

CONDITIONAL USE RESOLUTION NO. CU-539

WHEREAS, Advantage Properties (owner/applicant); John Tassett (Agent), 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 ancillary parking on 0.14 acres zoned "SF-6" Single-Family Residential described as:

Lot 9, Block AA, Audrey Matlock Heights First Addition, Wichita, Sedgwick County, Kansas. Generally located north of 21st Street North and east of Prince.

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 September 16, 1999, 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 ancillary parking on 0.14 acres zoned "SF-6" Single-Family Residential described as

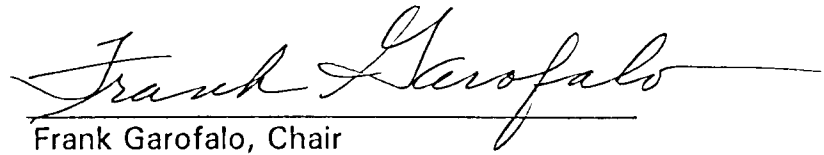
Lot 9, Block AA, Audrey Matlock Heights First Addition, Wichita, Sedgwick County, Kansas. Generally located north of 21st Street North and east of Prince.

subject to the following conditions:

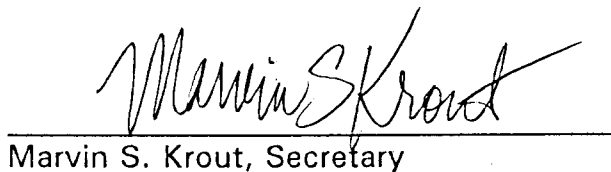
1. Development of the parking lot shall comply with the submitted site plan, an approved Landscape plan, and with the standards listed in Section III-D.6.p of the Unified Zoning Code.
2. The applicant shall dedicate an additional 2 feet of utility easement along the rear property line by separate instrument.
3. Any violation of the conditions approved as part of this request shall render the conditional use null and void.
4. The site shall be developed in general conformance as with the approved site plan attached to and made a part of this resolution.

Adopted this 16th day of September, 1999. 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


Frank Garofalo, Chair

ATTEST:


Marvin S. Krout, Secretary

for CU-539

APPROVED 9-16-99 BY L. Vento

LEGAL

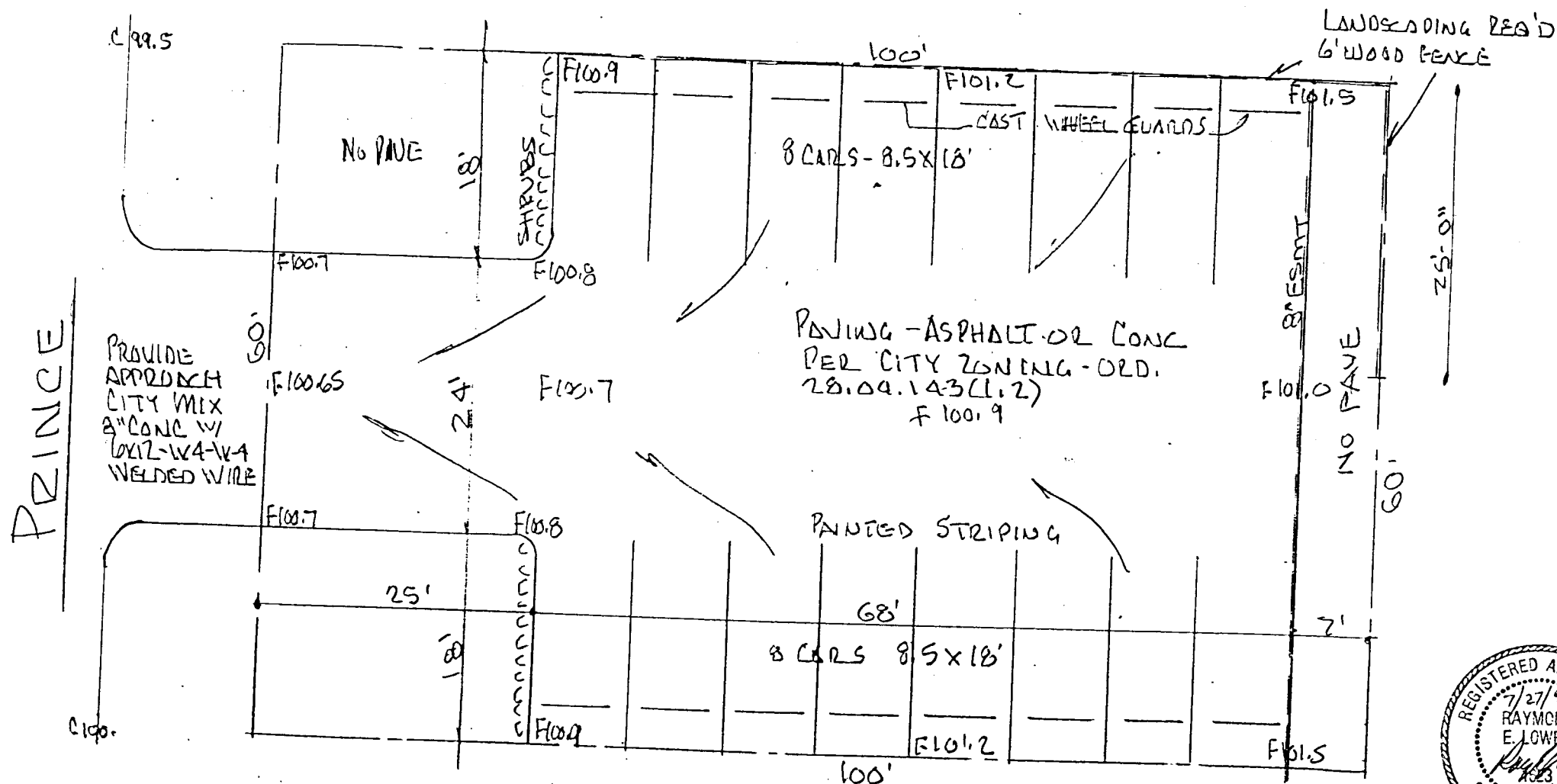
MATLOCK HEIGHT ADDIT
BLOCK A-A-LGT 9
WICHITA KS

KEY-C-21184

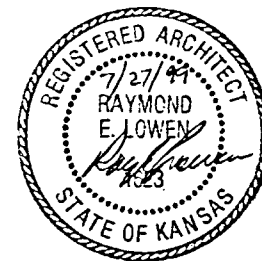
ZONED-RESID.

OWNER-ADVANTAGE PROP.

NORTH



SITE PLAN - SCALE - 1" = 10'-0"





AGENDA ITEM NO. _____

STAFF REPORT

CPO(1) September 13, 1999

MAPC September 16, 1999

CASE NUMBER: CU-539

APPLICANT/AGENT: Advantage Properties (owner/applicant); John Tassett (Agent)

REQUEST: Conditional Use to allow ancillary parking

CURRENT ZONING: "SF-6" Single-Family Residential

SITE SIZE: 0.14 acres

LOCATION: North of 21st Street North and east of Prince

PROPOSED USE: Additional Parking for Kay Plaza Offices



BACKGROUND: The applicant is requesting a Conditional Use to allow off-street parking on property zoned "SF-6" Single-Family Residential. The property is located north of 21st Street North and east of Prince; it consists of one vacant lot that is 60 feet wide by 100 feet long and fronts on Prince. According to the applicant, this parking will be used as additional parking for County Personnel in the adjacent Kay Plaza strip center.

The site is bordered to the north and west by single-family homes on property zoned "SF-6" Single-Family Residential. To the south is a vacant lot that is zoned "LC" Limited Commercial. The property to the east has a single-family home on property zoned "SF-6" Single-Family Residential and an Optometry office on property zoned "GO" General Office.

The applicant has provided a site plan for the development of the parking area. The parking lot will accommodate sixteen (16) parking spaces and be screened with a six-foot wood fence along the north boundary and the north 25 feet of the east boundary; this screening is required on all boundaries adjacent to residentially zoned property. This site will be required to meet the requirements of the City of Wichita Landscape Ordinance. A landscaping plan has been submitted for the approval of the Planning Director.

The lot currently has an 8-foot half-utility easement along the rear property line. In an attempt to upgrade these easements to today's standards, the City of Wichita will ask for an additional 2 feet of utility easement to bring the total easement up to 20 feet.

CASE HISTORY: The subject property is in the Audrey Matlock Heights 1st Addition, which was platted January 16, 1951.

ADJACENT ZONING AND LAND USE:

NORTH: "SF-6" – Single-Family Home
SOUTH: "LC" – Vacant
EAST: "SF-6" & "GO" – Single-Family Home and Optometry Office
WEST: "SF-6" – Single-Family Home

PUBLIC SERVICES: Municipal water and sewer is available to this site. Prince Street, a local street, provides access to this site, but no traffic volumes are available

CONFORMANCE TO PLANS/POLICIES: The Land Use map of the Comprehensive Plan identifies this area as appropriate for Low Density Residential and part of a "Re-establishment" area. The MAPC has an unofficial policy of supporting the expansion of existing businesses when appropriate.

RECOMMENDATION: Based on information available prior to public hearings, planning

staff recommends that the request be APPROVED, subject to the following conditions:

1. Development of the parking lot shall comply with the submitted site plan, an approved Landscape plan, and with the standards listed in Section III-D.6.p of the Unified Zoning Code.
2. The applicant shall dedicate an additional 2 feet of utility easement along the rear property line by separate instrument.
3. Any violation of the conditions approved as part of this request shall render the conditional use null and void.

The staff's recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The area to the south of this property is transitional in nature. This use, although mixed with existing residential homes, provides a relatively low-impact transition from commercial uses along 21st Street North to low-density residential uses. The required landscaping along Prince and the solid fencing should help to minimize the impact on the surrounding residential uses.
2. Suitability of the subject property for the uses to which it has already be restricted: The site is currently zoned "SF-6" Single-Family Residential and could remain as such; however the lot has been vacant for some time without any move to build a single-family home. The proximity to 21st Street North makes this lot less than ideal for the construction of a new home.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Given that the lot is currently vacant and unattended, regular upkeep of landscaping and driveways should add to the appearance of the neighborhood. This use should not detrimentally affect any nearby property given the screening requirement.
4. Conformance of the requested change to adopted or recognized Plans/Policies: The Comprehensive Plan recognizes this area as a transition region and would support commercial uses. The MAPC has an unofficial policy of supporting the expansion of existing businesses when appropriate.
5. Impact of the proposed development on community facilities: The proposed parking areas will not require municipal sewer and water services, except for landscaping requirements. Prince is a paved street, which will be minimally impacted by the increase in traffic.