



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

June 22, 2005

Furley United Methodist Church
Applicant
400 E. 4th
Valley Center, KS 67147

RE: CON2005-13 – Sedgwick County Conditional Use for a church and its associated outdoor recreation and entertainment on property zoned “RR” Rural Residential. (District I)

Dear Ladies and Gentlemen:

At its regular meeting on **June 9, 2005**, the Metropolitan Area Planning Commission considered the above-captioned request. The action of the MAPC was to APPROVE the request subject to a platting within a year and with the following conditions.

1. The Conditional Use shall be restricted to a church and a privately-owned area for sports fields, basketball courts, volleyball courts and accessory uses such as concessions, restrooms, picnic areas, playground areas, fishing pond and pavilion, a barbeque pavilion and walking paths. No other outdoor entertainment and recreation activities shall be authorized by the Conditional Use.
2. The church will comply with the Sedgwick County standards for water service for the church's use and for fire suppression.
3. The sale of concessions shall be incidental to the permitted outdoor entertainment and recreation use and shall be in conformance with applicable health regulations. The sale of alcoholic beverages is prohibited.
4. The surface of the parking lots shall be clean gravel or recycled asphalt for the parking lot, except where the disabled parking spaces are to be located, this area would be concrete or asphalt. The number of parking spaces provided shall be in accordance with Section IV-A.4. of the Unified Zoning Code. Fewer parking spaces may be provided if a variance or adjustment is granted in accordance with Article V of the Unified Zoning Code.
5. The church will comply with the Sedgwick County and KDHE standards for a lagoon or septic system for the site's use (church and its associated uses) prior to operations commencing on the site.

6. Signage shall be one monument type sign, per the Sedgwick County Sign Code, Resolution #218-04.
7. Landscaping will be within the setbacks, as determined by the plat, along all sides of the site. Evergreens trees, a minimum of 5-feet tall will be planted every 30-feet along the east and north property lines, where the playing fields abut the neighboring large tract residences. Along the 101st Street North and 111th Street East frontages, where the parking lot is located, shade trees, 2-inch caliper, will be planted every 50-feet. Along the 101st Street North frontage, where the baseball and soccer fields are located, shade trees, 2-inch caliper, will be planted every 50-feet.
8. Development shall be substantially in conformance with a revised Site Plan and Landscape Plan. A drainage plan must be approved prior to the construction of the playing fields.
9. Pole lighting shall be no taller than 15-feet in height and shall be directed onto the church property and away from the adjacent properties.
10. The church shall agree to hook up to water and sewer when these services become available.
11. The playing fields will be open during daylight hours. No lighting of the playing fields will be permitted.
12. All requirements of Section III.D.6.o. of the Unified Zoning Code shall be met, except Condition #4; as modified by the conditions of the Conditional Use. Clean gravel or recycled asphalt for the parking lot, except where the disabled parking spaces are to be located, this area would be concrete or asphalt.
13. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
14. The use of chemical portable toilets shall be permitted. The portable toilets shall be located at least 300 feet from any property line and shall be enclosed on three sides by a screening fence, including fencing on the south side. Documentation of an ongoing maintenance contract for the removal of the waste from the chemical portable toilets shall be provided to the Sedgwick County Code Enforcement Department. The disposal of waste from the chemical portable toilets shall be in accordance with Sedgwick County's sanitation codes.
15. 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 the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

CONDITIONAL USE RESOLUTION NO. CON2005-00013

WHEREAS, Furley United Methodist Church (Owner/Applicant); pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), request a Conditional Use for a church and its associated uses of outdoor recreation and entertainment on 11.8 acres zoned "RR" Rural Residential described as:

Furley United Methodist Church Addition.
(Recorded with the Sedgwick County Register of Deeds March 22, 2006)
Generally located at the northeast corner of the 101st Street North – Greenwich Road
intersection.

