

ORDINANCE NO. 50 257

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. ZON2016-00014

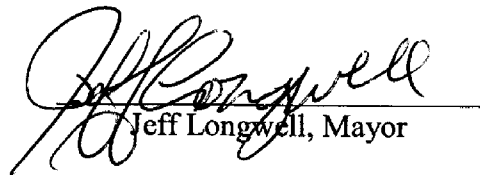
Zone change from LC Limited Commercial ("LC") to OW Office Warehouse ("OW") subject to the provisions of Community Unit Plan CUP DP-83 on an approximately 9.1 -acres property described as:

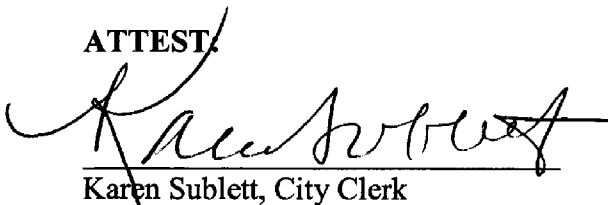
Lot 1, Southwest Plaza Addition, Wichita, Kansas, Sedgwick County, Kansas.

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.

ATTEST.

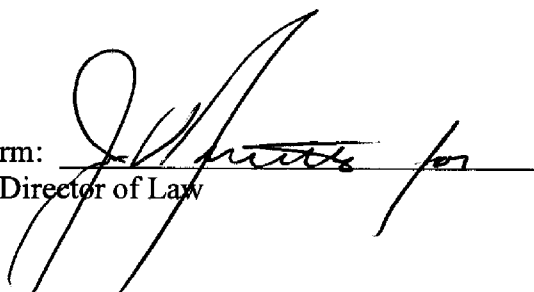

Jeff Longwell, Mayor


Karen Sublett, City Clerk

(SEAL)

Approved as to form:

Jennifer Magana, Director of Law



City of Wichita
City Council Meeting
May 24, 2016

TO: Mayor and City Council

SUBJECT: ZON2016-00014 and CUP2016-00010 – City Zone Change from LC Limited Commercial to OW Office Warehouse and Amendment of DP-83 Southwest Plaza Community Unit Plan to Allow Office Warehouse Uses, on Property Generally Located on the Northeast Corner of 31st Street South and South Meridian Avenue. (District IV)

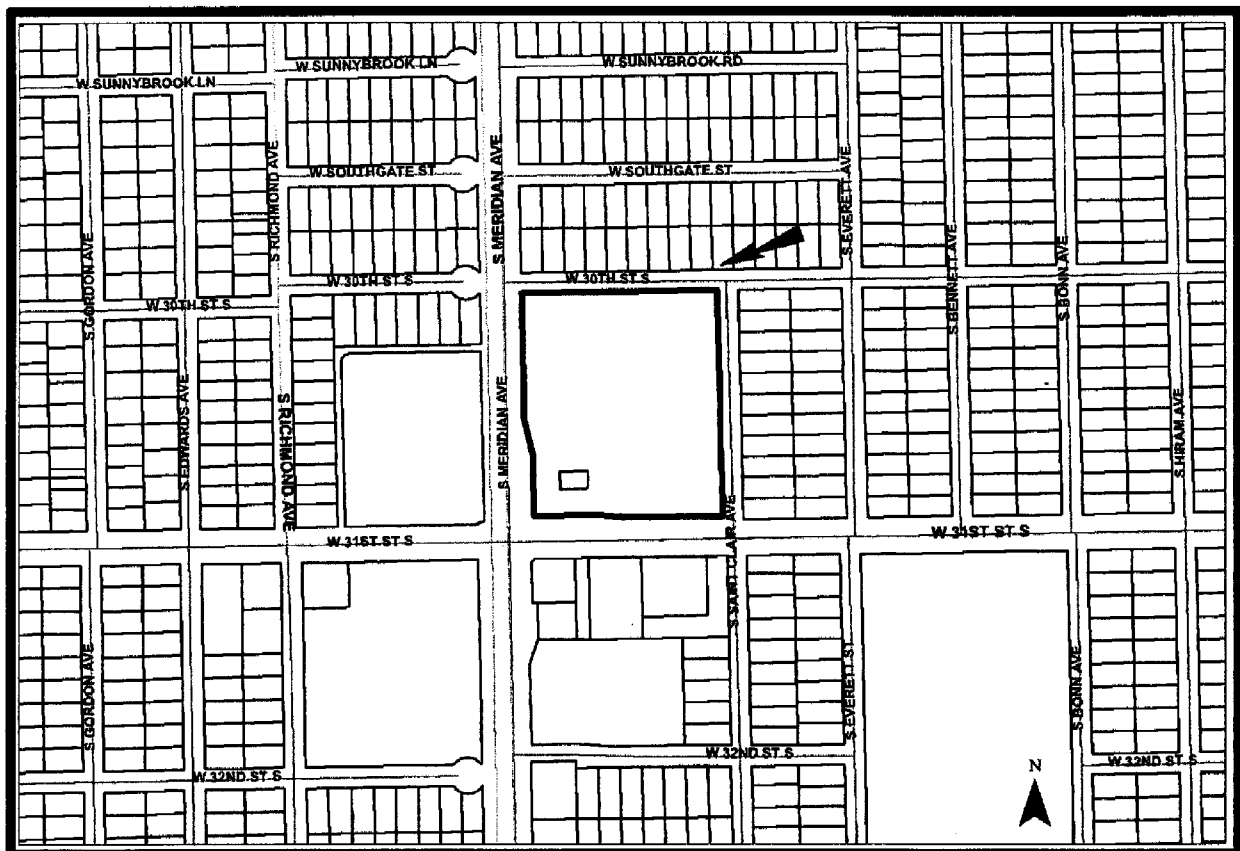
INITIATED BY: Metropolitan Area Planning Department *DM*

