



Wichita-Sedgwick County Metropolitan Area Planning Department

November 22, 2010

Sedgwick County
Attn: Paula Downs
Munger Bldg


RE: CON2010-00035 - City Conditional Use for Government Service, on property zoned B Multi-Family Residential ("B"), generally located east of Seneca Street, south of Lincoln/McCormick Streets, between Irving and Stillwell Avenues, on the east side of Handley Street.

Dear Ladies and Gentlemen:

At its regular meeting on **October 7, 2010**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request, with the following conditions on the attached Resolution being completed within one year of approval by the appropriate governing body.

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

Sincerely,


Bill Longnecker
Senior Planner
Current Plans Division

WL:mc
Attachment

Copies to: Sandy Anguelov, 538 N. Main, Wichita, KS 67203
McCormick, NA, c/o Clyde Jones, 1428 S. Martinson St, Wichita, KS 67213
South Central Improvement Alliance, Vickie Adamson, 817 S. Oliver, Wichita, KS 67218

CONDITIONAL USE RESOLUTION NO. CON2010-00035

WHEREAS, the City of Wichita (Owner); pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requests a Conditional Use/Amend Special Use Permit DR 93-3 for a Government Service, specifically for a Sedgwick County Sheriff's Office squad room, on approximately 1.4 acres zoned B Multi-Family Residential ("B") described as:

Lots 18 -34 (all), Franklin Yikes Addition, generally located east of Seneca Street, south of Lincoln/McCormick Streets, between Irving and Stillwell Avenues, on the east side of Handley Street, Wichita, Sedgwick County, Kansas.

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 October 7, 2010, 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 Conditional Use/Amend Special Use Permit DR 93-3 for a Government Service, specifically for a Sedgwick County Sheriff's Office squad room, on approximately 1.4 acres zoned B Multi-Family Residential ("B") described as:

Lots 18 -34 (all), Franklin Yikes Addition, generally located east of Seneca Street, south of Lincoln/McCormick Streets, between Irving and Stillwell Avenues, on the east side of Handley Street, Wichita, Sedgwick County, Kansas.

Approved subject to the following conditions:

- (1) Demo the existing 2,000-square foot Sedgwick County Sheriff's Department squad room and construct a 4,200-square foot, 35-foot tall, one storey building, with either a fiber cement type of siding or/and brick and a pitched hip roof with asphalt shingles. The building will be used as a Sedgwick County Sheriff's Department squad room or by any other department of Sedgwick County as an office.
- (2) Construct a two bay manual car wash with painted concrete block walls and a pitched, asphalt shingled hip roof. The car wash will be used by Sedgwick County Sheriff's Department or by any other department of Sedgwick County.
- (3) Prior to the issuance of any building permits provide a landscape/screening plan for review and approval by the Planning Department. Landscaping shall be planted at a density that provides solid screening, per the Landscape Ordinance. A 6-8 foot solid fence (per the UZC) or masonry wall can be used in lieu of a solid landscape buffer. Approved landscaping/screening must be in place where the site (from Irving to Stilwell Avenues, from Handley Street to the platted alley) is adjacent to residential zoning. Replace all existing dead (prior to the issuance of building permits) or dying landscaping now and in the future.
- (4) Four pole lights will be installed on the site; two 20-foot tall lights (including the base) located in the interior of the site and two 12-foot tall lights (including the base) located along the east and west

sides of the north end of the site. All outside lighting on the proposed building and the light poles will be shielded and directed away from adjacent property owners.

- (5) The site will be developed in conformance with an approved site plan.
- (6) The applicant shall obtain and maintain all applicable local, state, and federal permits.
- (7) Access to and from the site shall be from Stillwell Street and the south portion of Handley Street, directly across the vacant land owned by Sedgwick County, as shown on the approved site plan.
- (8) Parking spaces shall be provided per the Unified Zoning Code on an area paved with asphalt or concrete.
- (9) 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.

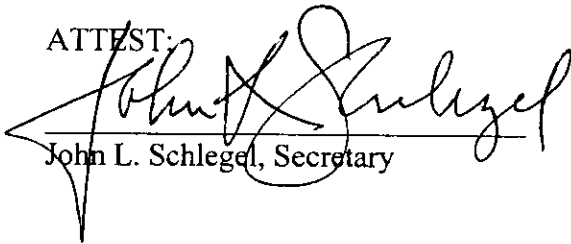
Adopted this _____ Day of _____ 2010

METROPOLITAN AREA PLANNING COMMISSION



Debra Miller Stevens, Chair MAPC

ATTEST:

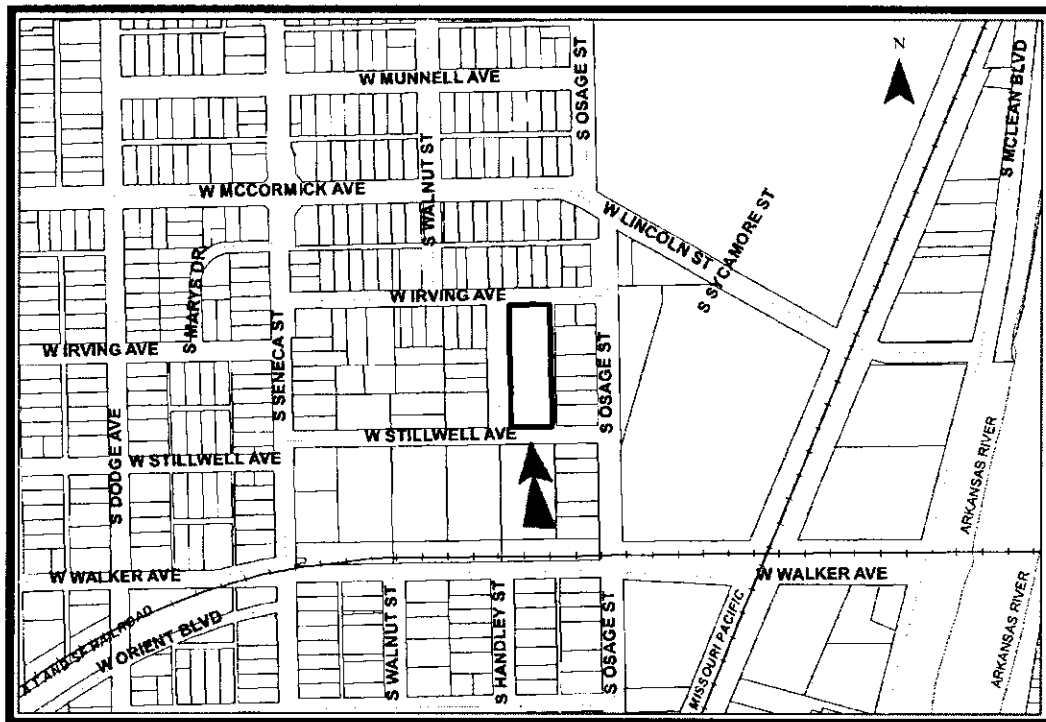


John L. Schlegel, Secretary

STAFF REPORT

MAPC, October 7, 2010
DAB IV, October 6, 2010

- CASE NUMBER:** CON2010-00035
- APPLICANT/OWNER:** Sedgwick County, c/o Sandy Anguelov (owner/applicant)
- REQUEST:** Conditional Use to allow a Government Service/Amend DR 93-3
- CURRENT ZONING:** B Multi-Family Residential (“B”)
- SITE SIZE:** Approximately 1.4 acres
- LOCATION:** Generally located east of Seneca Street, south of Lincoln/McCormick Streets, between Irving and Stillwell Avenues, on the east side of Handley Street.
- PROPOSED USES:** Sheriff’s Office Squad Room



BACKGROUND: The applicant is requesting consideration for a Conditional Use to allow a “Government Service” for a Sedgwick County Sheriff’s Office squad room on platted property zoned B Multi-Family Residential (“B”). The Unified Zoning Code (UZC) defines Government Service as “buildings or facilities owned or operated by a government entity and providing services for the public, excluding utilities and recreational services.” The UZC requires a Conditional Use for Government Service in all residential zoning districts.

DR 93-3 was a Special Use Permit, with three conditions, one being the construction of a 2,000-square foot Sedgwick County Sheriff’s Office squad room (building) on the then and now B zoned subject site. CON2010-35 proposes to replace the current 2,000-square foot building with a 4,200-square foot building. The new squad room will be a one story building, with either a fiber cement type of siding or brick and a maximum 5/12 pitch hip roof with asphalt shingles; similar to the current building’s design and materials. The proposed Conditional Use will also tear down and rebuild a two bay manual car wash on the site, which, prior to DR 93-3, was part of Sedgwick County’s Public Services fueling and wash station. The new car wash will have two bays, painted concrete block walls and a maximum 5/12 pitch, asphalt shingled hip roof. CON2010-35 proposes to retain the existing gas pumps. All parking (112 spaces) will be on site. Four pole lights will be installed on the site; two 20-foot tall lights located in the interior of the site and two 12-foot tall lights located along the east and west sides of the north end of the site. All outside lighting on the proposed building and the light poles will be shielded and directed away from adjacent property owners; one of the three conditions of DR 93-3. Access to the site is off of Stillwell Avenue and the south end of Handley Street; neither access is across from residences, but point at land owned by Sedgwick County. The remaining condition of DR 93-3 was a landscape plan. The County planted evergreens at a density that provided solid screening, but there are evergreens that have died and need to be replaced.

The approximately 1.4-acre site is the northeast corner of the Sedgwick County facilities complex, which includes Code Enforcement and Permits, Public Works Engineering, a Household Hazardous Waste Transfer Station, Public Works storage buildings, a sign shop, survey crew shop, voting machine storage, Sheriff’s Department property and evidence storage and assorted Sedgwick County parking lots. The designs and materials used in County’s different buildings vary from concrete formed walls to metal walls and flat roofs to peaked roofs; the proposed squad room’s design and materials are not out of character with the other County buildings. The zoning of the Sedgwick County facilities is MF-29 Multifamily Residential (“MF-29”), LI Limited Industrial (“LI”), LC Limited Commercial (“LC”), and the subject site’s B zoning. Besides the County facilities, other development in area includes mostly MF-29 zoned single-family residences and duplexes (built 1920s – 1950s), located north (across Irving Avenue), west (across Handley Street) and east (across a platted 15-foot wide alley). The MF-29 zoned West High School practice fields are located a short block (across Osage Street) to the east and a vacant MF-29 zoned Sedgwick County owned property is located west (across Handley Street) of the site.

CASE HISTORY: The site was platted as Lots 18 -34 (all), Franklin Yikes Addition, recorded April 14, 1887. DR 93-3, a Special Use Permit, to construct a 2,000-square foot Sedgwick

County Sheriff's Office squad room, was approved, with conditions, by the MAPC (March, 25, 1993) and the WCC (April 20, 1993).

ADJACENT ZONING AND LAND USE:

NORTH:	MF-29	Single-Family residences
EAST:	MF-29	Single-family residences, duplexes, vacant land, Sedgwick County complex
SOUTH:	LI	Sedgwick County complex
WEST:	MF-29	Single-family residences, duplexes, West High School playing fields

PUBLIC SERVICES: All utilities and municipal services are available. Stillwell, Handley, Irving and Osage are paved local streets. Osage Street dead ends a short block south of Stillwell. Traffic counts are not available for these streets. The "2030 Transportation Plan" projects no change to these streets. There are no traffic counts available for these streets.

CONFORMANCE TO PLANS/POLICIES: The "2030 Wichita Functional Land Use Guide" identifies the site as being "Major Institutional." This category includes institutional facilities of a significant size and scale of operation and could include a range of uses such as government facilities, military bases, libraries, schools, cemeteries, churches, hospitals, and medical treatment facilities. The proposed use and the area that it is located in, a Sedgwick County facilities complex, conforms to this land use category.

The UZC considers Government Service a "public and civic" use. The "Public/Institutional Location Guidelines of the Comprehensive Plan" states that these uses that serve residential areas should be grouped together along with the neighborhood commercial centers and located near parks or along intersections of greenways/recreational corridors. It also states that they should have convenient access to arterial streets and public transportation. The subject site and all of the Sedgwick County facilities complex have access to Seneca Street, a principle arterial from the local streets.

RECOMMENDATION: Based on the information available prior to the public hearing, staff recommends the Conditional Use application be APPROVED, with the following conditions being completed within one year of approval by the appropriate governing body.

- (1) Demo the existing 2,000-sqaure foot Sedgwick County Sheriff's Department squad room and construct a 4,200-square foot, 35 foot tall, one storey building, with either a fiber cement type of siding or brick and a maximum 5/12 pitch hip roof with asphalt shingles. The building will be used as a Sedgwick County Sheriff's Department squad room or by any other department of Sedgwick County as an office.
- (2) Construct a two bay manual car wash with painted concrete block walls and a maximum 5/12 pitch, asphalt shingled hip roof. The car wash will be used by Sedgwick County Sheriff's Department or by any other department of Sedgwick County.
- (3) Prior to the issuance of any building permits provide a landscape/screening plan for review and approval by the Planning Department. Landscaping shall be planted at a

density that provides solid screening, per the Landscape Ordinance. A 6-8 foot solid fence (per the UZC) or masonry wall can be used in lieu of a solid landscape buffer. Approved landscaping/screening must be in place where the site (from Irving to Stilwell Avenues, from Handley Street to the platted alley) is adjacent to residential zoning. Replace all existing dead (prior to the issuance of building permits) or dying landscaping now and in the future.

- (4) Four pole lights will be installed on the site; two 20-foot tall lights (including the base) located in the interior of the site and two 12-foot tall lights (including the base) located along the east and west sides of the north end of the site. All outside lighting on the proposed building and the light poles will be shielded and directed away from adjacent property owners.
- (5) The site will be developed in conformance with an approved site plan.
- (6) The applicant shall obtain and maintain all applicable local, state, and federal permits.
- (7) Access to and from the site shall be from Stillwell Street and the south portion of Handley Street, where it points at vacant land owned by Sedgwick County ,as shown on the approved site plan.
- (8) Parking spaces shall be provided per the UZC on an area paved with asphalt or concrete.
- (9) 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: The approximately 1.4-acre site is the northeast corner of the Sedgwick County facilities complex, which includes Code Enforcement and Permits, Public Works Engineering, a Household Hazardous Waste Transfer Station, Public Works storage buildings, a sign shop, survey crew shop, voting machine storage, Sheriff's Department property and evidence storage and assorted Sedgwick County parking lots. The zoning of the Sedgwick County facilities is MF-29 Multifamily Residential ("MF-29"), LI Limited Industrial ("LI"), LC Limited Commercial ("LC"), and the subject site's B zoning. Besides the County facilities, other development in area includes mostly MF-29 zoned single-family residences and duplexes (built 1920s – 1950s), located north (across Irving Avenue), west (across Handley Street) and east (across a platted 15-foot wide alley). The MF-29 zoned West High School practice fields are located a short block (across Osage Street) to the east and a vacant MF-29 zoned Sedgwick County owned property is located west (across Handley Street) of the site.

2. The suitability of the subject property for the uses to which it has been restricted: The B zoned site could continue to be used as it is a 2,000-sqaure foot Sedgwick County Sheriff's Office squad room, as permitted by Special Use permit DR 93-3. The current Conditional use request amends DR 93-3, to demo the existing squad room and replace it with a new 4,200-sqaure foot squad room. This is a suitable use for the site, which is the northeast corner of the Sedgwick County facilities complex.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: The proposed Conditional Use allows a larger, new Sheriff's Office squad room, plus additional screening and landscaping which will be an improvement for the area.

