CONDITIONAL USE RESOLUTION NO. CON2u02-00027

WHEREAS, Woodland Lakes Community Church %Harlan Buettner (Applicant/Owner), MKEC Engineering Consultants c/o Greg Allison (Agent) pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), request a Conditional Use to allow for a day care, general on 19.91 acres zoned "SF-5" Single-Family Residential and "MF-18" Multi-Family Residential described as:

Lot 1, Block 1, and Reserves "A", "B" and "F", in Cedar View Addition, an Addition to Wichita, Sedgwick County, Kansas. AND A tract in the Northwest Quarter of Section 27, Township 27 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas, described as follows: Beginning 850 feet north of the Southwest corner of said Northwest Quarter; thence east parallel to Kellogg Street, a distance of 347 feet; thence north parallel to the West line of said Section, a distance of 480 feet; thence west parallel to Kellogg Street, a distance of 347 feet; thence south parallel to the West line of said Section, 480 feet to the place of beginning, EXCEPT that portion taken by the Kansas Turnpike Authority, AND EXCEPT the west 50 feet thereof for road.

AND

A tract in the Northwest Quarter of Section 27, Township 27 South, Range 2 East of the Sixth Principal Meridian, Sedgwick County, Kansas, described as follows: Beginning 635 feet north of the Southwest corner of said Northwest Quarter; thence east parallel to Kellogg Street, a distance of 347 feet; thence south parallel to the West line of said Section, a distance of 223 feet; thence west parallel to Kellogg Street, a distance of 347 feet; thence north parallel to the West line of said Section, 223 feet to the point of beginning, EXCEPT the west 50 feet thereof for road. Generally located at the northeast corner of Lincoln and Greenwich.

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 11, 2002, 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 for a day care, general on 19.91 acres zoned "SF-5" Single-Family Residential and "MF-18" Multi-Family Residential described as:

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subject to the following conditions:

1. All requirements of Section III.D.6.i. of the Unified Zoning Code shall be met.

2. The maximum number of children to be accommodated in the day care center at any one time shall not exceed 176.

3. A loading area for the day care center shall be provided on-site as required by Section IV.A.14. and Section IV.A.15. (attached) of the Unified Zoning Code. The site plan shall be revised to illustrate the location of the loading area. The revised site plan shall be approved by the Planning Director and Traffic Engineer prior to the release of the Conditional Use resolution.

4. The site shall be developed in general conformance with the approved site plan. All improvements shall be completed within one year of approval of the Conditional Use by the MAPC or governing body, as applicable.

5. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.

6. 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 VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

