

OCA 150004

ORDINANCE NO. 50-552

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. ZON2017-00017

City zone change from MF-29 Multi-Family Residential District to LC Limited Commercial District described as: Odd lots 23-39 inclusively, along Meridian Avenue, Richmond's Addition to Wichita, Sedgwick County, Kansas

SECTION 2. The zone change is subject to the provisions of a Protective Overlay, as follows:

1. All uses shall be limited to those allowed by right in the NR zoning district, EXCEPT that the maximum allowed size for a retail building shall be 8,500 square feet.
2. Property development standards shall be per the LC, Limited Commercial zoning district, except as modified by the Protective Overlay.
3. All parking lot lights shall be shielded and directed downward.
4. One pylon sign shall be allowed except no sign shall be greater than 100 square feet.
5. No building signs shall be allowed on the west and south building elevations.
6. Buildings shall be constructed using earth tone colors.
7. No outdoor storage except that retail sales displays are allowed within 10 feet of the building.
8. Landscape and screening shall be per the landscape ordinance.
9. Maximum building height to be 35 feet.
10. Maximum building coverage shall not exceed 35 percent.

SECTION 3. 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.

Jeff Longwell
Jeff Longwell, Mayor

ATTEST:

Karen Sublett
Karen Sublett, City Clerk



Approved as to form: *Jennifer Magaña*
Jennifer Magaña, City Attorney and Director of Law
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STAFF REPORT
DAB VI June 5, 2017
MAPC May 18, 2017

CASE NUMBER: ZON2017-00017

APPLICANT/AGENT: Ronnie Beard (applicant), Kaw Valley Engineering, Tim Austin (agent)

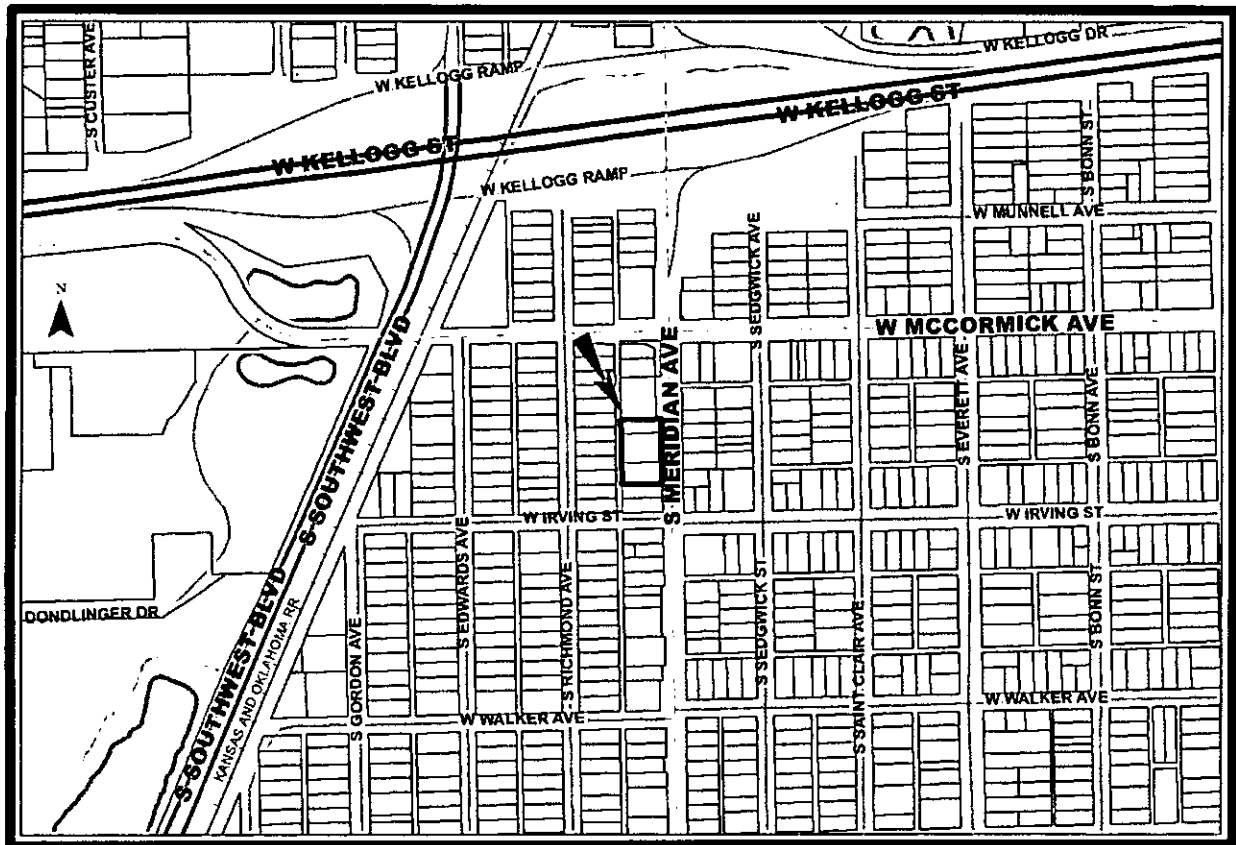
REQUEST: LC Limited Commercial District

CURRENT ZONING: MF-29 Multi-Family Residential District

SITE SIZE: 0.67-acres

LOCATION: Generally located on the west side of Meridian Street, approximately 300' south of McCormack Avenue (1031 S. Meridian)

PROPOSED USE: Retail building



BACKGROUND: The applicant is requesting a rezoning from MF-29 Multi-Family Residential District (MF-29) to LC Limited Commercial District (LC). The property is a 1.6-acre site improved with a single-family home and accessory building located at 1031 South Meridian Street, the west side of South Meridian Street, 300' south of West McCormick Avenue.

The applicant believes the site can best be developed with a retail use to serve the nearby neighborhood. While the proposed LC would allow a variety of commercial uses at this location, a general retail use as envisioned by the applicant would be the most appropriate use of the property. There is similar LC zoning north of the subject property so the zoning request is compatible existing zoning in the area.

A Protective Overlay (PO) has been submitted by the applicant as an approach to provide the most desirable development at the property. This overlay would limit uses to those permitted in the NR Neighborhood Retail District (NR), prohibit outdoor storage and adds restrictions on lighting and building design. The PO language includes a maximum retail building size of 8,500 square feet, and increase over the 8,000 square foot maximum of the NR district.

The suggested language of the PO is listed below:

1. All uses shall be limited to those allowed by right in the NR zoning district, EXCEPT that the maximum allowed size for a retail building shall be 8,500 square feet.
2. Property development standards shall be per the LC, Limited Commercial zoning district, except as modified by the Protective Overlay.
3. All parking lot lights shall be shielded and directed downward.
4. One pylon sign shall be allowed except no sign shall be greater than 100 square feet.
5. No building signs shall be allowed on the west and south building elevations.
6. Buildings shall be constructed using earth tone colors.
7. No outdoor storage except that retail sales displays are allowed within 10 feet of the building.
8. Landscape and screening shall be per the landscape ordinance.
9. Maximum building height to be 35 feet.
10. Maximum building coverage shall not exceed 35 percent.

The property located north of the subject property is zoned LC and is improved with a retail building. South of the site is a single family home zoned MF-29. East of the site is are single family homes zoned MF-29, and a small office zoned NO Neighborhood Office (NO). To the west of the subject property are single family homes on South Richmond Avenue zoned a TF-3 Two-Family Residential District (TF-3).

CASE HISTORY: The property is platted as Lots 23 through 39 in Richmond's Addition, 1886.

ADJACENT ZONING AND LAND USE:

North:	LC	retail building
South:	MF-29	single-family home
East:	MF-29, NO	single-family home, office
West:	TF-3	single family residential

PUBLIC SERVICES: South Meridian Street is a fully improved commercial arterial streets. The site is served by all municipal and private utilities and services.

