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RESOLUTION NO. 383-1987

A RESOLUTION TO ESTABLISH A RETAIL NURSERY IN THE "C" GENERAL COMMERCIAL DISTRICT ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED IN SECTION 17.C OF THE ZONING REGULATIONS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984.

BE IT RESOLVED BY THE GOVERNING BODY OF SEDGWICK COUNTY, KANSAS.

SECTION 1. That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section 17.C of the Zoning Regulations, a Conditional Use Permit to establish a retail nursery in the "C" General Commercial District is hereby approved on the lands legally described as follows:

CASE NO. CU-309

Commencing at the southeast corner of the SE $\frac{1}{4}$ of Section 6, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas; thence bearing N1°22'49"E along the east line of said Section 6 a distance of 345.16 feet; thence bearing S89°59'50"W a distance of 40.01 feet to the point of beginning; thence bearing S89°59'50"W along the north line of L.R. Jones Third Addition and Kliever Addition to Sedgwick County, Kansas, a distance of 603.99 feet to the northwest corner of Lot 1, Block A, in said Kliever Addition; thence bearing N1°22'49"E a distance of 825.43 feet; thence bearing S89°54'43"E a distance of 603.96 feet; thence bearing S1°22'49"W parallel to and 40 feet west of the east line of said Section 6 a distance of 824.47 feet to the point of beginning. Generally located on the west side of Maize Road in an area north of 21st Street North.

SUBJECT TO THE FOLLOWING:

1. The applicant shall dedicate 20 feet of additional right-of-way for Maize Road adjacent to this application area within 30 days and prior to this request being scheduled for County Commission review.
2. The applicant shall obtain the appropriate commercial zoning for any retail sales buildings or outdoor storage of gardening items (such as fertilizers, landscape rock, etc.) prior to these related uses being permitted within this conditional use area.
3. Off-street parking shall be provided in accordance with the County's parking standards.
4. Building setbacks shall be in accordance with Section 13.D. of the County Zoning Regulations.
5. Only one sign shall be permitted on this application area and it shall advertise only the uses herein permitted. The sign height shall not exceed 30 feet, the gross surface area shall not exceed 32 square feet per side (with a maximum of two sides being permitted, back-to-back), and lighting, if any, shall be internal only.
6. A maximum of three driveways onto Maize Road shall be permitted from this conditional use site.

7. The applicant shall obtain approval from the County Health Department for private sewage disposal and a water supply.
8. Prior to scheduling this request for County Commission review, the applicant shall submit four copies of a revised site plan which designates the boundaries of the "C" zoning, the additional right-of-way being dedicated for Maize Road, the number of permitted access points, and the building setback which is 100 feet from the centerline of Maize Road.

SECTION II. That upon the taking effect of this Resolution, the notation of such Conditional Use approval shall be entered in the official zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Commission.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the official county paper.

PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this 25th day of November, 1987.

Tom Scott, Chairman
Tom Scott

Mark F. Schroeder, Chairman pro tem
Mark F. Schroeder

David Bayouth, Commissioner
David Bayouth

Bernard A. Hentzen, Commissioner
Bernard A. Hentzen

Billy Q. McCray, Commissioner
Billy Q. McCray

ATTEST:

