Wichita-Sedgwick County Metropolitan Area Planning Department

February 22, 2022

Country Club Park Associate, LP
Tom Mack
PO Box 782170
Wichita, KS 67278

RE: **ZON2021-00062 with CUP2021-00070**: City zone change to Country Club Park DP-186 to Parcels 2 and 3, GO General Office to LC Limited Commercial associated with CUP amendment (CUP2021-00070); generally located at the southwest corner of E. 13th Street N and N. Webb Rd.

Dear Applicant;

At its regular meeting on **February 22, 2022,** the Wichita City Council considered the above captioned request. The action of the City Council was to **APPROVE** the request subject to the following conditions:

1. The site shall be developed in substantial conformance with the attached, recommended development guidelines and general provisions of the approved CUP.
2. The applicant shall submit four revised copies of the CUP to the Metropolitan Area Planning Department within 60 days after approval of this case by the Governing Body, or the request shall be considered denied and closed.

If you have any questions concerning this application, please contact our office at 268 4421.

Sincerely,

Philip Zevenbergen, AICP
Senior Planner

Copies to: MABCD
Becky Tuttle, City Council District II
Cory Buchta, CSR District II
MKEC Engineering, Brian Lindebak, 411 N Webb Rd., Wichita, KS 67206

MAPC RECOMMENDED CUP TEXT FOR DP-186:

DEVELOPMENT GUIDELINES
General Provisions

1. The CUP contains a gross area of 14.44 acres of land more or less.
2. Access Controls: As per platted access controls as shown hereon.
3. Building Setbacks: The minimum building setbacks are as shown hereon.
   37 feet along Webb Road (Sanitary Sewer Easement)
   35 feet along 13th Street
   35 feet along the west line of Parcel 1
   20 feet along the west line of Parcel 6 (also see 6.F.)
   20 feet along the south line of the CUP (Parcels 5 and 6 – also see 6.F.)
   If contiguous Parcels are developed under the same ownership, setbacks between such Parcels will not be required. If not contiguously owned the minimum side/rear setback shall be 10 feet.
4. All utilities shall be installed underground.
5. Signs are permitted per the Sign Code of the City of Wichita for LC Zoning District, and amendments thereto,
   Additionally, the following conditions apply:
   Ten monument signs are permitted: Five along Webb Road and five along 13th Street. The sign areas shall be limited to a maximum of 150 square feet each along Webb Road and 150 square feet each along 13th Street. Standalone development identification signs shall count against the above total allowed ten monument signs. Development identification signs may also have tenant signage.

   Parcel 1
   A. The maximum height of the freestanding signs shall be 16 feet.
   B. No individual sign shall exceed 150 square feet.
   C. No flashing or moving signs shall be permitted except for time/temperature type signs.
   D. No off-site or portable signs shall be permitted.

   Parcels 2, 3, 4, 5, 6 and 7
   A. No flashing, animated or moving, portable, billboard, banner, off-site, or pennant signs shall be permitted except, however, two electronic message signs are allowed along Webb Road.
   B. All signs along and adjacent to 13th and Webb streets shall be monument-type signs with a maximum height of 25 feet.
   C. The minimum distance between monument signs shall be 120 feet, except tenant signs may be located a minimum distance of 50 feet when adjacent to a development identification only sign.
   D. Building signage shall be permitted within the C.U.P. Building signage shall be limited to 20% of the wall area with no single tenant sign exceeding 400 square feet in area, and there shall be no more than three signs for each tenant (business) on each building elevation. There shall be no building signage along the westerly or southern facades of any buildings directly facing the Wichita Collegiate School on Parcels 5 and 6 abutting the western and southern boundary of the CUP.
   E. Accent lighting of monument and directional/way-finding signs shall be permitted.
   F. Window signage shall be limited to 25% of the window area.
   G. Internal signage is permitted along private drive on Parcel 7.
6. Screening and Landscaping:
   A. Landscape street yards, buffers, and parking lot landscaping and screening shall be in accordance with the City of Wichita Landscape Ordinance.

B. A landscape plan shall be prepared by a Kansas Landscape Architect for the above-referenced landscaping, indicating the type, location, and specification of all plant material. This plan shall be submitted to the Metropolitan Area Planning Department (MAPD) for its review and approval prior to the issuance of any building permit(s).

C. A financial guarantee for the plant material approved on the landscape plan for that portion of the CUP being developed shall be required prior to the issuance of any occupancy permit(s) if the required landscape has not been planted.

