CONDITIONAL USE RESOLUTION NO. CU-477

WHEREAS, Hoa Thi Nguyen, pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requested a Conditional Use to allow personal care services (beauty shop only) on 6,375 square feet (.1463 acre) "GO" General Office described as:

> Lot 1, EXCEPT, the West 27 feet and the East 10 feet thereof, Block 2, Pawnee Ranch Addition, Wichita, Sedgwick County, Kansas. Generally located on the southwest corner of Alpine Avenue and Hillside Avenue.

WHEREAS, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission (hereinafter referred to as MAPC) has been given; and

WHEREAS, the MAPC did, at the meeting of May 15, 1998, consider said application; and

WHEREAS, the MAPC has authority to permit a Conditional Use, subject to any special conditions deemed appropriate in order to assure full compliance with the criteria of the Unified Zoning Code.

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Area Planning Commission that this application be approved to permit a conditional use to allow personal care services (beauty shop only) on 6,375 square feet (.1463 acre) "GO" General Office described as:

> Lot 1, EXCEPT, the West 27 feet and the East 10 feet thereof, Block 2, Pawnee Ranch Addition, Wichita, Sedgwick County, Kansas. Generally located on the southwest corner of Alpine Avenue and Hillside Avenue.

subject to the following conditions:

A. The site shall be developed and used in conformance with an approved site plan.

B. The maximum number of employees, including the applicant, shall be four.

C. The applicant shall plant and maintain two street trees along Alpine and Hillside.

D. Advertising, decorations or window display signs may only be used for grand openings for new business. Signs are restricted to building signs only on the Hillside frontage. No signs are permitted on the Alpine frontage.

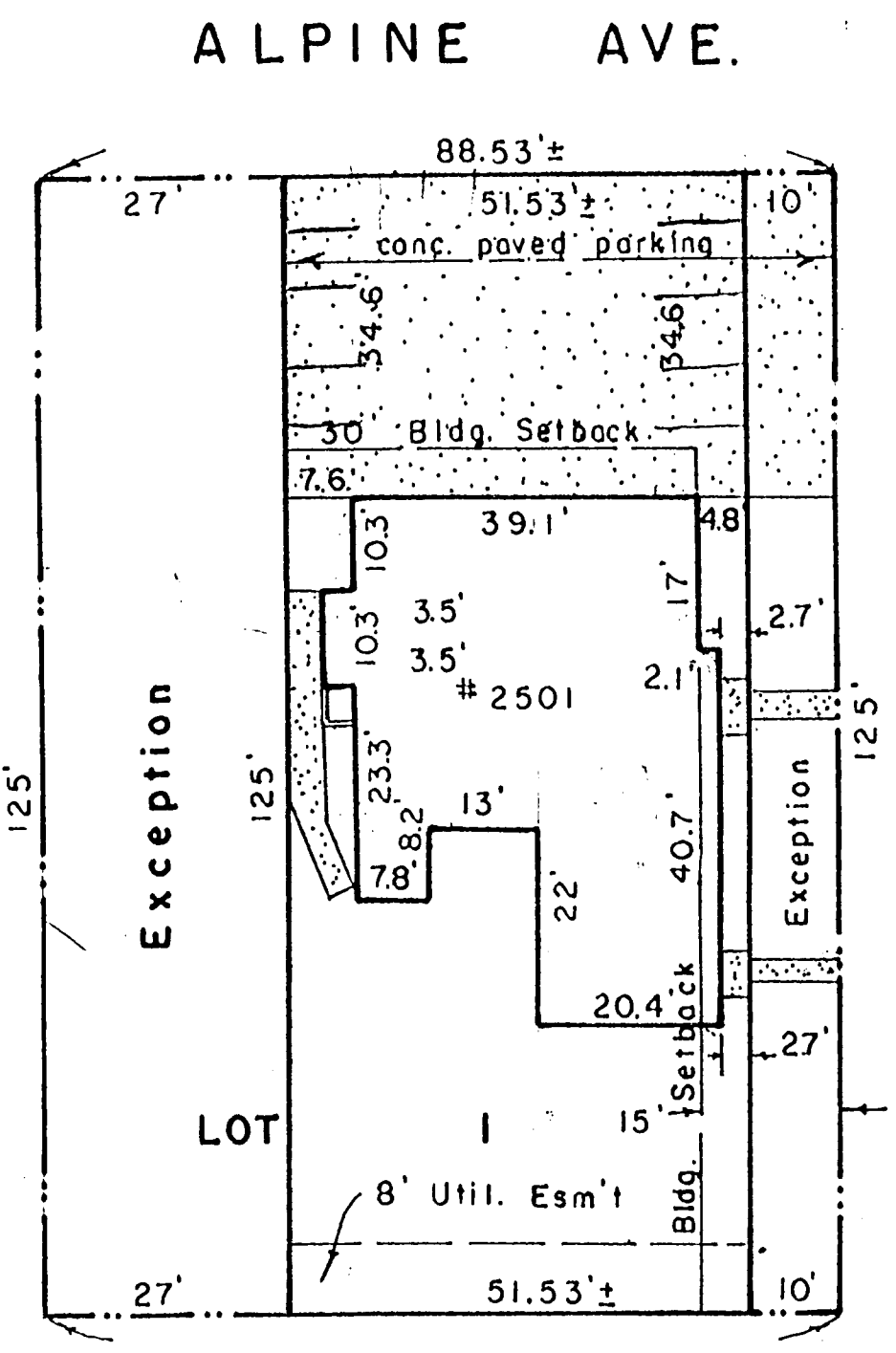
Adopted this 15th day of May, 1998. This resolution shall become effective on the fifteenth day after the date last noted above unless the matter is forwarded to the Governing Body for final action under the provisions of Section V-D.6. When any one or more of the exceptions listed in Section V-D.6 exist, this resolution with its conditions of approval shall be considered a recommendation of the MAPC to the Governing Body which shall then have final authority to approve, approve with conditions or modifications, or deny the Conditional Use application.

