Agenda Item #_____

City of Wichita
City Council Meeting
January 9, 2001

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: **ZON2000-00036 REQUEST ZONE CHANGE FROM "SF-6" SINGLE-FAMILY RESIDENTIAL TO "LC" LIMITED COMMERCIAL, LOCATED AT THE NORTHWEST CORNER OF TAFT AND JULIA.** (District #V)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to replatting and the additional provisions of a Protective Overlay (10-1).

DAB Recommendation: Approve, subject to replatting and the additional provisions of a Protective Overlay (8-1).

Staff Recommendation: Deny "LC" Limited Commercial zoning; approve "NR" Neighborhood Retail zoning subject to replatting and the additional provisions of a Protective Overlay.

Background: The applicant requests a zone change from "SF-6" Single-Family Residential to "LC" Limited Commercial on a 3.7 acre platted tract located at the northwest corner of Taft and Julia. The applicant proposes to develop the site with commercial uses.

The surrounding area is characterized by large-scale commercial development south of Taft and single-family residential development north of Taft. The property west of the site across Brummet is zoned "SF-6" Single-Family Residential and is developed with single-family residences. The property north of the site across University right-of-way (street not constructed) is zoned "SF-6" Single-Family Residential and is undeveloped. The property east of the site across Julia is zoned "SF-6" Single Family Residential and is developed with two single-family residences and three vacant residential lots. The

property south of the site across Taft is zoned "GC" General Commercial and is developed with a Wal-Mart.

The surrounding area also is characterized by its proximity to the Mid-Continent Airport. The subject property is located under the approach to Mid-Continent Airport approximately one mile north of the end of the runway. Due to its location, the site is subjected to significant noise from aircraft.

The site has access to Taft, Julia, Brummet, and University. University is right-of-way only, and the street has not been constructed. Brummet is an unpaved local street. Taft is a four-lane collector street with traffic volumes of approximately 10,500 vehicles per day. Julia is a two-lane collector street with traffic volumes of approximately 8,500 vehicles per day. The 2030 Transportation Plan does not estimate future traffic volumes for Taft or Julia.

If the property were developed entirely with high-traffic generating uses permitted in the "LC" Limited Commercial district such as convenience stores or drive-thru restaurants, the subject property could generate up to 3,600-4,500 additional vehicles per day. If the property were developed with a small strip shopping center containing specialty retail, service businesses, and small sit-down restaurants, the subject property would generate up to 1,250-1,500 additional vehicles per day.

Given the already high traffic volumes on Taft and Julia, any commercial development on the subject property will impact the ability of the surrounding collector streets to carry through traffic to the regional commercial center to the south. Therefore, planning staff recommends replatting of the property to address traffic issues. Depending upon the type of development approved for the site, planning staff will recommend conditions of replatting that may include: dedication of additional right-of-way, additional access control, and traffic improvements such as turn lanes, through lanes, and/or traffic signals.

At the hearing on December 7, 2000, there were no speakers, other than the applicant, for or against the request. The MAPC voted (10-1) to approve the request subject to replatting within one-year and the following provisions of a Protective Overlay:

1. The following uses shall not be permitted: convenience store; drive-thru restaurant; cemetery; correctional placement residence; golf course; halfway house; recycling collection station; reverse vending machine; animal care, general; car wash; kennel; marine facility, recreational; night club; pawnshop; printing and publishing, general; recreation and entertainment, outdoor; and recreational vehicle campground.

2. A 6 foot high masonry wall shall be constructed parallel to the west property line. A 15 foot deep landscaped buffer shall be provided along the entire length of the west property line on the west side of the masonry wall. The landscaped buffer shall be planted with 1 shade tree or 2 ornamental trees per 30 lineal feet of frontage along Brummet.

3. If the vacant property north of the site develops with residential uses, a 6 foot high masonry wall shall be constructed along the north property line.

4. Light poles shall be limited to a maximum height of 14 feet.

5. Building exteriors shall share uniform architectural character and shall be predominantly earth-tone colors with vivid colors limited to incidental accent. Extensive use of backlit canopies and neon or fluorescent tube lighting on buildings shall not be permitted.

