

RESOLUTION NO. 205-1997

A RESOLUTION CHANGING THE ZONING CLASSIFICATION FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C AS ADOPTED BY RESOLUTION NO. 57-1997.

BE IT RESOLVED BY THE GOVERNING BODY OF SEDGWICK COUNTY, KANSAS.

SECTION I. 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-C of the Wichita Sedgwick County unified Zoning Code, the zoning classification or district of the lands legally described hereby are changed as follows:

Case No. SCZ-0749

Zone change request from "SF-20" Single-Family Residential District to "GO" General Office District and "MF-18" Multi-Family Residential District and to "P-O" Protective Overlay District #23 on property described as:

The east 1200 feet of the south half of the Northeast Quarter of Section 6, Township 27 South, Range 1 West of the 6th P.M., except the east 40 feet for road purposes; together with a tract of land described as : Beginning at the northeast corner of the Southeast Quarter of Section 6, Township 27 South, Range 1 West of the 6th P.M.; thence bearing south 1 degrees 22' 49" west along the east line of said Southeast Quarter a distance of 236.23 feet; thence bearing north 89 degrees 48' 16" west a distance of 1200.38 feet; thence bearing north 1 degrees 24' 27" east a distance of 236.23 feet to the north line of said Southeast Quarter; thence along said north line bearing south 89 degrees 48' 16" east a distance of 1200.27 feet to the point of beginning, except the east 40 feet for road purposes. Generally located ½ mile north of 21st Street North on the west side of Maize Road.

SUBJECT TO THE FOLLOWING PROTECTIVE OVERLAY RESTRICTIONS:

A. For the portion of the site to be rezoned to "GO":

1. Development shall be limited to a maximum gross floor area of 217,800 square feet.

2. All free-standing signs shall be monument-type signs with a maximum height of 20 feet.
3. Architectural Control:
 - A. All buildings shall share the similar architectural character, color, texture, and the same predominate exterior building material. Building walls and roofs shall have predominantly earth-tone colors, with vivid colors limited to incidental accent.
 - B. All parking lot light poles shall be of the same color and design, and shall have cut-off fixtures which direct light away from nearby residential areas. Light poles must be limited to a maximum height of 14 feet.
4. All buildings shall be limited to 35 feet in height with a maximum of 2 stories.
5. No multi-family uses, group homes or group residences, or correctional placement residences shall be permitted. Nursing homes, assisted living, single-family, and duplexes shall be permitted.
6. Landscaping shall comply with the landscape ordinance of the City of Wichita, except that street yard landscaping shall be calculated at 1.5 times the minimum ordinance requirements.

B. For the portion of the site to be rezoned to "MF-18":

1. Landscaping shall comply with the landscape ordinance of the City of Wichita, except that the "landscaped street yard" requirements shall also apply to this development.
2. A maximum of 310 total dwelling units is permitted.

SECTION II. That upon the taking effect of this Resolution, the notation of such zone change shall be entered in the official zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the official county paper.

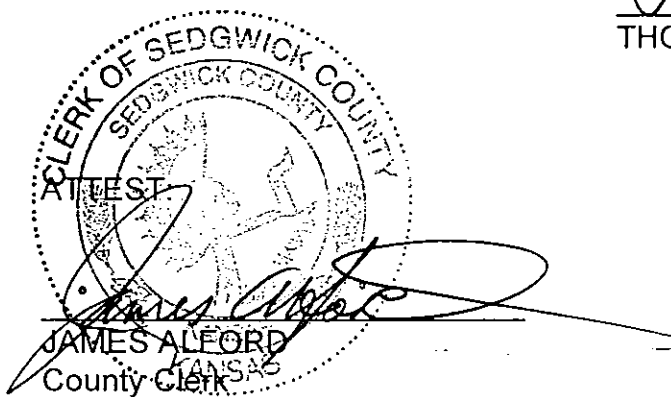
Commissioners present and voting were:

BETSY GWIN	<u>Aye</u>
PAUL W. HANCOCK	<u>Aye</u>
THOMAS G. WINTERS	<u>Aye</u>
MELODY C. MILLER	<u>Aye</u>
MARK F. SCHROEDER	<u>Aye</u>

