METROPOLITAN AREA PLANNING COMMISSION

MINUTES

May 3, 2012

The regular meeting of the Wichita-Sedgwick County Metropolitan Area Planning Commission was held on Thursday, May 3, 2012, at 1:30 p.m., in the Planning Department Conference Room, 10th floor, City Hall, 455 North Main, Wichita, Kansas. The following members were present: Shawn Farney, Chair; David Dennis, Vice Chair; Bob Aldrich; David Foster; Bill Johnson; Don Klausmeyer; John W. McKay, Jr.; Debra Miller Stevens; M.S. Mitchell; Don Sherman; George Sherman (In @1:40 p.m.) and Chuck Warren. Ron Marnell and Morrie Sheets were absent. Staff members present were: John Schlegel, Director; Dale Miller, Current Plans Manager; Bill Longnecker, Senior Planner; Neil Strahl, Senior Planner; Jess McNeely, Senior Planner; Derrick Slocum, Associate Planner; Kelly Rundell, Deputy City Attorney; Robert Parnacott, Assistant County Counselor and Maryann Crockett, Recording Secretary

1. No meeting minutes to approve.

2. CONSIDERATION OF SUBDIVISION COMMITTEE RECOMMENDATIONS

2-1. SUB2012-00007: Brandt Commercial 2nd Addition, southwest corner of 13th Street North and Maize.

NOTE: This is a replat of the Brandt Commercial Addition. This site is contained within the Brandt Property Community Unit Plan ("CUP") (DP-214).

STAFF COMMENTS:

A. City of Wichita Public Works and Utilities Department advises that Lots 1 and 2 have access to water and sewer services, but will have in-lieu-of-assessment fees (transmission and distribution) for water.

B. If improvements are guaranteed by petition(s), a notarized certificate listing the petition(s) shall be submitted to the Planning Department for recording.

C. City Stormwater Management has approved the drainage plan subject to drainage easements being included on the plat.

D. Access controls have been platted in accordance with the original plat and the CUP approval. The plat proposes two access openings along Maize Road including one joint opening and two openings along 13th Street North.

E. In accordance with the CUP approval, a cross-lot circulation agreement is needed to assure internal vehicular movement between the lots.

F. The Applicant needs to request a CUP adjustment as the CUP parcel boundaries do not correspond with the area being platted.

G. A CUP Certificate shall be submitted to MAPD prior to City Council consideration, identifying the approved CUP and its special conditions for development on this property.

H. The Applicant is reminded that a platting binder is required with the final plat. Approval of this plat will be subject to submittal of this binder and any relevant conditions found by such a review.

I. The plattor's text shall include language that a drainage plan has been developed for the plat and that all drainage easements, rights-of-way, or reserves shall remain at established grades or as modified with the approval of the applicable City or County Engineer, and unobstructed to allow for the conveyance of stormwater.

J. The applicant shall install or guarantee the installation of all utilities and facilities that are applicable and described in Article 8 of the MAPC Subdivision Regulations. (Water service and fire hydrants required by Article 8 for fire protection shall be as per the direction and approval of the Chief of the Fire Department.)

K. The Register of Deeds requires all names to be printed beneath the signatures on the plat and any associated documents.

L. Prior to development of the plat, the applicant is advised to meet with the United States Postal Service Growth Management Coordinator (Phone: 316-946-4556) in order to receive mail delivery without delay, avoid unnecessary expense and determine the type of delivery and the tentative mailbox locations.

M. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Rt. 1, Box 317, Valley Center, KS 67147) for the control of soil and wind erosion and the protection of wetlands may impact how this site can be developed. It is the applicant's responsibility to contact all appropriate agencies to determine any such requirements.

N. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one (1) acre or more of ground cover requires a Federal/State National Pollutant Discharge Elimination System Stormwater Discharge Permit from the Kansas Department of Health and Environment in Topeka. Also, for projects located within the City of Wichita, erosion and sediment control devices must be used on ALL projects. For projects outside of the City of Wichita, but within the Wichita metropolitan area, the owner should contact the appropriate governmental jurisdiction concerning erosion and sediment control device requirements.

O. Perimeter closure computations shall be submitted with the final plat tracing.

P. A compact disc (CD) should be provided, which will be used by the City and County GIS Departments, detailing the final plat in digital format in AutoCAD. Please include the name of the plat on the disc. If a disc is not provided, please send the information via e-mail to Kathy Wilson (e-mail address: kwilson@wichita.gov).

MOTION: To approve subject to the recommendation of the Subdivision Committee and staff recommendation.

DENNIS moved, **FOSTER** seconded the motion, and it carried (11-0).

2-2. DER2012-00001: Amendments to the Subdivision Regulations – Section 6-104 of the Wichita-Sedgwick County Subdivision Regulations relating to reconfiguration of Reserves within Lot Splits.

To comply with the Stormwater Management and Pollution Prevention Ordinance, the boundaries of reserves located in plats may need to be revised. The current lot split regulations do not allow a reserve to be reconfigured and a replat would be necessary. On March 29, 2012, the Subdivision Committee recommended that a new section be added to the lot split regulations that allows stormwater management facilities, typically platted as reserves, to be vacated and re-established elsewhere within the Subdivision to comply with the Stormwater Management and Pollution Prevention Ordinance (attached delineated Section 6-104). The lot split review is an administrative procedure requiring approval by the Planning Director.

The lot split procedure would be permitted in lieu of a replat, and allow an unlimited number of lot splits for the reconfiguration of a reserve for non-residential lots. In addition, a vacation case shall be required for any other applicable vacation activity in conjunction with the lot split.

Wichita City Council and the Board of Sedgwick County Commissioners will need to approve the amendments.

The Stormwater Advisory Board and Stormwater Management Advisory Board have reviewed the amendments and have concurred with their approval. The City's Law Department and the County's Legal Department have reviewed the amendments and approved as to form for the respective adopting Ordinance and Resolution (attached).

MOTION: To approve subject to the recommendation of the Subdivision Committee and staff recommendation.

ALDRICH moved, **DENNIS** seconded the motion, and it carried (11-0).

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3. PUBLIC HEARING – VACATION ITEMS

3-1. VAC2012-10: City request to vacate a portion of a platted setback.

