

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. ZON2016-00009

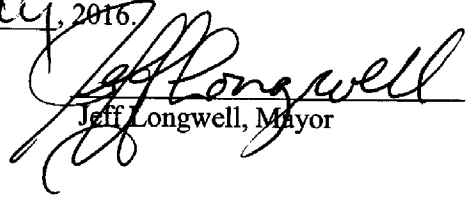
Zone change request from LI Limited Industrial (LI) to CBD Central Business District (CBD) on property located north of West Douglas Avenue on the eastside of Oak Street; described as:

The North Half of vacated Pearl street adjacent to Lot 22, on Oak Street in West Wichita Addition, Sedgwick County, Kansas.

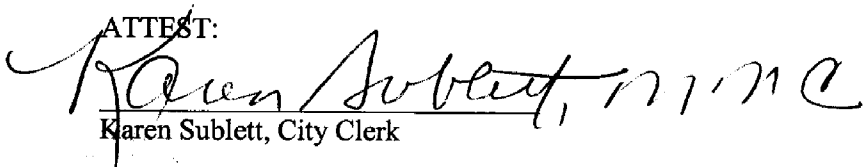
SECTION 2. That upon the taking effect of this ordinance, the above zoning change shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

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 17 day of May, 2016.

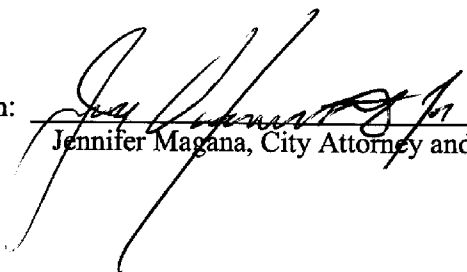

Jeff Longwell, Mayor

ATTEST:


Karen Sublett, City Clerk

(SEAL)

Approved as to form:


Jennifer Magana, City Attorney and Director of Law

**City of Wichita
City Council Meeting
May 10, 2016**

TO: Mayor and City Council

SUBJECT: ZON2016-00009 – Zone Change from LI Limited Industrial to CBD Central Business District, Generally Located North of West Douglas and East of North Oak Street (District VI)

