

Agenda Item # _____

City of Wichita
City Council Meeting
September 18, 2001

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: ZON2001-00047 – Zone change from “SF-5” Single-Family Residential to “NR” Neighborhood Retail and “GO” General 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 (10-0).

Staff Recommendation: Denied.

DAB Recommendation: Will hear on September 10, 2001.

BACKGROUND: The application area consists of a 3-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 “SF-5” zoned parcel to the east. The applicant is requesting “NR” Neighborhood Retail on the western 1.45 acres of the application area, and “GO” General Office on the eastern 1.55 acres of the application area. Please see the attached site plan.

The application area abuts “SF-5” zoned property to the north, east, and south. Across Maize Road and to the west of the application area is the New Market Square CUP, New Market 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 “NR” and “GO,” 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.

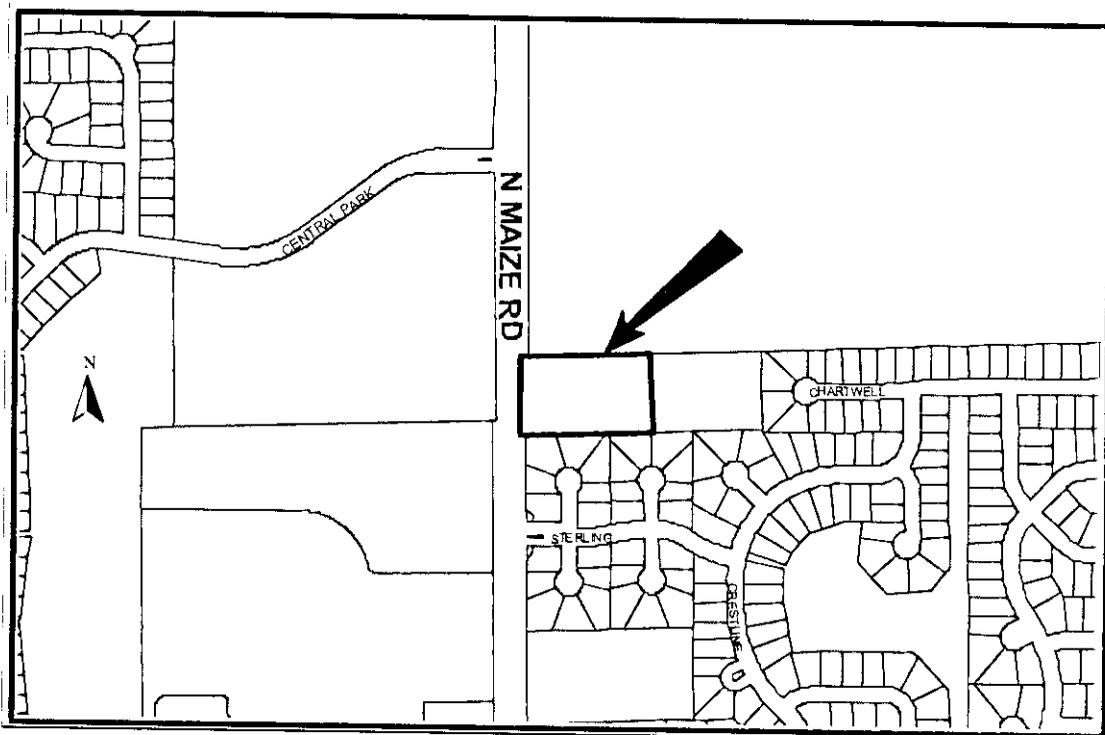
At the MAPC hearing on August 23rd, 2001, the applicant's agent spoke in support of the requested zone change. The Planning Staff received two letters from neighbors opposed to the requested zone change; these letters were distributed to the MAPC members. Several neighbors spoke at the hearing in opposition of the requested zone change. The opposing neighbors cited storm drainage problems from the application area bordering their properties, a change in neighborhood character, an increase in traffic in the area, and availability of office and retail zoned property across Maize in the New Market Square development. The MAPC voted (10-0) to approve the zone change request, subject to platting within one year and subject to the following Protective Overlay:

1. The property shall be developed with a masonry screen wall and landscaping along the south boundary of the application area.

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:

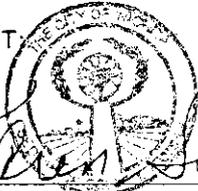
1. Construction of a masonry-screening wall along the south and east property line of the application area; and
2. Platting within one year.

