CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

December 22, 2009

Quiktrip West Inc
PO Box 3475
Tulsa, OK 74101

Jake Sutton
4705 South 129 East Ave.
Tulsa, OK 74134

Rodney Loyd
4705 South 129 East Ave
Tulsa, OK 74134

RE: **CON2009-00027** - City Conditional Use to permit ancillary parking in the B District at 1131 and 1135 South Hydraulic Street (north of Lincoln Street and west of Hydraulic Street).

Dear Ladies and Gentlemen:

At its regular meeting on **November 5, 2009**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request, subject to the conditions stated in the enclosed resolution.

If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

Derrick K. Slocum
Associate Planner
Current Plans Division

DKS:mc
Attachment

CONDITIONAL USE RESOLUTION NO. CON2009-00027

WHEREAS, QuikTrip West Inc, (/Owner); pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requests a Conditional Use for Ancillary Parking on 0.30 acres zoned B Multi-family Residential ("B") described as:

> Lots 1, 3, 5 and 7 on hydraulic Avenue in Amidon's Addition to Wichita, Sedgwick County, Kansas; generally located north and west of the intersection of Hydraulic Avenue and Lincoln 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 November 5, 2009, 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 allow a Conditional Use for Ancillary Parking on 0.30 acres zoned B Multi-family Residential ("B") described as:

> Lots 1, 3, 5 and 7 on hydraulic Avenue in Amidon's Addition to Wichita, Sedgwick County, Kansas; generally located north and west of the intersection of Hydraulic Avenue and Lincoln Avenue.

Approved subject to the following conditions:

1. The ancillary parking area shall be developed and operated in conformance with the requirements of Article III, Section D.6.p of the UZC, except as noted in the conditions of approval.

2. A six-foot high screening fence shall be located on the north property line of lot 1 and along the west property line of lots 1 and 3 entirely on the subject property.

3. Lighting standards in the ancillary parking lot shall be shielded downward and away from the surrounding tracts and otherwise meet lighting requirements of the UZC (Sec. IV-B.4), but with a maximum height of poles and fixtures of 22 feet.

4. A revised site plan addressing the conditions of approval shall be submitted for review by the Planning Director or his designee prior to the issuance of a building permit but no later than 180 days after approval of the Conditional Use.

5. The Conditional Use shall be developed in general conformance with a site plan revised to meet these conditions. Any substantial change in the revised site plan shall require an amendment to this Conditional Use.

6. All landscaping as required by the Landscape Ordinance and the conditions of approval for the

Conditional Use shall be installed within a year of final action by the governing body and maintained per a landscape plan approved by the Planning Director or his designee prior to the issuance of a building permit but no later than 180 days after approval of the Conditional Use. The landscape plan shall specify the plant materials and method of irrigation in conformance with the requirements of the Landscape Ordinance.

7. The Conditional Use shall only be permitted for the parking lot. There will no parking of commercial vehicles without amending the Conditional Use permit.

8. As stipulated in Article III, Section D.6.p of the UZC, the parking lot shall be used for passenger vehicles only and in no case shall it be used for sales, repair work, or the storage, dismantling or servicing of any vehicles, equipment, materials or supplies.

9. The parking lot shall be paved and properly striped.

10. The applicants will maintain the property and keep it free of debris.

11. Development of the Conditional Use shall be commenced within one year from the date of approval of the Conditional Use shall be null and void.

12. 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 the UZC, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

Adopted this 5th Day of November 2009

METROPOLITAN AREA PLANNING COMMISSION

G. Nelson Van Fleet, Chair MAPC

ATTEST:

John L. Schlegel, Secretary

AGENDA ITEM NO. 6

WICHITA—SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

STAFF REPORT

MAPC November 5, 2009
DAB I November 2, 2009
Tentative City Council Date:
December 8, 2009

CASE NUMBER: CON2009-00027

APPLICANT/AGENT: QuikTrip West Inc., Attn: Jake Sutton and Rodney Loyd, (Agent/Applicant(s)/Owner)

