

ORDINANCE NO. 50.112

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:

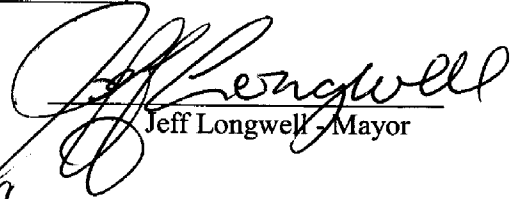
Case No. ZON2015-00035

Zone change request from LC Limited Commercial (LC) to GBD Central Business District (CBD) on property described as Lots 26, 28, 30 & ½ vacated alley adj. on the E, Chicago now Douglas Avenue, West Wichita 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.

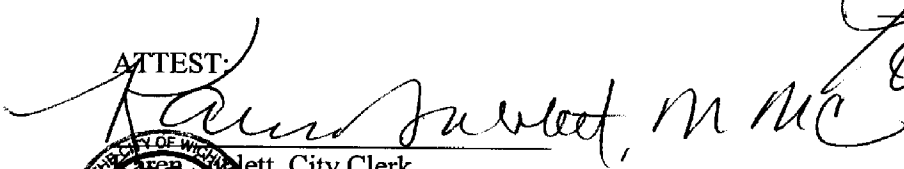
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED this 24 day of Nov, 2015.

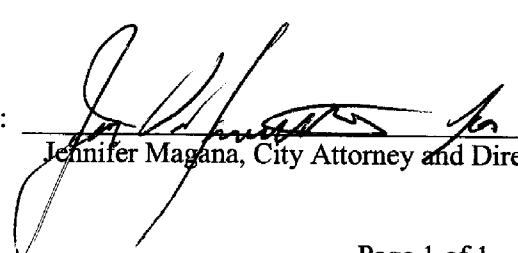

Jeff Longwell - Mayor

ATTEST:




Jennifer Magana, City Clerk

Approved as to form:


Jennifer Magana, City Attorney and Director of Law

City of Wichita
City Council Meeting
November 17, 2015

TO: Mayor and City Council

SUBJECT: ZON2015-00035 – Zone Change from LC Limited Commercial to CBD Central Business District on Property Located at 915, 917 and 923 West Douglas Avenue, east of South Walnut Street and south of West Douglas Avenue (District IV)

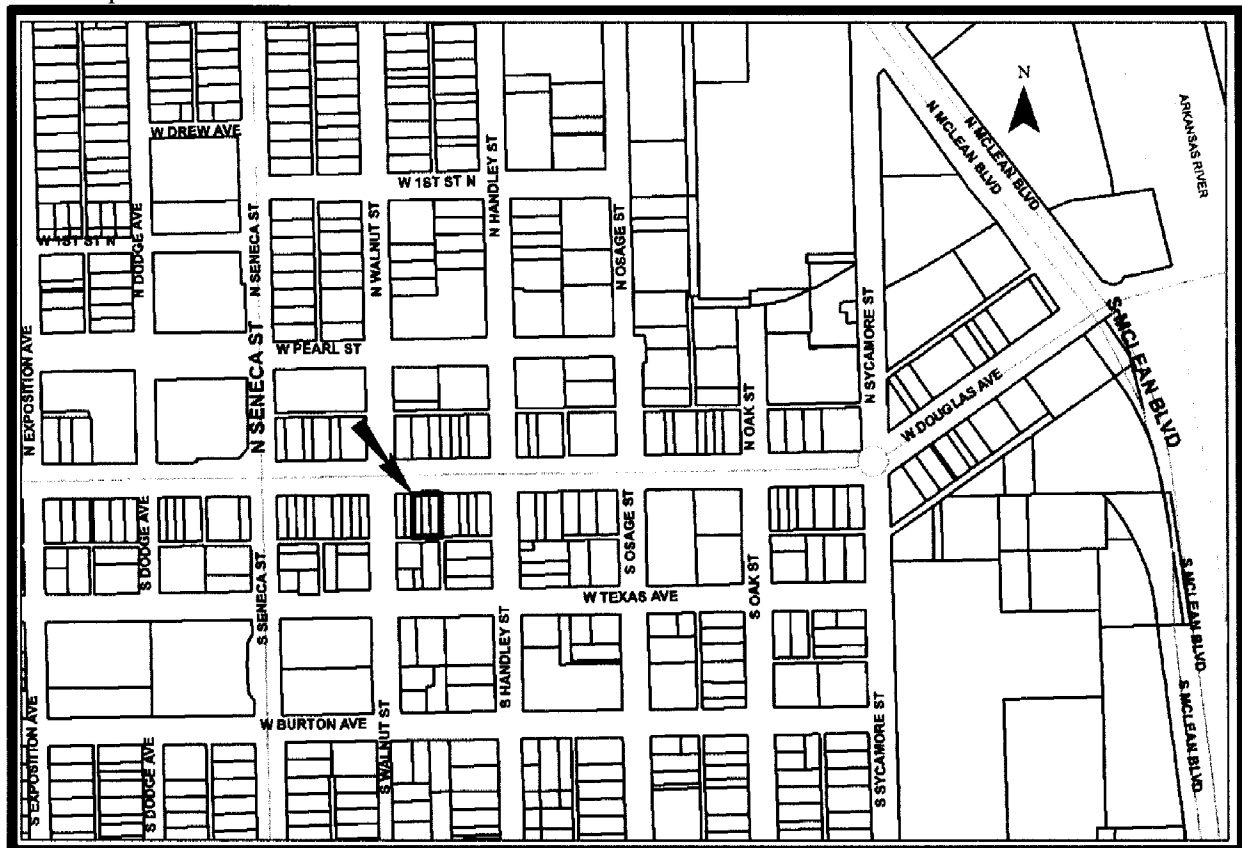
INITIATED BY: Metropolitan Area Planning Department *DM*

