

ORDINANCE NO. 50-152

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. ZON2015-00051

Zone change from SF-5 Single-family Residential ("SF-5") and GO General Office ("GO") to LC Limited Commercial ("LC"):

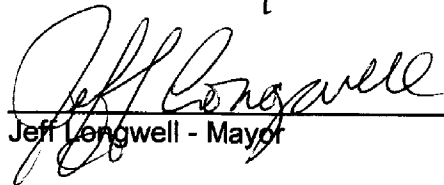
On property located east of South Seneca Avenue and one block north of West 31st Street South (3122 S. Seneca); described as:

Lot 3, except the North 137.51 feet thereof, Robson Heights, Sedgwick County, Kansas; TOGETHER WITH the South Half of Lot 4, Robson Heights, Sedgwick County, Kansas, EXCEPT the North 6 feet thereof; TOGETHER WITH the South Half of Lot 5, Robson Heights, Sedgwick County, Kansas, EXCEPT the North 6 feet thereof.

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 16 day of February, 2016.


Jeff Longwell - Mayor

ATTEST:

Karen Sublett, MMC
Karen Sublett, City Clerk



Approved as to form:

Jennifer Magana
Jennifer Magana, City Attorney and Director of Law

**City of Wichita
City Council Meeting
February 9, 2016**

TO: Mayor and City Council

SUBJECT: ZON2015-00051 – Zone Change from SF-5 Single-Family Residential and GO General Office to LC Limited Commercial on Property Generally Located East of South Seneca Avenue and One Block North of West 31st Street South (3122 S. Seneca). (District III)

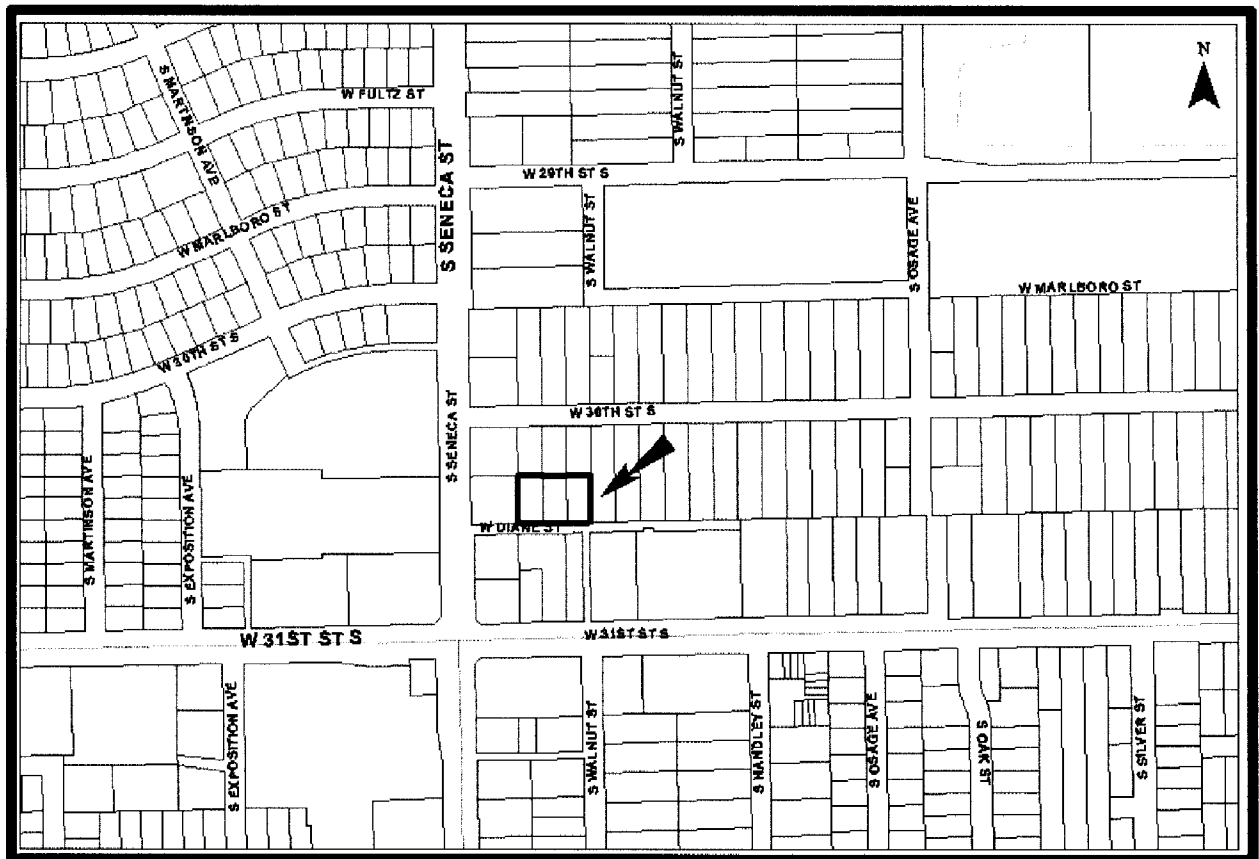
INITIATED BY: Metropolitan Area Planning Department *DM*

AGENDA: Planning (Consent)

MAPC Recommendation: The MAPC recommended approval of the request (13-0).

DAB Recommendation: District Advisory Board III recommended approval of the request 9-0.

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



Background: The 0.70 acre application area is currently zoned SF-5 Single-Family Residential (SF-5), with a small square area of GO General Office ("GO") at the extreme southeast part of the application area. These three lots have remained vacant since platting in 1950. The applicant also owns the LC Limited Commercial (LC) zoned lot west of the site, developed with a strip retail commercial use. The applicant proposes to expand their banking operation located 400 feet to the northwest of the subject site and requests a zone change request to LC. Under LC zoning, the Unified Zoning Code (UZO) would permit the following land uses on this site by right (which are not permitted under the current SF-5 zoning): duplex, multi-family, assisted living, group residence, correctional placement residence, hospital, nursing facility, university or college, animal care, automated teller machine, bank or financial institution, broadcast/recording studio, construction sales and services, convenience store, farmers market, funeral home, hotel or motel, medical service, nurseries or garden centers, general office, commercial parking area, pawnshop, personal care service, personal improvement service, post office substation, limited printing and copying, indoor entertainment and recreation, restaurant, general retail, secondhand store, service station, limited vehicle repair, vocational school, agricultural research, agricultural sales and service. Under LC zoning, the UZO would require compatibility setbacks from SF-5 zoning, parking, screening and landscaping; these requirements will limit development on the site. The UZO requires a 25-foot compatibility setback from SF-5 zoning to the north, it limits building height to 35 feet within 50 feet of SF-5 zoning, it limits light pole height to 15 feet within 200 feet of residential zoning, and it requires three parking spaces per 1,000 square feet for most commercial uses.

The three lots north of the application area are zoned SF-5 and developed with single-family residences. Property east of the site is also zoned SF-5 and developed with a single-family residence. South of the site, across Diane Street, is zoned LC and developed with a retail store (Walgreens). West of the site is property zoned LC and developed with a strip mall, with larger and more concentrated retail uses across Seneca Street.

Analysis: On January 7, 2016, The Metropolitan Area Planning Commission (MAPC) recommend approval of (13-0) the application subject to platting within one year.

On January 6, 2016, District Advisory Board (DAB) III reviewed the application and recommend approval 9-0.

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