

OCA 150004 PUBLISHED IN THE WICHITA EAGLE ON Aug. 24, 2018

ORDINANCE NO. 50-8320

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. ZON2018-00021**

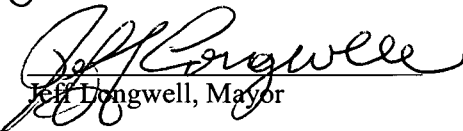
City zone change from B Multiple Family Residential to LI Limited Industrial and described as follows:

The west 35 feet of the east 69.3 feet of Lots 25-27 of North Park Addition; and, the west 35 feet of the east 69.3 feet of Lot 23 of North Park Addition; and, the west 35 feet of the east 69.3 feet of Lots 23-35-27 of North Park Addition; and, the west 34.3 feet of Lots 25-27 of North Park Addition; and, the west 34.3 feet of Lot 23 of North Park Addition; and, the west 37.5 feet of Lot 19-21 of North Park Addition; and, the west 37.5 feet of Lots 15-17 of North Park Addition; all additions to the City of Wichita, Sedgwick County, Kansas.

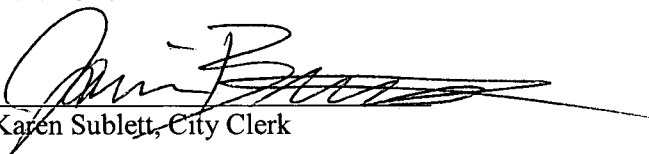
**SECTION 2.** That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

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

ADOPTED this 21<sup>st</sup> day of August, 2018.

  
Jeff Longwell, Mayor

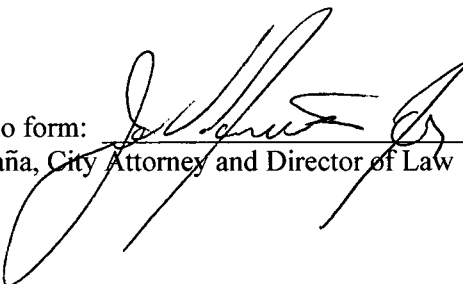
ATTEST:

  
Karen Sublett, City Clerk

(SEAL)



