Agenda Item #_____

City of Wichita
City Council Meeting
**March 19, 2002**

Agenda Report #_____

**TO:** Mayor and City Council Members

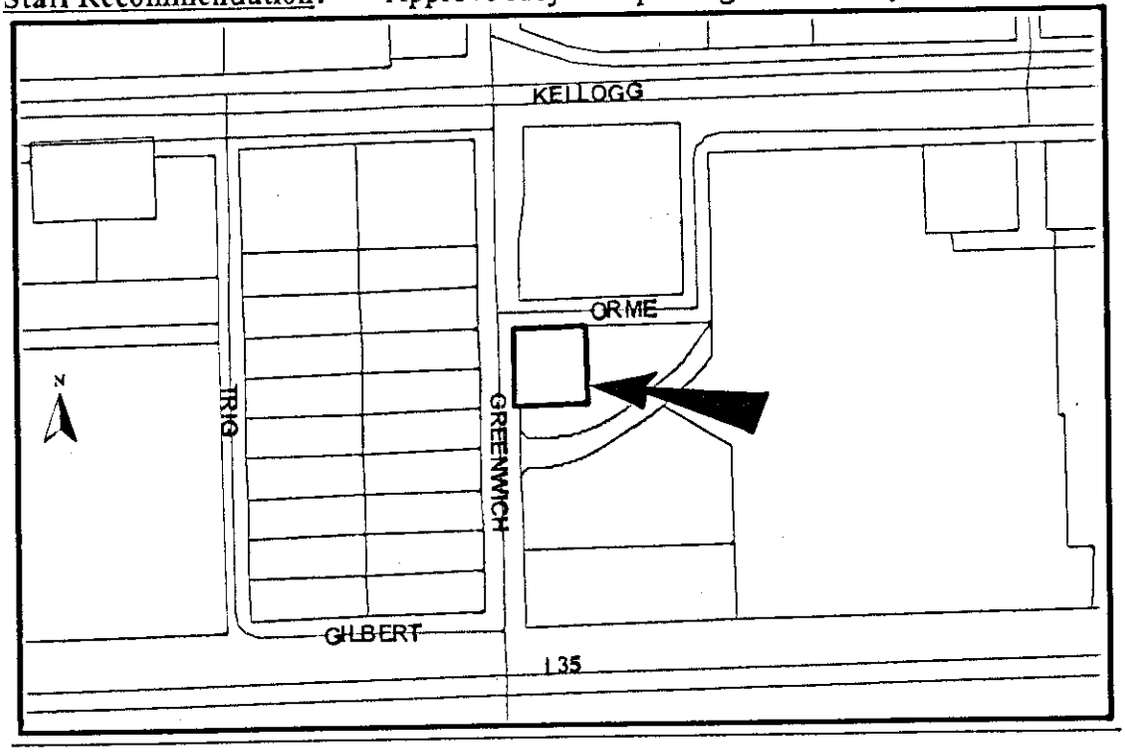
**SUBJECT:** **ZON2002-00001 Zone change from "SF-5" Single-Family Residential to "GC" General Commercial. Generally located on the east side of Greenwich Road approximately 600 feet south of Kellogg.** (District #II)

**INITIATED BY:** Metropolitan Area Planning Department

**AGENDA ACTION:** Planning

**MAPC Recommendation:** Approve subject to platting within one year (12-0).

**Staff Recommendation:** Approve subject to platting within one year.



**BACKGROUND:** The applicant requests "GC" General Commercial zoning on an unplatted .81-acre parcel located on the east side of Greenwich Road approximately 600 feet south of Kellogg. The parcel is currently zoned "SF-5" Single Family Residential, and is developed with a single family residence.

The applicant also owns the car dealership on the "LI" Limited Industrial zoned lot across Orme Street to the north, the existing dealership has frontage along Kellogg Road. To the north and east of the application area, across Greenwich and fronting Kellogg is "GC" zoned manufactured home sales. South of the application area is an "LC" zoned single family house and "LC" zoned vacant space, the property south of the application area is included in a Wal Mart anchored CUP known as One Kellogg Place. Approximately 600 feet south of the application area lies Highway I-35. East of the application area is a large "LI" and "GC" zoned tract currently under the One Kellogg Place CUP development. West of the application area on Greenwich are seven "SF-5" zoned lots developed with single-family homes.

