

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 AT WICHITA, KANSAS,

Sept. 20, 2005
Carlos Mayans
Carlos Mayans - Mayor

ATTEST:

Karen Sublett
Karen Sublett, City Clerk

(SEAL)

Approved as to form:

Gary E. Rebenstorf
Gary E. Rebenstorf, City Attorney

**City of Wichita
City Council Meeting
September 13, 2005**

Agenda Report No. _____

TO: Mayor and City Council

SUBJECT: ZON2005-00031 – Zone change from “LI” Limited Industrial to “CBD” Central Business District. Generally located east of Commerce, south of Waterman (410, 414, 420-424, and 524 South Commerce). (District I)

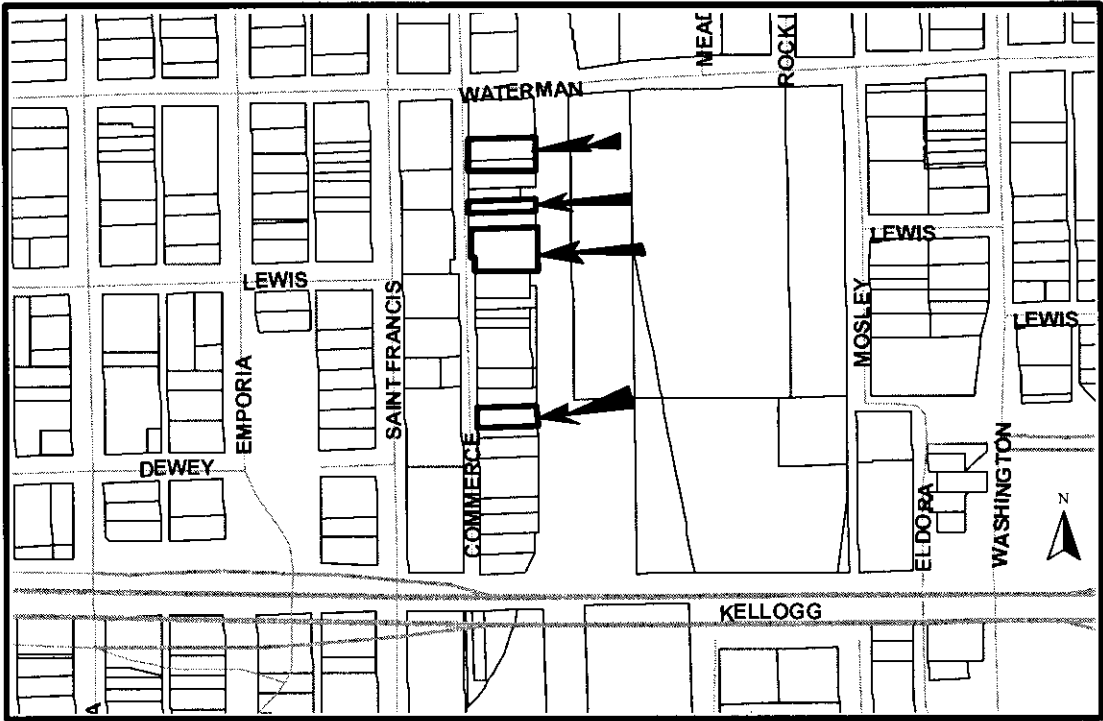
INITIATED BY: Metropolitan Area Planning Department *JLS*

AGENDA: Planning (Consent)

MAPC Recommendations: Approved, vote (10-0).

MAPD Staff Recommendations: Approve.

DAB Recommendations: Not applicable.



Background: The applicants request a zone change from “LI” Limited Industrial to “CBD” Central Business District on four properties located east of Commerce, between Waterman and Kellogg. Each of the applicants wish to continue existing businesses within their buildings, and also to develop residential uses. Residential use is not permitted in the LI district, but is permitted in the CBD district.

This portion of South Commerce contains warehouse buildings dating back to the 1890s and has more recently been developed as an art gallery district. The surrounding area is generally zoned LI between St Francis and the railroad tracks. The surrounding land uses include parking, warehousing, retail, office and residential uses. East of these properties is the BNSF Railroad tracks.

The CBD zone allows most uses permitted in LI, but has no setback or parking requirements and permits residences.

Analysis: The Metropolitan Area Planning Commission (MAPC) recommended approval. No neighboring property owners were present to speak about the case, and no protests have been received.

Financial Considerations: None.

Legal Considerations: None.

Recommendation/Actions: It is recommended that the City Council

1. Concur with the findings of the MAPC approving the zone change, and approve the first reading of the ordinance establishing the zone change, or;
2. Return the application to MAPC for reconsideration.

(An override of the Planning Commission’s recommendation requires a two-thirds majority vote of the members of the governing body on the first hearing.)