

OCA 150004

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9/21/18

ORDINANCE NO. 50-852

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. ZON2018-00028

City zone change from SF-5 Single Family Residential to GO General Office District and described as follows:

The north 240 feet of the west 190.48 feet of Lot 3, Gilder's Gardens Addition, Sedgwick County, Kansas; except the north 30 feet thereof for street right-of-way.

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 18th day of Sept, 2018.

Jeff Longwell
Jeff Longwell, Mayor

ATTEST:

Karen Sublett

Karen Sublett, City Clerk

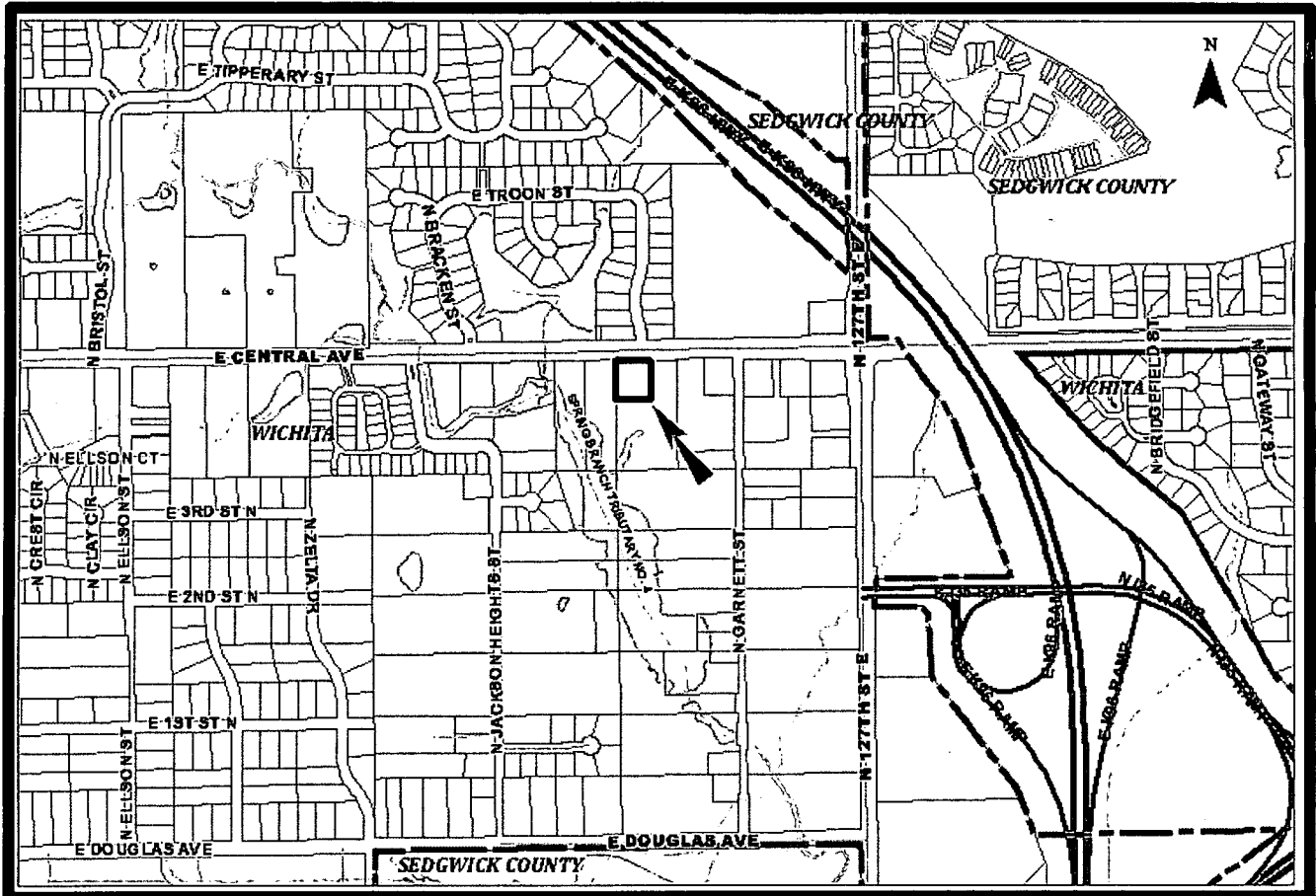


Approved as to form: *Jennifer Magaña*
Jennifer Magaña, City Attorney and Director of Law



