

Published in The Wichita Eagle on June 26, 2014
ORDINANCE NO. 45-765

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. ZON2009-00032

Zone change request from B Multi-family Residential to GC General Commercial subject to Protective Overlay #238, on property described as:

David & Palmer Addition, Wichita, Sedgwick County, Kansas.

Generally located west of Broadway, on the south side of 29th Street North.

SUBJECT TO THE FOLLOWING PROVISIONS OF PO #238:

- A. No off-site or portable signs shall be permitted on the subject property. No building signs shall be permitted along the face of any building that is adjacent to any property that is zoned residential.
- B. Signs shall be in accordance with the City of Wichita sign code, with the exception that signs shall be monument-style.
- C. Light poles shall be of the same color and design and shall have cut-off fixtures which direct light away from any abutting or adjacent properties that are in a residential zoning district. Light poles shall be limited to a maximum height, including the base of the light pole, of 20 feet. Light poles shall not be located within any setbacks.
- D. Outdoor speakers and sound amplification systems shall not be permitted.
- E. No buildings shall exceed one story in height with a maximum building height of 45 feet.
- F. At the time the site is redeveloped the owner shall install and/or maintain 6-8-foot solid screening located parallel to the south, west and east property lines of the subject site, where it abuts and is adjacent to existing residential zoning.
- G. At the time the site is redeveloped landscaping shall be installed that meets the Landscape Ordinance.
- H. All driveways, parking, loading and vehicle circulation shall be paved with concrete, asphalt or asphaltic concrete.
- I. A 35-foot setback shall run parallel to the east, west and south sides of the property.

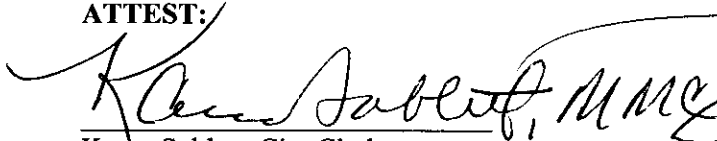
- J. The following uses shall not be permitted: group residence, limited and general, correctional placement residence, private and public recycling stations, recycling processing center, reverse vending machine, hotel – motel, kennels, recreational marine facility, night club, commercial parking, pawnshop, indoor and outdoor recreation, recreational vehicle campground, riding academy or stable, rodeo, sexually orientated business, tattooing or body piercing, tavern/drinking establishment, outdoor vehicle and equipment sales, limited and general asphalt or concrete plant, gas and/or fuel storage and sales, general manufacturing, mining or quarrying, rock crushing, solid waste incinerator, outdoor storage and vehicle storage yard.

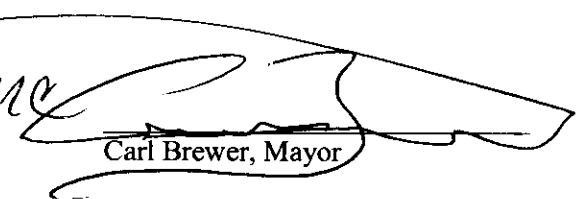
SECTION 2. That upon the taking effect of this Ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita-Sedgwick County Unified Zoning Code as amended.

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 17 day of June, 2014.

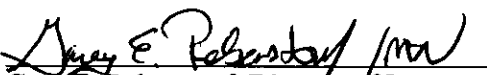
ATTEST:


Karen Sublett, City Clerk


Carl Brewer, Mayor

(SEAL)

APPROVED AS TO FORM:


