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WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION AGENDA

Thursday, July 21, 2016

The regular meeting of the Wichita-Sedgwick County Metropolitan Area Planning Commission will be held on **Thursday, July 21, 2016**, beginning at **1:30 PM** in the Planning Department Conference Room City Hall - 10th Floor, 455 N. Main Street, Wichita, Kansas. **If you have any questions regarding the meeting or items on this agenda, please call the Wichita-Sedgwick County Metropolitan Area Planning Department at 316.268.4421.**

1. Approval of the prior MAPC meeting minutes:

Meeting Date: June 2, 2016

2. **CONSIDERATION OF SUBDIVISION COMMITTEE RECOMMENDATIONS**

Items may be taken in one motion unless there are questions or comments.

SUBDIVISION CASE DETAILS

- 2-1. **SUB2016-00022: One-Step Final Plat – BELLE TERRE COMMERCIAL ADDITION**, located on the on the north side of East Kellogg, west of 159th Street East.

Committee Action: APPROVED 4-0
Surveyor: K.E. Miller Engineering, P.A.
Acreage: 19.44
Total Lots: 2

- 2-2. **SUB2016-00024: One-Step Final Plat – SUN-AIR ESTATES 2ND ADDITION**, located on the south side of 45th Street North, West of Webb Road.

Committee Action: APPROVED 4-0
Surveyor: K.E. Miller Engineering, P.A.
Acreage: 2.37
Total Lots: 5

3. **PUBLIC HEARING – VACATION ITEMS**

ADVERTISED TO BE HEARD NO EARLIER THAN 1:30 PM

Items may be taken in one motion unless there are questions or comments.

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department – 10th Floor, City Hall, 455 N. Main Street, Wichita, Kansas

- 3-1. **VAC2016-00022: City request to vacate a portion of a platted drainage and utility easement on property**, generally located southeast of Rock Road and 29th Street North, west of Wilderness Circle on the west side of Wilderness Court (2607 N Wilderness Court).

Committee Action: APPROVED 4-0

- 3-2. **VAC2016-00023: City request to vacate a portion of a platted front setback on property**, generally located west of Edgemoor Drive on the south side of Central Avenue (5429 E. Central).

Committee Action: APPROVED 4-0

- 3-3. **VAC2016-00024: City request to vacate portions of platted setbacks on property,** located on the northwest corner of Ridge Road and Maple Street (277 S. Ridge).

Committee Action: APPROVED 4-0

- 3-4. **VAC2016-00025: City request to vacate portions of platted setbacks, utility easements and the plattor's text on property,** generally located at the southeast corner of 21st Street North and Rock Road (2132 N. Rock).

Committee Action: APPROVED 4-0

- 3-5. **VAC2016-00026: City request to vacate a platted wall easement on property,** generally located south of 37th Street North on the east side of Maize Road.

Committee Action: APPROVED 3-0-1 (D. Foster ABSTAINED)

- 3-6. **VAC2016-00027: City request to vacate easements dedicated by separate instruments on property,** generally located northwest of Kellogg Street and Washington Avenue, on the west side of the vacated Eldora Street.

Committee Action: APPROVED 4-0

PUBLIC HEARINGS

ADVERTISED TO BE HEARD NO EARLIER THAN 1:30 PM

4. Case No.: ZON2016-00012 and CON2016-00007 (Deferred from April 21, 2016 and May 5, 2016)
Request: City zone change from SF-5 Single-family Residential to TF-3 Two-family Residential to allow ancillary parking (CON2016-00007), an amendment to PO -300 to allow a restaurant and a 10% reduction of the compatibility setback.
General Location: West of Ridge Road, north of Maple Street.
Presenting Planner: Bill Longnecker
5. Case No.: ZON2016-00025
Request: City zone change from SF-5 Single-family Residential to TF-3 Two-family Residential.
General Location: South of West 2nd Street North and east of North Baehr Street (4629 W. 2nd St., N.).
Presenting Planner: Kathy Morgan
6. Case No.: ZON2016-00028 (Deferred to 8-18-16)
Request: City zone change from B Multi-family Residential and SF-5 Single-family Residential to LC Limited Commercial.
General Location: South of East 21st Street North and on both sides of North Piatt Avenue (2101 E. 21st St., N.).
Presenting Planner: Scott Knebel

7. Case No.: ZON2016-00029
Request: City zone change from SF-5 Single-family Residential to TF-3 Two-family Residential.
General Location: North of West 55th Street South and east of Seneca Street (1000 W. 55th Street S.).
Presenting Planner: Kathy Morgan
8. Case No.: ZON2016-00030
Request: City zone change from GC General Commercial to LI Limited Industrial for vehicle sales without paved parking/display.
General Location: East of Webb Road and south Kellogg Street (9707 E. Orme St.).
Presenting Planner: Bill Longnecker
9. Case No.: ZON2016-00031
Request: City zone change from SF-5 Single-family Residential to MF-18 Multi-family Residential.
General Location: North of West 2nd Street and west of North Seneca Street (1502 W. 2nd St. and 309 N. Elizabeth St.)
Presenting Planner: Kathy Morgan
10. Case No.: CON2016-00019
Request: City Conditional Use to permit a Tavern and Drinking Establishment and an Entertainment Establishment within 300 feet of residential zoning on property zoned LC Limited Commercial.
General Location: South of Central Avenue and west of West Street (511 N. West Yvie's).
Presenting Planner: Scott Knebel
11. Case No.: CON2016-00020
Request: City Conditional Use to permit a Tavern and Drinking Establishment and an Entertainment Establishment within 300 feet of residential zoning on property zoned LC Limited Commercial.
General Location: North of 13th Street North and west of Broadway Avenue (1457 N. Broadway Ave. - El Sombrero).
Presenting Planner: Scott Knebel
12. Case No.: CUP2016-00022 (Deferred)
Request: City CUP Major Amendment to DP-62 to increase the permitted residential density on Parcel 8.
General Location: South and west of the intersection of East 21st Street North and North Rock Road on the east side of North Broadmoor Street.
Presenting Planner: Scott Knebel
13. Case No.: CUP2016-00023
Request: City CUP Amendment to DP-295 to increase the size of an accessory structure with a 35-foot setback.
General Location: Southeast corner of 37th Street North and Maize Road (3660 N. Maize Rd.).
Presenting Planner: Scott Knebel

NON-PUBLIC HEARING ITEMS

- 14.** Case No.: Conformity of the Proposed 2017-2021 Sedgwick County Capital Improvement Program with the Community Investments Plan
General Location: Countywide
Presenting Planner: Jim Weber, deputy Director, Sedgwick County Public Works
- 15.** Case No.: Establish a Public Hearing date of August 18, 2016 for DER2016-00005
Request: This DER deals with a number of amendment to the "Wichita-Sedgwick County Unified Zoning Code". The proposed amendments deal with event centers in the County, churches, farmer's markets and bed and breakfast uses in certain zoning district.
General Location: City and County wide
Presenting Planner: Dale Miller, Director

16. Other Matters/Adjournment

**Dale Miller, Secretary
Wichita-Sedgwick County Metropolitan Area Planning Commission**

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING

Minutes

June 2, 2016

The regular meeting of the Wichita-Sedgwick County Metropolitan Area Planning Commission was held on Thursday, June 2, 2016 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: Carol Neugent, Chair; David Dennis, Vice Chair; John Dailey; Bob Doel; Matt Goolsby; Bill Ellison; David Foster; Joe Johnson; John McKay Jr.; Bill Ramsey; Lowell Richardson; John Todd and Chuck Warren. Members absent were: Debra Miller Stevens. Staff members present were: Dale Miller, Director; Bill Longnecker, Senior Planner; Scott Knebel, Senior Planner; Jess McNeely, Senior Planner; Kathy Morgan, Senior Planner; Derrick Slocum, Administrative Supervisor; and Sharon Dickgrafe, Assistant City Attorney.

1. Approval of the April 21, 2016 Planning Commission Minutes.

MOTION: To approve the April 21, 2016 Planning Commission minutes.

DENNIS moved, **JOHNSON** seconded the motion, and it carried (10-0-2). **GOOLSBY** and **WARREN** – Abstained.

-
2. **CONSIDERATION OF SUBDIVISION COMMITTEE RECOMMENDATIONS**

There were no Subdivision Items.

-
3. **PUBLIC HEARING – VACATION ITEMS**

There were no Vacation Items.

PUBLIC HEARINGS

4. **Case No.: ZON2016-00020** - Friends University (owner) and Selective Site Consultants (agent) request a City Protective Overlay Amendment to remove the Delano Overlay on a parcel in U University Zoning for a wireless communication tower on property described as:

COMMENCING at the Northwest Corner of said Section 30 (Found 1/2" Pipe); thence along the North line of said Section, North 88°39'56" East, a distance of 1128.26 feet; thence leaving said Section line, South 01°20'04" East, a distance of 393.34 feet to the POINT OF BEGINNING; thence South 01°46'40" East, a distance of 438.94 feet; thence North 88°42'59" West, a distance of 36.33 feet; thence South 00°44'58" East, a distance of 160.51 feet; thence South 33°15'36" West, a distance of 131.10 feet; thence South 89°26'22" West, a distance of 377.01 feet; thence North 01°13'57" West, a distance of 568.28 feet; thence North 63°25'12" East, a distance of 319.81 feet; thence North 89°51'37" East, a distance of 195.71 feet to the POINT OF BEGINNING. Containing 311,011± square feet (7.14± acres).

CHAIR NEUGENT announced that this item has been deferred indefinitely.

5. **Case No.: CON2016-00010** - Arthur, Sondra and January Bailey (owners/applicants) request a City Conditional Use for an Accessory Apartment in TF-3 Two-family Residential zoning on property described as:

Lots 2, 4, 6, 8, 10, 12 and the West Half of Lot 14 together with ½ of the vacated alley adjacent on the South, Davis Addition, Wichita, Sedgwick County, Kansas.

BACKGROUND: The applicants request a Conditional Use for an “accessory apartment” on property zoned TF-3 Two-family Residential. The site is located at the southeast corner of East 2nd Street and North Rutan. The property is currently developed with a single-family residence on the 0.53-acre site. A four-car garage and an in-ground swimming pool have recently been demolished in order to build the new garage with a second story apartment. There is an existing drive access from East 2nd Street. This site is listed in the Wichita Register of Historic Places, the Register of Historic Kansas Places and the National Register of Historic Places. The owners filed application to the Wichita Historic Preservation Board to request demolition of the non-original four-car garage and the in-ground pool and approval of the design for the new garage/apartment structure. The Historic Preservation Board approved the proposed project with the stipulation that a conditional use for an accessory structure be obtained.

The property is surrounded by residential zoning developed with single-family structures to the north, west and south, and two-family structures to the east. West of the site is zoned TF-3, north is TF-3 and SF-5 Single-Family residential, east of the site is zoned TF-3, and south of the site is zoned SF-5.

The Wichita-Sedgwick County Unified Zoning Code (“UZC”) defines an “accessory apartment” (Art. II.Sec. II-B.1.b) as a dwelling unit that may be wholly within, or may be detached from a principal single-family dwelling unit. Accessory apartments are also subject to supplementary use regulation Art. III.Sec.III-D.6.a (1) a maximum of one accessory apartment may be allowed on the same lot as a single-family dwelling unit that may be within the main building, within an accessory building or constructed as an accessory apartment; (2) the appearance of an accessory apartment shall be compatible with the main dwelling unit and with the character of the neighborhood; (3) the accessory apartment shall remain accessory to and under the same ownership as the principal single-family dwelling unit, and the ownership shall not be divided or sold as a condominium and (4) the water and sewer service provided to the accessory apartment shall not be provided as separate service from the main dwelling. Electric, gas, telephone and cable television utility service may be provided as separate utility services.

The TF-3 zoning district property development standards call for a minimum rear setback of 20 feet for principal structures; however, accessory structure rear building setback (Sec. III-D.7.e(1)) shall be at least ten feet from the centerline of any platted or dedicated alley, and if no alley exists, then five feet from the rear lot line; accessory structures may be within three feet of a side lot line if on the rear half of the property. Accessory structures may not utilize more than one-half of any required rear yard, and shall not exceed 60 percent of the allowable height limit for the zoning district unless the accessory structure conforms to principal structure setback requirements. The TF-3 zoning district maximum height is 35 feet, 60 percent of which is 21 feet. The UZC parking standards require one off-street parking space per single-family residence and one per accessory apartment. The submitted site plan conforms to UZC requirements.

CASE HISTORY: The subject property has two associated city cases. Protective Overlay H76-21 designating the historic Senator Chester Long House in the Wichita Register of Historic Places and associated city case BZA2006-91 allowing a rear setback reduction to 16 feet.

ADJACENT ZONING AND LAND USE:

NORTH:	TF-3, SF-5	Single-family residential
SOUTH:	SF-5	Single-family residential
EAST:	TF-3	Two-family residential
WEST:	TF-3	Single-family residential

PUBLIC SERVICES: The property is serviced by all publicly supplied municipal services. East 2nd Street is a three-lane one-way arterial street and Rutan is a local paved street at this location.

CONFORMANCE TO PLANS/POLICIES: The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Established Central Area - the downtown core and mature neighborhoods surrounding it in a roughly three-mile radius. The Plan encourages infill development within the Established Central Area that maximizes public investment in existing and planned infrastructure and services. The residential category encompasses areas that reflect the full diversity of residential densities and types, including apartments. The Plan's *2035 Wichita Future Growth Concept Map* identifies this location as residential.

RECOMMENDATION: The surrounding area has well-established residential land uses. This site is 165.5 feet wide and 135 feet deep, and therefore has enough room to accommodate the accessory apartment and associated parking. Existing tree growth on the site partially screens the accessory apartment from neighboring properties. Based on information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to the following conditions:

1. The Conditional Use permits one single-family accessory apartment on the site. The site shall be developed and maintained in general conformance with the approved site plan, the approved elevation drawing, and in conformance with all applicable regulations, including but not limited to: local zoning, including Article III, Section III-D.6 .a.(1)-(4); building, fire and utility regulations or codes.
2. An approved site plan for the entire lot and an elevation drawing approved by planning staff, indicating dimensions and exterior materials.
3. 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 VII hereof, 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 neighborhood: The property is surrounded by residential zoning developed with single-family structures to the north, west and south, and two-family structures to the east. West of the site is zoned TF-3, north is TF-3 and SF-5 Single-Family residential, east of the site is zoned TF-3, and south of the site is zoned SF-5.

2. The suitability of the subject property for the uses to which it has been restricted: The property is zoned TF-3 which permits the existing single-family residence. The property's zoning would permit construction of a duplex on the site; however, the accessory apartment allows the same number dwelling units while preserving the historic use of the structure. The dimensions of the property easily accommodates an accessory apartment and the additional required parking space.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval of the request should not detrimentally impact nearby properties. The accessory apartment site is well screened from neighboring lots. The conditions of approval should minimize any anticipated detrimental impacts.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Established Central Area - the downtown core and mature neighborhoods surrounding it in a roughly three-mile radius. The Plan encourages infill development within the Established Central Area that maximizes public investment in existing and planned infrastructure and services. The residential category encompasses areas that reflect the full diversity of residential densities and types, including apartments. The Plan's *2035 Wichita Future Growth Concept Map* identifies this location as residential.
5. Impact of the proposed development on community facilities: If this request is approved, the site is served by municipal services that are able to accommodate projected demand created by this request.

KATHY MORGAN, Planning Staff presented the Staff Report.

MOTION: To approve subject to staff recommendation.

JOHNSON moved, **TODD** seconded the motion, and it carried (13-0).

6. Case No.: CON2016-00011 - William and Sue Hartman (applicants/owners) request a County Conditional Use for a Recreational Vehicle Campground in RR Rural Residential zoning on property described as:

BACKGROUND: The applicant is seeking a Conditional Use approval for a "recreational vehicle campground" (RV campground) on the approximately 9.81-acre, RR Rural Residential (RR) zoned unplatted subject site. It is the applicant's intention to place a single recreational vehicle on the site and use it in lieu of a permanent structure. In short, the RV will substitute for a building and will be used as a country residence or hunting cabin.

Sec. II-B.14.e. of the Wichita-Sedgwick County Unified Zoning Code ("UZC") defines a "recreational vehicle", as a unit designed as temporary living quarters for recreational, camping or travel use that has a body width not exceeding eight feet and a body length not exceeding 40 feet. Units may have their own power, or designed to be drawn or mounted on a "motor vehicle." Recreational vehicle shall

include motor homes, travel trailers, truck campers, camping trailers, converted buses, houseboats or other similar units as determined by the Zoning Administrator. A recreational vehicle may or may not include individual toilet and bath.

The UZC Sec. III-D.7.b.(4) lists garages, carports and private parking areas as residential accessory uses; therefore, parking of motor vehicles in residential districts is an accessory use, requiring a principal use or structure. Sec. III-D.7.b.(12) indicates the parking for more than 72 hours and / or the storage of certain motor vehicles and equipment in the County is permitted: (a) The following accessory uses shall be permitted in the unincorporated area of the County when such are the personal property of the occupant of the dwelling unit and are screened as specified in Section 19-22 of the Sedgwick County Code: 1) parking and/or storage of motor vehicles whether operable or inoperable and 4) parking and / or storage of unoccupied recreational vehicles.

The parking of a non-agricultural vehicle on RR zoned property that does not have a principal structure is prohibited. The UZC recognizes the following definitions dealing with parking: “parking” means the temporary location of motor vehicles (except for vehicles, inoperable), boats, trailers and unoccupied recreational vehicles.

“Parking area, ancillary” means an area other than a private or commercial parking area, street or alley that is located in any district from the most restrictive through NO (neighborhood office) inclusive, and that is used for the parking of passenger vehicles as accessory parking to a principal use that requires the same or more intensive district than the district in which the ancillary parking area is located. Parking area, ancillary, requires a Conditional Use in the RR zoning district.

“Parking area commercial” means an area or structure used or intended to be used for the off-street parking of operable motor vehicles on a temporary basis, other than as accessory parking to a principal nonresidential use. Parking area, commercial is first permitted in the GO General Office zoning district.

“Parking area private” means an area, other than a street or alley, used or intended to be used for the parking of the motor vehicles, boats trailers that are exempt from motor vehicle registration by the state or are registered or are required by law to be registered with Kansas 8M license plates in the County, and unoccupied recreational vehicles, any of which shall be owned, leased, borrowed, etc. by the occupants of a dwelling unit that is located on the same zoning lot, and wherein not more than one commercial vehicle per dwelling unit is parked and the permitted commercial vehicle does not exceed 26,000 pounds gross vehicle weight rating.

“Vehicle storage yard” means the keeping outside of an enclosed building for more than 72 consecutive hours of one or more motor vehicles (except inoperable vehicles), boats, trailers, or unoccupied recreational vehicles. Vehicle storage yard is permitted in the RR district with Conditional Use approval, but is subject to supplementary use regulations.

Based upon the definitions noted above, the proposed placement of the applicant’s occupied RV on land not having a principal structure could not be construed to be some form of parking or storage, staff concluded the most logical approach to the circumstances was to call the activity a ‘recreational vehicle

campground.” Recreational vehicle campground means the use of land designed for occupancy by recreational vehicles for temporary or transient living purposes, including the use of camping spaces for tents.” A recreational vehicle campground is permitted in the RR district with Conditional Use approval.

The site is located a half-mile southwest of the Kansas Highway K-15 – East 71st Street South/Meadow Lark Boulevard intersection. Access to the site is off of the intersection and then through a small, older (generally built 1950s-1970s) mostly single-family residential neighborhood located approximately 600 feet east of the site and in the City of Derby. RR zoned county properties abut the site’s north, east and south sides. Google Earth shows what appears to be two accessory structures located on the north abutting property, which the Sedgwick County Appraiser’s Office identifies an “accessory residential unit.” The other abutting properties appear not to be developed. The County suburban scale SF-20 Single-Family Residential (SF-20) zoned Huckleberry Addition (recorded October 15, 1989) is located approximately 770 feet north of the site. The Arkansas River abuts the west side of the site. The City of Wichita’s SF-5 zoned South Arkansas Greenway Park is located west, across the Arkansas River from the site. The site and all of the abutting properties are located within the 100-year Floodplain.

CASE HISTORY: Access to the site is through the abutting east private properties and is provided by a dedication of a private right-of-way that was never recorded; dated May 28, 1971. However, a “ratification of dedication private right-of-way” was recorded with the Sedgwick County Register of Deeds February 29, (cannot make out the year), Film 2019 – Page 0233.

ADJACENT ZONING AND LAND USE:

NORTH: RR, SF-20	Accessory building(s) undeveloped/agriculture, suburban scale single-family residential development
SOUTH: RR	Undeveloped/agriculture
EAST: RR	Undeveloped/agriculture, residential neighborhood located in the City of Derby
WEST: SF-5	Arkansas River, Public Park

PUBLIC SERVICES: No public sewer is available to the site. The site is located within Sedgwick County Rural Water District #3. There does not appear to any franchised utilities available to the site. As already noted access to the site is through the abutting east private properties and is provided by a dedication of a private right-of-way

CONFORMANCE TO PLANS/POLICIES: The site is located in the City of Derby’s Urban Area of Influence, which allows Derby 30 days to make a recommendation on the request upon notification of the request. The 30 days begins on the early warning notices generated by the Metropolitan Area Planning Department (MAPD), which is sent to the small cities, the Sedgwick County Board of County Commissioners and the Wichita City Council Districts. The City of Derby has not placed this request on their May 19, 2016 Planning Commission agenda, but the MAPD has sent out notices to those properties located within 1,000 feet of the site and did attend the Derby meeting to answer any questions on the off-agenda item. No one attended the Derby Planning Commission with questions regarding the request and no recommendation was made by the Derby Planning Commission.

The City of Derby's 2006 Comprehensive Plan projects the site and the area around the site as future park open space and outside of the near and future growth areas of Derby. Park open space land is identified as woodlands, land within floodplains and golf courses. The site and all of the abutting properties are located within the 100-year Floodplain. The Derby Plan also shows the site as potentially part of a regional park along the Arkansas River, which compliments the City of Wichita's South Arkansas Greenway Park located west of the site across the Arkansas River.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the Conditional Use request be APPROVED, subject to the following conditions:

1. The Conditional Use permits a recreational vehicle campground for one recreational vehicle. The recreational vehicle must be moved every 6-months, per FEMA regulations, and the owner must notify the Metropolitan Area Building and Construction Department when the recreational vehicle is ready to be moved.
2. No waste disposal on site. Water can be provided by well, per Sedgwick County Code.
3. Legal access to the site has to meet service drive code requirements.
4. The recreational vehicle campground shall be developed and maintained in general compliance with the approved site plan. All improvements and the operation of the recreational vehicle campground shall be in compliance with applicable local, state or federal regulations and codes, including FEMA Floodplain requirements for uses within the 100-year floodplain.
5. The Conditional Use for a recreational vehicle campground for one recreational vehicle shall be declared null and void upon issuance of a certificate of occupancy for a permanent structure on the approved site; or, after a period of five (5) years from the date said Conditional Use is approved by the appropriate Governing Body, subject to the granting of additional extensions following appropriate review and approval.
6. If the Zoning Administrator finds that there is a violation of any of the conditions of approval 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 the Conditional Use null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The site is located a half-mile southwest of the Kansas Highway K-15 – East 71st Street South/Meadow Lark Boulevard intersection. Access to the site is off of the intersection and then through a small, older (generally built 1950s-1970s) mostly single-family residential neighborhood located approximately 600 feet east of the site and in the City of Derby. RR zoned county properties abut the site's north, east and south sides. Google Earth shows what appears to be two accessory structures located on the north abutting property, which the Sedgwick County Appraiser's Office identifies an "accessory residential unit." The other abutting properties appear not to be developed. The County suburban scale SF-20 zoned Huckleberry Addition (recorded October 15, 1989) is located approximately 770 feet north of the site. The Arkansas River abuts the west side of the site. The City of Wichita's SF-5 zoned South Arkansas Greenway Park is located west, across the Arkansas River from the site. The site and all of the abutting properties are located within the 100-year Floodplain.

2. The suitability of the subject property for the uses to which it has been restricted: The property is zoned RR which permits, by right, single-family residences, manufactured home, group home and a few non-residential uses such as day care, limited, parks, golf course and agriculture. The site could be used as currently zoned, just not as conveniently or inexpensively as proposed.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval of the request will introduce a use that is not currently in the area; however, the scale requested and the recommended conditions of approval should mitigate any detrimental impacts.
4. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: The public's health and safety should not be impacted by the request. Denial of the request could represent a loss in use and enjoyment to the applicant's property.
7. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The City of Derby's 2006 Comprehensive Plan projects the site and the area around the site as future park open space and outside of the near and future growth areas of Derby. Park open space land is identified as woodlands, land within floodplains and golf courses. The site and all of the abutting properties are located within the 100-year Floodplain. The Derby Plan also shows the site as potentially part of a regional park along the Arkansas River, which compliments the City of Wichita's South Arkansas Greenway Park located west of the site across the Arkansas River.

The site is located in the City of Derby's Urban Area of Influence, which allows Derby 30 days to make a recommendation on the request upon notification of the request. The 30 days begins on the early warning notices generated by the Metropolitan Area Planning Department (MAPD), which is sent to the small cities, the Sedgwick County Board of County Commissioners and the Wichita City Council Districts.

8. Impact of the proposed development on community facilities: None identified.

BILL LONGNECKER, Planning Staff presented the Staff Report. He reported that the City of Derby chose not to present the application to the Planning Commission; however, the Derby Planning Commission date and time was published on the Public Hearing Notice for the case. He said the Derby Planning Commission chose not to hear the item, and he added that no one came to that meeting to ask questions about the case.

WARREN clarified that this location is in the Flood Zone so the applicant can't build a deck or other structure. He also asked how far the applicant is required to move the vehicle per FEMA Regulations.

LONGNECKER reiterated that this location was in the Flood Zone. He said he did not know the answer to what distance the vehicle needs to be moved and added, that where and when the vehicle is moved will be worked out with MABCD. He mentioned that ultimately the property owner would like to build a permanent residence on the site. He said at that time they will be required to do a drainage study.

ELLISON asked if the property floods.

LONGNECKER said the applicant can answer that question.

FOSTER asked if the applicant will need a map revision for the Flood Plain to build at the location.

LONGNECKER responded yes, which will happen during the platting.

WILLIAM HARTMAN, 2213 CARRIAGE DRIVE, DERBY, KANSAS said the river is currently up because of recent rain; however, it has not encroached onto the property. He said there are a couple of areas of standing water in the low areas of about four inches with the largest one being about 20 feet in diameter. He said the RV will be used for recreation while they are trying to develop the area. He said they have applied to the City of Derby to hook into their sewer system so eventually they will have utilities established on the property. He said until that happens they will take the tanks of grey and black water down to the Derby disposal site.

DAILEY asked how far the RV needs to be moved every six months. He also asked if the applicant was in agreement with staff recommendations.

HARTMAN advised that MABCD has informed him that at another location the RV owners drive their RV's around the campground once every six months and park them right where they were at. He said he was in agreement with staff comments.

RICHARDSON clarified that staff would have to verify that the vehicle had been moved.

HARTMAN said that was correct.

FOSTER asked the applicant if the City of Derby has asked them to sign a waiver of annexation.

HARTMAN said they have been approached and have not signed the document but have no problems with that happening.

MOTION: To approve subject to staff recommendation.

DENNIS moved, **RAMSEY** seconded the motion, and it carried (13-0).

7. **Case No.: CON2016-00012** - Justin Doll and Art Agner (applicants) and Baughman Co., PA c/o Russ Ewy (agent) request a City Conditional Use for a Nightclub in LC Limited Commercial zoning on property described as:

Lots 1 through 11, odd inclusive, Block A, South University Place Addition to Wichita, Kansas;
EXCEPT for road rights-of-way of record.

BACKGROUND: The application area, 1602 South Meridian, is located at the southeast corner of Meridian Avenue and Harry Street in LC Limited Commercial (LC) zoning and within 300 feet of residential zoning. The site is developed with a one-story building and over 30 off-street parking spaces. The City is rebuilding this intersection which will include closing two access points closest to the corner. The applicant's site plan (see attached) demonstrates a minimum of 35 parking spaces when complete. The County Tax Assessor lists "bar/tavern/lounge" as the current land use. A drinking establishment has functioned on the site as a legal non-conforming use for many years. The applicant wishes to obtain an entertainment license and therefore requests this conditional use for a "nightclub in the city." Nightclub in the city is defined by the Unified Zoning Code (UZC) as an establishment that provides entertainment and/or dancing, where alcoholic beverages are served and where food may or may not be served. The UZC permits a nightclub in the city in the LC zoning district by right, but requires a conditional use if the property is located within 300 feet of a church, park, school or residential zoning district. The application area is across an alley from residential zoned properties on South Sedgwick Street. Residential zoned properties within 300 feet of the application area are developed with a mixture of multi-family, duplex and single-family residences.

Property north, west and south of the site are zoned LC and developed with retail, warehousing, vehicle repair, vehicle sales and multi-family residential uses. Property east of the site is zoned TF-3 and developed with single-family and duplex residences.

CASE HISTORY: The site was platted as odd Lots 1 through 11, Block A of the South University Place Addition to Wichita in 1887. The building on the site was constructed in 1952.

ADJACENT ZONING AND LAND USE:

North: LC	Multi-family residential
South: LC	Retail
East: TF-3	Single-family and duplex residences
West: LC	Retail, vehicle sales, warehousing and vehicle repair

PUBLIC SERVICES: Meridian is a paved major arterial street with four lanes and a central turn lane at the intersection. Harry is a minor arterial with two lanes and an eastbound central turn lane at the intersection. All other urban utilities and services are available.

CONFORMANCE TO PLANS/POLICIES: The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Established Central Area - the mature neighborhoods within an approximate three-mile radius of the downtown core. The Plan's 2035 *Wichita Future Growth Concept Map* identifies this location as "residential" but adjacent to areas identified as "commercial," "industrial" and "new employment." The UZC requires one parking space per two seats for nightclubs. The applicant indicates that the site has an occupancy of 80 people. The applicant's site plan demonstrates a minimum of 35 parking spaces, therefore the applicant requests a five-space reduction as a part of the conditional use.

RECOMMENDATION: Staff notes that a drinking establishment has existed on this site for some time. This application does not introduce a new use to this location, and the use does not appear to be incompatible with the residential zoning east of the site. Staff notes that the site lacks UZC required screening from the residential properties across the alley to the east. Based upon the information available prior to the public hearings, planning staff recommends that the request for a Conditional Use for a Nightclub in the City be **APPROVED**, with the following conditions:

- (1) The applicant shall submit a revised site plan, to be approved by planning staff, which identifies screening between the site and residential properties across the alley to the east.
- (2) The site shall be developed and maintained in conformance with the approved site plan.
- (3) The site shall maintain a minimum of 35 parking spaces.
- (4) No outside loudspeakers or outdoor entertainment is permitted.
- (5) The site shall maintain all necessary licenses for a nightclub in the city.
- (6) The site shall conform to all applicable codes and regulations to include but not limited to zoning, building, fire and health.
- (7) 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 the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: Property north, west and south of the site are zoned LC and developed with retail, warehousing, vehicle repair, vehicle sales and multi-family residential uses. Property east of the site is zoned TF-3 and developed with single-family and duplex residences.
2. The suitability of the subject property for the uses to which it has been restricted: The site is zoned LC and developed with a building previously used as a bar. The site could be used as zoned for other commercial uses.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The site is zoned LC and could be developed with any range of permitted uses in that district. The proximity of residential zoning east of the site triggers the conditional use review for a nightclub. Noise and activity from the nightclub could impact the residential neighborhood to the east; proposed conditions of screening and prohibiting outdoor speakers/entertainment should mitigate this impact. The request does not introduce a new use in the neighborhood. The limited size of the site and building will prevent expansion beyond a neighborhood scale, and proposed conditions should mitigate impacts on surrounding properties.
4. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: Denial of the request would presumably be an economic hardship upon the property owner, as the applicant owns the property and desires to operate the proposed business within LC zoning.

5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Established Central Area - the mature neighborhoods within an approximate three-mile radius of the downtown core. The Plan's *2035 Wichita Future Growth Concept Map* identifies this location as "residential" but adjacent to areas identified as "commercial," "industrial" and "new employment." The UZC requires one parking space per two seats for nightclubs. The applicant indicates that the site has an occupancy of 80 people. The applicant's site plan demonstrates a minimum of 35 parking spaces, therefore the applicant requests a five-space reduction as a part of the conditional use.
6. Impact of the proposed development on community facilities: The proposed Conditional Use should not impact community facilities to any greater extent other uses permitted in the LC zoning district.

JESS MCNEELY, Planning Staff presented the Staff Report.

JOHNSON asked about parking and access to the south.

MCNEELY reiterated that the UZC requires 40 spaces; however, the applicant is asking for 35. He said access to the south is through a cross lot agreement with the adjacent property owner.

RICHARDSON asked staff to describe the screening required. He added that the alley is in pretty poor shape right now. He asked if the applicant would be required to pave that if they are going to use it for their main access.

MCNEELY said the applicant could provide screening from the southeast corner to a driveway and then north of the driveway to Harry Street. He added that in the past staff has also allowed the building to be the screening when it is located this close to the property line so that might be an option as well. He said screening per the UZC is a 6-8 foot fence. He said staff did not see improvement to the alley as something to be addressed with a conditional use request, since the conditional use application is triggered by the proximity of the location to residential zoning.

DAILEY commented that the lights of everyone that exits the site onto the alley are going to flash into the residences east of the location.

MCNEELY indicated that the UZC provides for breaks in the required screening for driveway access. He said the other way to address that might be make the alley right turn only and then onto the Meridian Avenue access.

DAILEY asked if one of the conditions could be to put the screening in the alley.

MCNEELY mentioned that would require a minor street privilege. He said when this has been done before it has been placed on private property with permission of the property owner. He mentioned that staff has received no calls from surrounding property owners concerning the request.

RUSS EWY, BAUGHMAN COMPANY, P.A. 315 SOUTH ELLIS commented that this has been a nightclub/bar since approximately 1954. He said the parking lot is wide open stripping with no islands to direct traffic. He said they could obtain a zoning adjustment for the few parking spaces that they are short but they thought they would request a waiver with the conditional use and save the applicant a step. He said the entrance to the current club faces west, but during the redevelopment they will switch the opening to the south with a patio area to the west.

EWY said the property is surrounded by hedges, chain link fencing and a garage that screens the southern portion of the property. He said the business has operated there for over 60 years. He said he thought about asking for a waiver of the screening requirement because a portion of the site is screened by the existing building. He briefly reviewed their proposed screening plan to the east and south of the property.

MOTION: To approve subject to staff recommendation without screening.

TODD moved, **ELLISON** seconded the motion.

SUBSTITUTION MOTION: To approve subject to staff recommendation including screening.

FOSTER moved, **JOHNSON** seconded the motion.

GOOLSBY said this is just not an area that requires screening. He said most of the patrons will probably walk there because it is a neighborhood joint. He said he doesn't want to set a bad precedent but he does not believe screening is necessary in this case.

FOSTER and **JOHNSON** withdrew the substitute motion.

The **ORIGINAL MOTION** carried (13-0).

8. **Case No.: CON2016-00013** - Steven Enterprise, LLC c/o Brandon Steven (owner) and Baughman Co., PA c/o Russ Ewy request a City Conditional Use for Outdoor Vehicle Sales in LC Limited Commercial zoning on property described as:

Lot 1, Circuit City Addition, Wichita, Sedgwick County, Kansas.

BACKGROUND: The applicant requests a Conditional Use to allow outdoor vehicle sales on a 0.68-acre site in LC Limited Commercial zoning. The site is located south of the Kellogg Expressway, at the southeast corner of East Kellogg Drive and South Eastern Avenue. The vacant site has an off-site billboard advertising sign. The applicant provided site plan (see attached) demonstrates vehicle display areas, parking and a small building. The site plan demonstrates access to Eastern Avenue and shared access with property to the east to Kellogg Drive. Per the Unified Zoning Code (UZC) Sec.III-D.6.x., outdoor vehicle and equipment sales may be permitted after consideration and approval of a Conditional Use on a site by site basis in the LC zoning district subject to the following supplementary conditions:

1. Location shall be contiguous to a major street as designated in the Transportation Plan.
2. Visual screening of areas adjacent to residential zoning districts shall be provided.
3. All parking, outdoor storage and display areas shall be paved with concrete or asphalt. Parking barriers shall be installed along all perimeter boundaries abutting streets to ensure that parked vehicles do not encroach onto public street right-of-way.
4. The lighting shall be in compliance with the lighting requirements of Sec. IV-B.4. No string-type or search lighting shall be permitted.
5. The noise levels shall be in compliance with the compatibility noise standards of Sec. IV-C.6. Outdoor speakers and sound amplification systems shall not be permitted.
6. No repair work shall be conducted except in an enclosed building, and further provided that no body work is done.
7. Only those signs permitted in the LC District shall be permitted on this site, except that no portable, flashing, moving or off-site signs shall be permitted and no streamers, banners, pennants, pinwheels, commercial flags, bunting or similar devices shall be permitted.
8. There shall be no use of elevated platforms for the display of vehicles.

North of the site is the Kellogg Expressway, further north is LC zoning with hotel, retail and warehousing uses. South of the site is a 90-foot drainage easement for Gypsum Creek. Further south is an LC zoned site formerly used for retail and currently used for training and storage. East of the site is a GC General Commercial zoned site under the Community Unit Plan development controls of DP-38 and used for vehicle sales. The vehicle dealership east of the site is under the same ownership as the application area. West of the site is an LC zoned office use.

CASE HISTORY: The site was platted as Lot 1 of the Circuit City Addition to Wichita in 1996. The site was approved for a vehicle rental use exception in 1966 (BZA 10-66). The site has two Sign Code administrative adjustments (BZA2006-90 and BZA2013-34) to raise a billboard and an off-site sign 20 feet above the rail of the adjacent elevated highway.

ADJACENT ZONING AND LAND USE:

NORTH: LC	Expressway, hotel, retail, warehousing
SOUTH: LC	Drainage easement, training, storage
EAST: GC, DP-38	Vehicle sales
WEST: LC	Office

PUBLIC SERVICES: The subject property has direct access to South Eastern Avenue, a two-lane paved local street. The site has access to Kellogg Drive, the Kellogg Expressway service drive, via the bordering property to the east. All other public services are available to the site.

CONFORMANCE TO PLANS/POLICIES: The adopted Wichita-Sedgwick County Comprehensive Plan (the *Community Investments Plan*) 2035 *Wichita Future Growth Concept Map* identifies this location as “commercial,” encompassing areas that reflect the full diversity of commercial development intensities and types typically found in a large urban municipality. Convenience retail, restaurants, small offices and personal service uses are located in close proximity to, and potentially mixed with,

residential uses. Major destination areas (centers and corridors) containing concentrations of commercial and office uses that have regional market areas and generate high traffic volumes are located in close proximity to major arterials or highways and typically are buffered from lower density residential areas by higher density housing types.

The Comprehensive Plan Locational Guidelines make the following applicable recommendations: Major commercial and employment centers should be located at intersections of arterial streets and along highways and commercial corridors. Primary outdoor sales uses should be located along highway corridors or in areas where the uses have already been established. Development abutting the targeted arterials, Kellogg freeway, gateways and landmarks identified on the Priority Enhancement Areas for Wichita Infrastructure Projects Map should consider the inclusion of site design features that increase the sense of quality of life through emphasis of visual character and aesthetic improvements.

RECOMMENDATION: The site is consistent with the Comprehensive Plan and UZC, with the exception that a billboard already exists on the site. Based on the information available prior to the public hearing, MAPD staff recommends the application be **APPROVED**, with the following conditions:

1. The Conditional Use shall be developed and maintained in conformance with the approved site plan.
2. The Conditional Use shall conform to the Unified Zoning Code, Section III-D.6.x supplementary use conditions, except that one previously approved off-site sign shall be permitted on the site.
3. The site shall be developed in conformance with an approved landscape plan consistent with the Landscape Code.
4. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
5. 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: North of the site is the Kellogg Expressway, further north is LC zoning with hotel, retail and warehousing uses. South of the site is a 90-foot drainage easement for Gypsum Creek. Further south is an LC zoned site formerly used for retail and currently used for training and storage. East of the site is a GC zoned site under the Community Unit Plan development controls of DP-38 and used for vehicle sales. The vehicle dealership east of the site is under the same ownership as the application area. West of the site is an LC zoned office use.

2. The suitability of the subject property for the uses to which it has been restricted: The property is zoned LC. The property could be used for a number of uses. Limited size, existing easements and platted building setbacks would limit the development options on this site.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: A large vehicle sales business exists east of this site. This application does not introduce a new use in this area. No residential areas are impacted by this location. The proposed conditions should mitigate impacts on the surrounding commercial uses.
4. Conformance of the requested change to adopted or recognized Plans/Policies: The adopted Wichita-Sedgwick County Comprehensive Plan (the *Community Investments Plan*) 2035 *Wichita Future Growth Concept Map* identifies this location as “commercial,” encompassing areas that reflect the full diversity of commercial development intensities and types typically found in a large urban municipality. Convenience retail, restaurants, small offices and personal service uses are located in close proximity to, and potentially mixed with, residential uses. Major destination areas (centers and corridors) containing concentrations of commercial and office uses that have regional market areas and generate high traffic volumes are located in close proximity to major arterials or highways and typically are buffered from lower density residential areas by higher density housing types. The Comprehensive Plan Locational Guidelines make the following applicable recommendations: Major commercial and employment centers should be located at intersections of arterial streets and along highways and commercial corridors. Primary outdoor sales uses should be located along highway corridors or in areas where the uses have already been established. Development abutting the targeted arterials, Kellogg freeway, gateways and landmarks identified on the Priority Enhancement Areas for Wichita Infrastructure Projects Map should consider the inclusion of site design features that increase the sense of quality of life through emphasis of visual character and aesthetic improvements.
4. Impact on Community Facilities: All public facilities are available. The small size of this proposed conditional use should have minimal impact on community facilities.

JESS MCNEELY, Planning Staff presented the Staff Report.

RUSS EWY, BAUGHMAN COMPANY, P.A., 315 S. ELLIS said they are in agreement with staff comments.

CHAD MAVEN, REPRESENTATIVE FOR THE CARPENTER'S UNION said they own the property just south of this location at 8405 East Kellogg. He said staff mentioned a joint access on the east side of the property. He said that is their drive and there is no joint access agreement with the applicant so they will only have one access. He said the problem they are having right now with the car dealership is they drive all the cars the wrong way on the one way street to park them in different spots in the parking lot which is a safety issue for them. He said this will add 60 more spots that they can bring cars to. He mentioned staff's reference to one off site sign on the property and said their sign/billboard was not shown on the site plan, so there is a sign and a billboard on the property.

CHAIR NEUGENT said they will ask the agent to address the sign issue when they come back to the podium.

FOSTER asked where the sign was located that indicates that the frontage road is one way. He also asked about the easement they have for the billboard and if it was on the northwest corner of the property.

MAVEN said the applicant will be wanting to bring the cars west to put in the parking lot. He said the billboard was located on the northwest corner of the property and that the easement was for 99 years and was recorded with the plat.

EWY said they have no problem showing any easement that has been recorded on the property on the site plan. He said the purpose of the conditional use is not to dictate signage but to show what has been developed on the site to begin with. He commented that they are currently in negotiations with the attorneys for the Union to establish a joint access easement that would allow use of the private drive on the northern most part of the Union's property. He said although an agreement has not been reached, negotiations are on-going.

FOSTER asked Mr. Maven if the negotiations for joint access were news to him.

MAVEN said he understands that the Union has been approached but the applicant wants the Union to give them access for nothing even though the Union will be expected to maintain the drive.

RICHARDSON asked if access was part of the conditional use request.

DIRECTOR MILLER said the site plan is part of the conditional use approval. He suggested if the Planning Commission felt it was appropriate they could add a condition that the applicant not have access to the private drive without proof of an easement agreement that permits them to use the Union's property. He said the Commission could approve the conditional use request and the access could be solved as a civil matter.

FOSTER said he believes the Planning Commission needs to do everything they can to keep this from civil action.

MOTION: To approve subject to staff recommendation with the clarification that the applicant can only have the eastern access point provided they can demonstrate that they have the legal right to use it.

MCKAY moved, **WARREN** seconded the motion, and it carried (13-0).

The Metropolitan Area Planning Commission adjourned at 2:30 p.m.

State of Kansas)
Sedgwick County) ss

I, W. Dale Miller, 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 _____, 2016.

Dale Miller, Secretary
Wichita-Sedgwick County Metropolitan
Area Planning Commission

DRAFT

STAFF REPORT

CASE NUMBER: SUB2016-00022 – BELLE TERRE COMMERCIAL ADDITION

OWNER/APPLICANT: Jesri Investments, LLC, 3617 North Rushwood Court, Wichita, KS 67226-2520

SURVEYOR/AGENT: K.E. Miller Engineering, 117 East Lewis Street, Wichita, KS 67202

LOCATION: North side of East Kellogg, West of South 159th Street East (District II)

SITE SIZE: 19.44 acres

NUMBER OF LOTS

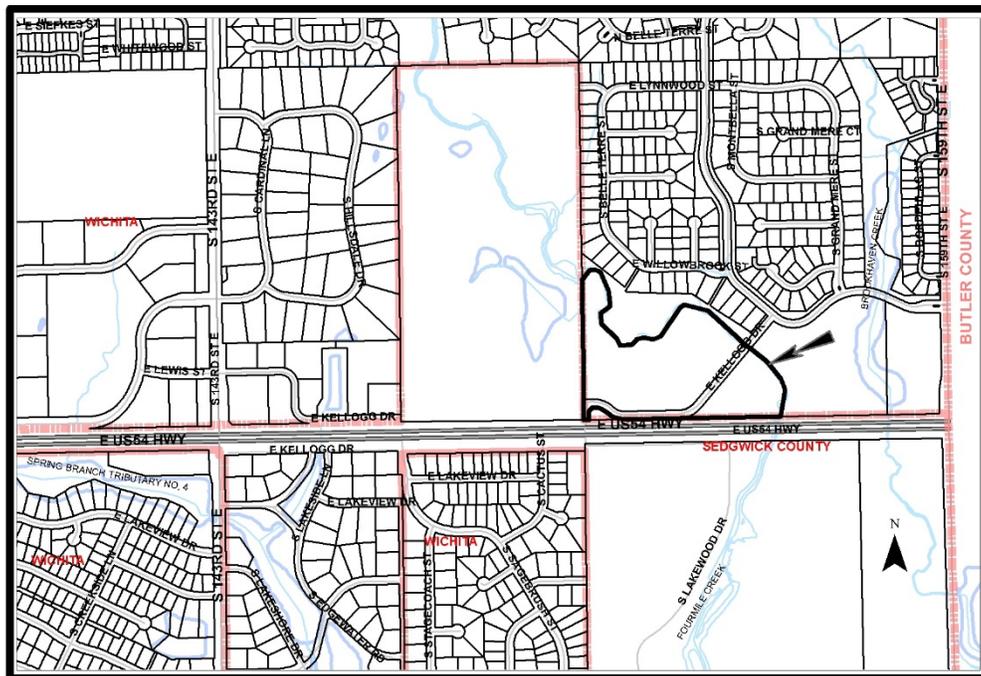
Residential:	
Office:	
Commercial:	2
Industrial:	—
Total:	2

MINIMUM LOT AREA: 1,500 square feet

CURRENT ZONING: Limited Commercial (LC)

PROPOSED ZONING: Planned Unit Development (PUD)

VICINITY MAP



**SUB2016-00022 -- Plat of BELLE TERRE COMMERCIAL ADDITION
July 21, 2016 - Page 2**

NOTE: This is a replat of a portion of the Belle Terre South Addition. A zone change (PUD2016-00001) has been approved from Limited Commercial (LC) to Planned Unit Development (PUD).

