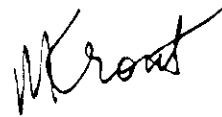


RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION  
TO BOARD OF COUNTY COMMISSIONERS

**PROPOSED AGENDA ITEMS :** SCZ- 0699 Request for zone change from 'R-1' Suburban Residential to 'LC' Light Commercial, located north of 21st Street North and east of Greenwich Road.

**PRESENTED BY:** Marvin S. Krout, Director of Planning



**PROPOSED AGENDA DATE:** December 13, 1995

**COMMISSION DISTRICT #1**

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MAPC Recommendation: Approve, subject to platting within one year, and subject to recording the voluntary development plan agreement.

Staff Recommendation: Approve, subject to platting within one year, and subject to recording the voluntary development plan agreement.

Background/Discussion: The applicant requests a zone change from the 'R-1' Suburban Residential District to the 'LC' Light Commercial District for 13 acres located in an area north of 21st Street North and east of Greenwich Road. The subject property is currently undeveloped. No uses are proposed for the site at this time. However, the subject property would be developed in conjunction with the 6 acre tract of 'LC' zoning located at the northeast corner of the intersection.

The subject property is bordered by a single family home to the north and the K-96 Expressway further to the north, agricultural uses to the south and east, as well as property on the west side of Greenwich Road between 21st Street and the K-96 Expressway that is proposed for 'LC' Light Commercial and 'E' Light Industrial zoning (SCZ-0700).

The Comprehensive Plan recommends that commercial areas be developed as "planned centers" which have site design features which limit noise, lighting, and other activity so as to not adversely impact surrounding properties. In Wichita, commercial developments of this size (6 acres or more) are handled as a community unit plan (CUP) to address property ingress and egress, parking, drainage facilities, screening, sign controls, environmental control, aesthetics, and other requirements and amenities. However, the community unit plan regulations are not included in the current County Zoning Code. The proposed "Unified Zoning Code for Wichita-Sedgwick County" would include CUPs as a development option for developers in Wichita, as well as the

unincorporated portions of Sedgwick County.

In order to address concerns about permitted uses in the 'LC' zoning district and the aesthetic impact of commercial development, the applicant has volunteered to place a number of restrictions on the property as part of a voluntary development plan that would be included in the agreement with the City for Wichita water service and made enforceable by the City, since this property is close to the City limits and will eventually be annexed into the City. This agreement is similar a voluntary agreement that was submitted with a rezoning request northeast of Central and Greenwich Road that was approved by the Board of County Commissioners in December 1994. The restrictions proposed by the applicant include the standard general provisions typically found in commercial CUPs in Wichita, such as proposed uses, architectural compatibility, pedestrian circulation, screening and landscaping, etc.

- Recommended Action:
1. Adopt the findings of fact of the Metropolitan Area Planning Commission and approve the zone change subject to the condition of platting; adopt a resolution establishing the zone change and instruct the Planning Department to withhold publication until the plat has been recorded with the Register of Deeds; or
  2. Return to the Planning Commission for reconsideration.

(An override of the Planning Commission's recommendation requires a 2/3rd majority vote of the membership of the governing body on first hearing).

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Applicants: Harry B. Brown, Jr., 800 N. Dublin Wichita, KS 67206  
George Sgernabm 8609 Stoneridge Wichita, KS 67206  
PEC P.A. c/o Gary Wiley, 303 S. Topeka Wichita, KS 67202

Protestors: None

RESOLUTION NO. 269-1995

A RESOLUTION CHANGING THE ZONING CLASSIFICATION FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED IN SECTION 7.C OF THE ZONING REGULATIONS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984, AND SUBSEQUENTLY AMENDED.

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 17.C of the Zoning Regulations, the zoning district of the lands legally described below are hereby changed as follows:

**Case No. SCZ-0699**

Zone change from 'R-1' Suburban Residential to 'LC'Light Commercial on property generally located north of 21st Street North and east of Greenwich Road.

