Planning Agenda Item #_____

City of Wichita
City Council Meeting
November 5, 1991

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: DP-191 (AMENDMENT #1) - WILSON PROPERTY COMMERCIAL COMMUNITY UNIT PLAN, LOCATED ON THE SOUTHEAST CORNER OF 21ST STREET NORTH AND ROCK ROAD.

Z-3040 - ZONE CHANGE REQUEST FROM THE "A" ONE-FAMILY DWELLING DISTRICT TO THE "LC" LIGHT COMMERCIAL DISTRICT.

DP-200 - WILSON PROPERTY N.E. COMMERCIAL COMMUNITY UNIT PLAN, LOCATED ON THE SOUTHWEST CORNER OF 21ST STREET NORTH AND WEBB ROAD.

DP-201 - WILSON ESTATES RESIDENTIAL/OFFICE COMMUNITY UNIT PLAN, LOCATED ON THE SOUTH SIDE OF 21ST STREET NORTH, BETWEEN ROCK AND WEBB ROADS.

Z-3037 - ZONE CHANGE FROM THE "AA" ONE-FAMILY DWELLING AND "LC" LIGHT COMMERCIAL DISTRICTS TO THE "BB" OFFICE DISTRICT, LOCATED ON THE SOUTH SIDE OF 21ST STREET NORTH, IN AN AREA EAST OF ROCK ROAD.

Z-3038 - ZONE CHANGE FROM "AA" ONE-FAMILY DWELLING DISTRICT AND "LC" LIGHT COMMERCIAL DISTRICT TO THE "BB" OFFICE DISTRICT, LOCATED ON THE WEST SIDE OF WEBB ROAD BETWEEN 19TH AND 21ST.

Z-3039 - ZONE CHANGE FROM "LC" LIGHT COMMERCIAL DISTRICT TO THE "AA" ONE-FAMILY DWELLING DISTRICT, LOCATED ON THE SOUTH SIDE OF 21ST STREET NORTH, IN AN AREA WEST OF WEBB ROAD. **(District #2)**

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve (5-0).

Staff Recommendation: Approve.

CPO Recommendation: CPO Council "2" recommended approval (6-0).

Background: On September 26, 1991, the MAPC held a public hearing to consider approval of three community unit plan proposals and four associated zone change requests that cover properties within the Wilson Estate ownership between Rock Road and Webb Road, south of 21st Street.

The MAPC elected to review all the cases filed on the property at one time. One of the C.U.P. requests (DP-191 Amendment #1) proposed to increase the size of the commercial area on the southeast corner of the 21st Street/Rock Road intersection from 9.4 acres to 12.55 acres to accommodate the extension of the Bradley Fair shopping complex south along Rock Road.

The second C.U.P. (DP-200) request would voluntarily establish a small (3.2 acre) commercial development plan on the southwest corner of the 21st Street/Webb Road intersection.

The third C.U.P. request (DP-201) covers the balance of the property between Rock Road and Webb Road, south of 21st Street, to the railroad tracks. The proposed development plan would create separate parcels for mostly low-density residential uses similar to what has been and is being developed in the urbanizing area.

Parcels adjacent to the commercial areas at the Rock Road/21st Street and Webb Road/21st Street intersections are proposed to have the option of developing for office purposes, in addition to the higher-density residential apartment uses also proposed on the parcels.

The specifics of each community unit plan proposal are contained in the staff reports incorporated into the excerpts of the Planning Commission minutes which are attached for your reference.

After review, the Planning Commission took action to recommend approval of the C.U.P.s and associated zone change requests subject to the conditions outlined in the staff reports which, among other items, included a provision requiring the applicant to guarantee 25% of the costs of improving the 21st Street/Rock Road intersection to include double left-turn lanes at such time as the overall level of service of the intersection drops from C to D, E or F and a provision that limits office development to 100,000 square feet on the southeast corner of the 21st Street/Rock Road intersection until the traffic study associated with the C.U.P. proposals is updated and any required improvements are initiated.

Staff emphasized during presentation of the C.U.P. proposals that whenever an improvement project is brought to the City Council for initiation in the future to create double left-turn lanes at the 21st Street/Rock Road intersection, staff will be recommending that the commercially developed properties on the other corners of the intersection be required to assist in the funding of the improvements at a similar level of participation.

The applicant subsequently agreed to add the recommended conditions to the development plan proposal and they have been incorporated into the copies of the C.U.P. drawings included with the Council's agenda material.

RECOMMENDATIONS/ACTIONS:

1. Concur with the findings of the MAPC and approve the C.U.P.s and associated zone change requests subject to the recommended conditions; instruct the Planning Department to forward associated zoning ordinances for first reading when associated plat is forwarded to the City Council; or

2. Return the applications to the MAPC for reconsideration, stating reasons.

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: November 7, 1991

TO: Monty Robson, Superintendent of Central Inspection

FROM: Robert L. Young, Principal Planner, Current Plans

SUBJECT: Approval of the Wilson Estates Residential/Office C.U.P. (DP-201) and associated zone change requests, Z-3037, Z-3038 and Z-3039, located on the south side of 21st Street between Rock & Webb Rds.

On November 5, 1991, the Wichita City Council considered the above-captioned C.U.P. and associated zone change requests. Their action was to approve the zone changes and C.U.P. subject to the following conditions:

a. 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 Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.

b. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Council for their consideration.

c. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for residential and office development and be binding upon the present owners, their successors and assigns, unless amended.

d. The property included in this C.U.P. shall be platted within three years from the date of approval by the City Council members or the provisions of this C.U.P. shall become null and void for the portions which remain unplatted. The ordinance establishing the zone changes shall not be published until an associated plat has been recorded with the Register of Deeds.

By copy of this memo, the applicant is advised that the plats for the properties being rezoned should be recorded with the Register of Deeds by November 5, 1994, or the zone case files will be marked denied and closed. The plats should be submitted as soon as possible, and this will be the only notification of the platting deadline.

Attached for your information and files are two approved C.U.P. copies. If you have any questions concerning this matter, please call me at 268-4421.

RLY:jcm
Attachments

cc: Wilson Estates, 200 Market Centre, 155 N. Market, 67202
Bill Yung Design, 4912 E. 29th St. N., Ste. One, 67220

FILE COPY