(OCA 150004) PUBLISHED IN THE WICHITA EAGLE ON 10-28-16

ORDINANCE NO. 47-353

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. ZON2005-00056

Zone change request from SF-5 Single-family Residential (SF-5) to LI Limited Industrial (LI) on property generally north of MacArthur Road and west of I-135; described as:

Lot 1, Block A, Price Transportation Addition, Wichita, Sedgwick County, Kansas. Generally located north of MacArthur and west of I-235.

SECTION 2. That upon the taking effect of this ordinance, the above zoning change 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 13th day of February, 2007.

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

Approved as to form:

Jennifer Magana, City Attorney and Director of Law

WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 8

STAFF REPORT

MAPC January 19, 2006

CASE NUMBER: ZON2005-00056

APPLICANT/AGENT: Price Transportation, Inc. c/o Ed Toon (owner); Baughman Company, PA c/o Terry Smythe (agent)

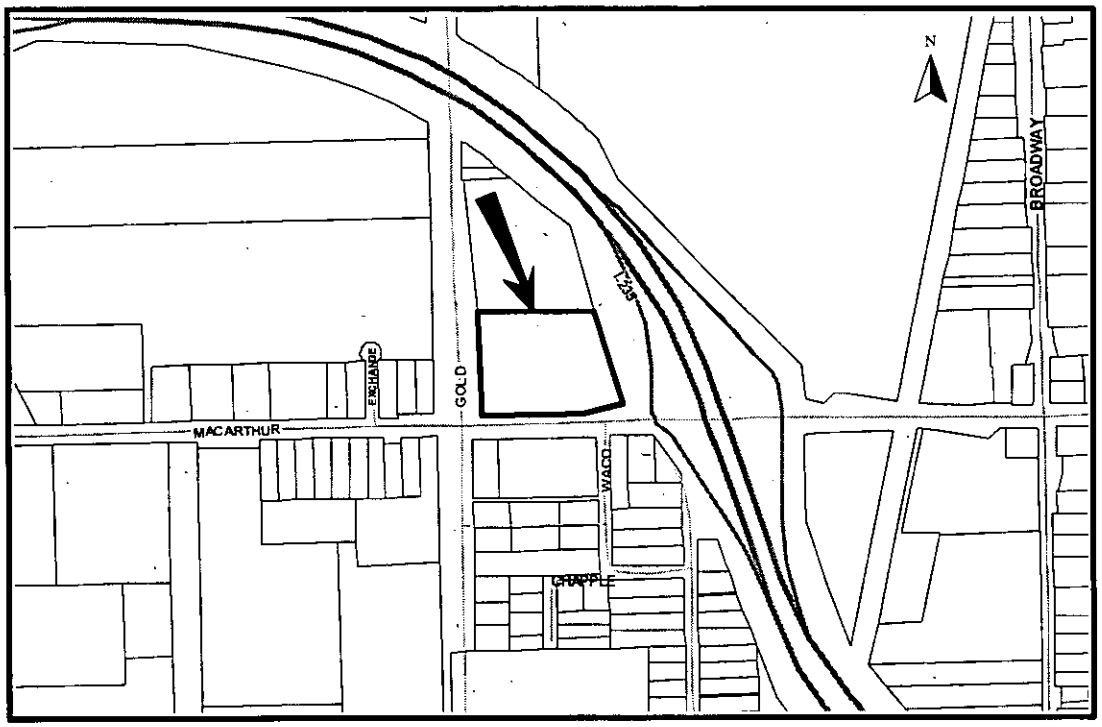
REQUEST: Zone change to "LI" Limited Industrial

CURRENT ZONING: "SF-5" Single-family Residential

SITE SIZE: 6.4 acres

LOCATION: North of MacArthur Road and east of Gold Street

PROPOSED USE: Freight terminal



BACKGROUND: The applicant requests a zone change from "SF-5" Single-Family Residential to "LI" Limited Industrial on a 6.4-acre unplatted tract located north of MacArthur Road and on the east side of Gold Street. The subject property is currently undeveloped. The applicant proposes to develop the property with an expansion of their adjacent trucking company, located to the north of the subject property.

