

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. ZON2015-00017

City zone change request from Single-Family (SF-5) to Limited Commercial (LC) on property generally located south of Harry Street on the west side of South Webb Road described as:

Beginning 630' North of the Southeast corner of the N/2 of the NE/4; thence West 330'; thence North 138'; thence East 330'; thence South to point of beginning, 32-27-2E (1659 South Webb Road).

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.

Jeff Longwell, Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

Approved as to form: _____
Jennifer Magaña, City Attorney and Director of Law

City of Wichita
City Council Meeting
June 23, 2015

TO: Mayor and City Council

SUBJECT: ZON2015-00017 – City Zone Change from Single-Family Residential SF-5 to Limited Commercial LC; Generally Located South of Harry Street on the West Side of South Webb Road (District II)

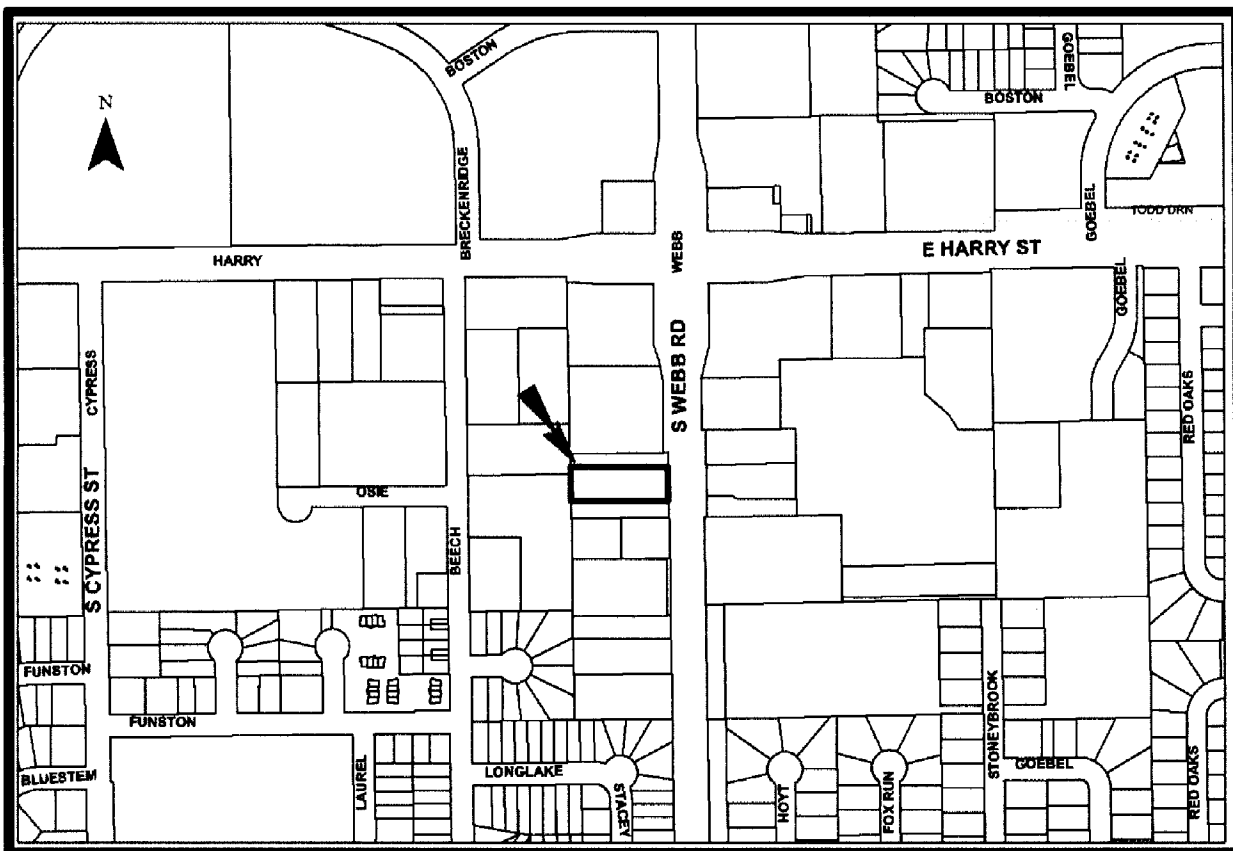
INITIATED BY: Metropolitan Area Planning Department *JLS*

AGENDA: Planning (Consent)

MAPC Recommendation: The MAPC recommended approval of the request (12-0).

DAB Recommendation: District Advisory Board II recommended approval of the request (7-0).

MAPD Staff Recommendation: Metropolitan Area Planning Department staff recommended approval of the request.



BACKGROUND: The applicant is seeking Limited Commercial (LC) zoning to permit a restaurant use on 0.88 acres located on the west side of South Webb Road, south of Harry Street, which is a four-lane arterial. The subject site is the south portion (0.60 acre) of an unplatted lot with two zoning districts. The north portion of the property (0.25) acre is zoned LC and the rest of the site is zoned Single-Family Residential (SF-5). If approved, the LC zoning would permit the development of a restaurant.

The applicant have submitted a one-step final plat for the Wasinger Addition. After the zone change and the plat have been perfected, the applicants will provide a scaled site plan giving more detail including, but not limited to, building location, landscaping, any proposed light poles and identification of customer and employee parking.

The properties located east and north of the site are zoned LC and developed with fast food restaurants with drive-thru services and a neighborhood Wal-Mart store. Land west of the subject site, is zoned General Office (GO) developed with strip office buildings. Land to the south is zoned GO and is currently undeveloped.

Analysis: On May 21, 2015, the Metropolitan Area Planning Commission (MAPC) reviewed the application. The MAPC approved the application by consent (12-0).

On April 15, 2015, District Advisory Board (DAB) II heard the case and voted to approve the zone change (7-0). 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.