

Agenda Item # _____

City of Wichita
City Council Meeting
January 11, 2000

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: **Z-3346 – ZONE CHANGE FROM “LC” LIMITED COMMERCIAL, “B” MULTI-FAMILY RESIDENTIAL AND “SF-6” SINGLE-FAMILY RESIDENTIAL TO “GO” GENERAL OFFICE; AND**

DP-201 AMENDMENT #4 – AMENDMENT TO WILSON ESTATES RESIDENTIAL C.U.P., LOCATED SOUTH OF 21ST STREET NORTH AND WEST OF WEBB ROAD. (District #4)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to conditions (13-0).

Staff Recommendation: Approve, subject to conditions.

CPO Recommendation: Approve, subject to MAPD staff comments (6-0).

Background: The applicant proposes to amend the Wilson Estates Residential C.U.P. (DP-201) in conjunction with revision of the Wilson Property N.E. Commercial C.U.P. (DP-200). These two C.U.P.s share boundaries to the west and south of DP-200. In general, the applicant proposes to decrease the total acreage of Parcels 8 and 10 (DP-201) by 2 acres (this two acres is to be added to C.U.P. 200 and rezoned to “LC” Limited Commercial) and change the zoning on Parcel 8 from “B” Multi-Family Residential to “GO” General Office to allow for the development of an office park.

As proposed, DP-201 would be reconfigured the boundaries between Parcels 8 and 10 and would add uses to each parcel. Parcel 8 would increase in size from 16.74 acres to 18.09 acres and office uses would be allowed, in addition to the existing residential uses. A maximum of 95,000 square feet of office floor area ($\pm 12\%$ FAR) would be allowed on this parcel. Parcel 10 would decrease in size from 18.40 acres to 15.01 acres and 4-plex uses would be added to the existing residential uses. The proposed changes also include

the reduction of total dwelling units on these two parcels from 250 to 100 units. The changes in acreage represent an overall decrease in acreage for the C.U.P.

Other proposed changes to DP-201 are primarily clean-up changes to reflect platted lots and implied dwelling units. The maximum dwelling units for Parcels 4 and 7 would decrease to 45 and 47, respectively. The overall density of the C.U.P., if developed with the maximum number of units permitted (782) would be 3.26 dwellings units per acre.

The request would increase the number of access openings to Parcel 8, but would eliminate an access opening from the reconfigured Parcel 10 on 21st Street. This would leave two access openings for Parcel 10 on Webb Road.

The development of Parcels 8 and 10 will be a continuation of the development of Bradley Fair and the Wilson Estate property that has taken place over the past ten years. Any new development will follow the same architectural and landscape guidelines that are present in the previous development.

Surrounding land uses for the eastern portion of this C.U.P. are a mix of residential and commercial uses. To the north are single-family homes of the Peppertree subdivision. Currently, Prairie State Bank is the only commercial use on the southwest corner of 21st Street North and Webb Road, but other commercial uses are under consideration at this time. One other bank, Commerce Bank, is on the northeast corner of the intersection. The southeast corner is zoned "LC" Limited Commercial, but is currently vacant. Directly west of Parcel 8 is Alterra Assisted Living Center on property zoned "B" Multi-Family Residential. The remainder of this east portion of the Wilson Estates Residential C.U.P. is zoned for single-family homes, but is currently undeveloped.

At the CPO(2) meeting held December 13, 1999, the CPO voted 6-0 to approve the request subject to staff comments. The applicant, George Laham, presented the request to the Council and was in general agreement with MAPD staff comments. Staff had recommended that no buildings greater than single-story buildings shall be placed within 300 feet of the north property line for Parcel 8, which fronts on 21st Street North. Mr. Laham disagreed with this and suggested that 200 feet would be ample to protect the frontage from 2-story buildings. There were several citizens present at this meeting, generally to express their concerns regarding traffic, apartments along 21st Street North and the placement of office buildings along the 21st Street frontage. Most of these issues were discussed and addressed at a previous homeowner's meeting hosted by Mr. Laham and were addressed in the staff report that was presented to the CPO Council Members.

The MAPC heard this case on December 16, 1999. The applicant and his agent presented the request in conjunction with a request for rezoning and C.U.P. amendments on an adjacent C.U.P. Staff agreed to reduce the one-story building setback to 200 feet from 300 feet. Most of the discussion by the Planning Commission revolved around access to the adjacent C.U.P. The Planning Commission voted unanimously (13-0) to approve the zone change and amendments to the C.U.P., subject to the staff recommended conditions, including re-platting.

The ordinance establishing the zone change will not be published until such time as the plat is recorded with the Register of Deeds.

Recommended Action:

1. Concur with the findings of the MAPC and approve the zone change and C.U.P. amendment, subject to the condition of platting and 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 2/3 majority vote of the membership of the governing body on the 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 THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

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 Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. Z-3346

Zone change from "LC" Limited Commercial, "B" Multi-Family Residential, and "SF-6" Single-Family Residential Districts to "GO" General Office District, on property described as:

Beginning at the northwest corner of Lot 1, Block 1, Wilson Retirement 2nd Addition to Wichita, Sedgwick County, Kansas; thence N89°10'54"E along the north line of said addition a distance of 682.12 feet to the northwest corner of Lot 1, Block 1, Wilson Apartments Addition to Wichita, Sedgwick County, Kansas; thence N89°10'54"E along the north line of said Wilson Apartment Addition a distance of 50.00 feet; thence S0°54'41"E a distance of 272.00 feet; thence N89°05'19"E a distance of 105.00 feet; thence S0°54'41"E a distance of 466.48 feet; thence N77°55'00"W a distance of 133.42 feet; thence S89°05'19"W a distance of 430.00 feet; thence S47°42'41"W a distance of 160.37 feet to a point on a curve in the southerly line of said Lot 1 in Wilson Retirement 2nd Addition, said curve being a curve to the left having a radius of 227.71 feet; thence along said curve through a central angle of 14°51'38" an arc distance of 59.06 feet; thence S89°10'53"W along the south line of said Lot 1 a distance of 531.04 feet to the southwest corner of said Lot 1; thence N0°42'31"W along the west line of said Lot 1 a distance of 464.86 feet; thence N89°10'54"E a distance of 410.00 feet; thence N0°42'31"W a distance of 395.00 feet to the point of beginning. Generally located south of 21st Street North and west of Webb Road.

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SECTION 2. That upon the taking effect of this ordinance, the above zoning changes 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:

Pat Burnett, City Clerk

Bob Knight, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf, City Attorney