

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

PROPOSED AGENDA ITEM: SCZ-0796 – Request for zoning from “SF-20” Single-Family Residential and “LC” Limited Commercial to “LC” Limited Commercial and;
DP-250 – The creation of Starwest Community Unit Plan for commercial development, located on the northwest corner of 37th street North and Ridge Road.

PRESENTED BY: Marvin S. Krout, Director of Planning 

PROPOSED AGENDA DATE: January 19, 1999

COMMISSION DISTRICT #4

MAPC Recommendation: Approve, subject to platting within 1 year and conditions (14-0).

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

Background/Discussion The applicant is requesting the creation of a Community Unit Plan for 28.5 acres at the northwest corner of 37th Street North and Ridge Road, with the entire C.U.P. being zoned “LC” Limited Commercial. The majority of the site is currently zoned “SF-20” Single-Family; however, 6.7 acres located nearest the intersection of 37th Street North and Ridge Road already are zoned “LC”.

The proposed C.U.P. has six parcels. Parcel 1 is the main tract and would be 20 acres in size. It is situated behind Parcels 2, 3, 4, and 5, which are just over an acre in size each, and are located along the arterial frontage on Ridge Road and along 37th Street North near Ridge. Two major openings are shown for Parcel 1. The opening onto Ridge is a 100-foot space situated between Parcels 2 and 3. The major opening onto 37th is located roughly in the middle of the parcel, but is less than the desired 400-foot separation with the joint opening. The applicant has agreed to shift the major opening to the west by 40 feet.

Parcel 6 is 3.44 acres and is limited to serving as a drainage and open space reserve to provide for the Big Slough North as it flows through the western edge of the application area. A large portion of the property was shown as being in the 100-year floodplain based on 1986 flood maps.

The applicant proposes each parcel to permit all uses in the "LC" zoning district except for adult entertainment establishments, group homes, group residential, halfway houses, correctional placement residences, private clubs, taverns, and drinking establishments. Restaurants that serve liquor would be permitted as long as food was the primary service of the establishment. All uses that require "Conditional Use" permits in the "LC" districts would be permitted only by amending the C.U.P.

Each parcel would be limited to 30 percent maximum building coverage and 35 percent floor area ratio. All buildings would be limited to 35 feet in height. Setbacks along streets are shown at 35 feet on property lines of the C.U.P. except for Parcel 1 with a 100-foot setback for the main parcel. A screening wall six feet in height constructed of masonry would be required along the northern property line where the adjacent property is zoned for residential use. Landscaping would include a landscape buffer along the northern and western property lines, and landscape street yards along 37th Street North and Ridge Road.

Signage restrictions would prohibit flashing signs (except time and temperature and public message displays), rotating or moving signs, signs with moving lights or that create illusions of movement; portable signs and off-site signs, signs on the rear of buildings, and window display signs in excess of 25 percent of window area. Parcels 2, 3, 4, and 5 each would be permitted one ground sign along the arterial where the parcels have frontage, with maximum sign area as follows: Parcel 2, 170 square feet; Parcel 3, 170 square feet; Parcel 4, 200 square feet; and Parcel 5, 160 square feet. It is proposed that Parcel 1 be permitted a total of two free-standing signs, one each on Ridge and 37th. If the parcel were to be developed with a single tenant, the signs would be limited to 200 square feet of sign area on each frontage; if it were to be developed with multiple tenants, the signs would be limited to 300 square feet of sign area on each frontage. The amount of sign area requested for Ridge exceeds guidelines for free-standing sign area in the "LC" district, however the amount requested for 37th Street is less than allowed. The overall amount of signage requested falls within "LC" guidelines for free-standing signs.

All free-standing signs would be of a monument type, with a maximum height of 20 feet for Parcels 2, 3, 4, and 5 and would be 30 feet for Parcel 1. A suggested definition of a monument sign, until the Sign Code is amended, is that it be a detached sign where the width of the base of the sign is at least ½ of the width of the widest part of the sign face, or where the base consists of two or more supports where the sign face is not more than two feet above the average grade of the ground. The materials of the base shall be one of the following: masonry, wood, anodized metal, stone or concrete. A monument sign shall harmonize with the architecture of the structure or complex it serves and be constructed of materials consistent with the same.

The applicant proposes all parcels share a uniform architectural character, color, texture, and the same predominant exterior building material. The applicant proposes similar or consistent lighting elements, with the height of light poles to be 24 feet. Extensive use of back lit canopies and neon or fluorescent tube lighting on buildings is

not permitted.

The applicant proposes access via one major opening, one joint opening, and one additional opening on both Ridge Road and on 37th Street North, for a total of six openings.

The application area is undeveloped agricultural land. It is located in an area that is undergoing urban development. The tract to the southeast of 37th and Ridge, DP-237 Ridgeport C.U.P. is being developed with medical offices and is the proposed site for a new hospital facility for Via Christi. Housing, offering a range of densities and types is being developed in the area surrounding Ridgeport C.U.P. The property immediately to the south of the application area is undeveloped, but was the subject of two recent zoning/C.U.P. cases. DP-242, Ridge Centre C.U.P. was approved for 17.15 acres of "GO" General Office and "NR" Neighborhood Retail uses. Ridge Centre is located on the southwest corner of 37th and Ridge, immediately to the south of Parcels 4, 5 and part of Parcel 1. Another application has been filed, but deferred, for a "B" Multi-Family project. The property to the east of Ridge is still in agricultural use. The property to the north is primarily agricultural, with two suburban residences and a "NR"/"Conditional Use" for a greenhouse along Ridge Road. The application area is only one-half mile south of the interchange of Ridge Road and K-96.

At the meeting of MAPC held on December 16, 1999, the Commission voted (14-0) to approve the requested rezoning and the C.U.P. in conformance with staff comments, but with the replacement of Condition 1(D) with the alternate condition providing cross-lot circulation rather than an public street to serve potential access needs for the property to the north and northwest of the application area.

The applicant has submitted a revised C.U.P. to reflect a more accurate representation of the floodway. This has shifted the parcel boundary between Parcel 1 and 6 eastward. The size of Parcel 1 has decreased from 20.19 acres to 19.14 acres, with a commensurate decrease in maximum building coverage from 268,874 square feet to 250,170 square feet. These changes do not represent a major change from the site plan as reviewed by MAPC.

Recommended Action:

1. Concur with the findings of the MAPC and approve the zoned change and C.U.P. subject to the condition of platting within one year; 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:

Ritchie Investment Company 8100 E 22 Street North Bldg 1000 Wichita KS 67226

Westar Development Co Inc 3520 Ingleside Road Shaker Heights OH 44122

Baughman Company PA Phil Meyer 315 Ellis Wichita KS 67211

Protestors:

None

Rec'd

(_____) Published in the Daily Reporter on APR 14 2000

ORDINANCE NO. 44-636

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 after 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-0796

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

Starwest Addition, Wichita, Sedgwick County Kansas.

Generally located at the northwest 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, APR 11 2000

ATTEST:

Pat Burnett
Pat Burnett, City Clerk



Bob Knight
Bob Knight, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf
Gary E. Rebenstorf, City Attorney

RECEIVED

APR 20 2000

METROPOLITAN PLANNING
ROUTE _____