Don Wright, County Clerk

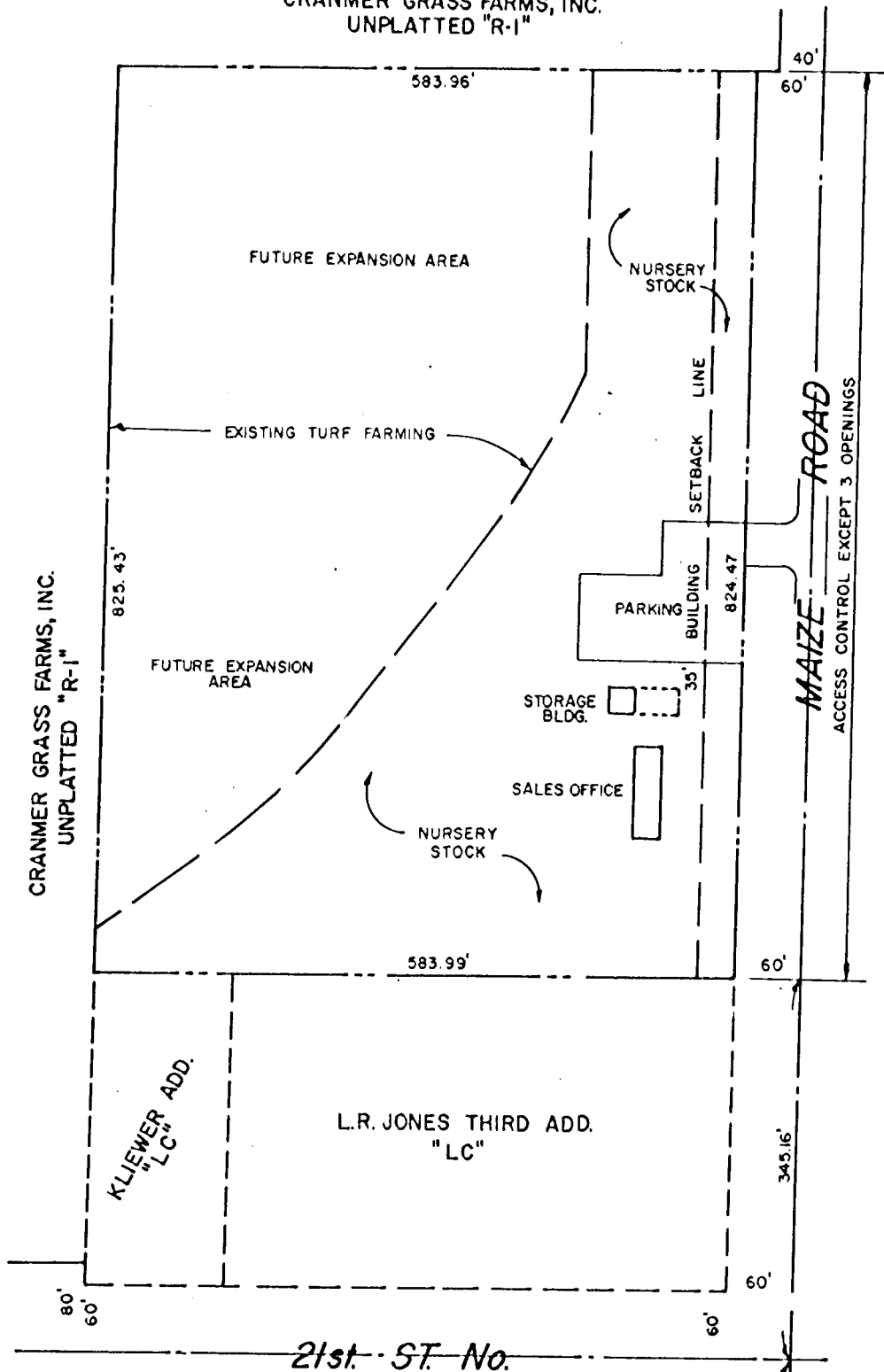
(SEAL)

Approved as to form by County Counselor

Robert R. Arnold, County Counselor
Robert R. Arnold, County Counselor

CRANMER GRASS FARMS, INC.
UNPLATTED "R-1"

CRANMER GRASS FARMS, INC.
UNPLATTED "R-1"



21st. ST. No.

SE. COR. SE. 1/4
SEC. 6, 27S, 1W

PERMITTED USES

TURF FARMING, RETAIL/
WHOLESALE SALES OF NURSERY
STOCK, GARDEN TOOLS, SEED,
FERTILIZER, AND OTHER
SUPPLIES AND SERVICES
ASSOCIATED WITH GARDENING,
LANDSCAPING AND LAWN CARE.



9-87

CRANMER GRASS FARMS, INC.
CONDITIONAL USE

CU-309

OCTOBER 15, 1987

STAFF REPORT

CASE NUMBER:

CU-309

OWNER/APPLICANT/AGENT:

Cranmer Grass Farms, Inc. (applicant)
Gary Wiley, P.E.C. (agent)

REQUEST:

Conditional Use Permit for a retail nursery

CURRENT ZONING:

"R-1" Suburban Residential (associated zone change request for "C" Commercial)

SITE SIZE:

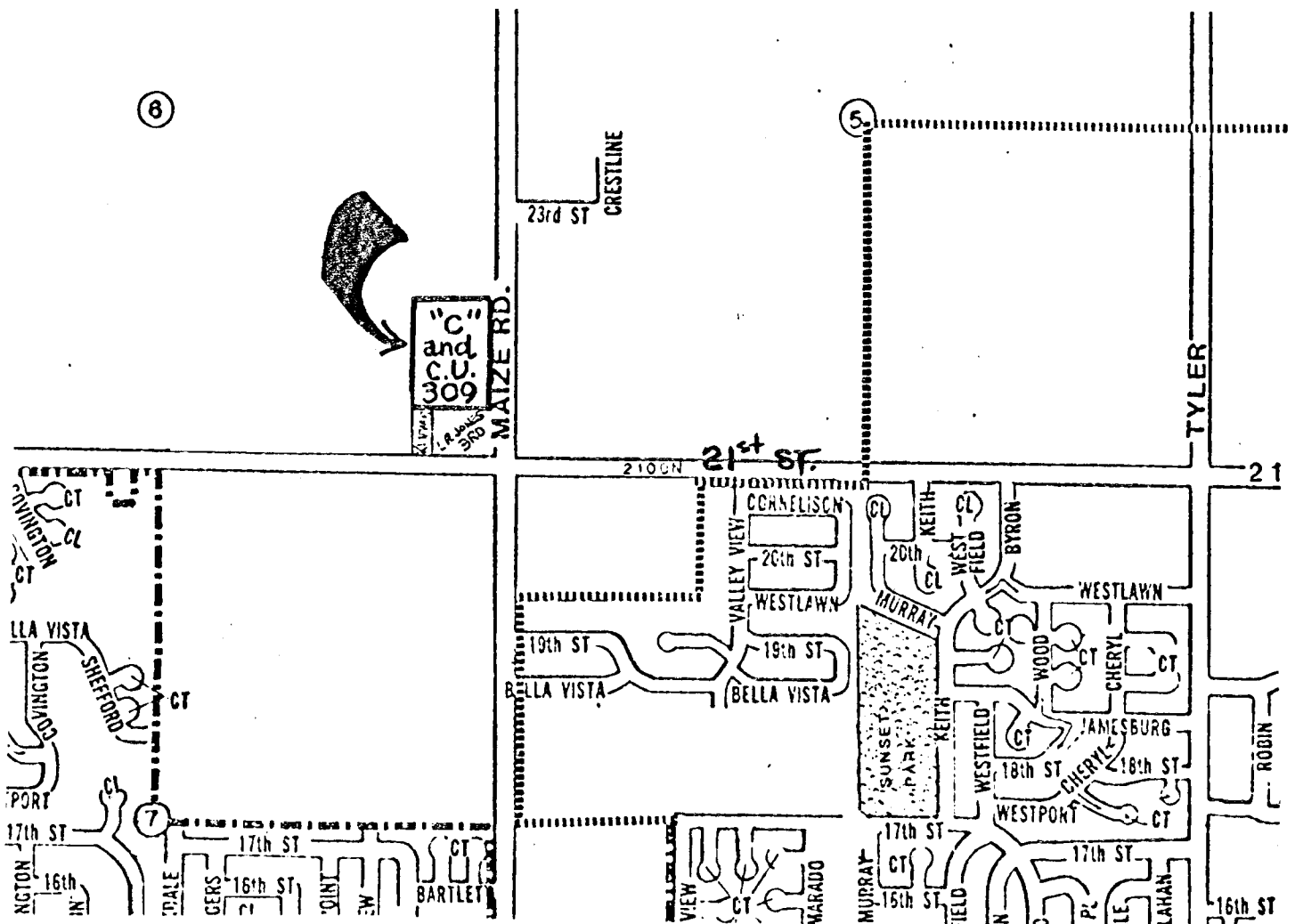
11.5 acres

LOCATION:

West side of Maize Road in an area north of 21st Street.

PROPOSED USE:

Growing of nursery stock and retail sales of nursery stock and related garden supplies.



BACKGROUND: The applicant is requesting a conditional use permit for a retail nursery on 11.5 acres of unplatted land located on the west side of Maize Road in an area north of 21st Street North. The site is part of the acreage owned and used by Cranmer Grass Farms for growing lawn grasses. Nursery stock is also growing on part of the site and a mobile home which was moved onto this site as a residence was recently used as a nursery sales office until cited as being in violation of the land use regulations. A nursery is permitted in the "R-1" district with a conditional use permit although any retail sales building and outside storage of materials must have "C" zoning and a conditional use permit. An associated request for "C" zoning has been filed (SCZ-0584).

CASE HISTORY: None.

ADJACENT ZONING AND LAND USE:

NORTH	R-1	Grass farming
SOUTH	LC	Strip commercial & mobile homes
EAST	R-1	Agricultural
WEST	R-1	Grass farming

PUBLIC SERVICES: Maize Road is a two-lane paved FAS road with only 40 feet of right-of-way whereas 60 feet is the standard. This area is outside of Wichita's projected service area for sewer and water.

CONFORMANCE TO PLANS/POLICIES: The Comprehensive Plan identifies this area as vacant or agricultural.

RECOMMENDATION: Since this land is just outside of Wichita's projected service area, the proposed nursery use seems very appropriate as it will not require municipal sewer or water yet will be in close proximity to a growing residential area whose needs it will serve. It is recommended that this 11.5-acre conditional use application for the growing of nursery stock and the display and sales of nursery stock for the area to be zoned "C" be approved subject to the following conditions:

1. The applicant shall dedicate 20 feet of additional right-of-way for Maize Road adjacent to this application area within 30 days and prior to this request being scheduled for County Commission review.
2. The applicant shall obtain the appropriate commercial zoning for any retail sales buildings or outdoor storage of gardening items (such as fertilizers, landscape rock, etc.) prior to these related uses being permitted within this conditional use area.
3. Off-street parking shall be provided in accordance with the County's parking standards.
4. Building setbacks shall be in accordance with Section 13.D. of the County Zoning Regulations.

5. Only one sign shall be permitted on this application area and it shall advertise only the uses herein permitted. The sign height shall not exceed 20 feet, the gross surface area shall not exceed 32 square feet per side (with a maximum of two sides being permitted, back-to-back), and lighting, if any, shall be internal only.
6. A maximum of two driveways onto Maize Road shall be permitted from this conditional use site.
7. The applicant shall obtain approval from the County Health Department for private sewage disposal and a water supply.
8. Prior to scheduling this request for County Commission review, the applicant shall submit four copies of a revised site plan which designates the boundaries of the "C" zoning, the additional right-of-way being dedicated for Maize Road, the number of permitted access points, and the building setback which is 100 feet from the centerline of Maize Road.