CONDITIONAL USE RESOLUTION NO. CU-467

WHEREAS, The Board of County Commissioners (Sedgwick County), 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 a government service on 3.015 acres zoned "LC" Limited Commercial, "GO" General Office, and "MF-29" Multi-Family Residential described as:

PARCEL 1: Beginning at the southwest corner of Lot 18, Block 6, Franklin Yikes Addition to Wichita, Kansas, thence north to the northwest corner of Lot 22, Block 6, Franklin Yikes Addition; thence east 147.5 feet along the north line of said Block 6; thence north to the north line of Lot 7, Torkleson Addition to Wichita, Kansas; thence east to the Southeast corner of Lot 5, Torkleson Addition to Wichita, Kansas; thence north to the southwest corner of Lot 4, Torkleson Addition to Wichita, Kansas; thence south along the west line of said Lot 3 to the Southwest corner thereof, said southwest corner also being the centerline of a vacated alley in Block 5, Franklin Yikes Addition; thence south along the centerline of said vacated alley to a point on the extended north line of Lot 13, Block 5 of Franklin Yikes Addition; thence east to the northeast corner of said Lot 13; thence south to the southeast corner of Lot 17, Block 5 of said Franklin Yikes Addition; thence west to the point of beginning.

PARCEL 2: Lots 13 through 22 (inclusive), Block 5 and Lots 13 through 22 (inclusive), Block 6, Franklin Yikes Addition to Wichita, Kansas; together with Lots 8 and 9 the East 97.5 feet of Lot 7, Torkleson Addition to Wichita, Kansas.

PARCEL 3: Beginning at the southeast corner of Lot 17, Block 6, Franklin Yikes Addition to Wichita, Kansas; thence north to the northeast corner of Lot 13, Block 6 of said Addition; thence east to the northwest corner of Lot 22, Block 5 of said Addition; thence south to the southwest corner of Lot 18, Block 5 of said Addition; thence west to the point of beginning; together with the south 5 feet of Lot 4, Torkleson Addition to Wichita, Kansas; the east 10 feet of the south 65 feet of Lot 5, Torkleson Addition; the east 12 feet of Lot 8 Torkleson Addition; the west 20 feet of the north 60 feet Lot 9, Torkleson Addition and the west 18 feet of the south 101 feet of Lot 9, Torkleson Addition. Generally located east of Seneca Street and north of Stillwell.

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 **March 12, 1998**, 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 a government service on 3.015 acres zoned "LC" Limited Commercial, "GO" General Office, and "MF-29" Multi-Family Residential described as:

PARCEL 1: Beginning at the southwest corner of Lot 18, Block 6, Franklin Yikes Addition to Wichita, Kansas, thence north to the northwest corner of Lot 22, Block 6, Franklin Yikes Addition; thence east 147.5 feet along the north line of said Block 6; thence north to the north line of Lot 7, Torkleson Addition to Wichita, Kansas; thence east to the Southeast corner of Lot 5, Torkleson Addition to Wichita, Kansas; thence north to the southwest corner of Lot 4, Torkleson Addition to Wichita, Kansas; thence south along the west line of said Lot 3 to the Southwest corner thereof, said southwest corner also being the centerline of a vacated alley in Block 5, Franklin Yikes Addition; thence south along the centerline of said vacated alley to a point on the extended north line of Lot 13, Block 5 of Franklin Yikes Addition; thence east to the northeast corner of said Lot 13; thence south to the southeast corner of Lot 17, Block 5 of said Franklin Yikes Addition; thence west to the point of beginning.

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subject to the following conditions:

A. The site will be developed in substantial compliance with the site plan submitted with this application.

B. Parking Lot lighting shall utilize cut-off luminaries and be mounted at a height

not exceeding one-half the distance from a neighboring residential Lot, unless evidence is provided to the Zoning Administrator that alternate arrangement will ensure that light trespass and glare are minimized.

C. Landscaping shall be installed per landscape ordinance, and screening shall be provided per city codes.

D. Parking spaces shall be supplied per the Unified Zoning Code requirements. All parking areas shall be paved with concrete, asphalt or asphaltic concrete.

E. Any violation of the conditions of approval shall render the conditional use permit null and void.

Adopted this 12th day of March, 1998. 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.

