that surrounding land has been developed. With "SF-5" zoning, the site has a short list of permitted uses. Denial of this request would eliminate a potential use for this site, making it more difficult to develop. Denial would force the applicant to find another site.

5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The *Wichita Land Use Guide* depicts the site as appropriate for "low density residential" uses. The low density residential category provides for the lowest density of urban residential land use and consists of traditional single-family detached homes, zero lot line units, cluster subdivisions, schools, churches and similar uses found in such areas. The Plan also contains an objective about encouraging future growth and development in areas that are served by existing public facilities and services, or which can be served economically and promote compact and contiguous development. Approval of the request would promote the community's goal of encouraging infill development, and be consistent with the Plan's recommendation of allowing uses similar to churches and schools in low-density residential area. A Shrine facility could be viewed as similar in character and impact to a church or school, both of which are permitted by right in the "SF-5" district, with respect to hours of operation, traffic generated and numbers of people present.

6. Impact of the proposed development on community facilities: Facilities are in place or are available for extension to adequately handle anticipated impacts created by this request.

WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 6

STAFF REPORT

REVISED

DAB V 1-5-04
MAPC 1-8-04
MAPC 4-8-04

FILE COPY

CASE NUMBER: CON2003-00048

APPLICANT/AGENT: Richard D. and Verda Hoskinson / Baughman Company (Terry Smythe); Capps Machine (Ron Capps)

