Planning Agenda Item #_____

City of Wichita
City Council Meeting
July 11, 1989

Agenda Report #____

TO: Mayor and City Council Members

SUBJECT: DP-192 - TALLGRASS EAST BUSINESS PARK COMMERCIAL C.U.P.
and
Z-2952 - ZONE CHANGE REQUEST FROM THE "AA" ONE-FAMILY DWELLING DISTRICT TO THE "LC" LIGHT COMMERCIAL AND "C" GENERAL COMMERCIAL DISTRICTS, BOTH LOCATED ON THE EAST SIDE OF WEBB ROAD ¼-MI. SOUTH OF 29TH ST. N. (District #2).

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve subject to conditions (7-0).

Staff Recommendation: Approve subject to conditions.

CPO Recommendation: CPO Council 2A recommended approval by a vote of 7-1.

Background: On June 8, 1989, the MAPC held a public hearing to consider a request for the approval of a commercial community unit plan and an associated zone change request from the "AA" One-Family Dwelling District to the "LC" Light Commercial and "C" General Commercial Districts on a 28-acre parcel of land located on the east side of Webb Road, approximately ¼-mile south of 29th Street North. The property is unplatted and undeveloped and the western portion of the site is within an approved residential community unit plan titled Tallgrass East (DP-163). The applicant has filed a separate request to amend the existing residential C.U.P. to accommodate this proposed commercial development plan and associated zone change request. The application area is bordered on the north by airport property and the right-of-way for the future K-96 freeway facility and its interchange with Webb Road.

The applicant proposes to divide the 24.8-acre (net) site into three parcels for office/warehousing and retailing purposes. Proposed uses include financial institutions, restaurants (excluding fast food), specialty shops, medical and dental clinics, pharmacy, day care center, laundry and dry cleaning, offices, health and fitness clubs, light manufacturing (with less than 10 employees per business as provided by the "C" General Commercial District), residential storage, gymnastic business or commercial school and churches.

Two one-acre pad sites are planned, as Parcels 1 and 2 fronting on Webb Road. These parcels are to be used for retailing and business service purposes, including non-fast food type restaurants. Convenience stores and service stations, along with fast-food restaurants, are high traffic generators which are not permitted on these

sites. These parcels are to be "rear loaded" in that activities associated with the uses on these parcels are to be concentrated away from Webb Road and be oriented to the eastern internal portion of the site. To assist in assuring this type of configuration, the applicant is providing a 25-foot-wide landscape buffer along Webb Road and any vehicular parking occurring within 50 feet of Webb Road or the public street proposed along the south line of the property is to be screened from adjacent residential areas with berms, walls and/or evergreen vegetation at least 30 inches in height. In addition, no direct access is proposed from Webb Road into Parcels 1 and 2. Access to Webb Road will be by way of an opening into Parcel 3 adjacent to Parcel 1 on the north, a major entrance into Parcel 3 between Parcels 1 and 2, and a new street to be created along the south property line.

Signs along Webb Road are to be limited in number, no more than 10 feet in height on Parcels 1 and 2, and no more than 18 feet to identify development in Parcel 3, and all monument type. All lights are to be directed downward away from residential areas, and buildings within 500 feet of Webb Road right-of-way are to be similar in architectural character and predominant building materials.

The largest parcel proposed in the development plan, Parcel 3, is to be used primarily for office/warehousing purposes, with some associated retail showroom space. The maximum gross floor area proposed for this parcel is 350,000 square feet. No more than 20% of the gross floor area for each individual use or tenant may be used for retail purposes.

There will be a 10-foot-wide landscape buffer along the north and south property lines, a 25-foot-wide landscape buffer along Webb Road and a screening wall along the east property line. The parcel will be separated from the residential area to the south by a street within an 85-foot-wide right-of-way that exceeds the local commercial street standard of 70 feet.

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 applications to the MAPC for reconsideration, stating reasons.

FILE COPY

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: July 14, 1989

TO: Monty Robson, Superintendent of Central Inspection

FROM: Robert L. Young, Principal Planner, Current Plans Division

SUBJECT: Approval of Tallgrass East Business Park Commercial C.U.P. (DP-192) and associated zone change request Z-2952 located the east side of Webb Road one quarter mile south of 29th St. North.

