

May 18, 2018ORDINANCE NO. 50-795

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. ZON2018-00012

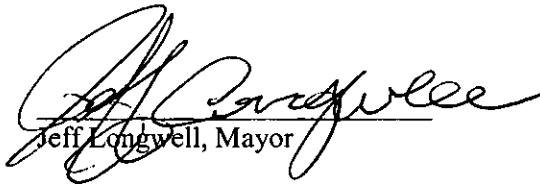
City zone change from GC General Commercial to SF-5 Single-Family; described as:

All of that part zoned as General Commercial lying in a portion of the Southwest Quarter of Section 25, Township 27 South, Range 2 West of the 6th Principal Meridian, Sedgwick County, Kansas, said part lying within a portion of the plat to be known as Auburn Lakes Addition, an addition to Wichita, Sedgwick County, Kansas and being more particularly described as follows:

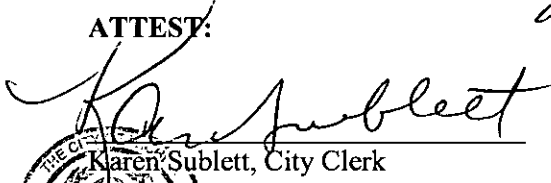
COMMENCING at the southeast corner of said Southwest Quarter; thence along the south line of said Southwest Quarter on a Kansas coordinate system of 1983 south zone bearing of S88°11'57"W, 2611.50 feet to the southwest corner of said Southwest Quarter; thence along the west line of said Southwest Quarter, N00°37'32"W, 1384.21 feet to a point 1384.00 feet north of said south line; thence parallel with said south line, N88°11'57"E, 60.01 feet to the POINT OF BEGINNING; thence continuing parallel with and 1384.00 feet north of said south line, N88°11'57"E, 2307.46 feet to a point on the east line of a tract of land described in Trustee's Deed recorded on Doc.#Flm-Pg: 29701181; thence along the perimeter of said tract of land described in said Trustee's Deed for the next three consecutive courses, S00°22'37"E, 667.21 feet; thence S88°12'54"W, 392.96 feet to a point on the east line of Lot 1, Block A, Storage Center Addition to Sedgwick County, Kansas; thence along said east line, N01°43'42"W, 50.00 feet to the northeast corner of said Lot 1, Block A, and being a point on a south line of a tract of land described in said Trustee's Deed; thence along the extended north line of said Lot 1 and along the perimeter of said tract of land described in said Trustee's Deed for the next three consecutive courses, S88°12'01"W, 499.73 feet; thence S01°57'24"E, 30.49 feet to the northwest most corner of said Lot 1, Block A; thence S88°11'35"W, 341.08 feet to a point on an east line of a plat to be known as West Kellogg Commercial Addition, Wichita, Sedgwick County, Kansas, being common to an east line of a tract of land described in Special Warranty Deed recorded on Doc.#/Flm-Pg: 29735407; thence along said common east line, N01°45'39"W, 643.41 feet to the northeast corner of Lot 1, Block A, said West Kellogg Commercial Addition; thence along the common north line of said Lot 1, Block A, said West Kellogg Commercial Addition and said Special Warranty Deed tract, S88°11'57"W, 1057.79 feet to the northwest corner of said Lot 1; thence parallel with and 60 feet east of the west line of said Southwest Quarter, N00°37'32"W, 4.00 feet to the POINT OF BEGINNING.

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.

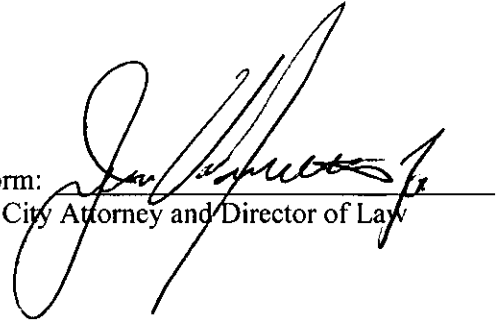

Jeff Longwell, Mayor

ATTEST:


Karen Sublett, City Clerk



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



City of Wichita
City Council Meeting
May 8, 2018

TO: Mayor and City Council

SUBJECT: ZON2018-00012 – City Zone Change from GC General Commercial to SF-5 Single Family Residential to Allow for Development of a Platted Single Family Development, Generally Located Northeast of the Intersection of US Highway 54 and South 135th Street West, 13020 West US Highway 54. (District IV)

