

First published in the Wichita Eagle on 11/24/17

OCA 150004

ORDINANCE NO. 50-615

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:

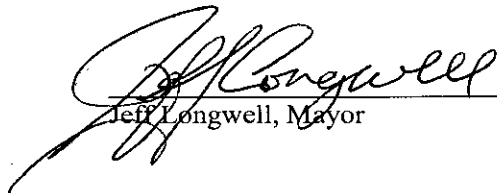
Case No. ZON2017-00030

City zone change from TF-3 Two-Family Residential to NR Neighborhood Retail zoning; described as:

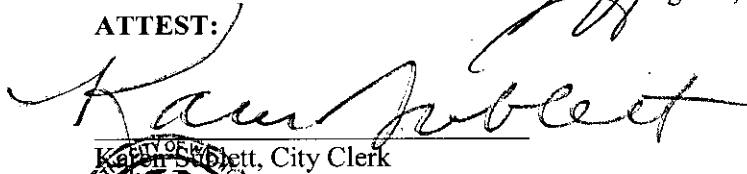
Even Lots 286 to 308, including the North 20 feet of Lot 310, Phillips (now Richmond) Avenue, Martinson's 5th Addition to Wichita, Kansas; TOGETHER WITH odd Lots 459 to 469, including the North 20 feet of Lot 471, Meridian Avenue, Martinson's 5th Addition to Wichita, Kansas; TOGETHER WITH the West 1/2 of Alley adjacent to even Lots 286 to 308, Phillips (now Richmond) Avenue, Martinson's 5th Addition to Wichita, Kansas; TOGETHER WITH the East 1/2 of Alley adjacent to odd Lots 459 to 469, Meridian Avenue, Martinson's 5th Addition to Wichita, Kansas; generally located at the southwest corner of Maple Street and Meridian Avenue.

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.

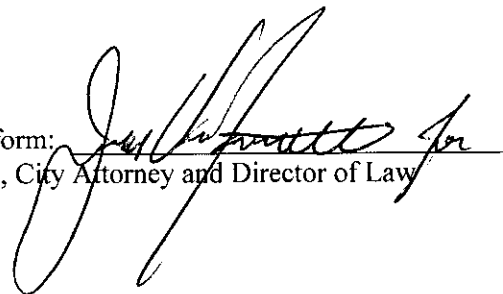
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.


Jeff Longwell, Mayor

ATTEST:


Kari Sobczak, City Clerk



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



STAFF REPORT
MAPC October 5, 2017
DAB IV October 2, 2017

CASE NUMBER: ZON2017-00030

APPLICANT/AGENT: USD 259 (Shane Schumacher) / Baughman Company (Russ Ewy)