STAFF COMMENTS:

- A. City of Wichita Public Works and Utilities Department requests the applicant extend water (distribution) and extend sewer (laterals). In lieu-of-assessment fees are due on transmission.
- B. The plat's text references a drainage and utility easement not shown on the face of the plat.
- C. If improvements are guaranteed by petition(s), a notarized certificate listing the petition(s) along with the corresponding dollar amounts shall be submitted to the Planning Department for recording.
- D. City Stormwater Management has approved the drainage plan. The plat shall state the minimum pad elevation for buildings on the site shall be at elevation 1305.0 (NAVD).
- E. Traffic Engineering has approved the access controls which are in accordance with the PUD approval. The plat denotes a right in/right out opening between Kellogg Drive and US-54 Highway. KDOT approval of the opening is needed prior to development. Dimensions are needed for all segments of access control.
- F. Traffic Engineering has required a guarantee for acceleration and deceleration lane improvements, and reconfiguration of Kellogg Drive to a frontage road.
- G. The applicant shall guarantee the closure of any driveway openings located in areas of complete access control or that exceed the number of allowed openings. A Driveway Closure Certificate in lieu of a guarantee may be provided.
- H. The plat shall label the future right-of-way as a contingent right-of-way dedication and referenced in the plat's text as being used by KDOT or the City of Wichita for the improvement of US-54/400 Highway (Kellogg).
- I. The 35-foot building setback should be measured from the contingent right-of-way dedication. The applicant shall meet with City Engineering regarding a setback for Lot 2.
- J. The plat's text shall be corrected to replace Reserve B with Reserve L, Belle Terre South Addition regarding construction of the frontage road.
- K. GIS requests that US-54 be labelled as US-54/400 HWY.
- L. County Surveying advises the legal description needs to include that portion of Kellogg Drive being replatted.
- M. County Surveying advises the bearing on Reserve L, Belle Terre South Addition of N 44°09'21" needs corrected to N 44°09'21" E.
- N. County Surveying advises the bearing on the northeasterly line of Reserve A of N 47°43'00" W was previously platted N 47°30'00" W.

**SUB2016-00022 -- Plat of BELLE TERRE COMMERCIAL ADDITION
July 21, 2016 - Page 3**

- O. County Surveying advises the distance of 56.93 feet along the northeasterly line of Reserve B needs verified, that is along the line of Kellogg Drive being replatted, as said Kellogg Drive was platted 58 feet wide.
- P. In accordance with the Kansas Wetland Mapping Conventions under the Memorandum of Understanding between the United States Department of Agriculture - Natural Resources Conservation Service; United States Environmental Protection Agency; United States Army Corps of Engineers (USACE); and United States Fish and Wildlife Service, this site has been identified as one with potential wetland hydrology. The USACE should be contacted (316-322-8247) to have a wetland determination completed.
- Q. A cross-lot access easement is needed from Lot 1 to Lot 2.
- R. The plat's text references an emergency access opening to Kellogg which may be deleted.
- S. Provisions shall be made for ownership and maintenance of the proposed reserves. A restrictive covenant shall be submitted regarding ownership and maintenance responsibilities.
- T. For those reserves being platted for drainage purposes, the required covenant that provides for ownership and maintenance of the reserves, shall grant to the appropriate governing body the authority to maintain the drainage reserves in the event the owner(s) fail to do so. The covenant shall provide for the cost of such maintenance to be charged back to the owner(s) by the governing body.
- U. "Lots, a Block, Reserves and Streets" shall be referenced in the plat's text.
- V. The reserves shall be bounded with a solid line.
- W. The floodway and landscape buffer boundaries do not coincide with the PUD. A PUD adjustment shall be submitted denoted the revised floodway and landscape buffer, in addition to the revised building setbacks and display area.
- X. City Environmental Health Division advises that any wells installed on the property for irrigation purposes will have to be properly permitted, installed and inspected.
- Y. County Surveying and MAPD requests review of a pdf prior to mylar submittal. Send to tricia.robello@sedgwick.gov and nstrahl@wichita.gov.
- Z. 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.)
- AA. The Register of Deeds requires all names to be printed beneath the signatures on the plat and any associated documents.
- BB. 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.

**SUB2016-00022 -- Plat of BELLE TERRE COMMERCIAL ADDITION
July 21, 2016 - Page 4**

- CC. 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.
- DD. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one 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.
- EE. Perimeter closure computations shall be submitted with the final plat tracing.
- FF. The applicant should check City or County GIS mapping to determine whether the location of any taxing district boundaries (e.g. school districts) crosses their property and plan accordingly to avoid unnecessary splitting of lots between taxing districts.
- GG. Westar Energy has requested additional easements. LaDonna Vanderford is the Construction Services Representative who will be the contact for this plat and can be reached at 316-261-6490. Any and all relocation and removal of any existing equipment made necessary by this plat will be at the applicant's expense.
- HH. A compact disk (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 disk. If a disk is not provided, please send the information via e-mail to Kathy Wilson (e-mail address: kwilson@wichita.gov).

STAFF REPORT

CASE NUMBER: SUB2016-00024 – SUN-AIR ESTATES 2ND ADDITION

OWNER/APPLICANT: Brand Investments, 2418 South Hoover, Wichita, KS 67215-1203

SURVEYOR/AGENT: K.E. Miller Engineering, 117 East Lewis Street, Wichita, KS 67202

LOCATION: South side of East 45th Street North, West of North Webb Road (District II)

SITE SIZE: 2.37 acres

NUMBER OF LOTS

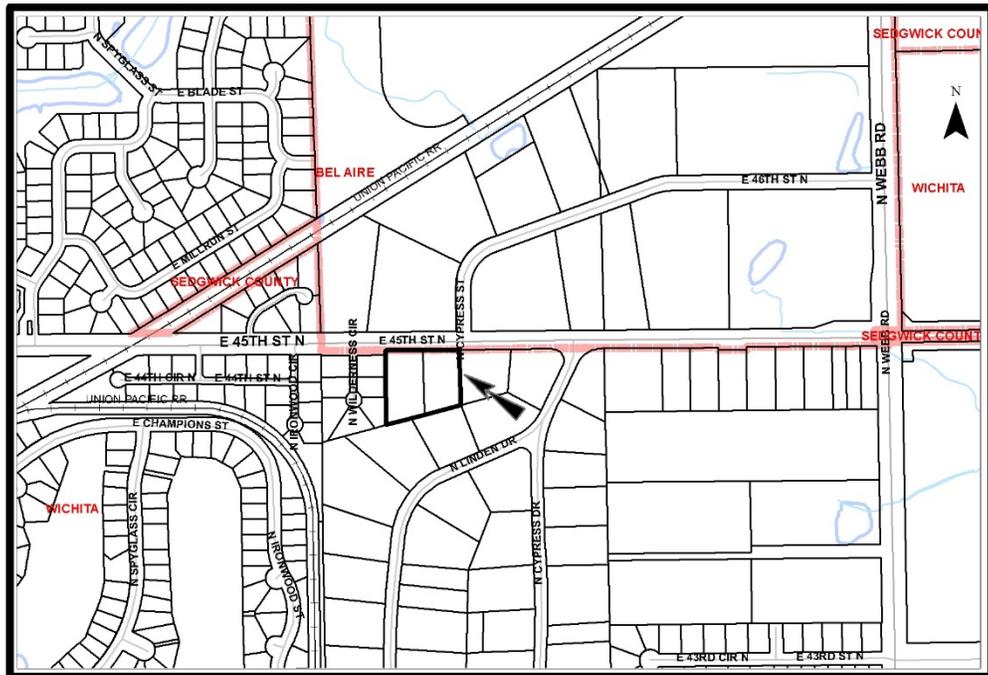
Residential:	5
Office:	
Commercial:	
Industrial:	
Total:	5

MINIMUM LOT AREA: 13,600 square feet

CURRENT ZONING: Single-Family Residential (SF-5)

PROPOSED ZONING: Same

VICINITY MAP



**SUB2016-00024 -- Plat of SUN-AIR ESTATES 2ND ADDITION
July 21, 2016 - Page 2**

NOTE: This is a replat of a portion of the Sun-Air Estates Addition creating five lots from two lots.

STAFF COMMENTS:

- A. City of Wichita Public Works and Utilities Department requests the applicant extend water (distribution) and extend sewer (laterals). In-lieu-of-assessment fees are due on water (transmission) and sewer (mains).
- B. The platlor's text shall include language that "No signs, light poles, private drainage systems, masonry trash enclosures or other structures shall be located within public utility easements."
- C. If improvements are guaranteed by petition(s), a notarized certificate listing the petition(s) along with the corresponding dollar amounts shall be submitted to the Planning Department for recording.
- D. City Stormwater Management has approved the drainage plan.
- E. The private street shall also be labelled as a Reserve and referenced in the platlor's text. A 15-foot street, sidewalk, drainage and utility easement is needed adjoining the reserve.
- F. The platlor's text shall reference, "Lots, a block, a street and a Reserve".
- G. The SS on the notary line needs moved up to the end of State of Kansas, County of Sedgwick.
- H. County Surveying advises a central angle needs added for the curve having a distance of 35.28 feet.
- I. County Surveying advises the Bearing N 0°00'00" W along the north line of the section needs corrected.
- J. County Surveying advises the distance of 2640.00 feet along the north line of the section needs corrected.
- K. The applicant shall guarantee the paving of the private street to a public street paving standard. As private improvements, such guarantee shall not be provided through the use of a petition.
- L. A restrictive covenant shall be submitted regarding the private street, which sets forth ownership and maintenance responsibilities. The platlor's text shall reference the platting of the Reserve for private street purposes.
- M. A bold line is needed at the perimeter of the plat boundaries (south line of the street dedication).
- N. GIS has requested a street name for the private street.
- O. The Applicant has platted a 15-foot building setback which represents an adjustment of the Subdivision Regulation standards which requires a 20-foot front yard setback for the narrow residential street. The Subdivision Regulations permit the setback provisions to be modified by the plat upon the approval of the Planning Commission.

SUB2016-00024 -- Plat of SUN-AIR ESTATES 2ND ADDITION
July 21, 2016 - Page 3

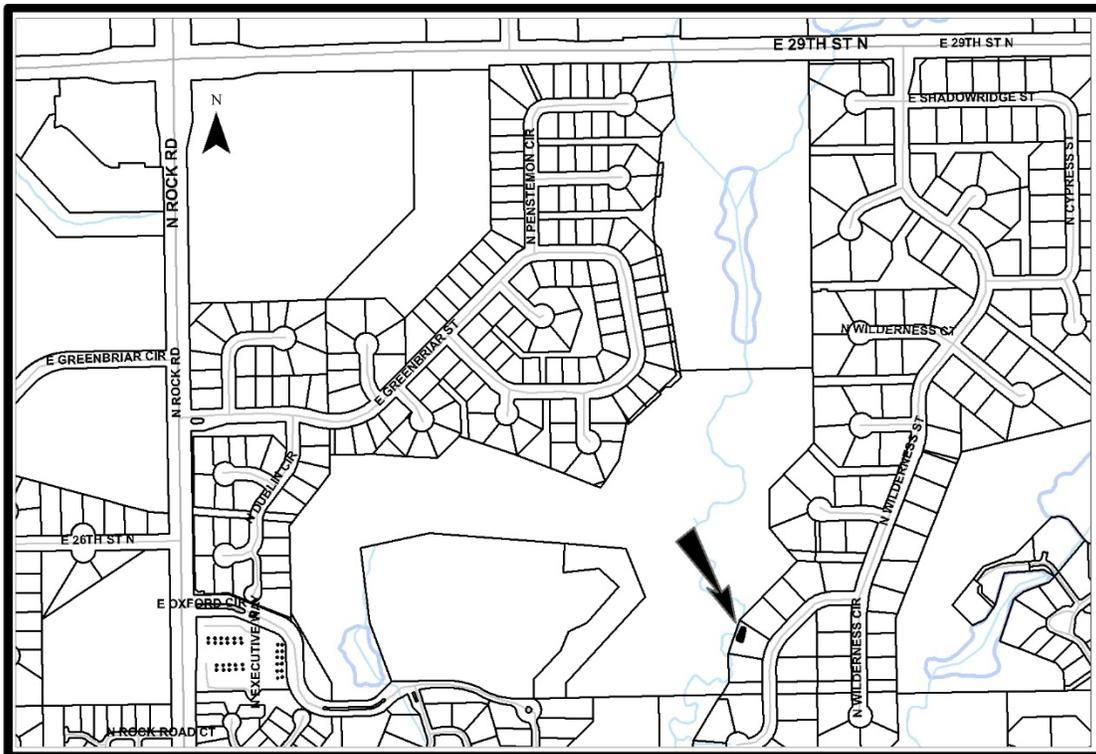
- P. City Environmental Health Division advises that any wells installed on the property for irrigation purposes will have to be properly permitted, installed and inspected.
- Q. County Surveying and MAPD requests review of a pdf prior to mylar submittal. Send to tricia.robello@sedgwick.gov and nstrahl@wichita.gov.
- R. Since this plat proposes the platting of narrow street right-of-way with adjacent 15-foot street, drainage and utility easements, a restrictive covenant shall be submitted which calls out restrictions for lot-owner use of these easements. Retaining walls and change of grade shall be prohibited within these easements as well as fences, earth berms and mass plantings.
- S. 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.
- T. 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.)
- U. The Register of Deeds requires all names to be printed beneath the signatures on the plat and any associated documents.
- V. 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.
- W. 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.
- X. The owner of the subdivision should note that any construction that results in earthwork activities that will disturb one 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.
- Y. Perimeter closure computations shall be submitted with the final plat tracing.
- Z. The applicant should check City or County GIS mapping to determine whether the location of any taxing district boundaries (e.g. school districts) crosses their property and plan accordingly to avoid unnecessary splitting of lots between taxing districts.
- AA. Any removal or relocation of existing equipment of utility companies will be at the applicant's expense.

**SUB2016-00024 -- Plat of SUN-AIR ESTATES 2ND ADDITION
July 21, 2016 - Page 4**

BB. A compact disk (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 disk. If a disk is not provided, please send the information via e-mail to Kathy Wilson (e-mail address: kwilson@wichita.gov).

STAFF REPORT

- CASE NUMBER:** VAC2016-00022 - Request to vacate portions of a platted drainage and utility easement
- APPLICANT/AGENT:** Daryl A & Janice S Crofts (applicant/owner) Savoy Comp., PA, c/o Mark Savoy
- LEGAL DESCRIPTION:** Generally described as vacating an approximately 7.45 feet to 15.81 feet wide portion of a platted 40-foot drainage and utility easement located and running to the rear yard of Lot 2, Block 1, Wilderness 5th Addition, Wichita, Sedgwick County, Kansas (see exhibit and attached legal)
- LOCATION:** Generally located southeast of North Rock Road and East 29th Street North, west of Wilderness Circle on the west side of Wilderness Court (2607 N Wilderness Court5 - WCC II)
- REASON FOR REQUEST:** Build a swimming pool
- CURRENT ZONING:** The site and all abutting and the adjacent properties are zoned SF-5 Single-Family Residential.
- VICINITY MAP:**



The applicant is requested the vacation of an approximately 7.45 feet to 15.81 feet wide of the east portion of a platted 40-foot drainage and utility easement located and running to the rear yard of Lot 2, Block 1, Wilderness 5th Addition; see attached legal and exhibit. The Wilderness 5th Addition consists of two lots. A proposed pool is the reason for the vacation request. A portion of the subject easement is proposed to remain in in the 100-year Floodplain, as is the west abutting golf course, the result of the drainage of Middle Branch of Gypsum Creek being located in this area. The proposed pool itself does not appear to be located within the 100-year Floodplain. There is an existing pedestrian bridge located/encroaching in the west approximately 21 feet of the subject easement that is located almost entirely in the 100-year Floodplain. The bridge crosses over into the west abutting golf course. The north abutting property, Lot 22, Block 1, Wilderness 4th Addition, has a platted 20-foot utility easement that abuts the subject easement. There is no water or sewer utilities located in the subject easement. Stormwater has reviewed the request and has no objection. Westar has no objection to this request. Becky Thompson is the Construction Services Representative for the Westar Northeast Area has already worked with the applicant and helped obtained the letter included with this item from Westar Energy Real Estate Services. She is the contact for this vacation request and can be reached at 261-6320. The applicant has provided letters from Westar, AT&T, Cox Communication and an E-mail from Black Hills Energy that agree to allow the encroachment with the applicant agreeing to not to hold the utilities responsibly for damage to the pool or of the utility not having equipment in the area of the easement. These agreements will be recorded with the Register of Deeds and will run with the land. The Wilderness 5th Addition was recorded May 5, 1989.

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

- 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 June 30, 2016, which was at least 20 days prior to this public hearing.
 2. That no private rights will be injured or endangered by vacating the described portion of platted drainage and utility easement and that 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) Review and approval by Stormwater-Public Works is required for the proposed pool and the existing bridge. This must be provided prior to VAC2016-00022 proceeds to City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.

- (2) Provide a legal description of the vacated portion of the platted drainage and easement on a Word document via E-mail for the Vacation Order. This must be provided prior to VAC2016-00022 proceeds to City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (3) All improvements shall be according to City Standards and at the applicants' expense. Any relocation or removal of service due to this vacation request will be at the applicant's expense.
- (4) The applicant has provided letters from Westar, AT&T, Cox Communication and an E-mail from Black Hills Energy that agree to allow the encroachment with the applicant agreeing to not to hold the utilities responsibly for damage to the pool or of the utility not having equipment in the area of the easement. These agreements will be recorded with the Register of Deeds and will run with the land.
- (5) 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) Review and approval by Stormwater-Public Works is required for the proposed pool and the existing bridge. This must be provided prior to VAC2016-00022 proceeds to City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (2) Provide a legal description of the vacated portion of the platted drainage and easement on a Word document via E-mail for the Vacation Order. This must be provided prior to VAC2016-00022 proceeds to City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (3) All improvements shall be according to City Standards and at the applicants' expense. Any relocation or removal of service due to this vacation request will be at the applicant's expense.
- (4) The applicant has provided letters from Westar, AT&T, Cox Communication and an E-mail from Black Hills Energy that agree to allow the encroachment with the applicant agreeing to not to hold the utilities responsibly for damage to the pool or of the utility not having equipment in the area of the easement. These agreements will be recorded with the Register of Deeds and will run with the land.

- (5) 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.

STAFF REPORT

CASE NUMBER: VAC2016-00023 - Request to vacate a portion of a platted front yard setback

APPLICANT/OWNER: America’s Drive-In Restaurants, LLC, c/o Wade Harden (applicant/owner)

LEGAL DESCRIPTION: Generally described as vacating the south 15 feet of the platted 35-foot front yard setback located on and running parallel to the north property line of Lot 1, Ronald H Groves Addition, and Central Avenue, Wichita, Sedgwick County, Kansas

LOCATION: Generally located west of Edgemoor Drive on the south side of Central Avenue (5429 E. Central - WCC I)

REASON FOR REQUEST: New Sonic

CURRENT ZONING: The site and the abutting west and east properties are zoned LC Limited Commercial. Adjacent (across Central Avenue) north properties are zoned LC and NR Neighborhood Retail. Abutting south properties are zoned TF-3 Two-Family Residential.

VICINITY MAP:



The applicant is requested the vacation of the south 15 feet of the platted 35-foot front yard setback located on and running parallel to the north property line of the LC Limited Commercial (“LC”) zoned Lot 1, Ronald H Groves Addition, and Central Avenue. Per the UZC the LC zoning district has a 20-foot minimum front yard setback. The applicant’s requests reduces the platted 35-foot setback to 20 feet. A previous vacation, V-2176, vacated the south 13 feet of a center portion of the subject setback; approved July 13, 1999. There are no public utilities located within the subject setback. Utility poles are located in the Central Avenue right-of-way. Westar has equipment in the right-of-way on the north line of this area along Central Avenue. Westar has no objection to this request as condition # 3 will cover Westar. However the applicant does need to maintain proper clearance, per the Service Standards advising the proper clearance information. Becky Thompson is the Construction Services Representative for the Westar Northeast Area and can be the contact for this vacation request. She can be reached at 261-6320. The Ronald H Groves Addition was recorded April 15, 1977.

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

- A. That after being duly and fully informed as to fully understand the true nature of this petition and the propriety of granting the same, the MAPC makes the following findings:
1. That due and legal notice has been given by publication as required by law, in the Wichita Eagle, of notice of this vacation proceeding one time June 30, 2016, which was at least 20 days prior to this public hearing.
 2. That no private rights will be injured or endangered by vacating the described portion of platted front yard setback and that 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 a legal description of the vacated portion of the platted front yard setback on a Word document via E-mail for the Vacation Order. This must be provided to Planning prior to VAC2016-00023 proceeds to City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (2) As needed provide easements for public and franchised utilities. As needed provide letters from franchised utility representatives stating that their utilities are protected by the appropriate easements. Easements for public utilities, with original signatures, must be provided to Planning prior to VAC2016-00023 proceeds to the City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (3) Relocation/reconstruction of all utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicants. Provide all required approved projects to Planning prior to VAC2016-00023 proceeds to the City Council for final action.

- (4) All improvements shall be according to City Standards and at the applicants' expense.
- (5) 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

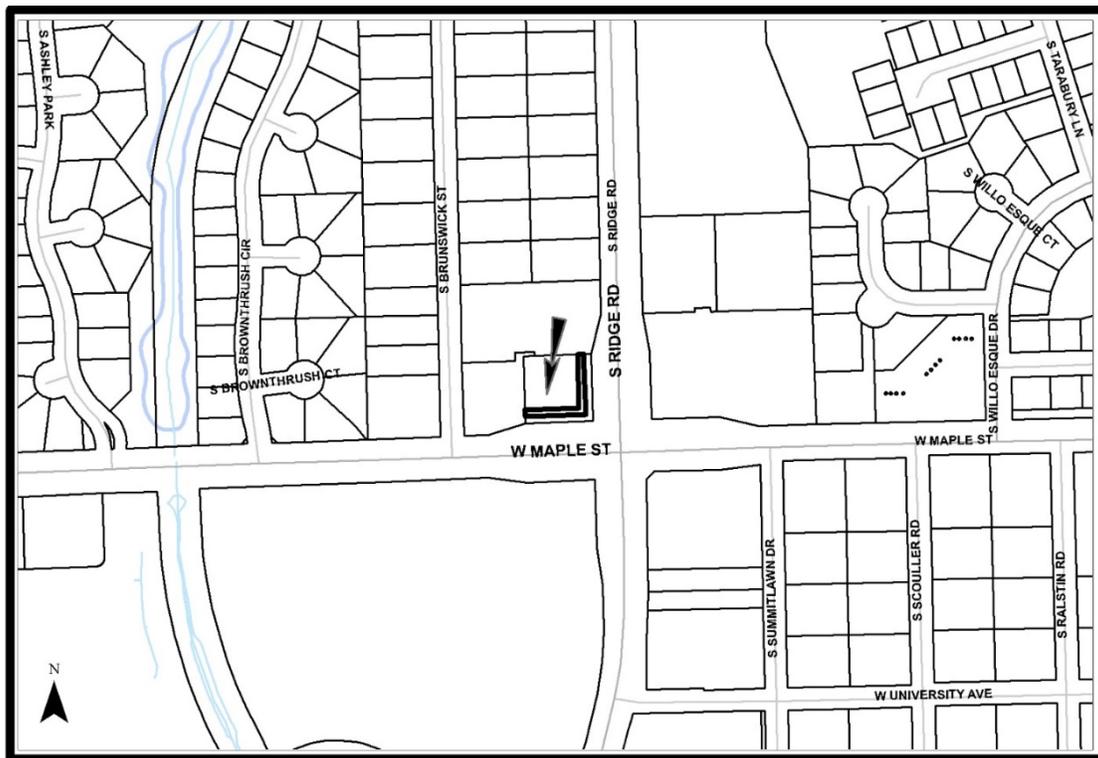
The Subdivision Committee recommends approval subject to the following conditions:

- (1) Provide a legal description of the vacated portion of the platted front yard setback on a Word document via E-mail for the Vacation Order. This must be provided to Planning prior to VAC2016-00023 proceeds to City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (2) As needed provide easements for public and franchised utilities. As needed provide letters from franchised utility representatives stating that their utilities are protected by the appropriate easements. Easements for public utilities, with original signatures, must be provided to Planning prior to VAC2016-00023 proceeds to the City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (3) Relocation/reconstruction of all utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicants. Provide all required approved projects to Planning prior to VAC2016-00023 proceeds to the City Council for final action.
- (4) All improvements shall be according to City Standards and at the applicants' expense.
- (5) 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

STAFF REPORT

- CASE NUMBER:** VAC2016-00024 - Request to vacate a portion of a platted front and street side yard setbacks
- APPLICANT/AGENT:** Maple & Ridge LLC, c/o John E Dugan (applicant/owner) PEC, c/o Charles Brown (agent)
- LEGAL DESCRIPTION:** Generally described as vacating the west and north 15 feet of the platted 35-foot front and street side yard setbacks located on and running parallel to the east and south property lines of Lot 2, Westview 3rd Addition, and Ridge Road and Maple Street, Wichita, Sedgwick County, Kansas
- LOCATION:** Generally located on the northwest corner of Ridge Road and Maple Street (277 S. Ridge – WCC V).
- REASON FOR REQUEST:** Construction of fuel canopy
- CURRENT ZONING:** The site and the abutting west and north properties and the adjacent south (across Maple Street) and east (across Ridge Road) properties are zoned LC Limited Commercial.

VICINITY MAP:



The applicant is requested the vacation of the west and north 15 feet of the platted 35-foot front and street side yard setbacks located on and running parallel to the east and south property lines of the LC Limited Commercial (“LC”) zoned Lot 2, Westview 3rd Addition, and Ridge Road and Maple Street. Per the UZC the LC zoning district has a 20-foot minimum front yard setback and a 15-foot minimum street side yard setback. The applicant’s requests reduces the platted 35-foot setbacks to 20 feet. There is a platted triangular shaped drainage easement located in the southeast corner of the subject property. Stormwater conduit located in this platted drainage easement; the platted drainage easement will remain in effect. There are no public utilities located within the subject setback. Utility poles are located in the Ridge Road and Maple Street right-of-ways. Westar has equipment and lines along Ridge Road and Maple Street. Westar has no objection to this request condition, as # 3 will cover Westar. However the applicant does need to maintain proper clearance, per the Service Standards advising the proper clearance information. Ennidh Garcia is the Construction Services Representative for the Westar Southwest Area, will be the contact for this vacation request and can be reached at 261-6859. The Westview 3rd Addition was recorded August 11, 1981.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from City Public Works, Water & Sewer, Stormwater, Traffic, 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 portions of the platted front yard and street side yard setbacks.

- 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 June 30, 2016, which was at least 20 days prior to this public hearing.
 2. That no private rights will be injured or endangered by vacating the described portion of platted front yard and street side yard setbacks and that 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 a legal description of the vacated portion of the platted front and street side yard setbacks on a Word document via E-mail for the Vacation Order. This must be provided to Planning prior to VAC2016-00024 proceeds to City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (2) As needed provide easements for public and franchised utilities. As needed provide letters from franchised utility representatives stating that their utilities are protected by the appropriate easements. Easements for public utilities, with original signatures, must be provided to Planning prior to VAC2016-00024 proceeds to the City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.

- (3) Relocation/reconstruction of all utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicants. Provide all required approved projects to Planning prior to VAC2016-00024 proceeds to the City Council for final action.
- (4) All improvements shall be according to City Standards and at the applicants' expense.
- (5) 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 a legal description of the vacated portion of the platted front and street side yard setbacks on a Word document via E-mail for the Vacation Order. This must be provided to Planning prior to VAC2016-00024 proceeds to City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (2) As needed provide easements for public and franchised utilities. As needed provide letters from franchised utility representatives stating that their utilities are protected by the appropriate easements. Easements for public utilities, with original signatures, must be provided to Planning prior to VAC2016-00024 proceeds to the City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (3) Relocation/reconstruction of all utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicants. Provide all required approved projects to Planning prior to VAC2016-00024 proceeds to the City Council for final action.
- (4) All improvements shall be according to City Standards and at the applicants' expense.
- (5) 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

STAFF REPORT

CASE NUMBER: VAC2016-00025 - Request to vacate portions of platted setbacks, utility easements and the plattor's text

APPLICANT/AGENT: BF Wichita LLC, c/o Amy Liebau (applicant/owner) MKEC Engineering, Inc, c/o Brian Lindebak

LEGAL DESCRIPTION: Generally described as vacating the east 25 feet of the platted 60-foot platted setback located on and running parallel to the east side of Lot 5, Block 1, the east 65 feet of the platted 100-foot platted setback located on and running parallel to the east side of Lot 3, Block 1, the platted 20-foot utility easement, except the east 45 feet, located on and running parallel to the north side of Lot 5, Block 1, the 20-foot by 20-foot utility easement located on the southwest corner of Lot 3, Block 1, and correcting the plattor's text, all in the Bradley Fair Addition, Wichita, Sedgwick County, Kansas

LOCATION: Generally located south of 21st Street North on the east side of Rock Road (2132 N. Rock – WCC II)

REASON FOR REQUEST: Future development

CURRENT ZONING: The site and the abutting north, east and south properties are zoned LC Limited Commercial and are located within Community Plan Overlays. The adjacent west properties (across Rock Road) are zoned LC and MF-18 Multi-Family Residential

VICINITY MAP:



The applicant is requesting the vacation of the east 25 feet of the platted 60-foot platted setback located on and running parallel to the east side of Lot 5, Block 1, the east 65 feet of the platted 100-foot platted located on and running parallel to the east side of Lot 3, Block 1, the platted 20-foot utility easement, except the east 45 feet, located on and running parallel to the north side of Lot 5, Block 1, the 20-foot by 20-foot utility easement located on the southwest corner of Lot 3, Block 1, and correcting the plattor’s text, all in the Bradley Fair Addition.

There are no platted easements in the described portions of the platted setbacks, except the subject easements that are proposed to be vacated. There do not appear to be public utilities located in the area of the vacation of the subject setbacks. The proposed vacation of the platted setbacks will leave 35-foot setbacks which is the minimum requirement for a Community Plan Overlay (CUP); the LC Limited Commercial (LC) zoned subject properties are part of CUP DP-191. The 35-foot setbacks exceeds the 20-foot minimum front yard building setback of the LC zoning district.

Stormwater appears to have has conduit and a manhole in the subject platted 20-foot utility easement, except the east 45 feet, located on and running parallel to the north side of Lot 5. The applicant has stated in their application that they will relocate utilizes and provide easements for those relocated utilities. Westar has equipment and lines in the right-of-way located on the west side of this area along Rock Road. Westar has no objection to this request as condition # 5 will cover Westar. However, the applicant does need to maintain proper clearance, per the Service Standards advising the proper clearance information. Becky Thompson is the Construction Services Representative for the Westar Northeast Area, will be the contact for this vacation request. She can be reached at 261-6320.

The applicant is working with Kansas Gas Service to confirm the status of a gas line located in the subject platted 20-foot utility easement. Planning has provided several contacts with Kansas Gas Service to resolve the status of the gas line.

The change to the plattor’s text eliminates an access agreement located on Lots 4 and 3, Block 1, Bradley Fair Addition and introduces a new access agreement located on Lots 5 and 6, Block 1, Bradley Fair Addition. The Bradley Fair Addition was recorded July 16, 1993.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from City Public Works, Water & Sewer, Stormwater, Traffic, 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 portions of platted setbacks, utility easements and the plattor's text.

- 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 June 30, 2016, which was at least 20 days prior to this public hearing.
 2. That no private rights will be injured or endangered by vacating the described portions of platted setbacks, utility easements and the plattor's text and that the public will suffer no loss or inconvenience thereby.

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

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

- (1) Vacate the east 25 feet of the platted 60-foot platted setback located on and running parallel to the east side of Lot 5, Block 1, the east 65 feet of the platted 100-foot platted located on and running parallel to the east side of Lot 3, Block 1, Bradley Fair Addition.
- (2) Review and approval by Public Works, and franchised utilities is required for the proposed vacation. Provided any needed plans for review and approval for the relocation of public and private utilities. This must be provided prior to VAC2016-00025 proceeds to City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (3) Provide a legal description of the vacated portions of the platted easements on a Word document and an exhibit showing the approved vacated portions of the subject easements via E-mail for the Vacation Order. This must be provided prior to VAC2016-00025 proceeds to City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (4) As needed provide easements for public and franchised utilities. As needed provide letters/conformation from franchised utility representatives stating that their utilities are protected by the appropriate easements. Easements for public utilities, with original signatures, must be provided to Planning prior to VAC2016-00025 proceeds to the City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (5) Relocation/reconstruction of all utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicants. Provide all required approved projects to Planning prior to VAC2016-00025 proceeds to the City Council for final action.
- (6) Vacated the platlor’s text as shown on the exhibit. Provide a copy of the amended platlor’s text on a Word document via E-mail for use in the vacation order. This must be provided to Planning prior to VAC2016-00025 proceeds to the City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (7) Update CUP DP-191 to reflect the changes
- (8) All improvements shall be according to City Standards and at the applicants’ expense.
- (9) 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) Vacate the east 25 feet of the platted 60-foot platted setback located on and running parallel to the east side of Lot 5, Block 1, the east 65 feet of the platted 100-foot platted located on and running parallel to the east side of Lot 3, Block 1, Bradley Fair Addition.
- (2) Review and approval by Public Works, and franchised utilities is required for the proposed vacation. Provided any needed plans for review and approval for the relocation of public and private utilities. This must be provided prior to VAC2016-00025 proceeds to City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (3) Provide a legal description of the vacated portions of the platted easements on a Word document and an exhibit showing the approved vacated portions of the subject easements via E-mail for the Vacation Order. This must be provided prior to VAC2016-00025 proceeds to City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (4) As needed provide easements for public and franchised utilities. As needed provide letters/conformation from franchised utility representatives stating that their utilities are protected by the appropriate easements. Easements for public utilities, with original signatures, must be provided to Planning prior to VAC2016-00025 proceeds to the City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (5) Relocation/reconstruction of all utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicants. Provide all required approved projects to Planning prior to VAC2016-00025 proceeds to the City Council for final action.
- (6) Vacated the plattor’s text as shown on the exhibit. Provide a copy of the amended plattor’s text on a Word document via E-mail for use in the vacation order. This must be provided to Planning prior to VAC2016-00025 proceeds to the City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (7) Update CUP DP-191 to reflect the changes.
- (8) All improvements shall be according to City Standards and at the applicants’ expense.
- (9) 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.

STAFF REPORT

CASE NUMBER: VAC2016-00026 - City request to vacate a platted wall easement and the plattor's text

OWNER/APPLICANT: Tier 1, LLC, c/o Marvin Schellenberg

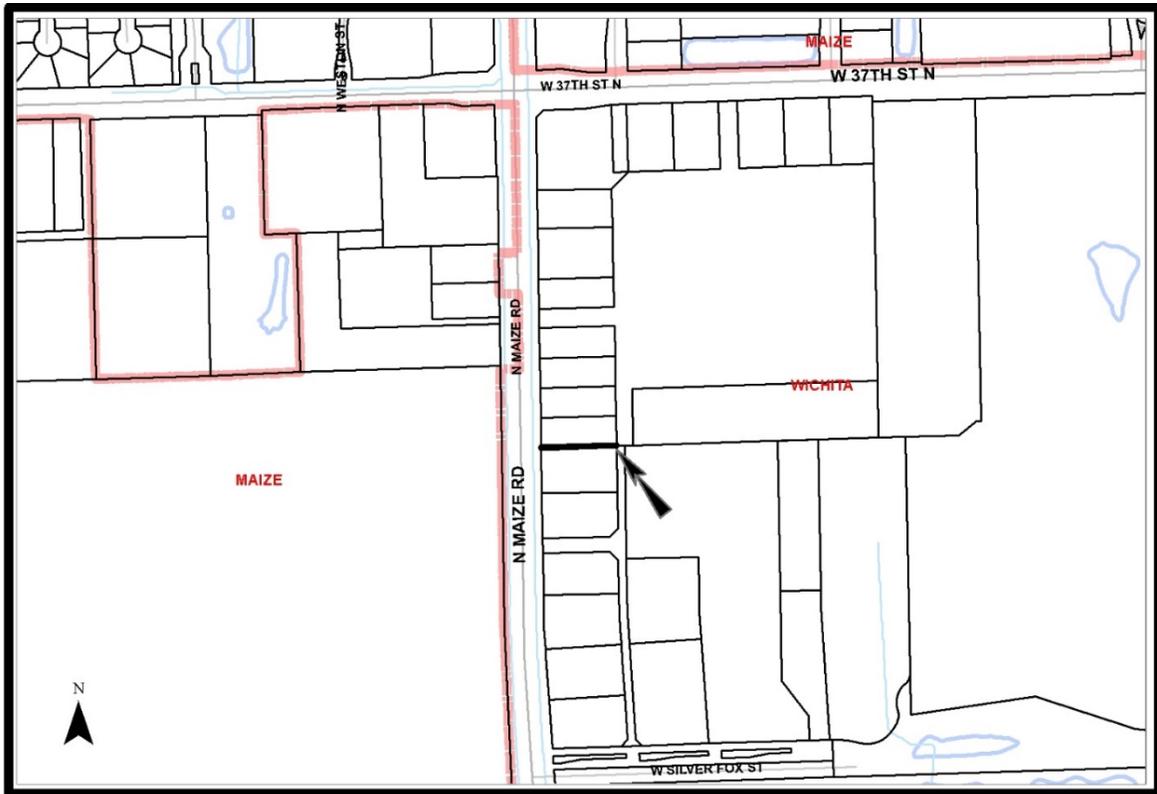
LEGAL DESCRIPTION: Generally described as vacating the platted 5-foot wide private wall easement running parallel to the south property line of Lot 1, Block 1, Stonebridge Commercial Addition, Sedgwick County, Kansas & eliminating the reference to the subject wall easement in the plattor's text

LOCATION: Generally located south of 37th Street North on the east side of Maize Road (WCC V)

REASON FOR REQUEST: Not needed

CURRENT ZONING: The site and all abutting north, east and south properties are zoned LC Limited Commercial. The adjacent west property, across Maize Road, is located in the City of Maize

VICINITY MAP:



The applicant proposes to vacate the platted 5-foot wide wall easement running parallel to the south property line of Lot 1, Block 1, Stonebridge Commercial Addition. Per the plattor’s text the wall easement is for the construction and maintenance of a private wall and utilities may cross the wall easement. The plattor’s text will be vacated to eliminate the reference to the subject wall easement. There is no wall located in the platted wall easement. Water and sewer lines and a platted drainage and utility easement pass through the east portion of the wall easement; the platted drainage and utility easement will remain in effect. Westar has no objection to this request as condition # 1 will cover Westar. Richard Aitken is the Construction Services Representative for the Westar Northwest Area and will be the contact for this vacation request. He and can be reached at 261-6320. The Stonebridge Commercial Addition was recorded with the Register of Deeds February 6, 2009.

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 platted wall easement.

- 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 June 30, 2016, which was at least 20 days prior to this public hearing.
 2. That no private rights will be injured or endangered by vacating the described portions of platted wall easement and the plattor's text and that 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) Abandonment or relocation/reconstruction of any/all utilities, made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicant. As needed provide an approved private project plan number for the abandonment /relocation of public utilities. As needed provide approval from franchised utilities for the relocation of franchised utilities. All to be provided to the Planning Department prior to this case going to City Council for final action.
- (2) Provide Planning with any needed easements, with original signatures, for relocated utilities, prior to this case going to City Council for final action and subsequent recording with the Vacation Order at the register of Deeds.
- (3) Provide Planning with a legal description of the vacated portion of the platted wall easement on a Word document via E-mail that can be used on the Vacation Order. This must be provided to the Planning Department prior to this case going to City Council for final action.

- (4) 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) Abandonment or relocation/reconstruction of any/all utilities, made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicant. As needed provide an approved private project plan number for the abandonment /relocation of public utilities. As needed provide approval from franchised utilities for the relocation of franchised utilities. All to be provided to the Planning Department prior to this case going to City Council for final action.
- (2) Provide Planning with any needed easements, with original signatures, for relocated utilities, prior to this case going to City Council for final action and subsequent recording with the Vacation Order at the register of Deeds.
- (3) Provide Planning with a legal description of the vacated portion of the platted wall easement on a Word document via E-mail that can be used on the Vacation Order. This must be provided to the Planning Department prior to this case going to City Council for final action.
- (4) 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.

STAFF REPORT

CASE NUMBER: VAC2016-00027 - Request to vacate easements dedicated by separate instruments

APPLICANT/AGENT: BBS Real Estate LLC, c/o Keith Stevens (owner) Universal Motor Fuels Inc, c/o Dennis Maloney (applicant) Baughman Company, PA, c/o Phil Meyer

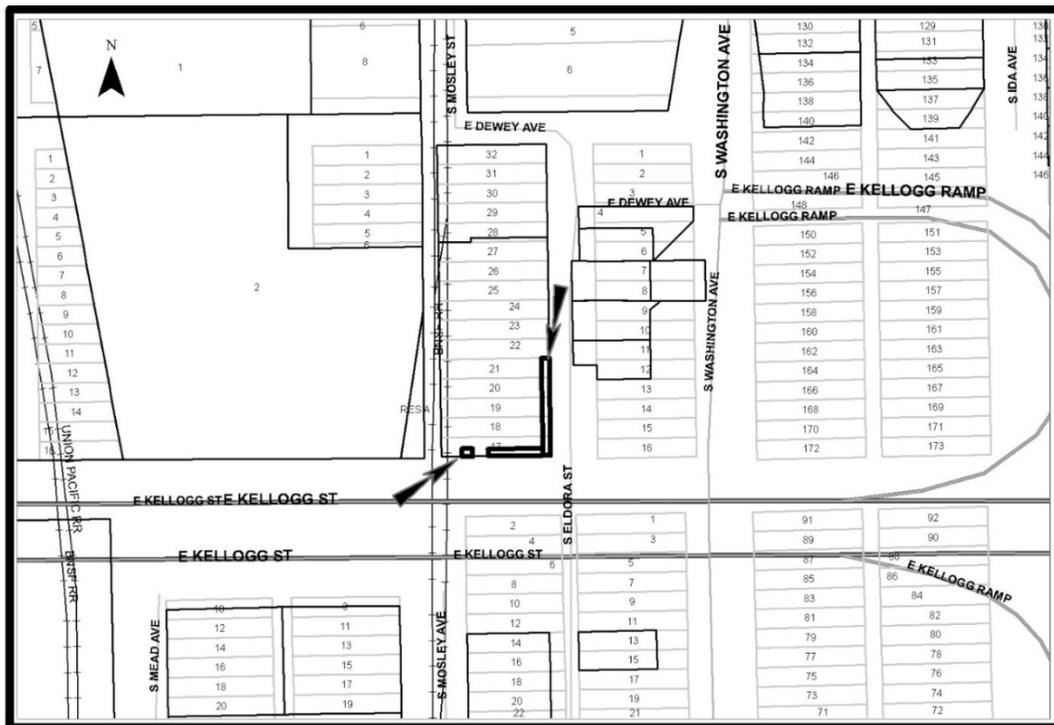
LEGAL DESCRIPTION: Generally described as vacating a 10-foot wide utility easement dedicated by separate instrument (Ordinance 11-499, Misc. Book 121, page 523) located on and running parallel to the east sides of Lots 17-21, Block 2, Santa Fe Addition, & the easement dedicated by separate instrument (Film 403, Page 625) located on and running parallel to portions of the south side of Lot 17, Block 2, Santa Fe Addition Wichita, Sedgwick County, Kansas (see exhibit and attached legal)

LOCATION: Generally located northwest of Kellogg Street and Washington Avenue, on the east side of the vacated Eldora Street (435 S El Dora Street – WCC I)

REASON FOR REQUEST: Construction of a loading dock and expanding entryway stairway

CURRENT ZONING: The site and abutting and the adjacent north and west properties are zoned CBD Central Business District. The adjacent south and east properties are zoned LI Limited Industrial.

VICINITY MAP:



The applicant is requesting the vacation of a 10-foot wide utility easement dedicated by separate instrument (Ordinance 11-499, Misc. Book 121, page 523) located on and running parallel to the east sides of Lots 17-21, Block 2, Santa Fe Addition and the easement dedicated by separate instrument (Film 403, Page 625) located on and running parallel to portions of the south side of Lot 17, Block 2, Santa Fe Addition. There do not appear to be public utilities located in the subject easements. VAC2014-00055 vacated this portion of El Dora Street, which was retained as a utility easement. Portions of the Gilbert-Mosley Groundwater Remediation System are located in the area of the vacation. There is no Gilbert-Mosley Groundwater Remediation System equipment in the subject easements. Westar has equipment and lines in Kellogg and Eldora Streets. Westar has no objection to this request as condition # 5 will cover Westar, however the applicant does need to maintain proper clearance, per the Service Standards advising the proper clearance information. Shane Price is the Construction Services Supervisor and will be the contact for this vacation request. Mr. Price can be reached at 261-6315. The Santa Fe Addition was recorded November 17, 1884.

Based upon information available prior to the public hearing and reserving the right to make recommendations based on subsequent comments from City Public Works, Water & Sewer, Stormwater, Traffic, 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 portions of the easements recorded/dedicated by separate instruments.

- 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 June 30, 2016, which was at least 20 days prior to this public hearing.
 2. That no private rights will be injured or endangered by vacating the described portions of the utility easements dedicated by separate instruments and that 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) Review and approval by Public Works, Environmental and franchised utilities is required for the proposed vacation. This must be provided prior to VAC2016-00027 proceeds to City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (2) Provide a legal description of the vacated portions of the easements recorded/dedicated by separate instruments on a Word document and an exhibit showing the approved vacated portions of the subject easements via E-mail for the Vacation Order. This must be provided prior to VAC2016-00027 proceeds to City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.

- (3) Provide copies of the 10-foot wide utility easement dedicated by separate instrument (Ordinance 11-499, Misc. Book 121, page 523) located on and running parallel to the east sides of Lots 17-21, Block 2, Santa Fe Addition and the easement dedicated by separate instrument (Film 403, Page 625) located on and running parallel to portions of the south side of Lot 17, Block 2, Santa Fe Addition.
- (4) As needed provide easements for public and franchised utilities. As needed provide letters/conformation from franchised utility representatives stating that their utilities are protected by the appropriate easements. Easements for public utilities, with original signatures, must be provided to Planning prior to VAC2016-00027 proceeds to the City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (5) Relocation/reconstruction of all utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicants. Provide all required approved projects to Planning prior to VAC2016-00027 proceeds to the City Council for final action.
- (6) All improvements shall be according to City Standards and at the applicants' expense.
- (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) Review and approval by Public Works, Environmental and franchised utilities is required for the proposed vacation. This must be provided prior to VAC2016-00027 proceeds to City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (2) Provide a legal description of the vacated portions of the easements recorded/dedicated by separate instruments on a Word document and an exhibit showing the approved vacated portions of the subject easements via E-mail for the Vacation Order. This must be provided prior to VAC2016-00027 proceeds to City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (3) Provide copies of the 10-foot wide utility easement dedicated by separate instrument (Ordinance 11-499, Misc. Book 121, page 523) located on and running parallel to the east sides of Lots 17-21, Block 2, Santa Fe Addition and the easement dedicated by separate instrument (Film 403, Page 625) located on and running parallel to portions of the south side of Lot 17, Block 2, Santa Fe Addition.

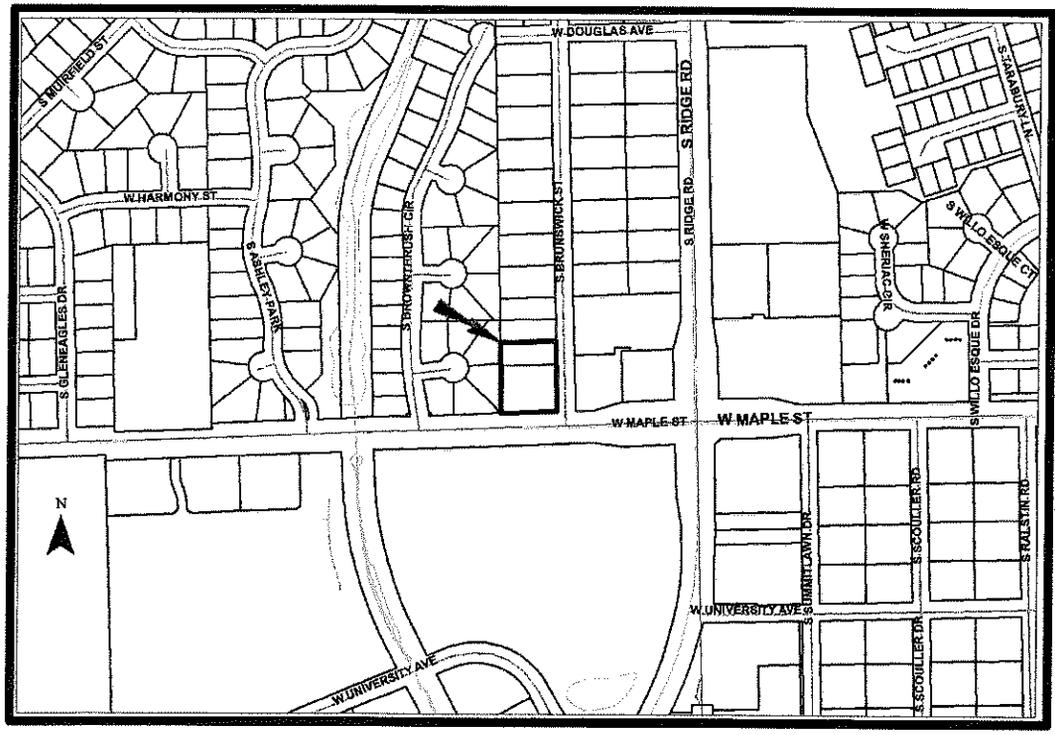
- (4) As needed provide easements for public and franchised utilities. As needed provide letters/conformation from franchised utility representatives stating that their utilities are protected by the appropriate easements. Easements for public utilities, with original signatures, must be provided to Planning prior to VAC2016-00027 proceeds to the City Council for final action and subsequent recording with the Vacation Order at the Sedgwick County Register of Deeds.
- (5) Relocation/reconstruction of all utilities made necessary by this vacation shall be to City Standards and shall be the responsibility and at the expense of the applicants. Provide all required approved projects to Planning prior to VAC2016-00027 proceeds to the City Council for final action.
- (6) All improvements shall be according to City Standards and at the applicants' expense.
- (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.



STAFF REPORT

July 21, 2016, MAPC

- CASE NUMBER:** ZON2016-00012 & CON2016-00007
- APPLICANT/AGENT:** John & Linda Palmer and Brunswick Properties, LLC (owners/applicants) Kaw Valley Engineering, c/o Tim Austin (agent)
- REQUEST:** TF-3 Two-Family zoning with a Conditional Use for ancillary parking & amend PO Protective Overlay #300 and a 10% reduction of compatibility setback on west side of subject site
- CURRENT ZONING:** SF-5 Single-Family Residential and NR Neighborhood Retail with PO #300
- SITE SIZE:** Approximately 1.03-acres
- LOCATION:** Located one-block west of Ridge Road on the northwest corner of Brunswick and Maple Streets (7324 W. Maple St.)
- PROPOSED USE:** Allow a restaurant and provide additional parking



BACKGROUND: The subject site, located on the northwest corner of Brunswick and Maple Streets, currently has SF-5 Single-Family Residential (SF-5) zoning on its smaller north portion and NR Neighborhood Retail zoning (NR) with a Protective Overlay (ZON2015-00031 - PO #300) on its larger south portion. The applicants are requesting a zone change from SF-5 to TF-3 Two-Family Residential (TF-3) on the north 187.14-foot by 77-foot with a Conditional Use for ancillary parking. The Unified Zoning Code (UZC) allows consideration of ancillary parking as a conditional use on TF-3 zoned property; UZC. Sec.III-D.6.p.

The applicants are also requesting an amendment to the site's south NR zoned portion's PO: changing provision #1 to allow a 2,000-square foot restaurant with outdoor seating; changing provision # 2 to put in a six-foot tall masonry wall on the north side of the proposed TF-3 zoned property and add a six foot fence along the west property line of the TF-3 zoned portion, and; changing provision #3 to reduce the compatibility setbacks to 10 feet on the west side of the property. The original provisions of PO #300 are:

- (1) Permitted uses are an automated teller machine, a bank or financial institution, general office, personal care services, general retail, personal improvement services and medical offices.
- (2) The hedge like line of mature trees running parallel to the site's west property line shall be maintained or improved as needed to provide a solid landscape buffer. A line of six-foot tall (at the time of planting) evergreens shall be planted on 12-foot centers along the north property line. An eight-foot tall solid fence shall be installed south of the line of evergreens. The rest of the required landscaping shall be per the Landscape Ordinance.
- (3) Compatibility setback, height and light standards and all applicable Unified Zoning Code standards will apply to the development of the site. A drainage plan must be approved by the Public Works.
- (4) No parking or lighting within the rear and interior side yard setbacks.

In reference to the applicants' request to reduce the compatibility setbacks on the west side of the site, compatibility setbacks may be reduced or waived; UZC.V-I.2.d. Currently the NR zoned portion of the site has the full 25-foot compatibility setback on its west side, where it abuts SF-5 zoned single-family residences

The applicant's site plan shows an 8,775-square foot retail building with 59 parking spaces. No individual commercial use that is permitted by-right or as a conditional use within the NR District shall exceed 8,000 square feet of gross Floor Area. If the applicants were to have a permitted by right 2,000-square foot restaurant in the NR zoned portion of the site an approximate estimate of required parking could be 32 parking spaces for just the restaurant. This estimate is based on 45-square feet per seating area (as advised by MABCD) and subtracting a kitchen area of 500-600-square feet from a 2,000-square foot restaurant. However, this calculation does not include the seating or size of the outside patio/dining area. A mix of a 2,000-square foot restaurant and 6,000-square feet of retail (one space per 333-square feet) for the permitted 8,000-square foot building and would require an estimated 50 parking spaces, which the site plan exceeds..

The site plan shows a six-foot tall wooden fence with six-foot tall evergreens located behind the

fence on the north line of the proposed ancillary parking. Staff recommends that the landscaping standard of PO #300's be applied to the north property line of the proposed ancillary parking with the exception that the recommended planting of evergreens can be inside or outside the site. The site plan also shows a drive onto Maple Street located on the south approximately 20 feet of the NR zoned portion of the site and two drives onto Brunswick off of both the south and north portions of the site.

SF-5 zoned neighborhoods abut the north and west sides of the subject site. The west abutting SF-5 zoned single-family residences (built in the early 1990s) are separated from the subject site's south portion by a hedge of mature trees and their subdivision's six-foot brick wall. None of the houses located west of the site have front yards facing Maple Street, and their back or interior side yards butt the subject site. A similar landscape buffer does not separate the north abutting SF-5 zoned single-family residences (built late 1970s) from the north portion of the subject site. A LC zoned small Horton's carpet store (built 1996), small commercial strip with gas pumps (built 1983) and an Outback full service restaurant (built 1999) are located east of the site, across Brunswick Street; Z-2337, Z-3162, and Z-3237. The 0.68-acre carpet store and 0.70-acre commercial strip sites present a similar scale of commercial development that could occur on the 1.03-acre subject site, if the conditional use is approved. South of the site, across Maple Street, are the LC and GC General Commercial zoned big box, 17.71-acre Lowes home improvement store (built 1998) and the LC zoned big box, 15.72-acre Target department store (built 2004); Z-3306/DP-37 and Z-3326, ZON2003-00055/DP-270. Lowes and Target are the two largest commercial developments located along the Ridge Road – Maple Street intersection, which includes full service restaurants, casual dining restaurants, furniture stores, commercial and strip buildings.

CASE HISTORY: The south portion of the site, the NR zoned south 160 feet of Lot 9, Block D, Westview Addition was recorded with the Register of Deeds on February 11, 1953. The north portion of the site, Lot 3, Westview 2nd Addition was recorded with the Register of Deeds on November 23, 1976. The subject site was annexed into the city between 1961 and 1970.

On October 6, 2015, the Wichita City Council approved ZON2015-00031, which rezoned the south 160 feet of Lot 9, Block D, Westview Addition from SF-5 to NR Neighborhood Retail with the provisions of Protective Overlay #300 (see background, second paragraph).

At the April 21, 2016, MAPC meeting the property owner requested a zone change from SF-5 to TF-3 Two-Family Residential with a conditional use for ancillary parking on their north property, Lot 9, Westview 2nd Addition and an amendment PO #300 on the their south NR zoned property. The applicant requested a deferral to discuss with the Traffic Engineer their proposal to have a drive onto Maple Street. There were protests at the MAPC meeting. The MAPC approved a deferral until the May 5, 2016 MAPC meeting (see attached minutes).

At the May 3, 2016, DAB V meeting the DAB voted 5-4 to deny the requested TF-3 zoning and the conditional use for ancillary parking and the amendments to PO #300 (see attached DAB memo)

At the May 5, 2016, MAPC meeting the applicant again requested a deferral and the MAPC granted an indefinite deferral (see attached minutes). There were protesters at the MAPC meeting.

ADJACENT ZONING AND LAND USE:

NORTH: SF-5 Single-family residences
SOUTH: LC, GC Big box home improvement, big box retail
EAST: LC Carpet sales, small commercial strip, convenience store, restaurant
WEST: SF-5 Single-family residences

PUBLIC SERVICES: The site is served by all normally supplied municipal services. The site has two access drives onto Brunswick Street, a paved two-lane local street which intersects with Maple Street, a paved four-lane arterial, with center-turn lanes at this location. The site currently has an access drive onto Maple Avenue dating from its previous use as a single-family residence built in 1948.

CONFORMANCE TO PLANS/POLICIES: The site is located just outside (separated by Ridge Road) the “Community Investments Plan’s” Established Central Area, which is comprised of the downtown core and the mature neighborhoods surrounding it in a roughly three mile radius. The Land Use Compatibility component of the Plan recommends that higher intensity development should be discouraged from locating in areas of existing lower –intensity development, particularly established low intensity residential areas. The subject site abuts urban single-family residential development on its north and west sides.

The Community Investments Plan’s “2035 Wichita Future Growth Concept Map” designates the site as “new employment.” The new employment designation encompasses areas that likely will be developed or redeveloped by 2035 with uses that constitute centers or concentrations of employment primarily in manufacturing, warehousing, distribution, construction, research, technology, business services, or corporate offices. In certain areas, especially those in proximity to existing residential uses, higher density housing and convenience retail centers likely will be developed. The subject site abuts urban scale single-family residential zoning on its north and west sides. The previously approved NR zoned portion of the site, subject to the provisions of PO#300 and the proposed TF-3 zoning with a Conditional Use for ancillary parking fits the just noted development projection of the new employment designation. The subject site’s current NR zoning and PO and the requested TF-3 zoning with a conditional use for ancillary parking serve as a buffer between the area’s LC and GC zoned businesses and the immediate earlier established single-family residential development, thus meeting the Plan’s “Development Pattern” guidelines for areas outside the Established Central Area.

Limiting access to the site to two drives onto the residential street Brunswick, facing LC zoned development and noting that the development is located on the northwest corner of the arterial Maple Street and Brunswick ensures that traffic to and from the site will be directed to the stop sign at that intersection. Eliminating the additional proposed drive onto Maple off of the site provides safer access to the site while minimizing the negative impact of the site’s traffic on the

abutting single-family residential neighborhood, which meets the intent of the locational design guide lines of the Plan.

The Maple Street – Ridge Road intersection has experience redevelopment from single-family residential to commercial during the last, at least, two and a half decades. Most of the commercial development has happened south of this intersection, extending south a half-mile to Kellogg Street/Us Highway-54. Commercial development ends approximately 520 feet north of the Maple Street – Ridge Road intersection.

RECOMMENDATION: Approving the TF-3 zoning with a conditional use for ancillary parking on the subject site’s north portion does not move commercial zoning further north, but may present an opportunity to make the subject site’s NR south portion more marketable, as does allowing a restaurant. If approved, the ancillary parking would abut SF-5 zoned single-family residences/neighborhoods on its north and west sides. The proposed TF-3 zoning provides a buffer for the abutting north property, making a future request for commercial zoning more problematic. The subject site’s NR zoned south portion and amending the PO to allow a restaurant allows very-low intensity retail and office development and other complementary land uses that serve and are generally appropriate near residential neighborhoods. Staff would not support a future request to expand commercial zoning to the north or the west and would be conflicted to support LC zoning on the NR portion of the site.

Based upon the information available prior to the public hearings, planning staff recommends that the TF-3 zoning and a conditional use for ancillary parking be **APPROVED** subject to the following conditions:

- (1) Six-foot tall evergreens (at the time of planting) shall be planted on 12-foot centers and a six-foot tall masonry shall be installed along the north property line of the TF-3 zoned conditional use for ancillary parking. The rest of the site shall conform to the Landscape Ordinance, including the recommended evergreens.
- (2) A six foot tall solid fence shall be installed along the west property line.
- (3) A 25-foot setback shall be located on the north and west property lines of the ancillary parking site. No pole lighting or parking shall be located within these setbacks
- (4) Pole lights shall be no taller than 15 feet, including the base.
- (5) A drainage plan shall be reviewed and approved by Stormwater.
- (6) The ancillary parking shall be developed in accordance with the supplemental use regulations found in Sec.III-D.6.p. as well as all applicable UZC standards and an approved site plan.
- (7) If the Zoning Administrator finds that there is a violation of any of the provisions or 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 the Conditional Use null and void.

Planning staff recommends that the following amendments to PO #300 be **APPROVED**:

- (1) Permitted uses in the NR zoned portion of the subject site are automated teller machine, bank or financial institution, general office, personal care service, general retail, personal improvement service, a medical office, and a 2,000-square foot full service restaurant

with outside seating (no drive through windows or curb side service). The size of the commercial building in the NR zoned portion of the site is the permitted NR zoning district's total of 8,000 square feet of gross floor area.

- (2) The hedge like line of mature trees running parallel to the site's west property line shall be maintained or improved as needed to provide a solid landscape buffer. The rest of the required landscaping shall be per the Landscape Ordinance.
- (3) Compatibility setback, height and light standards and all applicable UZC standards will apply to the development of the NR zoned portion of the site.
- (4) A drainage plan must be reviewed and approved by Storm Water.
- (5) No parking or lighting within the interior side yard setbacks. No building lighting on the west side of any building on the subject site.
- (6) No signage on the west and north sides of the building located on the subject site.
- (7) Access to the subject site will be limited to one drive onto Brunswick Street and one drive onto Maple Street, as recommended by the Traffic Engineer.
- (8) No internal vehicular circulation between building located on the NR portion of the site and the west abutting SF-5 zoned single-family residential development.
- (9) The subject site including the ancillary parking site will developed as shown on an approved site plan.

This recommendation is based on the following findings:

(1) The zoning, uses and character of the neighborhood: SF-5 zoned neighborhoods abut the north and west sides of the subject site. The west abutting SF-5 zoned single-family residences (built in the early 1990s) are separated from the subject site's south portion by a hedge like line of mature trees and their subdivision's six-foot brick wall. None of the houses located west of the site have front yards facing Maple Street and their back or interior side yards butt the subject site. A similar landscape buffer does not separate the north abutting SF-5 zoned single-family residences (built late 1970s) from the north portion of the subject site. A LC zoned small Horton's carpet store (built 1996), small commercial strip with gas pumps (built 1983) and an Outback full service restaurant (built 1999) are located east of the site, across Brunswick Street; Z-2337, Z-3162, and Z-3237. The 0.68-acre carpet store and 0.70-acre commercial strip sites present a similar scale of commercial development that could occur on the 1.03-acre subject site, if the conditional use is approved. South of the site, across Maple Street, are the LC and GC General Commercial zoned big box, 17.71-acre Lowes home improvement store (built 1998) and the LC zoned big box, 15.72-acre Target department store (built 2004); Z-3306/DP-37 and Z-3326, ZON2003-00055/DP-270. Lowes and Target are the two largest commercial developments located along the Ridge Road – Maple Street intersection, which includes full service restaurants, casual dining restaurants, furniture stores, commercial and strip buildings.

(2) The suitability of the subject property for the uses to which it has been restricted: The north portion of the subject site's current SF-5 zoning allows single-family residences, schools, churches, and parks and is appropriate for the urban residential category. The north portion of the subject site's one story lap siding and brick house's front yard faces Brunswick Street, a paved two-lane residential street, and the LC zoned small Horton's carpet store, small commercial strip with gas pumps and an Outback full service restaurant ; this orientation lessens

the appeal of the site's single-family residence.

The site's NR zoned portion of the site with the provisions PO #300 allows very-low intensity retail and office development and other complementary land uses that serve and are generally appropriate near residential neighborhoods.

(3) Extent to which removal of the restrictions will detrimentally affect nearby property:

Approving the TF-3 zoning with a conditional use for ancillary parking amending the PO of the NR zoned portion of the site to allow a restaurant without drive through or curb side service would seem to have a minimal negative effect on the abutting single-family residential development.

(4) Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:

The site is located just outside (separated by Ridge Road) the "Community Investments Plan's" Established Central Area, which is comprised of the downtown core and the mature neighborhoods surrounding it in a roughly three mile radius. The Land Use Compatibility component of the Plan recommends that higher intensity development should be discouraged from locating in areas of existing lower –intensity development, particularly established low intensity residential areas. The subject site abuts urban single-family residential development on its north and west sides.

The Community Investments Plan's "2035 Wichita Future Growth Concept Map" designates the site as "new employment." The new employment designation encompasses areas that likely will be developed or redeveloped by 2035 with uses that constitute centers or concentrations of employment primarily in manufacturing, warehousing, distribution, construction, research, technology, business services, or corporate offices. In certain areas, especially those in proximity to existing residential uses, higher density housing and convenience retail centers likely will be developed. The subject site abuts urban scale single-family residential zoning on its north and west sides. The previously approved NR zoned portion of the site, subject to the provisions of PO#300 and the proposed TF-3 zoning with a Conditional Use for ancillary parking fits the just noted development projection of the new employment designation. The subject site's current NR zoning and PO and the requested TF-3 zoning with a conditional use for ancillary parking serve as a buffer between the area's LC and GC zoned businesses and the immediate earlier established single-family residential development, thus meeting the Plan's "Development Pattern" guidelines for areas outside the Established Central Area.

Limiting access to the site to two drives onto the residential street Brunswick, facing LC zoned development and noting that the development is located on the northwest corner of the arterial Maple Street and Brunswick ensures that traffic to and from the site will be directed to the stop sign at that intersection. Eliminating the additional proposed drive onto Maple off of the site provides safer access to the site while minimizing the negative impact of the site's traffic on the abutting single-family residential neighborhood, which meets the intent of the locational design guide lines of the Plan.

The Maple Street – Ridge Road intersection has experience redevelopment from single-family

residential to commercial during the last, at least, two and a half decades. Most of the commercial development has happened south of this intersection, extending south a half-mile to Kellogg Street/Us Highway-54. Commercial development ends approximately 520 feet north of the Maple Street – Ridge Road intersection.

(5) Impact of the proposed development on community facilities: With the recommended provisions for access controls, there will be minimal impact on community facilities.



**INTEROFFICE
MEMORANDUM**

TO: MAPC
FROM: Laura Rainwater
SUBJECT: ZON2016-00012 & CON2016-00007
DATE: May 3, 2016

Bill Longnecker, Metropolitan Area Planning Department, presented a request to DAB V on Monday, May 2, 2016, for TF-3 Two-Family zoning with a Conditional Use for ancillary parking & amend PO Protective Overlay #300 and a 10% reduction of compatibility setback on west side of subject site located one-block west of Ridge Road on the northwest corner of Brunswick and Maple Streets (7324 W. Maple St.).

In attendance were **Tim Austin** with Kaw Valley Engineering, agent for the applicants, **John and Linda Palmer and Brunswick Properties, LLC**, and the following homeowners from the adjacent neighborhood: **Jared and Amanda Gish, Pat O'Bryan, Jim Nedeau, David Woodrow, Samuel Noone, Brad Noone, Herbert Zortman, Lisa Boehmke and Linda Drouhard**.

After staff presentation, **Austin** addressed the Board. Previous owner of property had given up the right to put in a restaurant. The new owner's would like that removed. They will install a six-foot screening wall as opposed to a fence. They want Maple access as well as access on Brunswick.

Members of the adjacent neighborhood then addressed the Board in opposition of the change. Their concerns included:

- A restaurant and the proposed larger site would generate a heavy traffic increase onto Brunswick, which is a residential street.
- Proposed two entrances on Brunswick will increase the traffic on Brunswick and turn it into a "mini Ridge Road"
- People have already figured out they can cut through on Brunswick to avoid Maple/Ridge intersection. Traffic will only increase when restaurant patrons cut through the neighborhood to avoid left turns onto Maple.
- Many young kids live on the street and ride their bikes on the street. There are no sidewalks.
- You would be turning a residential street into a commercial street through a residential neighborhood.
- Want to close Brunswick so it dead-ends at Maple
- Trash, smell and light pollution generated by a restaurant
- Late night hours and the noise generated by a restaurant

- Concerns about alcohol being served in a full service restaurant and the public safety in regards to the traffic coming off of the site on onto Brunswick.
- Six-foot fence is not enough to discourage people from 'going over' and into the single-family residential neighborhood. Concerns expressed about the property owners willingness to maintain a fence and the proposed landscaping (based on experience with the Outback restaurant). An eight-foot wall with landscaping is needed.
- Concessions were made six months ago in the zone change to NR Neighborhood Retail on the south portion of the site to allow a chiropractor's office.

DAB members voiced concern over the enormous impact the traffic will have on the residential street. They further stated that the rules were made six months ago and the need to be upheld.

JV Johnston made a motion to **DENY** the request to amend PO #300 to allow for a restaurant and to reduce the compatibility setbacks and to **DENY** the requested zone change to TF-3 Two-Family zoning with the associated Conditional Use for ancillary parking.

Jill Kerschen seconded the motion.

Motion passed 5-4.

**EXCERPT MINUTES OF APRIL 21, 2016 WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION MEETING**

Case No.: ZON2016-00012 and CON2016-00007 – John and Linda Palmer and Brunswick Properties, LLC (owners/applicants) and Kaw Valley Engineering, c/o Tim Austin (agent) request a City zone change from SF-5 Single-family Residential to TF-3 Two-family Residential to allow ancillary parking (CON2016-00007), an amendment to PO-300 to allow a restaurant and a 10% reduction of the compatibility setback on property described as:

Lot 3, Westview 2nd Addition, Wichita, Kansas, Sedgwick County, Kansas
Together with
The South 160 feet of Lot 9, Block D, Westview Addition, Sedgwick County, Kansas.

BACKGROUND: The subject site, located on the northwest corner of Brunswick and Maple Streets, currently has SF-5 Single-Family Residential (SF-5) zoning on its smaller north portion and NR Neighborhood Retail zoning (NR) with a Protective Overlay (ZON2015-00031 - PO #300) on its larger south portion. The applicants are requesting a zone change from SF-5 to TF-3 Two-Family Residential (TF-3) on the north 187.14-foot by 77-foot with a Conditional Use for ancillary parking. The Unified Zoning Code (UZC) allows consideration of ancillary parking as a Conditional Use on TF-3 zoned property; UZC. Sec.III-D.6.p.

The applicants are also requesting an amendment to the site's south NR zoned portion's PO, changing provision #1 to allow a 2,500-square foot restaurant with outdoor seating and changing provision #3 to reduce the compatibility setbacks to 10 feet on the west side of the property. The provisions of PO #300 are:

- (1) Permitted uses are an automated teller machine, a bank or financial institution, general office, personal care services, general retail, personal improvement services and medical offices.
- (2) The hedge like line of mature trees running parallel to the site's west property line shall be maintained or improved as needed to provide a solid landscape buffer. A line of six-foot tall (at the time of planting) evergreens shall be planted on 12-foot centers along the north property line. An eight-foot tall solid fence shall be installed south of the line of evergreens. The rest of the required landscaping shall be per the Landscape Ordinance.
- (3) Compatibility setback, height and light standards and all applicable Unified Zoning Code standards will apply to the development of the site. A drainage plan must be approved by the Public Works.
- (4) No parking or lighting within the rear and interior side yard setbacks.

In the NR District, restaurants shall not exceed 2,000 square feet in gross floor area, nor shall they provide any drive-up window service or in-vehicle food service. Delivery and carry-out services are acceptable; UZC. Sec.III-D.6.t. Per the UZC, the applicants' restaurant cannot be the requested 2,500-square feet, it can however provide the requested outdoor seating for diners. The outdoor seating must be considered as part of the NR zoning district's permitted 2,000-square foot restaurant, which will be applied in the required parking. Also note that when a PO is applied to a base zoning district the result is a more restrictive designation than if the base district did not have the PO classification; UZC. Sec.III-C.6.s. The applicants requested 2,500-square foot restaurant requires LC Limited Commercial (LC) zoning, which requires a public hearing by the MAPC and final action by the City Council

In reference to the applicants' request to reduce the compatibility setbacks on the west side of the site, compatibility setbacks may be reduced or waived; UZC.V-I.2.d. Currently the NR zoned portion of the site has the full 25-foot compatibility setback on its west side, where it abuts SF-5 zoned single-family residences. The applicants' site plan shows a proposed 8,775-square foot building encroaching an unidentified amount into the west 25-foot compatibility setback. Scaling off of the applicants' site plan shows the encroachment to be approximately five feet into the 25-foot compatibility setback. Staff recommends that the 25-foot compatibility setback be reduced to 20 feet, if necessary, to remove the encroaching building only on the NR zoned portion of the site.

The applicant's site plan shows an 8,775-square foot retail building with 59 parking spaces. If the applicants were to have a permitted by right 2,000-square foot restaurant in the NR zoned portion of the site an approximate estimate of required parking could be 32 parking spaces for just the restaurant. This estimate is based on 45-square feet per seating area (as advised by MABCD) and subtracting a kitchen area of 500-600-square feet from a 2,000-square foot restaurant. However, this calculation does not include the seating or size of the outside patio/dining area. A mix of a 2,000-square foot restaurant and 6,775-square feet of retail (one space per 333-square feet) for the proposed 8,775-square foot building and would require an estimated 53 parking spaces.

The site plan shows a six-foot tall wooden fence with six-foot tall evergreens located behind the fence on the north line of the proposed ancillary parking. Staff recommends that the landscaping standard of PO #300's be applied to the north property line of the proposed ancillary parking with the exception that the recommended planting of evergreens can be inside or outside the site. The site plan also shows a drive onto Maple Street located on the south approximately 20 feet of the NR zoned portion of the site and two drives onto Brunswick off of both the south and north portions of the site. The Traffic Engineer recommends closing the Maple Street access and limiting access to two drives onto Brunswick Street.

The site's NR zoned south portion was developed with a one story, brick, ranch style house (built 1948) that has recently been demolished. The north portion of the site currently has a one-story house (built 1978) with an attached two car garage located on it. Both of the lots have access to Brunswick Street and the south lot has access onto Maple Street.

SF-5 zoned neighborhoods abut the north and west sides of the subject site. The west abutting SF-5 zoned single-family residences (built in the early 1990s) are separated from the subject site's south portion by a hedge of mature trees and their subdivision's six-foot brick wall. None of the houses located west of the site have front yards facing Maple Street, and their back or interior side yards abut

the subject site. A similar landscape buffer does not separate the north abutting SF-5 zoned single-family residences (built late 1970s) from the north portion of the subject site. A LC zoned small Horton's carpet store (built 1996), small commercial strip with gas pumps (built 1983) and an Outback full service restaurant (built 1999) are located east of the site, across Brunswick Street; Z-2337, Z-3162, and Z-3237. The 0.68-acre carpet store and 0.70-acre commercial strip sites present a similar scale of commercial development that could occur on the 1.03-acre subject site, if the conditional use is approved. South of the site, across Maple Street, are the LC and GC General Commercial zoned big box, 17.71-acre Lowes home improvement store (built 1998) and the LC zoned big box, 15.72-acre Target department store (built 2004); Z-3306/DP-37 and Z-3326, ZON2003-00055/DP-270. Lowes and Target are the two largest commercial developments located along the Ridge Road – Maple Street intersection, which includes full service restaurants, casual dining restaurants, furniture stores, commercial and strip buildings.

CASE HISTORY: On October 6, 2015, the Wichita City Council approved ZON2015-00031, which rezoned the south 160 feet of Lot 9, Block D, Westview Addition from SF-5 to NR Neighborhood Retail with the provisions of Protective Overlay #300. During the August 20, 2015 MAPC meeting the applicant (at that time) withdrew restaurants as a permitted use (as permitted in the NR zoning district) in the PO. Planning staff had recommended restaurants as a permitted use in the PO.

During August 20, 2015 MAPC meeting staff noted that if the NR zoning was approved on the south portion of the site, commercial zoning would abut SF-5 zoned single-family residences/neighborhoods. Staff also noted that if the NR zoning was approved future commercial zoning requests in the immediate area could be on the north abutting property (today's requested TF-3 zoning with a conditional use for ancillary parking), leading to a possible expansion of the subject site, further encroaching into the SF-5 zoned neighborhood. The MAPC report also noted that staff would not support a future request to expand commercial zoning to the north or the west.

The south portion of the site, the NR zoned south 160 feet of Lot 9, Block D, Westview Addition was recorded with the Register of Deeds on February 11, 1953. The north portion of the site, Lot 3, Westview 2nd Addition was recorded with the Register of Deeds on November 23, 1976. The subject site was annexed into the city between 1961 and 1970.

ADJACENT ZONING AND LAND USE:

NORTH: SF-5	Single-family residences
SOUTH: LC, GC	Big box home improvement, big box retail
EAST: LC	Carpet sales, small commercial strip, convenience store, restaurant
WEST: SF-5	Single-family residences

PUBLIC SERVICES: The site is served by all normally supplied municipal services. The site has two access drives onto Brunswick Street, a paved two-lane local street which intersects with Maple Street, a paved four-lane arterial, with center-turn lanes at this location. The site currently has an access drive onto Maple Avenue dating from its previous use as a single-family residence built in 1948.

CONFORMANCE TO PLANS/POLICIES: The site is located just outside (separated by Ridge Road) the “Community Investments Plan’s” Established Central Area, which is comprised of the downtown core and the mature neighborhoods surrounding it in a roughly three mile radius. The Land Use Compatibility component of the Plan recommends that higher intensity development should be discouraged from locating in areas of existing lower –intensity development, particularly established low intensity residential areas. The subject site abuts urban single-family residential development on its north and west sides.

The Community Investments Plan’s “2035 Wichita Future Growth Concept Map” designates the site as “new employment.” The new employment designation encompasses areas that likely will be developed or redeveloped by 2035 with uses that constitute centers or concentrations of employment primarily in manufacturing, warehousing, distribution, construction, research, technology, business services, or corporate offices. In certain areas, especially those in proximity to existing residential uses, higher density housing and convenience retail centers likely will be developed. The subject site abuts urban scale single-family residential zoning on its north and west sides. The previously approved NR zoned portion of the site, subject to the provisions of PO#300 and the proposed TF-3 zoning with a Conditional Use for ancillary parking fits the just noted development projection of the new employment designation. The subject site’s current NR zoning and PO and the requested TF-3 zoning with a conditional use for ancillary parking serve as a buffer between the area’s LC and GC zoned businesses and the immediate earlier established single-family residential development, thus meeting the Plan’s “Development Pattern” guidelines for areas outside the Established Central Area.

Limiting access to the site to two drives onto the residential street Brunswick, facing LC zoned development and noting that the development is located on the northwest corner of the arterial Maple Street and Brunswick ensures that traffic to and from the site will be directed to the stop sign at that intersection. Eliminating the additional proposed drive onto Maple off of the site provides safer access to the site while minimizing the negative impact of the site’s traffic on the abutting single-family residential neighborhood, which meets the intent of the locational design guide lines of the Plan.

The Maple Street – Ridge Road intersection has experienced redevelopment from single-family residential to commercial during the last, at least, two and a half decades. Most of the commercial development has happened south of this intersection, extending south a half-mile to Kellogg Street/Us Highway-54. Commercial development ends approximately 520 feet north of the Maple Street – Ridge Road intersection.

RECOMMENDATION: Approving the TF-3 zoning with a conditional use for ancillary parking on the subject site’s north portion does not move commercial zoning further north, but may present an opportunity to make the subject site’s NR south portion more marketable, as does allowing a restaurant. If approved, the ancillary parking would abut SF-5 zoned single-family residences/neighborhoods on its north and west sides. The proposed TF-3 zoning provides a buffer for the abutting north property, making a future request for commercial zoning more problematic. The subject site’s NR zoned south portion and amending the PO to allow a restaurant allows very-low intensity retail and office development and other complementary land uses that serve and are generally appropriate near residential neighborhoods. Staff would not support a future request to expand commercial zoning to the north or the west and would be conflicted to support LC zoning on the NR portion of the site.

Based upon the information available prior to the public hearings, planning staff recommends that the TF-3 zoning and a conditional use for ancillary parking be **APPROVED** subject to the following conditions:

- (1) Six-foot tall evergreens (at the time of planting) shall be planted on 12-foot centers and an eight-foot tall fence shall be installed along the north property line of the TF-3 zoned conditional use for ancillary parking. The rest of the site shall conform to the Landscape Ordinance, including the recommended evergreens.
- (2) A 25-foot setback shall be located on the north and west property lines of the ancillary parking site. No pole lighting or parking shall be located within these setbacks.
- (3) Pole lights shall be no taller than 15 feet, including the base.
- (4) A drainage plan shall be reviewed and approved by Stormwater.
- (5) The ancillary parking shall be developed in accordance with the supplemental use regulations found in Sec.III-D.6.p. as well as all applicable UZC standards and an approved site plan.
- (6) If the Zoning Administrator finds that there is a violation of any of the provisions or 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 the Conditional Use null and void.

Planning staff recommends that the following amendments to PO #300 be **APPROVED**:

- (1) Permitted uses in the NR zoned portion of the subject site are automated teller machine, bank or financial institution, general office, personal care service, general retail, personal improvement service, a medical office, and amended to add: 2,000-square foot full service restaurant (no drive through windows or curb side service).
- (2) Stays the same: The hedge like line of mature trees running parallel to the site's west property line shall be maintained or improved as needed to provide a solid landscape buffer. A line of six-foot tall (at the time of planting) evergreens shall be planted on 12-foot centers along the north property line. An eight-foot tall solid fence shall be installed south of the line of evergreens. The rest of the required landscaping shall be per the Landscape Ordinance.
- (3) Compatibility setback, height and light standards and all applicable UZC standards will apply to the development of the NR zoned portion of the site, amended to add: with the exception that the 25-foot compatibility setback on the west side of the NR zoned portion of the site shall be reduced by five feet to allow for a bigger building. A drainage plan must be approved by the Public Works.
- (4) No parking or lighting within the interior side yard setbacks. Amended to add: No building lighting on the west side of any building on the subject site.

New provisions

- (5) No signage on the west side of buildings located on the subject site.
- (6) Access to the subject site will be limited to two drives onto Brunswick Street, as recommended by the Traffic Engineer. Provide an approved private project number for the closing of the existing drive onto Maple Street.
- (7) No internal vehicular circulation between building located on the NR portion of the site and the west abutting SF-5 zoned single-family residential development.
- (8) The subject site including the ancillary parking site will developed as shown on an approved site plan.

This recommendation is based on the following findings:

(1) The zoning, uses and character of the neighborhood: SF-5 zoned neighborhoods abut the north and west sides of the subject site. The west abutting SF-5 zoned single-family residences (built in the early 1990s) are separated from the subject site's south portion by a hedge like line of mature trees and their subdivision's six-foot brick wall. None of the houses located west of the site have front yards facing Maple Street and their back or interior side yards abut the subject site. A similar landscape buffer does not separate the north abutting SF-5 zoned single-family residences (built late 1970s) from the north portion of the subject site. A LC zoned small Horton's carpet store (built 1996), small commercial strip with gas pumps (built 1983) and an Outback full service restaurant (built 1999) are located east of the site, across Brunswick Street; Z-2337, Z-3162, and Z-3237. The 0.68-acre carpet store and 0.70-acre commercial strip sites present a similar scale of commercial development that could occur on the 1.03-acre subject site, if the conditional use is approved. South of the site, across Maple Street, are the LC and GC General Commercial zoned big box, 17.71-acre Lowes home improvement store (built 1998) and the LC zoned big box, 15.72-acre Target department store (built 2004); Z-3306/DP-37 and Z-3326, ZON2003-00055/DP-270. Lowes and Target are the two largest commercial developments located along the Ridge Road – Maple Street intersection, which includes full service restaurants, casual dining restaurants, furniture stores, commercial and strip buildings.

(2) The suitability of the subject property for the uses to which it has been restricted: The north portion of the subject site's current SF-5 zoning allows single-family residences, schools, churches, and parks and is appropriate for the urban residential category. The north portion of the subject site's one story lap siding and brick house's front yard faces Brunswick Street, a paved two-lane residential street, and the LC zoned small Horton's carpet store, small commercial strip with gas pumps and an Outback full service restaurant ; this orientation lessens the appeal of the site's single-family residence.

The site's NR zoned portion of the site with the provisions PO #300 allows very-low intensity retail and office development and other complementary land uses that serve and are generally appropriate near residential neighborhoods.

(3) Extent to which removal of the restrictions will detrimentally affect nearby property: Approving the TF-3 zoning with a conditional use for ancillary parking amending the PO of the NR zoned portion of the site to allow a restaurant without drive through or curb side service will have a minimal negative effect on the abutting single-family residential development.

(4) Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The site is located just outside (separated by Ridge Road) the "Community Investments Plan's" Established Central Area, which is comprised of the downtown core and the mature neighborhoods surrounding it in a roughly three mile radius. The Land Use Compatibility component of the Plan recommends that higher intensity development should be discouraged from locating in areas of existing lower –intensity development, particularly established low intensity residential areas. The subject site abuts urban single-family residential development on its north and west sides.

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corporate offices. In certain areas, especially those in proximity to existing residential uses, higher density housing and convenience retail centers likely will be developed. The subject site abuts urban scale single-family residential zoning on its north and west sides. The previously approved NR zoned portion of the site, subject to the provisions of PO#300 and the proposed TF-3 zoning with a Conditional Use for ancillary parking fits the just noted development projection of the new employment designation. The subject site's current NR zoning and PO and the requested TF-3 zoning with a conditional use for ancillary parking serve as a buffer between the area's LC and GC zoned businesses and the immediate earlier established single-family residential development, thus meeting the Plan's "Development Pattern" guidelines for areas outside the Established Central Area.

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The Maple Street – Ridge Road intersection has experience redevelopment from single-family residential to commercial during the last, at least, two and a half decades. Most of the commercial development has happened south of this intersection, extending south a half-mile to Kellogg Street/Us Highway-54. Commercial development ends approximately 520 feet north of the Maple Street – Ridge Road intersection.

(5) Impact of the proposed development on community facilities: With the recommended provisions for access controls, there will be minimal impact on community facilities.

BILL LONGNECKER, Planning Staff presented the Staff Report. He said he has received one phone call regarding lighting on the building. He referred to the UZC on lighting standards. He concluded by stating that the case was scheduled to go to the DAB the first week in May.

RICHARDSON asked if the entrance onto Maple Street was addressed in the last zoning case on this property.

LONGNECKER said no it was not addressed in the PO.

TIM AUSTIN, KAW VALLEY ENGINEERING, 200 N. EMPORIA, STE 100, AGENT FOR THE APPLICANT said they are in agreement with staff comments with one exception and that is the driveway onto Maple Street. He said they have communicated with the Traffic Engineer who said he would like to have a couple of weeks to discuss the issue.

AUSTIN said one of their concerns is the stacking distance and elimination of the drive onto Maple Street will constitute two movements to get into the same parking lot which could create congestion. He said he has also received a question from a resident to the north about traffic on Brunswick. He requested that the item be deferred for two weeks.

RICHARDSON asked if there was a deceleration lane between Brunswick and the proposed opening onto Maple Street.

AUSTIN replied no there isn't.

RICHARDSON asked if the applicant was willing to build one.

AUSTIN replied no that this small development doesn't justify that type of expense. He said an 8,000 square foot building isn't going to generate enough traffic to warrant a turn lane.

JOHNSON asked if the Commission makes a motion to defer the item two weeks will the hearing be open again for public comment.

JEFF VANZANDT, ASSISTANT CITY ATTORNEY nodded yes.

JOHNSON asked if it was appropriate for him to make a motion to defer the item before anyone speaks.

CHAIR NEUGENT asked what about the people who might not be able to come back in two weeks.

VANZANDT said the people who are here have a right to voice their opinion in case they can't come back in two weeks. He said the Commission can defer the case but have it remain open and that way if other people want to speak they can. He said ideally, people won't speak and say the same thing again.

JASON GISH SAID HE WAS PRESENT TO REPRESENT JARED AND AMANDA GISH, 227 S. BRUNSWICK who he said own the property just to the north of the site. He said the last time this location came before the Planning Commission restaurant use was taken off the table. He said this seems like a deliberate process to overcome the objections of the residential neighborhood. He said he finds it interesting that the applicant shows back up asking for restaurant use but indicates they need additional parking to support more retail. He said the ancillary parking would support greater and more intense zoning uses and the applicant indicates it would be used for neighborhood retail; however, he said it seems a little contrived, in his opinion, to accommodate additional restaurant parking.

GISH said as far as the traffic aspects of this, he said the LC to the east is not facing Brunswick but as a back door so there is no access onto Brunswick. He said if they do what Traffic Engineering is recommending, all the traffic that comes off of Maple Street and turns into the north parking area will flash their headlights into the Gish's home. He said screening will help but he said if the parking lot is full for a big event, cars will line up along Brunswick which the street was never intended on the original development plat for retail type uses. He said this is really compromising the residential uses around this site. He respectfully asked the Planning Commission to deny extension of TF-3 zoning onto SF-5 property. He said this should all be NR if that is what the applicant wants the parking for. He said this seems like a "slight of hand" method of accommodating the request. He said they appreciated the Commission's consideration of that. He concluded by asking that the request for TF-3 zoning and a restaurant, a use that was previously taken off the table for the NR site, be denied. He said it seems to him that the applicant gets a little bit and then they come back for more and try to figure out a way to change the neighborhood. He said the proposed use is just not compatible with the neighborhood.

PAT O'BRYAN, 221 S. BRUNSWICK said he has lived on this block for 30 years. He said there used to be a huge house on the corner that got torn down and they were told at the time the land was not going to be developed and guess what happened. He said they tried the screening of evergreens and fence with Hortons and it didn't work. He said the evergreens died and people could just climb over the fence. He said when Outback came in they asked them to provide a wall and that solved the problems. He said the screening to the north of this site needs to be a wall otherwise this is going to be a disaster. He said there is an apartment complex to the north of this site and a lot of traffic because of that. He said this is going to cause even more traffic along Brunswick. He commented before Outback put in the wall there were cars parking everywhere along Brunswick and neighbors couldn't get in and out of their driveways. He said the site plan shows two entrances off of Brunswick but he would like to see them stay on Maple Street. He asked why the traffic has to intrude into the neighborhood. He asked how much more this little neighborhood is going to have to endure because someone decides they want to build something. He said they just keep encroaching more and more into the neighborhood. He said they already have a problem with people using Brunswick because it is a nice straight street. He said this is just going to increase the traffic. He said general office wasn't so bad but now the other home has been sold and torn down and now they want to build a restaurant. He said they can smell the dishwashing soap from the Outback from about 10:00 p.m. until 6:00 a.m. and now they are proposing adding another restaurant. He also mentioned trash trucks emptying trash at 4:00 a.m. in the morning. He said he feels like he is getting worked over instead of worked with. He said this just can't be and suggested the applicant just buy the whole damn block and be done with it.

ELLISON asked if the applicant built a wall like the Outback that would satisfy his concerns.

O'BRYAN said every time the wind blows from the south they get large amounts of trash from Lowes. He said evergreens and a fence will just become a trap for the trash because he is sure the applicant will not be out there daily picking up the trash.

ELLISON asked if the neighbors shared his concerns and if they had any neighborhood meetings to discuss what is happening in the neighborhood.

O'BRYAN said he has talked to people along Brunswick and most of them are resigned to the fact that there is nothing they can do about this. He said the neighbors have seen what happened with the Outback and Hortons and they just feel like they are getting stabbed again. He said he would not be totally satisfied with a wall but it would make the situation better.

AMANDA AND JERRY GISH, 227 S. BRUNSWICK said they lived directly north of the of the site and they have a more vested interest in this because their bedroom abuts directly up to whatever is going to go up between the site and their home whether it is a fence or a wall. She said they have real concerns about the entrances on Brunswick Street. She said right now there are 15-20 houses and an apartment complex in the neighborhood and every morning 2-3 cars are trying to turn left onto Maple Street. She said a bigger retail space or restaurant will just compound that. She said those are her primary concerns along with a host of other issues as well. She introduced her husband.

JERRY GISH said they are proposing an eight foot wall and suggested that the wall extend across the street so people cannot go north on Brunswick. He said right now when he is out in front taking care of his lawn he almost gets clipped by cars going up and down the street. He said he has a young daughter he is concerned about her safety.

AMANDA GISH said they have researched other properties that have gone through the same rezoning and one of the examples is Summitlawn behind a Pizza Hut and Pie Five. She said the City did the exact same thing so people couldn't go through the neighborhood on the street. They referred to an aerial of the Summitlawn area.

JERRY GISH said they would like to see Brunswick blocked off and have everyone exit the site to the south. He said they also have concerns about the lighting, smells and traffic that a restaurant would generate.

CHAIR NEUGENT said she apologized to Mr. and Mrs. Gish for any inappropriate reaction to their comments from the Planning Commission.

MOTION: To defer the item to the next regularly scheduled meeting (May 5, 2016) and that staff provide a copy of the minutes from the 2015 meeting where this was heard by the Commission previously, as well as DAB comments.

JOHNSON moved, **TODD** seconded the motion, and it carried (11-0).

**EXCERPT MINUTES OF MAY 5, 2016 WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION MEETING**

Case No.: ZON2016-00012 and CON2016-00007 (Deferred from 4-21-16) - John & Linda Palmer and Brunswick Properties, LLC (owners/applicants) and Kaw Valley Engineering, c/o Tim Austin (agent) request a City zone change from SF-5 Single-family Residential to TF-3 Two-family Residential to allow ancillary parking (CON2016-00007), an amendment to PO -300 to allow a restaurant and a 10% reduction of the compatibility setback on property described as:

Lot 3, Westview 2nd Addition, Wichita, Kansas, Sedgwick County, Kansas
Together with
The South 160 feet of Lot 9, Block D, Westview Addition, Sedgwick County, Kansas.

CHAIR NUGENT announced that there has been a request to defer the item; however, she added that there were members of the public present who expected the Commission to hear the item today. She asked the Commission if they would like to go ahead and take public comment.

DAILEY said he would like to hear what the public present has to say because they may not be able to come to the next meeting.

RICHARDSON asked why the item was being deferred.

CHAIR NEUGENT asked staff to respond.

LONGNECKER reported that DAB V heard the case and that body recommended denial 5-4 citing neighbors' concerns regarding non-residential commercial traffic on Brunswick.

