



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

July 1, 2003

Terri Alexander
Via Christi
1035 N. Emporia Ste. 195
Wichita, KS 67214

RE: ZON2003-26 (Associated with CON2003-16) – Conditional Use for bank on property zoned “GO” General Office and amendment to Protective Overlay #1 and Protective Overlay #11. Generally located north of Maple and west of 135th Street West. (District V)

Dear Ladies and Gentlemen:

At its regular meeting on July 1, 2003, the Wichita City Council considered the above-captioned request. The action of the City Council was to APPROVE, subject to amended Protective Overlay #1 and Protective Overlay #11, as follows (ZON2003-00026):

1. The following uses shall be permitted: office, general; medical service; and bank or financial institution with a drive-through window;
2. Free-standing monument sign on the western 48 feet of Lot 1 and all of Lot 2 shall be limited to no more than 20 feet in height.

Conditional Use (CON2003-00016):

1. The applicant shall submit a revised site plan for review and approval by the Planning Director, with the revised site plan including those items specified by the Conditional Use Site Plan Guidelines.
2. The site shall be developed in general conformance with the approved site plan.
3. The applicant shall obtain all permits necessary to make the required site and landscaping improvements; all improvements shall be completed within one year of approval of the Conditional Use by the MAPC or governing body, as applicable.
4. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

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www.wichitagov.org

N90°00'00"E 400.22' (P) & (M)

N90°00'00"E

352.22' (P)

10' Utility Easement (Per Recorded Plat)

48'

20'

N00°11'45"W 371.02' (P)

BOEING WICHITA CREDIT UNION

135th & West Maple

June 2, 2003

Lot 2 & the West 48' of Lot 1
Riverside Health System Addition
Wichita, Sedgwick County, Kansas

14

PROPOSED BOEING WICHITA
CREDIT UNION BUILDING

EXISTING RIVERSIDE HEALTH
SYSTEMS BUILDING

Zoned "C-1"

±105'-0"

4

27'-0"

48'

±27'-0"

PROPOSED FULL ACCESS
DRIVE LOCATION

N90°00'00"W 352.22' (P)

N90°00'00"W 400.22' (C-P) & (M)

PROPOSED 20'
TALL SIGN

EXISTING LOCATION OF
RIVERSIDE HEALTH
SYSTEMS DRIVE

±228'-0"

±142'-0"

Maple Street

±186'-0"

±148'-0"

1

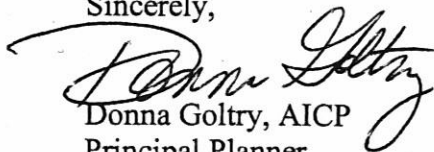
Proposed Site Plan

1" = 50' - 0"

APPROXIMATE LOCATION OF
EXISTING KANZA BANK & RETAIL
SHOPPING CENTER DRIVE

If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,



Donna Goltry, AICP
Principal Planner

DJG/rms

Cc: Terry Smythe, Baughman Company, P.A., 315 Ellis, Wichita, KS 67211
Marlin Penner, J.T., Arnold and Assoc., 101 S. Market, Wichita, KS 67202
Allen Bell, Economic Development, Mail Stop 1-127
Bob Martz, WCC V, Mail Stop, 1-13
Dana L. Brown, N.A. V, Mail Stop 1-135
Kurt Schroeder, Office of Central Inspection, Mail Stop 1-72
Randy Sparkman, Office of Central Inspection, Mail Stop 1-72
Paul Hays, Office of Central Inspection, Mail Stop 1-72
J.R. Cox, Office of Central Inspection, Mail Stop 1-72

RESOLUTION No. 03-350

A RESOLUTION AUTHORIZING A CONDITIONAL USE FOR BANK ON 3.4 ACRES ZONED "GO" GENERAL OFFICE, LOCATED NORTH OF MAPLE AND WEST OF 135TH STREET WEST IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-D, AS ADOPTED BY ORDINANCE NO. 44-975, AS AMENDED.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. 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-D of the Wichita-Sedgwick County Unified Zoning Code, a Conditional Use for Bank on 3.4 acres zoned "GO" General Office legally described below:

Case No. CON2003-00016

A Conditional Use Permit for Bank, on 3.4 acres zoned "GO" General Office described as:

Lot 2 and the west 48 feet of Lot 1, Riverside Health System Addition, Wichita, Sedgwick County, Kansas. Generally located north of Maple and west of 135th Street West.

SUBJECT TO THE FOLLOWING CONDITIONS:

1. The applicant shall submit a revised site plan for review and approval by the Planning Director, with the revised site plan including those items specified by the Conditional Use Site Plan Guidelines.
2. The site shall be developed in general conformance with the approved site plan.
3. The applicant shall obtain all permits necessary to make the required site and landscaping improvements; all improvements shall be completed within one year of approval of the Conditional Use by the MAPC or governing body, as applicable.
4. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

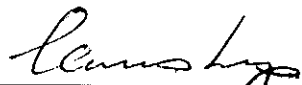
SECTION 2. That upon the taking effect of this Resolution, the notation of such Conditional Use permit shall be shown on the "Official Zoning District Map" on file in the office of the Planning Director of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION 3. That this Resolution shall take effect and be in force from and after its adoption by the Governing Body.

