

ORDINANCE NO. 50-342

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. ZON2016-00028

Zone change from LC Limited Commercial, B Multi-Family Residential, and SF-5 Single-Family Residential to GC General Commercial on property generally located south of 21st Street North and east of I-135 and described as:

Lots 13, 15, 17, 19, 21 and 23, on Guy, now Piatt Avenue, in Parkview Addition to Wichita, Kansas, Sedgwick County, Kansas.

TOGETHER WITH

Lot 1, Conway Addition to Wichita, Sedgwick County, Kansas, EXCEPT that portion platted as U.N.B. 2nd Addition, Wichita, Sedgwick County, Kansas.

The zone change is subject to provisions of Protective Overlay #308 as follows:

1. Permitted uses shall be those uses permitted by right in GC General Commercial, except for auditorium or stadium, correctional placement residence, recycling collection station, recycling processing center, reverse vending machine, animal care, car wash, entertainment establishment, event center, kennel, marine facility, microbrewery, monument sales, nightclub, pawnshop, recreation and entertainment, recreational vehicle campground, riding academy or stable, secondhand store, sexually oriented business, tattooing and body piercing, tavern and drinking establishment, teen club, vehicle and equipment sales, self-storage warehouse, asphalt or concrete plant, outdoor storage, vehicle storage, and agricultural sales and service.
2. The entire frontage of the ground floor of the manufacturing and machine shop building along 21st Street North shall be used for office space, display, or wholesale or retail sales.
3. All buildings located within GC zoning shall share a uniform architectural character, color, and predominate exterior building material as approved by the Planning Director.
4. Development shall be in accordance a site plan approved by the Planning Director.
5. Building height is limited to 35 feet.
6. The warehouse building on the west parcel shall be located at the north end of the GC zoning and shall be no closer than 25 feet from the west property line.
7. A 30 foot landscaped buffer shall be provided along the south property line of the east parcel and a 50-foot landscaped buffer provided along the south property line of the west parcel. The

landscaped buffers shall be planted with staggered evergreen trees spaced every 10 feet and shall preserve the existing trees in the hedge row. No parking or buildings may be located in the landscaped buffer.

8. An eight (8) foot high concrete/masonry wall or wrought iron fencing with input from the neighborhood shall be constructed parallel to the south and east property lines of the east parcel and parallel to the south and west property lines of the portion of the west parcel zoned GC. The masonry wall shall be constructed in a manner that preserves the existing trees in the hedge row and shall not be constructed within a utility easement without the permission of the City Engineer.
9. Parking lot screening per the Landscape Ordinance shall be provided along 21st Street North and Piatt for all parking lots on GC zoned property.
10. Loading docks, trash receptacles, mechanical equipment, and outdoor work areas shall be screened from ground-level view from street right-of-way and adjacent properties.
11. Parking and loading shall be in accordance with Section IV-A of the Unified Zoning Code.
12. Signs shall per the Sign Code provisions for the LC district, except that no signage is permitted along the Piatt frontage or facing south.

On property generally located south of 21st Street North and east of I-135 and described as:

Lot 1, except the north 10 feet thereof, and all of Lots 3, 5, 7, 9, 11, 13, 15, 17, 19, 21 and 23, on Guy, now Piatt Avenue, in Parkview Addition to Wichita, Kansas, Sedgwick County, Kansas.

TOGETHER WITH

Lot 2, except the north 10 feet thereof, and all of Lots 4, 6, 8, 10 and 12, on Sedgwick, now Minnesota Avenue, in Parkview Addition to Wichita, Kansas, Sedgwick County, Kansas.

TOGETHER WITH

Lot 1, Conway Addition to Wichita, Sedgwick County, Kansas, EXCEPT that portion platted as U.N.B. 2nd Addition, Wichita, Sedgwick County, Kansas.

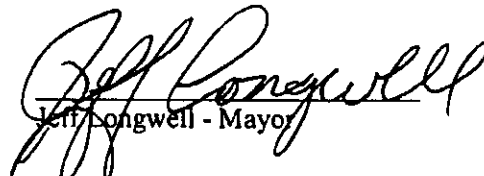
SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

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 18th day of October, 2016.