CONFORMANCE TO PLANS/POLICIES: The Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as residential. The site is in the Established Central Area

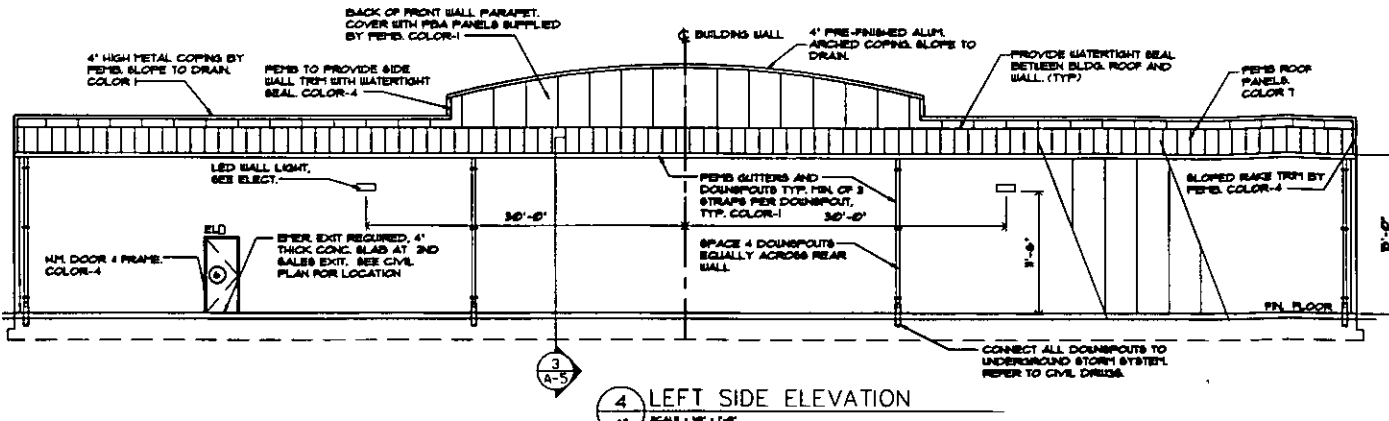
(ECA), and can be considered an area of opportunity for redevelopment. Neighborhood serving retail can be appropriate along arterial streets on small infill sites if the scale of design is suited for the area and desirable site design features are included. A commercial development of the site would provide greater tax base and employment opportunities.

RECOMMENDATION: Based upon the information available at the time the staff report was completed, staff recommends approval of the request. This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The property located north of the subject property is zoned LC and is improved with a retail building. South of the site is a single family home zoned MF-29. East of the site is are single family homes zoned MF-29, and a small office zoned NO Neighborhood Office (NO). To the west of the subject property are single family homes on South Richmond Avenue zoned TF-3 Two-Family Residential District (TF-3).
2. The suitability of the subject property for the uses to which it has been restricted: The property may not be ideally suited for development with the existing MF-29 zoning. There is no multi-family development in the vicinity of the subject property and this indicates the area is not best suited for the existing zoning.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The proposed LC zoning would have no more significant impact than development with the existing MF-29 zoning. The multi-family zoning would permit a 45-foot building height. The PO would limit building height to 35 feet, providing less potential impact on nearby property. This helps demonstrate how the proposed Protective Overlay will provide restrictions on the site that will help prevent any adverse impact on nearby property.
4. Length of time the property has been vacant as currently zoned: This 1.6-acre site is developed with a single-family home. While the site is not vacant, it has not developed with a multi-family project utilizing the existing zoning. This would indicate that the MF-29 zoning is not ideally suited for the property.
6. 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. The site is in the Established Central Area (ECA), and can be considered an area of opportunity for redevelopment. Neighborhood serving retail can be appropriate along arterial streets on small infill sites if the scale of design is suited for the area and desirable site design features are included. A commercial development of the site would provide greater tax base and employment opportunities.
7. Impact of the proposed development on community facilities: Development of the property would not have any impact on community facilities or resources. All public improvements are available to serve the property.

