

OCA 150004

PUBLISHED IN THE WICHITA EAGLE ON Feb. 8, 2019

ORDINANCE NO. 50-920

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. ZON2018-00048

City zone change from MF-29 Multiple-Family Residential to GC General Commercial District and described as follows:

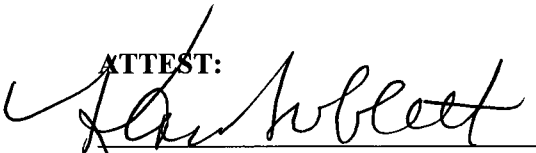
The South 6.25 feet of Lot 22, all of Lot 24, Lot 26 and Lot 28, Washington Avenue, Lincoln Street Addition to the City of Wichita, Sedgwick County, Kansas, EXCEPT part for highway in Case No. C-2676. (Generally located East of South Washington Avenue and South of East Lincoln Street) (1226 South Washington Avenue).

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.

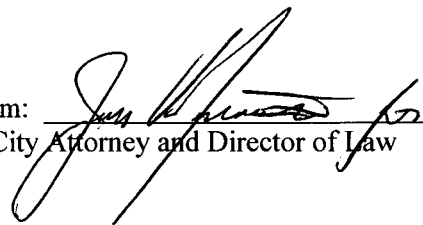
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED this 5th day of Feb, 2019.


Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

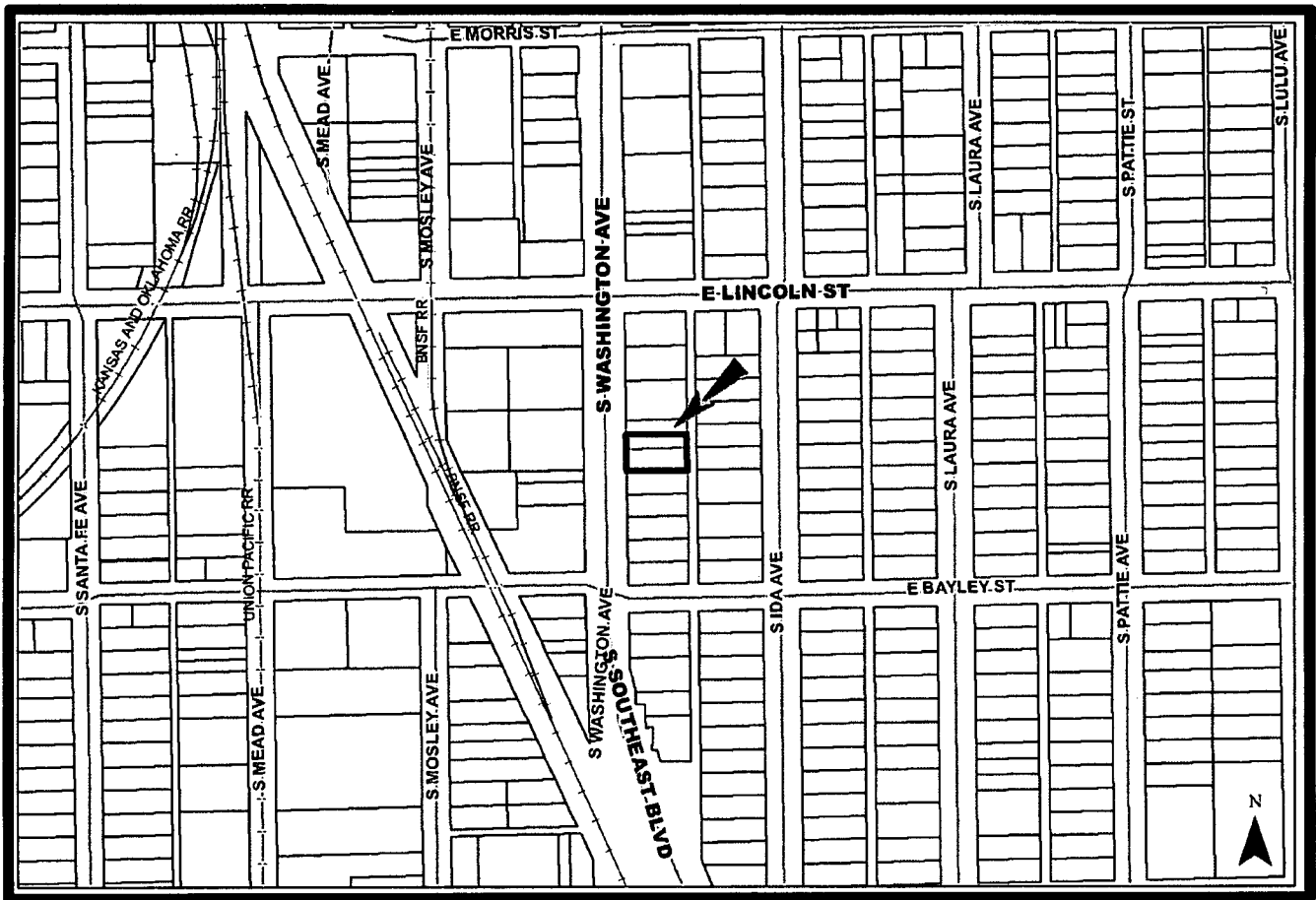


Approved as to form: 
Jennifer Magaña, City Attorney and Director of Law



STAFF REPORT
MAPC December 20, 2018
DAB I January 7, 2019

- CASE NUMBER:** ZON2018-00048
- APPLICANT/AGENT:** Quality Roofing Installation, Miguel Garcia (Owner)
- REQUEST:** GC General Commercial
- CURRENT ZONING:** MF-29 Multiple Family Residential
- SITE SIZE:** 0.15 acres
- LOCATION:** Located on the east side of South Washington Avenue, south of East Lincoln Street
- PROPOSED USE:** Commercial development



ZON2018-00048

BACKGROUND: The applicant is requesting the rezoning of the two more platted lots he owns generally located east of South Washington Avenue, south of East Lincoln Street and north of east Bayley Street from MF-29 Multiple Family Residential (MF-29) to GC General Commercial (GC) in order to redevelop the property with commercial uses. The applicant also owns most of the property on the east side of Washington Street between Bayley Street and Lincoln Avenue, but it is only these two lots that are subject of this application.

The subject property is presently vacant of buildings, but there are buildings to the north that will become part of the overall redevelopment of the area.

The original plat creating these lots was the plat of the Lincoln Street Addition to the City of Wichita, Kansas, recorded with the Register of Deed's on June 5, 1886.

The surrounding neighborhood is a mixture of uses. The property along the east side of Washington Avenue between Lincoln Avenue and Bayley Street is commercial or vacant. To the east of the subject property is a number of residential structures on land zoned MF-29 Multiple Family Residential, even though all are single family homes.

The property to the west of Washington Avenue is zoned GC General Commercial (GC) and is used for commercial uses and parking. There are a number of vacant lots on the west side of Washington Avenue.

South of Bayley Street, Washington Avenue curves to the southeast and becomes Southeast Boulevard. The uses are mostly commercial on the west side and a mixture of residential uses on the east side.

CASE HISTORY: Other than the original platting of the property in 1886, there are no other previous zoning actions on these parcels. The applicant owns land further to the south on the east side of Washington Avenue which were involved in a rezoning to GC General Commercial earlier this year (Case No. ZON2018-00014).

ADJACENT ZONING AND LAND USE:

NORTH:	MF-29	vacant
SOUTH:	MF-29	residential structures
EAST:	MF-29	residential
WEST:	GC	commercial

PUBLIC SERVICES: Washington Avenue is a fully improved four-lane arterial street with full traffic control improvements and appropriate drainage infrastructure. All municipal services are provided to the site.

CONFORMANCE TO PLANS/POLICIES: The Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the area in which the site is located as appropriate for Industrial uses. The site is within the Established Central Area (ECA), and is adjacent to the South Central Neighborhood Plan. The established land uses along the Washington Avenue corridor are predominately commercial, with the residential uses along Washington Avenue continuing to deteriorate. The conversion of this land to commercial uses is recognized as an appropriate redevelopment in this area given the nature of the transitional nature of the neighborhood.

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

1. **The zoning, uses and character of the neighborhood:** The surrounding neighborhood is a mixture of uses. The property along the east side of Washington Avenue between Lincoln Avenue and Bayley Street is commercial or vacant. To the east of the subject property is a number of residential structures on land zoned MF-29 Multiple Family Residential, even though all are single family homes. The property to the west of Washington Avenue is zoned GC General Commercial (GC) and is used for commercial uses and parking. There are a number of vacant lots on the west side of Washington Avenue. South of Bayley Street, Washington Avenue curves to the southeast and becomes Southeast Boulevard. The uses are mostly commercial on the west side and a mixture of residential uses on the east side.

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2. The suitability of the subject property for the uses to which it has been restricted: The property is presently zoned MF-29 Multiple Family Residential, but the residential structures have been removed and the owner has cleared the land for commercial development. The property is not suitable for residential uses to reestablish at this location given its location fronting an arterial street.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Given the extent of other commercial development in the immediate area, there should be no negative impacts to future commercial development. Development standards within the Unified Zoning Code regarding mitigation measures for future commercial development near residential properties will provide adequate safeguards in the future as needed.
4. Length of time the property has been vacant as currently zoned: The property has lost its value for residential use, and the conversion to commercial is acceptable.
6. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the area in which the site is located as appropriate for Industrial uses. The site is within the Established Central Area (ECA), and is adjacent to the South Central Neighborhood Plan. The established land uses along the Washington Avenue corridor are predominately commercial, with the residential uses along Washington Avenue continuing to deteriorate and the conversion of this land to commercial uses is recognized as an appropriate redevelopment in this area given the nature of the transitional nature of the neighborhood.
7. Impact of the proposed development on community facilities: Development of the property would not have any impact on community facilities or resources. All public improvements are available to serve the property.