CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

February 23, 2016

Lonely Pine, LLC
c./o Jason Le
11424 E. Pine Meadow Ct.
Wichita, KS, 67206

REFERENCE: CON2015-00035 – City Conditional Use request for Warehouse, Self-storage in LC Limited Commercial zoning, generally located east of Oliver Avenue, on the north side of 21st Street and east of Pinecrest Avenue (5310 E. 21st Street N.).

Dear Applicant:

At its regular meeting on December 3, 2015, the Wichita - Sedgwick County Metropolitan Area Planning Commission (MAPC) considered the above captioned request. The action of the MAPC was to APPROVE the request, with the conditions listed on the attached resolution.

If you have any questions concerning this application, please contact our office at 316-268-4421.

Sincerely,

Bill Longnecker
Senior Planner

BL: mc
Attachments

Copies to: J.R. Cox, MABCD, Mail Stop 1-71
Paul Hays, MABCD, Mail Stop 1-71
Lavonta Williams, WCC II, Mail Stop 1-13
Kameelah Alexander, Community Liaisons, Mail Stop 1-135
Roger's Enterprises, Inc., 3450 N Rock Rd, Ste 201, Wichita KS 67226
MKEC Engineering, Inc., Attn: Brian Lindebak, 411 N Webb Rd, Wichita, KS, 67206
Crestview Heights, Addie Lewis, 5812 E Rockhill, Wichita, KS, 67208

CONDITIONAL USE RESOLUTION NO. CON2015-00035

WHEREAS, Lonely Pine, LLC, c/o Jason Le (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 a "self-storage warehouse", located on LC Limited Commercial ("LC") zoned property, described as:

Lot 1, Lonely Pine Addition, Wichita, Sedgwick County, Kansas, EXCEPT the east 94.00 feet of the south 247.00 feet thereof.; generally located east of Oliver Avenue, on the north side of 21st Street and east of Pinecrest Avenue Wichita, Sedgwick County, Kansas.

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 December 3, 2015, 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 MAPC that this application be approved to allow a Conditional Use for a "self-storage warehouse", located on LC Limited Commercial ("LC") zoned property, described as:

Lot 1, Lonely Pine Addition, Wichita, Sedgwick County, Kansas, EXCEPT the east 94.00 feet of the south 247.00 feet thereof.; generally located east of Oliver Avenue, on the north side of 21st Street and east of Pinecrest Avenue Wichita, Sedgwick County, Kansas.

Approved subject to the following conditions:

1. All of the supplemental use regulations of UZC Sec.III-D.6.y., shall be in effect. The applicant will file a covenant with the Register of Deeds binding and tying the subject site and the west abutting self-service storage warehouse under common ownership and making the on-site resident manager of the west abutting self-service storage warehouse the on-site resident manager of the subject site. The covenant must be recorded prior to the Conditional Use resolution being signed. If the two said sites are not under common ownership the subject site shall be required to provide an on-site resident manager.
2. Obtain all permits and inspection as required by the Metropolitan Area Building and Construction Department. All development will be per City Code including landscaping, code compliance and any other applicable standards.
3. The site will be developed according to an approved site and landscape plan.
4. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
5. 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 2nd day of December 2015 ~~2016.~~

METROPOLITAN AREA PLANNING COMMISSION

Carol Chapman Neugent

Carol Chapman Neugent, Chair MAPC

ATTEST:

Dale Miller

Dale Miller, Secretary

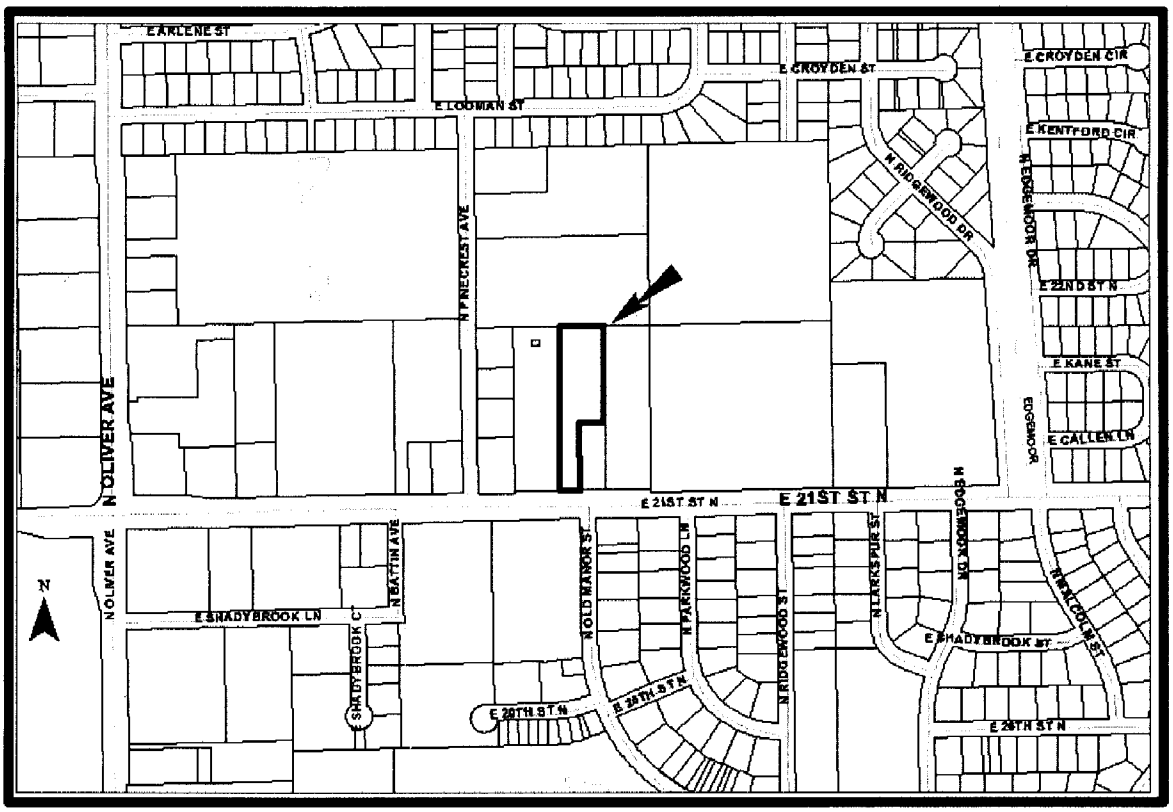
WICHITA–SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 10

STAFF REPORT

MAPC December 3, 2015
DAB I December 7, 2015

CASE NUMBER:	CON2015-00035
OWNER/APPLICANT/ AGENT:	Lonely Pine, LLC, c/o Jason Le (owner) Roger's Enterprises, Inc (applicant) MKEC Engineering, c/o Brian Lindebak
REQUEST:	A Conditional Use for self-service storage warehouse
CURRENT ZONING:	LC Limited Commercial
SITE SIZE:	Approximately 1.76 acres
LOCATION:	Generally located east of Oliver Avenue, on the north side of 21st Street North and east of Pinecrest Avenue (5310 E 21st Street N)
PROPOSED USE:	Expansion of existing self-service storage warehouse site



BACKGROUND: The applicant is requesting a conditional use for a self-service storage warehouse on a portion of the undeveloped 1.76 acre LC Limited Commercial (LC) zoned Lot 1, Lonely Pine Addition. The applicant owns the abutting self-service storage warehouse development and if the conditional use is approved the subject site will become part of the existing self-service storage warehouse development, under one owner.

The Unified Zoning Code (UZC) requires consideration of a conditional use for a self-service storage warehouse in the LC zoning district subject to 19 supplemental use conditions; UZC Sec.III-D.6.y. The location of the site, the applicant's site plan and its text ('conditional use items') conforms to the supplemental use conditions. The applicant notes in the site plan's text that; "A resident manager shall not be required in the event that the west adjacent storage facility maintains ownership of said property and is used as an expansion to existing facility. West adjacent storage property is in conformance with an on-site resident manager and shall be responsible for maintaining the operation of the facility." The site plan shows the location of the west adjacent resident on-site manager. The applicant has also provided a landscape plan for review.

The site is located approximately a quarter-mile east of the Wichita State University campus, the dominate development in the area located southwest of the 21st Street North and Oliver Avenue intersection. A LC zoned dentist office and a car wash abut and is adjacent to the east side of the site, with MF-29 Multi-Family Residential (MF-29) zoned apartments are located further east. The already noted LC zoned self-service storage warehouse development abuts the west side of the site, with a small commercial strip building located west of the self-storage development. Two wireless communication facilities with towers are located in the self-storage development. The LC zoning continues west to the northeast corner of 21st Street North and Oliver, with development including (but not limited to) small retail, a recently constructed convenience store and an indoor self-storage warehouse, which is the result of converting a vacant Dillon's grocery store. MF-29 zoned undeveloped property abuts the north side of the site and TF-3 Two-Family Residential (TF-3) zoned apartments are adjacent to the site's northeast side. B Multi-Family Residential (B), GO General Office (GO) and LC zoned medical research, offices, skilled nursing services are located south of the site, across 21st Street North.

CASE HISTORY: The site is described as Lot 1, Lonely Pine Addition, except the east 94.00 feet of the south 247.00 feet thereof. The Lonely Pine Addition was recorded March 8, 1991.

ADJACENT ZONING AND LAND USE:

NORTH: MF-29, TF-3	Undeveloped land, apartment complex
SOUTH: B, GO, LC	Medical research, office, skilled nursing services
EAST: LC, MF-29	Dentist office, car wash, apartments
WEST: LC	Self-service storage warehouse, wireless communication facilities and towers, commercial strip building, indoor self-storage warehouse, retail, convenience store

PUBLIC SERVICES: The subject property has immediate access to 21st Street North, a curbed and paved four-lane, two-way arterial street with a center turn lane. Municipal water and sewer services and all other utilities are available to the subject property.

CONFORMANCE TO PLANS/POLICIES: The "2030 Wichita Functional Land Use Guide" depicts this location as being appropriate for "local commercial," which contains concentrations of predominately commercial, office and personal service uses that do not have a significant regional market draw. The range of uses includes: medical or insurance offices, auto repair or service stations, grocery stores, florist shops, restaurants and personal service facilities. The purpose of the LC zoning District is to accommodate retail, commercial, office and other complementary land uses. The LC zoning is generally compatible with the local commercial designations of the Wichita-Sedgwick County Comprehensive Plan.

The Commercial Locational Guidelines of the Comprehensive Plan recommends 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 site has direct access onto 21st Street North and the condition of the conditional use should minimize any negative impact on the adjacent properties. The proposed use would be a low traffic generator at this location.

The Unified Zoning Code (UZC) requires consideration of a conditional use for a self-service storage warehouse in the LC zoning district. If approved, the requested self-service storage warehouse would not be the first self-service storage warehouse in this area. A self-service storage warehouse site abuts the west side of the site and an indoor self-service storage warehouse is located approximately 700-feet west of the site.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the proposed conditional use for warehouse/self-storage be **APPROVED**, subject to the following conditions:

1) All of the supplemental use regulations of UZC Sec.III-D.6.y. shall be in effect. The applicant will file a covenant with the Register of Deeds binding and tying the subject site and the west abutting self-service storage warehouse under common ownership and making the on-site resident manager of the west abutting self-service storage warehouse the on-site resident manager of the subject site. The covenant must be recorded prior to the Conditional Use resolution being signed. If the two said sites are not under common ownership the subject site shall be required to provide an on-site resident manager.
2) Obtain all permits and inspection as required by the Metropolitan Area Building and Construction Department. All development will be per City Code including landscaping, code compliance and any other applicable standards.
3) The site will be developed according to an approved site and landscape plan.
4) The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
5) 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.

The staff's recommendation is based on the following findings:

1. **The zoning, uses and character of the neighborhood:** The site is located approximately a quarter-mile east of the Wichita State University campus, the dominate development in the area located southwest of the 21st Street North and Oliver Avenue intersection. A LC zoned dentist office and a car wash abut and is adjacent to the east side of the site, with MF-29 zoned apartments are located further east. The already noted LC zoned self-service storage warehouse development abuts the west side of the site, with a small commercial strip building located west of the self-storage development. Two wireless communication facilities with towers are located in the self-storage development. The LC zoning continues west to the northeast corner of 21st Street North and Oliver, with development including (but not limited to) small retail, a recently constructed convenience store and an indoor self-storage warehouse, which is the result of converting a vacant Dillon's grocery store. MF-29 zoned undeveloped property abuts the north side of the site and TF-3 zoned apartments are adjacent to the site's northeast side. B, GO and LC zoned medical research, offices, skilled nursing services are located south of the site, across 21st Street North.

2. **The suitability of the subject property for the uses to which it has been restricted:** The site is zoned LC, which allows a wide variety of retail, office and residential uses. The LC zoning is the common zoning of the properties located on the northeast side of the 21st Street North and Oliver

Avenue intersection.