ADOPTED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, this date, July 1, 2003.

ATTEST:



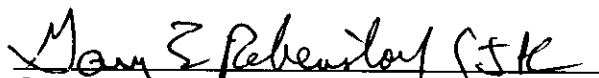


Carlos Mayans, Mayor



Pat Graves, City Clerk

Approved as to form:



Gary E. Rebenstorf, City Attorney

STAFF REPORT

MAPC June 5, 2003

DAB V June 2, 2003

CASE NUMBER: ZON2003-00026; CON2003-00016

APPLICANT/AGENT: Via Christi Riverside Medical Center Inc., c/o Terri Alexander, and City of Wichita (Owners), JT Arnold & Associates, c/o Marlin Penner, and Baughman Company, PA, c/o Terry Smythe (Agents)

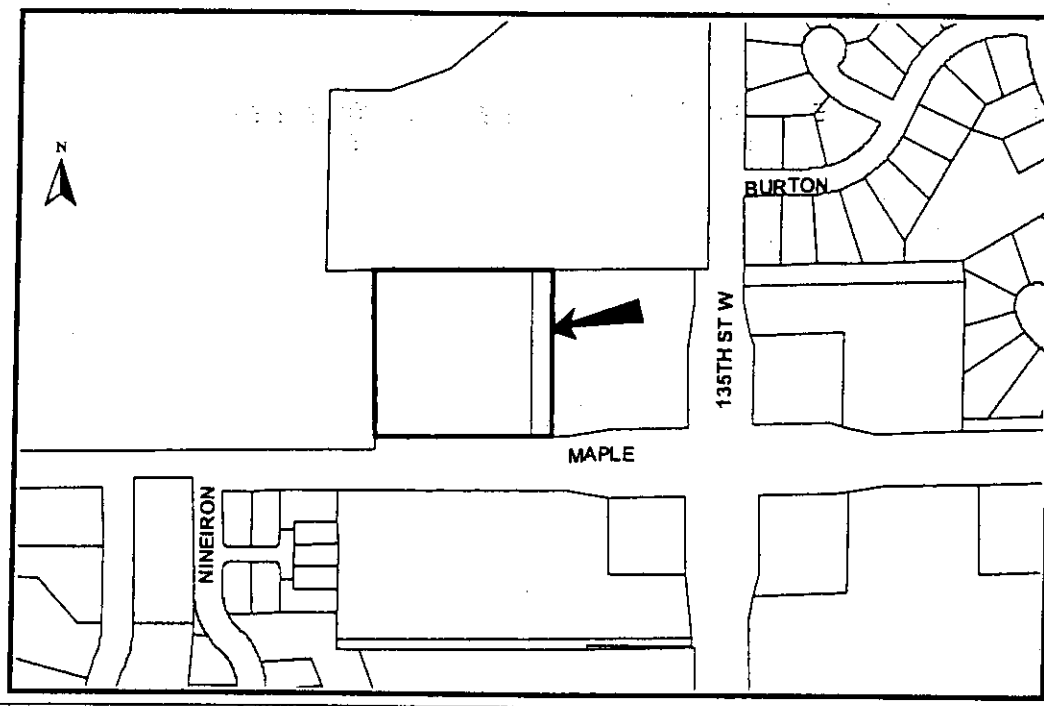
REQUEST: Conditional Use for bank on property zoned "GO" General Office and amendment to Protective Overlay #1 and Protective Overlay #11

CURRENT ZONING: "GO" General Office

SITE SIZE: 3.4 acres

LOCATION: North of Maple and west of 135th Street West

PROPOSED USE: Bank with drive-through window



BACKGROUND: The applicant is requesting to allow a bank with a drive-through window and to amend Protective Overlay (P-O) #11 and the western 48 feet of Protective Overlay #1, located on property zoned "GO" General Office. The protective overlay amendments are needed to remove the restriction on P-O #11 to medical service uses only and clarify that P-O #1 allows banks, which are a Conditional Use in the "GO" district, and other general office uses.

The applicant is not requesting changes to other provisions of the protective overlays. Existing provisions of P-O #1 and P-O #11 require monument signs, limit light poles to 14 feet in height and restrict the amount of building lighting, require additional landscaping, and building materials with architectural compatibility and use of materials similar to surrounding residential uses. P-O #11 also limits the use of the property to medical office uses only and building height to 35 feet and two stories with the second story limited to 25 percent of the total building floor area.

The subject property is located on the north side of Maple approximately 300 feet west of the intersection of 135th Street West and Maple.

The property to the east (the remainder of P-O #1) is developed with a brick medical office building. The property to the south is zoned "LC" Limited Commercial (DP-225 Auburn Hills Commercial C.U.P.). The eastern half of the property is developed with a small retail strip center that includes a drive-through bank; the western half is vacant. The northeast and southeast corners of the intersection of 135th Street West and Maple are zoned "LC" also. Overall, approximately 29 acres of commercial zoning exists at this intersection. The surrounding area beyond the commercial uses at the intersection are zoned "SF-5" Single-family residential and being developed with single-family uses except for the Auburn Hills Golf Course to the south.

