

METROPOLITAN AREA PLANNING COMMISSION

MINUTES

October 4, 2012

The regular meeting of the Wichita-Sedgwick County Metropolitan Area Planning Commission was held on Thursday, October 4, 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: David Dennis, Chair, George Sherman, Vice Chair, Bob Aldrich, Shawn Farney, David Foster, Don Klausmeyer, John W. McKay Jr., Debra Miller Stevens and Don Sherman. Commission members absent were: Bill Johnson, Ron Marnell, M.S. Mitchell, Morrie Sheets and Chuck Warren. Staff members present were: John Schlegel, Director, Dale Miller, Current Plans Manager, Bill Longnecker, Senior Planner, Neil Strahl, Senior Planner, Robert Parnacott, Assistant County Counselor and Jeff Vanzandt, Assistant City Attorney.

1. Approval of the August 16, 2012 Planning Commission meeting minutes.

MOTION: To approve the August 16, 2012 meeting minutes, as amended.

MCKAY moved, FARNEY seconded the motion, and it carried (9-0).

2. **CONSIDERATION OF SUBDIVISION COMMITTEE RECOMMENDATIONS**

- 2.1 **SUB2012-00021: One-Step Final Plat – WICHITA ICE CENTER ADDITION:**
located on the south side of Maple, east of Seneca.

NOTE: This is a replat of a portion of the Winnes Addition, including the vacation of two alleys and a portion of Mentor Street and Smyth Avenue. The site has been approved for a zone change (ZON2012-00018) from LC Limited Commercial and B Multi-Family Residential to GC General Commercial.

STAFF COMMENTS:

- A. City of Wichita Public Works and Utilities Department advises that water and sewer services are available to serve the site.
- 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.
- D. Traffic Engineering has approved the access controls subject to denoting complete access control along Kellogg. The plat proposes one opening along Maple.
- E. County Surveying advises that the plat boundary does not match the legal description: "Lots 30 and 32, except the west 5.00 feet."
- F. The title block, surveyor's certificate, owner's certificate and Planning Commission signature block should be corrected to reference "Wichita Ice Center Addition."

- G. On the final plat tracing, the MAPC signature block needs to reference “David Dennis” as Chair.
- H. The platlor’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.
- I. 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.)
- J. The Register of Deeds requires all names to be printed beneath the signatures on the plat and any associated documents.
- K. 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.
- L. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Route 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.
- M. 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.
- N. Perimeter closure computations shall be submitted with the final plat tracing.
- O. Any removal or relocation of existing equipment of utility companies will be at the applicant’s expense.
- 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.

MCKAY moved, **ALDRICH** seconded the motion, and it carried (9-0).

2.2 **SUB2012-00023: One-Step Final Plat – KIA ADDITION:** located at the southeast corner of Kellogg and Tyler.

NOTE: This is a replat of a portion of the Fairlawn Acres Addition including a vacation of portions of Kellogg, Tyler and Irving.

STAFF COMMENTS:

- A. City of Wichita Public Works and Utilities Department advises that water and sewer services are available to serve the site.
- 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.
- D. Traffic Engineering has approved the access controls. The plat proposes two openings along Tyler. The final plat tracing shall reference the access control in the platting text.
- E. Any removal or relocation of existing equipment of utility companies or of traffic signal equipment will be at the applicant's expense.
- F. The applicant shall submit an avigational easement covering all of the subject plat and a restrictive covenant assuring that adequate construction methods will be used to minimize the effects of noise pollution in the habitable structures constructed on subject property.
- G. On the final plat tracing, the MAPC signature block needs to reference "David Dennis" as Chair.
- H. The spelling of "stormwater" and "portions" shall be corrected.
- I. 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.
- J. The platting 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.
- K. 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.)

- L. The Register of Deeds requires all names to be printed beneath the signatures on the plat and any associated documents.
- M. 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.
- N. The applicant is advised that various State and Federal requirements (specifically but not limited to the Army Corps of Engineers, Kanopolis Project Office, Route 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.
- O. 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.
- P. Perimeter closure computations shall be submitted with the final plat tracing.
- Q. 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.

MCKAY moved, **ALDRICH** seconded the motion, and it carried (9-0).

3. PUBLIC HEARING – VACATION ITEMS

3.1 VAC2012-00031: Request to vacate a public street right-of-way dedicated by separate instrument.

APPLICANT/AGENT: Kansas Candy & Tobacco, Inc., c/o Richard Daugherty Timothy P. & Christine M. Donovan (applicants) Robert Kaplan and Klenda Austerman, LLC (agents)

LEGAL DESCRIPTION: Generally described as that portion of the 80.4-foot wide street right-of-way dedicated by separate instrument abutting Lot 3 (east side), Lot 4 (west side), all in the West 54 Industrial Addition, Irving Street (south side) and US 54 Highway (north side), Wichita, Sedgwick County, Kansas.

LOCATION: Generally located between Irving Street - US 54/Kellogg and I-235 - West Street (WCC #IV)

REASON FOR REQUEST: It carries no through public traffic

CURRENT ZONING: The subject site is public street right-of-way dedicated by separate instrument. The abutting east and west properties are zoned LI Limited Industrial ("LI"). US 54 Highway and the public street Irving abut the north and south sides of the site.

The applicants are requesting the vacation of Sabine Circle. Sabine runs between Lots 3 and 4, the West 54 Industrial Addition, from Irving Street and dead ending at abandoned railroad right of way and US 54, for a run of 161.05 feet. The applicants own these abutting lots/property, which dedicated the Sabine Circle right-of-way; Misc. Book 511, Page 50 and 51. K-DOT needs to comment on the vacation request. Stormwater appears to have equipment located in Sabine. The area is protected by a levee. There are no manholes, sewer or water lines located in Sabine. Comments from franchised utilities have not been received and are needed to determine if they have utilities located within the site. The Owsley Place Addition was recorded with the Register of Deeds October 23, 1958.

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 public street right-of-way dedicated by separate instrument.

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 September 13, 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 public street right-of-way dedicated by separate instrument 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) Provide an approved legal description of the vacated street right-of-way on a Word document for use on the Vacation Order. This must be provided prior to the vacation case going to City Council for final action.
- (2) Dedicate by separate instrument with original signatures that portion of the vacated street right-of-way as easement(s) for all public and franchise utilities. Stormwater has equipment in the right-of-way that needs an easement to cover them. Westar has existing equipment along the

east and south lines that bring 3 phase service and street light service to this area. The applicant will need to either need to dedicate easement(s) by separate instrument with original signatures or they can relocate or remove it at their own expense. Tim Davidson of Stormwater can be contacted at 268-4307. Lee Sailsbury, Westar Construction Services Representative will be the contact if needed 316/261-6859. This must be provided prior to the vacation case going to City Council for final action.

- (3) As needed dedicate by separate instrument with original signatures an access easement, as approved by Public Works, K-DOT and Planning. This must be provided prior to the vacation case going to City Council for final action.
- (4) Comments from K-DOT will be incorporated into this report.
- (5) All improvements shall be according to City Standards and at the applicant's expense. All provided prior to the vacation case going to City Council for final action.
- (6) Any relocation or reconstruction of utilities, made necessary by this vacation shall be the responsibility of the applicants and at the applicants' expense (see Stormwater and Westar comments in condition #2).
- (7) 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) Provide an approved legal description of the vacated street right-of-way on a Word document for use on the Vacation Order. This must be provided prior to the vacation case going to City Council for final action.
- (2) Dedicate by separate instrument with original signatures that portion of the vacated street right-of-way as easement(s) for all public and franchise utilities. Stormwater has equipment in the right-of-way that needs an easement to cover them. Westar has existing equipment along the east and south lines that bring 3 phase service and street light service to this area. The applicant will need to either need to dedicate easement(s) by separate instrument with original signatures or they can relocate or remove it at their own expense. Tim Davidson of Stormwater can be contacted at 268-4307. Lee Sailsbury, Westar Construction Services Representative will be the contact if needed 316/261-6859. This must be provided prior to the vacation case going to City Council for final action.
- (3) As needed dedicate by separate instrument with original signatures an access easement, as approved by Public Works, K-DOT and Planning. This must be provided prior to the vacation case going to City Council for final action.

- (4) Comments from K-DOT will be incorporated into this report.
- (5) All improvements shall be according to City Standards and at the applicant's expense. All provided prior to the vacation case going to City Council for final action.
- (6) Any relocation or reconstruction of utilities, made necessary by this vacation shall be the responsibility of the applicants and at the applicants' expense (see Stormwater and Westar comments in condition #2).
- (7) 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.

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

ALDRICH moved, **KLAUSMEYER** seconded the motion, and it carried (9-0).

PUBLIC HEARINGS

4. **Case No.: ZON2012-00025** – Jeff Niedens (Owner/Applicant) requests a City zone change from SF-5 Single-family Residential (“SF-5”) to TF-3 Two-family Residential (“TF-3”) for duplex development on property described as:

Lot 24, Block 10, Orchard Park Addition to Wichita, Sedgwick County, Kansas.

BACKGROUND: The applicant is requesting TF-3 Two-Family Residential (“TF-3”) zoning on the undeveloped 6,750-square foot (50-foot x 135-foot) SF-5 Single-Family Residential (“SF-5”) zoned Lot 24, Block 10, Orchard Park Addition. Per the Unified Zoning Code (UZC), the TF-3 zoning district requires a minimum lot size of 6,000-square feet with a minimum width of 35 feet; the applicant's site exceeds these minimum requirements. The applicant proposes to develop the site on the southeast corner of 2nd and Baehr Streets with a duplex.