D. Failure to properly maintain the required landscaping shall be considered a violation of the CUP after the determination of the Zoning Administrator with the concurrence of the Planning Director.

E. Trash receptacles shall be appropriately screened to reasonably hide them from ground view. Trees and shrubs will be selectively chosen and placed to assist in the screening of service areas from view, and additionally utilized within parking lots and throughout the property to soften and enhance the architectural elements of the development.

F. The screening requirements along the south and west lines are as follows:
Because of the Wichita Collegiate School property to the west and south and the athletic playfields and other institutional uses which do and can occur thereon, the owner(s) shall have the option of:

i. Providing a 10-foot planting strip or landscape buffer, consisting of a combination of grass, low shrubs and trees, as indicated along the west and south property lines; or,

ii. Providing a five (5) to eight (8) foot solid or semi-solid wall along the west and south property lines, constructed of stone, masonry, architectural tile, or other similar materials (not including wood or woven wire). If said wall is constructed of stone, masonry, architectural tile, or other similar materials (not including wood or woven wire), the 10-foot landscape buffer in (a) above shall be waived.

G. Rooftop mechanical equipment shall be screened from ground-level view per the Wichita-Sedgwick County Unified Zoning Code.

7. Lighting:

A. Lighting shall be in accordance with the Wichita-Sedgwick County Unified Zoning Code, Section IV, and the amendments thereto.

B. All Parcels shall share similar or consistent parking lot lighting elements (i.e. fixtures, poles and lamps and etc.), as approved by the Director of Planning.

C. All lighting shall be shielded to direct light disbursement in a downward direction and directed away from Residential Zoning.

D. Light poles including above-ground base shall be limited to 27 feet tall, except 15 feet tall when within 200 feet of Residential Zoning with residential use.

E. The Wichita Collegiate School property to the west and south shall not be considered residential for lighting standards.

F. Extensive use of backlit canopies and neon or fluorescent tube lighting on buildings is not permitted.

8. Off-street parking shall be provided on all parcels in accordance with the appropriate provisions and requirements of the Zoning Ordinance.
A parking reduction for Parcel 4 was approved as per BZA 9-89 requiring 115 spaces. Parcels 2, 3, 4, 5, 6, and 7 may reduce the required parking further based upon the land usage and overall occupancy of the buildings. A parking study(s) shall be provided to the Zoning Administrator for review and approval for any desired reductions.

9. Transportation improvements and Parcel access shall be provided as follows:

A. A cross-lot circulation agreement shall be required prior to the issuance of building permits.

B. Access controls are as shown and/or on the revised upon the C.U.P.

10. Title: The transfer of the title on all or any portion of the land included in the Community Unit Plan does not constitute a termination of the plan or any portion thereof; but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns and amended. However, the Director of Planning, with the concurrence of the Zoning Administrator, may approve minor adjustments to the conditions in this overlay, consistent with the approved development plan, without filing a formal ordinance amendment.

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

12. Any major changes within this Community Unit Plan shall be submitted to the Planning Commission and the Governing Body for their consideration. Amendments, adjustments, or interpretations to the C.U.P. shall be done in accordance with the Unified Zoning Code.

PARCEL DESCRIPTIONS

Parcel 1

Proposed Uses: All uses permitted in "BB" Office District zoning regulations such as a bank or financial institutions, offices, medical, and dental facilities, optician, apothecary, and other similar uses; but excluding hotels and motels.
Gross Area = 100,745 s.f. or 2.31 ac.
Maximum Building coverage = 30% or 30,223 s.f.
Max. Gross Floor Area = 40% or 40,298 s.f.
Maximum Height = 45 feet
Maximum number of buildings = 2

Parcel 2

A. Proposed Mixed-Uses Commercial and Residential: All allowed uses permitted within the LC Limited Commercial Zoning District with the following EXCEPTIONS:
Group Residence, Limited and General; Cemetery; Correctional Placement Residence, Limited and General; Golf Course; Recycling Collection Station, Private and Public; Reverse Vending Machine; Utility, Minor; Animal Care, General; Construction Sales and Service; Kennel - Boarding/Breeding/Training; Funeral Home; Marine Facility, Recreational; Monument Sales; Parking Area, Commercial; Pawn Shop; Recreational Vehicle Campground; Asphalt or Concrete Plant, Limited and General; Manufacturing, Limited; Mining or Quarrying; Rock Crushing; Solid Waste Incinerator; Agricultural Sales and Services.

