



Wichita-Sedgwick County Metropolitan Area Planning Department

August 11, 2000

Leewood Homes, Inc.
c/o Joe Lee
3500 N. Rock Road, #2200-204
Wichita, KS 67226

FILE COPY

RE: CON2000-00023 – Conditional Use for “Animal Care, Limited” (small animal veterinary clinic) on property zoned “GO” General Office. Generally located at the southeast corner of Edgemoor and Lexington.

Dear Ladies and Gentlemen:

At its regular meeting on July 27, 2000, the Metropolitan Area Planning Commission considered the above-captioned request. The action of the MAPC was to APPROVE the request, subject to conditions stated in the letter dated July 28, 2000.

This action was not accompanied by valid appeals or protest petitions, therefore, the action of the Planning Commission is **FINAL**. Enclosed is a signed copy of the above-referenced Conditional Use Resolution. If you have any questions concerning this case, please contact our office at 268-4421.

Sincerely,

Donna Goltry, AICP,
Principal Planner signing for
Dale Miller, Chief Planner

DG/rs

Cc: Dr. William C. Skaer, DVM, 603 N. Edgemoor, Wichita, KS 67208
P.E.C., c/o Gary Wiley, 303 S. Topeka, Wichita, KS 67202
Joe Pisciotte, City Council Member District II
Donte Martin, DAB II
Randy Sparkman, Office of Central Inspection
Kurt Schroeder, Office of Central Inspection
J. R. Cox, Office of Central Inspection
Paul Hays, Office of Central Inspection

CONDITIONAL USE RESOLUTION NO. CON2000-00023

WHEREAS, Leewood Homes (owner/applicant) Dr. William Skaer (contract purchaser/applicant), pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requested a Conditional Use to allow "Animal Care, Limited" (small animal veterinary clinic) on .47 acre zoned "GO" General Office described as:

Lot 1, Village Square Addition, Wichita, Sedgwick County, Kansas. Generally located on the southeast corner of Edgemoor and Lexington.

WHEREAS, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission (hereinafter referred to as MAPC) has been given; and

WHEREAS, the MAPC did, at the meeting of July 27, 2000, consider said application; and

WHEREAS, the MAPC has authority to permit a Conditional Use, subject to any special conditions deemed appropriate in order to assure full compliance with the criteria of the Unified Zoning Code.

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Area Planning Commission that this application be approved to permit a conditional use to allow "Animal Care, Limited" (small animal veterinary clinic) on .47 acre zoned "GO" General Office described as:

Lot 1, Village Square Addition, Wichita, Sedgwick County, Kansas. Generally located on the southeast corner of Edgemoor and Lexington.

subject to the following conditions:

- A. The site shall be developed and utilized in general conformance with the site plan approved by the MAPC, including the preservation of the four existing street trees shown on the site plan.
- B. The uses permitted on the site shall be restricted to "animal care, limited" and "GO" General Office uses.

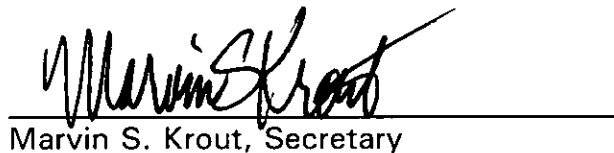
Any violation of the conditions of approval shall render the Conditional Use permit null and void.

Adopted this 27th day of JULY 2000. This resolution shall become effective on the fifteenth day after the date last noted above unless the matter is forwarded to the Governing Body for final action under the provisions of Section V-D.6. When any one or more of the exceptions listed in Section V-D.6 exist, this resolution with its conditions of approval shall be considered a recommendation of the MAPC to the Governing Body which shall then have final authority to approve, approve with conditions or modifications, or deny the Conditional Use application.

METROPOLITAN AREA PLANNING COMMISSION


Frank Garofalo, Chair

ATTEST:


Marvin S. Krout, Secretary

STAFF REPORT

MAPC, 7/27/00

CASE NUMBER: CON2000-00023

OWNER/APPLICANT: Leewood Homes (owner/applicant), Dr. William Skaer
(contract purchaser/applicant)

AGENT: PEC, Gary Wiley

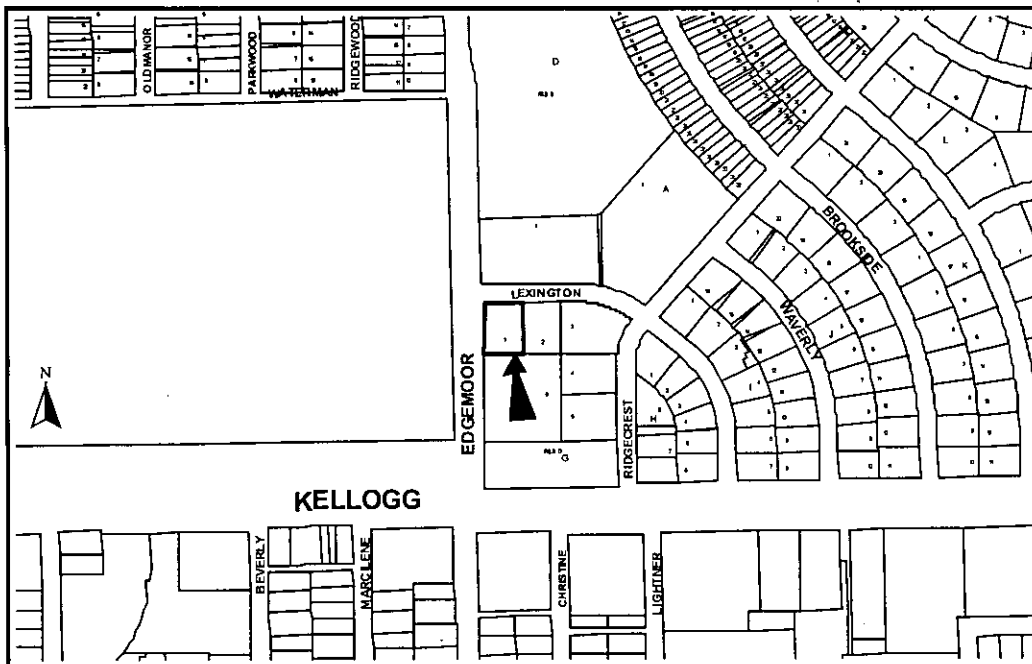
REQUEST: Conditional Use for "Animal Care, Limited" (small animal
veterinary clinic)

CURRENT ZONING: "GO" General Office

SITE SIZE: .47 acre

LOCATION: Southeast corner of Edgemoor and Lexington

PROPOSED USE: Small animal veterinary clinic



BACKGROUND: The applicant is requesting a "Conditional Use" permit to allow "animal care, limited" (small animal veterinary clinic) on a .47 acre corner lot located southeast of Edgemoor and Lexington (Lot 1, Village Square Addition). The site is currently zoned "GO" General Office. The applicant currently operates a clinic at 603 N. Edgemoor, and he wants to move his practice to the application area. The applicant proposes to build a new 5,792 square foot building, which would face Lexington. Access would be off Lexington with a joint drive with the property to the east. Twenty-three parking spaces would be provided. Landscaping would be provided along the north and west perimeter of the parking lot. There would not be any outdoor runs or kennels.

Surrounding land uses and zoning is as follows: fire and police station to the north on "SF-6" Single-family and Special Permit to permit "safety services"; vacant "GO" General Office zoning to the east; "LC" Limited Commercial zoning developed with a pool and patio retail sales use to the south; and to the east is the Veterans Administration Hospital on "GO" General Office land. The Girl Scouts of America have a large office facility on property located northeast of the application area. The application area is surrounded by nonresidential uses and is located one lot away from a freeway which carries coast to coast traffic.

The applicant has met with residential neighbors located to the east to amend restrictions contained within a private covenant agreement that was created at the time this property was platted. The applicant's agent advises staff that those negotiations have been successfully completed.

"Animal Care, Limited" is a use permitted in the "GO", General Office district only with a "Conditional Use" subject to the following conditions: 1) no noise or odor shall be discernable at the property line. 2) treatment of animals shall be limited to dogs, cats and other small animals; and 3) all animals shall be harbored indoors.

CASE HISTORY: Village Square Addition was recorded July 31, 1998. The "GO" General Office zoning was approved by the MAPC on July 17, 1997.

ADJACENT ZONING AND LAND USE:

NORTH: "SF-6" Single-family Residential / DR 87-4; Fire and Police station
SOUTH: "LC" Limited Commercial; pool and patio retail sales
EAST: "TF-3" Two-family / "SF-6" Single-family Residential; residences
WEST: "GO" General Office; VA Hospital

PUBLIC SERVICES: Edgemoor is a paved 4-lane arterial carrying 12,307

average daily trips in 2000. Lexington is a two-lane paved local street. Public services are available.

CONFORMANCE TO PLANS/POLICIES: The plan supports the location of convenience centers, which are composed primarily of an anchor tenant and a variety of smaller tenants, at the intersection of an arterial and collector. Commercial locational guidelines recommend that commercial sites: be located adjacent to arterial streets or major thoroughfares to avoid congestion; should employ site design features which limit noise, lighting and other activity so as to not adversely impact surrounding residential areas; and commercial generated traffic should not feed directly onto local residential streets.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED. However if the Planning Commission feels the request is appropriate, the application should be subject to the following conditions:

- A. The site shall be developed and utilized in general conformance with the site plan approved by the MAPC, including the preservation of the four existing street trees shown on the site plan.
- B. The uses permitted on the site shall be restricted to "animal care, limited" and "GO" General Office uses.
- C. Any violation of the conditions of approval shall render the Conditional Use permit null and void.