METROPOLITAN AREA PLANNING COMMISSION

Richard E. Lopez, Chairman

ATTEST:

Marvin S. Krout, Secretary


ALPINE AVE.
88.53'±
27'
51.53'±
10'
conc. paved parking
34.6'
34.6'
30' Bldg. Setback
7.6'
39.1'
4.8'
10.3'
10.3'
3.5'
3.5'
17'
2.7'
2.1'
2501
125'
125'
23.3'
13'
8.2'
7.8'
40.7'
22'
Exception
Exception
20.4'
Setback
27'
LOT 1
15'
Bldg.
8' Util. Esm't
27'
51.53'±
10'
HILLSIDE AVE.

WICHITA–SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 5

STAFF REPORT

CPO 3 May 14, 1998
MAPC May 14, 1998

CASE NUMBER: CU-477

APPLICANT/AGENT: Hoa Thi Nguyen

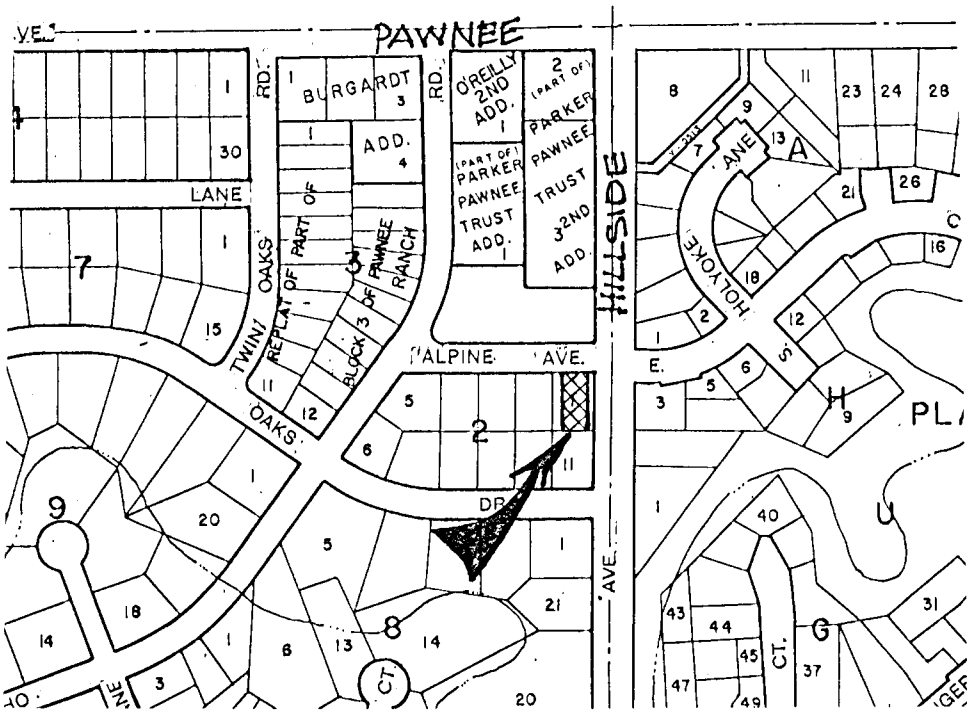
REQUEST: Conditional Use to permit Personal Care Service

CURRENT ZONING: "GO", General Office

SITE SIZE: 6,375 square feet (.1463 acre)

LOCATION: Southwest corner of Alpine Ave. and Hillside Ave.

PROPOSED USE: Personal Care Service (Beauty Salon)



BACKGROUND: The applicant's property is located at the southwest corner of Alpine Ave. (south of Pawnee) and Hillside Ave, and is the eastern two-thirds of Lot 1, Block 2, Pawnee Ranch Addition. The applicant's operate a beauty salon in the eastern 1,140 square feet of the 1,960 square foot home that exists on the site. The balance of the building is used for storage. The application area was zoned "GO", General Office in 1975. Eight parking spaces exist in the front yard. At 1 per 250 square feet of area, eight spaces are required for this use. Zoning code permits beauty salons (personal care service) in the "GO" district only as a conditional use. After a visit by the Office of Central Inspection, the applicant's became aware of the need for the conditional use.