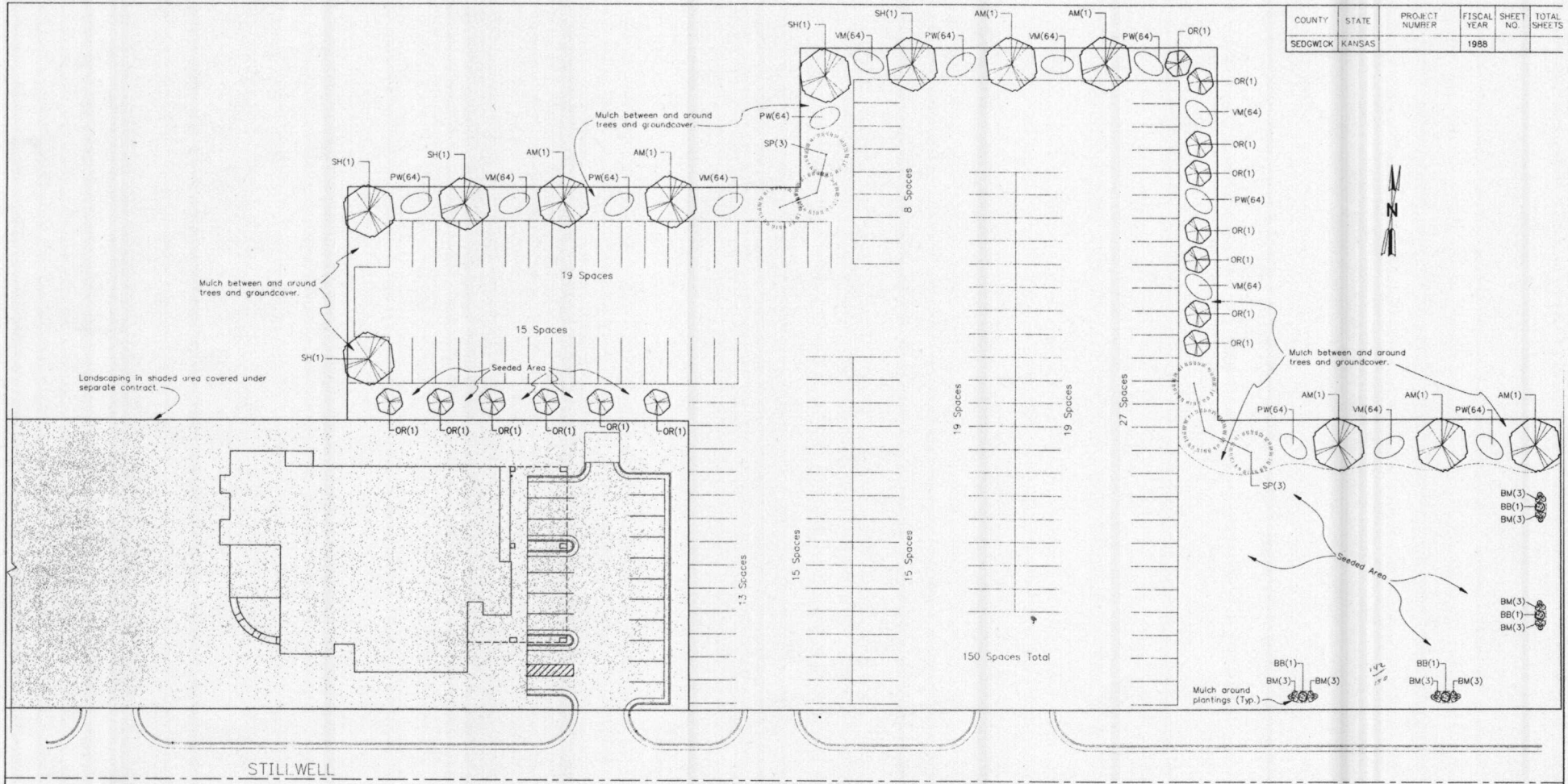
METROPOLITAN AREA PLANNING COMMISSION

Richard E. Lopez, Chairman

ATTEST:

Marvin S. Krout, Secretary

COUNTY	STATE	PROJECT NUMBER	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
SEDGWICK	KANSAS		1988		



PLANT LIST

KEY	QTY.	COMMON NAME	BOTANICAL NAME	SIZE	COND.
TREES					
AM	7	AUTUMN BLAZE MAPLE	ACER FREMANII 'AUTUMN BLAZE'	2" CAL.	B&B
OR	14	OKLAHOMA REDBUD	CERCIS RENIFORMIS 'OKLAHOMA'	1 1/2" CAL.	B&B
SH	5	SKYLINE HONEYLOCUST	GLEDITSIA TRICANTHOS VAR. INERMIS 'SKYLINE'	2" CAL.	B&B
SP	6	SCOTCH PINE	PINUS SYLVESTRIS	6' HT.	B&B
SHRUBS					
BB	4	COMPACT BURNING BUSH	EUONYMUS ALATUS 'COMPACTA'	5 GAL.	CONT.
BM	24	BLUE MIST SHRUB	CARYOPTERIS x CLANDONENSIS 'BLUE MIST'	3 GAL.	CONT.
GROUNDCOVERS					
PW	512	PURPLELEAF WINTERCREEPER	EUONYMUS FORTUNEI 'COLORATUS'	1 GAL. @ 12' O.C.	CONT.
VM	448	PERIWINKLE	VINCA MINOR	1 GAL. @ 12' O.C.	CONT.

