



Wichita-Sedgwick County Metropolitan Area Planning Department

July 7, 2017

Kaw Valley Engineering
Attn: Tim Austin
200 N. Emporia #100
Wichita KS 67202

Richard E. Alcorn
310 Cheryl
Wichita, KS 67209

RE: CON2017-00018 – Conditional Use, Concrete Plant, 4605 Southwest Blvd.

Dear Mr. Austin,

At its regular meeting on **June 8, 2017**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request in accordance with the attached resolution.

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

Sincerely,

David M. Clements
Principal Planner

DCM:al

Attachment

Copies to: MABCD
Jeff Blubaugh, Council Member District IV
Rebecca Fields, CSR District II

CONDITIONAL USE RESOLUTION NO. CON2017-00018

WHEREAS, Richard Alcorn (applicant) pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requests a Conditional Use for a Concrete Plant, General on property zoned LI Limited Industrial District at 4605 Southwest Boulevard, and legally described as:

That part of Lot 2, Block 2, Lakeside Mobile Home Park 2nd Addition to Wichita, Sedgwick County, Kansas, more fully described as: Beginning at the Northwest corner of said Lot 2; thence N 57 degrees 18'10" E along the Northerly line of Lot 2, 634.78 feet; thence S 18 degrees 51'44" W, 578.68 feet; thence S 15 degrees 36'04" W, 410.83 feet to the Westerly line of said Lot 2; thence Northwesterly along the Westerly line of said Lot 2 and along a curve to the right having a radius of 11059.19 feet, a distance of 645.43 feet, said chord bearing being N 21 degrees 30'35" W, 645.34 feet to the point of beginning.

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 June 8, 2017, 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 allow a Concrete Plant, General, on property zoned LI Limited Industrial District described as:

That part of Lot 2, Block 2, Lakeside Mobile Home Park 2nd Addition to Wichita, Sedgwick County, Kansas, more fully described as: Beginning at the Northwest corner of said Lot 2; thence N 57 degrees 18'10" E along the Northerly line of Lot 2, 634.78 feet; thence S 18 degrees 51'44" W, 578.68 feet; thence S 15 degrees 36'04" W, 410.83 feet to the Westerly line of said Lot 2; thence Northwesterly along the Westerly line of said Lot 2 and along a curve to the right having a radius of 11059.19 feet, a distance of 645.43 feet, said chord bearing being N 21 degrees 30'35" W, 645.34 feet to the point of beginning.

Subject to the following conditions:

1. The Conditional Use shall be operated as depicted in Conditional Use Site Plan by Kaw Valley Engineering, dated 4/28/17.
2. A parking plan shall be submitted as required by the UZC indicating required parking spaces and parking for persons with disabilities.
3. All parking areas shall be concrete or other comparable hard surface, and shall be paved within 24 months of the approval date. Aggregate storage areas may be a gravel surface.
4. The subject property is in Zone A of the Wichita-Sedgwick County Airport Hazard Zoning Map. The 55-foot concrete plant tower requires review and permit approval by the Federal Aviation Administration.

5. The existing tree line east of the subject site is considered to be appropriate to meet the screening requirements of the UZC abutting Lakeside Mobile Home Park. The applicant shall provide supplemental screening should the existing tree line be removed.
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 Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

Adopted this 8 Day of June 2017

METROPOLITAN AREA PLANNING COMMISSION



David W. Foster, Chair MAPC

ATTEST:



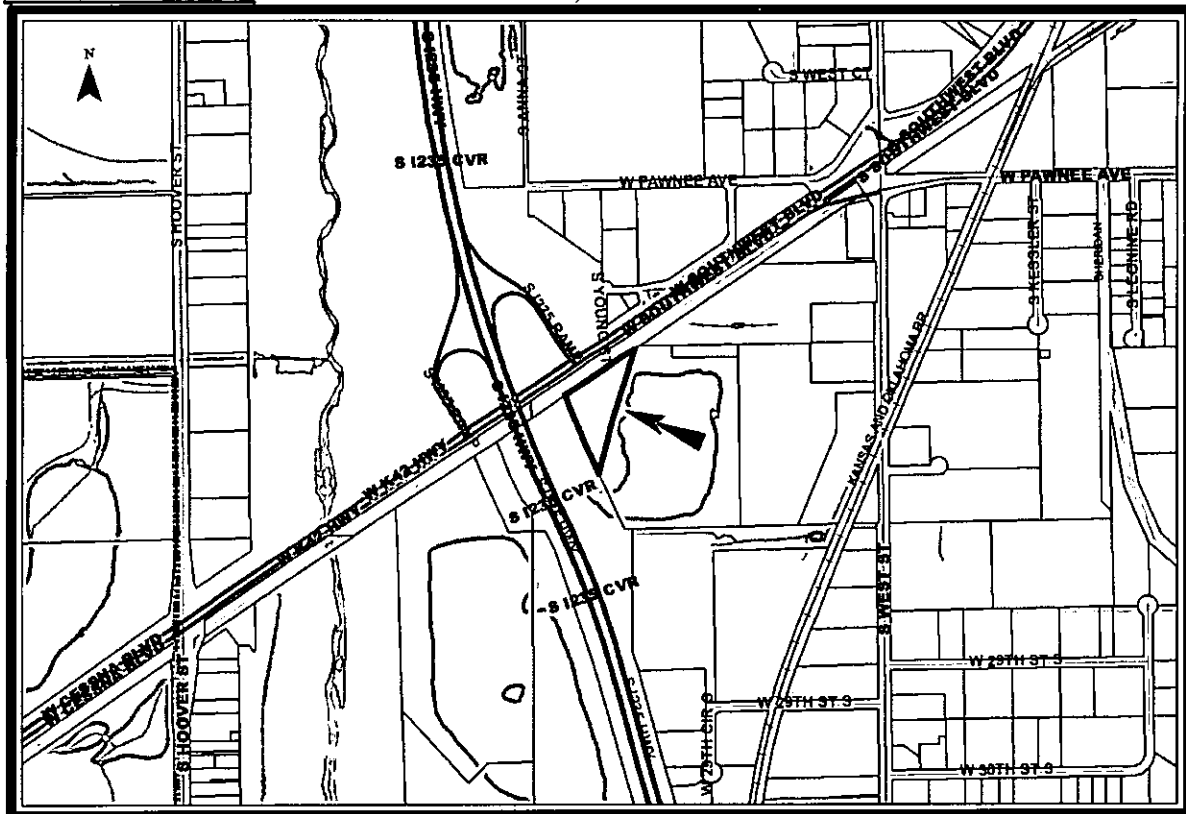
David M Clements, Secretary

STAFF REPORT

MAPC June 8, 2017

DAB IV June 5, 2017

- CASE NUMBER:** CON2017-00018
- OWNER/APPLICANT:** Richard Alcorn/Kaw Valley Engineering, Tim Austin
- REQUEST:** A Conditional Use to permit an Asphalt or Concrete Plant, General
- CURRENT ZONING:** LI Limited Industrial
- SITE SIZE:** 4.5-acres
- LOCATION:** Generally located at the southeast corner of I-235 and West Southwest Boulevard (4605 West Southwest Boulevard)
- PROPOSED USE:** Concrete Plant, General



BACKGROUND: This application was filed to request a Conditional Use for a Concrete Plant at 4605 West Southwest Boulevard, the southeast corner of I-235 and West Southwest Boulevard.

The Unified Zoning Code (*UZC*) defines a Concrete Plant, General as *an establishment engaged in the manufacture, mixing, batching, or recycling of asphalt, asphaltic cement, cement and concrete products*. This is a different definition than an asphalt or concrete plant, limited. A limited plant is a temporary establishment for use on government funded construction projects.

The subject site is a 4.5-acre site that most recently was occupied by a construction company. The property includes an office, an accessory shop structure, and gravel parking and driveways. The applicant would like to utilize the existing structures for the business and install a concrete batch plant. The site would include outdoor storage of sand and rock to be used in concrete production. These outdoor storage areas would be in a 10-foot containment area. Please see the attached site plan.

The applicant explains that the concrete plant would provide product for local construction projects. The facility would have daily hours of operation, with extended hours in the summer. The number of employees would vary based on concrete demand. The concrete plant would begin operations with approximately seven trucks. The concrete plant has a height of 55 feet.

Lakeside Mobile Home Park is east of the proposed concrete plant. The Unified Zoning Code (*UZC*) would require screening of the proposed concrete plant from this abutting residential use. There is an existing tree line on the east side of property, along the shoreline of the adjoining lake. This tree line is considered to be sufficient for meeting the screening requirements of the *UZC*.