Surrounding zoning and uses are: "SF-6", Single-family Residence with single-family residences (north); "MF-29", Multiple-family Residence with single-family residences; "SF-6", Single-family Residence with single- family residences (south); and "GO', General Office and "SF-6" zoning with a single-family residence to the west. One-half block north of Alpine is property zoned "LC", Limited Commercial. The lot west of the application area has split zoning, "GO" and "SF-6".

Alpine is a paved two-lane residential street. Hillside is a paved four-lane arterial. City sewer and water services are available to this site.

Non-residential uses must provide screening (decorative fencing, evergreen vegetation or landscaped earth berms) when there side or rear lot lines are adjacent to residential zoning. A fence exists along the south property line. It is not clear who owns the fence. Should the fence not be on the applicant's property, and the fence is removed, the applicant will have to provide required screening. The previous use was a doctor's office. Landscaping is not required for the conversion of an existing building unless they build a new building or renovate in excess of 30% of the current building's value or size.

CASE HISTORY: Request for "GO", General Office (Z-1669) was approved in 1975. Pawnee Ranch Addition was approved in 1947.

ADJACENT ZONING AND LAND USE:

NORTH: "SF-6", Single-family; single-family residences
SOUTH: " SF-6", Single-family; single-family residences
EAST: " MF-29", Multiple-family; single-family residences
WEST: " GO", General Office, single-family residences

PUBLIC SERVICES: This site is currently served with sewer and water service. Alpine is a local street for which traffic counts are not available.

CONFORMANCE TO PLANS/POLICIES: The Wichita Land Use Guide map is a generalized map depicting recommended land use patterns. In this instance the map does not depict the "GO" zoning that exists on this site. The plan does encourage the use of office zoning to act as a buffer between uses of higher and lower intensity. Office buffers work best when attention is paid to traffic circulation, lighting, signage and hours of operation. The plan also supports the creation of convenience centers, generally ranging from 2-4 acres in size, typically containing up to about 40,000 square feet. Convenience centers would typically be expected to develop at the intersection of two arterials or an arterial and collector street. In this case, there is single-family zoning between the application area and the commercial corner located at the southwest corner of Hillside and Pawnee. It is possible to view this request as an extension of the convenience center, providing shopping and services to nearby residents. Access to the site is off a local street (Alpine), something the plan discourages. However, the plan also calls for the minimum number of access points practicable to be allowed along arterials. The Plan also depicts this area as a "conservation" district. A "conservation" districts are basically sound physically and maintain economic viability and should be protected from decline.

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 be developed and used in conformance with an approved site plan.

(B). The maximum number of employees, including the applicant, shall be four.

(C). The applicant shall plant and maintain two street trees along Alpine and Hillside.

(D). Advertising, decorations or window display signs may only be used for grand openings for new businesses.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The application area is zoned "GO", General Office, and is developed with a single-family residence that has been converted to office use. Surrounding zoning and uses are: "SF-6", Single-family Residence with single-family residences (north); "MF-29", Multiple-family Residence with single-family residences; "SF-6", Single-family Residence with single- family residences (south); and "GO', General Office and "SF-6" zoning with a single-family residence to the west. One-half block north Alpine is property zoned "LC", Limited

Commercial. The lot west of the application area has split zoning, "GO" and "SF-6". The area appears to be maintaining its desirability for affordable homes.

2. The suitability of the subject property for the uses to which it has been restricted: The "GO" district permits a wide range of uses, such as: general and medical offices, hotel/motel, limited and general day care, limited and general convalescent care facility. The primary restriction is the fact the site is already developed with a 1900 square building placed in the middle of a 6,441 square foot lot. There are not many "GO" uses, other than personal care services or small scale office users, that could use this site due to its small size and developed with a converted residence.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: It is unlikely that a beauty shop would affect nearby property in any meaningful detrimental manner in any worse way than the previous doctor's office use. Doctor's offices generate 36 trips per day per 1,000 square feet of space: the beauty shop should generate a similar number and be open similar hours.

4. Conformance of the requested change to the adopted or recognized Comprehensive Plan: The Wichita Land Use Guide map is a generalized map depicting recommended land use patterns. In this instance the map does not depict the "GO" zoning that exists on this site. The plan does encourage the use of office zoning to act as a buffer between uses of higher and lower intensity. Office buffers work best when attention is paid to traffic circulation, lighting, signage and hours of operation. The plan also supports the creation of convenience centers, generally ranging from 2-4 acres in size, typically containing up to about 40,000 square feet. Convenience centers would typically be expected to develop at the intersection of two arterials or an arterial and collector street. In this case, there is single-family zoning between the application area and the commercial corner located at the southwest corner of Hillside and Pawnee. It is possible to view this request as an extension of the convenience center, providing shopping and services to nearby residents. Access to the site is off a local street (Alpine), something the plan discourages. However, the plan also calls for the minimum number of access points practicable to be allowed along arterials. The Plan also depicts this area as a "conservation" district. A "conservation" districts are basically sound physically and maintain economic viability and should be protected from decline.

5. Impact of the proposed development on community facilities: None identified that would be different from the previous use.