

**CONDITIONAL USE RESOLUTION NO. CON2002-00036**

**WHEREAS**, Thomas and Grace Yun (Owner/Applicant); Meridian Construction Co., c/o Darrell Leffew (Agent), pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), request a Conditional Use for Self-Service Storage Warehouse on 2.6 acres zoned "LC" Limited Commercial described as:

Lot 1, Cypress Addition, Wichita, Sedgwick County, Kansas. Generally located west of Broadway approximately ¼ mile north of 47<sup>th</sup> Street South.

**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 August 8, 2002, 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 for Self-Service Storage Warehouse on 2.6 acres zoned "LC" Limited Commercial described as:

Lot 1, Cypress Addition, Wichita, Sedgwick County, Kansas. Generally located west of Broadway approximately ¼ mile north of 47<sup>th</sup> Street South.

subject to the following conditions:

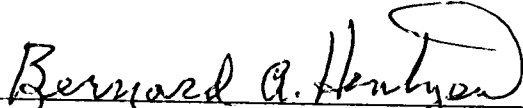
Subject to an updated site plan which designates a 25-foot landscape buffer along the north and west boundaries where abutting residential zoning, and subject to the following conditions:

1. The requirements of Section III.D.6.y. of the Unified Zoning Code (attached) shall be met.
2. The applicant shall submit storage building elevations to be approved by the Planning Director.
3. The storage buildings shall have exteriors of a stucco simulating material, and shall be earth-tone in color.
4. Screenwalls shall be of a concrete or masonry material, and shall be consistent in color with the storage buildings.


5. The applicant shall submit a landscape plan to be approved by the Planning Director.
6. The applicant shall submit a site drainage plan, prepared by an engineer, to be approved by the Director of Public Works.
7. Site lighting shall be affixed to buildings only, and shall not be on light poles.
8. A six (6) foot minimum chain link security fence shall be placed along the property line where abutting residential zoning.
9. The site shall be developed in general conformance with the approved site plan and elevation drawing.
10. If operations have not begun within one year of approval, the Conditional Use shall be null and void.
11. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

Adopted this 8th DAY of AUGUST, 2002. 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

  
Bernard A. Hentzen, Chair MAPC

ATTEST:

  
Dale Miller, Secretary



## STAFF REPORT

MAPC August 8, 2002

CASE NUMBER: CON2002-00036

APPLICANT/AGENT: Thomas and Grace Yun (Owner/ Applicant); Meridian Construction Co. c/o Darrell Leffew (Agent)

REQUEST: Conditional Use for Self-Service Storage Warehouse

CURRENT ZONING: "LC" Limited Commercial

SITE SIZE: 2.6 acres

LOCATION: West of Broadway approximately ¼ mile north of 47<sup>th</sup> Street South

PROPOSED USE: Self-Storage Warehouse



**BACKGROUND:** The applicant owns a restaurant located at 4552 S. Broadway and proposes to add a self-storage business on the same lot, immediately west of the existing restaurant. The proposed self-storage area is currently undeveloped. The subject property is zoned "LC" Limited Commercial. Self-Service Storage Warehouse requires a Conditional Use in the "LC" Limited Commercial zoning district; therefore, the applicant is requesting a Conditional Use on the entire subject property. The character of the surrounding area is that of general commercial uses along the Broadway Avenue corridor and single-family residential uses to the west of that corridor, surrounding the application area to the north and west.

The attached site plan indicates that the storage building will function as site screening to the north and west, a portion of the west property line will be screened with a concrete screen wall. The agent indicated that the storage building exteriors would be clad in a stucco simulating concrete product material, known as hardy board; and roofed with an aluminum panel material at a ½ - 12 pitch. The application area is in the FEMA designated 100-year flood-plain, raising site development and drainage concerns. The proposed site plan does not conform to one of the Supplementary Use Regulations of the Unified Zoning Code (UZC) for Self-Storage Service Warehouses; the site plan indicates a 10-foot landscaped buffer where abutting residential zoning, the UZC requires a 15-foot landscaped buffer at this location.

