

Published in The Wichita Eagle on Oct. 5, 2018

ORDINANCE NO. 80-8664

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. ZON2014-00013

Zone change request from Single-Family Residential (SF-5) and Limited Commercial (LC) to Limited Industrial (LI) on property described as:

That part of Lot 1, Block 1, Mid-Continent Airport 6th Addition, to Wichita, Sedgwick County, Kansas lying in Sections 5 and 8, Township 28 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas; TOGETHER WITH the Mid-Continent Airport 8th Addition, Wichita, Sedgwick County, Kansas.

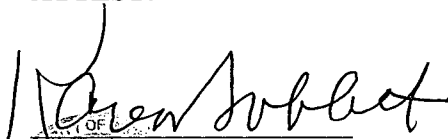
Generally located east of South Tyler Road, on the north side of West K-42 Highway.

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 2nd day of Oct., 2018.

ATTEST:

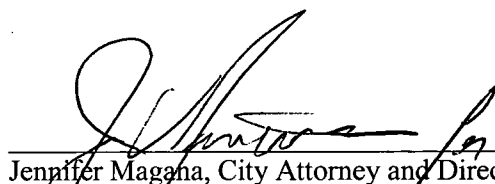


Karen Sublett, City Clerk




Jeff Longwell, Mayor

APPROVED AS TO FORM:



Jennifer Magana, City Attorney and Director of Law



AGENDA ITEM NO. 5

STAFF REPORT

MAPC July 24, 2014
DAB IV August 4, 2014

CASE NUMBER: ZON2014-13

APPLICANT/AGENT: Wichita Airport Authority c/o John Oswald, P.E. (owner); Baughman Company, P.A. c/o Russ Ewy (agent)

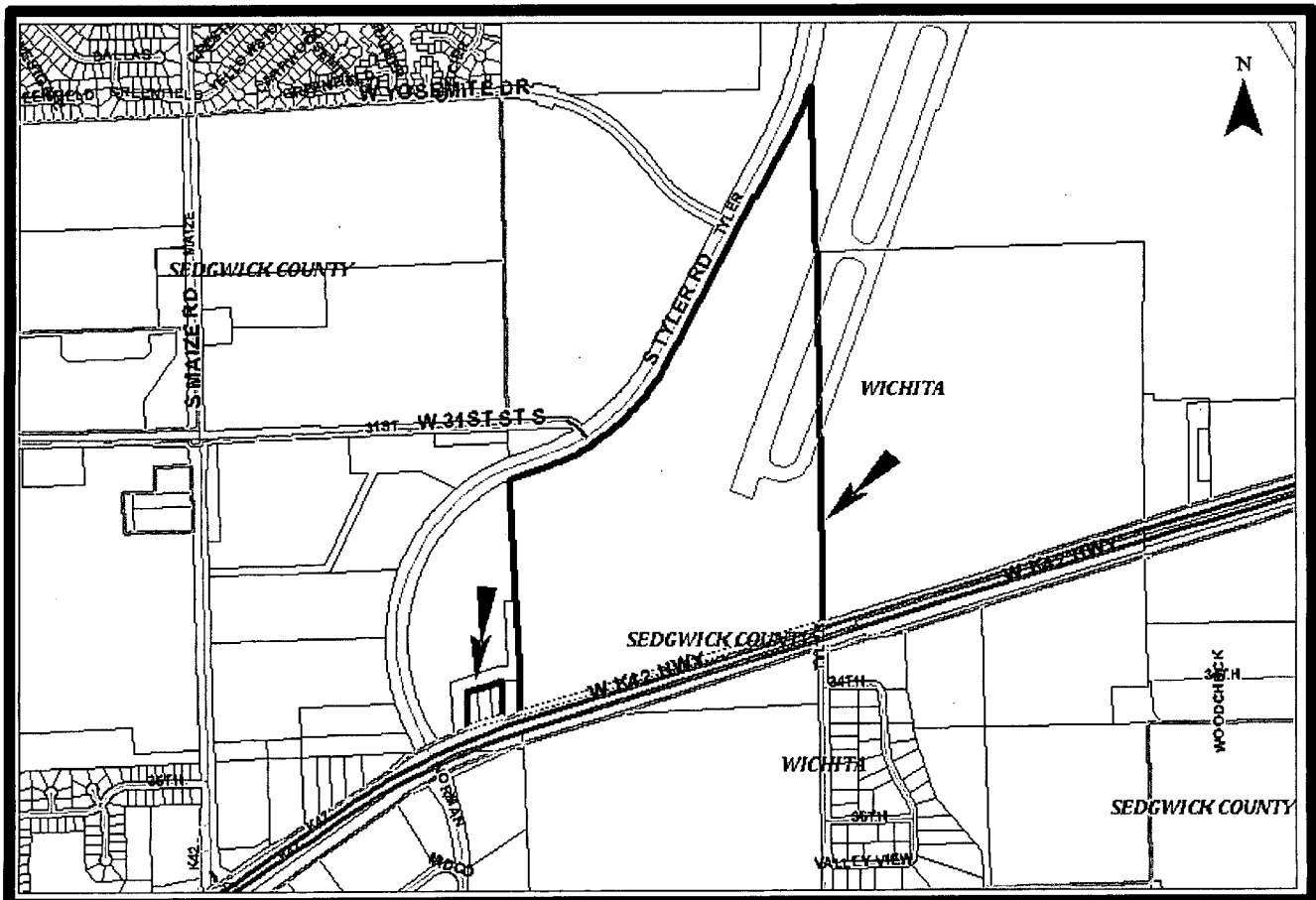
REQUEST: LI Limited Industrial (LI) zoning

