

ORDINANCE NO. 50-408

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:

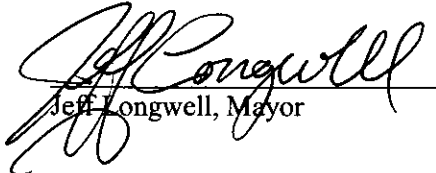
**Case No. ZON2016-00054**

City zone change from MF-29 Multi-Family Residential to LC Limited Commercial; described as:

LOTS 17-19 EXC 666 SQ. FT. FOR ST. COND. CASE 91-C-535 HILLSIDE AVE. GIRARD ADDITION, 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.

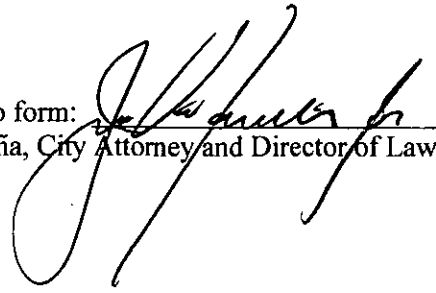
**SECTION 3.** That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

  
Jeff Longwell, Mayor

ATTEST:

  
Karen Sublett, City Clerk



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



AGENDA ITEM NO. 6

**STAFF REPORT**  
DAB I 12-5-2016  
MAPC 12-1-2016

CASE NUMBER: ZON2016-00054

APPLICANT/AGENT: Mohammed Ziboon (owner/applicant)