OWNER/APPLICANT: Don and Nancy Glenn

LEGAL DESCRIPTION: The south approximately 12 feet of the platted 35-foot street side yard setback that runs parallel to the north lot line of Lot 19, Block 12, Lincoln Heights Addition, Wichita, Sedgwick County, Kansas.

LOCATION: Generally located midway between Douglas Avenue and Kellogg Street, west of Oliver Avenue, on the southeast corner of Dellrose and Pershing Avenues. (WCC #IV)

REASON FOR REQUEST: Existing encroachment and proposed addition

CURRENT ZONING: Subject property and all abutting and adjacent properties are zoned SF-5 Single-family Residential ("SF-5").

The applicants propose to vacate the south 12 feet of the platted 35-foot street side yard setback, on the described residential Key Corner Lot, which was platted prior to 1996. If a residential Key Corner Lot was located in a subdivision platted prior to 1996, it is not required to provide a front setback along all street exposures. All corner lots' front yard setback are located along the shorter street frontage, in this case the shorter street frontage is located along Pershing Avenue, the west side of the lot.

The principle structure already encroaches into the platted street side yard setback (Lewis/Dellrose streets' side) and the applicants propose to build a stand-alone addition that will line up with the encroaching portion of the principle structure. Staff found no record of a vacation of the platted street side yard and the applicants have not provided a recorded vacation. The UZC's minimum street side yard setback for the SF-5 zoning district is 15 feet. The applicants are requesting a reduction of the 35-foot platted street side yard setback to 23 feet. If the setback was not platted the applicants could request an Administrative Adjustment that would reduce the SF-5 zoning district's minimum 15-foot street side yard setback by 20%, resulting in a 12-foot street side yard setback. Reduction beyond the 12-foot street side yard setback would require a variance, which is a separate public hearing process. There are no platted easements within the platted setback. There are no manholes, sewer or water lines within the described portion of the platted setback. Comments from Stormwater and franchised utilities have not been received and are needed to determine if they have utilities located within the described setback. The Lincoln Heights Addition was recorded with the Register of Deeds February 26, 1927.

Note: (a) The applicants' exhibit shows an existing two car garage encroaching into the rear setback. The rear setback is the SF-5 zoning district's 20-foot minimum. The applicants have not provided a copy of a recorded adjustment or variance for the encroachment, nor have the applicants requested an adjustment or a variance. The applicants' exhibit also shows the existing garage encroaching into a 5-foot easement (dedicated in the plattor's text) that covers a sewer line and man holes. The applicants have not applied for a vacation of the easement. The applicants' need to provide a Hold Harmless agreement to Public Works, removing the City form any liability to damage to the garage in case of maintenance, repair or replacement of the sewer line and manholes locate located in the easement and perhaps the garage.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from City Traffic, Public Works, Water & Sewer, Stormwater, Fire, franchised utility representatives and other interested parties, Planning Staff has listed the following considerations (but not limited to) associated with the request to vacate the described portion of the platted setback.

A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:

1. That due and legal notice has been given by publication as required by law, in the Wichita Eagle, of notice of this vacation proceeding one time April 12, 2012, which was at least 20 days prior to this public hearing.

2. That no private rights will be injured or endangered by the vacation of the described portion of the platted setback and the public will suffer no loss or inconvenience thereby.

3. In justice to the petitioner, the prayer of the petition ought to be granted.

Conditions (but not limited to) associated with the request:

(1) Vacate the south 12 feet of the platted 35-foot street side yard setback that runs parallel to the north lot line of Lot 19, Block 12, Lincoln Heights Addition, Wichita, Sedgwick County, Kansas.

(2) The existing garage is shown as encroaching into the 5-foot easement shown on the applicants' exhibit. The easement covers a sewer line and manholes. Provide Public Works with all a Hold Harmless agreement to remove the City from any liability in case of damage to the existing garage in case of maintenance, repair or removal of the sewer line and manhole in the 5-foot wide easement shown on the applicants' exhibit.

(3) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicant.

(4) All improvements shall be according to City Standards and at the applicant's expense.

(5) Per MAPC Policy Statement #7, all conditions shall be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION:

The Subdivision Committee recommends approval subject to the following conditions:

(1) Vacate the south 12 feet of the platted 35-foot street side yard setback that runs parallel to the north lot line of Lot 19, Block 12, Lincoln Heights Addition, Wichita, Sedgwick County, Kansas.

(2) The existing garage is shown as encroaching into the 5-foot easement shown on the applicants' exhibit. The easement covers a sewer line and manholes. Provide Public Works with all a Hold Harmless agreement to remove the City from any liability in case of damage to the existing garage in case of maintenance, repair or removal of the sewer line and manhole in the 5-foot wide easement shown on the applicants' exhibit.

(3) Any relocation or reconstruction of utilities made necessary by this vacation shall be the responsibility and at the expense of the applicant.

(4) All improvements shall be according to City Standards and at the applicant's expense.

(5) Per MAPC Policy Statement #7, all conditions shall be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

FOSTER clarified that the setback on the site plan provided with the Staff Report had not been corrected and also noted there was a misspelling.

LONGNECKER indicated those items would be corrected prior to the item being presented to City Council.

MOTION: To approve subject to the recommendation of the Subdivision Committee and staff recommendation.

KLAUSMEYER moved, **ALDRICH** seconded the motion, and it carried (11-0).

3-2. VAC2012-11: County request to vacate a platted contingent street right-of-way.

APPLICANT/AGENT: In Site Medical Partners, LLC, Attn: Dan Unruh, 608 West Douglas, Suite 106, Wichita, KS 67203

LEGAL DESCRIPTION: All of the contingent street dedication lying within Lot 2, Block A, Eberly Farm Office Park Addition, Sedgwick County, Kansas. All of the contingent street dedication lying within Lot 3, Block A, Eberly Farm Office Park 2nd Addition, Sedgwick County, Kansas.

LOCATION: Generally located on the south side of 21st Street North, east of 135th Street West (County District 3)

REASON FOR REQUEST: To allow expanded development on the site

CURRENT ZONING: The site and abutting east and west properties are zoned GO General Office. The abutting property to the south is zoned SF-20 Single-family Residential.

