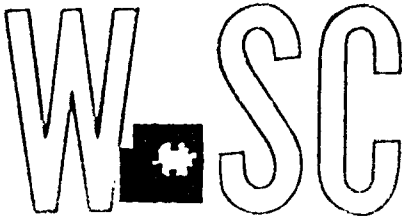


WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421
FAX (316) 268-4390

July 14, 1997

Urban League of Wichita, Inc.
c/o Otis Milton
1802 E. 13th Street North
Wichita, KS 67214

RE: CU-440 - Conditional use to allow parking within the "TF-3" Two-Family Residential District on property generally located 200 feet north of 9th Street, on the west side of Poplar (1025 N. Poplar)

Dear Mr. Milton:

At its regular meeting on June 26, 1997, the Metropolitan Area Planning Commission considered the above-captioned request. The action of the MAPC was to APPROVE the request, subject to conditions stated in the letter dated June 30, 1997.

This action was not accompanied by valid appeals or protest petitions, therefore, the action of the Planning Commission is FINAL. If you have any questions concerning this case, please contact our office at 268-4421.

Sincerely,

Lawrence P. Mitchell
Senior Planner

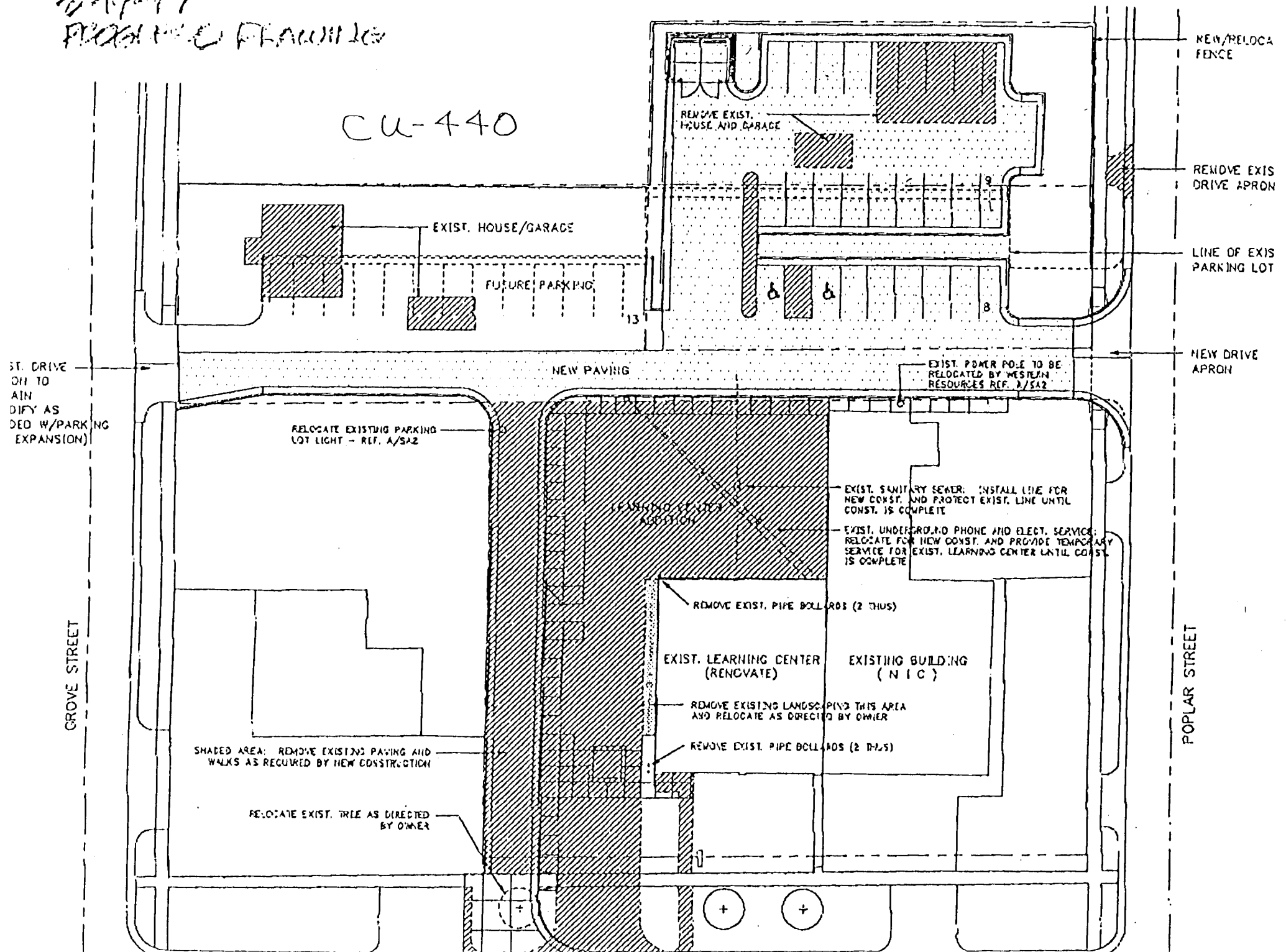
LPM/sh

cc: Prentice F. Lewis, 1802 E 13th Street North, Wichita, KS 67214
Kurt Schroeder, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
Paul Hays, Office of Central Inspection
J.R. Cox, Office of Central Inspection

2-19-97

PROJECT C FRACTION

CU-440





AGENDA ITEM NO. 6

STAFF REPORT

June 26, 1997

*CPQ considered
Request
June 24
Approved
APP(6-0)*

CASE NUMBER: CU-440

