

Agenda Item # _____

City of Wichita
City Council Meeting
June 27, 2000

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: SCZ-0734 - REQUEST FOR ZONE CHANGE FROM
"SF-20" SINGLE-FAMILY RESIDENTIAL TO "LI"
LIMITED INDUSTRIAL, LOCATED AT THE
SOUTHWEST CORNER OF 29TH STREET NORTH AND
GREENWICH (District 2)

INITIATED BY: Metropolitan Area Planning Department

Knout (w)

AGENDA ACTION: Consent

MAPC and County Commission Recommendation:

Approve, subject to platting within 1 year and additional provisions of a Protective Overlay district

Staff Recommendation: Approve, subject to platting within 1 year and additional provisions of a Protective Overlay district.

Background: The applicant requests a zone change from "SF-20" Single-Family Residential to "LI" Limited Industrial for a 158.1 acre unplatted tract located on the west side of Greenwich between 29th Street North and the K-96 Expressway. The applicant proposes to develop an industrial park that may include office-warehouse uses, as well as a soccer complex development to be located in an area at the northwest corner of the application site. There was no site plan submitted as part of this application.

The subject property is currently undeveloped and used for agricultural purposes. Surrounding property to the north and east are largely undeveloped and used for agricultural and residential uses. Jabara Airport is located to the northwest of the application site on property zoned "LI". There is a triangular piece of property zoned "SF-6" adjacent to the west. The Greenwich Business Park is located to the south of K-96 on property recently zoned "LI".

The Unified Zoning Code includes CUPs as a development *option* for developments of this size in the "LI" zoning district. The 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