DATED this 24th day of September, 1997.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

Thomas G. Winters
THOMAS G. WINTERS, Chairman



APPROVED AS TO FORM ONLY:

Allen McKinnery Brown
Assistant County Counselor

STAFF REPORT

MAPC August 28, 1997

CASE NUMBER: SCZ-0749

APPLICANT/AGENT: David D. Cranmer (property owner); Socora Village Company, c/o Larry A. Chambers (contract purchaser); Gary Wiley, P.E.C. (agent)

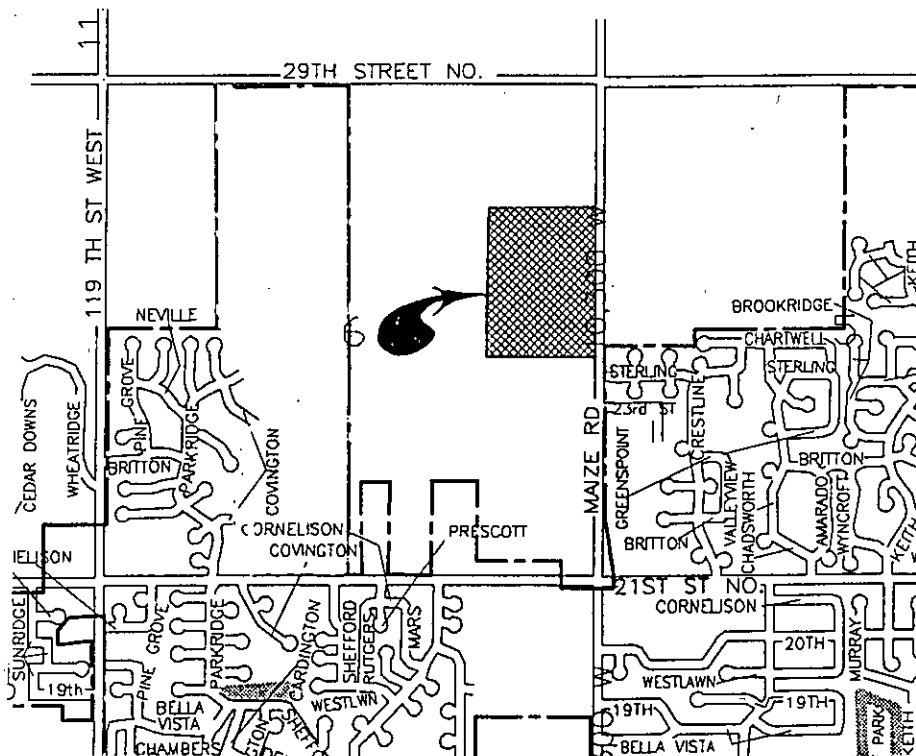
REQUEST: Zone change to "GO" General Office and "MF-18" Multi-Family Residential

CURRENT ZONING: "SF-20" Single-Family Residential

SITE SIZE: 42.84 acres

LOCATION: ½ mile north of 21st Street North, west of Maize Road.

PROPOSED USE: Office park and apartment development



BACKGROUND: The applicant requests a zone change from "SF-20" Single-Family Residential to "GO" General Office (21.14 acres) and "MF-18" Multi-Family Residential (21.7 acres) for an 42.84 acre unplatted tract located approximately ½ mile north of 21st Street North on the west side of Maize Road. The applicant proposes an office and multi-family development in association with the 65 acre Newmarket Square commercial development adjacent to the subject property to the south.

The southern portion of the subject property is the location of the Cranmer Grass Farming, Inc. business, with the balance of the tract developed and used for agricultural and residential purposes. There is one structure located to the southwest of one of the two small ponds located within the application area, with another home west of the application area, near the center of the section that is served by a drive that bisects the application area.

The Chadsworth residential subdivision (and current city limits) is located approximately 300 feet southeast of the application area on the east side of Maize Road, with the Aberdeen 2nd Addition residential subdivision located approximately ¼ mile west of the subject property. Both areas are zoned "SF-6" Single-Family Residential. To the north is undeveloped property included in the Pracht Wetlands and two homes located approximately 500 feet to the northwest, all on property zoned "SF-20" Single-Family Residential. South of the site is the proposed Newmarket Square commercial development (currently being platted) that was approved for "LC" Limited Commercial zoning on January 24, 1996 by the Board of County Commissioners.