The surrounding area is characterized by a mix of residential, commercial and industrial uses. The applicant's existing trucking business is immediately north of the subject property and is zoned "LI" Limited Industrial. Across Gold, several single-family residences zoned "SF-5" front on MacArthur. Immediately north of those residences is a large manufactured home park zoned "MH" Manufactured Housing. Further north on Gold, immediately north of the existing trucking business, is another single-family residence zoned "SF-5". The properties to the south across MacArthur are zoned "GC" General Commercial and developed with warehouse, self-service, a car wash, and a few single-family residences. Immediately east of the subject property is I-235. A large cement operation is located east of I-235.

CASE HISTORY: The subject property is unplatted.

ADJACENT ZONING AND LAND USE:

NORTH:	"LI"	Freight terminal
SOUTH:	"GC"	Car wash; warehouse, self-service; single-family
EAST:	ROW; "LI"	Freeway right-of-way; cement plant
WEST:	"SF-5" & "MH"	Single-family and manufactured home park

PUBLIC SERVICES: The subject property has frontage along MacArthur, a four-lane arterial with 105 feet of right-of-way and 2003 average daily traffic count of approximately 10,000. There is also frontage along Gold Street, a collector with 209 feet of right-of-way. The wide right-of-way originated from historic plans for the Midland Valley Railroad and extension of McLean Blvd. The site currently has no platted access points to either MacArthur or Gold. Access to the site shall be 400 feet west of the I-235 ramp; this will be addressed at platting. Public water and sewer service are currently available to the subject property. Other normal public services are available.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies this area as appropriate for "Employment/Industrial" development. The Industrial Locational Guidelines of the Comprehensive Plan recommend that industrial uses be located in close proximity to support services such as major arterials, truck routes, highways, utilities trunk lines, rail spurs, and airports. Furthermore, development of the subject property would allow direct access to MacArthur for the applicant's existing freight terminal, rather than putting additional industrial traffic onto Gold. Therefore, this application request is consistent with adopted plans/policies.

RECOMMENDATION: Based upon the information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to platting within one year.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The surrounding area is characterized primarily by a mix of residential, commercial and industrial uses. The properties across Gold Street are developed with single-family and manufactured home residential uses, but this area has been identified as appropriate for industrial uses in the City-County land use guide, and the properties along MacArthur have slowly converted from residential to commercial and industrial uses. The property immediately north of the subject property is zoned "LI" Limited Industrial, as are large tracts of land across I-235. The proposed "LI" Limited Industrial zoning is compatible with the zoning, uses, and character of the neighborhood.

2. The suitability of the subject property for the uses to which it has been restricted: The subject property is zoned "SF-5" Single-Family Residential, and is unplatted and undeveloped. Given the guidance provided by the land use guide that this area should be developed with industrial uses, further residential development of the subject property would not be suitable and would be contrary to the community's goal of converting the area from residential to industrial use.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Detrimental affects on remaining residential properties in the area should be minimized by the screening, lighting, and compatibility standards of the Unified Zoning Code and by the requirements of the Landscape Ordinance.

4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The Land Use Guide of the Comprehensive Plan identifies this area as appropriate for "Employment/Industrial" development. The Industrial Locational Guidelines of the Comprehensive Plan recommend that industrial uses be located in close proximity to support services such as major arterials, truck routes, highways, utilities trunk lines, rail spurs, and airports. Therefore, the proposed zoning is consistent with the Comprehensive Plan.

5. Impact of the proposed development on community facilities: The proposed development would create additional traffic impact on MacArthur Road. This concern will be addressed at platting. Otherwise, there should be no detrimental impact upon community facilities.