B. Kennel Boarding Facilities are allowed for the exclusive use of owners/tenants/residents of Parcels 1, 2, 3, 4, 5, 6 and 7.

C. The following uses as defined by the UZC are permitted: Event Center in the City, Entertainment Establishment in the City,Nightclub in the City that serve alcoholic beverages, and Tavern and Drinking Establishment. Entertainment Establishments shall provide security personnel and control of premises in conformance with City Code Sec. 3.30.120.

D. The compatibility setback standards, compatibility height standards, and compatibility noise standards are waived on Parcels 2, 3, 4, 5, 6, and 7.

E. The uses permitted by the C.U.P. are only those uses permitted by right and not by conditional use unless uses requiring conditional use approval are specifically listed as permitted uses within this CUP.
Gross Area = 47,087 s.f. or 1.08 ac.
Maximum Building coverage = 35% or 16,480 s.f.

Max. Gross Floor Area = 100% or 47,087 s.f.
Maximum Height = As per LC Limited Commercial District.
Property development standards not listed hereon shall be as per the LC Limited Commercial District.

Parcel 3

Proposed Uses: Same as Parcel 2.
Gross Area = 53,860 s.f. or 1.24 ac.
Maximum Building coverage = 35% or 18,851 s.f.
Max. Gross Floor Area = 100% or 53,860 s.f.
Maximum Height = 70 feet
Property development standards not listed hereon shall be as per the LC Limited Commercial District.

Parcel 4

Proposed Uses: Same as Parcel 2.
Gross Area = 180,177 s.f. or 4.14 ac.
Maximum Building coverage = 30% or 54,053 s.f.
Max. Gross Floor Area = 50% or 90,089 s.f.
Maximum Height = As per LC Limited Commercial District.
Property development standards not listed hereon shall be as per the LC Limited Commercial District.

Parcel 5

Proposed Uses: Same as Parcel 2.
Gross Area = 45,161 s.f. or 1.04 ac.
Maximum Building coverage = 80% or 36,129 s.f.
Max. Gross Floor Area = 165% or 74,516 s.f.
Maximum Height = As per LC Limited Commercial District.
Property development standards not listed hereon shall be as per the LC Limited Commercial District.

Parcel 6

Proposed Uses: Same as Parcel 2.
Gross Area = 136,387 s.f. or 3.13 ac.
Maximum Building coverage = 80% or 109,110 s.f.
Max. Gross Floor Area = 165% or 225,039 s.f.
Maximum Height = As per LC Limited Commercial District.
Property development standards not listed hereon shall be as per the LC Limited Commercial District.

Parcel 7

Proposed Uses: Same as Parcel 2.
Access (may be relocated)
Gross Area = 65,206 s.f. or 1.50 ac.
Maximum Building coverage = 35% 22,822 s.f.
Max. Gross Floor Area = 35% 22,822 s.f.
Maximum Height = As per LC Limited Commercial District.
Property development standards not listed hereon shall be as per the LC Limited Commercial District.

OCA 150004

(Published in the Wichita Eagle, March 4, 2022

ORDINANCE NO. 51-719

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. ZON2021-00062 with CUP2021-00070

Zone change from GO General Office to LC Limited Commercial District, subject to the development standards contained in Community Unit Plan DP-186, on property described as:

Lots 1 and 2, Country Club Park Addition, Wichita, Sedgwick County, Kansas.
EXCEPT,
A tract of land lying in Lot 2, Country Club Park Addition, Wichita, Sedgwick County, Kansas, being more particularly described as follows: Beginning at the Northwest corner of Lot 2, Country Club Park Addition, Wichita, Sedgwick County, Kansas; thence along the North line of said Lot 2 on a platted bearing of N89°56'00"E, 361.34 feet to a point lying 27.00 feet West of the Northernmost Northeast corner of said Lot 2; thence S00°04'00"E, 64.14 feet parallel with the East line of said Lot 2 to a point on a curve to the right having a radius of 140.15 feet, a central angle of 42°30'00", and a long chord of 101.59 feet, bearing S21°11'00"W; thence 103.96 feet along said curve and parallel with said East line; thence S42°26'00"W, 253.11 feet parallel with said East line; thence S89°56'00"W, 152.62 feet parallel with said North line to the West line of said Lot 2; thence N00°12'57"W, 345.44 feet along said West line to the Point of Beginning.

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.