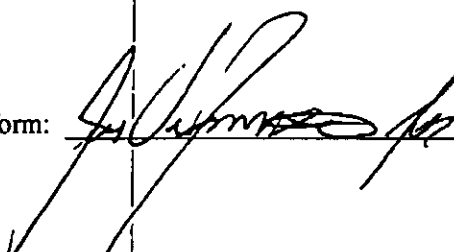
ATTEST:


Karen Sublett, City Clerk


Jeff Longwell - Mayor



as to form:





STAFF REPORT

MAPC August 18, 2016
DAB I September 12, 2016

CASE NUMBER: ZON2016-00028

APPLICANT/AGENT: Masoud Etezazi (owner/applicant); Conco, Inc. c/o Kyle Blasdel (agent)

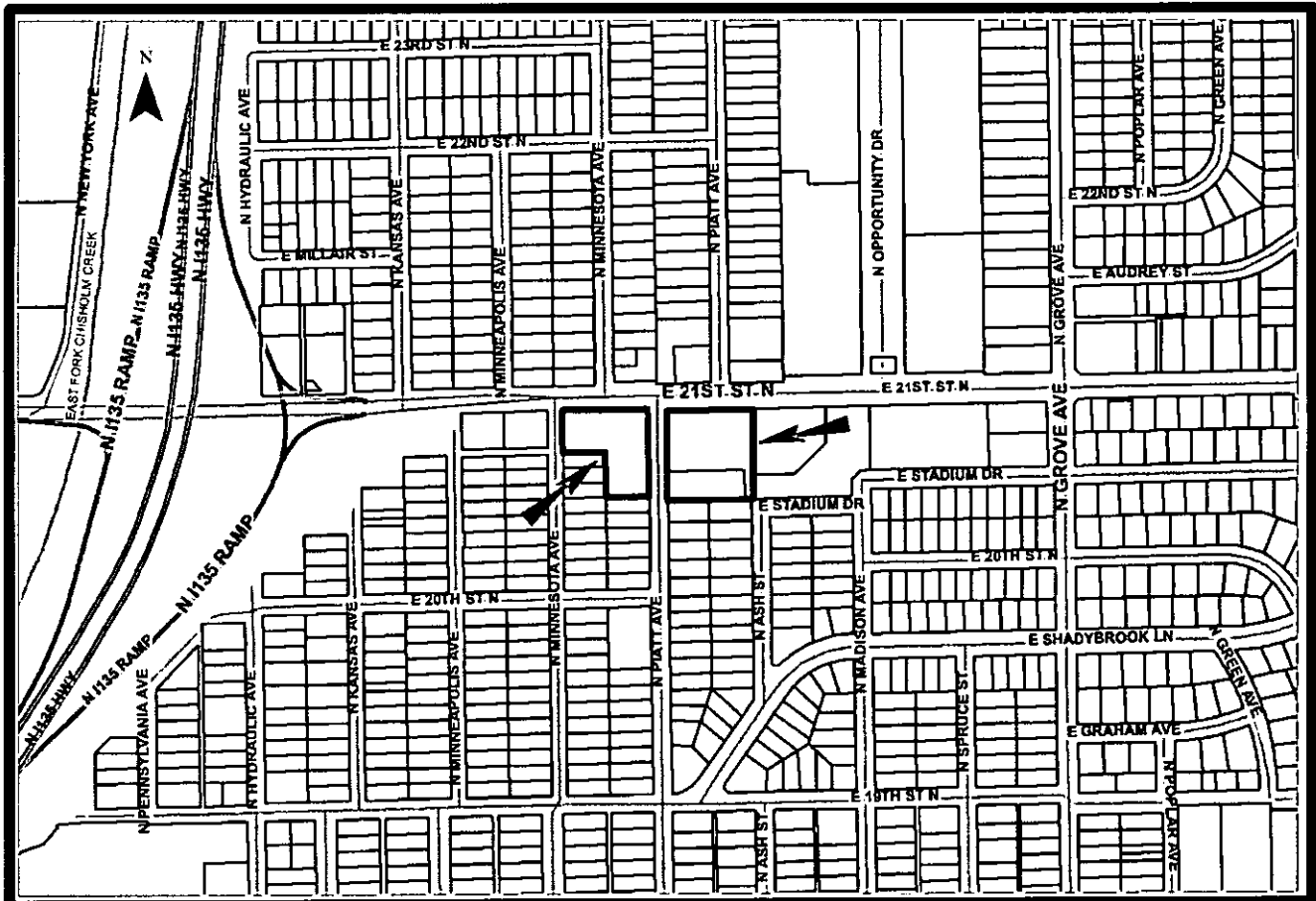
REQUEST: GC General Commercial

CURRENT ZONING: LC Limited Commercial, B Multi-Family Residential, and SF-5 Single-Family Residential