The current neighborhood character is a mix of "GC" and "LI" zoned automobile and manufactured home businesses fronting Kellogg, "SF-5" zoned homes on the west side of Greenwich, a southern edge created by I-35, and a CUP development under construction to the east.

The proposed zone change, from "SF-5" to "GC" would require conformance to all property development standards in the Unified Zoning Code. The "GC" district permits outdoor vehicle sales as a use by right, subject to the following conditions:

1. Visual screening of areas contiguous to residential zoning districts shall be provided to protect adjacent properties from light, debris and noise and to preserve adjacent property values even when the change in use to vehicle and equipment sales replaces a previous use that is of equal or greater intensity. In no case shall screening be less than that required by Secs. IV-B.1-3.
2. All parking, storage and display areas shall be paved with concrete, asphalt or asphaltic concrete. Parking barriers shall be installed along all perimeter boundaries abutting streets, except at driveway entrances or where fences are erected, to ensure that parked vehicles do not encroach onto public right of way.
3. The lighting standards of Sec. IV-B.4. shall be complied with. No string-type or search lighting shall be permitted.
4. The compatibility noise standards of Sec. IV-C.6 shall be complied with. Outdoor speakers and sound amplification systems shall not be permitted.
5. No repair work shall be conducted except in an enclosed building.

This zone change request is in conformance with the *Comprehensive Plan* "Wichita Land Use Guide" and "Commercial Locational Guidelines." A zone change to "GC" and the subsequent redevelopment will require the application area to be in compliance with the landscape ordinance, and to screen and deflect lighting from residential neighbors. Likewise, the above mentioned conditions for vehicle and equipment sales in "GC" should mitigate any negative impacts from the application area onto surrounding neighbors. To be redeveloped, the applicant will be required to plat the application area.

Planning staff anticipates that platting will include complete dedication of access control on Greenwich, dedication of access control with one point of access on Orme, and required cross-lot access agreements with all non-residentially zoned neighboring lots.

MAPC heard this request at their regularly scheduled meeting on February 21st, 2002. No members of the public chose to speak on the zone change request; the applicant and his agent agreed with the Planning Staff recommendation. MAPC approved the request subject to staff comments by a vote of 12-0.

**Recommended Action:**

1. Concur with the findings of the MAPC and approve the zone change subject to replatting within one year; place the zoning ordinance on first reading when the plat is forwarded to Council. Ord attached

2. Return the application to the MAPC for reconsideration.

(An override of the Planning Commission's recommendation requires a 2/3 majority vote of the membership of the governing body on the first hearing.)

RECEIVED
MAR 2 5 2002
METROPOLITAN PLANNING
ROUTE

First Read 8-20-02 w.H pub

( 150004 ) Published in the Wichita Eagle on 10-7-82

ORDINANCE NO. 45-384

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 CITY OF WICHITA CODE SEC. 28.04.010.

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 City of Wichita Code Sec 28.04.010, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON 2002-00001

Zone change request from "SF-5" Single-Family District to "GC" General Commercial District, for property, described as:

The south 200 feet of Lot 1, Block A, Stevens Third Addition, Wichita, Sedgwick County, Kansas.

Generally located on the southeast corner of Kellogg and Greenwich Road.

**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 SEP 10 2002

**ATTEST:**

Pat Burnett, City Clerk

Bob Knight, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney

WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 6

# STAFF REPORT

MAPC 02-21-02

CASE NUMBER: ZON2002-00001

APPLICANT/AGENT: Steven Buick Motors, Harold Johnson (owner); Baughman Co., Philip Meyer (agent)

