WICHITA — SEDGWICK COUNTY

FILE COPY

METROPOLITAN AREA PLANNING DEPARTMENT
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WICHITA, KANSAS 67202-1688
(316) 268-4421
FAX (316) 268-4390

April 30, 1999

Dean D. Wilson
416 S. Socora
Wichita, KS 67209

RE: CU-518 - Conditional Use to allow vehicle and equipment sales and also to allow for outside storage up to 20 percent of the floor area of the existing structure on-site.

Dear Mr. Wilson:

At its regular meeting on April 29, 1999, 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:

1. The outside storage shall be developed in general conformance with the approved site plan. All materials shall be screened to hide from all residentially zoned districts, 167th Street West, and US-54. No storage shall be higher than the screening fence and a six foot solid screening fence constructed of concrete, brick or wood shall be constructed and maintained around the perimeter of this storage area. No outside storage is permitted except for behind the existing building.

2. No outside storage of salvaged vehicles or parts shall be permitted in association with new and used automotive sales, leasing and service.

3. **The vehicle sales lot shall be developed in accordance with a revised site plan, to be submitted and approved by the MAPD within 60 days of the MAPC action,** which shows the future building footprint with the square footage designated for each use proposed on this lot, as well as the location of all spaces will be used for customer and employee parking and for the display/storage of vehicles. The required customer and employee parking shall not be used for any display of vehicles. The revised site plan shall also show a brick, masonry or wood screening fence along the east and south property lines. The applicant shall meet the Landscape Ordinance of the City of Wichita.

4. 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 street, except at driveway entrances or where fences are erected, to ensure that parked vehicles do not encroach onto public right-of-way.

5. 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.

6. Only those signs permitted in the LC zoning district of the City of Wichita shall be permitted on this site. No portable or off-site signs and no temporary display signs are permitted on any parcel developed with auto sales, including the use of commercial flags, banners, portable, pennants, streamers, pinwheels, string lights, search lights, bunting and balloons, except fixed banners, affixed to light poles and not exceeding 50 square feet of material per light pole, will be permitted. However, in addition to the above, affixed banners or special promotional items shall be limited to twelve (12) events per year not to exceed ninety (90) days per year for all events.

7. Exterior audio systems are prohibited.

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

9. The applicant shall guarantee the extension of municipal water and/or sewer service through and/or sewer service through and/or across the frontage of the subject property as it becomes available to the site.

