

PUBLISHED IN THE WICHITA EAGLE ON December 1, 2017

ORDINANCE NO. 50-631

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:

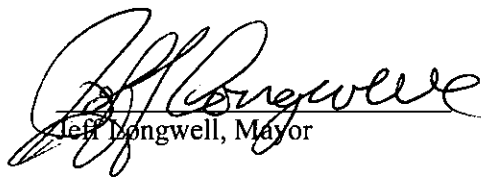
Case No. ZON2017-0047

City zone change from SF-5 Single-Family Residential District to LI Light Industrial District and described as follows:


Lot 1, Good Shephard Lutheran Church Addition to the City of 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.

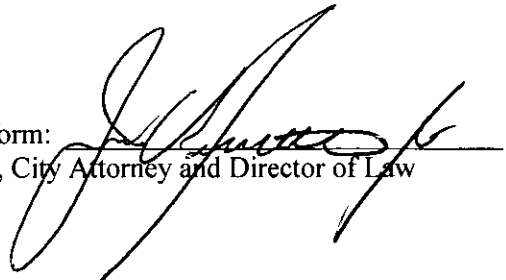

Jeff Longwell, Mayor

ATTEST:


Karen Sublett, City Clerk



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



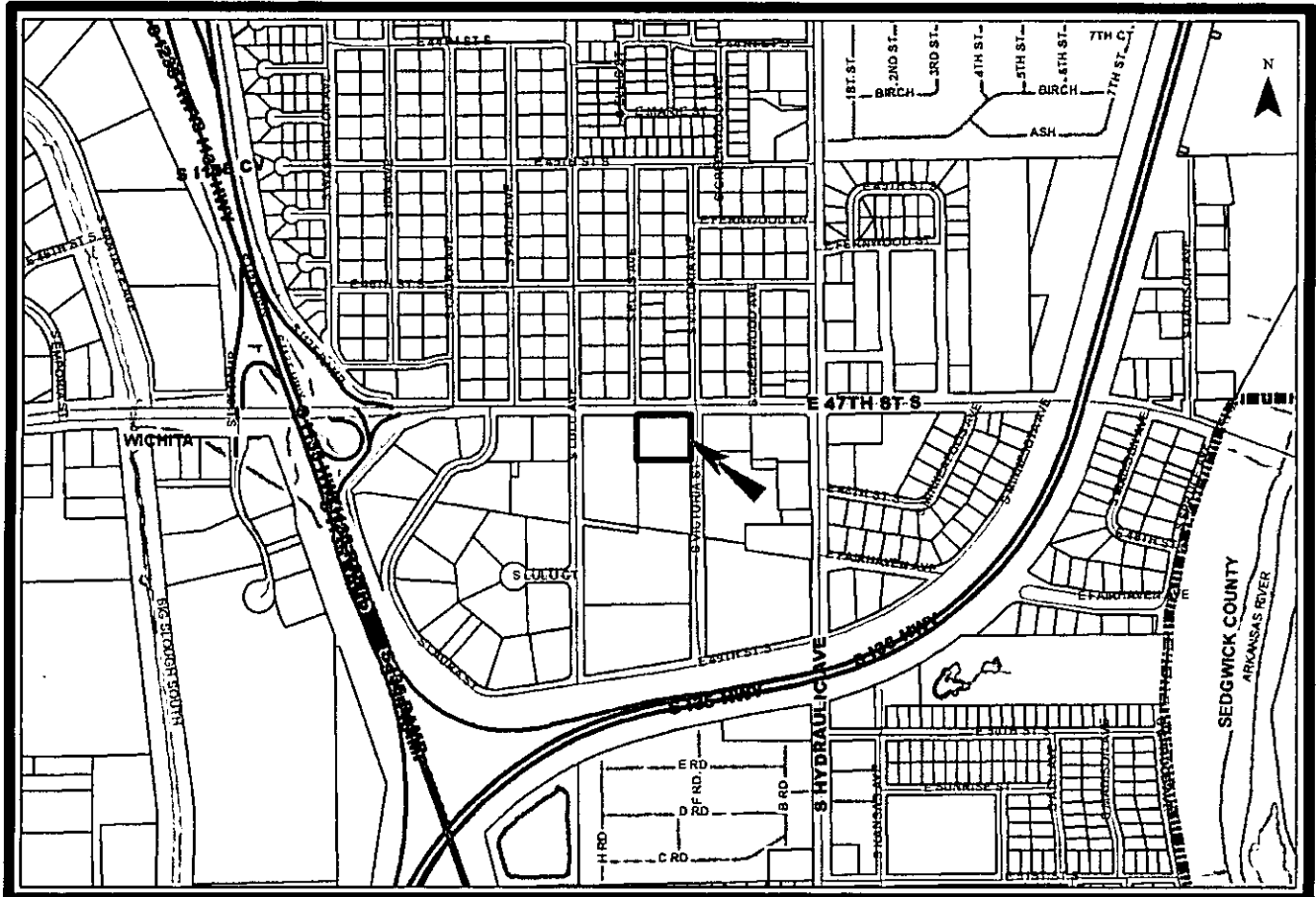


STAFF REPORT

MAPC October 19, 2017

DAB III November 1, 2017

- CASE NUMBER:** ZON2017-00047
- APPLICANT/AGENT:** Price Transportation, Inc./Ed Toon
- REQUEST:** LI Limited Industrial
- CURRENT ZONING:** SF5 Single Family
- SITE SIZE:** 1.73 acres
- LOCATION:** Located on the SW corner of East 47th Street South and South Victoria Street, one block west of the intersection of 47th Street South and Hydraulic Avenue
- PROPOSED USE:** Office and warehousing



BACKGROUND: Price Transportation acquired the subject property, which was formerly the Good Shephard Lutheran Church, in the spring of 2017. According to the applicant, the church had apparently been struggling for some time and reached the point its best move was to sell the building. Price Transportation has begun plans to convert the existing structure into offices and warehousing for its trucking operation.

The 1.73-acre property is presently zoned SF-5 Single-Family Residential (SF-5) which permits the church use by right. The zone change to LI Light Industrial (LI) is requested to accommodate the proposed conversion of the former church building to offices and warehousing uses.

Price Transportation owns all of the property on the west side of Victoria Street south of this property to the Kansas Turnpike, and utilizes all the land as part of its existing business. As can be seen from an aerial photo, the uses on the property include outdoor parking of trucks and trailers, employee parking, and numerous existing buildings supporting the business. All of Price Trucking's existing land is presently zoned (LI) Limited Industrial.

The surrounding neighborhood is a mixture of industrial and commercial uses on the south side of 47th Street; with predominantly residential uses to the north. As noted above, the properties immediately to the south and on the west side of Victoria are owned by the applicant and are used for the applicant's trucking business. Immediately to the west, between the applicant's property and Lulu Avenue, is land owned and used by Southwestern Bell/AT&T for one of its service facilities. Most of the land to the east across Victoria Street is vacant and owned by a local development company anticipating commercial uses, with a new Quik Trip convenience store at the southwest corner of 47th Street South and East Hydraulic. The land on the north side of East 47th South is predominantly zoned and used residentially.