GENERAL PLANTING NOTES

1. PRIOR TO BEGINNING ANY WORK ON THE SITE, THE CONTRACTOR SHALL CONTACT THE OFFICE OF THE OWNER AND THE ARCHITECT/LANDSCAPE ARCHITECT FOR SPECIFIC INSTRUCTIONS RELEVANT TO THE SEQUENCING OF WORK.
2. LANDSCAPE CONTRACTOR SHALL PROVIDE ALL LABOR, MATERIALS AND SERVICE NECESSARY TO FURNISH AND INSTALL PLANTINGS AS SPECIFIED HEREIN AND AS SHOWN ON THESE PLANS.
3. NO MATERIAL SUBSTITUTIONS SHALL BE MADE WITHOUT THE OWNER'S APPROVAL. ALTERNATE MATERIALS OF SIMILAR SIZE AND CHARACTER MAY BE CONSIDERED IF SPECIFIED PLANT MATERIALS CANNOT BE OBTAINED. LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REVISE PLANT LIST AS DEEMED NECESSARY.
4. ALL PLANT LOCATIONS ARE APPROXIMATE, ADJUST AS NECESSARY TO AVOID CONFLICTS.
5. QUANTITIES OF MATERIALS SHOWN ON THE PLANTING PLAN TAKE PRECEDENCE OVER QUANTITIES SHOWN ON THE PLANT MATERIAL SCHEDULE. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL QUANTITIES ON THE PLANTING PLAN.
6. CONTRACTOR SHALL LOCATE ALL UTILITIES BEFORE WORK. LOCATE EXACT UTILITY LOCATIONS BY CONTACTING THE LOCAL UTILITY LOCATOR SERVICE. THE CONTRACTOR WILL BE RESPONSIBLE FOR THE REPAIR OF ANY DAMAGE HE MAY CAUSE TO UTILITIES.
7. GENERAL CONTRACTOR SHALL PROVIDE 4" OF TOPSOIL AT ALL SOD AND PLANTING AREAS. GRADE SHALL BE ADJUSTED FOR SOD THICKNESS. ALL FINISH GRADING SHALL BE PERFORMED BY THE LANDSCAPE CONTRACTOR.
8. SOD/SEED TYPE SHALL BE LOCALLY AVAILABLE BERMUDA, BUFFALO OR OTHER TURF GRASS RECOMMENDED FOR THE SPECIFIC AREA.
9. BACKFILL FOR PLANT EXCAVATIONS TO BE CLEAN NATURAL SOIL, EXCAVATED FROM PLANTING PITS MIXED WITH COMPOST AND WELL-ROTTED MANURE AT A RATIO OF THREE (3) PARTS SOIL TO ONE (1) PART COMPOST AND WELL-ROTTED MANURE.
10. FERTILIZE ALL PLANTS WITH 6-10-4 COMMERCIAL FERTILIZER AS DIRECTED BY INSTRUCTIONS ON FERTILIZER.
11. AFTER PLANTING IS COMPLETED, REPAIR INJURIES TO ALL PLANTS AS REQUIRED. LIMIT AMOUNT OF PRUNING TO A MINIMUM NECESSARY TO REMOVE DEAD OR INJURED TWIGS AND BRANCHES. PRUNE IN SUCH A MANNER AS NOT TO CHANGE NATURAL HABIT OR SHAPE OF PLANT. MAKE CUTS FLUSH, LEAVING NO STUBS.
12. ALL LANDSCAPE EDGING IS TO BE 4" X 1/2" PAINTED STEEL EDGING. PLACE EDGING FLUSH WITH GRADE.
13. INSTALL SHREDDED, HARDWOOD MULCH IN PLANT BEDS AS NOTED ON PLAN. SAMPLE OF SHREDDED, HARDWOOD MULCH SHALL BE PROVIDED PRIOR TO INSTALLATION.
14. PLANTING BEDS RECEIVING SHREDDED CEDAR WOOD MULCH ARE TO BE FREE OF WEEDS AND GRASS. TREAT BEDS WITH A PRE-EMERGENT HERBICIDE PRIOR TO MULCH PLACEMENT. APPLY IN ACCORDANCE WITH STANDARD TRADE PRACTICES.
15. PLACE 4" OF MULCH IN ALL TREES PLANTED IN TURF AREAS. AREAS RECEIVING MULCH ARE TO BE FREE OF WEEDS AND GRASS.
16. THE CONTRACTOR SHALL PROVIDE ALL WATER, WATERING DEVICES AND LABOR NEEDED TO IRRIGATE PLANT MATERIALS UNTIL ACCEPTANCE OF THE PROJECT'S PLANT MATERIALS. THE CONTRACTOR SHALL SUPPLY ENOUGH WATER TO MAINTAIN THE PLANTS' HEALTHY CONDITION.
17. RE-ESTABLISH TURF IN AREAS DISTURBED BY GRADING OR UTILITY TRENCHING IN THE R.O.W.
18. RE-ESTABLISH TURF IN ALL AREAS DISTURBED BY THE CONSTRUCTION PROCESS AND WITHIN THE LIMITS OF DISTURBANCE BY SEED, SOD OR PLANNED PLANTING AREAS, AS NOTED ON PLAN.
19. REPORT ANY DISCREPANCIES IN THE PLANTING PLAN TO THE OWNER'S REPRESENTATIVE PRIOR TO STARTING CONSTRUCTION.
20. TURF AND PLANTING BEDS ARE TO BE IRRIGATED BY AN AUTOMATIC SPRINKLER SYSTEM.

LANDSCAPE CODE CALCULATIONS

LANDSCAPED STREET YARD REQUIRED:
 Landscaped Street Yard Required:
 29th St. Width: 445' L.F. x 16' = 4,450 SF (see Note 1)
 4,450 / 500 = 8.9 or say 9 Shade Trees Required

Landscaped Street Yard Provided:
 4,008 SF Street Yard Provided
 2 Shade Trees, 8 Ornamental Trees + 30 Shrubs + 9 Shade Trees Provided

PARKING LOT SCREENING AND LANDSCAPING:
 Parking Lot is screened with Shrubs

Parking Lot Trees Required:
 58 "Total Streets / 20 = 4.9 or say 5 Trees Required
 (One-half of Street Trees may be used)

