

OCA 150004

ORDINANCE NO. 49-642

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:

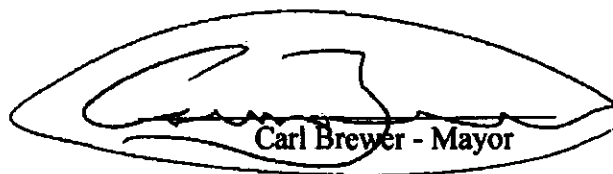
Case No. ZON2013-00027

Zone change from B Multi-family Residential (B) and LC Limited Commercial (LC) to LC Limited Commercial (LC) on approximately 4.41 acres described as:

Lot 1, Water Walk West Addition to 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.

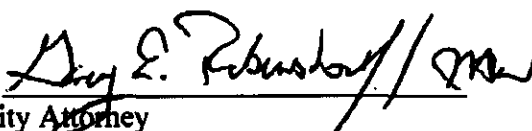
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.


Carl Brewer - Mayor

ATTEST:


Karen Sublett, City Clerk



Approved as to form: 
Gary E. Rebenstorf, City Attorney

Background: The applicant's undeveloped property is zoned a combination of B Multi-family Residential (B) and LC Limited Commercial (LC). The applicant intends to develop the site with a multi-family residential project, but requests a rezoning to have one consistent zoning district on the property. LC zoning permits multi-family residential development at the same density as B zoning (75 dwelling units per acre), but offers more flexibility in allowing office and commercial uses, and allows increased building height (80 feet in LC as compared to 55 feet in B). Both zoning districts have the same development standards regarding off-street parking, screening and landscaping. LC zoning allows more sign area under the Sign Code than B zoning.

The application area is located in the southeast corner of the Delano Neighborhood. The site is located within the boundaries of the Delano Neighborhood Plan (adopted in 2001) and the Project Downtown Plan (adopted in 2010). A small parcel adjacent to the north side of the site is zoned LI Limited Industrial (LI) and is developed with a warehouse/office. Property north of the site is zoned LC and developed with the Lawrence Dumont baseball stadium and associated parking. The elevated Kellogg expressway exists south of the site, further south are B zoned single and multi-family residences. East of the site is McLean Boulevard and the Arkansas River, further east is the Waterwalk PUD development. West of the site is the GC General Commercial (GC) zoned Wichita Ice Center.

Analysis: District Advisory Board (DAB) IV heard the rezone request on November 4, 2013, and recommended (7-2-1) approval. No citizens spoke at the DAB hearing on this request.

At the Metropolitan Area Planning Commission (MAPC) meeting held on November 7, 2013, the MAPC voted (13-0) to recommend approval of the request. No citizens spoke at the MAPC hearing and no protests were filed on this request.

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 as to form.

Recommendation/Actions: It is recommended that the City Council adopt the findings of the MAPC and approve the zone change request, place the ordinance on first reading and authorize the Mayor to sign the ordinance (simple majority vote required).

Attachments:

- Ordinance
- MAPC minutes
- DAB memo