPC hearing, the applicant's agent discussed the proposal. No members of the public were present to speak in opposition to the request. After limited discussion, the MAPC approved the request unanimously.

Recommendation:

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.

(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.)

STATE OF KANSAS)
County of Sedgwick) ss.

Letha Stephenson, being first
duly sworn, Deposes and says: That he/she is
Legal Manager of

THE DAILY REPORTER

a daily newspaper printed in the State of
Kansas, and published in and of general
circulation in Sedgwick County, Kansas, with
a general paid circulation on a daily basis in
Sedgwick County, Kansas, and that said
newspaper is not a trade, religious or fraternal
publication.

Said newspaper is a daily published Monday
through Friday, and has been so published
continuously and uninterrupted in said county
and state for a period of more than five years
prior to the first publication of said notice, and
has been admitted at the post office of Derby,
Kansas, in said county as second class matter.

That the attached notice is a true copy
thereof and was published in the regular and
entire issue of said newspaper for 1
consecutive week, the first publication
thereof being made as aforesaid on the
25th day of May, 1999,
with subsequent publications being made on
the following dates:

Letha M. Stephenson

Subscribed and sworn to before me this
26th day of May, 1999.

Brenda Mello
Notary Public

BRENDA MELLO
Notary Public - State of Kansas
My Appl. Expires 6/10/2000

Printer's fee \$ 52x.52-27.04

Additional copies \$ _____

CW99-639 (First Published in The Daily
Reporter, May 25, 1999)

ORDINANCE NO. 44-224

AN ORDINANCE CHANGING THE ZON-
ING 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 rec-
ommendation from the Planning Commis-
sion, and proper notice having been given
and hearing held as provided by law and
under authority and subject to the provi-
sions of The Wichita-Sedgwick County Uni-
fied Zoning Code, Section V-C, as adopted by
City of Wichita Code Sec 28.04.010, the zon-
ing classification or districts of the lands
legally described hereby are changed as fol-
lows:

Case No. SCZ-0767

Zone change request from "SF-6" Single-
Family District to "TF-3" Two-Family Dis-
trict, described as:

Lots 13 through 18, Block 1, Chapel Hill
Addition, Wichita, Sedgwick County,
Kansas. Generally located north of 13th
Street north and west of K-96 Highway.

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 refer-
ence, 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,
MARCH 23, 1999.

Bob Knight, Mayor
ATTEST: (Seal)
Pat Burnett, City Clerk
(My25)