

ORDINANCE NO. 50-293

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. ZON2016-00021

Zone change from SF-5 Single-Family Residential ("SF-5") and LC Limited Commercial ("LC") to IP Industrial Park ("IP"), on an approximately 10.00-acre property described as:

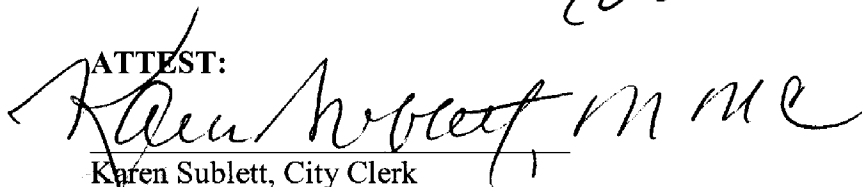
The north 10.00 acres of the east 640 feet of the west 1140' of the Northwest Quarter of Section 11, Township 27 South, Range 1 West of the Sixth Principal Meridian, Wichita, Sedgwick County, Kansas, lying south of the north 60 feet thereof, generally located east of North Hoover Road on the south side of West 21st Street North.

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.


Jeff Longwell, Mayor

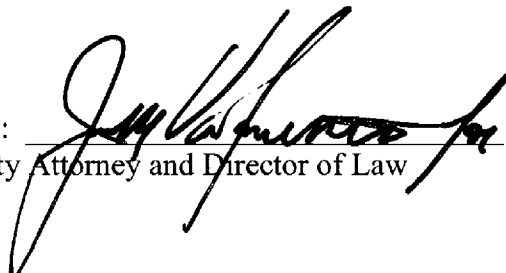
ATTEST:


Karen Sublett, City Clerk

(SEAL)

Approved as to form:

Jennifer Magana, City Attorney and Director of Law



Background: The applicant is requesting IP Industrial Park (IP) zoning on the undeveloped 10-acre, mostly SF-5 Single-family Residential (SF-5) and LC Limited Commercial (LC) zoned tract located on the south side of West 21st Street North and east of North Hoover Road. The IP zoning will allow for the expansion of an existing IP zoned manufacturing facility/machine shop located directly north of the site, across 21st Street North. The existing IP zoned manufacturing facility is also the last non-residential zoned property located east of the Hoover Road – 21st Street North intersection, until 29th Street North and West Street.

The area is a mix of land uses located in both the County and the City of Wichita. The zoning in the area includes SF-20 Single-Family Residential (SF-20), SF-5, LC, OW Office-Warehouse (OW), GC General Commercial (GC), IP and LI Limited Industrial (LI). The area's zoning allows a wide range of uses including up-scale single-family subdivisions, a few isolated single-family residences, active and spent sand pits, farmland, a construction and demolition landfill with a temporary rock crusher, limited manufacturing, an auto body shop and self-storage warehouses. The IP zoned Cox Machine manufacturing facility (built 2001, 2005 and 2009) is located north of the site across 21st Street, as are an IP zoned commercial strip building (built 2011) and self-storage warehouses (built 2009). Three SF-5 zoned single-family residences (a trailer and a stick frames built 1940 and 1957) and two SF-20 zoned sand pits are also located north of the site across 21st Street. Both of the sand pits are spent (CU-292, CU-16 and CU-24), but there has been recent subdivision and zoning activity on them. On March 10, 2016, SUB2016-00009 was presented to the Subdivision Committee (SD) as an expansion of the Emerald Bay up-scale single-family residential subdivision; no action was taken by the SD. The other sand pit had a Conditional Use (CON2016-00002) approved for a temporary rock crusher to clean up its current noncompliant use as a construction and demolition landfill and a wrecking and salvage yard. A LI zoned (ZON2000-00012, PO #72) auto body repair shop (built 2010) is located northwest of the site on the northeast corner of Hoover Road and 21st Street North. An OW zoned (SCZ-0764, PO Protective Overlay #39) self-service warehouse (built 1999, 2013 and 2014) abuts the west of the site and there is an active rail road track located west and adjacent to the site. Approximately 1,000 feet further west of the site, across Zoo Boulevard and 21st Street North, is the Sedgwick County Zoo and the Sedgwick County Zoo Park, the largest development in the area. A SF-5 zoned spent sand pit (CU-191) abuts the east and south sides of the site. This east abutting sand pit was considered and approved for a Conditional Use, CON2016-00014, for a major utility/water treatment plant at the June 16, 2016, MAPC hearing. The Wichita-Valley Center Floodway and its levee are also located further south and east of the site.

Analysis: On June 15, 2016, District Advisory Board (DAB) VI considered and approved (7-0-1) the requested IP zoning. There were no protesters at the DAB VI meeting.

On June 16, 2016, the Metropolitan Area Planning Commission (MAPC) considered and approved (8-0) the requested IP zoning. There were no protesters at the MAPC meeting. Planning staff has not received valid protests or appeals to the request.

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

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

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

Attachments:

- MAPC minutes
- DAB memo
- Ordinance