Recommended Action:

1. Concur with the findings of the MAPC and approve the zone change, subject to the additional recommended provisions of a Protective Overlay District and subject to the condition of replatting within one year; 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.)

First Read 8-30-02 W.H. Pub

(150004) Published in The Wichita Eagle on 10-7-82

ORDINANCE NO. 45-383

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. ZON 2000-00036

Request for zone change from "SF-5" Single-Family Residential District, to "LC" Limited Commercial to and to "P-O" Protective Overlay District #82, on property described as:

Earnest Jordan Addition, Wichita, Sedgwick County, Kansas.

Generally located south of Maple, west of Hoover Road.

SUBJECT TO THE FOLLOWING PROTECTIVE OVERLAY RESTRICTIONS:

1. The following uses shall not be permitted: convenience store; drive-thru restaurant; cemetery; correctional placement residence; golf course; halfway house; recycling collection station; reverse vending machine; animal care, general; car wash; kennel; marine facility, recreational; night club; pawnshop; printing and publishing, general; recreation and entertainment, outdoor; and recreational vehicle campground.

2. A 6-foot high masonry wall shall be constructed parallel to the west property line. A 15-foot deep landscaped buffer shall be provided along the entire length of the west property line on the west side of the masonry wall. The landscaped buffer shall be planted with 1 shade tree or 2 ornamental trees per 30 lineal feet of frontage along Brummet.

3. If the vacant property north of the site develops with residential uses, a 6-foot high masonry wall shall be constructed along the north property line.

4. Light poles shall be limited to a maximum height of 14 feet.

5. Building exteriors shall share uniform architectural character and shall be predominantly earth-tone colors with vivid colors limited to incidental accent. Extensive use of backlit canopies and neon or fluorescent tube lighting on buildings shall not be permitted.

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, SEP 1 0 2002

ATTEST:

Pat Burnett, City Clerk

Bob Knight, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney

WICHITA–SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 4

STAFF REPORT

DAB V November 6, 2000
MAPC November 9, 2000

CASE NUMBER: ZON2000-00036

APPLICANT/AGENT: Ernest A. and Doris Irene Jordan (Owner/Applicant); Stephen M. Jordan (Agent)

