OCA 150004 PUBLISHED IN THE WICHITA EAGLE ON 9/21/18

ORDINANCE NO. 50-851

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. ZON2018-00027

City zone change from SF-5 Single-Family Residential to GC General Commercial zoning described as:

That portion of the Southwest Quarter of Section 9, Township 28 South, Range 1 East of the 6th P.M.,Sedgwick County, Kansas, being described as follows: Commencing at the Southwest corner of said Southwest Quarter; thence on the South line of said Southwest Quarter N 88°55'41" E 886.79 feet; thence N 01°04'19" W 65.00 feet to the Southeast corner of a parcel of land described in Doc.#/Flm-Pg: 28937242; thence on the East line of said parcel of land, N 01°07'03" W 215.09 feet to the point of beginning; thence parallel with said South line S88°55'41" W 103.07 feet to the West line of said parcel of land; thence on said West line, N 01°31'05" W 369.98 feet to the Northwest corner of said parcel of land; thence on the north line of said parcel on land N 88°55'41" E 105.66 feet to the Northeast Corner of said Parcel of land; thence on said East line of said parcel of land S 01°07'03" E 369.96 feet to the point of beginning.

Subject to the following provisions of protective overlay district #21 as follows:

1. Outdoor storage, except for the outside display of operable vehicles for sale, shall be prohibited.

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.

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

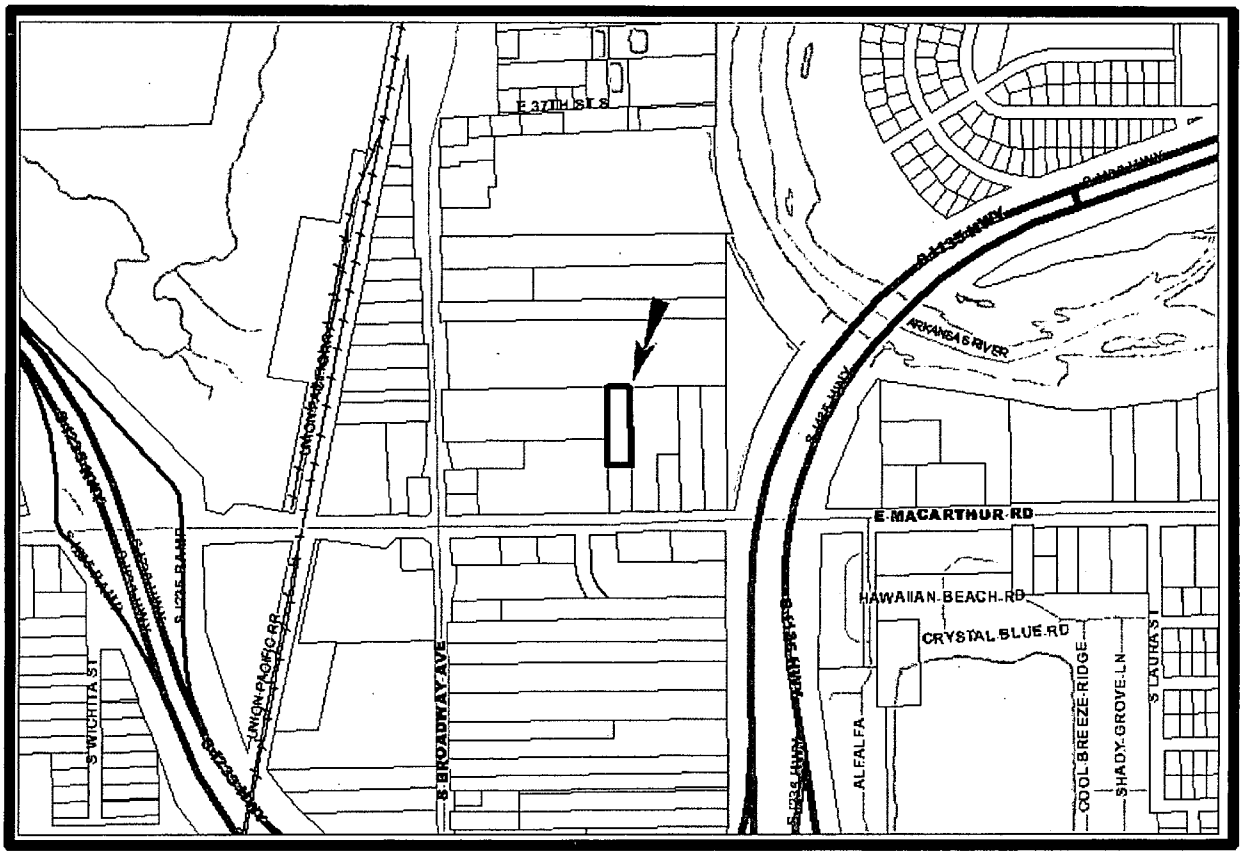
Approved as to form:
Jennifer Magaña, City Attorney and Director of Law

