

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. ZON2013-00020

Zone change from Single-Family Residential ("SF-5") and Two-Family Residential ("TF-3") to LC Limited Commercial ("LC") on an approximately a 0.74-acre property described as:

The South 8 feet of lot 11 and all of lots 13, 15, 17, 19, 21 and 23, on Wichita Street, Smith and Stover's Addition to Wichita, Sedgwick County, Kansas AND The South 8 feet of lot 12 and all of lots 14, 16, 18 and 20, on Water Street, English's 6th Addition to Wichita, Sedgwick County, Kansas; generally located east of Waco Avenue, south of Harry Street, between South Water Street and South Wichita Street.

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.

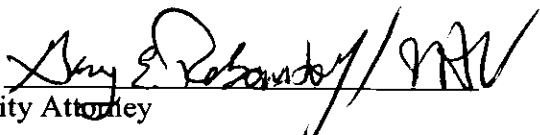
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

Carl Brewer - Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

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

City of Wichita
City Council Meeting
October 22, 2013

TO: Mayor and City Council

SUBJECT: ZON2013-00020 – Zone change from SF-5 Single-Family Residential (SF-5) and Two-Family Residential (TF-3) to LC Limited Commercial (LC) on property generally located east of Waco Avenue, south of Harry Street, between Water Street and Wichita Street. (District III)

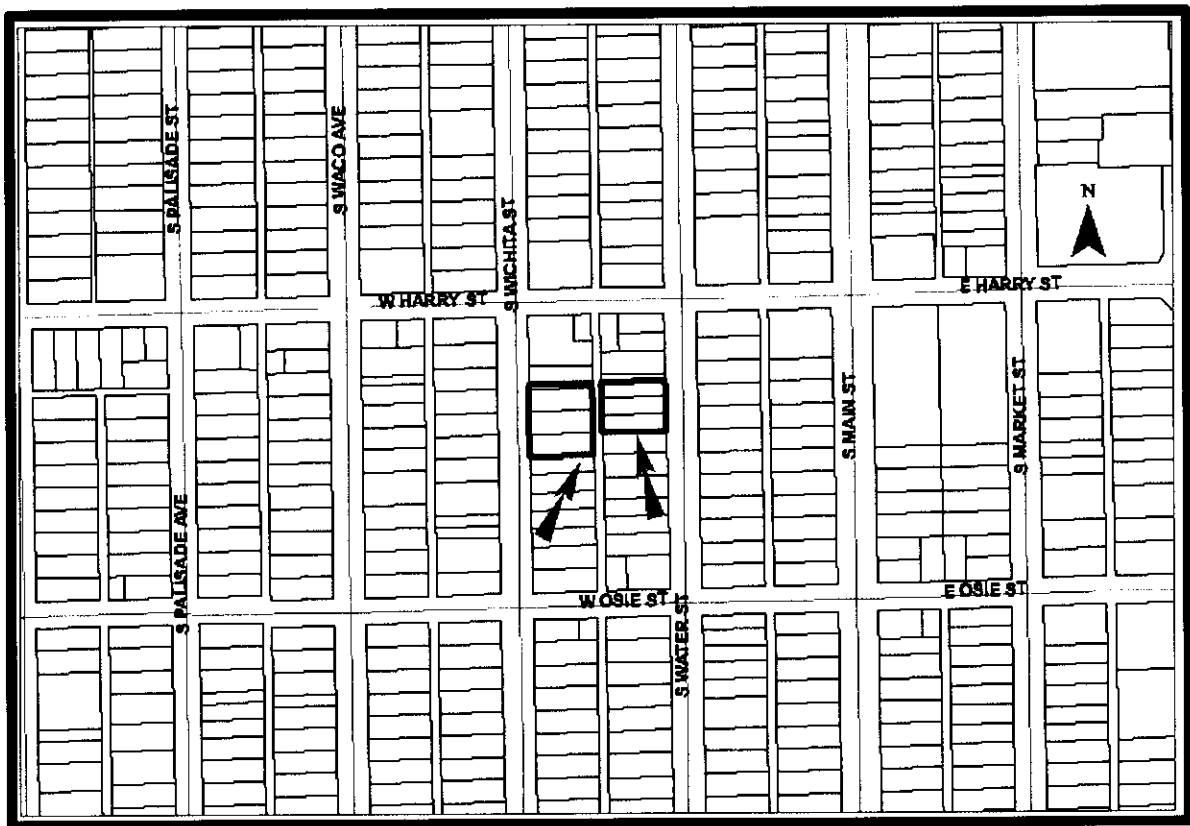
INITIATED BY: Metropolitan Area Planning Department *JLS*

AGENDA: Planning (Consent)

MAPC Recommendation: The MAPC recommends approval (11-0-1).

DAB III Recommendation: DAB III recommends approval (6-0).

MAPD Staff Recommendation: The MAPD staff recommends approval.



Background: The applicant proposes to rezone all or parts of multiple SF-5 Single-Family Residential (SF-5) and TF-3 Two-Family Residential (TF-3) zoned lots to LC Limited Commercial (LC). The requested LC zoning will allow the applicant to expand his flooring and carpet (retail) business located a block east of Waco Avenue, on the south side of Harry Street, between South Wichita Street and South Water Street. The subject site is a mixture of vacant land and vacant buildings.

The subject site has SF-5 and TF-3 zoned single-family residences (built 1900-1920s) abutting its south side. SF-5 and LC zoned single-family residences, a church parking lot and an auto repair garage are located east and west of the site, across South Water Street and South Wichita Street. The applicant's current LC zoned business and properties abut the north side of the subject site.

Analysis: At the District Advisory Board (DAB III) meeting held September 4, 2013, the DAB voted, unanimously (6-0), to approve the requested LC zoning. At the Metropolitan Area Planning Commission (MAPC) meeting held September 12, 2013, the MAPC voted (11-0-1) to approve the requested LC zoning. There were no citizens who spoke against the request at the MAPC or DAB meetings. Planning has received no phone calls protesting the request. There have been no valid protest petitions filed with the City Clerk.

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

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

Recommendation/Actions: It is recommended that the City Council adopt the findings of the MAPC, approve the zone change and place the ordinance establishing the zone change on first reading (simple majority required).

Attachments:

- Ordinance
- MAPC minutes
- DAB memo