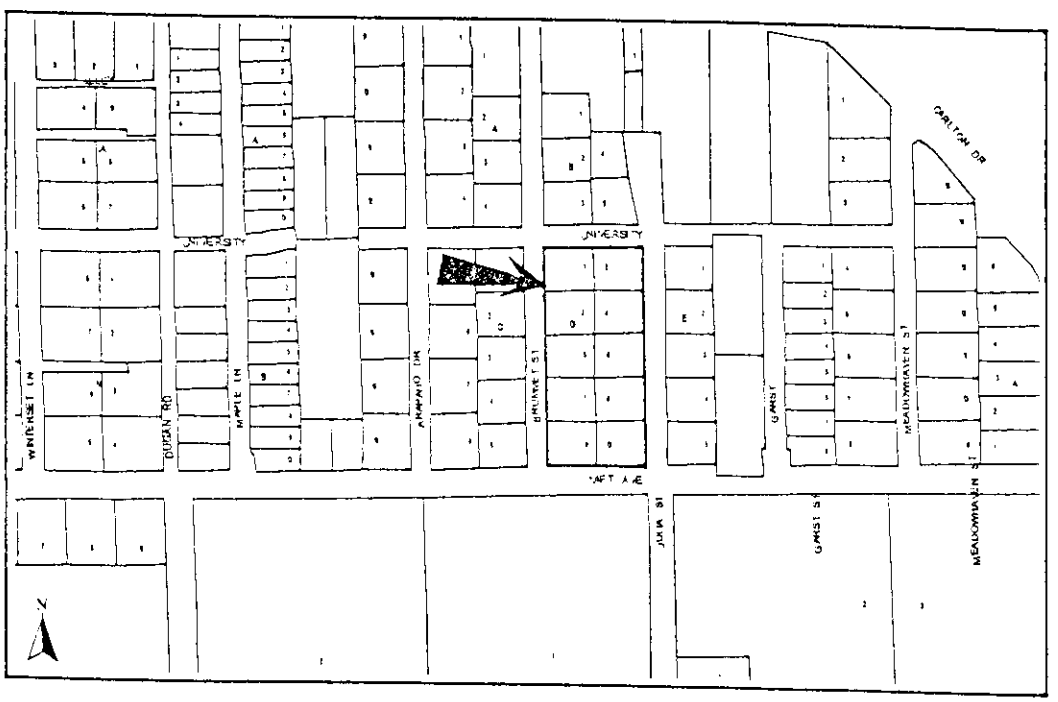
REQUEST: "LC" Limited Commercial

CURRENT ZONING: "SF-6" Single-Family Residential

SITE SIZE: 3.7 acres

LOCATION: Northwest corner of Taft and Julia

PROPOSED USE: Commercial development



BACKGROUND: The applicant requests a zone change from "SF-6" Single-Family Residential to "LC" Limited Commercial on a 3.7 acre platted tract located at the northwest corner of Taft and Julia. The applicant proposes to develop the site with commercial uses.

The surrounding area is characterized by large-scale commercial development south of Taft and single-family residential development north of Taft. The property west of the site across Brummet is zoned "SF-6" Single-Family Residential and is developed with single-family residences. The property north of the site across University right-of-way (street not constructed) is zoned "SF-6" Single-Family Residential and is undeveloped. The property east of the site across Julia is zoned "SF-6" Single Family Residential and is developed with two single-family residences and three vacant residential lots. The property south of the site across Taft is zoned "GC" General Commercial and is developed with a Wal-Mart.

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The surrounding area also is characterized by its proximity to the Mid-Continent Airport. The subject property is located under the approach to Mid-Continent Airport approximately one mile north of the end of the runway. Due to its location, the site is subjected to significant noise from aircraft.

CASE HISTORY: The site is in the West Maple Gardens Addition, which was recorded February 1, 1956. An application for "LC" Limited Commercial zoning (Z-3317) on the entire subject property was submitted by the applicant on February 22, 1999 and was subsequently withdrawn prior to hearing by the MAPC. On September 11, 2000, the MAPC heard a request by the applicant for "NR" Neighborhood Retail and "TF-3" Two-Family Residential zoning on the subject property. At that hearing, the applicant indicated that neighboring property owners had expressed opposition to the proposed duplexes and instead preferred the site to be developed with entirely commercial properties. Therefore, the applicant requested, and the MAPC approved, that the site be re-advertised for a zone change "LC" Limited Commercial on the entire subject property.

ADJACENT ZONING AND LAND USE:

NORTH:	"SF-6"	Undeveloped
SOUTH:	"GC"	Retail, General
EAST:	"SF-6"	Single-Family
WEST:	"SF-6"	Single-Family

PUBLIC SERVICES: The site has access to Taft, Julia, Brummet, and University. University is right-of-way only, and the street has not been constructed. Brummet is an unpaved local street. Taft is a four-lane collector street with traffic volumes of approximately 10,500 vehicles per day. Julia is a two-lane collector street with traffic

volumes of approximately 8,500 vehicles per day. The 2030 Transportation Plan does not estimate future traffic volumes for Taft or Julia.

If the property were developed entirely with high-traffic generating uses permitted in the "LC" Limited Commercial district such as convenience stores or drive-thru restaurants, the subject property could generate up to 3,600-4,500 additional vehicles per day. If the property were developed with a small strip shopping center containing specialty retail, service businesses, and small sit-down restaurants, the subject property would generate up to 1,250-1,500 additional vehicles per day.

Given the already high traffic volumes on Taft and Julia, any commercial development on the subject property will impact the ability of the surrounding collector streets to carry through traffic to the regional commercial center to the south. Therefore, planning staff recommends replatting of the property to address traffic issues. Depending upon the type of development approved for the site, planning staff will recommend conditions of replatting that may include: dedication of additional right-of-way, additional access control, and traffic improvements such as turn lanes, through lanes, and/or traffic signals.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the 1999 Update to the Comprehensive Plan identifies this area as appropriate for "Low Density Residential" development. The Commercial Locational Guidelines indicate that commercial convenience centers ranging in size from 2-4 acres are typically expected to develop at one or more corners of arterial intersections and may be appropriately located at the intersection of an arterial and a collector street, where proper turn lanes are in place or planned. The subject property is located at the intersection of two collector streets with traffic volumes approaching those of an arterial street. The Commercial Locational Guidelines also indicate that commercial development should have require site design features that limit noise, lighting, and other aspects of commercial activity that may adversely impact surrounding residential land uses.