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 9, 2005, 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 for a church and its associated outdoor recreation and entertainment on 11.8 acres zoned "RR" Rural Residential described as:

Furley United Methodist Church Addition.
(Recorded with the Sedgwick County Register of Deeds March 22, 2006)
Generally located at the northeast corner of the 101st Street North – Greenwich Road
intersection.

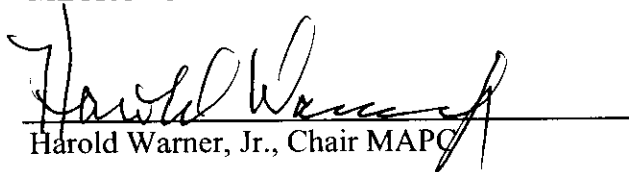
APPROVED, subject to the following conditions:

1. The Conditional Use shall be restricted to a church and a privately-owned area for sports fields, basketball courts, volleyball courts and accessory uses such as concessions, restrooms, picnic areas, playground areas, fishing pond and pavilion, a barbeque pavilion and walking paths. No other outdoor entertainment and recreation activities shall be authorized by the Conditional Use.
2. The church will comply with the Sedgwick County standards for water service for the church's use and for fire suppression.
3. The sale of concessions shall be incidental to the permitted outdoor entertainment and recreation use and shall be in conformance with applicable health regulations. The sale of alcoholic beverages is prohibited.
4. The surface of the parking lots shall be clean gravel or recycled asphalt for the parking lot, except where the disabled parking spaces are to be located, this area would be concrete or asphalt. The number of parking spaces provided shall be in accordance with Section IV-A.4. of the Unified Zoning Code. Fewer parking spaces may be provided if a variance or adjustment is granted in accordance with Article V of the Unified Zoning Code.
5. The church will comply with the Sedgwick County and KDHE standards for a lagoon or septic

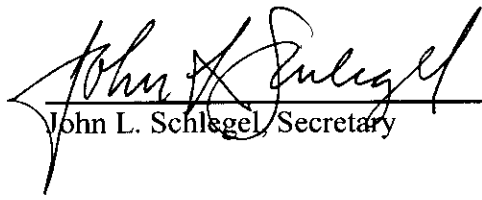
- system for the site's use (church and its associated uses) prior to operations commencing on the site.
6. Signage shall be one monument type sign, per the Sedgwick County Sign Code, Resolution #218-04.
 7. Landscaping will be within the setbacks, as determined by the plat, along all sides of the site. Evergreens trees, a minimum of 5-feet tall will be planted every 30-feet along the east and north property lines, where the playing fields abut the neighboring large tract residences. Along the 101st Street North and 111th Street East frontages, where the parking lot is located, shade trees, 2-inch caliper, will be planted every 50-feet. Along the 101st Street North frontage, where the baseball and soccer fields are located, shade trees, 2-inch caliper, will be planted every 50-feet.
 8. Development shall be substantially in conformance with a revised Site Plan and Landscape Plan. A drainage plan must be approved prior to the construction of the playing fields.
 9. Pole lighting shall be no taller than 15-feet in height and shall be directed onto the church property and away from the adjacent properties.
 10. The church shall agree to hook up to water and sewer when these services become available.
 11. The playing fields will be open during daylight hours. No lighting of the playing fields will be permitted.
 12. All requirements of Section III.D.6.o. of the Unified Zoning Code shall be met, except Condition #4; as modified by the conditions of the Conditional Use. Clean gravel or recycled asphalt for the parking lot, except where the disabled parking spaces are to be located, this area would be concrete or asphalt.
 13. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
 14. The use of chemical portable toilets shall be permitted. The portable toilets shall be located at least 300 feet from any property line and shall be enclosed on three sides by a screening fence, including fencing on the south side. Documentation of an ongoing maintenance contract for the removal of the waste from the chemical portable toilets shall be provided to the Sedgwick County Code Enforcement Department. The disposal of waste from the chemical portable toilets shall be in accordance with Sedgwick County's sanitation codes.
 15. 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 the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

Adopted this 6th DAY of JULY 2006. 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


Harold Warner, Jr., Chair MAPC

ATTEST:



John L. Schlegel, Secretary



AGENDA ITEM NO. 6

STAFF REPORT

MAPC – June 9, 2005

CASE NUMBER: CON2005-00013

APPLICANT/OWNER: Furley United Methodist Church

AGENT: Moehring & Associates

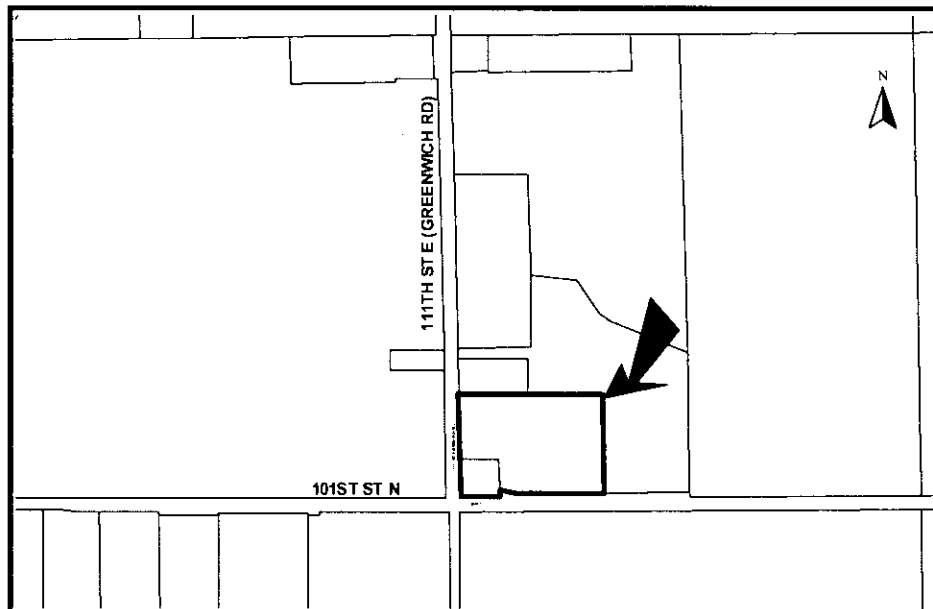
REQUEST: Conditional Use for a church & its associated outdoor recreation and entertainment

CURRENT ZONING: "RR" Rural Residential

SITE SIZE: 11.8-acres

LOCATION: Northeast corner of the 101st Street North – Greenwich Road intersection (BoCC District #1)

PROPOSED USES: Church with outdoor playing fields and associated facilities



BACKGROUND: The applicant is requesting consideration for a Conditional Use to allow a church on property zoned "RR" Rural Residential. The site will also include a soccer field, a baseball field, a basketball court, three volleyball courts, a concession stand, a barbeque pavilion, a fishing pavilion and a picnic pavilion. The applicant proposes to develop the church in two phases and has provided a site plan showing the two phases of development and the location of all the playing fields and accessory structures. Churches are permitted by right in all residential zoning districts, except the "RR" zoning district, where they requires a Conditional Use.

The above-mentioned playing fields are considered outdoor recreation and entertainment uses under the Unified Zoning Code (UZC). The UZC defines outdoor recreation and entertainment as a privately owned establishment offering recreation, entertainment or games of skill to the general public or members wherein a portion of the activity takes place in the open. A Conditional Use is required for outdoor recreation and entertainment in the "RR" Rural Residential zoning district. The UZC indicates that a Conditional Use for outdoor recreation and entertainment shall be limited to a use that the Planning Commission has determined will not produce undue noise or attract large numbers of spectators. The concession stand, barbeque pavilion, fishing pavilion and picnic pavilion are considered accessory structures for the outdoor recreation and entertainment uses and the church.

Section III-D.6.o. of the UZC (attached) indicates that a Conditional Use for outdoor recreation and entertainment shall comply with six Supplementary Use Regulations. The Conditional Use request appears to conform to them. The UZC Supplementary Use Regulations for a Conditional Use can only be waived by the Board of County Commissioners upon receiving a favorable recommendation from the Planning Commission.

The site plan's two phases of development for the church shows the initial development of a 7,600-square foot church building with a proposed 180 seats in the sanctuary and 136 seats in a fellowship hall. The second phase shows an additional 6,000 square-feet added to the church, with a new total of 436 seats in the sanctuary. The UZC requires a total of one parking space per four seats for a church or a total of 109 parking spaces (the Phase II total) for the sanctuary and another 34 spaces for the fellowship hall, for a total of 143 spaces. The UZC requires a total of six disabled parking spaces. The proposed parking layout shows 160 parking stalls, including four disabled parking stalls. The second phase of development will take away a minimum of 14 parking spaces, which leaves 146 total spaces, which meets the UZC requirement. Two more disabled parking stalls are required to meet the UZC requirement.

The applicant proposes that the playing fields will be open to the Furley area community as well as church members. It is not certain what the frequency of their use will be, but the applicant has stated that they will not be used at night. The site

plan shows no seating around the playing fields and the applicant has indicated that no seating will be erected. Section IV-A.4. of the UZC requires one parking space per three spectator seats, one parking space per 1,000 square feet of field area, plus one parking space per 250 square feet of office area. Based on the fields' area alone, the parking requirement for the proposed sports fields would be 105 parking spaces. The proposed parking for the church, when Phase II is completed, is 146 seats. If the playing fields are not in use during church services, the proposed parking would be enough for the playing fields, minus the one parking space per three spectator seats and the one parking space per 250 square feet of office area. Parking requirements can be reduced either through an administrative adjustment or through the approval of a Variance by the Board of Zoning Appeals. The site plan shows a landscape concept with trees located along the east interior side and the north interior side. No landscaping is shown on the 111th Street East frontage (west side) or along the site's south side, along 101st Street North.

The subject property (an agricultural field) is in rural Sedgwick County, just over a ½-mile south of the small, unincorporated town of Furley. The Furley United Methodist Church is planning to relocate from its present site inside Furley and rebuild on the subject site. The largest business in Furley appears to be the Co-op with its five grain elevators that serves the farmers in the area. The site and all properties around it are zoned "RR" Rural Residential and are used for agriculture with scattered farmsteads and large tract single-family residences. Both the east and north sides of the site abut large tract single-family residences, with their houses located 70-feet to 200-feet from the site's property line. There is a single-family residence south, across 101st Street North, of the site, with its house located approximately 140-feet from the site. An agricultural field is west, across 111th Street East, of the site.

CASE HISTORY: The site is being platted as the Furley United Methodist Church Addition. The plat, SUB 2005-28, has not been reviewed by the MAPC at this time.

ADJACENT ZONING AND LAND USE:

NORTH:	"RR" Rural Residential	Large tract residential & Agriculture
EAST:	"RR" Rural Residential	Large tract residential & Agriculture
SOUTH:	"RR" Rural Residential	Large tract residential & Agriculture
WEST:	"RR" Rural Residential	Agriculture

PUBLIC SERVICES: Both 101st Street North and 111th Street East (Greenwich Road) are paved, two-lane county highways. The 2020 County Transportation Plan shows no change in status for these roads. The traffic count at this intersection is 1,010 – 1,408 trips per day, on 111th Street East and 382 – 427 trips per day on 101st Street North. There is no public water or sewer available for the site. The site is proposed to be served by a lagoon. It is located within Sedgwick Rural Water District #1, which it proposes to use. It appears to be located in the Butler Rural Electric Cooperative Assn.

District.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies this area as Rural. This category encompasses land outside the 30-year Wichita urban service boundary and the small city growth areas. This category is intended to accommodate agricultural uses, rural based uses that are no more offensive than normal agricultural uses and large lot residential uses. The Unified Zoning Code requires a Conditional Use for churches and outdoor recreation and entertainment in the "RR" Rural Residential zoning district.

RECOMMENDATION: Based on the information available prior to the public hearing, staff recommends the application be APPROVED subject to a platting within a year and with the following conditions.

1. The Conditional Use shall be restricted to a church and a privately-owned area for sports fields, basketball courts, volleyball courts and accessory uses such as concessions, restrooms, picnic areas, playground areas, fishing pond and pavilion, a barbeque pavilion and walking paths. No other outdoor entertainment and recreation activities shall be authorized by the Conditional Use.
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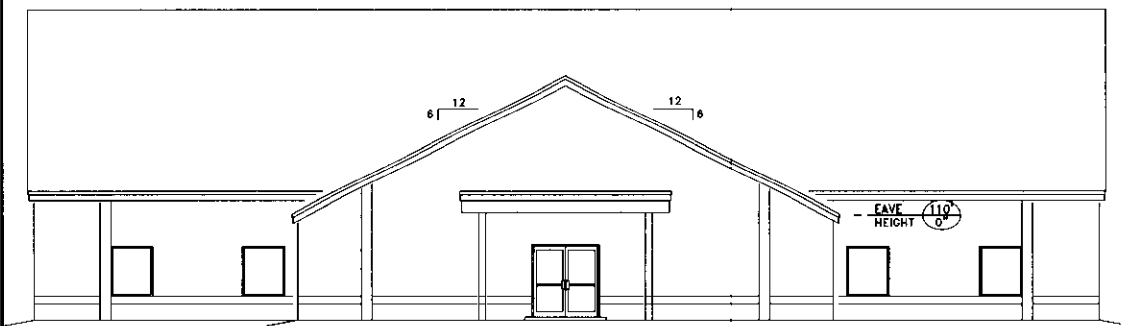
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15. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

This recommendation is based on the following findings:

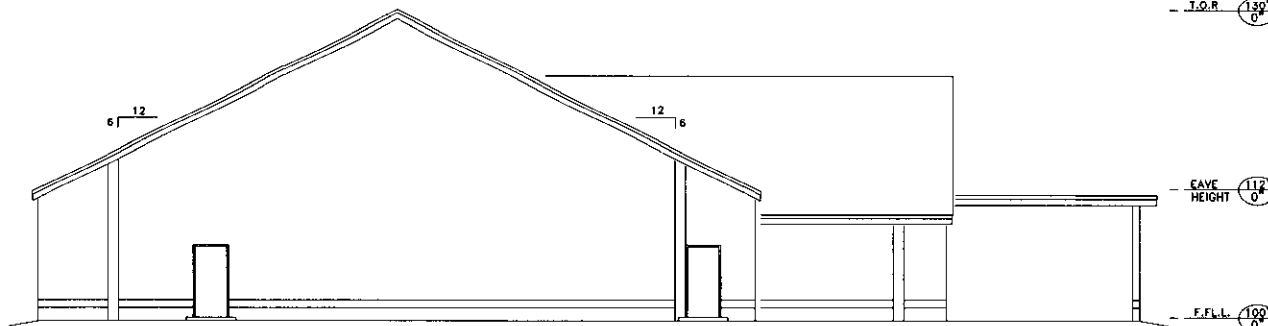
1. The zoning, uses and character of the neighborhood. The applicant's site and the surrounding area is zoned "RR' Rural Residential. The immediate surrounding area is developed as agricultural with scattered large tract single-family residence, farmsteads and the small-unincorporated town of Furley.
2. The suitability of the subject property for the uses to which it has been restricted: The site is agricultural in character. The site could continue to be used as it is or developed as residential with well/rural water and a lagoon/septic system. Because there are no plans for water and sewer service to be provided to this area large lot residential subdivisions are unlikely at this time or in the future.
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.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and Policies: The Comprehensive Plan identifies the best use for this area as agricultural or a similar compatible land use, which a church

and its associated playing fields could be with the conditions required by this request. The request for a church on "RR" Rural Residential zoning is a Conditional Use per the Unified Zoning Code. The request for an outdoor recreation and entertainment on "RR" Rural Residential zoning is a Conditional Use per the Unified Zoning Code.