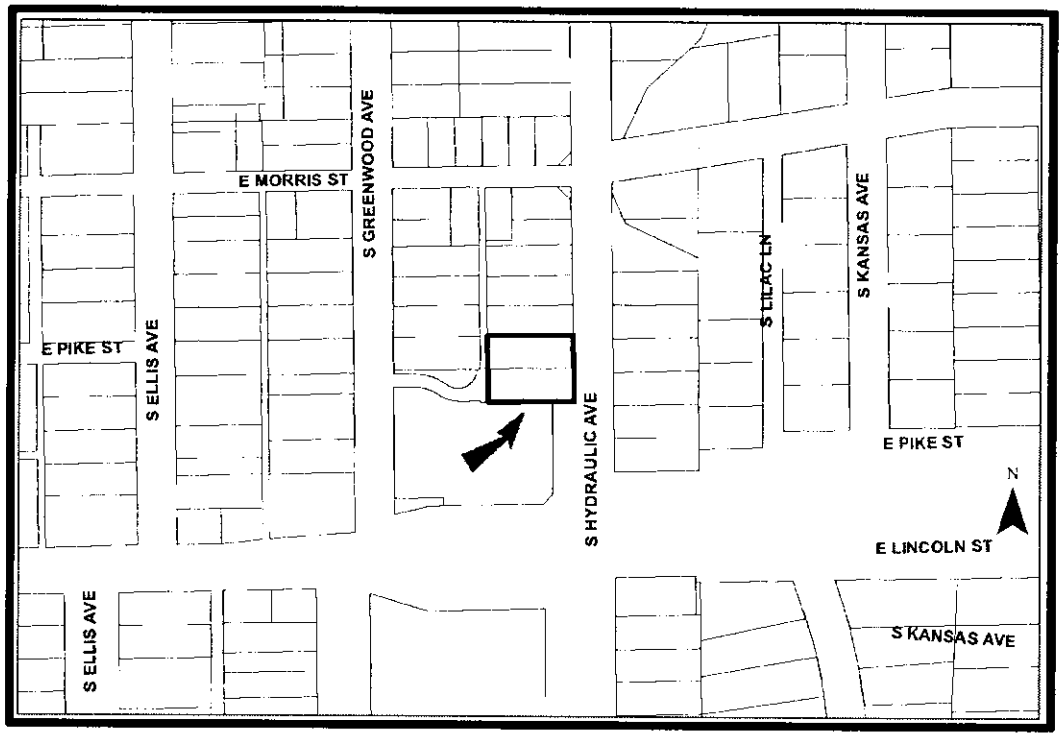
REQUEST: Conditional Use to allow "Parking, Ancillary"

CURRENT ZONING: B Multi-family Residential ("B")

SITE SIZE: 0.30 acres

LOCATION: Generally located north and west of the intersection of Lincoln Street and Hydraulic Avenue (1131 & 1135 S. Hydraulic Ave.)

PROPOSED USES: Add rear parking and landscape buffering with an alley relocation



BACKGROUND: The applicant requests a Conditional Use to allow ancillary parking on Lots 1, 3, 5 and 7, of the Amidon's Addition. The subject site's 0.30-acres is zoned B Multi-family Residential ("B"), with lots 5 and 7 being undeveloped and lots 1 and 3 developed with a single-family residence, located 200 feet north of the intersection of South Hydraulic Avenue and East Lincoln Street. The applicant needs the ancillary parking for additional parking for the QuickTrip convenience store, adjacent to the south of the subject site, along Lincoln Street. Ancillary parking areas are subject to the Supplementary Use Regulations contained in Article III, Section D.6.p of the Unified Zoning Code ("UZC").

The subject site is located in a transitional area between commercial uses to the south, along Lincoln Street and residential uses to the north along Hydraulic Avenue. North of the subject site, the land is zoned B, and is developed with single-family residences. South of the subject site the property is zoned LC Limited Commercial ("LC") and is developed with the convenience store, which the subject site will be serving. East of the subject site, across Hydraulic Avenue, is property zoned B and is developed with single-family residences. The property west of the subject site is zoned LC and B and is developed with a single-family residence on the B zoned property and vacant, landscaped land on the LC zoned property.

The attached site plan illustrates a proposed 7-stall parking lot for the subject site, with a 30-foot drive aisle on Lots 5 and 7 of the Amidon's Addition, and Lots 1 and 3 being devoted solely for open space and landscaping. The site plan shows trees along the north and west property line of Lots 1 and 3 and access from Hydraulic or from the existing QuikTrip site. Landscaping will be per the zoning code. The site plan does not indicate if there will be light standards in the proposed parking area or if the lighting will be light packs attached to the building.

CASE HISTORY: The property was platted as part of the Amidon's Addition on January 24, 1887.

ADJACENT ZONING AND LAND USE:

NORTH:	B	Residences
EAST:	B	Residences
SOUTH:	LC	Convenience Store
WEST:	LC & B	Convenience Store & Residences

PUBLIC SERVICES: The subject site has access from Hydraulic Avenue, a paved two-lane minor arterial, with 13,167 Average Daily Trips (ADT's) at its intersection with Lincoln Street. Lincoln Street is a minor arterial, located approximately 200 feet south of the subject site, with 22,140 ADT's at its intersection with Hydraulic Avenue. Municipal water and sewer services are available at this site.

CONFORMANCE TO PLANS/POLICIES: The "2030 Wichita Functional Land Use Guide" of the Comprehensive Plan identifies the north part of the site as appropriate for "Urban Residential" while the south part of the site is identified as appropriate for "Local Commercial." The Urban Residential category includes all densities of residential development found within the urban municipality. This category of use encompasses areas that reflect the full diversity of residential development densities and types typically found in a large urban municipality. The

range of housing types found includes: single detached homes, semi-detached homes, zero lot line units, patio homes, duplexes, townhouses, apartments and multi-family units, condominiums, mobile home parks and special residential accommodations for the elderly (assisted living, congregate care and nursing homes). Elementary and middle school facilities, churches, playgrounds, parks and other similar residential-serving uses may also be found in this category. The Local Commercial category encompasses areas that contain concentrations of predominately commercial, office and personal service uses that do not have a significant regional market draw. The range of recommended uses includes: medical or insurance offices, auto repair and service stations, grocery stores, florist shops, restaurants and personal service facilities. On a limited presence basis, these areas may also include mini-storage warehousing and small scale, light manufacturing."

RECOMMENDATION: Based on the information available prior to the public hearing, MAPD staff recommends the application be APPROVED, subject to the following conditions:

A. The Conditional Use permits "parking, ancillary" associated with the retail convenience store; parking of commercial vehicles not associated with a convenience store is prohibited.

B. The ancillary parking area shall be developed and operated in conformance with the requirements of Article III, Section D.6.p of the UZC, except as noted in the conditions of approval.

C. Screening consistent with Unified Zoning Code standards shall be located on the north property line of Lot 1 and along the west property line of Lots 1 and 3 entirely on the subject property.

D. Lighting standards in the ancillary parking lot shall be shielded downward and away from the surrounding property, and meet all lighting requirements of the UZC (Sec. IV-B.4), but with a maximum height of poles and fixtures of 14 feet.

E. A revised site plan addressing the conditions of approval shall be submitted for review by the Planning Director or his designee prior to the issuance of a building permit but no later than 180 days after approval of the Conditional Use.

F. The Conditional Use shall be developed in general conformance with a site plan revised to meet these conditions. Any substantial change in the revised site plan shall require an amendment to this Conditional Use.

G. All landscaping as required by the Landscape Ordinance and the conditions of approval for the Conditional Use shall be installed within a year of final action by the governing body and maintained per a landscape plan approved by the Planning Director or his designee prior to the issuance of a building permit but no later than 180 days after approval of the Conditional Use. The landscape plan shall specify the plant materials and method of irrigation in conformance with the requirements of the Landscape Ordinance.

H. As stipulated in Article III, Section D.6.p of the UZC, the parking lot shall be used for passenger vehicles only and in no case shall it be used for sales, repair work, or the storage, dismantling or servicing of any vehicles, equipment, materials or supplies.

I. The parking lot shall be paved and properly striped.

J. The applicants will maintain the property and keep it free of debris.

K. Development of the use permitted by the Conditional Use shall commence within one year from the date of final approval or the Conditional Use shall be null and void.

L. 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 the UZC, 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. **Zoning, uses and character of the neighborhood.** The subject site is located in a transitional area between commercial uses to the south, along Lincoln Street and residential uses to the north along Hydraulic Avenue. North of the subject site, the land is zoned B, and is developed with single-family residences. South of the subject site the property is zoned LC Limited Commercial ("LC") and is developed with the convenience store, which the subject site will be serving. East of the subject site, across Hydraulic Avenue, is property zoned B and is developed with single-family residences. The property west of the subject site is zoned LC and B and is developed with a single-family residence on the B zoned property and vacant, landscaped land on the LC zoned property.

2. **The suitability of the subject property for the uses to which it has been restricted.** Approval of the request will allow only the additional use of "parking, ancillary." If approved, the existing base zoning will remain the same. The property could continue to be used as currently zoned.

3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** The screening, lighting, and compatibility standards of the UZC, the landscape street yard, parking lot screening, and buffer requirements of the Landscape Ordinance, and the additional zoning restrictions of a Conditional Use should limit noise, lighting and other activity from adversely impacting surrounding residential uses.

4. **Conformance of the requested change to the adopted or recognized Comprehensive Plan:** The "2030 Wichita Functional Land Use Guide" of the Comprehensive Plan identifies the north part of the site as appropriate for "Urban Residential" while the south part of the site is identified as appropriate for "Local Commercial." The Urban Residential category includes all densities of residential development found within the urban municipality. This category of use encompasses areas that reflect the full diversity of residential development densities and types typically found in a large urban

municipality. The range of housing types found includes: single detached homes, semi-detached homes, zero lot line units, patio homes, duplexes, townhouses, apartments and multi-family units, condominiums, mobile home parks and special residential accommodations for the elderly (assisted living, congregate care and nursing homes). Elementary and middle school facilities, churches, playgrounds, parks and other similar residential-serving uses may also be found in this category. The Local Commercial category encompasses areas that contain concentrations of predominately commercial, office and personal service uses that do not have a significant regional market draw. The range of recommended uses includes: medical or insurance offices, auto repair and service stations, grocery stores, florist shops, restaurants and personal service facilities. On a limited presence basis, these areas may also include mini-storage warehousing and small scale, light manufacturing."

5. **Impact of the proposed development on community facilities:** The proposed use of this property would have a limited impact on community facilities for the area.