

Background: The applicant requests a zone change from SF-5 Single-family Residential (“SF-5”) to GO General Office (“GO”) on a one-acre site along the north property line of the Henry Roe Cloud Addition, home of the Cloud Elementary School. The subject site is located south of 26th Street North and east of Salina Ave. The applicant proposes to develop the property with a medical facility in association with Cloud Elementary School. An elementary school is a permitted use under the existing SF-5 zoning; the proposed medical clinic requires a change in zoning. The application area is owned by USD 259 who will maintain ownership of the property.

The medical facility will be opened year round and will serve Cloud Elementary School students, faculty and the surrounding neighborhood. Development on the site will be required to meet screening, building height, dumpster location, landscaping, parking and all other requirements of the Unified Zoning Code. To fit the proposed clinic building on the site, the applicants requested a variance of the building setback along the north property line, reducing the building setback from 20 to eight feet. This variance will be heard by the Board of Zoning Appeals on September 25th, 2012. A temporary/portable school building will be removed from the site to accommodate the proposed clinic building and associated parking. See the proposed site plan attached to this report.

Analysis: At the MAPC meeting held August 16, 2012, the MAPC voted (12-0) to approve the request for GO zoning. No citizens spoke at the MAPC hearing regarding this request. District Advisory Board (DAB) VI heard this request on August 6, 2012. The DAB voted (6-0) to approve the request, no citizens spoke in opposition to the request. No protests were received during the two-week protest period following the MAPC hearing.

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

Goal Impact: The application will promote Economic Vitality.

Legal Considerations: The ordinance has been reviewed and approved as to form by the Law Department.

Recommendation/Actions: Adopt the findings of the MAPC and approve the zone change, authorize the Mayor to sign the ordinance and place the ordinance on first reading (simple majority required).

Attachments:

- Ordinance
- DAB Memo
- MAPC Minutes

OCA#: 150004

ORDINANCE NO. 49-348

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. ZON2012-00021

Zone change request from SF-5 Single-family Residential ("SF-5") to GO General Office ("GO") on properties described as:

That part of Lot 1, Henry Roe Cloud Addition, Wichita, Sedgwick County, Kansas described as follows: Commencing at the northwest corner of said Lot 1; thence easterly along the most westerly segment of the north line of said Lot 1, 408.62 feet for a point of beginning; thence continuing easterly along the north line of said lot 1, 196.38 feet to the point of curvature of a tangent curve to the left in said north line; thence easterly along said curve, through a central angle of 13°31'27" and having a radius of 128.33 feet, an arc distance of 30.29 feet to a deflection corner in said north line; thence southerly along a segment of the north line of said Lot 1, 199.56 feet; thence westerly parallel with the most westerly segment of the north line of said Lot 1, 225.85 feet; thence northerly, 196.00 feet to the point of beginning.

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 25 day of Sept, 2012

ATTEST:

Karen Sublett, M.A.C.
Karen Sublett, City Clerk

Carl Brewer
Carl Brewer, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf
Gary E. Rebenstorf, Director of Law
By JUD