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ORDINANCE NO. 46-212

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. ZON2004-00029

Request for zone change from "LC" Limited Commercial to "OW" Office Warehouse on property described as:

The north 2 acres of Lot 12, except the west 260 feet thereof, Russell Tracts Addition. Generally located south of 33rd Street North and west of Amidon.

SUBJECT TO LOT SPLIT AND THE PROVISIONS OF THE FOLLOWING PROTECTIVE OVERLAY #143:

1. The following uses shall be permitted:
 - a. Animal care, limited; automated teller machine; bank or financial institution; broadcast/recording studio; college or university; community assembly; construction sales and service (need not comply with Art. III, Sec. III-D.6.bb of the Unified Zoning Code); day care, limited and general; government service; library; park and recreation; office general; personal care service; personal improvement service; post office substation; printing and copying, limited; recycling collection station, private and public; retail, general; reverse vending machine; safety service; utility, minor; vocational school; wireless communication facility; and similar uses that may be established by the Unified Zoning Code allowed by right in both the "LC" Limited Commercial and the "OW" Office Warehouse districts.
 - b. Wholesale or business service for the expressed use of the property owner. No warehousing of goods by outside companies shall be permitted.
 - c. The following uses shall be permitted only if granted approval as a Conditional Use subject to Art. V, Sec. V-D of the Unified Zoning Code: animal care, general; monument sales; nurseries and garden centers; warehouse, self-service storage; and manufacturing, limited.

2. Outdoor storage and display shall be in conformance to current "LC" zoning standards, except that no portable storage containers or storage of goods in trailers, shall be permitted.
3. All site development regulations, including but not limited to landscaping, signage, screening and setbacks shall be the same as the current "LC" zoning standards.
4. All delivery vehicles shall be parked west of the existing building and south of the proposed building to prevent vehicles from view from Amidon as well as the office and residential uses to the east and northeast.
5. Development shall be in general conformance to the site plan and building elevation submitted by the property owner as a part of the application.
6. The property shall be Lot Split within one year from approval of the zone change.
7. Overnight parking of delivery vehicles shall be prohibited. No extra parking in the back of the building shall be allowed and vehicle storage yard shall be a prohibited use.

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 20, 2004.

Carlos Mayans, Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney