

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. ZON2008-00057

Zone change from B Multi-family Residential (“B”) to Limited Commercial (“LC”) subject to Protective Overlay #223 on property described as:

Lots 20-26, Block 14, East Highlands Addition to the City of Wichita, Sedgwick County, Kansas

SUBJECT TO THE FOLLOWING PROVISIONS OF PROTECTIVE OVERLAY DISTRICT #223:

1. Prior to the issuance of building permits, the applicant shall provide, either by replat or dedication, cross lot access between the site and the applicant’s abutting property to the south and west; and dedicate complete access control onto Elm Street and Glendale Avenue.
2. Prior to the issuance of building permits, the applicant shall obtain an approved drainage plan for the site.
3. Signage shall be per the Sign Code, except that ground or pole signs shall be restricted to monument style; ground or pole signage is not permitted along Elm Street or Glendale Avenue frontages; wall or building signage is not permitted on facades that face residential zoning and off-site or billboard signs are prohibited.
4. Light poles or standards shall be limited to a maximum height of 15 feet including base/pedestal. Light fixtures shall be shielded and directed to prevent light from escaping the site.

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, January 13th, 2009.

Carl Brewer - Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney