

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

PROPOSED AGENDA ITEMS : SCZ-0780 -Zone change request from "SF-20" District to "MF-18" Multi-Family District and "LC" Limited Commercial; and

DP-238 Twenty First Community Unit Plan - request for approval of Commercial Community Unit Plan for commercial development on property located north of 21st Street North and east of 127th Street East.

PRESENTED BY:

Marvin S. Krout, Director of Planning



PROPOSED AGENDA DATE: March 3, 1999

COMMISSION DISTRICT #1

MAPC Recommendation: Approve (8-1).

Staff Recommendation: Approve.

Background/Discussion: The applicant is proposing to create the Twenty-First Commercial CUP and rezone a portion of this property from "SF-20" to "MF-18" and "LC." This property is located north of 21st Street North and east of 127th Street East.

The 26.16 acre tract, as proposed by the applicant, will be divided into six parcels. Parcel 1 (9.2 acres), located 875 feet north of the 21st Street and 127th Street East intersection, would be zoned "MF-18" and would be limited to single family homes, patio houses, duplex, four-plexes, townhouses, apartments, church and assisted living. The applicant is proposing to limit the maximum number of dwelling units on Parcel 1 to 37 duplexes, 129 townhouses or assisted living units, 166 apartment units, or a combination thereof.

Parcel 2 (12.80 acres) has frontage along 127th Street and 21st Street. Parcel 3 (1.11 acres) is located 200 feet north of the intersection along 127th Street North. Parcel 4 (1.02 acres) is at the northeast corner of this intersection. Parcel 5 (1.01 acres) and Parcel 6 (1.01 acres) are located along 21st Street North approximately 315 feet east of the intersection. Parcel 2 through 6 would be zoned "LC" but would not permit adult entertainment, taverns, drinking establishments and night clubs as defined in the City Code. These five parcels would also be limited to a maximum floor area ratio of 30 percent and a maximum building height of 35 feet. Parcel 2 would be limited to six buildings. Parcel 3 through 6 would only be permitted one building in each parcel.

After discussions between the Traffic Engineer and the applicant, it was agreed upon that there would only be one point of access to Parcel 1 from 127th Street East and any road to the proposed residential property to the north of the C.U.P., which is also owned by the applicant, would be at the minimum 600 feet north of the one providing access to Parcel 1. This access to Parcel 1 will also be required to align with the one permitted access point approved for the Mollett C.U.P., across 127th Street East. The road which serves the future single-family property to the north will serve as a collector street and will loop around from 127th Street East to 21st Street North.

The traffic engineer is also recommending the following: along 127th Street, Parcel 3 & 4 shall be limited to one shared access. If the access point is located within the section of 127th Street East with a widened right-of-way, access shall be limited to right turns only through the use of either a raised median in 127th Street or by constructing a "pork chop" median in the driveway of a suitable design to prohibit left turns. Parcel 2 shall be limited to one access, and Parcel 1 shall be limited to one access to be aligned with the access approved for the Mollett subdivision to the west.

On 21st Street, any access points within the widened right-of-way section shall be limited to right turns only, as required above. Parcels 5 & 6 shall be limited to one joint access.

Left turn and right turn lanes will be required to be constructed for the accesses to Parcel 2 from both streets. The developer shall be required to guarantee his fair share of a future traffic signal at 21st Street and 127th Street.

Undeveloped property is located around this CUP. However, to the west and south there are commercial CUPs approved, subject to platting. North and east of this property is part of the applicant's ownership which he has explained will be residential property.

At the January 14th MAPC hearing, the applicant discussed this request. After limited discussion, the Planning Commission voted 8-1 to approve the request, subject to revised access controls and platting within two years. The Commissioner expressed concern that the residential character of this area was being threatened by permitting commercial zoning at this and every other intersection.

- Recommended Action:
1. Adopt the findings of fact of the Metropolitan Area Planning Commission and approve the zone change and creation of the Twenty First Community Unit Plan; adopt the resolution and authorize the chairman to sign; or
 2. Deny the request, or

3. Return to the Planning Commission for reconsideration.

Applicants:

Twenty First Growth, LLC, 453 S. Webb Road, Suite 500, Wichita, KS 67207

Protestors:

None

ORDINANCE NO.45-493

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 CITY OF WICHITA CODE SEC. 28.04.010.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That after 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 City of Wichita Code Sec 28.04.010, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. SCZ-0780

Zone change request from "SF-20" Single-Family Residential District to "MF-18" - Multi-Family Residential District, described as:

Lot 1, Block 6, Hawthorne Addition, Wichita, Sedgwick County, Kansas; AND

Zone change request from "SF-20" Single-Family Residential District and "LC" Limited Commercial to "LC" Limited Commercial District, described as:

Lots 2-6, Block 6, Hawthorne Addition, Wichita, Sedgwick County, Kansas.

Generally located at the northeast corner of 21st Street North and 127th Street East.

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, this 5th Day of November, 2002.

ATTEST:

for Patery Ellis, Deputy
Pat Burnett, City Clerk



Bob Knight
Bob Knight, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf
Gary E. Rebenstorf, City Attorney

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METROPOLITAN PLANNING
ROUTE _____