OCA 150004

ORDINANCE NO. 50-144

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. ZON2015-00048

Zone change from TF-3 Two-Family Residential (TF-3) to GO General Office (GO) on property located south of East 9th Street North, along the east side of North Hillside Avenue (918 N. Hillside Ave.); described as:

The South half of Lot 3, all of Lots 4 and 5 and the ½ vacated alley on the South and all of vacated alley adjacent to Lots 6 thru 10 EXCEPT the West 35 feet for street, Boyce & Taylor's 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.

ADOPTED this 12th day of January, 2016.

Jeff Longwell - Mayor

ATTEST:

Karen Sublett, MMC

Karen Sublett, City Clerk

(SEAL)

Approved as to form:

Jennifer Magana, City Attorney and Director of Law

REVISED 1-4-15 **Agenda Item No. _____**

City of Wichita
City Council Meeting
January 5, 2016

TO: Mayor and City Council

SUBJECT: ZON2015-00048 – Zone Change from TF-3 Two-Family Residential to GO General Office on Property Generally Located South of East 9th Street North, Along the East Side of North Hillside Avenue (918 North Hillside Avenue).

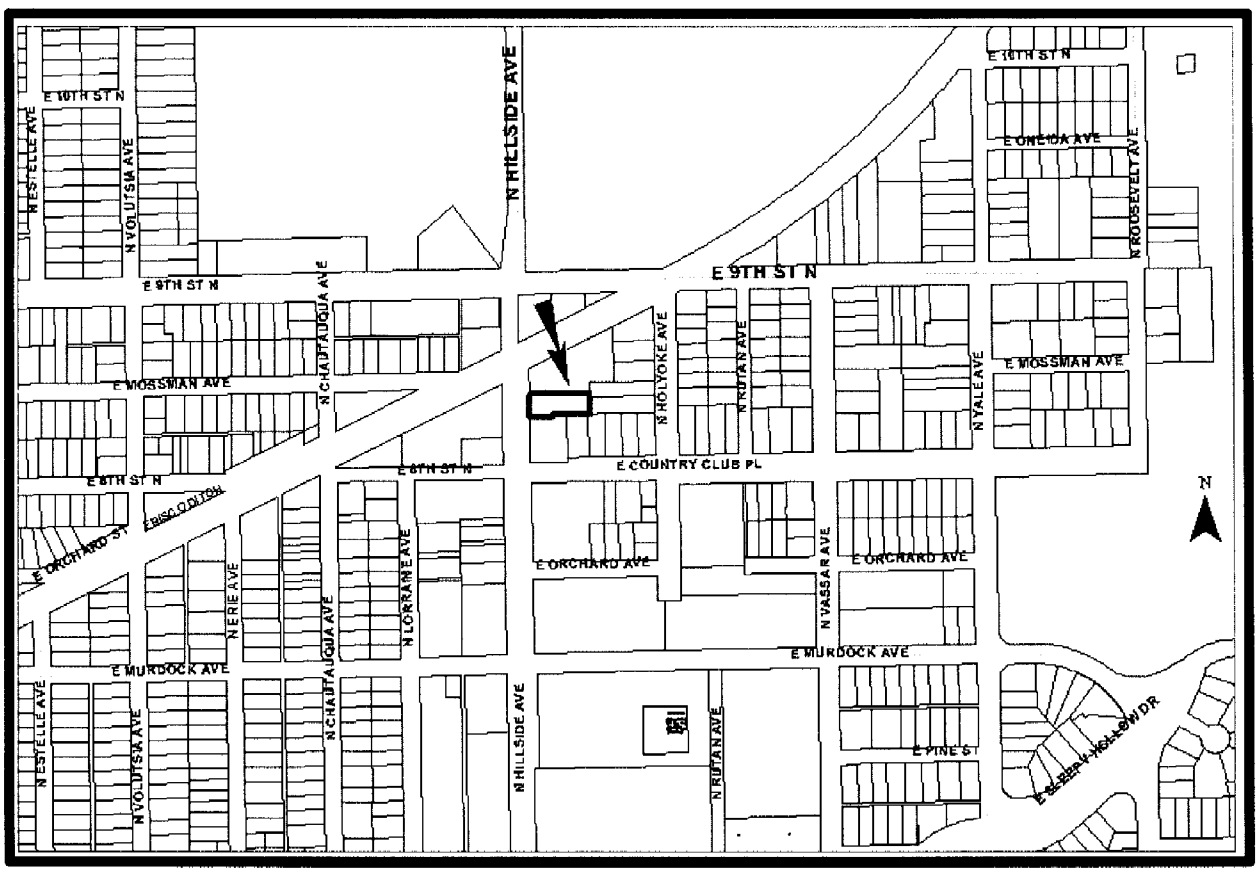
INITIATED BY: Metropolitan Area Planning Department DM

AGENDA: Planning (Consent)

MAPC Recommendation: The MAPC recommended approval of the request (12-0).

DAB Recommendation: District Advisory Board I recommended approval of the request 8-1.

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



Background: The applicant requests a zone change from TF-3 Two-family Residential ("TF-3") to GO General Office ("GO") on a 0.97 acre site located south of East 9th Street North, along the east side of North Hillside Avenue (918 N. Hillside Ave.) The vacant site is 208 feet deep and 80 feet wide. The applicant indicates a desire to have the property rezoned to the same zoning of the properties to the north and south of the subject site to make the property more marketable.

GO zoning would allow the following land uses not permitted in the current TF-3 zoning: multi-family residential (at 75 units per acre), assisted living, group residence, cemetery, community assembly, correctional placement residence, day care, nursing facility, university or college, automated teller machine, bed and breakfast inn, broadcast/recording studio, funeral home, hotel or motel, recreational marine facility, medical service, general office and commercial parking area. Code standards would require a landscape plan to include parking lot screening, and would limit light pole height to 15 feet with lights shielded downward, preventing light trespass off the site. Maximum building height in the GO district is 60 feet.

Property north of the subject site is zoned GO and is currently vacant. South of the site, the property is also zoned GO and TF-3 and is developed with a medical office (GO zoned property) and single-family residence (TF-3 zoned property.) East of the subject site, the property is zoned TF-3 and is developed with a single-family residence. West of the subject site (across N. Hillside Ave.) the property is zoned GC General Commercial ("GC") and is developed as a mortuary/funeral home.

Analysis: On December 3, 2015, The Metropolitan Area Planning Commission (MAPC) recommend approval of (12-0) the application.

On December 7, 2015, District Advisory Board (DAB) I reviewed the application and recommend approval 8-1.

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 and approve the Zone Change, **and place the ordinance on first reading** (simple majority vote).

Attachments: Ordinance, DAB Memo, MAPC minutes