

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. ZON2007-00058**

Request for a zone change from “B” Multi-family Residential to “LC” Limited Commercial, on property described as:

Lots 40, 39, 38, 37, 28, 27, 26, 25, 24, & 23, Block 4, East Highland Addition, Wichita, Sedgwick County, Kansas. Generally located northeast of the Oliver & Central Avenues intersection.

**SUBJECT TO THE FOLLOWING PROVISIONS OF PROTECTIVE OVERLAY DISTRICT #201, being complete within one-year of approval by the governing body:**

- (1)(a) Dedication of additional right-of-way along Oliver Avenue to meet the 50-foot of half street right-of-way standard for this intersection. (b) Dedication of cross lot access between the site and one of the applicants’ abutting southern (bingo hall) property. (c) Dedication of access control onto Oliver Avenue and possible complete access control onto Glendale Avenue. All reviewed and approved by the Traffic Engineer, all accomplished either through the replatting process or by dedication by separate instruments.
- (2) Because the site is partially in a FEMA flood area provide a drainage plan for review and approval by the Storm Water Engineer.
- (3) No signage allowed along the north and east sides of the site, where the site is abutting and adjacent to residential development. No off-site signs. Monument signs are allowed per the sign code for the “LC” zoning district.
- (4) On site pole lighting will be no taller than 15-feet including the base/pedestal. Pole lighting will be directed down onto the site away from adjacent residential development. No pole lighting will be placed within setbacks.

**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, February 15, 2008.**

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Carl Brewer - Mayor

**ATTEST:**

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Karen Sublett, City Clerk

(SEAL)

Approved as to form:

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Gary E. Rebenstorf, City Attorney