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OCA 150004

ORDINANCE NO. 50-630

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. ZON2017-00043**

City zone change from SF-5 Single Family Residential to LC Limited Commercial zoning; described as:

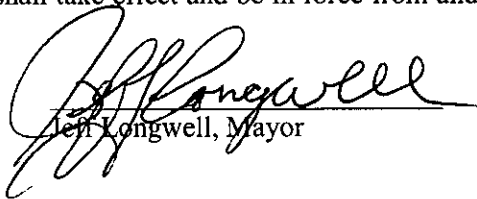
The South 75 feet of the North 125 feet of the West 150 feet of Lot 2, Block 6, Lawrence Addition to West Wichita, Sedgwick County, Kansas, except the West 7.5 feet thereof.

TOGETHER WITH

That part of Lot 2, Block 6, Lawrence Addition to West Wichita, Sedgwick County, Kansas, described as follows: Beginning at the Northwest corner of said Lot 2; thence East 150 feet; thence South 50 feet; thence West 150 feet; thence North 50 feet to the place of beginning, except the West 7.5 feet thereof deeded to the City of Wichita.

**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.

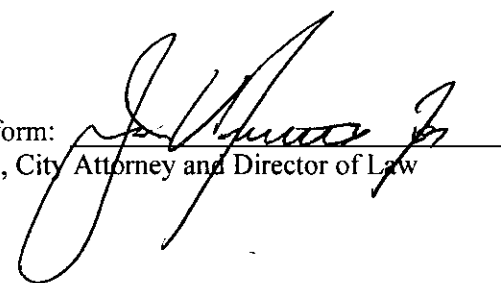
**SECTION 3.** That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