SITE SIZE: 3.27 acres

LOCATION: South of 21st Street North on the east and west sides of Piatt Avenue

PROPOSED USE: Manufacturing, machine shop, and warehousing



BACKGROUND: The subject property is two parcels located at the southeast and southwest corners of 21st Street North and Piatt. The east parcel is 1.9 acres zoned LC Limited Commercial, B Multi-Family Residential, and SF-5 Single-Family Residential and is developed with Etezazi Industries, a global manufacturer of machine parts and assemblies for aerospace, alternative energy, transportation and defense industry. Per the Unified Zoning Code (UZC), the uses of the east parcel are defined as Manufacturing, General (Sec. II-B.8.e.) and Welding or Machine Shop (Sec. II-B.14.n.). The uses of the east parcel are first permitted by the UZC in GC General Commercial zoning. The west parcel is 1.37 acres zoned LC, B, and SF-5 and is developed with The Market and MetroPCS. Per the UZC, the uses of the west parcel are defined as Convenience Store (Sec II-B.3.p.) and Retail, General (Sec. II-B.11.l). The uses of the west parcel are first permitted by the UZC in LC zoning; however, the applicant proposes to use the undeveloped portion of the west parcel for Warehousing (Sec. II-B.14.m.), which is not permitted in LC zoning but is permitted by the requested GC zoning.

The existing building on the east parcel was constructed as a vocational school to train employees in aerospace manufacturing. A vocational school is a permitted use in the LC zoning of the east parcel. Etezazi Industries purchased the existing building and manufacturing equipment in 2015 and began operating a manufacturing and machine shop. Since no building permit or change of occupancy permit was required, there was no review of the new use by the City of Wichita, and Etezazi Industries began operating a use that is not permitted by the UZC. There have been no complaints about the operation. The non-conformity of the existing use with the UZC arose when the applicant proposed an expansion of the operation requiring a building permit. Both the existing use and the proposed expansion require the requested GC zoning. If GC zoning is not approved, the applicant will need to relocate the existing business to a properly zoned property.

The applicant proposes to expand Etezazi Industries on the undeveloped portions of the east and west parcels as shown in the attached site plan. On the east parcel, the applicant proposes a 34,000 square foot expansion of the existing 11,460 square foot manufacturing and machine shop building. The applicant proposes a 10-foot building setback along the south property line of the east parcel and a 20-foot building setback along the west property line of the east parcel. The applicant proposes a screening wall along the south property line of the east parcel. On the west parcel the applicant proposes a 3,000 square foot warehouse and a parking lot. The applicant proposes 10-foot building setbacks along the west and south property lines of the west parcel and a 20-foot building setback along the east property line of the west parcel. The applicant proposes a screening wall along the south and west property lines of the west parcel. The applicant's proposal does not meet the following UZC requirements:

1. The entire frontage of the ground floor of the manufacturing and machine shop building along 21st Street North must be used for office space, display, or wholesale or retail sales (Sec. III-D.6.n).
2. The parking requirement is 96 spaces (note the site plan has inaccurate parking requirements) and 94 spaces are shown (Sec. IV.4.A.4.). The 96 space parking requirement is calculated as 85 spaces for manufacturing and machine shop (1 space per 500 square feet); nine (9) spaces for office (1 space per 333 square feet) and two (2) spaces for warehousing (1 space per 2,000 square feet).
3. Four parking spaces for persons with disabilities with are required and two are shown (Sec. IV.A.8.).
4. Two off-street loading spaces are required for customers and deliveries and none are shown (Sec. IV.A.14.).
5. The warehouse is adjacent to property zoned SF-5; therefore, a 25-foot compatibility setback is required along the south and west property lines of the west parcel (Sec. IV-C.4.).
6. The loading docks on the warehouse and manufacturing and machine shop building are not screened from view from Piatt (Sec. IV-B.3.e.).

The subject property is located along the 21st Street North corridor east of Interstate 135, which has been the focus of major revitalization efforts to improve the aesthetics of the community as well as provide increased employment and educational opportunities to neighborhood residents. Manufacturing and machine shops are an established use along this corridor, in particular at the 21st Street North and Piatt intersection. Two existing manufacturing and machine shops are located at the northeast corner of 21st Street North and Piatt on property

zoned GC, and the subject property has a non-conforming manufacturing and machine shop in LC zoning. The corridor also has major educational institutions located along Opportunity Drive northeast of the subject property within the 21st Street Kids and Family Empowerment Planned Unit Development. Additional commercial uses along the corridor include several retail and office uses both east and west of the subject property on properties zoned LC and GO General Office. The remainder of the corridor is developed with residential uses, the most predominate of which are senior apartments east of the subject property on property zoned GO and single-family residences located both north and south of the subject property on properties zoned TF-3 Two-Family Residential, SF-5, and B.

CASE HISTORY: The east parcel is platted as the Conway Addition, which was recorded August 8, 1957. The west parcel is platted as part of the Parkview Addition, which was recorded March 26, 1910.

ADJACENT ZONING AND LAND USE:

NORTH:	TF-3, LC, GC	Single-family residences, retail, manufacturing, machine shop
SOUTH:	SF-5, B	Single-family residences
EAST:	GO	Senior apartments, office
WEST:	SF-5, B, LC	Single-family residences, retail

PUBLIC SERVICES: 21st Street North is a four-lane arterial street with a continuous center left-turn lane at this location. All public services are available to the subject property.

