Agenda Item #_____

City of Wichita
City Council Meeting
June19, 2001

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: **ZON2001-00019 – ZONE CHANGE FROM "LC" LIMITED COMMERCIAL; "SF-6" SINGLE-FAMILY RESIDENTIAL; "SF-20" SINGLE-FAMILY RESIDENTIAL TO "LC" LIMITED COMMERCIAL; AND**

CUP2001-00013; DP-250 – REQUEST FOR AMENDMENT AND EXPANSION OF THE NORTHRIDGE PLAZA COMMUNITY UNIT PLAN, AMENDMENT #1, LOCATED ON THE NORTHWEST CORNER OF RIDGE ROAD AND 37TH STREET NORTH. (District # V)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to platting within 1 year and to conditions (13-0).

Staff Recommendation: Approve, subject to platting within 1 year and to conditions.

DAB Recommendation: Approve (10-0).

Background: The applicant is requesting to amend DP-250 Starwest C.U.P. and expand it to include 26.97 additional acres to the north. The additional land consists of 11.45 acres to the north that was approved on March 30, 2000 by MAPC as DP-253 Kaylor C.U.P. and 15.52 more acres farther to the north and west. The expanded C.U.P. would be renamed DP-250 Northridge Plaza Community Unit Plan, and would be 55.47 acres in size. It would extend for over half the distance from 37th Street North to K-96 and would include a portion of the Big Slough North as its western boundary.

The C.U.P. is associated with a zone change request from "SF-20" Single-Family and "SF-6" Single-Family to "LC" Limited Commercial for the additional 27 acres. Proposed uses are all those allowed in the "LC" district except adult entertainment establishments, group homes, group residential, halfway houses, correctional placement residences, private clubs, taverns, and drinking establishments. Restaurants that serve liquor would be allowed as long as food was the primary service of the establishment.

The C.U.P. has two major parcels and nine outparcels: Parcel 1 - 16.01 acres, Parcel 2 - 20.29 acres, Parcel 3 - 1.45 acres, Parcel 4 - 1.01 acres, Parcel 5 - 1.11 acres, Parcel 6 - 1.11 acres, Parcel 7 - 1.34 acres, Parcel 8 - 1.14 acres, Parcel 9 - 1.51 acres, Parcel 10 - 1.53 acres, and Parcel 11 - 1.30 acres. Reserve A (7.69 acres) is reserved for drainage and open space.

The C.U.P. proposes a maximum building coverage of 30 percent, total floor area ratio of 35 percent, and maximum building height of 35 feet. Three buildings would be permitted on the two large parcels; the outparcels would be limited to one building each. Setbacks are generally 35 feet from the property line along 37th and Ridge, and 60 feet for the two large parcels along their boundaries with the outparcels and the property to the north.

All freestanding signs would be of a monument type, have a maximum height of 30 feet for Parcels 1-2 and 20 feet for Parcels 3-11, be spaced at least 150 feet apart. Proposed signage is as follows: Parcel 1 - 395 sq. ft., Parcel 2 - 300 sq. ft., Parcels 3-11 – 150 sq. ft. Signage restrictions would prohibit flashing signs (except showing time, temperature and public messages), portable signs, signs on the rear of buildings, and window display signs in excess of 25 percent of window area.

The applicant proposes all parcels share a uniform architectural character, color, texture, and the same predominant exterior building material, consisting of predominantly earth tones, and must employ materials similar to surrounding residential areas. The applicant proposes similar or consistent lighting elements, with the height of light poles to be 24 feet. Extensive use of backlit canopies and neon or fluorescent tube lighting on buildings would not be permitted.

The application area is undeveloped. Three residences are being removed from the northern portion of the proposed development.

Several new developments are located to the south of the proposed application area. DP-237 Ridgeport North C.U.P., is being developed at the southeast corner of 37th and Ridge. Medical offices, a hospital (Via Christi) and assisted living are under construction. The property immediately to the south of the application area, DP-242 Ridge Centre C.U.P. is being developed with office/commercial uses. A day care and an office building are under construction. DP-245 Catamaran Cove C.U.P. is immediately west of Ridge Centre C.U.P. This area was approved for "B" Multi-Family zoning for up to 775 apartment units.

The property north of the site has been approved for "NR" Neighborhood Retail. It is being platted as Rush Farms Addition. Another application has been filed but deferred for "LI" Limited Industrial and "LC" uses for the property that abuts K-96. The property to the east of Ridge Road is still in agricultural use except for a cell tower.

Virtually all the parcels of Northridge Plaza except three outparcels, Parcels 3, 4 and 5, are in the 100-year floodplain. (Parcels 3, 4 and 5 are in the 500-year floodplain.) The "Reserve" shown on Northridge Plaza is part of the floodway for the Big Slough North. The land west of the Big Slough North is under the same ownership as Northridge Plaza C.U.P. According to the applicant, they intend to develop this land into low-density residential use.

At the DAB #V meeting held May 7, 2001, there were questions about the impact on flooding from the development. The DAB voted (11-0) to recommend approval subject to conditions recommended by Staff.

At the MAPC meeting held May 10, 2001, the MAPC voted (13-0) to recommend approval of the rezoning and the C.U.P. amendment subject to staff recommendations.

Recommended Action:

1. Concur with the findings of the MAPC and approve the zone change and C.U.P. Amendment #1, 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.)

(150004) First Published in The Wichita Eagle on July 27, 2002
Corrected & Republished in The Wichita Eagle December 17, 2004

ORDINANCE NO. 45-328

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. ZON2001-00019

Request for zone change from "LC" Limited Commercial; "SF-6" Single-Family Residential; "SF-20" Single-Family Residential to "LC" Limited Commercial, described as:

Lots 1 through 11, Block 1, Northridge Plaza Addition; Together with that part of Reserve "A", Northridge Plaza Addition, Wichita, Sedgwick County, Kansas described as follows: Beginning at the SE corner of said Reserve "A", thence N26°34'00"W along the east line of said Reserve "A", 235.42 feet to a deflection corner in said east line; thence N19°34'59"W along the east line of said Reserve "A", 359.24 feet to a deflection corner in said east line; thence N22°20'39"W along the east line of said Reserve "A", 351.05 feet to the NE corner of said Reserve "A"; thence N89°35'42"W along the north line of said Reserve "A", 51.64 feet; thence S00°09'29"E, 874.09 feet to a point on the south line of said Reserve "A"; thence N90°00'00"E along the south line of said Reserve "A", 408.38 feet to the point of beginning.

Together with that part of Reserve "B", Northridge Plaza Addition, Wichita, Sedgwick County, Kansas described as follows: Beginning at the SE corner of said Reserve "B"; thence N00°00'00"E along the east line of said Reserve "B", 393.65 feet to a deflection corner in said east line; thence S89°58'41"W along the east line of said Reserve "B", 298.08 feet to a deflection corner in said east line; thence N22°44'12"W along the east line of said Reserve "B", 357.96 feet to the NE corner of said Reserve "B"; thence N89°59'24"W along the north line of said Reserve "B", 99.85 feet; thence S25°44'17"E, 801.93 feet to a point on the south

line of said Reserve "B"; thence S89°35'42"E along the south line of said Reserve "B", 188.04 feet to the point of beginning. Generally located on the northwest corner of Ridge Road and 37th Street North.

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 AT WICHITA, KANSAS, June 4, 2002

Carlos Mayans, Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney