

Planning Agenda Item # _____

City of Wichita
City Council Meeting

October 18, 1994

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: DP-216 & Z-3147 - REQUEST FOR APPROVAL OF COMMERCIAL COMMUNITY UNIT PLAN AND ZONE CHANGE FROM "AA" ONE FAMILY DWELLING DISTRICT AND "LC" LIGHT COMMERCIAL DISTRICT TO "C" COMMERCIAL, LOCATED AT THE NORTHWEST CORNER OF BROADWAY AND 47TH STREET SOUTH, (District #4)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

MAPC Recommendation: Approve subject to conditions (9-0).

Staff Recommendation: Approval subject to conditions.

CPO Recommendation: Approve subject to conditions (8-0).

Background: The applicant requests a commercial community unit plan for an 8.3 acre site located at the northwest corner of Broadway and 47th Street South. The applicant also filed an associated zone change request from "AA" One Family Dwelling District and "LC" Light Commercial District to "C" Commercial for the south 4.06 acres of the site. The northern portion of the subject property is mostly undeveloped and platted as the Shepler's 2nd Addition. The site is bordered on the north by a used car lot and undeveloped property zoned "AA". The southern portion of the site is developed with several small commercial buildings along both Broadway and 47th Street South. The southwestern portion of the site is platted as the K.E. Tague Addition. The southeastern portion of the site at the intersection is currently unplatted.

The proposed commercial CUP includes 1 parcel, with as many as 2 buildings. The CUP would permit a maximum building coverage of 103,054 square feet and a maximum gross floor area of 137,405 square feet. All buildings within the CUP would share similar architectural character, color, texture, and the same predominate exterior building material. A plan for a pedestrian walk system would also be required. The walk system would link proposed buildings on the site with

sidewalks along Broadway and 47th Street South. At the time of platting, additional sidewalk improvements along the arterial roadways may be required.

Proposed uses for the site include supermarket with associated seasonal outdoor garden center (as permitted in the "C" zoning district), financial institutions, restaurants, pharmacies, retail shops, convenience stores, and other uses permitted by the "LC" Light Commercial zoning district.

At the MAPC hearing on September 22, 1994, no members of the public addressed the Commission on this matter. The MAPC voted unanimously to recommend approval, subject to guarantees for the extension of a left turn lane on 47th St. South and sidewalk improvements on Broadway and 47th Street South. The MAPC also recommended that the major entrance along 47th St. South align with the major entrance located to the south.

Recommendations/Actions:

1. Concur with the findings of the MAPC and approve the community unit plan and zone change, 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 reconsideration.

(An override of the Planning Commission's recommendation requires a 2/3rd majority vote of the membership of the governing body on 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 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-3147

Zone change from the "AA" One-Family Dwelling and "LC" Light Commercial Districts to the "C" Commercial District

Lot 1, Block A, K, E, Tague Addition to Wichita, Sedgwick County, Kansas, and an unplatted tract of land described as follows: Beginning at the southeast corner of the southeast quarter of Section 17, Township 28 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas; thence north along the east line of said southeast quarter, 350 feet; thence west parallel with the south line of said southeast quarter 75 feet; thence south parallel with the east line of said southeast quarter, 20 feet; thence west parallel with the south line of said southeast quarter, 155 feet; thence south parallel with the east line of said southeast quarter 100 feet; thence east parallel with the south line of said southeast quarter, 50 feet; thence south parallel with the east line of said southeast quarter, 230 feet to a point on the south line of said southeast quarter; thence east 180 feet to the point of beginning. (Now being platted as part of the Dillon 11th Addition, Wichita, Sedgwick County, Kansas).

Generally located at the northwest corner of Broadway and 47th Street South.

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

Elma Broadfoot, Mayor

Approved as to form:

Gary E. Rebenstorf, City Attorney