The Compatibility Setback Standards of the UZC are more strict than the Supplementary Use Regulations for Self-Storage Warehouses. The UZC Compatibility Setback Standards call for a minimum of 15 feet setback plus one foot for each five feet of lot width (of the subject lot) over 50 feet, not to exceed a 25 foot setback. Therefore, the UZC Compatibility Setback Standards require any non-residential use on the application area to have a 25-foot setback from the north and west property lines, where abutting residential zoning.

**CASE HISTORY:** The subject property is platted as a part of Lot 1, Cypress Addition in 1974.

**ADJACENT ZONING AND LAND USE:**

NORTH:	"GC", "SF-5"	Hotel, Single-family residences
SOUTH:	"GC"	Auto repair
EAST:	"GC"	Auto repair, Camping trailer sales
WEST:	"SF-5"	Single-family residences

**PUBLIC SERVICES:** Access to the subject property will be through the existing restaurant site from Broadway Avenue, which is a four-lane arterial street with a 50-foot half-street right-of-way at this location. The current traffic volume on Broadway is approximately 15,084 vehicles per day. The 2030 Transportation Plan designates

Broadway as remaining a four-lane arterial and estimates that the traffic volume will increase to approximately 19,000 vehicles per day. Traffic generated by the property, if used for self-storage, will be significantly less than the traffic potentially generated by other uses permitted in the "LC" Limited Commercial zoning district. The subject property can be served by municipal water and sewer service.

**CONFORMANCE TO PLANS/POLICIES:** The Land Use Guide of the Comprehensive Plan identifies this area as appropriate for "Commercial" development. The Commercial Locational Guidelines of the Comprehensive Plan recommend that commercial sites should be located adjacent to arterials and should have site design features which limit noise, lighting, and other activity from adversely impacting surrounding residential areas.

**RECOMMENDATION:** Based upon information available prior to the public hearings, planning staff recommends that the requests be APPROVED, subject to an updated site plan which designates a 25-foot landscape buffer along the north and west boundaries, and subject to the following conditions:

1. The requirements of Section III.D.6.y. of the Unified Zoning Code (attached) shall be met.
2. The applicant shall submit storage building elevations to be approved by the Planning Director.
3. The storage buildings shall have exteriors of a stucco simulating material, and shall be earth-tone in color.
4. Screenwalls shall be of a concrete or masonry material, and shall be consistent in color with the storage buildings.
5. The applicant shall submit a landscape plan to be approved by the Planning Director.
6. The applicant shall submit a site drainage plan, prepared by an engineer, to be approved by the Director of Public Works.
7. The site shall be developed in general conformance with the approved site plan and elevation drawing.
8. If operations have not begun within one year of approval, the Conditional Use shall be null and void.
9. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to

enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The character of the surrounding area is that of general commercial uses along the Broadway corridor, and single-family residential uses to the west of that corridor. The properties to the north, south, and east of the subject property are zoned "GC" General Commercial; the properties to the west are zoned "SF-5" Single-Family Residential. With appropriate buffers, landscaping, and design, the proposed use should be in character with the commercial and residential surrounding areas.
2. The suitability of the subject property for the uses to which it has been restricted: The subject property is suitable for the uses permitted in the "LC" Limited Commercial zoning district. However, the subject property does not directly front the arterial street, so the property is less suitable for the retail uses that typically occupy property zoned "LC" Limited Commercial. Such uses also would be more intrusive to the single-family residential west of the subject property than the proposed self-storage use that provides significant buffers to reinforce the boundary between residential and non-residential uses.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The recommended conditions of approval should limit noise, lighting, and other activity from adversely impacting surrounding residential areas.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The Land Use Guide of the Comprehensive Plan identifies this area as appropriate for "Commercial" development. The Commercial Locational Guidelines of the Comprehensive Plan recommend that commercial sites should be located adjacent to arterials and should have site design features which limit noise, lighting, and other activity from adversely impacting surrounding residential areas. The proposed use of the subject property adheres to these Commercial Locational Guidelines.
6. Impact of the proposed development on community facilities: Community facilities should not be adversely impacted.