

Planning Agenda Item # _____

City of Wichita
City Council Meeting

August 30, 1994

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: DP-214 - AMENDMENT TO THE BRANDT COMMERCIAL COMMUNITY
UNITY PLAN. GENERALLY LOCATED AT THE SOUTHWEST CORNER
OF MAIZE ROAD AND 13TH STREET NORTH.

Z-3139 - ZONE CHANGE FROM "AA" TO "LC". GENERALLY LOCATED
APPROXIMATELY 600 FEET WEST OF MAIZE ROAD ON THE SOUTH
SIDE OF 13TH STREET NORTH.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve subject to conditions. (10-1)

Staff Recommendation: Approve the zone change subject to platting within 1-year.

Approve the commercial community unit plan subject to
conditions.

CPO Recommendation: CPO Council "5" voted 6-0 to recommend approval of the requests.

Background: The applicant requests a commercial community unit plan (CUP) for an 8.0 acre site located at the southwest corner of 13th Street North and Maize Road. The applicant has filed an associated zone change from "AA" One Family Dwelling District to "LC" Light Commercial for 1.77 acres located in the west portion of the community unit plan (approximately 600 feet west of Maize Road on the south side of 13th Street North).

The application area is currently undeveloped. The site is surrounded by properties permitting a mixture of single family residential, multiple family residential, office, and commercial uses. An undeveloped commercial property is located on the north side of 13th Street North and a QuikTrip and single family housing are located on the east side of Maize Road. The Huntington Place Commercial CUP (located directly south of the application area along Maize Road) is zoned

"LC" Light Commercial. However, the existing CUP limits uses on this site to all uses permitted in the "OC" Office Commercial District, with the addition of banks, savings and loans. The Huntington Place Residential CUP is located south and west of the application area. Parcel 3 of the residential CUP (located south of the application area) permits as many as 194 apartment units. Located directly west of the proposed CUP site is an approximately 4 ¼ acre unplatted tract zoned "AA" One Family Dwelling District.

The proposed CUP includes one large parcel for up to three buildings and four smaller "pad" sites each with one building. Proposed uses for the site may include convenience stores, restaurants (including fast food), retail shops, banks and financial institutions, dry cleaning, laundry, barber and beauty shops, tailors, studios, hardware stores, furniture stores, theaters, grocery stores, department stores, offices, medical and dental offices or clinics, tire, battery and accessory stores, service stations with car wash as an accessory use with approval by the Board of Zoning Appeals, pharmacies, small animal clinics, day care centers and fitness centers. Also, no free standing convenience stores or fast food restaurants would be permitted in Parcel 5.

All buildings for non-residential uses on all parcels within the CUP would be required to share similar architectural character and the same predominate exterior building material. Metal would not be permitted as a predominate exterior building material for any building in the proposed development. Also, a pedestrian circulation plan for each parcel would be required. The plan would depict the location, width, and material for sidewalk access to the major center from Maize Road and 13th Street North.

According to projections, the 13th Street North / Maize Road intersection is expected to be at, or over, capacity by the year 2020. Due to the traffic expected to be generated from this site, City Traffic Engineering will require continuous accel/decel lanes along 13th Street North and Maize Road and the extension of left turn lanes to the major entrances on both arterials. These road improvements would be guaranteed at the time of platting. Access to the site would be limited to 2 openings on both 13th Street North and Maize Road. On 13th Street North, a joint opening would serve parcels 1 & 2 and a major entrance would align with Westgate. On Maize Road, a joint opening would serve parcels 2 & 3, with a major entrance serving parcels 3, 4, & 5. Access to parcels 4 and 5 will also be available via Ponderosa Circle.

During preliminary discussions with the applicant, planning staff expressed concern for granting additional zoning in the area that would increase traffic at the 13th Street North / Maize Road intersection. Therefore, the applicants propose to limit the proposed maximum building coverage and maximum gross floor area of the 8 acre CUP to what would be permitted on the 6.3 acre tract currently zoned "LC" (82,328 square feet). Staff also noted to the applicant that granting the requested "LC" zoning would result in a smaller tract of land west of the proposed CUP, thus making the property more difficult to develop with single family dwellings. Due to the projected traffic volumes at the 13th Street North / Maize Road intersection, staff will not support any

future zoning requests for the unplatted "AA" zoned tract (including "R-5", "BB", or "LC") if such a request would result in increased traffic. Staff could support a medium density residential zoning district of approximately 8-10 dwelling units per acre. At this time, the applicants indicate that they intend to develop the site with low density residential uses.

According to the proposed plan, all landscaping/screening and sign restrictions would be determined by the City Code. In addition, signage along both arterials would be limited to one free standing sign per parcel not to exceed 20 feet in height or 150 square feet per sign face. Parcel 5 would be permitted a sign on both 13th Street North and Maize Road.

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.
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).

SEDGWICK COUNTY



METROPOLITAN AREA PLANNING DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1588
316) 268-4421

July 29, 1994

Brandt Real Estate
145 N. Westfield
Wichita, KS 67212

RE: DP-214 Brandt Commercial Community Unit Plan, generally located at the southwest corner of 13th St. North and Maize Road; AND

Z-3139 - Zone change from "AA" One Family Dwelling District to "LC" Light Commercial, generally located 600 feet west of Maize Road on the south side of 13th Street North.

On July 28, 1994, the Metropolitan Area Planning Commission (MAPC) considered the above-captioned requests. The action of the MAPC was the following:

- A. APPROVE the zone change from "AA" One Family Dwelling District to "LC" Light Commercial (Z-3139), subject to platting within 1-year.
- B. APPROVE the proposed commercial community unit plan (DP-214), subject to the following conditions:
 1. Require consistent lighting (fixtures, poles, and lamps) as well as architectural elements in all parcels.
 2. Revise the proposed uses of the CUP to prohibit drinking establishments.
 3. 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.
 4. Any major changes in this development plan shall be submitted to the Planning Commission and to the City Council for their consideration.

Brandt Real Estate
July 29, 1994
Page 2

5. The transfer of title of all or any portion of the land included within the CUP 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.
6. All unplatted property included within this CUP shall be platted within one year after approval of this CUP by the City Council or the provisions of this CUP shall become null and void for the portions which remain unplatted.

Please submit 14 folded copies of the CUP, no later than Friday, August 19, 1994, in order for this matter to be forwarded to the City Council for consideration. The City Council is scheduled to hear this request at their regular meeting on Tuesday, August 30, 1994. This meeting will be held in the City Council Chambers, First Floor, City Hall, 455 N. Main, Wichita, Kansas, beginning at 9:00 a.m. We would remind you that zoning items are considered after all other matters of business. Based on past practice, the City Council does permit additional debate by proponents or opponents of applications on Community Unit Plans.

This is a reminder that the zoning notification signs should now be removed from the property. If you have any questions concerning this matter, please contact our office at 268-4421.

Sincerely,



Kevin Kokes
Associate Planner

cc: Rob Hartman, Yung Design Group, 4912 E. 29th St. North, Wichita, KS 67220
Tom McBride, 1442 Stony Pt., Wichita, KS 67212
Bill McKinley, Traffic Engineering
Office of Central Inspection