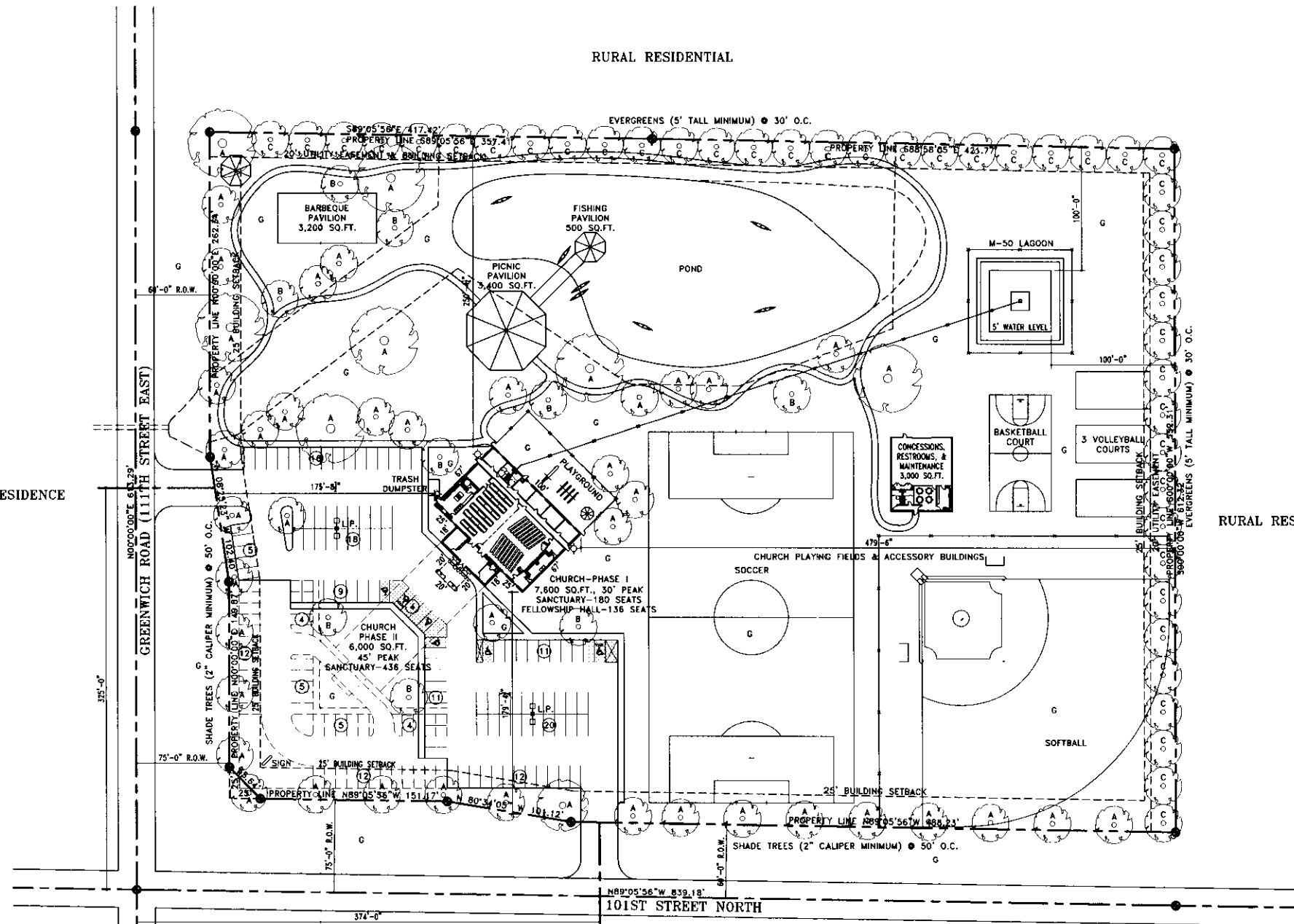
5. Impact of the proposed development on community facilities: The impact of this development on the community facilities will be significant. There will be increase in traffic on the site.



