

OCA 150004

ORDINANCE NO. 49-968

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. ZON2015-00004**

Request for zone change from "LI" Limited Industrial to "OT-O" Overlay District, described as:

Lots 22, 23 and 24, Block B, H. L. and Annie M. Taylor's Addition to Wichita, Sedgwick County Kansas; generally located at the northwest corner of 2<sup>nd</sup> Street and N. Washington Avenue.

**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 the lands legally described hereby are included in the Old Town Parking District of the City of Wichita.

**SECTION 4.** That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

  
Carl Brewer - Mayor

ATTEST:

  
M. M. C., City Clerk



Approved as to form:   
Sharon Dickgrafe, Interim City Attorney



**BACKGROUND:** The applicant is requesting the LI zoned property to be included in the OT-O Old Town Overlay district. The site consists of Lots 22, 23, and 24, Block B, H. L. and Annie M. Taylor's Addition, located on the northwest corner of Washington Avenue and 2<sup>nd</sup> Street. Lot 24 is developed with a small commercial building and Lots 22 and 23 are vacant. The applicant proposes to develop a commercial structure that is in keeping with the characteristics of surrounding warehouse and commercial buildings that are built to the lot lines except in the front yard. The area is a warehousing/ industrial district that was developed from 1900 – 1950. There has been some demolition of buildings that have resulted in surface parking lots and newer construction. Surface parking lots in the area, with a few exceptions, are part of the Old Town Parking District. Immediately south of the site a surface lot that is owned by the City and included in the parking district.

The site is located in an industrial/commercial area with limited on-site parking available. The lack of parking is the primary reason for the request for OT-O zoning. The Old Town Overlay District has reduced parking requirements when compared to most other zoning districts, and has provisions which allow for the use of off-site shared public parking spaces by property owners in the Old Town Parking District by paying a monthly fee, in lieu of providing the on-site parking.

However, inclusion in the Old Town Overlay District does not automatically include the property in the Old Town Parking District. A separate ordinance will have to be approved to include the site in the Old Town Parking District. Until the property is included in the Old Town Parking District, the applicant will need to provide parking as required by the appropriate section of the Unified Zoning Code (UZC).

If this request is approved, the underlying zoning on the property would remain LI, but the property would become subject to the design, signage, and parking requirements of the OT-O district. The OT-O district also permits a wider range of uses such as residential that are not permitted in the existing LI zoning.

**Analysis:** On February 19, 2015, the Metropolitan Area Planning Commission (MAPC) reviewed the application. The MAPC approved the application by consent (12-0).

On February 18, 2015, District Advisory Board (DAB) VI heard the case. No comments from the public were recorded.

No official protests were received. The MAPC recommendation may be approved by a simple majority vote.

**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 as recommended by MAPC and place the ordinance on first reading (simple majority vote).

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