OCA 150004 PUBLISHED IN THE WICHITA EAGLE ON July 5, 2019

ORDINANCE NO. 51-061

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

**SECTION 1.** That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

**Case No. ZON2019-00014**

Amend Protective Overlay #72on Limited Industrial zoning lot described as:

Lot 5, Block A, Burleson Addition to Wichita, Sedgwick County, Kansas

P.O. #72 conditions shall be amended as follows:

1. The following uses permitted in the LI Limited Industrial Zoning District shall not be permitted on Lots 1-4, Block A, Burleson Addition to Wichita, Sedgwick County, Kansas: funeral home, hotel or motel, kenned (boarding/breeding/training), marine facility (recreational), microbrewery, night club, parking area (commercial), pawnshop, recreation and entertainment (outdoor), tavern and drinking establishment, vehicle and equipment sales (outdoor), asphalt and concrete plant (general), gas and fuel storage, landfill, mining or quarrying, oil or gas drilling, rock crushing, solid waste incinerator, transfer station, vehicle storage yard, and agricultural processing.
2. Vehicle Storage Yard shall be permitted on Lot 5, Block A, Burleson Addition to Wichita, Sedgwick County. The following uses permitted in the LI Limited Industrial Zoning District shall not be permitted on Lot 5, Block A, Burleson Addition to Wichita, Sedgwick County, Kansas: funeral home, hotel or motel, kenned (boarding/breeding/training), marine facility (recreational), microbrewery, night club, parking area (commercial), pawnshop, recreation and entertainment (outdoor), tavern and drinking establishment, vehicle and equipment sales (outdoor), asphalt and concrete plant (general), gas and fuel storage, landfill, mining or quarrying, oil or gas drilling, rock crushing, solid waste incinerator, transfer station, and agricultural processing.
3. Vehicle storage shall only be allowed on rocked surfaces (4-inch depth). The vehicle storage may be expanded by increasing the rocked surface area of Lot 5, Block A, Burleson Addition to Wichita, Sedgwick County, Kansas.
4. Lots 1 -5, Block A, Burleson Addition shall have an increased front building setback of 35 feet.
5. All outdoor storage uses on the subject property (on Lots 1-5, Block A, Burleson Addition to Wichita, Sedgwick County, Kansas) shall be screened on all sides by a solid screening wall or fence constructed of standard building materials customarily used for wall and fence construction such as brick, stone, concrete masonry, stucco, concrete or wood.
6. Submit a new site plan showing the parking stalls and pedestrian/traffic circulation to be approved by the Planning Director prior to beginning operation of the vehicle storage yard.
7. Submit a landscape plan for the required street yard landscape across from residential zoning along Hoover Road and the landscape buffer required within 15 feet along the north property line abutting residential zoning. Landscape buffer shall be 1.5 times the quantity stipulated in the Landscape Ordinance Guidebook.

The landscape plan shall be approved by the Director of Planning before beginning operation of the vehicle storage yard.

**SECTION 2.** That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

**SECTION 3.** That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ATTEST:

Karen Sublett, City Clerk

Jeff Longwell, Mayor

(SEAL)