Staff Report Attachments:

1. Zoning Exhibit



DOWNPOUT NOTE:
DOWNPOUTS PLACED EQUALLY APART TYP. NO DOWNPOUT MAY BE PLACED WITHIN 1' OF A DOOR FRAME. USE A MINIMUM OF THREE STRAPS PER DOWNPOUT, TYPICAL.

GENERAL EXTERIOR NOTE:
PROVIDE SLEEVE, BOOT, OR OTHER APPROPRIATE PENETRATION MATERIAL FOR A CLEAN TRANSITION FROM EXTERIOR TO INTERIOR FOR ALL CONDUIT, WIRE, PIPE, ETC. OWNER MUST APPROVE METHOD AND FINISH BEFORE BUILDING COMPLETION.

STORMFRONT FINISHING & GLAZING NOTE:
GENERAL CONTRACTOR SHALL VERIFY AND COMPLY WITH ANY GOVERNING REQUIREMENTS FOR IMPACTED RATED GLAZING AND/OR STORMFRONT FINISHING. GLAZING UNITS SHALL HAVE A MINIMUM 7" OVERALL THICKNESS. PROVIDE THE FOLLOWING CLEAR GLAZING FROM CLOACASTE GLASS OR EQUAL: 68% VISIBLE TRANSMITTANCE AND 0.75% U-Factor (AIR FILL) 1/2" CLEAR.

MINIMUM GLAZING VALUES ARE:
U-Factor: 0.30, VISIBLE TRANSMITTANCE: 68%

GENERAL NOTE:
GENERAL CONTRACTOR SHALL INSTALL SHIMMER. FAMILY DOLLAR STORE SHIMMER VENDOR SHALL PURCHASE SHIMMER AND METAL SUPPORTS AS REQUIRED FOR SHIMMER INSTALLATION. GENERAL CONTRACTOR SHALL COORDINATE INSTALLATION AND BACKING FOR METAL SUPPORTS. GENERAL CONTRACTOR SHALL PROVIDE ELECTRICAL SERVICE AND CONNECTIONS FOR SHIMMER. VERIFY ELECTRICAL DEMAND OF SHIMMER WITH FAMILY DOLLAR STORE. COORDINATE ACCESS PANEL LOCATION FOR SHIMMER MOUNTED ON SIDES OR REAR OF BUILDING FAMILY DOLLAR STORE.

METAL PANEL NOTES:

1-TYPICAL SYSTEM STANDING BEAM ROOF SYSTEM WITH THERMAL BLOCS FOR ALL PROJECTS. G.C. TO PROVIDE ROOF WITH A 20 YEAR WEATHER TIGHTNESS WARRANTY.

2-THE WALL PANELS ARE ATTACHED BY SELF-DRILLING CORROSION RESISTANT TYPE LONG LIFE CARBON STEEL FASTENERS WITH WED HEAD AND SEALING WASHER (OR EQUAL) FOR ALL EXTERIOR METAL WALL PANELS. FASTENER COLOR TO MATCH PANEL BEING FASTENED.

3-METAL BUILDING LEAVE ME. TO BE ADJUSTED AS REQUIRED TO MAINTAIN FAMILY DOLLAR STANDARD CEILING HEIGHT.

VERIFY W/ SPECIFIC METAL BLDG. CO.

STORMFRONT NOTE:
GENERAL CONTRACTOR SHALL VERIFY AND COMPLY WITH ANY GOVERNING REQUIREMENTS FOR IMPACTED RATED STORMFRONT SYSTEMS.

GC TO PROVIDE KEY BOX FOR LOCK ACCESS DURING FINCH-OUT AND TURNOVER COORDINATION FOR FAMILY DOLLAR. SEE SHEET T-1 FOR NICHHA CONTACT INFO.

NICHHA PANELS 10 AND 11 ARE SPECIFICALLY MADE FOR FAMILY DOLLAR. SEE SHEET T-1 FOR NICHHA CONTACT INFO.

