

CONDITIONAL USE RESOLUTION NO. CON-2001-00062

WHEREAS, City of Wichita, c/o Norman Jakovac (applicant); Law/Kingdon, Inc., c/o Gregg Wilhite, (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 the expansion of the existing Public Works Substation facility on approximately 13.913 acres zoned "SF-5" Single-Family Residential described as:

Lot 1, West Sub-Station Second Addition, to Wichita, Sedgwick County, Kansas. AND

Lot 1, Block A West Sub-Station Addition, to Wichita, Sedgwick County, Kansas. Generally located southwest of the Central Avenue W – I-235 Intersection and east of the Wichita – Valley Center Flood Control.

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 January 10, 2002, 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 the expansion of the existing Public Works Substation facility on approximately 13.913 acres zoned "SF-5" Single-Family Residential described as:

Lot 1, West Sub-Station Second Addition, to Wichita, Sedgwick County, Kansas. AND

Lot 1, Block A West Sub-Station Addition, to Wichita, Sedgwick County, Kansas. Generally located southwest of the Central Avenue W – I-235 Intersection and east of the Wichita – Valley Center Flood Control.

subject to the following conditions:

1. A landscape buffer/screening of approved evergreen trees will be planted behind all existing chain linked fence along the West St. Louis Avenue frontage, along the east side of the West Sub-Station 2nd Addition, along the West 3rd Street frontage (ending at the parking lot) and on the south side of Lot1, Blk A, West Sub-Station Addition. The evergreens will be spaced at 15-ft centers and be a minimum of 5-ft in height at the time of planting. Suggested evergreens include Austrian Pine, Southwestern Pine, or Pinyon Pine. All other frontages and parking areas shall meet landscape requirements. All landscaping shall be in place within a year of the approval

- of this Conditional Use.
2. Access to the sites shall be off Gilda. No access off of West St Louis Street. No access off of West 3rd Street except off the existing entrance from Lot 1, Blk A, West Substation Addition (the south site) onto the paved east section of West 3rd Street. No access onto the unpaved section of West 3rd Street until it is completely paved. Public Works Fleet traffic from the sites to Central and from Central to the sites shall be limited to Gilda Street and the paved section(s) of West 3rd Street. No other roads are to be used by the Public Works' Fleet to and from the site.
 3. All materials stored outside shall be behind the evergreen buffer/screening and behind the current setback lines for SF-5 Single Family Residential. Setbacks for West Sub-Station 2nd Add, are 25-ft on the (north) West St Louis frontage, 15-ft on the east side, 6-ft on the west side and 20-ft on the south side. Setbacks for Lot 1, Blk A, West Station Addition are 25-ft along the (north) West 3rd Street frontage, 15-ft along (east) the Gilda Street frontage, 20-ft along the south side and 6-ft on the west side.
 4. The current 6-ft chain link fence with 3 strands of barbed wire shall be maintained in good condition.
 5. Development of the site shall be in conformance with the approved Site Plan.
 6. Any violation of the conditions approved as a part of this request shall render the Conditional Use null and void.


Adopted this 10th day of JANUARY, 2002. 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



J.D. (Jerry) Michaelis, Chair MAPC

ATTEST:



