

OCA 150004

ORDINANCE NO. _____

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. ZON2011-00024

Zone change from SF-5 Single-Family Residential ("SF-5") to GC General Commercial ("GC") on a 1.04-acre property described as:

Lots 17, 18, 19, 30 and 31, Block 4, and Lots 20, 21, 22, 23, 24, 25, 26 & 27, EXCEPT the West 5 feet for street, Block 4, and Lots 28 and 29, EXCEPT the West 20 feet for street, Block 4, Travel Air City Addition to Wichita, Sedgwick County, Kansas.

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.

Carl Brewer - Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

Approved as to form: _____
Gary E. Rebenstorf, City Attorney

**City of Wichita
City Council Meeting
September 20, 2011**

TO: Mayor and City Council

SUBJECT: ZON2011-00024 – City zone change from SF-5 Single-Family Residential to GC General Commercial; generally located on the east side of Webb Road between Von Thaden Street and Chamberlin Street. (District II)

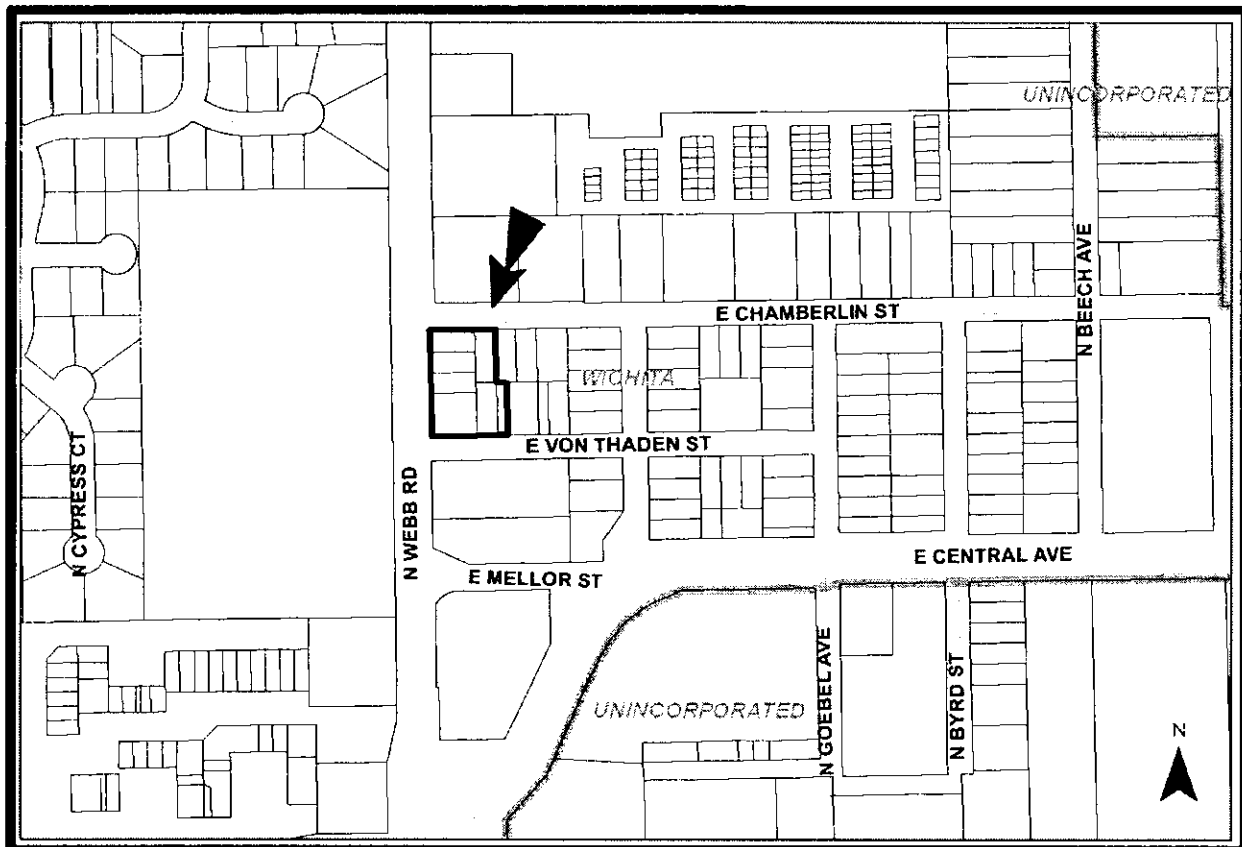
INITIATED BY: Metropolitan Area Planning Department *JVS*