3.5 Street Trees + 1 Additional Shade Tree + 2 Ornamental Trees = 5+ Trees Provided

NO UTILITIES NEEDED

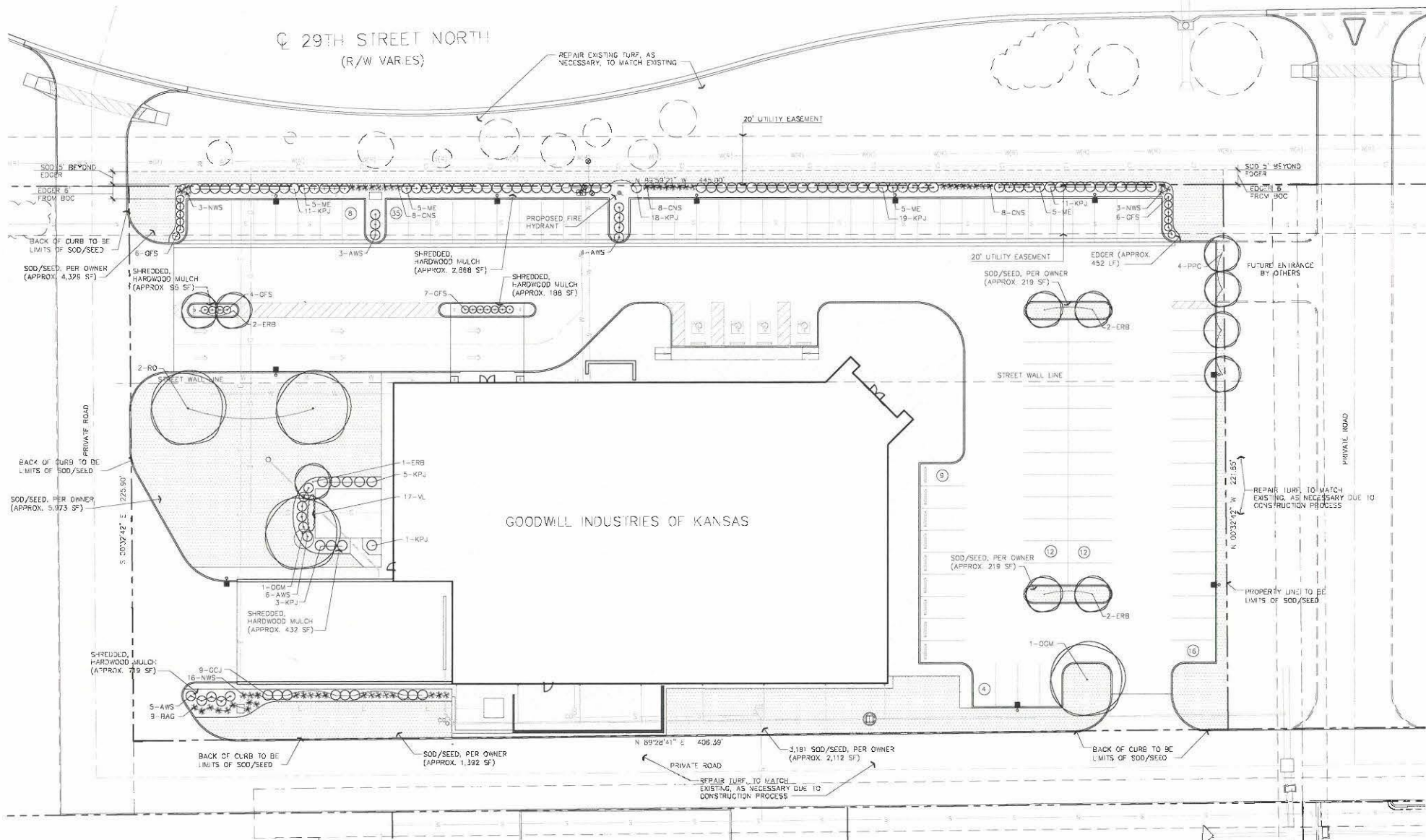
LEGEND

SOD
 CONCRETE

PLANT SCHEDULE

TAG	QTY.	COMMON NAME	BOTANICAL NAME	SIZE	COND.
SHADE TREES					
OGV	2	OCTOBER GLORY MAPLE	ACER RUBRUM 'OCTOBER GLORY'	2-1/2" CAL	B & B
RO	2	RED OAK	QUERCUS RUBRA	2-1/2" CAL	B & B
ORNAMENTAL TREE					
ERB	7	EASTERN REDBUD	CERIS CANADENSIS	1-1/2" CAL	B & B
PRC	4	PURPLE PRINCE CRABAPPLE	MALUS 'PURPLE PRINCE'	1-1/2" CAL	B & B
DECIDUOUS SHRUBS					
AWB	18	ANTHONY WATERER SPIREA	SPIREA X BUNALDA 'ANTHONY WATERER'	3 GAL.	CONT.
QFS	23	GOLDFLAME SPIREA	SPIREA JAPONICA 'GOLDFLAME'	3 GAL.	CONT.
EVERGREEN SHRUBS					
OCJ	9	GOLD COAST JUNIPER	JUNIPERUS PRITZERIANA 'GOLD COAST'	3 GAL.	CONT.