WICHITA–SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 5

STAFF REPORT
MAPC August 9, 2018
DAB III August 1, 2018

CASE NUMBER:	ZON2018-00027
APPLICANT/AGENT:	Jim Barnum (owner/applicant)/Kaw Valley Engineering, Levi Bond (agent)
REQUEST:	Zone Change from SF-5 Single Family Residential to GC General Commercial
CURRENT ZONING:	SF-5 Single-family Residential
SITE SIZE:	0.9 acre
LOCATION:	Generally located north of MacArthur Road, 750 feet east of South Broadway Avenue
PROPOSED USE:	Expansion of existing self-storage business



BACKGROUND: The applicant is requesting a zone change from SF-5 Single-family Residential ("SF-5") to GC General Commercial ("GC"). The applicant currently owns the warehouse/self-storage facility to the east of the subject property and wants to expand his warehouse/self-service storage business to the subject property. The existing warehouse/self-storage facility east of the subject site was rezoned and platted in 1998 with a protective overlay that prohibits outdoor storage, except for the outside display of operable vehicles for sale (P.O. #21).

The Unified Zoning Code (UZC) definition of "Warehouse, Self-Service Storage" means an enclosed storage facility of a commercial nature containing independent, fully enclosed bays that are leased to persons exclusively for dead storage of their household goods or personal property.

The surrounding area is zoned LI Limited Industrial, which is developed with wrecking/salvage to the north and west, SF-5 Single-Family Residential zoning to the south developed with single family dwelling, and GC General Commercial zoning to the east, which is developed with warehouse/self-service storage. A salvage and recycle center is located on the south side of MacArthur and is zoned GC and LI.

CASE HISTORY: The site is not platted. According to the historic aerial photographs dating to 1938, the subject site was used as agricultural land or has remained unimproved to present day. The site will have to be platted prior to the issuance of any building permits.

ADJACENT ZONING AND LAND USE:

NORTH:	LI	Vehicle wrecking and salvage yard
SOUTH:	SF-5	Single-Family dwelling
EAST:	GC	Warehouse/Self-Storage Facility
WEST:	LI, SF-5	Vehicle wrecking and salvage yard, vacant land

PUBLIC SERVICES: The subject property, by itself, is land-locked, but has access to East MacArthur Road through the existing self-storage development to the east. East MacArthur Road is a 4-lane arterial with dedicated left turn access lanes. All utilities are available to the subject site.

CONFORMANCE TO PLANS/POLICIES: The "2035 Wichita Future Growth Concept Map" of the Community Investments Plan identifies this location as appropriate for "new employment" development. The map identifies areas that will likely be developed or redeveloped by 2035 with uses that constitute centers or concentrations of employment in manufacturing, warehousing, distribution, construction, research, and technology are located in close proximity to highways and airports and may have rail service.

RECOMMENDATION: Based upon information available prior to the public hearing, planning staff recommends that the requested GC zoning be **APPROVED**, subject to the following conditions:

1. The site shall be platted prior to issuance of any building permits.

2. P.O. #21 shall be expanded to include the subject property.

3. The site shall be developed in accordance to an approved site plan, which shall be submitted for approval by the Planning Director within 60 days of approval of the Conditional Use.

4. The subject property shall have a privacy fence along property lines adjacent to SF-5 zoned property. The metal panel fence shall be a single color and shall be white, gray, tan or similar non-bright color.

5. The applicant shall maintain at all times an active program for the eradication and control of rodents.

6. Any locking devices on entrance gates shall meet Fire Department requirements. Access to and within the warehouse/self-storage facility shall be provided by fire lanes per the direction and approval of the Fire Department.

7. If the Zoning Administrator finds that there is a violation of any of the conditions of the re-zoning, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the zone change null and void.

The staff's recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The surrounding area is zoned LI Limited Industrial, which is developed with wrecking/salvage to the north and west, SF-5 Single-Family Residential zoning to the south developed with single family dwelling, and GC General Commercial zoning to the east, which is developed with warehouse/self-service storage. A salvage and recycle center is located on the south side of MacArthur and is zoned GC and LI.

2. The suitability of the subject property for the uses to which it has been restricted: Being land-locked and restricted to single family zoning, coupled with the nature of uses in the neighborhood, the subject property is not conducive for single family development. The subject property does not abut an arterial or expressway; and is located adjacent to an existing warehouse/self-storage facility and wrecking/salvage yard, which makes this rezoning a reasonable action.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Detrimental affects on nearby property should be minimized by the recommended conditions of approval.

4. Conformance of the requested change to adopted or recognized Plans/Policies: The "2035 Wichita Future Growth Concept Map" of the Community Investments Plan identifies this location as appropriate for "new employment" development. The map identifies areas that will likely be developed or redeveloped by 2035 with uses that constitute centers or concentrations of employment in manufacturing, warehousing, distribution, construction, research, and technology are located in close proximity to highways and airports and may have rail service.

5. Impact of the proposed development on community facilities: All utilities are available to the site. The use of this property should have limited impact on community facilities.