This recommendation is based on the following findings:

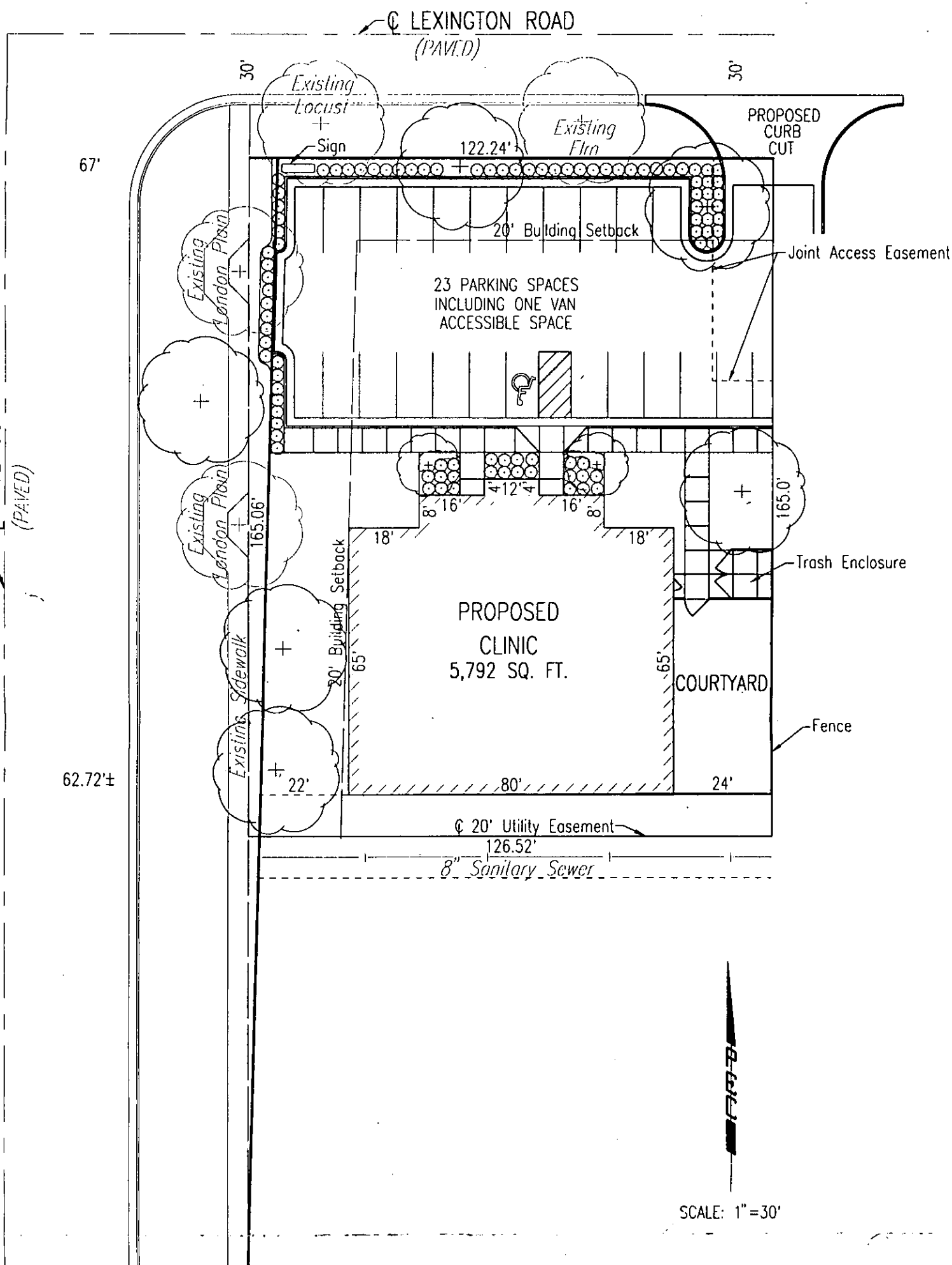
- 1. The zoning, uses and character of the neighborhood. Neighboring zoning is "SF-6" Single-family, Special Permit to allow a safety service, "GO" General Office and LC" Limited Commercial. Uses are police and fire station, vacant, residential, pool and patio retail sales and a hospital. This site is one lot removed from U.S. Highway 54, a freeway that carries coast to coast traffic.
- 2. The suitability of the subject property for the uses to which it has been restricted. The site is zoned "GO" General Office. A small animal clinic is permitted with a Conditional Use in this district. The site could be developed as zoned, although there is only one other office user in the immediate area.
- 3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval of this request should not detrimentally affect nearby properties given the fact that all services associated with this use

must be conducted inside.

4. Conformance of the requested change to the adopted or recognized Comprehensive Plan: this request is consistent with the plan in that services of this nature are typically found along arterial streets (Edgemoor); it is a corner lot that is surrounded by nonresidential uses so that the clinic traffic will not go by residential uses; and the applicant is utilizing a joint driveway and providing landscaping.
5. Impact of the proposed development on community facilities: None identified.

SITE PLAN

APPROVED 8/11/00 BY RB



CON2000-00023

SKAER VETERINARY CLINIC

LOT 1, VILLAGE SQUARE ADDITION



Professional Engineering Consultants, P.A.

303 S. TOPEKA • WICHITA, KANSAS 67202
316-262-2691 • FAX 316-262-3003

Designed by	TDM, GLA	Checked by	GLW
Drawn by	SAD	Date	JUNE, 2000
		Job No.	00323

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