CONFORMANCE TO PLANS/POLICIES: The adopted 2035 Wichita Future Growth Concept Map of the Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the subject property as “commercial.” The “commercial” category encompasses areas that reflect the full diversity of commercial development intensities and types typically found in a large urban municipality. The Locational Guidelines of the Comprehensive Plan recommend that the expansion of existing uses to adjacent areas be supported. The Locational Guidelines also recommend that non-residential uses should provide appropriate screening and buffering from residential uses and should have site design features that limit traffic, noise, lighting, and adverse impacts on surrounding residential land uses. The *21st Street North Corridor Revitalization Plan* has a goal to increase the long-term economic renewal, vitality, and sustainability of the corridor.

RECOMMENDATION: Given the long-term efforts to revitalize the 21st Street North corridor with employment opportunities for neighborhood residents and the guidance of the Comprehensive Plan to support the expansion of existing businesses, planning staff supports the application. However, the already developed convenience store and retail on the LC-zoned portion of the western parcel are permitted uses, and planning staff finds changing the zoning of that portion of the subject property to be unnecessary. Additionally, the applicant’s proposal does not meet all UZC requirements or screening, buffering, and site design guidelines of the Comprehensive Plan. Therefore, planning staff recommends a Protective Overlay to address these issues. Based upon information available prior to the public hearings, planning staff recommends that a zone change to GC General Commercial be **APPROVED** for only the east parcel and that portion of the west parcel zoned B Multi-Family Residential and SF-5 Single-Family Residential, subject to the following provisions of a Protective Overlay:

1. Permitted uses shall be those uses permitted by right in GC General Commercial, except for auditorium or stadium, correctional placement residence, recycling collection station, recycling processing center, reverse vending machine, animal care, car wash, entertainment establishment, event center, kennel, marine facility, microbrewery, monument sales, nightclub, pawnshop, recreation and entertainment, recreational vehicle campground, riding academy or stable, secondhand store, sexually oriented business, tattooing and body piercing, tavern and drinking establishment, teen club, vehicle and equipment sales, self-storage warehouse, asphalt or concrete plant, outdoor storage, vehicle storage, and agricultural sales and service.

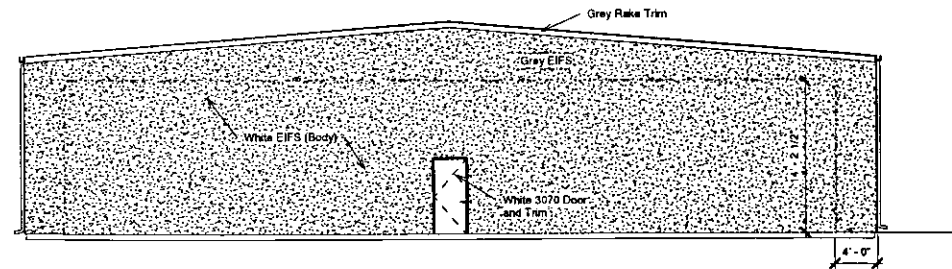
2. The entire frontage of the ground floor of the manufacturing and machine shop building along 21st Street North shall be used for office space, display, or wholesale or retail sales.
3. All buildings located within GC zoning shall share a uniform architectural character, color, and predominate exterior building material as approved by the Planning Director.
4. Development shall be in accordance a site plan approved by the Planning Director.
5. Building height is limited to 35 feet.
6. Building setbacks where GC zoning abuts residential zoning shall be 25 feet.
7. The existing hedge row shall be preserved along the south property line and may count towards the landscaping required to meet the landscape buffer requirements of the Landscape Ordinance. If the existing hedge row is damaged or dies, a landscape buffer equal to 1.5 times the Landscape Ordinance requirement shall be provided along the south property line.
8. A six (6) to eight (8) foot high concrete/masonry wall shall be constructed adjacent to the south and east property lines of the east parcel and adjacent to the south and west property lines of the portion of the west parcel zoned GC. The masonry wall shall not be constructed within a utility easement without the permission of the City Engineer.
9. Loading docks, trash receptacles, mechanical equipment, and outdoor work areas shall be screened from ground-level view from street right-of-way and adjacent properties.
10. Parking and loading shall be in accordance with Section IV-A of the Unified Zoning Code.
11. Signs shall per the Sign Code provisions for the LC district, except that no signage is permitted along the Piatt frontage or facing south.