CU-467

PROPOSED PARKING LAYOUT W/ LANDSCAPING

PREPARED BY
SEDGWICK COUNTY BUREAU OF PUBLIC SERVICES
HIGHWAY DIVISION

DAVID C. SPEARS, P.E. — DIRECTOR/COUNTY ENGINEER

REVISED	SCALE	DESIGNED	DRAWN	CHECKED	SHEET NO.
	1"=20'	M.R.B.	D.F.S.		
	DATE	1/98	1/98		
	PLANFILE parking		TOTAL SHEETS		

WICHITA—SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 5

STAFF REPORT

CPO 6 March 11
MAPC March 12

CASE NUMBER: CU-467

APPLICANT/AGENT: The Board of County Commissioners, Sedgwick County

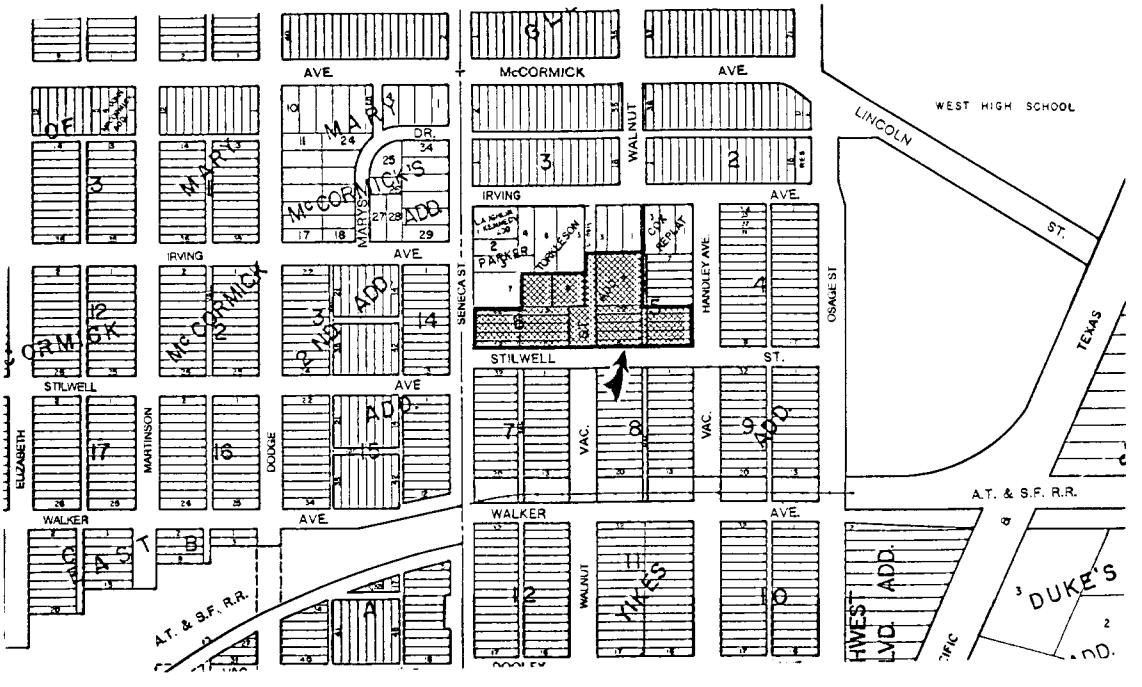
REQUEST: Robert Lamkey, Sedgwick County Central Motor Pool

CURRENT ZONING: GO, General Office, LC, Limited Commercial, MF-29, Multi-Family

SITE SIZE: 3.015 acres

LOCATION: East of Seneca St. south, north of Stilwell

PROPOSED USE: Government Service



BACKGROUND: Sedgwick County currently has an administrative office, maintenance, parking and Public Services operations complex located south of Stilwell and east of Seneca. The county wishes to expand these operations north of Stilwell and east of Seneca on a 3.015 acre site by constructing a new 3 story office building with a 10,666 square feet footprint, and 150 additional parking spaces. The code requries 127 spaces for a building of this size. In fact, the county owns the property all along the south and east side of the application area. The application area is zoned "GO", General Office, "LC", Limited Commercial and "MF-29", Multiple Family. The zoning code permits government services in "GO" and "MF-29" districts as a "conditional use", and "by-right" in the "LC" district. Government Service is defined as "...buildings or facilities owned or operated by a government entity and providing services for the public, excluding utilities and recreational services." The western portion of this site was previously occupied by a fast food restaurant.