CASE HISTORY: The property is platted as the Riverside Health System Addition, recorded July 18, 1997. Protective Overlay #1 was approved (SCZ-0717) on July 17, 1996 by the Sedgwick County Commission; Protective Overlay #11 (SCZ-0730) was approved March 4, 1996 by the Wichita City Council.

ADJACENT ZONING AND LAND USE:

NORTH:	"SF-5"	Vacant, estate
SOUTH:	"LC"; "SF-5"	Vacant, commercial, golf course, single-family
EAST:	"LC"; SF-5"	Vacant, single-family
WEST:	"SF-5"	Vacant, single-family

PUBLIC SERVICES: The site has frontage along Maple. Maple is improved with four lanes, a center turn lane and decel lanes at the intersection of Maple and 135th Street West. Maple west of the intersection is a two-lane arterial. Traffic counts in 2002

were 2,254 vehicles (ADT). Projected traffic volumes for 2030 were estimated at 6,800 ADT, however, it is predicted that if the northwest bypass were to be constructed, traffic volumes would more likely be in the 9,000 to 10,000 ADT range. No improvements are scheduled on the city or county capital improvements program for Maple.

Other normal municipal services are available.

CONFORMANCE TO PLANS/POLICIES: The "Wichita Land Use Guide" of the 1999 *Update to the Wichita/Sedgwick County Comprehensive Plan*, amended in January 2002, identifies this location as planned for office development.

The Far West Side Commercial Development Policy, adopted by the City Council in 1996, indicates that the scale of commercial development at the intersection of Maple & 135th Street West should be limited to a total of 24 acres. The Far West Side Commercial Development Policy also recommends that the appearance of commercial development should have certain characteristics in terms of signage, lighting, landscaping, shared internal access and architectural design.

RECOMMENDATION: This application conforms to the Land Use Guide of the *Comprehensive Plan*, and the P-O conditions generally conform to The Far West Side Commercial Development Policy recommendations. Maximum height of monument signs are not stipulated, which could result in slightly taller signs than allowed on the other four corners of the intersection. The existing plat allows two access openings on the subject tract, but the proposed site plan places these openings in locations that do not follow the city's access management policy guidelines.

Based upon these factors and the information available prior to the public hearings, planning staff recommends that the request to allow a bank with a drive through window be APPROVED, subject to amended Protective Overlay #1 and Protective Overlay #11, as follows (ZON2003-00026):

1. The western 48 feet of Lot 1 and all of Lot 2, Riverside Health Systems Addition, shall be limited to office uses, medical office uses, and a bank with drive-through window.
2. Free-standing monument sign on the western 48 feet of Lot 1 and all of Lot 2 shall be limited to no more than 20 feet in height.

Conditional Use (CON2003-00016):

1. The site plan shall be revised to locate drive openings a minimum of 200 feet apart for right-in/right-out and 400 feet apart for full movement.

2. The applicant shall submit a revised site plan for review and approval by the Planning Director, with the revised site plan including those items specified by the Conditional Use Site Plan Guidelines.
3. The site shall be developed in general conformance with the approved site plan.
4. The applicant shall obtain all permits necessary to make the required site and landscaping improvements; all improvements shall be completed within one year of approval of the Conditional Use by the MAPC or governing body, as applicable.
5. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The property to the east (the remainder of P-O #1) is developed with a brick medical office building. The property to the south is zoned "LC" Limited Commercial (DP-225 Auburn Hills Commercial C.U.P.). The eastern half of the property is developed with a small retail strip center that includes a drive-through bank; the western half is vacant. The northeast and southeast corners of the intersection of 135th Street West and Maple are zoned "LC" also. Overall, approximately 29 acres of commercial zoning exists at this intersection. The surrounding area beyond the commercial uses at the intersection are zoned "SF-5" Single-family residential and being developed with single-family uses except for the Auburn Hills Golf Course to the south.
2. The suitability of the subject property for the uses to which it has been restricted: The site is zoned "GO", and could be developed with medical office uses as currently permitted under the existing P-O.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The Far West Side Commercial Development Policy indicates that commercial development on the site should be limited in scale. Detrimental effects should be minimized by limiting the commercial uses to a bank only, which is a use permitted in the "GO" district by Conditional Use, and by requiring high design standards through the P-O.

4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The Land Use Guide of the *Comprehensive Plan* identifies this area as suitable for office development. The Far West Side Commercial Development Policy indicates that the scale of commercial development at the intersection of Maple & 135th Street West should be limited to a total of 24 acres. The Far West Side Commercial Development Policy also recommends that the appearance of commercial development should have certain characteristics in terms of signage, lighting, landscaping, shared access, and architectural design, which should be achieved through the recommended P-O amendment and Conditional Use site plan.
5. Impact of the proposed development on community facilities: The impact of the change from medical office use only to general office, medical office and bank should be minimal on traffic and community facilities.