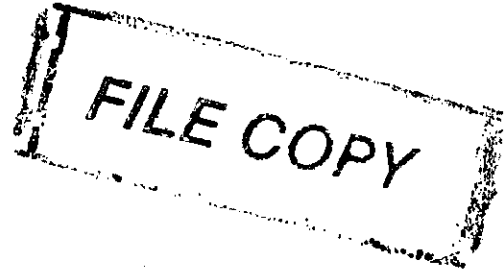




Wichita-Sedgwick County Metropolitan Area Planning Department

December 22, 2000



Nina M. Day
1717 S. Cypress Drive
#222
Wichita, KS 67207

RE: CON2000-00051 – Conditional Use to permit Limited Manufacturing on property zoned “LC” Limited Commercial. Generally located at the southwest corner of South Hydraulic and Gilbert.

Dear Ladies and Gentlemen:

At its regular meeting on December 7, 2000, the Metropolitan Area Planning Commission considered the above-captioned request. The action of the MAPC was to APPROVE subject to the following conditions:

1. The property shall be developed and maintained in compliance with approved site plans.
2. Permitted uses are those permitted by-right in the “LC” Limited Commercial district plus limited manufacturing (wood working shop)
3. Prior to the issuance of a building permit, the applicant shall submit a landscaped plan for approval by the Planning Director.
4. Any violation of the conditions of approval shall declare the Conditional Use null and void.

This action was not accompanied by valid appeals or protest petitions, therefore, the action of the Planning Commission is FINAL. Enclosed is a signed copy of the above-referenced Conditional Use Resolution. If you have any questions concerning this case, please call our office.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dale Miller", with a stylized, flowing script.

Dale Miller
Chief Planner

DLM/rs

cc: Stephen K. Lester, 235 N. Pershing, Wichita, KS 67208
D.A.B. I, Heidi Drew, Mail Stop 1-135
George Rogers, City Council Member, Mail Stop 1-13
Kurt Schroeder, Office of Central Inspection, Mail Stop 1-72
Randy Sparkman, Office of Central Inspection, Mail Stop 1-72
Paul Hays, Office of Central Inspection, Mail Stop 1-72
J. R. Cox, Office of Central Inspection, Mail Stop 1-72

CONDITIONAL USE RESOLUTION NO. CON-2000-00051

WHEREAS, Nina M. Day (owner/applicant) Stephen K. Lester (contract purchaser/applicant), 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 allow Limited Manufacturing for a Woodworking Shop on .43 acre zoned "LC" Limited Commercial described as:

Lot 1, Day Addition, Wichita, Kansas, Sedgwick County, Kansas. Generally located on the southwest corner of South Hydraulic and Gilbert.

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 December 7, 2000, 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 Limited Manufacturing for a Woodworking Shop on .43 acre zoned "LC" Limited Commercial described as:

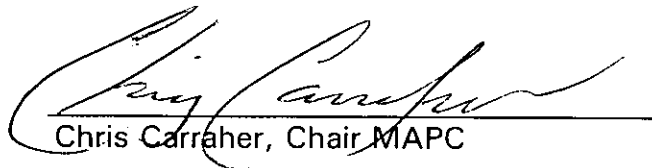
Lot 1, Day Addition, Wichita, Kansas, Sedgwick County, Kansas. Generally located on the southwest corner of South Hydraulic and Gilbert.

subject to the following conditions:

1. The property shall be developed and maintained in compliance with approved site plans.
2. Permitted uses are those permitted by-right in the "LC" Limited Commercial district plus limited manufacturing (wood working shop)
3. Prior to the issuance of a building permit, the applicant shall submit a landscaped plan for approval by the Planning Director.
4. Any violation of the conditions of approval shall declare the Conditional Use null and void.