KPJ	69	KALAMITY PRITZER JUNIPER	JUNIPERUS PRITZERIANA 'KALAMITY'S COMPACT'	3 GAL.	CONT.
ME	20	MANHATTAN ELDERBERRY	ELDERBERRY KIALTSCHOWSKUS 'MANHATTAN'	3 GAL.	CONT.
PERENNIALS & GRASSES					
BAG	9	BLONDE AMBITION GRAMA GRASS	BOULELOUA GRACIOSA 'BLONDE AMBITION'	1-2 GAL.	CONT.
CNS	24	CLOUD NINE SWITCHGRASS	PANICUM VIRGATUM 'CLOUD NINE'	1-2 GAL.	CONT.
NWS	22	NORTHWIND SWITCHGRASS	PANICUM VIRGATUM 'NORTHWIND'	1-2 GAL.	CONT.
WL	17	VAREGATED LIRIOPE	LIRIOPE MUSCARI 'VAREGATA'	5" PQI	CONT.

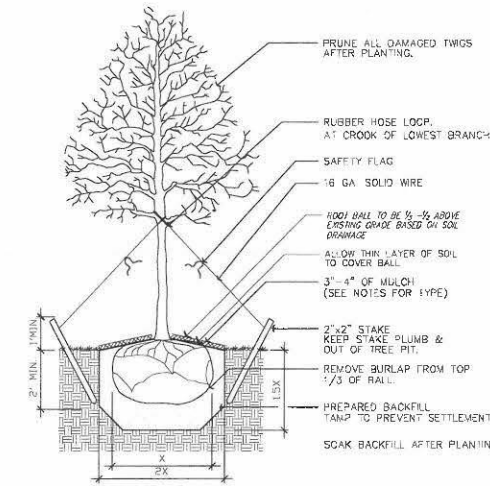
UTILITIES SHOWN REPRESENT THE BEST INFORMATION AVAILABLE FOR DESIGN. ADDITIONAL UTILITIES MAY BE PRESENT ON THIS PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE EXACT LOCATION, DEPTH AND SIZE OF ALL UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE LIABLE FOR ANY DAMAGE CAUSED BY THE FAILURE TO DO SO.