The Eberly Farm Addition was recorded on December 9, 2005 and contains a 70-foot wide contingent street dedication extending from the cul-de-sac to the south line of the plat. The Eberly Farm 2nd Addition is a replat of the easterly portion of the Eberly Farm Addition and was recorded on March 11, 2010. The replat contains a 35-foot contingent street dedication. The plattor's text of both plats describes the contingent dedication of right-of-way (ROW) as follows: "The contingent street dedication shall become effective in the event that the appropriate governing body determines a need for the right-of-way for any street-related purposes."

The applicant is the abutting property owner to the east and west of the contingent rights-of-way. The developed property to the south has access to the street to the west and unpaved access to 21st Street North.

No manholes, water or sewer lines are located in the described ROWs. County Public Works has confirmed that no drainage facilities are located in the described ROWs and is agreement with the proposed vacation. Westar Energy has a 10-foot utility easement in the east 35 feet of the contingent right-of-way that contains Westar equipment, which needs to be retained for easement. Comments from other franchised utilities are needed to determine if other utilities are located within the described ROWs.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from franchised utility representatives and other interested parties, Planning Staff has listed the following considerations associated with the request to vacate the described contingent dedication of street ROWs.

A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:

1. That due and legal notice has been given by publication as required by law, in the Wichita Eagle, of notice of this vacation proceeding one time April 12, 2012, which was at least 20 days prior to this public hearing.

2. That no private rights will be injured or endangered by the vacation of the described contingent dedication of street ROWs and the public will suffer no loss or inconvenience thereby.

3. In justice to the petitioner, the prayer of the petition ought to be granted.

Conditions (but not limited to) associated with the request:

(1) As requested by Westar Energy, retain that portion of the vacated contingent street ROWs as a utility easement. Provide any additional easement as needed by dedication by separate instrument, prior to this vacation case going to City Council and Board of County Commissioners.

(2) If the Applicant plans to remove or relocate the existing Westar Energy facilities it would be at their expense and they will need to contact Marsha Jesse, Construction Services Representative, at 316-261-6734. Any relocation or reconstruction of other utilities made necessary by this vacation shall be the responsibility and at the expense of the applicants. The applicant shall retain all contingent ROW until all utilities have been relocated, as needed. Provide Planning staff with confirmation of this requirement being completed or that suitable guarantees have been provided.

(3) Per MAPC Policy Statement #7, all conditions are to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required

documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

SUBDIVISION COMMITTEE'S RECOMMENDED ACTION:

The Subdivision Committee recommends approval subject to the following conditions:

(1) As requested by Westar Energy, retain that portion of the vacated contingent street ROWs as a utility easement. Provide any additional easement as needed by dedication by separate instrument, prior to this vacation case going to City Council and Board of County Commissioners.

(2) If the Applicant plans to remove or relocate the existing Westar Energy facilities it would be at their expense and they will need to contact Marsha Jesse, Construction Services Representative, at 316-261-6734. Any relocation or reconstruction of other utilities made necessary by this vacation shall be the responsibility and at the expense of the applicants. The applicant shall retain all contingent ROW until all utilities have been relocated, as needed. Provide Planning staff with confirmation of this requirement being completed or that suitable guarantees have been provided.

(3) Per MAPC Policy Statement #7, all conditions are to be completed within one year of approval by the MAPC or the vacation request will be considered null and void. All vacation requests are not complete until the Wichita City Council or the Sedgwick County Board of County Commissioners have taken final action on the request and the vacation order and all required documents have been provided to the City, County and/or franchised utilities and the necessary documents have been recorded with the Register of Deeds.

COMMISSIONER FOSTER recused himself from this item.

MOTION: To approve subject to the recommendation of the Subdivision Committee and staff recommendation.

DENNIS moved, **MCKAY** seconded the motion, and it carried (10-0-1). **FOSTER** - Abstained.

G. SHERMAN (In @1:40 p.m.)

PUBLIC HEARINGS

4. **Case No.: CON2012-15 (deferred from 4-19-12)** - United School District 259 c/o Shane Schumacher (owner/applicant) request a City Conditional Use for a Wireless Communication Facility on property zoned SF-5 Single-Family Residential on property described as:

A described tract being 10.00 feet either side of described centerline for 20' (x) 20' wireless communication facility and access to it. Centerline being further described as: Commencing at the Northeast corner of Lot 1, Block 1, South High School Second Addition to Wichita, Sedgwick County, Kansas; thence S 89°59'38" W, a distance of 135.00 feet, along the North line of said Lot 1, to the point of beginning; thence S 00°11'42" W, a distance of 490.00 feet, on a

line parallel to the East line of said Lot 1; thence S 89°59'38" W, a distance of 240.00 feet, on a line parallel to the North line of said Lot 1, to an ending point of described centerline.

BACKGROUND: United School District 259 (USD 259) is requesting a Conditional Use that would permit the construction of a wireless communication facility with a 150-foot tall, galvanized steel, lattice, self-supporting, microwave communication tower and equipment. The 20-foot (x) 20-foot tower site is located in the approximately 35.45-acre, SF-5 Single-Family Residential ("SF-5") zoned South High School 2nd Addition. The site is located east of Seneca Street, between 33rd and 35th Streets and east of Osage Street. Per the amended Wireless Communication Facility Ordinance (adopted by the WCC April 15, 2011 and the BoCC April 6, 2011), new wireless communication facilities over 65-feet in height in the SF-5 zoning district may be permitted with a Conditional Use.

The proposed facility and its tower will replace the school's existing facility and its 150-foot galvanized steel, lattice, self-supporting, microwave communication tower that is being removed to allow for the additional construction of school buildings. The proposed site is located approximately 320 feet northeast of the existing tower site. The proposed tower is needed to provide voice, data and security alarm traffic between schools and administrative facilities as part of USD 259's microwave signal network. All previous microwave links in the USD 259 system were licensed and approved by the Federal Communications Commission (FCC) and are operated within the laws of the FCC. The site is located within "Airport Hazard Zone Area D." The proposed tower and associated communication frequencies and wattages must meet standards determined by the Federal Aviation Administration (FAA) to pose no hazard to air navigation or interferes with other radio/communication frequencies. The applicant needs to provide an FAA "Determination of No Hazard to Air Traffic" letter, prior to the issuance of any building permits.

Per the site plan the tower conforms to the compatibility height standard. The proposed tower is located approximately 450 – 530 feet from the nearest SF-5 zoned property. The 20-foot (x) 20-foot tower site will have a chain linked fence around it. Existing and proposed buildings provide screening along the north, west and south sides of the site. The site is located in a SF-5 zoned single-family residential neighborhood. Most of the houses in the neighborhood appear to have been built in the 1950s. A vacated right-of way, V-0936, and abandoned railway that has been retained for drainage abuts the east side of the site.

The applicant has stated that this microwave signal requires a tower with a much lower tolerance for deflection/sway by wind or by asymmetrical solar heating, than your typical broadband signal used by cell phone services, which are typically located on (swaged or slip joint construction) monopoles. The applicant's proposed 150-foot lattice tower(s) meets the reliability standard, while meeting the intent of the Wireless Plan for the design of a tower to "Minimizing the height, mass or proportion of the facility to minimize conflict with the character of its proposed surroundings." The other public entities in the City or County using a similar type of microwave technology are the City of Wichita's IT microwave lattice towers and K-DOT's microwave lattice towers

The applicant has stated that any proposed lighting of the tower, will be at the base for security purposes and temporary lighting needed for nighttime repairs. All other tower lighting will meet the FAA requirements for aircraft warning. The proposed galvanized surface of the tower will blend into the sky more readily than a red or white paint, which meets the intent of the "Design Guidelines" of the "Wireless Communication Master Plan."

CASE HISTORY: The SF-5 zoned site is platted as Lot 1, Block 1, South High School 2nd Addition and was recorded with the Sedgwick County Register of Deeds March 26, 2004. Staff has found no case history on the existing facility and its 150-foot tower on the site.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single-family residences
SOUTH:	SF-5	Athletic fields (including Carpenter Stadium), elementary school
EAST:	SF-5	Drainage, single-family residences
WEST:	SF-5	Single-family residences

PUBLIC SERVICES: No municipally supplied public services are required. The applicant will extend all needed electrical and other service to the site. The site has access to 33rd Street South, a paved, two-lane residential street. The 2030 Transportation Plan shows no change to the current status of this street.

CONFORMANCE TO PLANS/POLICIES: Per the amended Wireless Communication Facility Ordinance, new wireless communication facilities over 65-feet in height in the SF-5 zoning district may be permitted with a Conditional Use. The SF-5 zoned site is proposed to have a new wireless communication facility with a 150-foot tall tower, thus the Conditional use request.

The Wireless Communication Master Plan (Wireless Plan) is an element of the Comprehensive Plan that outlines the guidelines for locating wireless communication facilities. The Location Guidelines of the Wireless Communication Master Plan requires a Conditional Use for new undisguised ground mounted facilities over 65-feet in height in the SF-5 zoning district, that comply with the compatibility setback standards; the tower is 150 feet tall, thus the Conditional Use request, and it does comply with the compatibility height standards. The Design Guidelines of the Wireless Plan indicate that new facilities should: 1) Preserve the pre-existing character of the area as much as possible; the proposed 150-foot tall, galvanized steel, lattice, self-supporting, microwave communication tower, replaces a 150-foot tall, galvanized steel, lattice, self-supporting, microwave communication tower, thus there is no introduction of a new use in the area. 2) Minimize the height, mass, or proportion of the tower. 3) Minimize the tower's silhouette; in reference to Standards 2 and 3, the proposed 150-foot galvanized steel, lattice, self-supporting, microwave communication tower meets those standards. 4) Use colors, textures, and materials on the towers that blend in with the existing environment; the tower's galvanized surface will blend into the sky. 5) Conceal or disguise the tower as a flagpole, clock tower, or church steeple; Planning is not aware that these options have been investigated. 6) Place towers in areas where trees and/or buildings obscure some or all of the facility; the school's existing and proposed buildings will obscure some of the facility along its north, west and south sides. 7) Place towers on walls or roofs of buildings; this option does not appear to be present in this area. 8) Screen towers through landscaping, walls, and/or fencing; the applicant needs to retain any mature trees and provide additional landscaping around the 20-foot (x) 20-foot site. 9) Paint towers red and white instead of using strobe lighting; see #4 above. The application appears to meet most of these considerations.

The "2030 Wichita Functional Land Use Guide" of the Wichita-Sedgwick County Comprehensive Plan identifies the application area as "Urban Residential." The Urban Residential category reflects the full diversity of residential development densities found in a large urban municipality. The range of housing types found includes: single detached homes, semi-detached homes, zero lot line units, patio homes, duplexes, townhouses, apartments and multi-family units, condominiums, mobile home parks and special residential accommodations for the elderly (assisted living, congregate care and nursing homes). Elementary and middle school facilities, churches, playgrounds, parks and other similar residential-

serving uses may be found in this category. The site's current SF-5 zoning is intended to accommodate low to moderate density residential development and other complementary land uses, such as the South High School public school site. The proposed tower is an accessory use/facility for the school, as it supports the public educational use of the site.

RECOMMENDATION: The application area currently has a 150-foot lattice tower; the request is to relocate the same type of tower and equipment at a different spot on the school's property. The tower will maintain the school's connection to the district's microwave signal network that operates via point-to-point links between control-monitoring locations. The proposed tower is an accessory use/facility for the school, as it supports the public educational use of the site.

Based upon these factors and the information available prior to the public hearing, planning staff recommends that CON2012-00015 be APPROVED subject to the following conditions:

A. Allow a 150-foot tall, lattice, self-supporting, microwave communication tower. The site shall be located as shown on an approved site plan, within the interior of the 35.45-acre South High School public school grounds, in compliance with all federal, state, and local rules and regulations.
B. All other requirements of Art. III Sec. III.D.6.g., of the Unified Zoning Code shall be met.
C. The applicant shall obtain all permits necessary to construct the wireless communication facility, and the wireless communication facility shall be erected within one year of approval of the Conditional Use by the MAPC or governing body, as applicable.
D. All appropriate lighting and/or markings as approved by the FAA.
E. The applicant shall submit a current copy of FAA approval to the MAPD and the Code Enforcement Office prior to the issuance of a building permit.
F. The tower site shall be developed in general conformance with the approved site plan. 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 site is located in a SF-5 zoned single-family residential neighborhood, with most of the neighborhood's houses having been built in the 1950s. The site is part of a public school complex, containing South High School, the abutting Enterprise Elementary school and abutting playing fields, including Carpenter Field. I-235 abuts the south side of this USD 259 public school complex.

