CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

January 24, 2017

New ERA, LLC
Attn.: Chris Stevens
4431 Ironwood
Wichita, KS 67226

Baughman Company, P.A.
Attn.: Phil Meyer
315 Ellis
Wichita, KS 67211

RE: **CON2016-00052** - City Conditional Use request to allow ancillary parking on property zoned MF-18 Multi-Family Residential; generally located north of 45th Street North, east of Rock Road (4602 N Ironwood Circle)

Dear Applicant:

At its regular meeting on **December 1, 2016**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request subject to the provisions of the attached Resolution.

If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

Kathy L. Morgan
Senior Planner
Current Plans Division

KLM/mc
Attachment - Resolution

Copies to: Kyle J. McLaren, MABCD
J.R. Cox, MABCD
Pete Meitzner, Council Member District II
Laura Rainwater, CSR District II

CONDITIONAL USE RESOLUTION NO. CON2016-00052

WHEREAS, New ERA III, LLC, (Owners/Applicants), pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requests a Conditional Use for Ancillary Parking on 0.33 acre zoned MF-18 Multi-Family Residential described as:

> LOT 9, BLOCK 1, PINES AT SAWMILL CREEK ADDITION, east of N. Rock Road on the north side of 45th Street East (4602 Ironwood Circle).

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 December 1, 2016, 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 allow a Conditional Use for Ancillary Parking on 0.33 acre zoned MF-18 Multi-Family Residential described as:

> LOT 9, BLOCK 1, PINES AT SAWMILL CREEK ADDITION, east of N. Rock Road on the north side of 45th Street East (4602 Ironwood Circle).

Approved subject to the following conditions:

1. The Conditional Use permits ancillary parking on the site. The site shall be developed and maintained in general conformance with the approved site plan, the Landscape Ordinance of the City of Wichita, and in conformance with all applicable regulations.

2. An approved site plan for the entire lot indicating required landscaping.

3. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VII hereof, may, with the concurrence of the Planning Director, declare the Conditional Use null and void.

Adopted this 1st Day of December 2016

METROPOLITAN AREA PLANNING COMMISSION

David W. Foster, Chair MAPC

ATTEST:

Dale Miller, Secretary

WICHITA—SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 7

STAFF REPORT

DAB II December 12, 2016
MAPC December 1, 2016

CASE NUMBER: CON2016-00052

APPLICANT/AGENT: New Era III, LLC, Chris Stevens (owner/applicant)
Baughman Company, Russ Ewy (Agent)

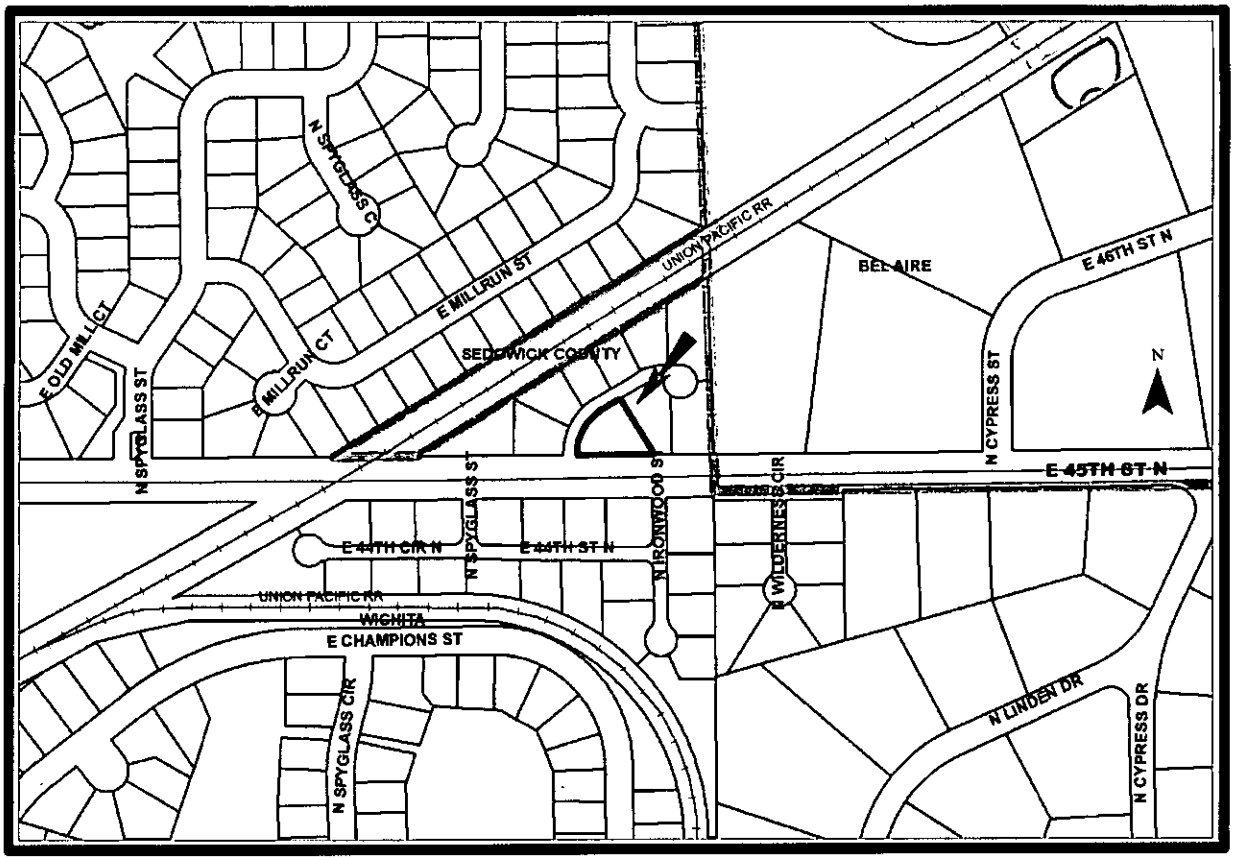
REQUEST: Conditional Use to build ancillary, off-street parking for a developing duplex subdivision

CURRENT ZONING: MF-18

SITE SIZE: 0.33 acre

LOCATION: North of 45th Street North east of Rock Road

PROPOSED USE: Ancillary off-street parking



BACKGROUND: The applicant requests a Conditional Use to build ancillary, off-street parking for a developing duplex subdivision on property zoned MF-18 Multi-Family Residential. The site is located north of East 45th Street North and east of North Rock Road (4602 North Ironwood Circle). The property is currently partially developed with a duplex residential unit.

Residential uses developed with two-family residences surround the subject property. Property to the east, west and north of the site is zoned MF-18 Multi-Family Residential. South of the site is TF-3 Two-Family Residential zoning.

CASE HISTORY: The Pines at Sawmill Creek Addition was platted in October 2007. The duplexes were constructed between 2008 and 2012. The request for the conditional Use is to allow a parking lot to be constructed on Lot 9 to provide ancillary parking for the subdivision.

ADJACENT ZONING AND LAND USE:

NORTH:	MF-18	Two-Family Residences
SOUTH:	TF-3	Two-Family Residences
EAST:	MF-18	Two-Family Residences
WEST:	MF-18	Two-Family residences

PUBLIC SERVICES: The property is serviced by all publicly supplied municipal services. North Ironwood Circle is two-lane, local street with access onto East 45th Street North, which is a paved two-lane arterial street.

CONFORMANCE TO PLANS/POLICIES: The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Wichita Urban Growth Area. The 2035 Future Growth Concept Map indicates residential growth in the area. Ancillary off-street parking for a duplex development is consistent with this designation.

RECOMMENDATION: Based on information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to the following conditions:

1. Parking in the setback is being granted as part of this application to comply with Section V-I.2.I.
2. Parking lot shall be screened per the multi-family requirements of the Landscape Ordinance.
3. The site shall be developed and maintained in general conformance with the approved site plan, and in conformance with all applicable regulations, including but not limited to: licensing requirements, building, fire and utility regulations or codes.
4. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VII hereof, may, with the concurrence of the Planning Director, declare the Conditional Use null and void.

