

Agenda Item # _____

City of Wichita
City Council Meeting
December 10, 2002

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: **ZON2002-00060 – Zone change from “B” Multi-family Residential and “LC” Limited Commercial to “OW” Office Warehouse. Generally located south of 14th Street North and east of Terrace Drive. (District I)**

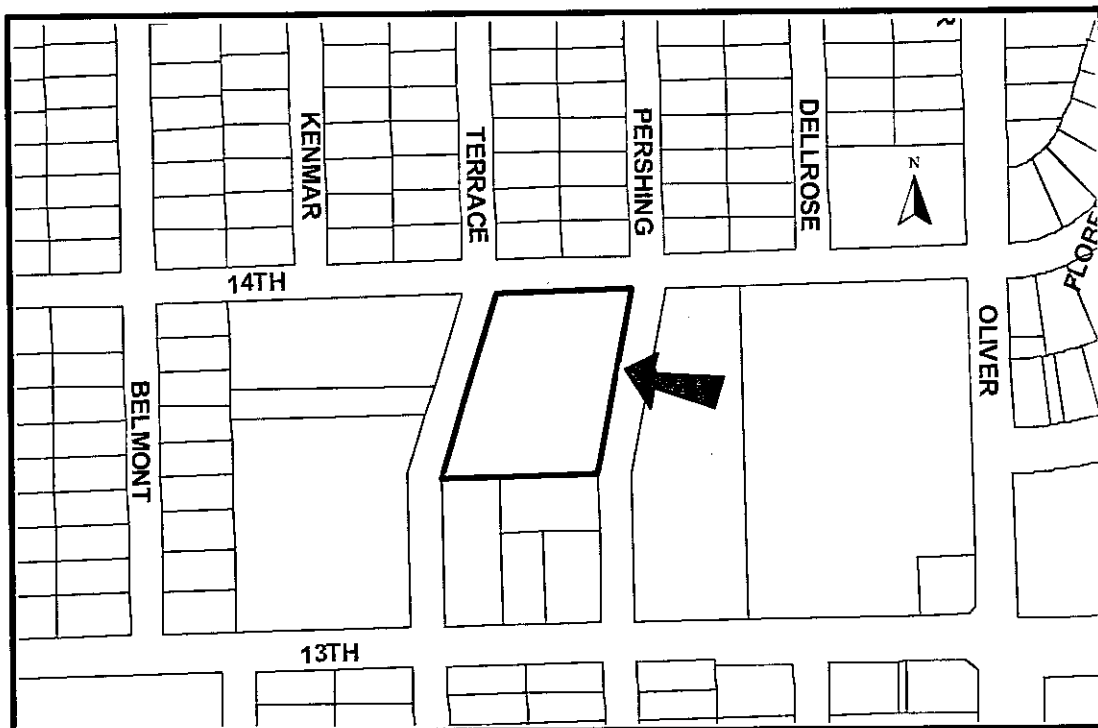
INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject staff recommendation. (11-0)

Staff Recommendation: Approve, subject to Protective Overlay #118 conditions.

D.A.B. I Recommendation: D.A.B. I recommended approval. (10-0)



BACKGROUND: The applicant requests "OW" zoning on a vacant 1.83-acre platted site located south of 14th Street North, between Terrace and Pershing. The northern half of the site is zoned "B", and the southern half is zoned "LC". North of the application area is "SF-5" zoned properties developed with single-family residences. South of the application area are "LC" and "GC" zoned properties developed with retail, service, and restaurant uses. East of the application area is property zoned "B" and "LC", and developed with strip commercial uses and associated parking. West of the application area is property zoned "LC" and "GC"; this area is developed with a shooting range and a retail furniture store. The application area is intended to house a warehouse facility for the furniture store to the southwest of the application area. The warehouse facility anticipates truck deliveries averaging fewer than two trucks per day on weekdays only, an average of 50 retail customer pickups on weekdays, an average of 100 retail customer pickups on Saturdays, and an average of 17 deliveries to customers daily. The proposed development would require conformance to all property development standards in the *Unified Zoning Code*.

On Monday, November 4, 2002 the District Advisory Board (DAB) for Council District I considered this request. DAB Members and the public, expressed concerns about trash/debris from the warehouse getting into homeowner's yards, a lack of adequate parking at the retail location, concern about customers parking on Terrace and impeding traffic, concern that the proposed warehouse may generate more business and therefore increase on-street parking, and concern about delivery trucks blocking Terrace when backing into the warehouse. The DAB members voted 10-0 to recommend approval of the request, subject to staff recommendations, with an addition to the Protective Overlay requiring that parking must exceed minimum code requirements.

At its regular meeting on November 7, 2002, the Metropolitan Area Planning Commission considered this request. No members of the public chose to speak on this request. Because of the low number of parking spaces required by code for warehouse facilities, staff and the applicant determined that parking on the site would exceed code requirements. MAPC voted to approve the request (11-0), subject to the following provisions of Protective Overlay #118:

1. The applicant shall construct a sidewalk, to City of Wichita standards, in the right of way on 14th Street along the north boundary of the site, connecting with the existing ADA sidewalk ramps. The applicant shall provide a guarantee for the sidewalk in a form suitable to the City Engineer within 60 days of approval of the zone change by the governing body.
2. The applicant shall submit a Landscape Plan to be approved by the Planning Director. The Landscape Plan shall demonstrate the landscaped street yard required by the Landscape Ordinance where adjacent to residential zoning. The landscaped street yard shall meet screening requirements where adjacent to residential zoning with a minimum of one tree every 30-feet, all trees shall be designated as species which will reach a mature height of 40-feet, and at least one-half of the tree requirement shall be met with evergreen trees.

3. The applicant shall submit a site circulation plan to be approved by the Traffic Engineer. The circulation plan shall demonstrate intersection site triangles at a minimum of 40 feet, and turning radii and queuing space for anticipated truck traffic, ensuring that Terrace will remain passable.
4. Buildings on the site shall be of a masonry and/or concrete exterior building material, and shall not exceed 35-feet in height. Mechanical equipment on the site shall be screened from adjacent residential zoning. Lighting on the site shall be shielded away from residential zoning. No signage shall be permitted on the north or west boundary of the site where adjacent to residential zoning.
5. Loading docks on the site shall be screened from adjacent residential zoning with screen walls between 6 and 8 feet in height, and of the same materials and colors as the primary building. No outdoor work or storage areas shall be permitted on the site along 14th Street or Pershing Avenue.

Recommended Action:

1. Concur with the findings of the MAPC and approve the zone change subject to Protective Overlay #118; place the ordinance on first reading, along with the ordinance for Protective Overlay #118.
2. Return the application to the MAPC for reconsideration.

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

(150004) Published in The Wichita Eagle on DEC 21 2002

ORDINANCE NO. 45-526

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 SECTION 28.04.010, AS AMENDED.

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 Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2002-00060

Request for zone change from "B" Multi-family Residential and "LC" Limited Commercial to "OW" Office Warehouse, on property described as:

Reserve B, except the South 255.09 feet thereof, Ken-Mar Addition to Wichita, Sedgwick County, Kansas. Generally located south of 14th Street North and east of Terrace Drive.

SUBJECT TO THE FOLLOWING PROTECTIVE OVERLAY RESTRICTIONS P. O. #118:

1. The applicant shall construct a sidewalk, to City of Wichita standards, in the right of way on 14th Street along the north boundary of the site, connecting with the existing ADA sidewalk ramps. The applicant shall provide a guarantee for the sidewalk in a form suitable to the City Engineer within 60 days of approval of the zone change by the governing body.
2. The applicant shall submit a Landscape Plan to be approved by the Planning Director. The Landscape Plan shall demonstrate the landscaped street yard required by the Landscape Ordinance where adjacent to residential zoning. The landscaped street yard shall meet screening requirements where adjacent to residential zoning with a minimum of one tree every 30-feet, all trees shall be designated as species which will reach a mature height of 40-feet, and at least one-half of the tree requirement shall be met with evergreen trees.

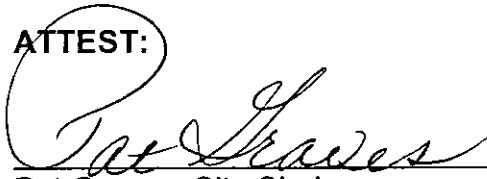
3. The applicant shall submit a site circulation plan to be approved by the Traffic Engineer. The circulation plan shall demonstrate intersection site triangles at a minimum of 40 feet, and turning radii and queuing space for anticipated truck traffic, ensuring that Terrace will remain passable.
4. Buildings on the site shall be of a masonry and/or concrete exterior building material, and shall not exceed 35-feet in height. Mechanical equipment on the site shall be screened from adjacent residential zoning. Lighting on the site shall be shielded away from residential zoning. No signage shall be permitted on the north or west boundary of the site where adjacent to residential zoning.
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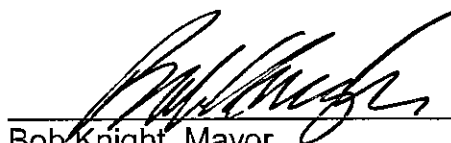
SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita-Sedgwick County Unified Zoning Code as amended.

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, DEC 17 2002

ATTEST:

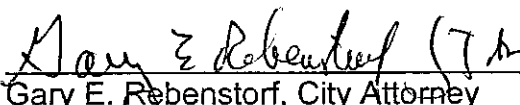

 Pat Graves, City Clerk


 Bob Knight, Mayor

(SEAL)



Approved as to form:


 Gary E. Rebenstorf, City Attorney