On July 11, 1989, the Wichita City Council considered the above-captioned C.U.P. and associated zone change request. Their action was to approve the zone change and C.U.P. subject to the following conditions:

a. The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.

b. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Council for their consideration.

c. The transfer of title of all or any portion of the land included within the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

d. The property included in this C.U.P. shall be platted within one year from the date of approval by the City Council members or the provisions of the C.U.P. shall become null and void for the portions which remain unplatted. The ordinance establishing the zone change shall not be published until the plat has been recorded with the Register of Deeds.

By copy of this memo, the applicant is advised that the plat for the property being rezoned should be recorded with the Register of Deeds by July 11, 1990, or the zone case file will be marked denied and closed. The plat should be submitted as soon as possible, and this will be the only notification of the platting deadline.

thence bearing S0° 56' 25"E a distance of 225.00 Feet; thence bearing S89° 02' 52" W a distance of 200.00 Feet; thence bearing S0° 56' 25"E a distance of 115.00 Feet to the Point of Beginning. Containing 26.06 acres more or less.

"AA" to "LC"
A Tract of Land in the NW 1/4 of Section 4, T27S, R2E of the 6th P.M. Described as : Commencing at the SW Corner of said NW 1/4 thence bearing N89° 02' 52"E along the south line of said NW 1/4 a distance of 60.00 Feet; thence bearing N0° 56' 25"W parallel to and 60.00 Feet East of the West line of said NW 1/4 a distance of 620.00 Feet to the Point of Beginning; thence continuing bearing N0° 56' 25"W a distance of 225.00 Feet; thence bearing N89° 02' 52"E a distance of 200.00 Feet; thence bearing S0° 56' 25"W a distance of 225.00 Feet; thence bearing S89° 02' 52"W a distance of 200.00 Feet to the Point of Beginning. Containing 1.03 acres more or less. AND

A Tract of Land in the NW 1/4 of Section 4, T27S, R2E of the 6th P.M. Described as : Commencing at the SW Corner of said NW 1/4 thence bearing N89° 02' 52"E along the south line line of said NW 1/4 a distance of 60.00 Feet; thence bearing N0° 56' 25"W parallel to and 60.00 Feet East of the West line of said NW 1/4 a distance of 1090.00 Feet to the Point of Beginning; thence continuing bearing N0° 56' 25"W a distance of 200.00 Feet; thence bearing N89° 02' 52"E a distance of 200.00 Feet; thence bearing S0° 56' 25"E a distance of 200.00 Feet; thence bearing S89° 02' 52"W a distance of 200.00 Feet to the point of Beginning. Containing 0.92 acres more or less.

(Now being platted as part of the Kansas Surgery and Recovery Center Addition.)

Generally located east of Webb Rd. and south of 29th St. 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.

( ) 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-2952
Zone change from the "AA" one-family zoning district to the "LC" light-commercial and "C" commercial zoning districts.