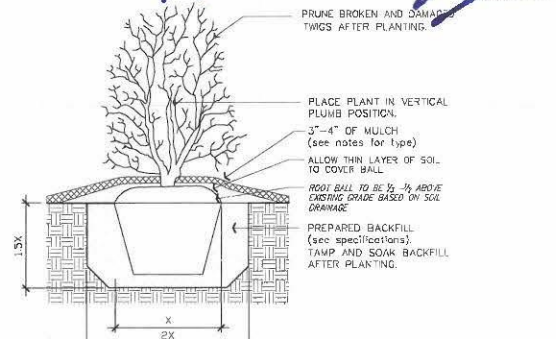
LANDSCAPE PLAN

APPROVED 9/6/23

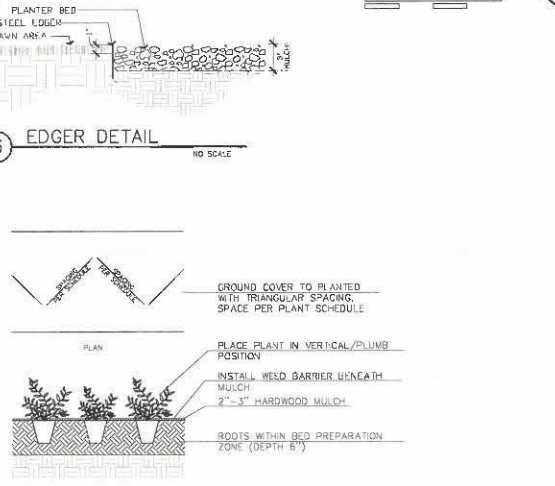
TERI FARHA, PLA



1 TREE PLANTING DETAIL
 IN TURF AREAS NO SCALE



2 SHRUB PLANTING DETAIL
 NO SCALE



4 GROUND COVER DETAIL
 NO SCALE

Issued/Revised	Date

Goodwill Industries of Kansas
 New Goodwill Store - 29th & Greenwich
 11027 E. 29th St. North
 Wichita, KS

TERI FARHA, PLA
 LANDSCAPE ARCHITECT
 Wichita, KS 67216
 PH. 620-262-7268

PLANTING PLAN

DATE
 June 8, 2023
 August 22, 2023
 September 5, 2023

LS1.0

uses, in a more campus-like setting. The applicants indicated that this district would be too limiting because portions of the site may have potential for retail, hotel, funeral home, or medical service uses.

During the Planning Commission's discussion of this matter on February 13, 1997, the agent for the applicant discussed the proposed industrial park and soccer complex developments, and stated they were in agreement with the staff recommendations. Two property owners spoke against the request, stating there was an abundance of industrial zoning in the area. The opponents also questioned why this site was not required to be developed under a Community Unit Plan. Staff commented that the zoning code does not require an application for industrial zoning to be submitted as a CUP, but that the recommended Protective Overlay should address development concerns in a similar manner. After discussion, the MAPC voted (7-4) to approve the request with the additional provisions of a Protective Overlay as recommended by staff.

The Board of County Commissioners subsequently approved the zone change, subject to platting. The property has since been annexed into the City of Wichita. The applicants were granted a platting extension in April, 1999. The plat was filed February 29, 2000 after approval by the MAPC and finally by the City Council in February, 2000. On December 21, 1999 the applicant was granted an Administrative Adjustment to the Protective Overlay. The Ordinance before the council reflects these changes.

Recommended Action:

Place the ordinance establishing the zone change and Protective Overlay on first reading.

Handwritten signature/initials

() Published in the Daily Reporter on July 21 2000

ORDINANCE NO. 44-675

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 CITY OF WICHITA CODE SEC. 28.04.010.

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That after 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 City of Wichita Code Sec 28.04.010, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. SCZ-0734

Zone change request from "SF-20" Single-Family Residential District to "LI" Limited Industrial District, and to "PO" Protective Overlay District #13 on property described as:

The Regency Park Addition, Wichita, Sedgwick County Kansas.

Generally located on the west side of Greenwich Road and the K-96 Expressway.

SUBJECT TO THE FOLLOWING PROTECTIVE OVERLAY RESTRICTIONS:

1. **Uses:** All uses permitted in "LC" and "LI" zoning districts except for: adult entertainment as defined by City Code, taverns and drinking establishments, manufactured home/mobile home park or subdivision, recreational vehicle campground, blacksmith shop, welding, heat treating and machine shop, draying, freighting or trucking yard or terminal, feed and fuel yard or storage, foundry casting lightweight nonferrous metal; grain storage and elevators, poultry or rabbit dressing, concrete and asphalt mixing plant, storage of Class "C" fireworks, tire retreading or recapping, battery manufacturing, and the like. The following uses shall be permitted only if the proposed ramp on the west side of Greenwich and K-96 Expressway is constructed: building materials sales yard, lumber yard, the manufacturing, compounding, processing or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceutical, perfumed toilet soap, toiletries and food products and the manufacture and maintenance of: electric and neon signs, billboards, commercial advertising structures, metal furniture, light sheet and tubular metal products, including heating and ventilating ducts and equipment, cornices, caves, small tool and die works, and the like.
2. The transfer of the title on all or any portion of the land included in the development does not constitute a termination of the plan or any portion thereof; but said plan shall run with the land for development and be binding upon the present land owners, their successors and assigns and their lessees unless amended. However, the Planning Director, with the concurrence of the OCI Superintendent, may approve minor adjustments to the conditions in this overlay, consistent with the approved development plan, without filing a formal amendment.
3. **Landscape Buffers and Screening:** Landscape buffers and screening shall be in accordance with Section 10.32.010 et. seq. of the Code of the City of Wichita. A landscape plan for each lot indicating the location, type, and specification of plant materials shall be submitted to the Planning Department for their review and approval prior to the issuance of any building permits (s) on that lot.