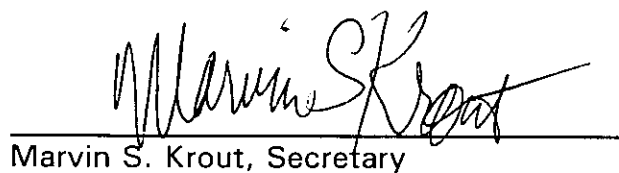
Adopted this 7th day of December, 2000. This resolution shall become effective on the fifteenth day after the date last noted above unless the matter is forwarded to the Governing Body for final action under the provisions of Section V-D.6. When any one or more of the exceptions listed in Section V-D.6 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



Chris Carraher, Chair MAPC

ATTEST:



Marvin S. Krout, Secretary

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AGENDA ITEM NO.

STAFF REPORT

MAPC, 12/7/00

CASE NUMBER: CON2000-00051

OWNER/APPLICANT: Nina M. Day (owner / applicant) / Stephen K. Lester
(contract purchaser / applicant)

AGENT: N/A

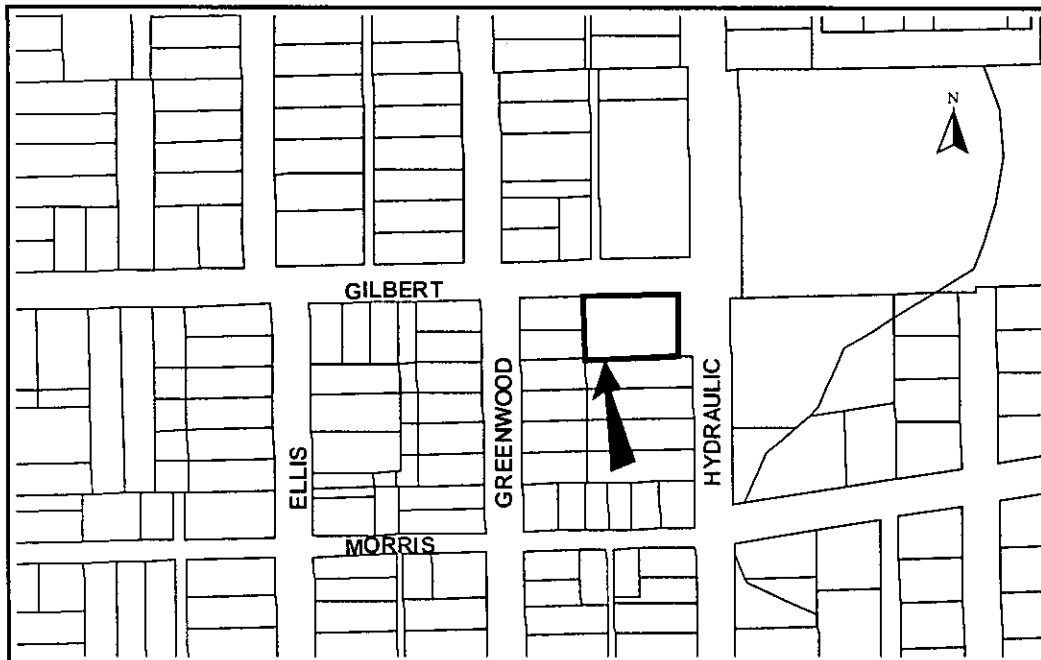
REQUEST: Conditional Use to permit Limited Manufacturing

CURRENT ZONING: "LC" Limited Commercial

SITE SIZE: .43 acre

LOCATION: Southwest corner of South Hydraulic and Gilbert

PROPOSED USE: Woodworking Shop



BACKGROUND: The application area is located at the southwest corner of south Hydraulic and Gilbert. The site is platted as the Day Addition, is .43 acre (16,800 square feet) in size and is vacant. The applicant is seeking a Conditional Use to permit Limited Manufacturing (a woodworking shop) in the "LC" Limited Commercial district. The applicant builds, repairs and refinishes furniture. He wishes to build a 24-foot by 36-foot building (864 square feet) on the site. The building is to be approximately 15 feet tall, have a composition shingle roof and have painted siding. An overhead garage door will be placed to the north. The proposed building is to be located: 32.5 feet from both the northern and southern lot lines; 35 feet from the west property line and 87.5 feet from the east property line. Access to the site is to be off Gilbert. The plat restricts access to one point from Hydraulic; no access controls are evident on Gilbert. He currently maintains standard business hours of 8:00 A.M. to 6:00 P.M.

