Planning Agenda Item #_____

City of Wichita
City Commission Meeting
June 24, 1986

Agenda Report #_____

TO: Mayor and City Commissioners

SUBJECT: Z-2763 - REQUEST FOR ZONE CHANGE FROM "AA" ONE FAMILY DWELLING DISTRICT AND "R-6" GENERAL RESIDENCE DISTRICT TO "LC" LIGHT COMMERCIAL DISTRICT (PARCELS 11A & 12) AND

DP-158 - REQUEST FOR APPROVAL OF W.D.C. PARCELS 11A & 12 COMMERCIAL COMMUNITY UNIT PLAN, LOCATED ON THE WEST SIDE OF ROCK ROAD BETWEEN 30TH STREET NORTH AND 33RD STREET NORTH. (Killarney Investments, Inc.)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Zoning

MAPC Recommendation: Approve (7-0)

Staff Recommendation: Approve

Background: On May 29, 1986, the MAPC held a public hearing to consider a zone change from "AA" and "R-6" to "LC" and approval of a commercial C.U.P. for 14.76 acres of unplatted land located on the west side of Rock Road between 30th Street North and approximately 33rd Street North. The property is currently undeveloped. Several property owners in the neighborhood spoke in opposition to these requests, especially the east-west depth of "LC" zoning on Parcel 11A. The MAPC unanimously recommended approval of these requests subject to several conditions itemized in the minutes. The requested changes in the C.U.P. have been made on the revised prints.

CPO Council "I" unanimously recommended approval of the zoning and C.U.P. for Parcel 12 but disapproved for Parcel 11A.

Analysis: Land to the north has been requested for "LC" zoning. Land to the east is part of a commercial C.U.P. (DP-111), only a portion of which has been platted. To the south is another commercial C.U.P. (DP-109); to the west are single-family and duplex homes in the "A" district. Thirty-second Street North divides the property into two separate parcels. The proposed C.U.P., also divided into two parcels, provides a total gross floor area potential of 250,000 square feet (assuming the highway is constructed). A maximum of 16 buildings is proposed (20 if the highway is not constructed). In Parcel 1 (south of 32nd Street) all "LC" uses are permitted except food locker plants, mortuaries, public and storage garages, motels, hotels, and residences. In Parcel 2 (north of 32nd Street) all "LC" uses are

permitted except food locker plants, mortuaries, public and storage garages, and residences. The depth of Parcel 2 puts this commercial area right across the street from four platted duplex lots. To provide some protection for these residential lots, it is recommended that no access to 32nd Street from the west 270 feet of Parcel 2 be permitted and that a 3 to 5-foot masonry wall be required behind the 10-foot landscape buffer. Buildings on the south parcel are limited to 35 feet in height while those on the north parcel, because of the proximity to the highway, are proposed for an 80-foot maximum height.

The Planning Commission found that the character of the neighborhood, the zoning and uses of properties nearby, the suitability of subject site for the use proposed and the recommendation of staff justified the zone change.

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 Commission; or

2. Return the application to the MAPC for reconsideration stating reasons.

Attachments:
Area map
5-29-86 MAPC Minutes
CPO Memorandum (see Z-2757)

(895) Published in The Daily Reporter on July 8, 1988

ORDINANCE NO. 40-360

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-2763

Zone Change from the "AA" One-Family Dwelling District to the "LC" Light Commercial District

Lot 3, Block 1, Killarney Plaza Third, an addition to Wichita, Sedgwick County, Kansas.

Generally located at the northwest corner of 32nd Street North and Rock Road.

SECTION 2. That upon the taking effect of the Ordinance, the above zoning changes shall be entered and shown on the 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:

_____
Mayor

_____
City Clerk

(SEAL)

_____
Approved as to form City Attorney

PL/8715/5