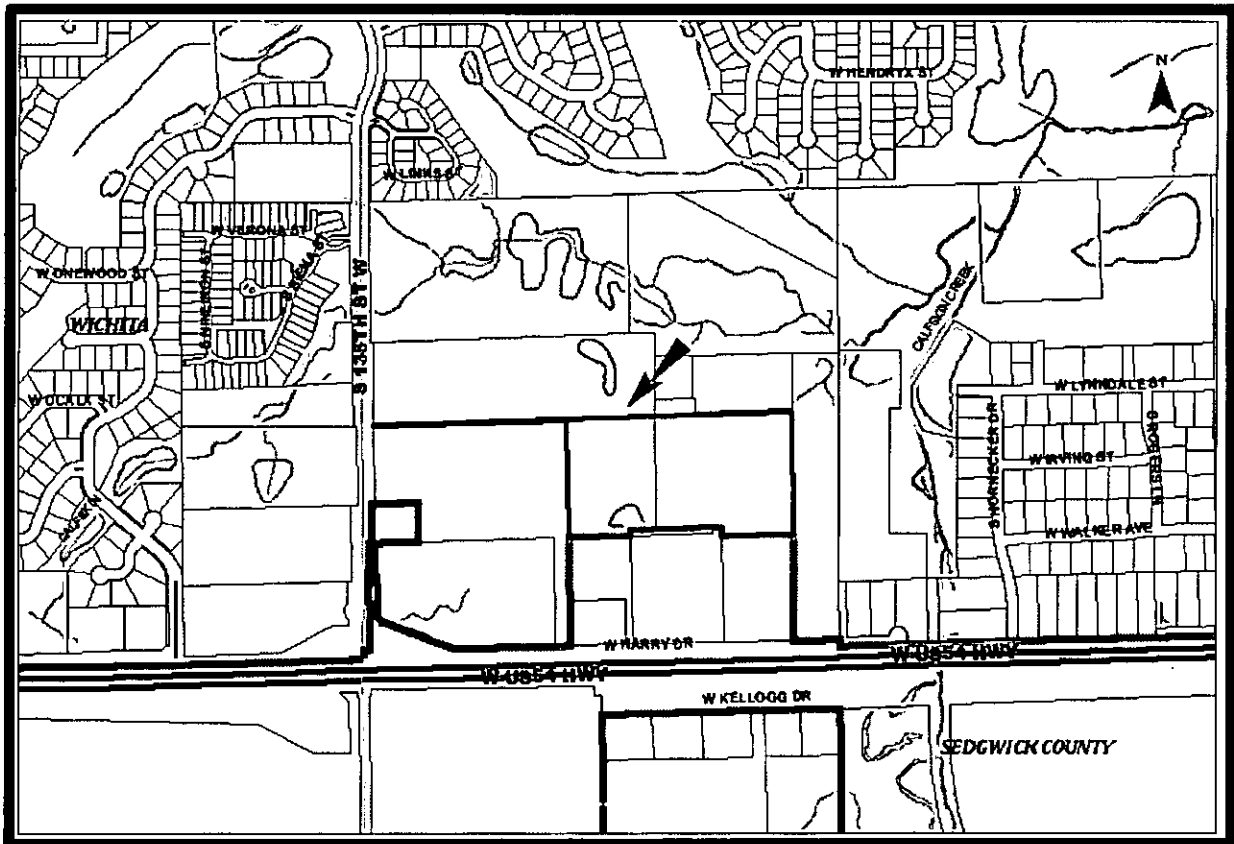
INITIATED BY: Metropolitan Area Planning Department *DM*

AGENDA: Planning (Consent)

MAPC Recommendation: The MAPC recommended approval of the request (11-0) subject to staff recommendations.

DAB Recommendation: District Advisory Board (DAB) IV reviewed the application at its meeting of April 2, 2018, and recommended approval by a 10-0 vote.

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



Background: The applicants are requesting to change the zoning on the indicated property from GC General Commercial to SF-5 Single Family Residential to facilitate a single family residential development and to bring the entire Auburn Lakes Addition Plat under the same zoning district.

This property is also the subject of an annexation and plat case. A18-02 was approved by the Wichita City Council and published as Ordinance No. 50-667 on January 26, 2018. The Auburn Lakes Addition was heard and approved by the Wichita City Council on February 27, 2018.

As a part of the annexation and platting process, the remainder of the Auburn Lakes Addition will revert to SF-5 from SF-20. However, the GC zoned portion of the plat cannot be changed from its current zoning to SF-5 in the same manner, thus requiring this zone change.

North of the site is currently vacant land zoned SF-20, though it will be a part of the Auburn Lakes Addition residential development as well. East of the site is zoned GC and is currently being used for Farming/Ranch Operations. South of the site is zoned GC and is currently developed for commercial uses. West of the site there is a large vacant structure and a small commercial building, zoned GC.

Analysis: On April 5, 2018, the Metropolitan Area Planning Commission (MAPC) recommended approval of the request (11-0). No members of the public spoke at the MAPC hearing. The minutes of the MAPC hearing are attached.

The District Advisory Board (DAB) IV reviewed the application at its meeting of June 12, 2017, and recommended approval by a 10-0 vote. The DAB report is attached.

No protest petitions were submitted concerning the zone change. 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 adopt the findings of the MAPC and 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 six of seven votes). The case may be referred back to the MAPC with a simple majority vote or denied with five of seven votes.

Attachments: MAPC minutes
DAB IV Report
Ordinance