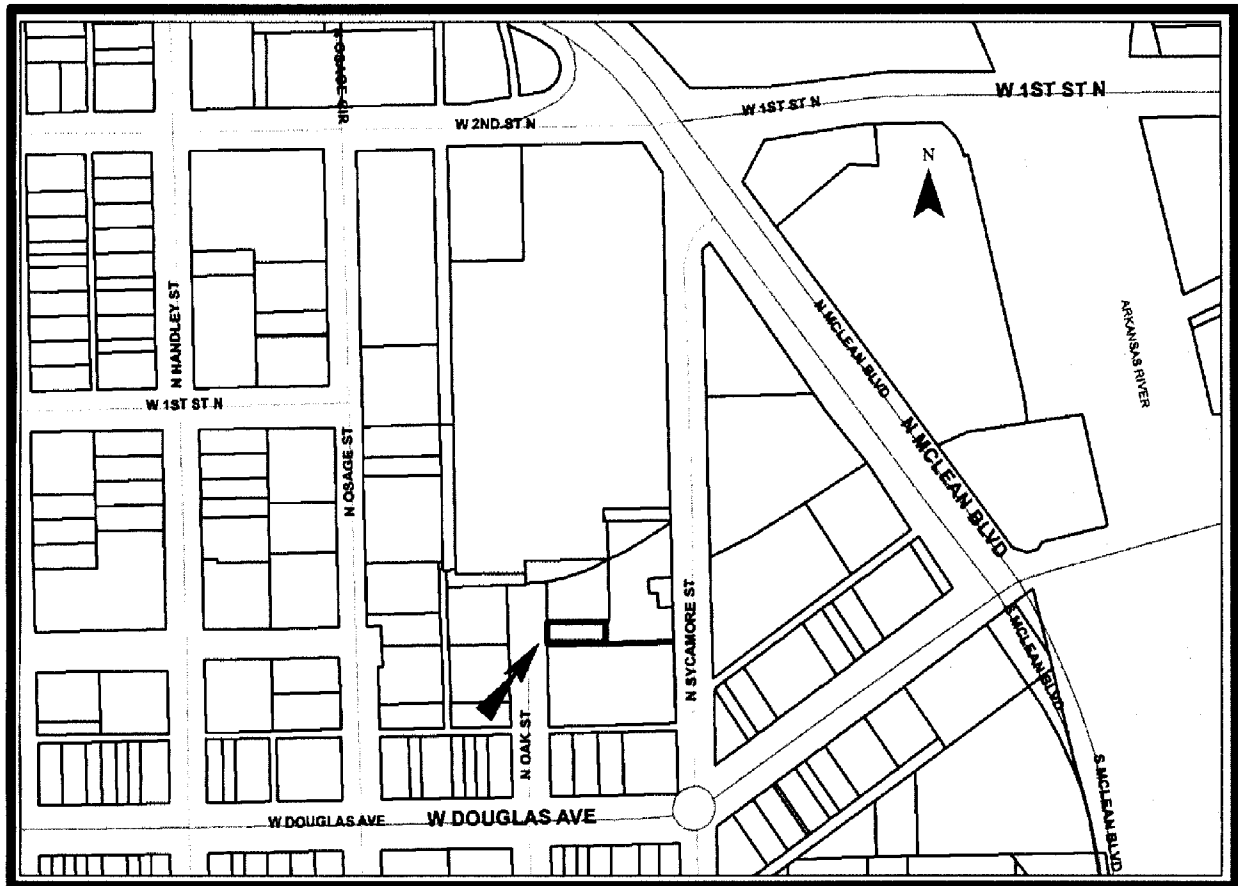
INITIATED BY: Metropolitan Area Planning Department *DM*

AGENDA: Planning (Consent)

MAPC Recommendation: The MAPC recommended approval of the request (13-0).

DAB Recommendation: District Advisory Board VI recommended approval of the request (8-0).

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



Background: The applicant requests Central Business District (CBD) zoning on 0.11 platted acres (a portion of vacated Pearl Street) located on the east side of North Oak Street, 300 feet north of West Douglas Avenue. The subject site is currently zoned Limited Industrial (LI), and is vacant. The applicant wishes to match the zoning of this site with the greater City-owned parcel to the north. The greater site is designated to become a downtown catalyst development site. The site is located in the Delano District which developed in the 1870's and then redeveloped in the early 1900's when off-street parking requirements did not exist. Therefore, many properties in the Delano District do not have, or have only minimal, off-street parking and rely upon public parking located in the street right-of-way. The site is located within the Delano Neighborhood Revitalization Plan area, but is not within the Delano Overlay Neighborhood District (D-O), which exists one-half block south of the site. CBD zoning mitigates site development issues for older portions of the core area, such as the requirement to provide off-street parking (off-street parking is not required on CBD zoned property) and reduced setback requirements (the CBD district permits zero setbacks; setbacks in the LI district vary from zero to 20 feet).

Properties north, east and west of the site are also owned by the City, are zoned CBD and are primarily vacant. Properties south of the site are a combination of CBD and Limited Commercial (LC) zoning. The properties south of the site are used for warehousing, office and commercial uses. Within the past two years, eight zone changes to CBD have been approved in Delano.

Analysis: On April 7, 2016, the Metropolitan Area Planning Commission (MAPC) approved the request (13-0). No members of the public spoke at the MAPC hearing.

On April 4, 2016, District Advisory Board (DAB) VI reviewed the application and approved it 8-0. No members of the public spoke at the DAB hearing.

No protest petitions have been received. The request can be approved with 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, approve the requested Zone Change and place the ordinance on the first reading (simple majority vote).

Attachments: Ordinance, MAPC minutes, DAB VI report.