"AA" to "C"
A Tract of Land in the NW 1/4 of Section 4, T27S, R2E of the 6th P.M. Described as : Commencing at the SW Corner of NW 1/4 thence bearing N89° 02' 52"E along the South line of said NW 1/4 a distance of 60.00 Feet; thence bearing N0° 56' 25"W parallel to and 60.00 Feet East of the West line of said NW 1/4 a distance of 505.00 Feet to the Point of Beginning; thence bearing N89° 02' 52"E a distance of 130.00 Feet; thence bearing N67° 01' 24"E a distance of 80.00 Feet; thence bearing N89° 02' 52"E a distance of 245.00 Feet to the P.C. of a curve to the right having a radius of 710.00 Feet; thence along said curve through a central angle of 15° 00' 00" an arc distance of 185.88 Feet; thence bearing S75° 57' 08"E a distance of 155.00 Feet to P.C. of a curve to the left having a radius of 560.00 Feet; thence along said curve through a central angle of 30° 00' 00" an arc distance of 293.22 Feet; thence bearing N74° 02' 52"E a distance of 150.00 Feet to the P.C. of a curve to the right having a radius of 160.00 Feet; thence along said curve through a central angle of 59° 58' 36" an arc distance of 167.49 Feet; thence bearing S45° 58' 32"E a distance of 65.00 Feet to a point in a curve to the left having a radius of 50 Feet; and a chord of 92.20 Feet bearing N66° 48' 40'E; thence along said curve through a central angle of 225° 34' 23" an arc distance of 196.85 Feet; thence bearing N44° 01' 28"E a distance of 363.35 Feet; thence bearing N45° 58' 32"W a distance of 268.46 Feet; thence bearing N55° 54' 07W a distance of 406.08 Feet; thence bearing N45° 58' 32"W a distance of 258.78 Feet; thence bearing S89° 02' 52"W a distance of 1054.49 Feet; thence bearing S0° 56' 25"E parallel to and 60.00 Feet East of the West line of said NW 1/4 a distance of 30.00 Feet; thence bearing N89° 02' 52"E a distance of 200.00 Feet; thence S89° 02' 52"W a distance of 200.00 Feet; thence bearing S0° 56' 25"E a distance of 245.00 Feet; thence bearing N89° 02' 52"E a distance of 200.00 Feet;

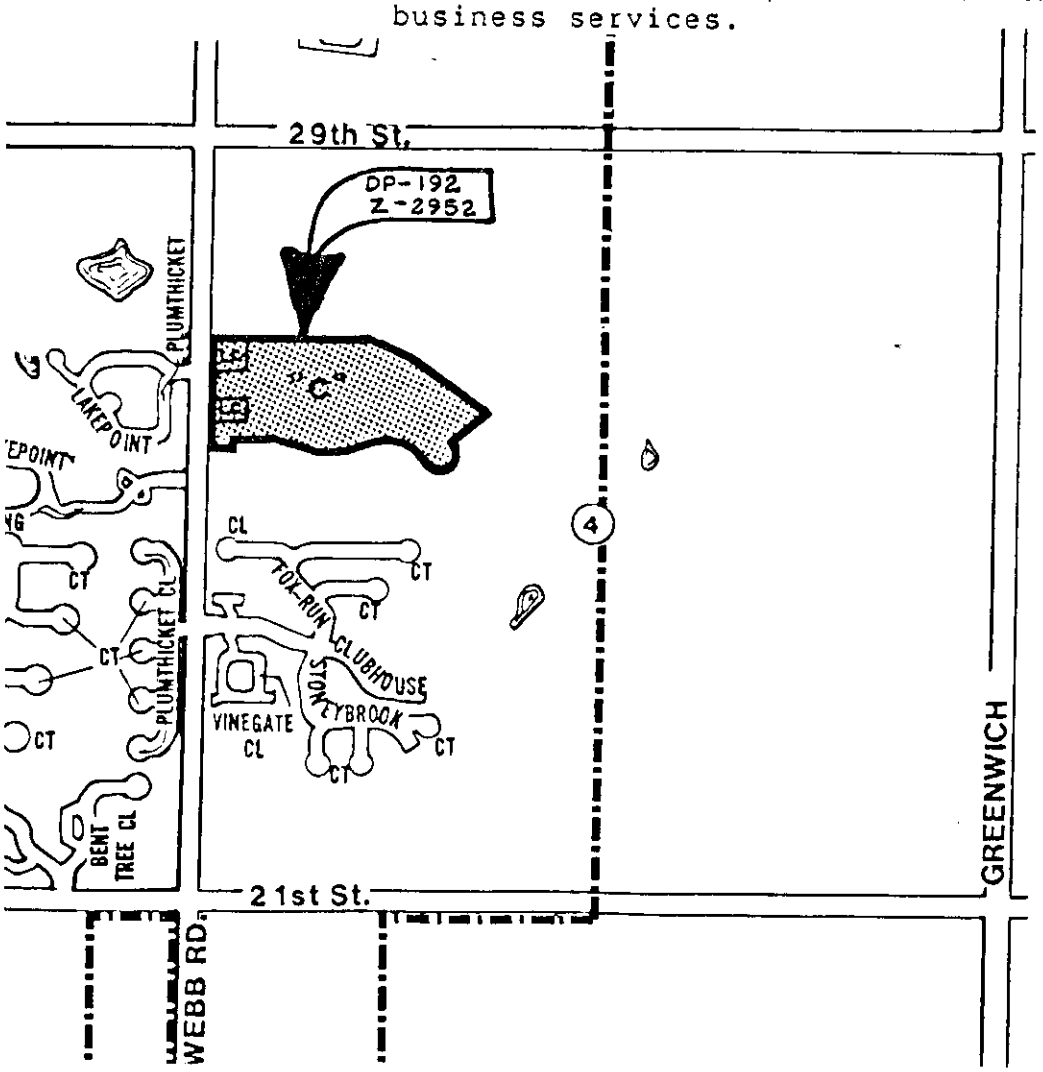
WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 3a+b