The site is part of a large, mostly SF-5 zoned single-family residential neighborhood. West of the site are SF-5 zoned single family residences, a SF-5 zoned church and the SF-5 and B Multi-family Residential (“B”) zoned USD 259's Dodge Elementary School and Kiwanis public park. ZON2012-00011 and Protective Overlay-268 (“PO”) approved GO General Office (“GO”) zoning to allow a medical services office to be built on the Dodge Elementary site. East and south of the site are more SF-5 zoned single-family residences. North of the site are more SF-5 zoned single family residences, a few scattered duplexes and a small B zoned two storey apartment complex with an abutting B zoned single-family residence. There is also a non-conforming SF-5 zoned costume and novelty shop located northwest of the site. The site is platted as Lot 24, Block 10, of the Orchard Park Addition, recorded December 4, 1929. The City's GeoZone map's aerial shows the site to have been undeveloped since at least 1997.

CASE HISTORY: The site is platted as Lot 24, Block 10, of the Orchard Park Addition, recorded December 4, 1929. The City’s GeoZone map’s aerial shows the site to have been undeveloped since at least 2000, with possible residential development showing in grainy 1997 aerial.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5, TF-3	Single-family residences, scattered duplexes
SOUTH:	SF-5	Single-family residences
EAST:	SF-5	Single-family residences
WEST:	SF-5, B, TF-3	Single-family residences, public school, public park, apartment

PUBLIC SERVICES: 2nd Street is a paved two-lane collector at this location. Baehr Street is a paved two-lane residential street at this location. All public services are available to the site.

CONFORMANCE TO PLANS/POLICIES: The ‘2013 Land Use Guide of the Comprehensive Plan’ (Plan) identifies the site as “urban residential.” The urban residential category encompasses areas that reflect the full diversity of residential development densities and types, including duplexes, typically found in large urban municipality. The UZC identifies TF-3 zoning as being generally compatible with the urban residential category.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be **APPROVED.**

This recommendation is based on the following findings:

- (1) **The zoning, uses and character of the neighborhood:** The site is part of a large, mostly SF-5 zoned single-family residential neighborhood. West of the site are SF-5 zoned single family residences, a SF-5 zoned church and the SF-5 and B Multi-family Residential (“B”) zoned USD 259’s Dodge Elementary School and Kiwanis public park. ZON2012-00011 and Protective Overlay-268 (“PO”) approved GO General Office (“GO”) zoning to allow a medical services office to be built on the Dodge Elementary site. East and south of the site are more SF-5 zoned single-family residences. North of the site are more SF-5 zoned single family residences, a few scattered duplexes and a small B zoned two storey apartment complex with an abutting B zoned single-family residence. There is also a non-conforming SF-5 zoned costume and novelty shop located northwest of the site.
- (2) **The suitability of the subject property for the uses to which it has been restricted:** The site is currently zoned SF-5 and could be developed with a single-family residence, which is what most of the neighborhood is zoned and developed. However, the City’s GeoZone map’s aerial shows the site to have been undeveloped since at least 2000, with possible residential development showing in grainy 1997 aerial.
- (3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** Impact will be minimal, as a duplex will not be entirely out of character with the area, which has scattered duplexes and a small apartment complex. A duplex on the site is preferably to allowing the site to be vacant.

- (4) **Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant:** Approval of the request would allow more opportunity for residential development on a site that appears to have been vacant since at least 2000 and may have been vacant as far back as 1998. This is one of the few vacant lots in the area.
- (5) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The '2013 Land Use Guide of the Comprehensive Plan' (Plan) identifies the site as "urban residential." The urban residential category encompasses areas that reflect the full diversity of residential development densities and types, including duplexes, typically found in large urban municipality. The UZC identifies TF-3 zoning as being generally compatible with the urban residential category.
- (6) **Impact of the proposed development on community facilities:** All services are in place, and any increased demand on community facilities can be handled by current infrastructure.

BILL LONGNECKER, Planning Staff presented the Staff Report.

ALDRICH asked regarding the notification, what exactly is the requirement for notification.

LONGNECKER stated that the requirement is; the state statute requires us to publish in the paper of note, which here is the Wichita Eagle, 20 days prior to MAPC, and as policy we also send out letters to everybody within the notification area and 13 days prior to the MAPC the applicant is instructed in the application instructions to post the sign that has the zone case numbers on it and their request. He commented on the action of the District Advisory Board.

ALDRICH asked what happens if the applicant fails to do that, whether intentionally or unintentionally.

MILLER stated that in the past that's been left up to the discretion of the planning commission to determine whether adequate notice has been given. To clarify, the motion at the DAB was to defer, not deny. The original motion was to defer, that failed 4-4; there was discussion and a motion to approve that also failed, 4-4. They had more discussion, then they repeated the motion to approve and that was 4-4 again.

ALDRICH asked if that was due to the fact of the concerns of the notification to the other property owners.

MILLER answered, yes, primarily.

G. SHERMAN asked what was the notification area for this, mostly I'm wondering how many homes received mailed notices.

LONGNECKER stated that this is the minimum notification area because its less than one acre and that is 200 feet around the radius of the property.

FOSTER stated that he recalls that the signage is optional relative to state statutes and it's not a requirement, is that correct.

MILLER stated correct, it's just a policy and is not required by law.

JEFF NIEDENS, 5211 WEST 81ST STREET NORTH, VALLEY CENTER, APPLICANT stated that it's pretty simple as far as what we want. We just want to do a two bedroom, two bath duplex, with two units. We do provide off-street parking. We have done this many times in the area, and think this is a good place for it because of the proximity to commercial property and there are duplexes there already. We are not re-inventing the wheel. It has been done time and time again.

FOSTER just wanted to confirm that we don't have a site plan to look at, but will your off-street parking be out of the right-of-way?

NIEDENS stated yes.

MCKAY asked if he agreed with staff comments.

NIEDENS are there any particular ones you are talking about?

MCKAY stated all of them.

NIEDENS stated yes, we are in agreement.

G SHERMAN stated that we have been told that the sign wasn't posted, is that correct and if it is, why you didn't post the sign.

NIEDENS stated that is correct, it is posted now. I thought it was 13 days before City Council. I forgot that it was 13 days before MAPC.

ALDRICH asked if you had done this several times, and you have done this several times. You've done one on Robinson, north of Central, you've done one on Hoover, so you are familiar with the posting requirements.

NIEDENS stated that you are right, I just made a mistake. It was not intentionally done.

KATHY RIKER, 4628 W. 2ND STREET NORTH, stated she lives across the street where he wants to put a duplex. She said she had one behind her already when she first moved in the neighborhood and she really didn't want to have another one. She said she didn't know exactly where they are going to put that parking, where is it going to be, facing 2nd Street.

DENNIS asked the speaker to talk to the Commission not the applicant.

RIKER stated she had not done this before, so bear with her. I don't know what to do other than, the sign wasn't posted and I have petitions. I went around the neighborhood one evening and in two hours I have nine petitions against putting it there from the neighbors on the list, from which I understand takes 20% of the twenty five, is five people. I have more than 20% of the people opposing this. I don't know what you do with that, can you tell me?

DENNIS stated that you give it to the Planning Commission.

RIKER stated that the duplex behind me is like 30 feet behind my backdoor and it's deflated my property value and I don't need that to happen again. I'm sure this gentleman can find another lot to build a duplex in, in an area that would rather have it. There will be problems with parking because the school is a block away and there is already problems with that now.

ALDRICH asks if these photos were hers.

RIKER stated no.

ALDRICH stated that she mentioned parking, how far is this from the school.

RIKER answered a block.

ALDRICH asked if she has any parking issues now due to the school.

RIKER stated that during the traffic times, when they are in and out of school. It gets real congested on 2nd Street. My house faces 2nd Street and I have a double drive. When I have company come over, it's dangerous to park on the street over there.

WARREN asked why she was opposed. The only thing I heard is that it will devalue your property. Is there any other reason you are opposed.

RIKER answered safety. I'm a grandmother and a mother and I have grandchildren over there and I would like to keep it a single family, the neighborhood is mostly like that. We've had problems with the duplex behind us; legally, police being called. Renters usually are not as good, don't take care of things as well and I don't want to see it go down.

WARREN asked if she knew of any other homes in the area that are owner occupied and how many are rented.

RIKER stated probably 80% are owner occupied.

DONNA BABA, 254 N. BAEHR, stated that she just wanted to clarify; I thought you said speakers had 10 minutes and when Mr. NIEDENS came up, you told him he had 10 minutes and when she went up, you said she had five.

DENNIS said that is correct. We have a policy that's been approved by this body and the policy states that and the applicant has ten minutes, and each other individual that wants to speak on it has five minutes, because we could have 30 or 40 people that want to speak on an issue, so...

BABA stated okay, then I will try to make it brief. I live directly next door to the property and at one point in time I was intending on purchasing the property, but that didn't work out. I'm not so concerned about that. I am trying to understand how this is going to affect my life. I have been told by neighbors that when there is a duplex, there tends to be a lot more activity with people coming and going, in terms of renters, coming and going, not someone staying there steadily. I've been living there for almost six years now, and it's a quiet neighborhood. There's a lot of activity going on surrounding the school and I felt like we got really short notice on this. I got the notification and read the letter and followed up on it,

but I only got one chance to talk to my neighbor. There's going to be a neighborhood meeting tonight. I understood that this council may make a decision to carry this before the meeting, that's one point I wanted to make. Also, I don't think the neighbors have had a chance to visit about this, to talk about what the pros and cons are. My next door neighbor to the other side, I haven't spoken to him about it at all. The school wasn't notified, which really concerned me. I went ahead on my morning walk yesterday and darted over to the school just to tell them there was this motion to change the zoning. Because we are in such close proximity to the school and there are a lot of kids around, there are always traffic problems and that was one of the biggest issues that came up at the other public meeting. How is this going to work in terms of parking? Where are the driveways going to be? Is there any way to see the plans? We have a neighborhood association that's fairly active. Is there a way we could look at the building plans. I hate to get up and oppose somebody that wants to do something positive for the neighborhood, but I'm not so sure this is going to be positive for our neighborhood.

MCKAY asked if the proper notification got out during the proper time schedule.

MILLER answered that yeah the legal notification to the individual property owners and the publication in the newspaper met the legal requirements.

JERRY WARREN, 520 N. ELDER, stated that he is the past president of the neighborhood association, but I am going to wear about three hats today trying to describe the issues here. I am a member of DAB IV and I want to explain the 4-4 vote. I think the majority of that was due to the parking issue and then also the lack of signage. We do have a meeting tonight and we will listen to this and hear this. I can't speak on behalf of the neighborhood, what their feeling is as far as the two-family zoning. My objection that night, I was involved in the zoning case at the school for the medical complex down on the far south end, was we have several residents down on 1st Street that could not get in and out of their drives because we had people parking in front. People can say that's a police issue and they need to enforce that, but the bottom line is that there are a lot of kids that enter and exit that school on a regular basis. I came to make one point on that. I've done a lot of research that the school is only required to provide parking for one stall for each full time employee. At the time when this went through, they didn't even have enough parking for their Para's or part time people so their staff parked on the street. This school has also added 160 students from last year, so we have increased the problem on the neighborhood. We have several streets here that are not improved, they are dirt and we have busses traveling down through there. I don't want to spend a whole lot of time on that. There is a parking issue. I did give you the pictures. This was an event at the school and I took several pictures on the streets that are west of there, on Bebee, Clara and Doris and you can see there is a park there adjacent to the school. So we do have a traffic issue. Also the busses are running up and down 2nd Street on a regular basis. We are trying to work with them where they stay on pavement instead of dirt. The other funny thing about this to me is, I'll take off my neighborhood hat and my district advisory hat and put on my personal hat, we just approved a duplex on 3rd Street not long ago, within the last year, I don't remember the time frame. We had no issues with that. So I don't think it's a matter of the duplex going in. Obviously the two tracts across the street are zoned for duplex already on 2nd Street, if someone were to purchase those they could remodel those if they would like to. Also the one north of that is the duplex we have talked about. My part of the District Advisory Board was to ask the applicant to provide some extra parking and that's what I would be asking you guys, to add that as one of the provisions. I believe that he will do that. I spoke with him and he will have the site plan. Personally, I am not opposed to improving the neighborhood by adding a building or structure to that parcel. So, unfortunately the applicant got caught up in a situation where we have parking issues by a school that's located fairly close to them. I just want to present you guys with all those facts so that you understand

where the District Advisory Board was coming from, the issues with the parking, and you have to make the decision with the facts that you have. I think that is it.

FOSTER asked if you could confirm if 2nd Street is the standard route for the busses

WARREN stated that it is, most of them come through West Street and turn and go west down here. When they leave the school, sometimes they use Anna. We have a lot of messes going on. There is a City bus that runs along Anna right when the school gets out. There are just a lot of issues there, but yes, currently that is the case. We are trying to work with the school board on getting some of these other things taken care of. The other thing that I would ask the applicant is if the driveways would be off of 2nd Street or Baehr. I don't know necessarily if it would be a bad thing to put the driveways off of 2nd Street because people cannot lawfully park in front of a driveway. If he could provide some supplemental parking off Baehr, that would be great.

G. SHERMAN asked that you mentioned that there is a meeting tonight. Is that an official DAB meeting or just a neighborhood meeting?

WARREN stated that it is a neighborhood meeting and to be candid there are some people that are really active or have been in the past in this area, Baehr Street to be specific. Just north of this, they hadn't necessarily participated a lot over the last five to seven years. I've been involved twice in it, but it typically takes something a little controversial. People have different opinions how to get people out to those, so I'm sure we will have a good attendance tonight and go from there. I do look for several people to be there. I think that was the major issue, not the major notice of the sign.

ALDRICH asked about the uses directly on the east side of the school, on Anna and 2nd, that's a church community center isn't it?

WARREN answered that it is. It used to be a former Salvation Army.

ALDRICH stated that they have a lot of activities that adds to the parking issues even though they have a private parking area. So when you combine the activities that they may have with what the school may have that just enhances the traffic issue, correct.

WARREN stated that he would agree. There is also, which is not very busy most times of the year, the lady that runs the costume store there at the corner. She is in the process of doing that, but she is exactly catty corner of the school there at 2nd and Anna so we will see an increase in traffic also. A lot of this is just hit and miss timing opportunities, and we need to do a better job of coordinating those.

G. SHERMAN stated that he seems to know a lot of the history there. Has this lot ever been developed, was there a home there that was torn down?

WARREN stated that he was not sure, I know it was several years ago when that would have occurred. This property has been overgrown several times and the City has had to mow it several times. I do not know that date; it has to be at least ten plus years.

JIM JORDAN, 3315 N. WOODROW, stated that he is not in the area. My eldest daughter who is prettier than me and probably a lot more nervous than me, but I'm nervous as well. I wasn't going to speak to you folks because I didn't want to upset you, but the last gentleman that was up here was kind

of an advocate for the neighborhood and I appreciate what he said, except I think he exceeded the five minutes. My daughter was going to get an answer to a question he couldn't answer, but her five minutes were up. My problem as her dad was that wasn't exactly the area I wanted her to live in. There wasn't a duplex behind that house when her and her ex-husband bought that. She has some of my great-grandchildren visit her quite often and she cares for them. If she has a fault it's because she is too kind-hearted. She is very intelligent. She has done her homework. What I don't want to happen...I've been involved...I worked for K-DOT for 25 years. I'm a licensed land surveyor and I was part owner of a company called Baughman Company, which you folks know. I've been in front of boards like this before which things kind of get pushed around and they are a slam dunk. This thing, in my opinion, because yes, there are other duplexes in that general area, they've been built. This gentleman, I have no doubt he can build a qualified duplex that would not be detrimental to that area. But I think with this 4-4 tie it would only be prudent to extend this to see what that neighborhood meeting comes out with. Because you know, I don't live in the area but my eldest daughter does, and she has obviously...voiced her disapproval.

NIEDENS stated that he is not the current property owner at this time, and has not been. It has been overgrown several times, and just wanted everyone to know that was not me doing that.

WARREN asked how many parking stalls are you planning.

NIEDENS answered that they will have three per unit, including the garage, out of the right-of-way, on private property.

ALDRICH asked that if this is approved and you go through with this, are you planning on paving your driveways all the way through.

NIEDENS answered yes.

MCKAY said that the first speaker stated she had petitions signed; tell me about the 20% rule. Not for my information, but for those, because they are having a meeting tonight and they should know what happens.

MILLER stated that all zone changes have to go to the governing body for final approval and under state law there is a fourteen day protest period that follows this meeting; starting tomorrow is the first day of the fourteen days. Any protest petitions that are turned in are counted as long as they are located within 200 feet around the perimeter of the application area. If 20% of the land area, not the number of owners, but land area, if there are protests that cover that land area then that requires a three-fourths majority vote of the City Council to approve the zone change. That's how that works in.

ALDRICH stated he lives about a mile north of this area and as a property owner, we do have a couple of duplexes in my area and my neighborhood association is opposed to them and the reason being is that they do affect our property valuations and the more renters we get in there, we have a lot of issues. I fully understand what a lot of their concerns are. I just think with this area already being single-family residences, I think in my opinion that it should stay that way. It's not that I am opposed to renters, but at some point we have to look at the existing property owners and their concerns and their rights. I would like to see at some point what voice and efforts do they have. It shouldn't always be, well somebody wants to come in there and build a duplex. I would love to see them build single-family there. That's up to the developer, but I for one am opposed to the zone change for those reasons.

MOTION: To approve subject to staff recommendation.

MCKAY moved, **KLAUSMEYER** seconded the motion, and it carried (8-2).
FOSTER and **ALDRICH** voted nay.

- 5. **Case No.: CON2012-00041** – Kelsey Kuhn (owner/applicant) requests a County Conditional Use for a Kennel; Boarding, Breeding and Training on property described as:

Beginning at the Northeast corner of the South Half of the Northwest Quarter of Section 3, Township 29 South, Range 1 East of the 6th Principal Meridian, thence South along the East line of the Northwest Quarter of said Section 3, a distance of 260.0 feet; thence West 837.7 feet; thence North 260.0 feet to a point in the North line of said South Half of the Northwest Quarter of said Section 3; thence East 837.7 feet to the point of beginning.

BACKGROUND: The 4.65-acre application area is zoned RR Rural Residential (“RR”) and is located on the west side of S. Grove, south of the Wichita/Valley Center Floodway and 71st Street South. The site is within the Haysville Zoning Area if Influence; it is developed with an existing home and several outbuildings. The applicant requests a County Conditional Use for a boarding kennel business to include dogs, cats, and horses. And, the applicant requests a 32 square-foot sign for the business. The County permits 8 square feet of signage by right; however, in conjunction with a Conditional Use application, a larger sign may be approved. The applicant proposes a total of 5 separate buildings for the indoor boarding of dogs, one building for cats, and four buildings for horses, see the attached site plan. In working with staff, the applicant states they wish to limit the total number of dogs to 60, total number of cats to 30, and total number of horses to 8. The total number of animals requested is less than half of the number of some other approved kennels in the Wichita/Sedgwick County area.

The Unified Zoning Code (UZC, Art.III, Sec.III-D, 6-k) requires the following Conditional Use standards for Boarding/Breeding/Training Kennels:

- a) A minimum of a 5-acre site unless all animals are harbored indoors. The applicant indicates that all animals would be harbored in buildings, and would only be outdoors for short durations when supervised by an employee.
- b) Outdoor kennels/runs must be located at least 200 feet from any dwelling unit, other than the owners, and 50 feet from contiguous property lines; the proposed kennels meet these standards.
- c) Kennels must be located 600 feet or more from contiguous property lines or provide screening. The proposed kennels are 60 feet or more from property lines, requiring screening. Existing vegetation provides some screening from abutting properties; the applicant will be required to construct solid screening or submit a landscape plan, which may use existing vegetation, to meet the screening requirement.

The surrounding properties are all zoned RR. All surrounding property is used for agriculture with the exception of a manufactured home site on 2.67 acres northeast of the application area. Another manufactured home site sits approximately 575 feet south of the application area, separated by agricultural land. A concrete plant, under Conditional Use CU-214, sits over 1100 feet south west of the site. Property within the City of Haysville sits over 1600 feet northwest of this site, separated from the site by agricultural property.

CASE HISTORY: The site is unplatted. The existing house on the site was built in 1940; a manufactured home was previously used on the site.

ADJACENT ZONING AND LAND USE:

NORTH:	RR	Agricultural fields, floodway
SOUTH:	RR	Agricultural fields
EAST:	RR	Agricultural fields, manufactured home
WEST:	RR	Agricultural fields

PUBLIC SERVICES: S. Grove is an un-paved, two-lane local street with a 60-foot right-of-way width. The nearest paved street is 79th Street South, over 3600 feet south of the site. No public water or sewer is available at the site. The applicant proposes a future two-cell lagoon for waste.

CONFORMANCE TO PLANS/POLICIES: The 2030 Wichita Functional Land Use Guide of the Comprehensive Plan identifies the area as being in the 2030 Haysville urban growth area. The Land Use Plan of the recently approved City of Haysville Comprehensive Plan identifies the subject area as future “residential.” This designation may be consistent with the AAA district, which is intended for areas where some public services are available and where soils are capable of accommodating septic tanks. Under the Haysville AAA zoning classification, the Haysville Zoning Code would allow a Kennel, Boarding/Breeding/Training as a Conditional Use.

A Boarding Kennel can be considered for a County Conditional Use in the RR zoning district, per the standards of the UZC, Art.III, Sec.III-D, 6-k. The site appears to conform to those standards, provided that screening requirements are met. Presumably, the unplatted site will require platting prior to receiving County building permits.

RECOMMENDATION: The proposed Kennel Conditional Use would not pose a land-use conflict with the existing surrounding agricultural uses. However, the proposed kennel could pose a conflict with future residential development. The Haysville Zoning Code would allow the requested kennel as a Conditional Use in the anticipated zoning district for this area, as identified in their Comprehensive Plan. As such, the Haysville Planning Commission review of this case should indicate whether or not the request is consistent with their vision for this area. This unpaved portion of Grove would experience increased traffic with the proposed business. Conditions limiting the total number of animals should keep traffic at a level to not exceed Grove Street’s capacity at this location. Staff’s proposed conditions are consistent with those approved for recent Kennel Conditional Uses.

Planning Staff does not see indications of this area transitioning to urban scale residential in the foreseeable future. Therefore, based on the information available prior to the public hearing, staff recommends the County Conditional Use for a Boarding, Breeding, Training Kennel, be APPROVED subject to the following Conditions:

- (1) The Conditional Use for a boarding kennel for dogs, cats and horses shall comply with Section III.D.6.k of the Wichita-Sedgwick County Unified Zoning Code and all applicable federal, state, and local requirements.
- (2) The number animals to be boarded shall not exceed 60 dogs, 30 cats or 8 horses at any one time.

- (3) The kennel operator shall have on file proof of rabies vaccinations by a licensed veterinarian.
- (4) Cleaning of the boarding kennel facility shall be performed as often as necessary to maintain sanitary conditions. A suitable method of eliminating excess water from animal housing facilities shall be provided as approved by Environmental Services. Interior surface materials shall be constructed of non-porous materials that are impervious to moisture.
- (5) Sufficient quantities of food and water shall be provided to keep the dogs in good physical condition. The animals shall be fed at least once daily and provided clean water at all times. Food and water containers shall be located to minimize contamination and shall be cleaned as often as necessary to maintain sanitary conditions.
- (6) All waste materials shall be disposed of in such a manner as to minimize odors and disease hazards. The boarding kennel shall be maintained in a sanitary manner as required by applicable codes.
- (7) The animals confined in the boarding kennel shall be maintained in good physical condition, free of infectious diseases and parasites.
- (8) The applicant shall obtain all applicable permits including, but not limited to building, health and zoning.
- (9) The boarding facility shall be open to the unannounced inspection by Code Enforcement personnel during reasonable daylight hours to insure continued compliance with the above requirements.
- (10) The Conditional Use is permitted a 32 square-foot sign on the Grove Street frontage, as approved by County Permits and Code.
- (11) The property shall be developed and maintained in accordance with the site plan approved by the Planning Director, showing screening, all buildings, parking, and other applicable features of the site.
- (12) If the Zoning Administrator finds that there is a violation of any of the conditions of this Conditional Use, the Zoning Administrator may, with the concurrence of the Planning Director, declare the Conditional Use null and void.

This recommendation is based on the following findings:

1. **The zoning, uses and character of the surrounding area:** The surrounding properties are all zoned RR. All surrounding property is used for agriculture with the exception of a manufactured home site on 2.67 acres northeast of the application area. Another manufactured home site sits approximately 575 feet south of the application area, separated by agricultural land. A concrete plant, under Conditional Use CU-214, sits over 1100 feet south west of the site. Property within the City of Haysville sits over 1600 feet northwest of this site, separated from the site by agricultural property.

2. **The suitability of the subject property for the uses to which it has been restricted:** The site could continue to be used for a single-family residence.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** Potential noise and odors generated by kenneled dogs could have a negative impact on the nearest residence northeast of the site. The proposed Conditions should mitigate those impacts.
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 identifies the area as being in the 2030 Haysville urban growth area. The Land Use Plan of the recently approved City of Haysville Comprehensive Plan identifies the subject area as future “residential.” This designation may be consistent with the AAA district, which is intended for areas where some public services are available and where soils are capable of accommodating septic tanks. Under that zoning classification, the Haysville Zoning Code would allow a Kennel, Boarding/Breeding/Training as a Conditional Use. A Boarding Kennel can be considered for a County Conditional Use in the RR zoning district, per the standards of the UZC, Art.III, Sec.III-D, 6-k. The site appears to conform to those standards, provided that screening requirements are met.
5. **Impact of the proposed development on community facilities:** This unpaved portion of Grove would experience increased traffic with the proposed business. Conditions limiting the total number of animals should keep traffic at a level to not exceed Grove Street’s capacity at this location.

MOTION: To approve subject to staff recommendation.

MILLER STEVENS moved, **G. SHERMAN** seconded the motion, approved by a vote of (10-0).

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6. **Case No.: CON2012-00042** – New Rapid of Kansas, LLC (owner/applicant) requests a Conditional Use for Outdoor Vehicle and Equipment Sales on property described as:

Lot 1; Rapid Muffler Addition to Wichita, Sedgwick County, Kansas

BACKGROUND: The applicant is requesting a Conditional Use to allow outdoor vehicle and equipment sales on the LC Limited Commercial (“LC”) zoned Lot 1, Rapid Muffler Addition. Per the Unified Zoning Code (UZC), outdoor vehicle and equipment sales may be permitted with a Conditional Use in the LC zoning district. The site is located on the southwest corner of Woodlawn and Lincoln Street has a vacant three-bay door auto repair garage/office (built 1960). The site is completely paved over around the building, with the paving in poor shape.

The site has a small LC zoned commercial strip abutting its west side and another slightly larger LC zoned commercial strip abutting its south side. These two strips house a couple of nail salons, an alteration shop, an insurance office, Japanese – Korean Market and maybe a Bingo parlor. The larger strip has several vacant store fronts. A LC zoned smoke shop ends commercial development on the south side, with a line of TF-3 Two Family Residential (“TF-3”) zoned duplexes between the smoke shop and a SF-5 zoned single-family residential neighborhood. Beyond the LC zoned strip on the site’s west side there is a line of TF-3 zoned duplexes, then a SF-5 zoned single-family residential

neighborhood. LC zoned development located north of the site, across Lincoln and Woodlawn, include a convenience store, a local computer store, a small retail strip housing a nail salon and drinking establishment and a quick cash joint. There is also the area's largest retail strip housing a bedroom/mattress store, a barber shop, a beauty salon, Dollar General retail, a cleaners and a Spanish market. A line of TF-3 zoned duplexes and a street of MF-29 Multi-Family Residential ("MF-29") zoned triplexes and quadplexes abuts these LC zoned businesses. SF-5 zoned single-family residences are located beyond the TF-3 and MF-29 zoned properties. LC zoned development located east of the site, across Woodlawn, include a liquor store, a diner, and an abandoned three or four bay car wash. A MF-29 and TF-3 zoned church and a large B Multi-Family ("B") zoned apartment (two-story) complex are located further southeast of the site. A street of MF-29 zoned triplexes abuts these properties with SF-5 zoned single-family residences are located beyond the MF-29 zoned properties.

The site is located a half block west and outside of the McConnell AOI. The nearest car sales lot appears to be approximately a 1/2-mile west of the subject site, on the southeast corner of Lincoln and Edgemoor streets.

The applicant's site plan shows the existing garage/office, the two existing drives onto Lincoln and Woodlawn, a sign area, and 'car' spaces with proposed fencing around the east and north sides of the site. The site plan does not distinguish customer/employee parking from the display spaces. The site plan also shows 'landscaping', which is located in the street right-of-way and not on the site. If approved, the applicant needs to provide a revised site plan giving: more detail including separating the square footage for the garage area and the office area; show that the site can meet the parking requirements for the garage and car sales business; show onsite vehicular circulation; show any proposed lighting; show the fencing going around the entire site to ensure that the car sales area and customer parking does not spill over into the parking lot abutting the south side of the site, and; show solid screening around any trash receptacles.

CASE HISTORY: The site is platted as the Lot 1, the Rapid Muffler Addition, which was recorded with the Register of Deeds February 8, 1982.

ADJACENT ZONING AND LAND USE:

NORTH:	LC	Convenience store, commercial strips, quick cash
SOUTH:	LC, TF-3, SF-5	Commercial strip, smoke shop, duplexes, single-family residences
EAST:	LC, MF-29, TF-3	Liquor store, free-standing restaurant, abandoned car wash, church
WEST:	LC, TF-3, SF-5	Commercial strip, duplexes, single-family residences

Note: see background for details of businesses located in commercial strips.

PUBLIC SERVICES: The subject property has access to Lincoln Street and Woodlawn Boulevard. Both are paved four-lane streets, with Woodlawn being a principle arterial street and Lincoln Street a minor arterial street. Current traffic volumes at this intersection are approximately 9,800-11,700 vehicles per day. All utilities are currently provided to the subject property.

CONFORMANCE TO PLANS/POLICIES: The "2030 Wichita Functional Land Use Guide of the Comprehensive Plan" identifies this site as appropriate for "local commercial" types of use. Medical or insurance offices, auto repair and service stations, grocery stores, florist shops, restaurants, personal

service facilities and on a limited basis mini-storage warehouse and light manufacturing are examples of “local commercial” uses. The UZC identifies LC zoning as being generally compatible with the local commercial category. The UZC requires a Conditional Use for a car sales lot in the LC zoning district.

The “Commercial Locational Guidelines of the Comprehensive Plan” recommends that commercial sites should be located adjacent to arterials and should have site design features, which limit noise, lighting, and other activity from adversely impacting surrounding residential areas. The site has direct access onto the principle arterial Woodlawn Boulevard and minor arterial Lincoln Street. The conditions attached to the Conditional Use can address site design issues. The Commercial Locational Guidelines also recommend that auto-related commercial uses should be guided to cluster in areas such as CBD fringe, segments of Kellogg Avenue and Broadway Avenue, or other appropriate areas and streets where these uses may already exist or to locations where traffic patterns, surrounding land uses, and utilities can support these activities. As mentioned the closest car sale lot is approximately a half mile west of the subject site.

In the past the MAPC has identified smaller car sales lots as being more of a local commercial establishment in their nature, as opposed to the cluster of larger car sales lots located primarily along Kellogg Avenue and Broadway Avenue, which are more regional in their cliental draw. The MAPC has also recommended that buildings that had in the past been used for automobile activities, such as vehicle repair garages, be considered as possible sites for car sales. The applicant’s proposal to continue to use the site/building for limited auto repair, while adding the car sales on the site conforms to what the MAPC has recommended for this type of site/use in the past. The car sale lot located approximately a half mile west of the subject site is similar to the subject site, i.e., buildings that had in the past been used for automobile activities and now are used for car sales.

RECOMMENDATION: While the site does not entirely meet the “Comprehensive Plan’s” criteria of locating car lots in areas where they are already clustered, it does conform to the MAPC’s past recommendations of locating smaller car sales lots within sites that had previously been used or continue to be used for auto related businesses. In this case the applicant proposes to retain the permitted by right limited vehicle repair garage, while operating a car sales lot on the same site. Introduction of a car sales lot into an area can lead to other car sales lots and this is an issue that must be addressed on a site-by-site basis with a Conditional Use application.

Based on the information available prior to the public hearing, MAPD staff recommends the application be APPROVED. This recommendation is based on the principle that staff would be only supportive of sites that shared the site characteristics of this site including that they are not abutting or directly adjacent to residential zoning. Recommended conditions of approval include:

1. In addition to uses permitted in the “LC” Limited Commercial district, the site shall be limited to the sales of cars and light trucks. No sale or rental of trailers, motorcycles or scooters, vehicles or trucks larger than pickups are permitted.
2. Any automotive service or repair work conducted on the site shall be entirely within a building. No body or fender work shall be permitted without first obtaining “GC” General Commercial zoning.

3. The applicant shall submit a revised site plan for review and approval by the Planning Director, prior to the selling of any cars or light trucks, within six months of approval by the MAPC or the City Council. The site will be developed according to the revised site plan.
4. A parking barrier, such as a heavy rail type, shall be installed along all perimeter boundaries adjacent to streets and abutting parking lots, except at driveway entrances or where fences are erected, to ensure that parked vehicles do not encroach onto public right-of-way or other properties.
5. No temporary display signs are permitted, including the use of commercial flags, banners, portable signs, pennants, streamers, pinwheels, string lights, search lights, bunting and balloons. All other signage will be per the "LC" zoning district.
6. There shall be no use of elevated platforms for the display of vehicles. All vehicles for sale or for repair must be on a concrete, asphalt or an approved all weather surface.
7. No outdoor amplification system shall be permitted.
8. No outside storage of salvaged vehicles or vehicles waiting for repair shall be permitted in association with this use. Outside storage of parts, including tires, associated with the car repair, limited, operation shall be within a 6-foot tall approved solid screened area. The gate shall be of similar materials as the screening.
9. The lighting standards of Section IV-B.4 of the Unified Zoning Code shall be complied with. No string-type lighting shall be permitted. Outside pole lighting shall be no taller than 14-feet and directed onto the site and away from the residential development north and east of the site.
10. All trash receptacles, oil containers or any similar type of receptacles for new or used petroleum products or trash shall have 6-foot tall approved solid screening around it. The gate shall be of similar materials as the screening.
11. All improvements shall be completed within one year of the approval of the Conditional Use by the MAPC or the City Council. No selling of cars shall be allowed until all permits have been acquired and all improvements to the site have been made.
12. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
13. 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.

The staff's recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** The site has a small LC zoned commercial strip abutting its west side and another slightly larger LC zoned commercial strip abutting its south side. These two strips house a couple of nail salons, an alteration shop, an

insurance office, Japanese – Korean Market and maybe a Bingo parlor. The larger strip has several vacant store fronts. A LC zoned smoke shop ends commercial development on the south side, with a line of TF-3 Two Family Residential (“TF-3”) zoned duplexes between the smoke shop and a SF-5 zoned single-family residential neighborhood. Beyond the LC zoned strip on the site’s west side there is a line of TF-3 zoned duplexes, then a SF-5 zoned single-family residential neighborhood. LC zoned development located north of the site, across Lincoln and Woodlawn, include a convenience store, a local computer store, a small retail strip housing a nail salon and drinking establishment and a quick cash joint. There is also the area’s largest retail strip housing a bedroom/mattress store, a barber shop, a beauty salon, Dollar General retail, a cleaners and a Spanish market. A line of TF-3 zoned duplexes and a street of MF-29 Multi-Family Residential (“MF-29”) zoned tri-plexus and quad-plexus abut these LC zoned businesses. SF-5 zoned single-family residences are located beyond the TF-3 and MF-29 zoned properties. LC zoned development located east of the site, across Woodlawn, include a liquor store, a diner, and an abandoned three or four bay car wash. A MF-29 and TF-3 zoned church and a large B Multi-Family (“B”) zoned apartment (two-story) complex are located further southeast of the site. A street of MF-29 zoned tri-plexus abuts these properties with SF-5 zoned single-family residences are located beyond the MF-29 zoned properties.

The site is located a half block west and outside of the McConnell AOI. The nearest car sales lot appears to be approximately a ½-mile west of the subject site, on the southeast corner of Lincoln and Edgemoor streets.

2. **The suitability of the subject property for the uses to which it has been restricted:** The property is zoned “LC” Limited Commercial. The property is suitable for the commercial uses to which it has been restricted, including its past use as vehicle repair, limited.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** Vehicle sales on a site this size when developed with the Conditional Use, will have a minimum of negative effect on the area and at best improve the property and its vacant building.
4. **Conformance of the requested change to adopted or recognized Plans/Policies:** The “Commercial Locational Guidelines of the Comprehensive Plan” recommends that commercial sites should be located adjacent to arterials and should have site design features, which limit noise, lighting, and other activity from adversely impacting surrounding residential areas. The site has direct access onto the principle arterial Woodlawn Boulevard and minor arterial Lincoln Street. The conditions attached to a Conditional Use can address site design issues. The “Commercial Locational Guidelines” also recommend that auto-related commercial uses should be guided to cluster in areas such as CBD fringe, segments of Kellogg Avenue and Broadway Avenue, or other appropriate areas and streets where these uses may already exist or to locations where traffic patterns, surrounding land uses, and utilities can support these activities. As mentioned the closest car sale lot is approximately a half mile west of the subject site.

