

ORDINANCE NO. 48-397

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. ZON 2008-20

Zone change request from SF-20 Single-family Residential to GC General Commercial, for property described as:

Lot 1, Block A, Eliot Second Addition

Generally located on the south side of MacArthur Road and west of Tyler Road.

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 4th day of August 2009.

ATTEST:


Karen Sublett, City Clerk


Carl Brewer, Mayor

(SEAL)

Approved as to form:


Gary E. Rebenstorf, City Attorney

AGENDA ITEM REQUEST

Proposed Agenda Item: ZON2008-00020 – County zone change from SF-20 Single-family Residential (“SF-20”) to GC General Commercial (“GC”) for a self-service storage warehouse; generally located 650 feet west of the intersection of Tyler Rd. and MacArthur Rd. (District 2).

Presented by: John L. Schlegel, Planning Director *JLS*

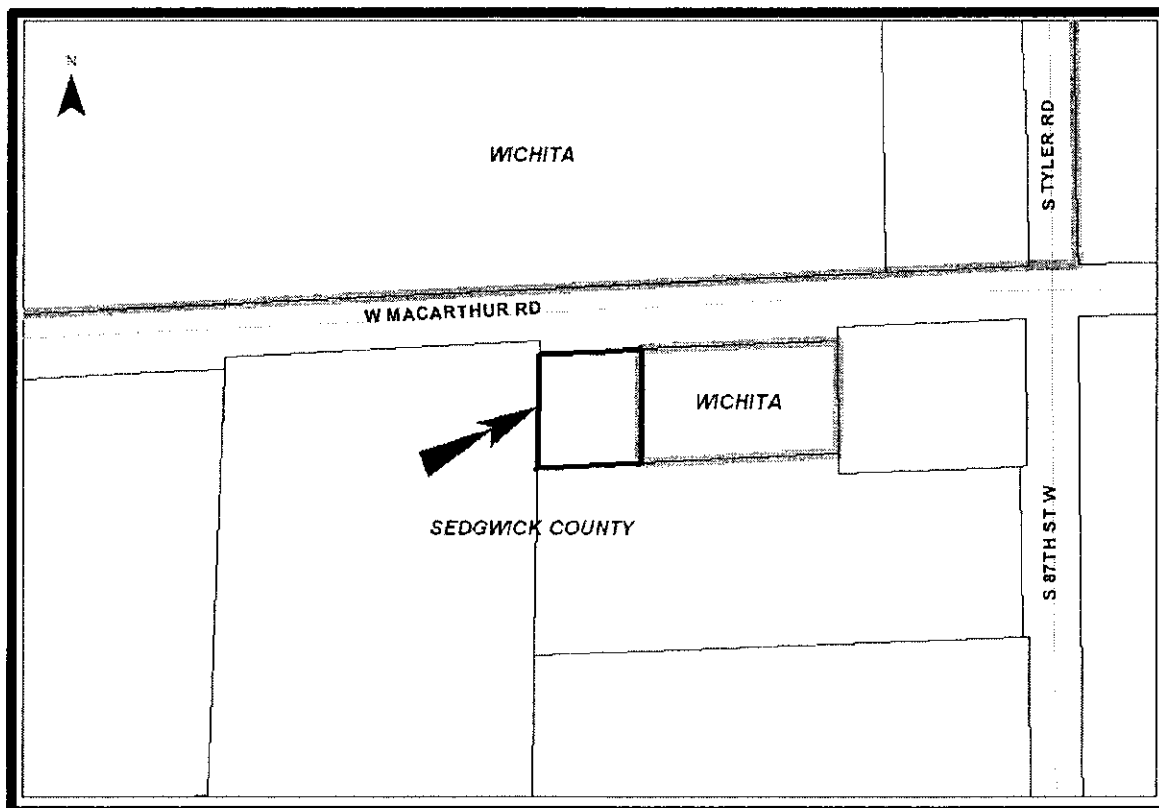
Recommended Action: Adopt the findings of the Metropolitan Area Planning Commission; approve the zone change to GC General Commercial subject to platting within one year; direct staff to prepare an appropriate resolution after the plat has been approved and authorize the Chairman to sign the resolution.

Proposed Agenda Date: June 11, 2008

Outside Attendees: James Elliot (Owner); Certified Engineering Design (Agent)

Multimedia Presentation: PowerPoint

Donations: Not applicable



Background: The applicant requests a zone change from SF-20 Single-family Residential ("SF-20") to GC General Commercial ("GC") on a 0.62 acre unplatted tract located south of MacArthur Rd. and west of Tyler Rd. The applicant owns a total of 6.52 acres at this location, with 1.2 acres already being developed with storage units and the remainder of the applicant's property zoned SF-20 and developed with the applicant's single family residence. The subject property is proposed to be developed with more storage units as an expansion of the existing self-storage service warehouse, located directly to the east of the subject site.

The surrounding area is characterized primarily by agricultural uses with Mid-Continent Airport and Mid-Continent Industrial Park within the general vicinity. The property to the north across MacArthur Rd. is zoned SF-5 Single-family Residential ("SF-5"), is owned by Mid-Continent Airport, and is undeveloped. The property to the south and west is zoned SF-20, is owned by the applicant, and is developed with a single-family residence. The property to the east is zoned GC and is developed with a self-service storage facility.

Since the majority of the surrounding properties have residential zoning, screening will be required along the south and east property lines. The compatibility setback standards will require a 25 foot building setback along the south and east property lines unless a Zoning Adjustment is granted by the Planning Director and Zoning Administrator to reduce or waive the compatibility setback. Since the property adjoins the Wichita city limit, annexation will be required as a condition of platting.

Analysis: The MAPC heard this request on May 8, 2008, where the application was approved as a consent item. The MAPC voted (12-0) to approve the request, subject to platting within one year. There have been no protests on this application, and no one spoke in favor or in opposition of the request at the MAPC meeting.

Alternatives:

1. Adopt the findings of the Metropolitan Area Planning Commission; approve the zone change to GC General Commercial subject to platting within one year; direct staff to prepare an appropriate resolution after the plat has been approved and authorize the Chairman to sign the resolution.
2. Return such recommendation to the MAPC with a statement specifying the basis for the BOCC's failure to approve or disapprove (requires a simple majority vote).
3. Deny the zone change and override the MAPC recommendation with a 2/3 vote.

Financial Considerations:  ☐ *Approved by Division of Finance*

Policy Considerations: The MAPC recommendations are based upon the findings of fact stated in the MAPC minutes.

Legal Considerations:  ☒ ^{law} *Approved as to form and signed by County Counselor's Office*