

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. ZON2016-00043 and CUP2016-00039

Zone change from SF-5 to LC:

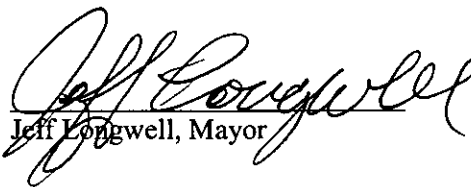
The southwest Quarter of the Northwest Quarter of Section 22, Township 27 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas, EXCEPT the south 35 acres thereof.

CUP DP-229 Amendment 1:

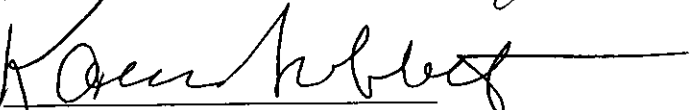
Lots 1, 2, 3, 4, 5, 6, and 7, Block 1, Canyon Properties Addition to Wichita, Sedgwick County, Kansas, TOGETHER WITH, The southwest Quarter of the Northwest Quarter of Section 22, Township 27 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas, EXCEPT the south 35 acres thereof.

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.

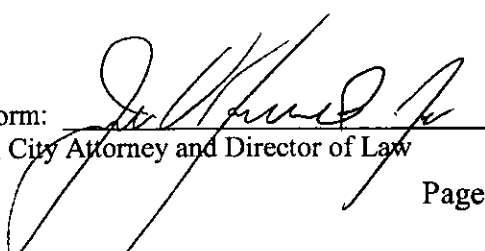
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.


Jeff Longwell, Mayor

ATTEST:


Karen Sublett, City Clerk



Approved as to form: 
Jennifer Magaña, City Attorney and Director of Law

Agenda Report No. II-

City of Wichita
City Council Meeting
December 20, 2016

TO: Mayor and City Council

SUBJECT: ZON2016-00043 and CUP2016-00039 – City Zone Change from SF-5 Single-Family Residential (SF-5) to LC Limited Commercial (LC) and an Amendment to Community Unit Plan DP-229 to Annex Additional Parcels into the CUP and Allow Limited Commercial Development on Property Generally Located at the Southeast Corner of East Central Avenue and North Greenwich Road (District II)

