

ORDINANCE NO. 48-316

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. ZON2009-00006

Zone change request from SF-5 Single-family Residential ("SF-5") to NO Neighborhood Office ("NO") on property described as:

Lot 10, Block 1, Country Acres Addition to Wichita, Sedgwick County, Kansas; generally located midway between Ridge and Tyler Roads, on the north side of Central Avenue and east of Woodchuck Lane.

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 28 day of April, 2009.

ATTEST:



Karen Sublett, City Clerk

Carl Brewer, Mayor

Approved as to form:

Gary E. Rebenstorf
Gary E. Rebenstorf, Director of Law

City of Wichita
City Council Meeting
April 21, 2009

TO: Mayor and City Council

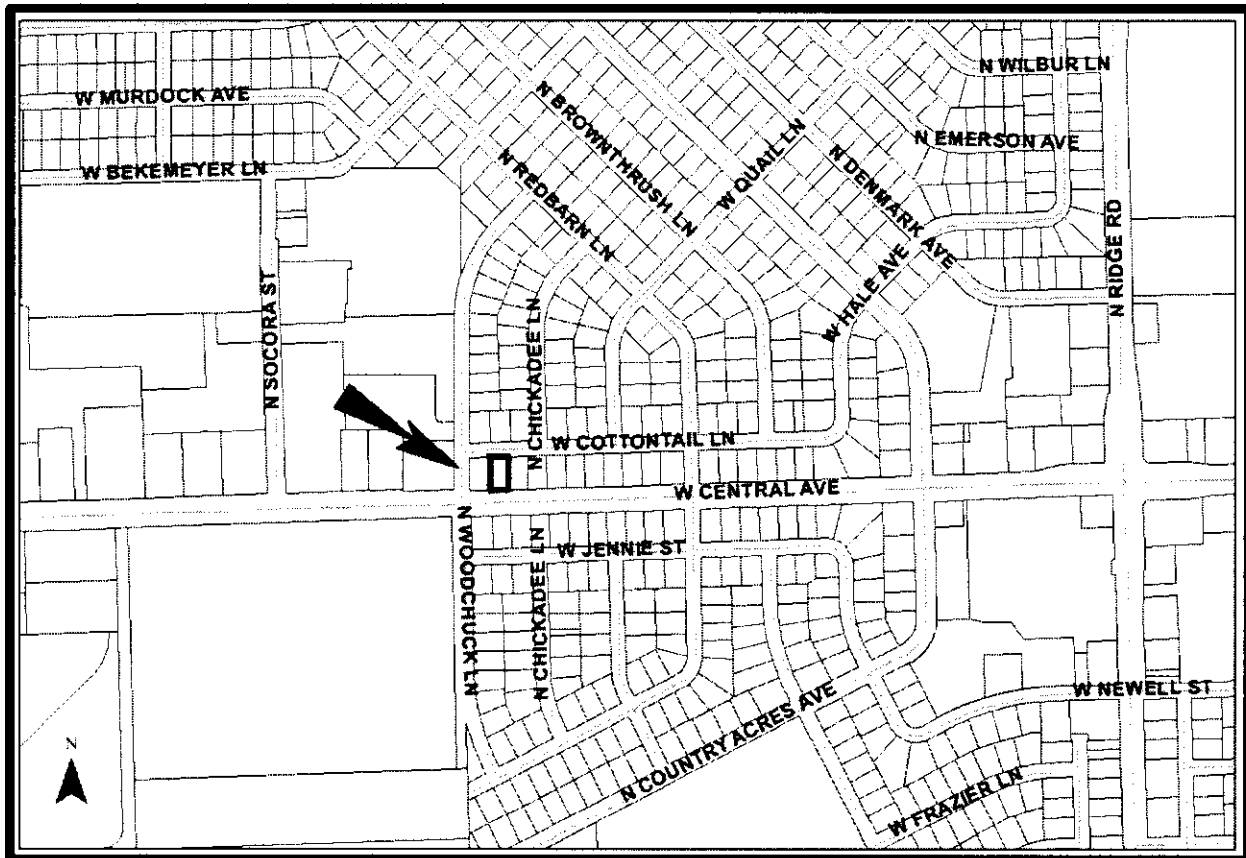
SUBJECT: ZON2009-00006 – City zone change from SF-5 Single-family Residential (“SF-5”) to NO Neighborhood Office (“NO”); generally located midway between Ridge and Tyler Roads, on the north side of Central Avenue. (District V)

INITIATED BY: Metropolitan Area Planning Department *JLS*

AGENDA: Planning (Consent)

MAPC Recommendation: Approve, vote (13-0).

MAPD Staff Recommendation: Approve.



Background: The applicant requests a zone change from SF-5 Single-family Residential ("SF-5") to NO Neighborhood Office ("NO") on a 0.20-acre piece of property generally located midway between Ridge and Tyler Roads, on the north side of Central Avenue and east of Woodchuck Lane. The property requesting the rezone is currently developed with a single-family residence and the applicant proposes to expand his existing dental office, which is located on the adjoining property to the west.

The surrounding property to the north and east is zoned SF-5 and is occupied by single-family residences. The property to the south of Central is GO General Office ("GO") and SF-5, and is developed as a strip office center. Property adjoining the west property line of the subject site is zoned GO and is developed with a dental office. Other uses along Central to the east are predominately single-family residences and retail, restaurant and office uses to the west.

Analysis: At the MAPC meeting held March 19, 2009, the MAPC voted (13-0) to recommend approval of the request for NO zoning. There was one citizen who spoke in opposition of the case. The issues the citizen stated included increased traffic, screening of the site from her property, the effect the request may have on the pedestrian traffic in the area and the possibility of accessing the site from Central Avenue. The applicant's agent stated that the request will not increase traffic since the plan is to use the subject site for more office space and a break room for existing employees, and that the request will not impact pedestrian traffic any more than what may be occurring now. Staff stated that screening between residential and non-residential uses is required by code, and the site cannot be accessed by Central Avenue since that would be against the City's access management policy.

Financial Considerations: None.

Goal Impact: Promote Economic Vitality

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, approve the zone change and place the ordinance on first reading; or
2. Return the application to the MAPC for reconsideration.

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