10. Violation of any of the conditions of approval shall render the Conditional Use null and void.

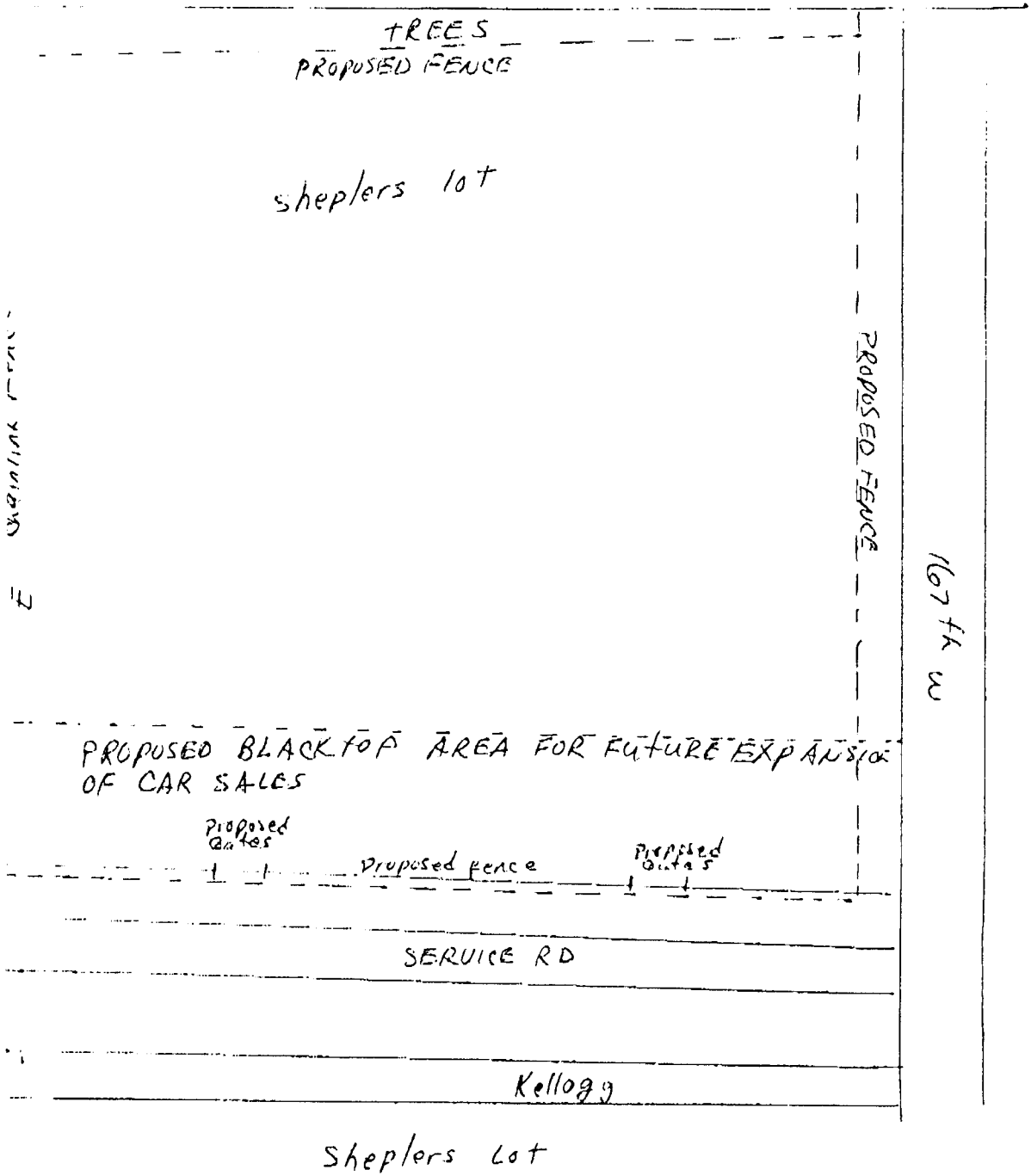
If there are no valid appeals or protest petitions filed opposing this action by May 13, 1999, the action of the MAPC will be considered final. If appeals or protest petitions are filed, you will be advised of the date your application will be forwarded to the Governing Body for review and final action.

