Agenda Item #_____

City of Wichita
City Council Meeting
April 11, 2000

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: **Z-3340 - ZONE CHANGE FROM "SF-6" SINGLE-FAMILY TO "OW" OFFICE WAREHOUSE; "LC" LIMITED COMMERCIAL; "GO" GENERAL OFFICE; "NR" NEIGHBORHOOD RETAIL; AND "MF-29" MULTI-FAMILY RESIDENTIAL; AND**

DP-248 - THE CREATION OF THE MEADOW LAND C.U.P., LOCATED ON THE NORTH SIDE OF KELLOGG (US 54) FROM 127TH STREET EAST TO 143RD STREET EAST (District #II)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to platting within one year and conditions. (9-2).

Staff Recommendation: Approve, subject to platting within one year and conditions.

Background: Meadow Land C.U.P. is a request for a large development spanning the area along the north side of Kellogg from 127th Street East to 143rd Street East. The application area extends northward from Kellogg for a depth of three-fourths mile on the western side of K-96 and one-fourth mile on the eastern side of K-96. Three major transportation corridors travel through the application area and are key factors affecting the types of land uses suitable for the area. These transportation corridors are K-96 and the Kansas Turnpike, both of which have exits along the property, and Kellogg (US 54) along the southern edge of the tract.

The proposed layout of Meadow Land capitalizes on major transportation corridors and land use features to define the different uses proposed within the development. The land on the western side of K-96 would be developed as an office-warehouse district, with some additional highway-oriented commercial uses based on proximity to the K-96 and Kansas Turnpike exits. East of K-96, there are three distinct areas. The triangular area between K-96, Kellogg, and Spring Branch Reserve Area is designed for auto-related and

highway-oriented commercial uses. It is accessed via a Kellogg frontage road from 143rd Street East. The commercial and office activities along 143rd Street East are seen as a potential location for local-serving retail and service uses for the growing residential population within one to two miles of the site. It is separated from 143rd by a 100-foot landscape buffer, has single family residential to the north, and the creek to the west. Finally, an area for multi-family development is located in the interior of the site, with good access to the large reserve areas. Potentially, there could be walking paths connecting the apartments to local-serving retail and enjoying the natural wooded areas to be retained in the reserve area. Further, it would serve as a buffer to the proposed single family development north of the C.U.P., also owned by the applicant.

General characteristics proposed by the C.U.P. include architectural control of the parcels, with predominately earth-tones, and coordination of lighting fixtures within each land use grouping. Additionally, lighting fixtures would be limited to 24 feet in height, be shielded to direct lighting in a downward direction, and extensive use of backlit canopies and neon or fluorescent tube lighting on buildings would not be permitted. Signage restrictions would limit all free-standing signs to monument signs no more than 20 feet in height, eliminate flashing and moving signs, except for time and temperature or other public service announcements, prohibit signs on the rear of buildings, limit window displays to no more than 25 percent of the window area, and prohibit portable and off-site signs. Heights vary between 35 feet for parcels along 143rd, to 45 feet for three interior "LC" parcels, and the "MF-29" and "OW" parcels, and 60 feet for Parcel 17 and the parcels between K-96, Kellogg, and the creek.

Nearly 20 percent of the total site area is set aside as a reserve for the Spring Branch Tributary #4 and surrounding natural areas. Additionally, a 100-foot strip is provided along 143rd Street East as a landscape buffer between the proposed local-serving retail/commercial area and single-family development to the east.

The surrounding area consists of single-family areas and vacant tracts. East of 143rd is a vacant tract at the intersection with Kellogg and Park East Subdivision. North of the application is owned by the applicant and intended for single-family use. Other uses to the north include Bridgefield Addition (single-family) being developed along Central and K-96, a large estate along Central, a church site along 143rd, and Bridgefield II Addition, which has been platted but not developed. Springdale Lakes Subdivision is located south of Kellogg to the southeast of the proposed development. KDOT has a maintenance facility southwest of the subject tract. The area to the west between Kellogg and Douglas is currently vacant and being offered for commercial development. The area north of Douglas and west of 127th, Gilders Gardens, is developed with large lot residential uses. However, the corner at Central and 127th was recently approved as a small commercial C.U.P. Overall, the area is transitioning from agricultural and older suburban residential areas to urban development. The new subdivisions being developed in the vicinity, such as Bridgefield, are at typical residential densities of two to three dwelling units per acre rather than the large lot residential typical in the past.

To date, although there has been a substantial amount of residential development in the vicinity, it has not been accompanied by local serving retail uses such as grocery stores, drug stores, etc.

Because the proposed type of development and transportation access issues differ significantly for the application area on either side of K-96, the areas will be discussed separately.

127th Street East

The application area west of K-96 is comprised of two development parcels that are separated by a six-acre reserve for the Spring Branch Tributary #4. The area lying north of the reserve is 24.40 acres; the area to the south is 12.25 acres. The applicant has proposed the property be developed as "OW" Office Warehouse district, but with the addition of the following "GC" General Commercial uses: car wash; convenience store; funeral home; hotel/motel, medical offices; recreation, indoor; recreation, outdoor; restaurants; and service station. This mix of commercial uses could be viewed as mostly auto-related commercial uses typically located near major highway interchanges, plus the recreation and funeral home uses. Office warehouse uses would benefit from the large parcels that offer good accessibility to the highway network.