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





AGENDA ITEM NO. 9

## STAFF REPORT

MAPC July 12, 2018

DAB VI July 18, 2018

**CASE NUMBER:** ZON2018-00021

**APPLICANT/AGENT:** Larry Booze (Owner)/Certified Engineering Design, P.A. – Harlan Foraker, PE (Agent)

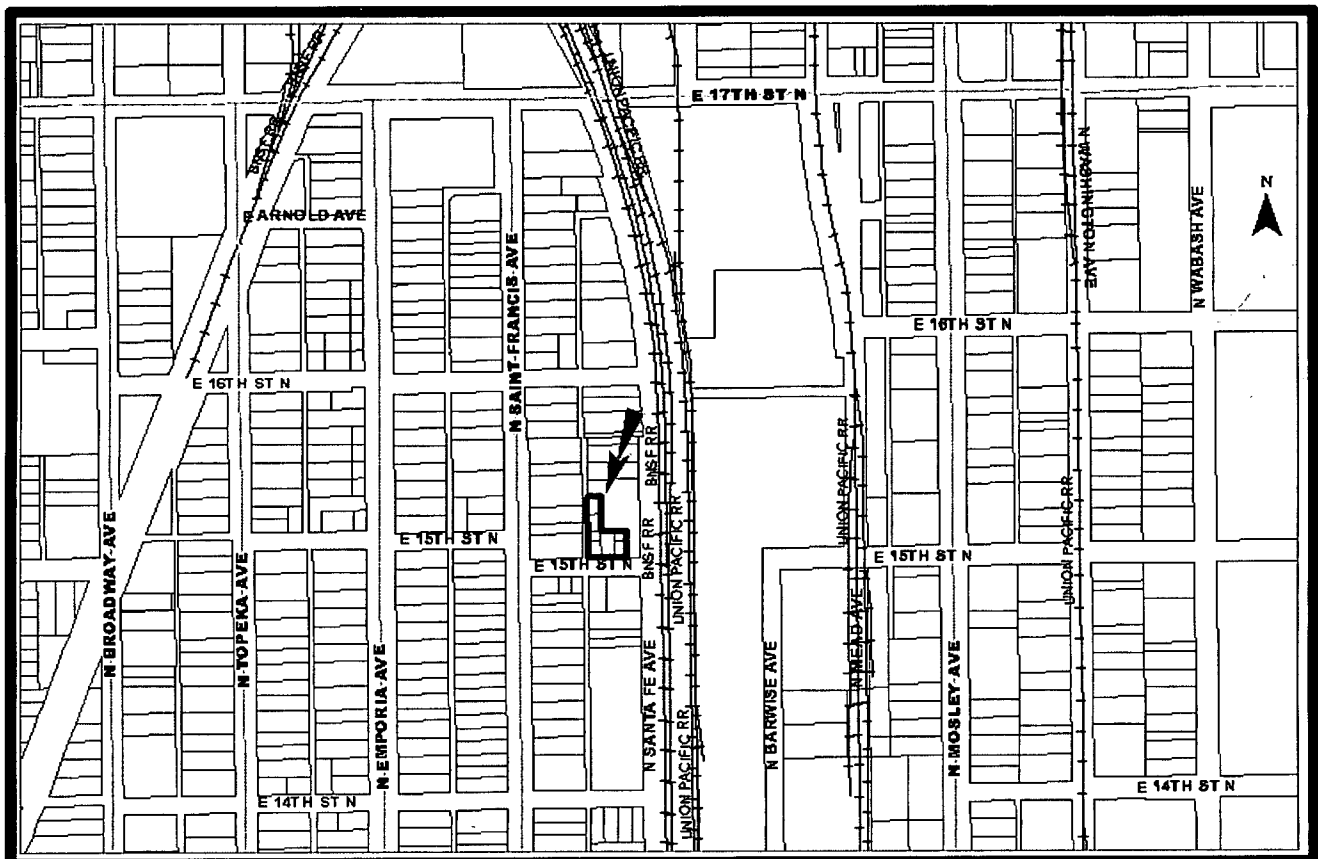
**REQUEST:** LI Limited Industrial

**CURRENT ZONING:** B Multiple Family

**SITE SIZE:** .29 acres

**LOCATION:** Located on the north side of 15<sup>th</sup> Street North and the west side of Santa Fe Avenue

**PROPOSED USE:** Industrial



ZON20178-00021

**BACKGROUND:** The applicant, Larry Booze, is seeking the rezoning of the .29-acre subject property in order to combine all the land owned by Booze Rentals into a single ownership. The main portion of the Booze Rentals land is zoned LI Limited Industrial (LI) and is located to the north and east. The subject properties for this rezoning are in the B Multiple Family Residential (B) category. The existing industrial zoning owned by Booze Rentals is categorized by the Sedgwick County Appraiser as a “warehouse distribution/storage facility” land use. There is one existing single family residence on the subject property. The aerial photo shows another residential structure that was adjacent to alley that has been razed. The aerial photo also shows outside storage on some of the property that has been removed.

The surrounding neighborhood is a mixture of industrial uses to the north as noted above. To the south side of 15<sup>th</sup> Street are lands zoned LI Limited Industrial with steel fabrication and open parking uses, as well as a single family residence on the east side of the alley between Santa Fe Avenue and Saint Francis Avenue. Most of the land to the west of the alley and north of 15<sup>th</sup> Street North is zoned B Multiple Family Residential and are used for multiple family residences. The land to the southwest along Saint Francis Avenue and south of 15<sup>th</sup> Street North is zoned TF-3 Two-Family Residential and has single family residences.

**CASE HISTORY:** The land was included in the North Park Addition to the City of Wichita, which was approved and recorded by the County in February, 1886. There are no other zoning actions on this property.

**ADJACENT ZONING AND LAND USE:**

|        |        |                             |
|--------|--------|-----------------------------|
| NORTH: | LI     | industrial                  |
| SOUTH: | LI     | industrial                  |
| EAST:  | LI     | commercial/vacant           |
| WEST:  | B/TF-3 | multiple family residential |

**PUBLIC SERVICES:** East 15<sup>th</sup> Street North is a paved, two-lane road with curbs and gutters. Santa Fe Avenue is unpaved adjacent to the property, but does have storm drainage on the east side adjacent to the elevated railroad. All other 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 requested rezoning complies with the Comprehensive 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 is a mixture of industrial uses to the north as noted above. To the south side of 15<sup>th</sup> Street are lands zoned LI Limited Industrial with steel fabrication and open parking uses, as well as a single family residence on the east side of the alley between Santa Fe Avenue and Saint Francis Avenue. Most of the land to the west of the alley and north of 15<sup>th</sup> Street North is zoned B Multiple Family Residential and are used for multiple family residences. The land to the southwest along Saint Francis Avenue and south of 15<sup>th</sup> Street North is zoned TF-3 Two-Family Residential and has single family residences.

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 B Multiple Family Residential makes no sense. With the intent to make all the land one owner and one use, the rezoning is reasonable.
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 property to the same use as the one to the north and east is reasonable.
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