Planning Agenda Item #_____

City of Wichita
City Council Meeting

October 4, 1994

Agenda Report #_____

TO: Mayor and City Council Members

SUBJECT: DP-213 - APPROVAL OF HANLEY COMMERCIAL COMMUNITY UNIT PLAN; AND

Z-3120 - REQUEST FOR ZONE CHANGE FROM THE "AA" ONE-FAMILY DWELLING DISTRICT TO THE "LC" LIGHT COMMERCIAL DISTRICT, LOCATED 550 FEET EAST OF WEBB ROAD ON THE SOUTH SIDE OF 21ST STREET NORTH. **(District #2)**

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Failure to recommend.
(motion to deny, resulted in a moot vote of 4-4).
(motion to approve failed by a vote of 3-5).

Staff Recommendation: Approve, subject to platting and conditions..

CPO Recommendation: CPO Council "2", at their meeting of August 22, 1994, voted 3-3-1 on a motion to recommend approval of the requests.

Background: On June 2, 1994, the MAPC considered a Commercial Community Unit Plan (CUP) for 9.5 gross acres located southeast of the 21st St. North and Webb Road intersection. The commercial development plan proposes a 3.8 acre expansion of the commercial area zoned "LC" Light Commercial to extend approximately 420 feet further east along the south side of 21st Street North. Because the proposed zoning would bring the tract in single ownership over 6 acres, the zoning code requires that a CUP be submitted and approved by the City Council.

On August 8, 1994, the City Council considered the requests and voted unanimously to return these cases along with proposed amendments to the residential CUP on abutting property, back to the MAPC for reconsideration. Reasons cited for returning these applications included neighborhood opposition, surplus of commercial zoning in this part of the city, concerns with

traffic, devaluation of property values, inconsistency of garden apartments with the surrounding neighborhood, and inconsistence of high density residential use with the Comprehensive Plan's map designation of low density residential use.

The gross floor area of the proposed commercial development is 154,781 square feet in a maximum 10 buildings. Proposed uses include all uses allowed under "LC" Light Commercial except adult entertainment and drinking establishments (business where 50% or more of gross income is derived from the sale of alcoholic or cereal malt beverages). Self-service or automatic car washes and nurseries and garden centers would be permitted subject to approval by the Board of Zoning Appeals. No automotive repair would be permitted on any parcel.

A 6-foot high masonry wall would be constructed along the south property line of the Commercial CUP where adjacent to Residential zoning. The proposed CUP would substitute the masonry wall requirement along the east property line for landscaping along the drainageway between Parcel 2 and the Residential CUP, which would provide screening at ground level. The applicant would be required to submit a landscape plan for review and approval by the Director of Planning. Building(s) on Parcel 4 of the Commercial CUP would be required to be designed in such a way that the side facing the drainageway is finished in a similar manner to the front facade of the building(s).

Access to Webb Road from Parcel 1 would include 1 opening specifically designed to permit only right turn ingress and right turn egress between 280 feet and 420 feet south of the 21st Street North / Webb Road intersection. An additional major or minor entrance allowing ingress and egress from both directions would also be allowed at any point 420 feet south of the intersection. The applicant requests a total of 4 openings along 21st Street North. One opening would be permitted from Parcel 3 and three (3) openings would be permitted from Parcels 2 and 4, one of which would be a major opening located east of Parcel 3. The number of openings along the 21st Street North frontage would be limited to three (3), with no opening permitted for Parcel 3, and with a major opening about 450 feet east of Webb Road, aligning with the planned major opening on the north side of 21st Street.

An overall site traffic circulation plan and a pedestrian circulation plan would be required to be submitted to the Director of Planning for approval prior to the issuance of building permits. Sidewalks and crosswalks within the CUP would be required to connect with the sidewalks (recreation corridor) along Webb Road and 21st Street North as well as provide access to adjoining residential parcels.

Based on the Comprehensive Plan's recommendation for planned commercial centers with integrated uses, all buildings in the CUP would share similar architectural characteristics or building materials to create a unified development. The Tallgrass and Bradley Fair commercial centers at 21st Street North/ Rock Road are examples of successful developments in the area that complied with similar requests.

( ) Published in The Daily Reporter on 9/27/95

ORDINANCE NO. 42-855

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-3120

Zone change from the "AA" One-family District to the "LC" Light Commercial District

A tract of land lying in the West Half of the Northwest Quarter, Section 9, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, more particularly described as follows:

Commencing at the Northwest corner of said West Half; thence N 89°44'21"E, 600.01 feet along the North line of said West Half; thence S 00°00'00"E, 60.00 feet to the point of beginning; thence N 89°44'21"E, 422.49 feet; thence S24°34'41"W, 595.04 feet; thence S89°44'21"W, 174.99 feet; thence N 00°00'00"W, 540.00 feet to the point of beginning (now being platted as a part of the Hanley Commercial Addition).

Generally located approximately 550 feet east of Webb Road on the south side of 21st 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