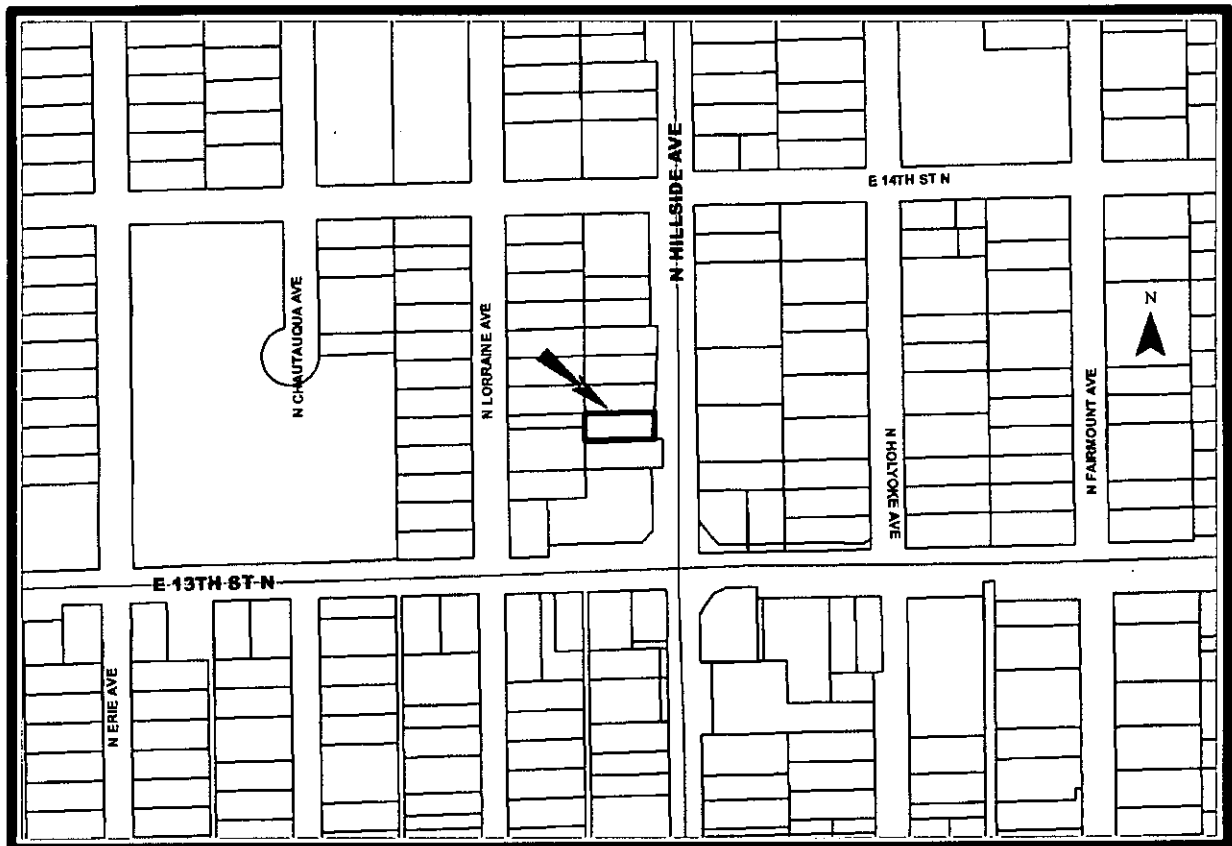
REQUEST: LC Limited Commercial

CURRENT ZONING: MF-29 Multi-Family Residential

SITE SIZE: 0.14 acre

LOCATION: North of 13<sup>th</sup> Street North and west of Hillside (1421 N. Hillside)

PROPOSED USE: Parking for existing convenience store



**BACKGROUND:** The applicant is seeking a zone change from MF-29-Multi-Family Residential to LC Limited Commercial on a 0.14 acre lot located north of 13<sup>th</sup> Street North and west of North Hillside. The subject site is LOTS 17-19 except 666 square feet for street. If approved, the LC zoning would permit the applicant to provide off-street parking for the LC zoned parcel to the south, which is developed with a convenience store.

The properties located east of the site are zoned MF-29 and LC, which are undeveloped. South of the subject site is LC zoning developed with a convenience store. Land to the west of the site is zoned TF-3 Two-Family Residential and is vacant. Land north of the site is zoned MF-29 and is developed with a two-family residence.

**CASE HISTORY:** The subject site is platted and is currently developed with a single-family residence.

**ADJACENT ZONING AND LAND USE:**

North: MF-29	Two-Family Residence
East: MF-29, LC	Vacant
South: LC	Convenience Store
West: TF-3	Vacant

**PUBLIC SERVICES:** The site is served by all usual municipal and private utilities and services.

**CONFORMANCE TO PLANS/POLICIES:** The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Established Central Area - the downtown core and mature neighborhoods surrounding it in a roughly three-mile radius. The Plan encourages infill development within the Established Central Area that maximizes public investment in existing and planned infrastructure and services. The Plan's locational guidelines indicate that the expansion of existing businesses to adjacent areas should be supported.

**RECOMMENDATION:** Based upon the information available at the time the staff report was completed, staff recommends that the request be **APPROVED**.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The properties located east of the site are zoned MF-29 and LC, which are undeveloped. South of the subject site is LC zoning developed with a convenience store. Land to the west of the site is zoned TF-3 Two-Family Residential and is vacant. Land north of the site is zoned MF-29 and is developed with a two-family residence.
2. The suitability of the subject property for the uses to which it has been restricted: The site is located immediately north of LC zoned property and would allow for

developing an on-site parking lot to support the existing convenience store.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval of the LC zoning should not create an increased negative impact on nearby property given the site location and the screening required by the Unified Zoning Code and landscaping required by the Landscape Ordinance.
4. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: LC zoning is appropriate for this location and provides economic viability to redevelop the property. Residential zoned property will be screened according to the Unified Zoning Code requirements.
6. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Established Central Area - the downtown core and mature neighborhoods surrounding it in a roughly three-mile radius. The Plan encourages infill development within the Established Central Area that maximizes public investment in existing and planned infrastructure and services. The Plan's locational guidelines indicate that the expansion of existing businesses to adjacent areas should be supported.