2. The suitability of the subject property for the uses to which it has been restricted: The site is zoned SF-5 and is part of the USD 259 public school complex. The site is suitable for its continued use as a public school complex. A Conditional Use may be granted to permit a wireless communication facility over 65 feet tall in the SF-5 zoning district; however, the facility should conform to the guidelines of the Wireless Communication Plan as much as possible. The proposed facility conforms to most of the plan's guidelines and is replacing an existing 150-foot tall lattice, self-supporting, microwave communication tower; the proposed 150-foot tall lattice, self-supporting, microwave communication tower is not a new use in the area.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Detrimental effects on the single-family neighborhoods and businesses in the area should be minimized to a degree by the Conditional Use standards of the Unified Zoning Code, which should limit noise, lighting, and other activity from adversely impacting these properties. The proposed expansion of the South High public school site and its accessory tower will help provide educational opportunities for the benefit of the neighborhood and the greater Wichita – Sedgwick community as well.

4. Conformance of the requested change to the adopted or recognized Comprehensive Plan: The Wireless Communication Master Plan (Wireless Plan) is an element of the Comprehensive Plan that outlines the guidelines for locating wireless communication facilities. The Location Guidelines of the Wireless Communication Master Plan requires a Conditional Use for new undisguised ground mounted facilities over 65-feet in height in the SF-5 zoning district, that comply with the compatibility setback standards; the tower is 150 feet tall, thus the Conditional Use request, and it does comply with the compatibility height standards. The Design Guidelines of the Wireless Plan indicate that new facilities should: 1) Preserve the pre-existing character of the area as much as possible; the proposed 150-foot tall, galvanized steel, lattice, self-supporting, microwave communication tower, replaces a 150-foot tall, galvanized steel, lattice, self-supporting, microwave communication tower, thus there is no introduction of a new use in the area. 2) Minimize the height, mass, or proportion of the tower. 3) Minimize the tower's silhouette; in reference to Standards 2 and 3, the proposed 150-foot galvanized steel, lattice, self-supporting, microwave communication tower meets those standards. 4) Use colors, textures, and materials on the towers that blend in with the existing environment; the tower's galvanized surface will blend into the sky. 5) Conceal or disguise the tower as a flagpole, clock tower, or church steeple; Planning is not aware that these options have been investigated. 6) Place towers in areas where trees and/or buildings obscure some or all of the facility; the school's existing and proposed buildings will obscure some of the facility along its north, west and south sides. 7) Place towers on walls or roofs of buildings; this option does not appear to be present in this area. 8) Screen towers through landscaping, walls, and/or fencing; the applicant needs to retain any mature trees and provide additional landscaping around the 20-foot (x) 20-foot site. 9) Paint towers red and white instead of using strobe lighting; see #4 above. The application appears to meet most of these considerations.

5. Impact of the proposed development on community facilities: FAA approval should ensure that the proposed tower is not a hazard to air navigation (including the need or not for lighting) and that the tower does not interfere with other radio/communication frequencies.

MOTION: To approve subject to staff recommendation.

JOHNSON moved, **KLAUSMEYER** seconded the motion, and it carried (12-0).

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6. **Case No.: ZON2012-12** - Robert James Morris (Owner/Applicant), Robert Heider, (Owner/Applicant), Lynne Penner (Agent) and Todd Fox(Agent) request a City zone change from SF-5 Single-Family Residential to TF-3 Two-Family Residential on property described as:

Lot 1 and 1/13th undivided interest in Lake Facility, Lakeside Acres 1st Addition to Wichita, Sedgwick County, Kansas.

AND

Lot 2 and 1/13th undivided interest in Lake Facility, Lakeside Acres 1st Addition to Wichita, Sedgwick County, Kansas.

BACKGROUND: The applicant requests a zone change from SF-5 Single-family Residential ("SF-5") to TF-3 Two-family Residential ("TF-3") on two acres consisting of Lot 1 and 1/13th undivided interest in the Lake facility and Lot 2 and 1/13th undivided interest in the Lake facility, Lakeside Acres 1st Addition, Wichita, Sedgwick County, Kansas. The subject site is located approximately one-half mile between East 13th Street North and East 21st Street North, along the west side of North 127th Street East (1815 North 127th Street East). The applicant proposes to develop the property with upper-scale, executive duplex structures. The *Unified Zoning Code* (UZC) defines a duplex as…"the use of a lot for two principal dwelling units within a single building." The code permits building heights up to 35 feet in the TF-3 district, which is the same maximum height allowed in the SF-5 district. If the request were to be approved, the existing property would allow only one duplex structure with two living units or one single-family structure (permitted by right in the TF-3 district); however it is possible to replat or lot split the existing 1.76-acre (or 75,358 square feet) lot into twelve 6,279 square-foot lots that could allow twelve duplex structures (3,000 square feet minimum lot area per dwelling unit for duplex or 6,000 square feet per duplex). However, the applicant only intends to build four duplex structures containing a total of eight dwelling units.

All property surrounding the subject site is zoned SF-5, and is developed with single-family residences. The properties to the east are separated from the subject site by 127th Street East and the properties to the south are separated from the subject site by the old railroad right-of-way.

CASE HISTORY: Lot 1 and 1/13th undivided interest in the Lake Facility and Lot 2 and 1/13th undivided interest in the Lake facility, Lakeside Acres 1st Addition, Wichita, Sedgwick County, Kansas, was recorded with the Register of Deeds on April 6, 1955.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single-family Residences
SOUTH:	SF-5	Single-family Residences
EAST:	SF-5	Single-family Residences
WEST:	SF-5	Single-family Residences

PUBLIC SERVICES: 127th Street East is classified as a two-lane, paved minor arterial road with no traffic counts. Municipal water and sewer does serve the subject area.

CONFORMANCE TO PLANS/POLICIES: The 2030 Wichita Functional Land Use Guide of the Comprehensive Plan identifies the site as appropriate for "Urban Residential" use. Urban Residential is a category that encompasses areas that reflect the full diversity of residential development densities and types typically found in a large urban municipality. The range of housing types found includes: single detached homes, semi-detached homes, zero lot line units, patio homes, duplexes, townhouses, apartments and multi-family units, condominiums, mobile home parks, and special residential accommodations for the elderly (assisted living, congregate care and nursing homes). Elementary and middle school facilities, churches, playgrounds, parks and other similar residential-serving uses may also be found in this category.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request for the TF-3 Two-family Residential ("TF-3") zoning be APPROVED.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** All property surrounding the subject site is zoned SF-5 and develop with single-family residences. The properties to the east are separated from the subject site by 127th Street East and the properties to the south are separated from the subject site by the old railroad line and right-of-way.

2. **The suitability of the subject property for the uses to which it has been restricted:** The site could be developed with multiple single-family residences use under the current zoning.

3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** As currently zoned, approval of the request would double the density at which the site could be developed. The impact on nearby residents could be increased traffic. However, single-family residences typically generate more traffic per unit than two-family residences.

4. **Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant:** Denial presumably could cause the applicant a relative economic loss. Approval could introduce a multi-family residential use in a predominant single-family residential setting where such uses are increasing in popularity, especially high end duplex and multi-family development.

5. **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The 2030 Wichita Functional Land Use Guide of the Comprehensive Plan identifies the site as appropriate for "Urban Residential" use. Urban Residential is a category that encompasses areas that reflect the full diversity of residential development densities and types typically found in a large urban municipality. The range of housing types found includes: single detached homes, semi-detached homes, zero lot line units, patio homes, duplexes, townhouses, apartments and multi-family units, condominiums, mobile home parks, and special residential accommodations for the elderly (assisted living, congregate care and nursing homes). Elementary and middle school facilities, churches, playgrounds, parks and other similar residential-serving uses may also be found in this category.

6. **Impact of the proposed development on community facilities:** The site currently has one point of access from 127th Street East, a minor arterial. Approval of the request should not have a negative impact on community facilities; especially since all sewer and water lines are in place and roads have already been constructed.

DERRICK SLOCUM, Planning Staff presented the Staff Report.

ROBERT MORRIS, LAKESIDE COURTS, LLC said they plan to develop 4 executive duplex style properties. He referred Commissioners to a handout featuring a rendering done by Mid-Kansas Engineering of the proposed construction. He said the duplexes will be 3-bedroom, 3-bath and lease anywhere from $1,100 to $1, 300 per month. He said their target market will be corporate rentals. He said there will be 2 gated entrances and each duplex will have its own driveway.

ALDRICH asked where the gates will be located and mentioned his concern about traffic flow.

MORRIS said one gate will be located at the existing entrance to the property and another gate will be located further to the north.

FOSTER asked staff about access for the Fire Department.

SLOCUM said the applicant will need to work that out with the Fire Department.

RAYMOND MORRISSETTE, 1840 NORTH GARNETT said he lived directly across from the proposed development. He said although the neighbors might agree that the current property is an eye sore, he said he had questions that needed to be addressed. He said the area was platted back in 1954 and the neighborhood is on septic systems; however, the Staff Report refers to City sewer and water lines. He asked how that will be done and if the entire neighborhood will be forced to connect to City sewer. He said the neighborhood was annexed by the City and some of the residents have City water. He said most of the neighbors are senior citizens on fixed incomes. He also asked how the buildings will be sited on the lots. He said there is a major power line that trisects the south end of the property and he does not believe they can build under the transmission line. In addition, he said there is a major gas pipeline along the west side of 127th Street that he believes will also impact construction. He also asked about setbacks.

ROBERT MORRIS introduced **MARK EGGEL, EGGEL CONSTRUCTION**. **MORRIS** indicated that Mr. Morrissette is correct; they cannot build under the power line. In addition, he said easements will be provided from the gas line. He said they plan on bringing in a sewer line to correctly service the area. He said if they developed the property with single-family residences City water and sewer would still be required. He said they are not under the impression that the neighbors will be forced to connect to the system.

KLAUSMEYER asked if the sewer line will be privately funded.

EGGEL said yes and added that it is part of the building process.

FARNEY asked staff if the other folks in the area will be required to hook up to the City sewer line.

SLOCUM said he did not think that would be a requirement.

G. SHERMAN asked about platting.

SLOCUM said the area is already platted; however, he added later that the applicant will do lot splits.

MCKAY suggested that the applicant and neighbors get together to discuss additional details.

MOTION: To approve subject to staff recommendation.

SHERMAN moved, **JOHNSON** seconded the motion, and it carried (12-0).

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7. **Case No.: ZON2012-13 and CUP2012-10** - Davis-Moore Real Estate (owner/applicant) and K.E. Miller Engineering, PA c/o Kirk Miller (agent) request a Minor Amendment to CUP DP-50, to allow vehicle repair general and outdoor storage on property described as:

BACKGROUND: The LC Limited Commercial ("LC") zoned site, Parcel #4, is located within the LC and GC General Commercial ("GC") zoned DP-50, the Carriage House Commercial Community Unit Plan ("CUP"). DP-50 is located east of Tyler Road, on the north side of Kellogg Street/US 54. The applicant is requesting a zone change from LC to GC and a CUP amendment to DP-50, to allow "Vehicle Repair, General" on Parcel #4. The Unified Zoning Code defines Vehicle Repair, General as "an establishment primarily engaged in painting of or body work to motor vehicles or heavy equipment; typical uses include paint and body shops." The GC zoning district is the first district that allows Vehicle Repair, General. One of the site's proposed uses is "outdoor vehicle sales," which is the current business of the applicant, the Davis-Moore Chevrolet Dealership. General Provision #35 states that "No body or fender work shall be done on the premises (Parcel #4) without first obtaining GC zoning." Body or fender work is considered Vehicle Repair, General, thus the application for GC zoning and the amendment to DP-50.

The request, if approved, would allow an expansion of the services that currently support the dealership. Besides the sale of cars and light trucks, the dealership provides maintenance and repair of customers' cars and light trucks ("Vehicle Repair, Limited") and a car wash for the dealership's inventory of vehicles and their customers' vehicles. Both Vehicle Repair, Limited, and a car wash are permitted in the LC zoning district, with considerations as listed the Unified Zoning Code ("UZC"). Both Vehicle Repair, Limited, and a car wash (services) are listed as proposed uses in DP-50, although not in the subject site. These two services provided for the dealership's customers are considered "Accessory Uses" to the "Principle Use," which is outdoor vehicle sales. To introduce either Vehicle Repair, Limited or a car wash as stand-alone businesses on the site would require, at the least, an Adjustment to DP-50.

Parcel #4 is partial developed and the Vehicle Repair, General, use will be completely enclosed within a new building. The applicant has been preparing for this expansion by vacating easements and moving utilities; VAC2011-00029. Vehicles that are waiting for repair in the proposed paint and body shop may be stored for longer than 72 hours outside, therefore the applicant also request a "Vehicle Storage Yard;" this is not a "Wrecking/Salvage Yard."

The site is the east most portion of the LC and GC zoned 32.56-acre CUP DP-50. A big box home improvement business, Home Depot, abuts the west side of the site, with another large commercial building (with multiple tenants) and two fast food restaurants finishing out DP-50's development, west to Tyler Road. LC zoned retail abuts the east side of the site. A LI Limited Industrial ("LI") zoned mix of retail, paint and body shops, car lots, vehicle repair shops, a motel and light industrial uses are located south of the site across Kellogg/US 54. Southwest of the site, across McCormick Avenue are GC zoned retail, a credit union and fast food restaurants. A SF-5 Single-Family Residential ("SF-5") zoned single-family residential neighborhood abuts the north and northeast side of the site.

CASE HISTORY: The site is part of the Carriage House Plaza Fourth Addition, which was recorded with the Register of Deeds August 27, 1998. CUP DP-50 was approved in 1973. Numerous adjustments and amendments have been made to DP-50 since its approval. VAC2011-00029 was approved by the MAPC.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5	Single-family residences
SOUTH:	LI, GC	Retail, paint and body shops, car lots, vehicle repair shops and light industrial uses, motel, credit union, fast food restaurants
EAST:	LC	Retail
WEST:	LC, GC	Big box home improvement, commercial, fast food restaurants

PUBLIC SERVICES: The site has access onto McCormick Avenue, a two lane frontage street with a central turn lane. From McCormick vehicular traffic can access the four-lane (with a center turn lane and accel-decel lanes) arterial Tyler Road. The expressway Kellogg/US 54 Highway is accessed off of Tyler. All municipal services are available.

CONFORMANCE TO PLANS/POLICIES: The *2030 Wichita Functional Land Use Guide* of the Comprehensive Plan designates this site as appropriate for Regional Commercial uses, which are defined as commercial uses that have a significant regional market draw. The site's current use as a Chevrolet Dealership (a major automobile dealership) is an appropriate use. The Comprehensive Plan has an objective to minimize detrimental impacts of higher intensity land uses located near residential living environments; Land Use-Residential Objective II. B). Strategy II.B3 states that there is a need to evaluate the effectiveness of regulations aimed at reducing or preventing the detrimental impacts of land uses that produce excessive odors, noise or safety hazards upon residential areas.

RECOMMENDATION: A significant percentage of body work now consists of attaching replacement panels, with less noise than older methods of metal body work. Codes now require that vehicle painting is done with ventilation systems which mitigate odors and particulate matter. If the requested Vehicle Repair, General, takes place exclusively indoors, it should have no more effect on neighboring properties than the current Vehicle Repair, Limited, with both being accessory/in support of the site's principle use as a car dealership. Based upon information available prior to the public hearings, planning staff recommends that the requested GC zoning and the proposed amendment be APPROVED, subject to the following conditions:

1. DP-50 Parcel #4's Proposed Uses shall be amended to include "Vehicle Repair, General" as accessory to the site's car dealership and all Vehicle Repair, General work shall be done indoors. Vehicle Repair, General, as accessory to the site's car dealership will be allowed in the GC zoned portion of Parcel 4.
2. Amend General Provision #10, by adding "no bay doors on Parcel 4 shall be facing the north abutting SF-5 zoned neighborhood."
3. DP-50 Parcel #4's Proposed Uses shall be amended to include vehicles that are waiting for repair in the Vehicle Repair, General building may be stored for longer than 72 hours outside (Vehicle Storage), behind a wall of approved materials, with a gated entrance; no wrecking or salvage permitted. Vehicle storage shall be accessory to the site's car dealership shall be confined to the GC zoned portion of Parcel #4.
4. If the Zoning Administrator finds that there is a violation of any of the conditions of the DP-50 Amendment #5, the Zoning Administrator may, with the concurrence of the Planning Director, declare the DP-50 Amendment #5 null and void.
5. The applicant shall submit four revised copies of the CUP to the Metropolitan Area Planning Department within 60 days after final approval of this case, or the request shall be considered denied and closed.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The site is the east most portion of the LC and GC zoned 32.56-acre CUP DP-50. A big box home improvement business, Home Depot, abuts the west side of the site, with other another large commercial building (with multiple tenants) and two fast food restaurants finishing out DP-50's development, west to Tyler Road. LC zoned retail abuts the east side of the site. A LI Limited Industrial ("LI") zoned mix of retail, paint and body shops, car lots, vehicle repair shops, a motel and light industrial uses are located south of the site across Kellogg/US 54. Southwest of the site, across McCormick Avenue are GC zoned retail, a credit union and fast food restaurants. A SF-5 Single-Family Residential ("SF-5") zoned single-family residential neighborhood abuts the north and northeast side of the site.

2. The suitability of the subject property for the uses to which it has been restricted: The site is zoned LC subject to the development standards contained in DP-50. The site's car dealership could continue to be used under the current zoning and CUP restrictions.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: General Provision #35 of DP-50 states that "No body or fender work shall be done on the premises (Parcel #4) without first obtaining GC zoning." Body or fender work is considered Vehicle Repair, General, thus the application for GC zoning and the amendment to DP-50. General Provision #35 anticipated the expansion of accessory uses to support the principle use, a major car dealership. If the requested Vehicle Repair, General, takes place exclusively indoors, it should have no more effect on neighboring properties than the current Vehicle Repair, Limited, with both being accessory/in support of the site's principle use as a car dealership. A significant percentage of body work now consists of attaching replacement panels, with less noise than older methods of metal body work. Codes now require that vehicle painting is done with ventilation systems which mitigate odors and particulate matter. If the Vehicle Storage remains accessory to the site's car dealership, confined to the GC zoned portion of site and located entirely behind a wall of approved materials, with a gated entrance it should have no more effect on neighboring properties than the other permitted uses of DP-50; no wrecking or salvage permitted. The requested CUP amendment and zone change should have no greater impact on nearby property than any other land uses permitted in the LC and GC zoned DP-50.