APPLICANT/AGENT: Urban League of Wichita, Inc. (applicant)/Prentice Lewis (agent)

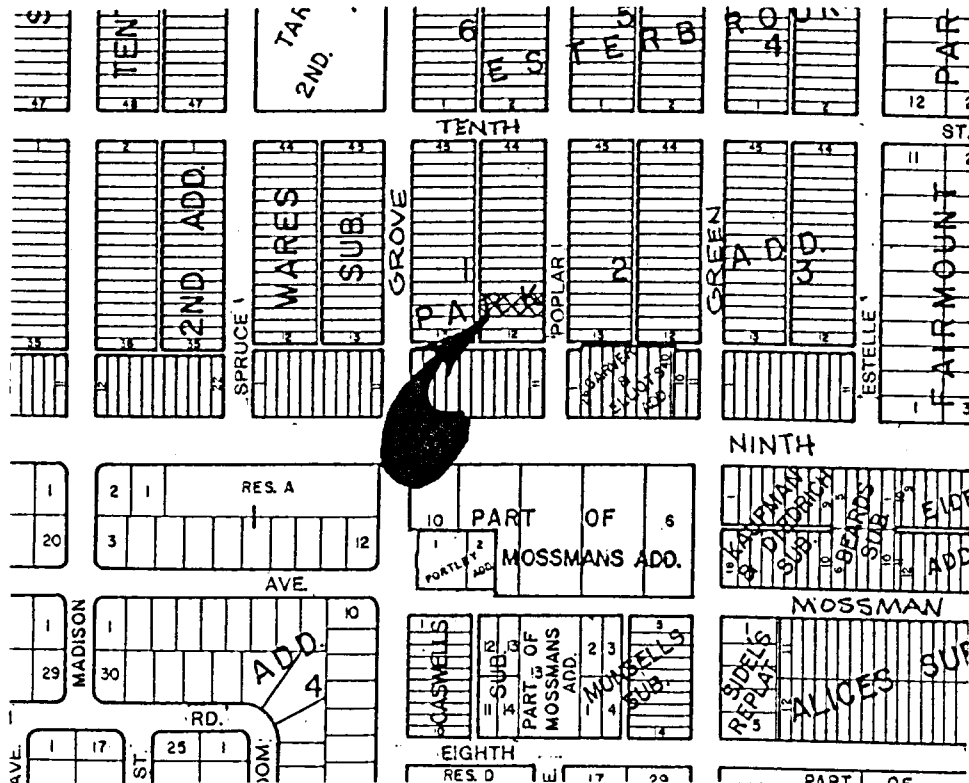
REQUEST: Conditional Use to allow parking in the "TF-3" Two-Family Residential

CURRENT ZONING: "TF-3" Two-Family Residential District

SITE SIZE: 50' x 140'

LOCATION: 200 feet north of Ninth Street, on the west side of Poplar

PROPOSED USE: Parking area to support a community meeting room and training facility



BACKGROUND: The applicant, Urban League of Wichita, Inc., requests a conditional use to permit off-street parking in a "TF-3" Two-Family Dwelling District. The applicant proposes to remove an existing home and detached garage on the site and develop it with additional parking for their facility, which is located at 2418 E. 9th, just southwest of the lot in question. The applicant is expanding their existing facility to the west, which will eliminate all of the 20 existing parking spaces along the west side of the building. The activities that the proposed parking area will support is an adult training program which operates two class per day, 8:00 a.m. to 12:00 noon and 1:00 p.m. to 5:00 p.m. and then an evening 5:30 p.m. to 7:30 p.m. youth education enhancement program. The applicant has indicated that programs offered at this facility have resulted in only a maximum of 15 parking spaces being used at any given time.