Approved as to form:
Jennifer Magaña, City Attorney and Director of Law

AGENDA ITEM NO. 8

WICHITA–SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

# STAFF REPORT

MAPC May 23, 2019
DAB VI May 15, 2018

**CASE NUMBER:** ZON2019-00014

**APPLICANT/AGENT:** Donald Mann (Owner)

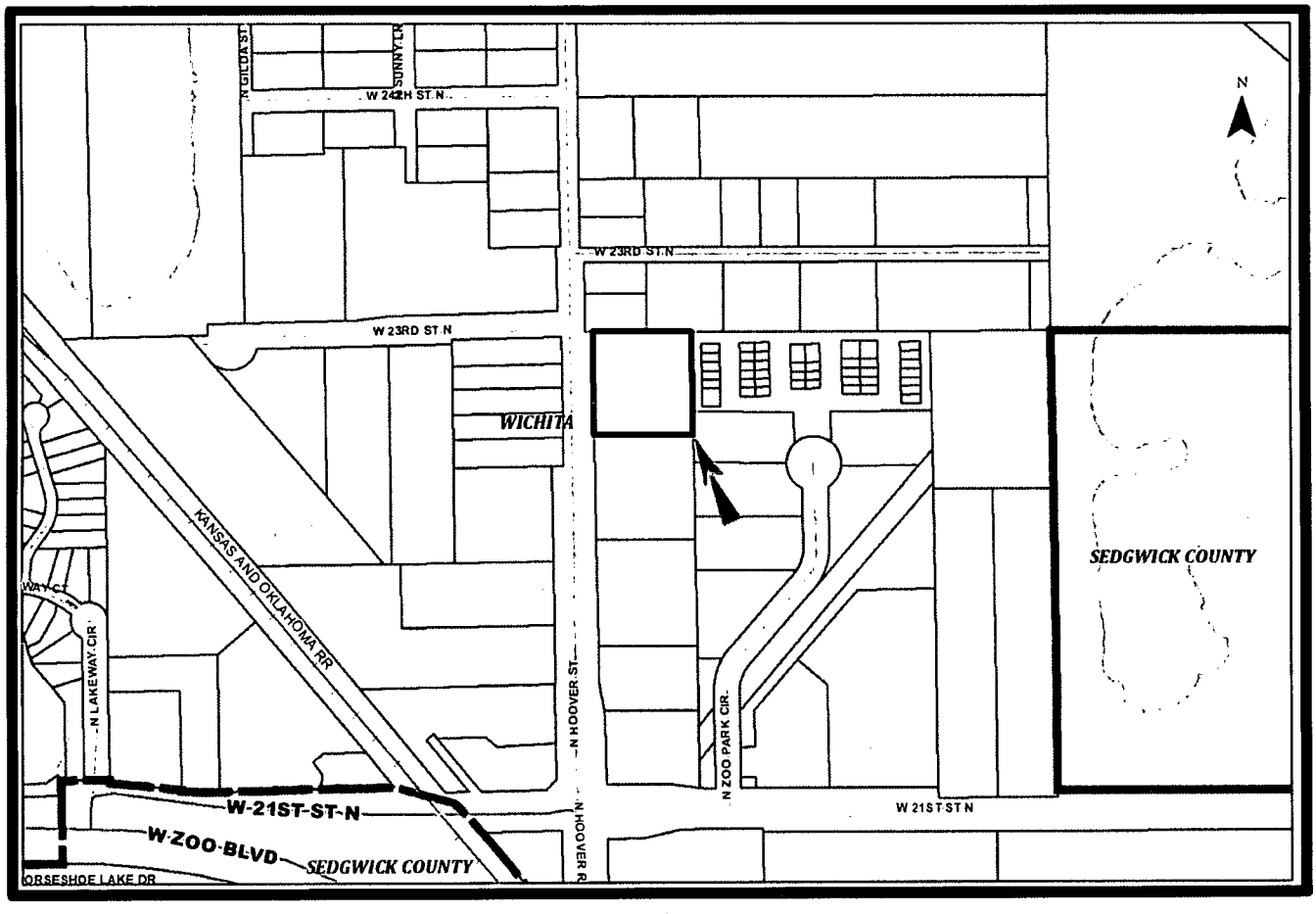
**REQUEST:** Amend P.O. #72 to allow vehicle storage

**CURRENT ZONING:** LI Limited Industrial

**SITE SIZE:** 1.7 acres

**LOCATION:** Located one-quarter mile north of West 21st Street on the east side of Hoover Road (2350 N. Hoover Rd.)

**PROPOSED USE:** Vehicle Storage Yard



**BACKGROUND:** The applicant requests an amendment to the attached PO-72 to allow a "vehicle storage yard" on 1.7 acres zoned LI Limited Industrial (LI). PO-72 currently applies to Lots 1 through 5 in the Burleson Addition. The applicant is requesting the vehicle storage yard on Lot 5, Block A of the Burleson Addition. The property is located north of West 21st Street on the east side of North Hoover Road.

The property north and west of the site is zoned SF-5 Single-Family Residential (SF-5) developed with single-family dwellings on one-half acre to one acre lots. Property east of the site is IP Industrial Park (IP) zoning. The property south of the site is zoned LI and used for warehouse/office for a gas utility company. The property is included in PO-72.

According to the Unified Zoning Code (UZC), "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. The term Vehicle Storage Yard does not include Wrecking/Salvage Yard.

The applicant has provided a proposed site plan for the vehicle storage yard showing the all-weather surface of 1-1/2 inch diameter gravel and a depth of four (4) inches. The site plan does not include the landscape plan for the required street yard landscape across from residential zoning along Hoover Road and the landscape buffer required within 15 feet along the north property line abutting residential zoning. The submitted site plan does not show parking stalls and pedestrian/vehicle circulation. The site for a vehicle storage yard requires solid screening along all four property lines. The site plan only shows screening along the north property line.

**CASE HISTORY:** This property is located in the Burleson Addition to the City of Wichita, which was filed and recorded with the Register of Deeds in August 2001. The zoning (ZON2000-12) was changed to LI subject to the restrictions of PO-72.

