

(Corrected and Republished in the Wichita Eagle October 7, 2019)

ORDINANCE NO. 51-105

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. ZON2019-00027

City zone change from SF-5 Single Family Residential to LC Limited Commercial District described as:

Beginning 200 feet north of the southeast corner of the Southwest Quarter of Section 12, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas; thence West 119.75 feet; thence North 100 feet; then East 119.75 feet; thence South 100 feet to beginning.

TOGETHER WITH

A tract in the East Half of the East Half of the Southeast Quarter of Southwest Quarter of Southwest Quarter of Section 12, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, described as follow: Beginning at a stone at the southeast corner of said Section 12; thence North along the center line of Section 12, a distance of 300 feet; thence West 119.75 feet; thence South 300 feet to the south section line; thence East along the south section line to place of beginning EXCEPT the North 100 feet thereof.

TOGETHER WITH

Southwest Quarter of Section 12, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas; Beginning 119.75 feet West of the Southeast corner of the Southwest Quarter; thence North parallel to the center line of Section, 300 feet; thence West 105 feet; thence south 300 feet to the section line; thence East to the beginning.

TOGETHER WITH

Beginning 224.75 feet west of the Southeast corner of the Southwest Quarter Southwest Quarter of Section 12, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas; thence North 300 feet; thence West 105 feet; thence South 300 feet; thence East to the point of beginning.

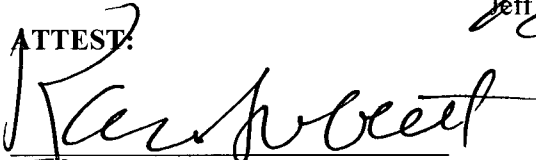
TOGETHER WITH

Lots 3 and 4, Block 2, Walz Addition, Wichita, Sedgwick County, Kansas.

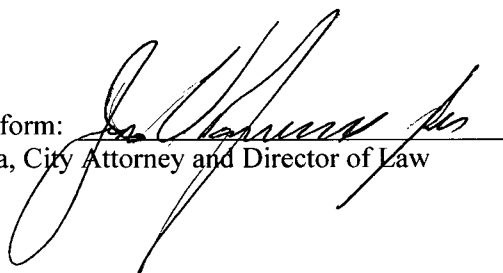
SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

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



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

BACKGROUND: This application was filed to rezone the subject property from SF-5 Single-Family Residential to LC Limited Commercial. The subject property is located on the north side of West 13th Street North approximately ½ mile east of North West Street. The subject property encompasses several parcels which front West 13th Street on the northwest corner of West 13th and Sheridan Avenue. With this request, the applicant would like to rezone the property to an LC district to allow for future redevelopment.

The four parcels closest to the corner of West 13th and Sheridan are unplatted. Three of them front West 13th, and the fourth fronts Sheridan (see area map). The other two parcels are platted as Lots 3 and 4, Block 2, Walz Addition. All parcels currently have single family homes, which were constructed between 1935 – 1950.

There is LC zoning directly east of the subject property, and most properties on both sides of West 13th from Sheridan to Meridian Avenue are zoned LC. In addition, to the west, most properties near the corner of West 13th and North West Street are zoned LC. In between the subject property and the LC zones at the corner of West Street is a mix of SF-5, B Multi Family, and GO General Office with uses ranging from single family homes, multi-family apartments, a church, medical, insurance, and property management offices.

CASE HISTORY: Several parcels are unplatted. Platted parcels are Lots 3 – 4, Walz Addition, Wichita, Sedgwick County, Kansas, 1957.

ADJACENT ZONING AND LAND USE:

North:	SF-5; Single-family residences
South:	GO, SF-5; Non-Profit Office, Single-family residences
East:	LC, GO, SF-5; Tire Repair Shop, Commercial business entrance, Single-family residences
West:	SF-5; Church property

PUBLIC SERVICES: West 13th Street North is a paved, 4-lane arterial street. North Sheridan Avenue is a paved two-way local street. All municipal services are available for the property.

CONFORMANCE TO PLANS/POLICIES: The *Community Investment Plan* depicts the subject area as appropriate for a mix of “residential” and “commercial” uses. The residential use category encompasses areas that reflect the full diversity of residential development densities and types found in a large urban municipality. The commercial use category encompasses areas that reflect the full diversity of commercial development intensities and types typically found in a large urban municipality. The site is also in the Established Central Area (ECA) where infill is encouraged with the Wichita Urban Infill Strategy.

RECOMMENDATION: Based upon the information available at the time the staff report was prepared, it is recommended the application be **APPROVED**.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** There is LC zoning directly east of the subject property, and most properties on both sides of West 13th from Sheridan to Meridian Avenue are zoned LC. In addition, to the west, most properties near the corner of West 13th and North West Street are zoned LC. In between the subject property and the LC zones at the corner of North West Street is a mix of SF-5, B Multi Family, and GO General Office with uses ranging from single family homes, multi-family apartments, a church, medical, insurance, and property

management offices.

2. The suitability of the subject property for the uses to which it has been restricted: The site is currently zoned SF-5 with single family homes constructed. The site could continue remain as such without being out of context with the surrounding area.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval of LC zoning would allow a wider range of uses to be constructed on the property. LC is not a new zoning classification in the area. Approval of the request should not detrimentally impact nearby property owners.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The *Community Investment Plan* depicts the subject area as appropriate for a mix of “residential” and “commercial” uses. The residential use category encompasses areas that reflect the full diversity of residential development densities and types found in a large urban municipality. The commercial use category encompasses areas that reflect the full diversity of commercial development intensities and types typically found in a large urban municipality. The site is also in the Established Central Area (ECA) where infill is encouraged with the Wichita Urban Infill Strategy.
5. Impact of the proposed development on community facilities: Existing municipal facilities are already available to the property.

Staff Report Attachments:

1. Area Map
2. Zoning Map
3. Land Use Map