CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

July 9, 2013

Unified School District No. 259
c/o Shane Schumacher
201 N. Water Street
Wichita, KS, 67202

RE: ZON2013-00011 & CON2013-00011 - City zone change from SF-5 Single-family Residential ("SF-5") to GO General Office ("GO") with a Conditional Use for Safety Sevices, generally located east of Topeka Avenue on the south side of Lincoln Street (1210 S. Topeka Avenue).

Dear Applicant

At its regular meeting on **July 9, 2013**, the Wichita City Council considered the above captioned request. The action of the Council was to APPROVE the request with the following conditions:

1. The Conditional Use will be for a facility that will house staff for prosecution, medical, therapy, law enforcement, social services, the advocacy component and mental health, as needed for young victims of sexual abuse, physical abuse and neglect and their care givers
2. All applicable site development standards of the UZC, Art.IV, Sec.IV shall be applied.
3. Signs shall be a monument type, otherwise all signs shall be as permitted in the GO zoning district. No off-site, billboard, temporary or portable signs shall be permitted. NO LED signs.
4. All utilities will be underground.
5. The site shall be developed in general conformance with the approved site plan.
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 the Unified Zoning Code, may, with the concurrence of the Planning Director, declare the Conditional Use null and void.

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

Sincerely,

Bill Longnecker
Senior Planner - Current Plans Division

BL/mc
Copies to: James Clendenin, WCC III (e-mail)
Janet Johnson, NA III (e-mail)
Diana Schunn, Ex Dir, Child Advocacy Center of Sedgwick County, 130 S Market Wichita, KS, 67202
WDM Architects, P.A., c/o Emily Patterson, 105 N. Washington, Wichita, KS, 67202
South Central Improvement Alliance, Vickie Adamson, 817 S Oliver, Wichita, KS, 67218

RESOLUTION No. 13-125

A RESOLUTION AUTHORIZING A CONDITIONAL USE TO PERMIT SAFETY SERVICES, SPECIFICALLY A FACILITY FOR THE YOUNG VICTIMS OF ABUSE ON APPROXIMATELY 4.9-ACRES ZONED GO GENERAL OFFICE ("GO"), GENERALLY LOCATED SOUTH OF LINCOLN STREET, BETWEEN EMPORIA AND TOPEKA AVENUES, IN THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-D, AS ADOPTED BY ORDINANCE NO. 44-975 AS AMENDED.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, 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 V-D of the Wichita-Sedgwick County Unified Zoning Code, for a Conditional Use to allow Safety Services, specifically a facility for the young victims of abuse, on approximately 4.9-acres zoned GO General Office ("GO") legally described below:

Case No. CON2013-00011

A Conditional Use to allow Safety Services, specifically a facility for the young victims of abuse, on approximately 4.9-acres zoned GO General Office ("GO") described as:

All that part of Zimmerly's 2nd Addition to the City of Wichita, Sedgwick County, Kansas, bounded on the North by Lincoln Street, on the South by Bayley Street, on the West by Topeka Avenue, and on the East by Emporia Avenue, including School Reserve, all Lots, and all Alleys; generally located south of Lincoln Street, between Emporia and Topeka Avenues.

SUBJECT TO THE FOLLOWING CONDITIONS:

1. The Conditional Use will be for a facility that will house staff for prosecution, medical, therapy, law enforcement, social services, the advocacy component and mental health, as needed for young victims of sexual abuse, physical abuse and neglect and their care givers
2. All applicable site development standards of the UZC, Art.IV, Sec.IV shall be applied.
3. Signs shall be a monument type, otherwise all signs shall be as permitted in the GO zoning district. No off-site, billboard, temporary or portable signs shall be permitted. NO LED signs.
4. All utilities will be underground.
5. The site shall be developed in general conformance with the approved site plan.
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 the Unified Zoning Code, may, with the concurrence of the Planning Director, declare the Conditional Use null and void.

SECTION 2. That upon the taking effect of this Resolution, the notation of such Conditional Use permit shall be shown on the "Official Zoning District Map" on file in the office of the Planning Director of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION 3. That this Resolution shall take effect and be in force from and after its adoption by the Governing Body.

ADOPTED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, this date July 9, 2013

Carl Brewer, Mayor

ATTEST:

Karen Sublett, MMC

Karen Sublett, City Clerk

Approved as to form:

Gary E. Rebenstorf

Gary E. Rebenstorf, City Attorney

WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 6

STAFF REPORT

MAPC June 6, 2013
DAB III, June 5, 2013

CASE NUMBER: ZON20013-00011 & CON2013-00011

APPLICANT/AGENT: USD 259 (owner) Child Advocacy Center of Sedgwick County, c/o Diana Schunn (applicant) WDM Architects, P.A., c/o Emily Patterson

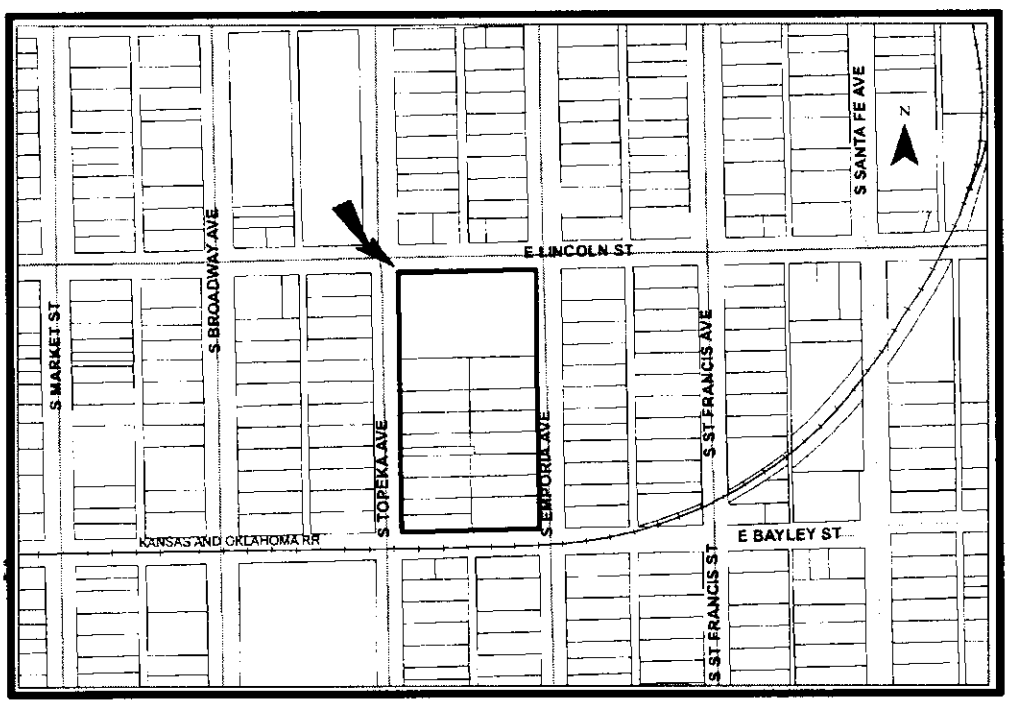
REQUEST: GO General Office ("GO") with a Conditional Use for "Safety Services"

CURRENT ZONING: SF-5 Single-Family Residential ("SF-5")

SITE SIZE: 4.9-acres

LOCATION: Generally located south of Lincoln Street, between Topeka and Emporia Avenues (WCC III)

PROPOSED USE: Safety Services, specifically young victims of abuse



BACKGROUND: The applicants are requesting GO General Office ("GO") zoning with a Conditional Use for "Safety Services" on the SF-5 Single-Family Residential ("SF-5") zoned Lincoln Elementary School site. The site is located on the south side of Lincoln Street between Topeka and Emporia Avenues and a railroad right-of-way/track. The Unified Zoning Code ("UZC") defines Safety Services as "...a facility for conduct of public safety and emergency services, including fire and police protection services and emergency medical and ambulance services." The Child Advocacy Center of Sedgwick County (CAC) provides immediate services for the young victims of sexual abuse, physical abuse and neglect and their care givers. The CAC's services include prosecution, medical, therapy, law enforcement, social services, the advocacy component and mental health. The former school building and its physical site will provide a single facility for the CAC's +/-60 staff members and the children in need; KWCH report, April, 23, 2013. Safety Services are not a permitted use in the SF-5 zoning district. Safety Services can be considered in the GO zoning district with a Conditional Use.

This is an older, mostly single-family residential neighborhood that has developed under a mix of SF-5, TF-3 Two-Family Residential (TF-3"), MF-29 Multi-Family Residential ("MF-29") and B Multi-Family Residential ("B") zoning. Most of the neighborhood's houses were built between 1900-1920. The immediate exceptions are a B and GC General Commercial ("GC") zoned church and another B zoned church, both located north of the site across Lincoln Street. Broadway Avenue (old US 81) and its GC and LC Limited Commercial ("LC") zoned businesses are located a block west of the site. Active railroad right-of-way/track abuts the south side of the site. Recent improvements along the north side of the railroad track include ornamental but functional metal fencing and pole lights, plus a sidewalk. South of the railroad track is a continuation of the older mostly single-family residential neighborhood, plus a small park all contained within a mix of SF-5, TF-3 and MF-29 zoning.

The applicant has proved a site plan that shows extensive redevelopment of the site, including renovation of the existing building, relocation and expansion of parking, and new internal vehicular circulation. Redevelopment of the site will trigger compliance with, but not limited to, landscaping and parking standards.

CASE HISTORY: The property is platted as part of Zimmerly's 2nd Addition, recorded June 4, 1885. Lincoln Elementary School was built in 1938, with expansions in 1975 and 2004. There have been vacation cases involving alleys and utilities; V-0575, VAC2003-26, and VAC2013-00016. VAC2013-00016 is on today's agenda. There have also been adjustments to parking; BZA2003-13 and BZA2003-36.

ADJACENT ZONING AND LAND USE:

NORTH: B, GC	Single-family residential, churches
SOUTH: SF-5, TF-3, MF-29	Railroad right-of-way/track, single-family residential, park
EAST: SF-5, TF-3, MF-29	Single-family residential
WEST: SF-5, TF-3, MF-29	Single-family residential

PUBLIC SERVICES: Lincoln Street is a four-lane minor arterial. Both Topeka and Emporia are collector streets. All services are available at this location.

CONFORMANCE TO PLANS/POLICIES: The "2013 Land Use Guide of the Comprehensive Plan" (Plan) identifies the north portion of the site, where the school building is located as "Major Institutional" and the south, playground portion as "Urban Residential." The Major Institutional category includes uses such as government facilities, military bases, libraries, schools, cemeteries/churches, hospital and medical facilities. The proposed facility with its mix of staff from, but not limited to, government and medical fits this profile; prosecution, medical, therapy, law enforcement, social services, the advocacy component and mental health (Safety Services). The proposed GO zoning district allows this type of facility with a Conditional Use. The Urban Residential category encompasses areas that reflect the full diversity of residential development densities and types typically found in large urban municipality. Elementary and middle school facilities, churches, playgrounds, parks, and other similar residential-serving uses may also be found in this category. The current SF-5 zoning needs to be change to allow the proposed facility. The UZC identifies GO zoning as appropriate for office development and generally compatible with the "local commercial" or "regional commercial" categories of the Plan.

The site is located within the "South Central Neighborhood Plan;" City Council Ordinance No.47-033, May 16, 2006, and County Commission Resolution No.72-06, May 19, 2006. Lincoln Elementary School is identified as one of three schools in the Plan's area, the others being Harry Street Elementary and Hamilton Middle School. USD 259 has redrawn its boundaries and Lincoln no longer serves the district's need, thus its proposed sale and conversion. The proposed facility will offset the loss of the neighborhood school and keep the school building and its site occupied and connected to the neighborhood and the greater Wichita-Sedgwick County Community.

RECOMMENDATION: Based on the information available prior to the public hearing, planning staff recommends that the request for GO zoning with a Conditional Use for Safety Services be APPROVED, subject to the following conditions:

1. The Conditional Use will be for a facility that will house staff for prosecution, medical, therapy, law enforcement, social services, the advocacy component and mental health, as needed for young victims of sexual abuse, physical abuse and neglect and their care givers
2. All applicable site development standards of the UZC, Art.IV, Sec.IV shall be applied.
3. Signs shall be a monument type, otherwise all signs shall be as permitted in the GO zoning district. No off-site, billboard, temporary or portable signs shall be permitted. NO LED signs.
4. All utilities will be underground.
5. The site shall be developed in general conformance with the approved site plan.
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 the Unified Zoning Code, may, with the concurrence of the Planning Director, declare the Conditional Use null and void.

This recommendation is based on the following findings:

(1) **The zoning, uses and character of the neighborhood:** This is an older, mostly single-family residential neighborhood that has developed under a mix of SF-5, TF-3 Two-Family Residential (TF-3"), MF-29 Multi-Family Residential ("MF-29") and B Multi-Family Residential ("B") zoning. Most of the neighborhood's houses were built between 1900-1920. The immediate exceptions are a B and GC General Commercial ("GC") zoned church and another B zoned church, both located north of the site across Lincoln Street. Broadway Avenue (old US 81) and its GC and LC Limited Commercial ("LC") zoned businesses are located a block west of the site. Active railroad right-of-way/track abuts the south side of the site. Recent improvements along the north side of the railroad track include ornamental but functional metal fencing and pole lights, plus a sidewalk. South of the railroad track is a continuation of the older mostly single-family residential neighborhood, plus a small park all contained within a mix of SF-5, TF-3 and MF-29 zoning.

(2) **The suitability of the subject property for the uses to which it has been restricted:** The site is zoned SF-5, which restricts its development to primarily single-family residential and some complementary development such as an elementary school; the site's former development. In the past, schools sold by USD 259 have been converted to other uses, with most of them becoming apartments, typically after a zone change from SF-5 to some type of multi-family zoning. If approved the request will allow the conversion of the school building into a community oriented use. If not approved the school building will remain vacant until another possible conversion opportunity presents itself or it is torn down and the site is developed as single-family residential.

(3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** The proposed facility will be open more days and for longer hours than a school, which will impact the adjacent single-family residences. The conditions of the Conditional Use will help minimize the impact of the development.

(4) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The 2013 Land Use Guide of the Comprehensive Plan" (Plan) identifies the north portion of the site, where the school building is located as "Major Institutional" and the south, playground portion as "Urban Residential." The Major Institutional category includes uses such as government facilities, military bases, libraries, schools, cemeteries/churches, hospital and medical facilities. The proposed facility with its mix of staff from, but not limited to, government and medical fits this profile; prosecution, medical, therapy, law enforcement, social services, the advocacy component and mental health (Safety Services). The proposed GO zoning district allows this type of facility with a Conditional Use. The Urban Residential category encompasses areas that reflect the full diversity of residential development densities and types typically found in large urban municipality. Elementary and middle school facilities, churches, playgrounds, parks, and other similar residential-serving uses may also be found in this category. The current SF-5 zoning needs to be change to allow the proposed facility. The

UZC identifies GO zoning as appropriate for office development and generally compatible with the "local commercial" or "regional commercial" categories of the Plan.

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(5) **Impact of the proposed development on community facilities:** Impact on community facilities will be minimal.

CONDITIONAL USE PLAN

TO CONVERT THE OLD LINCOLN ELEMENTARY SCHOOL INTO A NEW CHILD ADVOCACY CENTER.

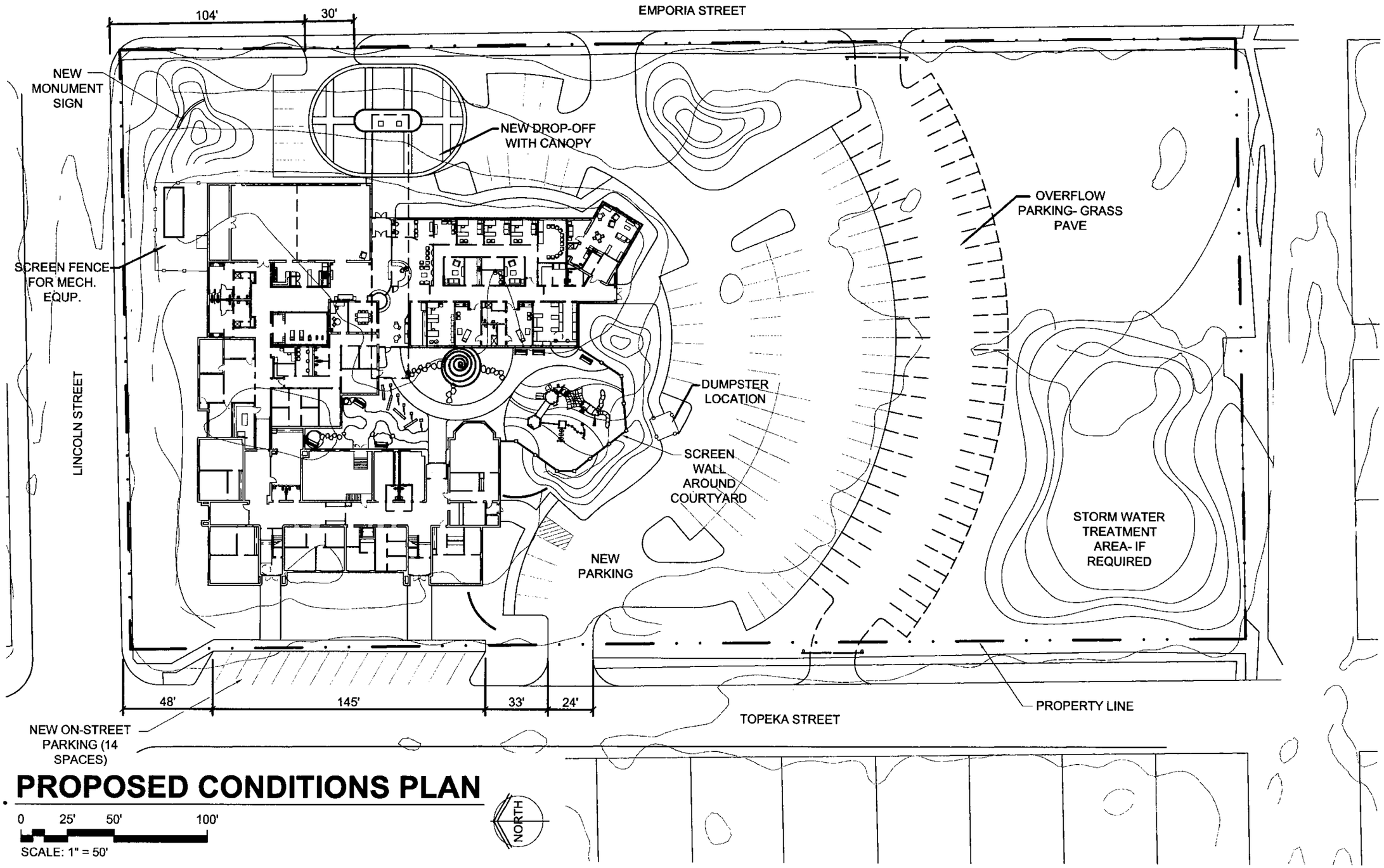
LEGAL DESCRIPTION

All that part of Zimmerly's 2nd Addition to the City of Wichita, Sedgwick County, Kansas, bounded on the North by Lincoln Street, on the South by Bayley Street, on the West by Topeka Avenue, and on the East by Emporia Avenue, including School Reserve, all Lots, and all Alleys

APPLICANT NAME

Unified School District No. 259,
Child Advocacy Center of Sedgwick County, Kansas, Inc.

Drawings prepared by WDM Architects



PROPOSED CONDITIONS PLAN

0 25' 50' 100'

SCALE: 1" = 50'

wdm ARCHITECTS

WDM Architects P.A.
105 North Washington
Wichita, KS 67202-2815
T 316.262.4700
F 316.262.0002
wdmarchitects.com

CHILD ADVOCACY CENTER
CONDITIONAL USE PLAN
1210 S. Topeka
Wichita, Kansas 67211

PRINTS ISSUED

WDM No. 10078 drawn: NS checked:

EXISTING CONDITIONS PLAN

SA1.0

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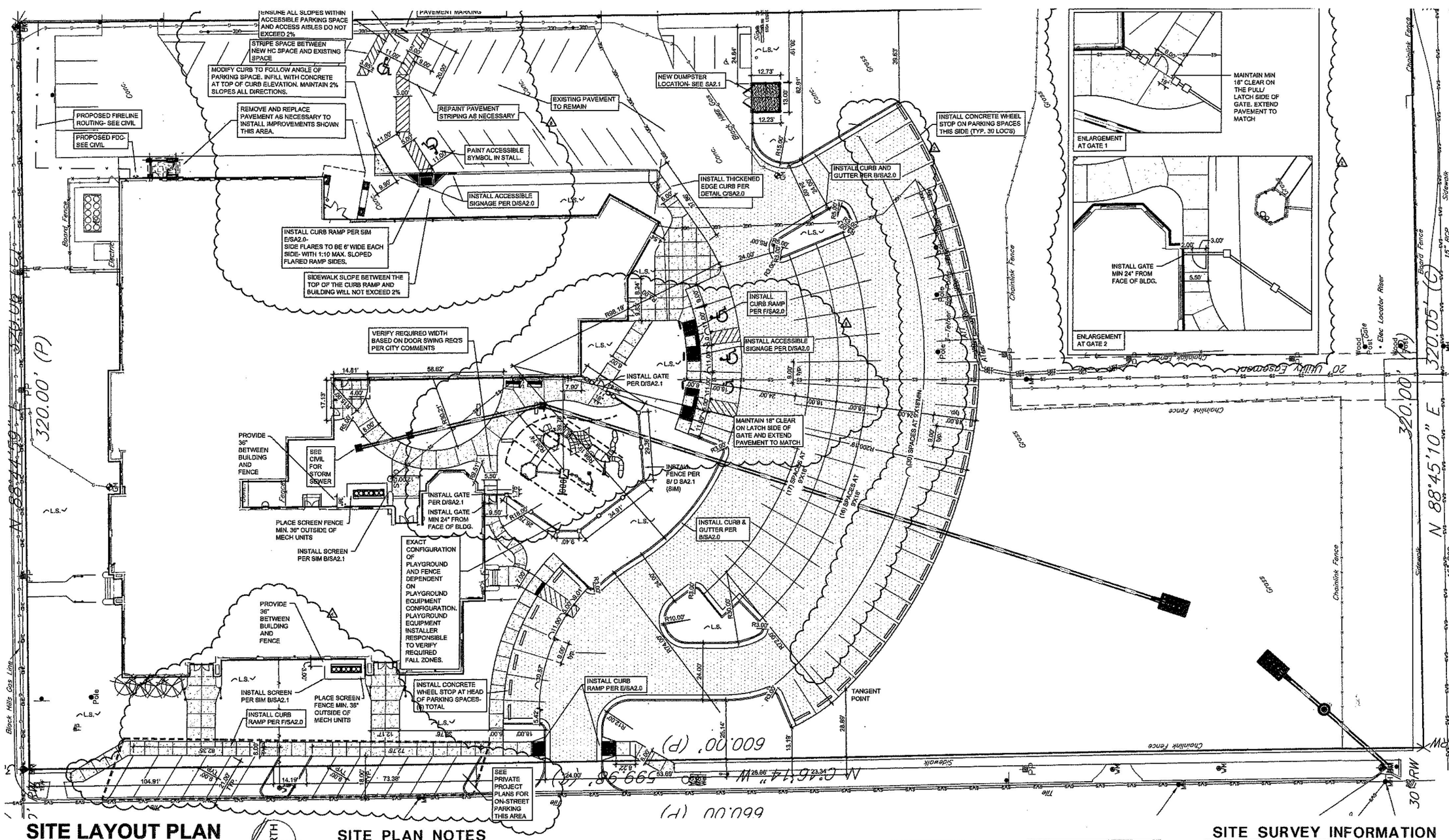

SITE LAYOUT PLAN

0 10' 20' 40'
SCALE: 1" = 20'

NORTH

CON 2013-11
Adjusted SITE PLAN
SITE PLAN
March 22, 2016
APPROVED BY

SITE PLAN NOTES

1. PRIOR TO STARTING CONSTRUCTION THE CONTRACTOR SHALL BE RESPONSIBLE TO MAKE SURE THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS APPROVED BY ALL OF THE PERMITTING AUTHORITIES.

2. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THESE PLANS, SPECIFICATIONS AND THE REQUIREMENTS AND STANDARDS OF THE LOCAL GOVERNING AUTHORITY. THE SOILS REPORT, IF AVAILABLE, AND RECOMMENDATIONS SET FORTH THEREIN ARE A PART OF THE REQUIRED CONSTRUCTION DOCUMENTS AND TAKE PRECEDENCE UNLESS SPECIFICALLY NOTED OTHERWISE ON THE PLANS. THE CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER OF ANY DISCREPANCY THAT MAY EXIST BETWEEN SOILS REPORT AND PLANS.

3. THE TOPO SURVEY SHALL BE CONSIDERED A PART OF THESE PLANS. THE GENERAL CONTRACTOR IS RESPONSIBLE FOR LOCATING IMPROVEMENTS PER THESE PLANS.

