

OCA 150004

ORDINANCE NO. 49-827

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. ZON2014-00017

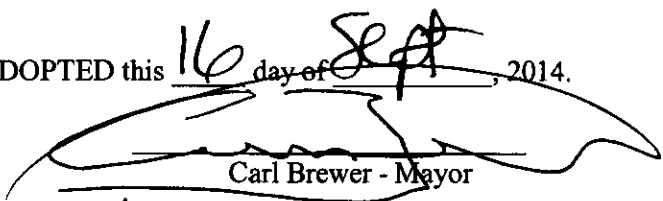
Zone change request from MF-29 Multi-family Residential (MF-29) to GO General Office (GO) on property containing approximately 2.57 acres generally located at the southeast corner of West Lincoln Street and South Osage Street, and described as:

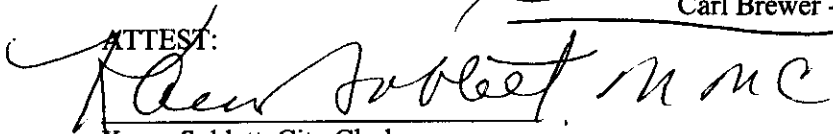
That part of Lot 1, Block A, West High School 2<sup>nd</sup> Addition, Wichita, Sedgwick County, Kansas described as follows: Beginning at the most northerly northwest corner of said Lot 1; thence S59°44'09"E along the northeast line of said Lot 1, 63.30 feet to a deflection corner in said northeast line; thence S59°47'19"E along the northeast line of said Lot 1, 407.29 feet; thence S45°00'00"W, 251.04 feet; thence S89°53'13"W perpendicular to the west line of said Lot 1, 246.00 feet to a point on said west line; thence N00°06'47"W along the west line of said Lot 1, 405.75 feet to the most westerly northwest corner of said Lot 1; thence N62°45'04"E along the northwest line of said Lot 1, 19.87 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 16 day of Sept, 2014.

  
Carl Brewer - Mayor

ATTEST:  
  
Karen Sublett, City Clerk

(SEAL)

Approved as to form: \_\_\_\_\_  
Sharon Dickgrafe, Interim City Attorney



**Background:** The applicant is seeking GO General Office (GO) to permit a “medical service” on 2.57 acres located at the southeast corner of West Lincoln Street and South Osage Street currently zoned MF-29 Multi-family Residential (MF-29). The subject site is currently an undeveloped portion of the athletic fields associated with West High School. A portion of the property is platted as the Franklin Yikes Addition while the rest of the site is unplatted. If approved, the GO zoning would permit the development of a “medical service” that would be open year-round, and would serve West High School students, faculty and surrounding neighborhood residents. The medical service will be required to meet all Unified Zoning Code requirements, such as: screening, building height, dumpster location, landscaping and parking. The school district will retain ownership of the site. West High School has approximately 1,500 students.

The land located immediately next to, or across the street from the application area in all four directions is zoned MF-29. Land north of the subject site, across East Lincoln Street, is developed with West High School. Land to the east and south are part of West High’s athletic fields. Property located to the west, across South Osage Street, is developed with single-family and two-family residences.

On August 9, 2014, the Metropolitan Area Planning Commission (MAPC) approved (12-0) the request. Other than the applicant’s agent there was not anyone present to discuss the request.

On August 4, 2014, District Advisory Board (DAB) IV heard the request; however, there was not a quorum so DAB IV did not make a recommendation. No one spoke in opposition to the request and there have not been any protests filed.

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

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

**Recommendation/Actions:** It is recommended that the City Council adopt the findings of the MAPC and approve the requested zone change and place the ordinance on first reading (simple majority vote required).

**Attachments:** MAPC minutes, DAB memo and ordinance.