

City of Wichita  
City Council Meeting  
July 2, 1996

Agenda Report # \_\_\_\_\_

**TO:** Mayor and City Council Members

**SUBJECT:** Z-3203 - ZONE CHANGE REQUEST FROM 'SF-6' SINGLE FAMILY DISTRICT TO 'B' MULTI-FAMILY DISTRICT; AND

DP-192 AMENDMENT # 1 - APPROVAL OF THE TALLGRASS EAST BUSINESS PARK COMMERCIAL CUP; AND

DP-163 AMENDMENT 32 - APPROVAL OF TALLGRASS RESIDENTIAL CUP AMENDMENTS,

(DISTRICT #2)

**INITIATED BY:** Metropolitan Area Planning Department



**AGENDA ACTION:** Planning

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**MAPC Recommendation:** Approve, subject to conditions (11-1).

**Staff Recommendation:** Approve, subject to conditions.

**CPO Recommendation:** Approve (7-0).

**Background:** The applicant requests a zone change for 19 acres from 'SF-6' Single-Family Residential to 'B' Multi-Family Residential with associated Community Unit Plan (CUP) amendments, located in an area east of Webb Road and south of K-96. The application area for the zoning change is currently undeveloped.

The area is currently characterized by the Kansas Surgery and Recovery Center located on parcel 1 of the revised DP-192 CUP, and single-family subdivisions to the south beyond the power line easement and west across Webb. The property is bordered by K-96 highway to the north and east. Colonel James Jabara Airport is located just north of the application area beyond K-96 .

The requested amendment would remove parcel 1 from Tallgrass Residential CUP (DP-163) and add it to the Tallgrass East Business Park Commercial CUP (DP-192), thereby creating three new parcels in DP-192. The combined acreage in the amended DP-192 would total 52.2 net acres. Currently, DP-

192 has 2 parcels totaling 26.03 acres, while DP-163 contains 10 parcels totaling 157.4 net acres. Parcel 1 of DP-163 contains 26.9 acres and eventually allows the development of up to 450 apartment units. The approval of this request would reduce the number of dwelling units to 250 assisted living units.

The amended DP-192 shows development occurring on 52.2 net acres divided among 4 parcels ranging in size from 14.7 to 8.8 acres, and one 9.8 acre parcel as drainage/open space. The Kansas Surgery and Recovery Center has been developed on parcel 1 of DP-192. Proposed uses for parcel 2 include: offices, health and fitness club, medical services, nursing home, assisted living, retirement community, pharmacy, rehabilitation hospital, business or commercial, school, laundry, day care center, church, bike path, and all other uses similar in character and intensity. Parcel 1 of DP-163 will be converted into parcels 3, 4, and 5 of DP-192. Parcel 3 is the reserve, while the proposed uses for parcels 4 and 5 include: medical services, assisted living, church, day care center, rehabilitation hospital, convalescent care facility, and all other uses similar in character and intensity.

The applicant met with several neighborhood residents and planning staff prior to the June 10 CPO meeting to address the issues raised during the May 30 MAPC meeting. The applicant clarified the proposed uses for the site and also stated that they would construct a 6 foot tall masonry wall along the south boundary of the zoning application area if granted permission by KG&E to build in the easement that runs through the site. During the CPO neighborhood Council #2 hearing on Monday, June 10, neighborhood residents voiced concerns over architectural integrity of the development and the drainage of the site. After the discussion, the CPO voted 7-0 to approve the request, subject to staff recommendations and the conditions added by the applicant.

During the Planning Commission's discussion of this matter, questions concerning the uses allowed in the revised DP-192 CUP were asked by area residents. The public voiced their concerns over the inclusion of the phrase "and all other uses similar in character and intensity" in the list of proposed uses for Parcels 4 and 5. They also requested that the use of "rehabilitation hospital" exclude drug, alcohol, and psychiatric treatment facilities. The applicant indicated a willingness to revise the list of proposed uses as requested by the neighborhood, and also requested that the masonry wall requirement be waived. After discussion, the MAPC voted (11-1) to approve the request as recommended by staff.

The maximum gross floor area permitted by the amended DP-192 is 554,177 square feet. Parcel 2 could be developed with as many as 5 buildings, while parcel 4 is allowed up to 135 assisted living units and parcel 5 is allowed up to 115 assisted living units. All buildings within each parcel will have consistent architectural design and exterior building materials. Other issues addressed by the development plan include: parking, lighting, screening of roof top equipment and trash receptacles, landscape buffers, access control, and street improvements. Secondary access to DP-192 is to be provided along the northern boundary of the CUP.

Recommendation:

1. Concur with the findings of the 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; or
2. Return the application to the MAPC for consideration.

(An override of the Planning Commission's recommendation requires a 2/3rd majority vote of the membership of the governing body on the 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 THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY ORDINANCE NO. 43-014.

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 The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Ordinance No. 43-014, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No.Z-3203

Zone change request from 'SF-6' Single Family District to 'B' Multi Family, on property described as:

Lots 3 & 4, Block 1, Kansas Surgery and Recovery Center Addition. Generally located on the east side of Webb Road in an area north of 21st Street North.

**SECTION 2.** That upon the taking effect of this ordinance, the above zoning changes 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 Wichita-Sedgwick County Unified Zoning Code as amended.  
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, \_\_\_\_\_

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