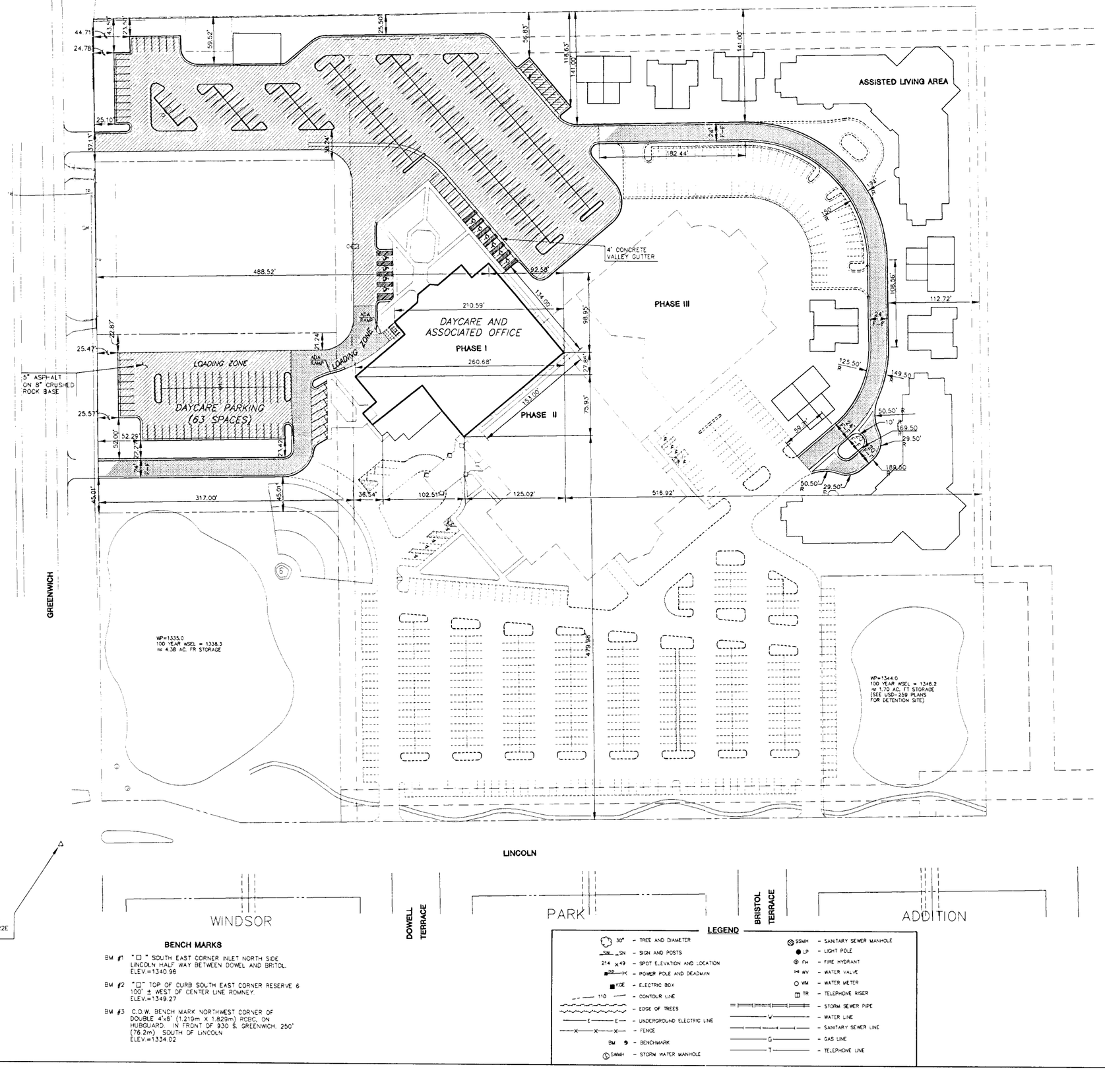
Adopted this 11th DAY of JULY, 2002. This resolution shall become effective on the fifteenth day after the date last noted above unless the matter is forwarded to the Governing Body for final action under the provisions of Section V-D.6. When any one or more of the exceptions listed in Section V-D.6 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

J. D. (Jerry) Michaelis, Chair MAPC

ATTEST:

Marvin S. Krout, Secretary



SCALE: 1"=50'
0 50 100 150

NOTE:
ALL PARKING ISLANDS ARE TO BE STRIPED.

AREA OF SITE = 1,039,905 SQ. FT. (23.87 ACRES)
AREA OF BUILDING = 32,720 SQ. FT. (0.75 ACRES)
AREA OF PAVED SURFACE (INCLUDING SIDEWALKS = 177,436 (4.07 ACRES)

BENCH MARKS

BM #1 "□" SOUTH EAST CORNER INLET NORTH SIDE LINCOLN HALF WAY BETWEEN DOWEL AND BRITOL. ELEV.=1340.96

BM #2 "□" TOP OF CURB SOUTH EAST CORNER RESERVE 6 100' ± WEST OF CENTER LINE ROMNEY. ELEV.=1349.27

BM #3 C.O.W. BENCH MARK NORTHWEST CORNER OF DOUBLE 4'x6' (1.219m X 1.829m) RCBC, ON HUBGUARD. IN FRONT OF 930 S. GREENWICH. 250' (76.2m) SOUTH OF LINCOLN ELEV.=1334.02

LEGEND

30" – TREE AND DIAMETER	SSMH – SANITARY SEWER MANHOLE
SN – SIGN AND POSTS	LP – LIGHT POLE
214 x 49 – SPOT ELEVATION AND LOCATION	FH – FIRE HYDRANT
PP – POWER POLE AND DEADMAN	WV – WATER VALVE
KGE – ELECTRIC BOX	WM – WATER METER
110 – CONTOUR LINE	TR – TELEPHONE RISER
– EDGE OF TREES	– STORM SEWER PIPE
E – UNDERGROUND ELECTRIC LINE	W – WATER LINE
X – FENCE	– SANITARY SEWER LINE
BM 9 – BENCHMARK	G – GAS LINE
SWMH – STORM WATER MANHOLE	T – TELEPHONE LINE

