

ORDINANCE NO. 50-531

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. ZON2017-00004**

City zone change from SF-5 Single-Family Residential District to LI Limited Industrial District described as:

The North Half of the Southwest Quarter of Section 34, Township 26 South, Range 2 East of the Sixth Principal Meridian, Wichita, Sedgwick County, Kansas, Except the West 50 feet thereof for road and Except that part platted as "North Greenwich Addition", Wichita, Sedgwick County, together with the south 350 feet of the Northwest Quarter of Said Section 34.

**Protective Overlay #313**

1. All uses permitted by right in the "LI" Limited Industrial zoning district except the following uses: correctional facility; correctional placement residence, limited and general; day reporting center; recycling collection station, private and public; recycling processing center; kennel, boarding/breeding/training; night club in the city; pawn shop; secondhand store; sexually oriented business in the City; tattooing and body piercing facility (City); tavern and drinking establishment; asphalt or concrete plant, limited and general; transfer station; and grain storage.
2. Screening shall be per Unified Zoning Code; however, any fences or walls shall be constructed of a consistent pattern and color. Along Greenwich Road, a berm three feet tall planted with evergreen trees spaced no more than 30 feet apart shall be provided, with these trees located outside sight clearance zones of streets and drive openings, and except in platted reserves containing detention facilities.
3. Landscaping shall be governed by the Wichita Landscape Ordinance shall apply in addition to the following additional standards:
  - a) A landscape buffer of one (1) shade tree or two (2) ornamental trees shall be provided along the screening fence or wall;
  - b) A landscaped street yard shall be provided along Greenwich Road with an average depth of 20 square feet per lineal foot of frontage and one (1) shade tree or equivalent (two (2) ornamental trees or 10 shrubs per shade tree, but with a limit of no more than one-third of tree requirement being met by shrubbery);
  - c) Parking lot landscaping of one (1) tree per 20 parking spaces and allowing a credit for up to one-half the shade or ornamental trees in the landscaped street yard toward meeting this requirement;
  - d) Continuous parking lot screening (minimum height of three (3) feet of shrubbery within the third growing season) of any parking lot within 150 feet of Greenwich Road;
  - e) A landscape plan prepared by a Kansas Landscape Architect for each lot indicating the location, type, and specification of plant materials shall be submitted to the Planning Department for its review and approval prior to the issuance of any building permits(s) on this land.
4. Storage of merchandise shall be allowed outside an enclosed building only in compliance with the general screening standards of the Unified Zoning Code and the following additional standards:
  - a) No outdoor storage or work areas shall be permitted in the front setback;



**STAFF REPORT**  
MAPC April 6, 2016  
DAB II April 10, 2016

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**CASE NUMBER:** ZON2017-00004

