

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. PUD2014-00001

Zone change request from SF-5 Single-family Residential to PUD Planned Unit Development 2014-00001 (PUD#42), on property containing approximately 14.74 acres generally located on the east side of South Meridian Avenue, 1,700 feet south of West MacArthur Road and described as:

The Southwest Quarter of the Northwest Quarter in Section 18, Township 28, Range 1 East of the 6th P.M., Sedgwick County, Kansas EXCEPT beginning 658.24' North of the Southwest corner; thence East 290.4'; thence South 150 feet; thence West 290.4'; thence South to the beginning and EXCEPT that part platted as Mobile Manor South Addition and EXCEPT the North 97 feet of the West 209 feet thereof and EXCEPT that part deeded for street, Sedgwick County, Kansas.

PUD2014 (PUD#42) is approved subject to the following conditions:

- (1) Permitted uses are: "recreation and entertainment, indoor," "recreation and entertainment, outdoor," "auditorium or stadium," "event center" as defined by the Wichita-Sedgwick County Unified Zoning Code or as modified below, and all uses permitted by right in the SF-5 Single-family Residential zoning district. "Recreation and entertainment, outdoor" and "recreation and entertainment, indoor" uses are limited to sports activities extra-curriculum activities typically associated with public school sports programs, such as: football, baseball, softball, soccer, track or tennis. Prior to the commencement of any "recreation and entertainment, outdoor" use or activity, the applicant shall submit a more detailed site plan that provides specific details of the activities, including the location and size of sports fields or other improvements associated with outdoor activities; the location, number and surface of parking spaces or lots; location and height of lighting standards; location, height and material used for fencing; location, number and material used for seating or bleachers; restroom facilities; etc. The existing building may be used for sports activities similar to extra-curriculum activities typically associated with public school sports programs, such as: football, baseball, softball, soccer, track or tennis provided all applicable building, fire or sanitation code requirements have been met and all applicable inspections, licenses or permits have been obtained, including change of occupancy. Use of the property for an event center, auditorium or stadium is prohibited until the property has been platted, and has obtained all applicable inspections, licenses or permits, including but not limited to change in occupancy, building, fire, and sanitation. Nightclub in the City is not permitted.
- (2) All applicable permits, licenses, inspections or change in use shall be obtained prior to use of the property for any PUD required uses other than SF-5 and agricultural permitted uses.

- (3) Currently the site has one access point, additional access points shall be determined at the time of platting unless the City's Traffic Engineer approves additional access points prior to platting.
- (4) Non-single-family residential building setbacks shall be as follows: Meridian Avenue frontage-20 feet; South Bennett Circle frontage-50 feet and interior side yard-25 feet. Athletic field uses shall be located and conducted at least 50 feet from TF-3 or more restrictive zoning as measured at the closest point of the athletic field to the TF-3 or more restrictive zoning. SF-5 Single-family Residential district uses permitted by right shall follow SF-5 district standards.
- (5) Maximum non-residential building coverage is 30 percent or 192,622 square feet and maximum floor area ratio is 50 percent; maximum gross floor area is 321,037 square feet.
- (6) Maximum building height is 35 feet.
- (7) Signage shall comply with LC district standards except as follows. One illuminated on-site ground or pole sign up to 200 square feet is permitted. Maximum on-site ground or pole sign shall be 15 feet. Illuminated building signs that face Meridian, not exceeding 400 square feet or 20 percent of the building elevation are also proposed. No wall signs are permitted on the north, east or south facades except for small directional and regulatory signs allowed under Section 24.04.190. Off-site or portable signage is prohibited.
- (8) Gravel parking (as defined by Article II, Section II-B.1.p, All-Weather Surface) is permitted for outdoor recreational uses until the property is platted, except that American with Disabilities Act (ADA) required parking spaces are to be paved prior to commencing activities requiring such spaces. The parking surface for uses located within the existing building may be gravel until the property is platted.
- (9) The number of off-street parking spaces shall be provided per the UZC. For those uses requiring a parking study, the study shall be done within three months of final approval.
- (10) No string type of lighting or banners shall be permitted. Lighting of outdoor recreation and entertainment fields is permitted. Lighting of other facilities shall be per UZC standards.
- (11) The site shall be operated in compliance with the City's noise control ordinance.
- (12) The property shall be properly policed to ensure proper maintenance and removal of trash from the premises to eliminate problems to adjacent or public property.
- (13) The site shall be developed, maintained and operated in general conformance with the approved site plan.
- (14) If the Zoning Administrator finds that there is a violation of any of the conditions of approval, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that particular use null and void.

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 15th day of July, 2014.

Carl Brewer - Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

Approved as to form: _____
Gary E. Rebenstorf, City Attorney