CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

February 11, 2002

Ramsey Farms, Inc.
c/o Max I. Ramsey
1311 Shefford Cir.
Wichita, KS 67212

FILE COPY

Re: **CON2001-00038: An administrative adjustment to Condition of Approval "A" for CU-387 to allow greenhouse operation for retail purposes, including a 2,500 square foot area for retail sale of items not grown on-site, and to adjust the approved site plan.**

Legal Description: Lots 1 & 2, Ramsey Farms Addition, Sedgwick County, Kansas. Generally located north of Maple and east of 151st St. W. (544 S. 151st St. W.).

Dear Mr. Ramsey:

We have reviewed your request for an administrative adjustment to Condition of Approval "A" for CU-387 to allow greenhouse operation for retail purposes, including a 2,500 square foot area for retail sale of items not grown on-site, and to adjust the approved site plan on the aforementioned property. You state in your application that you desire to sell at retail items grown on-site as well as items not grown on the site such as garden hardware, fertilizer, tools, chemicals and such and that you agree to limit the sale of the items not grown on-site to a 2,500 square foot area. You further state in your application that you desire to adjust the approved site plan to change the greenhouse building configuration, relocate the access drive, and permit a residence for an on-site manager.

From discussing your application with you, we understand that the overwhelming majority of the value of products sold will be from plants grown on-site and not from products "imported" to the site. Therefore, it is our opinion that limiting the sale of items "imported" to the site to an area of 2,500 square feet meets the Unified Zoning Code definition of Agricultural Sales & Service and, thus, may be permitted by an adjustment to CU-387 rather than requiring "LC" Limited Commercial zoning of the property for a Nursery and Garden Center.

The Unified Zoning Code allows the Planning Director, with the concurrence of the Zoning Administrator, to approve minor adjustments to conditions of approval and site plans for Conditional Uses as long as the adjustment does not have any of the negative impacts stated in Sec. V-I.6. We find that allowing greenhouse operation for retail purposes, including a 2,500 square foot area for retail sale of items not grown on-site, and adjusting the approved site plan as proposed meets the four conditions required by Section V-1.6 of the Unified Zoning Code as set out below:

1) Impact on safety and convenience of vehicular and pedestrian circulation The adjusted site plan eliminates one access drive to 151st St. W. and relocates the remaining access drive approximately 190 feet further north of the intersection with Maple. Eliminating an access drive and locating the remaining access drive further from the intersection will improve the safety of vehicular circulation in the vicinity, especially as the area urbanizes and 151st St. W. is paved.

2) Impact on existing uses in surrounding areas: The residence for the on-site manager is permitted by the property's underlying "SF-20" zoning; therefore, there should be no negative impacts on the surrounding areas from the on-site manager's residence. The proposed reconfiguration of the greenhouse buildings provides for a more compact cluster of buildings, provides greater building setbacks from the property line, and reduces the amount of square footage permitted for greenhouses and related uses from 73,216 square feet to 45,492 square feet. These changes should reduce negative impacts on surrounding areas in comparison to the previously approved site plan. Retail sale of items grown on-site should not increase traffic generated by the site above levels that can be supported by community facilities or would have negative impacts on surrounding areas. The proposed 2,500 square feet area for items not grown on-site is only 5.5% of the total non-residential space permitted on site by the adjusted site plan. Such a limited space for retail sale of items not grown on site should mitigate negative impacts of the saleof these items on surrounding areas.

3) Compatibility with existing or permitted uses on abutting sites: Use of the subject property for a greenhouse has been found to be compatible with existing or permitted uses on abutting sites through the approval of CU-387. The compatibility with existing or permitted uses on abutting sitesshould not be reduced by allowing greenhouse operation for retail purposes, including a 2,500 square foot area for retail sale of items not grown on-site, and adjusting the approved site planas proposed.

4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way; therefore, there should not be a negative impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materialy injured.