**APPLICANT/AGENT:** Greenwich Investments, LLC.-Kevin Mullen/Baughman Co., P.A.-Russ Ewy

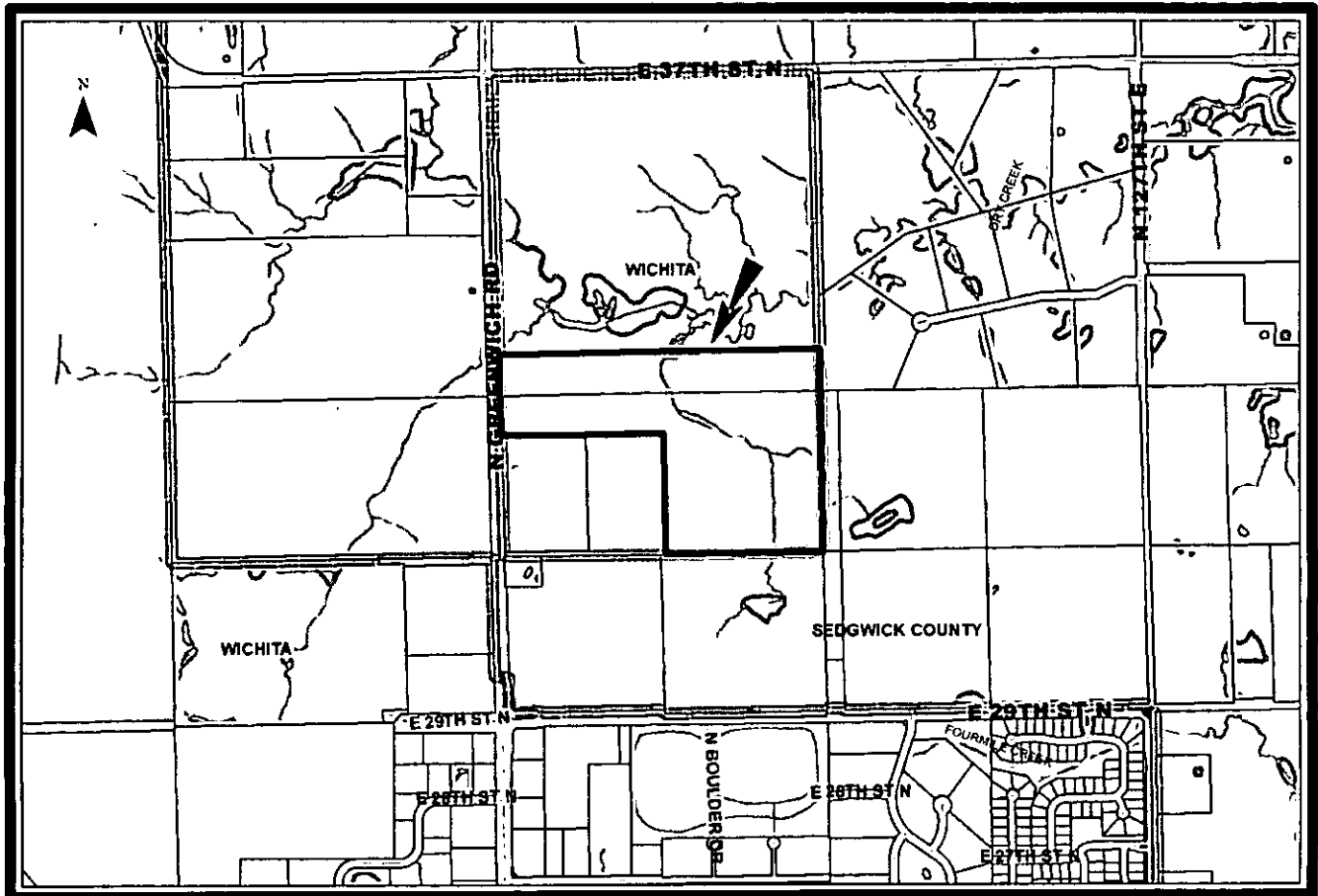
**REQUEST:** LI Limited Industrial

**CURRENT ZONING:** SF-5 Single-Family Residential

**SITE SIZE:** 71-acres

**LOCATION:** Located approximately 2,300 feet South of the Southeast Corner of North Greenwich Road and East 37<sup>th</sup> Street North, just North of Greenwich Elementary School.

**PROPOSED USE:** Limited Industrial Uses



**BACKGROUND:** The applicant is requesting a rezoning from the existing SF-5 Single-Family Residential (SF-5) to a LI Limited Industrial (LI) district for 71-acres located on the east side of North Greenwich Road, approximately 2,300 south of the southeast corner of North Greenwich Road and East 37<sup>th</sup> Street North. The site is north of Greenwich Elementary School. The applicant would like to establish LI zoning on the property as they believe non-residential development along North Greenwich Road from K-96 Highway will continue and be a desirable development option for the property.

The applicant is also the developer of Brookfield Addition, a new residential subdivision north of the subject property. The applicant believes it is reasonable to rezone the property to LI prior to selling lots in Brookfield Addition in anticipation of future non-residential development occurring near Brookfield Addition. Please see the attached narrative from the applicant.

In order to plan for the most desirable type of LI development, the applicant has submitted a Protective Overlay (PO). This overlay would prohibit certain uses that would not be appropriate at the property, and includes higher standards for landscaping and restrictions on outside storage and enhanced screening requirements. This language is similar to the Protective Overlay in place at Greenwich Business Center, south of the subject site at North Greenwich Road and East 29<sup>th</sup> Street North.

The proposed Protective Overlay is attached.

The subject property lies within Area A and Area C of the Wichita-Sedgwick County Airport Hazard Map. Area A has a 25-foot height limit and Area C has a 150-foot height limit.

The surrounding neighborhood is characterized primarily by rural and large lot residential uses. North of the property is Brookfield Addition, a recently approved single-family subdivision by the applicant. South of the site is Greenwich Elementary School. East of property are two large lot residential homes. West of the site is a large vacant agricultural parcel.

**CASE HISTORY:** The site is unplatted and vacant.

**ADJACENT ZONING AND LAND USE:**

NORTH:	SF-5	future single-family subdivision (Brookfield Addition)
SOUTH:	LC, RR	Greenwich Elementary, large lot residential
EAST:	RR	large lot residential
WEST:	SF-20,	agricultural/vacant

**PUBLIC SERVICES:** North Greenwich Road is a two lane rural road with graded ditches in front of the property. Municipal utilities are available to serve the site.

**CONFORMANCE TO PLANS/POLICIES:** The Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as residential and employment mix/new residential. The Plan envisions development of a mixed use nature, with an emphasis on higher density residential and employment uses. The North Greenwich Road corridor north of K-96 Highway is developing in this fashion and the proposed rezoning would allow development that is consistent with this trend.




**RECOMMENDATION:** Based upon information available prior to the public hearings, planning staff recommends that the request be **APPROVED**.

