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OCA150006-BID37529-009 GID#76383

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ORDINANCE NO. 47-852

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. ZON2007-66

Zone change from "MF-29" Multi-family Residential to "LC" Limited Commercial on property described as:

Odd lots 9 thru 17 inc. exc. west 10-feet for street, Block H, South University Place Addition, Wichita, Sedgwick County, Kansas; and Lots 19-21-23-25-27 exc. 10-feet for street and exc. south 11-feet of Lot 27, Block H, South University Place Addition, Wichita, Sedgwick County, Kansas. Generally located east of Meridian and south of Merton. (1716 and 1722 S. 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.

ADOPTED AT WICHITA, KANSAS, March 18, 2008

[Signature]
Carl Brewer - Mayor

ATTEST:

[Signature]
Karen Sublett, City Clerk



Approved as to form:

[Signature]
Gary E. Rebenstorf, City Attorney

RECEIVED

DEC 16 2011

METROPOLITAN PLANNING ROUTE _____

City of Wichita
City Council Meeting
March 4, 2008

TO: Mayor and City Council

SUBJECT: ZON2007-66 - City Zone change from "MF-29" Multi-Family to "LC" Limited Commercial. Generally located southeast of the intersection of Meridian and Merton (1716 and 1722 S. Meridian)) (District IV)

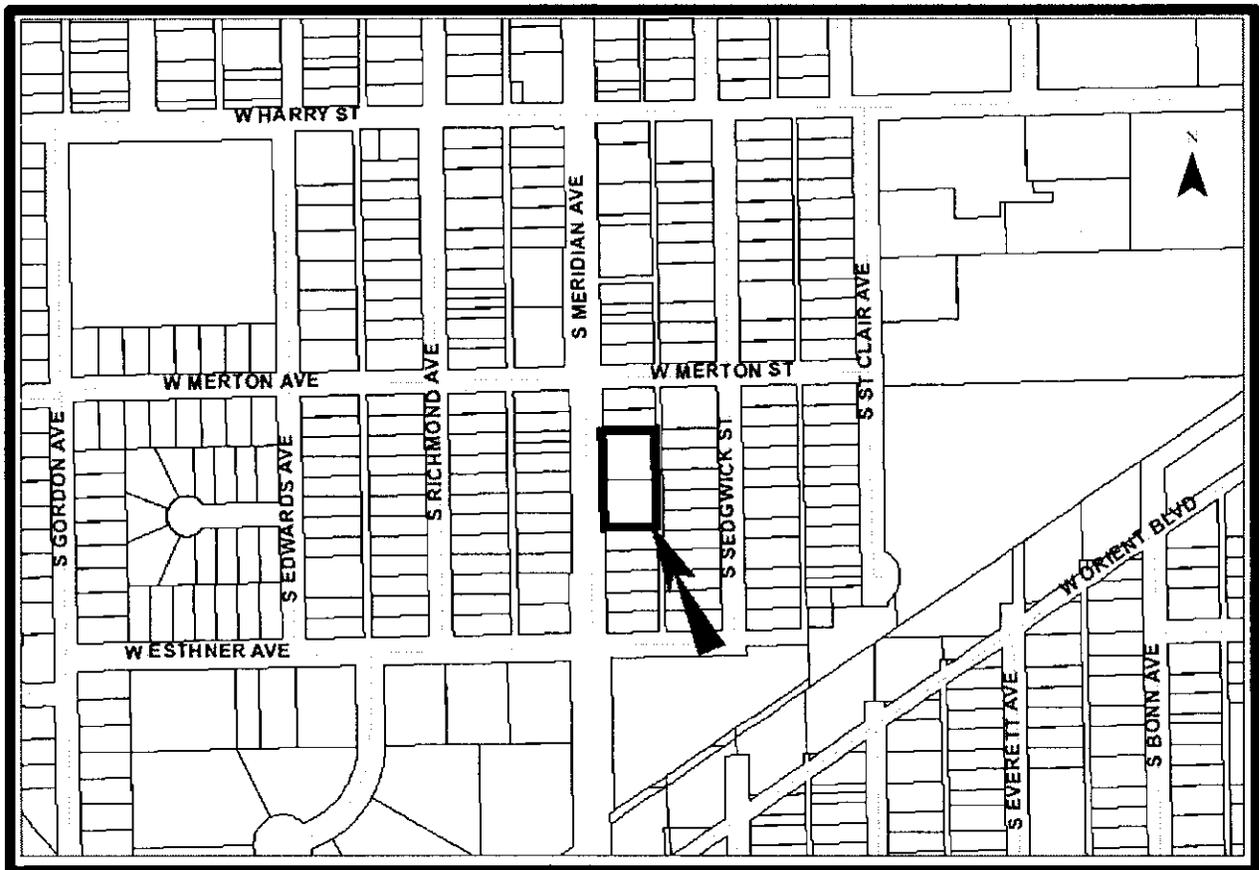
INITIATED BY: Metropolitan Area Planning Department *JLS*

AGENDA: Planning (Non-consent)

MAPC Recommendation: Approve without staff recommended dedications (8-4).

DAB IV Recommendation: Approve with staff recommended dedications (8-0-1).

MAPD Staff Recommendation: Approve subject to the dedication of 10 feet of ROW on Meridian, dedication of access control except for two openings spaced a minimum of 150 feet along Meridian, and filing a cross-lot access agreement with the abutting north and south properties.



Background: The application area consists of two platted parcels with 240 feet of frontage on South Meridian. The site is zoned "MF-29" Multi-family Residential; the two parcels are each developed with a single-family residence and detached accessory structures. The residences were built in 1950 and 1930. The applicant seeks a zone change to "LC" Limited Commercial; the applicant does not specify a future desired LC land use.

Immediately north of the application area is an MF-29 zoned legal non-conforming mobile home, further north is a single-family residence which recently received a zone change to LC. North of Merton on both sides of Meridian are LC zoned strip malls. South of the application area is an MF-29 zoned fourplex, and MF-29 zoned single-family residences. East of the site is a "TF-3" Two-family Residential zoned church, and TF-3 zoned residences. West of the site, across Meridian, are "SF-5" Single-family Residential zoned residences and vacant lots. Southwest of the site, at the Meridian and Esthner intersection, is an LC zoned vehicle repair business.

Analysis: MAPC heard this request on January 24, 2008. The MAPC voted (8-4) to approve the request without the staff recommended dedications. At the MAPC, a substitute motion to approve with the staff recommended dedications failed. DAB IV reviewed this request on February 6, 2008. The DAB approved the request subject to the staff recommended dedications. No protest petitions have been filed.

Financial Considerations: None.

Goal Impact: Promote economic vitality.

Legal Considerations: The ordinance has been reviewed and approved as to form by the Law Department.

Recommendation/Actions:

1. Concur with the findings of the MAPC and approve the request without the staff recommended dedications; approve the first reading of the ordinance establishing the zone change; or
2. Approve subject to the dedication of 10 feet of ROW on Meridian, dedication of access control except for two openings spaced a minimum of 150 feet along Meridian, and filing a cross-lot access agreement with the abutting north and south properties, all to be completed within one year of approval. Approve the first reading of the ordinance establishing the zone change, instruct staff to withhold publication of the ordinance until conditions have been met; or
3. Return the application to the MAPC for reconsideration

(An override of the Planning Commission's recommendation requires a two-third majority vote of the City Council on the first hearing.)