Gary E. Rebenstorf, Director of Law

City of Wichita
City Council Meeting
March 4, 2014

FILE COPY

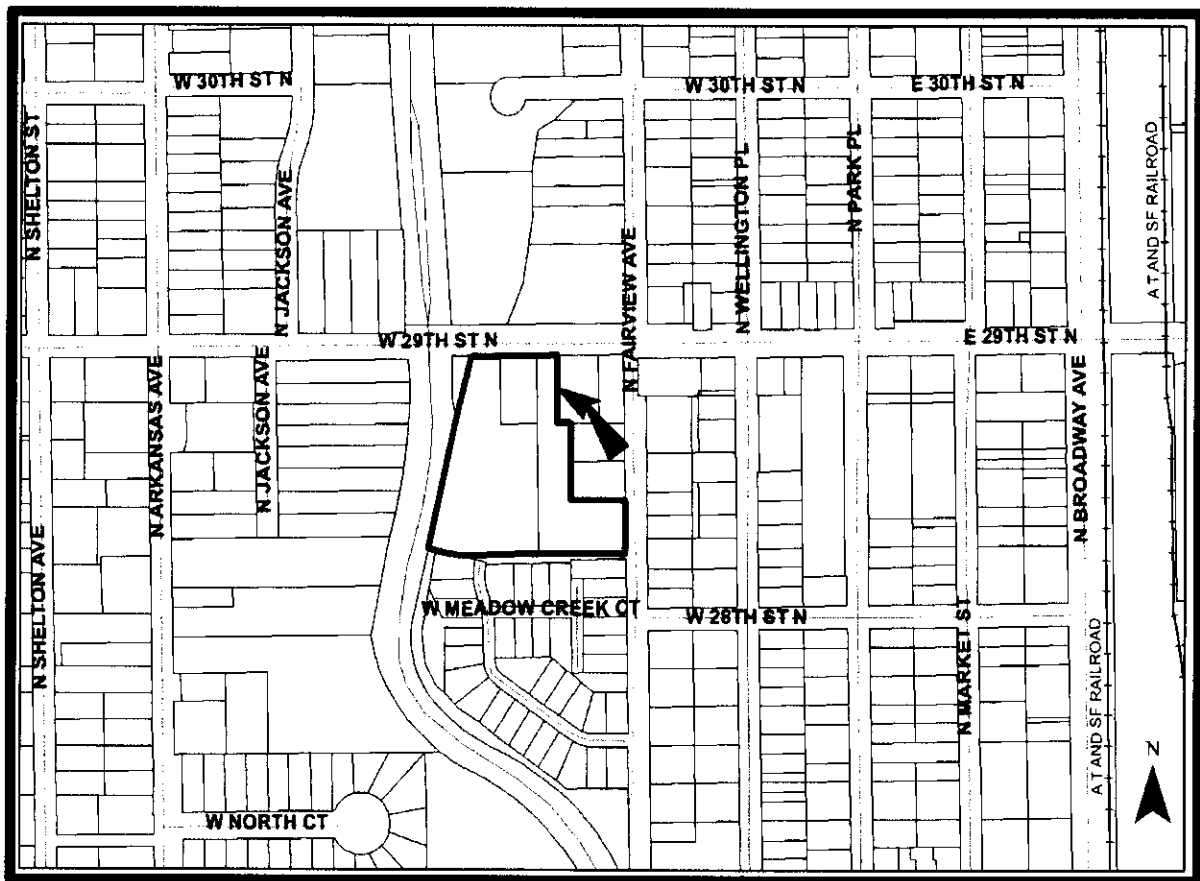
TO: Mayor and City Council

SUBJECT: ZON2009-00032 – Extension of time to complete the platting requirement for a zone change request from B Multi-family Residential to GC General Commercial with a Protective Overlay (PO); generally located west of Broadway Avenue and south of 29th Street North. (District VI)

INITIATED BY: Metropolitan Area Planning Department *JLS*

AGENDA: Planning (Consent)

MAPD Staff Recommendation: Approve a one-year extension of the platting deadline to March 4, 2015.



Background: On December 8, 2009, the City Council approved the zone change from B Multi-family Residential (B) to GC General Commercial (GC) with a Protective Overlay (PO) subject to the condition of platting the property within one year. The applicant requested and received a platting extension to March 1, 2012. The attached letter from the applicant's agent requests an additional one-year platting extension to March 4, 2015.

Analysis: Staff recommends that an extension of time to complete platting requirements be granted. The City Council may deny the request for an extension of time to complete platting; however, denying the extension would declare the zone change null and void and would require reapplication and rehearing if the property owner still desired a zone change.

Financial Considerations: Approval of this request will not create any financial obligations for the City.

Legal Considerations: No legal documents are required to enact the granting of the platting extension. The granting of a platting extension is indicated via letter to the applicant noting the extended platting deadline as granted by the City Council.

Recommendation/Actions: It is recommended that the City Council approve an extension of the platting deadline to March 4, 2015.

Attachment:

- K.E. Miller letter