

Planning Agenda Item # \_\_\_\_\_

City of Wichita  
City Council Meeting

February 8, 1994

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

**TO:** Mayor and City Council Members

**SUBJECT:** DP-92 AMENDMENT #8 - AMENDMENT TO THE TALLGRASS  
COMMERCIAL AND OFFICE PARK COMMUNITY UNIT PLAN

Z-3111 - ZONE CHANGE FROM THE "BB" OFFICE DISTRICT TO THE  
"OC" OFFICE COMMERCIAL AND "LC" LIGHT COMMERCIAL  
DISTRICTS, LOCATED NORTHEAST OF TARA CIRCLE AND 21ST  
STREET NORTH. (District #2)

**INITIATED BY:** Metropolitan Area Planning Department



**AGENDA ACTION:** Planning

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

Staff Recommendation: Approve subject to conditions.

CPO Recommendation: CPO Council "2" voted 8-0 to recommend approval of the requests.

Background: On January 13, 1994, the MAPC considered a zone change request from the "BB" Office District to the "OC" Office Commercial and "LC" Light Commercial Districts for a 8.2 acre portion of the Tallgrass Commercial and Office C.U.P., DP-92. An amendment to Parcel 6 of DP-92 is also being requested. The application area, which is located at the northeast corner of Tara Circle and 21st Street North, is currently vacant. Parcel 6 currently permits all uses in the "BB" Office district, and has certain density, height and other limitations.

Surrounding property to the west is zoned "LC" and "BB" and is developed with a Dillon's, a bank, several fast food restaurants and various other retail and office uses. Surrounding property to the north is zoned "BB" Office and "AA" Single Family and is developed with the Tallgrass Inn and Golf Course. To the east, townhomes exist on

property zoned "AA" Single Family. Property to the south is zoned "AA" and is currently vacant.

The proposed amendment creates three separate parcels out of the existing Parcel 6. Proposed uses for the east 150 feet of Parcel 6A are all uses permitted in the "OC" Office Commercial district except: broadcasting or recording studios, dance studios, religious offices and headquarters, child day care centers and any use which serves food or drink to the public. Proposed uses for the remaining portion of Parcel 6A are all general office and retail sales uses excluding fast-food and drive-through restaurants, drinking establishments (establishments with the majority of sales coming from alcoholic beverages), free standing and drive-through banks, tire/battery and automotive repair, coin operated laundries (dry cleaning establishments are permitted), gas/service stations, gas pump islands in association with any other uses, movie theaters, multiple family uses, food locker plants, storage garages, small animal clinics and mortuaries/funeral homes. A maximum of 7,000 square feet for restaurant use is permitted. Any single restaurant in excess of 2,500 square feet and allowed outdoor trash collection is allowed only in the south 400 feet and the west 200 feet of Parcel 6A. The maximum size of any single retail occupant is limited to 12,000 square feet, and maximum total floor area is limited to 60,000 square feet.

The plan also calls for the future submission of a plan for pedestrian circulation within Parcel 6A and connecting to the sidewalk on 21st Street and to adjoining parcels. The buildings in Parcel 6A are to be architecturally compatible to the existing Tallgrass commercial development by the use of the same or similar materials, colors and forms. The proposed concrete or masonry wall is also to have texture, pattern and color etc. similar to the building exteriors in Parcel 6A. Lighting is controlled in height near the residential uses. Development on the 6.5 acre parcel is limited to 25 feet in height (45 feet allowed for an architectural focal point) and a maximum of 6 buildings. A 40 foot landscaped buffer consisting of at least 20 evergreen trees and 20 deciduous trees and a masonry screening wall a minimum of 7 feet above the finished floor elevation of the buildings in the east 150 feet of the parcel is proposed for the east line of Parcel 6A.

Parcel 6B is proposed for a maximum of 30 dwelling units or 18,000 square feet for non-residential uses. Uses in the "LC" district are permitted except for: cemeteries, storage garages, free-standing or drive-through banks, theaters, gas/service stations, gas pumps in association with any other uses, food locker plants, public garages, tire/battery and automotive repair, drinking establishments, fast-food and drive-through restaurants. Development on the 1.6 acre parcel is limited to 35 feet in height and 2 buildings.

Parcel 6C is proposed to allow all uses permitted in the "BB" Office district except: cemeteries, boathouses, greenhouses, storage garages and post office substations.

Development on the 3.6 acre parcel is limited to 100 multiple family units or 25,000 square feet of office space.

The traffic capacity of the 21st and Rock Road intersection is a concern in the development of this property and the proposed amendment has been designed so that traffic generated by this proposal will not exceed volumes projected for previously approved office uses. Based on the existing C.U.P. (Amendment 7) Parcel 6 is permitted to contain a total of 220,000 square feet for office uses, which is estimated to generate 6,160 trips per day. Overall density for parcels 6A, 6B and 6C are proposed to be limited to a combination of uses which do not exceed these total traffic projections. For example, if parcel 6A is developed at or near maximum density with retail and restaurant uses, then the other two parcels combined would be limited to office and/or residential uses that generated less than 500 trips per day.

Signage for the parcels is limited in number and location, and limited to monument-type signs no taller than 18 feet. Trash containers for Parcel 6A must be kept indoors and pick-ups will be allowed only between the hours of 8 a.m. and 5 p.m., with the specific exception of the south 400 feet of the west 200 feet for restaurants.

The applicants have worked with the adjacent homeowners to the east, and reached agreement on a private covenant with similar restrictions, and the homeowners expressed their support for this development proposal at the MAPC meeting. Both MAPC and CPO recommended approval by unanimous votes.

Recommendations/Actions:

1. Concur with the findings of the MAPC and approve the C.U.P., subject to the recommended conditions; instruct the Planning Department to forward the ordinance for first reading when the replat for Parcel 6A is completed. Place the ordinance establishing the zone change for Lots 3 and 4 on first reading; or
2. Return the applications 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-3111

Zone Change from the "BB" Office District to the "OC" Office Commercial District

Lots 10 and 11, Tallgrass Commercial 5th Addition, Wichita, Sedgwick County, Kansas (Now being platted as a part of the Shops at Tallgrass Addition).

Generally located north of 21st Street North and east of Rock Road.

**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:

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(SEAL) Pat Burnett, Deputy City Clerk

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Bob Knight, Mayor

Approved as to form:

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Gary E. Rebenstorf, City Attorney