June 8, 1989

STAFF REPORT

CASE NUMBER:	DP-192 and Z-2952
OWNER/APPLICANT/AGENT:	Ritchie Development Corp. (owner/applicant) Bill G. Yung Design (agent)
REQUEST:	Approval of Tallgrass East Business Park Commercial C.U.P. and associated zone change from "AA" to "LC" and "C"
CURRENT ZONING:	"AA" One-Family Dwelling District
SITE SIZE:	28 acres
LOCATION:	On the east side of Webb Road, ¼-mile south of 29th Street North.
PROPOSED USE:	Office/warehousing with some small scale manufacturing as allowed by the "C" General Commercial District; some retailing and business services.



BACKGROUND: The applicant is requesting the approval of a commercial community unit plan and an associated zone change request from the "AA" One-Family Dwelling District to the "LC" Light Commercial and "C" General Commercial Districts on a 28-acre parcel of land located on the east side of Webb Road, approximately ¼-mile south of 29th Street North. The property is unplatted and undeveloped and the western portion of the site is within an approved residential community unit plan titled Tallgrass East (DP-163). The applicant has filed a separate request to amend the existing residential C.U.P. to accommodate this proposed commercial development plan and associated zone change request. The application area is bordered on the north by airport property and the right-of-way for the future K-96 freeway facility and its interchange with Webb Road.

The applicant proposes to divide the 24.8-acre (net) site into three parcels for office/warehousing and retailing purposes. Proposed uses include financial institutions, restaurants (excluding fast food), specialty shops, medical and dental clinics, pharmacy, day care center, laundry and dry cleaning, offices, health and fitness clubs, light manufacturing (with less than 10 employees per business as provided by the "C" General Commercial District), residential storage, gymnastic business or commercial school and churches.

Two one-acre pad sites are planned, as Parcels 1 and 2 fronting on Webb Road. These parcels are to be used for retailing and business service purposes, including non-fast food type restaurants. Convenience stores and service stations, along with fast-food restaurants, are high traffic generators which are not permitted on these sites. These parcels are to be "rear loaded" in that activities associated with the uses on these parcels are to be concentrated away from Webb Road and be oriented to the eastern internal portion of the site. To assist in assuring this type of configuration, the applicant is providing a 25-foot-wide landscape buffer along Webb Road and any vehicular parking occurring within 50 feet of Webb Road or the public street proposed along the south line of the property is to be screened from adjacent residential areas with berms, walls and/or evergreen vegetation at least 30 inches in height. In addition, no direct access is proposed from Webb Road into Parcels 1 and 2. Access to Webb Road will be by way of an opening into Parcel 3 adjacent to Parcel 1 on the north, a major entrance into Parcel 3 between Parcels 1 and 2, and a new street to be created along the south property line.

Signs along Webb Road are to be limited in number, no more than 10 feet in height on Parcels 1 and 2, and no more than 18 feet to identify development in Parcel 3, and all monument type. All lights are to be directed downward away from residential areas, and buildings within 500 feet of Webb Road right-of-way are to be similar in architectural character and predominant building materials.

The largest parcel proposed in the development plan, Parcel 3, is to be used primarily for office/warehousing purposes, with some associated retail showroom space. The maximum gross floor area proposed for this parcel is 350,000 square feet. No more than 20% of the gross floor area for each individual use or tenant may be used for retail purposes.