[Remainder of page intentionally left blank]

Brandon J. Whipple, Mayor, City of Wichita

ATTEST:

Karen Sublett, City Clerk

(SEAL)

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

Ordinance

Published in The Wichita Eagle on March 4, 2022

Location

Sedgwick County, Kansas

Notice Text

OCA 150004
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ATTEST:
Karen Sublett, City Clerk
(SEAL) Approved as to form:
Jennifer Magana, City Attorney and Director of Law
IPL0062791
Mar 4 2022

Country Club Park DP-186

DEVELOPMENT GUIDELINES

General Provisions

1. The CUP contains a gross area of 14.44 acres of land more or less.

2. Access Controls: As per platted access controls as shown hereon.

3. Building Setbacks: The minimum building setbacks are as shown hereon.
   37 feet along Webb Road (Sanitary Sewer Easement)
   35 feet along 13th Street
   35 feet along the west line of Parcel 1
   20 feet along the west line of Parcel 6 (also see 6.F.)
   20 feet along the south line of the CUP (Parcels 5 and 6 - also see 6.F.)
   If contiguous Parcels are developed under the same ownership, setbacks between such Parcels will not be required. If not contiguously owned the minimum side/rear setback shall be 10 feet.

4. All utilities shall be installed underground.

5. Signs are permitted per the Sign Code of the City of Wichita, and amendments thereto. Ten monument signs are permitted: Five along Webb Road and five along 13th Street. The sign areas shall be limited to a maximum of 150 square feet each along Webb Road and 150 square feet each along 13th Street. Standalone development identification signs shall count against the above total allowed ten monument signs. Development identification signs may also have tenant signage.:
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   A. The maximum height of the freestanding signs shall be 16 feet.
   B. No individual sign shall exceed 150 square feet.
   C. No flashing or moving signs shall be permitted except for time/temperature type signs.
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   B. A landscape plan shall be prepared by a Kansas Landscape Architect for the above-referenced landscaping, indicating the type, location, and specification of all plant material. This plan shall be submitted to the Metropolitan Area Planning (MAPD) for its review and approval prior to the issuance of any building permit(s).
   C. A financial guarantee for the plant material approved on the landscape plan for that portion of the CUP being developed shall be required prior to the issuance of any occupancy permit(s) if the required landscape has not been planted.
   D. Failure to properly maintain the required landscaping shall be considered a violation of the CUP after the determination of the Zoning Administrator with the concurrence of the Planning Director.
   E. Trash receptacles shall be appropriately screened to reasonably hide them from ground view. Trees and shrubs will be selectively chosen and placed to assist in the screening of service areas from view, and additionally utilized within parking lots and throughout the property to soften and enhance the architectural elements of the development.
   F. The screening requirements along the south and west lines are as follows:
   Because of the Wichita Collegiate School property to the west and south and the athletic playfields and other institutional uses which do and can occur thereon, the owner(s) shall have the option of:
      i. Providing a 10-foot planting strip or landscape buffer, consisting of a combination of grass, low shrubs, and trees, as indicated along the west and south property lines; or,
      ii. Providing a five (5) to eight (8) foot solid or semi-solid wall along the west and south property lines, constructed of stone, masonry, architectural tile, or other similar materials (not including wood or woven wire). If said wall is constructed of stone, masonry, architectural tile, or other similar materials (not including wood or woven wire), if said wall is constructed, the 10-foot landscape buffer in (i) above shall be waived.
   G. Rooftop mechanical equipment shall be screened from ground-level view per the Wichita-Sedgwick County Unified Zoning Code.