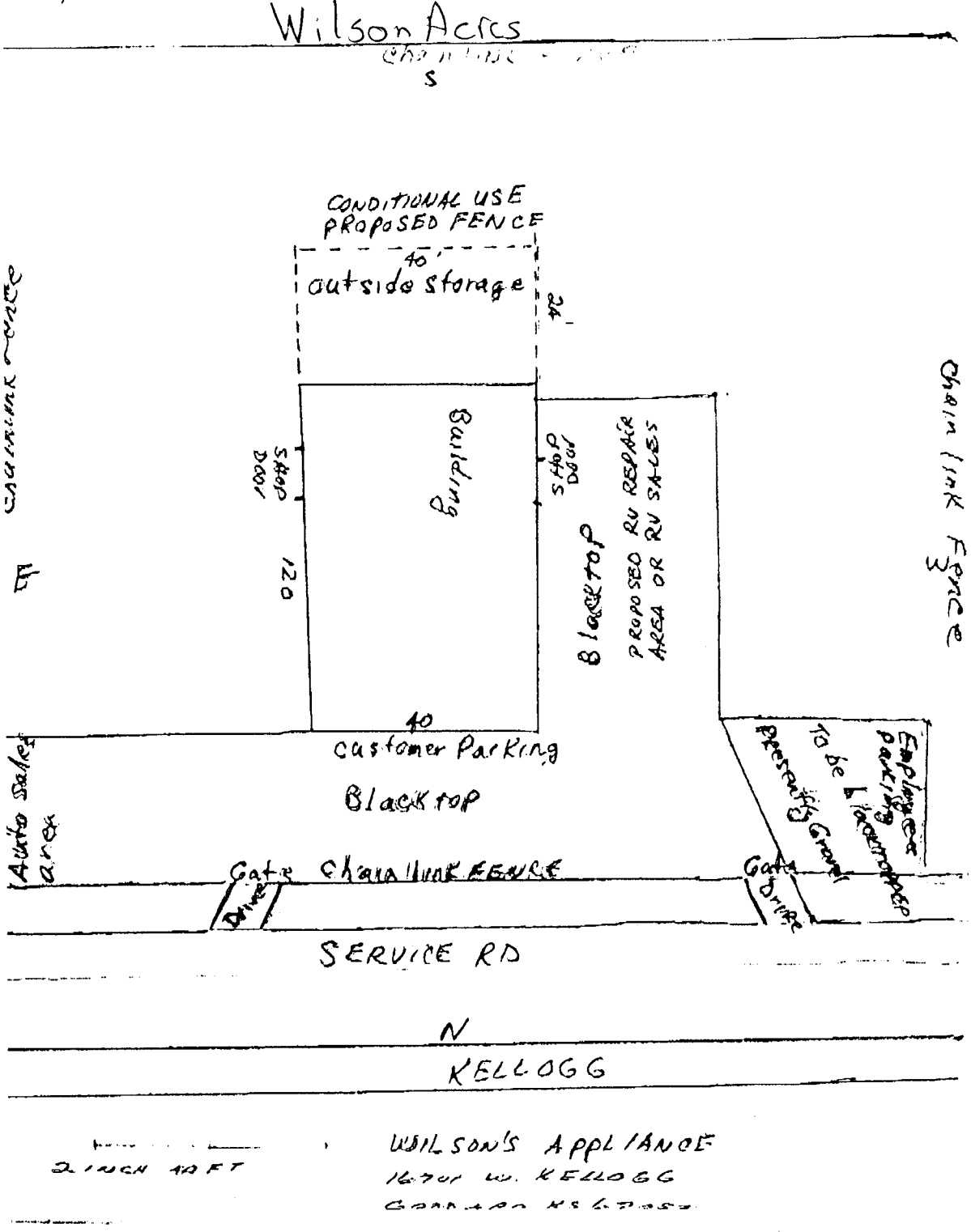
The zoning adjustment sign(s) should now be removed from the property. If you have any questions concerning this case, please contact our office.

Sincerely,

Keith Gooch

Keith Gooch
Senior Planner


TREES
PROPOSED FENCE
sheplers lot
PROPOSED FENCE
167th W
PROPOSED BLACKTOP AREA FOR FUTURE EXPANSION OF CAR SALES
Proposed Gates
Proposed fence
Proposed Gates
SERVICE RD
Kellogg
Sheplers Lot


Wilson Acres
S
CONDITIONAL USE
PROPOSED FENCE
40'
outside storage
34'
Building
Shop Door
Shop Door
120
Blacktop
PROPOSED RV REPAIR AREA OR RV SALES
40
customer Parking
Blacktop
Auto Sales Area
Gate
Chain link FENCE
Drive
Gate
Drive
To be Landscaped
Presently Gravel
Employee parking
SERVICE RD
N
KELLOGG
Chain link Fence
2 INCH 40 FT
WILSON'S APPLIANCE

WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 10

STAFF REPORT

Goddard Planning Commission April 22, 1999
MAPC April 29, 1999

CASE NUMBER: CU-518

APPLICANT/AGENT: Dean D. Wilson (Owner)