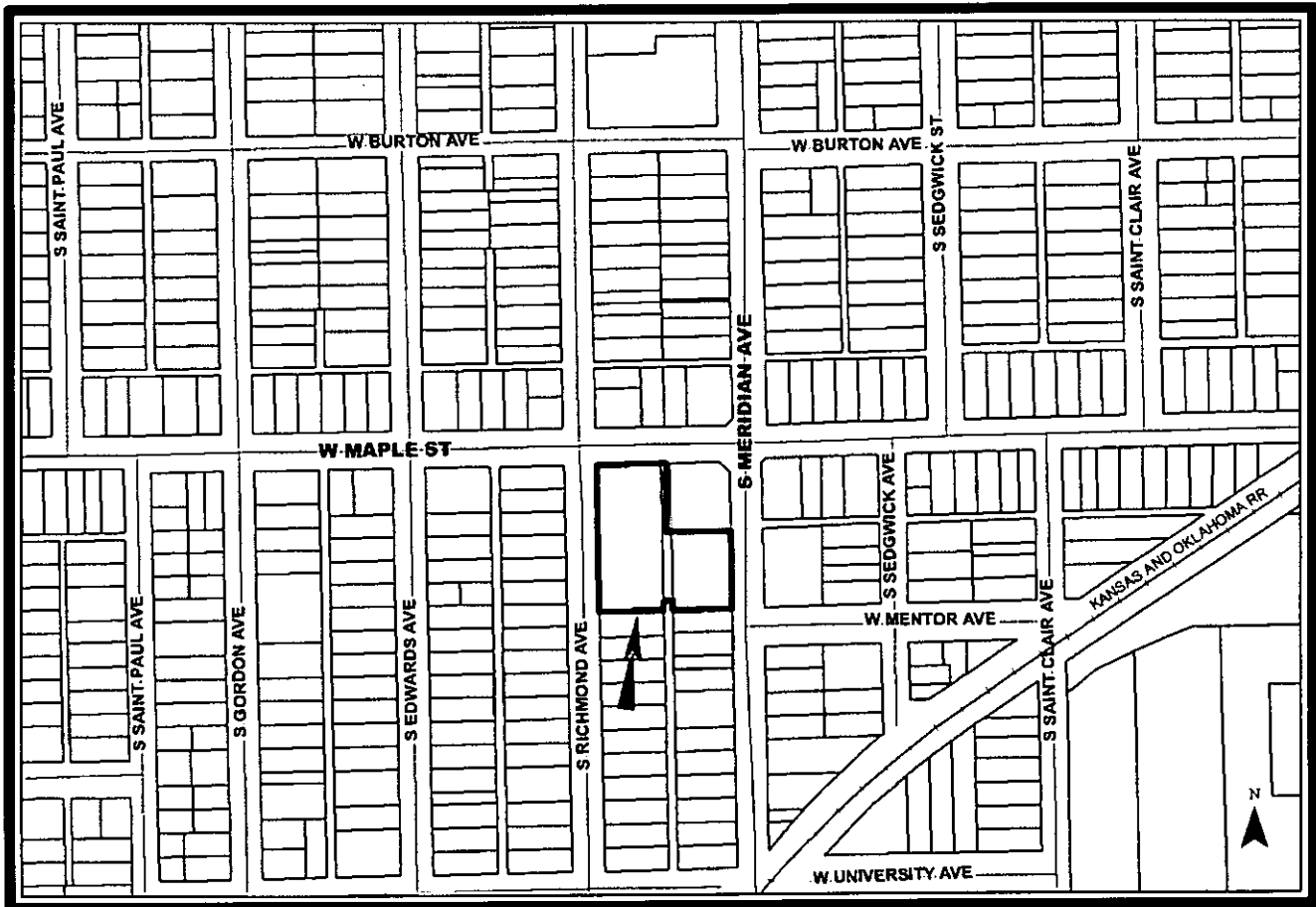
REQUEST: NR Neighborhood Retail

CURRENT ZONING: TF-3

SITE SIZE: 1.64 acres

LOCATION: Generally located at the southwest corner of Maple Street and Meridian Avenue

PROPOSED USE: Mixed-use repurposing of former Metro-Meridian High School



BACKGROUND: The applicant requests a zone change from TF-3 Two-Family Residential (TF-3) to NR Neighborhood Retail (NR) on a 1.64 acre site generally located at the southwest corner of Maple Street and Meridian Avenue. The applicant proposes the rezoning to allow mixed uses permitted in the NR zoning district.

Property immediately north of the subject site is zoned LC developed with an automotive service repair shop and TF-3 developed with single-family residences. Located west of the site is MF-29 Multi-family Residential and TF-3 zoned properties developed with single-family residences. East of the site are LC zoned lots developed as a strip center and B Multi-Family Residential (B) developed with garden apartments. South of the site is TF-3 zoned properties developed as single-family residential.

CASE HISTORY: The site was platted as Martinson's 5th Addition in November 1886. The original school building was constructed in 1924 and classrooms and the gymnasium were built in 2003. BZA2002-31, BZA2002-33 and BZA2002-44 were adjustments made for expanded parking and building setbacks for the 2003 building addition.

ADJACENT ZONING AND LAND USE:

NORTH:	LC, TF-3	Automobile Service Center, Single-Family Residences
SOUTH:	TF-3	Single-Family Residences
EAST:	LC, B	Retail Strip Center, Garden Apartments
WEST:	MF-29, TF-3	Single-Family Residences

PUBLIC SERVICES: West Maple Avenue is a paved, four-lane arterial street at this location with an 80-foot right-of-way. South Meridian Avenue is a paved, four-lane arterial street at this location with a 70-foot right-of-way. The site has driveway access to South Richmond Avenue and South Meridian Avenue at the south end of the parcel. All public services are available to the site.

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 Future Growth Concept Map identifies the area as "Residential." The Plan identifies the area as the focus for the Wichita Urban Infill Strategy for developing vacant or underutilized land in existing developed areas.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be **APPROVED**. This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** Property immediately north of the subject site is zoned LC developed with an automotive service repair shop and TF-3 developed with single-family residences. Located west of the site is MF-29 Multi-family Residential and TF-3 zoned properties developed with single-family residences. East of the site is LC zoned lots developed as a strip center and B Multi-Family Residential (B) developed with garden apartments. South of the site is TF-3 zoned properties that are developed with single-family residences.
2. **The suitability of the subject property for the uses to which it has been restricted:** The site is currently zoned TF-3 and does not allow for development of multi-family, personal care services, restaurant or retail uses requested by the applicant.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** The surrounding land use is a mix of garden apartments, strip retail center and automotive repair. The zone change to NR would provide a buffer area to the surrounding single-family residential use. Screening would be required along the south property line along with some landscaping requirements on Maple Street and Meridian Avenue.

4. **Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant:** Approval will provide a wider range of small commercial uses to the area. Denial would presumably represent a loss of economic opportunity to the applicant/property owner.
5. **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 Future Growth Concept Map identifies the area as “Residential.” The Plan identifies the area as the focus for the Wichita Urban Infill Strategy for developing vacant or underutilized land in existing developed areas.
6. **Impact of the proposed development on community facilities:** All services are in place. Increased demand on community facilities will be minimal based on proposed uses.