

ORDINANCE NO. 48-988

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. ZON2011-00003**

Zone change request from LI Limited Industrial ("LI") to SF-5 Single-Family Residential ("SF-5") on properties described as:

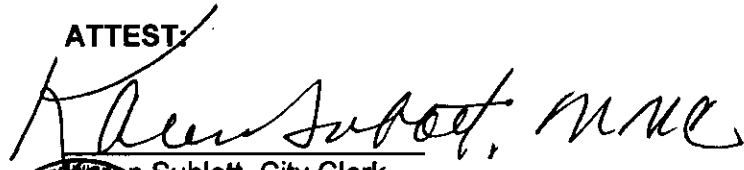
Lots 4, 5, 6 and 7; Block 2, Oatville Addition, Wichita, Sedgwick County, Kansas; generally midway between S. Hoover Avenue and S. West Street, on the north side of W. MacArthur Road (3933 S. Baehr St.)

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.

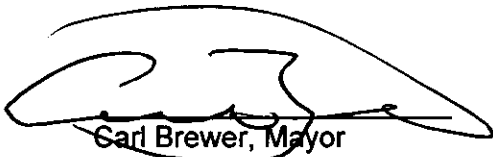
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED this 19 day of April, 2011.

ATTEST:

  
\_\_\_\_\_  
Karen Sublett, City Clerk



  
\_\_\_\_\_  
Carl Brewer, Mayor

Approved as to form:

  
\_\_\_\_\_  
Gary E. Rebenstorf, Director of Law  
*By [Signature]*

City of Wichita  
City Council Meeting  
April 12, 2011

**TO:** Mayor and City Council

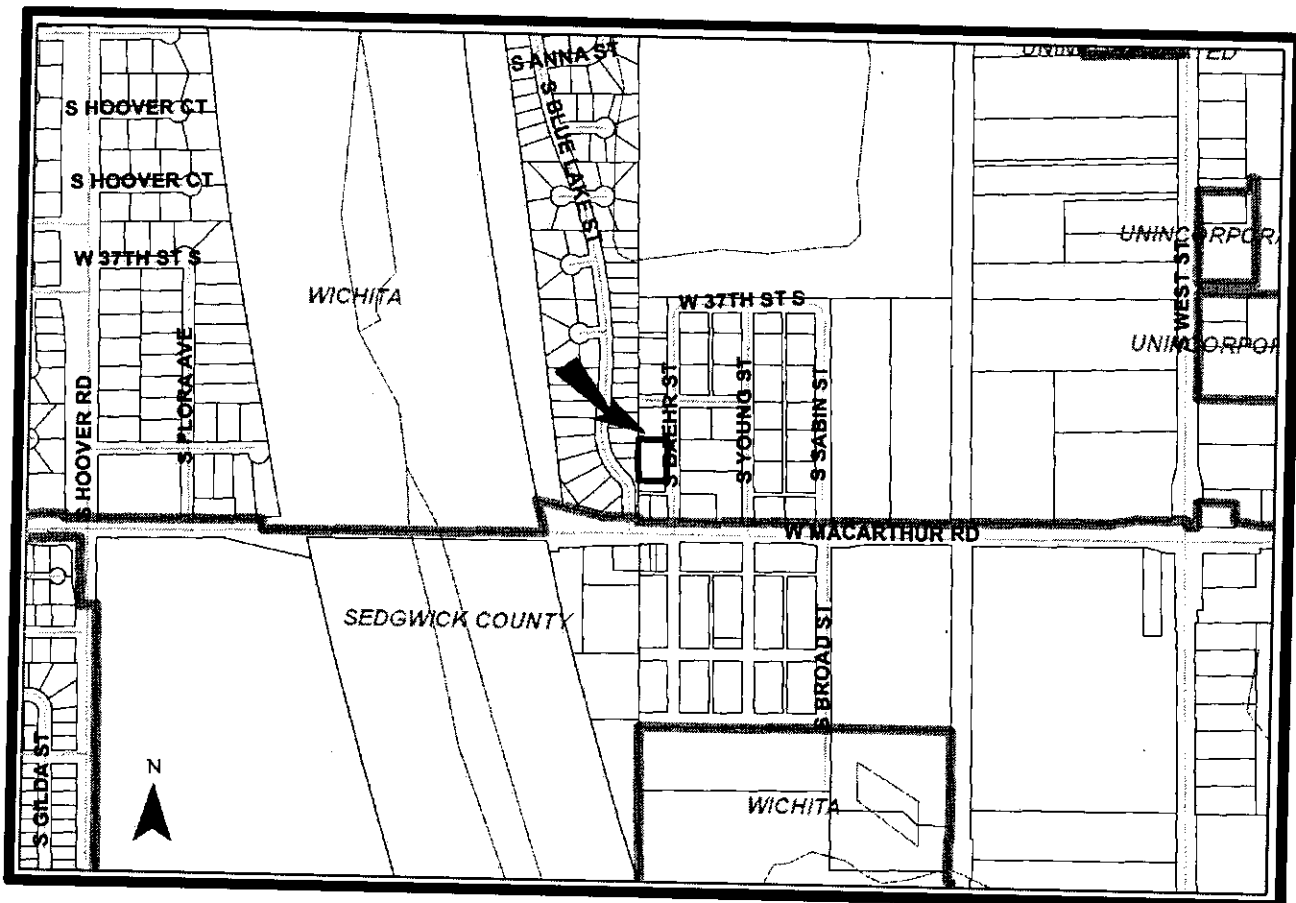
**SUBJECT:** ZON2011-00003 – City zone change from LI Limited Industrial to SF-5 Single-family Residential; generally located midway between Hoover Road and West Street, on the north side of MacArthur Road (District IV)

**INITIATED BY:** Metropolitan Area Planning Department *JLS*

**AGENDA:** Planning (Consent)

**MAPC Recommendation:** Approve, vote (11-0).

**MAPD Staff Recommendation:** Approve.



**Background:** The applicant is requesting that the 0.70 acre site currently zoned LI Limited Industrial (“LI”) be rezoned to SF-5 Single Family Residential (“SF-5”). The site is east of the Wichita-Valley Center Floodway, on the north side of MacArthur Road, and is part of the Oatville Addition. The Mere Ridge Addition was recorded on March 30, 1885. The remainder of the Oatville Addition and the adjacent Diamond Addition to Oatville is currently zoned SF-5 or LI. The subject property is currently developed with a single-family residence.

In 2007, a citizen looking at possibly purchasing a property in this area alerted the Metropolitan Area Planning Commission (MAPC) that this residential area is currently zoned LI, which for most people, is a problem when trying to get a loan from a bank. Staff was then directed by the MAPC to look at rezoning the residential area to the most suitable residential zone district. Through the process of research and holding a public meeting for the citizens of the area, six of the approximately 30 property owners choose to have their property rezoned to SF-5.

The surrounding area consists of residential development, with industrial uses farther east along MacArthur Road, near its intersection with West Street. Property east of the subject site is zone LI and is developed with a single-family residence. The property west of the subject site is zoned SF-5 and is currently undeveloped. Property north of the subject site is zoned LI and is developed with a single-family residence. Property south of the subject site is zoned LI and is developed with a warehouse.

**Analysis:** At the MAPC meeting held March 10, 2011, the MAPC voted (11-0) to approve the request. No citizens were present to speak. No protests have been received.

**Financial Considerations:** There are no financial considerations in regards to the zoning request.

**Goal Impact:** To 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 and approve the zone change and authorize the Mayor to sign the ordinance and place the ordinance on first reading (simple majority required).

**Attachments:**

- Ordinance
- MAPC Minutes