

Planning Agenda Item # _____

City of Wichita
City Council Meeting
January 13, 1998

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: SCZ-0759 - BER, LLC C/O JAY RUSSELL (PROPERTY OWNER/ APPLICANT) AND BAUGHMAN CO., PA C/O TERRY SMYTHE (AGENT) REQUESTS REQUEST ZONE CHANGE FROM "SF-20" SINGLE-FAMILY RESIDENTIAL TO "TF-3" TWO-FAMILY RESIDENTIAL, LOCATED NORTH OF U.S. HIGHWAY 54, EAST OF 151ST STREET WEST.

(DISTRICT #5)

INITIATED BY: Metropolitan Area Planning Department

N. Kront

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to platting within 1 year (10-0-1).

CPO Recommendation: N/A

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

Background/Discussion: The applicant requests a zone change from "SF-20" Single-Family Residential to "TF-3" Two-Family Residential for approximately 10.6 acres currently being platted as part of the Auburn Hills 5th Addition, located east of 151st Street West and north of U.S. Highway 54. This acreage is part of a larger tract that the City Council voted to annex on December 9, 1997. The annexation (A 97-30) become effective on December 19, 1997, which is the reason the City Council is considering this zoning request.

The subject property is in a developing residential area, with the majority of the property zoned "SF-20" Single-Family Residential to the west, north and east. The site is currently used for agricultural purposes. There are several homes on large lots approximately ½ mile to the north, with a single-family subdivision (Tapestry Meadows Addition) located across 151st Street to the west on property zoned "SF-20". There is a mix of commercial ("LC"), residential ("SF-20" & "SF-6"), and agricultural ("SF-20") uses and zoning located adjacent to the south. To the southeast of the site is a school on property zoned "GC" General Commercial.

The approved plat (copy attached) shows the proposed duplex lots (Lots 1 through 26, Block D) forming the southern boundary of the subdivision and is served by Fivewood, a collector street, and two cul-de-sacs.

After limited discussion during the December 18, 1997 MAPC meeting, the commission voted (10-0-1) to approve the request subject to platting the property within one year, as recommended by staff. There have been no protest petitions filed for this case.

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.)

() Published in The Daily Reporter on _____

ORDINANCE NO. _____

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 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 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 City of Wichita Code Sec 28.04.010, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. SCZ- 0759

Zone change request from "SF-20" Single-Family Residential District to "TF-3" Two-Family Residential District on property described as:

Commencing at the southwest corner of the Southwest Quarter of Section 26, Township 276 South, Range 2 West of the 6th P.M., Sedgwick County, Kansas; thence North 00 Degrees 9' 44" East along the west line of said Southwest Quarter, 493 feet for a point of beginning; thence North 89 Degrees 37' 18" East parallel with the north line of U.S. Highway 54 as condemned in District Court Case No. A-38302, 486 feet; thence South 00 Degrees 9' 44" West parallel with the west line of said Southwest Quarter, 110 feet; thence North 89 Degrees 37' 18" East parallel with the north line of said U.S. Highway 54, 264 feet; thence South 00 Degrees 9' 44" West parallel with the West line of said Southwest Quarter, 543.25 feet; thence South 89 Degrees 55' 3" East parallel with the south line of said Southwest Quarter, 629.70 feet to a point 3 feet west of the northwest corner of Lot 1, Block 1, Fawnwood Addition, Sedgwick County, Kansas; thence North 00 Degrees 39' 57" East, 10 feet to the P.C. of a curve to the right; thence northeasterly along said curve, having a central angle of 50 Degrees 58' 17" and a radius of 100 feet, an arc distance of 88.96 feet, (having a chord length of 86.06 feet bearing North 26 Degrees 9' 6" East), to the P.T. of said curve; thence North 89 Degrees 55' 3" West, 384.61 feet; thence South 24 Degrees 23' 36" West, 147.70 feet to a point on a curve to the right; thence northwesterly along said curve, having a central angle of 28 Degrees 45' 23" and a radius of 175 feet, an arc distance of 88.29 feet (having a chord length of 87.36 feet bearing north 48 Degrees 14' 6" West), to the P.R.C. of a curve to the left; thence northwesterly along said curve, having a central angle of 15 Degrees 34' 44" and a radius of 175 feet, an arc distance of 47.58 feet, (having a chord length of 47.44 feet bearing North

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41 Degrees 34' 17" West), to the end of said curve; thence North 40 Degrees 38' 21" East, 3 feet to the P.C. of a curve to the left; thence northwesterly and westerly along said curve, having a central angle of 41 Degrees 1' 4" and a radius of 178 feet, an arc distance of 127.43 feet (having a chord length of 124.73 feet bearing North 69 Degrees 52' 10" West), to the P.C. of a curve to the right; thence westerly and northwesterly along said curve, having a central angle of 46 Degrees 4' 44" and a radius of 190 feet, an arc distance of 152.80 feet, (having a chord length of 148.72 feet bearing North 67 Degrees 20' 20" West), to the P.T. of said curve; thence North 44 Degrees 17' 58" West, 162.47 feet to the P.C. of a curve to the right; thence northwesterly and northerly along said curve, having a central angle of 44 Degrees 27' 42" and a radius of 207.04 feet an arc distance of 160.67 feet (having a chord length of 156.67 feet bearing North 22 Degrees 4' 7" West), to the P.T. of said curve; thence North 00 Degrees 9' 44" East, 173.52 feet; thence North 89 Degrees 50' 165" West, 207 feet to a point on the west line of said Southwest Quarter; thence South 00 Degrees 9' 44" West along the west line of said Southwest Quarter, 644.52 feet to the point of beginning. Generally located north of Highway 54, east of 151st Street West.

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.

ADOPTED AT WICHITA, KANSAS, _____

ATTEST:

Pat Burnett, City Clerk

Bob Knight, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney