CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

November 8, 2010

Wilfred Goevert
11229 Creed
Wichita, KS 67210

Sedgwick County Rural Water District #3
1120 E. 111th St., South
Mulvane, KS 67110

RE: **CON2010-00036** - County Conditional Use for a major utility on property zoned SF-20 Single-Family Residential, generally located south of Pawnee Avenue, on the southeast corner of Greenwich Road and Creed Street.

Dear Ladies and Gentlemen:

At its regular meeting on **October 7, 2010**, the Metropolitan Area Planning Commission considered the above-captioned request. The action of the MAPC was to **APPROVE** the request subject to the conditions stated in the enclosed resolution.

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

Sincerely,

Dale Miller
Current Plans Manager
Current Plans Division

DLM:mc
Enclosure

Copies to: PEC, PA, 303 S. Topeka, Wichita, KS 67202
BCOC V, Gwen Welshimer, Mail Stop County, Room 320
Bill Buchanan, County Manager, Mail Stop County Room 343
Bob Parnacott, Mail Stop County Room 359

CONDITIONAL USE RESOLUTION NO. CON2010-00036

WHEREAS, Wilfred Goevert and Sedgwick County Rural Water District (applicant and/or agent); 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 a "utility, major" on .79 acre zoned SF-20 Single-family Residential ("SF-20") described as:

> Lots 1 and 20, Merlene Addition, Sedgwick County, Kansas, generally located at the southeast corner of East Creed Street and South Greenwich Road.

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 October 7, 2010, 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 a "utility, major" (water pump station) on .79-acre zoned SF-20 Single-family Residential ("SF-20") described as:

> Lots 1 and 20, Merlene Addition, Sedgwick County, Kansas, generally located at the southeast corner of East Creed Street and South Greenwich Road.

Approved subject to the following conditions:

1. Conditional Use 2010-00036 permits a "utility, major" for a water booster pump station and associated improvements as depicted on the approve site plan. The pump house structured shall be constructed of precast concrete or concrete block wall with a brick façade. Exterior façade and roofing materials shall be earth tone in color (brown, tan, grey, green, white, muted reds, etc.).
2. The site shall be developed, maintained and operated consistent with the approved site plan and in general conformance with the conditions of this Conditional Use and all other applicable local, state or federal regulations.
3. Construction on the approved "utility, major" must begin within one year and be completed within two years; otherwise the Conditional Use 2010-00036 may be determined by the Zoning Administrator with the concurrence of the Planning Director to be null and void.

Adopted this 21st Day of October 2010

METROPOLITAN AREA PLANNING COMMISSION

Debra Miller Stevens

Debra Miller Stevens, Chair MAPC

ATTEST:

John L. Schlegel

John L. Schlegel, Secretary

WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 8

STAFF REPORT
MAPC 10-7-2010

CASE NUMBER: CON2010-00036

APPLICANT/AGENT: Wilfred H. and Mary F. Goevert (owner) / Sedgwick County Rural Water District #3 (applicant) / Professional Engineering Consultants, P.A. (Sara Unruh, agent)

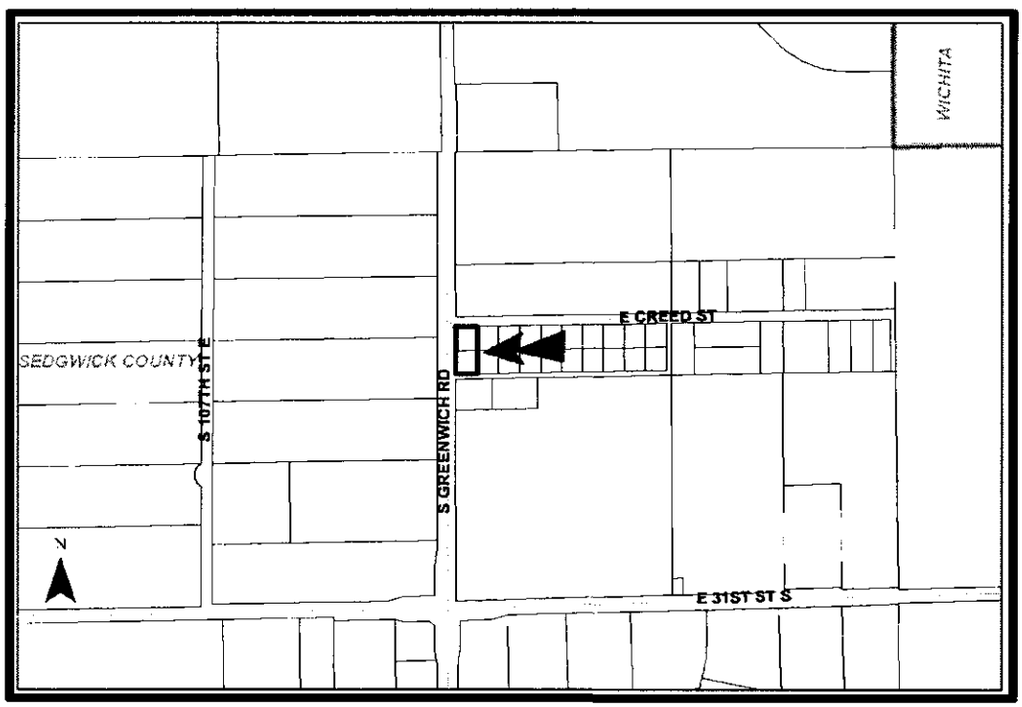
REQUEST: Conditional Use for a Major Utility (booster pumping station)

CURRENT ZONING: SF-20 Single-family Residential ("SF-20")

SITE SIZE: .79 acres

LOCATION: Southeast corner of South Greenwich Road and Creed (approximately ¾ mile south of Pawnee)

PROPOSED USE: Water booster pumping station



BACKGROUND: The applicants are seeking Conditional Use approval for a "utility, major" on two vacant platted lots (Lots 1 and 10, Merlene Addition) comprising .79-acre zoned SF-20 Single-family Residential ("SF-20"). Sedgwick County Rural Water District #3 is switching to water supplied by the City of Wichita and the connection between the two water services will located at Pawnee and Greenwich. The subject site is located approximately three-fourths of a mile south of East Pawnee Avenue, at the southeast corner of Creed Street and South Greenwich Road. On the northern half of the subject site (Lot 1), the applicants propose to install a booster water pump station. This site is exceptionally good since it allows for additional pressure to be introduced into the system shortly after the transfer of the water between the two utilities. The electric pump is to be enclosed within a building constructed of pre-cast concrete or block with a brick façade. Roofing is to be metal panel. The color of the brick and roofing is to be earth tone such as brown or light tan. The height of the structure will not exceed the currently permitted height of 35 feet. The structure will be enclosed within a six-foot chain link fence. Access to the site is proposed to be off of Custer Street. The Merlene Addition granted complete access control along Greenwich. The facility will not have a stand-alone gas or diesel powered back-up electric generator.

From property line to property line, the closest lot, with a residence, to the subject site is located 30 feet to the south of the subject site, across Hurst Street. Other residences are located 96, 100, 182 and 256 feet away.

The application area is part of the larger 20-lot Merlene residential plat that is partially developed, and also zoned SF-20. All surrounding property adjacent to the site is zoned SF-20 and is used either residentially or for agriculture.

CASE HISTORY: The Merelene Addition was approved by the Board of County Commissioners on June 7, 1966. In 1990, Conditional Use CU- 335 was approved for Lots 1-5 and 16, Merlene Addition that allowed farm buildings to be used for the storage of non-agriculturally related equipment, such as RVs, boats, etc.

ADJACENT ZONING AND LAND USE:

NORTH: SF-20; agriculture
SOUTH: SF-20; residence on .91-acre
EAST: SF-20; undeveloped .38-acre residential lots
WEST: SF-20; 11-acre residential/farming/ranching

PUBLIC SERVICES: Creed is a sand and gravel street with 60 feet of right-of-way. Creed comes to an end one-half mile east of Greenwich. South Greenwich is a paved two-lane arterial that has 50 feet of half-street right-of-way. Hurst Street has only 30 feet of half-street right-of-way and is a sand and gravel street that acts more like a driveway than a public street.

CONFORMANCE TO PLANS/POLICIES: The application area is located within Wichita's 2030 Urban Growth Area, which means that the potential exists, depending upon market

conditions, for urban develop to occur on land so designated. Transportation/Utilities Locational Guideline Number 2 states that utility facilities with significant noise, odor and other nuisance elements should be located away from residential areas. The Wichita-Sedgwick County Unified Zoning Code permits a "utility, major" only with the approval of a Conditional Use.