THE ARCHITECT AND ENGINEER DO NOT DEFINE THE SCOPE OF THE INDIVIDUAL TRADES. SUBCONTRACTORS, MATERIAL SUPPLIERS OR VENDORS. ANY SURETY ENDORSING SYSTEM USED MUST IDENTIFY DISCIPLINES ARE SOLIDLY TO SEPARATE THE ARCHITECTS AND ENGINEERS SCOPE. IT DOES NOT DEFINE A SUBCONTRACTORS SCOPE OF WORK. NO CONSIDERATION WILL BE GIVEN TO REQUESTS FOR CHANGE ORDERS FOR FAILURE TO OBTAIN AND REVIEW THE COMPLETE SET OF DRAWINGS AND SPECIFICATIONS.

MATERIALS ARE TO BE APPROVED BY FAMILY DOLLAR STORE. COLORS ARE CRITICAL AND MUST BE APPROVED BY FAMILY DOLLAR STORE REPRESENTATIVE IF THEY DIFFER FROM THE BENJAMIN MOORE COLORS SHOWN BELOW.

NO.	AREA	TYPE	COATS	COLOR
1	METAL WALL PANELS	MID-WEST - PISA PANEL NICOOR - ACCENT PANEL VP - VEE RIS PANEL	PRE-FINISHED	MID-WEST COLOR 'SADDLE TAN' NICOOR COLOR 'SAGEBRUSH TAN' VP COLOR 'TAN' BENJAMIN MOORE MATCHING COLOR 'D EBI DARK SAND'
2	CANOPY	FABRIC ON ALUMINUM FRAME	PRE-FINISHED	BY TRIYANTAGE. PRODUCTITE-LITE 2623. COLOR RED.
3	NICHHA FIBER CEMENT WALL PANEL	EDA62E (18"x24") CINDER BLOCK-BROWN PANELS	PRE-FINISHED	MANUFACTURER'S STANDARD MOUNTED TO PISA REVERSE 'R' PANELS. REFER TO SHEET A-1 FOR DETAILS.
4	DOORS, GUTTERS, DOWNPOUTS, MET TRIM & PARAPET COPING	METAL BUILDING MANUFACTURER	PRE-FINISHED	MID-WEST COLOR 'SADDLE TAN' NICOOR COLOR 'SAGEBRUSH TAN' VP COLOR 'TAN' BENJAMIN MOORE MATCHING COLOR 'D EBI DARK SAND'
5	NICHHA FIBER CEMENT WALL PANEL	ARCHITECTURAL BLOCK SERIES-COLOR TUSCAN	PRE-FINISHED	MANUFACTURER'S STANDARD MOUNTED TO PISA REVERSE 'R' PANELS. REFER TO SHEET A-1 FOR DETAILS. BENJAMIN MOORE MATCHING COLOR 'D EBI KHAKI'
6	STEEL BOLLARDS	EXTERIOR LATEX	2	MATCH BENJAMIN MOORE 'D EBI SAFETY RED'
7	METAL ROOF	STANDING BEAM	PRE-FINISHED	COOL ARCTIC WHITE (PRE-FINISHED) (PROVIDE 20 YEAR WEATHER TIGHTNESS WARRANTY FOR ALL PROJECTS)
8	METAL TRIM	SEE DETAILS ON A-1	PRE-FINISHED	TAN (PRE-FINISHED) MATCH 'D EBI DARK SAND'
9	NICHHA FIBER CEMENT WALL PANEL - 'RED BAND'	ILLUMINATION'S LARGE BLOCK (18"x24") PANEL	PRE-FINISHED IN FD RED	MANUFACTURER'S STANDARD MOUNTED TO PISA REVERSE 'R' PANELS. REFER TO SHEET A-1 FOR DETAILS. MATCH BENJAMIN MOORE 'D EBI SAFETY RED'
10	NICHHA FIBER CEMENT WALL PANEL	TUFFBLOCK LARGE BLOCK (18"x24") PANEL WITH TEXTURED FINISH	PRE-FINISHED	MANUFACTURER'S STANDARD MOUNTED TO PISA REVERSE 'R' PANELS. REFER TO SHEET A-1 FOR DETAILS. MATCH BENJAMIN MOORE 'D EBI LIGHT SAND'

