

ORDINANCE NO. 51-728

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. ZON2022-00002**

City zone change from LC Limited Commercial to OW Office Warehouse zoning subject to the provisions of Protective Overlay #389 described as:

Lots 30 & 32, on Douglas Ave., in Allen's Subdivision in Richland's 2<sup>nd</sup> Addition

**Protective Overlay #389**

1. The subject property shall be limited to all uses permitted by-right in the LC Limited Commercial zoning district in addition to Warehousing as permitted in OW Office Warehouse.
2. Signs shall be in accordance with the LC zoning district in the Sign Code of the City of Wichita, with the following additional requirements:
  - a. Portable signs are not permitted.
  - b. Ground signs shall be monument type.
  - c. No off-site /billboard signs.
  - d. No signs, except small directional signs shall be permitted on the south side of the building.
3. Noise from the site shall not be audible from adjacent or surrounding property above the local, ambient noise. No outdoor speaker systems shall be permitted.
4. All rooftop mechanical equipment shall be screened from ground-level view from adjacent residential areas and adjacent street right of way.
5. Trash receptacles and ground level mechanical equipment shall be screened to reasonably hide them from ground level view, adjacent property and street right of way.
6. Parking shall be per Section IV-A.4 of the Unified Zoning Code.
7. Amendments, adjustments or interpretations to this Protective Overlay shall be done in accordance with the Unified Zoning Code.
8. The Transfer of title of all or any portion of land included within the Protective Overlay (or any

amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.

9. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approval by the Governing Body, and any substantial deviation of the plan, after a joint determination by the Zoning Administrator and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.

**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.

ATTEST:

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Brandon J. Whipple, Mayor, City of Wichita

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Karen Sublett, City Clerk

(SEAL)

Approved as to form: \_\_\_\_\_  
Jennifer Magaña, City Attorney and Director of Law