Surrounding land is zoned "B" Multi-family or "LC" Limited Commercial. Nearby land uses include residences, church and vacant. Land located north of Gilbert is occupied by a church. Land east, across Hydraulic is developed with an apartment complex, vacant and a strip center. Property to the south and west is developed with residences.

The Unified Zoning Code (UZO) permits "limited manufacturing" in the "LC" Limited Commercial zoning district as a Conditional Use subject to conditions:

1. The gross floor area of the manufacturing use shall not exceed 1 square foot of floor area to 3 square feet of lot area.
2. The minimum setback for any building shall be 30 feet.
3. No outside storage is permitted.
4. All parking and loading areas shall be paved and must not cover more than one-half of required open space.
5. The maximum number of employees on any one shift shall not exceed 15 per acre of lot area.

The UZO defines Limited Manufacturing as "...an establishment engaged in the on-site production of goods by hand manufacturing which generally involves only the use of hand tools or other equipment not exceeding two horsepower.... Typical uses include...millwork and cabinetry...."

Zoning screening (fencing, evergreen vegetation or landscaped berms) is required along side and rear yards where nonresidential uses are adjacent to residential zoning. This site will need to provide this screening along the south and west property line. The Landscape Ordinance requires parking lot screening, landscaped street yard and buffer plantings. Landscape buffers consist of a screening wall or fence, and a 15-foot wide strip with one shade tree or two ornamentals every 40 feet.

CASE HISTORY: Z-2476 granted "LC" Limited Commercial in 1982. Day Addition was platted in 1984.

ADJACENT ZONING AND LAND USE:

NORTH: "B" Multi-family Residential; church
SOUTH: "B" Multi-family Residential; single-family residence
EAST: "B" Multi-family Residential & "LC" Limited Commercial;
apartments, vacant, strip center
WEST: "B" Multi-family Residential; residences

PUBLIC SERVICES: Publicly supplied services are available. Hydraulic is a paved arterial and is designated as a future 6-7-lane arterial. Current average daily traffic is 9700 trips.

CONFORMANCE TO PLANS/POLICIES: The "Wichita Land Use Guide" depicts this site as appropriate for Commercial uses. The Plan contains commercial location guidelines stating that:

1. Commercial sites should be located adjacent to arterial streets...to provide needed ingress and egress in order to avoid traffic congestion.
2. Commercial development should have site design features that limit noise, lighting, and other aspects of commercial activity that may adversely impact surrounding residential land uses.
3. Commercially generated traffic should not feed directly onto local residential streets.

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

1. The property shall be developed and maintained in compliance with approved site plans.
2. Permitted uses are those permitted by-right in the "LC" Limited Commercial district plus limited manufacturing (wood working shop)
3. Prior to the issuance of a building permit, the applicant shall submit a landscaped plan for approval by the Planning Director.
4. Any violation of the conditions of approval shall declare the Conditional Use null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood. Surrounding zoning

is either "B" Multi-family Residential or "LC" Limited Commercial. Uses are primarily residential, with other uses being a church, a commercial strip center and vacant. Hydraulic is an arterial street that is scheduled to be improved to 6-7 lanes by 2030. All the land immediately east, across Hydraulic is zoned "LC". This corridor appears to be in a transition from an older pattern of homes fronting an arterial, to a pattern where the homes are being converted or removed to make way for intense uses.

2. The suitability of the subject property for the uses to which it has been restricted. The site is currently zoned "LC". The property has been zoned "LC" since 1984 and has remained vacant. Approval of the request would allow a known user to develop a lot that is currently vacant.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The conditions of approval, required buffers, landscaping and setbacks placed on the property serve to mitigate anticipated negative impacts.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan: The "Wichita Land Use Guide" depicts this site as appropriate for Commercial uses.
5. Impact of the proposed development on community facilities: If developed, traffic will increase. However a use of this size will generate a minimal amount of traffic.