This recommendation is based on the following findings:

- (1) **The zoning, uses and character of the neighborhood:** The subject property is located along the 21st Street North corridor east of Interstate 135, which has been the focus of major revitalization efforts to improve the aesthetics of the community as well as provide increased employment and educational opportunities to neighborhood residents. Manufacturing and machine shops are an established use along this corridor, in particular at the 21st Street North and Piatt intersection. Two existing manufacturing and machine shops are located at the northeast corner of 21st Street North and Piatt on property zoned GC, and the subject property has a non-conforming manufacturing and machine shop in LC zoning. The corridor also has major educational institutions located along Opportunity Drive northeast of the subject property within the 21st Street Kids and Family Empowerment Planned Unit Development. Additional commercial uses along the corridor include several retail and office uses both east and west of the subject property on properties zoned LC and GO General Office. The remainder of the corridor is developed with residential uses, the most predominate of which are senior apartments east of the subject property on property zoned GO and single-family residences located both north and south of the subject property on properties zoned TF-3 Two-Family Residential, SF-5, and B.
- (2) **The suitability of the subject property for the uses to which it has been restricted:** The site is currently zoned LC, which does not permit the existing manufacturing and machine shop uses. If the zoning is not approved, the existing business on the site will need to relocate.
- (3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** The use restrictions and development standards of the recommended Protective Overlay should mitigate detrimental impacts on nearby properties.
- (4) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The adopted 2035 Wichita Future Growth Concept Map of the Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the subject property as “commercial.” The “commercial” category encompasses areas that reflect the full diversity of commercial development intensities and types typically found in a large urban municipality. The Locational

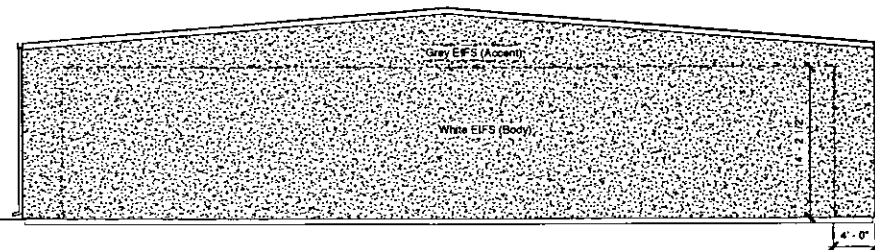
Guidelines of the Comprehensive Plan recommend that the expansion of existing uses to adjacent areas be supported. The Locational Guidelines also recommend that non-residential uses should provide appropriate screening and buffering from residential uses and should have site design features that limit traffic, noise, lighting, and adverse impacts on surrounding residential land uses. The *21st Street North Corridor Revitalization Plan* has a goal to increase the long-term economic renewal, vitality, and sustainability of the corridor.

- (5) **Impact of the proposed development on community facilities:** All public services are available to the subject property.



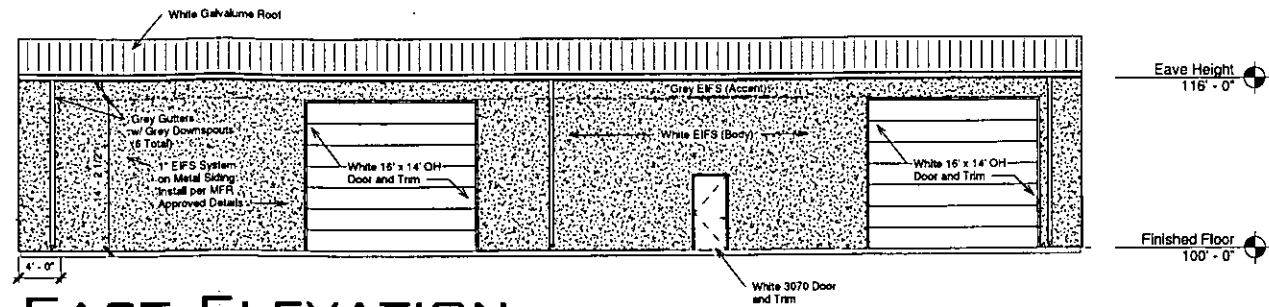
SOUTH ELEVATION

1/8" = 1'-0"



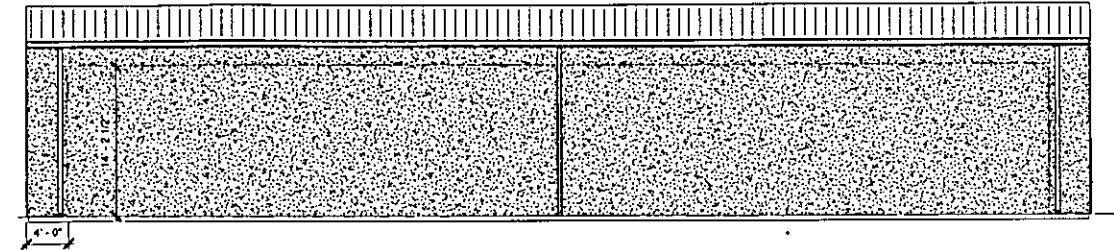
NORTH ELEVATION

1/8" = 1'-0"