Our signatures below indicate that an administrative adjustment to Condition of Approval "A" for CU-387 to allow greenhouse operation for retail purposes, including a 2,500 square foot area for retail sale of items not grown on-site, and to adjust the approved site plan on the aforementioned property is hereby granted subject to the following conditions:

1) Retail sale of items not grown on site shall be limited to an area of 2,500 square feet, which shall be located within the greenhouse buildings in the locations shown on the adjusted site plan. Upon construction of the retail sale area in the north greenhouse, retail sales shall no longer be permitted in the south greenhouse in the area indicated on the adjusted site plan.
2) The site shall be developed in general conformance with the adjusted site plan.
3) All other conditions of approval for CU-387 shall be met.
4) Any violation of these conditions shall render the Administrative Adjustment null and void.

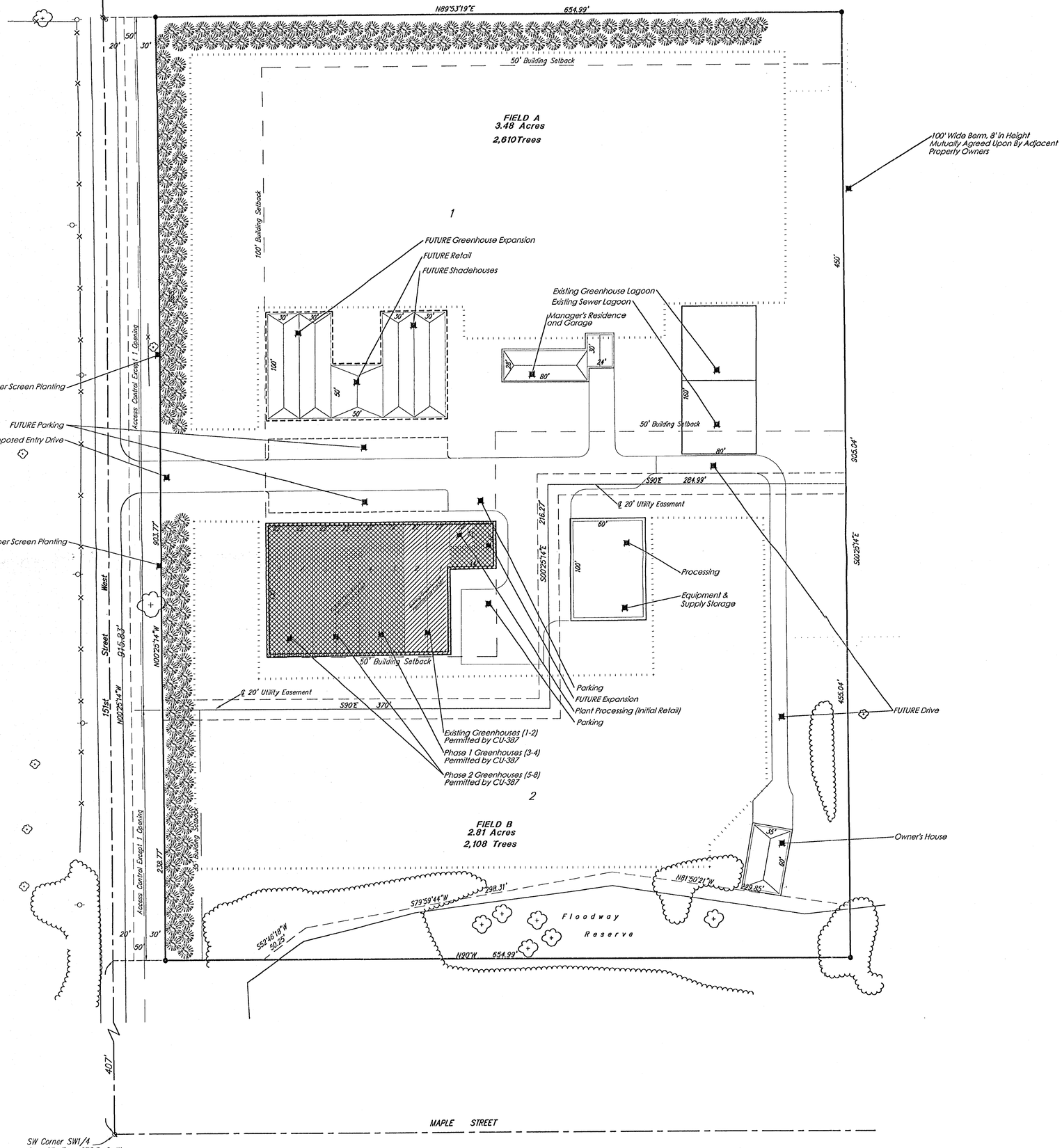
The zoning adjustment sign may now be removed from the property.