4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and Policies: The "2030 Wichita Functional Land Use Guide" identifies the site as being "Major Institutional." This category includes institutional facilities of a significant size and scale of operation and could include a range of uses such as government facilities, military bases, libraries, schools, cemeteries, churches, hospitals, and medical treatment facilities. The proposed use and the area that it is located in, a Sedgwick County facilities complex, conforms to this land use category.

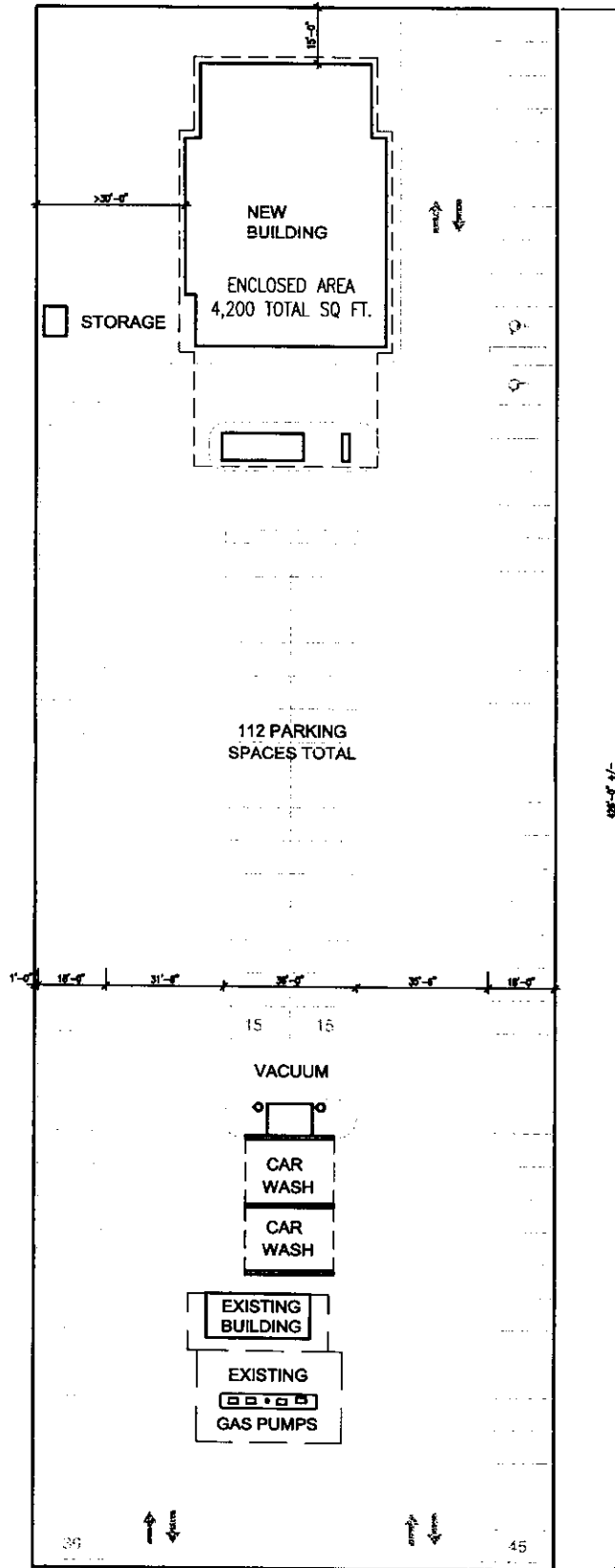
The UZC considers Government Service a "public and civic" use. The "Public/Institutional Location Guidelines of the Comprehensive Plan" states that these uses that serve residential areas should be grouped together along with the neighborhood commercial centers and located near parks or along intersections of greenways/recreational corridors. It also states that they should have convenient access to arterial streets and public transportation. The subject site and the Sedgwick County facilities complex has access to Seneca Street, a principle arterial, from Stillwell Avenue, which keeps most of the County traffic out of the adjacent residential neighborhood.

5. Impact of the proposed development on community facilities: The impact of this development on the community facilities will be no more than they are presently.

IRVING

CON2010-35

HANDLEY



STILLWELL