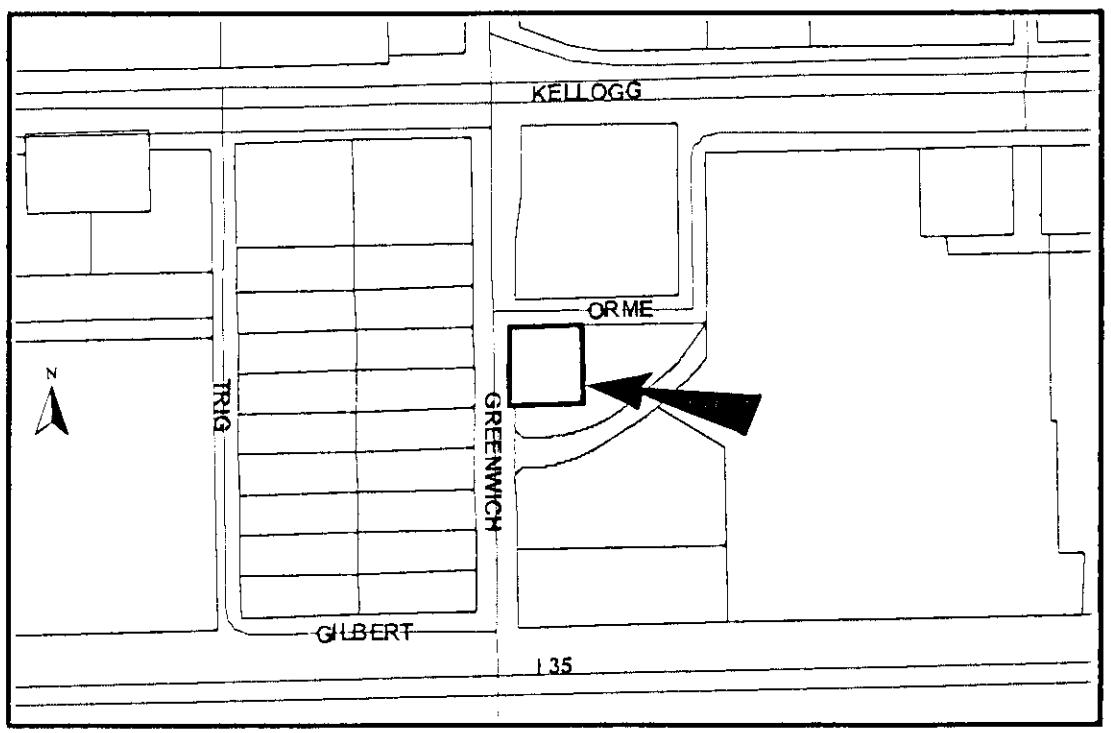
REQUEST: Zone change to "GC" General Commercial

CURRENT ZONING: "SF-5" Single Family Residential

SITE SIZE: .81 acres

LOCATION: On the east side of Greenwich Road approximately 600 feet south of Kellogg (600 South Greenwich Road)

PROPOSED USE: To allow commercial development for outdoor vehicle sales.



**BACKGROUND**: The applicant requests "GC" General Commercial zoning on an unplatted .81-acre parcel located on the east side of Greenwich Road approximately 600 feet south of Kellogg. The parcel is currently zoned "SF-5" Single Family Residential, and is developed with a single family residence.

The applicant also owns the car dealership on the "LI" Limited Industrial zoned lot across Orme Street to the north, the existing dealership has frontage along Kellogg Road. To the north and east of the application area, across Greenwich and fronting Kellogg is "GC" zoned manufactured home sales. South of the application area is an "LC" zoned single family house and "LC" zoned vacant space, all of the property south of the application is included in a Wal Mart anchored CUP known as One Kellogg Place. Approximately 600 feet south of the application area lies Highway I-35. East of the application area is a large "LI" and "GC" zoned tract currently under the CUP development. West of the application area on Greenwich are seven "SF-5" zoned lots developed with single-family homes.

The current neighborhood character is a mix of "GC" and "LI" zoned automobile and manufactured home businesses fronting Kellogg, "SF-5" zoned homes on the west side of Greenwich, a southern edge created by 135, and a to be completed CUP development to the east.

The proposed zone change, from "SF-5" to "GC" would require conformance to all property development standards in the Unified Zoning Code. The "GC" district permits outdoor vehicle sales as a use by right, subject to the following conditions:

1. Visual screening of areas contiguous to residential zoning districts shall be provided to protect adjacent properties from light, debris and noise and to preserve adjacent property values even when the change in use to vehicle and equipment sales replaces a previous use that is of equal or greater intensity. In no case shall screening be less than that required by Secs. IV-B.1-3.
2. All parking, storage and display areas shall be paved with concrete, asphalt or asphaltic concrete. Parking barriers shall be installed along all perimeter boundaries abutting streets, except at driveway entrances or where fences are erected, to ensure that parked vehicles do not encroach onto public right of way.
3. The lighting standards of Sec. IV-B.4. shall be complied with. No string-type or search lighting shall be permitted.
4. The compatibility noise standards of Sec. IV-C.6 shall be complied with. Outdoor speakers and sound amplification systems shall not be permitted.
5. No repair work shall be conducted except in an enclosed building.

