

ORDINANCE NO. 47-864

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 SECTION 28.04.010, AS AMENDED.

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 Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON 2008-04

Zone change request from "SF-5" Single-family Residential District to "NO" Neighborhood Office District for property described as:

Lot 1, Block 1, Foliage Center Second Addition, Wichita, Sedgwick County, Kansas.

Generally located north of 13th Street North and on the west side of Webb Road.

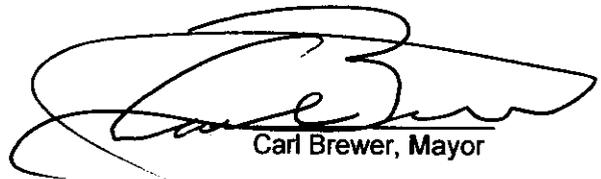
SECTION 2. That upon the taking effect of this Ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita-Sedgwick County Unified Zoning Code as amended.

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 1 day of April, 2008.

ATTEST:


Karen Sublett, City Clerk


Carl Brewer, Mayor



Approved as to form:


Gary E. Rebenstorf, Director of Law

City of Wichita
City Council Meeting
March 25, 2008

Agenda Report No. _____

TO: Mayor and City Council

SUBJECT: ZON2008-04 – Zone change from “SF-5” Single-family Residential to “NO” Neighborhood Office; generally located west of Webb Rd. and 700 feet north of 13th Street. (District II)

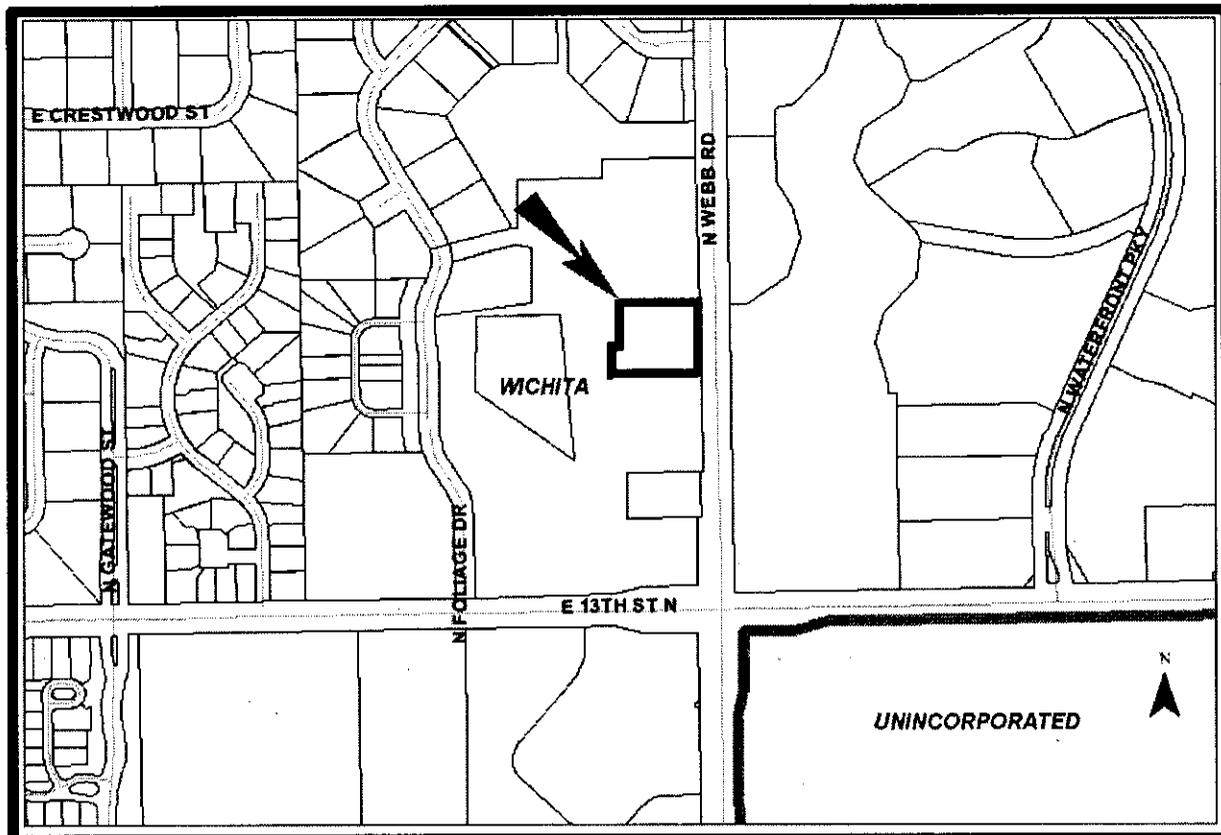
INITIATED BY: Metropolitan Area Planning Department *JLS*

AGENDA: Planning (Consent)

MAPC Recommendations: Approve, subject to platting (12-0).

MAPD Staff Recommendations: Approve subject to platting within one year.

DAB Recommendations: NA, DAB II did not hear this request.



Background: The "SF-5" Single-family Residential zoned application area is undeveloped property along Webb Rd., 700 feet north of 13th Street. The applicant wishes to develop the site with office uses and has requested a zone change to "NO" Neighborhood Office.

Surrounding property north and west of the site is under the same ownership as the application area and is undeveloped SF-5 land. Further west of the site is an SF-5 zoned single-family neighborhood. East of the site is the LI Limited Industrial zoned Waterfront development. South of the site is property approved for LC Limited Commercial zoning and the Foliage Commercial CUP, subject to platting. The Foliage Commercial project and the application area are currently in the platting process. The application area plat indicates one access point along the north property line, cross lot access with the CUP to the south, and a wall easement on the north and west property lines, continuing the required wall easement for the CUP to the south.

Analysis: MAPC heard this request on February 21, 2008 and approved, subject to staff recommendations (12-0). One neighboring property owner spoke with questions about access to property west of the site.

Financial Considerations: None.

Goal Impact: Promote Economic Vitality.

Legal Considerations: The ordinance has been reviewed and approved as to form by the Law Department.

Recommendation/Actions:

1. Adopt the findings of the MAPC and approve the zone change subject to platting within one year; withhold publication of the ordinance until the plat is recorded; or
2. Return the application to the MAPC for reconsideration.

(An override of the Planning Commission's recommendation requires a two-thirds majority vote of the City Council on the first hearing.)