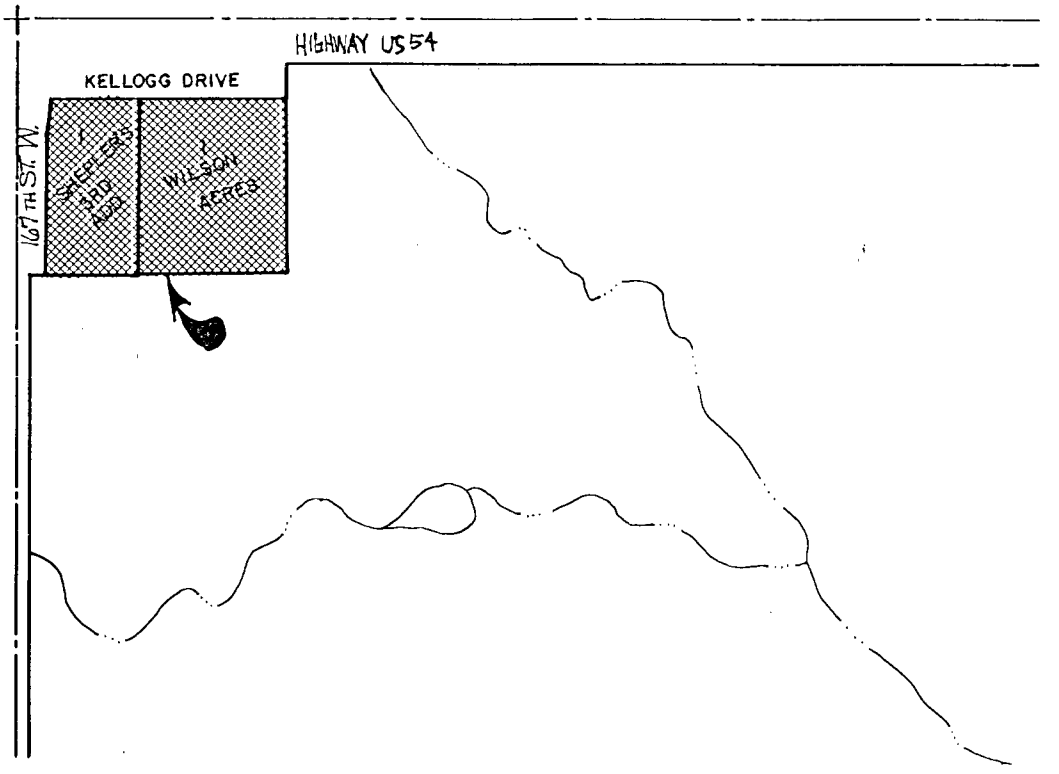
REQUEST: Conditional Use to allow vehicle and equipment sales and also to allow for outside storage up to 20 percent of the floor area of the existing structure on-site.

CURRENT ZONING: "LC" Limited Commercial

SITE SIZE: 4 acres

LOCATION: South of US-54 and east of 167th Street West

PROPOSED USE: Vehicle sales



BACKGROUND: The applicant is requesting Conditional Uses to allow vehicle sales and to allow for outside storage up to 20 percent of the floor area of the existing structure on-site on a four acre platted tract zoned "LC" Limited Commercial and located south of US-54 and east of 167th Street West.

Currently, the applicant operates an appliance store and repair shop on the Wilson Acres portion of his ownership, inside a 120 foot by 40 foot building (4800 square feet). There is currently outside storage inside a fenced area behind the existing structure (40 feet by 24 feet). This area is 20 percent of the floor area of the building. The applicant stores appliances in this area now and in the future he plans to store building materials he uses in the upkeep of the mobile homes he owns in the area. Sedgwick County Code Enforcement has spoken to this gentleman about needing a Conditional Use for additional outside storage. The area is fenced by a metal fence similar to the building.

The applicant has stated it is also his intentions to use the area west of the building as a vehicle sales lot, either automobiles or recreational vehicles. He explained that he plans to repair water systems and other mechanical problems on recreational vehicles he plans on selling and other vehicles. No engine work or body work would be done at this location.

If the request is approved, the applicant will be required to submit a site plan which shows the outside storage area, area to be used as display, and customer/employee parking. The applicant will also be required to screen along the east, south and west property lines where adjacent to residential zoning, and all buildings will have to meet the compatibility setbacks.

This site is expected to be annexed into the City of Wichita in approximately 60 to 70 days.

US-54 has sufficient right-of-way in this location for future improvement and there is not a need to request additional right-of-way at this time. A frontage road is located along the north property line of the application area.