**CASE HISTORY**: None.

**ADJACENT ZONING AND LAND USE:**

| | | |
|---|---|---|
| NORTH: | "LI" | automobile dealership |
| SOUTH: | "LC" | single family home, undeveloped |
| EAST: | "GC," "SF-5" | manufactured home sales, single-family homes |
| WEST: | "LI," "GC" | under development CUP |

**PUBLIC SERVICES:** The property is located along Greenwich between Kellogg and I-35, which is currently being improved to a four-lane section line arterial road with a fifth center turn lane. A March 2000 traffic count showed 7,045 ADTs (average daily trips) for this section of Greenwich. 2030 traffic projections estimate 14,870 ADTs, this estimate could go as high as 18,000 ADTs with the development of One Kellogg Place. The application area currently has two points of access onto Greenwich, connected by a circle drive way.

City water and sewer are available at the application area.

**CONFORMANCE TO PLANS/POLICIES:** The recently updated and adopted "Wichita Land Use Guide" of the *Wichita-Sedgwick County Comprehensive Plan* identifies the application area, along with the entire surrounding area, as "Commercial." The Unified Zoning Code defines the "GC" zoning district as generally compatible with the "Commercial" designation of the Comprehensive Plan. The application area is also consistent with the "Commercial Locational Guidelines" of the *Wichita-Sedgwick County Comprehensive Plan*. The Plan encourages the protection of residential areas from the impact of high intensity commercial uses with the use of buffers, set backs, and landscaping. The Plan also indicates that auto sales lots and other types of infrequent purchases or non-neighborhood serving commercial uses are to be guided to areas containing similar uses, and away from neighborhood commercial area.

**RECOMMENDATION:** This zone change request is in conformance with the *Comprehensive Plan* "Wichita Land Use Guide" and "Commercial Locational Guidelines." A zone change to "GC" and the subsequent redevelopment will require the application area to be in compliance with the landscape ordinance; and to screen and deflect lighting from residential neighbors. Likewise, the above mentioned conditions for vehicle and equipment sales in "GC" should mitigate any negative impacts from the application area onto surrounding neighbors. To be redeveloped, the applicant will be required to plat the application area. Planning staff anticipates that platting will include complete dedication of access control on Greenwich, dedication of access control with one point of access on Orme, and required cross-lot access agreements with all non-residentially zoned neighboring lots.

Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED subject to platting within one year.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The surrounding area is a mixture of "GC," "LI," and "SF-5" zoning. The surrounding land uses are a mixture of auto sales, manufactured home sales, single family homes, and an elevated highway; this character is soon to be further affected by the large CUP development of One Kellogg Place. Landscape requirements, and conditions for vehicle and equipment sales in "GC" should mitigate any negative impacts from the application area onto the surrounding residential neighbors.

2. The suitability of the subject property for the uses to which it has been restricted: The property could continue to be used as currently zoned, as a single family residence. However, the "Wichita Land Use Guide" of the *Wichita-Sedgwick County Comprehensive Plan* identifies the entire surrounding area as "Commercial." With a large CUP commercial development to immediate east, and associated street improvements on Greenwich, the entire surrounding area will potentially redevelop for commercial uses.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval of "GC" zoning on this property will increase traffic and the intensity of land uses in the immediate area. Designation of the entire surrounding area as "Commercial" in the "Wichita Land Use Guide," and street improvements underway on Greenwich, have taken into consideration the redevelopment of the surrounding area for commercial uses.

4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The requested zoning change is in conformance with the *Comprehensive Plan* "Wichita Land Use Guide," and it is in conformance with the commercial locational guidelines of the plan.

5. Impact of the proposed development on community facilities: A zone change at the application area to "GC" will increase traffic on Greenwich, the designation of the entire surrounding area as "Commercial" in the "Wichita Land Use Guide," and street improvements underway, have planned and accounted for increased traffic in this area.