

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

City of Wichita  
City Council Meeting  
January 28, 1992

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

TO: Mayor and City Council Members

SUBJECT: DP-203 - WHISPERING BROOK COMMERCIAL COMMUNITY UNIT  
PLAN, LOCATED AT THE SOUTHWEST CORNER OF 37TH STREET  
NORTH AND WOODLAWN.

Z-3048 - ZONE CHANGE REQUEST FROM "AA" ONE-FAMILY  
DWELLING AND "LC" LIGHT COMMERCIAL DISTRICTS TO THE  
"LC" LIGHT COMMERCIAL DISTRICT.

(District #1)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

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MAPC Recommendation: Approve (10-0).

Staff Recommendation: Approve.

CPO Recommendation: CPO Council Northeast recommended approval  
(7-1).

Background: On January 2, 1992, the MAPC held a public hearing to consider 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 District on an 11.7-acre tract of land on the southwest corner of the 37th Street North and Woodlawn intersection. The property is currently undeveloped and is bordered by property to the west and south under the same ownership that is being platted for residential purposes. Part of the property (5.9 acres) is currently zoned the "LC" Light Commercial District within the 600-foot by 600-foot square of "LC" zoning on corners of major street intersections in the metropolitan area that was done by the County in the late 50s. This pattern is being reviewed in the Comprehensive Plan update currently underway. The remainder of the land for which a change to the "LC" district has been requested (5.8 acres) is zoned the "AA" One-Family Dwelling District. Property to the east, west and south is undeveloped. Property to the north is within the City of Bel Aire and is partially developed with a bank and a single-family residence.

(over)

The applicant proposes to divide the tract into five parcels for commercial and office development. The parcels range in size from 0.70 acres (Parcel No. 2) to 8.6 acres in size (Parcel No. 4) and are intended to be used for a wide range of retail and office uses. Several uses that tend to be less compatible with immediately adjacent residential areas, such as fast food restaurants and convenience stores, have been excluded from the proposed use lists of Parcels No. 3, 5 and the south and west 175 feet of Parcel No. 4. Sites of this size are classified as neighborhood centers under the criteria being used to update the Comprehensive Plan.

The largest parcel (Parcel No. 4) is proposed to contain a neighborhood shopping center with a maximum of 125,000 square feet with major access openings to 37th Street and to Woodlawn. The smaller parcels on the corner of the 37th Street and Woodlawn intersection are limited to right-turn access only and the smaller parcels located away from the corner (Parcels 3 and 5) each have one access point. In total, there are three access points proposed to the development from the 825 feet of frontage on Woodlawn and three access points from the 607 feet of frontage on 37th Street North.

A six-foot-high masonry wall will be constructed to screen the development from adjacent residential areas on the south and west. All structures within the C.U.P. will share similar architectural character and predominant exterior building materials to help satisfy the intent and purpose of the City zoning ordinance for well-planned and well-organized commercial developments.

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.

( ) Published in The Daily Reporter on 9-25-92

ORDINANCE NO. 41-826

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-3048

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

Beginning at a point on the east line of said Northeast Quarter, 900 feet south of the northeast corner of said Northeast Quarter; thence N89°52'50"W, 675 feet; thence N00°00'00"W, 900 feet to a point on the north line of said Northeast Quarter; thence S89°50'32"E, 81.79 feet along the north line of the Northeast Quarter; thence south, parallel with the east line of the Northeast Quarter, 600 feet; thence east parallel with the north line of said Northeast Quarter, 600 feet to a point on the east line of the Northeast Quarter; thence south along the east line of the Northeast Quarter 300 feet to the point of beginning, said tract containing 5.8 acres more or less.

Generally located on the southwest corner of  
37th Street North and Woodlawn.

SECTION 2. That upon the taking effect of the 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 Zoning Ordinance as amended.

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