Planning Agenda Item #_____

City of Wichita
City Council Meeting

November 29, 1994

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: Z-3148 - ZONE CHANGE REQUEST FROM THE "AA" ONE FAMILY DWELLING DISTRICT TO THE "B" MULTIPLE FAMILY DWELLING AND THE "LC" LIGHT COMMERCIAL DISTRICTS.

DP-217 - HCA HEALTH SERVICES OF KANSAS INC. REQUESTS A COMMUNITY UNIT PLAN FOR A MEDICAL OFFICE PARK, FITNESS CENTER, AND AN ASSISTED LIVING FACILITY, LOCATED 1/2 MILE EAST OF TYLER ON THE NORTH SIDE OF 13TH STREET NORTH. **(District #5)**

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to platting and conditions (8-2-1 abstention).

Staff Recommendation: Approve, subject to platting and conditions.

CPO Recommendation: CPO Council Northwest "5" voted 5-2 to recommend approval of the requests subject to staff comments.

Background: On November 3, 1994, the MAPC considered a Community Unit Plan for a 40.91 acre site located ½ mile east of Tyler on the north side of 13th Street North. The applicant proposes to develop a medical office park, fitness center, and an assisted living facility. In order to accommodate the intended uses, the applicant has also applied for a zone change from the "AA" One Family Dwelling District to the "B" Multiple Family Dwelling District (30.6 acres) and the "LC" Light Commercial District (3.28 acres).

The community unit plan proposes 2 parcels. Proposed uses for Parcel 1 of the site (approximately 33.38 net acres fronting onto 13th Street North) include hospital, medical and dental clinics (excluding animal hospitals or animal clinics), pharmacies, day care center and nursing homes (assisted living facility). Uses proposed for Parcel 2 (approximately 7.29 net acres located in the northeastern portion of the site) include all uses permitted in Parcel 1, as well as

health and fitness centers. The proposed medical park development would permit a total of 15 buildings with a maximum building coverage and maximum gross floor area of 350,000 square feet (260,000 sq.ft. in Parcel 1 and 90,000 sq.ft. in Parcel 2). The applicant indicates that the assisted living facility would be limited to a maximum of 120 beds and 70,000 square feet of gross floor area.

All buildings on the site would share similar architectural character, color, texture, and the same predominate exterior building material. The minimum building setback would be 35 feet. However, the proposed plan would require all buildings in excess of 16 feet in height adjacent to residential zoning to be setback a minimum of 60 feet, except for the fitness center in Parcel 2. All lighting within the site would share similar or consistent design (i.e., fixtures, poles, lamps, and etc.) and would be required to be shielded to reflect or direct light away from adjoining residential property. The development plan would not permit sound projecting devices or loudspeakers.

A plan for a pedestrian walk system would also be required. The walk system would link proposed buildings on the site with the major entrance and the existing or future sidewalks on 13th Street North. A reserve along the east portion of the site would be used for a stormwater retention/detention system, landscaping and pedestrian improvements. A masonry wall would be required along the north property line, as well as the northwest portion of Parcel 1 and the east portion of Parcel 2. The proposed plan would permit a six foot minimum high evergreen buffer to be substituted for the masonry wall along the north and west lines of Parcel 1 and the north and east line of Parcel 2.

The development plan would permit three (3) openings to 13th Street North, two (2) minor openings and one (1) major opening to Parcel 1. The applicant would guarantee at the time of replatting, an accel/decel lane along 13th Street North. Traffic Engineering also recommends that at the time of replatting, the applicant submit a petition for a left turn lane on 13th Street North.

At the November 3, 1994 MAPC hearing, one citizen addressed the Commission out of concern about the potential for apartments under the "B" zoning and the "LC" zoning proposed for the rear portion of the site. The MAPC voted to recommend approval of the request, with the added condition that any multiple family uses in the community unit plan shall require a new application and a public hearing before the MAPC and the Wichita City Council.

Recommendations/Actions:

1. Concur with the findings of the MAPC and approve the zone change and C.U.P., subject to the recommended conditions; instruct

the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Council; or

2. Return the application to the MAPC for reconsideration.

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

( ) 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-3148
Zone change from the "AA" One-family Dwelling District
to the "B" Multiple Family Dwelling District and the "LC" Light Commercial District.

"AA" TO "B"

BEGINNING AT A POINT IN THE EAST LINE AND 1462.54 FEET NORTH OF THE S.E. COR. S.W. ¼ OF SECTION 9, TOWNSHIP 27 SOUTH, RANGE 1 WEST OF THE 6TH P.M.; THENCE BEARING S01°32'08"W ALONG SAID EAST LINE A DISTANCE OF 1412.54 FEET; THENCE BEARING N88°02'01"W PARALLEL TO AND 50.00 FEET NORTH OF THE SOUTH LINE OF SAID S.W. ¼ A DISTANCE OF 520.00 FEET; THENCE BEARING NO1°57'59"E ALONG THE EAST LINE OF BLOCK 1, NORTHWEST VILLAGE 5TH ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS A DISTANCE OF 649.11 FEET; THENCE BEARING N88°02'01"W ALONG THE NORTH LINE OF SAID BLOCK 1, A DISTANCE OF 804.88 FEET TO THE SOUTHEAST CORNER OF BLOCK 3 IN NORTHWEST VILLAGE 2ND ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS; THENCE ALONG THE EAST LINE OF SAID BLOCK 3, AND ALSO ALONG THE EAST LINE OF BLOCK 3 IN NORTHWEST VILLAGE TO WICHITA, SEDGWICK COUNTY, KANSAS BEARING N1°32'08" E A DISTANCE OF 921.17 FEET TO A POINT IN THE SOUTH LINE OF SOCORA VILLAGE AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS; THENCE ALONG SAID SOUTH LINE BEARING S88°40'55"E A DISTANCE OF 623.50 FEET; THENCE BEARING S1°19'05"W A DISTANCE OF 325.00 FEET;' THENCE BEARING S88°40'55"E A DISTANCE OF 396.24 FEET; THENCE BEARING N64°22'08"E A DISTANCE OF 106.07 FEET TO THE MOST SOUTHERLY CORNER OF LOT 15, BLOCK 5 IN SAID SOCORA VILLAGE ADDITION; THENCE CONTINUING BEARING N64°22'08"E ALONG THE SOUTHERLY LINE OF LOTS 15, 16 AND PART OF LOT 17 A DISTANCE OF 230.00 FEET TO THE POINT OF BEGINNING. CONTAINING 1,358,338 S.F. OR 31.1831 ACRES MORE OF LESS, (NOW BEING PLATTED AS PART OF THE WESLEY WEST ADDITION).

"AA" to "LC"

BEGINNING AT THE S.E. CORNER OF LOT 11, IN BLOCK 5, SOCORA VILLAGE, AN ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS, THENCE BEARING S25°37'52"E ALONG THE WESTERLY LINE OF LOTS 13, 14 AND 15 IN SAID BLOCK 5, A DISTANCE OF 310.66 FEET TO

THE MOST SOUTHERLY CORNER OF SAID LOT 15; THENCE BEARING S64°22'08'W A DISTANCE OF 106.07 FEET; THENCE BEARING N88°40'55'W PARALLEL TO A PORTION OF THE SOUTH LINE OF SAID BLOCK 5, A DISTANCE OF 396.24 FEET; THENCE BEARING N1°19'05'E A DISTANCE OF 325.00 FEET TO A POINT IN THE SOUTH LINE OF SAID BLOCK 5; THENCE BEARING S88°40'55"E A DISTANCE OF 350.00 FEET TO THE POINT OF BEGINNING. CONTAINING 137,740 SQ. FT. MORE OR LESS OR 3.16 ACRES MORE OR LESS, (NOW BEING PLATTED AS PART OF THE WESLEY WEST ADDITION).

Generally located east of Tyler and north of 13th Street North.

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) Pat Burnett, Deputy City Clerk Bob Knight, Mayor

Approved as to form:

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Gary E. Rebenstorf, City Attorney

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