RICHARDSON said the issue is why this matter is being deferred when the Commission has already deferred the case once. He asked why doesn't the Commission just defer the item for 6-8 months.

LONGNECKER said the applicant's agent is looking at the possibility of a cul-de-sac or hammerhead on Brunswick. He said he received an e-mail request yesterday morning from the agent to defer the application. He said he has no other information on any new developments on the case and no updated site plan. He said it is up to the Commission whether they want to proceed to hear the item or defer it.

RICHARDSON commented that his concern was for the neighbors who have been here twice now plus attending the DAB meeting so far with no resolution which is a real inconvenience for them. He said it seems like they asked the applicant about a cul-de-sac the last time this was heard and the applicant said no.

WARREN said it is difficult for the Commission to make a decision with limited information or just one side. He asked if any of the members of the public that were here today could come back in two weeks. He suggested that the public who cannot be present in two weeks be allowed to speak but asked that other speakers refrain until the Commission gets the whole picture on the case.

MOTION: To defer the application two weeks and take public comment at this meeting.

WARREN moved, **JOHNSON** seconded the motion, and it carried (13-0).

DENNIS said he would like to hear the neighbors' comments about the proposed cul-de-sac or hammerhead that would keep traffic off of Brunswick.

He said the only thing that has changed is a willingness on the part of the applicant to look at a cul-de-sac or hammerhead on Brunswick that would keep commercial traffic off of Brunswick.

JOHNSON asked whose property would the hammerhead be on.

LONGNECKER said the hammerhead would have to be located on the applicant's property.

JOHNSON asked if the adjacent property owners who will not be able to go south on Brunswick were at the DAB meeting and if they were okay with that proposal.

LONGNECKER said several neighbors were at the DAB hearing.

JOHNSON clarified that the restaurant will have no drive-up window.

LONGNECKER responded yes, and said it would be NR zoning which allows only 2,000 square feet for a restaurant with no drive-thru or curb service and 8,000 square feet of retail.

DIRECTOR MILLER clarified that NR zoning limits any individual commercial use to 8,000 square feet but the applicant can have a building as big as they can fit onto the lot.

MILLER STEVENS referenced the decision that the Commission made regarding this property 6-8 months ago. She asked what was staff's rationale for recommending approval of this application; and why the Commission should reverse the decision they made on the property previously.

LONGNECKER referenced the original Staff Report for case ZON2015-00031 and said staff did not have a restaurant as a prohibited use. He said the applicant's agent withdrew that use at the Planning Commission meeting.

RICHARDSON asked if there were regulations regarding odors from restaurants and if so, who enforces that.

LONGNECKER deferred to legal counsel.

SHARON DICKGRAFE, CHIEF DEPUTY CITY ATTORNEY referred to the City Code and said MABCD or Public Works Environmental Health would be the enforcing agent. She later reported that Chapter 7.42 of the City Code regulates Objectionable Odors; however, odors from restaurants or food preparation is exempted as an objectionable odor.

WARREN said the questions being asked need to be asked when the applicant and agent are present. He requested that the Commission not try to hear the case right now and open it up to the public who are here to speak.

CHAIR NEUGENT asked if the applicant or agent were present. There was no response.

DAILEY clarified if a member of the public speaks today, they can speak again at the next Planning Commission meeting.

CHAIR NEUGENT commented that in the past, the Commission has always allowed additional public comment on deferred cases.

PAT O'BRYAN, 221 SOUTH BRUNSWICK said he didn't know anything about the proposed cul-de-sac that is something new and could be the worst case scenario. He commented that six months after the Outback was built, the basements of 227 and 233 South Brunswick flooded. He said the City and Outback butted heads and neither one would take the blame and just kept pointing fingers at each other. He said they already have a problem and the sewer department comes out to check the Outback regularly and now they want to put another restaurant. He said it is like a shell game between developers to try to get something past the neighborhood. He said they want to see if they can win and if they miss and didn't get that one, they will try again to see if the neighborhood finally can't figure it out. He said they do not want the entrances to this site on Brunswick. He said they already have a problem with beer bottles on the street and the trash from Lowe's. He said the trees and fence as a barrier aren't going to work. He said they tried that with Horton's and they just let the evergreens die. He said the neighbors want a wall, because evergreens die and fences are easy to tear down. He said the entrances on Brunswick will kill the neighborhood and turn this into a mini Ridge Road.

DAVID WOODROW, 140 SOUTH BRUNSWICK said he did a quick survey of the area and from the Outback restaurant on Ridge Road south to Kellogg there are 18 full service restaurants and takeout food service businesses. He asked when is enough too much; how many restaurants do they need in the area. He mentioned a property that was available a couple of hundred feet west on the south side of Maple that is zoned LC and has plenty of access so that would be a good place for a restaurant. He also noted that Brunswick is not a through street in this area that it runs from Maple up to First Street, and there are no sidewalks on either side so foot traffic is in the street. He said any increase in traffic will become a serious safety hazard to anyone walking along the street in addition to the numerous small children who ride their bikes in the area.

DAILEY asked Mr. Woodrow what were his feelings about a hammerhead or cul-de-sac.

WOODROW said if a restaurant has to go in at this location that might be a workable situation. He said he lives several houses up north so lighting, trash and odors don't really affect him, his main concern is traffic.

ELLISON noted that Douglas is blocked off with a fence and asked if that was at the request of the neighborhood.

WOODROW responded that he didn't know.

JEFF DROURHARD, 102 SOUTH BRUNSWICK said he is concerned about his children's safety and mentioned his three year old daughter riding her bike. He said it would be a shame to have to leave the neighborhood to do things with his kids.

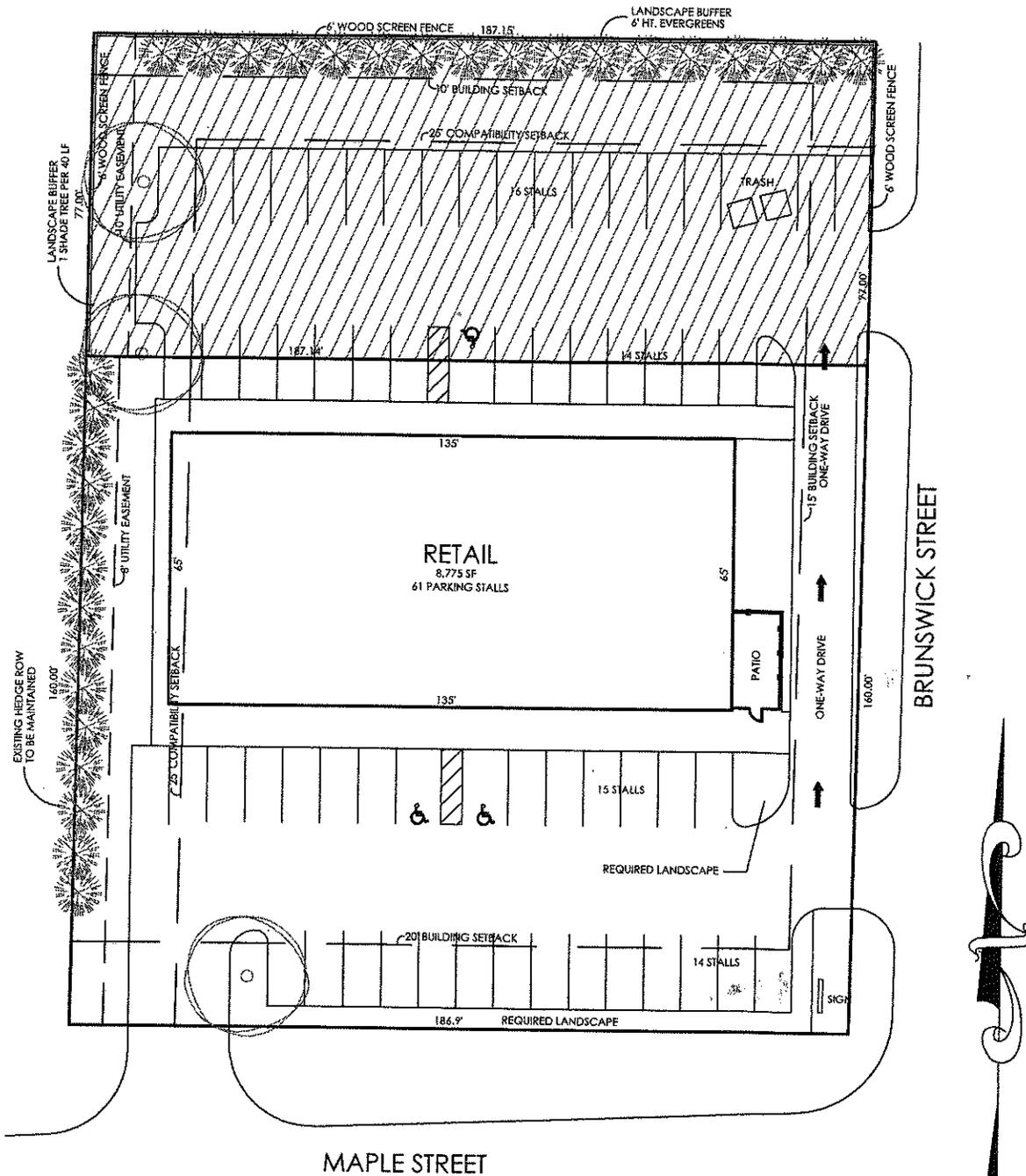
DAILEY asked about the fence across Douglas.

KNEBEL said staff will research the fence on Douglas and include that in the revised Staff Report.

FOSTER asked if it was standard policy that whenever an applicant asks for a deferral they are automatically going to get it or can the Commission make a motion either way.

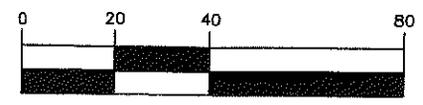
DICKGRAFE replied that the scheduling of any kind of application hearing is up to the discretion of the Commission, that they have policies and procedures and it is not an assumption that the Commission will grant a request for deferral.

EXHIBIT A



LEGEND
 // // // // TF-3 ZONING

GRAPHIC SCALE



(IN FEET)
 1 inch = 40 ft.



200 N. EMPORIA, SUITE 100
 WICHITA, KANSAS 67202
 PH. (316) 440-4304 | FAX (316) 440-4309
 wh@kveng.com | www.kveng.com

KAW VALLEY ENGINEERING

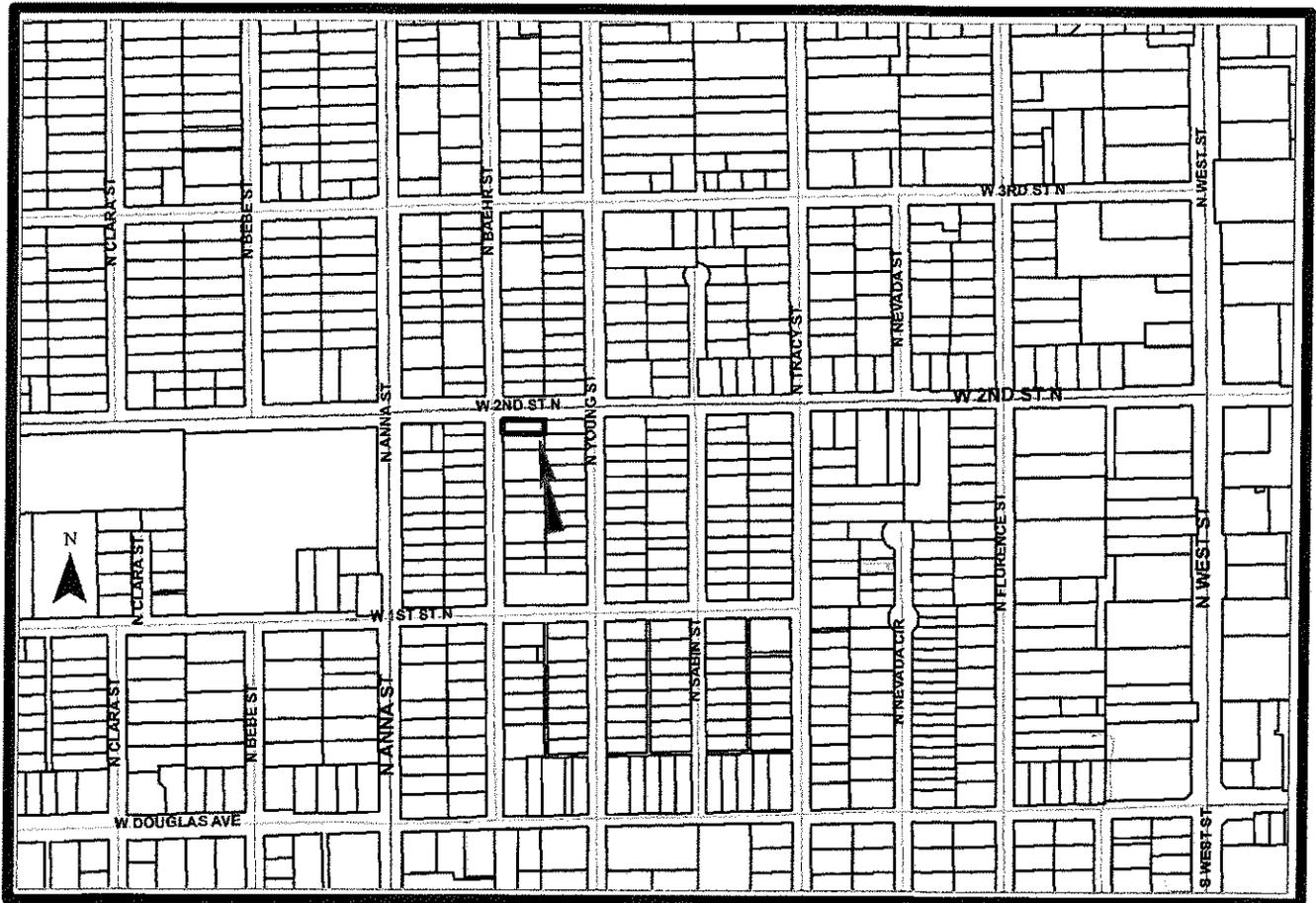
3/11/2016
 0264EXBA



STAFF REPORT

MAPC July 21, 2016
DAB VI July 20, 2016

- CASE NUMBER:** ZON2016-25
- APPLICANT/AGENT:** Ceasar Morales (owner), Jeff Niedens (Agent)
- REQUEST:** TF-3 Two-Family Residential (TF-3) zoning
- CURRENT ZONING:** SF-5 Single-Family Residential (SF-5) zoning
- SITE SIZE:** 0.14 acres
- LOCATION:** Generally located at the southeast corner of 2nd and Baehr (4629 W. 2nd)
- PROPOSED USE:** Duplex



BACKGROUND: The applicant requests TF-3 Two-Family Residential (TF-3) zoning on a 0.14-acre platted lot. The vacant, corner lot has 50 feet of frontage along North Mount Carmel Avenue and 135 feet of frontage along West 2nd Street. The applicant intends to develop a duplex on the site. The lot meets the Unified Zoning Code (UZC) minimum lot dimensions and size for a duplex in TF-3 zoning.

The surrounding neighborhood is primarily zoned SF-5 Single-family Residential (SF-5) and developed with single-family residences. However, over a dozen lots of TF-3 zoning exist within this neighborhood between Clara Street and Florence along W. 2nd Street. North of the site on W. 2nd are SF-5 and TF-3 zoned single- and two-family residences. East, south and west of the site are SF-5 zoned single-family residences.

CASE HISTORY: The site was platted as Lot 24, Block 10 of the Orchard Park Addition in 1929.

ADJACENT ZONING AND LAND USE:

NORTH:	SF-5; TF-3	Single-family and Two-family residences
SOUTH:	SF-5	Single-family residences
EAST:	SF-5	Single-family residences
WEST:	SF-5	Single-family residences

PUBLIC SERVICES: West 2nd Street is a paved, two-lane local street at this location with a 70-foot right-of-way. Baehr is a paved, two-lane local street at this location with a 60-foot right-of-way. All public services are available to the site.

CONFORMANCE TO PLANS/POLICIES: The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Established Central Area - the mature neighborhoods within an approximate three-mile radius of the downtown core. The Plan encourages infill development within the Established Central Area that maximizes public investment in existing and planned infrastructure and services. The Plan also encourages development of a variety of lot sizes and housing types within the Established Central Area. The Plan's *2035 Wichita Future Growth Concept Map* identifies this location as "residential," encompassing areas that reflect the full diversity of residential development densities and types, including duplexes, typically found in large urban municipality.

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 surrounding neighborhood is primarily zoned SF-5 and developed with single-family residences. However, over a dozen lots of TF-3 zoning exist within this neighborhood between Clara Street and Florence along W. 2nd Street. North of the site on W. 2nd are SF-5 and TF-3 zoned single- and two-family residences. East, south and west of the site are SF-5 zoned single-family residences.
- (2) The suitability of the subject property for the uses to which it has been restricted:** The vacant site is currently zoned SF-5 and could be developed with a single-family residence.
- (3) Extent to which removal of the restrictions will detrimentally affect nearby property:** Impact on surrounding property due to the requested zone change should be minimal; duplexes and TF-3 zoning are common within the surrounding blocks. A duplex on the site could be better for the neighborhood than a vacant lot.

- (4) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Established Central Area - the mature neighborhoods within an approximate three-mile radius of the downtown core. The Plan encourages infill development within the Established Central Area that maximizes public investment in existing and planned infrastructure and services. The Plan also encourages development of a variety of lot sizes and housing types within the Established Central Area. The Plan's *2035 Wichita Future Growth Concept Map* identifies this location as "residential," encompassing areas that reflect the full diversity of residential development densities and types, including duplexes, typically found in large urban municipality.
- (5) **Impact of the proposed development on community facilities:** All services are in place. Any increased demand on community facilities can be handled by existing infrastructure.

AGENDA ITEM NO. 6

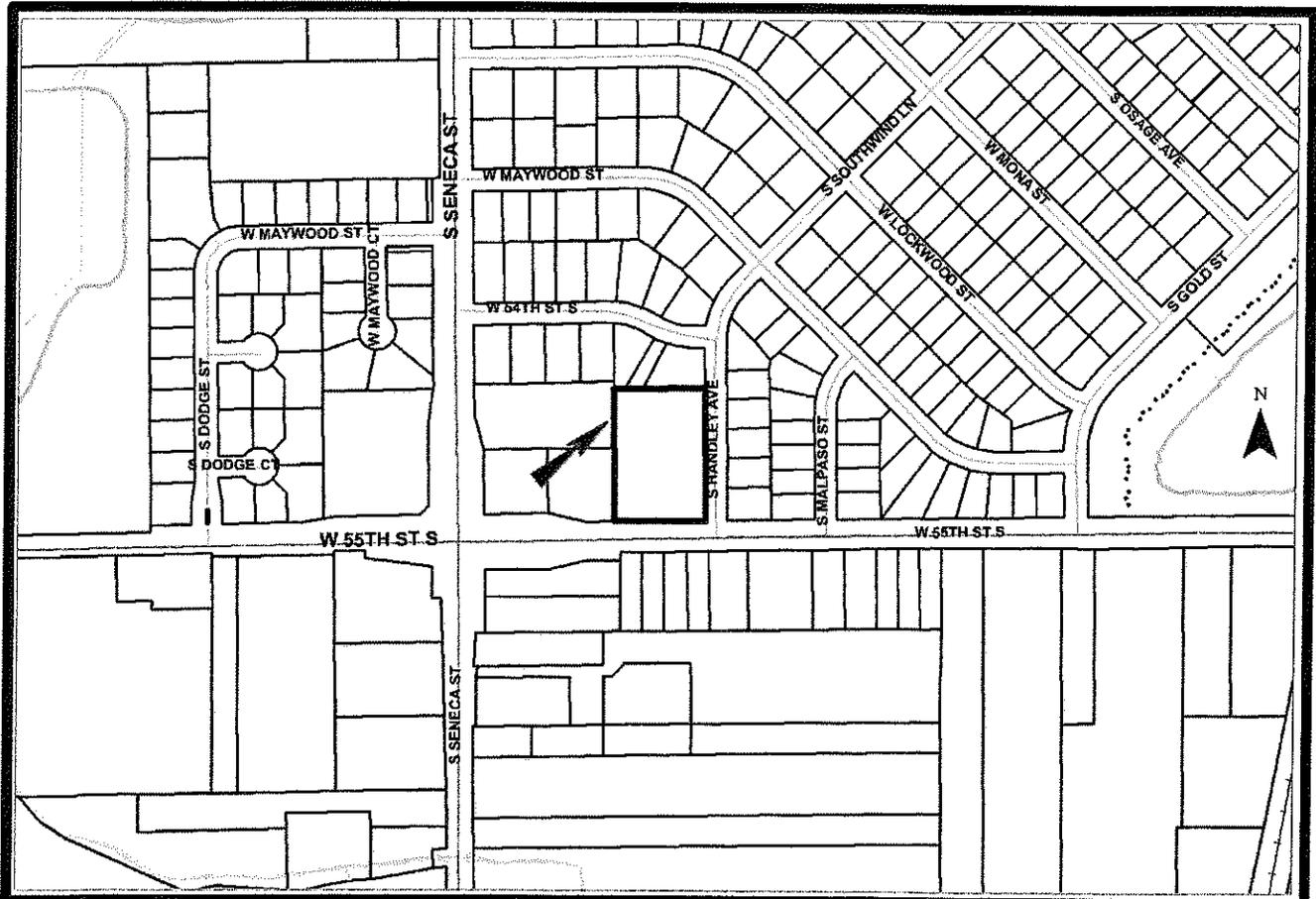
- 6. Case No.: ZON2016-00028 (Deferred to 8-18-16)
Request: City zone change from B Multi-family Residential and SF-5 Single-family Residential to LC Limited Commercial.
General Location: South of East 21st Street North and on both sides of North Piatt Avenue (2101 E. 21st St., N.).
Presenting Planner: Scott Knebel



STAFF REPORT

MAPC July 21, 2016
DAB IV August 1, 2016

- CASE NUMBER:** ZON2016-00029
- APPLICANT/AGENT:** Nett Development Co., Inc (owner), Ruggles & Bohm (agent)
- REQUEST:** TF-3 Two-Family Residential (TF-3)
- CURRENT ZONING:** SF-5 Single-Family Residential (SF-5)
- SITE SIZE:** 2.40 acres
- LOCATION:** Generally located east of S. Seneca on W. 55th Street (1000 W. 55th Street)
- PROPOSED USE:** Duplex



BACKGROUND: The applicant requests TF-3 Two-Family Residential zoning on a 2.40-acre unplatted lot. The vacant, corner lot has 255 feet of frontage along West 55th Street and 355 feet of frontage along S. Handley Avenue. The applicant intends to develop duplexes on the site. The subject property will have to be platted into multiple lots to develop more than a single duplex on the property.

The surrounding neighborhood is developed residential. West of the site is LC Limited Commercial zoning, north of the site is MF-29 Multi-family zoning and east of the site is TF-3 zoning, which are all developed with duplexes. South of the site is LC and SF-5 zoning developed with single-family residences.

CASE HISTORY: The site is unplatted and is currently developed with a single-family residence.

ADJACENT ZONING AND LAND USE:

NORTH:	MF-29	Duplexes
SOUTH:	SF-5 & LC	Single-family residences
EAST:	TF-3	Duplexes
WEST:	LC	Duplexes

PUBLIC SERVICES: West 55th Street is a paved, two-lane arterial street at this location with an 80-foot right-of-way. South Handley is a paved, two-lane local street at this location with a 60-foot right-of-way. All public services are available to the site.

CONFORMANCE TO PLANS/POLICIES: The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Wichita City limit and the South Wichita/Haysville Area Plan. The Plan's *2035 Wichita Future Growth Concept Map* identifies this location as "residential," encompassing areas that reflect the full diversity of residential development densities and types, including duplexes, typically found in large urban municipality. The site is located in the South Wichita/Haysville Area Plan, which identifies the location for residential development.

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 surrounding neighborhood is zoned LC, MF-29, TF-3 and SF-5 and developed with multi-family, duplexes and single-family residences.
- (2) **The suitability of the subject property for the uses to which it has been restricted:** The vacant site is currently zoned SF-5 and is developed with a single-family residence. The site could be platted to develop more dwelling units on individual lots. As zoned, these units would have to be single-family. With the proposed zoning, they could be single-family or duplexes.
- (3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** Impact on surrounding property due to the requested zone change should be minimal; duplexes and TF-3 zoning are common within the immediate area.
- (4) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Wichita City limit. The Plan's

2035 Wichita Future Growth Concept Map identifies this location as “residential,” encompassing areas that reflect the full diversity of residential development densities and types, including duplexes, typically found in large urban municipality. The South Wichita/Haysville Area Plan identifies the area as appropriate for residential development.

- (5) **Impact of the proposed development on community facilities:** All services are in place. Any increased demand on community facilities can be handled by existing infrastructure.

BACKGROUND: The applicant is requesting LI Limited Industrial (LI) zoning on the 1.91-acre, platted GC General Commercial (GC) zoned site located south of East Kellogg Street/US-54 Highway on the southeast corner of North Webb Road and East Orme Street. There is a 5,800-square foot ware-house office (built 1985) located on the site. The applicant is requesting LI zoning to allow auto sales on the site, which is permitted by right in the GC and LI zoning districts. However, the Unified Zoning Code (UZC) requires all parking, outdoor storage and display areas to be paved with concrete, asphalt or asphaltic concrete or any comparable hard surfacing material for car sales in the GC zoning district; UZC Sec.III-D.6.hh. There is no requirement for paving of outdoor storage and display areas in the LI zoning district. The 1.91-acre subject site's parking areas are paved except approximately the east 85 feet, thus the request.

The GC zoned subject site is currently an auto detail shop, Auto Boutique, which provides interior and exterior cleaning, minor dent repair, window repair, and similar services. The applicant, Manheim Auto Auctions (per their web site), is an international wholesale vehicle auction business (on-line or on-site), that also provides chip repair, auto body repair, partial bumper repair, paint-less dent repair, key replacement/locksmith services, pin striping, wet sand and buff, wheel repair, windshield repair, and windshield replacement. All of the current and proposed activities are permitted by right in the GC zoning district. Some Manheim sites also hold salvage auctions of inoperable vehicles and parts. The applicant has not indicated if the subject site would hold salvage auctions, which would require a conditional use in the LI zoning district.

The site is located in an area bordered by Kellogg Street on the north, I-35 on the south, Webb Road on the west and Greenwich Road on the east. The area is developed with large car sales lots, big box retail, commercial strips and stand-alone retail/commercial and the Beechcraft Aircraft manufacturing facility. The area is currently impacted by the construction of the Kellogg/US-54 improvements, which is targeted for completion in 2019-2020.

GC zoning is the predominate zoning in the area, except for approximately 11-acres of LI (ZON2015-00052/PO-307) undeveloped land, six SF-5 zoned single-family residences (built 1954 and early 1970s) and some LC Limited Commercial sites located by Greenwich Road. The more immediate area has a GC zoned partially occupied (Groves Liquor Store) retail box (built 1992), Discount Auto Sales (built 1970) and a body shop (built 1999) located north of the site, across Orme Street. The long established (1940) LI zoned Beechcraft Aircraft manufacturing facility is located further north of the site, across Kellogg Street, as is the LI zoned Costco Store (built 2015). Beechcraft is the largest single-development in the area. A GC zoned collision repair shop (built 1980) abuts the south side of the site. I-35 is located south of the collision repair shop and a SF-5 Single-Family Residential (SF-5) zoned church is located south of I-35. A GC zoned office (built 2002) abuts the east side of the site, with vacant GC zoned property and a Pittsburg Paints warehouse (built 2007) located further east of the site. Webb Road abuts the west side of the site. There is an LI zoned retail store located on the west side of Webb Road. A Kansas Turnpike Authority (KTA) service and repair yard and buildings is also located west of the site within the Kellogg – I-35 interchange right-of-way

CASE HISTORY: The site is located on portions of Lots 1 and 2, Rosson Addition, which was recorded with the Register of Deeds May 16, 1978.

ADJACENT ZONING AND LAND USE:

NORTH: GC, LI Partially occupied big box retail with retail liquor store tenant, aircraft manufacturing facility, big box retail
SOUTH: GC, SF-5 Collision repair shop, I-35, church.
EAST: GC Office, vacant land, warehouse, car sales
WEST: LI Webb Road, retail building, KTA service and repair yard and buildings

PUBLIC SERVICES: All utilities are available to the site. Access to the site is provide by Orme Street, a paved two-lane, local street, which intersects with the paved four-lane arterial Webb Road.

CONFORMANCE TO PLANS/POLICIES: The “2035 Wichita Growth Concept Map” of the Comprehensive Plan identifies the general location as appropriate for “new employment” development. This category encompasses areas likely to be developed or re-developed by 2035 with uses that constitute centers or concentrations of employment primarily in manufacturing, warehousing, distribution, construction, research, technology, business services, or corporate offices. Major shopping centers and office parks are likely to be developed as well, based on market driven factors. Higher density housing and convenience centers are also development possibilities. In areas of existing industrial uses associated with extraction, processing or refinement of natural resources or recycling of waste materials like will be developed. There are no existing industrial uses associated with extraction, processing or refinement of natural resources or recycling of waste materials in this area. The area is developed with large car sales lots, big box retail, commercial strips, stand-alone retail/commercial and the Beechcraft Aircraft manufacturing facility.

The purpose of the LI zoning district is to accommodate moderate intensity manufacturing, industrial, commercial and complementary land uses. The requested LI zoning district can be compatible with the new employment classification. If approved the proposed LI zoning would meet for all practical purposes the locational criteria of industrial land having direct access to arterial roads, in this case the abutting four-lane arterial Webb Road via a short distance on the paved two-lane Orme Street. The requested LI zoning would allow the applicant to sale vehicles on an unpaved surface, a curious request considering that all of the 1.91-acre site is paved except for approximately the east 85 feet of the site. The requested LI zoning is partially in character with the area. The LI zoning does not allow wreacking and salvage nor the sale of wrecked vehicles or salvaged parts without conditional use approval.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the proposed LI zoning be APPROVED.

This recommendation is based on the following findings:

- (1) **The zoning, uses and character of the surrounding area:** GC zoning is the

predominate zoning in the area, except for approximately 11-acres of LI (ZON2015-00052/PO-307) undeveloped land, six SF-5 zoned single-family residences (built 1954 and early 1970s) and some LC Limited Commercial sites located by Greenwich Road. The more immediate area has a GC zoned partially occupied (Groves Liquor Store) retail box (built 1992), Discount Auto Sales (built 1970) and a body shop (built 1999) located north of the site, across Orme Street. The long established (1940) LI zoned Beechcraft Aircraft manufacturing facility is located further north of the site, across Kellogg Street, as is the LI zoned Costco Store (built 2015). Beechcraft is the largest single-development in the area. A GC zoned collision repair shop (built 1980) abuts the south side of the site. I-35 is located south of the collision repair shop and a SF-5 Single-Family Residential (SF-5) zoned church is located south of I-35. A GC zoned office (built 2002) abuts the east side of the site, with vacant GC zoned property and a Pittsburg Paints warehouse (built 2007) located further east of the site. Webb Road abuts the west side of the site. There is an LI zoned retail store located on the west side of Webb Road. A Kansas Turnpike Authority (KTA) service and repair yard and buildings is also located west of the site within the Kellogg – I-35 interchange right-of-way.

- (2) **The suitability of the subject property for the uses to which it has been restricted:** The site's current GC zoning allows car sales by right, but requires the paving of parking, outdoor storage and display areas. The proposed LI zoning allows car sale by right but does not require requires the paving of outdoor storage and display areas. The applicant does not want to pay for the paving of outdoor storage and display areas on the east 85 feet of the site. The proposed LI is partially in character with the area's existing LI and GC zoning, although GC zoning is the predominate zoning on lands located south of Kellogg Street, such as the subject site.
- (3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** The GC zoned Discount Auto Sales, located northeast of the site has vehicles, some in various stages of repair, some parked/stored on unpaved surfaces. Some Manheim sites also hold salvage auctions of inoperable vehicles and parts. The applicant has not indicated if the subject site would hold salvage auctions, which would require a conditional use in the LI zoning district.
- (4) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** "2035 Wichita Growth Concept Map" of the Comprehensive Plan identifies the general location as appropriate for "new employment" development. This category encompasses areas likely to be developed or re-developed by 2035 with uses that constitute centers or concentrations of employment primarily in manufacturing, warehousing, distribution, construction, research, technology, business services, or corporate offices. Major shopping centers and office parks are likely to be developed as well, based on market driven factors. Higher density housing and convenience centers are also development possibilities. In areas of existing industrial uses associated with extraction, processing or refinement of natural resources or recycling of waste materials like will be developed. There are no existing industrial uses associated with extraction, processing or refinement of natural resources or recycling of waste materials in this area.

The area is developed with large car sales lots, big box retail, commercial strips, stand-alone retail/commercial and the Beechcraft Aircraft manufacturing facility.

The purpose of the LI zoning district is to accommodate moderate intensity manufacturing, industrial, commercial and complementary land uses. The requested LI zoning would allow the applicant to sale vehicles on an unpaved surface, a curious request considering that all of the 1.91-acre site is paved except for approximately the east 85 feet of the site. The requested LI zoning is partially in character with the area. The LI zoning does not allow wrecking and salvage nor the sale of wrecked vehicles or salvaged parts without conditional use approval.

- (1) **Impact of the proposed development on community facilities:** The site may generate an additional amount of industrial truck traffic onto Orme Street, which allows access onto the four-lane arterial Webb Road.



STAFF REPORT
MAPC July 21, 2016
DAB VI July 20, 2016

CASE NUMBER: ZON2016-31

APPLICANT/AGENT: TMR Partners, attn. Samantha Allen (owner)

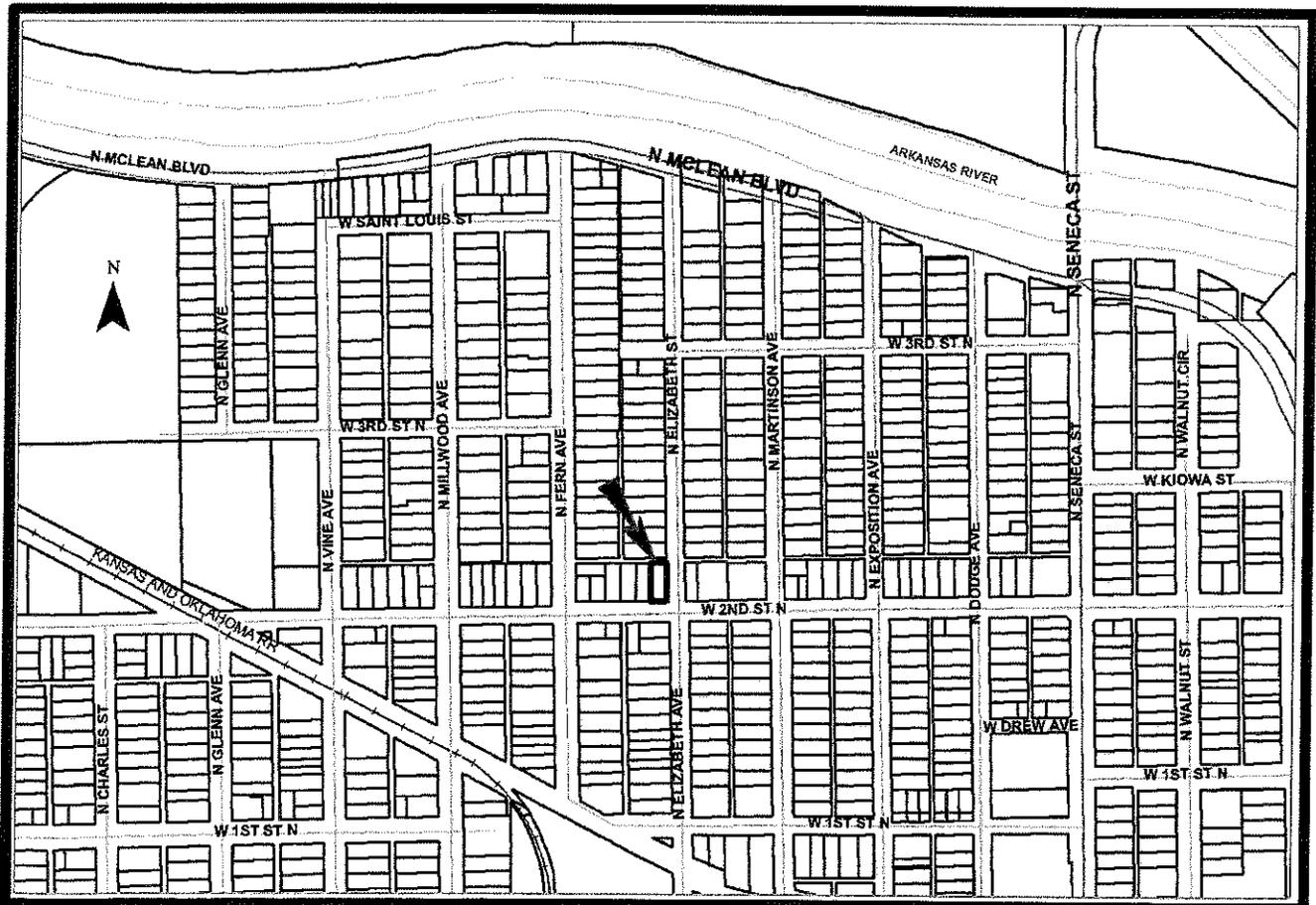
REQUEST: MF-18 Multi-Family Residential (MF-18)

CURRENT ZONING: SF-5 Single-Family Residential (SF-5)

SITE SIZE: 0.14 acres

LOCATION: Generally located at the northwest corner of West 2nd and North Elizabeth (1502 W. 2nd and 309 N. Elizabeth)

PROPOSED USE: Multi-Family Residential



BACKGROUND: The applicant requests MF-18 Multi-Family zoning on a 0.14-acre platted lot. The two single-family residences on the lot were built in 1919 (1502 W. 2nd) and 1920 (309 N. Elizabeth). The applicant intends to remodel/update the two structures on the lot. The lot meets the Unified Zoning Code (UZC) minimum lot dimensions and size for MF-18 zoning.

The surrounding neighborhood is primarily zoned SF-5 Single-family Residential (SF-5) and developed with single-family residences. However, lots within a five-block area are zoned MF-18. These properties are located south of W. 2nd between Martinson and Glenn.

CASE HISTORY: The site was platted as lots 33 and 35 of the Walter Morris & Sons 3rd Addition in 1922. Both residential structures pre-date the platting of the addition creating a non-conforming use in SF-5 zoning.

ADJACENT ZONING AND LAND USE:

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

PUBLIC SERVICES: West 2nd Street is a paved, two-lane local street at this location with a 70-foot right-of-way. North Elizabeth is a paved, two-lane local street at this location with a 60-foot right-of-way. All public services are available to the site.

CONFORMANCE TO PLANS/POLICIES: The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Wichita City limit and the Delano Area Plan. The Plan's *2035 Wichita Future Growth Concept Map* identifies this location as "residential," encompassing areas that reflect the full diversity of residential development densities and types, including multi-family, typically found in large urban municipality. The site is located in the Delano Area Plan, which identifies the location for residential development and recommends redevelopment of original structures in the area.

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 surrounding neighborhood is primarily zoned SF-5 Single-family Residential (SF-5) and developed with single-family residences. However, lots within a five-block area are zoned MF-18. These properties are located south of W. 2nd between Martinson and Glenn.
- (2) The suitability of the subject property for the uses to which it has been restricted:** The site is currently zoned SF-5 and is a non-conforming use with two single-family residential structures. Re-zoning the property to MF-18 would remove the non-conformity.

- (3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** Impact on surrounding property due to the requested zone change should be minimal. The use of the subject property is not proposed to change, other than renovations to improve both houses.
- (4) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Wichita City limit and the Delano Area Plan. The Plan's *2035 Wichita Future Growth Concept Map* identifies this location as "residential," encompassing areas that reflect the full diversity of residential development densities and types, including multi-family, typically found in large urban municipality. The site is located in the Delano Area Plan, which identifies the location for residential development and recommends redevelopment of original structures in the area.
- (5) **Impact of the proposed development on community facilities:** All services are in place. Any increased demand on community facilities can be handled by existing infrastructure.

STAFF REPORT
DAB IV 7-20-16
MAPC 7-21-16

CASE NUMBER: CON2016-19

APPLICANT/AGENT: Homer Morgan (applicant), Stephen Joseph (agent)

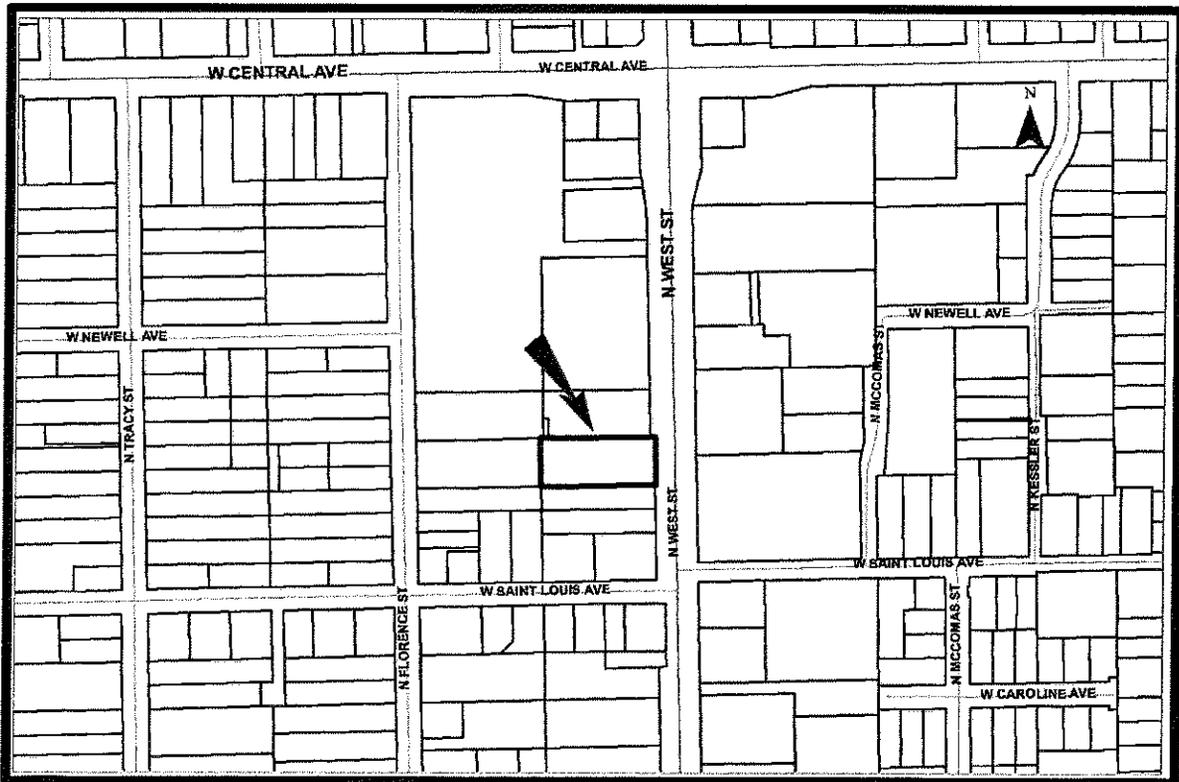
REQUEST: Conditional Use for a Nightclub in the City within 300 feet of residential zoning

CURRENT ZONING: LC Limited Commercial

SITE SIZE: 0.79 acres

LOCATION: South of Central and west of West Street (511 N. West - Yvie's)

PROPOSED USE: Tavern and Drinking Establishment with Entertainment License



BACKGROUND: The application area, 511 North West Street, is located on the west side of North West Street and south of the West Central Avenue intersection in LC Limited Commercial (LC) zoning and within 300 feet of residential zoning. The site is developed with a one-story building and 30 off-street parking spaces. The County Tax Assessor lists “bar/tavern/lounge” as the current land use. The site currently has a drinking establishment license allowing the sale of alcohol to exceed 50% of gross sales. A drinking establishment has functioned on the site for many years. The current drinking establishment is permitted in LC zoning, but is legal non-conforming under the Unified Zoning Code (UZC) because it is within 300 feet of residential zoning. The applicant wishes to obtain an entertainment license and therefore requests this conditional use for a “nightclub in the city.” Nightclub in the city is defined by the Unified Zoning Code (UZC) as an establishment that provides entertainment and/or dancing, where alcoholic beverages are served and where food may or may not be served. The UZC permits a nightclub in the city in the LC zoning district by right, but requires a conditional use if the property is located within 300 feet of a church, park, school or residential zoning district. The application area is adjacent to multi-family residential zoning and development west of the site. Duplex zoning and single-family residential development also exist within 300 feet southwest of the application area.

Property north of the site is zoned LC and developed with retail and restaurant uses. Property south of the site is zoned LC and developed with vehicle repair and a restaurant. Property east of the site is zoned LC and developed with printing, retail and restaurant uses. Property west of the site is zoned MF-29 Multi-family Residential (MF-29) and TF-3 Two-family Residential (TF-3) and developed with apartments and single-family residences.

CASE HISTORY: The site was platted as of Lot 5, Block 8 of the Parkwilde Addition to Wichita in 1887.

ADJACENT ZONING AND LAND USE:

North: LC	Neighborhood shopping center, retail, restaurant
South: LC	Vehicle repair, restaurant
East: LC	Printing, retail, restaurant
West: MF-29, TF-3	Apartments, single-family residences

PUBLIC SERVICES: North West Street is a paved arterial street with four lanes, a central turn lane and a signalized intersection at Central Avenue with additional turn lanes.

CONFORMANCE TO PLANS/POLICIES: The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Established Central Area - the mature neighborhoods within an approximate three-mile radius of the downtown core. The Plan’s *2035 Wichita Future Growth Concept Map* identifies this location as “new employment.” The UZC requires one parking space per two seats for nightclubs. The applicant indicates that the site has an occupancy of 100 people. The applicant’s site plan demonstrates 30 parking spaces, 20 fewer than required. The applicant will require additional parking, which the site can accommodate. Or, the applicant could obtain a parking reduction through an adjustment or variance combined with additional on-site parking and/or a parking agreement with an adjacent property to meet the UZC parking requirement.

RECOMMENDATION: Staff notes that some form of drinking establishment has existed on this site for some time which does not appear to be incompatible with nearby residential uses. This application does not introduce a new use to the area. Staff notes that the site is screened and buffered with landscaping from nearby residential properties. Based upon the information available prior to the public hearings, planning staff recommends that the request for a Conditional Use for a Nightclub in the City be **APPROVED**, with the following conditions:

- (1) The applicant shall meet the UZC parking requirements by providing additional parking on the site, obtaining a parking reduction, or securing an off-site parking agreement.
- (2) The applicant shall submit a revised site plan, to be approved by planning staff, which identifies required parking.
- (3) The site shall be developed and maintained in conformance with the approved site plan.
- (4) No outside loudspeakers or outdoor entertainment is permitted.
- (5) The site shall maintain all necessary licenses for a nightclub in the city.
- (6) The site shall conform to all applicable codes and regulations to include but not limited to zoning, building, fire and health.
- (7) 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 the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: Property north of the site is zoned LC and developed with retail and restaurant uses. Property south of the site is zoned LC and developed with vehicle repair and a restaurant. Property east of the site is zoned LC and developed with printing, retail and restaurant uses. Property west of the site is zoned MF-29 Multi-family Residential (MF-29) and TF-3 Two-family Residential (TF-3) and developed with apartments and single-family residences.
2. The suitability of the subject property for the uses to which it has been restricted: The site is zoned LC and developed with a drinking establishment. The site could continue to be a legal non-conforming drinking establishment without the nightclub conditional use.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The site is zoned LC and could be developed with any range of permitted uses in that district. The proximity of residential zoning triggers the conditional use review for a nightclub. Noise and activity from the nightclub could impact nearby residences; proposed conditions prohibiting outdoor speakers and entertainment should mitigate this impact. The request does not introduce a new use in the neighborhood. The limited size of the site and building will prevent expansion beyond a neighborhood scale, and proposed conditions should mitigate impacts on surrounding properties.

4. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: Denial of the request would presumably be an economic hardship upon the property owner, as the applicant owns the property and desires to operate the proposed business within LC zoning.
5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as within the Established Central Area - the mature neighborhoods within an approximate three-mile radius of the downtown core. The Plan's *2035 Wichita Future Growth Concept Map* identifies this location as "new employment." The UZC requires one parking space per two seats for nightclubs. The applicant indicates that the site has an occupancy of 100 people. The applicant's site plan demonstrates 30 parking spaces, 20 fewer than required.
6. Impact of the proposed development on community facilities: The proposed Conditional Use should not impact community facilities to any greater extent other uses permitted in the LC zoning district.

Site Plan

CONDITIONAL USE PERMIT FOR:
 Tavern and Drinking Establishment and
 Entertainment Establishment
APPLICANT:
 Homer Morgan, Trustee
AGENT:
 Stephen M. Joseph
LEGAL DESCRIPTION:
 Lot 5, Block 8, Parkwilde Addition to
 Wichita
SIZE:
 0.79 Acres
BUSINESS:
 Yvie's - Tavern and Drinking
 Establishment

Legend

📍 511 N. West St.

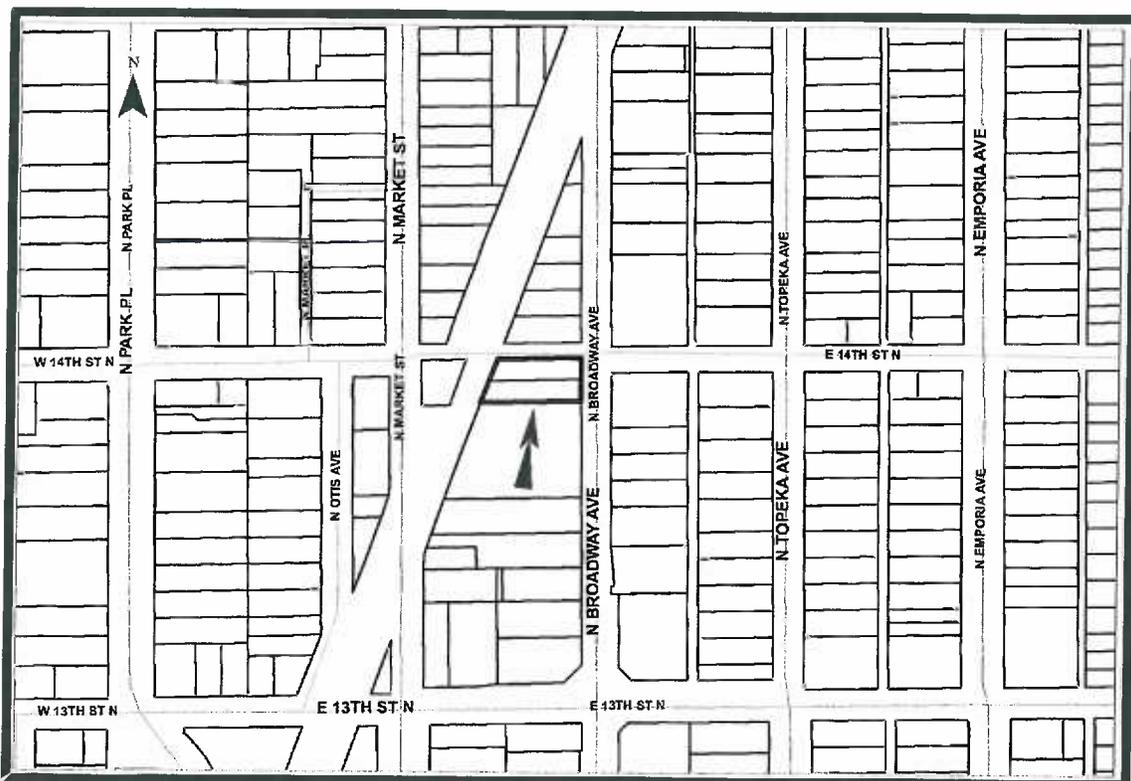




STAFF REPORT

MAPC July 21, 2016
DAB VI July 20, 2016

- CASE NUMBER:** CON2016-00020
- APPLICANT/AGENT:** Homer Morgan Revocable Trust, c/o Homer Morgan, Trustee (applicant/owner); Stephen M. Joseph (agent)
- REQUEST:** Conditional Use to allow a Nightclub in the City
- CURRENT ZONING:** Limited Commercial (LC)
- SITE SIZE:** 0.33 acres
- LOCATION:** Generally located north of 13th Street North on the west side of Broadway at 1457 N. Broadway
- PROPOSED USE:** Allow unlimited alcohol sales and entertainment



BACKGROUND: The LC Limited Commercial (LC) zoned 0.33 acre platted subject property is generally located north of 13th Street North on the west side of Broadway at 1457 N. Broadway. Currently the south portion of a 2,628-square foot one-story commercial strip building (built 1950) that advertises itself as El Sombrero is located on the subject property. The subject property is currently vacant.

When a tavern, drinking establishment or nightclub is located within 300 feet of a church or place of worship, public park, public or parochial school or residential zoning district, approval of a Conditional Use is required; Unified Zoning Code (UZC), Sec.III-D6.w. TF-3 Two-Family Residential (TF-3) zoned properties are located approximately 55 feet west and 225 east of the subject property. There is no history of a Use Exception or Conditional Use for a tavern, drinking establishment or nightclub on the subject property. However, the applicant has stated that the subject property has been either a tavern, drinking establishment or nightclub most of its time (from 1955 to the present). The subject property's most recent drinking establishment license expired November 2, 2015, and prior to that time, a legal, non-conforming nightclub operated on the property. The applicant is applying for a Conditional Use for a nightclub to get the subject property in conformance with the UZC and to obtain a drinking establishment and entertainment license.

The applicant's site plan is an aerial and shows 19 marked parking spaces on the east side of the building. There is a paved parking lot without marked parking spaces on the west side of the building that could accommodate another seven (7) parking spaces, for a total of 26 parking spaces on the subject property. The proposed nightclub shares the 2,928-square foot one-story commercial strip building with a closed Chit Chat Wireless store. The occupancy of the nightclub is 40, and the retail space in the building occupies approximately 1,800 square feet. The parking requirement for the nightclub is 20 parking spaces (one space per two occupants), and six (6) parking spaces (one space per 333 square feet) are required for the retail space. Therefore, the 26 on-site parking spaces meet UZC parking requirements.

A variety of business along Broadway that are zoned LC and GC General Commercial (GC) and include restaurants, retail, offices, motels, vehicle repair, vehicle sales, and a mortuary, comprise the predominate development in the vicinity of the subject property. Residential areas located both east and west of the Broadway commercial corridor and are developed with a mixture of single-family, two-family, and multi-family residences zoned TF-3, MF-29 Multi-Family Residential (MF-29), and B Multi-Family Residential (B). A multi-use path abuts the west boundary of the subject property, and east of the subject property across Broadway is a vacant site currently under development.

CASE HISTORY: The subject property is platted as Lots 14 and 15 on Lawrence (now Broadway) Avenue, Hartle Addition, which was recorded March 3, 1910.

ADJACENT ZONING AND LAND USE:

NORTH:	LC	Duplex, restaurant, retail
SOUTH:	LC	Restaurant, motel, mortuary, vehicle sales, vehicle repair
EAST:	LC, GC	Office, retail, vehicle sales, single-family, duplex, vacant
WEST:	LC, TF-3	Multi-use path, single-family, duplex

PUBLIC SERVICES: The subject property has access to the paved four-lane, arterial Broadway Avenue. Municipal utilities and public services currently serve the subject property.

CONFORMANCE TO PLANS/POLICIES: The “Community Investments Plan” shows the subject property located within the “Established Central Area.” This area is comprised of the downtown core and the mature neighborhoods surrounding it in a roughly three mile radius. The established central area is the focus area for the Wichita Urban Infill Strategy. The established central area encourages a mixed-use development area with a focus on office, retail, hospitality, government services, high-density residential, and entertainment, cultural, and civic facilities and activities. A nightclub is an entertainment facility.

The “Community Investments Plan 2035 Wichita Future Growth Map” depicts the subject property as “commercial.” The commercial designation encompasses areas that reflect the full diversity of commercial development intensities and types typically found in a large urban municipality. Convenience retail, restaurants, small offices, and personal service uses are located in close proximity to, and potentially mixed with, residential uses. A nightclub is an appropriate use of the commercial designation.

The “Midtown Neighborhood Plan 2020 Future Land Use Concept” depicts the subject property as “mixed-use” and identifies as the main commercial corridor/district of the neighborhood. A nightclub is an appropriate use in a main commercial corridor.

RECOMMENDATION: A legal, non-conforming nightclub has operated on the subject property for many decades. The applicant is applying for a Conditional Use for a nightclub to get the subject property in conformance with the UZC and to obtain a drinking establishment and entertainment license. Based upon the information available prior to the public hearings, planning staff recommends that the request for a Conditional Use for a nightclub be **APPROVED**, with the following conditions:

- (1) The nightclub shall be limited to an occupancy of 40 persons, exclusive of an outdoor seating area as permitted by Sec. III-D.6.w. of the UZC.
- (2) No outdoor speakers or outdoor entertainment is permitted.
- (3) The site shall be developed in conformance with a revised site plan approved by planning staff. The site plan shall depict, at a minimum, the occupancies contained on the subject property; the required parking spaces; the trash dumpster and screening enclosure; and the outdoor seating/smoking area. The site plan must be submitted for review within 60-days of approval of the Conditional Use.
- (4) The site shall maintain all necessary licenses for a nightclub in the city.
- (5) The site shall conform to all applicable codes and regulations to include but not limited to zoning, building, fire, and health.
- (6) 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 the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

This recommendation is based on the following findings:

- (1) **The zoning, uses and character of the neighborhood:** A variety of business along Broadway that are zoned LC and GC General Commercial (GC) and include restaurants, retail, offices, motels, vehicle repair, vehicle sales, and a mortuary, comprise the predominate development in

the vicinity of the subject property. Residential areas located both east and west of the Broadway commercial corridor and are developed with a mixture of single-family, two-family, and multi-family residences zoned TF-3, MF-29 Multi-Family Residential (MF-29), and B Multi-Family Residential (B). A multi-use path abuts the west boundary of the subject property, and east of the subject property across Broadway is a vacant site currently under development.

- (2) **The suitability of the subject property for the uses to which it has been restricted:** The site is zoned the LC, which is meant to accommodate retail, commercial, office and other complementary uses. If approved, the request would establish a nightclub as conforming use to the UZC on the site.
- (3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** Typical concerns about tavern/drinking establishment/nightclub include bad behavior resulting from unlimited liquor sales, the noise from music and dancing, and the hours of the nightclub having a detrimental impact on the residential neighborhood. The subject property is located along the Broadway commercial corridor and is buffered from residential areas by a multi-use path, which should mitigate detrimental impacts on nearby properties.
- (4) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The “Community Investments Plan” shows the subject property located within the “Established Central Area.” This area is comprised of the downtown core and the mature neighborhoods surrounding it in a roughly three mile radius. The established central area is the focus area for the Wichita Urban Infill Strategy. The established central area encourages a mixed-use development area with a focus on office, retail, hospitality, government services, high-density residential, and entertainment, cultural, and civic facilities and activities. A nightclub is an entertainment facility.

The “Community Investments Plan 2035 Wichita Future Growth Map” depicts the subject property as “commercial.” The commercial designation encompasses areas that reflect the full diversity of commercial development intensities and types typically found in a large urban municipality. Convenience retail, restaurants, small offices, and personal service uses are located in close proximity to, and potentially mixed with, residential uses. A nightclub is an appropriate use of the commercial designation.

The “Midtown Neighborhood Plan 2020 Future Land Use Concept” depicts the subject property as “mixed-use” and identifies as the main commercial corridor/district of the neighborhood. A nightclub is an appropriate use in a main commercial corridor.

- (5) **Impact of the proposed development on community facilities:** It is possible that approval of this request could result in an increased demand for police services.

CON 2016-00020

Site Plan

Legend

📍 1457 N. Broadway St.

CONDITIONAL USE:

Tavern and Drinking Establishment and Entertainment Establishment

APPLICANT:

Homer Morgan, Trustee

AGENT:

Stephen M. Joseph

LEGAL DESCRIPTION:

Lots 14 and 15 on Lawrence Ave.,

Hartle's Addition to Wichita

BUSINESS:

El Sombrero

ADDRESS:

1457 N. Broadway, Wichita



Google earth

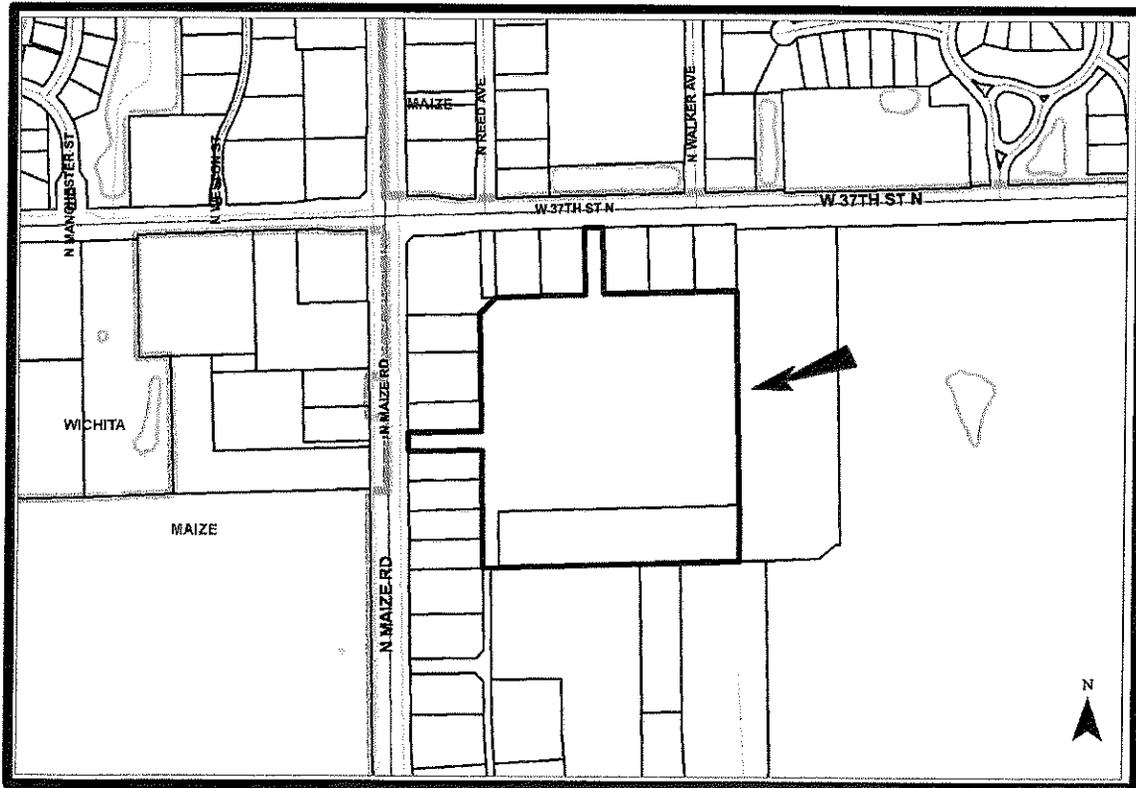
© 2015 Google

- 12.** Case No.: CUP2016-00022 (Deferred)
Request: City CUP Major Amendment to DP-62 to increase the permitted residential density on Parcel 8.
General Location: South and west of the intersection of East 21st Street North and North Rock Road on the east side of North Broadmoor Street.
Presenting Planner: Scott Knebel



STAFF REPORT
MAPC 7-21-16
DAB V 8-1-16

- CASE NUMBER:** CUP2016-23
- APPLICANT/AGENT:** Menard, Inc. c/o Tyler Edwards (owner); MKEC Engineering Inc., c/o Brian Lindebak (agent)
- REQUEST:** Amendment #2 to the Stonebridge Community Unit Plan, DP-295 Parcels 11a and 11b to allow expansion of an accessory building
- CURRENT ZONING:** LC Limited Commercial
- SITE SIZE:** 23.29 acres
- LOCATION:** Generally located south of West 37th Street North and east of North Maize Road
- PROPOSED USE:** Expansion of an accessory storage building



BACKGROUND: The LC Limited Commercial (LC) and GC General Commercial (GC) zoned site is located within DP-295, the Stonebridge Community Unit Plan (CUP) at the southeast corner of West 37th Street North and North Maize Road. The application area is developed with a Menard's Home Improvement store and an associated accessory storage structure used for lumber. The applicant requests various modifications to DP-295 Parcels 11a and 11b. The CUP currently limits the size of an accessory storage building on Parcel 11b, with a 35-foot setback, to 30,001 square feet. The applicant intends to increase the size of this building by over 40%, and requests to eliminate the size limitation. The accessory structure will maintain the 35-foot building setback and 45-foot height limit. The applicant requests to eliminate the Parcel 11a and 11b limit of a maximum of five buildings each, the maximum building coverage of 30% and floor area ratio of 0.30 remains the same. The applicant also requests to clarify parking standards language (see the applicants attached letter and draft CUP document) which is generally consistent with the current Unified Zoning Code (UZC), as the UZC parking standards were reduced after this CUP was created.

The existing DP-295 has building setbacks, landscaping, signage, lighting, trash screening, perimeter wall screening and other standards. The remainder of the CUP is zoned LC and developed primarily with restaurant and convenience store uses. The northeast and southwest corners of West 37th Street North and North Maize are in the City of Maize and developed with retail, banking, storage and government uses. The northwest corner of West 37th Street North and North Maize is zoned LC, under DP-262, and developed with a medical office. Land located south of the site is zoned LC, under DP-330, and is developing with multi-family residences. East of the site is an SF-5 Single-family Residential zoned Maize school site.

CASE HISTORY: The property is platted as Northborough Addition, recorded in 2009, the CUP was originally approved in 2009. It has been amended once and adjusted three times.

ADJACENT ZONING AND LAND USE:

NORTH:	City of Maize	University branch
SOUTH:	LC	Vacant, multi-family residential
EAST:	SF-5	Schools
WEST:	City of Maize	Retail, banking, self-storage

PUBLIC SERVICES: The property has direct access to Maize and 21st Street, both are four-lane arterial streets with turn lane improvements. The Maize and 21st Street intersection has center and right turn lanes.

CONFORMANCE TO PLANS/POLICIES: The site is subject to the recommendations contained in the adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*. The Plan's *2035 Wichita Future Growth Concept Map* identifies this location as "New Employment" which encompasses areas that likely will be developed or redeveloped by 2035 with uses that constitute centers or concentrations of employment primarily in manufacturing, warehousing, distribution, construction, research, technology, business services or corporate offices. Major shopping centers and office parks likely will be developed within this area as well, based upon market driven location factors. In certain areas, especially those in proximity to existing residential uses, higher density housing and convenience retail centers likely will be developed. The Locational Guidelines of the Comprehensive Plan encourage major commercial development at arterial street intersections. This application meets the Comprehensive Plan Land Use Compatibility and Design recommendations regarding screening, buffering, shared internal vehicular and pedestrian circulation, access controls, noise and lighting controls and aesthetic considerations.

RECOMMENDATION: Based upon the information available prior to the public hearings, planning

staff recommends that the request for an amendment to DP-295 Parcels 11a and 11b as requested be **APPROVED**, subject to the following conditions:

- (1) The applicant shall submit four revised copies of the CUP to the Metropolitan Area Planning Department within 60 days of approval or the request shall be considered denied and closed.
- (2) If the Zoning Administrator finds that there is a violation of any of the conditions of the CUP amendment, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare the CUP amendment null and void.

This recommendation is based on the following findings:

- (1) **The zoning, uses and character of the neighborhood:** The existing DP-295 has building setbacks, landscaping, signage, lighting, trash screening, perimeter wall screening and other standards. The remainder of the CUP is zoned LC and developed primarily with restaurant and convenience store uses. The northeast and southwest corners of West 37th Street North and North Maize are in the City of Maize and developed with retail, banking, storage and government uses. The northwest corner of West 37th Street North and North Maize is zoned LC, under DP-262, and developed with a medical office. Land located south of the site is zoned LC, under DP-330, and is developing with multi-family residences. East of the site is an SF-5 Single-family Residential zoned Maize school site.
- (2) **The suitability of the subject property for the uses to which it has been restricted:** The site is zoned LC with DP-295 development controls. The accessory storage structure on Parcel 11b cannot be expanded without the requested amendment.
- (3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** The proposed amendment should have no impact on nearby property as the expanded storage building will still retain a 35-foot setback and 45-foot height limit.
- (4) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The site subject to the recommendations contained in the adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plans*. The Plan's *2035 Wichita Future Growth Concept Map* identifies this location as "New Employment" which encompasses areas that likely will be developed or redeveloped by 2035 with uses that constitute centers or concentrations of employment primarily in manufacturing, warehousing, distribution, construction, research, technology, business services, or corporate offices. Major shopping centers and office parks likely will be developed within this area as well, based upon market driven location factors. In certain areas, especially those in proximity to existing residential uses, higher density housing and convenience retail centers likely will be developed. The Locational Guidelines of the Comprehensive Plan encourage major commercial development at arterial street intersections. This application meets the Comprehensive Plan Land Use Compatibility and Design recommendations regarding screening, buffering, shared internal vehicular and pedestrian circulation, access controls, noise and lighting controls and aesthetic considerations.
- (5) **Impact of the proposed development on community facilities:** The requested CUP amendment should have minimal or no impact on community facilities.



June 13, 2016

Metropolitan Area Planning Department
455 N Main, 10th Floor
Wichita, KS 67202-1688
316.268.4421

Dear, Jess McNeely

RE: **CUP2016-##** Amendment #2 **CUP DP-295**

The below is a list of amendments to this CUP we have requested be made for the development as a result of a desire by the applicant to increase the size of the accessory building planned to be built on the property. Modification (adding, deletion, or alteration) of text listed below from the original CUP are listed by ***bold and italicized text***.

Changes to include:

- Delete the Maximum Building(s) in both Parcels 11a and 11b.
- Modify setback requirements of Parcels 11b.
- Modify parking requirements for Parcel 11a and 11b.

Development Guidelines:

2. Parcel Descriptions:

Parcel 11a

Gross Area = 11.02 Ac. or 479,875 s.f.

Maximum Height = 45 feet

Max. Building Coverage = 11a+11b 30%

304,127s.f.

~~Maximum Building(s) = 5~~ **DELETED**

Floor Area Ratio = 11a+11b=0.30

Parcel 11b

Gross Area = 12.26 Ac. or 533,895 s.f.

Maximum Height = 45 feet

Max. Building Coverage = 11a+11b 30%

304,127s.f.

~~Maximum Building(s) = 5~~ **DELETED**

Floor Area Ratio = 11a+11b=0.30

9. Setbacks:

Setbacks are as follows and or as specified in Wichita-Sedgwick County Unified Zoning Code. If contiguous Parcels are to be developed under the same ownership, setbacks between those Parcels are not required. Within Parcel 11b buildings greater than ~~400,000~~ **200,000** square feet shall adhere to a 100 foot rear or east building setback. Within Parcel 11b, a 35 foot rear or east building setback is required for an accessory building ~~less than 30,001 square feet~~ **DELETED**. Also see Parcel Descriptions for building setbacks.

11. Parking:

All Parcels, shall be in accordance with the Wichita-Sedgwick County Unified Zoning Code, Section IV-A **OFF-STREET PARKING AND LOADING**, unless otherwise specified.

Parcels 11a and 11b shall be reviewed as one parcel in consideration to parking requirements. On Parcels 11a and 11b, a minimum of 450 parking stalls is required; ~~a waiver from the standard 4 per 1000 square feet.~~ **DELETED**

Sincerely,

MKEC ENGINEERING, INC.

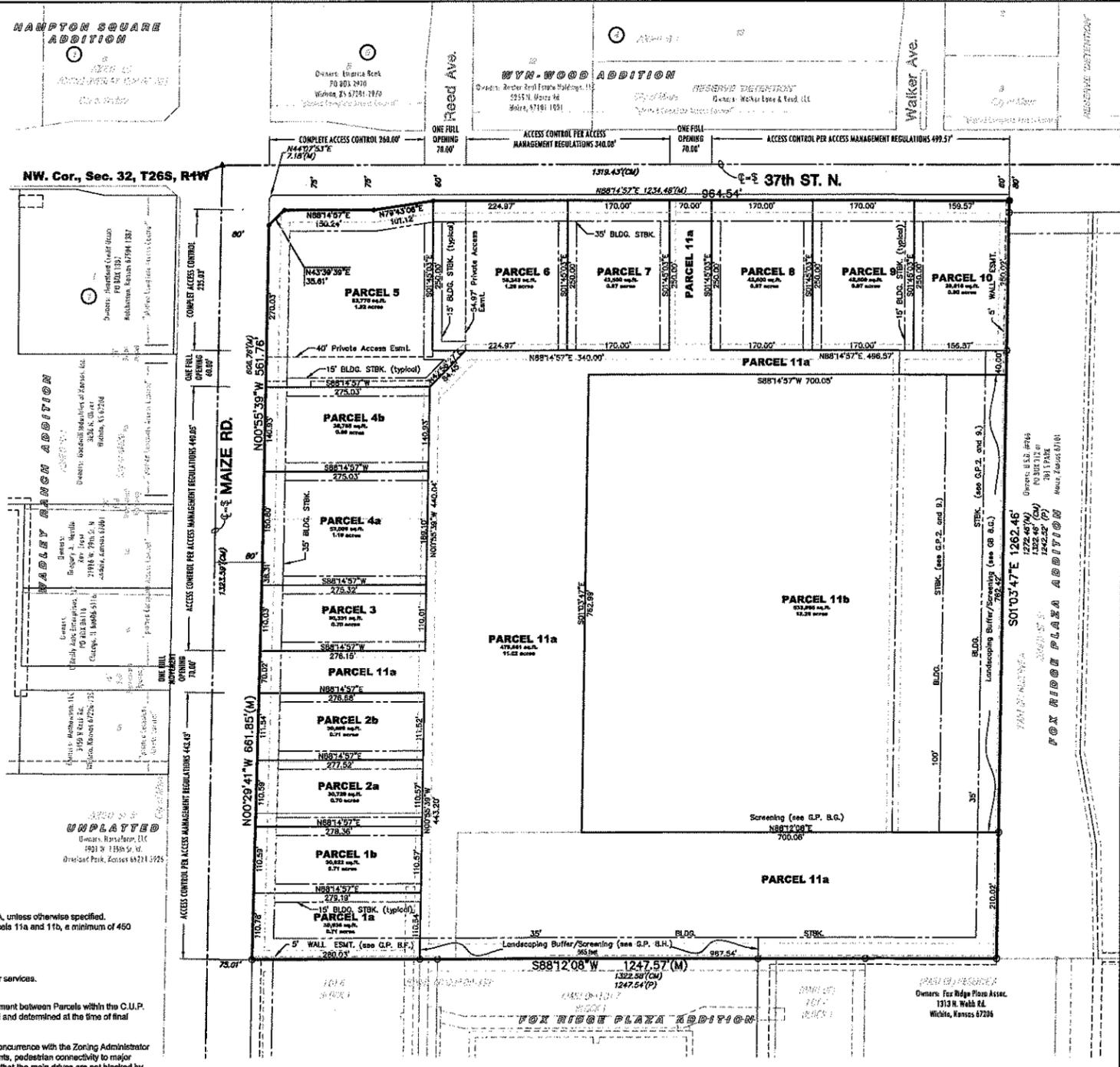

Brian Lindebak,
Development Agent

DEVELOPMENT GUIDELINES

General Provisions

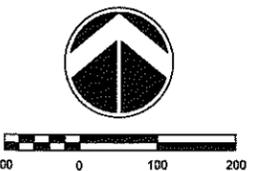
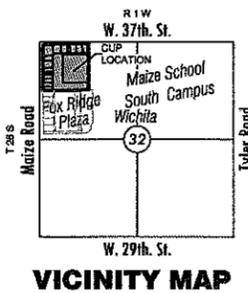
- Area:** The total development contains 36.3 acres of land more or less with a net land area of 35.93 acres of land more or less.
- Parcel Descriptions:**
 - Summary:
 - Total allowable buildings = 18 (excluding accessory structures)
 - Total allowable floor ratio = .32 (may be adjusted from parcel to parcel)
 - Minimum Building setbacks: (applies to all parcels as shown)
 - Arterial Street setback = 35'
 - Interior side setback = 15'
 - Interior rear setback = 35'
 - Exterior boundary setback = 10'
 - **If building has a gross floor area greater than 100,000 s.f. Also see G.P.8 hereon.
 - Parcel 1a: Gross Area= 0.71 Ac. or 30,936 s.f. Maximum Height=35 feet Max. Building Coverage=35% Maximum Building(s)= 1 Max. Gross Floor Area=35% or 10,828 s.f. Floor Area Ratio=0.35
 - Parcel 1b: Gross Area= 0.71 Ac. or 30,822 s.f. Maximum Height=35 feet Max. Building Coverage=35% Maximum Building(s)= 1 Max. Gross Floor Area=35% or 10,788 s.f. Floor Area Ratio=0.35
 - Parcel 2a: Gross Area= 0.70 Ac. or 30,729 s.f. Maximum Height=35 feet Max. Building Coverage=35% Maximum Building(s)= 1 Max. Gross Floor Area=35% or 10,755 s.f. Floor Area Ratio=0.35
 - Parcel 2b: Gross Area= 0.71 Ac. or 30,899 s.f. Maximum Height=35 feet Max. Building Coverage=35% Maximum Building(s)= 1 Max. Gross Floor Area=35% or 10,815 s.f. Floor Area Ratio=0.35
 - Parcel 3: Gross Area= 0.70 Ac. or 30,331 s.f. Maximum Height=35 feet Max. Building Coverage=35% Maximum Building(s)= 1 Max. Gross Floor Area=35% or 10,618 s.f. Floor Area Ratio=0.35
 - Parcel 4a: Gross Area= 1.19 Ac. or 52,009 s.f. Maximum Height=35 feet Max. Building Coverage=35% Maximum Building(s)= 1 Max. Gross Floor Area=35% or 18,203 s.f. Floor Area Ratio=0.35
 - Parcel 4b: Gross Area= 0.89 Ac. or 38,755 s.f. Maximum Height=35 feet Max. Building Coverage=35% Maximum Building(s)= 1 Max. Gross Floor Area=35% or 13,564 s.f. Floor Area Ratio=0.35
 - Parcel 5: Gross Area= 0.97 Ac. or 42,500 s.f. Maximum Height=35 feet Max. Building Coverage=30% Maximum Building(s)= 1 Max. Gross Floor Area=30% or 14,875 s.f. Floor Area Ratio=0.30
 - Parcel 6: Gross Area= 0.97 Ac. or 42,500 s.f. Maximum Height=35 feet Max. Building Coverage=30% Maximum Building(s)= 1 Max. Gross Floor Area=30% or 14,875 s.f. Floor Area Ratio=0.30
 - Parcel 7: Gross Area= 0.97 Ac. or 42,500 s.f. Maximum Height=35 feet Max. Building Coverage=30% Maximum Building(s)= 1 Max. Gross Floor Area=30% or 14,875 s.f. Floor Area Ratio=0.30
 - Parcel 8: Gross Area= 0.97 Ac. or 42,500 s.f. Maximum Height=35 feet Max. Building Coverage=30% Maximum Building(s)= 1 Max. Gross Floor Area=30% or 14,875 s.f. Floor Area Ratio=0.30
 - Parcel 9: Gross Area= 0.97 Ac. or 42,500 s.f. Maximum Height=35 feet Max. Building Coverage=30% Maximum Building(s)= 1 Max. Gross Floor Area=30% or 14,875 s.f. Floor Area Ratio=0.30
 - Parcel 10: Gross Area= 0.90 Ac. or 42,500 s.f. Maximum Height=35 feet Max. Building Coverage=30% Maximum Building(s)= 1 Max. Gross Floor Area=30% or 14,875 s.f. Floor Area Ratio=0.30
 - Parcel 11a: Gross Area= 11.02 Ac. or 479,861 s.f. Maximum Height=35 feet Max. Building Coverage=11a+11b=30% 304,127 s.f. Floor Area Ratio=11a+11b=0.30
 - Parcel 11b: Gross Area= 12.28 Ac. or 533,895 s.f. Maximum Height=45 feet Max. Building Coverage=11a+11b=30% 304,127 s.f. Floor Area Ratio=11a+11b=0.30
- The following uses are permitted for all Parcels within the C.U.P.:
 - Parcels 1a, 1b, 2a, 2b, 3, 4a, 4b, 5, 6, 7, 8, 9, 10, and 11a allow for all uses permitted within the Limited Commercial Zoning District (LC), except the uses listed below:
 - Correctional placement residential limited and general, adult entertainment establishment, pawn shop, asphalt or concrete plant-limited, and storage-outdoor. Additionally, the following uses are prohibited within the east 150 feet of Parcels 10 and 11a and the south 200 feet of Parcels 1a and 11a, if the adjoining parcels are specifically zoned for residential: convenience stores, service stations, auto repair, car washes (further prohibited to 200 feet of residential uses as stated below), restaurants with drive-in or drive-through windows, and taverns and drinking establishment on out-parcels. Car Washes in the CUP shall be subject to the supplementary use regulations of Sec. III-D.8.F. of the Unified Zoning Code.
 - Parcel 11b allows for the following General Commercial Zoning District (GC), uses listed below:
 - Construction sales and services and outdoor storage of materials and equipment ordinarily associated with construction sales and services activities, and also home improvement stores, and also all the uses permitted in Parcel 11a.
 - The uses permitted by the C.U.P. are only those uses permitted by right and not by conditional use unless specifically identified.
- Architectural Controls:** With exception to Parcel 11b, all buildings within the C.U.P. shall share a uniform architectural character, color, and same predominate exterior building material, as determined by the Director of Planning. The building walls and roofs must have predominately earth-tone colors, with vivid colors limited to incidental accents, and must employ materials similar to surrounding residential areas. The building(s) walls shall not utilize metal as a predominant exterior facade material, unless approved by the Director of Planning.
- Title:** The transfer of the title on all or any portion of the land included in the Community Unit Plan does not constitute a termination of the plan or any portion thereof, but said plan shall run with the land for commercial development and be binding upon the present owners, their successors and assigns and amended. However, the Director of the MAPD, with the concurrence of the Zoning Administrator, may approve minor adjustments to the conditions in this overlay, consistent with the approved development plan, without filing a formal ordinance amendment.
- Landscaping for this site shall be required as follows:**
 - Landscaped street yards, buffers, and parking lot landscaping and screening - Shall be in accordance with the City of Wichita Landscaping Ordinance.
 - A landscape plan shall be prepared by a Kansas Landscaper Architect for the above referenced landscaping, indicating the type, location, and specifications of all plant material. This plan shall be submitted to the Metropolitan Area Planning Department (MAPD) for its review and approval prior to issuance of any building permit(s).

- Lighting:**
 - Lighting shall be in accordance with the Wichita-Sedgwick County Unified Zoning Code, Section IV.
 - All Parcels shall share similar or consistent parking lot lighting elements (i.e. fixtures, poles and lamps and etc.), as approved by the Director of the MAPD.
 - All lighting shall be shielded to direct light disbursement in a downward direction and directed away from residential areas.
 - Light poles including above ground base shall be limited to 27 feet tall, except 15 feet tall when within 100 feet of residential zoning with residential use. School is not a residential use.
 - Extensive use of back lit canopies and neon or fluorescent tube lighting on buildings is not permitted.
- Screening for this site shall be required as follows:**
 - Rooftop mechanical equipment shall be screened from ground level view per Wichita-Sedgwick County Unified Zoning Code.
 - Trash receptacles, loading docks, outdoor storage, and loading areas shall be appropriately screened to reasonably hide them from ground view.
 - Unless otherwise noted Screening shall be in accordance with the Wichita-Sedgwick County Unified Zoning Code, Section IV and Section III-C.2.b.
 - Outdoor display and storage shall be subject to all conditions of Section III-B.14.a for all Parcels, except Parcel 11b. Parcel 11b is allowed outdoor storage in conformance with the GC zoning regulations.
 - Masonry walls consisting of a solid or semisolid wall constructed of brick, stone, masonry, architectural tile, or other similar material (not including wood or woven wire) are required along the south line of Parcel 1a, along the northeastern most boundary of Parcel 11a (40.00 feet), and along the east line of Parcel 10. The masonry walls shall not be less than six feet and not more than eight feet high. Construction of the masonry wall will require a building permit. Wall openings may be permitted allowing pedestrian access. The wall opening shall be determined and approved by the director of planning prior to the issuance of the building permit.
 - The masonry wall along the southern boundary of Parcel 11a will not be required to built, if the adjoining property to the south is redeveloped for commercial uses. Parcel 1a is granted a ten year grace period after the approval of Amendment #1, unless however the said adjoining property is developed for residential uses first. Upon the expiration of the ten year grace period, if Parcel 1a is developed the owners shall have 60 days to commence construction of the wall.
 - A wood screening wall with brick column features every fifty feet shall be built on or near the southern line of Parcel 11a from 35' west of the east line of Parcel 11b to a point equal to a line extended south from the western facade of the main building built on Parcel 11b. A wood screening wall with brick column features every fifty feet shall be built on or near the 35' building setback line located along the eastern property line of Parcel 11b (an accessory building may replace a portion of the wall provided its height is a minimum of 14'). The 35' setback area shall be landscaped to provide additional screening. The wood screening wall shall be a minimum of 14' tall.
 - Landscape screening and baring will be provided within the 35 foot setback area of the southwest most 565 feet of Parcel 11a, as indicated.
- Setbacks:** Setbacks are as follows and or as specified in Wichita-Sedgwick County Unified Zoning Code. If contiguous Parcels are to be developed under the same ownership, setbacks between those Parcels are not required. Within Parcel 11b buildings greater than 200,000 square feet shall adhere to a 100 foot rear or east building setback. Within Parcel 11b, a 35 foot rear or east building setback is required for an accessory building. Also see Parcel Descriptions for building setbacks.
- Signs:** As permitted under the current Sign Code of the City of Wichita. Additionally, the following conditions apply:
 - Parcels 1a through 11a, are subject to the requirements of the Sign Code for the City of Wichita for Limited Commercial (LC) Zoning District, except as noted herewith (10, B, thought 10, J).
 - No flashing, moving, portable, billboard, banner, or neon signs shall be permitted (except for signs showing time and temperature).
 - All freestanding signs adjoining Maize Road and 37th Street roadways shall be monument type signs with a maximum height of 20 ft., with the exception of these 30 ft. development marker/monument type signs. The maximum sign area for the 30 ft. signs shall be 200 sq. ft. and shall be used for development identification as well as tenant signs for tenants within the C.U.P.
 - The minimum distance between signs shall be 150 ft., except for those signs adjacent to the development marker/monument signs, the minimum distance between these signs is 100 ft.
 - Along Maize Road, Parcels 1a through 5, and Parcel 11a and 11b shall be permitted a total of 7 monument signs including the development sign(s). The monument signs shall not exceed 20 feet in height with a maximum sign area of 150 sq. ft. each. These signs may be used for tenants within the C.U.P.
 - Along 37th Street, Parcels 5 through 11a shall be permitted a total of 7 monument signs including the development sign(s). The maximum sign area is 150 sq. ft. These signs may be used for tenants within the C.U.P.
 - Building signage shall be permitted within the C.U.P. and per the current Sign Code.
 - Accent lighting of monument signs shall be permitted.
 - Window signage shall be limited to 25% of window area.
 - The total amount of sign face area of freestanding signage along each arterial street shall not exceed 0.8 times the linear footage.
 - Parcel 11b is subject to the requirements of the Sign Code for the City of Wichita for General Commercial (GC) Zoning District.
- Parking:**
 - All Parcels shall be in accordance with the Wichita-Sedgwick County Unified Zoning Code, Section IV-A, unless otherwise specified.
 - Parcels 11a and 11b shall be reviewed as one parcel in consideration to parking requirements. On Parcels 11a and 11b, a minimum of 450 parking stalls is required.
- Reserves:** The location, uses, and size of reserves shall be determined at the time of final platting.
- No occupancy permits shall be issued for any development without services by municipal water and sewer services.
- The following transportation improvements and Parcel access shall be provided:
 - Cross-lot circulation agreements shall be required at the time of platting to assure internal vehicular movement between Parcels within the C.U.P.
 - Guarantees for specific street and or signalization improvements for Maize Road shall be further reviewed and determined at the time of final platting.
 - Access controls shall be as shown on the Final Plat and revised upon the C.U.P.
 - An overall site circulation plan shall be submitted for review and approval by the Director of Planning, in concurrence with the Zoning Administrator and Traffic Engineer. The circulation plan shall assure smooth internal vehicular and pedestrian movements, pedestrian connectivity to major arterial and within buildings on the CUP and may provide connections to adjoining properties, and ensure that the main drives are not blocked by parking spaces directly backing onto the main drive aisles.
- Grading Plan:** A lot grading plan will be prepared in conformance with the Drainage Concept Plan for review prior to the issuance of a Building Permit.
- All proposed new utilities shall be installed underground.
- Final determination of minimum pad elevations (at least 2 feet higher than the 100 year flood elevation), street right(s)-of-way, easements, and pavement widths on public private streets shall be resolved at the time of platting.
- The development of this property shall proceed in accordance with the development plan as recommended for approval by the Planning Commission and approved by the Governing Body, and any substantial deviation of the plan, as determined by the Zoning Administrator and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.
- Any major changes within this Community Development Plan shall be submitted to the Planning Commission and the Governing Body for their consideration. Amendments, adjustments, or interpretations to the C.U.P. shall be done in accordance with the Unified Zoning Code.



LEGAL DESCRIPTION

The North 1/4, NW 1/4, NW 1/4, Section 32, Township 26 South, Range 1 West, Sedgwick County Kansas, EXCEPT, road right-of-way on the West and North. TOGETHER WITH, The South 1/4, NW 1/4, NW 1/4, Section 32, Township 26 South, Range 1 West, Sedgwick County Kansas, EXCEPT, road right-of-way on the West.



COMMUNITY UNIT PLAN DP-295

STONEBRIDGE

OWNER / DEVELOPER: Tier 1, LLC Attn: Marv Schellenberg 7926 W. 21st, Wichita, KS 67205 (316) 721-2153
 OWNER / DEVELOPER: Menard, Inc. Attn: Tyler Edwards 5101 Menard Drive, Eau Claire, WI 54703 (715) 876-2143

Amendment #2 CUP2016-000
 Adjustment #3 CUP2013-00038
 Adjustment #2 CUP2013-00005
 Adjustment #1 CUP2012-00014
 Amendment #1 ZON2008-00061 / CUP2008-00044
 Original Case: ZON2006-07 / CUP2006-06

August 23, 2016
 November 4, 2013
 March 11, 2013
 May 21, 2012
 November 20, 2009
 June 6, 2006

**WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT**

DATE: July 21, 2016
TO: Metropolitan Area Planning Commission
FROM: Dave Barber AICP, Advanced Plans Manager
SUBJECT: Conformity of the Proposed 2017-2021 Sedgwick County Capital Improvement Program with the Community Investments Plan

Background: On July 7, 2016, the Advance Plans Committee received a presentation on the proposed 2017-2021 Sedgwick County Capital Improvement Program (CIP). The Advance Plans Committee subsequently passed a motion (4-0) recommending that the MAPC find the proposed 2017-2021 Sedgwick County Capital Improvement Program to be in substantial conformity with the Community Investments Plan 2015-2035.

Analysis: Section 12-748 of Kansas statutes requires a planning commission to review the capital improvement program of its municipality to make a finding as to whether the proposed public improvements, public facilities or public utilities conform to the adopted comprehensive plan. If the planning commission finds that any such proposed public improvement does not conform to the plan, the commission shall submit in writing to the governing body, the manner in which such improvement does not conform.

Staff has reviewed the proposed 2017-2021 Sedgwick County Capital Improvement Program and has determined that the capital improvements proposed therein substantially conform with several important plan guiding principles and infrastructure spending priorities contained in the recently adopted Community Investments Plan 2015-2035.

Recommended Action: That the Metropolitan Area Planning Commission find the proposed 2017-2021 Sedgwick County Capital Improvement Program to be in substantial conformity with the adopted Community Investments Plan 2015-2035, being the Wichita-Sedgwick County Comprehensive Plan.

Attachment: Proposed 2017-2021 Sedgwick County Capital Improvement Program

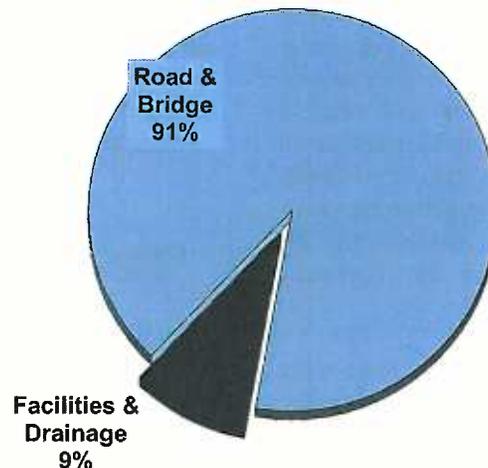
Capital Improvement Program

Inside:

<u>Page</u>	
692	Executive Summary
699	Financial Summary

	2017	2018	2019	2020	2021	5-Yr Total
Project Type						
▶ Facilities & Drainage Projects						
County Facilities & Drainage	6,047,897	5,765,622	5,189,631	1,443,004	1,643,793	20,089,947
Fire District No. 1 Facilities	-	-	-	-	-	-
Sub-Total	6,047,897	5,765,622	5,189,631	1,443,004	1,643,793	20,089,947
▶ Road & Bridge Projects						
Road Projects	52,577,667	54,568,143	11,268,143	11,318,143	10,757,143	140,489,239
Bridge Projects	6,310,000	3,820,000	5,070,000	6,970,000	2,720,000	24,890,000
Sub-Total	58,887,667	58,388,143	16,338,143	18,288,143	13,477,143	165,379,239
Grand Totals	64,935,564	64,153,765	21,527,774	19,731,147	15,120,936	185,469,186

2017 CIP by Project Type





Artist's Illustration of the Law Enforcement Training Center

EXECUTIVE SUMMARY

Capital Improvement Program Overview

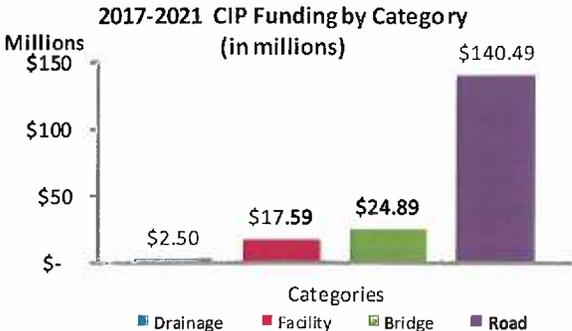
Sedgwick County's Capital Improvement Program (CIP) includes the acquisition, construction, remodeling and major maintenance of public facilities and infrastructure systems. To be eligible for the capital improvement program, a project must be an addition to the County's facilities or infrastructure having an expected useful life greater than five years and expected cost exceeding \$50,000, or maintenance of existing assets that is estimated to cost more than \$25,000. Excluding preventive road maintenance (project R175), CIP projects are characteristically non-routine and beyond the scope of normal operations, including normal expected maintenance. Routine investments in capital assets, including acquisition and maintenance, are planned for in departmental operating budgets, not the CIP. Examples of these expenses include replacement of fleet vehicles and related equipment (excluding fire engines and apparatuses) included in the Fleet Management budget, information technology assets included in the Information Services Department budget, and routine maintenance of County-owned facilities included in the Facilities Department budget.