CON2002-00027

SITE PLAN

APPROVED 7-23-02 BY Planning Director and Traffic Engineer per SK

MKEC ENGINEERING CONSULTANTS
411 N. WEBB ROAD
WICHITA, KS. 67206
316-684-9600

WOODLAND LAKES COMMUNITY CHURCH
PROJECT NAME

DAYCARE
SHEET TITLE

GJA	DM	GJA
DESIGN BY:	DRAWN BY:	CHECKED BY:
JUNE 2002	DAYCARE	1 / 1
DATE	DRAWING NAME	SHEET / OF

C:\CIVIL\00231\DWG\PLAT\DAYCARE.DWG

WICHITA–SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 8

STAFF REPORT
MAPC July 11, 2002

CASE NUMBER: CON2002-00027

APPLICANT/AGENT: Woodland Lakes Community Church c/o Harlan Buettner (Owner/Applicant); MKEC Engineer Consultants c/o Greg Allison (Agent)

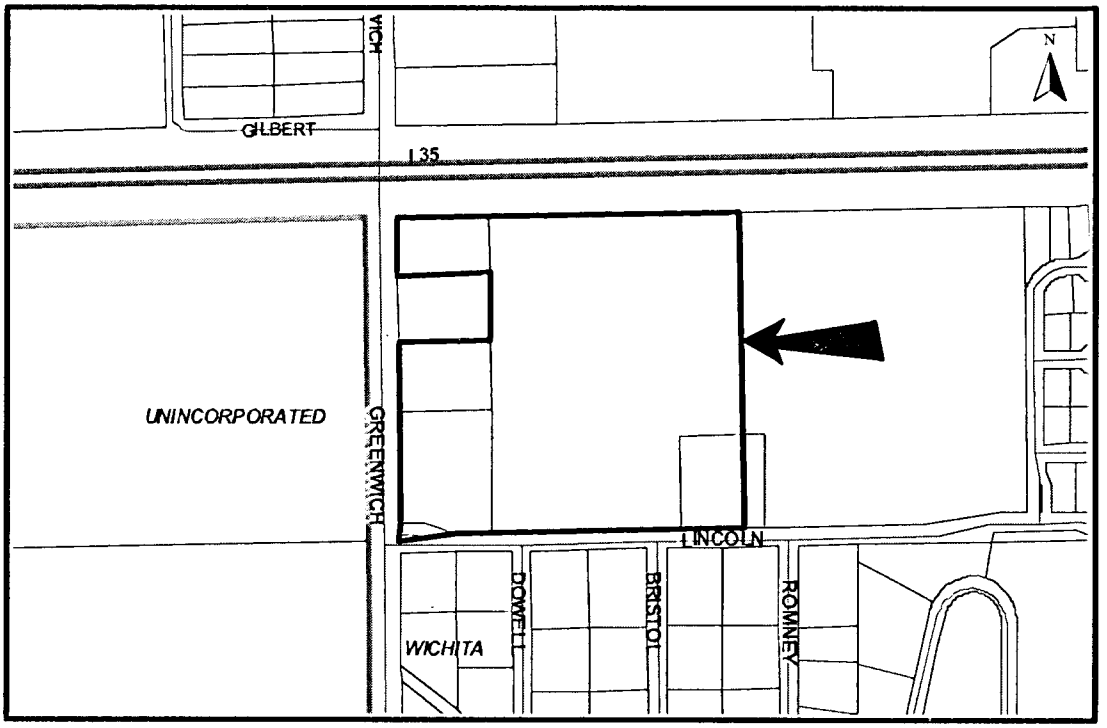
REQUEST: Conditional Use to allow for a day care, general

CURRENT ZONING: "SF-5" Single-Family Residential and "MF-18" Multi-Family Residential

SITE SIZE: 19.91 acres

LOCATION: Northeast corner of Lincoln and Greenwich

PROPOSED USES: Day care center and preschool



BACKGROUND: The applicant is requesting a Conditional Use to operate a day care center and preschool within Woodland Lakes Community Church, which is currently under construction on the subject property. The subject property is 19.91 acres located at the northeast corner of Lincoln and Greenwich and is zoned "SF-5" Single Family Residential and "MF-18" Multi-Family Residential. The day care center is designed for 93 children attending all day, with an after school capacity of a total of 176 children. Day care centers for greater than 10 children are defined by the Unified Zoning Code as "Day Care, General" and require a Conditional Use in the "SF-5" Single Family Residential zoning district, which the portion of the subject property that will contain the proposed day care center is zoned.