Inasmuch as this is a new use of the property, the *UZC* would require a parking plan be submitted prior to issuance of any building permit. The parking plan shall make provisions for required parking for persons with disabilities. There is sufficient area for off-street parking to meet the code requirements of the code.

The driveway and maneuvering areas at the site are gravel. The *UZC* would require a concrete or other comparable hard surface for these areas.

The subject property is in Zone A of the Wichita-Sedgwick County Airport Hazard Zoning Map. The 55-foot concrete plant tower would require review and permit approval by the Federal Aviation Administration.

Property in the area is characterized by industrial and commercial land uses. There are many industrial uses in this I-235 corridor. North of the site is right-of-way of West Southwest Boulevard, and a Kansas Department of Transportation storage facility. South of the site is a trucking and freight terminal. A manufactured home community is east of the site that includes a large lake abutting the property. West of the property is the right-of-way of I-235, with Dwight

D. Eisenhower National Airport a short distance farther west.

CASE HISTORY: The property is platted as Lot 2 in Block 2 of Lakeside Mobile Home Park Addition, 1984. Lakeside Mobile Park is a fully developed manufactured home community east of the lake abutting the subject property.

ADJACENT ZONING AND LAND USE:

| | | |
|--------|----|---|
| NORTH: | LI | West Southwest Highway right-of-way, Kansas Department of Transportation storage facility |
| SOUTH: | LI | trucking and freight terminal |
| EAST: | MH | manufactured home community |
| WEST: | LI | I-235 right-of-way, industrial uses. |

PUBLIC SERVICES: West Southwest Boulevard is a fully improved, divided arterial highway. There is no public sewer or water at the property. The concrete plant will operate with a private well and on-site septic system.

CONFORMANCE TO PLANS/POLICIES: The *Community Investment Plan* Future Growth Map, identifies the application area as Industrial. The plan makes provisions for manufacturing, warehousing, distribution, construction, extraction and processing of natural resources along major highways, railroads and near airports. The proposed use meets these criteria of the *Community Investment Plan*.

RECOMMENDATION: The proposed Conditional Use is a reasonable use of the property, and is consistent with existing land-uses in the area. The application also complies with the policies of the *Community Investment Plan*. Based upon information available prior to the public hearings, planning staff recommends that the Conditional Use be *APPROVED*, with the following conditions:

1. The Conditional Use shall be operated as depicted in Conditional Use Site Plan by Kaw Valley Engineering, dated 4/28/17.
2. A parking plan shall be submitted as required by the *UZC* indicating required parking spaces and parking for persons with disabilities.
3. All parking areas shall be concrete or other comparable hard surface, unless otherwise approved by the Board of Zoning Appeals. Aggregate storage areas may be a gravel surface.
4. The subject property is in Zone A of the Wichita-Sedgwick County Airport Hazard Zoning Map. The 55-foot concrete plant tower requires review and permit approval by the Federal Aviation Administration.
5. The existing tree line east of the subject site is considered to be appropriate to meet the

screening requirements of the UZC abutting Lakeside Mobile Home Park. The applicant shall provide supplemental screening should the existing tree line be removed.

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 Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** Property is the area is characterized by industrial and commercial land uses. There are many industrial uses in this I-235 corridor. North of the site is right-of-way of West Southwest Boulevard, and a Kansas Department of Transportation storage facility. South of the site is a trucking and freight terminal. A manufactured home community is east of the site that includes a large lake abutting the property. West of the property is the right-of-way of I-235, with Dwight D. Eisenhower National Airport a short distance farther west.
2. **The suitability of the subject property for the uses to which it has been restricted:** The property is in an excellent location for uses permitted in the LI district. The location has excellent highway access, and there are many industrial and manufacturing uses in the area. The concrete plant is a reasonable use of the property, and can be considered and approved with a Conditional Use, subject to meeting all applicable requirements of the UZC.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** The subject property had previously been used by a construction company. This use had limited outdoor storage and truck traffic. The proposed concrete plan would be a more intensive use of the site, but the nearest residential use is approximately 900 feet to the east in the Lakeside Mobile Home Park. As previously noted, there is a substantial tree line on the east side of the subject property, and the mobile home community is separated from the concrete plant site by a large lake.
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 allow a reasonable re-use of the property, and provide an operation to support the local construction industry.
5. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The Community Investment Plan Future Growth Map, identifies the application area as Industrial. The plan makes provisions for manufacturing, warehousing, distribution, construction, extraction and processing of natural resources along major highways, railroads and near airports. The proposed use meets these criteria of the Community Investment Plan.

