

City of Wichita
City Council Meeting
January 9, 1990

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: DP-194 - HOME DESIGN CENTER COMMERCIAL C.U.P.

Z-2978 - ZONE CHANGE REQUEST FROM THE "R-5" GENERAL RESIDENCE, "BB" OFFICE & "LC" LIGHT COMMERCIAL DISTRICTS TO THE "BB" OFFICE AND "C" GENERAL COMMERCIAL DISTRICTS, LOCATED ON BOTH SIDES OF PENSTEMON STREET BETWEEN 29TH ST. N. & 32ND ST. N. (District #2).

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve (7-0).

Staff Recommendation: Approve subject to platting.

CPO Recommendation: CPO Council 2A's vote was moot (3-3).

Background: On December 7, 1989, the MAPC held a public hearing to consider the approval of the Home Design Center Commercial C.U.P. (DP-194) and an associated zone change request (Z-2978) from the "LC" Light Commercial, "BB" Office and "R-5" General Residence District to the "C" General Commercial and "BB" Office District. The applicant intends to create a center where materials, equipment, appliances, innovations and techniques in the home building industry can be exhibited, demonstrated, fabricated, stored and sold.

The proposed development plan divides a 26.6-acre (gross) site into 5 parcels for commercial and office development. The proposed uses include general offices; office/warehousing; office/showrooms; light manufacturing as limited by the "C" General Commercial District; professional offices; carpet, lumber, plumbing and similar furnishing outlets; appliance, equipment and fixture suppliers; home/office supply; building materials, decorating and design stores; service-oriented retail; financial institutions; restaurants and retail sales.

A portion (10.3 acres) of the proposed development plan area is currently approved and zoned for light commercial development within the adjoining Mediterranean Plaza Commercial C.U.P. (DP-111) platted as Mediterranean Plaza Commercial Second Addition. The remainder is within an area of which 4.53 acres are zoned "BB" and platted for office purposes and 9.12 acres are zoned "R-5" and platted for apartment purposes in Mediterranean Plaza Addition.

The entire area is requested to be rezoned to the "C" General Commercial District except for a 1.45-acre parcel on the northeast corner of 29th Street and Penstemon which is proposed for "BB" Office to buffer the single-family residential area to the south.

The existing Mediterranean Plaza Commercial C.U.P. of which this proposed development plan is a part has been approved for construction of a maximum of 400,000 square feet of gross floor area for commercial purposes which may be increased up to 800,000 square feet if additional studies are provided.

The proposed development plan contains 411,000 square feet of gross floor area. In the event this proposed development plan is approved, the applicant will modify the existing C.U.P. to reflect corresponding decreases in size, permitted gross floor areas, building coverages and parcel configuration.

Although the applicant is requesting additional floor area for commercial purposes, due to the low traffic-generating character of the principal uses being proposed (office/warehousing, building materials fixtures, equipment and supplies) and the fact that the site is served by Penstemon, which has been constructed to a wider industrial street standard, staff believes the land use pattern being proposed is appropriate and can be adequately served by existing or planned public improvements.

- Recommendations/Actions:
1. Concur with the findings of the MAPC and approve the amended C.U.P. and associated zone change, 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 application to the MAPC for reconsideration, stating reasons.

(_____) Published in The Daily Reporter on 4/27/90

ORDINANCE NO. 40-954
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-2978
"R-5" General Residence, "BB" Office
and "LC" Light Commercial to "BB" Office
and "C" Commercial

"R-5" to "C"

A portion of Lots 16 and 17, Block 1, Mediterranean Plaza, an addition to Wichita, Sedgwick County, Kansas, more particularly described as follows:

Beginning at a point on the west line of said Lot 16, 250.00 feet north of the southwest corner; thence N $00^{\circ}53'18''$ W, 597.26 feet along the west line to a point on a curve to the left; thence along said curve 288.20 feet, said curve having a central angle of $39^{\circ}23'10''$, a radius of 419.25 feet, and a long chord of 282.56 feet, bearing N $20^{\circ}34'53''$ W; thence N $40^{\circ}16'28''$ W, 308.06 feet along the westerly line to the northwest corner of said Lot 17; thence N $49^{\circ}43'32''$ E, 252.81 feet along the northwesterly line of said Lot 17; thence N $89^{\circ}06'42''$ E, 200.00 feet along the north line of said Lot 17 to the southeast corner of Lot 2, Block 1, of said addition; thence S $00^{\circ}53'18''$ E, 248.03 feet to a point lying 250.00 feet northeast of westerly line of said Lot 17; thence S $40^{\circ}16'28''$ E, 228.98 feet parallel with said westerly line; thence S $00^{\circ}53'18''$ E, 836.87 feet parallel and 250.00 feet east of the west line of said Lot 16; thence S $89^{\circ}07'40''$ W, 250.00 feet to the point of beginning. (Now platted as Lot 2, Block 1, Home Design Center Addition, an addition to Wichita, Sedgwick County, Kansas.)

"LC" to "C"

Lots 4 and 5, Block 1, Mediterranean Plaza Commercial Second Addition, an addition to Wichita, Sedgwick County, Kansas. (Now platted as Lot 1 & 2, Block 2, Home Design Center Addition, an addition to Wichita, Sedgwick County, Kansas.)

"BB" to "C"

All of Lots 1 and 2, Block 1, Mediterranean Plaza, an addition to Wichita, Sedgwick County, Kansas. (Now platted as Lot 1, Block 1, Home Design Center Addition, an addition to Wichita, Sedgwick County, Kansas.)

"R-5" to "BB"

A portion of Lot 16, Block 1, Mediterranean Plaza, an addition to Wichita, Sedgwick County, Kansas, more particularly described as follows:

Beginning at the southwest corner of said Lot 16; thence N 00°53'8" W, 250.00 feet; thence N 89°07'40" E, 250.00 feet; thence S 0°53'18" E, 260.00 feet parallel and 250.00 feet east of the west line of said Lot 16 to a point on the south line of said Lot 16; thence N 85°09'42" W, 100.50 feet along said south line; thence S 89°07'40" W, 150.00 feet along said south line to the point of beginning. (Now platted as Lot 3, Block 1, Home Design Center Addition, an addition to Wichita, Sedgwick County, Kansas.)

Generally located on both sides of Penstemon Street between 29th St. N. and 32nd St. N.

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:

(SEAL)

City Clerk

Mayor

Approved as to form:

City Attorney