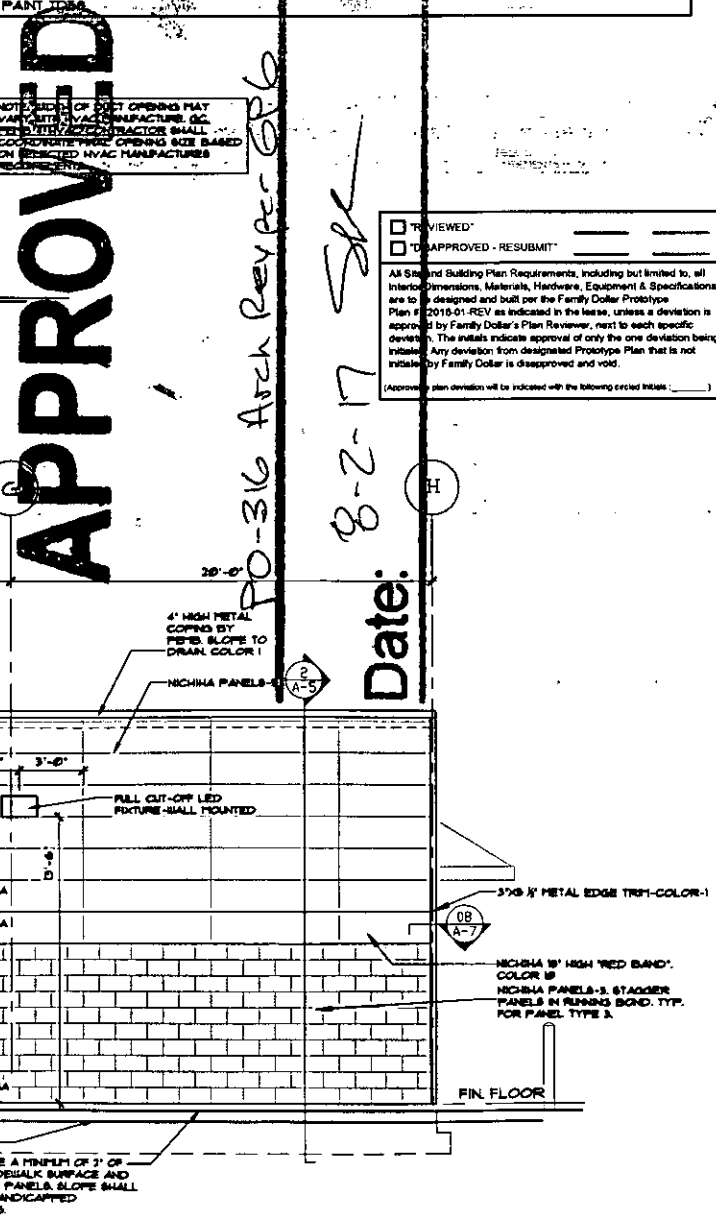
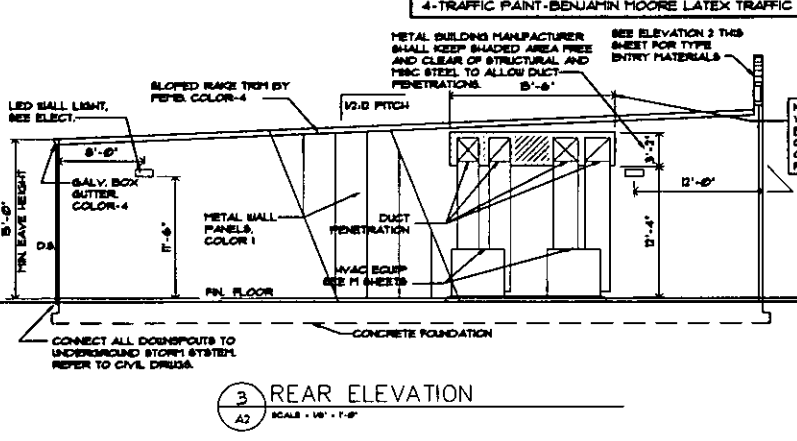
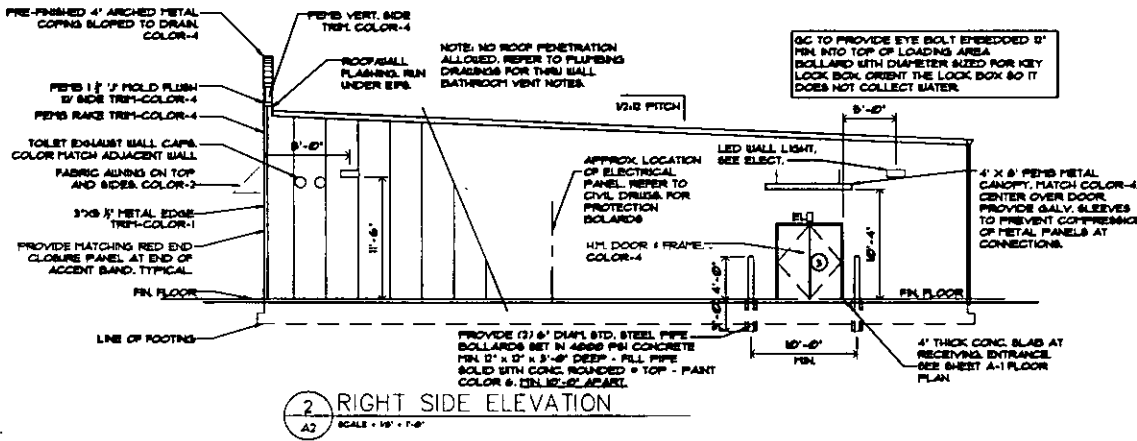
EXTERIOR FINISH NOTES:

1- IF METAL BUILDING IS USED, G.C. TO SUBMIT MANUFACTURER'S STANDARD COLORS TO FAMILY DOLLAR FOR APPROVAL.

2- REFER TO PAINT ORDERING INSTRUCTIONS ON SHEET T-1.

3- EXTERIOR PAINT (OTHER THAN TRAFFIC PAINT) - BENJAMIN MOORE. ULTRA SPEC HP DTM ACRYLIC SEMI-GLOSS ENAMEL - HP29

4- TRAFFIC PAINT - BENJAMIN MOORE LATEX TRAFFIC PAINT 1000.



APPROVED

PO-316 Arch Rev per GR6

Date: 8-2-17 SJK

REVIEWED
 APPROVED - RESUBMIT

All Shop and Building Plan Requirements, including but limited to, all Interim Dimensions, Materials, Hardware, Equipment & Specifications, are to be designed and built per the Family Dollar Prototype Plan # 2016-01-REV as indicated in the notes, unless a deviation is approved by Family Dollar's Plan Reviewer, next to each specific deviation. The initials indicate approval of only the one deviation being indicated. Any deviation from designated Prototype Plan that is not indicated by Family Dollar is disapproved and void.

(Approve when deviation will be indicated with the following checked boxes: _____)

architecture + interior design

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Email: esd@isdarch.com

FAMILY DOLLAR STORE
2016-01-REV-126X66-MIRRORED
WICHITA, KS-1031 SOUTH MERIDIAN
Prepared for SBA CONSTRUCTION

6-9-17

ISSUE DATE: 6-9-17

REVISION 1: _____
REVISION 2: _____
REVISION 3: _____
REVISION 4: _____

PROJECT #: 17-168
CONTENT: ELEVATIONS & SCHEDULES
PROJECT ARCHITECT: JDP
DRAWN BY: VW
CADD FILE NAME: 17-168_CD/A-2

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