In the past the MAPC has identified smaller car sales lots as being more of a local commercial establishment in their nature, as opposed to the cluster of larger car sales lots located primarily along Kellogg Avenue and Broadway Avenue, which are more regional in their cliental draw. The MAPC has also recommended that buildings that had in the past been used for automobile activities, such as vehicle repair garages, be considered as possible sites for car sales. The applicant’s proposal to continue to use the site/building for limited auto repair, while adding the

car sales on the site conforms to what the MAPC has recommended for this type of site/use in the past. The car sale lot located approximately a half mile west of the subject site is similar to the subject site, i.e., buildings that had in the past been used for automobile activities and now are used for car sales. The Conditional Use conditions do represent an opportunity for encouraging investment and upgrading the property while allowing the applicant the opportunity to expand his business opportunities.

5. **Impact on Community Facilities:** Impact on community facilities will be minimal.

MOTION: To approve subject to staff recommendation.

MILLER STEVENS moved, **G. SHERMAN** seconded the motion, approved by a vote of (10-0).

NON-PUBLIC HEARING ITEMS

7. **Case No.: DER2012-00007 – City of Wichita Bicycle Master Plan.**

Background: The DRAFT City of Wichita Bicycle Master (Plan) is a 10 year guide for the provision of bicycle infrastructure, policies, and programs in both the City of Wichita (City) and the Wichita 2030 Urban Growth Area. More than 4,000 individuals provided input for the Plan by completing surveys, serving on committees, volunteering for community events, participating in community meetings, and attending open house events. The Plan includes goals, objectives, actions, priorities, and performance measures along with a Priority Bikeway Network map of more than 150 miles of recommended new bicycle facilities.

On April 5, 2011 the Wichita City Council approved the use of Energy Efficiency Community Block Grant (EECBG) funds from the American Recovery and Renewal Act for the creation of the Plan. On June 14, 2011 the City Council approved the selection and contract with Toole Design Group to undertake the preparation of the Plan. A 19 member Steering Committee was appointed by the City Manager to oversee the project. The steering Committee included representatives from the Wichita Board of Park Commissioners, Wichita City Council, USD 259, Oz Bicycle Club, Bike/Walk Alliance, Coasters Club, Run Wichita, Mayor's Youth Council, WAMPO, KDOT, Wichita Area Builders Association, Wichita Downtown Development Corporation, KDOT, Young Professionals of Wichita, Visioneering Wichita, and other stakeholders.

Over the last year, the planning Steering Committee has worked closely with the Plan Technical Advisory Committee and the community at-large to create a plan that meets the needs of our community.

To-date, there have been a total of 14 Steering Committee meetings; 2 open house events, 4 focus groups, 5 stakeholder meetings, a Better Block community event, and 1 briefing to the Advanced Plans Committee of the MAPC, presentations to the District Advisory Boards, 67 comments submitted on the interactive mapping tool, and 1,640 responses to the public online survey.

Analysis: The Plan includes the following three goals.

- Goal 1: Increase the amount of bicycling in Wichita
- Goal 2: Improve the safety of bicyclists in Wichita

- Goal 3: Foster and promote a culture where bicycling is a viable and acceptable form of transportation

In order to accomplish the goals - the Plan contains recommendations related to infrastructure, policies, and programs.

Bicycle Infrastructure

General

The bicycle facility recommendations contained within the Plan were developed from the Study Network, which included the bicycle facility recommendations from the public, staff, and previous plans. All of the bicycle facilities in the Study Network were evaluated using aerials and maps; followed-up by field visits. The resulting information was used to create the Bicycle Network, which retained only those facilities that made sense and are feasible. The Plan recommends specific design solutions for each roadway bicycle facility.

Priorities

The recommended Bicycle Network includes more than 814 miles of future bicycle facilities. The Steering Committee identified the priority facilities to accomplish in the next 10 years as the Priority Network (approximately 150 miles). In addition, the Plan identifies the following top 10 on-street and side path facilities; and the top off-street shared-use path facility.

Top Ten Recommended Priority On-street and Side Path Bicycle Facilities (arranged alphabetically, no rank order)

Facility Name	Description
1 st and 2 nd Street Bike Lanes	Extend existing bike lanes from I-135 to the Arkansas River (east/west)
2 nd Street Bike Lane and Shared Lane Markings	Install mix of bike lanes and shared lane markings from the Arkansas River to Hoover (east/west)
Armour Ave Bicycle Boulevard	Install bicycle boulevard from Huntington Ave to K-96 (north/south)
Douglas Avenue Shared Lane Markings	Install shared lane markings from St. Paul Ave to Edgemoor Ave (east/west)
I-235 East/West Crossing: Central Ave or Maple St	Pending further study, install a side path connection under I-235 and across the "Big Ditch" (east/west)
Market St & Topeka Ave Bike Lanes	Install bike lanes from 21 st St to Mt Vernon Rd (north/south)
Mt Vernon Bike Lanes	Install bike lanes from Broadway Ave to Woodlawn Blvd (east/west)
Pedestrian Crossing Signal & Bicycle Boulevard	Install signal to cross Ridge Road and Westport Ave to provide access to Sedgwick County Park; install bicycle boulevard starting at Ridge and going west to Glenhurst Street; then south along Holland Ln/Country Acres Ave/Woodchuck to University Ave (north/south)

Perry Ave Bicycle Boulevard + 17th / 18th St Shared Lane Markings	Install bicycle boulevard starting at Perry Ave & 13 th St., and going north to via Perry/Portier/20 th /Coolidge to 21 st Street (north/south) + Install shared lane markings on 17th, then 18th St from I-135 to Perry Ave (east/west)
Sycamore St Bicycle Boulevard	Install bicycle boulevard starting at Sycamore and Douglas and going south to Glenn St via Dayton, Osage, McCormick, Dodge and Orient. (north/south)

Top Priority Off-Street (Shared Use Path) Bicycle Facility

Name	Description
Redbud Path – Oliver to K-96	Construct path on former railroad right-of-way between Oliver and K-96

Policies and Programs

The Plan recommends 30 strategies with related actions to achieve the goals, and ultimately the vision. A listing of the strategies is available in the attached Plan Executive Summary.

Costs

The Plan includes cost estimates for the Priority Bikeways Network (approximately \$12.5 million). It also provides an estimate for the top 10 on-street and top off-street priority facilities (approximately \$4.6 million), a subset of the Priority Bikeways Network. Bicycle facilities can be developed as standalone projects or through routine accommodation. Routine accommodation occurs when bicycle facilities are installed in conjunction with other projects (i.e. road resurfacing, road widening, etc.) and can result in lower bicycle facilities development costs.

Financial Considerations: No funding is attached to the Plan, and endorsement by the City Council does not involve any commitment by the City for future funding. It is a future guide for bicycle related infrastructure, policies, and programs. Any funding to implement the Plan will need to be initiated through a separate process.

The Plan recommends utilizing existing funding to develop the recommended Priority Network over 10 years. The adopted City of Wichita 2011-2020 Capital Improvement Program (CIP) includes the Bicycle Enhancement line item, which could be utilized to fund the infrastructure improvements. This line item is contained within the Arterials section of the CIP and includes \$500,000 every other year. In the past, the Bicycle Enhancements line item has been used to provide the local match for City of Wichita Transportation Enhancement funding applications to KDOT, and has been used to develop the majority of Wichita’s existing path network. The Plan recommends that this funding would continue to be utilized to leverage federal grant funding (i.e. STP, CMAQ, Transportation Alternatives, etc.) which generally allow up to 80% federal match. If federal funds are leveraged, then there is the potential for \$12.5 million over 10 years to implement the Plan.

Based on the current CIP, the City of Wichita will utilize funding from a variety of sources (local, State, Federal, and others) to make approximately \$910 million of improvements to roads, bridges, and freeways. If the level of investments continues at the same level for the 10 year life of the Plan 2012-2022, then an investment of \$12.5 million (\$2.5 million local and \$10 million Federal) in bicycle

infrastructure would constitute a little more than 1 percent of the \$910 million investments in roads, bridges, and freeways.

Recommendations/Actions: It is recommended that the MAPC recommend that the City Council endorse the City of Wichita Bicycle Master Plan.

SCOTT WADLE, Planning Staff presented the Staff Report.

ALDRICH stated several things concern him about the plan besides the funding. You are looking at approximately 1% of our population utilize bikes for transportation. From your figures, from what you have said in the past, 7% of that 1% is very active. If you look at our history, the funding comes from our Transportation fund. We still have an awful lot of dirt roads in our inner core city which poses health issues and everything else. When you look at the dollars per path mile, you are looking at the \$90,000 range per path mile relying heavily on federal monies. Also, you look at the past plans that we have had, the 1996 plan was at \$51 million; the PROS plan, which is for \$600 million, again never funded. At least this plan specifies bikes; it doesn't have the open space and everything else. It is more geared down to the bike riders. I don't oppose the bike riders, but one thing that, since you are looking for possible funding sources, one thing you might want to consider is if it is feasible is a bike fee. When someone goes and buys a new bike for example, they could get a permit through the bike shops. Before, we had to fill out a registration form and had to take it to the police department and an officer would put a sticker on the bike. It cost like two bucks or something. The question has come up regarding all the bikes that are currently out there. They can be grandfathered for three years and dole out notifications in the paper and DAB's and everything else, that they have three years to register their bikes. It's one thing to own a bike, I know they are sharing the road and they are taxpayers too, but that could be one way for them to pay their share of the highways. I don't think the vehicle traffic should keep doing that. Another thing that concerns me is fatalities and accidents. This year alone, how many vehicle/pedestrian accidents have we had and how many fatalities, do you know?