The site is surrounded by undeveloped land to the east on property zoned "SF-20." South of the site is a single family home on property zoned "SF-20." The proposed Neville C.U.P. (DP-242) is located north of the application area. A single-family home also exists to the west and is zoned "RR."

CASE HISTORY: Both Wilson Acres and Shepler's 3rd Addition were platted in 1975.

ADJACENT ZONING AND LAND USE:

NORTH:	"SF-6"	Proposed Neville C.U.P.
SOUTH:	"SF-20"	Single-family home
EAST:	"SF-20"	Undeveloped agriculture land
WEST:	"RR"	Single-family home

PUBLIC SERVICES: This site has access to US-54, an expressway and 167th Street West, a township road. The nearest daily traffic volumes available for US-54 are 15,105 to the west of this location. The Transportation Plan estimates the volumes on US-54 between 151st and 167th Street West will be between a range of 20,000 to 25,000, depending on the location of the Northwest Bypass Interchange at US-54. The 2020 Transportation Plan estimates 167th Street West will increase to 3,640. The County Capital Improvement Program does not show any improvements for 167th Street West. This site is served by a septic system and on-site wells.

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.

This area is classified as urban reserve by the Sedgwick County Development Guide. These are areas where urban development due to the expansion of Wichita is likely to occur by 2010, based on current growth trends, but the land did not appear to be necessary for development until after the year 2000. Services may be extended into urban reserve areas when growth demands justify additional land needs. Until urban density development occurs, only typical rural densities would be encouraged in these areas.

The Plan recommends that commercial developments of this size should be located in "planned centers" versus extended strip developments. Such "centers" should be designed with shared internal vehicular and pedestrian circulation, combined signage, similar landscaping and building materials, and combined ingress/egress locations. Large-scale retail uses should generally be restricted to frontage along Kellogg and near key interchanges of other highways.

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

1. The outside storage shall be developed in general conformance with the

approved site plan. All materials shall be screened to hide from all residentially zoned districts, 167th Street West, and US-54. No storage shall be higher than the screening fence and a six to eight foot solid screening fence constructed of concrete, brick or wood shall be constructed and maintained around the perimeter of this storage area. No outside storage is permitted except for behind the existing building.

2. No outside storage of salvaged vehicles or parts shall be permitted in association with new and used automotive sales, leasing and service.

3. The vehicle sales lot shall be developed in accordance with a revised site plan, to be submitted and approved by the MAPD within 60 days of the MAPC action, which shows the future building footprint with the square footage designated for each use proposed on this lot, as well as the location of all spaces will be used for customer and employee parking and for the display/storage of vehicles. The required customer and employee parking shall not be used for any display of vehicles. The revised site plan shall also show a brick, masonry or wood screening fence along the east and south property lines. The applicant shall meet the Landscape Ordinance of the City of Wichita.

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

9. The applicant shall guarantee the extension of municipal water and/or sewer service through and/or across the frontage of the subject property as it becomes available to the site.

10. Violation of any of the conditions of approval shall render the Conditional Use null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: There is single-family homes located to the west and south of the site on property zoned "SF-20" and "RR." North of the property across US-54 is the proposed Neville C.U.P. zoned "LC." There is undeveloped agriculture land zoned "SF-20" just east of this property.

2. The suitability of the subject property for the uses to which it has been restricted: This site is currently zoned "LC" and will retain this zoning. The Unified Zoning Code requires Conditional Uses in the "LC" district for vehicle sales lots and increasing outdoor storage beyond 10 percent of the building floor area. Therefore, this property is basically maintaining the same uses currently permitted except for allowing vehicle sales.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: It seems very likely that the three corners of US-54 and 167th Street North will be rezoned and developed for commercial uses in the near future as development continues to expand westward. The property to the south and east should not be significantly impacted because this site is currently used and zoned commercial. The required screening should provide some protection of the residential zoning and uses which surround this property.

4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: As stated previously the Comprehensive Plan recommends vehicle sales lots be located along US-54. This request does conform to the Plan.

5. Impact of the proposed development on community facilities: This use should not generate significantly more traffic than currently exists. The site is located along US-54 which should be able to handle any additional traffic associated with this development.