Annual long-range CIP planning began in 1982 with the goal of facilitating area-wide economic development by upgrading the County's roads, bridges and drainage systems as well as maintaining facilities. Operating under the supervision of the County Manager and the approval of the Board of County Commissioners (BoCC), the CIP Committee provides

day-to-day oversight of the program. CIP Committee members guide the programming process which annually produces a plan specifying the capital spending budget for the upcoming budget year and projecting it for years two through five, the planning years of the program.

Sedgwick County Fire District 1 did not submit any new projects for the 2017-2021 CIP. Had the Fire District submitted capital projects, they would be included in this report; ongoing projects are still highlighted in this plan.

The total capital spending budget for 2017 is \$64,935,564, an increase of \$1.31 million from the 2016 capital budget. The 2017-2021 program continues to support the County's commitment to maintain and improve its facilities and infrastructure including roads, bridges, and drainage.



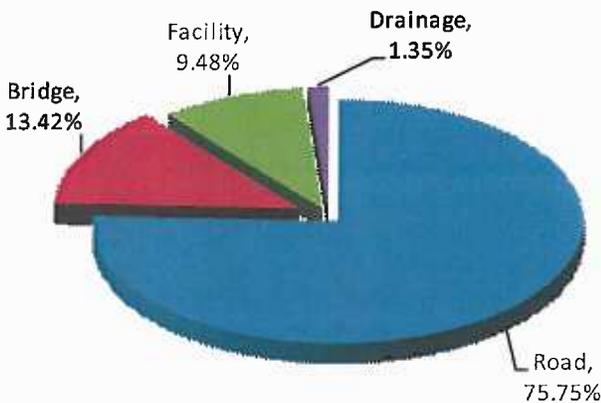
Planned spending on projects in the 2017-2021 CIP includes the following five-year totals: \$17.59 million for facilities, \$2.50 million for drainage, \$24.89 million for bridges, and \$140.49 million for roads.

Funding for the five-year CIP plan totals \$185.47 million, of which road spending comprises the majority, as illustrated by the chart on the previous page. Typically, a large portion of CIP funding is allocated to road projects, but the effect is inflated in the current CIP due largely to \$76 million in State and Federal funding for the interchange project at I-235 and U.S. Highway 54.

Funding Overview

As a percentage of total costs planned for the 2017-2021 CIP, road projects account for 76 percent, bridge projects for 13 percent, drainage projects for 1 percent, and facility projects for 9 percent.

2017-2021 CIP Expenditures by Category



Funding for the CIP occurs on a year-by-year basis. When funding that is allocated to a project is not completely spent by the end of the fiscal year, it is carried forward for use in the next fiscal year. Funding for CIP projects comes from annual revenues including property tax, sales tax, liquor tax, contributions from other governments, and proceeds from issuing bonds. Road, bridge, and drainage projects are often funded by a mix of sources from the Kansas Department of Transportation, the Federal Highway Administration, and local jurisdictions in Sedgwick County.

CIP Funding by Source		
	2017	2017-2021
Facilities & Drainage		
Cash	\$ 6,047,897	\$ 20,089,947
Bond	-	-
Combined sub-total	\$ 6,047,897	\$ 20,089,947
Roads & Bridges		
Cash	\$ 20,051,667	\$ 80,835,239
Bond	-	-
Other	38,836,000	84,544,000
Combined sub-total	\$ 58,887,667	\$ 165,379,239
Grand Total	\$ 64,935,564	\$ 185,469,186

Cash Funding

When cash funding is used, departmental budgets reflect the funding for their projects. For example, the Juvenile Detention Facility’s 2017 budget includes capital improvement funding of \$47,588 to replace 60 hinges in youth sleeping rooms with continuous safety hinges. Allocating funding for cash-funded projects in this manner allows for accurate budgeting and analysis of the impact of projects on department operations.

Cash is the County’s preferred source of funding for capital projects. Projects are financed with bonds only if the project is so large and immediate that cash balances are unavailable and cannot be accumulated in sufficient amounts to pay for the project.

Other Funding

Funding sources other than bond proceeds and local tax revenue are categorized as other funding. Funding from Federal, State, and local agencies primarily comprise this category. Other funding sources are generally associated with projects resulting from multi-jurisdictional partnerships.

CIP Process

The CIP is reviewed as the planning for the previous cycle ends. Facility Project Services assists departments in developing new projects or updating current projects, obtaining accurate estimates, determining the potential impact on the operating budget, and submitting project requests for the next five years. These requests are then prioritized by the departments’ respective division directors. The prioritized requests, in turn, are submitted to Facility Project Services for consolidation and are presented in a draft five-year plan to the CIP committee early in the first quarter of the year.

The list of department requests was initially unconstrained. After several meetings that included presentations from departments and divisions on specific projects, the CIP Committee prioritized each facility and drainage project and developed a rank order listing. The priorities are reflected in the project listing order on the CIP Facility Project spreadsheet following the executive summary. Emphasis was given to projects initiated in previous years, those requiring system replacements and those intended to prevent building deterioration. These projects typically receive priority over remodeling or new construction.

The CIP Committee's selection criteria for the 2017-2021 program included:

- protection of public health and safety;
- protection of employee health and safety;
- compliance with regulatory mandates;
- elimination of frequently occurring problem;
- reduction of ongoing operating cost;
- age or condition of existing asset;
- generation of revenue;
- demonstrable public benefit;
- attainment of specified BoCC goal;
- implementation of comprehensive plan;
- response to public demand;
- synergy with other cip projects; and
- availability of dedicated funding.

With priorities established, projects were scheduled consistent with available funding, resulting in lower priority projects moving into later years. The CIP Committee recommended cash funding in the 2017 Capital Budget at \$6,047,897 to cover essential facility and drainage. A similar process was followed for road and bridge projects, both funded primarily from a different cash source, a portion of a one-cent local sales tax. Bond funding is governed by established County policy. With funding established within these constraints, the County Manager then reviewed and recommended the CIP to the BoCC for their approval.

For the 2017-2021 CIP, the CIP Committee consisted of Chris Chronis, Chief Financial Officer and Committee Chair; Ron Holt, Assistant County Manager; David Spears, Public Works Director and County Engineer; Marv Duncan, Public Safety Director; Steve Claassen, Facilities Director; and Dave Barber, Advanced Plans Manger, Metropolitan Area Planning Department. Support is provided by the Facilities Department, Public Works, and the Budget Office.

CIP Watch List

The Watch List is used to identify and monitor potential projects that are not yet fully defined either in scope or in cost. Those projects may not yet meet one or more established criteria, such as customer thresholds or traffic counts, or that require funding beyond the amount that can be made available. Use of the Watch List helps ensure these projects remain visible while keeping planning efforts focused on the current program.

All approved projects receive monthly review and all open projects are included in the Quarterly Financial Report. Projects that are superseded or unable to be accomplished are recommended for cancellation and their corresponding funding returned to the original funding source on approval of the BoCC.

Project Execution and Prior Year Projects

State Mandates

State law (K.S.A. 68-506f) requires counties to maintain streets in cities with a population of less than 5,000 that form connecting links in the County road system and highways included in the secondary road system or in the system of County minor collector roads and highways. This State mandate requires Sedgwick County to maintain such roads in all cities within the County except Bel Aire, Valley Center, Derby, Haysville, Park City, and Wichita. According to State law, these cities are large enough that they are expected to maintain their own streets and highways. These cities receive an annual maintenance fee per lane-mile to maintain state highway connecting links within their city limits.

CIP Environmental Scan

The Metropolitan Transportation Plan (MTP) 2035

The MTP 2035 is the blueprint for all regionally significant transportation projects through 2035. It is a 25-year strategic plan for maintaining and improving mobility within and through the region. It increases effective use of the region's investments and promotes transportation services and infrastructure that are consistent with the overall desires of residents. The MTP 2035 discusses all modes of transportation in the region, includes an inventory of existing conditions, identifies needs, and provides recommendations. The MTP 2035 was prepared by the Wichita Area

Metropolitan Planning Organization (WAMPO). WAMPO is the designated Metropolitan Planning Organization (MPO) for the Wichita region. WAMPO is not a department of any city or county, but is a regional planning organization charged with planning and programming federal transportation funds in the region.

The vision for MTP 2035 is to have a multimodal transportation system in 2035 that will be safe, efficient, accessible and affordable.

Objectives for the MTP 2035 are concrete and specific items that build upon the vision and goals. The MTP Project Advisory Committee developed 11 objectives for the MTP 2035; four were selected to be short-term objectives. The short-term objectives will receive extra attention during the first five years of the plan. The four short-term objectives that were selected by the MTP-PAC are to:

- Select projects that demonstrate the greatest overall improvement of the system;
- Maintain air quality attainment status;
- Increase multimodal options and access; and
- Decrease the number of transportation-related wrecks, injuries, and fatalities.

The MTP 2035 provides an overview of the existing roadway network in the WAMPO region and the different services it provides. It also highlights the regional roadway needs, identifies several roadway-related plans that impact the regional network and provides recommendations to improve roads in the WAMPO region. A number of recommendations for roadways are identified including:

- Add roadway capacity at needed locations to serve traffic growth and development;
- Increase the length of on-ramps and off-ramps;
- Develop and implement comprehensive access management guidelines for arterial and collector streets;
- Consolidate the number of driveways on major streets;
- Pave rural roadways;
- Add shoulders to rural roadways;
- Add capacity to two-lane roadways where it is warranted by traffic volumes;
- Coordinate traffic signals to optimize existing roadway capacity;
- Incorporate pavement management system technologies into the roadway network;
- Apply complete street principles such as sidewalks, bicycle lanes, and bus lanes to new

roadways being built and when existing roadways are rebuilt; and

- Incorporate Intelligent Transportation System (ITS) technologies into the roadway network.

How the CIP Addresses Mandates in the MTP 2035 Plan

Sedgwick County's 2017-2021 Capital Improvement Program continues to address many of the significant transportation issues noted in the latest revision to the 2035 Transportation Plan. The CIP also fulfills the County's responsibility to maintain existing paved roads in the County and its statutory duty to maintain connecting links in most cities in the County. Examples in the plan include:

- The Design of Phase 1 of the South Area Parkway in 2018 to link K-15 to US-81, including a new crossing over the Arkansas River and the BNSF railroad, to follow the 95th St. South alignment as an alternative to a freeway system in the area.
- The construction of a multi-use path to connect the existing path systems in Derby to the existing path systems in Mulvane in 2018.

The Division of Public Works constantly monitors traffic on arterial streets and at intersections. The priority of various CIP projects is adjusted according to this changing traffic information. Equally important, on a six year rotating schedule (moving to a seven year rotating schedule starting in 2018), each mile of County road receives an appropriate maintenance treatment based on its condition. The CIP also continues an aggressive replacement program for bridges with posted weight limits. The County continues to support efforts to obtain state project funding to address other issues identified in the 2035 plan, such as the freeway system and crossings over the floodway. For example:

- Beginning in 2016, Sedgwick County committed to providing the local match to KDOT funding for the first phase of a \$116 million dollar project to replace I-235 and Kellogg (US-54) Interchange, an antiquated and dangerous highway structure.

With this support and careful planning, the County expects to continue to achieve significant progress in the maintenance and upgrade of its bridge infrastructure. As the biannual bridge inspection process identifies functionally obsolete or structurally

deficient structures, Public Works staff prioritizes them and programs them in the CIP for replacement as funding allows. Currently, 38 (6.4 percent) of Sedgwick County's bridges are structurally deficient or functionally obsolete. This is better than the current rate for the entire nation (9.6 percent) and Kansas (9.2 percent). The 20 bridges planned for this CIP should help address the issue.

Planned 2017-2021 CIP Bridge Construction	
Year	Number Planned
2017	5
2018	4
2019	4
2020	3
2021	4
Total	20

Financial Summaries and Project Pages

Financial summaries and project pages follow that provide detailed information for each project recommended to the Board of County Commissioners.

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Significant Current and Recently Completed CIP Projects

Law Enforcement Training Center

Project Overview		
Funding Type	Project Allocation	Expenditures to-date
Cash	\$ 5.5 million	—

A new Law Enforcement Training Center will provide a training facility necessary to adequately meet the needs of the Wichita Police and Sedgwick County Sheriff Departments, as well as the County's Emergency Communications (9-1-1) staff. The new facility will be located on Wichita State University's Innovation Campus and jointly use space and create natural synergies for law enforcement training, and it has regional potential.

The new Law Enforcement Training Center will be a joint effort of Sedgwick County and the City of Wichita with equal contributions from both organizations.

Interchange at I-235 and US-54 (Phase I)

Project Overview		
Funding Type	Project Allocation	Expenditures to-date
Cash	\$3.5 million	—
Bond	—	—
Other	\$112.6 million	—

The BoCC approved County participation in this Kansas Department of Transportation Project on May 18, 2011. The County share of the project will be \$11,600,000. The project was started in 2016 and will extend through 2018. The interchange is a high priority project in both the region and the State.



Construct New EMS Northeast Post

Project Overview		
Funding Type	Project Allocation	Expenditures to-date
Cash	\$1.5 million	—

The northeast region of Wichita and Sedgwick County has experienced significant growth over the past few years, with projections indicating that the development and growth in this area will continue at a quick pace. This growth, along with relocation of crews from the Northeast to other areas to meet urgent needs, has necessitated construction of a new Northeast Post in order to meet locally agreed upon and nationally accepted response time targets and to address critical public safety needs to the expanding northeast corridor of Sedgwick County.

Bridge on Broadway between 117th and 125th St. North

Project Overview		
Funding Type	Project Allocation	Expenditures to-date
Cash	\$1.8 million	\$0.8 million

This bridge is scheduled for replacement in 2017, and it currently has a sufficiency rating of 28.5 and is structurally deficient. The load limit for this bridge is 15/23/36 and it has a traffic count of 1,591.

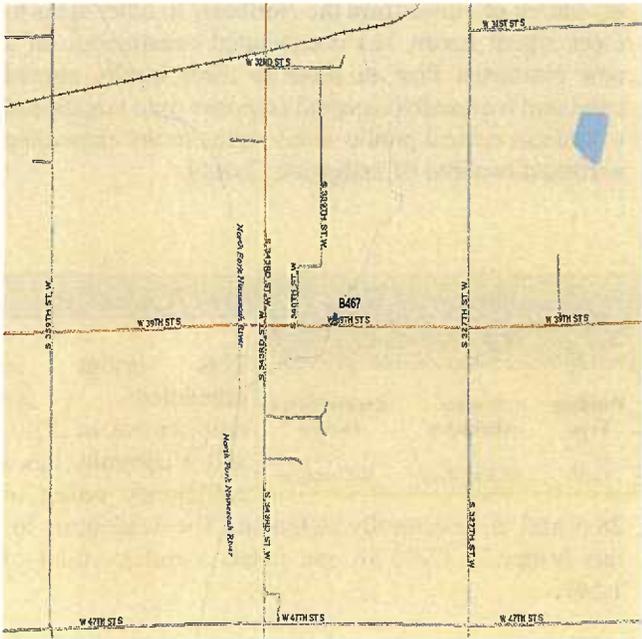


Bridge on 39th St. South between 327th and 343rd St. West

Project Overview		
Funding Type	Project Allocation	Expenditures to -date
Cash	\$1.8 million	\$0.8 million

This bridge is scheduled for replacement in 2017, and it currently has a

sufficiency rating of 42.1 and is structurally deficient. The load limit for this bridge is 15/23/36 and it has a traffic count of 968.



2017-2021

Capital Improvement Program

Financial Summary

FACILITIES AND DRAINAGE

2017-2021 CIP Appropriations Plan			2017	2018	2019	2020	2021	5-Yr Grand Total
Pg.	Category	Project Name	County Expenditures					
703	Facility	Compliance with the Americans with Disabilities Act (ADA)	465,116	455,470	135,186	149,816	146,199	1,351,787
704		Outdoor Warning Device replacements and new installations	110,000	110,000	110,000	110,000	110,000	550,000
705		Adult Field Services - Facility Updates	-	-	106,437	-	-	106,437
706		Construct EMS Garage Facility	-	-	667,589	-	-	667,589
707		Construct New EMS Northeast Post	1,465,799	-	-	-	-	1,465,799
708		Construct New EMS West Post	-	-	1,753,519	-	-	1,753,519
709		District Attorney, Carpeting - Downtown Offices	247,762	-	-	-	-	247,762
710		DNA Lab Addition	-	4,353,900	-	-	-	4,353,900
711		Juvenile Detention Facility - Hinge Project	47,588	-	-	-	-	47,588
712		Replace EMS Post 1	-	-	1,509,134	-	-	1,509,134
713		Replace Exterior Joint Sealant Adult Detention - North Add.	-	161,831	-	-	-	161,831
714		Replace Parking Lots on County Property	-	184,421	-	205,712	-	390,133
715		Replace Roofs - County-Owned Buildings	-	-	-	477,476	887,594	1,365,070
716		Rooftop HVAC Unit Replacement at Regional Forensic Science Center	361,632	-	-	-	-	361,632
717	Sedgwick County Park Pond Bank Stabilization & Paving	-	-	407,766	-	-	407,766	
718	Law Enforcement Training Center	2,850,000	-	-	-	-	2,850,000	
Totals			5,547,897	5,265,622	4,689,631	943,004	1,143,793	17,589,947
719	Drainage	D25 - Flood Control System Major Maintenance and Repair	500,000	500,000	500,000	500,000	500,000	2,500,000
Totals			500,000	500,000	500,000	500,000	500,000	2,500,000

ROADS AND BRIDGES

2017-2021 CIP Appropriations Plan			2017	2018	2019	2020	2021	5-Yr Total Funding
Pg.	Category	Project Name	County Expenditures					
720	Roads	R134: Utility Relocation & Right Of Way	200,000	200,000	200,000	200,000	200,000	1,000,000
721		R175: Preventive Maintenance on Selected Roads	9,166,667	7,857,143	7,857,143	7,857,143	7,857,143	40,595,239
722		R264: Miscellaneous Drainage Projects	500,000	500,000	500,000	550,000	600,000	2,650,000
723		R328: Northwest Bypass Right of Way Acquisition (K-254)	661,000	661,000	661,000	661,000	-	2,644,000
724		R331: Traffic Control Maintenance and Construction	550,000	550,000	550,000	550,000	600,000	2,800,000
725		R334: Interchange at I-235 and US-54 (Phase 1)	40,000,000	36,000,000	-	-	-	76,000,000
726		R341: South Area Parkway from K-15 to US-81	-	1,000,000	-	-	-	1,000,000
727		R342: Cold Mix & Gravel Road Replacement Program	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	7,500,000
728		R343: Multi-use Path on Rock Road from Derby to Mulvane	-	1,000,000	-	-	-	1,000,000
729		R344: Widen Greenwich Road from Harry to Pawnee	-	5,000,000	-	-	-	5,000,000
730	R345: Multi-Use Path on Rock from McConnell to Oak Knoll	-	300,000	-	-	-	300,000	
Totals			52,577,667	54,568,143	11,268,143	11,318,143	10,757,143	140,489,239

ROADS AND BRIDGES (continued)

2017-2021 CIP Appropriations Plan			2017	2018	2019	2020	2021	5-Yr Total Funding
Pg.	Category	Project Name	County Expenditures					
731	Bridges	B461: Special Bridge Inspection and Engineering Services	100,000	100,000	100,000	100,000	100,000	500,000
732		B464: Bridge Designs and Engineering Studies	120,000	120,000	120,000	120,000	120,000	600,000
733		B467: Bridge on 39th St. South between 327th and 343rd St. West	1,600,000	-	-	-	-	1,600,000
734		B471: Bridge on 53rd St. North between 231st and 247th St. West	700,000	-	-	-	-	700,000
735		B472: Bridge on 295th St. West between 45th and 53rd St. North	-	550,000	-	-	-	550,000
736		B473: Bridge on Broadway between 117th and 125th St. North	1,700,000	-	-	-	-	1,700,000
737		B475: Bridge on 295th St. West between 93rd and 101 St. North	400,000	-	-	-	-	400,000
738		B476: Bridge on 95th St. South between 151st and 167th St. West	900,000	-	-	-	-	900,000
739		B482: Bridge Redeck on Hydraulic between 69th and 77th St. North	-	1,000,000	-	-	-	1,000,000
740		B484: Bridge on 95th St. South between Broadway and KTA	100,000	100,000	1,450,000	-	-	1,650,000
741		B485: Bridge on 151st St. West over Ninnescah	350,000	50,000	50,000	4,500,000	-	4,950,000
742		B488: Bridge on 215th St. West between 13th and 21st St. North	100,000	100,000	800,000	-	-	1,000,000
743		B489: Bridge on Hydraulic between 111th and 119th St. South	-	100,000	1,700,000	-	-	1,800,000
744		B490: Bridge on 143rd St. East between Harry and Pawnee	100,000	650,000	-	-	-	750,000
745		B491: Bridge on 71st St. South between Webb and Greenwich	100,000	800,000	-	-	-	900,000
746		B492: Bridge on 103rd St. South between 103rd and 119th St. West	40,000	100,000	400,000	-	-	540,000
747		B493: Bridge on 199th St. West between Central and 13th St. North	-	100,000	100,000	1,350,000	-	1,550,000
748		B494: Bridge on 143rd St. East between 69th and 77th St. North	-	50,000	100,000	500,000	-	650,000
749		B495: Bridge on 247th St. West between 77th and 85th St. North	-	-	50,000	100,000	500,000	650,000
750		B496: Bridge on 183rd St. West between 45th and 53rd St. North	-	-	100,000	100,000	1,000,000	1,200,000
751	B497: Bridge on Ridge between 39th and 47th St. South	-	-	50,000	100,000	500,000	650,000	
752	B498: Bridge on 143rd St. East between Pawnee and 31st St. South	-	-	50,000	100,000	500,000	650,000	
Totals			6,310,000	3,820,000	5,070,000	6,970,000	2,720,000	24,890,000
Facility & Drainage Totals			6,047,897	5,765,622	5,189,631	1,443,004	1,643,793	20,089,947
Road & Bridge Totals			58,887,667	58,388,143	16,338,143	18,288,143	13,477,143	165,379,239
Grand Totals			64,935,564	64,153,765	21,527,774	19,731,147	15,120,936	185,469,186

Project Name Compliance with the Americans with Disabilities Act (ADA)
Requestor/Title/Department Steve Claassen, Director of Facilities, Fleet, and Parks
Project Purpose Improvement

Project Description:

Location County owned buildings located across the County.

Scope of Work to be Performed:

The ADA Transition Plan was the result of an exhaustive inspection of all County facilities for ADA barriers. The plan identifies ADA variances by priority based on the severity of the variance and the risk of failing to promptly comply. This project continues to provide for a logical, planned effort to comply with the ADA and the recommendations of the County's Transition Plan. CIP years 2017 - 2021 will be used to address low and very low priority barriers identified in the plan.

Project Need/Justification:

In 1997, the County was sued for violation of the ADA at the Kansas Coliseum; a negotiated agreement was reached. In 2006, a renewed prospect of exposure to litigation became apparent. The County is committed to ADA compliance both because it is required by law, and also because it is the right thing to do. As a demonstration of this commitment, the Board of County Commissioners adopted an updated ADA Self-Evaluation and Transition Plan in October 2008. The Transition Plan included 83 County addresses with 995 individually listed variances. The adopted plan identifies the barriers, recommends corrective action, and indicates a conceptual cost for bringing the barrier into compliance.

Consequences of Delaying or Not Performing the Work Outlined:

Without diligently pursuing a compliance effort that documents a timed plan to completion, the County is in jeopardy of lawsuits and an appearance of disregard for the law and its citizens. The ADA requires a continuing obligation to barrier removal, and that County programs and services, when viewed in their entirety, are readily accessible to people with disabilities.

Describe Project's Impact on Operating Budget:

No significant impact on the operating budget is anticipated.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements	247,016	465,116	455,470	135,186	149,816	146,199	1,351,787
Total	247,016	465,116	455,470	135,186	149,816	146,199	1,351,787

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Cash	247,016	465,116	455,470	135,186	149,816	146,199	1,351,787
Total	247,016	465,116	455,470	135,186	149,816	146,199	1,351,787

Project Name Outdoor Warning Device replacements and new installations
Requestor/Title/Department Daniel Pugh, Emergency Manager
Project Purpose Improvement

Project Description:

Location Various Locations

Scope of Work to be Performed:

The scope of this project is five outdoor warning devices per year. A decision will be made as to whether the five devices will be all new installations, replacements of existing devices, or a combination of both. This matches BoCC expectations based on 2011 conversations during the upgrade of the outdoor warning device receivers. Division Director priority #5.

Project Need/Justification:

K.A.R. 56-2-2 (a)(4)(H) requires emergency management programs to, "develop and coordinate a local hazard warning and notification system." In addition, the public expects such a system to exist, be maintained in good working order, and be expanded and improved as necessary. Conversations with the BoCC in 2011 (when the receiver upgrade project was approved) centered on the fact that the part of the outdoor warning devices that makes the noise will still be functionally obsolete.

Consequences of Delaying or Not Performing the Work Outlined:

The consequences of not doing this project would be potential failure to meet K.A.R. 56-2-2 (a)(4)(H) and public expectations.

Describe Project's Impact on Operating Budget:

It is estimated that the future impact of this CIP request on the operating budget of Emergency Management will be less than \$1,200.00 per year (\$19.40 x 5 devices x 12 months = \$1,164.00).

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
Cash	3,600	3,600	3,600	2,400	1,200	14,400
Total	3,600	3,600	3,600	2,400	1,200	14,400

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements	100,000	110,000	110,000	110,000	110,000	110,000	550,000
Total	100,000	110,000	110,000	110,000	110,000	110,000	550,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Cash	100,000	110,000	110,000	110,000	110,000	110,000	550,000
Total	100,000	110,000	110,000	110,000	110,000	110,000	550,000

Project Name Adult Field Services - Facility Updates
Requestor/Title/Department Glenda Martens, Director Sedgwick County Department of Corrections
Project Purpose Replacement

Project Description:

Location Adult Field Services - 905 N. Main

Scope of Work to be Performed:

Facility updates include: (1) Remove existing storefront in courtyard and replace with aluminum storefront, insulated glass system; (2) Paint existing sliding doors and accompanying window frames in offices lining the courtyard; (3) Remove vertical blinds and replace with solar shades; (4) Replace drapery; (5) Replace office door signage. Division Director priority #8.

Project Need/Justification:

The Sedgwick County Department of Corrections - Adult Field Service Division has operated in the building located at 905 N. Main since 1989. Replacing the existing single pane courtyard windows with a more energy efficient option will save the County money through reduced utility expenses. In addition, providing energy efficient solar shades will yield a higher performance by reducing noise levels in the building and creating a healthy work environment. The existing drapes are unable to be cleaned due to their age and deterioration. Replacing the drapes is the only way to minimize the dust collections that have been absorbed for 25+ years.

Consequences of Delaying or Not Performing the Work Outlined:

Delaying this project will lead to excessive utility expenses and an unhealthy work environment.

Describe Project's Impact on Operating Budget:

This is a one-time project. The goal is decreased utility expenses.

Financial Breakdown:

Operating Budget Impact:						
Impact Type	2017	2018	2019	2020	2021	Total

Total

Project Expenditure Breakdown:							
Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements				7,373			7,373
Contractual Services				99,064			99,064
Total				106,437			106,437

Project Funding:							
Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Cash				106,437			106,437
Total				106,437			106,437

Project Name Construct EMS Garage Facility
Requestor/Title/Department Scott R. Hadley, Director Emergency Medical Services
Project Purpose New

Project Description:

Location Area of 1015 Stillwell

Scope of Work to be Performed:

Construction of a new facility to store ready surge units in compliance with state regulations. The facility will include six ambulance bays as well as space for storage, training and equipment maintenance. Division Director priority #4.

Project Need/Justification:

The reserve ready fleet has increased and future call demand will create a need for a place for a shift to start and end while being moved to higher volume as the deployment plan will suggest. Furthermore, additions to the ambulance fleet for surge ability has increased and the Department has outgrown the current facility's capacity. Kansas State Regulations are explicit and mandates how ambulances are stored and housed ; K.A.R. 109-2-5 (j) reads: Each operator shall park all ground ambulances in a completely enclosed building with a solid concrete floor. Each operator shall maintain the interior heat at no less than 50 degrees Fahrenheit. Each operator shall ensure that the interior of the building is kept clean and has adequate lighting. Each operator shall store all supplies and equipment in a safe manner. The facility would also be used to store surge supplies, provide a training area on ambulance operations and serve as a maintenance area for equipment repair.

Consequences of Delaying or Not Performing the Work Outlined:

Delaying or not completing this project would increase the risk of the department being out of compliance with State Regulations, which could potentially jeopardize the Department's Ambulance Service Permit. Additionally, competing for space with other departments to stay in regulatory compliance could interfere with the effective functioning of that department. Finally, not being able to properly store ambulances by regulation (parking them outside) creates potential for wind or hail damage.

Describe Project's Impact on Operating Budget:

The following impacts on the operating budget for increased utility costs are anticipated and will be requested in the departmental budget.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
Contractual Services			9,250	9,780	10,310	29,340
Total			9,250	9,780	10,310	29,340

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements				667,589			667,589
Total				667,589			667,589

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Cash				667,589			667,589
Total				667,589			667,589

Project Name Construct New EMS Northeast Post
Requestor/Title/Department Scott R. Hadley, Director Emergency Medical Services
Project Purpose New

Project Description:

Location Northeast area near the K-96 Webb Rd/Greenwich Rd corridor

Scope of Work to be Performed:

Construction of a new facility to be staffed with a crew 24 hours per day, 7 days per week to address growing and expected call volume in the northeast area of Wichita and Sedgwick County. There is no current facility in this area. Division Director priority #3.

Project Need/Justification:

The northeast region of Wichita and Sedgwick County has experienced significant growth over the past few years. Recent projections indicate that the development and growth of this area will continue expanding with residential housing, businesses, and medical services such as doctors' offices, out-patient clinics, assisted living facilities, and skilled nursing facilities. Furthermore, the crews and EMS post in that area (21st and Woodlawn) were relocated in 2012 to meet ongoing demand in the Wesley Hospital area. Additionally, the crews and ambulance currently located at 1010 North 143rd Street East were relocated in 2014 to meet the increasing demand in the Greenwich Heights area. In order to meet locally agreed upon and nationally accepted response time targets and to address critical public safety needs to the expanding northeast corridor of Sedgwick County, a facility that provides 24 hour staffing is needed.

Consequences of Delaying or Not Performing the Work Outlined:

Not approving, deferring, or delaying this project will result in further erosion of response times, service degradation, system-wide stress, and directly hinders the ability to respond within locally agreed upon measures and nationally accepted standards given the current and future demands for service in northeast Wichita/Sedgwick County. Most vulnerable will be those patients with time-critical illnesses and injuries and would manifest in decreased customer satisfaction, and increased morbidity and mortality rates.

Describe Project's Impact on Operating Budget:

Demand projections indicate that this new post would require 24 hour staffing and associated recurring personnel, commodities, and contractual costs.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
Contractual Services	11,480	12,220	12,960	13,700	14,440	64,800
Commodities	8,000	1,400	1,500	1,600	1,700	14,200
Personnel Services	314,411	323,844	333,559	343,566	353,872	1,669,252
Total	333,891	337,464	348,019	358,866	370,012	1,748,252

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements		1,426,869					1,426,869
Contractual Services		1,500					1,500
Commodities		37,430					37,430
Total		1,465,799					1,465,799

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Cash		1,465,799					1,465,799
Total		1,465,799					1,465,799

Project Name Construct New EMS West Post
Requestor/Title/Department Scott R. Hadley, Director Emergency Medical Services
Project Purpose New

Project Description:

Location West Wichita/Sedgwick County

Scope of Work to be Performed:

Construction of a new facility to be staffed with a crew 24 hours per day 7 days per week to address the escalating call volume and expected growth of residential housing and commercial businesses in west Wichita and Sedgwick County. Division Director priority #7.

Project Need/Justification:

The West region of Wichita and Sedgwick County has experienced significant growth over the past few years. Recent projections indicate that the development and growth of this area will continue expanding with residential housing, businesses, and medical services such as doctors offices, out-patient clinics, assisted living facilities, and skilled nursing facilities (see attachment). In addition to the 24 7 ambulance at EMS Post 5 a 12-hour 7 day a week crew and ambulance was relocated in 2012 to assist in meeting this increase demand. In order to meet locally agreed upon and nationally accepted response time targets and to address critical public safety needs to the expanding west area of Wichita and Sedgwick County a new facility that provides 24 hour staffing is needed

Consequences of Delaying or Not Performing the Work Outlined:

Not approving, deferring, or delaying this project will result in further erosion of response times, service degradation, system-wide stress, and directly hinders the ability to respond within locally agreed upon measures and nationally accepted standards given the current and future demands for service in west Wichita/Sedgwick County. Most vulnerable will be those patients with time-critical illnesses and injuries and would manifest in decreased customer satisfaction, and increased morbidity and mortality rates.

Describe Project's Impact on Operating Budget:

Demand projections indicate that this new post would require 24 hour staffing and associated recurring personnel, commodities, and contractual costs. The project includes 4.0 additional FTEs.

Financial Breakdown:

Operating Budget Impact:						
Impact Type	2017	2018	2019	2020	2021	Total
Contractual Services			12,960	13,700	14,440	41,100
Commodities			1,400	1,400	1,400	4,200
Personnel Services			333,559	343,566	353,872	1,030,997
Total			347,919	358,666	369,712	1,076,297

Project Expenditure Breakdown:							
Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements				1,713,798			1,713,798
Commodities				39,721			39,721
Total				1,753,519			1,753,519

Project Funding:							
Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Cash				1,753,519			1,753,519
Total				1,753,519			1,753,519

Project Name District Attorney, Carpeting - Downtown offices
Requestor/Title/Department Marc Bennett, District Attorney
Project Purpose Maintenance

Project Description:

Location Main Courthouse, Annex, 535 N. Main, 1st and 2nd Floors

Scope of Work to be Performed:

Replace aging carpet and tile flooring in common areas, hallways, offices and stairwells.

Project Need/Justification:

The flooring is approximately 20 years of age in most of the district attorney's downtown office space. This includes waiting rooms, hallways, offices, workstation flooring and multifunction rooms. It is visually worn and in need of replacement as well as certain areas are becoming unsafe due to ripples, fraying and loose carpet.

Consequences of Delaying or Not Performing the Work Outlined:

The existing carpet has areas where trip hazards exist, particularly in the hallway areas and one stairwell. The carpet in most of the areas is approximately 20 years of age and is worn, dirty, frayed and certain areas are unsafe and incur heavy traffic on a daily basis. The carpet will continue to deteriorate if not replaced.

Describe Project's Impact on Operating Budget:

There is no future impact on the operating budget.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
Total						

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements		247,762					247,762
Total		247,762					247,762

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Cash		247,762					247,762
Total		247,762					247,762

Project Name DNA Lab Addition
Requestor/Title/Department Dr. Tim Rohrig, Director of RFSC
Project Purpose New

Project Description:

Location 1109 N Minneapolis, Wichita, KS 67214

Scope of Work to be Performed:

Construction of a two story facility that will house a state of the art DNA laboratory for evidence screening and forensic analysis. Designed to accommodate future growth for DNA analyses, and will allow for the addition of three additional staff members in the future. Expansion is on a neighboring lot already owned by Sedgwick County. The project will also include funds for repurposing the old DNA space to accommodate needed growth for the toxicology laboratory. Division Director priority #2.

Project Need/Justification:

The demands of the criminal justice system have focused on a more rigorous form of DNA analysis, which has overwhelmed the current DNA staff and lab space. The increased sensitivity of technology continues to raise challenges of contamination, or the allegation of such, which require specialized engineering. The new laboratory will accommodate pressurized air control and decontamination/gowning areas which are standard features for modern DNA facilities. Relocation of the current Biology/DNA laboratory and analyst office area will allow for expansion of Toxicology laboratory space, which is currently experiencing space limitations. A position was added to Toxicology through the 2015 budget process, but there is no space in the current Toxicology office to accommodate the additional position. Toxicological analysis is also requiring the addition of LCMS instrumentation, which requires significantly more space.

Consequences of Delaying or Not Performing the Work Outlined:

Continued use of current space will result in an increased case backlog and an environment prone to contamination. Once contamination issues occur, challenges to results will be met in the courtroom and highlighted in the media. It will extend the time it takes to complete casework and limits the ability to leverage technology. Project also allows DNA files to remain on-site. Requests for archived files result in extreme delays in data access; off site storage will result in the delay of suspect identifications in high profile violent crimes. Expansion protects evidence integrity and accommodates the increased testing required for criminal investigations.

Describe Project's Impact on Operating Budget:

Future impacts to operating budget are increased utility costs. Estimates are based on current utility costs per square foot. This project is ranked #3 out of 5 by the Public Safety Director.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
Contractual Services		88,151	84,516	88,741	93,178	354,586
Total		88,151	84,516	88,741	93,178	354,586

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements			3,565,730				3,565,730
Commodities			788,170				788,170
Total			4,353,900				4,353,900

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total

Total

Project Name Juvenile Detention Facility (JDF) - Hinge Project
Requestor/Title/Department Glenda Martens, Director Sedgwick County Department of Corrections
Project Purpose Replacement

Project Description:

Location Juvenile Detention Facility - 700 S. Hydraulic

Scope of Work to be Performed:

Replace 60 hinges in youth sleeping rooms at JDF with continuous safety hinges (piano hinge) to eliminate anchoring points and reduce the likelihood of completed suicides. Division Director priority #1.

Project Need/Justification:

Youth held in the juvenile detention facility are at an elevated risk for suicide due to their life histories (trauma, mental health disorders, substance abuse, physical/sexual/emotional abuse). The juvenile detention facility employs a suicide prevention program consisting of assessment, monitoring/observation, intervention and safe resident housing. In February 2015 a youth utilized the door hinges in his room to anchor a sheet in an attempt to commit suicide. In subsequent assessments door hinges were found to be worn and pulling away from the wall, creating an opportunity for suicide. In the last five years the juvenile detention facility averaged 8 suicide attempts per year. The monthly average for youth on suicide watch in 2015 was 14, as compared to 11 in 2014.

Consequences of Delaying or Not Performing the Work Outlined:

Delaying this project would impact resident safety by increasing the opportunity for suicide attempts.

Describe Project's Impact on Operating Budget:

This project could be completed in phases; otherwise, there is no impact on future operating budgets.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements		3,966					3,966
Contractual Services		43,622					43,622
Total		47,588					47,588

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Cash		47,588					47,588
Total		47,588					47,588

Project Name Replace EMS Post 1
Requestor/Title/Department Scott R. Hadley, Director Emergency Medical Services
Project Purpose Replacement

Project Description:

Location Near Central & Meridian

Scope of Work to be Performed:

Post 1 is a facility provided originally by Riverside Hospital and currently owned by Via Christi Riverside hospital. This facility houses one crew 24 hours per day, 7 days per week and is responsible for the near northwest side of Wichita and will be in need of replacement. This project has been on the watch list for several years due to the uncertainty of Via Christi's needs for the facility. Division Director priority #6.

Project Need/Justification:

The current post is serviceable and has had recent repairs. This project is intended to replace this facility as Via Christi no longer operates a hospital there and the facility is undergoing changes in mission and utilization, and the Department may be asked to find another location for EMS Post 1. In addition to this uncertainty, future replacement ambulance chassis are longer than current models and will not fit in the current facility. This post area generates around 5,000 calls annually, serving about 33,500 residents.

Consequences of Delaying or Not Performing the Work Outlined:

This facility is attached to Via-Christi Riverside, which is changing its utilization. It is a key location for EMS as it is on the west side of the river. There is no Emergency Department at this location to generate available units after completing a transport as it could on occasion in the past. Not replacing the post could create response challenges to the west and northwest area of Wichita and Sedgwick County

Describe Project's Impact on Operating Budget:

Operating budget impact is for utilities currently paid by Via-Christi, but will be EMS' responsibility at the new location.

Financial Breakdown:

Operating Budget Impact:						
Impact Type	2017	2018	2019	2020	2021	Total
Contractual Services			11,940			11,940
Total			11,940			11,940

Project Expenditure Breakdown:							
Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements				1,509,134			1,509,134
Total				1,509,134			1,509,134

Project Funding:							
Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Cash				1,509,134			1,509,134
Total				1,509,134			1,509,134

Project Name Replace Exterior Joint Sealant Adult Detention - North Add.
Requestor/Title/Department Steve Claassen, Director of Facilities, Fleet, and Parks
Project Purpose Improvement

Project Description:

Location 141 W. Elm

Scope of Work to be Performed:

Replace joint sealant for pre-cast concrete panels at the Sedgwick County Adult Detention Facility (North addition). Work includes removal of existing sealant from all exterior horizontal and vertical pre-cast joints, removal of all sealant from thirteen interior gyms located in pods, and properly cleaning and preparing joints for new backer rods and two part joint sealant. Sealant inside gyms will receive "pick proof" sealant to prevent vandalism.

Project Need/Justification:

Current sealant is failing in places but the majority still has a few years of useful life remaining. Pre-cast construction is reliant upon the sealant between panels to maintain the integrity of the exterior envelope of the building. The South Housing unit sealant was replaced in 2008. The need to totally replace sealant for the North addition is projected for 2015.

Consequences of Delaying or Not Performing the Work Outlined:

Without functioning precast wall panel sealant, damage is likely to structural steel weld plates that connect the pre-cast to the poured in place concrete structure, pre-cast panel deterioration will occur, increased utility costs will result and increased potential for mold and pests become problems.

Describe Project's Impact on Operating Budget:

There is no significant impact on the operating budget anticipated.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
Total						

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements			161,632				161,632
Contractual Services			199				199
Total			161,831				161,831

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Cash			161,831				161,831
Total			161,831				161,831

Project Name Replace Parking Lots on County Property
Requestor/Title/Department Steve Claassen, Director of Facilities, Fleet, and Parks
Project Purpose Improvement

Project Description:

Location Various County-owned Facilities

Scope of Work to be Performed:

Complete replacement of parking lots outside various County-owned buildings.

Project Need/Justification:

In 2010, Sedgwick County contracted with a local architectural engineering firm to complete parking lot evaluations for County-owned buildings. This plan for replacement projects is the implementation of recommendations included in that report. This survey was completed in response to an identified need to use professionals to assess pavement conditions at appropriate intervals and use that data to prioritize maintenance, repair and replacement.

Consequences of Delaying or Not Performing the Work Outlined:

Primarily the delays will cause accelerating deterioration of the pavement. Additionally, if the surface becomes irregular or unstable, the possibility for pedestrian injury increases.

Describe Project's Impact on Operating Budget:

There is no significant impact on the operating budget anticipated.

Financial Breakdown:

Operating Budget Impact:							
Impact Type	2017	2018	2019	2020	2021	Total	

Total

Project Expenditure Breakdown:							
Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements			184,421		205,712		390,133
Total			184,421		205,712		390,133

Project Funding:							
Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Cash			184,421		205,712		390,133
Total			184,421		205,712		390,133

Project Name Replace Roofs - County-Owned Buildings
Requestor/Title/Department Steve Claassen, Director of Facilities, Fleet, and Parks
Project Purpose Improvement

Project Description:

Location Various sites in Sedgwick County

Scope of Work to be Performed:

Complete roof removal and replacement for various County-owned buildings. In this five year CIP window, the major roof replacements planned are the District Attorney's wing of the Main Courthouse as well as the south half of the Sedgwick County Adult Detention Facility in 2018.

Project Need/Justification:

In 2001, Sedgwick County contracted with a local architectural engineering firm to complete roof evaluations for County-owned buildings. That five year plan, which is part of a 20-year survey plan, was the original basis for the recommendations included in a County wide roof plan. That initial plan was updated during 2009-2010 with assessments performed by qualified engineers and provides an analytical and objective basis for repair and replacement. As an example, the south half of the Adult Detention Facility Roof was programmed for earlier replacement, but because of repairs and maintenance the useful life of this roof has been extended to the year 2018.

Consequences of Delaying or Not Performing the Work Outlined:

Most roofs will last in excess of 20 years if properly maintained and they do not experience storm damage. Facilities staff schedule replacement based on averages for the type of roof and adjust replacement schedules as needed depending on storms and the environment. Failure to replace a roof before it fails results in property and contents damage. Some examples of that damage can be in the form of mold, ruined ceilings, and failure of electrical and mechanical systems.

Describe Project's Impact on Operating Budget:

There is no significant impact on the operating budget anticipated.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements	169,968				477,476	887,594	1,365,070
Total	169,968				477,476	887,594	1,365,070

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Cash	169,968				477,476	887,594	1,365,070
Total	169,968				477,476	887,594	1,365,070

Project Name Rooftop HVAC Unit Replacement at Regional Forensic Science Center
Requestor/Title/Department Steve Claassen, Director of Facilities, Fleet, and Parks
Project Purpose Replacement

Project Description:

Location 1109 N Minneapolis, Wichita, KS 67214

Scope of Work to be Performed:

Replace four existing rooftop units (RTU's) which serve the arson, microscopy and trace wet labs, drug wet lab and drug instrument lab, with a chilled water refrigeration unit and associated boiler. Make necessary modifications to the fume hoods and exhaust fans in the same areas. This will bring the temperature and humidity back into the specified range to ensure and preserve the integrity of the work performed on evidence in those labs and reduce the chance of equipment damage and/or failure.

Project Need/Justification:

The current HVAC system cannot maintain the required levels of temperature and humidity despite over 200 service attempts since 2010. In 2015, the County hired our on-call A&E firm to study the situation and provide a recommendation to correct the issues. They looked at the system and took temperature, humidity and dew point readings to determine how the system should act vs. how the system did act. They concluded some components were undersized and could not keep up with changing outside conditions while others were oversized and did not run long enough to remove humidity while maintaining the proper temperature. There were also control issues which result in more unconditioned air entering the space than the system can handle. They recommend replacing the existing units with a chiller to provide a satisfactory system of controlling temperature and humidity in the spaces. The chiller is more energy efficient than the existing system, which could save \$3,000 to \$5,000 per year.

Consequences of Delaying or Not Performing the Work Outlined:

Delaying this project will result in the decreased availability to use the labs for processing evidence and increase the likelihood for equipment damage, both on the existing HVAC units and the lab equipment used by RFSC staff.

Describe Project's Impact on Operating Budget:

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements		361,632					361,632
Total		361,632					361,632

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Cash		361,632					361,632
Total		361,632					361,632

Project Name Sedgwick County Park Pond Bank Stabilization and Paving
Requestor/Title/Department Steve Claassen, Director of Facilities, Fleet, and Parks
Project Purpose Improvement

Project Description:

Location Sedgwick County Park

Scope of Work to be Performed:

The two Sedgwick County ponds east of North Shore Blvd. and south of 21st Street north have suffered dramatic bank erosion and have become eyesores at this prominent north entrance area of the park. This project would restore some of the worst areas of the damage.

Project Need/Justification:

These ponds and this area of the park are highly visible and often are the first impression patrons receive when entering the park from 21st. The ponds are one of the most unique features of the park and should be maintained for this and future generations. The West Kids Lake Drive serves the kids playground area in a grove of tree that gets a great deal of use. The new road will define areas where vehicular traffic is permitted and discourage that traffic from driving all through this area contributing to the erosion problem. This project would: 1. Dredge in the worst affected areas where the eroded soils have filled portions of the pond leaving a muddy unsightly condition. 2.Re-grade the worst affected banks. 3.Bring in topsoil to create and establish vegetation to stabilize the embankment.4.Remove the remnants of West Kids Lake Dr. 5.Rebuild West Kids Lake drive using 6" crushed rock base and 5" A.C. pavement.