CASE HISTORY: The site has a former church building and off-street parking, and is platted as a single lot named Good Shepherd Lutheran Church Addition. Other than the platting of the property, which occurred in 1992, there is no other previous zoning activity on this parcel.

ADJACENT ZONING AND LAND USE:

NORTH:	SF5	single-family
SOUTH:	LI	industrial
EAST:	GC	commercial/vacant
WEST:	GC/LI	Southwestern Bell Facility

PUBLIC SERVICES: East 47th Street South is a four-lane arterial street. South Victoria Street is a local street supporting the industrial uses of the applicant. Municipal utilities are available to serve the site.

CONFORMANCE TO PLANS/POLICIES: The Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as "New Employment." The "new employment" classification applies to those areas that likely will develop or be redeveloped within the by 2035 for centers or concentrations of employment primarily in manufacturing, warehousing, distribution, construction, research, technology, business services or corporate offices; among other potential uses. The proposed conversion of the existing church building into office and warehousing uses for the trucking company would comply with the land use designation of the plan.

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:** The surrounding neighborhood south of 47th Street is characterized primarily by industrial uses. North of 47th Street is single-family residential; however 47th Street effectively acts as the "buffer/barrier" from a land use perspective. The uses to the

ZON2017-00047

west are comparable in character. The land to the east is vacant but will become compatible once developed.

- (2) **The suitability of the subject property for the uses to which it has been restricted:** Given the location and the nature of surrounding uses, leaving the property as SF5 limits it to a church use; which has not been attractive for the time in since the previous church left this location.
- (3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** Given the location and surrounding uses as noted above, there are no recognized detriments to nearby property owners created by this change in zoning.
- (4) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as “New Employment.” The proposed conversion of the existing church building into office and warehousing uses for the trucking company would comply with the land use designation of the plan.
- (5) **Impact of the proposed development on community facilities:** Municipal utilities are available to serve the site; hence no impacts are anticipated.

Staff Report Attachments:

1. Zoning Exhibit
2. Aerial Photo
3. Proposed Site Plan