Marvin S. Krout
Planning Director

Glen Wiltse
Code Enforcement Director

Enclosure

cc: Terry Smythe, Baughman Company PA, 315 Ellis, Wichita, KS 67211
Glen Wiltse, Sedgwick County Code Enforcement



0 50 100

SCALE 1" = 50' - 0"

Westside Nursery & Garden Center
Site Plan

Site Information

OWNER

Ramsey Farms Inc.
C/O Max Ramsey
1311 Shefford Circle
Wichita, Ks 67212

LEGAL DESCRIPTION

Lots 1 and 2, Ramsey Farms Addition, Sedgwick County, Kansas

BENCHMARK

"□" Cut on W. Hubguard of
R.C.B.C. at W1/4 Cor. Sec. 25
Elev. = 1392.65

PARCEL SIZE

Lot 1: 8.76 acres
Lot 2: 5.00 acres
TOTAL: 13.76 acres

Floodway Reserve: 0.61 acres (26,358.10 Sq. Ft.)
TOTAL BUILDABLE ACRES (Total Acres - Floodway Acres): 13.15 acres

Building Calculations

CURRENTLY PERMITTED PER CU-387- WHOLESALE GREENHOUSES

Permitted: 73,216 Sq. Ft.
Built (Phase 1): 6,720 Sq. Ft.
Future Phases: 66,496 Sq. Ft.

Breakdown (all phases)
Greenhouses: 70,144 Sq. Ft.
Office: 3,072 Sq. Ft.

Permitted Parking: 20
Permitted Employees: 15

PER ADJUSTMENT REQUEST

Built (Existing): 6,720 Sq. Ft.
Future Phases: 50,552 Sq. Ft.

Breakdown (all phases)
Greenhouses: 34,880 Sq. Ft.
Retail: 2,500 Sq. Ft.
Plant Processing: 2,112 Sq. Ft.
Equip./ Supply Storage: 6,000 Sq. Ft.
Manager/ Owner Residences: 5,060 Sq. Ft.

CON2001-00038

SITE PLAN

APPROVED 2-11-02 BY SK

WESTSIDE NURSERY & GARDEN CENTER
SITE PLAN
151st STREET WEST & MAPLE

BAUGHMAN COMPANY P.A.
ENGINEERING, SURVEYING, & PLANNING
316-262-7271 • 315 ELLIS • WICHITA, KANSAS 67211

PROJECT NUMBER				SHEET
01-08-P853				1 OF 1
DESIGN	DRAWN BDT	APPROVED	DATE 10/25/01	SCALE 1"=50'-0"

