

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. ZON2015-00020

Zone change from GC General Commercial ("GC") and B Multi-Family Residential ("B") to CBD Central Business District ("CBD") on an approximately 1.34-acre property described as:

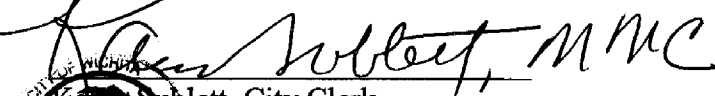
The west 140.00 feet of J. P. Hilton's Reserve in J. P. Hilton's Addition to the City of Wichita, Sedgwick County, Kansas, together with the south half of vacated alley adjoining on the north; TOGETHER with the south 53 feet of Lot 11, on Texas Avenue, now Broadway, in said J. P. Hilton's Addition to the City of Wichita, Sedgwick County, Kansas, together with the north half of vacated alley adjoining on the south and together with the west half of vacated alley adjoining on the east; and TOGETHER with the north 55.00 feet of the east 140.00 feet of J. P. Hilton's Reserve in said J. P. Hilton's Addition.

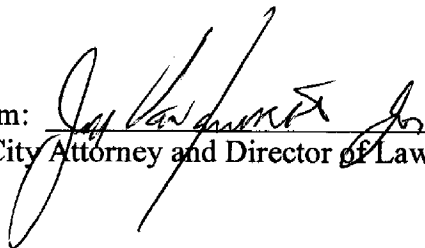
SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

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

ATTEST:


Jeff Longwell, Mayor


Sublett, City Clerk

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

**City of Wichita
City Council Meeting
July 7, 2015**

TO: Mayor and City Council

SUBJECT: ZON2015-00020 – City Zone Change from GC General Commercial and B Multi-Family Residential to CBD Central Business District on Property Located on the Northeast Corner of Central and Broadway Avenues. (District VI)

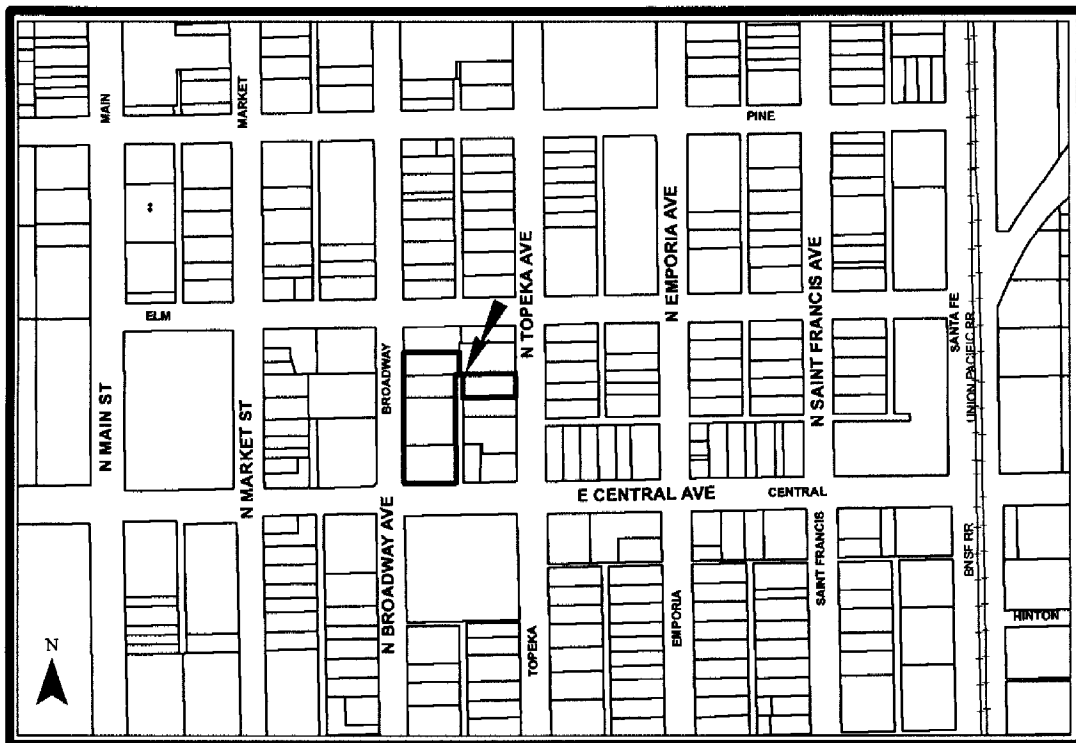
INITIATED BY: Metropolitan Area Planning Department *JS*

AGENDA: Planning (Consent)

MAPC Recommendation: The MAPC recommended approval of the request (11-0).

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

MAPD Staff Recommendation: The Metropolitan Area Planning Department staff recommended approval of the request.



Background: The applicant is requesting a zone change from GC General Commercial and B Multi-Family Residential to CBD Central Business District. The brick and stone, one story Lord's Diner (built 2001), a brick three-story office and parking occupy the platted approximately 1.34-acre site, located on the northeast corner of Central and Broadway Avenues. The Lord's Diner provides free hot evening meals in a safe environment, 365 days a year to anyone needing this service. The proposed CBD zoning more effectively resolves such issues as parking and setbacks that would be triggered by the proposed expansion of the diner. The proposed expansion will enlarge the kitchen and food preparation area, but not the dining area. The proposed expansion will support the facility's food trucks, which deliver food off-site. The CBD zoning also matches the applicant's stone, CBD zoned Cathedral of the Immaculate Conception complex located south of the site across Central Avenue. This is the first application for CBD zoning north of Central Avenue.

All properties located south of the subject site, from Central Avenue and 2nd Street to Santa Fe Avenue are zoned CBD. The south adjacent development includes the already mentioned Cathedral complex, one-story brick banks (built 1962, 2006), the stone YMCA (built 2012), one-three story brick apartments (built 1929-1930), a large stone vacant church and a one-story brick thrift shop (built 1940). Properties located west of the site, across Broadway Avenue, are zoned LC Limited Commercial and GC with development including a large stone First Presbyterian Church, a one-story brick thrift shop (built 1920), and a two-story brick office (built 1979). The GC and B zoned three-four story, stone, State and National Historical registered Sedgwick County Court House (built 1888) is located another block west. The State Historical registered GC zoned two-story, wood frame Twentieth Century Club (built 1894) and its attached three-four story brick theater (built 1931) abut the north side of the site as does a B zoned brick one-two story apartment (built 1920) and GO General Office zoned parking. The State and National Historical registered brick eight-nine story Commodore apartment (built 1929) is located a block northwest of the site. B and GC zoned brick two-three story apartments, parking, and a social service office (built 1912-1915) are located east of the site across a paved alley.

Analysis: On June 1, 2015, District Advisory Board (DAB) VI considered the request. There were no protesters at the DAB meeting. DAB VI voted 7-0 to approve the request for CBD zoning.

On June 4, 2015, the Metropolitan Area Planning Commission (MAPC) considered the request. There was one protester at the MAPC meeting. The MAPC voted 11-0 to approve the request for CBD zoning. Planning staff has received no valid protests.

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 concur with the findings of the MAPC and approve the zoning and place the ordinance on first reading (simple majority vote required).

Attachments:

- MAPC minutes
 - DAB memo
 - Ordinance
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