Agenda Item #_____

City of Wichita
City Council Meeting
**December 11, 2001**

Agenda Report #_____

**TO:** Mayor and City Council Members

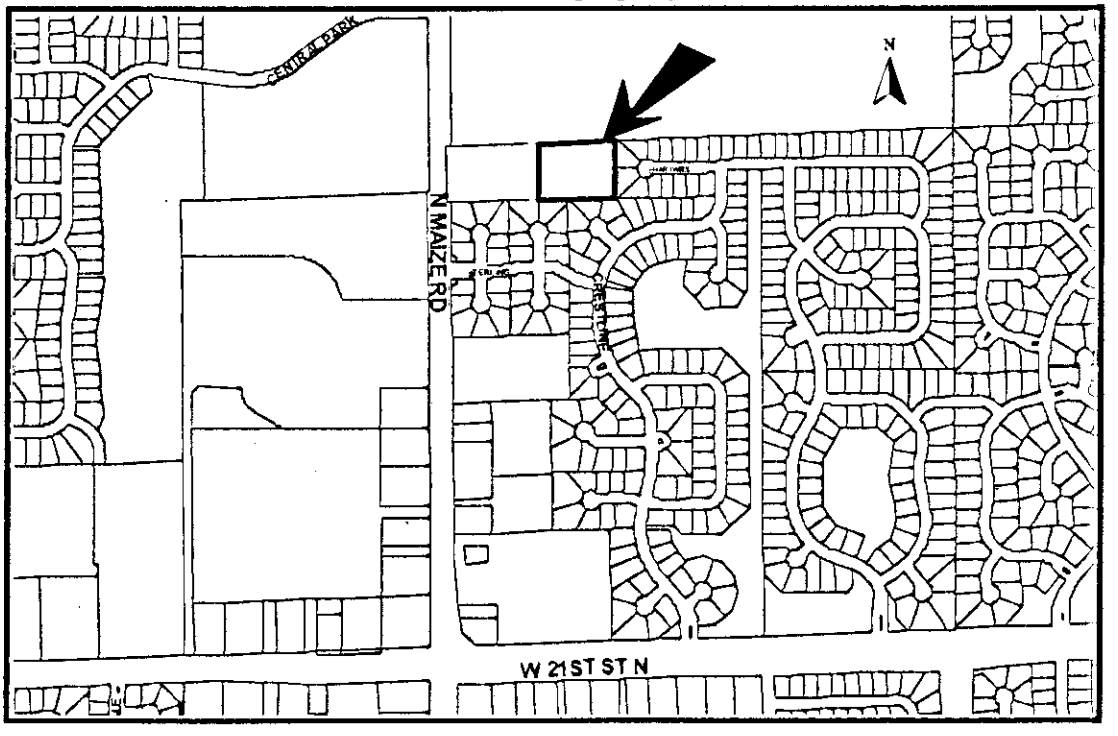
**SUBJECT:** **ZON2001-00062 – Zone change from "SF-5" Single-Family Residential to "NO" Neighborhood Office. Generally located on the east side of Maize Road, ½ mile north of 21st Street North.**
(District #V)

**INITIATED BY:** Metropolitan Area Planning Department

**AGENDA ACTION:** Planning

**MAPC Recommendation:** Approve, subject to staff comments (11-0).

**Staff Recommendation:** Approve, subject to platting within one year and a protective overlay requiring a masonry screen wall on the south and east property lines.



**BACKGROUND:** The application area consists of a 2.6-acre, unplatted parcel on the east side of Maize Road, ½ mile north of 21st Street North. The undeveloped property is currently zoned "SF-5" Single-Family. The owner/applicant also owns the abutting parcel to the west, recently rezoned to "NR" Neighborhood Retail, and "GO" General Office with a protective overlay requiring a masonry screen wall on the south property line. The applicant requests "NO" Neighborhood Office zoning for the application area.

The application area abuts "SF-5" zoned property to the north, east, and south, all developed with single-family residences. Across Maize Road, to the west of the application area, is the New Market Square CUP; New Market Square is developed on property zoned "LC" Limited Commercial, and "GO" General Office. To the north of the application area sits the Cadillac Lake floodplain area.

The proposed zone change, from "SF-5" to "NO," would require platting, and conformance to all property development standards in the Unified Zoning Code, including compatibility setbacks, screening and landscaping. As the application area sits just south of a floodplain area, drainage would have to be addressed at the time of platting. Neighbors south of the application area have complained of flooding at this location.

This zone change request was heard by the MAPC on November 8th, 2001. The MAPC voted 11-0 to approve the zone change request subject to staff comments; no opposition was presented at the hearing. No protests to the zone change request have been filed.

**Recommended Action:**

1. Concur with the findings of the MAPC and approve the zone change, subject to platting within one year and the recommended provisions of a Protective Overlay District; place reading of the ordinance on first reading when the plat is forwarded to Council.