AGENDA: Planning (Consent)

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

DAB Recommendation: District Advisory Board IV did not make a recommendation due to a lack of quorum.

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



Background: The applicant is seeking Central Business District (CBD) zoning for .61 platted acre located 75 feet east of the southeast corner of West Douglas Avenue and South Walnut Street. The subject site is currently zoned Limited Commercial (LC), and is developed with a row of commercial buildings that are built up to the property line and have zero side setbacks. The application area is currently occupied by restaurants. The site is located in, and subject to, the Delano Overlay Neighborhood District (D-O) that establishes land use and site development policies specific to the district.

The Delano District was initially developed in the 1870's and then redeveloped in the early 1900's when there were no requirements for off-street parking. Therefore, many of the uses in the Delano District do not have, or have only minimal, off-street parking, and rely upon public parking located in the street right-of-way. Central Business District zoning mitigates site development issues for older portions of the core area, such as the requirement to provide off-street parking (off-street parking is not required of CBD zoned property) and reduced setback requirements (the CBD district permits zero setbacks; setbacks in the LC district vary from zero to 20 feet).

A Metropolitan Area Planning Department (MAPD) parking study of West Douglas Avenue between Sycamore Street and Seneca Street reveals that most of the businesses fronting Douglas Avenue do not provide the current code required number of off-street parking spaces. The MAPD analysis estimates that 5,373 off-street spaces are required, but an estimated 3,989 spaces have been provided.

Land located north of the site, across West Douglas Avenue, is zoned LC, CBD and General Commercial (GC), and is developed with row commercial buildings. East of the site the property is zoned LC and GC, and is developed with parking lot owned by the applicant. South of the site the property is zoned GC, and developed with parking and commercial buildings. West of the subject property is land zoned Limited Industrial (LI) and LC, and developed with row commercial buildings. There have been at least two previous requests for CBD zoning in Delano that have been approved (ZON2015-00038 and ZON2014-00030). Since 1871, the Delano District is a commercial district that has been serving "west" Wichita with a variety of commercial, personal service and entertainment uses.

Analysis: On June 4, 2015, the Metropolitan Area Planning Commission (MAPC) placed the application on its consent agenda and approved (12-0) the application without comment. Other than the applicant there was not anyone present to speak to the request.

District Advisory Board (DAB) IV reviewed the request on October 5, 2015, but could not make a recommendation due to a lack of quorum. No neighbors were present to speak about the request.

No protest petitions have been received. The request can be approved with a simple majority vote.

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, approve the requested zone change and place the ordinance on first reading (simple majority vote).

Attachments: MAPC minutes, DAB IV memo and ordinance.