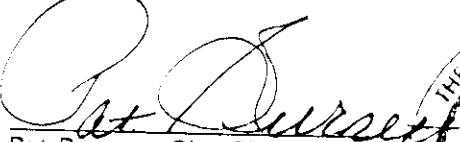
4. Minimum setback requirements shall be 35 feet along Greenwich Road and 25 feet along all non-residential local streets, which include 26th Street North, 27th Circle, 28th Street North, and Regency Park.
5. Height: 55 feet maximum height for all structures.
6. Signs: All signs along Greenwich and 21st Street North shall be limited to the standards for the "IP" district in the City of Wichita Sign Code. No signs with rotating or flashing lights shall be permitted, nor shall any portable signs or off-site signs be permitted.
7. No building permits shall be issued for any development without municipal water and sewer service.

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.

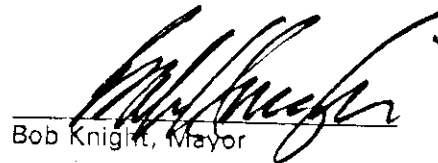
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED AT WICHITA, KANSAS, JUL 11 2000

ATTEST:

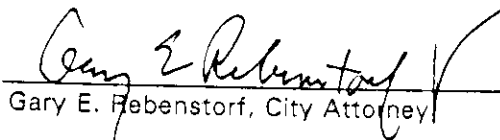

Pat Burnett, City Clerk



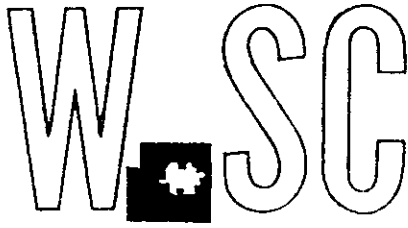

Bob Knight, Mayor

(SEAL)

Approved as to form:


Gary E. Rebenstorf, City Attorney

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1888
(316) 268-4421
FAX (316) 268-4390

December 21, 1999

Regency Park of Wichita, L.L.C.
c/o Ritchie Associates, Inc.
8100 E 22nd Street North, #1000
Wichita, KS 67226

Attn: Rob Ramseyer, Vice President

FILE COPY

Dear Mr. Ramseyer:

RE: Protective Overlay #13 - Administrative Adjustment to adjust Condition #4 to reduce front setbacks, to eliminate Condition #7 to provide public access easement for walk system linking K-96 Expressway bike trail with the proposed soccer complex, and to eliminate Condition #9 requiring cross-lot circulation, associated with SCZ-0734, generally located south of 29th Street North and west of Greenwich.

Dear Mr. Ramseyer:

We received and reviewed your request for an administrative adjustment to the above-referenced protective overlay. We understand that you desire to adjust the P-O in order to complete the development of the Regency Park Addition as an industrial park area.

We understand that General Provision #7 is no longer necessary because the public access has been obtained from K-96.

We understand that all parcels are being developed with industrial uses, and will not include retail, commercial or office uses. Further, the lots are being developed so that each use has direct access to public streets. As a result, cross-lot access is no longer essential.

The requested reduction in front setbacks is from 50 feet to 35 feet along the major street, Greenwich Road, and to 25 feet along the non-residential local streets, 26th Street North, 27th Circle, 28th Street North, and Regency Park. These setbacks exceed the minimum required setback of 20 feet in the "LI" Limited Industrial zoning district,

thus still providing a 15-foot larger setback along Greenwich Road, and with a slightly larger setback (5 feet) along the local streets.

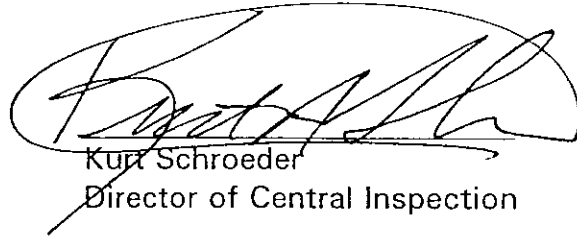
On the basis of our review, we feel that adjusting the P-O in the manner you requested would not have an adverse effect on the P-O or on adjacent properties.

