WICHITA – SEDGWICK COUNTY

W.SC

METROPOLITAN AREA PLANNING DEPARTMENT
CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421
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July 21, 1999

FILE COPY

Roger Carpenter
P O BOX 375
Coffeyville, KS 67337

RE: CU-524 – Conditional Use to permit vehicle sales, outdoors. On property generally located at the Northwest corner of Murdock and West Street.

Dear Ladies and Gentlemen:

On July 20, 1999, the City Council considered the above-referenced request. The action of the Council was to DENY the request.

If you have any further questions concerning this matter, please contact the Planning Department office at 268-4421.

Sincerely,

Donna Goltry

Donna Goltry
Senior Planner, A.I.C.P.

DG/rs

cc: Austin Miller, 254 S. Laura, Ste 210, Wichita, KS 67211
Lorrie Fansler, 841 N. West Street, Wichita, KS 67203
Gene Razook, 358 N. Rock Road, Wichita, KS 67201
Nile Dillmore, 1102 Jefferson, Wichita, KS 67203
Elizabeth Bishop, 8518 Longlake, Wichita, KS 67207
Henry H. Blasé, 2302 N. Hood, Wichita, KS 67204
M & J Corporation, 808 N. West Street, Wichita,KS 67203
Kurt Schroeder, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
Paul Hays, Office of Central Inspection
J.R. Cox, Office of Central Inspection

Made with Recycled Paper

TRASH

TO BE USED FOR STORAGE
175' ±

EXISTING WOOD FENCE
TO REMAIN

PORTABLE
COOLER

DISPLAY AREA
TO BE PAVED
(10 SPACES)

GRASS

Post

EXISTING
DRIVE

EXIST. CONC.

CANOPY

EMPLOYEE
PARKING
(2 SPACES)

DISPLAY AREA
(8 SPACES)

Post

Post

3' WROUGHT
IRON FENCE

EXISTING BUILDING
1020 S.F. ±

DISPLAY AREA
TO BE PAVED
(4 SPACES)

EXISTING 6' WOOD FENCE

115' ±

EXIST. CONC.

PLANTER
& SIGN

CUSTOMER
PARKING
(2 SPACES)

DISPLAY AREA
(8 SPACES)

DISPLAY AREA
TO BE PAVED
(6 SPACES)

CANOPY

Post

Post

EXIST. CONC.

3' WROUGHT
IRON FENCE

175' ±

EXISTING
DRIVE

GRASS

EXISTING
DRIVE

PP

WM

PP

PP

SS MH

MURDOCK AVE.

WEST STREET

SCALE

10' 0 10' 20'

LEGAL:

LOT 3, JABARA SECOND ADDITION, WICHITA, SEDGWICK COUNTY, KANSAS.

PROJECT NUMBER				AM. NO. 99084	SITE PLAN FOR **CAR SALES LOT** 803 N. WEST STREET	SHEET	
DESIGN DY	DRAWN MY	FILE SURVEY	DATE	SCALE		OF	REVISED 5/28/99

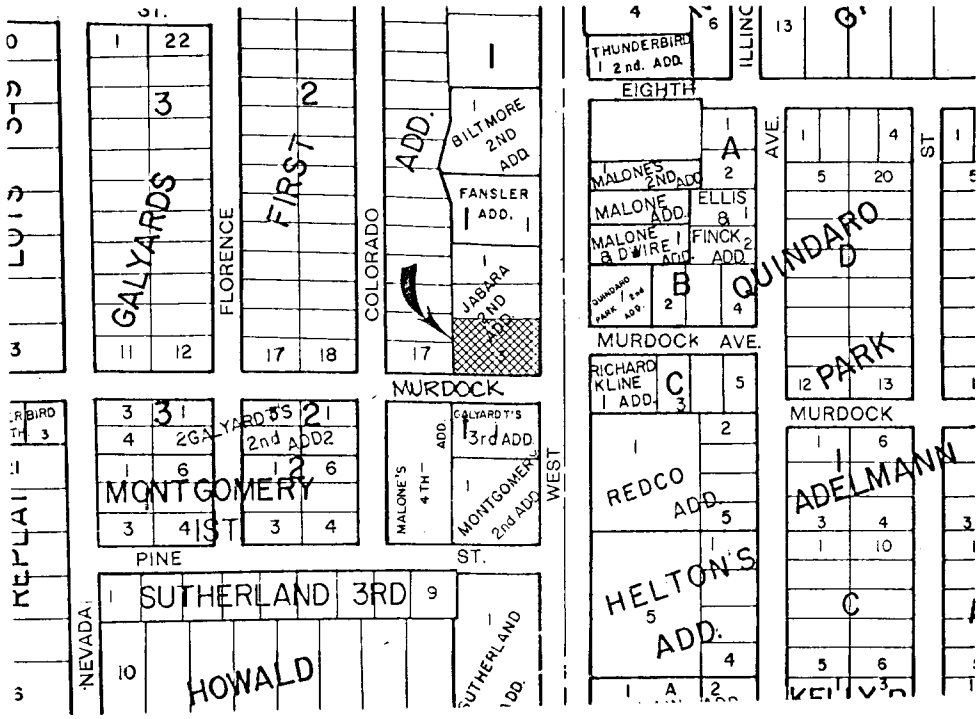
WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 5

