WICHITA — SEDGWICK COUNTY

W-SC

METROPOLITAN AREA PLANNING DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
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December 19, 1996

Christian Ablah
Classic Real Estate
8343 E. 32nd St. N., Suite 150
Wichita, Ks 67226

RE: CU-416 - Conditional use to allow outdoor display for nursery/greenhouse on property zoned "LC" Limited Commercial and generally located east of Rock Road, north of Kellogg (8144 E. Kellogg)

Dear Mr. Ablah:

At its regular meeting on December 5, 1996, the Metropolitan Area Planning Commission considered the above-captioned request. The action of the MAPC was to APPROVE the request, subject to the following conditions:

A. The site shall develop as shown on the approved site plan.

B. Display and storage of merchandise, nursery stock, landscaping materials must be within an enclosed building or within an area designated on the site plan and approved by the Planning Commission.

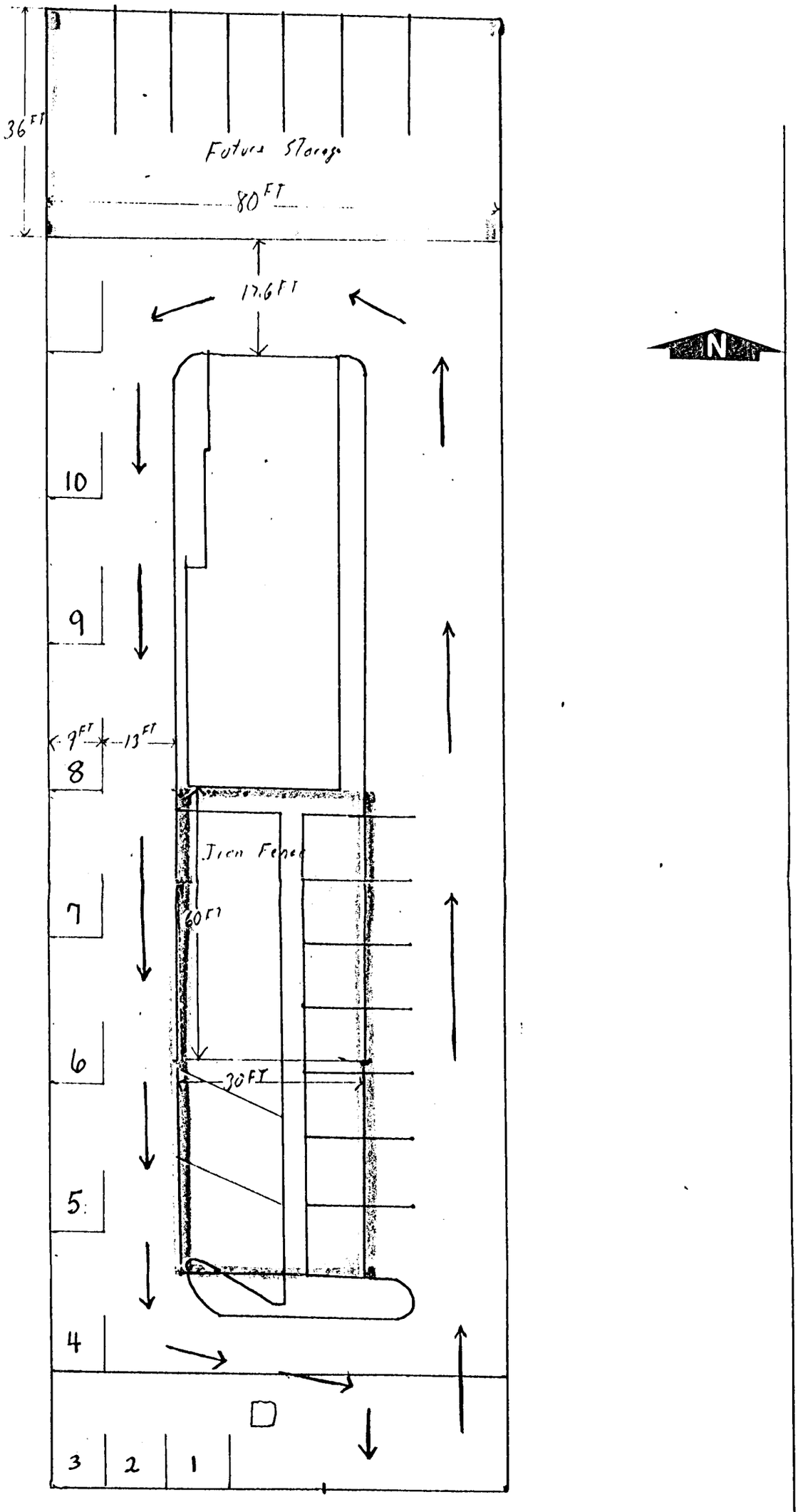
C. All lights shall be shielded to reflect or direct light away from adjoining properties. No string-type lighting shall be permitted.