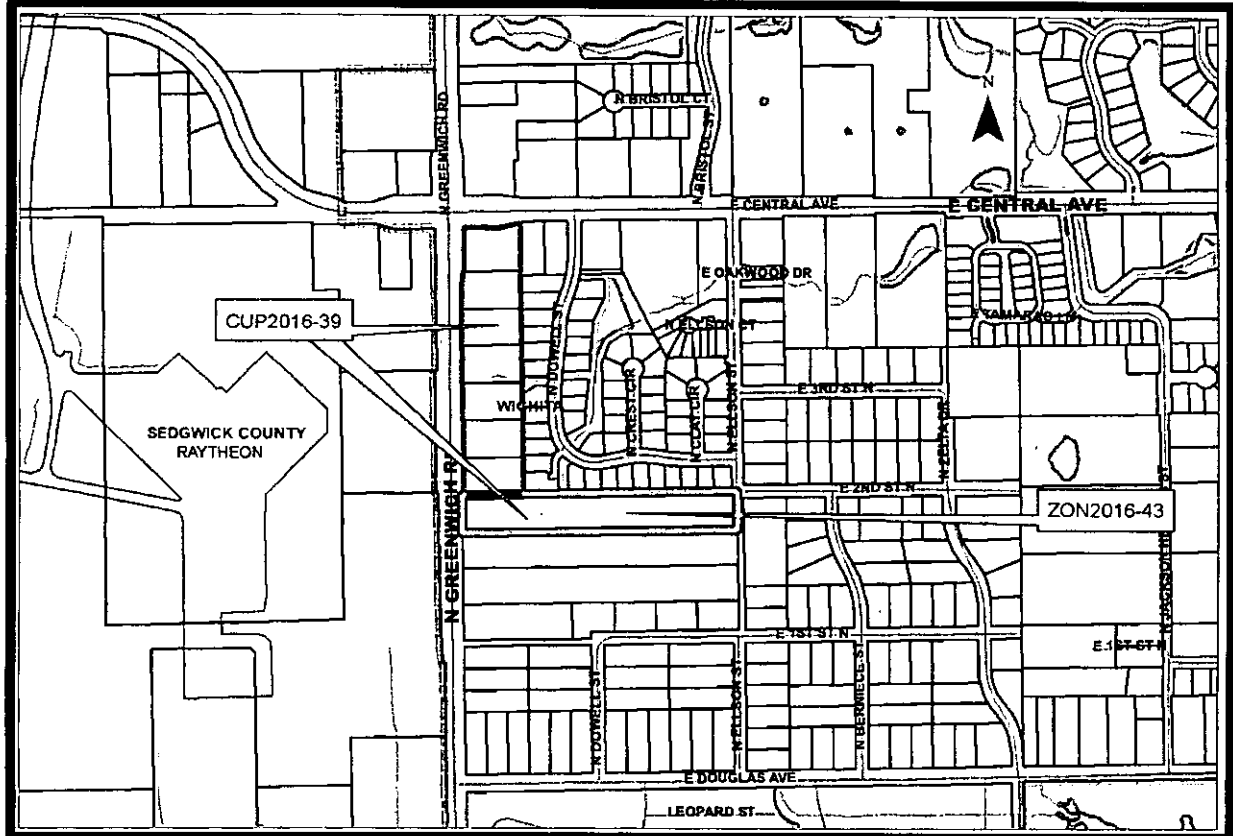
INITIATED BY: Metropolitan Area Planning Department *DM*

AGENDA: Planning (Consent)

MAPC Recommendation: The MAPC recommended approval of the request (8-0).

DAB Recommendation: District Advisory Board II recommended approval of the request (9-0).

MAPD Staff Recommendation: Metropolitan Area Planning Department staff recommended approval of the request.



Background: The subject site is located at the southeast corner of East Central Avenue and North Greenwich Road and contains approximately 12.79 acres that is zoned LC Limited Commercial and SF-5 Single-Family Residential. The applicant requests a zone change for the SF-5 portion to LC on approximately five acres and to annex the re-zoned property into an existing Canyon Properties Commercial CUP DP-229 to allow for new development (see attached site plan). In addition to a zone change to LC, the applicant is proposing to amend the existing CUP that will modify CUP DP-229 as outlined in the attached Proposed Revisions to DP-229.

Land to the north (across East Central Avenue) of the application area is zoned LC and developed with automobile/RV dealership and strip retail center. Properties located to the east and south of the subject site are zoned SF-5 and developed with single-family residences. Property west of the site, at the southwest corner of East Central Avenue and North Greenwich Road, is zoned LI Limited Industrial and is an aircraft manufacturing plant.

Analysis: DAB II recommended approval (9-0) of the request. The MAPC recommended approval of the application unanimously (8-0) subject to the following conditions agreed to by the applicant:

- A. The applicant shall record a CUP Certificate with the Register of Deeds indicating the annexed parcel has special conditions for the development of the properties.
- B. The applicant shall submit the recorded CUP Certificate and four final copies of the CUP to the Metropolitan Area Planning Department within 60 days after approval of this case by the Governing Body, or the request shall be considered denied and closed.

Planning staff has received no protests. The request can be approved with a simple majority vote.

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 concur with the findings of the MAPC and approve the zoning change and Community Unit Plan amendment subject to the conditions enumerated, and adopt the findings of the MAPC, approve the requested zone change, place the ordinance on first reading, authorize the necessary signatures, and instruct the City Clerk to publish the ordinance after approval on second reading (requires 4-7 votes).

Attachments: MAPC minutes, DAB II memo, Site Plan, Proposed Revisions and Ordinance