Because the applicant has requested to add those "GC" uses listed previously, the property would need to be zoned "GC", which is listed in the Unified Zoning Code as a more restrictive zoning district that "OW". However, "OW" offers some different site development standards than "GC" that encourage a development pattern more suited for large office/warehouse types of uses. Therefore, the applicant has requested that the property be zoned "OW" plus those "GC" uses specifically listed previously. Site development standards would be per the "OW" district.

143rd Street East

The proposed development east of K-96 differs from that to the west by its scope and the constraints imposed by the transportation network. As originally proposed, the development would have allowed approximately 1,108,000 square feet of commercial floor area and have generated a significant increase in traffic on Kellogg and 143rd. A traffic study was prepared, identifying traffic improvements to accommodate the increased traffic. Subsequent discussions have been held between the applicant, the City, and KDOT to determine a realistic level of development that can be sustained without overloading the transportation network. These discussions have resulted in the applicant agreeing to reduce the intensity of commercial development below that allowed until critical transportation improvements are made to accommodate a full level of commercial development.

Staff recommendations were to restrict development on Parcels 3-9 and 12-23 to no more than 380,000 square feet of maximum gross floor area and traffic generated from Parcels 3-23 to no more than 13,500 trips per day until 143rd, including the bridge over the

Turnpike, is widened to four lanes between Kellogg and Central. Another recommendation was that after 143rd is widened to four lanes between Kellogg and Central, development on Parcels 3-9 and 12-23 shall be restricted to no more than 700,000 square feet of maximum gross floor area and traffic generated from Parcels 3-23 shall be limited to no more than 25,000 trips per day.

As previously discussed, the area along 143rd would most likely be composed of a range of local serving commercial uses on property zoned "LC" Limited Commercial, "GO" General Office, and "NR" Neighborhood Retail. The "NR" tracts allow a much smaller range of uses and restrict the size of any one commercial use to less than 8,000 square feet. The "NR" parcels have been placed nearest the single-family development across 143rd, Park East to reduce the intensity of commercial activity to this neighboring area. Additionally, a 100-foot buffer landscape strip is proposed to further separate the remaining retail from Park East. The "LC" tracts cluster into two groups on either side of the Spring Branch Tributary #4. The "LC" to the east is projected to develop with local-serving retail/office uses. The "LC" to the west is more likely to be auto-related retail where there is a specific destination attracting customers, such as perhaps vehicle sales and furniture stores. Finally, the area along the northern portion of the application area includes two small parcels of "GO" General Office near the "NR Neighborhood Retail, and two larger parcels for "MF-29" Multi-Family. The parcels could generate up to 659 residential units.

At the MAPC meeting held March 16, 2000, MAPC voted (9-2) to recommend approval of the requested rezoning and creation of DP-248 Meadow Land C.U.P. At the meeting, the applicant requested phasing of the required traffic improvements on Kellogg and 143rd. Staff had not had time to evaluate this request and recommended that the recommendation be made subject to Staff and the applicant discussing and agreeing on traffic improvements phasing prior to the final decision by City Council. MAPC also considered sending this item to the District Advisory Board before taking its vote on the request. The motion to send the matter to the DAB failed (4-11).

There was considerable neighborhood opposition to the proposed C.U.P. Opposition to the proposed changes in use for the area east of K-96 centered on issues with potential traffic congestion, drainage, not wanting commercial development nearby, preferring to shop in other areas than the neighborhood, wanting to restrict commercial use to the 800-foot strip north of Kellogg rather than the full depth of the development, and not wanting multi-family development in the area. Residents reiterated that so far all development in this area along Kellogg is single-family. There were no neighbors present to discuss the area west of K-96, however, at least two neighbors have expressed opposition. These neighbors are concerned with the change in character of the area, the presence of large trucks associated with "OW" uses, and traffic cutting through on Douglas to 127th as a shortcut from western destinations.

A substantial number of protest petitions have been received, although the majority of the protestors are not within the 200-foot radius of the property.

Recommended Action:

1. Concur with the findings of the MAPC and approve the zone change and C.U.P., subject to the recommended conditions; instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Council; or

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.)

(_____) Published in The Wichita Eagle on APR - 6 2002

ORDINANCE NO. 45-247

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. Z-3340

Zone change request from "SF-5" Single Family Residential District to "GO" General Office District, described as Lots 1 and 2, Block D, Meadow Land Addition;

Zone change request from "SF-5" Single Family Residential District to "LC" Limited Commercial District, described as Lots 1 and 2, Block A; Lots 1 and 2, Block B; Lots 3-6, Block C; and Lots 5-11, Block D; Meadow Land Addition;

Zone change request from "SF-5" Single Family Residential District to "OW" Office Warehouse District, described as Lots 1 and 2, Block E, Meadow Land Addition;

Zone change request from "SF-5" Single Family Residential District to "NR" Neighborhood Retail District, described as Lots 1 and 2, Block C, Meadow Land Addition; and

Zone change request from "SF-5" Single Family Residential District to "MF-29" Multi-Family Residential District, described as Lots 3 and 4, Block D, Meadow Land Addition, Wichita, Sedgwick County, Kansas.

Generally located on the north side of Kellogg, between 127th and 143rd Streets East.

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 IN WICHITA, KANSAS, APR 2 2002.

ATTEST:

Pat Burnett, City Clerk

Bob Knight, Mayor

Approved as to form:

Gary E. Rebenstorf, City Attorney