D. No sound projecting devices or loudspeakers shall be used so as to be heard beyond the property lines.

E. The applicant shall provide a parking buffer along the west property line.

This action was not accompanied by valid appeals or protest petitions, therefore, the action of the Planning Commission is FINAL. If you have any questions concerning this case, please contact our office at 268-4421.

NATURE'S WAY



KELLOGG

WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 5

STAFF REPORT

December 5, 1996

CASE NUMBER: CU-416

APPLICANT/AGENT: Taco Grande, Inc. (property owner/applicant); Daryl Brown, Nature's Way (contract purchaser/applicant); Christian Ablah, Classic Real Estate (agent)

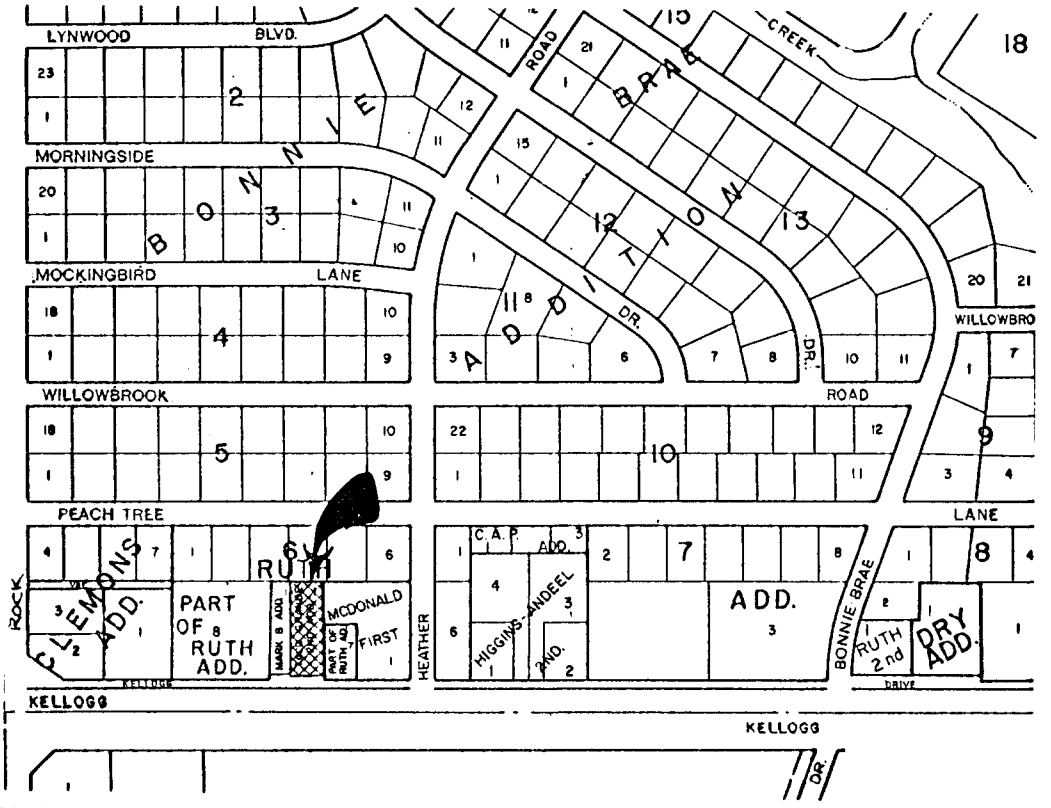
REQUEST: Conditional Use to allow outdoor display for nursery/ greenhouse