RECOMMENDATION: Planning staff finds the subject property appropriate for commercial development for a number of reasons. First, the high traffic on Taft and Julia and the site's proximity to a regional commercial center make it unlikely that it would be developed as single-family. Second, the site is significantly impacted by noise from Mid-Continent Airport, which further reduces the likelihood that the site will develop with single-family residences. Third, the owners of the nearby properties along Julia are actively marketing their properties as commercial properties even though they are zoned residential, thus indicating a perception by neighbors that the Julia corridor between Taft and Maple is appropriate for commercial development. Fourth, the Comprehensive Plan indicates that commercial convenience centers are appropriate for high traffic intersections if proper turn lanes are provided.

While planning staff finds the subject property appropriate for commercial development, the types of uses permitted by the "LC" Limited Commercial zoning district (i.e., drive through restaurants, convenience stores, auto-related uses) are too intense for the site and would likely lead to congestion on the surrounding collector streets and adverse impacts from lighting, noise, and trash on surrounding residential land uses. Planning staff finds the subject property to be suitable for commercial development consisting of specialty retail, service businesses, and small, sit-down restaurants. These types of uses are permitted by the "NR" Neighborhood Retail zoning district. In addition, planning staff recommends site design features to limit the impact of commercial development on surrounding residential uses.

Based upon these factors and information available prior to the public hearings, planning staff recommends that the request for "LC" Limited Commercial zoning be DENIED and instead that "NR" Neighborhood Retail zoning be APPROVED, subject to replatting within one year and the following provisions of a Protective Overlay:

1. A 6 foot high masonry wall shall be constructed parallel to the west property line. A 15 foot deep landscaped buffer shall be provided along the entire length of the west property line on the west side of the masonry wall. The landscaped buffer shall be planted with 1 shade tree or 2 ornamental trees per 30 lineal feet of frontage along Brummet.

2. If the vacant property north of the site develops with residential uses, a 6 foot high masonry wall shall be constructed along the north property line.

3. Light poles shall be limited to a maximum height of 14 feet.

4. Building exteriors shall share uniform architectural character and shall be predominantly earth-tone colors with vivid colors limited to incidental accent. Extensive use of backlit canopies and neon or fluorescent tube lighting on buildings shall not be permitted.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The surrounding area is characterized by large-scale commercial development south of Taft and single-family residential development north of Taft. The zoning north, west, and east of the site is "SF-6" Single Family Residential. The zoning south of the site is "GC" General Commercial. The properties fronting Julia between Maple and Taft are mostly vacant and are being marketed as commercial properties despite their residential zoning. The surrounding area also is characterized by its proximity to the Mid-Continent Airport. The subject property is located under the approach to Mid-Continent Airport approximately one mile north of the end

DAB

of the runway. Due to its location, the site is subjected to significant noise from aircraft.

2. The suitability of the subject property for the uses to which it has been restricted: The site is zoned "SF-6" Single-Family Residential, which accommodates moderate-density single-family residential development and complementary land uses. Given the site's location along high-traffic streets, near a regional commercial center, and under the approach to an airport, it is unlikely that the site will develop with single-family residential uses.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Detrimental affects should be minimized by securing traffic improvements through replatting and by the recommended site design features.

4. Length of time the subject property has remained vacant as zoned: The subject property was platted into single-family residential lots in 1956 and has yet to develop with single-family residential units.

5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: Although the Land Use Guide of the 1999 Update to the Comprehensive Plan identifies this area as appropriate for "Low Density Residential" development, the Commercial Locational Guidelines indicated that commercial convenience centers ranging in size from 2-4 acres may be appropriately located at the intersection of an arterial and a collector street, where proper turn lanes are in place or planned. The subject property meets these criteria since it is located at the intersection of two collector streets with traffic volumes approaching those of an arterial street.

6. Impact of the proposed development on community facilities: Community facilities should not be adversely impacted as long as sufficient right-of-way, access controls, and traffic improvements are provided for through the replatting process.