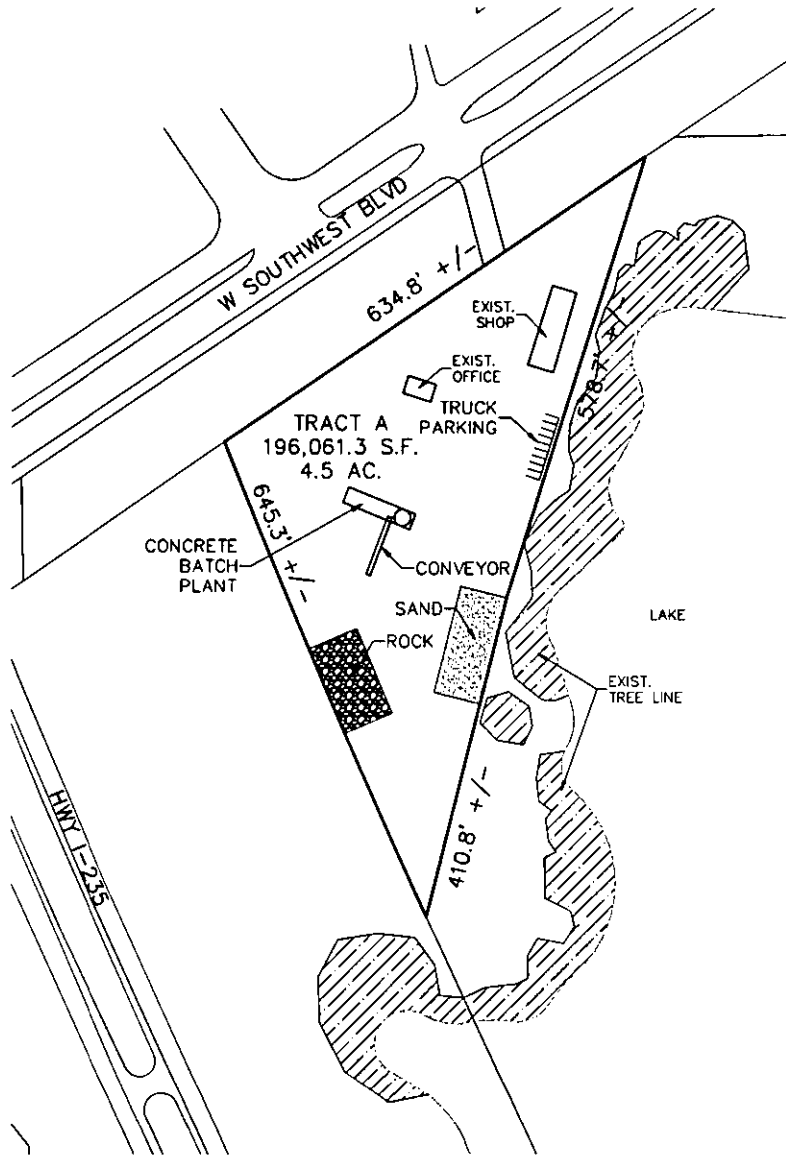
7. **Impact of the proposed development on community facilities:** The proposed concrete plant would have no significant impact on community facilities. The use will operate with a well and septic field, and will not require municipal utilities. Truck traffic from the site should have no negative impact on West Southwest Boulevard.

Staff Report Attachments:

1. Conditional Use Site Plan-5/16/17
2. Aerial-4/28/17

CON 2017_XXXXX

CONDITIONAL USE TO ALLOW READY-MIX PLANT



ADDRESS: 4605 SW BOULEVARD
CURRENT ZONING: LI, LIMITED INDUSTRIAL

LEGAL DESCRIPTION:

THAT PART OF LOT 2, BLOCK 2, LAKESIDE MOBILE HOME PARK 2ND ADDITION, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT NORTHWEST CORNER OF SAID LOT 2; THENCE NORTHEASTERLY ALONG THE NORTH LINE FOR A DISTANCE OF 634.78 FEET; THENCE SOUTHWESTERLY FOR A DISTANCE OF 578.7 FEET; THENCE SOUTHWESTERLY FOR A DISTANCE OF 410.83 FEET TO THE WEST LINE OF SAID LOT 2; THENCE NORTHWESTERLY ALONG THE WEST LINE OF SAID LOT 2 FOR A DISTANCE OF 645.3 FEET TO THE POINT OF BEGINNING.