The application area is surrounded by "MF-29", Multiple Family (North and West), "LI", Limited Industrial (South) and "B", Multiple Family (East) zoning. Surrounding land uses are a variety of uses including: single-family, duplex, four-plex residential, office, parking and government service.

Walnut Street, north of the application area, was previously vacated (V-0813), and the county has a vacation action pending (V-2068) to vacate the remaining segment of Walnut Street, north of Stilwell. Stilwell Street is to remain open at this time.

The zoning code requires screening to be provided on all properties for office, institutional, commercial and industrial uses when such uses are established on property adjacent to, or across the street from residential zoning districts. In addition, the landscape ordinance requires one shade tree or two ornamental trees per forty lineal feet along the rear and side property lines where nonresidential uses abut residential zoning. This landscaping must be located within 15 of the property line. A landscape plan has already been approved for the parking area around the new building, and required buffer north of the building. A site plan indicating buffer landscaping for the rest of the site has been submitted with this application.

Access to the developed portion of the application area will be provided by one opening on Seneca and four openings on Stilwell.

CASE HISTORY: In 1964 the northeast corner of Stilwell and Seneca was rezoned from "RB" (MF-18) to LC, except for the first 50 feet which was zoned GO, General Office.

ADJACENT ZONING AND LAND USE:

NORTH: "MF-29", Multi-Family, Residential (single-family, four-plex)
SOUTH: "LI", Limited Industrial, Government Service
EAST: "MF-29", Multi-Family and B, Multiple Family, Duplex and Government Service
WEST: "MF-29", Multi-Family, Single-Family Residential

PUBLIC SERVICES: Utilities are available to this location. Seneca is a 4-lane arterial with 17,000 to 18,000 average daily traffic.

CONFORMANCE TO PLANS/POLICIES: The "Wichita Land Use Guide" depicts this area as suitable for industrial and commercial uses. The land use guide also indicates that public facilities should have convenient access to arterials, public transportation and major utility trunk lines.

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

A. The site will be developed in substantial compliance with the site plan submitted with this application.

B. Parking lot lighting shall utilize cut-off luminaries and be mounted at a height not exceeding one-half the distance from a neighboring residential lot, unless evidence is provided to the Zoning Administrator that alternate arrangement will ensure that light trespass and glare are minimized.

C. Landscaping shall be installed per landscape ordinance, and screening shall be provided per city codes.

D. Parking spaces shall be supplied per the Unified Zoning Code requirements. All parking areas shall be paved with concrete, asphalt or asphaltic concrete.

E. 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: The application area is surrounded by MF-29, Multiple Family (North and West), LI, Limited Industrial (South) and B, Multiple Family (East) zoning. Surrounding land uses are a variety of uses including: single-family, duplex, four-plex residential, office, parking and government service. Two of the four sides of the application are

currently owned by Sedgwick County and used for the same purpose as is requested for the application area.

2. The suitability of the subject property for the uses to which it has been restricted: The "LC" zoned portion of this site permits "government service" as a use "by right." The "MF-29" and "GO" zoned portions of the site require a "conditional use" for government service. Stilwell is a local street that does not carry a significant amount of traffic. The fact that a fast food facility was willing to sell this site to the county indicates that it is a less than desirable retail location. The rest of the site is zoned MF-29. It is unlikely that anyone would want to build new residential uses in an area bordered by the county's facilities and older homes.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: The "LC" zoned portion of this site permits "government service" as a use "by right." The "MF-29" and "GO" zoned portions of the site require a "conditional use" for government service. As currently configured, the proposal for an office building and associated parking, would be less of an impact on adjoining properties than what the previous fast food use. The fast food use operated 7 days a week with a drive through. The required screening and landscaping also significantly lessen the potential for any negative spillover effects from the proposed use.

3. Conformance of the requested change to the adopted or recognized Comprehensive Plan: The "Wichita Land Use Guide" depicts this area as suitable for industrial and commercial uses. The land use guide also indicates that public facilities should have convenient access to arterials, public transportation and major utility trunk lines. The Planning Commission has an unofficial policy of supporting expansion of existing uses.

4. Impact of the proposed development on community facilities: Approval of this request would promote the efficient and effective delivery of county services. Existing facilities and services could be utilized by the new site, avoiding duplication and unnecessary expense. No negative impacts on community facilities have been identified.