F:\ENG\WAMSAY\siteplan.DWG

GREENHOUSES

WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 9

STAFF REPORT

January 25, 1996

CASE NUMBER: CU-387

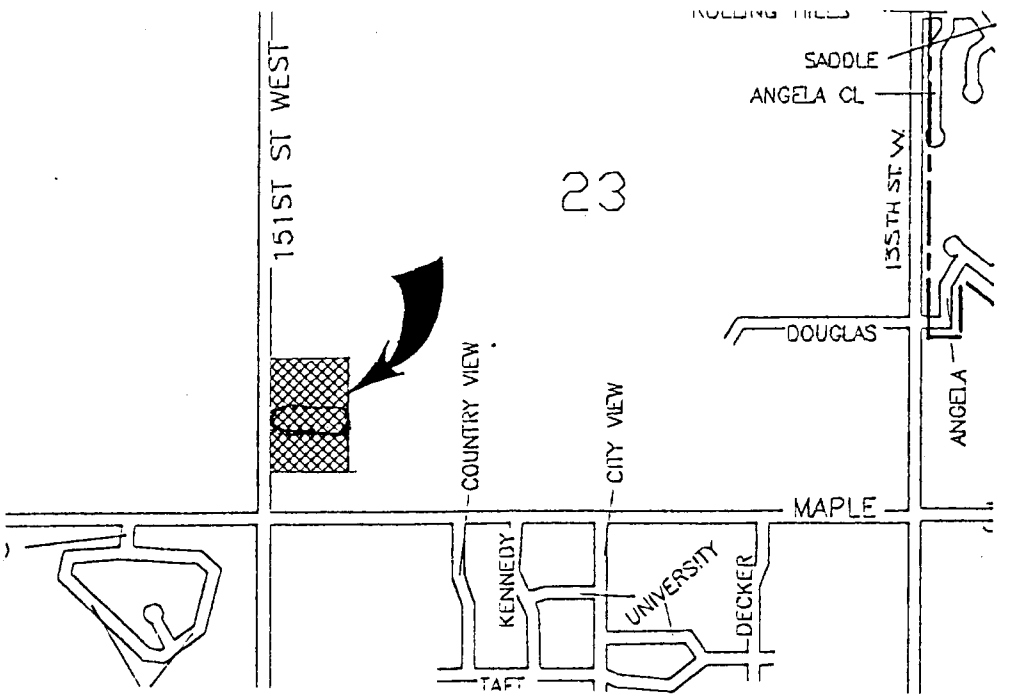
APPLICANT/AGENT: Paul Z. & Ruth B. Moses (property owners), Ramsay Farms, Inc. c/o Diane MacNair (contract purchaser / Mallard Real Estate c/o Dennis Schmidt (agent), Baughman Company c/o Phil Meyer (agent)

REQUEST: Conditional Use Permit for a wholesale greenhouse on property zoned 'R-1' Suburban Residential.

CURRENT ZONING: 'R-1' Suburban Residential

SITE SIZE: 13.76 acres

LOCATION: North of Maple on the east side of 151st Street West.



BACKGROUND: The applicant requests a Conditional Use Permit for a wholesale greenhouse on property located north of Maple on the east side of 151st Street West. The subject property is currently undeveloped and used for agricultural purposes. The site is bordered by agricultural operations in all directions, with scattered suburban residential homes and subdivisions located nearby. Developing suburban residential subdivisions are located both southeast and southwest of the Maple / 151st Street intersection. The property owner's home is located to the south, a suburban single family home is located approximately 600 feet to the east, another home is approximately 800 feet to the west, and a suburban residential subdivision is approximately 1,000 feet to the southwest.

The subject property is located north of a creek and a heavily wooded area at the northeast corner of the intersection. According to the FEMA maps, portions of the property at the northeast corner of the intersection are located in the 100-year flood plain. However, it is not clear if any of the application area is located in the flood plain. No hydric soils commonly associated with wetlands are identified by the Soil Survey of Sedgwick County.

This request is a new application by Ramsay Farms, Ins. c/o Diane MacNair, who previously applied for a similar Conditional Use Permit (CU-384) for a platted lot in the Windmill Estates Addition, southeast of 29th Street North and Reece Road (¼ mile west of 151st Street West) and zoned 'R' Rural Residential. That request received significant neighborhood opposition and on October 12, 1995, the MAPC voted 12-0 to recommend denial. The applicant withdrew that request prior to consideration by the Board of County Commissioners. Since that time, the applicant has been looking for other suitable sites west of Wichita for the proposed wholesale greenhouse.