**ADJACENT ZONING AND LAND USE:**

| | | |
|---|---|---|
| NORTH: | SF-5 | Residential |
| SOUTH: | LI | Utility warehouse/office |
| EAST: | IP | storage units |
| WEST: | SF-5 | Residential |

**PUBLIC SERVICES:** The site has access to Hoover Road and West 21st Street. Hoover Road is a local street with 75 feet of right-of-way. West 21st Street is a fully improved commercial four-lane arterial street a center turn land and turn lanes provided at certain intersections. The site is served by all municipal services.

**CONFORMANCE TO PLANS/POLICIES:** The Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the area in which the site is located within the Established Central Area which is the focus area for the Wichita Urban Infill Area. The project site is further identified on the Future Growth Concept Map as appropriate for industrial development within the Established Central Area.

**RECOMMENDATION:** Based upon the information available at the time the staff report was completed, staff recommends the request to amend PO-72 be **APPROVED** as submitted with the following amended conditions in PO-72:

1. The following uses permitted in the LI Limited Industrial Zoning District shall not be permitted on Lots 1-4, Block A, Burleson Addition to Wichita, Sedgwick County, Kansas: funeral home, hotel or motel, kenned (boarding/breeding/training), marine facility (recreational), microbrewery, night club, parking area (commercial), pawnshop, recreation and entertainment (outdoor), tavern and drinking establishment, vehicle and equipment sales (outdoor), asphalt and concrete plant (general), gas and fuel storage, landfill, mining or quarrying, oil or gas drilling, rock crushing, solid waste incinerator, transfer station, vehicle storage yard, and agricultural processing.
2. Vehicle Storage Yard shall be permitted on Lot 5, Block A, Burleson Addition to Wichita, Sedgwick County. The following uses permitted in the LI Limited Industrial Zoning District shall not be permitted

on Lots 1-4, Block A, Burleson Addition to Wichita, Sedgwick County, Kansas: funeral home, hotel or motel, kenned (boarding/breeding/training), marine facility (recreational), microbrewery, night club, parking area (commercial), pawnshop, recreation and entertainment (outdoor), tavern and drinking establishment, vehicle and equipment sales (outdoor), asphalt and concrete plant (general), gas and fuel storage, landfill, mining or quarrying, oil or gas drilling, rock crushing, solid waste incinerator, transfer station, and agricultural processing.

3. Vehicle storage shall only be allowed on rocked surfaces (4-inch depth). The vehicle storage may be expanded by increasing the rocked surface area of Lot 5, Block A, Burleson Addition to Wichita, Sedgwick County, Kansas.
4. Lots 1 -5, Block A, Burleson Addition shall have an increased front building setback of 35 feet.
5. All outdoor storage uses on the subject property (on Lots 1-5, Block A, Burleson Addition to Wichita, Sedgwick County, Kansas) shall be screened on all sides by a solid screening wall or fence constructed of standard building materials customarily used for wall and fence construction such as brick, stone, concrete masonry, stucco, concrete or wood.
6. Submit a new site plan showing the parking stalls and pedestrian/traffic circulation to be approved by the Planning Director prior to beginning operation of the vehicle storage yard.
7. Submit a landscape plan for the required street yard landscape across from residential zoning along Hoover Road and the landscape buffer required within 15 feet along the north property line abutting residential zoning. Landscape buffer shall be 1.5 times the quantity stipulated in the Landscape Ordinance Guidebook. The landscape plan shall be approved by the Director of Planning before beginning operation of the vehicle storage yard.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The property north and west of the site is zoned SF-5 Single-Family Residential (SF-5) developed with single-family dwellings on one-half acre to one acre lots. Property east of the site is IP Industrial Park (IP) zoning. The property south of the site is zoned LI and used for warehouse/office for a gas utility company.

2. The suitability of the subject property for the uses to which it has been restricted: The property is presently zoned LI and allows intensive uses except for those prohibited by PO-72.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: The proposed Vehicle Storage Yard will be screened and requires a graveled surface for outdoor storage.

4. Length of time the property has been vacant as currently zoned: The property has been vacant since it was platted in August 2001.

6. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the area in which the site is located within the Established Central Area which is the focus area for the Wichita Urban Infill Area. The project site is further identified on the *Future Growth Concept Map* as appropriate for industrial development within the Established Central Area.

7. Impact of the proposed development on community facilities: Amending PO-72 to allow a Vehicle Storage Yard would not generate any additional demands on existing infrastructure.

Staff Report Attachments:

1. P.O. #72
2. Site Plan

Site Plan ZON19-14