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

Karen Sublett, City Clerk

Carlos Mayans

Carlos Mayans, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf

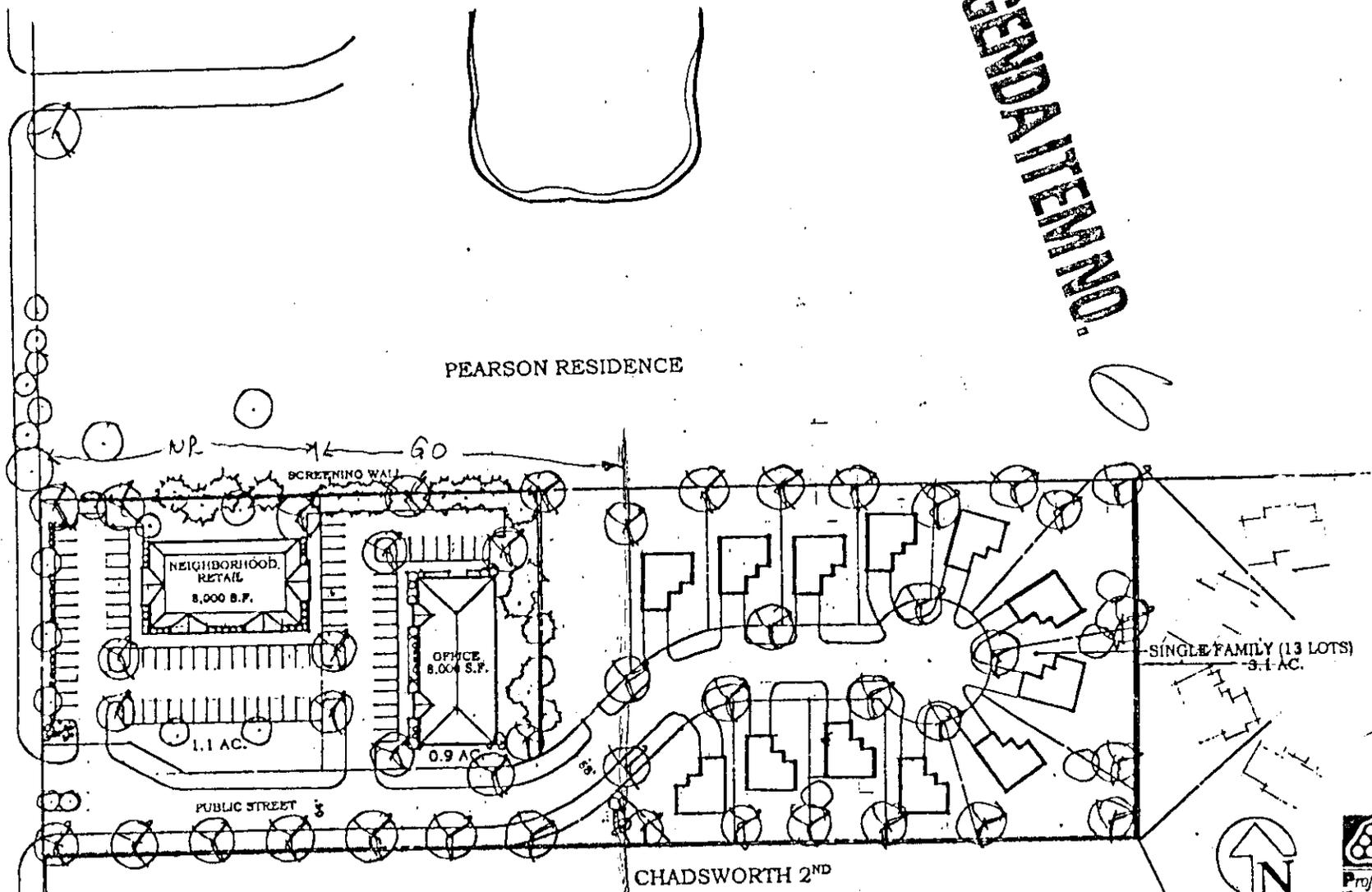
Gary E. Rebenstorf, City Attorney

RE: AGENDA ITEM NO. 6

NEW MARKET SQUARE
(LIGHT COMMERCIAL)

MAIZE ROAD

PEARSON RESIDENCE



SITE PLAN BCS PROPERTY

SINGLE FAMILY (13 LOTS)
3.1 AC.

TOTAL AREA- 5.6 AC.

DATE: JULY 3, 2001



Professional
Engineering
Consultants