2. Return the application to the MAPC for reconsideration.

   (An override of the Planning Commission's recommendation requires a 2/3 majority vote of the membership of the governing body on the first hearing.)

(150004) First Republished in the Wichita Eagle on July 27, 2002
Corrected and Republished on February 10, 2005

CORRECTED ORDINANCE NO. 45-336

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:

Zoning Case No. ZON 2001-47

Zone change request from "SF-5" Single-Family Residential District to "NR" Neighborhood Retail District and to "PO" Protective Overlay District #111, on property described as:

Lot 1 and Reserve B, Chadsworth Plaza Addition, Wichita, Sedgwick County, Kansas;

Zone change request from "SF-5" Single-Family Residential District to "GO" General Office District and to "PO" Protective Overlay District #111, on property described as:

Lot 2, Chadsworth Plaza Addition, Wichita, Sedgwick County, Kansas; and

Zoning Case No. ZON 2001-62

Zone change request from "SF-5" Single-Family Residential District to "NO" Neighborhood Office District and to "PO" Protective Overlay District #111, on property, described as:

Lots 3 and 4, Chadsworth Plaza Addition, Wichita, Sedgwick County, Kansas.

Generally located north of 21st Street North, on the east side of Maize Road.

**SUBJECT TO THE FOLLOWING PROTECTIVE OVERLAY RESTRICTIONS:**

1. Construction of a masonry-screening wall along the south and east property line of the application area; and

2. Platting within one year.

**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 THIS 18TH DAY OF JUNE, 2002.**

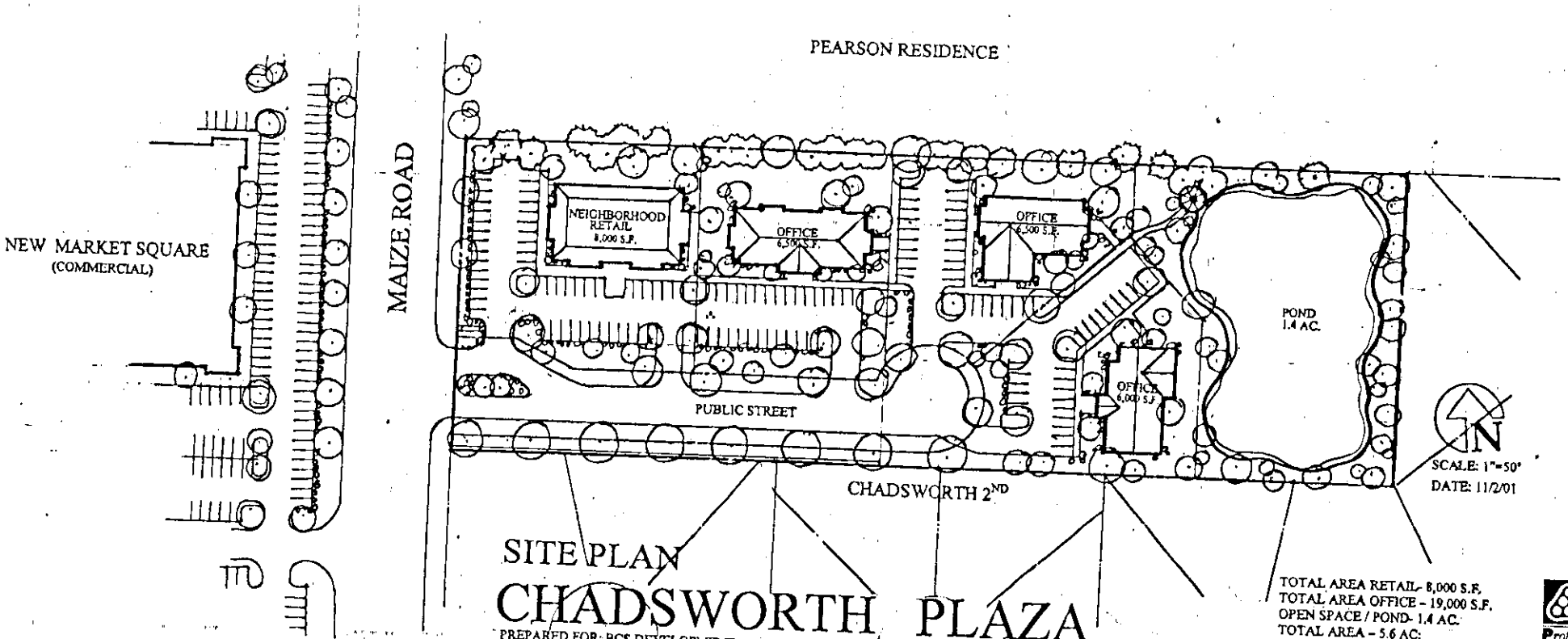
**ATTEST:**

Karen Sublett, City Clerk

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney

Carlos Mayans, Mayor

RE: AGENDA ITEM NO. 10