

(Published in the Wichita Eagle, December 18, 2022)

ORDINANCE NO. 52-003

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. PUD2022-00018

Amendment to PUD #78 incorporating additional property zoned B Multi-Family Residential District subject to the amended general provisions of PUD #78, on property described as:

Parcel 1:

Lots 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, and 45, on Vassar Avenue, AND Lots 22, 24, 26, 28, and 30, on Fairmount Avenue, all in Fairmount, an addition to the City of Wichita, Sedgwick County, Kansas.

Together with,

Parcel 2:

Lots 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, and 45, on Fairmount Avenue, AND Lots 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, and 46, on Holyoke Avenue, all in Fairmount, an addition to the City of Wichita, Sedgwick County, Kansas.

The Fairmount Commons (former "Vassar Apartments") Planned Unit Development (PUD #78) shall be subject to the following conditions:

1. The applicant shall provide a site plan for review and approval by the Planning Department prior to the issuance of building permits.
2. The applicant shall provide a parking study for commercial uses for review and approval by the Planning Department prior to the issuance of building permits.
3. The north edge of the paved parking lot on Parcel 2 shall have a continuous 6-inch minimum curb to direct stormwater away from neighboring properties to the north.
4. The screening/vegetation requirement cannot include the current trees on both corners of the north property line.
5. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #78 Fairmount Commons Planned Unit Development (PUD)) has special conditions for development on the property.
6. A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of governing body approval, or the request shall be considered denied and closed.

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 this 13th day of December, 2022.

Brandon J. Whipple, Mayor, City of Wichita

ATTEST:

Jamie Buster, City Clerk

(SEAL)

Approved as to form:

Jennifer Magaña, City Attorney and Director of Law