EAST ELEVATION

1/8" = 1'-0"



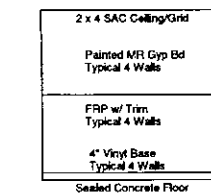
WEST ELEVATION

1/8" = 1'-0"



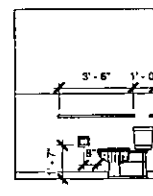
ISSUED
January 6, 2017
**RANDAL STEINER
ARCHITECT, P.A.**
229 E WILLIAM
SUITE 305
WICHITA, KS 67202
PHONE: 316-265-3222
WEB: RSAARCHITECT.COM
RANDAL@RSAARCHITECT.COM

Revision Schedule	
Revision Number	Revision Date



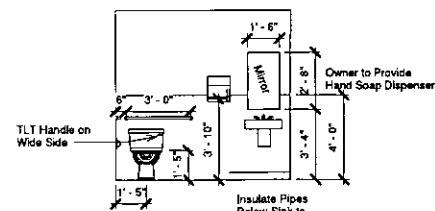
6 NORTH

1/4" = 1'-0"



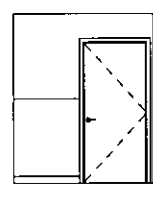
7 EAST

1/4" = 1'-0"



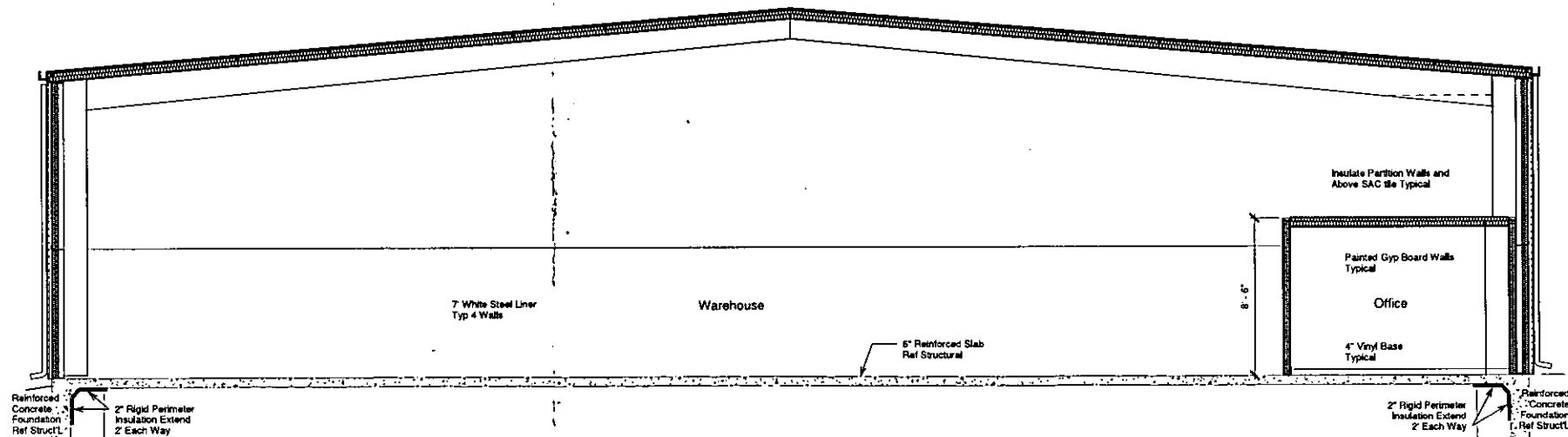
8 SOUTH

1/4" = 1'-0"



9 WEST

1/4" = 1'-0"



WEST-EAST SECTION

1/4" = 1'-0"

APPROVED

PO #308 GP #3 Arch Rev for West Parcel

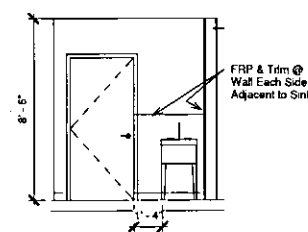
Date: *JK* 1-10-17

ADA NOTES

HANDICAP ACCESSIBLE TOILET ROOM SIGN
Shall be mounted on the wall adjoining the latch side of door to toilet rooms. Each sign shall be mounted with the centerline 60" above the finish floor and a clear floor space of 18" x 18". Each sign shall have the following:
A. The International Symbol of Accessibility.
B. A pictograph with the equivalent verbal description below it in raised and contrasting letters, and
C. Grade 2 Braille.

