



District 1 Citizens Advisory Board Meeting Agenda

Monday, June 17, 2024 | 5:30 p.m.
Bel Aire City Hall,
7651 E. Central Park Ave., Bel Aire, KS

Board Members: Daniel Bateman, Steven Burt, Judah Craig, Joseph Dozier, Diane Gjerstad, Kathryn Herzog, Jacqueline Kelly, Dr. Stephanie Kuhlmann, Jim Reid, Andre J. Mboule

County Representatives: Sedgwick County MAPD Planner, Philip Zevenbergen

ORDER OF BUSINESS

1. Call to Order - Chair Judah Craig
2. Approval of Meeting Minutes – Chair Judah Craig

PUBLIC AGENDA

The public agenda allows members of the public to address the District 1 Citizens Advisory Board.

NEW BUSINESS

1. PUD24 - 10 and ZON24 - 27 – MAPD Planner, Philip Zevenbergen
2. Commissioner Updates – Pete Meitzner
3. Discussion of future meeting dates & agenda items – Chair Judah Craig

BOARD AGENDA

This is an opportunity for the Commissioner and Citizens Advisory Board members to report activities, events, or concerns throughout their neighborhood.

ADJOURNMENT

*The next Citizens Advisory Board Meeting will be **Monday, July 15, 2024, 5:30 p.m.**
at Bel Aire City Hall, 7651 E. Central Park Ave., Bel Aire, KS.*

If you are unable to attend, meetings will be streamed via Zoom:

<https://us05web.zoom.us/j/7489851077?pwd=QmtvSHZoREMyK08vSTZYQmZldDh2UT09>

Meeting ID: 748 985 1077

Passcode: 7uxpjc



District 1 Citizens Advisory Board Meeting 2024 Meeting Schedule

2024 Dates

- Jan. 22, 2024 – Treasurers Office
- Feb. 26, 2024 – Solar Power Presentation
- March 25, 2024 – Sherriff Office/DA Marijuana Non-Prosecution
- April 15, 2024 – WSU/KU Bio Center
- May 20, 2024 – CANCELED
- June 17, 2024 – Zoning Cases
- July 15, 2024 – Budget
- Aug. 19, 2024 – 254 Corridor Update
- Sept. 16, 2024 – Exploration Place Master Plan
- Oct. 21, 2024 – Homeless Outreach Team/Steven Burt Homelessness Update
- Nov. 18, 2024 – Health Dept. Tour
- Dec. 16, 2024 – Transit Expansion Wichita (Mike Tan)

To be Discussed

- Zoning Case for July CAB

Topic Ideas

- Admin Building Update – Tania
- FD1 & Advisory Board
- GIS Mapping System
- Integra Status
- North County land, what can be done with it?
- Zoo Tour
- HHW Tour
- COMCARE Tour
- Fire Station 32 Tour



District 1 Citizens Advisory Board Meeting Minutes

Monday, April 15, 2024 | 5:30 p.m.
Bel Aire City Hall, 7651 E. Central Park Ave., Bel Aire, KS

Board Members in Attendance: Judah Craig, Steven Burt, Jacqueline Kelly, Daniel Bateman, Kathryn Herzog, Joseph Dozier, Jim Reid, Diane Gjerstad, Andre J. Mboule

County Representatives: Sedgwick County Commissioner, Pete Meitzner and Sedgwick County MAPD Senior Planner, Philip Zevenbergen

1. Call to Order

1. Chair Judah Craig called the meeting to order at 5:34 p.m.

2. Approval of Meeting Minutes

1. A motion was made by Daniel Bateman to approve the minutes. Judah Craig seconded this motion. **The CAB approved the motion with a vote of 4-0.**

3. Public Agenda

1. No public comments.

4. New Business

1. D1 CAB welcome new member, Andre J. Mboule. He introduces himself and gives the CAB an introduction on him.
2. Sedgwick County Planner begins his presentation on Zoning Case: ZON2024 – 15.
 - i. Kathy Herzog asked, this is a very dark area out there, this wouldn't be one of those giant, LED flashing billboards?
 1. Phillip Zevenbergen responded, I don't know that Sedgwick County sign code in and out there. But it could be either two things, it could be illuminated just by the direct lighting. If it's allowed to be digital I'm pretty sure that they have illumination standards of how bright it can be. But it would have to follow whatever the illumination standards there are if it is allowed to be illuminated or not.
 - ii. Steven Burt asked, when will that all come up for public comment?
 1. Phillip Zevenbergen responded, So what I will do is I'll bring this back and research design code and we can bring it up during the discussion at planning commission when they discuss this on April 25, so that we can include it in our report to the Board of County Commissioners and they can take final action on it.
 - iii. Daniel Bateman asked, where were they asking to put the sign?
 1. Phillip Zevenbergen responded, when they submitted their site plan, they were going to have it somewhere over here and again, that's in the rural residential part of their zoning. Because of rural residential, not allowing billboards, unless you have 20 acres, they wouldn't have been allowed to put it over here anyway. So when they install it, if it gets approved, it has to be within this portion at the site that zoned general commercial.
 - iv. Daniel Bateman asked, so what if that would place it too close to the intersection?
 1. Phillip Zevenbergen responded, that will be reviewed when they submit their assigned curb permit for their sign.
 - v. Steven Burt asked, is this billboard for their purposes or?
 1. Phillip Zevenbergen responded, if it's a billboard it's likely not a message like you would see on any other highway.

- vi. Daniel Bateman motioned to approve the state recommendation as noted within the general GC zoning.
- vii. Judah Craig seconded the motion. The CAB approved the motion, all in favor, no one opposed.
- viii. Andrew Schlapp, WSU Vice President of Strategy and Government Relations, begins his presentation on the WSU/KU Bio Center.
- ix. Steven Burt asked, how can projects like this contribute to increasing affordable housing?
 - 1. Andrew Schlapp responded, this is much more a question for the Greater Wichita Partnership, on how many additional housing units they're talking about. Which documents a few 1,000 I believe. I think that will create a density enough that we can start talking about a grocery store downtown. We plan to mitigate those problems and issues should they arise.
- x. Kathy Herzog asked, will this include a new healthcare facility and/or hospital?
 - 1. Andrew Schlapp responded, yes. It will be a medical school. KU will have some clinics there and we'll have some of our clinics there as we're partnering with Ascension and Wesley.
- xi. Kathy Herzog asked, what about hospital beds?
 - 1. Andrew Schlapp responded, we need to have more beds but we need to have more people here. For me, it's not a question of beds, it's of staffing. The more people we can get educated, the better off we'll be.
- xii. Diane Gjerstad asked, what's the timeline and when you think you'll be able to have students?
 - 1. Andrew Schlapp responded, the timeline is the ARPA timeline, and we have a total of \$205 million that we have to spend by 2026.
- xiii. Diane Gjerstad asked, is that the same timeframe as the State Hospital?
 - 1. Andrew Schlapp responded, unless they changed to ARPA rules then yeah.
- xiv. Daniel Bateman asked, where is this in relation to the new State Hospital?
 - 1. Pete Meitzner responded, well people overlap these and it causes confusion. The State Mental Health Hospital is signed and sealed.
- xv. Daniel Bateman asked, where will it be located?
 - 1. Pete Meitzner responded, off of 254, down south. In the briefest explanation, that is a State mental health hospital, it's a different level of care.
- xvi. Tex Dozier asked, are there plans in purchasing and expanding public private partnerships from private partners in the area like between Topeka and INTRUST?
 - 1. Andrew Schlapp responded, we could develop public private partnerships, we could put covenants in place that says you have to build this kind of building. We don't own the land downtown. So there are going to be private partnerships.
- xvii. Tex Dozier asked, if you could wave a magic wand with developers and investors in the area, what would be the most beneficial to this?
 - 1. Andrew Schlapp responded, so the biggest problem we have on campus is getting developers to take a risk and build a spec building. So every time we build a spec building by the time it's completed, it's full. So we're building a new spec building. It will open this summer and it will be full. To build another spec building which means you've still got another 18-24 months before you can attract new companies, right? So really, the question becomes, can we get some spec buildings built so that these companies that are wanting to come here can come. But I think this what's going on downtown will probably be a little easier to kick start.
- xviii. Andre Mboule asked, just to clarify, where we see there are two parts, which is the transit era and I will be parking initially when phase one is happening right?
 - 1. Andrew Schlapp responded, right. Texas Medical Center makes all their money on parking and catering. Just so you know that's the entire infrastructure.
- xix. Judah Craig asked, you said parking and catering?

1. Andrew Schlapp responded, yes.
- xx. Daniel Bateman asked, is there a thought process with building this in this location or is it going to be another one of our old school buildings?
 1. Andrew Schlapp responded, I don't know what the last building don't know what the last building would look on campus. I can't tell you what we're doing or what we're not doing. A lot of what we're doing now is building towards us not paying an outrageous fee.
- xxi. Tex Dozier asked, how long is phase one going to be versus phase two?
 1. Andrew Schlapp responded, phase one will be done in 2026. For Phase two were going to have to start fundraising for a parking lot.
- xxii. Tex Dozier asked, so as far as Phase Two it's TBD?
 1. Andrew Schlapp responded, yes.
- xxiii. Jackie Kelly asked, how do you feel the medical campus is being received by public?
 1. Andrew Schlapp responded, I think the community has decided, I mean the project's 471,000 square feet and \$300 million. So we're only going to build a portion of that \$205 million that's totally funded by the State of Kansas through ARPA dollars. I think we're in a way better space because of what we did with INTRUST Bank Arena because innovation campus that I think the public's more accepting of what we're trying to do, we will see a pretty positive structure going forward.
- xxiv. Diane Gjerstad asked, how much of the project will the \$205 million get you?
 1. Andrew Schlapp responded, I am not sure, not enough for us to start building.
- xxv. Judah Craig asked, do you think there will be a secondary benefit as far as like health situation or enrollment as Wichita Stat as a whole?
 1. Andrew Schlapp responded, yes. We're finding that we get them working in there until they graduate and about 77% of our graduates stay in this area of work.
- xxvi. Jackie Kelly asked, what is Wichita State going to be able to advertise about this? What can we tell students about what to expect?
 1. Andrew Schlapp responded, so I think the benefit that Wichita State has, is we have the industrial base here that KU/K-State doesn't have. We can develop these relationships for businesses that are seeking the real applied learning opportunities with major corporations. That's what we're selling. We advertise three different ways, access and affordability as far as research universities go we're one of the least expensive universities in the country. We focus on working with industry to develop programs that meet industry needs, so that students are more employable. And third, we work with industry to get them into more than internships to jobs while they're going to school so that they can graduate with a degree also with a resume to get a job.
- xxvii. Discussion/Housekeeping Items
 1. Our May meeting is cancelled due to 2025 Budget Roundtables that D1 CAB is invited to attended
 2. That Budget Roundtable is Monday, May 20
- xxviii. Daniel Bateman asked, where is the May Budget meeting going to be?
 1. Sarah Harper and Pete Meitzner responded, not sure, maybe the conference room or at NCAT.

Adjournment

1. The District 1 Citizen's Advisory Board adjourned at 6:44 p.m.

*The next Citizens Advisory Board Meeting will be **Monday, June 17, 2024, 5:30 p.m.** at Bel Aire City Hall, 7651 E. Central Park Ave., Bel Aire, KS*



STAFF REPORT
MAPC: June 13, 2024
CAB 1: June 17, 2024
Kechi Planning Commission: June 11, 2024

CASE NUMBER: PUD2024-000010 (County)

APPLICANT/AGENT: Ben Baxter/Alicia & Chad Jantz (Applicants)/Baughman Co. P.A. (Agent)

REQUEST: Rezone to create the Heartstone Planned Unit Development PUD #129

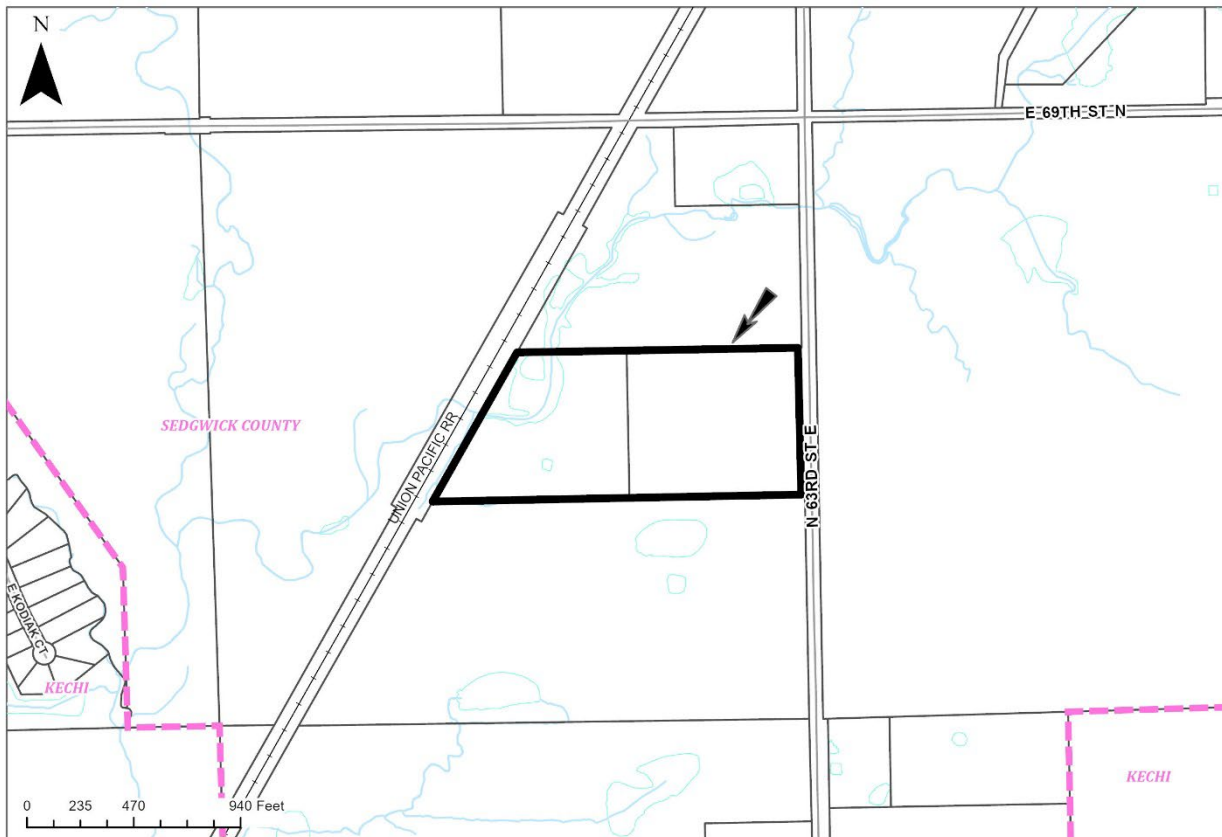
CURRENT ZONING: RR Rural Residential District

SITE SIZE: 21.3 acres

LOCATION: Located on the east side of North Woodlawn Boulevard and one-quarter mile south of North 69th Street East. (Kechi Area of Influence)

PROPOSED USE: To allow for the mixed-use development of commercial, industrial and residential uses.

RECOMMENDATION: Approve with conditions.



BACKGROUND: The applicant is requesting a zone change from RR Rural Residential District (RR) to PUD Planned Unit Development (PUD) to create the Heartstone Planned Unit Development (PUD #129). The subject site is 21.3 acres in size and is located on the east side of North Woodlawn Boulevard and one-quarter mile south of North 69th Street East. The subject site is currently developed with a single-family dwelling.

The applicant is requesting the zone change in order to allow for the mixed-use development of commercial, industrial and residential. Currently, the RR zoning does not permit the use of Construction Sales and Service; Outdoor Storage; Office, General; or Hotel/Motel. There are two parcels proposed for this PUD. The applicants are proposing a commercial/industrial use on Parcel 1 for a stonework business for commercial and residential clients. This would include the storage of equipment and occasionally, material. The site would not be used as a retail site where customers come to choose or pick up inventory. The applicants are proposing a single-family dwelling on Parcel 2 with six small cottages to be used as a Hotel/Motel use. The applicant is proposing six separate cottages that will each serve as a Hotel/Motel use. These cottages are proposed to be utilized in a way that typically invokes a short-term rental use. However, short-term rentals are not permitted by the UZC in unincorporated Sedgwick County. Therefore, they will be identified as the Hotel/Motel use. Parcel 2 would also permit an Event Center/Community Assembly that would be limited to no more than 80 people maximum at any given event. The hours of operation for the Event Center would be restricted to 8:00 a.m. to 8:00p.m. Sunday through Thursday and 8:00 a.m. to 12:00p.m. (midnight) Friday and Saturday.

Access to the site will be from North Woodlawn Boulevard. Uses in Parcel 1 would be limited to Construction Sales and Service; Storage, Outdoor (subject to the supplemental regulations set forth in Section III.D.6.dd of the UZC); and Office, General. Uses in Parcel 2 would be limited to a single-family dwelling; six dwelling units for Hotel/Motel; Event Center; and Community Assembly limited to 80 people at any given event. Development standards for PUD #129 are as follows:

Property Development Standards	PUD #129
Front Setback	25 feet
Rear Setback	Parcel 1: 0 feet Parcel 2: 25 feet
Interior Side Setback	10 feet
Maximum Height	45 feet

Parking within Parcel 1 shall adhere to the UZC. Parking within Parcel 2 shall be limited to twenty (20) total parking spots for the Event Center/Community Assembly, one (1) for the single-family dwelling, and one (1) parking space per Hotel/Motel cottage-house. No landscape buffering is being proposed. Signs for Parcel 1 and Parcel 2 must of a monument type and are limited to 150 square feet, inclusive. Signage for Parcel 1 is proposed to be placed on Parcel 2 for purposes of having visibility from the public right-of-way. The distance between signage on Parcel 2 shall be a minimum of 100 feet. All outdoor lighting shall employ cut-off luminaries and will be aimed or shielded away from neighboring properties.

The character of the neighborhood is area is mostly rural. The property to the north is zoned RR and is developed with an agricultural field. The property to the east is zoned RR and is developed with a single-family dwelling and an agricultural field. Properties to the south are zoned RR and LI Limited Industrial District (LI) and is developed with a Freight Terminal. Property to the west is zoned RR and is developed with an agricultural field.

CASE HISTORY: The subject site is unplatted. The site will be required to plat before the issuance of any building permits. No other zoning cases have been associated with this property.

ADJACENT ZONING AND LAND USE:

NORTH:	RR	Single-Family Dwelling/Agriculture
SOUTH:	RR/LI	Freight Terminal
EAST:	RR	Single-Family Dwelling/Agriculture
WEST:	RR	Agriculture

PUBLIC SERVICES: The subject site has access to North Woodlawn Street, a gravel, two-lane arterial street with ditches on both sides. Water is served by Rural Water District #1. The property utilizes onsite sewage system for waste water.

CONFORMANCE TO PLANS/POLICIES: The requested zone change is in conformance with *The Community Investments Plan*. The *Community Investments Plan* (the Wichita-Sedgwick County Comprehensive Plan) includes the 2035 Wichita Future Growth Concept Map. The Map identifies the area in which the site is located to be appropriate for “Small City Urban Growth Area”, which the *Plan* defines as: “*Generally located adjacent to existing municipal boundaries, these areas indicate the likely direction and magnitude of growth these communities can expect to experience out to the year 2035. Growth direction and amount is based upon municipal political considerations, anticipated population growth, efficient patterns of growth, current infrastructure limitations, cost effective delivery of future municipal services, and environmental factors.*” With the subject site being in the Kechi Urban Growth Area, staff reviewed the Kechi 2040 Comprehensive Plan to identify the proposed future land use of the subject site. The attached 2040 Kechi Future Development Plan Map from the City of Kechi identifies the site as appropriate for Mixed/Transitional. The Kechi Planning Department defines Mixed/Transitional as “Areas where a mix of compatible housing and small businesses are appropriate at suburban densities. This function provides a buffer between residential and commercial development.” Planning Staff considers the proposed uses to be appropriate for the subject site.

RECOMMENDATION: Based on the information available at the time of the public hearing, staff recommends **APPROVAL** of the application subject to provisions of the Blackbear-Bosin Price Residential District Planned Unit Development PUD #129 as attached hereto, and subject to the following conditions:

1. The PUD shall be developed in accordance with the approved PUD language.
2. The applicant shall record a PUD certificate with the Register of Deeds indicating that this tract (referenced as PUD #129 Heartstone Planned Unit Development) has special conditions for development on the property.
3. A copy of the recorded certificate along with four copies of the approved PUD shall be submitted to the Metropolitan Area Planning Department within 60 days of Governing Body approval, 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: The character of the neighborhood is area is mostly rural. The property to the north is zoned RR and is developed with an agricultural field. The property to the east is zoned RR and is developed with a single-family dwelling and an agricultural field. Properties to the south are zoned RR and LI Limited Industrial District (LI) and is developed with a Freight Terminal. Property to the west is zoned RR and is developed with an agricultural field.
2. The suitability of the subject property for the uses to which it has been restricted: The property is presently zoned RR Rural Residential District and is suitable for a limited number of residential, civic, commercial, and industrial uses. Uses such as Event Center in the County, Community Assembly, and Outdoor Storage are not permitted in the RR District by-right but would be permitted by establishment of PUD #129.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Staff does not anticipate the requested zone change to have detrimental effects on nearby property. It is reasonable to conclude that there will be an incremental increase in traffic in the area based on the proposed land use.
4. Length of time the property has been vacant as currently zoned: The property is developed with a single-

family dwelling and several out-buildings. It is unknown how long the property has been unoccupied.

5. Relative gain to the public health, safety, and welfare, compared to the loss in value or the hardship imposed upon the applicant: Approval would bring commercial development to the property. Denial may result in the loss of use and enjoyment for the applicant.
6. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The requested rezoning is in conformance with the *Community Investments Plan* as discussed in the staff report.
7. Impact of the proposed development on community facilities: Staff does not anticipate the proposed development to have significant detrimental impact on community facilities.
8. Opposition or support of neighborhood residents: At the time of the publication of the staff report, staff has not received any comments from the public regarding the proposal.

Attachments:

1. PUD #129 Text
2. PUD Drawing
3. Aerial Map
4. Zoning Map
5. Land Use Map
6. Site Photos

Applicant proposed PUD language (staff recommended changes in **red**)

Project Description:

The intent of this Planned Unit Development is to facilitate a mixed-use development that includes a residential, commercial, and industrial component that allows for a certain level of flexibility with site development regulations which would otherwise not be permitted under the existing zoning.

General Provisions:

1. Total Land Area: 903,303 sq.ft. ±
or 20.74 acres ±
Total Gross Floor Area: 316,156 sq.ft. ±
Total Floor Area Ratio: 35.0 percent
2. Setbacks are displayed on the individual parcels within the PUD, or outlined in the Parcel description.
3. A Drainage Plan shall be submitted to the appropriate governing body for approval. Required guarantees for drainage shall be provided at the time of platting improvements.
4. Parcel 1 shall be limited to the following uses: Construction Sales and Service, Storage, Outdoor; subject to the supplemental regulations set forth in Section III.D.6.dd (**listed below**) of the Unified **Zoning Code**, and Office, General.

Outdoor Storage and/or Baling in LC through LI. In LC through LI, the Outdoor Storage and/or baling of junk, scrap, paper, bottles, rags or similar materials is prohibited. See Sec. III-B.14.e, III-B.15.e, III-B.17.e and III-B.18.e for limitations on other Outdoor Storage in LC, OW, IP-A and IP.

Parcel 2 shall be limited to ***a single-family residence plus; (6) six dwelling units considered Hotel/Motel***; an Event Center/Community Assembly limited to 80 people maximum at any given event. Event Center shall be subject to Supplementary Use Regulations in Section III-D.6.nn of the Unified Zoning Code, ***which states:***

In the RR district only, an Event Center in the County, Church or Place of Worship, Community Assembly or Farmer's Market in the County on property with less than 20 acres requires a Conditional Use and is subject to the standards of this section. Event Center in the County, Church or Place of Worship, Community Assembly or Farmer's Market in the County are permitted by-right on sites of 20 acres or greater, including road right-of-way, if it complies with the standards of this section. When the uses listed above do not comply with the standards listed in this section a Conditional Use is required and shall be subject to the development standards established by the Governing Body.

(1) Maximum building occupancy is limited to that established by building and/or fire officials utilizing applicable building or fire code standards.

- (2) Buildings, events and activities shall comply with applicable building, fire, sanitation, life-safety and other applicable codes.**
- (3) Seating or attendance at outdoor events shall be limited to the maximum number of occupants permitted by the minimum required parking.**
- (4) Required parking for an Event Center in the County shall be provided at the rate of one space per four occupants or as established by a parking study. Parking for Church or Place of Worship and Community Assembly shall be per the off-street standards listed in the Code for each use. Parking for Farmer's Market in the County shall be one space per 333 square feet of exhibition and sales area. Parking spaces for persons with disabilities shall be paved. Parking, drive aisles and circulation areas for uses shall be rock or material designated by County officials unless a rock or paved driveway 50 feet in length, measured from the right of way line and is at least six inches thick, is provided and maintained, and the use is not open to the public more than 100 days per year. If a rock or paved driveway 50 feet in length, measured from the right of way line and is at least six inches thick, is provided and maintained, the parking and circulation aisle surface may be grass. All parking shall be located on-site. The event operator or the property owner must maintain a logbook or calendar that accurately indicates the date(s) per month the site will be in use.**
- (5) Sites offering both indoor and outdoor events shall require parking for the use with the highest parking requirement.**
- (6) Drainage shall be addressed at the time of platting, change of occupancy or as part of building permit review.**
- (7) Building and activity areas (other than a driveway) shall be setback 100 feet from property lines.**
- (8) Access control shall be as determined by Sedgwick County Traffic Engineer.**
- (9) Signage shall be per County Sign Code.**
- (10) The service of food and drink may be permitted both indoor and outdoor as part of the operations of the facility provided that the service complies with all applicable regulations. The service of any alcoholic liquor or cereal malt beverage is permitted only with applicable licenses.**
- (11) Portable toilets shall not be placed within the 100-foot building setback.**
- (12) Prior to use of the property for the stated use, the applicant shall submit for review and approval by the Director of Planning or his designee a detailed site plan that depicts existing and/or proposed: property boundaries, buildings, structures, access points, driveways, location and number of**

parking spaces, outdoor lighting, location of dumpsters, setbacks, outdoor seating or activity areas. At a minimum, the site plan shall be to scale and/or have enough dimension control to verify: site size, size of improvements, buildings or activity areas, location of improvements, buildings, or activity areas, and parking, circulation drives, and access points or any other pertinent details as requested by County staff.

The Event Center shall be limited to the following hours of operation:

- ***Sunday through Thursday: 8:00 a.m. to 8:00 p.m.***
- ***Friday and Saturday: 8:00 a.m. to 12:00 a.m. (midnight)***

5. Access shall be as indicated on the plan, and/or as approved during the platting process.
6. ***All freestanding signs must be monument type and must be placed on Parcel 2 for Parcels 1 and 2, inclusive. Each sign shall be allowed 75 sq ft for a total of 150 sq ft. The distance between signage for Parcel 2 shall be a minimum of 100 feet.***
7. Parking for uses in Parcel 1 shall adhere to the requirements stated in the Unified Zoning Code (UZO). Parking in Parcel 2 shall ***provide a minimum of: 20 total parking spaces*** for the Event Center/Community Assembly, ***1 (one) parking space for single-family dwelling***, and 1 (one) parking space per ***Hotel/Motel dwelling unit***.
8. All outdoor lighting shall employ cut-off luminaires to minimize light trespass and ~~along~~, ~~and~~ will be aimed or shielded away from neighboring properties.
9. Amendments, adjustments or interpretations to this P.U.D. shall be done in accordance with the Unified Zoning Code.
10. The Transfer of Title of all or any portion of land included within the Planned Unit Development (or any amendments thereto) does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.
11. 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.
12. The design layout shown on the plan illustrates one development concept. Modifications to the size and/or location of improvements, building layout, and/or access locations may be permitted, provided they meet all requirements of this plan. This plan envisions the development of a mixed-use facility, as shown on the plan; however, in the event additional uses within separate buildings are proposed, the applicant shall submit a revised site plan to the Planning ***Department*** for review. If such modifications are determined by the Planning Director, with the concurrence of the Zoning Administrator, to be significant, the owner shall be required to file for an administrative adjustment to the P.U.D. If the change is considered greater than what can be approved administratively, the owner shall be required to file an amendment to the

P.U.D., which shall be submitted to the Planning Commission for *its* consideration.

Parcel 1:

A.	Net Area:	468,139 sq.ft. ±, or 10.7 acres ±
B.	Maximum Building Coverage:	163,849 sq.ft., or 35 percent
C.	Maximum Gross Floor Area:	163,849 sq.ft.
D.	Floor Area Ratio:	35 percent
E.	Maximum Building Height:	45 feet
F.	Setbacks:	Per Drawing
G.	Access Points:	See Drawing
H.	Permitted Uses:	See General Provision #5

Parcel 2:

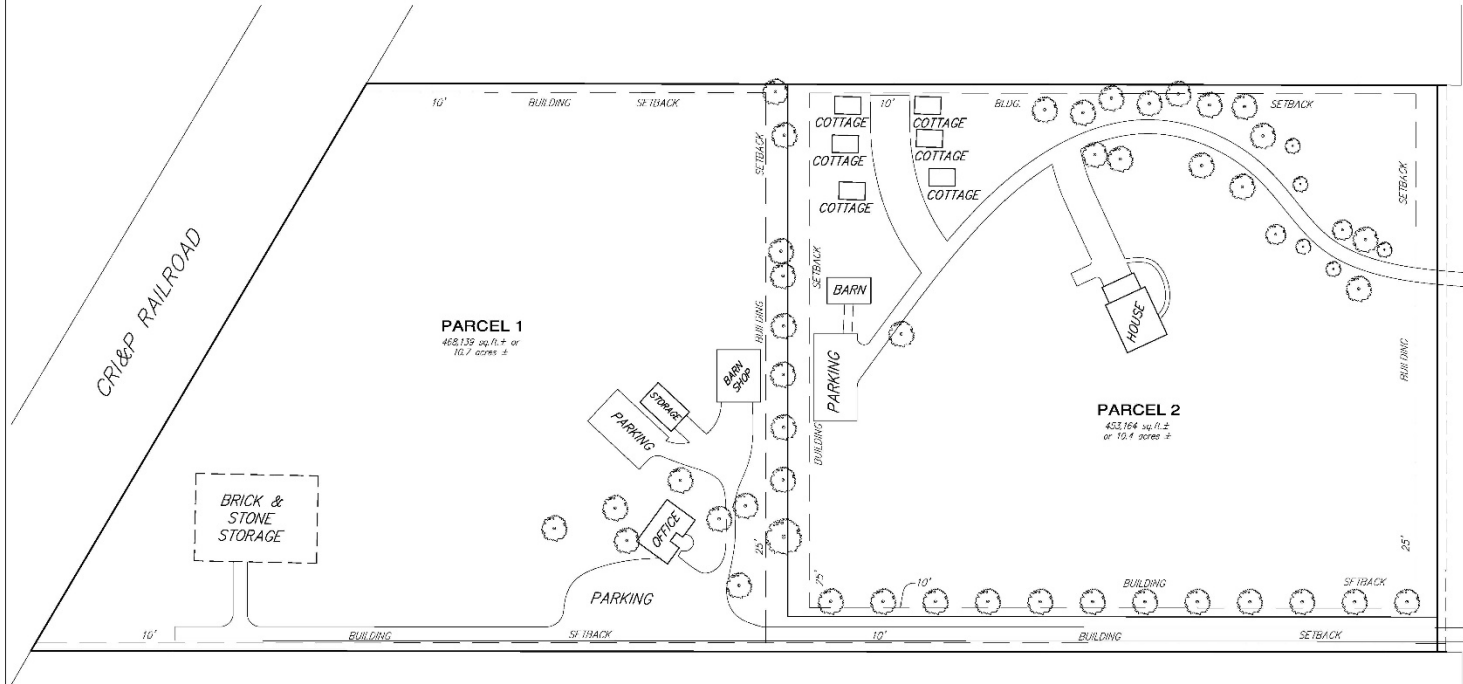
A.	Net Area:	453,164 sq.ft. ±, or 10.4 acres ±
B.	Maximum Building Coverage:	152,307 sq.ft., or 35 percent
C.	Maximum Gross Floor Area:	152,307 sq.ft.
D.	Floor Area Ratio:	35 percent
E.	Maximum Building Height:	35 feet
F.	Setbacks:	Per Drawing
G.	Access Points:	See Drawing
H.	Permitted Uses:	See General Provision #5

Legal Description:

That part of the Northeast Quarter of Section 12, Township 26 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas, lying east of the Right of Way of the Chicago, Rock Island, and Pacific Railway Company; EXCEPT the South 988.9 feet; EXCEPT the North 1006.69 feet thereof; AND EXCEPT a tract described as commencing at the northeast corner thereof; THENCE south along the East Line of said Northeast Quarter, 1006.69 feet for a point of beginning; THENCE west, parallel with the North line of said Northeast Quarter, 807 feet; THENCE south, 652.77 feet; THENCE east, 806.98 feet; THENCE north to beginning, TOGETHER WITH that part of the Northeast Quarter of Section 12, Township 26 South, Range 1 East of the Sixth Principal Meridian, Sedgwick County, Kansas, lying east of the Right of Way of the Chicago, Rock Island, and Pacific Railway Company; EXCEPT the South 988.9 feet; EXCEPT the North 1006.69 feet thereof; AND EXCEPT a tract described as commencing at the northeast corner thereof; THENCE south along the East Line of said Northeast Quarter, 1006.69 feet; THENCE west, parallel with the North line of said Northeast Quarter, 807 feet for a place of beginning; THENCE continuing west along the last described line, 471.97 feet to the easterly Right of Way line of CRI&P Railroad; THENCE southwesterly along said Railroad Right of way, 759.10 feet to a point 988.90 feet north of the South line of said Northeast Quarter as measured parallel with the East line of said Northeast Quarter; THENCE east parallel with the South line of said Northeast Quarter, 859.24 feet to a point 806.98 feet west of the East line of said Northeast Quarter; THENCE north parallel with the East line of said Northeast Quarter, 652.77 feet to the place of beginning; AND EXCEPT the East 50 thereof for road.

HEARTSTONE

PLANNED UNIT DEVELOPMENT PUD #???



GENERAL PROVISIONS:

1. Total Land Area: 903,303 sq. ft. + or 20.74 acres ±
Total Gross Floor Area: 316,156 sq. ft. + or 35.0 percent
2. Setbacks are displayed on the individual parcels within the PUD, or outlined in the Parcel descriptions.
3. A Drainage Plan shall be submitted to the appropriate governing body for approval. Required guarantees for drainage shall be provided at the time of platting improvements.
4. Parcel 1 shall be limited to the following uses: Construction Sales and Service, Storage, Offices, subject to the supplemental regulations set forth in Section 82.6.01 of the Unified zoning code, and Office, general.
Parcel 2 shall be limited to those permitted by-right in the "R-16" Multi-Family Residential District; (b) six (6) and Breakfast bars, an Event Center/Community Assembly limited to 80 people maximum at any given event.
5. Access shall be as indicated on the plan, and/or as approved during the platting process.
6. All landscaping signs must by monument type and limit sign square footage to 100 square feet on Parcel 2 for Parcels 1 and 2, inclusive. The distance between signage for Parcel 2 shall be a minimum of 100 feet.
7. Parking for uses in Parcel 1 shall adhere to the requirements stated in the Unified Zoning Code (UZC). Parking in Parcel 2 shall be limited as follows: 20 total parking spots for Bed and Breakfast use.
8. All outdoor lighting shall employ cut-off luminaires to minimize light trespass and glare, and will be aimed or shielded away from neighboring properties.
9. Amendments, adjustments or interpretations to this PUD shall be done in accordance with the Unified Zoning Code.
10. The transfer of title of all or any portion of land included within the Planned Unit Development for any amendments thereto, does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land and be binding upon present owners, their successors and assigns.
11. 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.
12. The design layout shown on the plan illustrates one development concept. Modifications to the size and/or location of improvements, building layout, and/or access locations may be permitted, provided they meet all requirements of this plan. This plan reserves the development of a mixed-use facility, as shown on the plan; however, in the event additional uses within separate buildings are proposed, the applicant shall submit a revised site plan to the Planning Director for review. If such modifications are determined by the Planning Director, with the concurrence of the Zoning Administrator, to be significant, the owner shall be required to file for an administrative adjustment to the PUD. If the change is considered greater than what can be approved administratively, the owner shall be required to file an amendment to the PUD, which shall be submitted to the Planning Commission for their consideration.

LEGAL DESCRIPTION:

That part of the Northeast Quarter of Section 12, Township 26 South, Range 1 East of the Sixth Principal Meridian, Sedgewick County, Kansas, being west of the Right of Way of the Chicago, Rock Island and Pacific Railway Company, EXCEPT the South 398.0 feet (L1/4); the North 1008.69 feet thereof; AND EXCEPT a tract described as commencing at the northeast corner thereof; THENCE south along the East Line of said Northeast Quarter, 1008.69 feet for a point of beginning; THENCE west, parallel with the North line of said Northeast Quarter, 807 feet; THENCE south, 850.77 feet; THENCE east, 808.26 feet; THENCE north to beginning, 1028.18 feet; WITH that part of the Northeast Quarter of Section 12, Township 26 South, Range 1 East of the Sixth Principal Meridian, Sedgewick County, Kansas, lying east of the Right of Way of the Chicago, Rock Island and Pacific Railway Company, EXCEPT the South 986.9 feet; EXCEPT the North 1008.69 feet thereof; AND EXCEPT a tract described as commencing at the northeast corner thereof; THENCE south along the East line of said Northeast Quarter, 1008.69 feet; THENCE west, parallel with the North line of said Northeast Quarter, 807 feet for a point of beginning; THENCE continuing west along the last described line, 471.57 feet to the easterly right of way line of CRIP Road; THENCE southwesterly along said Railroad right of way, 23.12 feet to a point 288.02 feet north of the South line of said Northeast Quarter; as measured parallel with the East line of said Northeast Quarter; THENCE east parallel with the South line of said Northeast Quarter, 850.24 feet to a point 808.26 feet west of the East line of said Northeast Quarter; THENCE north parallel with the East line of said Northeast Quarter, 652.77 feet to the place of beginning; AND EXCEPT the East 50 feet thereof for road.

PARCEL 1

- A. Net Area: 468,139 sq. ft. ± or 10.7 acres ±
- B. Maximum Building Coverage: 161,849 sq. ft. ±, or 35 percent
- C. Maximum Gross Floor Area: 161,849 sq. ft.
- D. Floor Area Ratio: 35 percent
- E. Maximum building height: 40 feet
- F. Setbacks: See Drawing
- G. Access Points: See Drawing
- H. Permitted Uses: See General Provision #8

PARCEL 2

- J. Net Area: 453,164 sq. ft. ± or 10.4 acres ±
- K. Maximum Building Coverage: 152,307 sq. ft. ±, or 35 percent
- L. Maximum Gross Floor Area: 152,307 sq. ft.
- M. Floor Area Ratio: 35 percent
- N. Maximum building height: 35 feet
- O. Setbacks: See Drawing
- P. Access Points: See Drawing
- Q. Permitted Uses: See General Provision #8

PROJECT DESCRIPTION:

The intent of this Planned Unit Development is to facilitate a mixed-use development that includes a residential, commercial, and industrial component that allows for a certain level of flexibility with site development regulations which would otherwise not be permitted under the existing zoning.

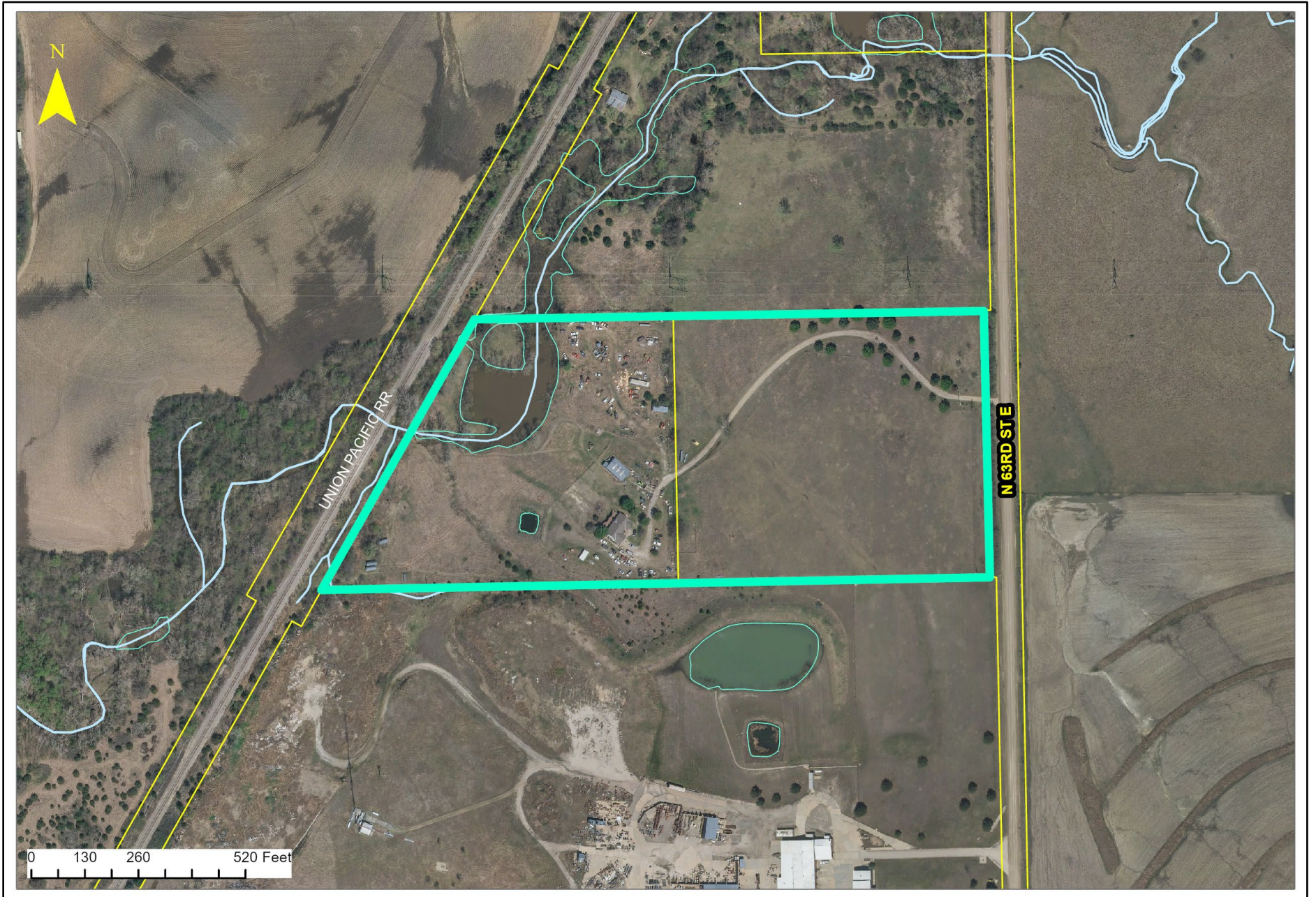
REVISIONS

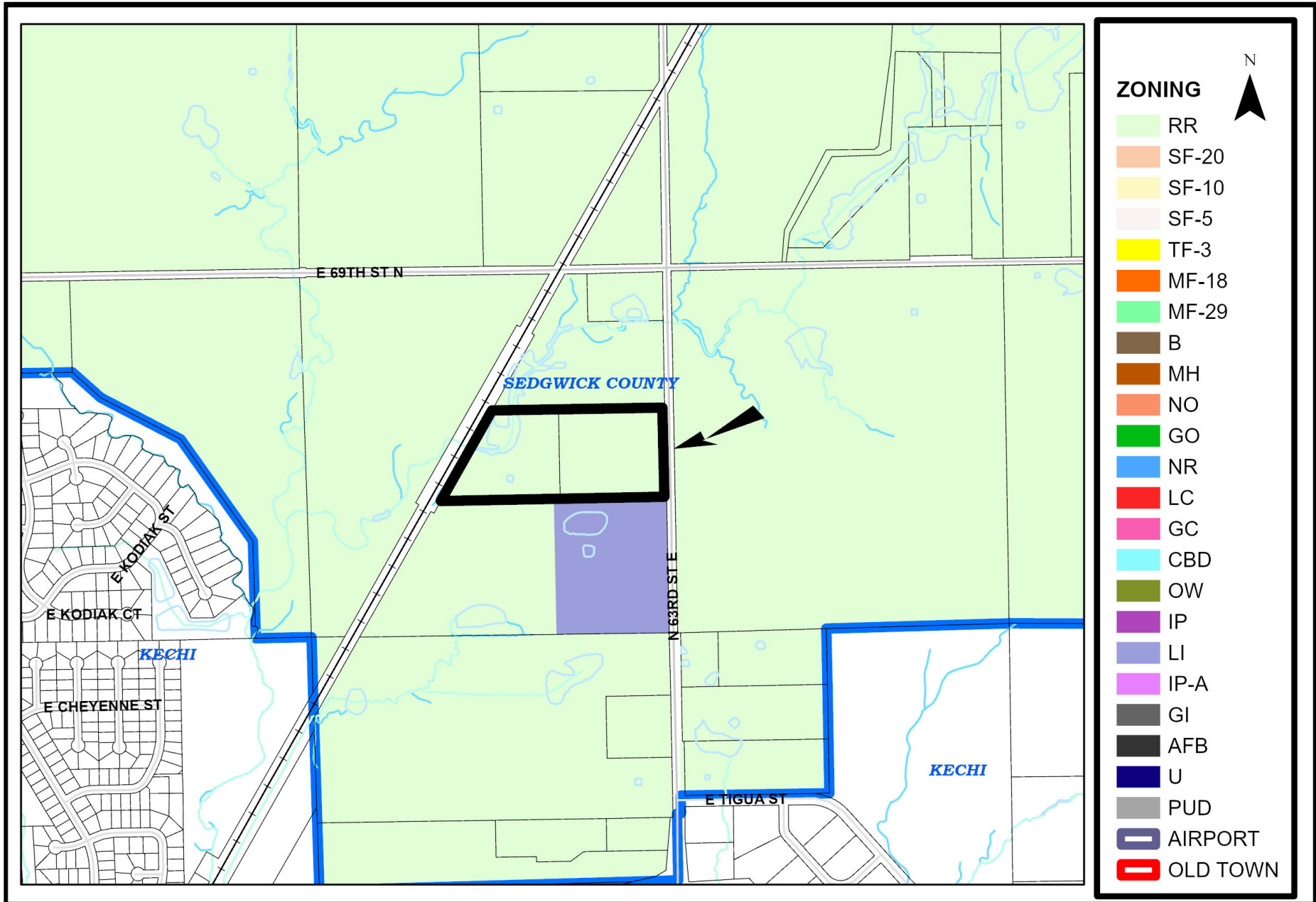
- Submitted (PUD2024-00010) May 6, 2024
- Reviewed per Staff Comments:
- Approved by MTC:
- Approved by County Commission:



PUD #???
HEARTSTONE
PLANNED UNIT DEVELOPMENT

BAUGHMAN COMPANY
315 Ellis St. Wichita, KS 67211 316-262-7271
BaughmanCo.com





2035 Wichita Future Growth Concept Map

Legend

-  Established Central Area
-  Residential and Employment Mix
-  New Employment
-  New Residential
-  Wichita City Limits
-  Other Cities
-  Northwest Bypass Right-of-Way

Statistical Development Areas

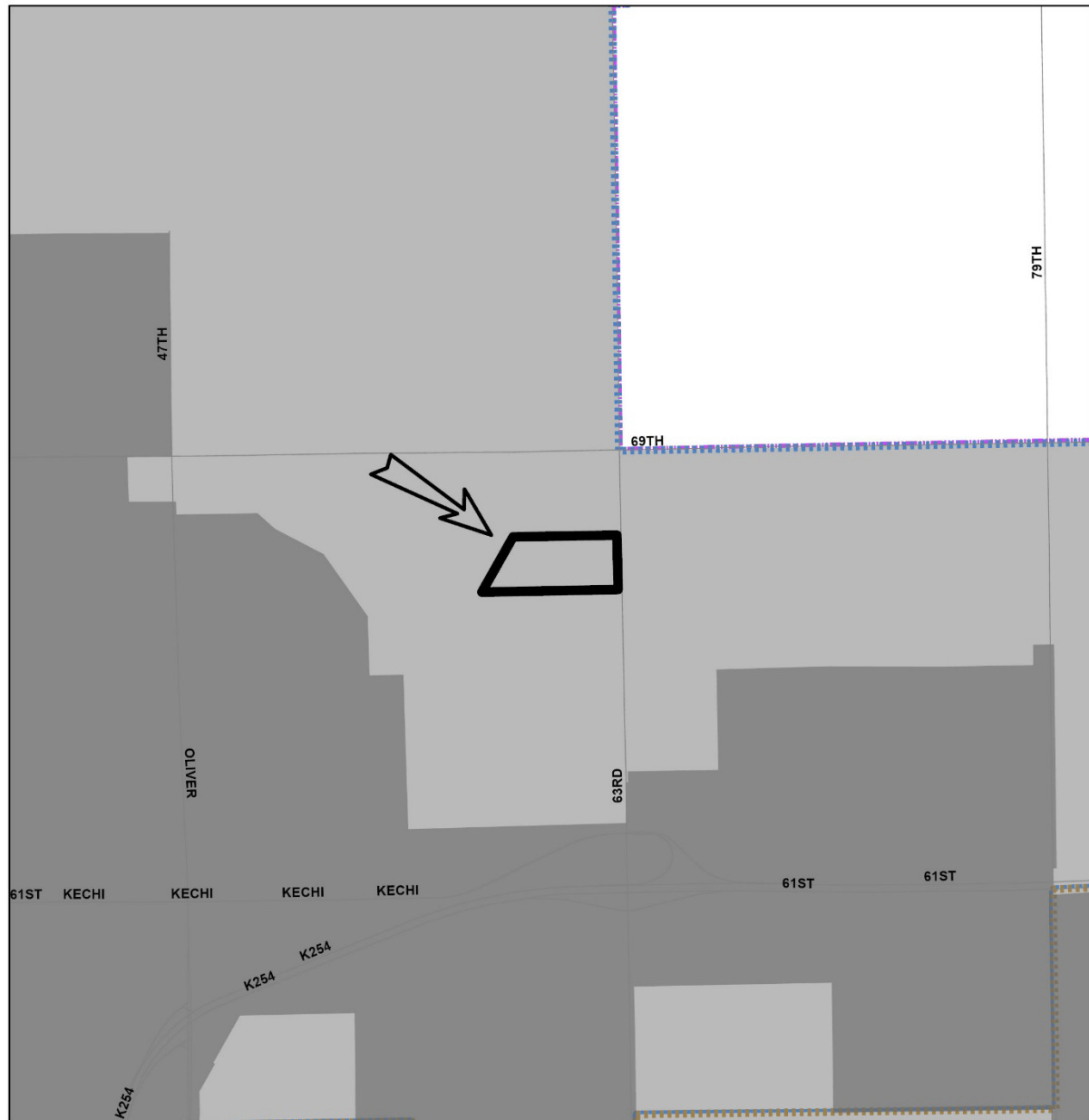
-  Other Urban Growth Areas 2014
-  Other Urban Growth Areas 2014
-  Rural Growth Areas 2014

LAND USE

-  Residential
-  Commercial
-  Industrial
-  Major Air Transportation & Military
-  Parks and Open Space
-  Agricultural or Vacant
-  Major Institutional
-  Neighborhood & Area Plans



As a participant in the public review process, the City of Wichita, Kansas, is providing this information for informational purposes only. It is not intended to constitute an offer of any financial product or service, nor is it intended to be used as a basis for any investment decision. The information is provided for informational purposes only and does not constitute an offer of any financial product or service. The information is provided for informational purposes only and does not constitute an offer of any financial product or service. The information is provided for informational purposes only and does not constitute an offer of any financial product or service.



Looking northwest into site



Looking west into site



Looking north away from site



Looking east away from site



Looking south away from site





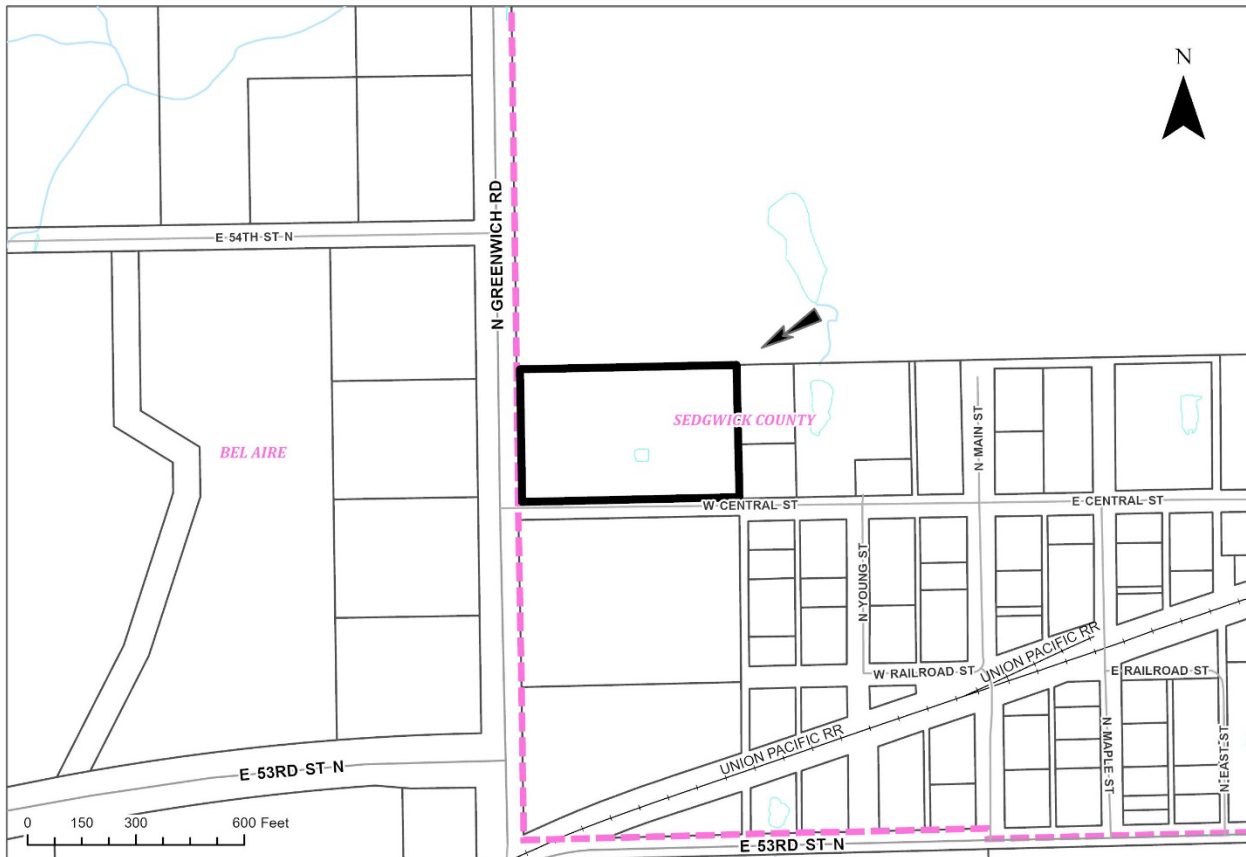
STAFF REPORT

MAPC: June 27, 2024

CAB 1: June 17, 2024

Bel Aire Planning Commission: June 13, 2024

-
- CASE NUMBER:** ZON2024-00027 (County)
- APPLICANT/AGENT:** Sharp Holdings, LLC (Applicant)
- REQUEST:** LC Limited Commercial District
- CURRENT ZONING:** RR Rural Residential District
- SITE SIZE:** 5.05 acres
- LOCATION:** Generally located on the east side of North Greenwich Road and one-quarter mile north of East 53rd Street North (350 West Central, Greenwich) (Bel Aire Area of Influence).
- PROPOSED USE:** Uses allowed by the LC zoning.
- RECOMMENDATION:** Approve.



BACKGROUND: The applicant is requesting a zone change from RR Rural Residential District (RR) to LC Limited Commercial District (LC). The 5.05-acre property is made of up two platted lots and is generally located on the east side of North Greenwich Road and one-quarter mile north of East 53rd Street North (350 West Central, Greenwich). On the west side of the subject site there are currently two warehouse-like buildings on the property. The east side of the site is developed with a single-family dwelling. The applicant is proposing to develop the property with uses permitted by-right in the LC District. They applicant did not specify a specific use.

The minimum lot size for RR is two acres (87,120 square feet), and there is no minimum lot size in the LC District. The requested zone change to LC would result in a reduction in minimum lot area, setbacks, maximum height, and minimum lot width, as represented in the table below:

Property Development Standards	RR Rural Residential	LC Limited Commercial
Minimum lot area	2 acres	0 square feet
Front setback	30 feet	20 feet
Rear setback	25 feet	10 feet*
Interior Side setback	20 feet	0 feet*
Maximum height	35 feet	80 feet*
Minimum lot width	200 feet	0 feet

*Subject to compatibility standards detailed below.

Section IV-C.4 of the UZC sets forth compatibility setback standards for rear and side lot lines for non-residential developments abutting zoning districts TF-3 Two-Family Residential District (TF-3) or more restrictive. Based on the width of the subject site, any commercial building would be required to be setback at least 25 feet from the north and east property lines. Additionally, Section IV-C.5 of the UZC sets forth compatibility height standards for non-residential development abutting or across the street from property zoned TF-3 or more restrictive. This section states: “No structure shall exceed 35 feet in height within 50 feet of the lot line of a property zoned TF-3 or more restrictive. Structures located more than 50 feet from the lot line of property zoned TF-3 or more restrictive may increase height (if permitted by the base District regulation) at a ratio of one foot in height for each three feet of setback beyond 50 feet.” For example, a structure 53 feet away from the lot line of a property zoned TF-3 or more restrictive can be 36 feet tall. A structure 56 feet away from the same lot line can be 37 feet tall, and so on. This compatibility height standard applies to the north, east, and south property lines.

Section IV-B of the Unified Zoning Code (UZC) requires a minimum of a six-foot solid screening fence between non-residential developments and residential zoning district. If developed with non-residential uses, the subject site will have to provide a screening fence along the north, east, and south property lines where abutting or across the street from residential zoning.

The character of the neighborhood is rural and low-density residential. Properties to the north, south, and east are zoned RR. Property to the west is zoned M-1 Industrial District (Bel Aire, KS City Code). Property to the north and west of the subject site are in use as agricultural land. Property to the east is developed with a single-family residence and agricultural land. Property to the south is zoned RR and developed with a church.

CASE HISTORY: In 2003, the property was platted as part of the McNeil Addition. There are no zoning cases associated with this property.

ADJACENT ZONING AND LAND USE:

NORTH:	RR	Agricultural land
SOUTH:	RR	Church
EAST:	RR	Single-family residences

WEST: M-1 Agricultural land

PUBLIC SERVICES: The subject site has access to West Central Street (Greenwich, KS) and North Greenwich Road. West Central Street is a gravel, two-lane local street with open ditches, and North Greenwich Road is a paved, two-lane arterial with open ditches. The property uses an on-site sewer system, and water is provided by the Sedgwick County Rural Water District 1.

CONFORMANCE TO PLANS/POLICIES: The requested zone change is in partial conformance with *The Community Investments Plan*. The *Community Investments Plan* (the Wichita-Sedgwick County Comprehensive Plan) includes the 2035 Wichita Future Growth Concept Map. The Map identifies the area in which the site is located to be appropriate for “Small City Urban Growth Area”, which the *Plan* defines as: “*Generally located adjacent to existing municipal boundaries, these areas indicate the likely direction and magnitude of growth these communities can expect to experience out to the year 2035. Growth direction and amount is based upon municipal political considerations, anticipated population growth, efficient patterns of growth, current infrastructure limitations, cost effective delivery of future municipal services, and environmental factors.*”

With the subject site being in the Bel Aire Urban Growth Area, staff reviewed the Bel Aire Comprehensive Plan to identify the proposed future land use of the subject site. The attached Preferred Balanced Growth Scenario Map from the City of Bel Aire’s comprehensive plan does not specifically identify an appropriate future land use for the subject site. That being said, property adjacent to the west, in the city limits of Bel Aire, is zoned for industrial development. Commercial development with the LC District is less intense than what would be permitted in Bel Aire’s industrial zoning and can be a buffer between those higher intensity uses to the west and the low density residential to the east. Additionally, commercial development along an arterial road is generally considered reasonable. Furthermore, the UZC permits a number of commercial home occupations by-right that are akin to some uses permitted in the requested zone change to LC. The compatibility standards and screening requirements of the UZC are designed to mitigate possible negative impacts with nearby residential uses.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be **APPROVED**.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** The character of the neighborhood is rural and low-density residential. Properties to the north, south, and east are zoned RR. Property to the west is zoned M-1 Industrial District. Properties to the north and west are in use as agricultural land. Properties to the south and east are developed with single-family residences.
2. **The suitability of the subject property for the uses to which it has been restricted:** The property is presently zoned RR, which is suitable for a limited number of residential, public, and civic uses, including single-family residences. Additionally, the UZC permits a number of commercial home occupations by-right that are akin to some uses permitted in the requested zone change to LC.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** The requested zone change and proposed development may bring additional traffic to the area. However, it will be able to act as a buffer to the nearby residential properties from the M-1 Industrial zoning to the west. Furthermore, the compatibility standards and the screening requirements of the UZC are designed to mitigate possible negative impacts on nearby residential properties.
4. **Length of time subject property has remained vacant as zoned:** The site is currently developed with two warehouse-like structures and a single-family dwelling.
5. **Relative gain to public health, safety, and welfare as compared to the loss in value or the hardship imposed upon the applicant:** Approval would permit additional uses of the land. Approval should provide

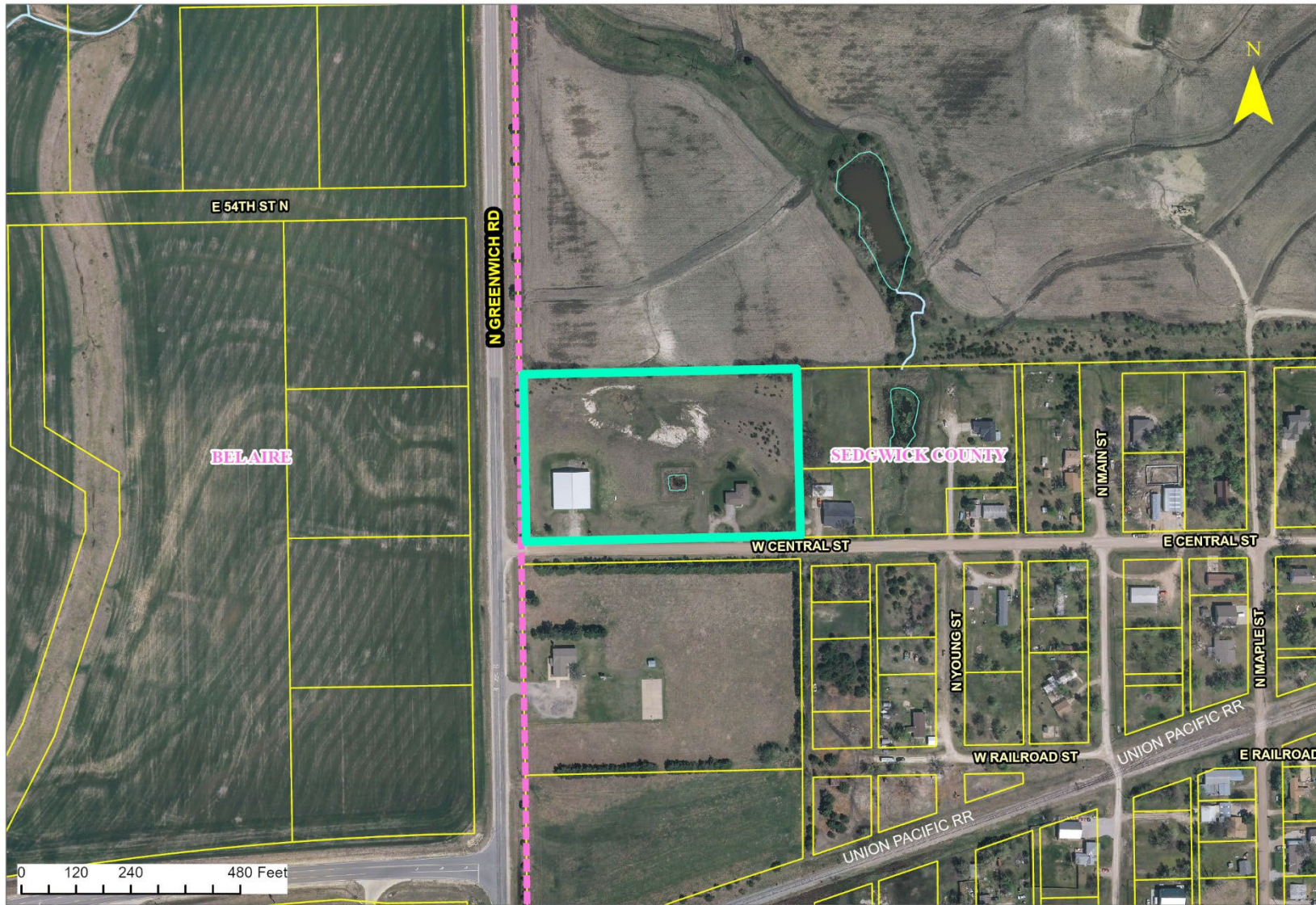
appropriate screening and buffering to ensure compatibility among land uses. Denial may represent a loss of economic opportunity for the applicant.

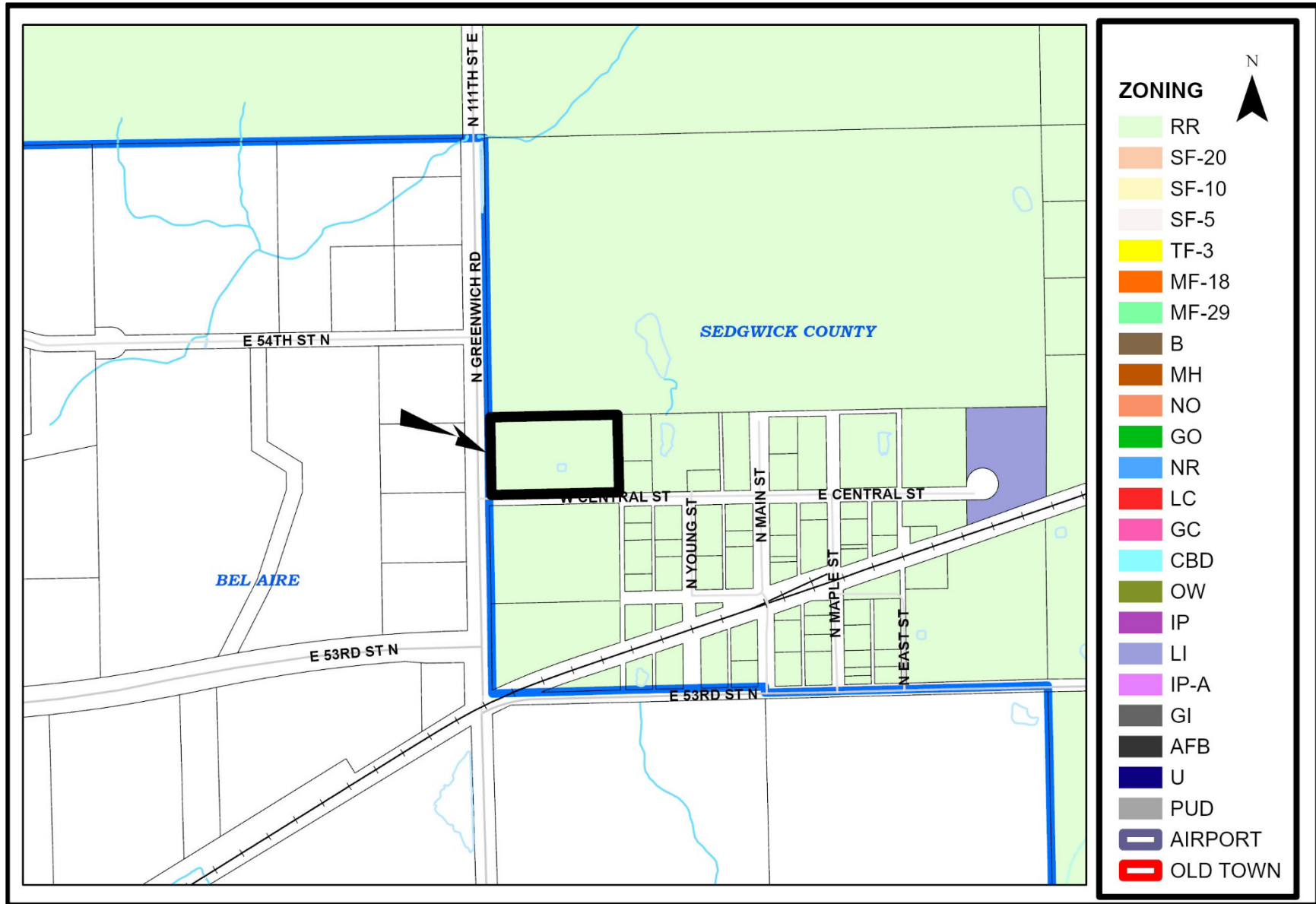
6. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The requested zoning is in partial conformance with the *Community Investments Plan*, as discussed in the staff report.
7. **Impact of the proposed development on community facilities:** The subject site is in Rural Water District 1. If approved, development is not likely to have significant detrimental impacts on community facilities.
8. **Opposition or support of neighborhood residents:** At the time the staff report was prepared, staff has received two comments in opposition to this request.

Staff Report Attachments:

1. Aerial Map
2. Zoning Map
3. 2035 Future Land Use Map
4. Preferred Balanced Growth Scenario Map
5. Site Photos
6. Public Comments

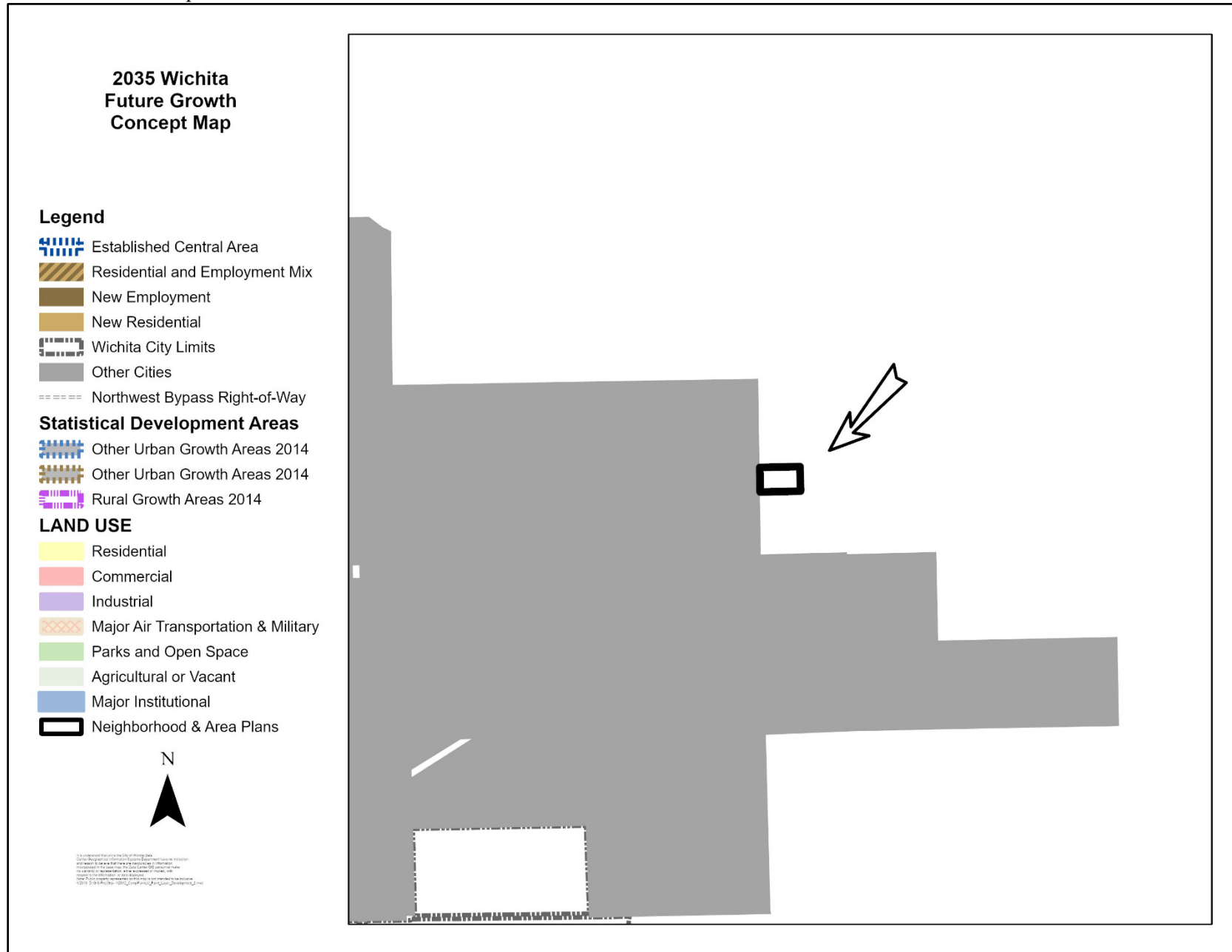
Aerial Map

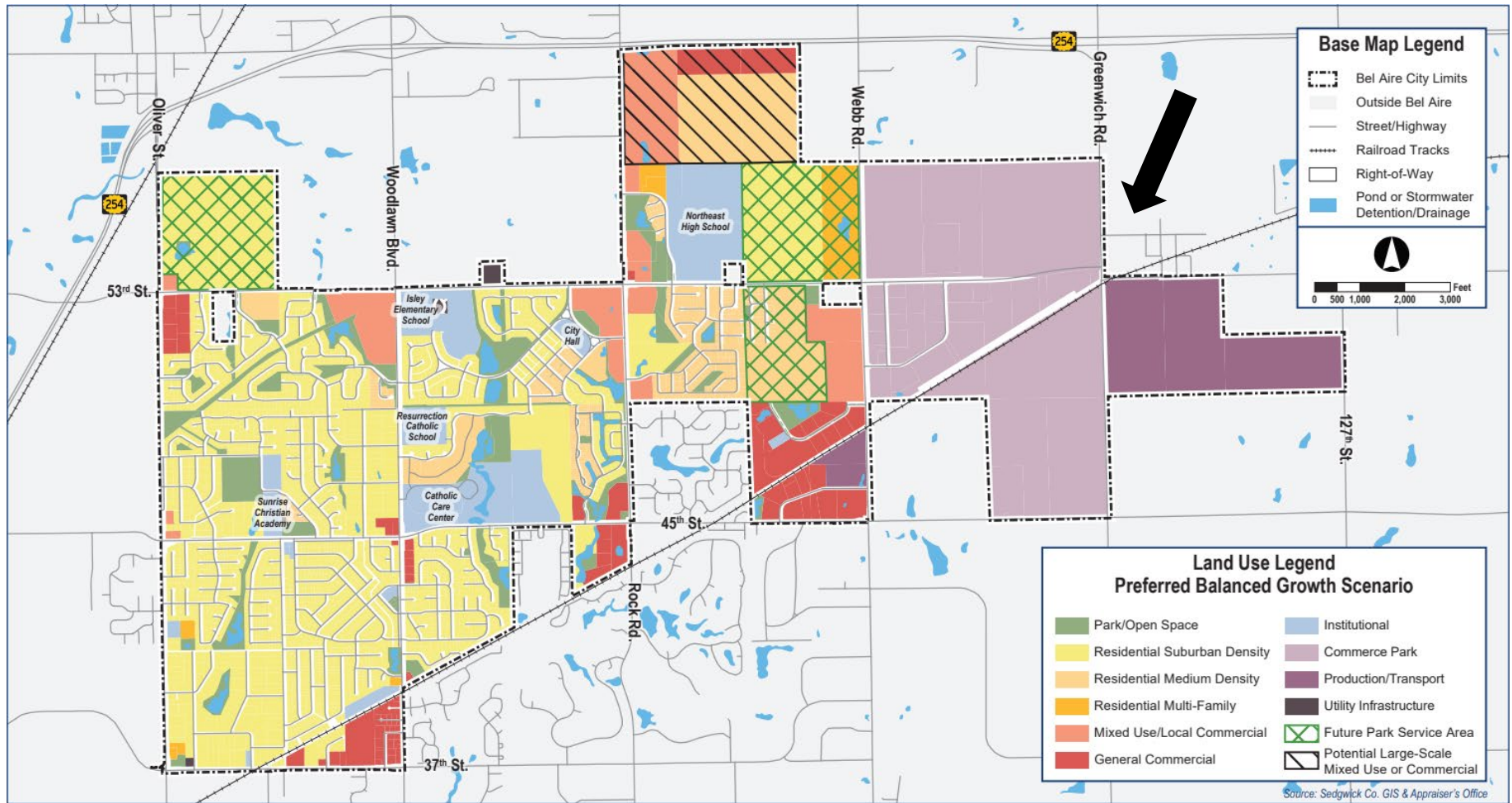




Zoning Map

Future Land Use Map





Preferred Balanced Growth Scenario Map (Arrow pointing towards location subject site)

Looking north into property



Looking south away from property



Looking east away from the property



Looking east into property



Looking west away from property



Public Comments:

Good morning. Please accept this email as our written statement protesting the proposed rezoning of the 5.05 acre property generally located on the northeast corner of West Central Street and North Greenwich Street East. We are relatively new to the neighborhood. We purchased our 2.5 acre property in July of 2023 and have done quite a bit to improve our property. We like the area. It's quiet, has a rural feel but yet is close to amenities, K254 and K96. It's why we chose to move here. This little township is surrounded by land that is listed for sale as either commercial or industrial which is bad enough. We don't prefer that to creep into our little township any more than it already has. We, as well as many of our neighbors, are concerned about the values of our properties should that re-zoning occur.

There is already a commercial business (we understand to be grandfathered in) called Splice Co. located on the far east end of the township. We didn't know about this until after we moved in. They drive heavy equipment at high rates of speed on the main road in and out of the township (Central) which tears up the roads, increases traffic and causes a lot of dust. Not knowing what the intended use is for the area identified above if the rezoning occurs, raises even more concerns about how much noise will be added to the area, additional damage to roads, increased traffic, personal safety, additional drainage issues, etc.

We, personally, already have drainage issues that we assume stem from the cement plant that is south and west of our township. Per the neighbors, the flooding in this area was never this bad until that plant was built. The cement plant does have a retention pond but it does NOT hold water (we witnessed this after heavy rain) and it flows directly into the drainage for our township which ends up in our retention pond.

We were told the previous owners of our property dug the retention pond in an effort to mitigate flooding of the property. However, due to the increased drainage coming in, we've had to spend thousands of dollars trying to fix/mitigate flooding issues on our property around that retention pond. If another business is allowed in the area, it could possibly increase the issues we are already experiencing.

It's our understanding, based on a conversation we had with someone moving things into the building, that the owner is in the process of selling the property to that individual. The property is actually one large storage building and a small home. There are not two warehouses on the property.

If someone wants to open a commercial business in this area, as I've said, there's plenty of land available to purchase and do so. This needs to and should remain a little slice of heaven.....as a rural residential neighborhood.

We've learned from our neighbors that this isn't the first time the owner of that property has tried to rezone that area. Many protested at that time and the Commission did not approve of the request. We ask that the Commission uphold that same decision with this new request.

Thank you,
Rob and Joelle Dreiling