Consequences of Delaying or Not Performing the Work Outlined:

The bank erosion problem is a progressive one that already is severe. Without addressing the problem, consideration will need to be given to filling in the more shallow eroded portions of the pond. Without re-establishing the roadway, the vehicles that access this area will continue to drive in areas that need to have the vegetation protected for a maintainable park environment.

Describe Project's Impact on Operating Budget:

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements				407,766			407,766
Total				407,766			407,766

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Cash				407,766			407,766
Total				407,766			407,766

Project Name Law Enforcement Training Center
Requestor/Title/Department Jeff Easter, Sedgwick County Sheriff
Project Purpose Improvement
Project Description:
Location Wichita State University Innovation Campus

Scope of Work to be Performed:

Provision of offices, classroom space and training areas to support Law Enforcement and 911 training at a site to be determined. This project will be a joint effort of Sedgwick County and the City of Wichita. This estimate of cost and funding is for the county's share of the project.

Project Need/Justification:

The current Law Enforcement Training Center does not adequately meet the needs of Wichita Police and Sedgwick County Sheriff Departments. It is housed in a former USD 259 elementary school built in 1958. Neither tenants nor school district are inclined to make significant investments in infrastructure for heavy maintenance or remodeling. This proposed facility jointly uses space and creates natural synergies for law enforcement training and has regional potential.

Consequences of Delaying or Not Performing the Work Outlined:

Failure to proceed with this project would mean the continued reliance on an aging, unsatisfactory former elementary school as the training facility. The existing facility has insufficient space, rapidly deteriorating heating and cooling systems, and inadequate technology to serve current needs.

Describe Project's Impact on Operating Budget:

The larger facility is expected to have increased operating costs, and estimates will be updated as a site is selected and the design is refined.

Financial Breakdown:

Operating Budget Impact:						
Impact Type	2017	2018	2019	2020	2021	Total

Total

Project Expenditure Breakdown:							
Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements	2,650,000	2,850,000					2,850,000
Total	2,650,000	2,850,000					2,850,000

Project Funding:							
Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other	2,650,000	2,850,000					2,850,000
Total	2,650,000	2,850,000					2,850,000

Project Name D25 - Flood Control System Major Maintenance and Repair
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose Maintenance

Project Description:

Location Wichita-Valley Center Flood Control Project Levees

Scope of Work to be Performed:

Major maintenance and repair work to the flood control system. Work includes repair or replacement of toe drains, flood gates, concrete, erosion control systems, earthwork on levees and channels and other critical elements of the system.

Project Need/Justification:

The flood control system represents a significant long term investment in infrastructure. Extensive analysis performed during the levee certification project revealed that the system is in good condition but that future viability of the project depends upon making continuing investments in major maintenance and repair work. It is widely believed that levee certification will be required by FEMA every 10 years. Under a separate program, the Corps of Engineers will perform an extensive inspection every 5 years. The backbone of the system is over 50 years old. In order to continue to pass inspections and retain levee accreditation by FEMA over the next 50 years or more, local government will have to expend additional funds over a period of time to repair or replace critical elements of the system.

Consequences of Delaying or Not Performing the Work Outlined:

1) Decertification of the levee system by FEMA, which will result in increased flood insurance costs to the community. 2) Failure to pass Corps of Engineers inspections, which will result in the withholding of federal repair funds after damaging flood events.

Describe Project's Impact on Operating Budget:

Although this maintenance and repair work will improve the overall condition of the system, there is no anticipated impact on the operating budget.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements		500,000	500,000	500,000	500,000	500,000	2,500,000
Total		500,000	500,000	500,000	500,000	500,000	2,500,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Cash		500,000	500,000	500,000	500,000	500,000	2,500,000
Total		500,000	500,000	500,000	500,000	500,000	2,500,000

Project Name R134: Utility Relocation & Right Of Way
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose Improvement

Project Description:

Location Various Locations

Scope of Work to be Performed:

Purchase right of way and/or relocate utilities at various locations as needed to complete maintenance or construction projects.

Project Need/Justification:

Right of way acquisition and utility relocation must be completed prior to construction of projects.

Consequences of Delaying or Not Performing the Work Outlined:

Projects will be delayed or cancelled.

Describe Project's Impact on Operating Budget:

None

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements	200,000	200,000	200,000	200,000	200,000	200,000	1,000,000
Total	200,000	200,000	200,000	200,000	200,000	200,000	1,000,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other	200,000	200,000	200,000	200,000	200,000	200,000	1,000,000
Total	200,000	200,000	200,000	200,000	200,000	200,000	1,000,000

Project Name R175: Preventive Maintenance on Selected Roads
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose Maintenance

Project Description:

Location Various Roads

Scope of Work to be Performed:

Preventive maintenance work is performed by contract or purchase of materials for overlays, seals, shoulders, cold mix asphalt, etc. on a rotating 6 year schedule in 2017 and moving to a rotating 7 year schedule starting in 2018.

Project Need/Justification:

Life cycle cost of roads is reduced by performing regular pavement maintenance.

Consequences of Delaying or Not Performing the Work Outlined:

When timely preventative maintenance is not performed, roads deteriorate. When roads are allowed to deteriorate past a certain point, they must be replaced with new pavement.

Describe Project's Impact on Operating Budget:

Regular preventative maintenance reduces operating costs.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements	9,250,000	9,166,667	7,857,143	7,857,143	7,857,143	7,857,143	40,595,239
Total	9,250,000	9,166,667	7,857,143	7,857,143	7,857,143	7,857,143	40,595,239

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other	9,250,000	9,166,667	7,857,143	7,857,143	7,857,143	7,857,143	40,595,239
Total	9,250,000	9,166,667	7,857,143	7,857,143	7,857,143	7,857,143	40,595,239

Project Name R264: Miscellaneous Drainage Projects
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose Improvement

Project Description:

Location Misc. drainage projects in the County

Scope of Work to be Performed:

Purchase materials for in house construction or contract for construction of drainage projects to improve localized drainage along various road right of ways.

Project Need/Justification:

Good drainage is critical for the long term stability of roads. This project funds cross road culverts and other drainage improvements that need to be made when the road is not ready to be replaced.

Consequences of Delaying or Not Performing the Work Outlined:

Accelerated road deterioration.

Describe Project's Impact on Operating Budget:

Good drainage will reduce the cost of road maintenance.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements	500,000	500,000	500,000	500,000	550,000	600,000	2,650,000
Total	500,000	500,000	500,000	500,000	550,000	600,000	2,650,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other	500,000	500,000	500,000	500,000	550,000	600,000	2,650,000
Total	500,000	500,000	500,000	500,000	550,000	600,000	2,650,000

Project Name R328: Northwest Bypass Right of Way Acquisition (K-254)
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose Improvement

Project Description:

Location Northwest Bypass Right of Way Acquisition (K-254)

Scope of Work to be Performed:

Provide matching funds to Kansas Department of Transportation to purchase high priority right of way tracts for Northwest Bypass project on K-254 and US-54.

Project Need/Justification:

A bypass route connecting US-54 near Goddard to K-96 near Maize will be needed to meet future traffic demand. KDOT, Sedgwick County, Wichita, Goddard and Maize need to protect the proposed corridor by acquiring the right of way tracts. High priority purchases include hardship cases and opportunity purchases. The area is protected by a protective zoning overlay that temporarily delays new building permits or development to allow KDOT time to acquire the property before development occurs.

Consequences of Delaying or Not Performing the Work Outlined:

The cost of right of way increases over time and as development occurs on needed tracts. Failure to purchase certain properties before they develop will have a dramatic impact on the cost of the project.

Describe Project's Impact on Operating Budget:

None

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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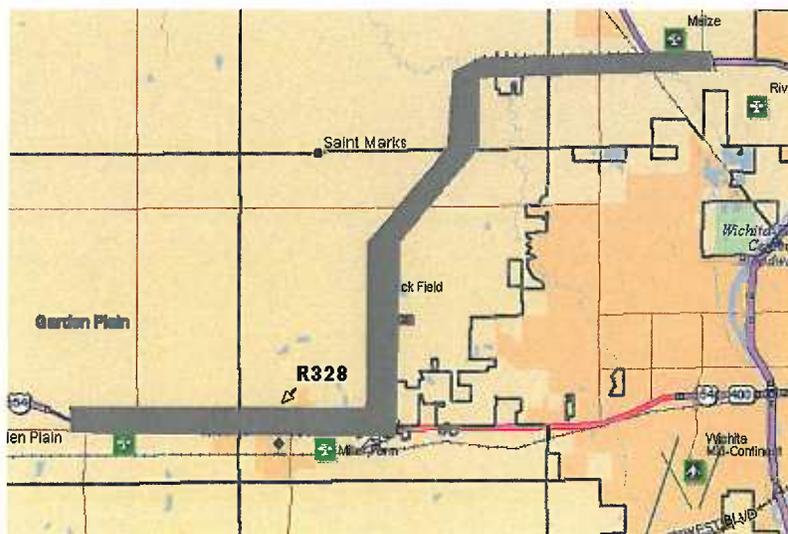
Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements	661,000	661,000	661,000	661,000	661,000		2,644,000
Total	661,000	661,000	661,000	661,000	661,000		2,644,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other	325,000	325,000	325,000	325,000	325,000		1,300,000
Intergovernmental	336,000	336,000	336,000	336,000	336,000		1,344,000
Total	661,000	661,000	661,000	661,000	661,000		2,644,000



Project Name R331: Traffic Control Maintenance and Construction
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose Improvement

Project Description:

Location Traffic Control Maintenance and Construction

Scope of Work to be Performed:

Contracts for installation, construction and maintenance or purchase of materials for traffic controls such as painted markings, signage, signals, etc.

Project Need/Justification:

Reduction in County forces required Public Works to contract for a portion of this work beginning in 2012.

Consequences of Delaying or Not Performing the Work Outlined:

Failure to maintain traffic control marking and devices would create unsafe driving conditions.

Describe Project's Impact on Operating Budget:

None

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements	550,000	550,000	550,000	550,000	550,000	600,000	2,800,000
Total	550,000	550,000	550,000	550,000	550,000	600,000	2,800,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other	550,000	550,000	550,000	550,000	550,000	600,000	2,800,000
Total	550,000	550,000	550,000	550,000	550,000	600,000	2,800,000

Project Name R334: Interchange at I-235 and US-54 (Phase 1)
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose Improvement

Project Description:

Location Interchange at I-235 and US-54 (Phase 1)

Scope of Work to be Performed:

Reconstruct interchange at I-235 and US-54 (Phase 1 of 4) Road Number: N/A (Intersection of two state roads) 2012 Traffic Count by Mile: Not available

Project Need/Justification:

The Board of County Commissioners approved County participation in this Kansas Department of Transportation Project on May 18, 2011. The County share of the project will be \$11,600,000. The project is expected to begin in 2016 and extend through 2018. The interchange is a high priority project in both the region and the state.

Consequences of Delaying or Not Performing the Work Outlined:

Sedgwick County executed a written agreement to participate in the project funding.

Describe Project's Impact on Operating Budget:

None

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements	40,012,823	40,000,000	36,000,000				76,000,000
Total	40,012,823	40,000,000	36,000,000				76,000,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other	867,698	1,500,000	1,100,000				2,600,000
Intergovernmental	39,145,125	38,500,000	34,900,000				73,400,000
Total	40,012,823	40,000,000	36,000,000				76,000,000



Project Name R341: South Area Parkway from K-15 to US-81
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose New

Project Description:

Location South Area Parkway from K-15 to US-81 (95th St. South)

Scope of Work to be Performed:

Design of Phase 1 of the South Area Parkway. This first segment would link K-15 to US-81 and includes a new crossing over the Arkansas River and the BNSF railroad. In this area, the parkway would follow the 95th St. South alignment. The project may include improvements for bicycle, pedestrian and equestrian users.

Project Need/Justification:

The South Area Transportation Study (SATS) took a long term look at regional transportation in the southern part of the County. The SATS recommended development of a parkway system following Greenwich Road, 95th St. South and 119th St. West as an alternative to a freeway system in the area. This project is consistent with the recommendations of the SATS.

Consequences of Delaying or Not Performing the Work Outlined:

An additional river crossing and a high capacity east west route is needed in the southern portion of the County to provide capacity for future traffic demand. Failure to move forward will delay implementation of these improvements and could lead to traffic congestion.

Describe Project's Impact on Operating Budget:

The construction of this segment would improve the transportation system in the southern part of the County.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
Total						

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements			1,000,000				1,000,000
Total			1,000,000				1,000,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other			1,000,000				1,000,000
Total			1,000,000				1,000,000



Project Name R342: Cold Mix and Gravel Road Replacement Program
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose Replacement

Project Description:

Location Various locations to be determined annually.

Scope of Work to be Performed:

Replacement of existing cold mix asphalt roads that are in poor condition or replacement of County or township gravel roads where traffic volumes justify conversion to paved roads.

Project Need/Justification:

Up to 5 miles of roads would be selected each year based on traffic counts, road condition and expected growth of traffic counts.

Consequences of Delaying or Not Performing the Work Outlined:

Describe Project's Impact on Operating Budget:

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements	1,250,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	7,500,000
Total	1,250,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	7,500,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other	1,250,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	7,500,000
Total	1,250,000	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	7,500,000

Project Name R344: Widen Greenwich Road from Harry to Pawnee
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose Improvement

Project Description:

Location Greenwich Road from Harry to Pawnee

Scope of Work to be Performed:

Replace two lane rural road with three or five lane urban streetCounty Road Number: 835-R

Project Need/Justification:

Traffic Count: 4362Area is urbanizing and increased traffic and development of new Southeast High School warrant street widening.

Consequences of Delaying or Not Performing the Work Outlined:

Describe Project's Impact on Operating Budget:

Widening will increase paved area and increase overall pavement maintenance costs.

Financial Breakdown:

Operating Budget Impact:

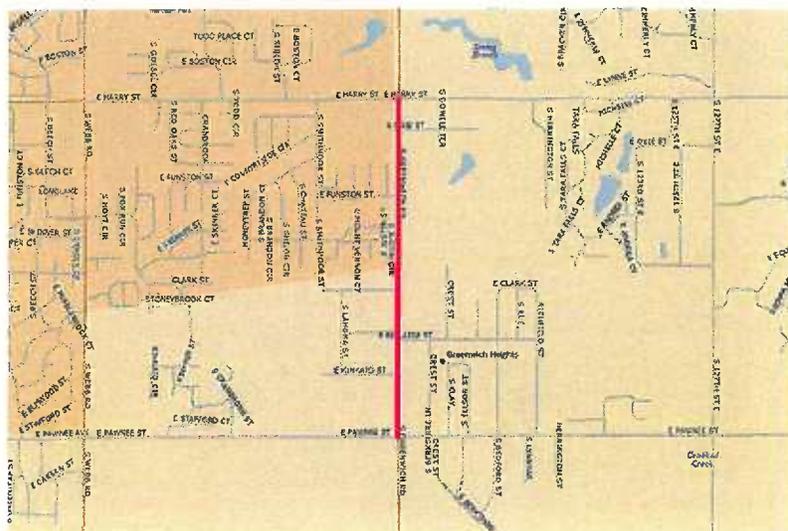
Impact Type	2017	2018	2019	2020	2021	Total
Total						

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements			5,000,000				5,000,000
Total			5,000,000				5,000,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other			500,000				500,000
Intergovernmental			4,500,000				4,500,000
Total			5,000,000				5,000,000



Project Name R345: Multi-Use Path on Rock from McConnell to Oak Knoll
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose New

Project Description:

Location East side of Rock Road from McConnell AFB to Oak Knoll

Scope of Work to be Performed:

Construction of 10 foot wide multi-use path to connect the main entrance at McConnell AFB to the Wichita pathway at Oak Knoll.

Project Need/Justification:

There is significant foot traffic heading north to Wichita from the base housing complex east of Rock Road. No sidewalks currently connect the Wichita path system to McConnell.

Consequences of Delaying or Not Performing the Work Outlined:

Describe Project's Impact on Operating Budget:

There would be increased maintenance costs for the new pathway.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
Total						

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements			300,000				300,000
Total			300,000				300,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other			300,000				300,000
Total			300,000				300,000



Project Name B461: Special Bridge Inspection and Engineering Services
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose New

Project Description:

Location Various

Scope of Work to be Performed:

Federal law requires regular inspection of all bridges listed in the National Bridge Inventory System (NBIS). Approximately 600 bridges maintained by Sedgwick County are listed in the NBIS. Some bridges may require special inspections, analysis, studies or design work that is beyond Public Works in-house capability or capacity. Contracts will be issued as needed to complete this work.

Project Need/Justification:

Contractual services are required to supplement the work of staff and provide specialized engineering services. KDOT performs some specialized inspections on a reimbursement basis for all counties in the state.

Consequences of Delaying or Not Performing the Work Outlined:

Failure to complete required inspections could lead to sanctions from KDOT and unsafe conditions on County bridges.

Describe Project's Impact on Operating Budget:

Accurate information about bridge conditions helps the bridge engineer prioritize bridge repairs and replacements and reduces maintenance costs over time.

Financial Breakdown:

Operating Budget Impact:						
Impact Type	2017	2018	2019	2020	2021	Total

Total

Project Expenditure Breakdown:							
Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements	100,000	100,000	100,000	100,000	100,000	100,000	500,000
Total	100,000	100,000	100,000	100,000	100,000	100,000	500,000

Project Funding:							
Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other	100,000	100,000	100,000	100,000	100,000	100,000	500,000
Total	100,000	100,000	100,000	100,000	100,000	100,000	500,000

Project Name B464: Bridge Design and Engineering Studies
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose Replacement

Project Description:

Location Bridge Designs for Off System Federal Funding

Scope of Work to be Performed:

Contract for design of bridges that are eligible for construction with FHWA Off System Bridge funds. KDOT will hold an annual statewide call for off system bridge projects. They expect to have \$8,000,000 per year available. Sedgwick County prepares plans for eligible projects in order to position the projects for initial selection by KDOT or to utilize funds that can't be expended by other communities.

Project Need/Justification:

Sedgwick County has nearly 600 bridges to maintain. Every opportunity for replacement funding must be pursued.

Consequences of Delaying or Not Performing the Work Outlined:

Failure to obtain federal funding that could be used on Sedgwick County projects.

Describe Project's Impact on Operating Budget:

Older bridges are more expensive to maintain than newer bridges.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements	120,000	120,000	120,000	120,000	120,000	120,000	600,000
Total	120,000	120,000	120,000	120,000	120,000	120,000	600,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other	120,000	120,000	120,000	120,000	120,000	120,000	600,000
Total	120,000	120,000	120,000	120,000	120,000	120,000	600,000

Project Name B467: Bridge on 39th St. S between 327th St West and 343rd St West
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose Improvement

Project Description:

Location Bridge on 39th St. S. between 327th St W and 343rd St W

Scope of Work to be Performed:

Replace bridge on 39th St. S. between 327th St. W. and 343rd St. W. County Bridge Number: 628-5-1671 NBI Number: 00000000870960

Project Need/Justification:

Sufficiency Rating: 42.1 and Structurally Deficient Load Limit: 15/23/36 Traffic Count: 968

Consequences of Delaying or Not Performing the Work Outlined:

Eventual bridge failure and road closure.

Describe Project's Impact on Operating Budget:

The new bridge will have lower maintenance costs than the existing bridge.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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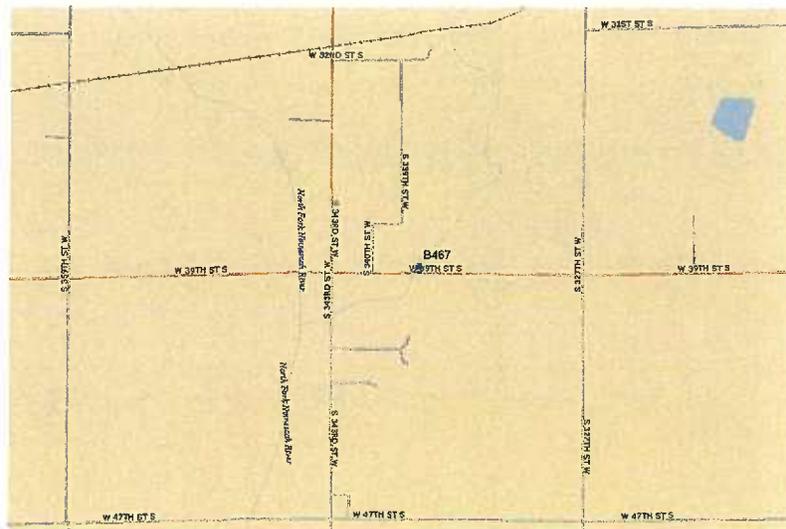
Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements		1,600,000					1,600,000
Total		1,600,000					1,600,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other		1,600,000					1,600,000
Total		1,600,000					1,600,000



Project Name B471: Bridge on 53rd St N between 231st St West and 247th St West
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose Replacement

Project Description:

Location 53rd St North between 231st St W and 247th St W

Scope of Work to be Performed:

Replace bridge on 53rd St North between 231st St West and 247th St West County Bridge Number: 606-11-3000 NBI Number: 000000000871750

Project Need/Justification:

Sufficiency Rating: 28.6 and Structurally Deficient Traffic Count: 1,819

Consequences of Delaying or Not Performing the Work Outlined:

Eventual bridge failure and road closure.

Describe Project's Impact on Operating Budget:

New bridge will have lower maintenance costs than the existing bridge.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements		700,000					700,000
Total		700,000					700,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other		700,000					700,000
Total		700,000					700,000



Project Name B472: Bridge on 295th St West between 45th St North and 53rd St North
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose Replacement

Project Description:

Location 295th Street West between 45th St N and 53rd St N

Scope of Work to be Performed:

Replace bridge on 295th St West between 45th St North and 53rd St North
 County Bridge Number: 783-J-3054
 NBI Number: 000870783006064

Project Need/Justification:

Sufficiency Rating:36.4
 Load Limit: 12/18/29
 Traffic Count: 419

Consequences of Delaying or Not Performing the Work Outlined:

Eventual bridge failure and road closure.

Describe Project's Impact on Operating Budget:

The new bridge will have lower maintenance costs than the existing bridge.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements	40,000		550,000				550,000
Total	40,000		550,000				550,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other	40,000		550,000				550,000
Total	40,000		550,000				550,000



Project Name B473: Bridge on Broadway between 117th and 125th St North
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose Replacement

Project Description:

Location Broadway between 117th St North and 125th St North

Scope of Work to be Performed:

Replace bridge on Broadway between 117th St North and 125th St North County Bridge Number: 821-A-2234 NBI Number: 00000000870450

Project Need/Justification:

Sufficiency Rating: 28.5 and Structurally Deficient Load Limit: 15/23/36 Traffic Count: 1,591

Consequences of Delaying or Not Performing the Work Outlined:

Eventual bridge failure and road closure.

Describe Project's Impact on Operating Budget:

The new bridge will have lower maintenance costs than the existing bridge.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements		1,700,000					1,700,000
Total		1,700,000					1,700,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other		1,700,000					1,700,000
Total		1,700,000					1,700,000



Project Name B475: Bridge on 295th St West between 93rd St North and 101 St North
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose Replacement

Project Description:

Location 295th St. West between 93rd St N and 101st St. N

Scope of Work to be Performed:

Replace bridge on 295th St. West between 93rd St. N. and 101st St. N.
 County Bridge Number: 783-D-1237
 NBI Number: 000870783005948

Project Need/Justification:

Sufficiency Rating: 49.5 and Structurally Deficient
 Traffic Count: 40

Consequences of Delaying or Not Performing the Work Outlined:

Eventual bridge failure and road closure.

Describe Project's Impact on Operating Budget:

The new bridge will have lower maintenance costs than the existing bridge.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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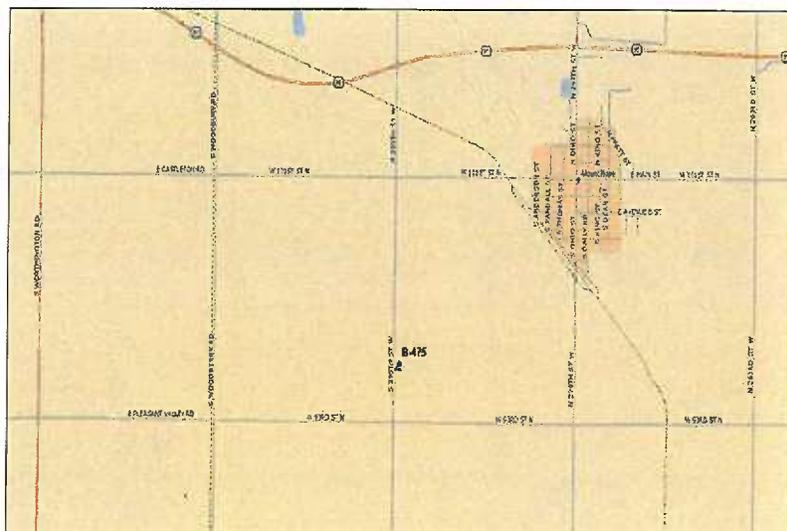
Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements	60,000	400,000					400,000
Total	60,000	400,000					400,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other	60,000	400,000					400,000
Total	60,000	400,000					400,000



Project Name B476: Bridge on 95th St South between 151st St West and 167th St West
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose Improvement

Project Description:

Location 95th St South between 151st St W and 167th St W

Scope of Work to be Performed:

Replace bridge on 95th St. S. between 151st St. W. and 167th St. W.
 County Brige Number: 642-16-3150
 NBI Number: 000870799606420

Project Need/Justification:

Sufficiency Rating: 48.2
 Load Limit: Not Posted
 Traffic: 924

Consequences of Delaying or Not Performing the Work Outlined:

Eventual bridge failure and road closure.

Describe Project's Impact on Operating Budget:

The new bridge will have lower maintenance costs than the existing bridge.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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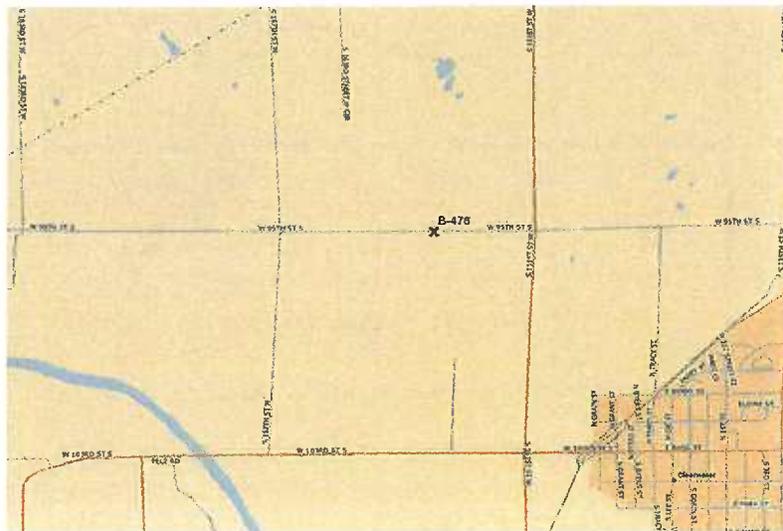
Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements	60,000	900,000					900,000
Total	60,000	900,000					900,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other	60,000	900,000					900,000
Total	60,000	900,000					900,000



Project Name B482: Bridge Redeck on Hydraulic between 69th St N and 77th St N
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose Maintenance

Project Description:

Location Hydraulic between 69th St N and 77th St N

Scope of Work to be Performed:

Redeck bridge on Hydraulic between 69th and 77th St. North County Bridge Number: 823-G-170 NBI Number: 000870823006009

Project Need/Justification:

Sufficiency Rating 87.6 Load Limit: None Traffic Count: 1,326

Consequences of Delaying or Not Performing the Work Outlined:

Eventual bridge failure and road closure.

Describe Project's Impact on Operating Budget:

Eventual bridge failure and road closure.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements			1,000,000				1,000,000
Total			1,000,000				1,000,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other			1,000,000				1,000,000
Total			1,000,000				1,000,000



Project Name B484: Bridge on 95th St South between Broadway and KTA
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose Maintenance

Project Description:

Location 95th St South between Broadway and KTA (Cowskin Creek)

Scope of Work to be Performed:

Replace bridge on 95th St. South between Broadway and KTA
 County Bridge Number: 642-27-519
 NBI Number: 00000000870275

Project Need/Justification:

Sufficiency Rating: 31.1
 Load Limit: 8 tons
 Traffic Count: 711

Consequences of Delaying or Not Performing the Work Outlined:

Eventual bridge failure and road closure.

Describe Project's Impact on Operating Budget:

The new bridge will have lower maintenance cost than the existing bridge.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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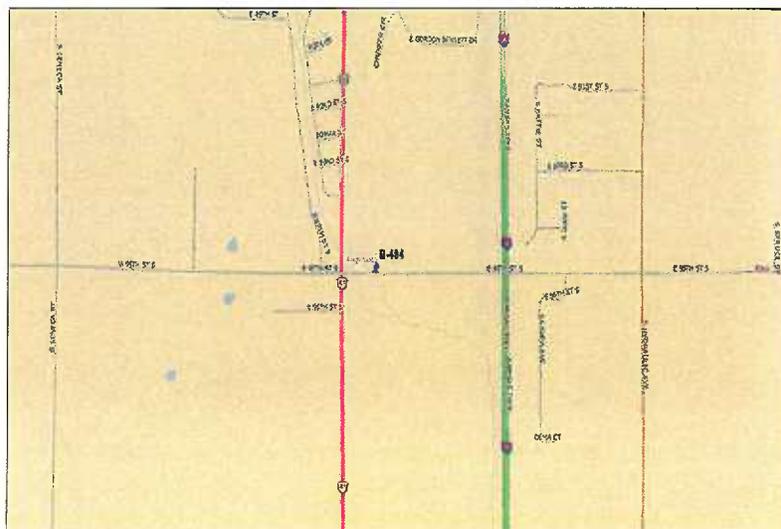
Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements		100,000	100,000	1,450,000			1,650,000
Total		100,000	100,000	1,450,000			1,650,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other		100,000	100,000	450,000			650,000
Intergovernmental				1,000,000			1,000,000
Total		100,000	100,000	1,450,000			1,650,000



Project Name B485: Bridge on 151st St West over Ninescah
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose Replacement

Project Description:

Location 151st St West over Ninescah River

Scope of Work to be Performed:

Replace bridge on 151st St. West over Ninescah County Bridge Number: 801-DD-5280 NBI Number: 00000000871275

Project Need/Justification:

Sufficiency Rating: 53.3 Load Limit: 12/23/36 tons Traffic Count: 658

Consequences of Delaying or Not Performing the Work Outlined:

Eventual bridge failure and road closure.

Describe Project's Impact on Operating Budget:

The new bridge will have lower maintenance cost than the existing bridge.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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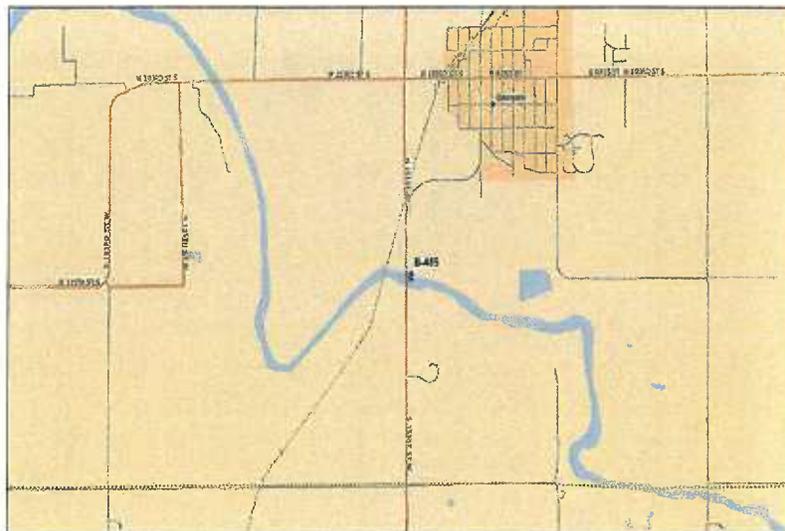
Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements		350,000	50,000	50,000	4,500,000		4,950,000
Total		350,000	50,000	50,000	4,500,000		4,950,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other		350,000	50,000	50,000	2,250,000		2,700,000
Intergovernmental					2,250,000		2,250,000
Total		350,000	50,000	50,000	4,500,000		4,950,000



Project Name B488: Bridge on 215th St. W. between 13th St. N and 21st St. N.
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose Replacement

Project Description:

Location On 215th St. W. between 13th St. N. and 21st St. N.

Scope of Work to be Performed:

Replace bridge on 215th St. W. between 13th St. N. and 21st St. N.
 County Bridge Number: 793-N-2480
 NBI Number: 000870793006145

Project Need/Justification:

Sufficiency Rating: 38.7
 Load Limit: 2014
 Traffic Count: 758

Consequences of Delaying or Not Performing the Work Outlined:

Eventual bridge failure and road closure.

Describe Project's Impact on Operating Budget:

The new bridge will have lower maintenance costs than the existing bridge.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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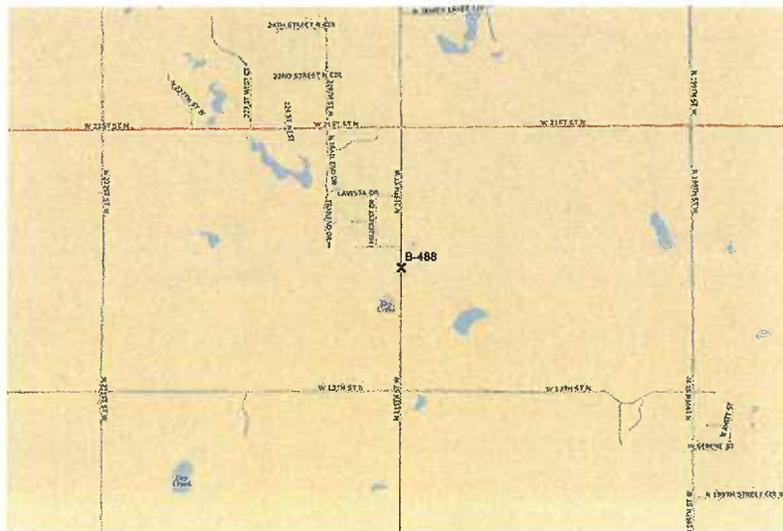
Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements		100,000	100,000	800,000			1,000,000
Total		100,000	100,000	800,000			1,000,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other		100,000	100,000	800,000			1,000,000
Total		100,000	100,000	800,000			1,000,000



Project Name B491: Bridge on 71st St. South between Webb and Greenwich
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose Replacement

Project Description:

Location On 71st St. South between Webb and Greenwich

Scope of Work to be Performed:

Replace bridge on 71st St. South between Webb and Greenwich
 County Bridge Number: 636-33-1850
 NBI Number: 000870833406360

Project Need/Justification:

Sufficiency Rating: 33.2
 Load Limit: 12/23/36
 2014 Traffic Count: 2,102

Consequences of Delaying or Not Performing the Work Outlined:

Eventual bridge failure and road closure.

Describe Project's Impact on Operating Budget:

The new bridge will have lower maintenance costs than the existing bridge.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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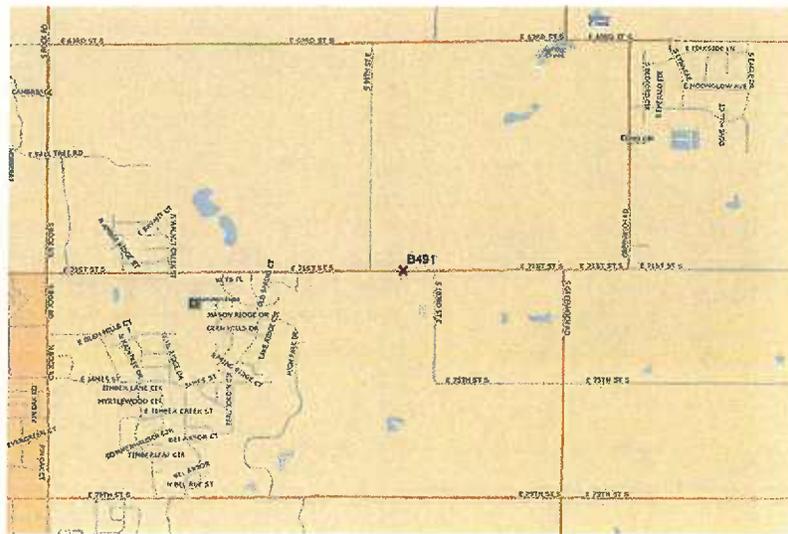
Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements	100,000	100,000	800,000				900,000
Total	100,000	100,000	800,000				900,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other	100,000	100,000	800,000				900,000
Total	100,000	100,000	800,000				900,000



Project Name B492: Bridge on 103rd St. S. between 103rd St. W. and 119th St. W
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose Replacement

Project Description:

Location On 103rd St. S. between 103rd St. W and 119th St. W.

Scope of Work to be Performed:

Replace bridge on 103rd St. S. between 103rd St. W and 119th St. W.
 County Bridge Number: 644-19-2847
 NBI Number: 00000000871330

Project Need/Justification:

Sufficiency Rating: 46.7
 Load Limit: 2014
 Traffic Count: 2,115

Consequences of Delaying or Not Performing the Work Outlined:

Eventual bridge failure and road closure.

Describe Project's Impact on Operating Budget:

The new bridge will have lower maintenance costs than the existing bridge.

Financial Breakdown:

Operating Budget Impact:

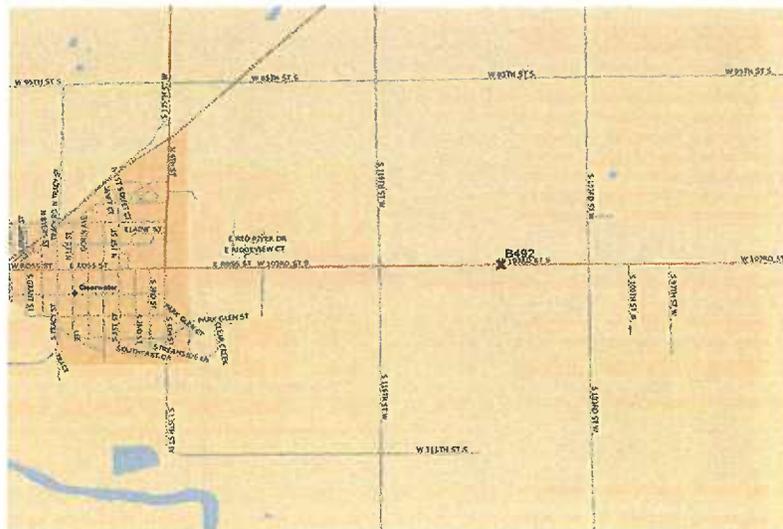
Impact Type	2017	2018	2019	2020	2021	Total
Total						

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements		40,000	100,000	400,000			540,000
Total		40,000	100,000	400,000			540,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other		40,000	100,000	400,000			540,000
Total		40,000	100,000	400,000			540,000



Project Name B493: Bridge on 199th St. W between Central and 13th St. N.
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose Replacement

Project Description:

Location On 199th St. W between Central and 13th St. N.

Scope of Work to be Performed:

Replace bridge on 199th St. W between Central and 13th St. N.
 County Bridge Number: 795-O-4715
 NBI Number: 000870795006161

Project Need/Justification:

Sufficiency Rating:45.6
 Load Limit: 15/23/362014
 Traffic Count: 1,361

Consequences of Delaying or Not Performing the Work Outlined:

Eventual bridge failure and road closure.

Describe Project's Impact on Operating Budget:

The new bridge will have lower maintenance costs than the existing bridge.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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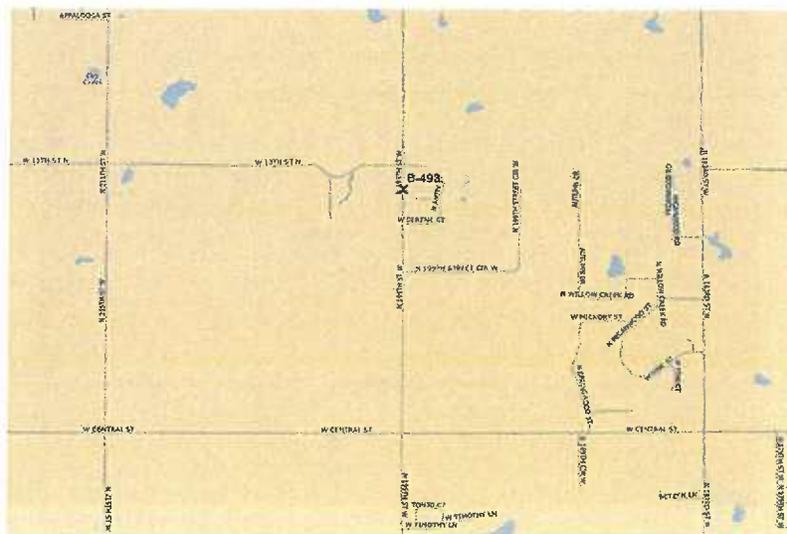
Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements			100,000	100,000	1,350,000		1,550,000
Total			100,000	100,000	1,350,000		1,550,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other			100,000	100,000	1,350,000		1,550,000
Total			100,000	100,000	1,350,000		1,550,000



Project Name B494: Bridge on 143rd St. East bewteen 69th St. North and 77th St. No
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose Replacement

Project Description:

Location 143rd St. East bewteen 69th St. North and 77th St. North

Scope of Work to be Performed:

Replace bridge on 143rd St. East bewteen 69th St. North and 77th St. North
 County Bridge Number: 839-G-2496
 NBI Number: 000870839006005

Project Need/Justification:

Sufficiency Rating: 48.5 and Structurally Deficient
 Traffic Count: 50

Consequences of Delaying or Not Performing the Work Outlined:

Eventual bridge failure and road closure.

Describe Project's Impact on Operating Budget:

The new bridge will have lower maintenance costs than the existing bridge.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
-------------	------	------	------	------	------	-------

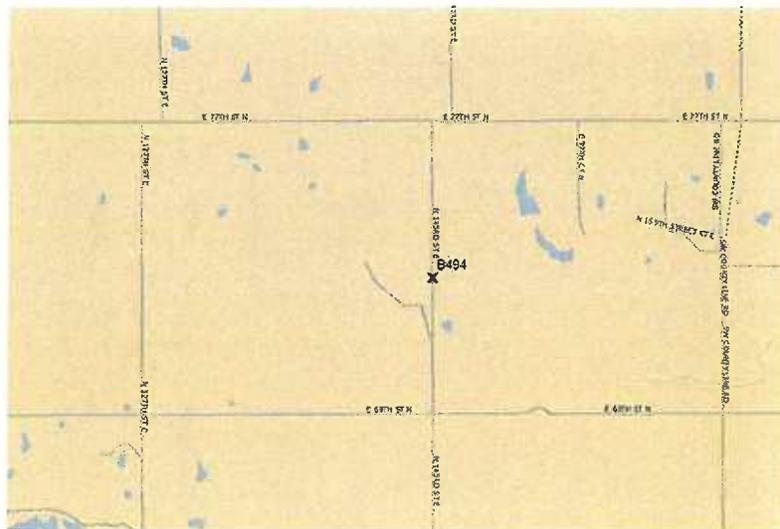
Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements			50,000	100,000	500,000		650,000
Total			50,000	100,000	500,000		650,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other			50,000	100,000	500,000		650,000
Total			50,000	100,000	500,000		650,000



Project Name B495: Bridge on 247th St. West between 77th St. North and 85th St. No
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose Replacement

Project Description:

Location 247th St. West between 77th St. North and 85th St. North

Scope of Work to be Performed:

Replace bridge on 247th St. West between 77th St. North and 85th St. North County Bridge Number: 789-F-4356 NBI Number: 00000000871720

Project Need/Justification:

Sufficiency Rating: 48.2 and Structurally Deficient Traffic Count: 763

Consequences of Delaying or Not Performing the Work Outlined:

Eventual bridge failure and road closure.

Describe Project's Impact on Operating Budget:

The new bridge will have lower maintenance costs than the existing bridge.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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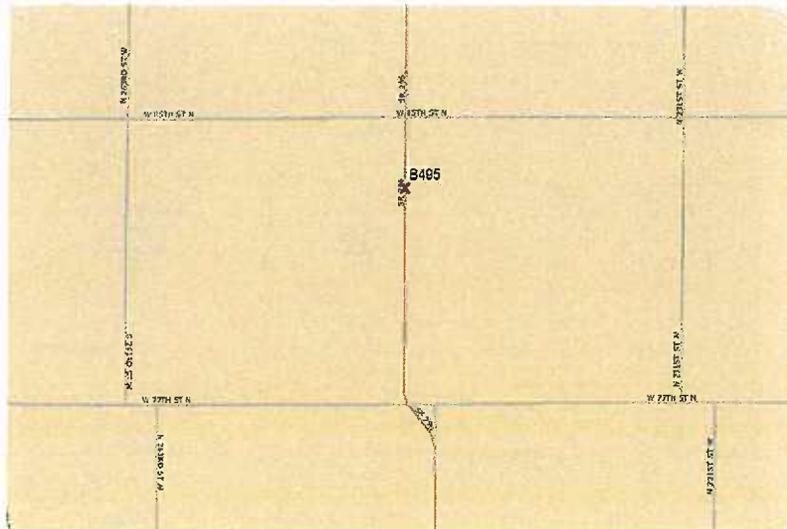
Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements				50,000	100,000	500,000	650,000
Total				50,000	100,000	500,000	650,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other				50,000	100,000	500,000	650,000
Total				50,000	100,000	500,000	650,000



Project Name B496: Bridge on 183rd St. West between 45th St. North and 53rd St. No
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose Replacement

Project Description:

Location 183rd St. West between 45th St. North and 53rd St. North

Scope of Work to be Performed:

Replace bridge on 183rd St. West between 45th St. North and 53rd St. North County Bridge Number: 797-J-3736 NBI Number: 000870797006063

Project Need/Justification:

Sufficiency Rating: 42 and Structurally Deficient Traffic Count: 40

Consequences of Delaying or Not Performing the Work Outlined:

Eventual bridge failure and road closure.

Describe Project's Impact on Operating Budget:

The new bridge will have lower maintenance costs than the existing bridge.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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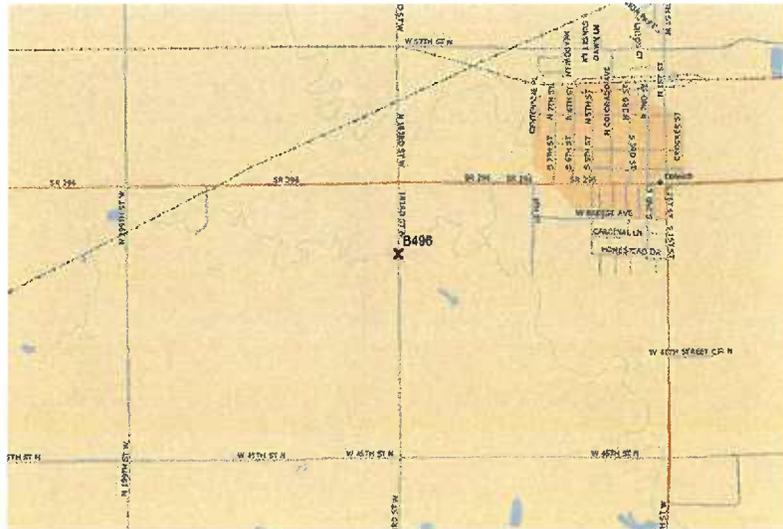
Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements				100,000	100,000	1,000,000	1,200,000
Total				100,000	100,000	1,000,000	1,200,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other				100,000	100,000	1,000,000	1,200,000
Total				100,000	100,000	1,000,000	1,200,000



Project Name B497: Bridge on Ridge between 39th St. South and 47th St. South
Requestor/Title/Department David Spears, Director of Public Works/County Engineer
Project Purpose Replacement

Project Description:

Location B497: Bridge on Ridge between 39th St. South and 47th St. South

Scope of Work to be Performed:

Replace bridge on Ridge between 39th St. South and 47th St. South County Bridge Number: 811-U-4148 NBI Number: 00000000870340

Project Need/Justification:

Sufficiency Rating: 50.5 Traffic Count: 1897

Consequences of Delaying or Not Performing the Work Outlined:

Eventual bridge failure and road closure.