Our signatures below indicate that an administrative adjustment has been granted to alter Condition #4 to reduce setbacks to 35 feet on Greenwich Road and to 25 feet on 26th Street North, 27th Circle, 28th Street North, and Regency Park, to eliminate Condition #7, and to eliminate Condition #9.

We will make a notation of this adjustment on our file copies of the C.U.P. drawing for future reference. The zoning notification signs may now be removed from the property.



Marvin S. Krout
Director of Planning



Kurt Schroeder
Director of Central Inspection

cc: MKEC, c/o Dean Sellers, 411 N Webb Road, Wichita, KS 67206
Office of Central Inspection



Wichita-Sedgwick County Metropolitan Area Planning Department

February 25, 2005

Steve Wheeler
Kansas Investment Properties, Inc.
11110 E. 26th St. N.
Wichita, KS 67218

RE: ZON2005-00007 - Administrative Adjustment to Condition #6 of P.O. #13 (SCZ-0734) to permit ground or poles signs on Lot 9, Block 2, Regency Park Addition per the Sign Code provisions for the "NR" Neighborhood Retail zoning district. Located on the northwest corner of 26th Street North and Greenwich.

Dear Mr. Wheeler:

We have reviewed your request for an administrative adjustment to the above-referenced Protective Overlay District. We understand that you propose to construct a 40 square foot monument sign along the property's Greenwich frontage; however, Condition #6 of P.O. #13 restricts signs on the property to those signs permitted in the "IP" Industrial Parking zoning district. Since the property is not permitted access to Greenwich, the "IP" Industrial Park provisions of the Sign Code would allow the monument sign only in lieu of signs on the building's east elevation. Since you also propose building signs on the east elevation, you have requested an administrative adjustment to permit ground or pole signs on the property per the Sign Code provisions for the "NR" Neighborhood Retail zoning district, which is more restrictive than the "IP" Industrial Park provisions but does not require building signs to be eliminated if a ground or pole sign is provided along a street frontage with no access to the property.

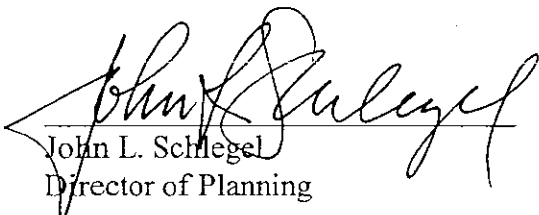
On the basis of our review, we find that adjusting Condition #6 of P.O. #13 as requested will not have an adverse effect on the P.O. or on adjacent properties, nor will it be a substantial deviation from the original plan. We further find that adjusting the P.O. as requested will not have any of the negative impacts listed in Section V-I.6. of the Unified Zoning Code. Our signatures below indicate that an administrative adjustment has been granted to permit ground or poles signs on Lot 9, Block 2, Regency Park Addition per the Sign Code provisions for the "NR" Neighborhood Retail zoning district. This adjustment shall not be deemed to alter any other provisions of the P.O. #13.

City Hall • 10th Floor • 455 North Main • Wichita, Kansas 67202-1688

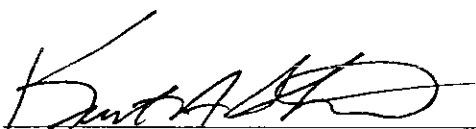
T 316.268.4421 **F** 316.268.4390

www.wichita.gov

We will note the adjustment to Condition #6 of P.O. #13 as it pertains to Lot 9, Block 2, Regency Park Addition in the files in both the Metropolitan Area Planning Department and the Office of Central Inspection. The "Development Application" sign should now be removed from the property.



John L. Schlegel
Director of Planning



Kurt A. Schroeder
Superintendent of Central Inspection

cc: Fred Nurse, Trimark Signworks, 319 S. Oak, Wichita, KS 67213
Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
J. R. Cox, Office of Central Inspection