  
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 IV November 6, 2017

CASE NUMBER: ZON2017-00043

APPLICANT/AGENT: John Eck and Finao, Inc./ Kaw Valley Engineering, Tim Austin

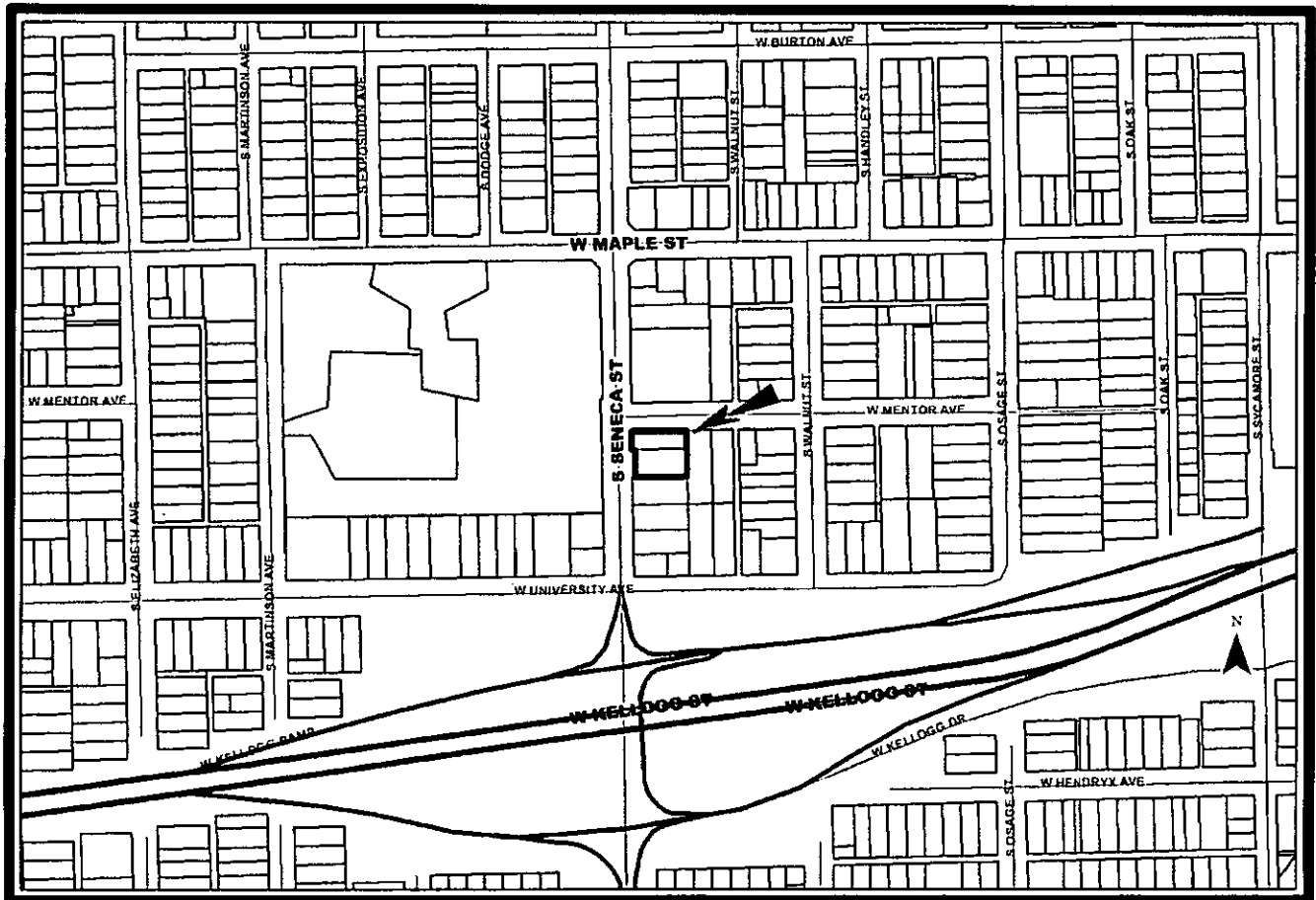
REQUEST: LC Limited Commercial

CURRENT ZONING: SF-5 Single-Family Residential

SITE SIZE: 0.4 acre

LOCATION: Southeast corner of Seneca and Mentor

PROPOSED USE: Commercial Development



**BACKGROUND:** The applicants request LC Limited Commercial zoning on two lots (0.4 acre) located at the southeast corner of South Seneca and West Mentor. The subject site is currently zoned SF-5 Single-Family Residential. The residential structures on these lots were demolished between October 2015 and April 2016. These are the only two remaining SF-5 zoned lots on the east side of Seneca between the Kellogg overpass and Maple Street to the north.

The site is located within the Delano District, a commercial district serving West Wichita with a variety of commercial, personal service and entertainment uses since the 1870's. The site is located within the Delano Neighborhood Plan area, and the Delano Overlay Neighborhood District (D-O). The Delano Overlay Zoning District contains development standards specific to the Delano Neighborhood Plan, including architectural review and landscaping requirements along Seneca north of the West Kellogg/U.S. Highway 54.

Properties north, south and east of the site are zoned LC. The LC zoned properties east and south of the site are vacant. Property north of the site is developed with a one-story commercial building. The property west of the site is zone B Multi-Family and is the location of the Masonic Home nursing and assisted living facility.

**CASE HISTORY:** The property is platted as the Lawrence Addition to West Wichita in 1884. The property was included in the Delano Neighborhood Revitalization Plan in 2001.

**ADJACENT ZONING AND LAND USE:**

North: LC	Commercial building
South: GC	Vacant
East: LC	Vacant
West: B	Residential Nursing facility

**PUBLIC SERVICES:** The site has access to South Seneca, a paved arterial street with a 100-foot right-of-way. The site is served by all typical municipal services.

**CONFORMANCE TO PLANS/POLICIES:** The Delano Neighborhood Plan map depicts the site as appropriate for "commercial mixed use." 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 *2035 Wichita Future Growth Concept Map* identifies this location as "residential and employment mix," encompassing areas that likely will be developed or redeveloped by 2035 with uses predominately of a mixed nature. The proposed rezoning is appropriate due to the proximity of higher intensity business uses and residential housing types within this area are more likely to be higher density. Employment uses likely will have limited negative impacts associated with noise, hazardous emissions, visual blight and odor.

**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:** Adjacent properties to the subject site are zoned LC and permit a very wide range of land uses: residential, office, personal service, entertainment and commercial. The site is subject to the D-O Delano Overlay zoning district, which limits land uses and has design guidelines.

2. The suitability of the subject property for the uses to which it has been restricted: The property is zoned LC which permits a wide range of commercial uses, but requires the provision of off-street parking per the UZC. The site has reduced economic value as currently zoned. Approval of LC zoning would allow the block to redevelop as a commercial corridor.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval of the request should have little if any impact nearby property owners. UZC requires screening and landscape buffering adjacent to residential zoning. Currently there is no screening or landscape buffer from Seneca Street traffic.
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 make the property more marketable with a wider range of possible uses. Denial would presumably represent a loss of economic opportunity to the applicant or 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 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.
6. Impact of the proposed development on community facilities: Approval of the request should generate no additional impacts on community facilities. Existing public infrastructure at the site will accommodate uses under the proposed LC zoning.