(OCA150004 BID 37529-009 CID #76383)

Published in The Wichita Eagle on June 28, 2013

ORDINANCE NO. 49-525

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. ZON2012-00027

Zone change request from SF-5 Single-family Residential to B Multi-Family Residential on property described as:

Presbyterian Manor Addition, Wichita, Sedgwick County, Kansas.

Generally located on the northwest corner of 13th Street North and Zoo Boulevard.

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 25 **day of** June, 2013

ATTEST:

Karen Sublett, City Clerk

Carl Brewer, Mayor

(SEAL)

APPROVED AS TO FORM:

Gary E. Rebenstorf, Director of Law

Agenda Item No._____

City of Wichita
City Council Meeting
November 20, 2012

TO: Mayor and City Council

SUBJECT: ZON2012-00027 – City zone change request from SF-5 Single-family Residential to B Multi-family Residential ("B") on property located at the northwest corner of West 13th Street North and Zoo Boulevard (4526 West 13th Street North). (District VI)

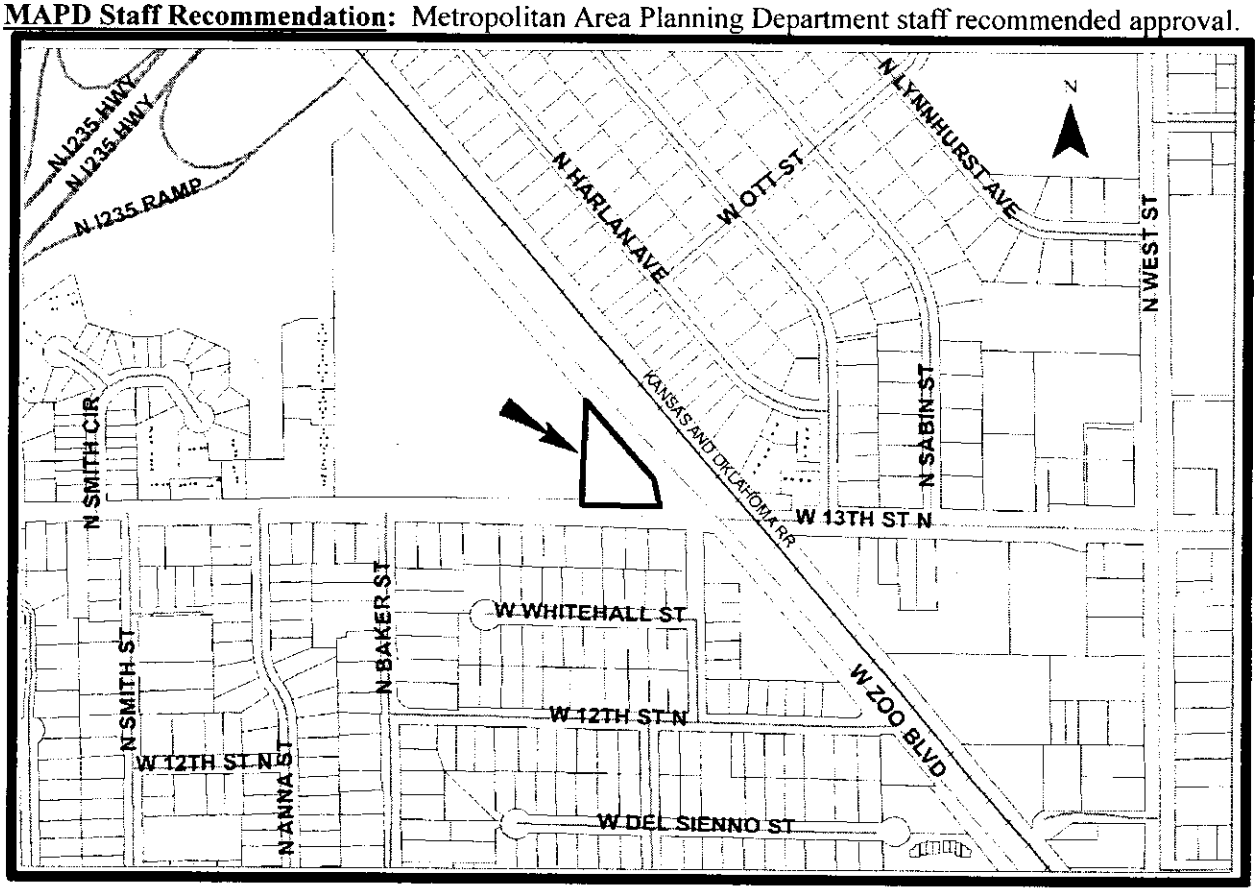
INITIATED BY: Metropolitan Area Planning Department JLS

AGENDA: Planning (consent)

MAPC Recommendation: The MAPC recommended approval, subject to platting within one-year (10-0).

DAB Recommendation: District Advisory Board VI recommended approval (7-0).

MAPD Staff Recommendation: Metropolitan Area Planning Department staff recommended approval.



Background: The application area is an unplatted .99 acre site, zoned SF-5 Single-family Residential ("SF-5") that is located at the northwest corner of Zoo Boulevard and West 13th Street North. The property is owned by Presbyterian Manors of Mid-America, Inc., and is developed with a single-family residence. Presbyterian Manors of Mid-America, Inc., owns a B Multi-family Residential ("B") zoned senior living center ("nursing facility" and/or "assisted living") located west of the subject site, and now wants to incorporate the subject tract into it larger ownership that is developed with a senior center and have uniform zoning for its entire ownership. The SF-5 district does not permit a "nursing facility" or "assisted living." Therefore, the applicant is seeking B zoning for the subject tract in order to match the existing B zoning located on the abutting senior center they own.

Property surrounding the application area has a variety of zoning ranging from: SF-5, TF-3 Two-family Residential ("TF-3"), MF-18 Multi-family Residential ("MF-18"), B and NR Neighborhood Retail ("NR"). Use of surrounding property is also varied: single-family residential, duplex, multi-family, nursing facility or assisted living and strip center.

Analysis: At the Metropolitan Area Planning Commission (MAPC) meeting held on October 18, 2012, the MAPC voted (10-0) to recommend approval of the request, subject to platting within one year. There was not anyone from the public to speak on the application.

On November 5, 2012, the District Advisory Board (DAB) VI heard the rezone request. The DAB voted (7-0) to approve the request.

Staff has not received any protest petitions.

Financial Considerations: Approval of this request will not create any financial obligations for the City.

Legal Considerations: The Law Department has reviewed and approved the ordinance.

Recommendation/Actions: Adopt the findings of the MAPC, approve the zone change request subject to platting within one year of approval of the governing body and instruct the Planning Department to forward the ordinance for first reading when the platting is completed (simple majority required).

Attachments: Ordinance and MAPC minutes.