CURRENT ZONING: "LC" Limited Commercial

SITE SIZE: 20,000 square feet

LOCATION: East of Rock Road, north of Kellogg (8144 E. Kellogg)

PROPOSED USE: Relocation of Nature's Way



BACKGROUND: The applicant requests a Conditional Use to allow outdoor display for a nursery/greenhouse on property zoned "LC" Limited Commercial located east of Rock Road and north of Kellogg. The applicant, Nature's Way is requesting the Conditional Use in order to relocate his business that is being displaced due to the Kellogg expansion.

The surrounding land uses are all commercial on property zoned "LC" Limited Commercial to the west, south, and east. Property to the north is residential and zoned "SF-6" Single-Family Residential.

The applicant's site plan shows the existing Taco Grande building with a 60 foot by 30 foot display area located in front of the building and a 30 foot by 80 foot area for display and storage along the rear property line. Both areas will be fenced by a wrought iron fence, with a plexi-glass panel along the south boarder to provide a wind barrier for the plants. The plan shows the required 25 foot setback from Kellogg Drive.

The former tenant, Taco Grande, was required to provide 12 parking spaces, with 20 spaces being provided. The proposed off-street parking for Nature's Way conditional use totals 15 spaces (3 along Kellogg Drive, 4 south of the front display area, and 8 parallel spaces along the western property boundary). The applicant has stated that this type of retail business generates much less traffic than a fast-food restaurant. The site plan retains the existing circulation pattern, with traffic entering the property from an existing drive off of Kellogg Drive at the southeast corner of the lot and moving around the building in a counter-clockwise manner. The applicant will load materials at the rear of the existing building.

CASE HISTORY: None

ADJACENT ZONING AND LAND USE:

NORTH:	"SF-6"	Single-Family Residential	Residences
SOUTH:	"LC"	Limited Commercial	Strip Commercial
EAST:	"LC"	Limited Commercial	McDonald's restaurant
WEST:	"LC"	Limited Commercial	Mark 8 Lodge

PUBLIC SERVICES: Municipal water and sewer service is available to this site. The property has access to Kellogg Drive, a frontage road to Kellogg, with existing traffic volume of approximately 1,600 average daily trips (ADT) from Rock Road to the Turnpike. The 2020 Transportation Plan projects traffic along Kellogg Drive to remain stable for this segment.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies this area as appropriate for commercial uses.

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

A. The site shall develop as shown on the approved site plan.

B. Display and storage of merchandise, nursery stock, landscaping materials must be within an enclosed building or within an area designated on the site plan and approved by the Planning Commission.

C. All lights shall be shielded to reflect or direct light away from adjoining properties. No string-type lighting shall be permitted.

D. No sound projecting devices or loudspeakers shall be used so as to be heard beyond the property lines.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The areas along Kellogg are defined by strip commercial development. Property to the west, south, and east are zoned "LC" Limited Commercial. Residential uses, with "SF-6" Single-Family Residential zoning, are located north of the application area.

2. The suitability of the subject property for the uses to which it has been restricted: The subject property is zoned "LC" and has been developed with a fast-food restaurant. The site may still be suitable for such uses, however, the use established through this request may be more compatible with the residential uses to the north.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: The proposed use should not have a greater negative impact on nearby property than the former use. The site will generate less traffic than previous uses and will have shorter operating hours than previous uses.

4. Conformance of the requested change to the adopted or recognized Comprehensive Plan: The proposed use is in conformance with the Comprehensive Plan's land use guide.

5. Impact of the proposed development on community facilities: The applicant's request should not have a negative impact on community facilities. The use allowed by the request typically has less of an impact on traffic than that of a drive-thru restaurant.