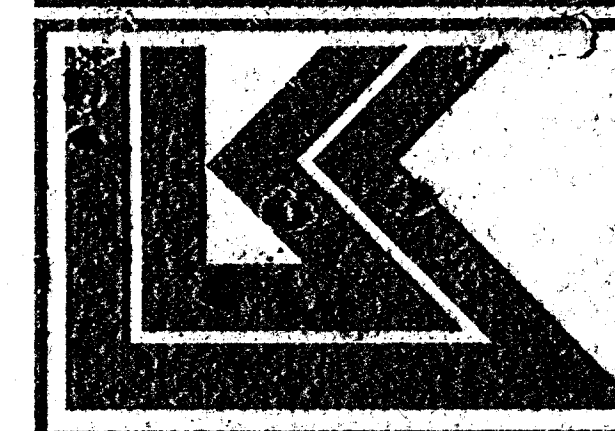
Marvin S. Krout, Secretary MAPC

PRINTS ISSUED

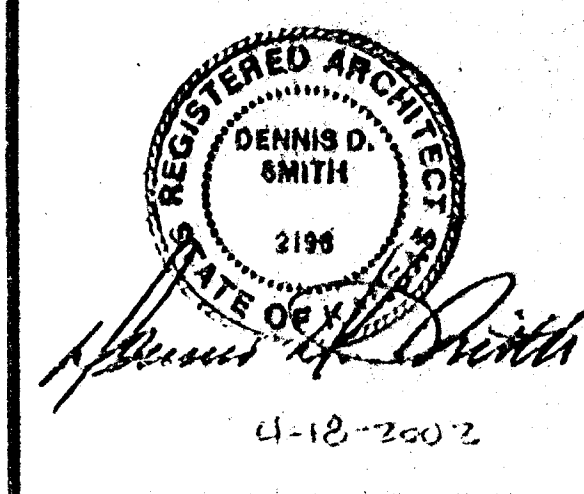
DATE	PURPOSE	NO.
11/13/0	CONDITIONAL PERMIT	
1/19/02	FOR OWNER & CITY REVIEW	
4/10/02	CITY REVIEW COMMENTS	

FOR CONSTRUCTION:

REVISIONS		
DATE	ITEM	NO.
4/10/02	CITY REVIEW COMMENTS	1
4/10/02	ADDENDUM ITEM	2



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ARCHITECTS & ENGINEERS
345 RIVERVIEW, WICHITA, KS 67203
Phone (316) 268-0230 Fax (316) 268-0209
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DRAWN	CHECKED
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WEST SUBSTATION FACILITY
WICHITA WATER & SEWER DEPARTMENT
WICHITA, KANSAS 67216

