

CW00-1023 (First Published in The Daily Reporter, April 7, 2000) (Corrected and republished June 16, 2000)

CORRECTED

ORDINANCE NO. 44-632

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-0788

Zone change request from "SF-20" Single-Family Residential District to "NR" Neighborhood Residential District, described as:

Lots 1, 2 8 and 9, Hoskinson 2nd Addition, Wichita, Sedgwick County Kansas;

AND

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

Lots 3-7, Hoskinson 2nd Addition, Wichita, Sedgwick County Kansas.

Generally located on the southwest 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, April 4, 2000.

Bob Knight, Mayor

ATTEST: (Seal)

Pat Burnett, City Clerk

(Ju16)



LW

8
 3B

STAFF REPORT

MAPC April 15, 1999

MAPC April 29, 1999

This request was deferred from the April 15th MAPC hearing due to a lack of a quorum

CASE NUMBER: DP-242 Ridge Centre Community Unit Plan and SCZ-0788

APPLICANT/AGENT: Central Sand, Inc. c/o Dick Hoskinson (Owner); Walter Morris (Contract Purchaser) and Austin Miller c/o Dave Yearout

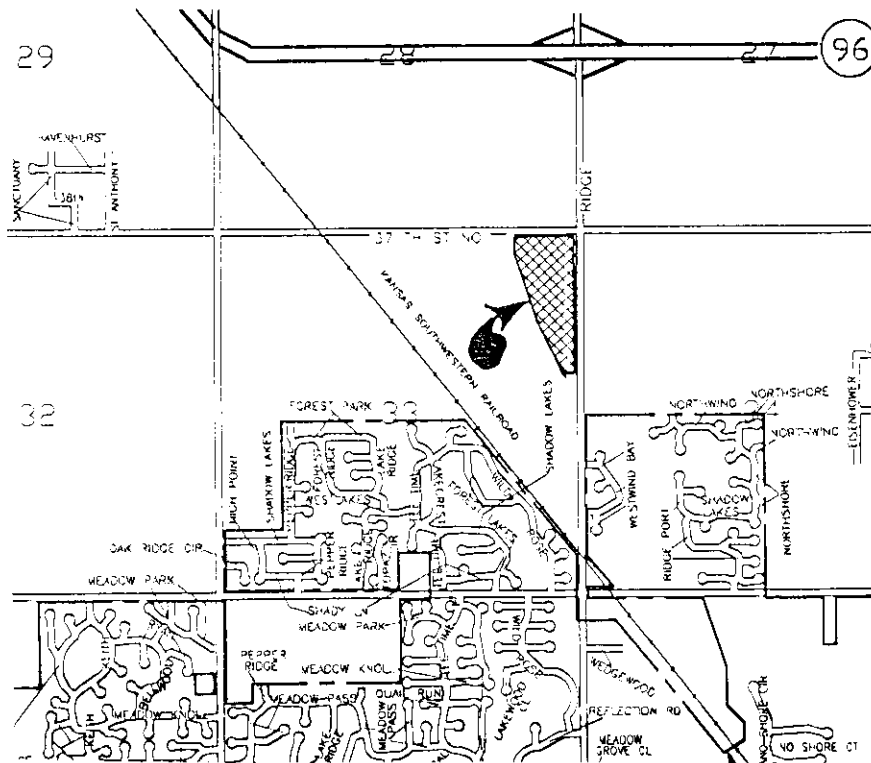
REQUEST: Creation of DP-242 Ridge Centre C.U.P. and zone change request to "LC" Limited Commercial

CURRENT ZONING: "SF-20" Single-family residential

SITE SIZE: 17.15 acres

LOCATION: South of 37th Street North and west of Ridge Road

PROPOSED USE: Office and commercial development



BACKGROUND: The applicant is requesting to rezone a 17.15 acre unplatted tract located south of 37th Street North and east of Ridge Road from "SF-20" to "LC" Limited Commercial and create DP-242 Ridge Centre C.U.P.

