

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. ZON2007-00016

Request for a zone change from "SF-5" Single-family Residential to "NO" Neighborhood Office, on property described as:

Lots 70, 72 & 74, Lucy Avenue, River Bend Addition, Wichita, Sedgwick County, Kansas. Generally located west of Arkansas Avenue, on the northwest corner of 21st Street North & Salina Street.

**SUBJECT TO THE FOLLOWING PROVISIONS OF PROTECTIVE OVERLAY DISTRICT
#188:**

- (1) Dedicate complete access control along the site's 21st frontage.
- (2) Install approved parking barriers along the site's 21st frontage and the undeveloped alley.
- (3) Provide a landscape/site plan for approval that would insure that landscaping be installed per the standards of the Landscape Ordinance's street yard landscaping and a landscape buffer between it and the abutting and adjacent "SF-5" zoned properties; the exception to the Landscape Ordinance does not apply to this site.
- (4) All outside lighting be no taller than 14-feet tall and located outside all setbacks.
- (5) The applicant/owner provide a restrictive covenant to ensure that a wooden fence always be up and in good repair along its north property line.
- (6) All dumpsters have a wooden fence with a gate around them and not are visible from 21st Street North.
- (7) Signage is limited to what is permitted in the "NO" zoning district.
- (8) All compatibility setbacks would be in effect as well as all parking requirements.
- (9) The planting and all other conditions will be implemented within 90 days of approval by the Governing Body or the zoning will be considered 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 AT WICHITA, KANSAS, July 17th, 2007

Carl Brewer - Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney