

Planning Agenda Item # _____

City of Wichita
City Council Meeting
March 9, 1993

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: DP-210 - REQUEST FOR APPROVAL OF THE SHADYBROOK
COMMERCIAL COMMUNITY UNIT PLAN

Z-3088 - REQUEST FOR ZONE CHANGE FROM THE "LC" LIGHT
COMMERCIAL AND "RB" FOUR-FAMILY DWELLING DISTRICTS TO
THE "LC" LIGHT COMMERCIAL DISTRICT, LOCATED AT THE
SOUTHWEST CORNER OF 21ST STREET NORTH AND HILLSIDE.

(District #1)

INITIATED BY: Metropolitan Area Planning Department 

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to conditions. (11-0)

Staff Recommendation: Approve, subject to platting.

CPO Recommendation: CPO Council Northeast "1" recommended approval
subject to platting. (6-1)

Background: On February 11, 1993, the MAPC held a public hearing to consider approval of a commercial community unit plan and a zone change from the "RB" Four-Family Dwelling District to the "LC" Light Commercial District for a 3.01-acre site. The site is currently developed with duplexes, multi-family housing and a vacant commercial building generally located at the southwest corner of 21st and Hillside. The proposed development is limited to a maximum of 34,000 square feet in a maximum of six buildings.

The property to the north is zoned "LC" Light Commercial, "B" Multiple-Family Dwelling and "BB" Office and is developed with a WSU child care center and campus housing. Property to the south is zoned "A" Two-Family Dwelling and is developed with duplexes. Wichita State University is located east of the application area across Hillside. Property to the west of the application area is zoned "A" Two-Family Dwelling and "RB" Four-Family Dwelling and is developed with duplexes.

A previous rezoning request for a portion of this property (Z-3014, "RB" to "LC") was not supported by staff. Staff's objection to the request was that piecemeal rezoning would eliminate the potential for the corner to be developed as a mixed-use project that would be of long-term benefit to the neighborhood and overall community. Of

particular concern was the negative impact some uses permitted in the "LC" district, particularly activities which operate 24-hours a day, and auto-related uses, would have on the surrounding neighborhood. This earlier case was recommended for approval by the Planning Commission. After City Council returned the request to the MAPC for reconsideration, it was withdrawn by the applicant.

The City of Wichita now owns the entire block and is seeking approval of a mixed-use commercial development. The development includes three parcels which are all approximately one acre in size. Parcel 1 will have one access each to 21st Street, Hillside and Shadybrook. Parcel 2 will have one access point to 21st Street. Proposed uses for Parcels 1 and 2 are financial institutions; offices; retail businesses; personal services; and restaurants. Drive-through services will also be permitted, but only on Parcel 2. Parcel 3 will have one access each to 21st Street, Shadybrook and Carmen. Proposed uses are public buildings, offices and personal services.

The intended purchaser of Parcel 1 is Bank IV. Parcel 3 will be the location of the new police substation. Development is limited to 12,000 square feet in one building for each of these two parcels. Parcel 2 is limited to 10,000 square feet in four buildings.

In order to ensure compatibility of the application area with the surrounding neighborhood, the C.U.P. prohibits drinking establishments, taverns, private clubs, adult entertainment establishments, auto maintenance, repair or parts sales, vehicle sales and rental, car washes, service stations and pawn shops on the property. Other restrictions to help establish a unified character for the entire block include signage limitations, use of similar exterior building material or colors in all parcels in the block, and light poles and fixtures of design similar to those installed on the WSU campus.

The 1992 Traffic Volume Flow Map shows that there was an average daily traffic volume on 21st Street of 23,155 and on Hillside of 14,197 at the intersection of 21st Street and Hillside. This arterial street intersection is located at the northeast corner of the C.U.P. From an evaluation of 279 signalized intersections performed by the Planning Department in December 1992, this intersection is currently experiencing low congestion, based on its traffic volume and capacity. The proposed use will have minimal impact on the traffic volume on 21st Street and on Hillside. In addition, the current Capital Improvement Program includes plans to widen 21st Street from Hillside to I-135. Work on this project has already begun.

RECOMMENDATIONS/ACTIONS: 1. Concur with the findings of MAPC and approve the zone change and C.U.P., subject to the recommended conditions; place the ordinance establishing the zone change on first reading and instruct the City Clerk to withhold

publication until the plat has been recorded with the Register of Deeds; or

2. Return the applications to the MAPC for reconsideration, stating reasons; or
3. Override the Planning Commission's recommendation by a 2/3 majority vote of the membership of the governing body.

(_____) Published in The Daily Reporter on _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 28.04.210, THE CODE OF THE CITY OF WICHITA, KANSAS.

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 Section 28.04.210, The Code of the City of Wichita, Kansas, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No.Z-3088
Zone change from the "RB"
Four-Family Dwelling District
to the "LC" Light Commercial District

Lots 2, 3, 4, 5, 6, 7 and 8 and the west 319.25' of Reserve A, Block 1, Shadybrook Addition, to the City of Wichita, Sedgwick County, Kansas (Now being platted as the Shadybrook Commercial Addition)

Generally located south of 21st Street North and west of Hillside.

SECTION 2. That upon the taking effect of the Ordinance, the above zoning change 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 Zoning Ordinance 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, _____

ATTEST:

(SEAL) _____ City Clerk

Mayor

Approved as to form:

City Attorney