

ORDINANCE NO. 46-449

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. ZON2004-00060

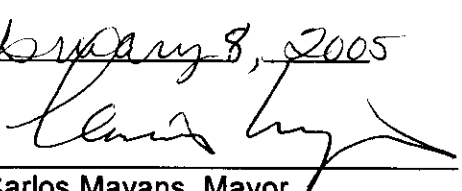
Zone change from "B" Multi-Family Residential to "NO" Neighborhood Office on property described as:

Lots 661 and 662, Overlook Addition to Wichita, Sedgwick County, Kansas. Generally located north of Central, between Terrace and Pershing.

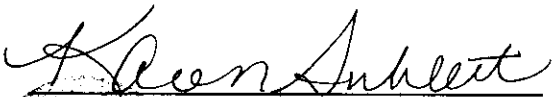
SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

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 AT WICHITA, KANSAS, February 8, 2005


Carlos Mayans, Mayor

ATTEST:


Karen Sublett, City Clerk

(SEAL)
Approved as to form:


Gary E. Rebenstorf, City Attorney

Background: The applicant requests a zone change from “B” Multi-Family to “NO” Neighborhood Office on a 0.17 acre platted tract located north of Central, between Terrace and Pershing. The site is currently developed with a vacant office building that formerly housed medical services. The site’s current “B” Multi-Family zoning permits offices for medical services, but does not permit offices for other professions. The applicant has requested to rezone the property to “NO” Neighborhood Office to permit offices for other professionals, more particularly an insurance office for the contract purchaser.

The surrounding area is characterized primarily by commercial uses along Central with residential uses to the north and further west along Central. The properties north of the site are zoned “TF-3” Two-Family Residential and are developed with single-family residences. The property west of the site was rezoned to “NO” Neighborhood Office in 2001 and is developed with an office building. The property east of the site is zoned “GO” General Office and is developed with a real estate office. The property south of the site across Central is zoned “LC” Limited Commercial and is developed with a vacant service station.

Analysis: There were no speakers in opposition to the request at the MAPC hearing on December 23, 2004. The MAPC voted unanimously to recommend approval of the zone change subject to the dedication of access control along Central except for the west 15 feet of Lot 662, Overlook Addition and the dedication of cross lot access to Lots 663 and 664, Overlook Addition.

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 recommended conditions; place the ordinance establishing the zone change on first reading; and instruct the City Clerk to withhold publication of the ordinance until the conditions of approval are met; 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
February 1, 2005

Agenda Report No. _____

TO: Mayor and City Council

SUBJECT: ZON2004-00060 – Zone change from “B” Multi-family Residential to “NO” Neighborhood Office. Generally located north of Central, between Terrace and Pershing. (District I)

INITIATED BY: Metropolitan Area Planning Department *JVS*

AGENDA: Planning (Consent)

MAPC Recommendations: Approve (Vote 11-0), subject to staff recommendations.

MAPD Staff Recommendations: Approve, subject to conditions.

DAB Recommendations: Not applicable.

