

**District VI Advisory Board  
Agenda  
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**Wednesday  
June 15, 2016  
6:30 p.m.**

**Evergreen Recreation Center  
2700 N. Woodland, Wichita KS 67204  
Lounge Clubroom**

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**ORDER OF BUSINESS**

- Call to Order
- Approval of Minutes for June 6, 2016

**PUBLIC AGENDA**

This portion of the agenda provides an opportunity for citizens to present issues that are not part of the regular agenda for the meeting. There is a five minute time limit for each speaker.

**1. Scheduled items: None**

**Recommended Action:** Provide comments/take appropriate action.

**2. Off-agenda items:**

**Recommended Action:** Provide comments/take appropriate action.

**NEW BUSINESS**

**3. ZON2016-19 and CUP2016-21**

**Jess McNeely, Metropolitan Area Planning Department**, will present a request for a change from SF-5 Single-Family Residential (SF-5) zoning and LC Limited Commercial (LC) to TF-3 Two-Family Residential (TF-3) zoning and Amendment #1 to DP-299 to remove Parcels 13, 14 and 15 from the CUP, generally located south of W. 55<sup>th</sup> St. N. and west of N. Meridian Ave. It is proposed for duplex development.

The applicant requests TF-3 Two-Family Residential (TF-3) zoning on 11.38 acres of platted, vacant property. The western portion of the application area is 10 SF-5 Single-family Residential (SF-5) zoned residential lots in the Northgate Addition. The eastern approximate two-thirds of the site is zoned LC Limited Commercial (LC) and is currently Parcels 13, 14 and 15 of DP-299, The Northgate Commercial Park Community Unit Plan (CUP). The applicant intends to develop the entire 11.38-acre site with duplex residential units, and therefore requests to rezone the property to TF-3 and remove the LC portion from DP-299. The platted, SF-5 zoned lots have access from West 55<sup>th</sup> Court North. The three LC zoned commercial lots are currently platted with one shared access point from North Meridian Avenue and access to West 55<sup>th</sup> Street North. A plat (SUB2016-16, Northgate 2<sup>nd</sup> Addition) is being considered by the Metropolitan Area Planning Commission (MAPC) on June 16, 2016. This plat will divide the property into 31 duplex lots.

North of the site is the SF-5 zoned Northgate Addition, the majority of which is undeveloped, and one single-family residence on six acres fronting North Meridian Avenue. South of the site is the remainder of the LC zoned DP-299 with retail use. East of the site, across Meridian, are SF-5 zoned single-family residences on half-acre to one-acre lots. West of the site is the SF-5 zoned, undeveloped Northgate Addition.

May 18, 2016

**Recommended Action:** Staff notes that the majority of the property in this application is requesting a downzoning. Based upon information available prior to the public hearings, planning staff recommends that the zone change request be **APPROVED**, and the amendment request to DP-299 be **APPROVED** subject to the following conditions:

- (1) Screening on Parcel 1 shall be constructed along the north property line of Parcel 1 adjacent to TF-3 zoning.
- (2) The applicant shall submit four revised copies of the CUP to the Metropolitan Area Planning Department within 60 days of approval or the request shall be considered denied and closed.
- (3) If the Zoning Administrator finds that there is a violation of any of the conditions of the CUP amendment, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare the CUP amendment null and void.

#### 4. **CON2016-00014**

**Jess McNeely, Metropolitan Area Planning Department**, will present a request for a Conditional Use for a Major Utility, a water treatment plant, generally located east of N. Hoover Rd on the south side of W. 21st St. N. The City of Wichita is requesting a Conditional Use for a “major utility,” specifically a water treatment plant on the undeveloped 75.18-acre, SF-5 Single-family Residential (SF-5) zoned tract located on the south side of West 21st Street North and east of North Hoover Road. The Unified Zoning Code (UZC) requires consideration of a Conditional Use for a major utility in the SF-5 zoning district; UZC, Sec.III-B.5.c. (2).

The proposed water treatment plant will not treat sewage. The proposed water treatment plant will treat raw water from the Eques Beds and Cheney Lake via existing water pipelines located along West 21<sup>st</sup> Street North and Zoo Boulevard. The proposed water treatment plant will provide water for the future demands and peak use time. The proposed water treatment plant will also serve as a backup for the City’s only water treatment plant complex. The existing water treatment plant complex is located in a portion of Riverside area of town that has a development mix of Botanica public park, Cowtown, Sims public golf course, the Wichita Art Museum (built 1976, 2003) and urban density, mostly single-family residential development. The City’s only water treatment plant is also its first water treatment plant (built 1940, with subsequent expansions in 1955, 1968, 1993, 2008). Prior to its construction water for the City was provided by multiple wells.

**Recommended Action:** Planning staff recommends that the request be **APPROVED**, subject to the following conditions:

- (1) The Conditional Use shall be for a water treatment plant, not a sewage treatment plant. The site shall be platted before building permits are issued.
- (2) The site shall be developed according to an approved site plan which shall show, but not limited to, parking, signage, landscaping, screening, etc. The site plan turned in with the application will be considered a concept plan which will be replaced with a site plan that will more closely resemble the facility when it is ready for development.
- (3) IP Industrial Park setbacks shall apply to the site: a 50-foot front building setback, a 10-foot rear building setback and a 15-foot interior side yard building setback.
- (4) Compatibility height standards shall be in effect.

#### 5. **CON2016-00017**

**Jess McNeely, Metropolitan Area Planning Department**, will present a request for a Conditional Use for a Nightclub in the City (micro-brewery with a tasting room and ability to obtain an entertainment license) within

May 18, 2016

300 feet of residential zoning, located at 117 N. Handley. This facility will be a Micro-brewery with a tasting room and ability to obtain an entertainment license for live music.

The applicants intend to develop a micro-brewery with tasting room and ability to obtain an entertainment license for live music. The subject site was approved for Central Business District (CBD) zoning by the Wichita City Council on May 10, 2016. The applicants and staff did not identify B Multi-family zoning approximately 210 feet northwest of the site prior to the CBD re-zoning application. The B zoned property triggering this conditional use request is vacant and not developed with residences. Nightclub in the City is defined by the Unified Zoning Code (UZC) as an establishment that provides entertainment and/or dancing, where alcoholic beverages are served and where food may or may not be served. The UZC permits a Nightclub in the City in the CBD zoning district by right, but requires a conditional use if the property is located within 300 feet of a church, park, school or residential zoning district. The site is within 300 feet of B Multi-family Residential zoning, but is not within 300 feet of an actual residence, church, park or school.

The CBD rezoning of this property was to give the applicants flexibility with parking and existing building setbacks. The 1960 building on the site has zero lot-line setbacks to the north, south and west sides. The east side of the building, facing Handley Street, is set back approximately 44 feet from the east property line; this side of the site is planned for 12 off-street parking spaces (see the applicant's site plan). A paved, eight-space parking area was improved by a previous property owner within the unpaved Pearl Street right-of-way along the north property line. The site is located within the Delano District, a commercial district serving West Wichita with a variety of commercial, personal service and entertainment uses since the 1870's. The site is within the Delano Neighborhood Plan area, but is not within the Delano Overlay Neighborhood District (D-O). The D-O exists immediately south of this site and one block to the west. A Metropolitan Area Planning Department (MAPD) parking study of West Douglas Avenue between Sycamore Street and Seneca Street reveals that most of the businesses fronting Douglas Avenue do not provide the current code required number of off-street parking spaces. The MAPD analysis estimates that 5,373 off-street spaces are required, but an estimated 3,989 spaces have been provided.

**Recommended Action:** Planning staff recommends that the request be **APPROVED** subject to the following conditions:

- (1) The site shall be developed in conformance with the approved site plan.
- (2) If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

#### 6. **ZON2016-21**

**Jess McNeely, Metropolitan Area Planning Department**, will present a request for a zoning change from SF-5 Single-family Residential and LC Limited Commercial to IP Industrial Park, generally located east of N. Hoover Rd on the south side of W. 21st S. N.

The applicant is requesting IP Industrial Park (IP) zoning on the undeveloped 10-acre, mostly SF-5 Single-family Residential (SF-5) and LC Limited Commercial (LC) zoned tract located on the south side of West 21st Street North and east of North Hoover Road. The IP zoning will allow for the expansion of an existing IP zoned manufacturing facility/machine shop located directly north of the site, across 21<sup>st</sup> Street North. The existing IP zoned manufacturing facility is also the last non-residential zoned property located east of the Hoover Road – 21<sup>st</sup> Street North intersection, until 29<sup>th</sup> Street North and West Street.

The area is a mix of land uses located in both the County and the City of Wichita. The zoning in the area includes SF-20 Single-Family Residential (SF-20), SF-5, LC, OW Office-Warehouse (OW), GC General

May 18, 2016

Commercial (GC), IP and LI Limited Industrial (LI). The area's zoning allows a wide range of uses (some noncompliant) including up-scale single-family subdivisions, a few isolated single-family residences, active and spent sand pits, farmland, a construction and demolition landfill with a temporary rock crusher, limited manufacturing, an auto body shop, and self-storage warehouses. The IP zoned Cox Machine manufacturing facility (built 2001, 2005 and 2009) is located north of the site across 21<sup>st</sup> Street, as are an IP zoned commercial strip building (built 2011) and self-storage warehouses (built 2009). Three SF-5 zoned single-family residences (a trailer and a stick frames built 1940 and 1957) and two SF-20 zoned sand pits are also located north of the site across 21<sup>st</sup> Street. Both of the sand pits are spent (CU-292, CU-16 and CU-24) but there has been recent subdivision and zoning activity on them. On March 10, 2016, SUB2016-00009 was presented to the Subdivision Committee (SD) as an expansion of the Emerald Bay up-scale single-family residential subdivision; no action was taken by the SD. The other sand pit had a Conditional Use (CON2016-00002) approved for a temporary rock crusher to clean up its current noncompliant use as a construction and demolition landfill and a wrecking and salvage yard. A LI zoned (ZON2000-00012, PO #72) auto body repair shop (built 2010) is located northwest of the site on the northeast corner of Hoover Road and 21<sup>st</sup> Street North. An OW zoned (SCZ-0764, PO Protective Overlay #39) self-service warehouse (built 1999, 2013 and 2014) abuts the west of the site and there is an active rail road track located west and adjacent to the site. A SF-5 zoned spent sand pit (CU-191) abuts the east and south sides of the site. This east abutting sand pit will be considered for a Conditional Use for a major utility/water treatment plant at the June 16, 2016, MAPC hearing; CON2016-00014. The Wichita-Valley Center Floodway and its levee are also located further south and east of the site.

**Recommended Action:** Planning staff recommends that the request be APPROVED.

### BOARD AGENDA

**7. Issues of Concern**

DAB members have the opportunity to ask questions regarding City topics and identify issues of concern to be addressed.

**Recommended Action:** Receive and propose appropriate action.

**8. Neighborhood Reports**

DAB members may report events/activities from the neighborhood/homeowners groups in their areas.

**Recommended Action:** Receive and propose appropriate action.

### UPDATES FROM COUNCIL MEMBER

The next DAB VI meeting will be held at 6:30 p.m., July 11, 2016, at the Evergreen Rec Center, 2700 N. Woodland, Wichita, KS 67204.

### ADJOURN