4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The *2030 Wichita Functional Land Use Guide* of the Comprehensive Plan designates this site as appropriate for Regional Commercial uses, which are defined as commercial uses that have a significant regional market draw. The site's current use as a Chevrolet Dealership (a major automobile dealership) is an appropriate use. The Comprehensive Plan has an objective to minimize detrimental impacts of higher intensity land uses located near residential living environments; Land Use-Residential Objective II. B). Strategy II.B3 states that there is a need to evaluate the effectiveness of regulations aimed at reducing or preventing the detrimental impacts of land uses that produce excessive odors, noise or safety hazards upon residential areas; see the above #3 finding.

5. Impact of the proposed development on community facilities: The proposed CUP amendment and zone change should have no measurable impact on community facilities.

KIRK MILLER, K.E. MILLER ENGINEERING, PA, AGENT FOR THE APPLICANT said they are in agreement with staff comments except condition #2 relative to bay doors facing north. He said the north side of the building is where the access for repair work is located. He said there is a drainage easement, reserve, berm and masonry wall to the north of the site that will act as a buffer from the residential area. He requested that condition #2 be removed from the conditions of approval.

FOSTER asked if the structure would align with the structure to the west.

MILLER said no, it will align with the building to the east which is further south.

ALDRICH asked if the remodeling of the property to the east will have any effect on the site plan.

MILLER replied that there will be no effect to this property and mentioned that the property to the east is under the same ownership.

ALDRICH asked for feedback from staff on the request to eliminate condition #2.

LONGNECKER said as long as the reserve to the north of the property remains at the current size and configuration with the 80 foot setback, staff is okay with the request to eliminate condition #2.

SHERMAN asked if the applicant was the owner of the reserve.

LONGNECKER said it is all part of the same plat. He said if Home Depot wants to reduce the size of the reserve and amend the text that would require another public hearing.

> **MOTION:** To approve subject to staff recommendation with the elimination of condition #2.
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> **DENNIS** moved, **JOHNSON** seconded the motion, and it carried (12-0).

NON-PUBLIC HEARING ITEMS

8. **Case No.: DER2011-02** - Briefing on the April 5, 2012 Working Draft *Sedgwick County Quad Cities Joint Area Plan 2012-2035*

Background: In early 2011, the cities of Derby, Haysville, Mulvane and Wichita partnered with Sedgwick County to develop an issue-focused joint area plan to address key land use and development issues of mutual interest in the unincorporated areas of Sedgwick County north of the Kansas Star Casino site (located in Sumner County). MAPD staff was requested to provide support to the plan development process.

A 20-member plan steering committee comprised of elected officials, senior administrators and planning commissioners from the four cities and the county has been appointed to guide and make recommendation on the development of this joint area plan. The MAPC has two representatives (Shawn Farney, Darrell Downing) and one alternate (John McKay) currently appointed to the plan steering committee. This plan steering committee is supported by a 21-member technical advisory committee comprised of staff from the five participating municipalities.

The Sedgwick County Quad Cities Joint Area Plan Steering Committee has recently approved a working draft plan document dated April 5, 2012, for the purposes of receiving public review, comment and feedback. The planning commissions of all the participating municipalities are also being briefed on the draft plan. The purpose of today's briefing to inform all MAPC members of the proposed draft plan goal statements and plan policies/strategic initiatives, and receive comment and feedback for further consideration by the Plan Steering Committee. The Advance Plans Committee of the MAPC has received two staff briefings thus far regarding the progress in the development of this joint area plan.

No formal action is requested or desired of the MAPC today. A final recommended plan document will likely be submitted to the MAPC for formal consideration and adoption in early 2013.

DAVE BARBER, Planning Staff presented the Staff Report.

BARBER mentioned that several concurrent planning initiatives such as the Haysville South Broadway Corridor Plan; US-81 / K-53 Casino Area Transportation Plan; and the City of Mulvane Comprehensive Plan Update needed to be integrated and coordinated with the Quad Cities Plan. In addition, he said a post card will be mailed to every homeowner in the planning area inviting their comments. He said staff and the Steering Committee do not anticipate that the plan will be finalized, particularly with Kansas Department of Transportation (KDOT) planning, until early 2013.

BARBER gave a brief overview of the plan document including: Project Timetable; Plan Genesis and Need; Plan Goal Statements and Plan Policies/Strategic Initiatives for Recreation; Stormwater Flooding/Drainage and High Groundwater; Transportation; Future Growth and Development; Plan Implementation and Plan Framework.

ALDRICH referred to bike trails/paths and asked staff if they had a dollar amount for the total cost or phases of development. He also asked about estimated bike path usage.

BARBER replied they do not have a dollar amount; however, he mentioned that the Wichita Area Metropolitan Planning Organization (WAMPO) was currently in the process of doing counts on trails in and around Wichita, especially the Arkansas River Corridor but right now they have no absolute numbers.

ALDRICH mentioned spending millions and millions of dollars compared to usage. He asked about an estimated cost per mile.

BARBER mentioned work in the Wichita Bicycle Master Plan that estimated the cost per paved concrete mile at $500,000.

ALDRICH mentioned the economic downturn and yet we continue to spend.

MITCHELL asked if there was a deadline for submitting questions and comments on the Plan.

BARBER said time is on their side and the plan is open for comment for another month or so at least.

MILLER STEVENS commented that the Commission has discussed that plans have a system built in for review and asked where that was in this plan.

BARBER referred Commissioners to page 35, Plan Implementation, Lead Roles and Priorities which indicated at least every five years.

G. SHERMAN mentioned Sumner County being invited to the meetings.

BARBER commented that they are a good attendee.

Other Matters/Adjournment

The Metropolitan Area Planning Commission adjourned at 2:04 p.m.

State of Kansas)
Sedgwick County) SS

I, John L. Schlegel, Secretary of the Wichita-Sedgwick County Metropolitan Area Planning Commission, do hereby certify that the foregoing copy of the minutes of the meeting of the Wichita-Sedgwick County Metropolitan Area Planning Commission, held on _____, is a true and correct copy of the minutes officially approved by such Commission.

Given under my hand and official seal this _____day of _____, 2012.

_____
John L. Schlegel, Secretary
Wichita-Sedgwick County Metropolitan
(SEAL) Area Planning Commission