PROJECT NUMBER 75210-40

CONTACT - BILL O'NEAL
PROJECT ARCHITECT
316.268.0230 EXT. 384
316.264.9528 fax

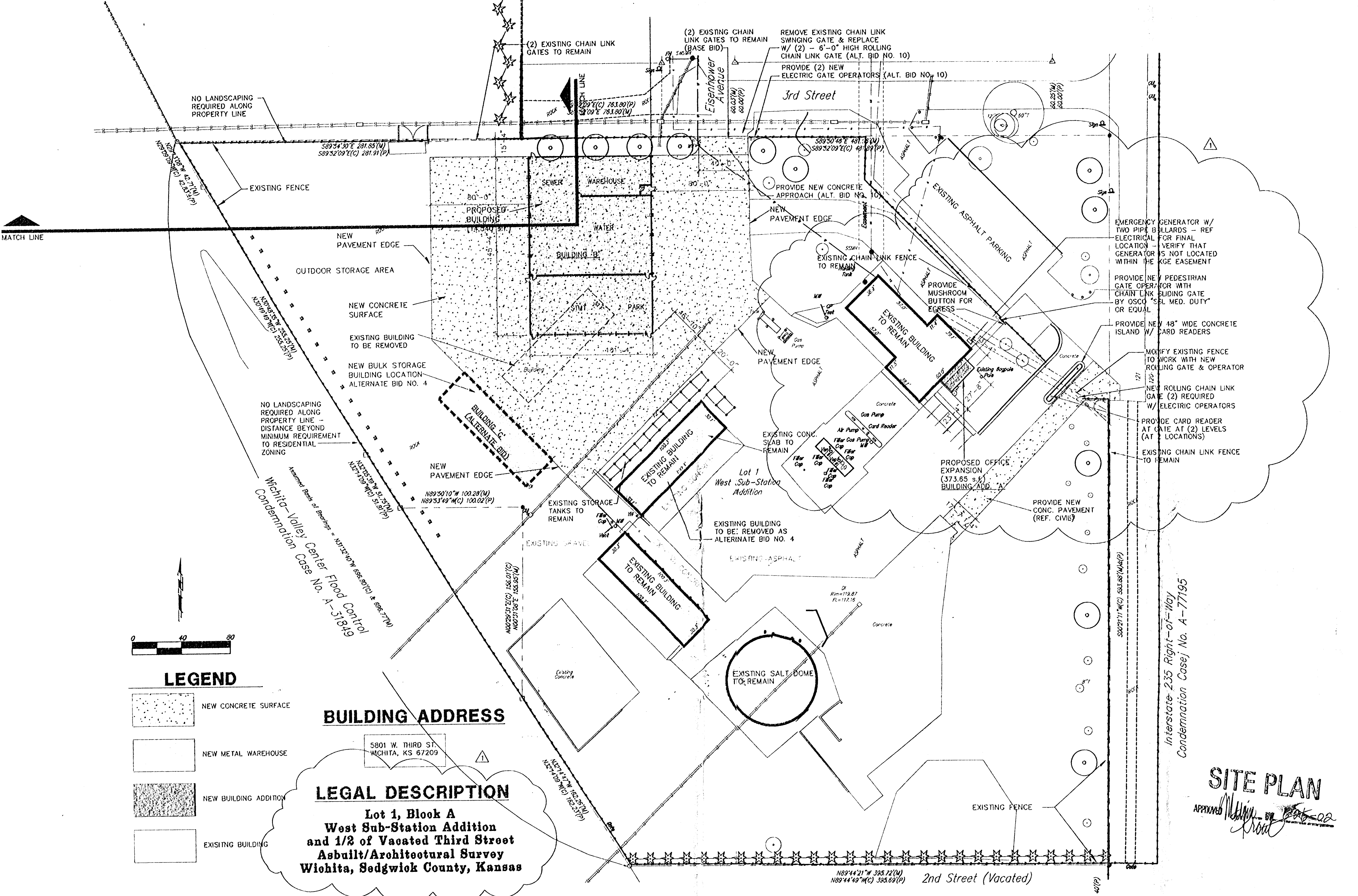
SITE ARCHITECTURAL PLAN
SOUTH PORTION

SHEET TITLE

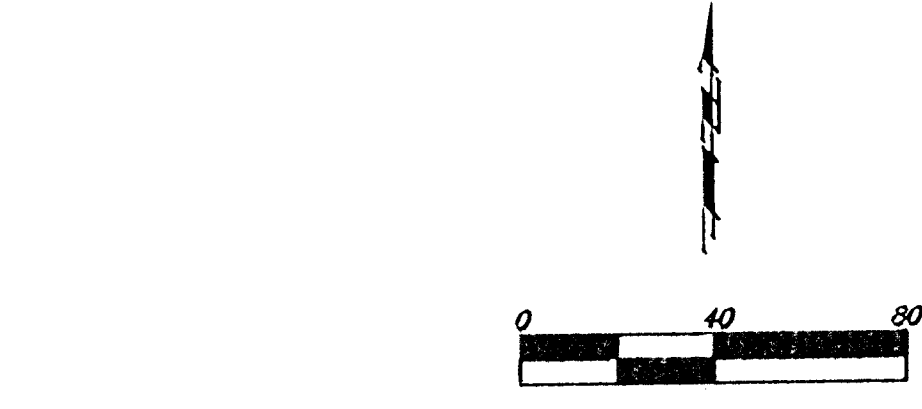
SHEET NUMBER

SA1

OF SHEET



MATCH LINE



LEGEND

- NEW CONCRETE SURFACE
- NEW METAL WAREHOUSE
- NEW BUILDING ADDITION
- EXISTING BUILDING

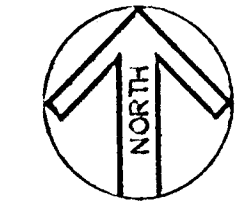
BUILDING ADDRESS

5801 W. THIRD ST.
WICHITA, KS 67209

LEGAL DESCRIPTION

Lot 1, Block A
West Sub-Station Addition
and 1/2 of Vacated Third Street
Asbuilt/Architectoral Survey
Wichita, Sedgwick County, Kansas

A SITE ARCHITECTURAL PLAN
1" = 40'-0"



ALTERNATE BID ITEM:

- ALTERNATE NUMBER 4: REMOVE EXISTING BUILDING AND PROVIDE NEW METAL BULK STORAGE BUILDING & ASSOCIATED SITEMWORK & UTILITIES.
- ALTERNATE NUMBER 10C: PROVIDE NEW CONCRETE APPROACH AND (2) NEW ROLLING CHAIN LINK GATES W/ ELECTRICAL OPERATORS.
- ALTERNATE NUMBER 13C: PROVIDE STAND-BY GENERATING SYSTEM.
- ALTERNATE NUMBER 15C: PROVIDE NEW LANDSCAPING.
- ALTERNATE NUMBER 21C: PROVIDE ELECTRIC GATE OPERATOR & RELATED ACCESSORIES AND (2) ROLLING GATES
- ALTERNATE NUMBER 23: PROVIDE NEW BRICK SCREEN WALL ALONG THE NORTH AND EAST PROPERTY LINES ON SECOND ADDITION LOT 1 IN ADDITION TO THE LANDSCAPING.
- ALTERNATE NUMBER 27C: PROVIDE SECURITY SYSTEM INCLUDING BUT NOT LIMITED TO: CAMERAS, MONITORS, PROCESSORS, CARD READER, SPEAKERS, ETC.

SITE PLAN

APPROVED [Signature] DATE 06-02

Interstate 235 Right-of-Way
Condemnation Casej. No. A-77195

Wichita Valley Center Flood Control
Condemnation Case No. A-31849

STAFF REPORT

MAPC – January 10, 2002

CASE NUMBER: CON2001-00062

APPLICANT/OWNER: City of Wichita c/o Norman Jakovac

AGENT: Law/Kingdon, Inc. c/o Gregg Wilhite

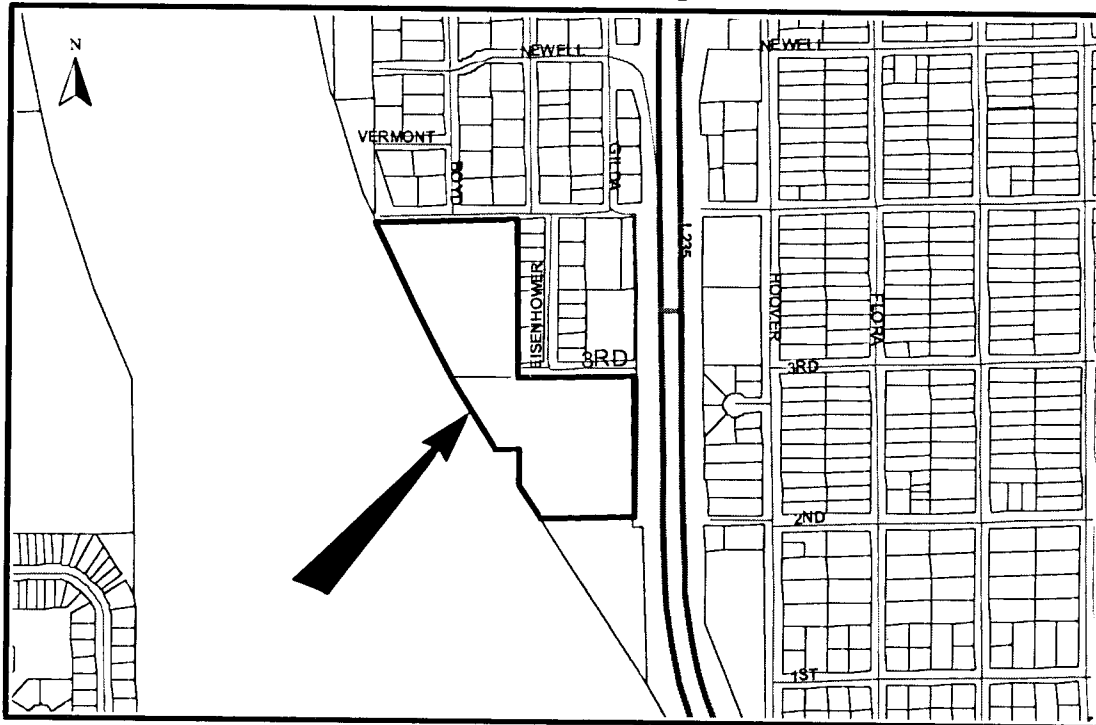
REQUEST: Conditional Use to allow Government Service

CURRENT ZONING: SF-5 Single Family Residential

SITE SIZE: Approximately 13.913 acres

LOCATION: Generally located southwest of the Central Avenue W – I
235 Intersection and east of the Wichita – Valley Center
Flood Control

PROPOSED USES: Expansion of the existing Public Works Substation facility



BACKGROUND: The applicant is requesting consideration for a Conditional Use to allow an expansion of "Government Services " Public Works maintenance substation facility on properties zoned SF-5 Single Family Residential. The sites (6.65 acres, Lot 1, West Substation 2nd Addition and 7.763 acres, Lot 1, Block A, West Substation Addition) are generally located southwest of the Central Avenue W – I-235 intersection and east of the Wichita – Valley Center Flood Control easement. The applicant proposes to expand within the sites by constructing a 373 sq-ft addition to the existing office/operational facility and a new 14,540 sq-ft metal warehouse. The applicant is also proposing to increase the area of paved surface used by the operations fleet. The operations fleet is composed of dump trucks, graders, patch trucks, compressors, cement trucks, pick-ups and all other maintenance type of vehicles. Currently there are around 60 vehicles in the fleet and the expansion will bring in another 4-7 vehicles. Typical hours of operation are 8 AM-4:30 PM September thru May and 7 AM-3:30 PM May thru September. Snow and/or ice could necessitate 24-hour operation hours. The applicant has submitted a site plan showing the current uses, the proposed expansion and improvements.

Currently the south site (Lot 1, Blk A, Substation Addition) contains the operations office, a salt dome, warehouses and parking for the operations fleet and Public Works employees. The previously stated improvements/expansion will be on this south site. The north site (Lot 1, West Substation 2nd Addition) contains materials used by Public Works in the maintenance of roads, water and sewer lines and other publicly owned development. These materials include asphalt, sand, dirt and rubble mounds of approximately plus 15-ft in height. Other materials are brick, miscellaneous timbers and railing and corrugated and concrete pipe. The two sites abut on their north-south sides. Entrance to the north site (materials site) is through the south (office and fleet site, see Exhibit A) site. 3rd Street is an unpaved residential road and dead-ends into the north site on the west end and connects to Gilda (a paved 2 lane residential road running to north to south) on the east. Gilda provides access for the Public Works trucks to Central (a 6 lane arterial) to the north. Gilda dead-ends, unpaved, into the property that abuts the public work's south site.

The properties to the east, west, south and north are zoned SF-5 Single Family Residential and are developed, with the exception of the undeveloped property to the south, as single family residential. The sites are separated from the residence on the north by West 3rd Street and West St. Louis Street. Both streets are unpaved residential roads. The sites are separated from the residences on the west by the Wichita – Valley Center Flood Control easement. The north site abuts residences on its east side. The south site is separated from residence to the east by I-235.

The Unified Zoning Code requires a Conditional use for "Government Service" in all

residential zoning districts. The expansion of the existing facilities will trigger the landscaping/ screening, parking, and supplemental standards, per the Unified Zoning Code, for "Government Services" as a Conditional Use.

