

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. ZON2016-00038**

City zone change from SF-5 Single-Family Residential to LC Limited Commercial subject to Protective Overlay #311; described as:

BEG 650 FT S & 30 FT E OF NW COR SW1/4 SE1/4 E 326 FT S 330 FT W 326 FT N TO BEG SEC 13-27-1E, Wichita, Sedgwick County, Kansas

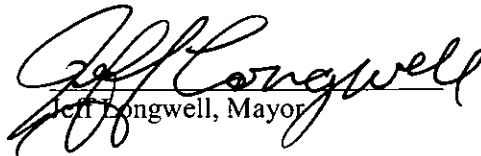
P.O. #311 shall prohibit the following uses:

1. Loan businesses using car titles and pay check verification as loan collateral;
2. Pawn shops; and
3. Liquor stores.

**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.

ATTEST:

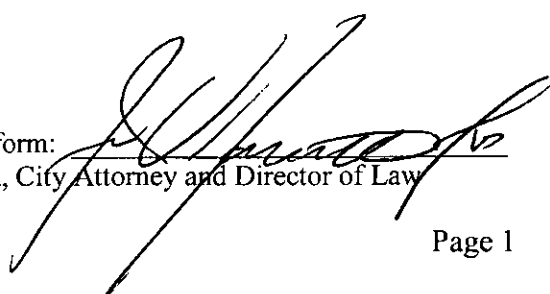
  
Jeff Longwell, Mayor



Karen Sublett, City Clerk



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





AGENDA ITEM NO. 5

## STAFF REPORT

MAPC October 6, 2016

DAB | October 3, 2016

**CASE NUMBER:** ZON2016-00038

**APPLICANT/AGENT:** ECD, LLC (applicant) Kirk Miller (agent)

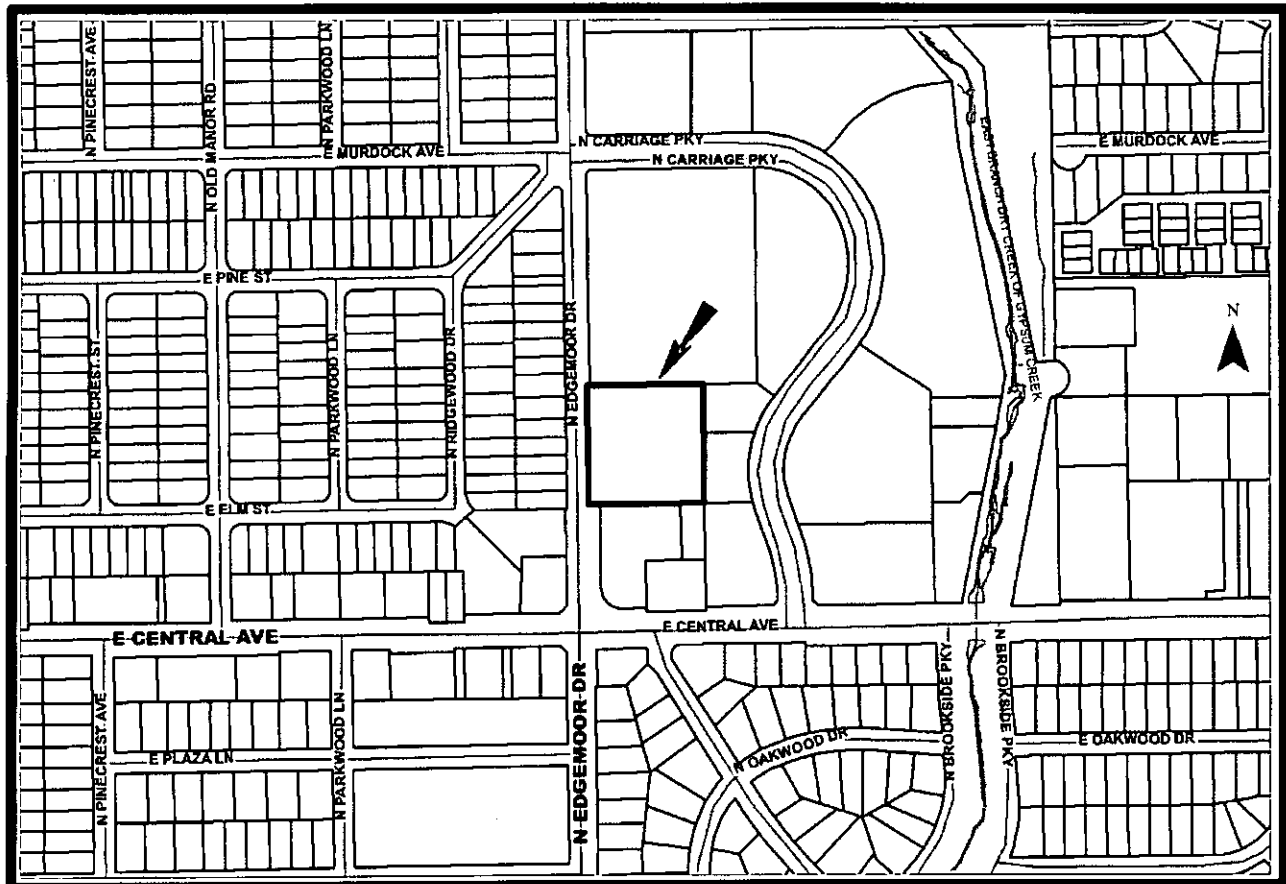
**REQUEST:** LC Limited Commercial

**CURRENT ZONING:** SF-5 Single-Family Residential (SF-5)

**SITE SIZE:** 2.45 acres

**LOCATION:** Generally located North of Central on East Side of Edgemoor (620 N. Edgemoor)

**PROPOSED USE:** Limited Commercial Uses



**BACKGROUND:** The applicant requests LC Limited Commercial zoning on a 2.45-acres unplatted lot, generally located north of Central on the east side of Edgemoor. The lot has 325 feet of frontage along Edgemoor and is approximately 315 feet deep. The applicant intends to redevelop the existing building. The applicant has filed Edgemoor Commercial Addition plat for the subject property.

The surrounding neighborhood is developed with single-family residential, offices, retail, skilled care facility, restaurants and medical services. West of the site is GO General Office and SF-5 Single-Family zoning, north of the site is B Multi-family zoning. South and east of the site is LC Limited Commercial zoning in DP-126 Central Avenue Plaza Community Unit Plan.

**CASE HISTORY:** The site is unplatted and is currently developed with a masonry building, which served as a Kansas National Guard Armory. The building has been vacant since 2009.

**ADJACENT ZONING AND LAND USE:**

|        |                |                                           |
|--------|----------------|-------------------------------------------|
| NORTH: | B Multi-family | Skilled Nursing Facility                  |
| SOUTH: | LC             | Fast Food Restaurant, Retail Strip Center |