WADLE stated he could give a number, but I could be off, so I would rather look it up and get it back to you later.

ALDRICH said you are going to have that no matter what you do. You know, when you've got a 12,000 pound vehicle and these composite bikes right now, they are light. I just have some safety concerns there. This also an issue for the County and I don't know how you could implement some of these things truly, but I think that is something we might want to look at. Again it seems that we spend an awful lot of time and effort in coming up with various plans whether it's a bicycle or the PROS plan or whatever, but with the bicycle you are looking at a very small portion of our population. That's a pretty hefty price tag there; especially if you are looking at \$500,000 a year out of our CIP; especially when that money should go to help our infrastructure.

WADLE stated about the federal funding, the feds have allocated that funding. The licensing thing is one thing that we did a few years ago and the police department did away with it. Part of the issue the police department had was administration and enforcement. Different communities do it different ways so that may be something to look at in the future.

ALDRICH said that's why I brought up the dog license for example. The police department doesn't go out and see if your dog has a tag, the City does that. They will send out a notification to the vets. Why a similar system can't be set up like that with the bike shops.

WADLE said in some communities its voluntary where you register your bike and not license them. There are all kinds of different options on how that could be implemented. On safety designs, the designs we propose here are from a conservative engineering design standpoint. These are designs that are tested out in other communities and these are the standards that are recommended to be used in the plan. There is a more aggressive set of standards but we don't believe they have been vetted as well or tested. In other communities that have installed bicycle facilities, there has been an increase in bicyclists, the rate of crashes actually decline. Folks suspect that motorists are becoming more accustomed to looking out for cyclists on the roadway. Regarding the expenditures, since the bike plan and the CIP don't really line up, we assume that the \$500,00 continues every year for ten years, \$2.5 million and if we use the current funding that's in the current CIP, the bike network would come to less than 1% of the CIP funding for arterials, bridges, and freeways. This is just for some perspective.

MILLER STEVENS stated thank you for the work on this project. Two points of concern, I know we have had discussion on funding and infrastructure and so forth, but there are other parts of the strategy that require funding. The education piece, people still ask today if it is illegal to ride on the sidewalks, those very simple kinds of things. People will need to be educated and informed on how to use this infrastructure that we want to build. We need to make sure a lot of education is covered by the funding. When you talked about an advisory for the plan, would this board be the ones who would champion and drive the plan? I know other neighborhood plans and so forth have a specified neighborhood group that are the champions for that plan and drive it on year after year. So would it be that advisory board or who would that be?

WADLE stated yes, in terms of you who would look out for what is recommended in the plan, and check to see if resources are being allocated to do that I think the bicycle and pedestrian advisory board would be the body that would be best positioned to do that. You raise a good point. Funding for infrastructure, it's a little bit easier to look at because there is that line item in the CIP and you can use that and forecast that into the future. In terms of policies and programs that really gets to the budget and, at this point, there is no particular line item for those things. That would have to be future requests that come forward. The plan is not super specific on what needs to happen with each of those because the plan is on such a high level that there are plans to do education and provide guideline for that to happen, but it doesn't say buy a hundred dollars worth of pamphlets or shoot a video, that kind of stuff. It doesn't get to that level of detail. That would have to be planned out on an annual plan level or more in depth than that.

G. SHERMAN said it's not so much of a question just some comments, I'm not a big believer in bicycles as a form of transportation that's ever going to boom. I think there are too many practical aspects. I'd like to ride a bike to work, but I get there and I'm all sweaty and other issues like that. I do ride a bike recreationally and I think a lot more people will do that if we have a system that was easier to use and got you from place to place without having to load your bike in a car and ride there where it's safe. I think it falls into the category for funding on lots of things, whether the City has a certain amount of money and the practical part may say that you have to spend all of that on infrastructure that we need. It could be sewer and water and streets and other things, but we recognize that we also need parks and we need other things that we've got to find a way to fund. I'm not convinced that they have all the funding cover but I think it's a great thing that they have a plan and working on ways to fund it. I like the idea of bicycle licensing or registering. I know other cities have dropped it due to the issue of the police not having time to enforce it. Maybe there is something there with the bike shops. I don't think

you will raise much money if it is voluntary; it's going to have to be mandatory, but it's something to explore. That's all I have. I support the plan and moving forward with it.

ALDRICH asked how long staff has worked on this.

WADLE stated about a year and a half.

ALDRICH asked out of curiosity how much money has been spent on this so far.

WADLE stated that the grant that was used to pay for it was left over funding from the McAdams bike path, the connection from I-135 to K-96 and that was for \$200,000.

FOSTER stated that he had four quick questions. In the course of the study, did you get a sense of the percentage of transportation users versus recreational users?

WADLE said we looked at census data. The unfortunate thing is census data uses the population that is over 16 and use a bicycle to commute to work as their primary source of transportation. So you are looking at people who are employed and are their primary means to work not every once in a while. That percentage has fluctuated, it's generally under 1%. The problem is the margin of error is just as large as the percentage they report so it's not really a great data source to use. It can be a good indicator, but generally it's less than 1% in terms of transportation purposes. However, there was a bicycle count that was recently conducted and today we have the first estimates, they are not the final counts, but approximately the counts over the course of two day, two hours on each day, and the count was around 1,000 cyclists during that time. What's interesting about that is that one day was a weekday and one day was a weekend and they were conducted at the same 35 locations and the counts were about equal. We are in the process of try to get a handle of what's out there in terms of bicycle use and this is our first foray into that.

FOSTER asked about the widths of bike paths, what is the current recommended width that will serve as a bicycle path.

WADLE answered that according to ASHTO the minimum they recommend is eight feet if you are in a tight location. Generally it used to be 10 feet and you can still use 10 feet. In areas where high traffic is expected, they recommend you do 12 feet.

FOSTER stated he liked the concept about the routine accommodation in the plan about getting paths where they need to be, but the question is how do you build in RFQ's and RFP's getting an education of staff. That is going to be an integral part when projects come along.

WADLE answered that the first part is to have a plan. We just ran into this problem at 21st Street and 135th Street North. The County put in a paved shoulder out there that people used to the northwest Y and would take all the way out to Cheney. The project that is underway on 135th is redoing the intersection at 21st Street. As part of that project they are installing curb and gutter and they took out the paved shoulder because they just assumed that it was a paved shoulder and they did not consult the bicycle map and they didn't check to see what was going on with the plan. So what has happened is the past five days we have probably received at least five emails, maybe more, from people who have just realized that the shoulder is being taken out. The first step is to have an official guide that this plan

would provide that staff can consult before they do RFP's and make sure that they get out there that the project should include or have the option to include bicycle facilities in their designs.

FOSTER said he hopes they can get that path back in there because that will be an unsafe condition because a lot of people go out to that northwest Y.

WADLE stated it will be pretty tricky. They already have the curbs and gutter in. We are trying to retroactively fit bicycle facilities into a confined space. So we will see what we can do.

FOSTER stated that his final question is that Commissioner MITCHELL had submitted an email with some comments on it, have you had a chance to see that email.

WADLE stated that he has.

FOSTER stated he is curious that he mentions dedicating a bicycle tax and some other items, do you have any comments.

WADLE said the assumption is that cyclists don't pay their way. That was a question that I had with our finance folks and they guided me to the CIP which when you look at our funding for arterials, bridges and freeways comes from you see that 26% of that comes from the local sales tax. The local sales tax is paid for by anyone who purchases anything in the county. It's also spent on Kellogg and other freeway improvements. On Kellogg, cyclists are prohibited from using it. So in effect, the cyclist is paying for facilities they cannot ride on and we know that an urban freeway costs about \$50 million a mile. So cyclists are contributing to funding for things they are not using. Thirty-three percent are from special assessments. So if you live in a development that has a special assessment, then you are paying for infrastructure. Then there are state and federal funds, I did not do an analysis on those. I would assume that those include gas tax and motor vehicle tax funds. The GO Bonds also contain a mix of property tax and other funds too. So the question was, do cyclists pay their way. Everyone pays into these funds. The motor vehicle tax, the portion that is provided for the CIP, goes into the debt service for the CIP which is at about \$40 million. So it's about 4% of infrastructure cost if you look at that \$889 million for bridges, freeways, and arterials. The state fuel tax that comes back to the City, none of that goes to provide for new infrastructure but it does cover about 80% of the City's street maintenance. The assumption is that cyclists don't contribute to the system. I think that (this information) helps illustrate what they contribute. The question of should there be a tax like a motor vehicle tax, I think that is a policy question and the steering committee would have to wrestle with that one.

ALDRICH stated that you mentioned that there was a count done and you came up with a thousand cyclists. Where was that study done at?

WADLE answered that the study was coordinated by WAMPO and the 35 sites were within the WAMPO area. So there were count locations down in Mulvane and a number of locations here in Wichita. I don't have a map here today but I can provide that to you showing where the count locations were.

ALDRICH stated he just wondered if they just concentrated on high traffic areas like the Sedgwick County Park where you have a lot of people out there.

WADLE said that there weren't four locations at Sedgwick County Park. Now there was one location out there and there was a location at the river, but there were also locations where the plan recommends future bicycle infrastructure. The use of those locations helps to balance those anticipates high traffic locations. If the counts are conducted in the same manner in the future and bicycle infrastructure is put in place, then you can track how many new users come along as a result of the new bicycle infrastructure.

ALDRICH stated that he was getting at - when you take surveys or counts in high traffic areas like that - which are utilized 24 hours a day, (then you get high counts) it is fabulous over there. But, then you go out to the 96 path for example - that's quite a distance and how many people do you have riding that? What was the cost of that?