There have been no calls expressing opposition to this Conditional Use. There has been several calls in regards to the possible future condition of Gilda due to current use by the operations fleet. Gilda is the only paved road going south from Central in this small neighborhood.

CASE HISTORY: The West Sub-Station 2nd Addition was recorded with Sedgwick County May 3rd, 1978. Lot 1, Block A, West Sub-Station Addition was recorded with Sedgwick County April 26, 1973. The current use has basically been in operation since 1976, although there is no record of review/approval as a special permit as required by the City Zoning Ordinance at that time.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5 Single Family Residential	Residential
EAST:	SF-5 Single Family Residential	Residential
SOUTH:	SF-5 Single Family Residential	Undeveloped
WEST:	SF-5 Single Family Residential	Residential

PUBLIC SERVICES: Gilda is a paved 2 lane residential road. Central is a 6 lane arterial. Average Daily Trips (ADT) at the intersection of I-235 and W Central (4 blocks north and 1 block east of this location) is 24137 ADTs on the north side, 43554 ADTs on the south side. Traffic can access onto I-235 via Gilda going south. There is gas, water, sewer and electricity for the site.

CONFORMANCE TO PLANS/POLICIES: The Comprehensive Plan identifies this property as Public/Institutional. Public/Institutional includes government employment centers or facilities, libraries, educational facilities, churches, hospitals, private schools and cemeteries. The Unified Zoning Code requires a Conditional Use for "Government Service", in "RR", "SF-20", "SF-10", "SF-5", "TF-3", "MF-18", "MF-29", and "B" residential zoning districts, plus the "NO", "GO" and "NR" non-residential zoning districts.

RECOMMENDATION: Based on the information available prior to the public hearing, staff recommends the application be APPROVED, with the following conditions.

1. A landscape buffer/screening of approved evergreen trees will be planted behind all existing chain linked fence along the West St Louis Avenue frontage, along the east side of the West Sub-Station 2nd Addition, along the West 3rd Street frontage (ending

at the parking lot) and on the south side of Lot1, Blk A, West Sub-Station Addition. The evergreens will be spaced at 15-ft centers and be a minimum of 5-ft in height at the time of planting. Suggested evergreens include Austrian Pine, Southwestern Pine, or Pinyon Pine. All other frontages and parking areas shall meet landscape requirements. All landscaping shall be in place within a year of the approval of this Conditional Use.

2. Access to the sites shall be off Gilda. No access off of West St Louis or West 3rd Streets.
3. All materials stored outside shall be behind the evergreen buffer/screening and behind the current setback lines for SF-5 Single Family Residential.
4. The current 6-ft chain link fence with 3 strands of barbed wire shall be maintained in good condition.
5. Development of the site shall be in conformance with the approved Site Plan.
6. Any violation of the conditions approved as a part of this request shall render the Conditional Use null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood. The applicant's site and the surrounding area is zoned SF-5 Single Family Residential. The immediate surrounding area is developed as single family residential.
2. The suitability of the subject property for the uses to which it has been restricted: Residential development on the site is unlikely as the current use has been in operation since 1976 and there are no plans for the City to move this facility. The location takes advantage of major barriers being in place on the east (I-235), the west (the Wichita-Valley Center Flood Control easement) and south (just beyond the southern abutting property, I-235 & the Wichita-Valley Center Flood Control easement converge) sides of it.
3. Extent to which removal of the restrictions will detrimentally affect nearby property. Any detrimental affects would be mitigated by the recommended condition of approval and code required development standards. In particular the landscaping will put into place much needed screening and buffering between the Public Works' operations and the residential development on the north and east sides of the sites.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and Policies: The request for "Government Service", on "SF-5" Single Family Residential is a Conditional Use per the WSC Unified Zoning Code. The Comprehensive Plan recommends the best use for this area as Public/Institutional.
5. Impact of the proposed development on community facilities: The impact of

this development on the community facilities will be no more than they presently are, as the expansion will only add an additional 4-7 vehicles to the operations fleet.