AGENDA: Planning (Consent)

MAPC Recommendation: The MAPC recommendation was to approve the request (13-0).

MAPD Staff Recommendation: The MAPD staff recommendation was to approve the request.

DAB Recommendation: The District II Advisory Board recommendation was to approve the request (9-1).



BACKGROUND: The applicant is requesting a zone change from SF-5 Single-Family Residential (“SF-5”) to GC General Commercial (“GC”) on a 1.04-acre property located on the east side of Webb Road between Von Thaden Street and Chamberlin Street. This site is located within “Area A” of the “Airport Hazard Map,” which limits heights to 25 feet unless specifically reviewed and permitted by a separate procedure by the FAA.

The zoning pattern east of Webb Road is somewhat unusual, with the majority of the land being zoned LI. This pattern emerged because of Beechcraft’s manufacturing plants south of Central and its employee recreation lake/park and runways north of Central. A cluster of residences (site built homes, manufactured homes, trailers, even travel trailers as witnessed by the subdivision plat’s name “Travel Air City”) is imbedded within the square mile bounded by Central to Webb Road to 13th Street North to Greenwich Road. These residential tracts were zoned SF-20 while in the unincorporated area of Sedgwick County and transferred to SF-5 when annexed into the City of Wichita. Two presumption of abandonment cases were approved in this area during the past year (BZA2010-00019 and BZA2011-00053).

Today, the property to the north has been rezoned to GC (ZON2002-00033) and the property to the south has been rezoned to LI (SCZ-0757). Conditional Uses for Car Washes have been approved in both these properties (CON2007-00040 for the land north of Chamberlin Street and CON2000-00036 for the land 100 feet south of Von Thaden Street). Other uses to the north and east of Webb Road include a small commercial strip center and mini-storage units located on property zoned GC and an indoor/outdoor amusement park farther north on property zoned LI. The properties to the south and east of Webb Road are zoned LI and include a car repair business, the car wash previously discussed, a building with a convenience store center and several other businesses and the Beechcraft plants to the south of Central.

West of Webb Road, the character and zoning pattern contrasts starkly with the LI/GC character to the east. The property is zoned SF-5 and developed with Minneha Elementary School directly across from the requested zone change and the Lakepoint planned residential development to the northwest. LC Limited Commercial (“LC”) zoning is located to the southwest, at the corner of Central and Webb Road, and is developed with a bank and an office park.

The property is situated between SF-5 to the east and west, LC to the southwest, LI to the south and GC to the north. The applicant originally filed for LI Limited Industrial (“LI”) but based on the presence of the SF-5, LC and GC zoning on three edges of the property, staff recommended and the applicant agreed that GC was a better fit.

Analysis: At the MAPC meeting held August 18, 2011, the MAPC voted (13-0) to approve the request for the zone change from SF-5 to GC. No citizens were present to speak on the case. At the District II Advisory Board held August 1 2011, the DAB voted (9-1) to recommend approval of the requested change to GC. No opposition was expressed at the DAB meeting. No protests have been received.

Financial Considerations: There are no financial considerations in regards to the zoning request.

Goal Impact: The impact of the zone change would be to promote Economic Vitality.

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

Recommendation/Actions: Adopt the findings of the MAPC and approve the zone change and authorize the Mayor to sign the ordinance.