The day care center will be housed within the church building, as illustrated on the attached site plan. The parking requirement for the proposed day care center is 58 spaces. The site plan shows that 63 spaces will be dedicated for use as day care parking. The remaining 233 spaces shown on the site plan are for the church. The parking requirement for the church, prior to any proposed expansion, is 185 spaces. The day care center requires a loading area for 18 cars. The loading area shown on the site plan provides space for only 4 or 5 cars.

The surrounding area is characterized by developing urban properties along the I-35 corridor on the fringe of Wichita with commercial uses on the north side of the freeway and institutional uses on the south side of the freeway. The properties north of the subject property across I-35 are zoned "LC" Limited Commercial, "GC" General Commercial, and "LI" Limited Industrial and are developing with regional-scale retail uses in One Kellogg Place. The property east of the subject property is zoned "SF-5" Single-Family Residential and is developed with Seltzer Elementary School. The properties south of the subject property across Lincoln are zoned "SF-5" Single-Family Residential and are developed with single-family residences. The property west of the subject property across Greenwich is zoned "SF-20" Single-Family Residential and is used as a horse ranch.

CASE HISTORY: The subject property is in the process of being platted as the Woodland Lakes Community Church Addition, which was approved by the MAPC on January 10, 2002 and was scheduled to be considered by the City Council on July 2, 2002 at the time this report was prepared.

ADJACENT ZONING AND LAND USE:

NORTH:	"LC", "GC", & "LI"	Regional retail center
EAST:	"SF-5"	Elementary school
SOUTH:	"SF-5"	Single-family residences
WEST:	"SF-20"	Horse ranch

PUBLIC SERVICES: The subject property has access to both Lincoln and Greenwich, although the access drives to Lincoln are proposed to be constructed in the future with an expansion of the church. Lincoln is a collector street with no traffic volume data available. Greenwich is a two-lane arterial street with current traffic volumes of approximately 6,800 vehicles per day. The 2030 Transportation Plan estimates that traffic volumes on Greenwich will increase to approximately 14,500 vehicles per day. The City of Wichita Capital Improvement Program contains a project to widen Greenwich to four lanes by 2009. Public water and sewer service are available to serve the site.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies this area as appropriate for low- and medium-density residential uses. The Comprehensive Plan considers schools, churches, and other similar uses as appropriate in low- and medium-density residential areas.

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

1. All requirements of Section III.D.6.i. of the Unified Zoning Code (attached) shall be met.

2. The maximum number of children to be accommodated in the day care center at any one time shall not exceed 176.

3. A loading area for the day care center shall be provided on-site as required by Section IV.A.14. and Section IV.A.15. (attached) of the Unified Zoning Code. The site plan shall be revised to illustrate the location of the loading area. The revised site plan shall be approved by the Planning Director and Traffic Engineer prior to the release of the Conditional Use resolution.

4. The site shall be developed in general conformance with the approved site plan. All improvements shall be completed within one year of approval of the Conditional Use by the MAPC or governing body, as applicable.

5. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.

6. 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 VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The surrounding area is characterized by developing urban properties along the I-35 corridor on the fringe of Wichita with commercial uses on the north side of the freeway and institutional uses on the south side of the freeway. All properties south of I-35 that surround the subject property are zoned and used for residential or agricultural purposes. The proposed day care conforms with the zoning, uses, and character of the neighborhood.

2. The suitability of the subject property for the uses to which it has been restricted: The application area is zoned "SF-5" Single-Family Residential and is currently being developed with a Church. The Unified Zoning Code permits the operation of a day care center within the church building with the approval of a Conditional Use.

3. Extent to which removal of the restrictions will detrimentally affect nearby property. Detrimental affects on residential properties in the area should be minimized by the lighting and compatibility standards of the Unified Zoning Code and the landscape street yard and parking lot screening requirements of the Landscape Ordinance, which should limit noise, lighting, and other activity from adversely impacting residential properties in the area.

4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and Policies: The Land Use Guide in the Comprehensive Plan identifies this area as appropriate for low- and medium-density residential uses. The Comprehensive Plan considers schools, churches, and other similar uses as appropriate in low- and medium-density residential areas.

5. Impact of the proposed development on community facilities: No detrimental impacts on community facilities are anticipated.