STAFF REPORT

MAPC June 24, 1999
CPO(6) June 16, 1999

CASE NUMBER:	CU-524
APPLICANT/AGENT:	Roger Carpenter and Gerald A. Farha (owners); Gene Razook (agent)
REQUEST:	Conditional Use to permit vehicle sales, outdoors
CURRENT ZONING:	"LC" Limited Commercial
SITE SIZE:	0.462
LOCATION:	Northwest corner of Murdock and West Street



BACKGROUND: The applicant is requesting a Conditional Use to allow vehicle sales, outdoors, on a 0.462 acre property located on the northwest corner of Murdock and West Street. The tract is zoned "LC" Limited Commercial. The sale of vehicle and equipment with outside display/storage requires a Conditional Use within the "LC" Limited Commercial Zoning District.

The application area was the location of a former Sonic drive-in restaurant. The site plan proposes to convert the old restaurant building into the general sales office facility and to use the drive-in car stalls for display space, with the cars backed into the stalls. Additional display area is shown on along West Street and along on the north property line. The applicant intends to specialize in classic vehicles particularly from the 60s to compliment the "drive-in" appearance of the lot, but intends to offer later model and "up-scale" vehicles also.

The site plan indicates installation of a wrought iron fence three feet in height along West and Murdock. There is an existing wood fence along the north property line. This fence is a little taller than three feet and separates the application area from the adjacent commercial use. There is an existing wood fence that is labeled as being six feet in height, but is closer to five feet six inches, and is located five feet beyond the boundaries of the property, according to the site plan. This fence would not constitute a screening fence for the property since it is not under control of the applicant and, from field inspection, it appears to be less than the six feet required for screening fence between non-residential and residential uses. The landscaped area extending eastward from the building to West Street is shown removed and replaced with outdoor storage for four additional vehicles. A revised site plan would be needed in order to retain adequate square footage for required landscaped street yards along West Street (arterial), which would possibly reduce the amount of display space for vehicles.

The Unified Zoning Code requires auto businesses to provide customer parking at the rate of two spaces for the first 10,000 square feet and one space per each additional 10,000 square feet of lot area used for vehicle sales, display, or storage purposes and one space per 500 square feet of building area. The site plan shows approximately 18,000 square feet for vehicle sales, display and storage, which would require a total of three spaces. The building (1,020 square feet) would require three additional parking spaces, for a total of six parking spaces. The site plan shows only four spaces, however a display space could be re-designated for parking purposes on a revised site plan.

The site plan shows one existing drive on West Street and two existing drives on Murdock. The drive on the eastern end of Murdock is only ten feet from the right-of-way line of West Street. In addition, it does not provide customers with access to the customer parking areas on the north side of the building since the area along West is blocked by display space and the sign. The closure of this drive would remove a point

of access that is closer to the West Street intersection than is desired, and still maintain a flow of customer circulation from West Street to the customer parking spaces and then existing onto the western drive onto Murdock.

The application area is located in the same block as the previous zoning request for outdoor vehicle sales (CU-521). Situated in this block of West Street between Murdock and 9th Street is a mix of small-scale commercial uses. The mix includes freestanding structures, a small commercial center, and several houses used for commercial purposes, as well as the two houses still used as residences. The range of commercial uses include: restaurants, tavern, alterations shops, insurance offices, personal care services, service station, and auto parts and repair, etc., with most being neighborhood-serving retail uses. There is no other outdoor storage in this block, or in any portion of West Street north of Central. An apartment complex, Westview Apartments, is located across the street to the northeast. The commercial uses south of Murdock include a butcher shop, and more restaurants and service-oriented businesses. Single family residential properties are located west of this site facing onto Colorado Street and adjoining the rear property line. This is a well-maintained residential block of single family residences. There is a small apartment complex to on the southeast corner of Colorado and Murdock, and a church on the southwest corner.

The general intensity of commercial uses along West Street is highest near Kellogg and tapers off to the north. The only outdoor vehicle sales businesses facing onto West Street between Kellogg and 21st Street are K & N Kawasaki and Carco between 2nd and 3rd, and AdvantEDGE on the northeast corner of Douglas. All three are located between Douglas and 3rd, more than one-half mile to the south of the application area. The intersection of Central and West street is a good ending point for these outdoor display uses since the intersection is bordered on the southeast and southwest corner by shopping centers that function as major neighborhood retail centers. The segment between Central and 9th is a mix of small scale commercial and occasional residential, but with no outdoor storage. The segment north of 9th is residential/office except at commercial corners.

CASE HISTORY: The property was platted July 7, 1970 as Jabara Second Addition. Access control is limited to one opening on the lot along West Street, as shown on the site plan.

ADJACENT ZONING AND LAND USE:

NORTH:	"LC" Limited Commercial;	Commercial uses
SOUTH:	"LC" Limited Commercial;	Commercial uses
EAST:	"LC" Limited Commercial;	Apartments, commercial uses
WEST:	"SF-6" Single Family; "MF-29" Multi Family	Single family residences, apartments

PUBLIC SERVICES: This site has access to West Street, a five lane arterial. The existing traffic volume was 18,439 (ADTs) in 1997. The 2020 Transportation Plan estimates these volumes will remain stable. Municipal services are available to serve this site.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies this area as appropriate for commercial uses. The commercial locational guidelines of the Plan recommend that commercial uses not located in planned centers, including auto-related uses, should be guided to cluster in areas such as CBD fringe, segments of Kellogg and other appropriate areas and streets where these uses may already exist or to locations where traffic patterns, surrounding land uses and utilities can support these uses.

RECOMMENDATION: Staff does not feel vehicle sales is an appropriate use at this location because there are no other outdoor vehicle sales lots in the immediate vicinity, and due to the outside storage associated with vehicle sales, which is not permitted for other "LC" zoned properties along West. The nearest vehicle sales lots are 0.6 mile south of the application area. The approval of this request could establish the precedent of vehicle sales along West Street, north of Central, that does not conform to the Comprehensive Plan. The presence of another case only two lots north of this application area for outdoor vehicle sales indicates that approval of one of these applications would probably result in the transition of the commercial area north of Central to additional car lots.

Based upon information available prior to the MAPC, planning staff recommends this request be denied. However, if the Planning Commission believes this is an appropriate use staff recommends approval be subject to the following conditions;

1. No more than 34 vehicles can be for sale on the sales lot at any one time.

2. This property shall be developed in accordance with a revised site plan that shows the required 6 parking spaces for employees and customers. The site plan shall also designate which spaces shall be used for customer and employee parking and which spaces will be for the display of vehicles. The required customer and employee parking shall not be used for any display of vehicles. The easternmost drive onto Murdock shall be removed.

3. All parking, storage, and display areas shall be paved with concrete, asphalt, or asphaltic concrete. Parking barriers shall be installed along all perimeter boundaries adjacent to streets, except at driveway entrances or where fences are erected, to ensure that parked vehicles do not encroach onto public right-of-way.

4. The vehicle sales lot shall not be conducted in conjunction with any use not directly related to such a business. Any automotive service or repair work conducted on the site shall be entirely within a building. No body or fender work shall be done on the premises without first obtaining "GC" General Commercial zoning.

5. Only those signs permitted in the "LC" zoning 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 used.

6. No sound projecting devices or loudspeakers shall be used on-site.

7. There shall be no use of elevated platforms for the display of vehicles.

8. The applicant shall comply with landscape street yard requirements and parking lot screening of any required parking spaces along West Street and Murdock, and with buffering along the rear property line adjacent to residential use.

9. Any violation of the conditions of approval shall render the Conditional Use permit null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The site has commercial developments located to the north, the south and the east, which are zoned "LC" but are not permitted outside storage. An apartment complex is located across West Street to the northeast from the application area on "LC" zoning. The property west of the site is single family residential. The property to the southwest is an apartment on property zoned "MF-29" and a church. The nearest outside auto display lots are 0.6 mile away.

2. Extent to which removal of the restrictions will detrimentally affect nearby property: This general area is characterized by mostly small neighborhood retail uses and residential nearby. The outdoor storage involved with the vehicle and equipment rental business is not compatible with the uses found in this general location.

3. Conformance of the requested change to the adopted or recognized Comprehensive Plan: The Comprehensive Plan recommends auto related uses be located along CBD fringe, segments of Kellogg, and other appropriate areas and streets where these uses may already exist or to locations where traffic patterns, surrounding land uses and utilities can support the uses. The application area is not along the CBD fringe, Kellogg, nor are any other similar

uses found in the general vicinity. Therefore, this request does not correspond to the Comprehensive Plan. The approval of this request could possibly allow for additional vehicle sales operations to be located along West Street to the north or south of this site.

4. The suitability of the subject property for the uses to which it has been restricted: "LC" retail uses not involving outdoor storage of vehicles would be appropriate at this location.

5. Impact of the proposed development on community facilities: The use of this property should have limited impact on the community facilities.