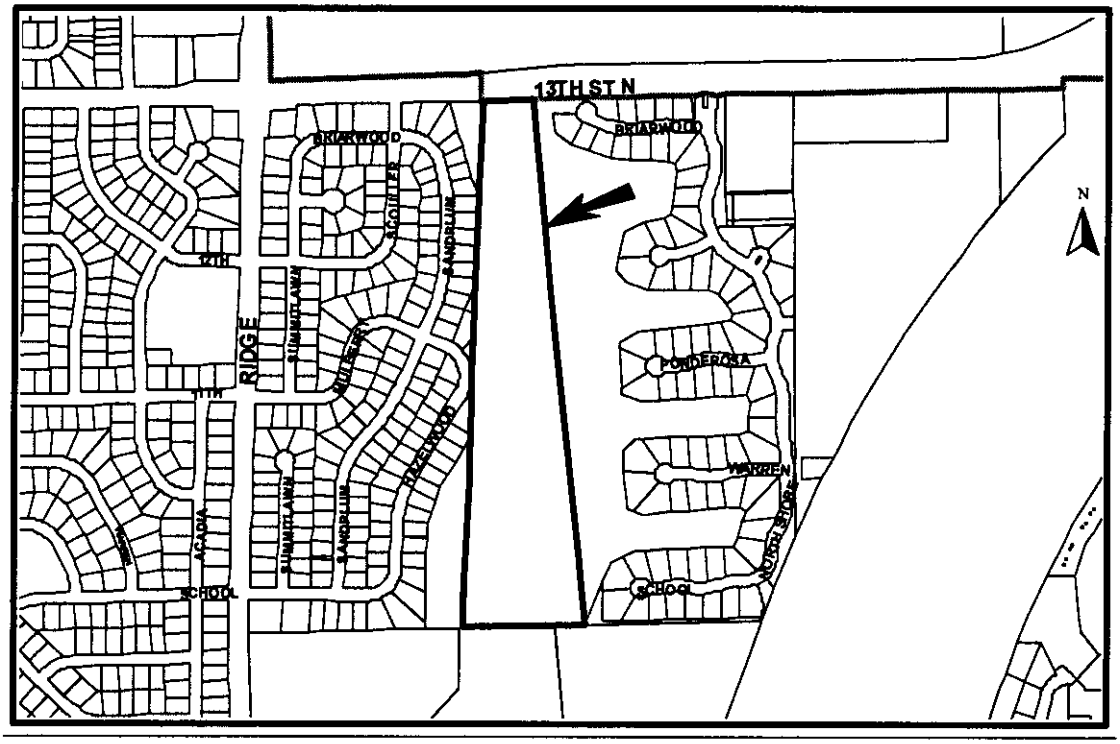
REQUEST: Community Assembly

CURRENT ZONING: "SF-5" Single-family Residential

SITE SIZE: 25 acres

LOCATION: South side of 13th Street, ¼ mile east of Ridge Road

PROPOSED USE: Midian Shrine Temple



BACKGROUND: The applicant is seeking a Conditional Use to permit "community assembly" on a 25-acre site that is located on the south side of 13th Street North, ¼ mile east of Ridge Road. The applicant would like, at some point in the future, to develop the site for a Midian Shrine temple (see attached site plan). At this time a construction schedule has not been determined. The temple would be a two-story, maximum height of 35-feet, 27,000 square foot building located approximately 1200 feet south of 13th Street. Although no elevation drawings are available at this point in time, the site plan indicates the building would have architecture compatible with the surrounding area. (Homes to the west were developed after 1959, and constructed of both brick and wood, while the single family homes to the east were developed in the 1990's, and are also a combination of wood and brick construction.)

Parking for 216 vehicles would be located east and south of the proposed temple. Parking is to be screened to the east, south and west, as shown on the site plan.

A playground containing baseball/softball diamond and a soccer field is proposed south of the parking area. These ball fields are to be used by Shriners and their families. The ball fields are not intended for use for large-scale league play like the West Urban fields located to the north.

A 6,000 square foot restroom and storage building would be located west of the parking lot, between the temple building and the playground.

Primary access is to be provided by a long driveway connecting the temple with 13th Street. A second point of access to the site would be a gated and restricted to emergency access only connection to Hazelwood, a residential street located to the west.

The site plan also shows berms and landscaping to be installed along both sides of the application area between 13th Street and the southern end of the parking lot.

The applicant indicates that during a normal workweek 10 staff members are generally present Monday through Friday who maintain office hours of 8:00 a.m. to 5:00 p.m. On a typical day approximately 75 non-employees visit the site; that number increases to up to 100 for typical evening meetings or functions. The maximum number of people who typically attend their largest functions is approximately 300 people.

Property surrounding the site is zoned a variety of residential districts: "SF-5" Single-family Residential, "SF-20" Single-family Residential and "MF-29" Multi-family Residential. Surrounding properties are developed with: public park, single- and multi-family housing. There is a lake located immediately east of the application area that is mostly owned by the Spinnaker Cove subdivision.

The site plan depicts two monument signs at the entrance of the site at 13th Street. The "SF-5" zoning district does not permit this type of signage. A variance from the Board of Zoning Appeals would have to be obtained to permit the proposed signage.

Community Assembly is defined in the *Unified Zoning Code* as "an establishment providing meeting, recreational, educational, cultural, or social facilities for a private membership or non-profit association, primarily for use by members and guests. Typical uses include fraternal organizations...."

CASE HISTORY: None filed. There was interest at one time by the owner to purchase the two parkland tracts located west of the site and then develop the larger site with multi-family residential housing. That proposal met significant neighborhood opposition at Park Board hearings. The proposal did not progress to the point that a zoning case was filed.

ADJACENT ZONING AND LAND USE:

NORTH:	"SF-20" Single-family Residential; County park/zoo
SOUTH:	"MF-29" Multi-family Residential, "SF-5" Single-family Residential; Apartments, vacant
EAST:	"SF-5" Single-family Residential; lake, single-family residential
WEST:	"SF-5" Single-family Residential; public park, single-family residential

PUBLIC SERVICES: Services are available for extension.

CONFORMANCE TO PLANS/POLICIES: The *Wichita Land Use Guide* depicts the site as appropriate for "low density residential" uses. The low density residential category provides for the lowest density of urban residential land use and consists of traditional single-family detached homes, zero lot line units, cluster subdivisions, schools, churches and similar uses found in such areas. The Plan also contains an objective about encouraging future growth and development in areas that are served by existing public facilities and services, or which can be served economically and promote compact and contiguous development.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to platting within 1-year, and the following conditions:

1. The site shall be developed in substantial conformance with the adopted site plan, including any development standards listed in the "general provisions" section of the site plan.
2. Signage shall be as allowed per the Sign Code, e.g. one bulletin board sign up to 48 square feet in size per arterial street frontage, and identification signage with

letters up to 15 inches in height. (The site plan initially submitted with the application includes a request for two monument-style signs to be located on 13th Street. That signage is not permitted by the current Sign Code, and will require a revision to the site plan unless a variance is sought and granted.) Portable signs shall be prohibited.

3. Any buildings constructed on the site shall have architecture that is compatible with surrounding residential construction (e.g. gable and/or hip roof), and metal shall not be used on any exterior building façade.
4. Parking lot lighting standards shall not exceed 14 feet in height. All outdoor lighting fixtures shall employ cut-off luminaries that minimize light trespass and glare. The light source shall be aimed and/or shielded so that the light source is not visible from neighboring lights.
5. Trash receptacles and HVAC units shall be screened from view from the ground.
6. Lighting of outdoor recreational play fields shall be prohibited.
7. After appropriate reviews if the Zoning Administrator, with the concurrence of the Planning Director, finds that there is a violation of the conditions of approval of this Conditional Use, the Zoning Administrator may declare this Conditional Use null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: Property surrounding the site is zoned a variety of residential districts: "SF-5" Single-family Residential, "SF-20" Single-family Residential and "MF-29" Multi-family Residential. Surrounding properties are developed with: public park, single- and multi- family housing. There is a lake located immediately east of the application area, and there are some undeveloped tracts. The application area is a passed over tract that adjoins a mix of vacant land, and older and more recent developments.

2. The suitability of the subject property for the uses to which it has been restricted: The site could be developed as currently zoned.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Churches and schools are permitted uses in the "SF-5" district. Approval of this requested Conditional Use would permit a facility that is similar in intensity of use and hours of operation when compared to a church or school. The single-family residential units to the east and west will be buffered by existing parkland, the existing lake and/or the proposed berms and landscaping shown on the site plan.

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 request would encourage the development of a site that remains vacant despite the fact

Conditional Use

Community Assembly

13th Street North, East of Ridge Road

LEGAL DESCRIPTION

That part of the NW 1/4 of Sec. 15, Twp. 27-S, R-1-W of the 6th P.M., Sedgwick County, Kansas lying west of and adjacent to the extended west line of Spinnaker Coves-Hoskinson Addition, Wichita, Sedgwick County, Kansas and lying east of and adjacent to the extended east line of Country Acres Fourth "B" Addition, an Addition in Sedgwick County, Kansas, all being subject to road rights-of-way of record.

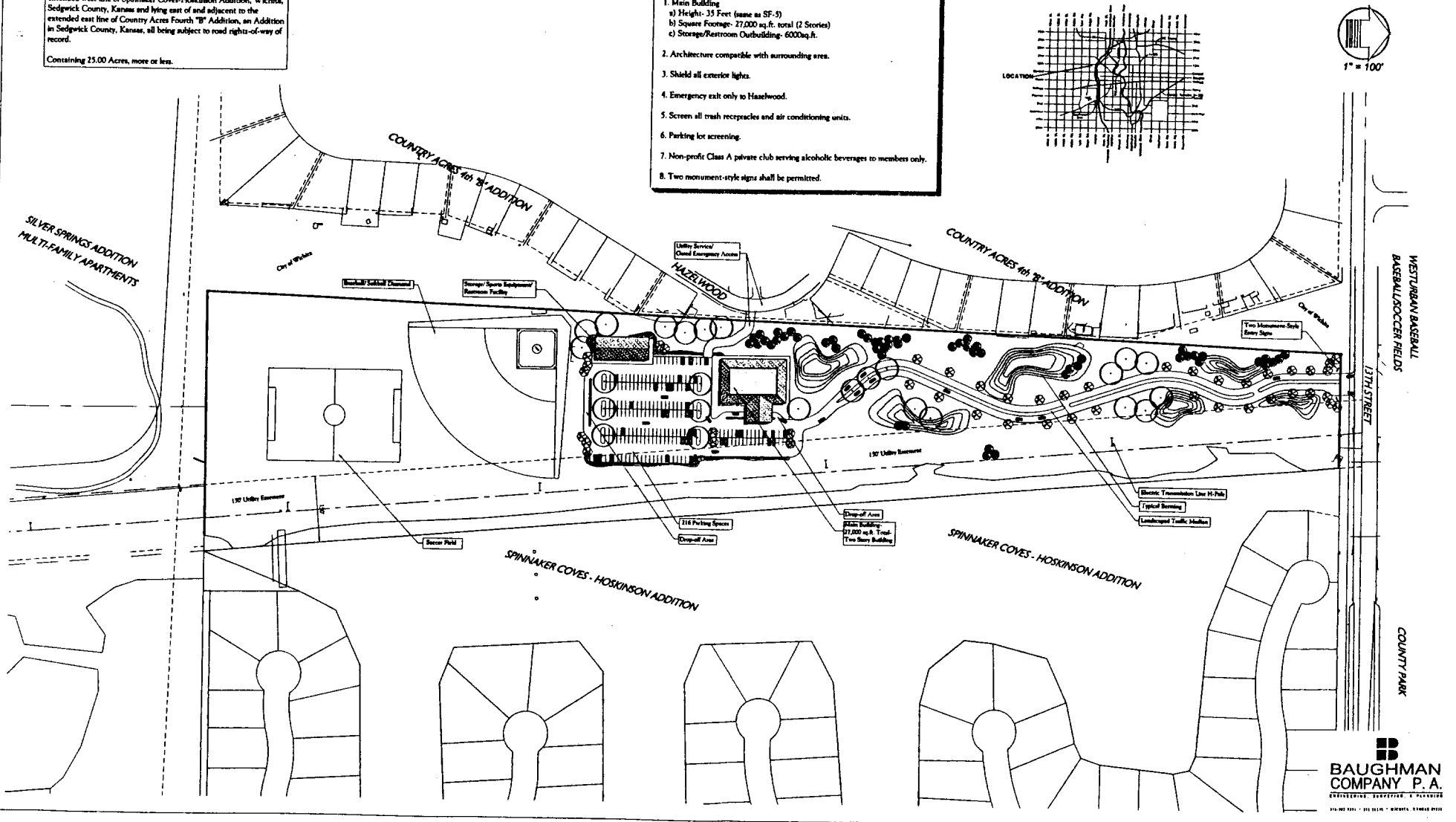
Containing 25.00 Acres, more or less.

GENERAL PROVISIONS

1. Main Building
   a) Height- 35 Feet (same as SF-5)
   b) Square Footage- 27,000 sq.ft. total (2 Stories)
   c) Storage/Restroom Outbuilding- 6000sq.ft.
2. Architecture compatible with surrounding area.
3. Shield all exterior lights.
4. Emergency exit only to Hazelwood.
5. Screen all trash recepracles and air conditioning units.
6. Parking lot screening.
7. Non-profit Class A private club serving alcoholic beverages to members only.
8. Two monument-style signs shall be permitted.

LOCATION

1" = 100'



BAUGHMAN COMPANY P.A.

7. After appropriate re ews if the Zoning Administrator, ...th the concurrence of the Planning Director, finds that there is a violation of the conditions of approval of this Conditional Use, the Zoning Administrator may declare this 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 May 4, 2004

Carlos Mayans, Mayor

ATTEST:

Karen ~~Schofield~~ Subiett, City Clerk

Approved as to form:

Gary E. Rebenstorf, City Attorney

Revised

RESOLUTION No. 04-216

A RESOLUTION AUTHORIZING A CONDITIONAL USE FOR COMMUNITY ASSEMBLY ON 25.0 ACRES ZONED "SF-5" SINGLE-FAMILY RESIDENTIAL, LOCATED ON THE SOUTH SIDE OF 13TH STREET NORTH APPROXIMATELY 1/4 MILE EAST OF RIDGE ROAD IN THE CITY OF WICHITA, 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, 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, a Conditional Use for community assembly on 25.0 acres zoned "SF-5" Single-family Residential legally described below:

Case No. CON2003-00048

A Conditional Use for community assembly, on 25.0 acres zoned "SF-5" Single-family Residential described as:

That part of the Northwest Quarter of Section 15, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas lying west of and adjacent to the extended west line of Spinnaker Coves-Hoskinson Addition, Wichita, Sedgwick County, Kansas and lying east of and adjacent to the extended east line of Country Acres Fourth "B" Addition, an Addition in Sedgwick County, Kansas, all being subject to road rights-of-way of record. Generally located on the south side of 13th Street North approximately 1/4 mile east of Ridge Road.

SUBJECT PLATTING WITHIN ONE-YEAR AND THE FOLLOWING CONDITIONS:

1. The site shall be developed in substantial conformance with the adopted site plan, including any development standards listed in the "general provisions" section of the site plan.
2. Signage shall be as allowed per the Sign Code, e.g. one bulletin board sign up to 48 square feet in size per arterial street frontage, and identification signage with letters up to 15 inches in height. (The site plan initially submitted with the application includes a request for two monument-style signs to be located on 13th Street. That signage is not permitted by the current Sign Code, and will require a revision to the site plan unless a variance is sought and granted.) Portable signs shall be prohibited.
3. Any buildings constructed on the site shall have architecture that is compatible with surrounding residential construction (e.g. gable and/or hip roof), and metal shall not be used on any exterior building façade.
4. Parking lot lighting standards shall not exceed 14 feet in height. All outdoor lighting fixtures shall employ cut-off luminaries that minimize light trespass and glare. The light source shall be aimed and/or shielded so that the light source is not visible from neighboring lights.
5. Trash receptacles and HVAC units shall be screened from view from the ground.
6. Lighting of outdoor recreational play fields shall be prohibited.

CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

November 22, 2004

Richard D. Hoskinson
Verda M. Hoskinson
990 N. Westlink
Wichita, KS 67212

RE: **CON2003-48 – Conditional Use for community assembly on property zoned "SF-5" Single-family Residential. Generally located on the south side of 13th Street North approximately 1/4 mile east of Ridge Road. (District V)**

Dear Ladies and Gentlemen:

At its regular meeting on **May 4, 2004**, the Wichita City Council considered the above-captioned request. The action of the City Council was to APPROVE the request subject to platting within 1-year, which has been completed and the conditions in the enclosed resolution.

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

Sincerely,

Dale Miller
Chief Planner

Cc: Terry Smythe, Baughman Company, 315 Ellis, Wichita, KS 67211
Don Arnold Jr., J.T. Arnold Assoc., 101 S. Market, Wichita, KS 67202
Ron Capps, Capps Machine, 2121 S. Edwards, Wichita, KS 67213
Les Brumley, 6606 Warren Circle, Wichita, KS 67212
Neil Ginest, Joan Ginest, 6602 Warren Circle, Wichita, KS 67212
Larry DeBrot, 6605 Warren Circle, Wichita, KS 67212
Harrell Duncan, 1326 Sandplum, Wichita, KS 67212
Beryl Krueger, 1219 North Shore Blvd., Wichita, KS 67212
Dennis Moore, 1128 Hazelwood, Wichita, KS 67212
Patrick Hughes, Adams, and Jones, Chtd., 155 N. Market, Ste. 600, Wichita, KS 67202
Lyla Clark, 1148 Hazelwood, Wichita, KS 67212
Alan Collison, 6513 Warren, Wichita, KS 67212
Jeffrey L. Sowder, 130 N. Topeka, Wichita, KS 67202
Robert W. Crook, 1203 Mulberry Pl., Wichita, KS 67212
Bob Martz, WCC, District V, Mail Stop 1-13