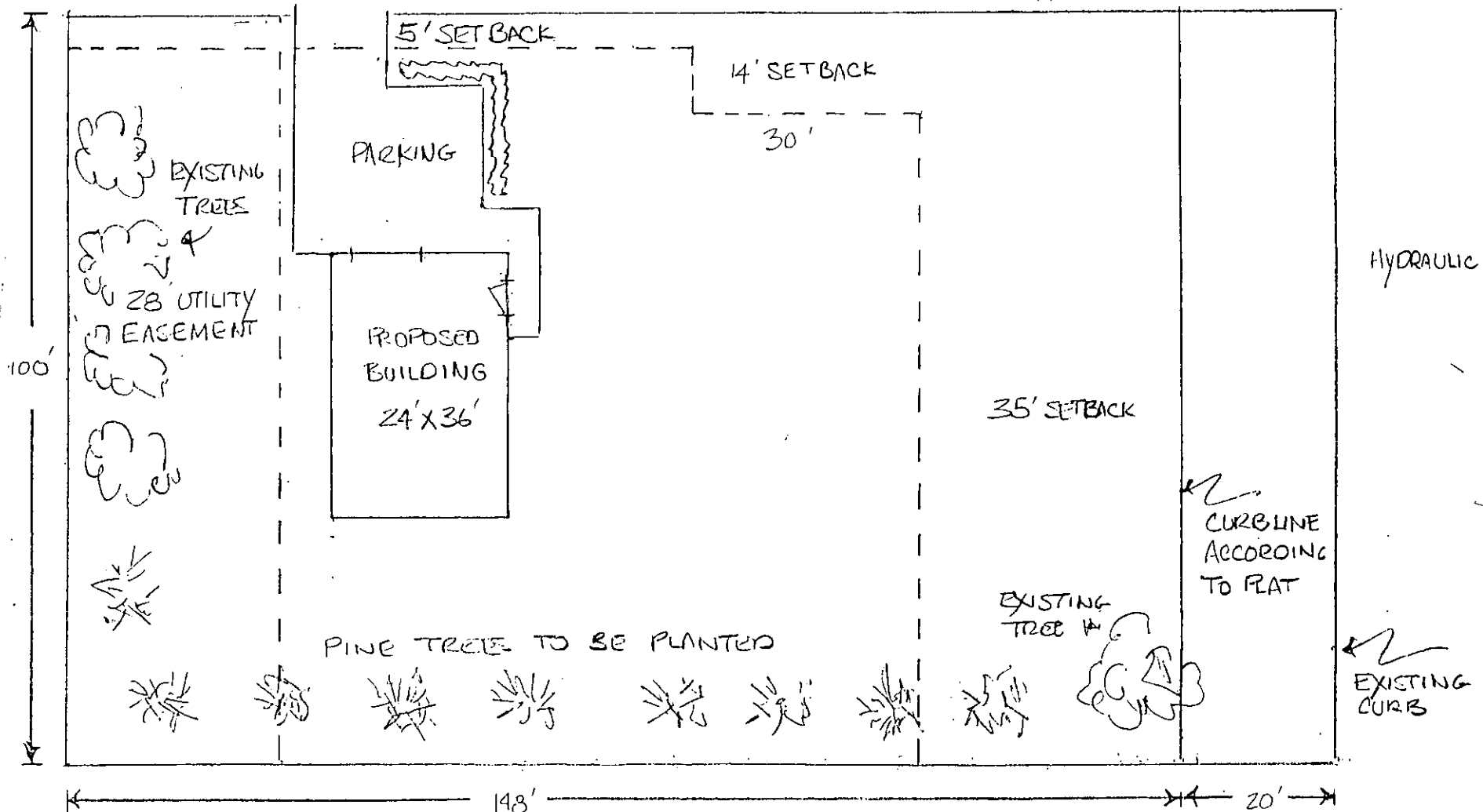
SITE PLAN

GILBERT

APPROVED 12/22/02 BY DM

N

FILE COPY



PROPOSED SITE OF WOODWORKING SHOP

LOT 1, DAY ADDITION, CITY OF WICHITA ~ 1003 S. HYDRAULIC

PROPERTY IS CURRENTLY A VACANT LOT ~ ZONED: LC ~ OWNER: NINA DAY

SCALE 1/4" = 5'