

CONDITIONAL USE RESOLUTION NO. CU-503

WHEREAS, The City of Valley Center, (Robert Finkbinder), 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 permit a Major Utility on .33 acres zoned "SF-20" Single-family described as:

Lot 1, Block 3, Oak Ridge 2nd Addition, Sedgwick County, Kansas. Generally located Northwest corner of Meridian and 61st Street North.

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 January 14, 1999, 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 permit a Major Utility on .33 acres zoned "SF-20", Single -Family described as

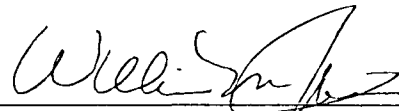
Lot 1, Block 3, Oak Ridge 2nd Addition, Sedgwick County, Kansas. Generally located Northwest corner of Meridian and 61st Street North.

subject to the following conditions:

- A. The site shall be developed and maintained in general conformance with the submitted site and landscape plan (attached as an exhibit to this resolution). The building wall shall predominately have an exterior of brick, slump block or similar masonry material.
- B. This site is to be used only for water pumping facilities. No other uses are permitted without an amendment to this "Conditional Use" or approval of a new "Conditional Use" permit.
- C. The applicant shall meet all of the above mentioned conditions, otherwise this conditional use will be considered denied and closed.
- D. The site is platted within one year of approval by the governing body.

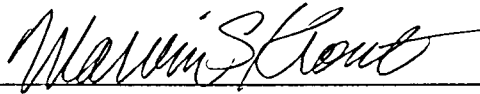
Adopted this 14th day of January, 1999. This resolution shall become effective on the fifteenth day after the date last noted above unless the matter is forwarded to the Governing Body for final action under the provisions of Section V-D.6. When any one or more of the exceptions listed in Section V-D.6 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



William M. Johnson, Chairman

ATTEST:



Marvin S. Krout, Secretary

STAFF REPORT

MAPC 1/14/99

CASE NUMBER: CU-503

APPLICANT/AGENT: The City of Valley Center, (Robert Finkbinder)
owner/applicant; P.E.C. (Gary Wiley) agent

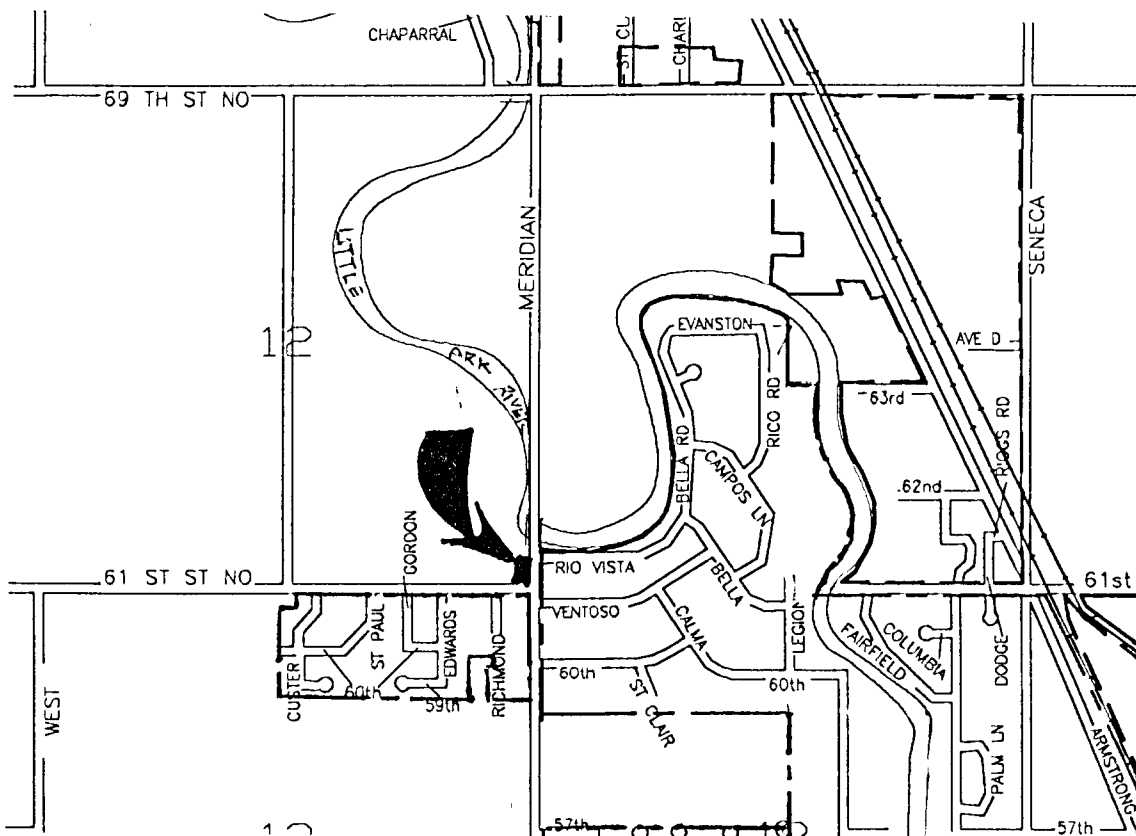
REQUEST: Conditional Use to permit a Major Utility