This current request is located on property zoned 'R-1' Suburban Residential. In the 'R-1' District, greenhouses may be authorized by the governing body as a Conditional Use Permit for wholesaling and research purposes only. Therefore, the proposed greenhouse may not include a retail store or any display or sales of landscape or plant materials typically found in commercial greenhouse businesses. Also, as part of the Conditional Use Permit, the governing body may establish restrictions for site development and/or the operation of the facility as deemed necessary.

The site plan submitted by the applicant indicates that the greenhouse operation would be confined to Tract 'A', an 8.76 acre tract in the northern portion of the 13.76 acre application area. The applicant indicates that the larger tract was requested because joint access from 151st Street is planned through Tract 'B' and a landscape berm along the east property line is planned for the northern portion of Tract 'B' for screening purposes. Tract 'B' is planned as a suburban home site.

The site plan indicates that the greenhouse operation will be developed in five phases, with the initial phase to include a 10-bay building that will include an office. The site plan indicates a maximum of five buildings, with a solid evergreen buffer located along 151st Street and the north property line for screening purposes. An 8 foot high berm that would be 100 foot wide would be located along the east property line. Significant natural vegetation is located to the south and should adequately screen the operation from vehicular traffic along Maple. The applicant indicates that she intends to plant the greenhouse site with additional grass and landscape materials to help control dust that could be harmful to plant materials in the greenhouses.

The applicant indicates that the greenhouses would be used to grow vegetables. Each building would employ one full-time manager, who would be responsible for the operation of that building, and between 2-4 part-time employees. When the facility is fully developed, the operation would have a maximum of 25 employees and 30 parking stalls. However, since a majority of these workers would be part-time employees, it is unlikely that all 25 employees would be on the site at any one time. The applicant indicates that she anticipates two harvest periods a year in which truck traffic (pick-ups and vans) would be the heaviest. The trucks are expected to travel to the site no more than twice a week, with 2-3 trucks expected on those days. The applicant indicates that semi-trucks will not be used with this operation.

CASE HISTORY: On 4-26-73, the MAPC was scheduled to consider a zone change from 'R-1' to 'AA' One Family Dwelling District (SCZ-0305) and an associated Conditional Use Permit for duplex and fourplex housing (CU-148), located at the northeast corner of Maple and 151st Street West. However, the applicant withdrew the requests before the MAPC public hearing.

ADJACENT ZONING AND LAND USE:

NORTH:	'R-1'	Agricultural
SOUTH:	'R-1'	Agricultural, developing suburban residential subdivisions
EAST:	'R-1'	Agricultural, suburban single family home
WEST:	'R-1'	Agricultural, suburban single family home

PUBLIC SERVICES: Municipal services are not currently available to serve this area. However, a County sewer district is currently serving the suburban residential subdivision southwest of the Maple / 151st St. West intersection. Rural Water District No. 4 also has water lines in this general area. The applicant proposes two lagoons to serve Tract 'A' and Tract 'B'. If the facility generates over 1,000 gallons per day of waste water, on-site disposal facilities will require approval by the Kansas Department of Health and Environment. Also, if on-site water wells are used for this operation, the applicant will need to receive all necessary permits from

the Division of Water Resources and the Department of Agriculture.

The subject property has access to 151st Street West, an unpaved section-line arterial with 27.5 feet of existing half-street right-of-way. The site is also located near Maple, an existing 2-lane paved arterial with 30 feet of existing half-street right-of-way. The 2020 Transportation Plan identifies both 151st Street and Maple as 2-lane paved arterials.

Existing traffic counts are not available for 151st Street. Existing traffic volumes on Maple range from 850 average daily trips (ADT) west of the intersection to 1,600 ADT west of the intersection. Existing and projected traffic volumes on Maple are well within the traffic capacity of an 2-lane paved arterial.

CONFORMANCE TO PLANS/POLICIES: The Wichita Land Use Guide of the Comprehensive Plan (Figure 36, pgs. 118-119) identifies this area for future low density residential uses, typically 1-6 dwelling units per acre. The Sedgwick County Development Guide of the Comprehensive Plan (Figure 37, pgs. 122-123) identifies this area as an "urban reserve". These are areas where urban development due to the expansion of Wichita is likely to occur between the years 2000 and 2010. The Comprehensive Plan recommends that only typical rural densities be encouraged in these areas until urban density development occurs.