There will be a 10-foot-wide landscape buffer along the north and south property lines, a 25-foot-wide landscape buffer along Webb Road and a screening wall along the east property line. The parcel will be separated from the residential area to the south by a street within an 85-foot-wide right-of-way that exceeds the local commercial street standard of 70 feet.

During review of the proposed development plan, emphasis was placed on the importance of blending the intended commercial development with the adjoining residential areas to the west and south. Staff believes the controls proposed in the development plan relating to landscaping buffers, screening walls, access points, site configuration, signs, lighting and architectural consistency will accomplish a desirable transition from commercial to residential uses.

The existing and future traffic-carrying capacity of Webb Road as it might be affected by the proposed development was also an item of concern during the evaluation of this development plan proposal. Projections produced by the Transportation section of the Planning Department indicated that the traffic load produced by the development of the property for either the approved residential purposes allowed by the existing C.U.P. or the office/commercial purposes in the proposed commercial development plan will exceed the capacity of the existing Webb Road facility. However, if Webb Road is improved to arterial standards, it will more than adequately handle the projected traffic load. Webb Road is scheduled for improvement to arterial standards in 1992 in the current issue of the City's C.I.P. The proposed development plan requires the guarantee of temporary and permanent street improvements to serve the proposed development at the time of platting. These improvements include deceleration lanes, left-turn lanes, a major entrance and traffic signals, if they are warranted, as determined by the City Traffic Engineer. The City Traffic Engineer believes these improvements will handle the anticipated traffic loads at this location.

CASE HISTORY: The western portion of the site is within Parcel 1 and 2 approved for residential uses, including apartments int he Tallgrass East Residential C.U.P. The eastern portion of the site has no history of prior application. The applicant has filed a companion request to amend the Talarea included in this case.

ADJACENT ZONING AND LAND USE:

NORTH	"AA"	Vacant agricultural airport property & future K-96 freeway right-of-way
SOUTH	"AA"	Vacant agricultural
EAST	"AA"	Vacant agricultural
WEST	"AA"	Undeveloped; platted for single-family residential

PUBLIC SERVICES: Public access is to be provided into the site from Webb Road and a new road to be created along the southern boundary of the site. Webb Road is scheduled to be upgraded to arterial standards in 1992 in the current issue of the City's C.I.P. The future right-of-way for K-96 freeway and airport property border the site on the north. Other municipal services are immediately available to the site. A 24-inch diameter water main exists along Webb Road bordering the site on the west and a 12-inch diameter sanitary sewer main exists within the area to the south platted as Tallgrass East Addition.

CONFORMANCE TO PLANS/POLICIES: The proposed development plan is located at the fringe of the areas designed for urbanization in the adopted elements of the Comprehensive Plan for the metropolitan area. Detailed land use and/or zoning policies have not been developed or adopted for this segment of Webb Road. The proposed development, however, is not inconsistent with the pattern of land uses generally observed to occur at freeway interchange locations.

RECOMMENDATION: The proximity of Jabara Airport under a runway approach and with intense strobe lights very visible at the end of the runway, the adjacency to K-96, and the location of this tract outside the Wichita school district lead to questioning the suitability of the property for residential use. The use limitations, access controls, landscaping and screening requirements, and architectural consistency requirements all help assure that the proposed development is compatible with the existing and future residential areas to the south and west. Based on these considerations, it is recommended that the commercial development plan and zone change request be approved, subject to the following conditions:

a. The development of this property shall proceed in accordance with the development plan as recommended by the Planning Commission and approved by the governing body, and any substantial deviation of the plan, as determined by the Superintendent of Central Inspection and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.

b. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Council for their consideration.

c. The transfer of title of all or any portion of the land included within the C.U.P. does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns, unless amended.

d. All property included within this C.U.P. and zone case shall be platted within one year after approval of this C.U.P. by the City Council, or the cases shall be considered denied and closed. The ordinance establishing the zone change shall not be published until the plat has been recorded with the Register of Deeds.