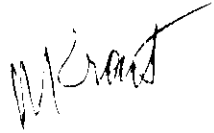


RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

PROPOSED AGENDA ITEMS : SCZ-0783 - request for zone change from "SF-20" Single-Family Residential to "LC" Limited Commercial; and

DP-239 - request for approval of the creation of the Gateway Center CUP, located south of 13th Street North and east of Greenwich.

PRESENTED BY: Marvin S. Krout, Director of Planning



PROPOSED AGENDA DATE: March 17, 1999

COMMISSION DISTRICT #1

MAPC Recommendation: Approve rezoning from "SF-20" to "LC". (14-0).

Staff Recommendation: Approve the creation of the Gateway Center CUP, subject to conditions (14-0).

Background/Discussion: The applicants are proposing to divide this 58.57 acre site located south of 13th Street and east of Greenwich into 12 parcels, all of which would be zoned "LC."

The parcels will be divided into the following acreage: Parcel 1, 1.22 acres; Parcel 2, 1.22 acres; Parcel 3, 1.22 acres; Parcel 4, 1.15 acres; Parcel 5, 1.15 acres; Parcel 6, 1.00 acre; Parcel 7, 1.24 acres; Parcel 8, 1.25 acres; Parcel 9, 1.35 acres; Parcel 10, 1.35 acres; Parcel 11, 2.36 acres; and Parcel 12, 44.06 acres. Each of these parcels would be limited to 30 percent maximum building coverage and 35 percent maximum gross floor area. All buildings would be limited to a maximum height of 35 feet on parcels 1-10. The other parcels would be limited to 80 feet in height and be subject to the compatibility height and setback requirements.

The applicant is proposing for each parcel to be permitted all uses in the "LC" district except for: group homes, correctional placement residences, adult entertainment as defined by City Code, recreation vehicle campground, storage of Class-C fireworks, poultry or rabbit dressing, tire retreading or recapping, grain storage and concrete or asphalt plant. All uses that require Conditional Use permits in the "LC" district would only be permitted by amending the CUP.

Signs along K-96, Greenwich and 13th Street North are proposed to be monument

type signs with a maximum height of 20 feet, with the exception of three pole or monument signs shall be allowed along the K-96 road right-of-way, plus one along Greenwich, plus one along 13th Street North, each of which shall be a maximum of 35 feet in height and 250 square feet in size. A center identification sign is requested by the applicant to be placed on each frontage along K-96, Greenwich and 13th Street.

All buildings on Parcels 1-12 would have the same predominate exterior building materials with consistent architectural character, color and texture and consistent lighting design (fixtures, poles, lamps, etc.) as approved by the Director of Planning.

North of the site is a proposed commercial development and a church with single-family residences located north of the church. West of the site is a vacant tract and then Raytheon Aircraft. South of the site is a vacant field, which is zoned "SF-20." K-96 is located along the east boundary.

At the January 28th MAPC hearing, the applicant's agent spoke about the request. After limited discussion, the Planning Commission approved the request subject to the conditions in the staff report.

Recommended Action:

1. Adopt the findings of fact of the Metropolitan Area Planning Commission and approve the zone change and C.U.P. subject to the condition of platting; adopt the resolution and authorize the chairman to sign; and instruct the Planning Department to withhold publication until the plat has been recorded with the Register of Deeds; or

2. Return to the Planning Commission for reconsideration.

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

Applicants:

Ritchie Associates, Inc 8100 E 22nd Wichita KS 67226

Laham Development Company 150 N Market Wichita KS 67202

Mid Kansas Engineering Consultants Inc 411 North Webb Road Wichita KS 67206

Protestors:

None

Published in the Daily Reporter on 11-12 1999

RESOLUTION NO. 67-99

A RESOLUTION CHANGING THE ZONING CLASSIFICATION FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C AS ADOPTED BY RESOLUTION NO. 178-1997.

BE IT RESOLVED BY THE GOVERNING BODY OF SEDGWICK COUNTY, KANSAS.

SECTION I. That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section V-C of the Wichita Sedgwick County Unified Zoning Code, the zoning classification or district of the land legally described hereby is changed as follows:

Case No. SCZ-0783

DP-239 -- Gateway Center Community Unit Plan

Zone change request from "SF" Single-Family Residential to "LC" Limited Commercial, described as:

Lots 1 through 12, Block 1, The Gateway Center Addition, Wichita, Sedgwick County, Kansas. Generally located south of 13th Street north and east of Greenwich.

SECTION II. That upon the taking effect of this Resolution, the notation of such zone change shall be entered in the official Zoning Atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the official County paper.

Commissioners present, voting were:

BETSY GWIN	<u>aye</u>
BILL HANCOCK	<u>aye</u>
THOMAS G. WINTERS	<u>aye</u>
CAROLYN McGINN	<u>aye</u>
BEN SCIORTINO	<u>aye</u>

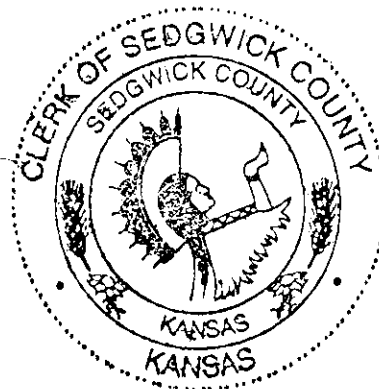
DATED this 17th day of March, 1999.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

Bill Hancock
BILL HANCOCK, Chairman

ATTEST:

James Alford
JAMES ALFORD
County Clerk



APPROVED AS TO FORM ONLY:

Rich Euson
RICH EUSON
County Counselor