CURRENT ZONING: SF-5 Single-family Residential (SF-5) and LC Limited Commercial (LC) zoning

SITE SIZE: 160 acres

LOCATION: Generally located east of South Tyler Road and north of the K42 Highway

PROPOSED USE: Make the subject property zoning consistent with the area



BACKGROUND: The 160-acre application area is currently zoned SF-5 Single-Family Residential (SF-5) with a small portion of LC Limited Commercial (LC) zoning, it is owned by the Wichita Airport Authority and is contiguous with the remainder of the LI Limited Industrial (LI) zoned airport property. The application area includes the far south end of the paved runway system, and is otherwise open space under the Airport Hazard Zone Area A with a 25-foot height restriction. The Airport Authority also owns all surrounding property, to include property south of K42, with the exception of one SF-5 zoned residence on the north side of K42 and surrounded by the application area. Under LI zoning, the Unified Zoning Code (UZC) would permit numerous uses not permitted under the current SF-5 zoning. However, the Airport Authority intends to continue the current use – open space surrounding the paved runway system. The majority of the site is platted; the three small parcels in the southwest corner of the application area are un-platted.

Property north of the site, across Tyler Road, is zoned SF-5 and is used for an open space park and Airport Authority owned open space. Property south of the site, across K42, is zoned SF-5 and is used as Airport Authority zoned open space. Property east and west of the site is zoned LI and is used as Airport Authority owned open space, with the exception of one SF-5 zoned .95-acre site developed with a single-family residence.

CASE HISTORY: The majority of the site was platted as Lot 1, Block 1 of the Mid Continent Airport 6th Addition in 2001; three parcels in the southwest corner of the site are un-platted.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Park, open space
SOUTH:	SF-5	K42, open space
EAST:	LI	Open space
WEST:	LI, SF-5	Open space, single-family residence

PUBLIC SERVICES: Tyler Road is a paved, two-lane arterial street at this location with a 180-foot right-of-way (ROW). K42 is a paved two lane highway at this location with additional turn lanes at the Tyler intersection, and a 150-foot ROW. All other public utilities are available.

CONFORMANCE TO PLANS/POLICIES: The 2030 *Wichita Functional Land Use Guide* of the Comprehensive Plan identifies the site as “major utility/transportation.” The major utility/transportation category encompasses utility and transportation facilities and includes a range of such uses as airports, landing strips, landfills, waste transfer stations, water treatment and sanitary sewer plant facilities.

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

This recommendation is based on the following findings:

- (1) **The zoning, uses and character of the neighborhood:** Property north of the site, across Tyler Road, is zoned SF-5 and is used for an open space park and Airport Authority owned open space. Property south of the site, across K42, is zoned SF-5 and is used as Airport Authority zoned open space. Property east and west of the site is zoned LI and is used as Airport Authority owned open space, with the exception of one SF-5 zoned .95-acre site developed with a single-family residence.
- (2) **The suitability of the subject property for the uses to which it has been restricted:** The site is currently zoned SF-5, is within the Airport Hazard Zone Area A, and is used as Airport Authority open space surrounding the paved runway system. The application area could not be developed with typical SF-5 uses.

- (3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** Because use of the property will not change as a result of the requested zone change, the one residence bordering the application area will not be impacted by the requested zone change.
- (4) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The *2030 Wichita Functional Land Use Guide* of the Comprehensive Plan identifies the site as “major utility/transportation.” The major utility/transportation category encompasses utility and transportation facilities and includes a range of such uses as airports, landing strips, landfills, waste transfer stations, water treatment and sanitary sewer plant facilities.
- (5) **Impact of the proposed development on community facilities:** The proposed zone change will not change the impact of this site on community facilities, and the use of this property will not change.



OWNERSHIP LIST EXHIBIT
WICHITA AIRPORT AUTHORITY ZONE CHANGE