OCA 150004

ORDINANCE NO. 48-819

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. ZON2010-00023

Zone change request from MF-29 Multi-family Residential ("MF-29") to NR Neighborhood Retail ("NR") on properties described as:

Lot 2, Block N, Planeview Subdivision No. 1, Wichita, Sedgwick County, Kansas;

AND

Part of Block V, beginning at the Northwest corner of Lot 2, Block N; thence Southeast 162.55 feet; thence Southwest along the Northerly line of said Lot 2, Block N, 144.80 feet to the Easterly right-of-way of Roosevelt Street; thence Northwesterly on a curve to the left 129.19 feet; thence Northwesterly 203 feet; thence; thence Northeast 342.21 feet to beginning, Planeview Subdivision No. 1, Wichita, Sedgwick County, Kansas; generally located on the east side of Roosevelt Street, 400 feet north of Ross Parkway.

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 14 day of Sept, 2010

ATTEST:

Karen Sublett, City Clerk

Carl Brewer, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf, Director of Law

By SW

RECEIVED
SEP 22 2010
METROPOLITAN PLANNING

Agenda Item No. _____

City of Wichita
City Council Meeting
August 24, 2010

TO: Mayor and City Council

SUBJECT: ZON2010-00023 – City zone change from MF-29 Multi-family Residential ("MF-29") to NR Neighborhood Retail ("NR"); generally located northeast of the intersection of Roosevelt Street and Ross Parkway. (District III)

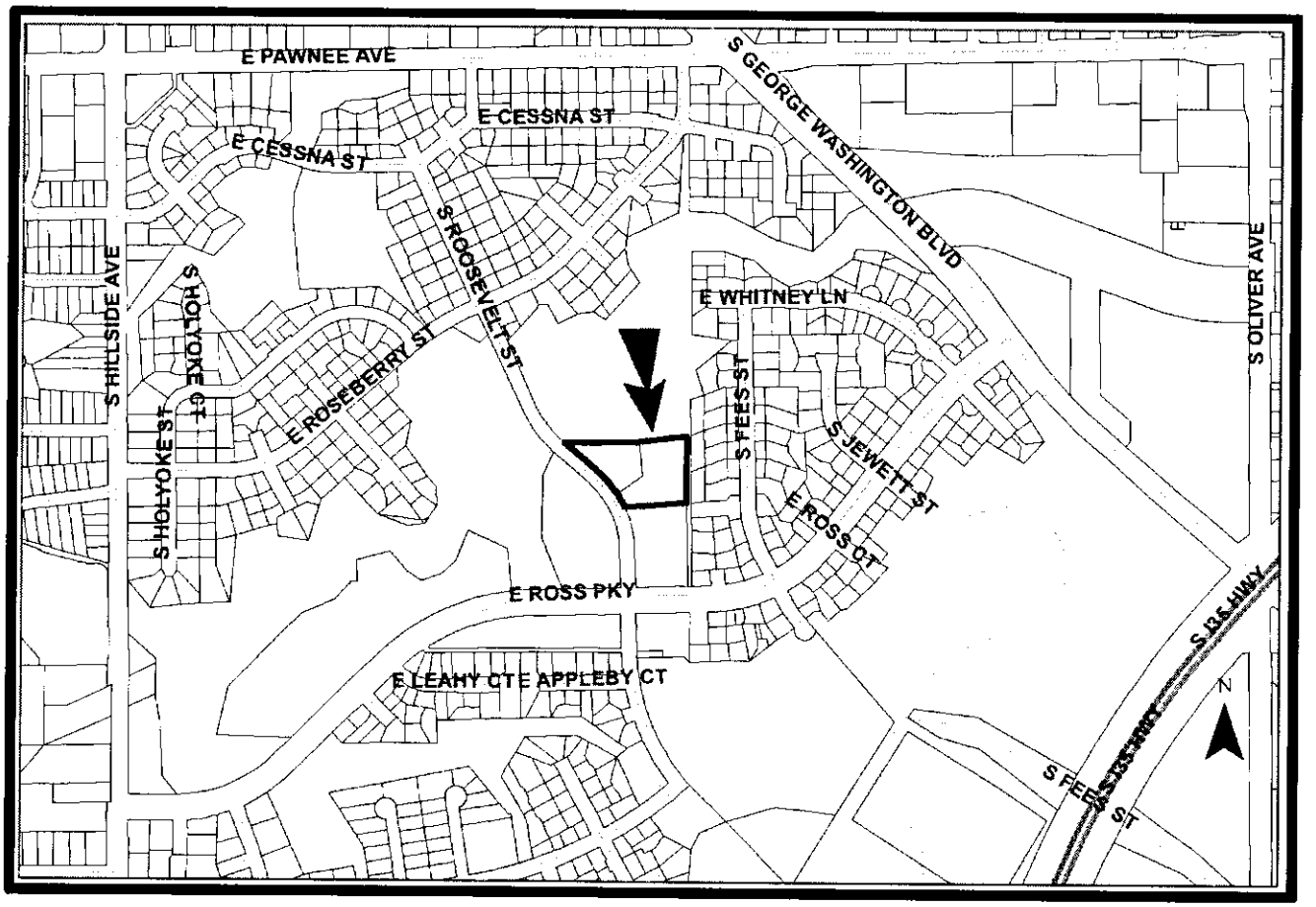
INITIATED BY: Metropolitan Area Planning Department JLS

AGENDA: Planning (Consent)

DAB III Recommendation: Approve, (vote 11-0).

MAPC Recommendation: Approve, (vote 12-0).

MAPD Staff Recommendation: Approve.



Background: The applicant, Brookside United Methodist Church, requests a zone change from MF-29 Multi-Family Residential ("MF-29") to NR Neighborhood Retail ("NR") on a 2.82-acre platted tract located northeast of the intersection of South Roosevelt Street and East Ross Parkway, or midway between Oliver and Hillside, south of Pawnee.

The subject site is currently being used for a church/place of worship, and according to the County Appraisers Office, has been operated as such since the late 1950's. The applicant proposes to expand the existing clothing ministry and healthcare ministry to better serve church parishioners and other members of the surrounding neighborhood. The proposed expansion would add approximately 1,200 square feet for the clothing ministry and approximately 3,600 square feet for the healthcare ministry.

The surrounding area is characterized by commercial and multi-family residential uses. The property to the east is zoned MF-29 and is developed with triplexes. The property to the west is zoned GC General Commercial ("GC") and is developed with a warehouse facility. The property to the north is zoned MF-29 and is currently undeveloped open space/parkland. The property to the south is zoned GC and is developed as a warehouse-distribution facility.

Analysis: On Monday, June 21, 2010, an electronic request was sent to the 11 District III Advisory Board members asking them to consider the request for ZON2010-00023. The DAB members voted (11-0) to accept the recommendation of staff for approval.

At the MAPC meeting held July 22, 2010, the MAPC voted (12-0) to recommend approval of the request for NR zoning. The case was approved by consent, and there was not any one from the public to speak for or against the application.

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. Adopt the findings of the MAPC, approve the zone change and place the ordinance on first reading;

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