This recommendation is based on the following findings:

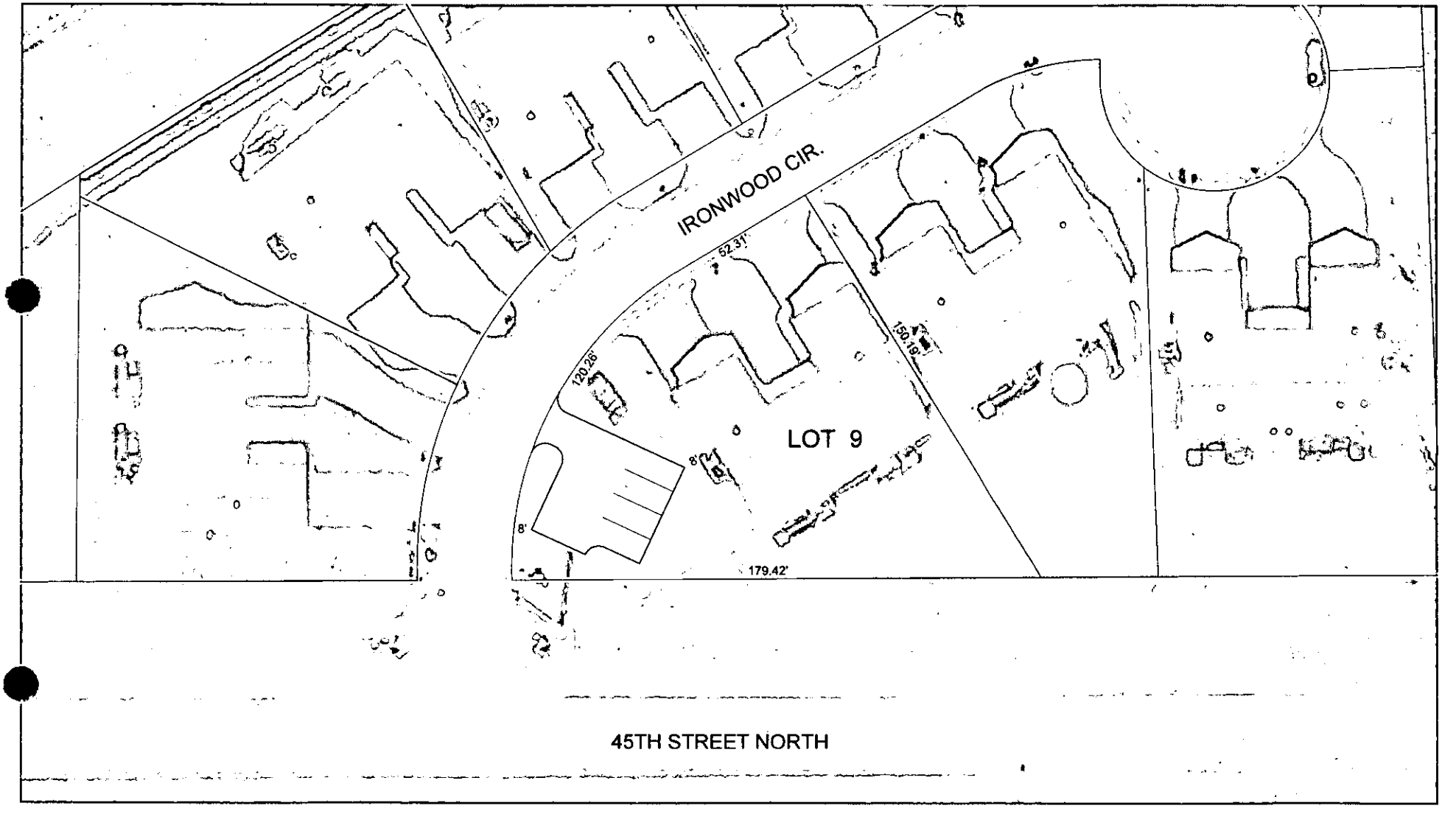
1. The zoning, uses and character of the neighborhood: Residential uses developed with two-family residences surround the subject property. Property to the east, west and north of the site is zoned MF-18 Multi-Family Residential. South of the site is TF-3 Two-Family Residential zoning.

2. The suitability of the subject property for the uses to which it has been restricted: The property is zoned MF-18 which allows a Conditional Use approval for ancillary parking.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval of the request should not detrimentally impact nearby properties. Ancillary parking would relieve any on-street parking congestion on North Ironwood Circle.

4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Wichita Urban Growth Area. The 2035 Future Growth Concept Map indicates residential growth in the area. Ancillary off-street parking for a duplex development is consistent with this designation.

5. Impact of the proposed development on community facilities: No additional community facilities demand will be created by allowing this request.



NORTH

CON2016-52 SITE PLAN

THE PINES AT SAWMILL CREEK PARKING CONDITIONAL USE

BAUGHMAN