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ORDINANCE NO. 49-797

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. ZON2011-00027

Zone change request from SF-5 Single-family Residential to LC Limited Commercial on property described as:

Ridge 400 3rd Addition, Wichita, Sedgwick County, Kansas.

Generally located South of Maple, East of Ridge Road.

SUBJECT TO THE FOLLOWING PROVISIONS OF PO #258:

- A. Replat the site within a year of approval by the governing body.
- B. No off-site or portable signs shall be permitted on the subject property. No signs shall be permitted along the face of any building or along any street frontage that faces or is across the street from any property that is in a residential zoning district. Signs will be a monument type of sign, as permitted by the sign code in the LC zoning district.
- C. Light poles shall be of the same color and design and shall have cut-off fixtures which direct light away from any abutting or adjacent properties that are in a residential zoning district. Light poles shall be limited to a maximum height, including the base of the light pole, of 25-feet. Light poles shall not be located within any setbacks. Lighting on buildings must be directed down, away from abutting and adjacent residential zoned properties.
- D. All utilities will be located underground.
- E. Outdoor speakers and sound amplification systems shall not be permitted, with the exception of restaurant order boards. No order boards are permitted in setbacks.
- F. No buildings shall exceed one story in height with a maximum building height of 35 feet.
- G. A 6-8 foot tall masonry wall shall be constructed parallel to the east property line of the subject site, where it abuts existing single-family residences and SF-5 Single-family Residential zoning. The masonry wall shall be constructed at the same grade of the site's parking lot surface. A 6-8 foot tall, solid wooden fence (minimum screening material) will be constructed parallel to the south property line of the subject site, where it is adjacent to existing single-family residences and SF-5 Single-family Residential zoning. The solid wooden fence shall be constructed at the same grade as the site's parking lot surface.
- H. A 15-foot wide landscape buffer will be provided along the south and east sides of the subject site and shall be constructed at the same grade of the site's parking lot surface, unless approved drainage plans (per the replat) dictate otherwise.
- I. Deliveries and trash service shall be between the hours of 6:00 a.m. and 10:00 p.m.

- J. The subject site shall comply with the compatibility setback standards. No access onto Summit Lawn Drive shall be shown on the replat.
- K. The following uses shall not be permitted: adult entertainment establishment; group residence; correctional placement residence; recycling collection station; reverse vending machine; car wash; convenience store; night club; recreation and entertainment; outdoor vehicle sales; service station; tavern and drinking establishment and vehicle repair.

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 22 day of July, 2014.

ATTEST:

Karen Sublett, City Clerk

Carl Brewer, Mayor

(SEAL)

APPROVED AS TO FORM:

Gary E. Rebenstorf, Director of Law