OCA 150004

PUBLISHED IN THE WICHITA EAGLE ON Feb. 8, 2019

ORDINANCE NO. 50-919

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. ZON2018-00047

City zone change from SF-5 Single Family Residential to GO General Office District and described as follows:

The South 125.00 feet of Lot 22, EXCEPT the East 161.05 feet, AND EXCEPT that part described as beginning 7.00 feet South of the northwest corner of said Lot 22; thence S 00° 00' 00" W along the west line of said Lot 22, 30.50 feet; thence S 85° 07' 35" E a distance of 213.00 feet; thence S 65° 22' 00" E to a point on the west line of a parcel recorded in Film 530, Page 824, 27.36 feet more or less; thence N 00° 00' 00" E along said west line of a parcel recorded in Film 530, Page 824, 60.00 feet to a point 7.00 feet south of the north line of said Lot 22; thence S 90° 00' 00" W(Assumed) parallel with the north line of said Lot 22, a distance of 237.10 feet to the point of beginning, all in Stewart's Subdivision in NE1/4 of Section 25, Township 27 South, Range 1 West of the 6th P.M., Wichita (Sedgwick County), Kansas. (Generally located East of South Sheridan Avenue and North of East Kellogg Street).

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 5th day of Feb, 2019.

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

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

AGENDA ITEM NO. 6

WICHITA–SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

STAFF REPORT

MAPC December 20, 2018
DAB IV January 7, 2019

CASE NUMBER: ZON2018-00047

APPLICANT/AGENT: Sharp Edge LLC, Jenny Gordon (Owner) / Garver, USA – Will Clevenger (Agent)

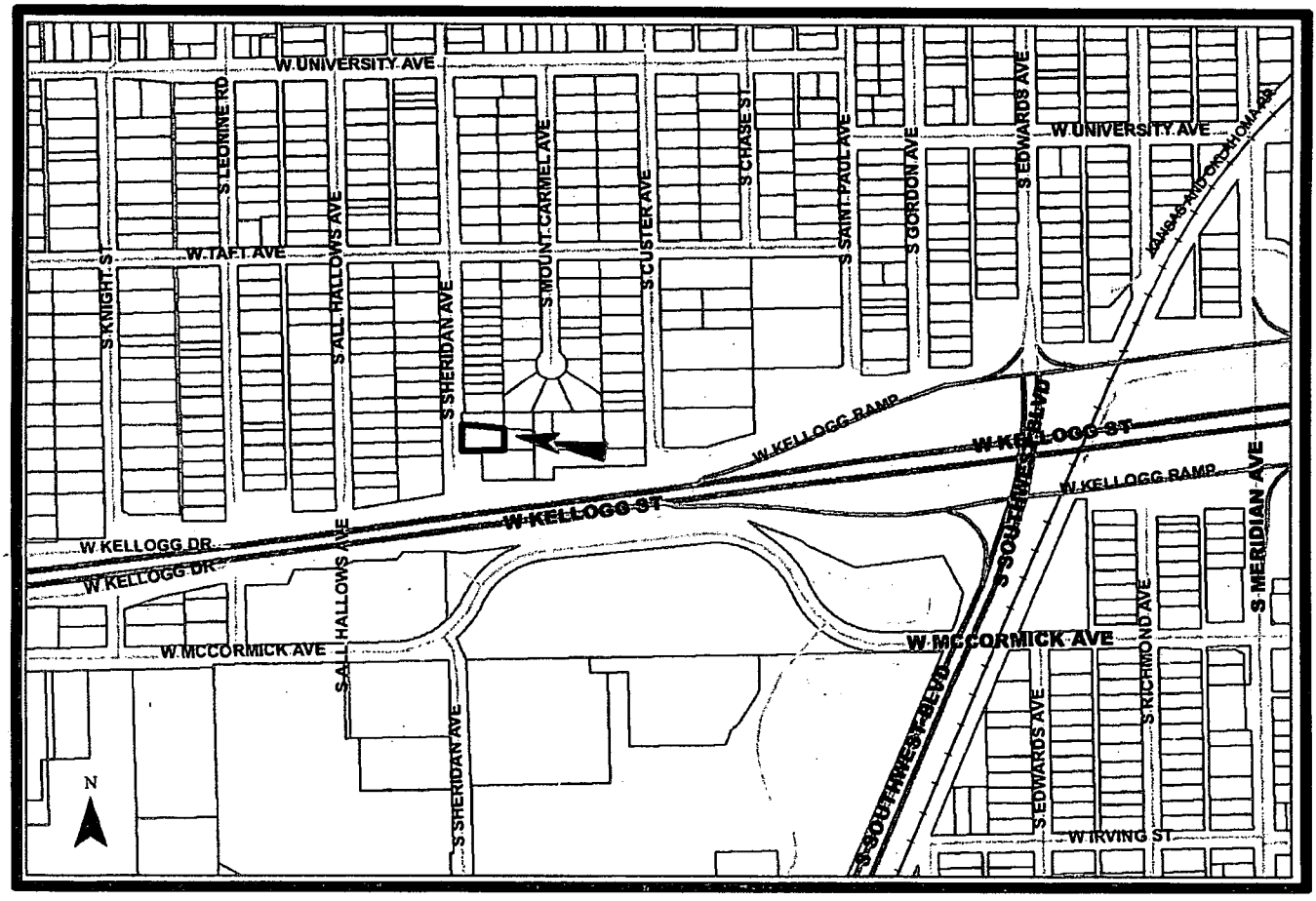
REQUEST: GO General Office

CURRENT ZONING: SF-5 Single-Family Residential

SITE SIZE: 0.29 acres

LOCATION: Located on the east side of south Sheridan Avenue, south of West Taft Avenue, and approximately one quarter mile west of South Edward Avenue