Described as:

A tract of land in the Southwest quarter of Section 3, Township 27 south, range 2 east of the 6th P.M., Sedgwick County, Kansas, described as follows:

Beginning at a point on the west line and 600 feet north of the SW corner of said Section 3; thence north along the west line of said SW 1/4, 646.25 feet; thence east, parallel to the south line of said SW 1/4, 772.24 feet ; thence south, parallel to the west line of said SW 1/4 1246.25 feet to a point on the south line of said SW 1/4; thence west along the south line of said SW 1/4, 172.24 feet; thence north, parallel to the west line of said SW 1/4, 600 feet; thence west, parallel to the south line of said SW 1/4, 600 feet to the point of beginning; except the west 50 feet and the south 40 feet for road right-of-way. The above described tract contains 12.93 acres more or less.

**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:

|                   |               |
|-------------------|---------------|
| PAUL W. HANCOCK   | <u>yes</u>    |
| THOMAS G. WINTERS | <u>yes</u>    |
| MELODY C. MILLER  | <u>yes</u>    |
| MARK F. SCHROEDER | <u>yes</u>    |
| BETSY GWIN        | <u>absent</u> |

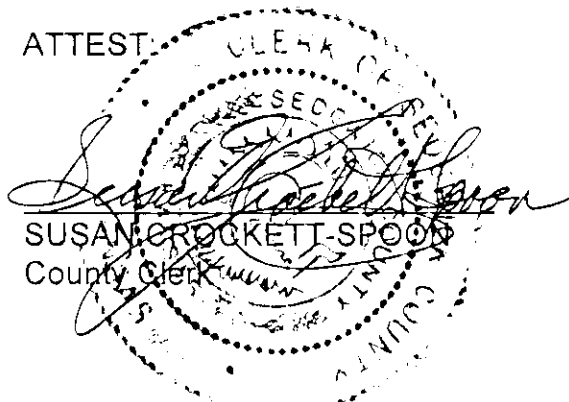
DATED this 13th day of December, 1995.

BOARD OF COUNTY COMMISSIONERS OF  
SEDGWICK COUNTY, KANSAS

MARK F. SCHROEDER, Chairman

THOMAS G. WINTERS, Chairman Pro Tem

ATTEST:



SUSAN CROCKETT-SPOON  
County Clerk

BETSY GWIN, Commissioner

APPROVED AS TO FORM ONLY:

PAUL W. HANCOCK, Commissioner

County Counselor/Assistant

MELODY C. MILLER, Commissioner

TRACT 1

20' UTILITY EASEMENT

100'-0" SETBACK

50'-0" SETBACK

20'-0" SETBACK

FUTURE BUILDING  
TRACT 2

20' UTILITY EASEMENT

10' UTILITY EASEMENT

FIRE HYDRANT

CURB INLET

REMOVE EXIST. CURVED WALK AND PROVIDE NEW CURB CUT AND SIDEWALK RAMPS

CURB INLET

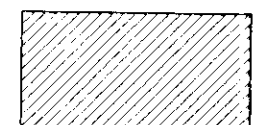
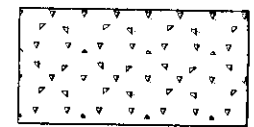
FIRE HYDRANT

EXISTING CURB CUT

SECTION LINE

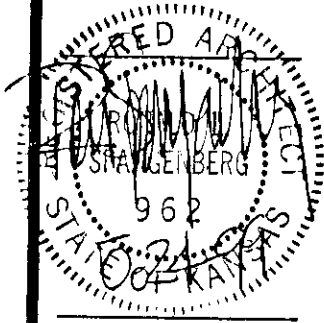
21ST STREET NORTH

LEGEND

-  ASPHALT PAVING
-  8" THICK CONCRETE CURB CUT PER CITY OF WICHITA STANDARDS

**SITE PLAN**

SCALE: 1" = 30'



|            |             |
|------------|-------------|
| TOTAL REV  | 21 MAY 99   |
| TOTAL REV  | 22 APRIL 99 |
| DUMPSTER   | 17 MAR 99   |
| PERMIT SET | 10 MAR 99   |
| ISSUE      | DATE        |

SITE, GRADING AND UTILITY PLANS  
CBK-SP1-AR SITE.DWG

**SP1**

SPANGENBERG ARCHITECTS  
PHILLIPS  
ARCHITECTURE

224 E. Douglas, Fifth Floor  
Wichita, KS 67202  
T 316.267.4002  
F 316.267.1509

COMMUNITY BANK  
OF WICHITA

GREENWICH AND 21ST STREET  
WICHITA, KANSAS