The applicant proposes to divide the 17.15 acre unplatted tract into nine parcels. Parcel 1 (3.13 acres), Parcel 2 (0.93 acre), Parcel 8 (1.17 acres) and Parcel 9 (3.18 acres) would be permitted all uses in the "GO" General Office District except correctional placement residences, limited and general; group homes, recycling collection stations and industrial uses. Parcel 3 (.93 acre), Parcel 4 (.92 acre), Parcel 5 (5.31 acres), Parcel 6 (1.07 acres) and Parcel 7 (0.51 acre) would be permitted uses in the "LC" Limited Commercial district except residential uses, day care, pawnshops, secondhand stores, taverns/drinking establishments, night clubs or adult entertainment as defined by City Code.

All parcels would be limited to 30 percent maximum building coverage and maximum gross floor area, except for Parcel 9 which is requested to be permitted 60 percent of maximum gross floor area ratio. Parcels 1, 8 and 9 would be limited to 300 square feet of total signage on each parcel and no sign larger than 75 square feet in size. Parcels 2, 3, and 4, as requested by the applicant would be permitted 150 square feet of signage on each parcel with no individual sign larger than 50 square feet on Parcel 2, and 75 square feet on Parcels 3 and 4. Parcel 5 would be permitted 200 square feet of signage along Ridge and 100 square feet along 37th Street North. Parcel 6 would be permitted 100 square feet and Parcel 7 would be permitted 75 square feet of signage. Parcels 2, 3, 4, 6, 7, and 8 would be permitted a maximum of one building. Parcels 1 and 9 would be permitted a total of eight buildings. Parcel 5 would be limited to three buildings. All signs would be monument type sign and limited to 25 feet in height.

All of the property within this C.U.P. is in the 100 year flood plain based on 1986 flood maps. The applicants have submitted a recorded document that shows the entire application area has been filled to base flood elevation and above.

There is undeveloped land located on all four sides of this development. The area to the east has been approved as the Ridge Port C.U.P. and "LC" and "GO" zoning subject to platting. The property to the west and south is zoned "SF-20." North of the property, the land is zoned "SF-20" and "LC."

CASE HISTORY: None

ADJACENT ZONING AND LAND USE:

NORTH:	"SF-20" and "LC"	Undeveloped land
SOUTH:	"SF-20"	Undeveloped land
EAST:	"GO" and "LC"	Undeveloped land

WEST: "SF-20"

Undeveloped land

PUBLIC SERVICES: This site has access to Ridge Road, a four-lane County Highway and 37th Street North, a two-lane unimproved township roadway with no available traffic volumes. The current traffic volumes along Ridge Road are 7,717 and are expected to increase to 15,275 by the 2020 Transportation Plan. No public sewer or water services are available to serve this site. The existing sewer service limit is located a quarter mile north of 29th Street North on the west side of Ridge Road. However, with the recent approval of the new sewer plant in northwest Wichita these limits will change.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies this area as agricultural. The agricultural classification of the Comprehensive Plan has the intent of protecting agricultural resources and is meant to accommodate agricultural operations on substantial acreage. However, the continued northern expansion of urban development, the widening of Ridge Road, proximity of the K-96 freeway interchange, and ultimate plan to extend sewer service to that freeway suggests that this area is becoming ripe for urban development.

RECOMMENDATION: Staff is agreeable with most of the applicant's request. However, staff is requesting a few minor adjustments for improved access control, traffic improvements, architectural controls and signage controls which more closely resemble the approved Ridge Port C.U.P. located just east of this site and other more recent C.U.P.s. This includes rezoning Parcels 1, 2 and 9 to "GO" General Office and limiting the signage to the "GO" district. The applicant is requesting "LC" zoning for these three parcels but limiting the use to only those uses permitted in the "GO" district. Staff feels that the signage permitted in the "GO" district is adequate for these parcels. Based upon information available prior to the public hearings, planning staff recommends the following:

- A. Approve "GO" General Office for Parcels 1, 2, 8 and 9 and "LC" Limited Commercial for Parcels 3-7.
- B. Approve the creation of the Ridge Centre Community Unit Plan (DP-242), subject to the following conditions:
 1. Parcels 1, 2, 8 and 9 shall be zoned "GO" General Office and limited to signage permitted in the "GO" district, except that one detached sign for Parcel 9 may be placed on Parcel 1 or Parcel 2 in addition to the detached signs permitted for uses on those parcels. All signs on the "LC" and "GO" zoned districts shall be monument type signs and limited to 20 feet in height.
 2. Access controls:

37th Street North shall be limited to two openings with all openings at the minimum 400 feet west of the 37th and Ridge intersection.