ADULT MOUNTING HEIGHTS
Grab Bar 35" C/L (33" Min to Top, 36" Max to Top)
Light Switch 48" Max (46" Max if Reach > 10")
Mirror @ Sink/Counter 40" Bottom of Reflective Surface
Mirror 35" Bottom of Reflective Surface if Not @ Sink or Counter
Sink 34" Max Top of Rim
Soap Dispenser 48" Max (46" Max if Reach > 10")
Toilet Paper Holder 18" Outlet (15" Min, 48" Max)
Toilet Seat 8" C/L to Front of Toilet (7" Min, 9" Max)
Toilet Seat 17" Top of Seat (17" Min, 19" Max)
Towel Dispenser 48" Max (46" Max if Reach > 10")
Urinal 17" Max Top of Rim

GRAB BARS
Shall be 1 1/2" Between Inside Edge of Bar and Finish Wall.



10 SERVICE SINK

1/4" = 1'-0"

**Etezazi Industries Inc
New Warehouse Building**

East 21st N & and Platt
Wichita, Kansas 67214



**SHEET
A2.0**

Architectural Elevations

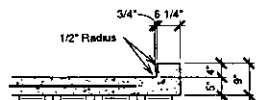


6" Max to Bottom of Sign from Top of Walking Surface. Bolt to Wall or Anchor Post. Place at Center of Each Designated Parking Stall.

PARKING SIGN

3/4" = 1'-0"

Contractor to Form High Edge or Low Edge Curb and Gutter Based on Grading Plan

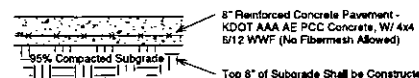


98% Compacted Subgrade - 8" Flyash Stabilization, Compacted 98% Proctor Density (At 6" Crushed Rock Base & Tension)

PLANTER CURB

1/2" = 1'-0"

Expansion Joints 20'-0" O.C. Max. Ref. Plan for Control Joints and Walk Widths

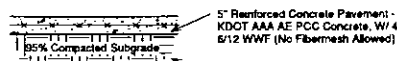


8" Reinforced Concrete Pavement - KDOT AAA AE PCC Concrete, W/ 4x4 B/12 WWF (No Fibermesh Allowed)
Top 8" of Subgrade Shall be Constructed of Modified Subgrade On-Site Soils. The Moisture Content Should also be Controlled to between Optimum and 3% above Optimum Moisture. Subgrade to be Compacted to Min. of 95% of the Maximum Dry Unit Weight Determined by ASTM D698.

DRIVEWAY PAVEMENT

1/2" = 1'-0"

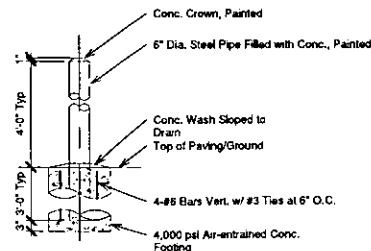
Expansion Joints 20'-0" O.C. Max. Control Joints 10'-0" O.C. Max



5" Reinforced Concrete Pavement - KDOT AAA AE PCC Concrete, W/ 4x4 B/12 WWF (No Fibermesh Allowed)
Top 8" of Subgrade Shall be Constructed of Modified Subgrade On-Site Soils. The Moisture Content Should also be Controlled to between Optimum and 3% above Optimum Moisture. Subgrade to be Compacted to Min. of 95% of the Maximum Dry Unit Weight Determined by ASTM D698.

PARKING PAVEMENT

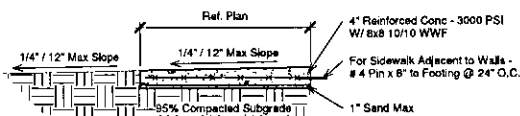
1/2" = 1'-0"