SOUTHWEST ELEVATION
1/8"=1'-0"



NORTHWEST ELEVATION
1/8"=1'-0"



CONDITIONAL USE

1. OWNER: FURLEY UNITED METHODIST CHURCH
400 EAST 4TH STREET
FURLEY, KANSAS 67147
PROJECT: NEW CHURCH FOR FURLEY
UNITED METHODIST CHURCH
FURLEY, KANSAS

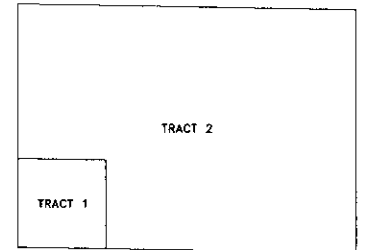
2. LEGAL DESCRIPTION

TRACT 1

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 25 SOUTH, RANGE 2 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS; THENCE RUNNING NORTH ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 248.71 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER 248.71 FEET; THENCE SOUTH PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER 248.71 FEET; THENCE WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER 248.71 FEET TO THE POINT OF BEGINNING.

TRACT 2

A TRACT OF LAND IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 25 SOUTH, RANGE 2 EAST OF THE SIXTH PRINCIPAL MERIDIAN, SEDGWICK COUNTY, KANSAS, COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE N 00°00'00" E (ASSUMED) ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER FOR 248.71 FEET TO THE POINT OF BEGINNING; THENCE N 00°00'00" E FOR 364.58 FEET; THENCE S 89°05'56" E FOR 421.77 FEET; THENCE S 00°00'00" W FOR 612.32 FEET TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE N 89°05'56" W ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER FOR 590.47 FEET; THENCE N 00°00'00" E FOR 248.71 FEET; THENCE N 89°05'56" W FOR 248.71 FEET TO THE POINT OF BEGINNING.



PARKING FOR ADA STALLS DENOTED THUS () SHALL BE 4" THICK CONCRETE WITH 8x8-10/10 WW MESH. REMAINING PARKING & DRIVES MAY BE CLEAN GRAVEL, RECYCLED ASPHALT OR NEW ASPHALT PARKING (2" SURFACE WITH 6" BASE), OR 4" CONCRETE WITH 8x8-10/10 WW MESH. DRIVES ON COUNTY PROPERTY SHALL BE TO COUNTY SPECS..

PLANTING SCHEDULE

MK	QTY.	DESCRIPTION	SIZE	REMARKS
A	47	AUTUMN BLAZE MAPLE	2" CALIPER MINIMUM	
B	9	EASTERN REDBUD	5 GAL. CONTAINER	
C	43	EVERGREEN	5' TALL MINIMUM	
G		GRASS		

LIGHTING SCHEDULE

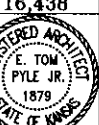
MARK	LUMINAIRE	MANUFACTURER	DESCRIPTION
SL	SL873-3	THOMAS(OR)	1-100 WATT
LP	2-M50-A250S-HW-8-1-L	HUBBELL LIGHTING INC.	250W. HPS
	2-MAL-4-1 SSP-4306-A2-M51		15' POLE



E. Tom Pyle, Jr. & Associates, P.A. ©

ARCHITECT-NCARB CERTIFIED
BOX # 308 N. CENTRAL DRIVE
HAWPHERSON, KANSAS 67147 620/241-0713
620/241-3226 FAX

NCARB
CERTIFICATE NO.
16,438



MASTER SITE PLAN

SCALE: 1"=50'	DATE: 10/13/2006	DRAWN BY: JWP
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FURLEY
UNITED METHODIST CHURCH
FURLEY, KANSAS

MSA-1

FILE: FURMCSA1-5.dwg