PROPOSED USE: Future general office development



BACKGROUND: The applicant is requesting the rezoning of the subject property, which is part of the vacant parcels of land on the east side of Sheridan Avenue north of the cul-de-sac dead end street north of Kellogg Street. The applicant owns the land and other parcels that are part of the overall ownership of the lands that extend to Custer Avenue to the east. There is an existing office building on Custer Avenue east of the subject property. The request is to bring all the land into the GO General Office (GO) zoning classification for potential future office development.

The original plat creating these lots was the plat of the Stewart's Subdivision Addition to the City of Wichita, Kansas, recorded with the Register of Deed's on July 12th of 1886.

The surrounding neighborhood is a mixture of uses. The property to the west on the west side of Sheridan Avenue is zoned SF-5 Single-Family Residential (SF-5) and is occupied by residences. The property to the north is zoned TF-3 Two-Family Residential (TF-3) and occupied with a business use. North and east of the subject property, the property is zoned MF-29 Multiple-Family Residential (MF-29) and is occupied with apartments. To the east the properties are zoned GO General Office (GO) and are either vacant or occupied by an office building. South of the subject property is Kellogg Street.

CASE HISTORY: As noted above, the plat of Stewart's Subdivision Addition was approved in 1886. No other cases have been filed for the subject property.

ADJACENT ZONING AND LAND USE:

NORTH:	TF-3	residential/office
SOUTH:	GO	vacant
EAST:	GO	vacant
WEST:	SF-5	residential

PUBLIC SERVICES: South Sheridan Avenue is a fully improved two-lane street which has a cul-de-sac at the right-of-way with Kellogg Street. All municipal utilities are provided to the site.

CONFORMANCE TO PLANS/POLICIES: The 2035 Wichita Future Growth Concept map (MAPC approval November 19, 2015) indicates the site is appropriate for "residential use" and is located within Wichita's 2035 Established Central area. Given the location and the general uses within the immediate area, it is recognized the subject property will likely be developed or redeveloped by 2035 with uses predominately of a mixed nature.

The conversion of this land to office uses is recognized as an appropriate redevelopment in this area given the requirements of the Unified Zoning Code for Compatibility Height and Setback requirements, and the screening and buffering requirements adjacent to the residential uses. Those issues will be addressed as part of the approval process for future building permits.

The site is located with the Established Central Area of the Community Investments Plan. The Wichita Urban Infill Strategy is focused on the Established Central Area – comprised of the downtown core and the mature neighborhoods surrounding it in a roughly three mile radius. Increased levels of infill redevelopment throughout the Established Central Area is a major policy goal of the Community Investments Plan. One of the strategies to promote infill redevelopment is to support regulatory changes, like the proposed rezoning of this property, to permit infill projects.

The overall spirt and intent of this rezoning appears to be in conformance with the above stated policies and guidelines of the adopted Plans for the City of Wichita.

RECOMMENDATION: Based upon the information available at the time the staff report was completed, staff recommends APPROVAL of the request, as submitted. This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** The surrounding neighborhood is a mixture of uses. The property to the west on the west side of Sheridan Avenue is zoned SF-5 Single-Family Residential

(SF-5) and is occupied by residences. The property to the north is zoned TF-3 Two-Family Residential (TF-3) and occupied with a business use. North and east of the subject property, the property is zoned MF-29 Multiple-Family Residential (MF-29) and is occupied with apartments. To the east the properties are zoned GO General Office (GO) and are either vacant or occupied by an office building. South of the subject property is Kellogg Street.

2. **The suitability of the subject property for the uses to which it has been restricted:** The property is presently zoned SF-5 Single-Family Residential and could be developed accordingly.

3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** Given the extent of other non-single-family residential development in the immediate area, there should be no negative impacts by the future office development. Development standards within the Unified Zoning Code will provide adequate safeguards in the future as needed. The proposed GO General Office zoning is appropriate to support redevelopment of the subject property.

4. **Length of time the property has been vacant as currently zoned:** The property has more limited value within today's market in the GO zoning classification and the request is not unreasonable at this location.

5. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The 2035 Wichita Future Growth Concept map (MAPC approval November 19, 2015) indicates the site is appropriate for "residential use" and is located within Wichita's 2035 Established Central area. Given the location and the general uses within the immediate area, it is recognized the subject property will likely be developed or redeveloped by 2035 with uses predominately of a mixed nature.

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   The site is located with the Established Central Area of the Community Investments Plan. The Wichita Urban Infill Strategy is focused on the Established Central Area – comprised of the downtown core and the mature neighborhoods surrounding it in a roughly three mile radius. Increased levels of infill redevelopment throughout the Established Central Area is a major policy goal of the Community Investments Plan. One of the strategies to promote infill redevelopment is to support regulatory changes, like the proposed rezoning of this property, to permit infill projects.

   The overall spirt and intent of this rezoning appears to be in conformance with the above stated policies and guidelines of the adopted Plans for the City of Wichita.

6. **Impact of the proposed development on community facilities:** The change in zoning classification of the property to GO would not have any impact on community facilities or resources. All public improvements are available to serve the property.