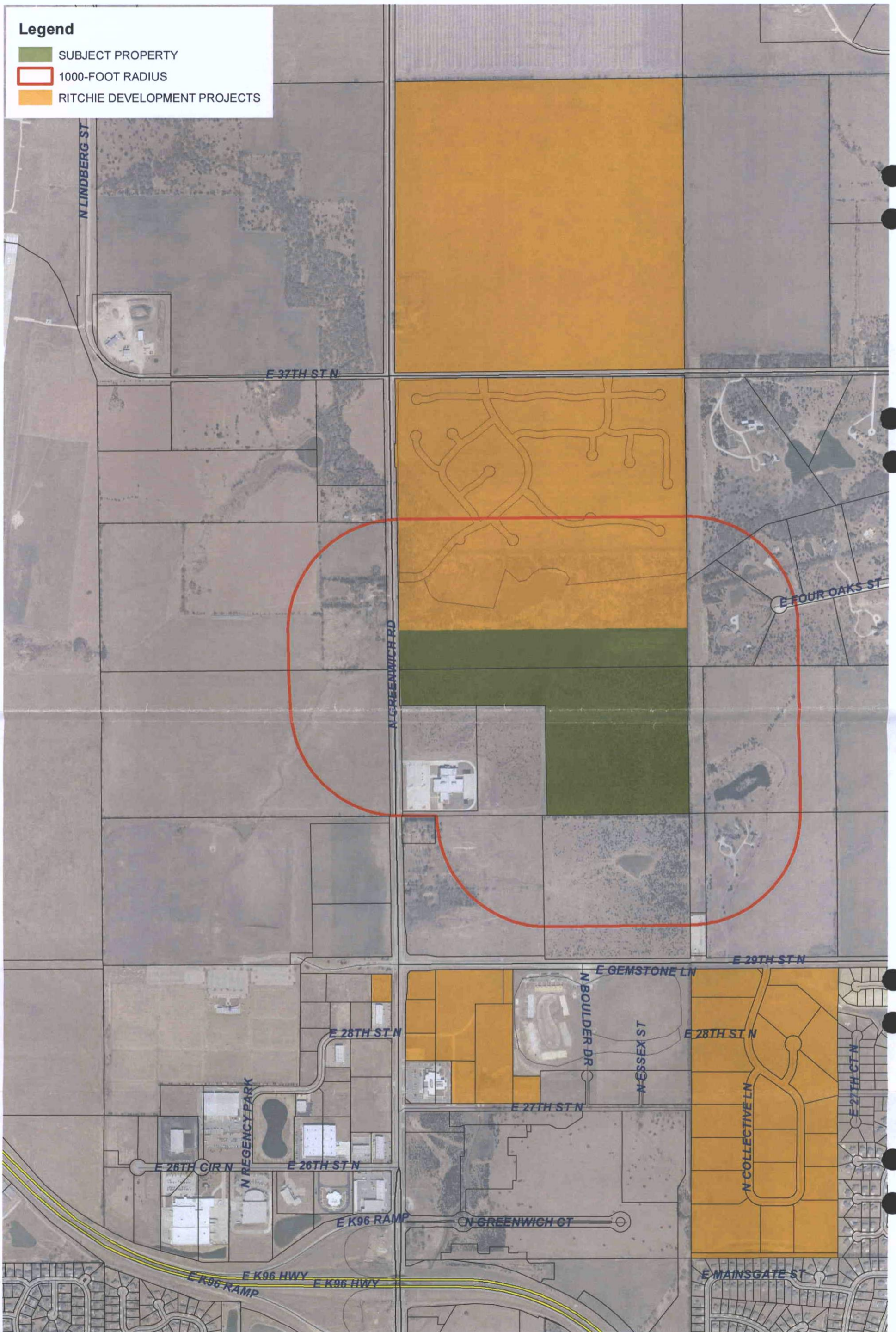
This recommendation is based on the following findings:

Elementary School. East of property are two large lot residential homes zoned RR. West of the site is a large vacant agricultural parcel that is zoned RR.

- (2) **The suitability of the subject property for the uses to which it has been restricted:** The site is currently zoned SF-5 and the property could be developed with this existing zoning classification. Non-residential development is found south of the property, near K-96 Highway. It is reasonable to expect this non-residential development to continue north along North Greenwich Road based on market demand. Rezoning the property would facilitate future development and provide a greater tax base and employment opportunities than could be realized with the existing zoning district.
- (3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** Impact on surrounding property due to the requested zone change should be minimal. The proposed Protective Covenant will provide additional regulations on uses, landscaping, setbacks and screening that will help provide a higher level of development quality.
- (4) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The Wichita-Sedgwick County Comprehensive Plan, the Community Investments Plan, identifies the site as residential and employment mix/new residential. The Plan envisions development of a mixed nature, with an emphasis on higher density residential and employment uses. The North Greenwich Road corridor north of K-96 Highway is developing in this fashion and the proposed rezoning would allow development that is consistent with this trend.
- (5) **Impact of the proposed development on community facilities:** Municipal utilities are available to serve the site. Public improvements would have to be extended throughout the site at the time of development at the applicant's expense.

**Legend**

-  SUBJECT PROPERTY
-  1000-FOOT RADIUS
-  RITCHIE DEVELOPMENT PROJECTS



**ZON2017-04**  
**BROOKFIELD INDUSTRIAL ADDITION ZONE CHANGE EXHIBIT**

