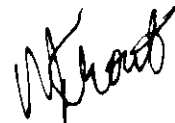


RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

PROPOSED AGENDA ITEMS : SCZ-0777 - request for zone change from "SF-20" Single-Family District to "LC" Limited Commercial, and "GO" General Office; and

DP-237 - request for approval of Community Unit Plan, located south of 37th Street North and east of Ridge Road.

PRESENTED BY: Marvin S. Krout, Director of Planning



PROPOSED AGENDA DATE: December 30, 1998

COMMISSION DISTRICT #4

MAPC Recommendation: Approve, subject to platting within 1 year and conditions (10-1).

Staff Recommendation: Approve, subject to platting within 1 year and conditions.

Background/Discussion: The applicant is requesting a zone change from "SF-20" Single-Family Residential to "LC" Limited Commercial and "GO" General Office, and the creation of the Ridge Port North Community Unit Plan on approximately 83 acres of unplatted land located at the southwest corner of 37th Street North and Ridge Road.

The applicant has submitted a plan which shows this 83-acre tract divided into six parcels. Parcel 1 (70.0 acres) has frontage along 37th Street and Ridge Road and is proposed to be zoned "GO" but would exclude uses such as group homes, correctional placement residences, recycling collection stations and marine facilities, and would be limited to a maximum of eight buildings. The prospective purchasers are in negotiation with Via Christi on the use of this land as a satellite medical campus similar to the facility being developed at Webb Road near 29th Street North. This Parcel would also have an approximately 15-acre drainage reserve located on it. The location of this reserve will be determined at the time of platting.

The applicant is requesting three openings for Parcel 1 to Ridge Road and three openings for Parcel 1 to 37th Street North. There are four additional openings to Ridge Road for the balance of the Parcels, plus a proposed street dedication; and there are two additional openings to 37th Street North for the other Parcels. The applicants have agreed to limit maximum building coverage and gross floor area to 25 percent of

the 55 acres of developable land contained on Parcel 1. That would reduce the potential floor area from over 1,000,000 square feet to about 600,000 square feet, still a very significant development. Apartments would be permitted, but the applicants have agreed to limit this use to 20 acres of the parcel.

Parcel 2 (6.16 acres) is located at the northwest corner of the C.U.P. This Parcel has frontage on both streets and, as previously stated, is proposed to have one exclusive opening and one joint opening to 37th Street North, and will share two openings to Ridge Road with Parcel 3 and Parcel 4. Parcel 3 (0.92 acre) is located at the corner of 37th Street and Ridge Road. Parcel 4 (0.92 acres) is south of the intersection and faces only Ridge Road. Parcel 5 (1.38 acres) is located approximately 1200 feet south of 37th Street and faces Ridge Road. Parcel 6 (3.59 acres) is located just south of Parcel 5 across a proposed 84-foot wide street dedication and faces Ridge Road.

The applicants are requesting Parcels 2-6 be zoned "LC" Limited Commercial, but exclude the following uses: adult entertainment establishments, group homes, group residential, halfway houses, correctional placement residences, private clubs, taverns, and drinking establishments. Restaurants that serve liquor can be developed and may serve liquor, as long as food is the primary service of the restaurant. These five parcels will be limited to 35 percent floor area ratio, and the maximum building coverage limited to 30 percent. All of these parcels will be limited to one building except for Parcel 2, which will be limited to three buildings, and Parcel 6, which will be limited to two buildings.

A masonry wall will be constructed along the exterior of the C.U.P., except where there is reserve area. For the areas where there is at least a 300 foot wide reserve area no wall would be required.

The applicant is proposing each parcel to be permitted signage consistent with the sign code for "LC" zoning, which is equal to 80 percent of that lot's frontage, except for Parcel 1 which is zoned "GO." All signs would be monument-type and limited to 20 feet in height. Signage in the "GO" district varies with the number of tenants.

Traffic and drainage issues will be addressed at the time of platting.

There is undeveloped land to the north and west which is zoned "LC" Limited Commercial and "SF-20" Single-family. The land to the south is also undeveloped but is zoned "SF-20" and "SF-6." The undeveloped property to the east is zoned "SF-20"

At the December 3rd MAPC hearing, the applicant's agent spoke about the request. No neighbors spoke in opposition to this request. After discussion, the MAPC voted to approve Parcel 1 for "GO" General Office and Parcels 2, 3, 4, 5, and 6 for "LC" Limited Commercial. However, Parcels 5 and 6 would be limited to "NR" uses and indoor recreation, restaurants except no drive in or drive-thru, funeral home and motel/hotel. This rezoning application is subject to platting the property within one year.

Recommended Action:

1. Adopt the findings of fact of the Metropolitan Area Planning Commission and approve the zone change and C.U.P. subject to the condition of platting; adopt the resolution and authorize the chairman to sign; 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).

Applicants:

Ken-Win Farms Inc % Bruce Ott 6406 N 119th Street W Wichita KS 67101

Jay Russell 12602 W 13th Wichita KS 67235

Ritchie Associates Inc % Kevin Mullen 8100 E 22nd Street N Bldg 1000 Wichita KS 67226

Baughman Co PA % Terry Smythe 315 Ellis Wichita KS 67211

Protestors:

None

SCZ 0777

CW00-1014 (First Published in The Daily Reporter, October 4, 1999) (Corrected and republished June 16, 2000)

ORDINANCE NO. 44-265

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 CITY OF WICHITA CODE SEC. 28.04.010.

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 City of Wichita Code Sec 28.04.010, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. SCZ-0777

Zone change request from "SF-20" Single-Family Residential District to "LC" Limited Commercial District, described as:

Lots 2 through 6 and Reserves "A", "B", "C", and "E", Ridge Port North Addition, Wichita, Sedgwick County Kansas;

AND

Zone change request from to "SF-20" Single-Family Residential District to "GO" General Office, described as:

Lot 1 and Reserve "D", Ridge Port North Addition, Wichita, Sedgwick County Kansas.

Generally located on the southeast corner of 37th Street North and Ridge Road.

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, June 8, 1999.

Bob Knight, Mayor

ATTEST: (Seal)

Pat Burnett, City Clerk
(Jul16)

LW

X