The site plan submitted with the application for the Conditional Use Permit indicates the applicant's intent to plat the surrounding property in lots of approximately 5-acres or more in size. The proposed Conditional Use Permit should not impact the development of urban density residential subdivisions on surrounding properties. However, the proposed 5-acre lots would not be consistent with the Comprehensive Plan's designation of future urban density development for this area.

RECOMMENDATION: Planning staff is supportive of the proposed use and we feel that it is suitable for locations characterized by agricultural and suburban residential uses. Also, the proposed greenhouses can be easily dismantled and redeveloped for residential uses. Therefore, the proposed use should not hamper future urban density development in this area. However, we would point out that the applicant's plan to plat the surrounding properties into large suburban lots is not consistent with the Comprehensive Plan's designation for future urban density development. Planning staff's support of this request does not suggest that we will support the platting of such large residential lots in this area.

Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to the following conditions:

A. The Conditional Use Permit shall permit a greenhouse operation for OK wholesaling and research purposes only. The site shall be developed in conformance with the site plan approved by the Board of County Commissioners.

B. All non-plant materials and equipment stored outside shall be screened from OK view from adjoining properties. The landscaped screens indicated on the site plan shall be a combination of a double row of evergreen and deciduous materials capable of providing a year round solid visual screen, except that solid fencing at least 6 feet in height, using standard fencing materials, may be used in combination with plant materials. A detailed landscape plan (plant names, spacing, height at planting, method of watering, etc.) shall be submitted to the Director of Planning for approval prior to obtaining any building permits. All plant material used for screening shall be plant materials typically expected to achieve a solid screening effect and reach a height of 6 feet within 3 years of planting.

OK C. No buildings or structures shall exceed 35 feet in height.

D. All lighting on the premises shall use fixtures and be located so as to prevent light from extending beyond the applicant's property lines and which minimizes ambient glare.

OK E. The maximum number of employees and parking spaces for this facility shall not exceed 25 persons and 30 parking spaces.

OK F. The applicant shall obtain all necessary permits from the Division of Water Resources and the Department of Agriculture.

G. All property included within this Conditional Use Permit shall be platted within one year after approval of by the Board of County Commissioners, or the cases shall be considered denied and closed. The Resolution establishing the Conditional Use Permit shall not be published until the plat has been recorded with the Register of Deeds.

H. Violation of the foregoing conditions shall be cause for declaring this conditional use null and void.

Planning staff's recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The proposed use is compatible with and typical of uses commonly found in agricultural areas. The surrounding area is currently characterized by agricultural uses and suburban residential homes.

2. Extent to which removal of the restrictions will detrimentally affect nearby property: The site development, landscaping, and use restrictions should minimize any detrimental impacts upon nearby properties.

3. Conformance of the requested change to adopted or recognized Plans/Policies: The Comprehensive Plan designates this area for future urban development. Wholesale greenhouses are generally considered to be a rural use as evidenced by the fact that both the 'R' and 'R-1' districts list them as conditional uses. While the proposed greenhouse facility may not be compatible with urban residential development, it is compatible with the area's current agricultural and suburban residential character. Also, the facility can be easily dismantled and redeveloped in the future for urban density uses.

4. Impact of the proposed development on community facilities: The proposed use does not require municipal water and sewer services. However, KDHE approvals and permits may be necessary for on-site sewage disposal. The subject property is located near to and has convenient access to a paved arterial roadway (Maple) and 151st is designated as a future paved arterial. Maple is projected to be well within its designed traffic capacity in the future. The applicant will be required to obtain all necessary permits from the Division of Water Resources and the Department of Agriculture.

Storage shed Tract B
Residence Tract A

Driveway

1. Adjust building configuration ≤ 10 sq. ft allowed today
2. Move driveway
3. Add Residence to Tract A