| EAST:  | TF-3           | Duplexes                                  |
| WEST:  | GO; SF-5       | Offices; Single-Family Residences         |

**PUBLIC SERVICES:** The property is serviced by all publicly supplied municipal services. Edgemoor is a paved four-lane local street. The site has a shared access drive to Edgemoor with the property to the north. Access to the overflow parking area at the rear of the site is provided by this shared drive.

**CONFORMANCE TO PLANS/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. The site is also located within the Central Northeast Area Plan Update adopted in September 2005, which identifies retention of businesses in the area as one of the goals of the plan. The 2035 Wichita Future Growth Concept Map identifies the site as "Commercial." The "Commercial" category encompasses areas that reflect the full diversity of commercial development intensities and types typically found in a large urban area.

**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 zoned LC, GO, SF-5 and B. The subject property is bounded by LC zoned property on its east and south boundary.
- (2) **The suitability of the subject property for the uses to which it has been restricted:** The site is currently zoned SF-5 and is developed with masonry building

that was used to house the Kansas National Guard Armory. As zoned, the subject property could only be used for single-family. With the proposed zoning, the property could be redeveloped in a manner compatible with the immediately adjacent properties.

- (3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** Impact on surrounding property due to the requested zone change should be minimal; the site has enough space to provide on-site parking for commercial development.
- (4) **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. The site is also located within the Central Northeast Area Plan Update adopted in September 2005, which identifies retention of businesses in the area as one of the goals of the plan. The 2035 Wichita Future Growth Concept Map identifies the site as "Commercial." The "Commercial" category encompasses areas that reflect the full diversity of commercial development intensities and types typically found in a large urban area.
- (5) **Impact of the proposed development on community facilities:** All services are in place. Any increased demand on community facilities can be handled by existing infrastructure.