STAFF REPORT
MAPC August 9, 2018
DAB II August 13, 2018

- CASE NUMBER:** ZON2018-00028
- APPLICANT/AGENT:** Bahman Raisdana (Owner) / Kaw Valley Engineering – Levi Bond (Agent)
- REQUEST:** GO General Office
- CURRENT ZONING:** SF-5 Single Family Residential
- SITE SIZE:** .92 acre
- LOCATION:** Located on the south side of Central Avenue approximately ¼-mile west of 127th Street East (12421 East Central Avenue)
- PROPOSED USE:** Commercial Office development



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BACKGROUND: The applicant requests the rezoning of the .92-acre tract on the south side of Central Avenue approximately ¼-mile west of 127th Street East from SF-5 Single Family Residential (SF-5) to GO General Office (GO). The subject property has a single family residential structure on it presently, but the general neighborhood is rapidly changing from a residential area to a more commercial area. Central Avenue is a major arterial roadway that is increasing in traffic and many of the properties have been converting into more intensive uses, especially to the east. The desire is to pursue conversion of the property into a use more conducive to the changed character of the neighborhood.

The surrounding neighborhood is a mixture of uses. There are some residential uses to the east, west and south which have existed for a long time. Further to the east is a relatively new self-storage development. There is a single-family residential development to the north. Further to the northeast on the north side of Central Avenue is a new multiple family residential development. Other commercial uses have been constructed further to the east. In short, the area has been redeveloping and commercial uses are more dominant. To the east is an area platted as the Plaza Central Office Park that is zoned GO General Office.

CASE HISTORY: The subject property is platted in the Gilders Gardens Addition, which was recorded in the Register of Deeds office in 1923. The subject property was created as a lot split many years ago. There are no other zoning actions on this property.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	single family residential
SOUTH:	SF-5	single family residential
EAST:	SF-5	single family residential
WEST:	SF-5	single family residential

PUBLIC SERVICES: Central Avenue is a fully improved commercial four-lane arterial street with turn lanes provided at certain intersections. The site is served by all municipal and private utilities and services.

CONFORMANCE TO PLANS/POLICIES: The 2035 Wichita Future Growth Concept map (MAPC approval November 19, 2015) indicates the site is appropriate for “residential employment mix”. The residential/employment mix encompasses areas of land that will likely be developed or redeveloped by 2035 with uses predominately of a mixed nature.

The *Community Investments Plan* discusses **Location Guidelines** in section 3 of the Future Land Use Policies. In the subsection titled **Development Pattern**, guideline 1.a. states “development should occur where necessary supporting infrastructure and services exist or are planned for extension concurrently with development. Guideline 3.c. states “small, neighborhood-serving retail and offices uses and high-density residential uses not located at arterial intersections should be limited to the intersection of an arterial and a collector street. Guideline 3.e. states “new development areas be separated from existing developed areas by major barriers (such as: highways, railroads, waterways, and airports) or by significant open space or undeveloped areas should be discouraged unless the scale of the development is sufficient to support the cost of extending infrastructure and services in a manner that supports additional development on surrounding sites.”

The overall spirit and intent of this rezoning appears to be in conformance with the above stated policies and guidelines of the adopted Plans for the City of Wichita.

RECOMMENDATION: Based upon the information available at the time the staff report was completed, staff recommends APPROVAL the request as submitted. This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: Central Avenue is a commercial corridor and the neighborhood has seen redevelopment of a more commercial nature to the north and east.
2. The suitability of the subject property for the uses to which it has been restricted: The property is presently zoned SF-5 Single Family Residential but is suitable for conversion to a more commercial office use, which

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would be permitted by this rezoning. GO General Office restricts the property primarily to just office uses, which does limit the potential future uses of the property to some degree.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: The rezoning of this property to GO General Office is not deemed to have any detrimental impact on surrounding properties. The access will be from Central Avenue, which will limit impacts to surrounding properties.
4. Length of time the property has been vacant as currently zoned: The property has been occupied in the past under the current zoning classification; the continued use for residential purposes is difficult given the nature of the changing conditions.
6. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The 2035 Wichita Future Growth Concept map (MAPC approval November 19, 2015) indicates the site is appropriate for “residential employment mix”. The residential/employment mix encompasses areas of land that will likely be developed or redeveloped by 2035 with uses predominately of a mixed nature.

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7. Impact of the proposed development on community facilities: Rezoning of the property would not have any impact on community facilities or resources. All public improvements are available to serve the property.