CURRENT ZONING: "SF-20", Single-family

SITE SIZE: .33 acre

LOCATION: Northwest corner of Meridian and 61st Street North

PROPOSED USE: Municipal water pumping station



BACKGROUND: The City of Valley Center requests a "conditional use" to permit the development of water pumping station that would increase water pressure in an existing water supply line. This water supply line comes from Wichita and serves Valley Center. The unplatted site is located at the northwest corner of Meridian and 61st Street North, is approximately 1/3 acre in size and is zoned "SF-20", Single-family. The applicant's site plan depicts a 15 foot drive from 61st Street and a single, 48 by 18 foot building constructed with a masonry facade. This building would be set back 100 feet from both 61st Street and Meridian. The applicant indicates the site will not generate any noise or vibration. The site would be landscaped with both pines and deciduous trees, as indicated on the attached site plan.

All adjoining property is zoned either "SF-20", Single-family Residential or "SF-6", Single-family Residential, and is developed with single-family homes or is used for agricultural purposes. There are Jayhawk Pipeline Company storage tanks located approximately 3/8 mile north of the application area.

The application area is located across the street from the Wichita city limits.

CASE HISTORY: None

ADJACENT ZONING AND LAND USE:

NORTH: "SF-20", Single-family Residence; agriculture
SOUTH: "SF-20", Single-family Residence; large-lot single-family residences
EAST: "SF-6", Single-family Residence; large-lot single-family residences
WEST: "SF-20", Single-family Residence; agriculture

PUBLIC SERVICES: All services needed are available. 61st Street is a sand and gravel section line road. Traffic counts are not available for this location.

CONFORMANCE TO PLANS/POLICIES: The Plan does not specifically address location criteria for this type of public use. However, the Plan does indicate it is necessary to provide improved or expanded services in a manner that ensures that those services will be delivered as efficiently as possible, and that as growth and increased demand occurs, decisions regarding improved facilities will have to be evaluated on the basis of studies which are more detailed than that provided by the Comprehensive Plan. The site is identified by the *Sedgwick County Development Guide* as appropriate for agricultural uses, and is located adjacent to property identified as Valley Center's "future growth area".

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 shall be developed and maintained in general conformance with the submitted site and landscape plan. The building wall shall predominately have an exterior of brick, slump block or similar masonry material.
- B. This site is to be used only for water pumping facilities. No other uses are permitted without an amendment to this "Conditional Use" or approval of a new "Conditional Use" permit.
- C. The applicant shall meet all of the above mentioned conditions, otherwise this conditional use will be considered denied and closed.
- D. The site is platted within one year of approval by the governing body.

This recommendation is based on the following findings:

- 1. The zoning, uses and character of the neighborhood. All adjoining property is zoned either "SF-20", Single-family Residential or "SF-6", Single-family Residential, and is developed with single-family homes or is used for agricultural purposes. There are Jayhawk Pipeline Company storage tanks located approximately 3/8 mile north of the application area.
- 2. The suitability of the subject property for the uses to which it has been restricted. Since the other three corners have developed with residential uses, it appears that there would be market demand for residential uses at this general location.
- 3. Extent to which removal of the restrictions will detrimentally affect nearby property. No detrimental impacts have been identified since the use will be enclosed within a masonry building, and will not produce any noise or vibration. The site will be landscaped and will generate less traffic than if the site were developed with a single-family home.
- 4. Conformance of the requested change to the adopted or recognized Comprehensive Plan: The Plan does not specifically address location criteria for this type of public use. However, the Plan does indicate it is necessary to provide improved or expanded services in a manner that ensures that those services will be delivered as efficiently as possible, and that as growth and increased demand occurs, decisions regarding improved facilities will have to be evaluated on the basis of studies which are more detailed than that provided by the Comprehensive Plan. The site is identified by the *Sedgwick County Development Guide* as appropriate for agricultural uses,

and is located adjacent to property identified as Valley Center's "future growth area". The agricultural classification has the intent of protecting agricultural resources.

5. Impact of the proposed development on community facilities: The facility will provide improved service to Valley Center's water delivery system. No negative impact on community facilities have been identified.