

City of Wichita
City Council Meeting
May 7, 2013

TO: Mayor and City Council

SUBJECT: ZON2013-00003 – City zone change from LC Limited Commercial (“LC”) to GC General Commercial (“GC”); generally located north of Maple Street, on the east side of Sycamore Street. (District IV)

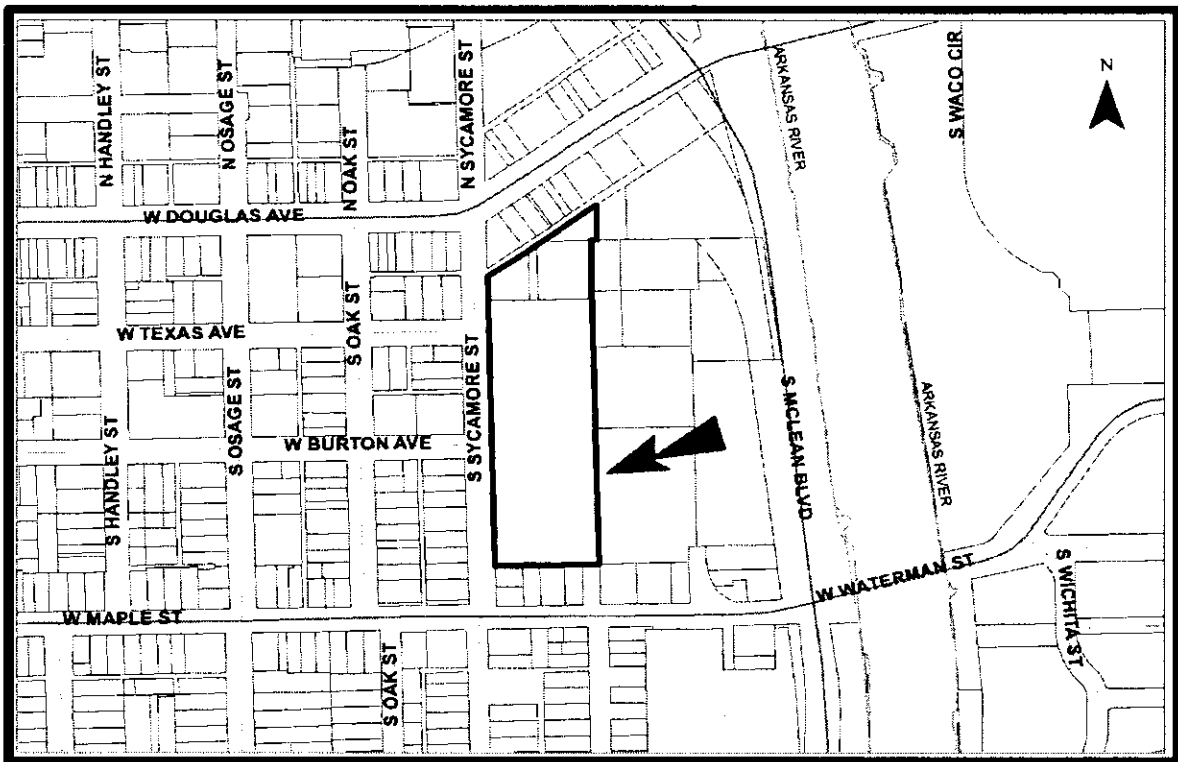
INITIATED BY: Metropolitan Area Planning Department *JWS*

AGENDA: Planning (Consent)

MAPC Recommendation: Approve (11-0).

DAB IV Recommendation: Approve (unanimously)

MAPD Staff Recommendation: Approve.



Background: The applicant requests GC General Commercial (“GC”) zoning on the LC Limited Commercial (“LC”) zoned subject site, located north of Maple Street and on the east side of Sycamore Street. The multiple lot site is the parking lot for the abutting LC zoned Lawrence Dumont baseball stadium. The applicant is requesting the GC zoning to allow additional uses, such as the past carnivals that have been a participant in the annual River Festival; Unified Zoning Code (UZC) Sec.II-B.11.b, Outdoor Recreation and Entertainment. Outdoor Recreation and Entertainment (including a carnival) is first permitted by right in the GC zoning district; UZC Sec.III-B.16.b.(3). The site is also located within the D-O Delano Neighborhood Overlay District (“D-O”).

As stated, the subject site serves as the parking lot for the eastern, abutting LC zoned Lawrence Dumont baseball stadium, which is recognized as a major civic institution in the Delano Plan. Lawrence Dumont is, and has been, the home of different minor league professional baseball teams and, since 1935, the home of the National Baseball Congress World Series. Lawrence Dumont has been and is the dominant development in this neighborhood. Further east, beyond the ballpark and across Meridian Avenue, is the Arkansas River and the CBD Core Business District (“CBD”) zoned core downtown area. South of the subject site, across Maple Street is the approved for GC zoning Wichita Ice Center; ZON2012-00018, subject to platting. The Ice Center and Lawrence Dumont provide a unique concentration of civic recreational sports facilities in Wichita. LC and B Multi-Family Residential (“B”) zoned vacant land, GC zoned office–warehouse, office and a vacant LI Limited Industrial (“LI”) zoned building are also located south of the site, across Maple. West of the site, across Sycamore Street, there is a mix of GC zoned older (1900-1925) single-family residences and small multi-family residences, office-warehouse, partially occupied retail or office, a large vacant lot and at least one vacant residence. North of the site are LC zoned downtown row commercial buildings located along the south side of Douglas Avenue. This row of LC zoned buildings contains a bar, car rental, a hat shop, a restaurant and other retail businesses. The LC and GC zoned Metropolitan Baptist Church and its parking is also located north of the subject site.

Analysis: At the DAB IV meeting held April 1, 2013, the DAB voted, unanimously, to approve the requested zoning. At the MAPC meeting held April 4, 2013, the MAPC voted (11-0) to approve the request as a consent item. There were no citizens who spoke against the request at the MAPC or DAB meetings. Planning has received no phone calls protesting the request. There have been no valid protest petitions filed with the City Clerk.

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

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
- MAPC minutes
- DAB memo

OCA 150004

ORDINANCE NO. 49-49.7

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. ZON2013-00003

Zone change from LC Limited Commercial ("LC") to GC General Commercial ("GC") on an approximately 7.55-acre property described as:

The West 165 feet, more or less, of Reserve A except the Northwest 10 feet for alley, West Wichita Addition AND Lots 1 to 8 inclusive and the West 15 feet of Lot 9 and the vacated street adjacent on the South except the Northwest 10 feet taken for alley, Block 1, Payne's Park Addition AND All of Block 2 and vacated street adjacent on the East and South, Payne's Park Addition and Lots 1 to 32 inclusive and vacated street on East, Block 4, Payne's Park Addition, all in Wichita, Sedgwick County, Kansas; generally located north of Maple Street on the east side of Sycamore Street.

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.

Carl Brewer
Vice Mayor for
Carl Brewer - Mayor

ATTEST:

Karen Sublett
Karen Sublett, City Clerk



Approved as to form: *Gary E. Rebenstorf*
Gary E. Rebenstorf, City Attorney