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

1. Conditional Use 2010-00036 permits a "utility, major" for a water booster pump station and associated improvements as depicted on the approve site plan. The pump house structured shall be constructed of precast concrete or concrete block wall with a brick façade. Exterior façade and roofing materials shall be earth tone in color (brown, tan, grey, green, white, muted reds, etc.).
2. The site shall be developed, maintained and operated consistent with the approved site plan and in general conformance with the conditions of this Conditional Use and all other applicable local, state or federal regulations.
3. Construction on the approved "utility, major" must begin within one year and be completed within two years; otherwise the Conditional Use 2010-00036 may be determined by the Zoning Administrator with the concurrence of the Planning Director to be null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: All property surrounding the application area is zoned SF-20 and is used either residentially or for agriculture. From property line to property line, the closest lot with a residence is located 30 feet to the south of the subject site, across Hurst Street. Other residences are located 96, 100, 182 and 256 feet away.

2. The suitability of the subject property for the uses to which it has been restricted: The site is zoned SF-20, which permits a relatively narrow list of uses permitted by right, such as: single-family residential, group home, church, utility minor or school. The site has remained undeveloped since it was platted in 1966 and zoned in 1985. The site is appropriately zoned given the uses and zoning surrounding the site.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: The site is zoned SF-20, which permits a relatively narrow list of uses permitted by right, such as: single-family residential, group home, church, utility minor or school. A utility major is permitted only with Conditional Use approval and the conditions of approval should effectively address any impacts to adjoining property. Utilities may have location requirements, such as needing to be near distribution lines, input services such as water, gas or electricity service or customers that limit choice of location. It is not anticipated that the facility will generate undue noise, smoke or odor given the proposed use, its size and the fact the pumps are to be driven by

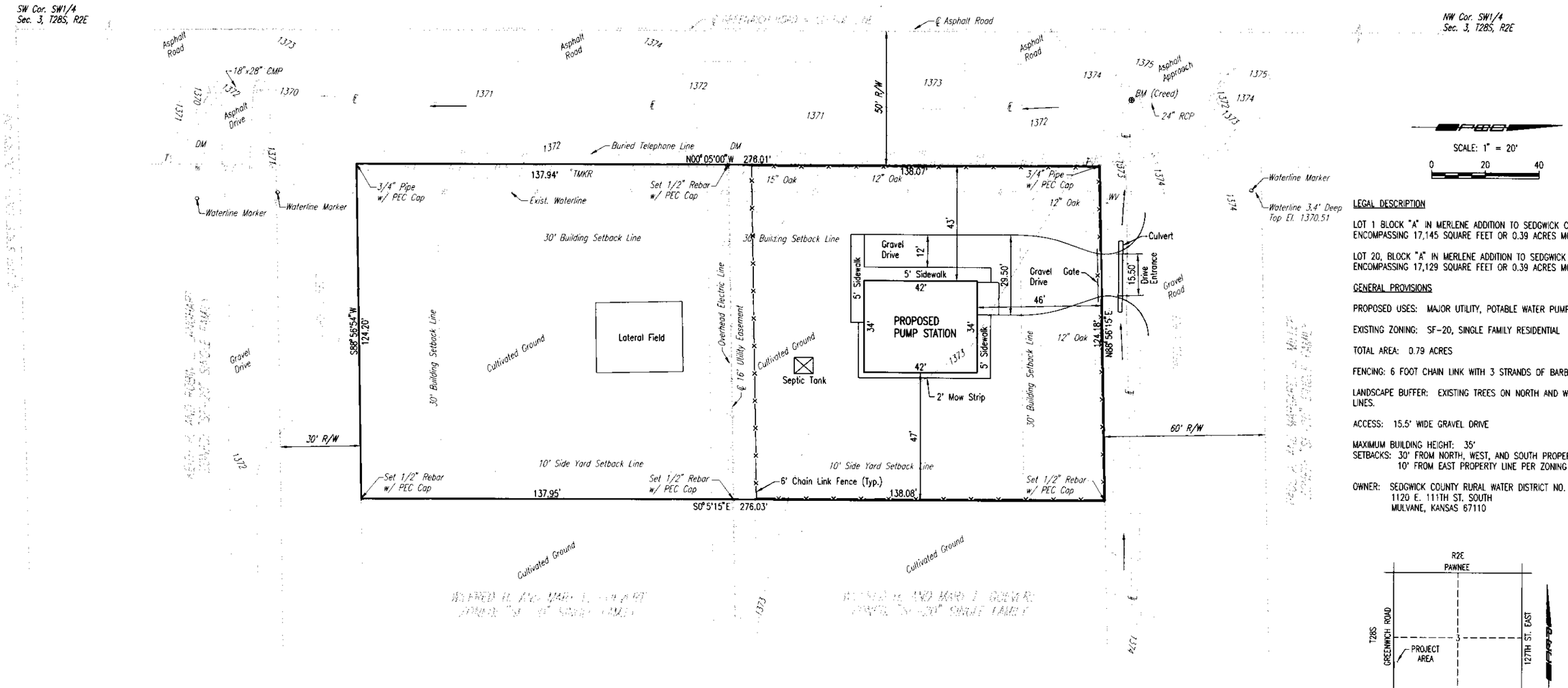
electricity and located inside a concrete building.

4. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: Approval of the application should improve or maintain the rural water district's ability to provide water to its customers. Denial would presumable represent an economic loss to the applicant in that the water district would need to locate another site.

5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The application area is located within Wichita's 2030 Urban Growth Area, which means that the potential exists, depending upon market conditions, for urban develop to occur on land so designated. Transportation/Utilities Locational Guideline Number 2 states that utility facilities with significant noise, odor and other nuisance elements should be located away from residential areas. The Wichita-Sedgwick County Unified Zoning Code permits a "utility, major" only with the approval of a Conditional Use. The request is in conformance with adopted plans in that it uses electric motors located inside a building which should minimize noise. Forgoing the use of an outside gas or diesel electric generator also eliminates a potential source of noise. The construction materials should also help the facility blend in with surrounding uses.

6. Length of time the property has remained undeveloped. The site has remained undeveloped since it was platted in 1966.

7. Impact of the proposed development on community facilities: No negative effects have been identified. The ability of the rural water district to provide water to its customers will be maintained or enhanced.



LEGAL DESCRIPTION

LOT 1 BLOCK "A" IN MERLENE ADDITION TO SEDGWICK COUNTY, KANSAS. ENCOMPASSING 17,145 SQUARE FEET OR 0.39 ACRES MORE OR LESS

LOT 20, BLOCK "A" IN MERLENE ADDITION TO SEDGWICK COUNTY, KANSAS. ENCOMPASSING 17,129 SQUARE FEET OR 0.39 ACRES MORE OR LESS

GENERAL PROVISIONS

PROPOSED USES: MAJOR UTILITY, POTABLE WATER PUMP STATION

EXISTING ZONING: SF-20, SINGLE FAMILY RESIDENTIAL

TOTAL AREA: 0.79 ACRES

FENCING: 6 FOOT CHAIN LINK WITH 3 STRANDS OF BARB WIRE ON TOP

LANDSCAPE BUFFER: EXISTING TREES ON NORTH AND WEST PROPERTY LINES.

ACCESS: 15.5' WIDE GRAVEL DRIVE

MAXIMUM BUILDING HEIGHT: 35'
SETBACKS: 30' FROM NORTH, WEST, AND SOUTH PROPERTY LINES PER PLAT
10' FROM EAST PROPERTY LINE PER ZONING REQUIREMENTS

OWNER: SEDGWICK COUNTY RURAL WATER DISTRICT NO. 3
1120 E. 111TH ST. SOUTH
MULVANE, KANSAS 67110

LEGEND

BM	Benchmark	TMKR	Telephone Marker
	Power Pole	T	Telephone Box
DM	Deadman	WV	Water Valve
	Property Iron		Culvert
	Deciduous Tree		Overhead Electric
	Section Corner		Buried Telephone
	Flow Direction		Waterline

VICINITY MAP

MAPC 10-7-10
CON2010-36

No.	Revision	By	Date

SEDGWICK COUNTY RURAL WATER DISTRICT #3

CONDITIONAL USE PLAN
BOOSTER PUMP STATION

MAIN BOOSTER PUMP STATION REPLACEMENT

Professional Engineering Consultants, P.A.
303 S. TOPEKA • WICHITA, KANSAS 67202
316-262-2691 • FAX 316-262-3003

Designed by	SCU	Job No.	34-10335
Drawn by	JTS	Date	AUGUST 2010

Sht. of

Saved 08-30-2010 2:48:23 PM by JTS
Plot Scale 1:40 08-30-2010 2:52:06 PM by JOSH T. SULLARD
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