

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

City of Wichita  
City Council Meeting

October 19, 1993

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

TO: Mayor and City Council Members

**SUBJECT:** DP-3 - AMENDMENT TO THE TWIN LAKES COMMERCIAL COMMUNITY UNIT PLAN, LOCATED AT THE SOUTHEAST CORNER OF 21ST STREET NORTH AND AMIDON.

Z-3106 - ZONE CHANGE REQUEST FROM "LC" LIGHT COMMERCIAL DISTRICT TO "C" COMMERCIAL DISTRICT, LOCATED 180 FEET WEST OF WOODROW AND 545 FEET SOUTH OF 21ST STREET NORTH. (District #6)

INITIATED BY: Metropolitan Area Planning Department



AGENDA ACTION: Planning

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MAPC Recommendation: Approve (11-1).

Staff Recommendation: Approve.

CPO Recommendation: CPO North Central "6" voted 8-0 to recommend approval.

Background: On September 23, 1993, the MAPC considered a request for an approval of an amendment to the Twin Lakes Commercial CUP (DP-3) and an associated zone change from the "LC" Light Commercial district to the "C" Commercial district for a 37,500 square foot area. The proposed amendment does not change the boundaries or allowed densities of the three existing parcels. The plan does propose to decrease the amount of required parking, add additional uses and restrict signage.

The amendment proposes to allow all uses permitted in the "LC" Light Commercial district, except for adult entertainment establishments, in Parcel 1. Of the 358,333 square feet of leasable area allowed in Parcel 1, no more than 240,000 square feet is proposed to be occupied by retail and restaurant uses. Drinking establishments (more than half of sales for alcoholic beverages) are permitted, but are limited to 12,000 square feet of area and are not allowed to open prior to 6 pm each day. The applicant intends to use the area of the center previously occupied by a theater of this use. The remaining

square feet of leasable area is to be occupied with office and related uses that generally close by 5 or 6 p.m. In addition, the amendment proposes to allow up to 25,000 square feet of outdoor display or storage in Parcel 1, which is being requested for "C" Commercial zoning, for any use permitted in the Light Commercial district. The current CUP limits the uses in this parcel to: shopping centers, general and medical office facilities, drive-in bank facilities, service station, post office substation, theaters and restaurants.

Based the existing square footage and the and zoning regulations requirements for each use, the required parking is 1,714 parking spaces. The shopping center currently provides 1,415 parking spaces. The plan proposes to reduce the required parking by approximately 20%, to 1,388 spaces. Staff is supportive of this reduction based on the use mix that is planned for the center. The parking requirements for 101,000 square feet of office space and an 800 occupant drinking establishment are similar ( 358 spaces for the office and 400 for the drinking establishment). Limiting the retail/restaurant floor area so that a substantial square footage is limited to office uses, and restricting drinking establishments on Parcel 1 to open after 6 p.m., allows the required parking spaces to be shared. This is similar to a provision in the zoning code that allows uses on separate properties that have mutually exclusive hours of operation to share (up to 50% of the requirements) parking spaces.

In order to use the outdoor display or storage area, it is required that an equal amount of leasable area within the existing shopping center be closed to any type of occupancy (up to a maximum of 25,000 square feet). Additional area for retail and restaurant uses, public assembly uses, and multi-family housing in Parcel 3 is permitted only if additional floor area is physically removed, or additional parking is provided (there is some potential to reduce the size of some parking bays and increase the total number of spaces).

Parcel 3, which is 2.4 acres in size, proposes to restrict the allowed apartment uses to 16 dwelling units per acre, which matches the density of the apartment developed on the adjacent parcel. A landscaping plan is required prior to any building permits being issued for apartment development. Off-street parking is the only use proposed for Parcel 2. Portable and off-site signs will not be permitted in the amended CUP.

Recommendations/Actions:

1. Concur with the findings of the MAPC and approve the zone change; place the ordinance establishing the zone change on first reading.
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 reading).

( ) Published in The Daily Reporter on 10-29-93

ORDINANCE NO. 42-218

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-3106**

Zone change request from "LC" Light Commercial District  
to the "C" Commercial District

A tract in Lots 1, 2, and 6, Lakeview Estates 2nd and Replat of Part of Lots 2 and 3, Lakeview Addition, Wichita, Kansas, described as commencing at the N.E. Corner of said Lot 1; thence south along the east line of said Lot 1, 151.8 feet; thence west parallel with the north line of said Lot 1, 94.5 feet for a place of beginning; thence continuing west parallel with the north line of said Lot 1, 150 feet; thence south at right angles 250 feet; thence east 150 feet; thence north 250 feet to beginning. Generally located 180 feet west of Woodrow and 545 feet south of 21st Street North.

**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.

FILE COPY

**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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Pat Burnett, Deputy City Clerk

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Elma Broadfoot, Mayor

(SEAL)

Approved as to form:

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Gary E. Rebenstorf, City Attorney