The most recent information pertaining to wetlands from the Sedgwick County Soil Conservation District and the Soil Survey of Sedgwick County indicates that nearly half of the site is situated within the Pracht Wetlands boundary and within the 100 year flood plain. Also, the portion of the subject property located outside of the wetlands includes Vanoss silt loam soil, which is commonly associated with wetlands. According to the survey, the soil type will not preclude the development of the site, however prior to developing this site the applicant would need to meet with the Corps of Engineers and acquire all necessary permits for the protection and management of any wetland or riparian areas located within the application area.

The applicant has volunteered to place a number of development restrictions on the property, in order to address concerns about permitted uses in the "GO" district and the aesthetic impact of office development in this area. The Protective Overlay proposed by the applicant includes standard provisions typically found in commercial C.U.P.s and in other P-Os, such as increased landscaping, signage controls, use limitations, and architectural restrictions. The P-O also allows minor adjustments to the provisions is approved by the Director of Planning and the Zoning Administrator.

The applicant submitted a conceptual plan that shows the proposed development of 115.2 net acres, that includes the subject property, the Newmarket Square commercial

development, and a 76.9 acre single-family development located to the west with 236 residential lots. The plan shows an east-west collector street, entering the development from Maize Road approximately 2,000 feet south of 29th Street, separating the multi-family district from the office district, and then serving the single-family residential portion of the development. Staff has indicated that, due to the potential traffic generation from the total development area, it would be desirable to provide an internal circulation system that connects the multi-family/office area and the southern portion of the single-family area across the commercial tract to the major opening on 21st Street. This will be further discussed with the plats for these parcels. The plan currently shows 14.3 acres reserved for a detention lake between the different land use parcels. Staff also has expressed a desire to work with the developer during the platting process to set aside a portion of the property for a public park for active recreation activities.

CASE HISTORY: Part of the application area was approved for a nursing home by the Board of County Commissioners on May 15, 1968.

ADJACENT ZONING AND LAND USE:

NORTH:	"SF-20"	Pracht Wetlands; Two single-family residences; Agricultural uses
SOUTH:	"LC" & "GC" (approved)	Cranmer tree farm; Undeveloped commercial
EAST:	"SF-20"	Pracht Wetlands; Agricultural uses; Single-family residences
WEST:	"SF-20"	Agricultural uses; Single-family residence

PUBLIC SERVICES: City water and sewer maps indicate that municipal water and sewer services are located nearby and can be extended to serve this site. The subject property has access to Maize Road, a 2-lane paved arterial with 40 feet of existing half-street right-of-way. Existing traffic along Maize Road is 6,446 average daily trips (ADT), and projected (without taking into account the recent zoning changes) to increase to 8,950 ADT by the year 2020. As stated in the staff report for the zone change south of the application area (SCZ-0703) the additional commercial and office zoning recently approved could potentially cause traffic volumes at the intersection of Maize Road and 21st Street to increase to approximately 50,000 ADT by the year 2020, of which approximately 19,900 ADT would be generated by the Newmarket Square commercial development.

City Engineering staff indicate that the City is planning to construct road improvements to widen Maize Road between 21st Street and the Newmarket Square's major entrance to 7-lanes, and then to 5-lanes further north to the ½ mile line (north line of "LC" and south line of proposed office parcel). The County is expected to widen Maize Road to 5-lanes from that point north to the proposed collector street serving the office/multi-family development, and from that entrance north to 45th Street to 4-