Describe Project's Impact on Operating Budget:

The new bridge will have lower maintenance costs than the existing bridge.

Financial Breakdown:

Operating Budget Impact:

Impact Type	2017	2018	2019	2020	2021	Total
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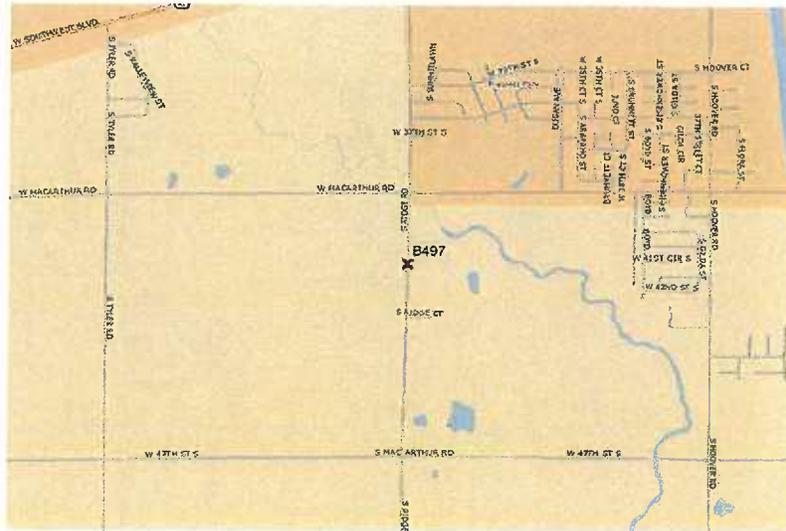
Total

Project Expenditure Breakdown:

Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements				50,000	100,000	500,000	650,000
Total				50,000	100,000	500,000	650,000

Project Funding:

Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Other				50,000	100,000	500,000	650,000
Total				50,000	100,000	500,000	650,000



Watch List Projects

Project Name ADA Elevator for County/City Tunnel
Requestor/Title/Department Steve Claassen, Director of Facilities, Fleet, and Parks
Project Purpose Improvement

Project Description:

Location 525 N. Main - Sedgwick County Courthouse

Scope of Work to be Performed:

Construct an elevator, for ADA compliance, near the tunnel entry to allow employees access to the County/City tunnel.

Project Need/Justification:

ADA regulations require that people with disabilities be provided with equal access to our programs and services. The design standards specifically identify the issue of having an interior route for some, but making people with disabilities go outside: "206.3 Location. Accessible routes shall coincide with or be located in the same area as general circulation paths. Where circulation paths are interiors, required accessible routes shall also be interior."

Consequences of Delaying or Not Performing the Work Outlined:

Risk litigation by not providing equal access. If the tunnel is to re-open to employees only, we would not be required to meet "program access" standards for the public; however, we would be required to make reasonable accommodations for employees. This means that, upon request, we would need to work with employees who need access as there are few other ways to provide "equal access" in this situation.

Describe Project's Impact on Operating Budget:

Financial Breakdown:

Operating Budget Impact:						
Impact Type	2017	2018	2019	2020	2021	Total

Total

Project Expenditure Breakdown:							
Expenditure	Prior Year	2017	2018	2019	2020	2021	Total
Capital Improvements		666,523					666,523
Total		666,523					666,523

Project Funding:							
Funding Type	Prior Year	2017	2018	2019	2020	2021	Total
Cash		666,523					666,523
Total		666,523					666,523

**WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT**

DATE: July 21, 2016

TO: Metropolitan Area Planning Commission

FROM: Dale Miller, Planning Director

SUBJECT: DER2016-00005 Amendments to certain sections of the Wichita-Sedgwick County Unified Zoning Code (UZC) to permit event centers, churches, farmer's markets, community assembly and bed and breakfast uses by right subject to development standards in certain zoning districts (minor changes dealing with punctuation and codification are also proposed).

Background: Some time ago staff was approached by two county residents who have agricultural facilities that were not being fully utilized due to limitations contained in the current Wichita-Sedgwick County Unified Zoning Code (UZC). Staff has worked to develop series of proposed amendments that can assist farm producers to better utilize farm properties and facilities.

The following is a listing of the key UZC code sections proposed to be amended.

- 1 Article II, Section II-B.1.h. Clarifies that roadside agricultural stands selling products produced onsite are agriculture. Provides additional examples of uses that are considered to be agriculture. (p. 2 of the draft resolution)
- 2 Article II, Section II-B.4.n. Adds the use and definition "Event Center in the County" to the code's list of uses. (p. 2 of the draft resolution)
- 3 Article II, Section II-B.4.p. Modifies the definition of "Farmer's Market" by deleting references to the City of Wichita and Environmental Services, making the definition appropriate for the County as well as the City. (p. 2 of the draft resolution)
- 4 Article III, Section III-B.2.b(2) Moves "Church or Place of Worship" and "Community Assembly" from a conditional use in the RR district to use by-right provided the use complies with the development standards contained in a new Article III, Section III-D.6.nn. If the use does not comply with the development standards contained in Article III, Section III-D.6.nn, "conditional use" approval would be required. (p. 4 of the draft resolution)
- 5 Article III, Section III-B.2.b(3) Moves "Bed and Breakfast Inn" to a use by-right in the RR district; currently it is a conditional use. Adds "Event Center in the County" as a listed use by-right in the RR district subject to Article III, Section III-D.6.nn provided it complies with Article III, Section III-D.6.nn. If the "Event Center in the County" does not meet said development standards, then conditional use approval is required. Adds "Farmer's Market in the County" subject to Article III, Section III-D.6.nn as a use by-

right in the RR district; “Farmer’s Market in the County” was not listed previously as a County use. (p. 4 of the draft resolution)

- 6 Article III, Section III-B.2.c(2) removes “Church or Place of Worship” and “Community Assembly” as a listed conditional use in the RR district provided it complies with proposed Article III, Section III-D.6.nn. If it does not comply with Article III, Section III-D.6.nn it requires conditional approval. (p. 5 of the draft resolution)
- 7 Article III, Section III-B.2.c(3) removes “Bed and Breakfast Inn” as a conditional use in the RR district (now that it is proposed to be a use by-right). (p. 5 of the draft resolution)
- 8 Article III, Section III-B.14.b(3) adds “Event Center in the County” and “Farmer’s Market in the County” as a use by-right in the LC district. (p. 7 of the draft resolution)
- 9 Article III, Section III-B.14.b(5) capitalizes the “U” in “Agricultural uses.” (p. 8 of the draft resolution)
- 10 Article III, Section III-B.16.b(2) capitalizes the “P” in “place of worship.” (p. 9 of the draft resolution)
- 11 Article III, Section III-B.16.b(3) adds “Event Center in the County” and “Farmer’s Market in the County” as a use by-right in the GC district. (p. 10 of the draft resolution)
- 12 Article III, Section III-B.20.b(3) adds “Event Center in the County,” “Farmer’s Market in the County” and “Riding Academy or Stable” as a use by-right in the LI district. (pp. 12 and 13 of the draft resolution)
- 13 Article III, Section III-B.21.b(3) adds “Event Center in the County” and “Farmer’s Market in the County” as a use by-right in the GI district. (p. 15 of the draft resolution)
- 14 Article III, Section III-D.5.a (matrix) modifies the matrix to reflect text changes. (pp. 17, 19, 20 and 22 of the draft resolution)
- 15 Article III, Section III-D.6.nn adds 12 development standards to “Event Centers in the County,” “Churches or Places of Worship,” “Community Assembly” and “Farmer’s Market in the County.” (pp. 25-26 of the draft resolution)

Staff recommends the following process to amend the WCMP and the UZC.

<u>Target Date</u>	<u>Task</u>
July 7, 2016	Introduction of proposed amendments to the Advanced Plans Committee
July 21, 2016	Request Metropolitan Area Planning Commission (MAPC) to set August 18, 2016, as the public hearing to consider the proposed amendments
July 25, 2016	Notice of public hearing to newspaper
July 28, 2016	Publication of proposed amendments in the newspaper
August 4, 2016	Advanced Plans to complete review of proposed amendments
August 18, 2016	MAPC public hearing

September 14, 2016 Board of County Commissioners considers proposed amendments

September 20, 2016 Wichita City Council considers proposed amendments

September 30, 2016 Ordinances and Resolutions amending UZC published

Recommended Action: Set the date of the official public hearing to consider adoption of the proposed amendments to the Unified Zoning Code for the regularly-scheduled meeting of the MAPC on August 18, 2016.

Attachment: Draft Amendments to the Wichita-Sedgwick County of the Unified Zoning Code

RESOLUTION NO. _____

A RESOLUTION AMENDING THE SECTIONS LISTED BELOW OF THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE (JULY 9, 2009 EDITION), AS ADOPTED BY REFERENCE BY SEDGWICK COUNTY RESOLUTION NO. 137-09.

WHEREAS, the Board of County Commissioners ("Board") is authorized by K.S.A. 12-741 et seq. to adopt zoning regulations for the unincorporated area of Sedgwick County, Kansas, upon the recommendation of the Wichita-Sedgwick County Metropolitan Area Planning Commission ("MAPC"); and,

WHEREAS, upon the recommendation of the MAPC the Board has adopted by Resolution No. 137-09 a standard code entitled the "Wichita-Sedgwick County Unified Zoning Code, July 9, 2009 Edition" (the UZC); and,

WHEREAS, the MAPC has held public hearings as required by law and has made recommendations to the Board for the amendment of such regulations; and,

WHEREAS, the Board desires to adopt the recommendations of the MAPC and to enact and adopt the recommended amendments to the UZC; and,

WHEREAS, the Board is authorized by K.S.A. 12-3301 et seq. to adopt by reference certain standard codes after notice and hearing.

NOW, THEREFORE, BE IT DETERMINED AND RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS;

SECTION 1. The Board hereby adopts and enacts the following amendments, set out in Section 3 of this resolution, to the UZC. Except as amended hereafter, the remainder of the UZC shall remain in effect.

SECTION 2. The Board finds that notice of public hearing of the amendments was published once in the official county paper as required by K.S.A. 12-3303; and a public hearing was held by the Wichita-Sedgwick County Metropolitan Area Planning Commission on July 23, 2015, and September 17, 2015.

SECTION 3. The following sections of the UZC, as identified, are amended as follows:

Article II, Section II-B. DEFINITIONS

1. Letter "A"

h. Agriculture means the use of any land for the purpose of growing plants, crops, trees and other agricultural or forestry products or for the purpose of raising livestock.

Agriculture also includes the roadside selling of products produced on land owned, leased or legally controlled by the producer (farmer, rancher, horticulturalist, viticulture, apiary or similar agricultural pursuits). The definition shall include, as a permitted Accessory use, the sale of nursery stock, firewood, Christmas trees and other plants and produce raised on-site. In the unincorporated County only, Agriculture shall also include an expanded range of uses which allows members of the general public, for recreational, entertainment or educational purposes, to view, participate or otherwise enjoy activities related to agricultural uses. Typical activities include, but are not limited to: Farmer's Market which permits the sale of agricultural products by other producers; U-pick it activities; flower arranging; canning/cooking; gardening demonstrations; winery tours and tastings; corn mazes; agriculture related interpretive facilities; agricultural exhibits and tours; agriculturally related educational and learning workshops or experiences; horseback riding; non-commercial camping; bonfire/campfire themed events; service of food and beverages; hayrides; pumpkin patch sales and any other uses determined by the Zoning Administrator to be similar.

The existing agriculture definition remains unchanged except for the added underlined wording.

Definitions, Article II, Section II-B

4. Letters "D" through "F"

n. Event Center in the County means premises that are frequently rented out for public or private activities that are not repeated on a weekly basis, and that are not open to the public on a daily basis at times other than when an event is scheduled.

Event Center in the County is new defined use and definition.

n. o. Family means an individual or two or more persons related by blood or marriage, or a group of not more than five persons (excluding servants) not related by blood or marriage, living together as a single housekeeping unit in a Dwelling Unit.

Definition remains unchanged, new subsection citation is needed due to the addition of Event Center in the County.

e. p. Farmer's Market means an outdoor place or market area ~~in the City of Wichita~~ with a formalized location where more than one Kansas farmer or grower gathers to sell agricultural products they have grown or raised. Other activities and other sellers may be accommodated at the market, but the sale of agricultural products shall be the focal point of the market activity. Other products that may be sold would typically include

dried flowers, crafts and handicrafts that are made in the home, original artwork and certain prepared foods, as approved by the ~~City of Wichita Environmental Services Department or other applicable agencies~~, such as baked goods, preserves, pickles and cheese.

Definition of Farmer's Market is an existing definition that is proposed to be modified so the same definition can be used in both the City and the County.

p. g. Fence means an artificially constructed barrier erected to enclose, screen or separate areas, constructed of wood, masonry, stone, wire, metal, or other manufactured material or combination of materials.

Definition remains unchanged, new subsection citation is needed due to the addition of Event Center in the County.

q. r. Floor Area means the area of all floor space allowed for occupancy included within the surrounding exterior walls of a Building or portion thereof, exclusive of vent shafts and courts. The Floor Area of a Building not provided with surrounding exterior walls shall be the usable area confined by structural support columns and a roof Structure under the horizontal projection of the roof or floor above. For purposes of computing the Floor Area for lot coverage or maximum building coverage when restricted under this Code only, open and / or unenclosed areas under the horizontal projection of the roof not exceeding a maximum width of ten feet from the exterior walls shall not be included in the calculation of Floor Area.

Definition remains unchanged, new subsection citation is needed due to the addition of Event Center in the County.

r. s. Floor Area Ratio ("FAR") means the relative comparison of building area to land area that is determined by dividing total floor area of all buildings on a platted lot or tract by the total area of the lot or tract.

Definition remains unchanged, new subsection citation is needed due to the addition of Event Center in the County

s. t. Freight Terminal means a building or area in which freight brought by motor trucks or rail is assembled and / or stored for routing in intrastate or interstate shipment by motor truck or rail.

Definition remains unchanged, new subsection citation is needed due to the addition of Event Center in the County

t. u. Funeral Home means an establishment engaged in preparing the human deceased for burial or cremation and arranging and managing funerals.

Definition remains unchanged, new subsection citation is needed due to the addition of Event Center in the County

Article III, Section III-B. BASE DISTRICT REGULATIONS

2. RR Rural Residential District (“RR”)

- a. **Purpose.** The purpose of the RR Rural Residential District is to accommodate very large-lot, Single-Family residential development in areas where a full range of municipal facilities and services are not available and not likely to be available in the near future. The RR District is generally compatible with the “Rural Areas” designation of the Wichita-Sedgwick County Comprehensive Plan. The RR District is intended for application in unincorporated Sedgwick County.

Purpose statement remains unchanged.

- b. **Permitted Uses.** The following Uses shall be permitted by-right in the RR District.

(1) Residential Uses

- Single-family
- Manufactured Home (only in the County and subject to Sec. III-D.6.l)
- Group Home

(2) Public and Civic Uses

- Church or Place of Worship, subject to Sec. III-D.6.nn
- Community Assembly, subject to Sec. III-D.6.nn
- Day Care, Limited, subject to Sec. III-D.6.i
- Golf Course
- Parks and Recreation
- Recycling Collection Station, Private, subject to Sec. III-D.6.q.
- Utility, Minor

Adds the underlined uses to the list of permitted by right uses.

(3) Commercial Uses

- Bed and Breakfast Inn
- Event Center in the County, subject to Sec. III-D.6.nn.
- Farmer’s Market in the County, subject to Sec. III-D.6.nn
- Kennel, Hobby, subject to Sec. III-D.6.k
- Wireless Communication Facility, subject to Sec. III-D.6.g.

Adds the underlined uses to the list of permitted by right uses.

(4) Industrial, Manufacturing and Extractive Uses

- Asphalt or Concrete Plant, Limited, subject to Sec. III-D.6.d

(5) Agricultural Uses

Agriculture, subject to Sec. III-D.6.b.

- c. **Conditional Uses.** The following Uses shall be permitted in the RR District if reviewed and approved by the Planning Commission in accordance with the procedures and standards of Sec. V-D.

(1) Residential Uses

Accessory Apartment, subject to Sec. III-D.6.a
Group Residence, Limited and General

(2) Public and Civic Uses

Cemetery
~~Church or Place of Worship~~
~~Community Assembly~~
Correctional Facility, subject to Sec. III-D.6.h
Correctional Placement Residence, Limited and General, subject to Sec. III-D.6.h
Day Care, General, subject to Sec. III-D.6.i
Government Service
Neighborhood Swimming Pool, subject to Sec. III-D.6.aa
Safety Service
School, Elementary, Middle and High
Utility, Major

Removes the struck-through uses from the list of uses requiring conditional use approval now that the uses are moved to the use by right section.

(3) Commercial Uses

Airport or Airstrip
Animal Care, Limited and General
~~Bed and Breakfast Inn~~
Kennel, Boarding/Breeding/Training, subject to Sec. III-D.6.k
Parking Area, Ancillary, subject to Sec. III-D.6.p
Recreation and Entertainment, Indoor and Outdoor, subject to Sec. III-D.6.o
Recreation Vehicle Campground
Riding Academy or Stable

Removes the struck-through uses from the list of uses requiring conditional use approval now that the uses are moved up to the use by right section.

(4) Industrial, Manufacturing and Extractive Uses

Asphalt or Concrete Plant, General
Landfill
Mining or Quarrying
Oil and Gas Drilling

Rock Crushing
Solid Waste Incinerator, subject to Sec. III-D.6.v
Transfer Station
Vehicle Storage Yard, subject to Sec. III-D.6.mm

Fixes a typo in the existing code.

(5) Agriculture Uses

Agricultural Research
Agricultural Sales and Service
Grain Storage

[All other RR development standards remain unchanged]

14. LC Limited Commercial District (“LC”)

a. Purpose. [Unchanged]

b. Permitted Uses. The following uses shall be permitted by-right in the LC District.

(1) Residential Uses

Single-family
Duplex
Multi-Family
Manufactured Home (only in the County and subject to Sec. III-D.6.l)
Accessory Apartment, subject to Sec. III.D.6.a
Assisted Living
Group Home
Group Residence, Limited and General

(2) Public and Civic Uses

Cemetery
Church or Place of Worship
Community Assembly
Correctional Placement Residence, Limited and General, subject to Sec. III-D.6.h
Day Care, Limited and General, subject to Sec. III-D.6.i
Golf Course
Government Service
Hospital
Library
Nursing Facility
Parks and Recreation
Recycling Collection Station, Private, subject to Sec. III-D.6.q
Recycling Collection Station, Public, subject to Sec. III-D.6.r

Reverse Vending Machine, subject to Sec. III-D.6.u
Safety Service
School, Elementary, Middle and High
University or College
Utility, minor

(3) Commercial Uses

Animal Care, Limited
Automated Teller Machine
Bank or Financial Institution
Bed and Breakfast Inn
Broadcast / Recording Studio
Car Wash, subject to Sec. III-D.6.f
Construction Sales and Service, subject to Sec. III-D.6.bb
Convenience Store
Entertainment Established in the City, subject to Sec. III-D.6.w
Event Center in the City, subject to Sec. III-D.6.w
Event Center in the County
Farmer's Market in the City, subject to Sec. III-D.6.jj
Farmer's Market in the County
Funeral Home
Hotel or Motel
Marine Facility, Recreational
Medical Service
Nightclub in the City, subject to Sec. III-D.6.w
Night club in the County, subject to Sec. III-D.6.ff
Nursery and Garden Center, subject to Sec. III-D.6.z
Office, General
Parking Area, Commercial, subject to Sec. III-D.6.cc
Pawn Shop
Personal Care Service
Personal Improvement Service
Post Office Substation
Printing and Copying, Limited
Recreation and Entertainment, Indoor
Restaurant
Retail, General
Secondhand Store
Service Station
Sexually Oriented Business in the County, subject to Sec. III-D.6.ff
Tavern and Drinking Establishment, subject to Sec. III-D.6.w
Teen Club in the City, subject to Sec. III-D.6.w
Vehicle Repair, Limited
Vocational School
Wireless Communication Facility, subject to Sec. III-D.6.g

Adds the underlined uses to the list of permitted by right uses allowed in the LC district.

(4) Industrial, Manufacturing and Extractive Uses

Asphalt or Concrete Plant, Limited, subject to Sec. III-D.6.d

(5) Agricultural Uses

Agriculture
Agricultural Research
Agricultural Sales and Service

- c. **Conditional Uses.** The following Uses shall be permitted in the LC District if reviewed and approved by the Planning Commission in accordance with the procedures and standards in Sec. V-D.

(1) Residential Uses

None allowed by Conditional use

(2) Public and Civic Uses

Neighborhood Swimming Pool, subject to Sec. III-D.6.aa
Utility, Major

(3) Commercial Uses [Note: See Sec. III-B.14.e]

Animal Care, General
Heliport
Kennel, Hobby and Boarding / Breeding / Training, subject to Sec. III-D.6.k
Monument Sales
Printing and Publishing, General
Recreation and Entertainment, Outdoor, subject to Sec. III-D.6.o
Recreational Vehicle Campground
Vehicle and Equipment Sales (outdoor), subject to Sec. III-D.6.x
Warehouse, Self-Service Storage, subject to Sec. III-D.6.y

(4) Industrial, Manufacturing and Extractive Uses

Asphalt or Concrete Plant, General
Manufacturing, Limited, subject to Sec. III-D.6.m
Mining or Quarrying
Oil and Gas Drilling
Rock Crushing
Solid Waste Incinerator, subject to Sec. III-D.6.v

(5) Agricultural uUses

None allowed by Conditional Use

Corrects a typo in the existing code.

[All other LC development standards would remain unchanged]

16. GC General Commercial District (“GC”)

a. Purpose. [Unchanged]

b. Permitted Uses. The following Uses shall be permitted by-right in the GC District.

(1) Residential Uses

- Single-family
- Duplex
- Multi-Family
- Manufactured Home (only in the County and subject to Sec. III-D.6.l)
- Accessory Apartment, subject to Sec. III.D.6.a
- Assisted Living
- Group Home
- Group Residence, Limited and General

(2) Public and Civic Uses

- Auditorium or Stadium
- Cemetery
- Church or Place of Worship
- Community Assembly
- Correctional Placement Residence, Limited and General, subject to Sec. III-D.6.h.
- Day Care, Limited and General, subject to Sec. III-D.6.i
- Golf Course
- Government Service
- Hospital
- Library
- Nursing Facility
- Parks and Recreation
- Recycling Collection Station, Private, subject to Sec. III-D.6.q
- Recycling Collection Station, Public, subject to Sec. III-D.6.r
- Reverse Vending Machine, subject to Sec. III-D.6.u
- Safety Service
- School, Elementary, Middle and High
- University or College
- Utility, minor

Corrects a typo in the existing code.

(3) Commercial Uses

- Animal Care, Limited and General

Automated Teller Machine
Bed and Breakfast Inn
Broadcast / Recording Studio
Car Wash, subject to Sec. III-D.6.f
Construction Sales and Service
Convenience Store
Entertainment Establishment in the City, subject to Sec. III-D.6.2w
Event Center in the City, subject to Sec. III-D.6.w
Event Center in the County
Farmer's Market in the City, subject to Sec. III-D.6.jj
Farmer's Market in the County
Funeral Home
Hotel or Motel
Kennel, Hobby and Boarding / Breeding / Training, subject to Sec. III-D.6.k
Marine Facility, Recreational
Medical Service
Microbrewery
Monument Sales
Nightclub in the City, subject to Sec. III-D.6.w
Nightclub in the County, subject to Sec. III-D.6.ff
Nursery and Garden Center
Office, General
Parking Area, Commercial
Pawnshop
Personal Care Service
Personal Improvement Service
Post Office Substation
Printing and Copying, Limited
Printing and Publishing, General
Recreation and Entertainment, Indoor and Outdoor
Recreation Vehicle Campground
Restaurant
Retail, General
Rodeo in the City, subject to Sec. III-D.6.kk
Riding Academy or Stable
Secondhand Store
Service Station
Sexually Oriented Business in the County, subject to Sec. III-D.6.ff
Tattooing and Body Piercing Facility, subject to Sec. III-D.6.ee
Tavern and Drinking Establishment, subject to Sec. III-D.6.w
Teen Club in the City, subject to Sec. III-D.6.w
Vehicle and Equipment Sales
Vehicle Repair, Limited and General
Vocational School
Warehouse, Self-Service Storage
Wireless Communication Facility, subject to Sec. III-D.6.g

Adds the underlined uses to the list of permitted by right uses permitted in the GC district.

(4) Industrial, Manufacturing and Extractive Uses

Asphalt or Concrete Plant, Limited, subject to Sec. III-D.6.d
Manufacturing, Limited and General, subject to Sec. III-D.6.n
Research Services
Storage, Outdoor, subject to Sec. III-D.6.dd
Vehicle Storage Yard
Warehousing
Welding or Machine Shop, subject to Sec. III-D.6.n
Wholesale or Business Services

(6) Agriculture

Agricultural Research
Agricultural Sales and Service

c. Conditional Uses. The following Uses shall be permitted in the GC District if reviewed and approved by the Planning Commission in accordance with the procedures and standards of Sec. V-D.

(1) Residential Uses

(2) Public and Civic Uses

Neighborhood swimming pool, subject to Sec. III-D.6.aa
Utility, Major

(3) Commercial Uses

Heliport

(4) Industrial, Manufacturing and Extractive Uses

Asphalt or Concrete Plant, General
Gas and Fuel Storage and Sales
Mining and Quarrying
Oil and Gas Drilling
Rock Crushing
Solid Waste Incinerator, subject to Sec. III-D.6.v

(5) Agricultural Uses

None allowed by Conditional Use

[All other GC development standards would remain unchanged]

20. LI Limited Industrial District (“LI”)

- a. **Purpose.** [Unchanged]
- b. **Permitted Uses.** The following uses shall be permitted by-right in the LI District.

(1) Residential Use

None allowed by-right

(2) Public and Civic Uses

Auditorium or Stadium

Cemetery

Church or Place of Worship

Community Assembly

Correctional Facility, subject to Sec. III-D.6.h

Correctional Placement Residence, Limited and General, subject to Sec. III-D.6.h.

Day Care, Limited and General, subject to Sec. III-D.6.i

Golf Course

Government Service

Hospital

Library

Nursing Facility

Parks and Recreation

Recycling Collection Station, Private, subject to Sec. III-D.6.q

Recycling Collection Station, Public, subject to Sec. III-D.6.r

Recycling Processing Center, subject to Sec. III-D.6.s

Reverse Vending Machine, subject to Sec. III-D.6.u

Safety Service

University or College

Utility, Minor

(3) Commercial Uses

Animal Care, Limited and General

Automated Teller Machine

Bank or Financial Institution

Broadcast / Recording Studio

Car Wash, subject to Sec. III-D.6.f

Construction Sales and Service

Convenience Store

Entertainment Establishment in the City, subject to Sec. III-D.6.w

Event Center in the City, subject to Sec. III-D.6.w

Event Center in the County

Farmer's Market in the City, subject to Sec. III-D.6.jj

Farmer's Market in the County

Funeral Home

Hotel or Motel

Kennel, Hobby and Boarding / Breeding / Training, subject to Sec. III-D.6.k
Marine Facility, Recreational
Medical Service
Microbrewery
Monument Sales
Nightclub in the City, subject to Sec. III-D.6.w
Nightclub in the County, subject to Sec. III-D.6.ff
Nursery and Garden Center
Office, General
Parking Area, Commercial
Pawnshop
Personal Care Service
Personal Improvement Service
Post Office Substation
Printing and Copying, Limited
Printing and Publishing, General
Recreation and Entertainment, Indoor and Outdoor
Restaurant
Retail, General
Rodeo in the City, subject to Sec. III-D.6.kk
Riding Academy or Stable
Secondhand Store
Service Station
Sexually Oriented Business, subject to Sec. III-D.6.ff
Tattooing and Body Piercing Facility, subject to Sec. III-D.6. ee
Tavern and Drinking Establishment, subject to Sec. III-D.6.w
Teen Club in the City, subject to Sec. III-D.6.w
Vehicle and Equipment Sales
Vehicle Repair, Limited and General
Vocational School
Warehouse, Self-Service Storage
Wireless Communication Facility, subject to Sec. III-D.6.g

Adds the underlined uses to the list of permitted by right uses in the LI district.

(4) Industrial, Manufacturing and Extractive Uses.

Asphalt or Concrete Plant, Limited, subject to Sec. III-D.6.d
Freight Terminal
Gas and Fuel Storage and Sales
Manufacturing, Limited and General
Research Services
Storage, Outdoor, subject to Sec. III-D.6.dd
Vehicle Storage Yard
Warehousing

Welding or Machine Shop
Wholesale or Business Services

(5) Agricultural Uses

Agriculture
Agricultural Processing
Agricultural Research
Agricultural Sales and Service
Grain Storage

[All other LI development standards would remain unchanged]

21. GI General Industrial District (“GI”)

- a. **Purpose.** [Unchanged]
- b. **Permitted Uses.** The following Uses shall be permitted by-right in the GI District.

(1) Residential Uses

None allowed by-right

(2) Public and Civic Uses

Auditorium or Stadium
Cemetery
Church or Place of Worship
Community Assembly
Correctional Facility, subject to Sec. III-D.6.h
Correctional Placement Residence, Limited and General, subject to Sec. III-D.6.h.
Golf Course
Government Service
Hospital
Library
Parks and Recreation
Recycling Collection Station, Private, subject to Sec. III-D.6.q
Recycling Collection Station, Public, subject to Sec. III-D.6.r
Recycling Processing Center, subject to Sec. III-D.6.s
Reverse Vending Machine, subject to Sec. III-D.6.u
Safety Service
University or College
Utility, Minor

(3) Commercial Uses

Animal Care, Limited and General
Automated Teller Machine
Bank or Financial Institution

Broadcast / Recording Studio
Car Wash, subject to Sec. III-D.6.f
Construction Sales and Service
Convenience Store
Entertainment Establishment in the City, subject to Sec. III-D.6.w
Event Center in the City, subject to Sec. III-D.6.w
Event Center in the County
Farmer's Market in the City, subject to Sec. III-D.6.jj
Farmer's Market in the County
Funeral Home
Hotel or Motel
Kennel, Hobby and Boarding / Breeding / Training, subject to Sec. III-D.6.k
Marine Facility, Recreational
Medical Service
Microbrewery
Monument Sales
Nightclub in the City, subject to Sec. III-D.6.w
Nightclub in the County, subject to Sec. III-D.6.ff
Nursery and Garden Center
Office, General
Parking Area, Commercial
Pawnshop
Personal Care Service
Personal Improvement Service
Post Office Substation
Printing and Copying, Limited
Printing and Publishing, General
Recreation and Entertainment, Indoor and Outdoor
Restaurant
Retail, General
Rodeo in the City, subject to Sec. III-D.6.kk
Riding Academy or Stable
Secondhand Store
Service Station
Sexually Oriented Business, subject to Sec. III-D.6.ff
Tattooing and Body Piercing Facility, subject to Sec. III-D.6.ee
Tavern and Drinking Establishment, subject to Sec. III-D.6.w
Teen Club in the City, subject to Sec. III-D.6.w
Vehicle and Equipment Sales
Vehicle Repair, Limited and General
Vocational School
Warehouse, Self-Service Storage
Wireless Communication Facility, subject to Sec. III-D.6.g

Adds the underlined uses to the list of permitted by right uses in the GI district.

USE TYPE	ZONING DISTRICTS																	conditions
	S	S			M	M												
	F	F	S	T	F	F											A	
	R 2	1	F	F	1	2		M	N	G	N	L		O	G	-	IP	
	R 0	0	5	3	8	9	B	H	O	O	R	C	W	C	A	IP	C	
																	B	
Correctional Facility	C	C															P P P P	
Correctional Placement Residence, Limited	C	C							C	P	P	P		P			P P P P	
Correctional Placement Residence, General	C	C								P	P	P		P			P P P P	
Day Care, Limited	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P P C P	
Day Care, General	C	C	C	C	C	P	P	P	C	P	P	P	P	P		P	P P C P	
Day Reporting Center																	C C P	
Golf Course	P	P	P	P	P	P	P	P	P	P	P		P	P			P P P P	
Government Service	C	C	C	C	C	C	C	C		C	C	C	P	P	P	P	P P P P	
Hospital		C						P	P	P	P	P		P			P P P P	
Library	C	C	P	P	P	P	P	P	P	P	P	P	P	P		P	P P P P	
Neighborhood Swimming Pool	C	C	C	C	C	C	C	C	C	C	C	C		C			P	
Nursing Facility								P		P	P	P		P			P P C P	
Parks and Recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P P P P	
Recycling Collection Station, Private	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P P P P	
Recycling Collection Station, Public													P	P	P	P	P P P P	

USE TYPE	ZONING DISTRICTS																	conditions						
	S	S			M	M																		
	F	F	S	T	F	F			M	N	G	N	L	O	G	-	IP		C	B	L	G	F	A
	R	2	1	F	F	1	2										IP							
	R	0	0	5	3	8	9	B	H	O	O	R	C	W	C	A	IP	D	I	I	B			
Recycling Processing Center														P	P	P	P	P	P	P	P	P	P	D.6.s
Reverse Vending Machine														P	P	P	P	P	P	P	P	P	P	D.6.u
Safety Service	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	
School, Elementary, Middle & High	C	P	P	P	P	P	P	P	P	C	P	P	P		P			P	C	C	P			
University or College								P		C	P		P	P	P		P	P	P	P	P			
Utility, Major	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	
Utility, Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
COMMERCIAL																								
Airport or Airstrip	C	C													C		C	C		C	C	P		
Animal Care, Limited	C											C	P	P	P		P	P	P	P	P		D.6.c	
Animal Care, General	C												C	P	P		P	P	P	P	P			
Automated Teller Machine										P	P	P	P	P	P		P	P	P	P	P			
Bank or Financial Institution												C	P	P	P	P		P	P	P	P			
Bed and Breakfast Inn	C																							
	P	C	C	C	C	C	C	C				P	P	P		P		P				P		

USE TYPE	ZONING DISTRICTS																conditions					
	S	S			M	M																
	F	F	S	T	F	F										A						
	R	2	1	F	F	1	2	M	N	G	N	L	O	G	-	IP		C	B	L	G	F
	R	0	0	5	3	8	9	B	H	O	O	R	C	W	C	A	IP	D	I	I	B	
Broadcast/Recording Studio												P	P	P	P	P		P	P	P	P	P
Car Wash													P		P	P	P	P	P	P	P	P
Construction Sales and Service													P	P	P	P	P	P	P	P	P	P
Convenience Store													P		P		P	P	P	P	P	P
Entertainment Establishment in the City													P		P			P	P	P	P	P
Event Center in the City													P		P			P	P	P	P	P
Event Center in the County	<u>P</u>												<u>P</u>		<u>P</u>			<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Farmer's Market in the City	<u>P</u>												P	P	P		P	P	P	P	P	P
Farmer's Market in the County	<u>P</u>												<u>P</u>		<u>P</u>			<u>P</u>	<u>P</u>			
Funeral Home												P	P	P			P	P	P	P	P	P
Heliport								C				C	C	C	C	C	C	C	C	C	C	P
Hotel or Motel												P	P	P			P	P	P	P	P	P
Kennel, Hobby	P	C											C	P							P	P
Kennel, Boarding/Breeding/Training	C	C											C	P				P	P	P	P	P
Marine Facility, Recreational								P				P	P	P			P	P	P	P	P	P
																						P

USE TYPE	ZONING DISTRICTS																conditions			
	S	S			M	M														
	F	F	S	T	F	F										A				
R	2	1	F	F	1	2	M	N	G	N	L	O	G	-	IP	C	L	G	F	
R	0	0	5	3	8	9	B	H	O	O	R	C	W	C	A	IP	D	I	I	B
Medical Service							P	P	P	P	P		P			P	P	P		
Microbrewery														P			P	P	P	P
Monument Sales												C	P	P	P	P	P	P	P	
Nightclub in the City												P	P			P	P	P	P	
Nightclub in the County												P	P				P	P	P	
Nurseries and Garden Centers												P	P	P			P	P	P	
Office, General									P	P	P	P	P	P		P	P	P	P	
Parking Area and/or Accessory Drive, Ancillary	C	C	C	C	C	C	C	C	C	C									P	
Parking Area, Commercial											P	P	P	P			P	P	P	
Pawnshop												P	P				P	P	P	
Personal Care Service										C	P	P	P	P		P	P	P	P	
Personal Improvement Service										C	P	P	P	P		P	P	P	P	
Post Office Substation												P	P	P		P	P	P	P	
Printing and Copying, Limited										C	P	P	P	P	P	P	P	P	P	
Printing and Publishing, General												C	P	P	P		P	P	P	
Recreation and Entertainment, Indoor	C	C										P	P				P	P	P	

USE TYPE	ZONING DISTRICTS																	conditions			
	S	S			M	M															
	F	F	S	T	F	F											A				
	R	2	1	F	F	1	2	M	N	G	N	L	O	G	-	IP	C		B	L	G
	0	0	5	3	8	9	B	H	O	O	R	C	W	C	A	IP	D	I	I	B	
Recreation & Entertainment, Outdoor	C	C										C		P			P	P	P	P	D.6.o
Recreational Vehicle Campground	C	C										C		P						P	
Restaurant												P	P	P	P	P	P	P	P	P	D.6.t
Retail, General												P	P	P	P		P	P	P	P	
Riding Academy or Stable	C	C												P			P	P	P	P	
Rodeo in the City														P				P	P	P	D.6.kk
Secondhand Store												P		P			P	P	P	P	
Service Station												P		P			P	P	P	P	
Sexually Oriented Business in the City														P				P	P	P	D.6.ff
Sexually Oriented Business in the County												P		P				P	P	P	D.6.ff
Tattooing and Body Piercing Facility (City)													P	P	P			P	P	P	D.6.ee
Tattooing and Body Piercing Facility (County)																				P	See Personal Improvement Service
Tavern and Drinking Establishment												P		P			P	P	P	P	D.6.w
Teen Club in the City												P		P			P	P	P	P	D.6.w
Vehicle and Equipment Sales, Outdoor												C		P			P	P	P	P	D.6.+D.6.hh

USE TYPE	ZONING DISTRICTS																	conditions		
	S	S			M	M														
	F	F	S	T	F	F											A			
	R	2	1	F	F	1	2	M	N	G	N	L	O	G	-	IP	C		L	G
R	0	0	5	3	8	9	B	H	O	O	R	C	W	C	A	IP	D	I	I	B

Vehicle Repair, Limited													P	P			P	P	P	P
Vehicle Repair, General														P			P	P	P	P
Vocational School											C	P	P	P		P	P	P	P	P
Warehouse, Self-Service Storage											C	C	P	P	P	P	P	P	P	P
Wireless Communication Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

INDUSTRIAL, MANUFACTURING AND EXTRACTIVE

Asphalt or Concrete Plant, Limited	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Asphalt or Concrete Plant, General	C	C										C	C				C	P	P	
Basic Industry																			C	P
Construction Burn Site, Limited	P	P																P	P	P
Construction Burn Site, General	C	C																C	C	P
Freight Terminal															P	P		P	P	P
Gas and/or Fuel Storage and Sales														C				P	P	P
Hazardous Operations																			C	P
Landfill	C																	C	C	P

USE TYPE	ZONING DISTRICTS																conditions						
	S	S			M	M																	
	F	F	S	T	F	F			M	N	G	N	L	O	G	IP		C	L	G	A		
	R	2	1	F	F	1	2	B	H	O	O	R	C	W	C	A	IP	D	I	I	B		
	R	0	0	5	3	8	9	B	H	O	O	R	C	W	C	A	IP	D	I	I	B		
Manufacturing, Limited														C	P	P	P	P	P	P	P	P	D.6.m+D.6.n
Manufacturing, General															P	P	P	P	P	P	P	P	D.6.m
Mining or Quarrying	C	C	C	C	C	C	C	C			C	C	C		C			C	C	C	P		D.6.gg
Oil and Gas Drilling	C	C	C	C	C	C	C	C			C	C	C		C			C	C	C	P		
Research Services															P	P	P	P	P	P	P	P	
Rock Crushing	C	C	C	C	C	C	C	C			C	C	C		C			C	C	C	P		
Solid Waste Incinerator	C	C	C	C	C	C	C	C			C	C	C		C			C	C	C	P		D.6.v
Storage, Outdoor, as a Principal Use															P			P	P	P	P		D.6.dd
Transfer Station	C																		C	C	P		
Vehicle Storage Yard	C														P			P	P	P	P		D.6.mm
Warehousing															P	P	P	P	P	P	P	P	
Welding or Machine Shop																P	P	P	P	P	P	P	D.6.n
Wholesale or Business Services															P	P	P	P	P	P	P	P	
Wrecking/Salvage Yard																			C	C	P		D.6.e+D.6.dd
AGRICULTURAL																							

the County shall be one space per 333 square feet of exhibition and sales area. Parking spaces for persons with disabilities shall be paved; otherwise, the surface of parking, drive aisles and circulation areas shall be of material established by Sedgwick County officials. Parking for indoor venues shall be rock. If less than one outdoor event is held per month parking surface may be grass. For purposes of qualifying for grass parking, an outdoor event shall be no longer than three consecutive days. Use of the property for an outdoor event of less than three consecutive days constitutes an event. All parking shall be located on-site. In order to qualify as an outdoor event, the event operator or the property owner must submit a calendar indicating the date(s) per month the site will be in use and must adhere to the schedule. Dates for outdoor events may be changed with 24-hour advance notice of the date of the event to Metropolitan Area Building and Construction officials.

- (5) Sites offering both indoor and outdoor events shall require parking for the use with the highest parking requirement.
- (6) Drainage shall be addressed at the time of platting, change of occupancy or as part of building permit review. Deleted reference to FIRM flood areas.
- (7) Building setbacks shall be 100 feet from property lines. Was 35 feet.
- (8) Access control shall be as determined by Sedgwick County Traffic Engineer.
- (9) Signage shall be per County Sign Code.
- (10) The service of food and drink may be permitted both indoor and outdoor as part of the operations of the facility provided that the service complies with all applicable regulations. The service of any alcoholic liquor or cereal malt beverage is permitted only with applicable licenses.
- (11) Portable toilets shall not be placed within the 100-foot building set back. Was 35 feet.
- (12) Prior to use of the property for the stated use, the applicant shall submit for review and approval by the Director of Planning or his designee a detailed site plan that depicts existing and/or proposed: property boundaries, buildings, structures, access points, driveways, location and number of parking spaces, outdoor lighting, location of dumpsters, setbacks, outdoor seating or activity areas. At a minimum, the site plan shall be to scale and/or have enough dimension control to verify: site size, size of improvements, buildings or activity areas, location of improvements, buildings, or activity areas, and parking, circulation drives, and access points or any other pertinent details as requested by County staff.

Adds a new section to the supplemental use standards to permit specified uses on tracts of 20 acres or larger by right provided the site complies with the standards. For sites less than 20 acres or unable to comply with the development standards conditional use approval is required.

SECTION 4. This Resolution shall take effect and be in force from and after its adoption and publication in the official county newspaper.

Commissioners present and voting were:

DAVID M. UNRUH _____
TIM R. NORTON _____
KARL PETERJOHN _____
RICHARD RANZAU _____
JAMES M. HOWELL _____

Dated this _____ day of _____, 2016.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

KELLY B. ARNOLD, County Clerk

JAMES M. HOWELL, Chairman
Commissioner, Fifth District

RICHARD RANZAU, Chair Pro Tem
Commissioner, Fourth District

APPROVED AS TO FORM:

DAVID M. UNRUH
Commissioner, First District

ERIC R. YOST, ESQ.
County Counselor

TIM R. NORTON
Commissioner, Second District

KARL PETERJOHN
Commissioner, Third District

Article II, Section II-B.1.h. Clarifies that roadside agricultural stands selling products produced onsite are agriculture. Provides additional examples of uses that are considered to be agriculture. (p. 9, UZC)

Article II, Section II-B.4.n. Adds the use and definition “Event Center in the County” to the code’s list of uses. (p. 16, UZC)

Article II, Section II-B.4.p. Modifies the definition of “Farmer’s Market” by deleting references to the City of Wichita and Environmental Services making the definition appropriate for the County as well as the City. (p. 16, UZC)

Article III, Section III-B.2.b(2) Moves “Church or Place of Worship” and “Community Assembly” from a conditional use in the RR district to use by-right provided the use complies with the development standards contained in a new Article III, Section III-D.6.nn. If the use does not comply with the development standards contained in Article III, Section III-D.6.nn “conditional use” approval would be required. (p. 44, UZC)

Article III, Section III-B.2.b(3) Moves “Bed and Breakfast Inn” to a use by-right in the RR district; currently it is a conditional use. Adds “Event Center in the County” as a listed use by-right in the RR district subject to Article III, Section III-D.6.nn provided it complies with Article III, Section III-D.6.nn. If the “Event Center in the County” does not meet said development standards then conditional use approval is required. Adds “Farmer’s Market in the County” subject to Article III, Section III-D.6.nn as a use by-right in the RR district; “Farmer’s Market in the County” was not listed previously as a County use. (p. 45, UZC)

Article III, Section III-B.2.c(2) removes “Church or Place of Worship” and “Community Assembly” as a listed conditional use in the RR district provided it complies with proposed Article III, Section III-D.6.nn. If it does not comply with Article III, Section III-D.6.nn it requires conditional approval. (p. 45, UZC)

Article III, Section III-B.2.c(3) removes “Bed and Breakfast Inn” as a conditional use in the RR district (now that it is proposed to be a use by-right). (p.45, UZC)

Article III, Section III-B.14.b(3) adds “Event Center in the County” and “Farmer’s Market in the County” as a use by-right in the LC district. (p. 73, UZC)

Article III, Section III-B.14.b(5) capitalizes the “U” in “Agricultural uses.” (p. 75, UZC)

Article III, Section III-B.16.b(2) capitalizes the “P” in “place of worship.” (p. 82, UZC)

Article III, Section III-B.16.b(3) adds “Event Center in the County” and “Farmer’s Market in the County” as a use by-right in the GC district. (p. 83, UZC)

Article III, Section III-B.20.b(3) adds “Event Center in the County,” “Farmer’s Market in the County” and “Riding Academy or Stable” as a use by-right in the LI district. (p. 95, UZC)

Article III, Section III-B.21.b(3) adds “Event Center in the County” and “Farmer’s Market in the County” as a use by-right in the GI district. (p. 98)

Article III, Section III-D.5.a (matrix) modifies the matrix to reflect text changes. (pgs. 135-138, UZC)

Article III, Section III-D.6.nn adds 12 development standards to “Event Centers in the County,” “Churches or Places of Worship,” “Community Assembly” and “Farmer’s Markets in the County.” (p. 168, UZC)