

ORDINANCE NO. 46-443

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. ZON 2004-45

Zone change from SF-5, Single-Family Residential District and B, Multi-family Residential District to LC, Limited Commercial District, on property described as:

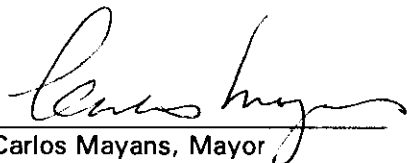
Lot 2, Block A, North Star Second Addition, Wichita, Sedgwick County, Kansas.

Generally located on the east side of West Street and north of Maple.

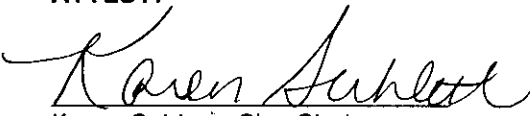
SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

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 JAN 11 2005

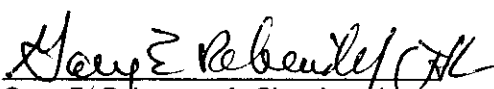

Carlos Mayans, Mayor

ATTEST:


Karen Sublett, City Clerk



Approved as to form:


Gary E. Rebenstorf, City Attorney

BACKGROUND: The applicant requests a zone change for the subject property from “B” Multi Family and “SF-5” Single Family to “LC” Limited Commercial. The subject property is 0.4 acre unplatted tract that is located north of Douglas and east of West Street. The subject property is currently developed with a residential structure that is proposed to be razed. The proposed use of the subject property is to expand Hanna Heating & Air Conditioning that is located on abutting property to the east.

The surrounding area is characterized primarily by commercial uses along the West Street corridor. Most of the properties along the West Street corridor are zoned “LC” Limited Commercial and are developed with various commercial uses. A few properties along the West Street corridor are zoned “B” Multi Family and are developed with residential uses. These residential properties are slowly being converted through the years to commercial uses, such as is proposed for the subject property.

Analysis: There were no speakers in opposition to the request at either the DAB VI meeting on September 13, 2004, or the MAPC meeting on September 23, 2004. Both DAB VI and the MAPC voted unanimously to recommend approval of the zone change subject to platting the property within one year.

Financial Considerations: None.

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

Recommendation/Actions:

1. Adopt the findings of the MAPC and approve the zone change subject to the condition of platting within one year; instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Council; or
2. Return the application to the MAPC for reconsideration

(An override of the Planning Commission's recommendation requires a two-third majority vote of the City Council on the first hearing.)

City of Wichita
City Council Meeting
November 2, 2004

Agenda Report No. _____

TO: Mayor and City Council

SUBJECT: ZON2004-00045 – Zone change from “B” Multi-Family and “SF-5” Single-Family to “LC” Limited Commercial. Generally located north of Douglas and east of West Street. (District VI)

INITIATED BY: Metropolitan Area Planning Department *JLS*

AGENDA: Planning (Consent)

MAPC Recommendations: Approve, subject to platting within one-year. Vote (11-0)

DAB Recommendations: Approve, subject to staff recommendations. Vote (9-0)

MAPD Staff Recommendations: Approve, subject to platting within one-year.