AGENDA: Planning (Consent)

MAPC Recommendation: The MAPC recommended approval (9-0), subject to the amended provisions of the CUP.

DAB IV Recommendation: The DAB recommended approval (9-0), subject to the amended provisions of the CUP.

MAPD Staff Recommendation: Staff recommended approval subject to the amended provisions of the CUP.



Background: The subject site is located at the northeast corner of West 31st Street South and South Meridian Avenue, and currently contains 9.1 acres that is zoned LC Limited Commercial ("LC"), subject to the development standards and general provisions contained in the Southwest Plaza Community Unit Plan (CUP) DP-83. Currently CUP DP-83 is a one parcel CUP that currently permits the following uses: manufacture and warehousing or animal control and apparel products, shopping center, offices, professional and personal services, comparison and convenience shopping.

In addition to a zone change to OW Office Warehouse ("OW"), the applicant is proposing the following amendments to CUP DP-83:

- 1) General Provision 8 is proposed to read: "Outside storage shall be limited to the same requirements of the OW zoning district."
- 2) The following uses are proposed to be added to Parcel 1: "all uses permitted by right in the "OW" Office Warehouse zone district, except the following; Recycling collection Station (Public or Private), Recycling Processing Center and Asphalt/Concrete Plant."
- 3) Changes to the Maximum Building Coverage and Maximum Floor Area Ratio are proposed as follows: "30% or 108,337 square feet for Limited Commercial uses, or 30% or 108,337 square feet for Office Warehouse uses, or 35% or 126,393 square feet for Limited Manufacturing uses."

The property has a screening wall along the north and eastern property lines that screen the existing uses from abutting and adjacent residential uses. There are 40-foot building setbacks along the frontages of 31st Street South, St. Clair Avenue and 30th Street South. There is a 75-foot building setback along the South Meridian Avenue frontage.

Land to the north and east of the application area is zoned TF-3 Two-family Residential and is developed with single-family residences. Properties located to the south of the subject site (across 31st Street South) are zoned LC Limited Commercial and developed with a bank, bar and car wash. Properties located west of the subject site (across South Meridian Avenue) are zoned LC and MF-29 Multi-family Residential and are developed with an apartment complex and some single-family residences.

Analysis: At the April 21, 2016, Metropolitan Area Planning Commission (MAPC) meeting, the MAPC voted unanimously (9-0) to approve the zoning request, and subject to the amended provisions of CUP DP-83. No one was present to protest the request. At the May 2, 2016, District Advisory Board IV (DAB IV) meeting, DAB IV voted unanimously (9-0) to approve the zoning request and subject to the provisions of CUP DP-83. There have been no valid protest petitions filed with the City Clerk.

Financial Considerations: There are no financial considerations in regards to the zoning request.

Legal Considerations: The ordinance has been reviewed and approved as to form by the Law Department.

Recommendation/Actions: It is recommended that the City Council adopt the findings of the MAPC and approve the requested zoning and subject to the recommended provisions of CUP DP-83 (a simple majority vote) and instruct the Planning Department to forward the ordinance for first reading.

Attachments:

- Ordinance
- CUP
- MAPC minutes
- DAB memo