The applicant requested and received a use exception, BZA 22-93, in 1993 to install a parking lot on a 50' x 140' area north of an alley behind the existing facility. Now, due to the applicant expansion plans, they desire to expand the parking area an additional 50 feet to the north and combine it with the existing parking area and provide 26 parking spaces. The site plan as submitted indicates that all 26 parking spaces will be accessed from the alley by means of a widened alley approach. The Urban League has attempted to vacate the alley but one property owner to the west has refused to sign the vacation petition. The applicant has indicated that the existing drive to Poplar from the application area will be closed.

The applicant has provided a site plan for the development of the parking area, but it must be revised to indicate that appropriate screening will be provided along the north and west property line by constructing a 6-foot high wooden screening fence. The applicant will also be required to develop a landscape plan to provide appropriate screening of the parking area from Poplar. The solid screening fence and appropriate landscaping should provide for adequate screening from the north, west and east.

The Planning Commission is being asked to consider this request of off-street parking in "TF-3" because the Unified Zoning Code has eliminated "Use Exceptions" which previous to the new code were the responsibility of the Board of Zoning Appeals. "Use Exceptions" have become "Conditional Uses" under the new code and the one now under the authority of the Planning Commission.

CASE HISTORY: There is no specific case history on the application area but the two "TF-3" lots south of the area were granted a use exception, BZA 22-93, in October 1993, by the Board of Zoning Appeals, to use those lots for parking purposes subject to screening requirements.

ADJACENT ZONING AND LAND USE:

NORTH:	"TF-3"	Single-Family Dwelling
SOUTH:	"TF-3 & LC"	Office/Cleaners
EAST:	"TF-3"	Single-Family Dwelling
WEST:	"TF-3"	Single-Family Dwelling

PUBLIC SERVICES: The site is developed and has access to all public and municipal services.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies this area as Low Density Residential.

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 parking area shall be used for passenger vehicles only and in no case shall it be used for sales, repair work, storage, dismantling or servicing of any vehicles, equipment, materials or supplies.
2. Only such signs as are necessary for the proper operation of the parking lot shall be permitted.
3. In no case shall a fee be charged for parking facilities provided hereunder.
4. The off-street parking lot shall be paved with concrete, asphaltic concrete, or asphalt and shall be maintained in good condition and free of weeds, dust, trash and other debris.
5. The parking area shall have adequate guards to prevent the extension or the overhanging of vehicles beyond property lines or parking spaces; and the parking area shall have adequate markings for channelization and movement of vehicles.
6. If lighting facilities are provided, they shall be limited to 15 feet in height, and designed so as to direct or deflect light away from adjacent residential properties.
7. There shall be no parking in the required 25-foot front yard setback. The front yard setback area shall remain unpaved and shall be landscaped with a minimum of one shade tree and grass or other acceptable ground cover, plus an evergreen hedge with a mature height of at least 3 feet. Plant materials shall be maintained and replaced when necessary.

8. A six-to-eight foot solid wood fence shall be constructed along the west and north property lines, stopping at the front 25-foot setback line. The finished side shall face outward.
9. The six-to-eight foot solid wood screening fence along the north property line as part of BZA 22-93 shall no longer be required.
10. Prior to the development of the site as a parking area, the applicant shall submit a revised site plan to the traffic engineer that indicates that access to the parking area and the internal circulation of the parking area is acceptable. The applicant shall also develop and submit a landscape/screening plan in accordance with code requirements for review and approval before the parking lot is developed.
11. Any violation of the conditions of approval shall render the conditional use permit null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The area to the south is predominately commercial in nature with "LC" zoning, while the areas to the north, west, and east are zoned "TF-3", remain residential in character. These are the same characteristics that existed before the requested expansion of the parking area.
2. The suitability of the subject property for the uses to which it has been restricted: The property should be suitable for parking purpose once the appropriate screening and landscaping is installed which will protect the residential dwellings to the north, west and east.
3. Conformance of the requested change to adopted or recognized Comprehensive Plan: Unofficial Planning Commission policy supports the expansion of existing facilities and in this case the expansion is a parking area that can effectively screened to protect residential areas.
4. Impact of the proposed development on community facilities: The proposed parking area will not require municipal sewer and water service and Poplar is a paved street.