lanes. These improvements are scheduled in the latest edition of the Sedgwick County C.I.P. to be designed in 1998 and constructed in 2001. Also, the 21st Street and Maize Road intersection will be improved by the City in the near future, which would widen the intersection and install additional turn lanes and decel/accel lanes. The applicant indicates that he is also working with City Engineering staff to coordinate the completion time frame, as well as share in the cost of these road improvements.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies most of this area as appropriate for low-density residential uses, with the northeast portion reserved for parks and/or open space as part of the Pracht Wetlands complex. The plan's locational guidelines for office uses states that such uses (1) should generally be located adjacent to arterials, (2) that local, service-oriented offices should be incorporated within or adjacent to neighborhood and community commercial developments, and (3) low-density office uses can serve as a transitional land use between residential uses and uses of a higher intensity. The Plan recommends that medium density residential uses (1) serve as a transitional land use between low and high density residential uses as well as serve to buffer lower-density residential from commercial uses, (2) be located within walking distance of neighborhood commercial centers, parks, schools and public transportation routes and be in proximity to employment concentrations, major thoroughfares and utility trunk lines, (3) be directly accessible to arterial or collector streets so that their traffic does not pass through less intensive land uses, and (4) be sited where they will not overload or create congestion.

The application area is also within and adjacent to the "New Growth" boundary, a category that is intended to identify an adequate amount of land to accommodate anticipated growth through the year 2001.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to platting the property within 1-year and subject to the additional provisions of a Protective Overlay (P-O) district, as outlined below. If the existing lake and land east of that lake on the proposed multi-family tract has been officially proposed for protection as part of the Pracht Wetlands complex, then that entire portion of the tract should be platted as a "reserve."

A. For the portion of the site to be rezoned to "GO":

1. Development shall be limited to a maximum gross floor area of 217,800 square feet (this is 25 percent of the $\pm$ 20.0 net acres, which is a similar density to the Tallgrass office park).
2. All free-standing signs shall be monument-type signs with a maximum height of 20 feet.

3. Architectural Control:

- A. All buildings shall share the similar architectural character, color, texture, and the same predominate exterior building material. Building walls and roofs shall have predominantly earth-tone colors, with vivid colors limited to incidental accent.
 - B. All parking lot light poles shall be of the same color and design, and shall have cut-off fixtures which direct light away from nearby residential areas. Light poles must be limited to a maximum height of 14 feet.
- 4. All buildings shall be limited to 35 feet in height with a maximum of 2 stories.
 - 5. No multi-family uses, group homes or group residences, or correctional placement residences shall be permitted. Nursing homes, assisted living, single-family, and duplexes shall be permitted.
 - 6. Landscaping shall comply with the landscape ordinance of the City of Wichita, except that street yard landscaping shall be calculated at 1.5 times the minimum ordinance requirements.

B. For the portion of the site to be rezoned to "MF-18":

- 1. Landscaping shall comply with the landscape ordinance of the City of Wichita, except that the "landscaped street yard" requirements shall also apply to this development.
- 2. A maximum of 310 total dwelling units is permitted (this is less than the 370 units $\pm$ that would be permitted theoretically at 18 dwelling units per net acre, but does allow a density of about 18 units per acre on the land after subtracting out the lake area).

This recommendation is based on the following findings:

- 1. The zoning, uses and character of the neighborhood: The surrounding area contains a mixture of agricultural uses, existing and developing single-family residential uses, and developing commercial uses. Areas to the north and east of the site are classified as wetlands, therefore restricting the ability for those areas to develop with either residential or non-residential uses. The proposed zoning would be providing a zoning buffer typically found between commercial and low-density residential zoning districts.

2. Extent to which removal of the restrictions will detrimentally affect nearby property: The proposed development will introduce additional traffic to the area, although minor in comparison to the impact that the commercial development to the south will create, as compared to the uses that would otherwise develop under the existing residential zoning. However, the scheduled road improvements and the proposed Protective Overlay will combine to mitigate those impacts.
3. Conformance of the requested change to adopted or recognized Plans and Policies: Although not mapped on the Plan's land use guides, the request is consistent with the Comprehensive Plan's locational guidelines for both office and medium-density residential uses. The "layering" of the zoning districts from south to north, and separated with a collector street, conforms with standard land use patterns and practices.
4. Impact of the proposed development on community facilities: City water and sewer maps indicate that municipal water and sewer services are located nearby and can be extended to serve this site. The proposed development will increase traffic volumes along Maize Road, however, several road improvements are planned in the near future in order to accommodate the projected traffic volumes.