7. Lighting:
   A. Lighting shall be in accordance with the Wichita-Sedgwick County Unified Zoning Code, Section IV, and the amendments thereto.
   B. All Parcels shall share similar or consistent parking lot lighting elements (i.e. fixtures, poles and lamps and etc.), as approved by the Director of the MAPD.
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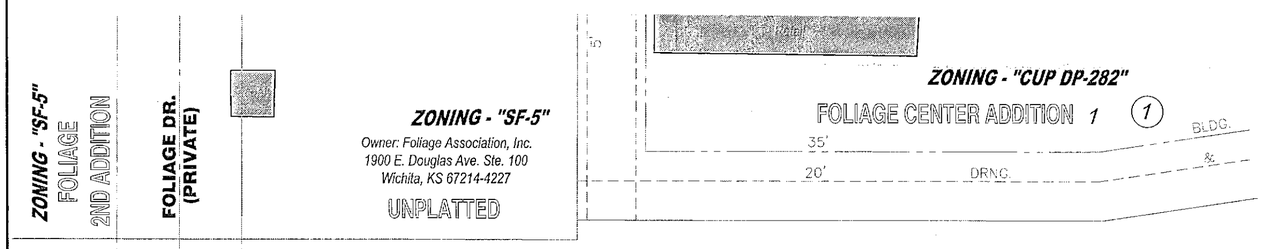
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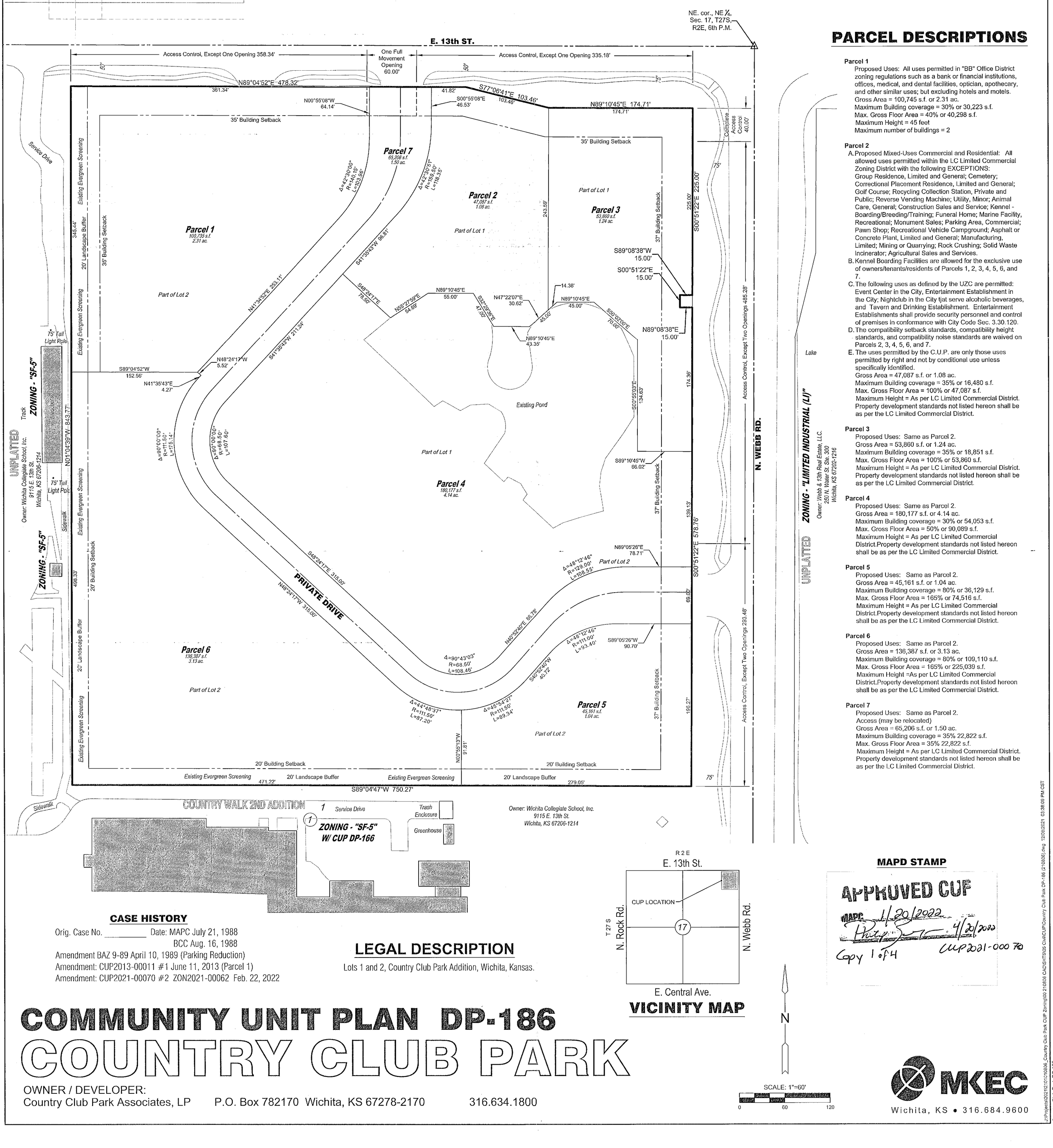
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Maximum Building coverage = 30% or 30,223 s.f.
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Maximum Height = 45 feet
Maximum number of buildings = 2