Ridge Road shall be limited to three openings with all openings at the minimum 400 feet south of the 37th and Ridge intersection.

However, if the Planning Commission feels it is appropriate to allow any access openings within the tapers along 37th Street North or Ridge Road, they should be limited to right turns only.

The final C.U.P. drawing shall reflect the access controls approved on the recorded plat. If the plat is altered through a vacation case which is approved by the Wichita City Council then the C.U.P. drawing is considered to be adjusted, in like manner.

3. Parcels 1, 2, 8, and 9 permitted use list shall be revised to also exclude asphalt or concrete, limited; manufacturing, limited; mining or quarrying; oil or gas drilling; rock crushing; and solid waste incinerator.
4. The maximum gross floor area on Parcel 9 shall be revised to be 30 percent.
5. Dimensions of each parcel shall be included on the final drawing.
6. At the time of platting the applicant shall guarantee the following traffic improvements: right turn lanes for the access points on Ridge Road and 37th Street North, a left turn lane on 37th Street North to Ridge Road, left turn lanes for all major access openings on Ridge and 37th Street North, and 25 percent of the signalization cost at the 37th Street North and Ridge Road intersections.
7. General provision #19 shall be revised to state, "All building exteriors within Parcels 1, 2 and 9 shall maintain compatibility with one another in terms of exterior material, color and texture. All building exteriors within Parcels 3, 4, 5, 6 and 7 shall maintain compatibility with one another in terms of exterior material, color and texture. Parcel 8 may be consistent with either of the two groups."
8. General provision # 18 shall read, "... a plan for vehicular circulation and a pedestrian walk system..."
9. No development may occur until such time as municipal water and sewer are provided to the site.
10. General provision 15 shall be revised to include loading docks and service areas. These areas shall be screened from 37th Street North, Ridge Road and the

residential area to the west.

11. A six (6) foot high concrete wall shall be constructed along property lines of the C.U.P. within a wall easement where nonresidential uses are adjacent to residential zoning except where there is the minimum 300 feet of platted reserve area.
12. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the Governing Body, and any substantial deviation of the plan, as determined by the Zoning Administrator and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
13. Any major changes in this development plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.
14. Prior to publishing the ordinance establishing the zone change, the applicant(s) shall record a document with the Register of Deeds indicating that this tract (referenced as DP-242) includes special conditions for development on this property.
15. The applicant shall submit 4 revised copies of both C.U.P.'s to the Metropolitan Area Planning Department within 30 days after approval of this amendment by the Governing Body, or the request shall be considered denied and closed.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: There is undeveloped land on property zoned "SF-20" located to the south and west of the application area. North of this property is undeveloped land on property zoned "LC" and "SF-20." East of the site is an 83 acre site approved for "LC" and "GO" zoning which is to be developed with medical facilities and commercial development.
2. The suitability of the subject property for the uses to which it has been restricted: The site is currently zoned "SF-20." Due to the close proximity of Ridge Road, a four-lane arterial and the proposed commercial/office zoning to the east and the existing commercial zoning to the north it seems unlikely that this area is appropriate for residential development.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: There is undeveloped land which surrounds this property. The site to the east is approved for commercial and office zoning which is compatible with this rezoning. Also, there is commercial zoning located north of the site which

will probably be developed with commercial uses in the future. Therefore, the development of a commercial/office complex should not detrimentally affect nearby properties.

4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The Land Use Guide of the Comprehensive Plan identifies this area as agricultural, however, changing factors are pointing to the need to reconsider that designation, as discussed earlier. The Comprehensive Plan recognizes that new growth will require the development of additional commercial areas to meet the convenience and shopping needs of new residents. The Land Use Guide indicates that arterial intersections like this should be expected to accommodate retail commercial development.
5. Impact of the proposed development on community facilities: This site will have a significantly impact on community facilities. However, through the required guarantees for street and other infrastructure improvements, this impact should be limited.