4. UNDERGROUND FACILITIES, STRUCTURES AND UTILITIES HAVE BEEN DRAWN FROM AVAILABLE RECORDS. THEREFORE, THE RELATIONSHIP BETWEEN PROPOSED WORK AND EXISTING FACILITIES, STRUCTURES AND UTILITIES MUST BE CONSIDERED APPROXIMATE AND IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THEIR EXACT LOCATION AND THE EXISTENCE OF ANY NOT SHOWN BY CONTACTING THE UTILITY LOCATOR SERVICE A MINIMUM OF 48 HOURS PRIOR TO THE COMMENCEMENT OF DIGGING OPERATIONS. NO COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR DAMAGE AND REPAIR TO THESE FACILITIES CAUSED BY HIS WORK FORCE.

5. ALL DIMENSIONS AND GRADES SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER IF ANY DISCREPANCIES EXIST TO OBTAIN ANY NECESSARY CHANGES, PRIOR TO PROCEEDING WITH CONSTRUCTION. NO EXTRA COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR WORK HAVING TO BE REDONE DUE TO DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.

6. ALL DIMENSIONS ARE FROM FRONT OF CURB UNLESS NOTED OTHERWISE.

7. ALL WRITTEN DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DIMENSIONS.

8. SEE ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS.

9. CONTRACTOR IS TO PROVIDE ALL SAFETY BARRIERS, FENCING ETC. AROUND CONSTRUCTION SITE AS REQUIRED BY LOCAL REGULATIONS. CONTRACTOR SHALL USE SAFETY FENCE TO PROTECT CUSTOMERS FROM CONSTRUCTION ACTIVITIES.

10. WORK WHICH WILL CAUSE THE CLOSING OF A STREET OR BLOCK A DIRECTION OF TRAVEL ON EXPRESSWAYS, PRINCIPAL ARTERIAL, MINOR ARTERIAL, AND COLLECTOR STREETS, SHALL REQUIRE A NOTICE OF CLOSURE TO BE SUBMITTED FORTY-EIGHT (48) HOURS IN ADVANCE OF THE STREET CLOSURE TO THE TRAFFIC ENGINEER. THE NOTICE OF CLOSURE SHALL SPECIFY THE PURPOSE OF CLOSURE, THE LOCATION, THE PLANNED DURATION AND THE HOURS OF THE DAY DURING WHICH THE STREET WILL BE CLOSED. THE CLOSURE SHALL BE SCHEDULED TO MINIMIZE INTERFERENCE WITH VEHICULAR AND PEDESTRIAN TRAFFIC.

11. THE CONTRACTOR SHALL RESTORE TO THE ORIGINAL CONDITION, ADJACENT (OFF-SITE) PROPERTY DISTURBED BY HIS OPERATIONS.

SITE SURVEY INFORMATION

KE Miller Engineers P.A.
117 W. Lewis, Wichita, Ks

DRAWING LABELED:
TOPOGRAPHIC AND BOUNDARY SURVEY
CHILD DEVELOPMENT CENTER
1210 S. TOPEKA
WICHITA, KS

BENCHMARK INFORMATION

CITY OF WICHITA DISC ON THE NORTHWEST CORNER OF LINCOLN AND BROADWAY ON TEH TRAFFIC SIGNAL LIGHT POLE BASE
ELEVATION=1294.72 NAVD 88

NORTH RIM OF A TRAFFIC MANHOLE APPROXIMATELY 2' WEST OF THE NORTHEAST PROPERTY CORNER.
ELEVATION=1294.10 NAVD 88

NICHOLAS J. SCHLEGEL LICENSED KANSAS LANDSCAPE ARCHITECT
3-10-16

wdm ARCHITECTS
WDM Architects P.A.
105 North Washington
Wichita, KS 67202-2815
T 316.262.4700
F 316.262.0002
wdmarchitects.com

CHILD ADVOCACY CENTER of Sedgwick County

1211 S. Emporia St.
Wichita, Kansas

PRINTS ISSUED
08.03.15 - FOR PERMIT
10.26.15 - FOR CONSTRUCTION
1 OWNER REVISIONS
1 MABCD REVISIONS
02.19.16 - FOR CONSTRUCTION
1 MABCD REV. #2
2 03.16.16 - MABCD REV. #3

WDM No. 10078 | drawn: nls | checked: sjf

SITE LAYOUT PLAN

SA1.0

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