

Planning Agenda Item # _____

City of Wichita
City Council Meeting
February 6, 1996

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: DP-191 - REQUEST FOR AMENDMENT TO THE WILSON
COMMERCIAL COMMUNITY UNIT PLAN; AND

Z-3190 - REQUEST FOR ZONE CHANGE FROM 'AA' ONE FAMILY
DWELLING DISTRICT TO 'LC' LIGHT COMMERCIAL DISTRICT,
LOCATED SOUTH OF 21ST STREET NORTH ON THE EAST SIDE OF
ROCK ROAD,

(DISTRICT #2)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to replatting within one year (11-1).

Staff Recommendation: Approve, subject to replatting within one year.

CPO Recommendation: Approve, subject to replatting within one year (6-0).

Background: The applicant requests an amendment to the Wilson Commercial Community Plan and a zone change from 'AA' One Family Dwelling District to 'LC' Light Commercial for 1.77 acres located in an area southeast of 21st Street North and Rock Road. The proposed amendment and zone change is requested in order to allow for a slightly different site development plan for a proposed commercial development that was approved by the City Council on November 7, 1995.

The applicant indicates that a different building configuration, parking lot, and circulation pattern is planned for the proposed commercial center, which requires that the proposed commercial structures be move further east than what was originally planned. The proposed 'LC' zoning extends into an area reserved for park and open space uses in the Wilson Residential Community Unit Plan (DP-201), thus reducing the open space area by approved by approximately 1.34 acres. Also, the configuration of the Rockhill and Tara loop road is proposed to be widened from 70 feet to 90 feet and slightly adjusted in orientation to create a landscaped parkway (identified on the proposed CUP as Bradley Fair Parkway). Therefore, the amendment would adjust the size and shape of Parcels 2

thru 5 of the commercial CUP, which abut the proposed parkway, along with Parcel 1 of the residential CUP.

Although the amount of 'LC' zoning at this intersection would be increased, the amendment would not increase the maximum gross floor area permitted in Parcel 8 (162,393 square feet), or any of the other parcels. The entire CUP permits 196,897 square feet of commercial uses in Parcels 3 thru 8 and 252,000 square feet of office and hotel uses on Parcels 1 thru 4. The eastern boundary of the CUP, where it is adjacent to residential zoning, would still be subject to the same landscaping / screening requirements. The applicant's conceptual site plan indicates that Parcel 9 is planned for future retail development (*the MAPC and City Council denied 'LC' zoning and approved only 'BB' zoning for that parcel*) and also indicates that the area between Parcel 9 and the railroad tracks is planned for office development (*which is zoned 'AA' and restricted to residential uses*). However, no zone changes or other changes to the approved CUP restrictions are requested for those areas.

At the MAPC hearing on December 28, 1995, no members of the public expressed either support or opposition to the requests. The MAPC voted 11-1 to recommend approval of the requests.

Recommendation:

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 consideration.

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

() Published in The Daily Reporter on 4/10/98

ORDINANCE NO. 43-152

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-3177 and Z-3190

Zone Change from the "AA" One-Family Dwelling District (now "SF-6" Single-Family District)
to the "LC" Light Commercial District (now "LC" Limited Commercial District)

Lots 1, 2, and 3, Block 1, Bradley Fair 2nd Addition to Wichita, Sedgwick County, Kansas

Generally located south of 21st Street North and East of Rock Road

SECTION 2. That upon the taking effect of this 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 Wichita-Sedgwick County Unified Zoning Code 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:

Gary E. Rebenstorf, City Attorney