

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

PROPOSED AGENDA ITEMS : SCZ-0700 -Request for zone change from 'R-1' Suburban Residential to 'LC' Light Commercial & 'E' Light Industrial, located on the west side of Greenwich Road between 21st Street North and the K-96 Expressway.

PRESENTED BY: Marvin S. Krout, Director of Planning



PROPOSED AGENDA DATE: December 13, 1995.

COMMISSION DISTRICT #1

MAPC Recommendation: Approve, subject to platting within one year, and subject to recording the voluntary development plan agreement.

Staff Recommendation: Approve, subject to platting within one year, and subject to recording the voluntary development plan agreement.

Background/Discussion: The applicant requests a zone change from the 'R-1' Suburban Residential District to 'LC' Light Commercial (14 acres) and 'R-1' to 'E' Light Industrial (59.4 acres), for property located on the west side of Greenwich Road between 21st Street North and the K-96 Expressway. The subject property is currently undeveloped and used for agricultural purposes. The applicant proposes to develop an industrial park that may include office and/or commercial uses, and a commercial development to be located in a 20 acre tract along 21st Street. This is a revised application from the advertised zone change of 79.4 acres of 'E' zoning.

The proposed development is located approximately ¼ mile east of the Tallgrass East residential development. The applicant indicates that the area between the subject property and Tallgrass East is planned to be platted as a residential development. The subject property is bordered by the K-96 Expressway and bike trail on the north, agricultural uses to the south, and agricultural uses and a single family home to the east, as well as property northeast of the 21st St. / Greenwich Road intersection that is proposed for 'LC' Light Commercial (SCZ-0699).

The Comprehensive Plan recommends that commercial areas be developed as "planned centers" which have site design features which limit noise, lighting, and other activity so as to not adversely impact surrounding properties. In Wichita, commercial

developments of this size (6 acres or more) are handled as a community unit plan (CUP) to address property ingress and egress, parking, drainage facilities, screening, sign controls, environmental control, aesthetics, and other requirements and amenities. However, the community unit plan regulations are not included in the current County Zoning Code. The proposed "Unified Zoning Code for Wichita-Sedgwick County" would include CUPs as a development option for developers in Wichita, as well as the unincorporated portions of Sedgwick County. The proposed Unified Zoning Code also includes a new zoning district, the Industrial Park District, that is intended to accommodate limited commercial services, research and development, administrative facilities, and industrial and manufacturing uses.

In order to address concerns about permitted uses in the 'LC' and 'E' zoning districts and the aesthetic impact of an industrial park or an office/commercial development, the applicant has volunteered to place a number of restrictions on the property as part of a voluntary development plan that would be included in the agreement with the City for Wichita water service and made enforceable by the City, since this property is close to the City limits and will eventually be annexed into the City. This agreement is similar to a voluntary agreement that was submitted with a rezoning request northeast of Central and Greenwich Road that was approved by the Board of County Commissioners in December 1994. The restrictions proposed by the applicant include the standard general provisions typically found in commercial CUPs in Wichita, such as proposed uses, architectural compatibility, pedestrian circulation, access controls, screening and landscaping, and etc. The agreement would also prohibit a number of uses permitted in the 'E' District, such as concrete/asphalt mixing plant, feed and full yard storage, taverns and drinking establishments, foundry casting lightweight nonferrous metal, and etc.

- Recommended Action:
1. Adopt the findings of fact of the Metropolitan Area Planning Commission and approve the zone change subject to the condition of platting; adopt a resolution establishing the zone change and instruct the Planning Department to withhold publication until the plat has been recorded with the Register of Deeds, and subject to recording the voluntary development plan agreement.
 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).

governing body on first hearing).

Applicants: Harry B. Brown, Jr., 800 N. Dublin Street Wichita, KS 67206
Ritchie Associates c/o Jack Ritchie 8100 E. 22 St. N. Bldg. 1,000, Wichita,
Ks 67226
Diana L. Kitch, 8218 E. Douglas, Wichita, KS 67206
PEC c/o Rob Hartman, 303 S. Topeka, Wichita, KS 67202

Protestors: None

RESOLUTION NO. 270-1995

A RESOLUTION CHANGING THE ZONING CLASSIFICATION FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED IN SECTION 7.C OF THE ZONING REGULATIONS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984, AND SUBSEQUENTLY AMENDED.

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 17.C of the Zoning Regulations, the zoning district of the lands legally described below are hereby changed as follows:

Case No. SCZ- 0700

Zone change request from 'R-1' Suburban Residential to 'LC' Light Commercial & 'E' Light Industrial on property generally located on the west side of Greenwich Road between 21st Street North and the K-96 Expressway.

Described as:

'R-1' to 'E'

The east one thousand six hundred feet of the southeast quarter of Section 4, Township 27S, Range 2 East of the 6th P.M., Sedgwick County, Kansas, except the south 600' and except existing road right-of-way and except that portion lying within John Sedgwick Expressway right-of-way (Now K-96) per condemnation case No. 87C1434AC.

'R-1' to 'LC'

The south 600' of the east one thousand six hundred feet of the southeast quarter of Section 4, Township 27S, Range 2 East of the 6th P.M., Sedgwick County, Kansas, except the east 600' thereof.

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.

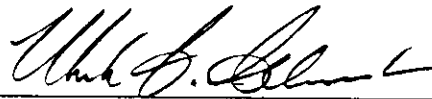
SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the official county paper.

Commissioners present and voting were:

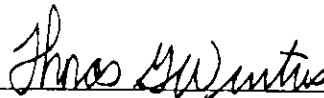
PAUL W. HANCOCK	<u>yes</u>
THOMAS G. WINTERS	<u>yes</u>
MELODY C. MILLER	<u>yes</u>
MARK F. SCHROEDER	<u>yes</u>
BETSY GWIN	<u>absent</u>

DATED this 13th day of December, 1995.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

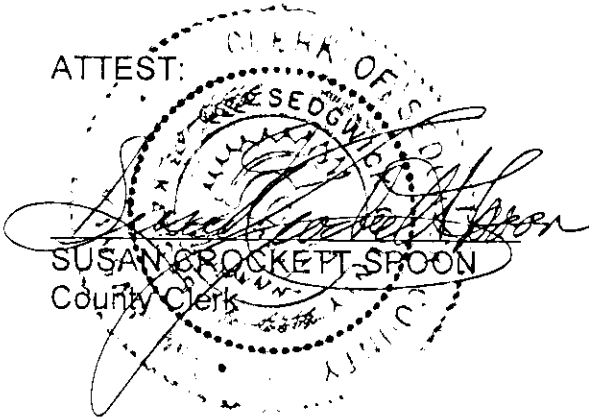


MARK F. SCHROEDER, Chairman

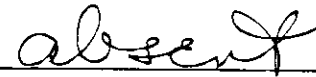


THOMAS G. WINTERS, Chairman Pro Tem

ATTEST:

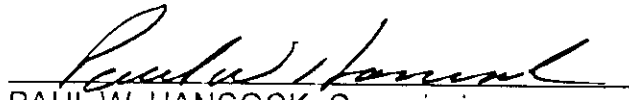


SUSAN BROCKEPT-SPOON
County Clerk



BETSY GWIN, Commissioner

APPROVED AS TO FORM ONLY:



PAUL W. HANCOCK, Commissioner



County Counselor/Assistant



MELODY C. MILLER, Commissioner