

CITY OF TOPEKA PLANNING DEPARTMENT

SUMMARY REPORT

Re: PUD14/1 and P14/4 Wrangler Ridge Planned Unit Development and Subdivision By: John P. and Barbara R. Hoffer

The proposal is a request to amend the District Zoning Classification from “RR-1” Residential Reserve District TO “PUD” Planned Unit Development (“C-2” Commercial, “C-4” Commercial, “O&I-2” Office & Institutional, and “M-2” Multiple-Family Dwelling use groups) to allow a mix of commercial, medium-density residential, and office uses at the northeast corner of the intersection of SW Urish Road and SW 17th Street. The final plat is proposed in conjunction with the Planned Unit Development Plan.

The following uses are proposed for the 75-acre subject property:

- Lot 1, Block A (11 acres) –Neighborhood commercial uses (“C-2” use group; maximum 125,000 sq. ft. building footprint)
- Lot 2, Block A (6 acres) – Office uses (“O&I-2” use group) or multiple-family residential (“M-2” use group with a maximum of 16 dwelling units per acre)
- Lot 3, Block A and Lot 1, Block B (39.59 acres) – Multiple-family residential (“M-2” use group with a maximum of 13.5 dwelling units per acre)
- Lot 2, Block A (15.26 acres) – Community commercial uses (“C-4” use group)

The Land Use and Growth Management Plan – 2025 (LUGMP) identifies this area for *Mixed Use Urban* uses. The land use policies and principles of the Comprehensive Plan support medium to high density residential and compact development adjacent with the Wanamaker Corridor and with major commercial centers. The PUD follows guidelines recommended by the plan for the location of commercial centers and establishes appropriate land use transitions. The property was annexed into the City on March 18, 2014. The request is supported by the policies and principles of the Comprehensive Plan.

The Planning Department recommended approval of both the rezoning request and final plat, as referenced in the attached staff reports. The Planning Commission recommended approval of both the plat and PUD plan at its May 19, 2014 meeting by votes of 6-0-2, as referenced in the attached minutes. The attached PUD plan and final plat includes all conditions of approval as recommended by the Planning Commission. The Planning Department requests the Governing Body move to approve the Ordinance and adopt the zone change. The Planning Department requests the Governing Body move to accept the final plat for recording with the Shawnee County Register of Deeds.

Please, be advised a legal protest petition has been filed regarding the PUD rezoning proposal. The extent of the protest constitutes **34.29%** of the required notification area, excluding rights-of-way. Since the extent of the protest exceeds 20% of the notification land area, the zoning proposal cannot be passed except by at least a three-fourths majority vote (8 of 10) of all members of the Governing Body pursuant with K.S.A. 12-575(f)(1). Further, matters shall only be considered when **all** members are present. Accordingly, the Governing Body may:

1. **Adopt** the recommendation of the Planning Commission by Ordinance, subject to a three-fourths majority vote (8 of 10) of the Governing Body due to the legal protest.
2. **Reject** the recommendation of the Planning Commission and deny the rezoning request by a two-thirds majority vote (7 of 10) of the Governing Body.
3. **Remand** such recommendation to the Planning Commission with a statement specifying the basis of the Governing Body's failure to approve or disapprove the recommendation by a simple majority vote (6 of 10) of the Governing Body.

Attached is the protest area map and protest land area computations