PIPE BOLLARD DTL

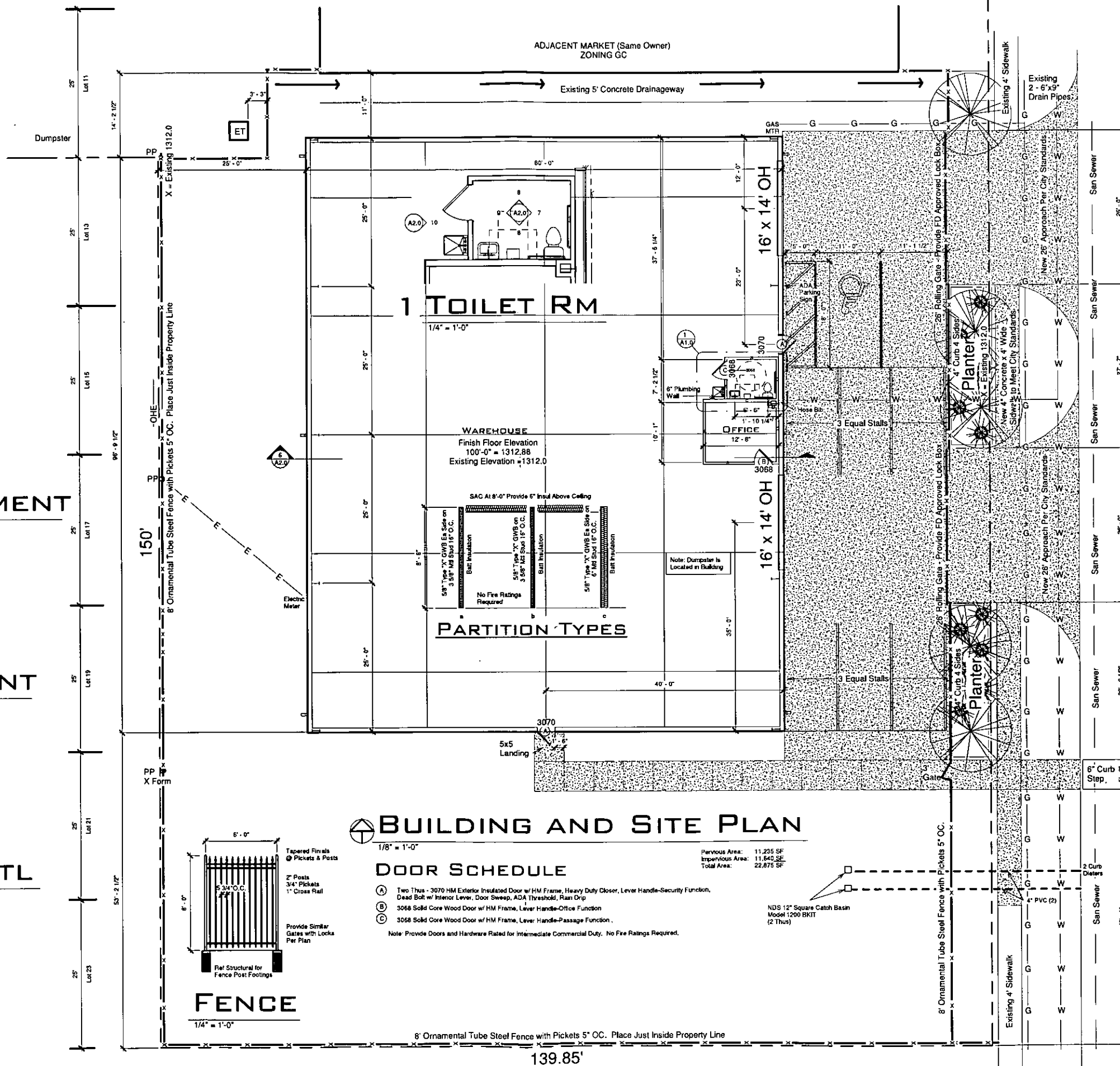
1/2" = 1'-0"

Expansion Joints 20'-0" O.C. Max. Ref. Plan for Control Joints and Walk Widths



SIDEWALK DTL

1/2" = 1'-0"



BUILDING AND SITE PLAN

1/8" = 1'-0"

DOOR SCHEDULE

- (A) Two Thus - 3070 HM Exterior Insulated Door w/ HM Frame, Heavy Duty Closer, Lever Handle-Security Function, Dead Bolt w/ Interior Lever, Door Sweep, ADA Threshold, Rain Drip
(B) 3068 Solid Core Wood Door w/ HM Frame, Lever Handle-Office Function
(C) 3068 Solid Core Wood Door w/ HM Frame, Lever Handle-Passage Function

Note: Provide Doors and Hardware Rated for Intermediate Commercial Duty. No Fire Ratings Required.

Previous Area: 11,235 SF
Imperious Area: 11,640 SF
Total Area: 22,875 SF

NDS 12" Square Catch Basin
Model 1200 BKIT
(2 Thus)



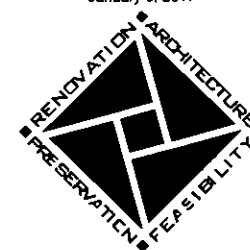
FENCE

1/4" = 1'-0"

8" Ornamental Tube Steel Fence with Pickets 5" OC. Place Just Inside Property Line

139.85'

ISSUED
January 6, 2017



RANDAL STEINER
ARCHITECT, P.A.
229 E WILLIAM
SUITE 305
WICHITA, KS 67202
PHONE: 316-265-3222
WEB: RSAARCHITECT.COM
RANDAL@RSAARCHITECT.COM

Revision Schedule	
Revision Number	Revision Date

SITE PLAN

APPROVED 1-10-17 BY SK
Landscaping is conceptual.
Separate landscape plan
approval required.

Etezazi Industries Inc
New Warehouse Building

East 21st N & Platt
Wichita, Kansas 67214



SHEET

A1.0

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Grading and Planting Plan