WADLE stated that there were 35 locations distributed throughout the WAMPO region and none of those locations were clustered around specific high traffic areas surrounding Sedgwick County Park or anything like that. So, just by the volume (the number) of the count locations, that should provide you some assurance that there was a whole variety of different locations and activity level that were anticipated.

MOTION: Recommend to send this on to City Council with the MAPC recommendation to approve.

ALDRICH asked if they are approving it just the way it is, or with any possibility of funding sources like the bike fee or bike tax.

G. SHERMAN stated that he feels the plan as it is includes looking into alternative funding sources and ways to put it together.

ALDRICH stated that he thinks personally that something I think I would like to see them do. It seems even feasible, it may not be feasible, I'm not saying have the police department be the bicycle police either, but I think there are other ways they could look at it. The thing that just bothers me about it is not just this plan but a lot of other plans, we keep spending a lot of money coming up with plans that are totally unfunded and may not be funded and I just think we can serve priorities elsewhere at times.

G. SHERMAN asked if the City Council will receive the summary of our minutes and comments.

WADLE stated yes, what we are going to do is on the staff green sheet they will see the recommendation of each of the bodies and we will attach the minutes of the meeting that are pertinent to the Bike Master Plan.

G. SHERMAN moved, **MILLER STEVENS** seconded the motion, approved by a vote of (9-0).

8. Case No.: South Meridian Corridor Plan.

Background: On February 14, 2012, the Wichita Area Metropolitan Planning Organization (WAMPO) approved a contract for \$61,500 with Baughman Company, P.A. for the development of the South Meridian Corridor Plan. This project location was selected through a competitive process where communities could submit applications for corridor studies to be completed for their community. The

City of Haysville applied for a study of the South Meridian Corridor from one-quarter mile north of 55th Street South to one-eighth mile south of 95th Street South. The funding for this project was from the WAMPO Consolidated Planning Grant (CPG), with local match coming partially from a federal fund exchange program with the Kansas Department of Transportation (KDOT) and partially from toll credits.

Analysis: Over the past eight months, Baughman Company, P.A. conducted the planning process for the corridor plan, including community outreach through stakeholder visioning sessions, public meetings, and online surveys. The South Meridian Corridor Plan, Draft September 17, 2012 is attached. Areas addressed by this plan include, but are not limited to land use, transportation and potential pedestrian opportunities, and aesthetic enhancements of the corridor through the year 2035. The key recommendations of the corridor plan are broken into three sections (North, Center, and South).

The north section consists of one-quarter mile north of 55th Street to Grand Avenue (71st Street).

- Maintain existing four-lane road with turn-lanes and signals as warranted.
- Explore opportunities to install traffic signals at the 55th Street and Meridian intersection.
- Prioritize the construction of a pedestrian bridge over the floodway.
- Require additional turn-lane and traffic signal improvements as warranted by new development projects.

The study also recommends alternative facility improvements for the north section when circumstances warrant:

- Seek to expand Meridian from a four-lane “Urban Standard” configuration to a five-lane “Parkway” option with raised medians, except where center turn lanes are warranted.
 - Approximate cost of \$1.85 million.

The center section consists of Grand Avenue to one-half mile south of 79th Street.

- Widen Meridian to a three-lane arterial standard with raised medians as warranted.
 - Approximate cost of \$3.9 million.
 - Can be broken down into three phases.
 - Grand Avenue to 79th Street (\$1.9 million)
 - Meridian and 79th Street intersection improvements (\$1.1 million).
 - 79th Street to one-half mile south (\$900,000).

The study also recommends alternative facility improvements for the center section when circumstances warrant:

- Seek to expand Meridian to a five-lane “Parkway” with raised medians, except where center turn lanes are warranted.
 - Approximate cost of \$4.8 million (including intersection improvements).

The south section recommendations consist of one-half mile south of 79th Street to one-eighth of a mile south of 95th Street.

- Widen Meridian to a “Super-Two” arterial standard as warranted.
 - Approximate cost of \$3.9 million.

The study also recommends alternative facility improvements for the south section when circumstances warrant:

- Seek to expand Meridian to a five-lane “Parkway” with raised medians, except where center turn lanes are warranted.
 - Approximate cost of \$5.7 million (including intersection improvements).

Other areas considered in the South Meridian Corridor Plan with recommendations addressing the following:

- Access management concepts and considerations.
 - Intersection and driveway spacing standards.
- The use of raised medians.
- Traffic Impact Studies.
- Right-of-Way acquisition and preservation.
- Bicycle/Pedestrian considerations.
- Traffic signal considerations.
- Screening and landscaping considerations.
- Streetscape/Aesthetic Considerations.
- Development policies and regulations.
- Comprehensive plan considerations.

The corridor plan does not recommend specific priorities due to the Meridian Corridor being mostly undeveloped and improvements being warrant driven. Future funding for improvements the implementation for recommendations identified in this plan have not been secured at this time.

A public review and comment period is open from September 17, 2012 to October 5, 2012. Any comments received will be presented to the WAMPO Transportation Policy Body (TPB) and the City of Haysville City Council for consideration. Comments can be submitted via e-mail to WAMPO at wampoks@yahoo.com.

Recommendation/Actions: None.

BRENT HOLPER, WAMPO Planning Staff presented the Staff Report.

DENNIS stated that the approval date for the MAPC is today.

HOLPER stated that was a typo. It isn't an approval, just a recommendation.

DENNIS asked if this was going in front of Advance Plans.

HOLPER stated they had a member of Advance Plans, MAPD staff on our core group, but no other committees.

DENNIS asked if this is coming back to the MAPC for us to endorse.

HOLPER stated not at this time. If you would like it to, it can, but our intentions were not to.

DENNIS asked what happens to it from this point forward.

HOLPER stated that from this point forward, we will bring it to the WAMPO policy body for approval and then also Haysville City Council for approval. If Haysville City Council approves it, this will be something they will be asked to start incorporating. They could incorporate it into their Comprehensive Plan like they did with the South Broadway Corridor Plan, through an amendment, and then they used some of the recommendations to help drive improvements throughout the community, such as access management. We provide guideline but we don't come up with policy. This helps them develop that policy that can be consistent with the Wichita-Sedgwick County access management policy for example.

9. Case No.: South Broadway Corridor Plan.

Background: On May 10, 2011, the Wichita Area Metropolitan Planning Organization (WAMPO) approved a contract for \$48,424.66 with Professional Engineering Consultants, P.A. (PEC) for the development of the South Broadway Corridor Plan. This project location was selected through a competitive process where communities could submit applications for a corridor study to be completed for their community. The City of Haysville applied for a study of the South Broadway Corridor from 63rd Street South to 87th Street South. The funding for this project originated from a federal fund exchange program with the Kansas Department of Transportation (KDOT) that WAMPO participated in during the 2011 calendar year.

Analysis: In 2011, PEC conducted the planning process for the corridor plan, including community outreach through stakeholder visioning sessions, public meetings, and online surveys. Areas addressed by this plan include, but are not limited to: land use, transportation and potential pedestrian opportunities, and aesthetic enhancements of the corridor through the year 2035. The recommendations of the corridor plan are broken out and prioritized by improvement type (road, intersections, sidewalks, policies/actions, and land use/development).

The South Broadway Corridor Plan was approved by the City of Haysville City Council on February 13, 2012 and by the WAMPO Transportation Policy Body (TPB) on March 13, 2012.

Recommendation/Actions: None.

BRENT HOLPER, WAMPO Planning Staff presented the Staff Report.

FOSTER asked about page eight, it's referring to land use and it has some bullet points there, under big box retail and suburban strip commercial, it mentions pedestrian and bicycle connectivity to the street and trail network. Which street is that referencing?

HOLPER stated that it would be referencing Broadway.

FOSTER said that the reason he is asking that question, and Scott helped earlier, the specific improvements asked for six foot wide walks there. So, this is late in the game here, but the six foot

walks are not coning to cut it in terms of being bike paths. That's something that ought to be missing or passed along.

HOLPER stated that a lot of it is for the six foot wide you could still have the bicycle traffic, but mainly pedestrian traffic on there. When you start going wider, that when you can start going for federal funding and it starts being appealing for the bicycle traffic than pedestrian. I'll have to pass that on.

DENNIS stated that the lowest priority are for roads on the north end but your highest priority is on the north end sidewalks, and you are putting in five lane roads. You are not going to be tearing up sidewalks you just put in, are you?

HOLPER stated no, I believe the recommendations on this really originated on the north end of Broadway. If you walk along that corridor, you can actually see where people are walking and wearing down the right-of-way or individuals property, so the recommendation says put a sidewalk there so you don't have a dirt path. That's why there is a heavier emphasis on sidewalks on the northern portion of that corridor and there is also more development along that part of the corridor.

DENNIS said most of the time when I see huge improvements going to streets, they do the sidewalks at the same time, that's why it seemed backwards to me, to put the sidewalks in and then come back and put the streets in later

HOLPER and these are all treated as standalone projects too.

10. Other Matters/Adjournment

To set a hearing date for an amendment to the Zoning Code for November 1st.

MOTION: Recommend to set a hearing date for an amendment to the Zoning Code for November 1st.

WARREN moved, **KLAUSMEYER** seconded the motion, approved by a vote of (8-0).

The Metropolitan Area Planning Commission adjourned at 3:16 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.

(SEAL)

John L. Schlegel, Secretary
Wichita-Sedgwick County Metropolitan
Area Planning Commission