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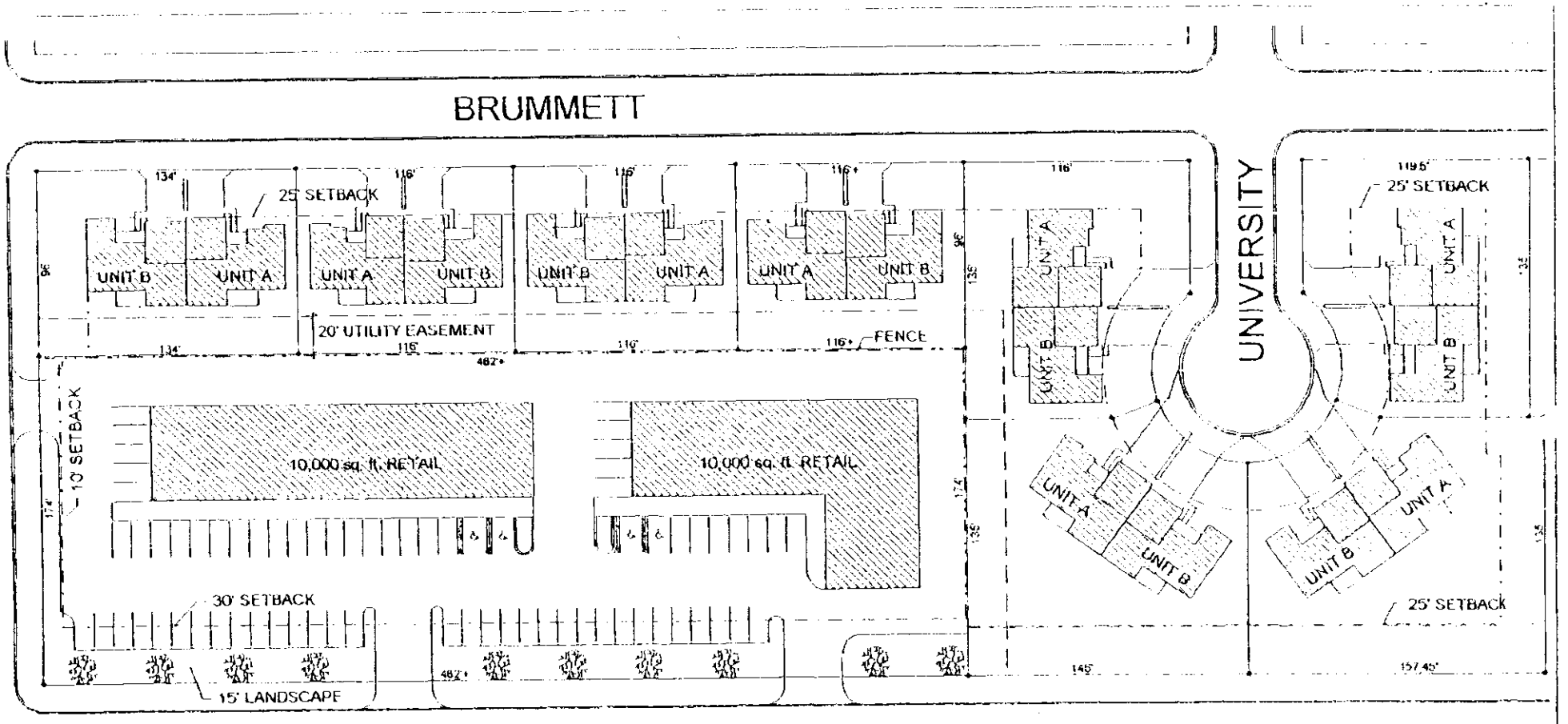
JORDAN BLD CO. 1
06/16/00 14:11 FAX 3169433238



PROPOSED SITE PLAN

SCALE: 1"=80'

Preferred.

No additional street widening shown.

Arlen Gfeller
ARCHITECTURAL DRAFTING SERVICES
312 Walnut, Peabody, KS 66866 * 316-983-2515

PLAN NO: JORDAN
DATE: 6-15-00 SHEET 1 OF 1