Parcel 2
A. Proposed Mixed-Uses Commercial and Residential: All allowed uses permitted within the LC Limited Commercial Zoning District with the following EXCEPTIONS:
Group Residence, Limited and General; Cemetery; Correctional Placement Residence, Limited and General; Golf Course; Recycling Collection Station, Private and Public; Reverse Vending Machine; Utility, Minor; Animal Care, General; Construction Sales and Service; Kennel - Boarding/Breeding/Training; Funeral Home; Marine Facility, Recreational; Monument Sales; Parking Area, Commercial; Pawn Shop; Recreational Vehicle Campground; Asphalt or Concrete Plant, Limited and General; Manufacturing, Limited; Mining or Quarrying; Rock Crushing; Solid Waste Incinerator; Agricultural Sales and Services.
B. Kennel Boarding Facilities are allowed for the exclusive use of owners/tenants/residents of Parcels 1, 2, 3, 4, 5, 6, and 7.
C. The following uses as defined by the UZC are permitted: Event Center in the City, Entertainment Establishment in the City; Nightclub in the City tjat serve alcoholic beverages, and Tavern and Drinking Establishment. Entertainment Establishments shall provide security personnel and control of premises in conformance with City Code Sec. 3.30.120.
D. The compatibility setback standards, compatibility height standards, and compatibility noise standards are waived on Parcels 2, 3, 4, 5, 6, and 7.
E. The uses permitted by the C.U.P. are only those uses permitted by right and not by conditional use unless specifically identified.
Gross Area = 47,087 s.f. or 1.08 ac.
Maximum Building coverage = 35% or 16,480 s.f.
Max. Gross Floor Area = 100% or 47,087 s.f.
Maximum Height = As per LC Limited Commercial District.
Property development standards not listed hereon shall be as per the LC Limited Commercial District.

Parcel 3
Proposed Uses: Same as Parcel 2.
Gross Area = 53,860 s.f. or 1.24 ac.
Maximum Building coverage = 35% or 18,851 s.f.
Max. Gross Floor Area = 100% or 53,860 s.f.
Maximum Height = As per LC Limited Commercial District.
Property development standards not listed hereon shall be as per the LC Limited Commercial District.

Parcel 4
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Gross Area = 180,177 s.f. or 4.14 ac.
Maximum Building coverage = 30% or 54,053 s.f.
Max. Gross Floor Area = 50% or 90,089 s.f.
Maximum Height = As per LC Limited Commercial District.Property development standards not listed hereon shall be as per the LC Limited Commercial District.

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Gross Area = 45,161 s.f. or 1.04 ac.
Maximum Building coverage = 80% or 36,129 s.f.
Max. Gross Floor Area = 165% or 74,516 s.f.
Maximum Height = As per LC Limited Commercial District.Property development standards not listed hereon shall be as per the LC Limited Commercial District.

Parcel 6
Proposed Uses: Same as Parcel 2.
Gross Area = 136,387 s.f. or 3.13 ac.
Maximum Building coverage = 80% or 109,110 s.f.
Max. Gross Floor Area = 165% or 225,039 s.f.
Maximum Height =As per LC Limited Commercial District.Property development standards not listed hereon shall be as per the LC Limited Commercial District.

Parcel 7
Proposed Uses: Same as Parcel 2.
Access (may be relocated)
Gross Area = 65,206 s.f. or 1.50 ac.
Maximum Building coverage = 35% 22,822 s.f.
Max. Gross Floor Area = 35% 22,822 s.f.
Maximum Height = As per LC Limited Commercial District.
Property development standards not listed hereon shall be as per the LC Limited Commercial District.

CASE HISTORY

Orig. Case No. _____ Date: MAPC July 21, 1988
BCC Aug. 16, 1988
Amendment BAZ 9-89 April 10, 1989 (Parking Reduction)
Amendment: CUP2013-00011 #1 June 11, 2013 (Parcel 1)
Amendment: CUP2021-00070 #2 ZON2021-00062 Feb. 22, 2022

LEGAL DESCRIPTION

Lots 1 and 2, Country Club Park Addition, Wichita, Kansas.

VICINITY MAP

MAPD STAMP

APPROVED CUP
MAPC 1/20/2022
4/20/2022
CUP2021-00070
Copy 1 of 4

COMMUNITY UNIT PLAN DP-186

COUNTRY CLUB PARK

OWNER / DEVELOPER:
Country Club Park Associates, LP P.O. Box 782170 Wichita, KS 67278-2170 316.634.1800

SCALE: 1"=60'
0 60 120

MKEC
Wichita, KS • 316.684.9600

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