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ORDINANCE NO. \_\_\_\_\_

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. ZON2012-00011

Zone change request from SF-5 Single-family Residential ("SF-5") to GO General Office ("GO") subject to Protective Overlay #268, on property described as:

The southerly most 110 feet of lot 1, Block A, Dodge Elementary Addition to Wichita, Sedgwick County, Kansas. Generally located west of Anna and south of 2nd Street (4801 West 2nd Street North).

SUBJECT TO THE FOLLOWING PROTECTIVE OVERLAY RESTRICTIONS:

1. Permitted uses are those permitted by right in the SF-5 Single-family Residential ("SF-5") zone district plus "medical service," as allowed in the GO General Office ("GO") district.

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 \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_.

City of Wichita  
City Council Meeting  
June 26, 2012

**TO:** Mayor and City Council

**SUBJECT:** ZON2012-00011 – City zone change from SF-5 Single-family Residential ("SF-5") to GO General Office ("GO") for a medical clinic at Dodge Elementary School, generally located west of Anna and south of 2nd Street (4801 West 2nd Street North). (District IV)

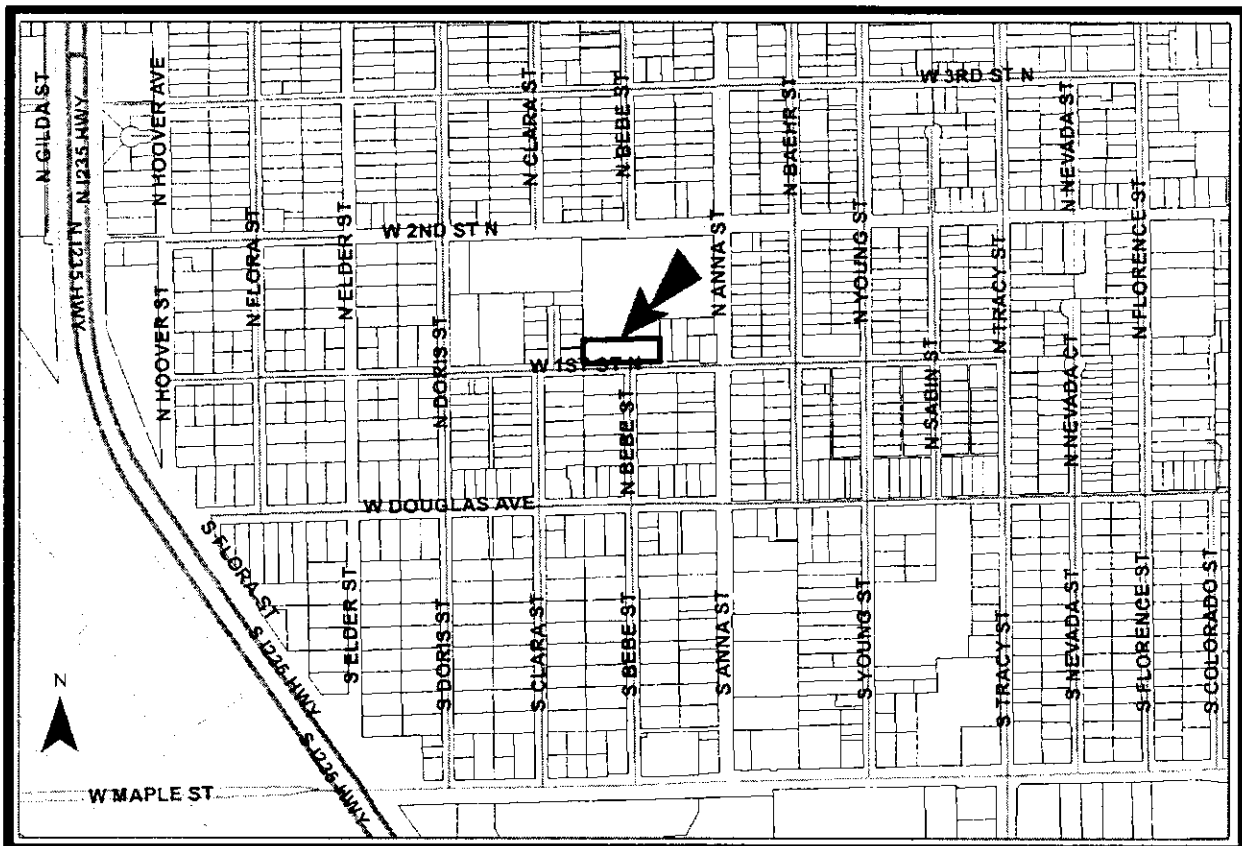
**INITIATED BY:** Metropolitan Area Planning Department *JLS*

**AGENDA:** Planning (Consent)

**MAPC Recommendation:** Approve with a Protective Overlay, (11-0)

**DAB IV Recommendation:** Approve with a Protective Overlay, (non-quorum 5-0 vote)

**MAPD Staff Recommendation:** Approve with a Protective Overlay



**Background:** The applicant requests a zone change from SF-5 Single-family Residential (“SF-5”) to GO General Office (“GO”) on 39,204 square feet consisting of the most-southerly 110 feet of Lot 1, Block A, Dodge Elementary Addition to Wichita, Sedgwick County, Kansas. The subject site is located north of the intersection of North Bebe Street and West 1<sup>st</sup> Street North. The applicant proposes to develop the property with a medical facility in association with Dodge Elementary School. There is currently no development on the site other than the elementary school, which is located just north of the subject site.

The medical facility will be opened year round and will serve Dodge Elementary School students, faculty and the surrounding neighborhood. Any development on the subject site will be required to meet screening, building setback and height, dumpster location, landscaping and all other requirements of the unified Zoning Code.

Property north of the site is zoned SF-5 Single-family Residential (“SF-5”) and B Multi-family Residential (“B”), and is currently developed with an elementary school. Property south, east and west of the subject site is zoned SF-5, and is currently developed with single-family residences.

**Analysis:** At the Metropolitan Area Planning Commission (MAPC) meeting held April 20, 2012, the MAPC voted (11-0) to recommend approval of the request. The case was approved by consent. There were not any or citizens present to speak for or against the case.

On May 7, 2012, the District Advisory Board (DAB) IV heard the rezone request. DAB members commented on concerns ranging from parking, site configuration and hours of operation. The planner explained to the board that those issues were not directly related to the zone case and the rezone could be approved while those issues are resolved through the plans review and building permit process. The DAB wanted answers to its concerns and voted (7-0-1) to defer action until the next month’s (June 4<sup>th</sup>) DAB meeting.

On June 4<sup>th</sup>, 2012, DAB IV reheard the rezone request. DAB members commented that the school district and people from Grace Medical had met with its Neighborhood Association and they were able to work out the majority of the issues related to the rezone request. The major concerns expressed at the previous DAB meeting had been resolved at the Neighborhood Association’s meeting. However, the DAB was without a quorum and no formal action could be taken. The DAB members present did voice their unanimous support to recommend approval for the zone change request.

Staff did not receive any protests during the subsequent two-week protest period following the MAPC meeting.

**Financial Considerations:** Approval of this request will not create any financial obligations for the City.

**Goal Impact:** The application will promote Economic Vitality.

**Legal Considerations:** The Law Department has reviewed and approved the ordinance.

**Recommendation:** Adopt the findings of the MAPC and approve the zone change request with Protective Overlay #268, authorize the Mayor to sign the ordinance and place the ordinance on first reading (simple majority required).

**Attachments:** Ordinance, MAPC minutes and DAB Memos.