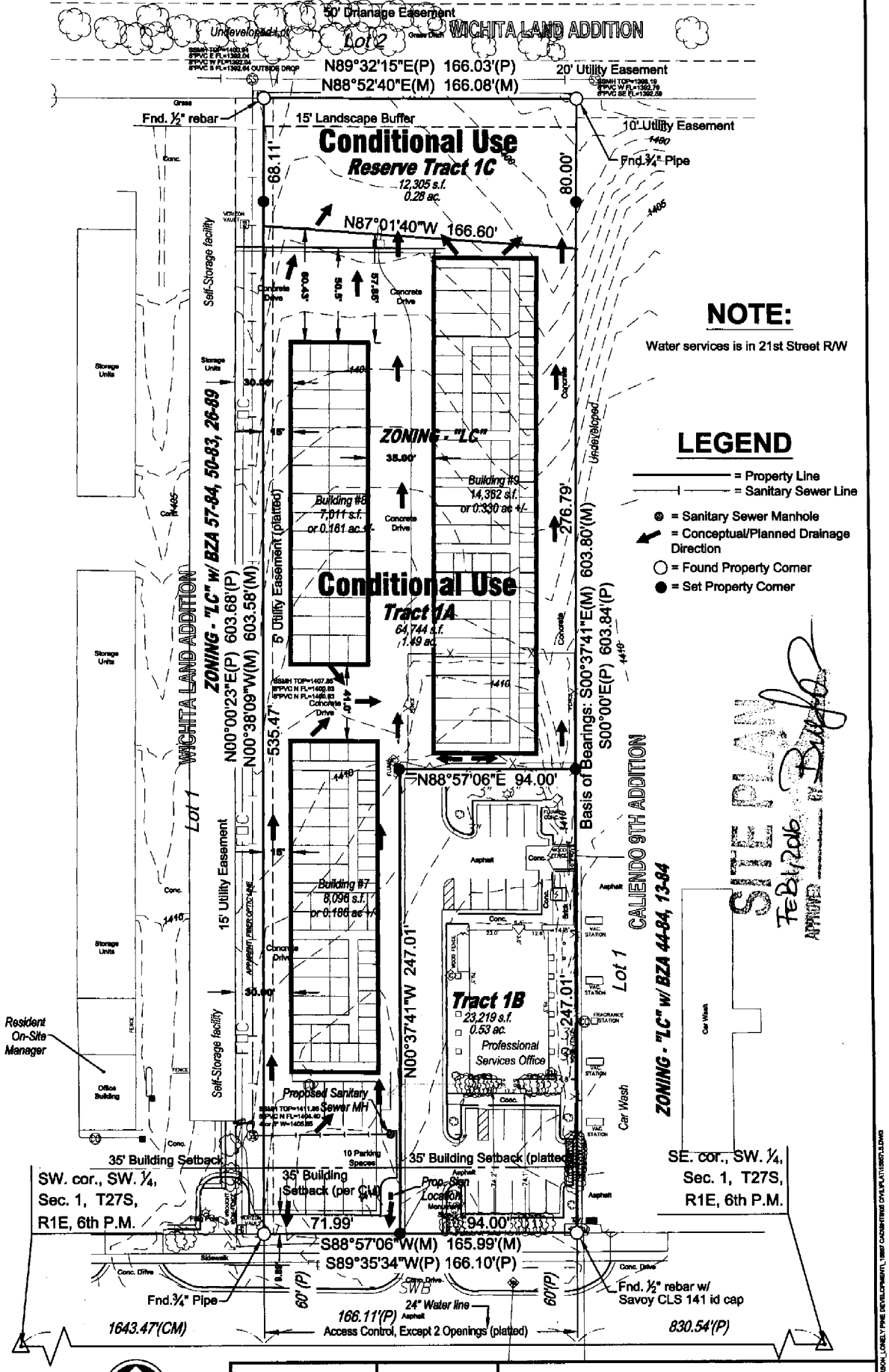
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** If approved, the requested self-service storage warehouse would not be the first self-service storage warehouse in this area. A self-service storage warehouse site abuts the west side of the site and an indoor self-service storage warehouse is located approximately 700-feet west of the site. The conditions attached to a Conditional Use can address site design issues and should mitigate any potential negative effects on surrounding properties.

4. **Conformance of the requested change to adopted or recognized Plans/Policies:** The 2030 Wichita Functional Land Use Guide" depicts this location as being appropriate for "local commercial," which contains concentrations of predominately commercial, office and personal service uses that do not have a significant regional market draw. The range of uses includes: medical or insurance offices, auto repair or service stations, grocery stores, florist shops, restaurants and personal service facilities. The purpose of the LC zoning District is to accommodate retail, commercial, office and other complementary land uses. The LC zoning is generally compatible with the local commercial designations of the Wichita-Sedgwick County Comprehensive Plan.

   The Commercial Locational Guidelines of the Comprehensive Plan recommends 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 site has direct access onto 21st Street North and the condition of the conditional use should minimize any negative impact on the adjacent properties. The proposed use would be a low traffic generator at this location.

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5. **Impact on Community Facilities:** All public facilities are available and existing road facilities are adequate. Any increased demand on community facilities can be handled by current infrastructure



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CONDITIONAL USE
LOT 1, LONELY PINE ADDITION
SITE PLAN

PROJECT NO.	DATE	SHEET NO.
1501010657	November 2015	1 OF 2

DRAWN BY:	DESIGNED BY:	APPROVED BY:
BDL	JGD	BDL

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LEGAL DESCRIPTION

"TRACT 1A & 1C"

Lot 1, Lonely Pine Addition, Wichita, Sedgwick County, Kansas, EXCEPT the east 94.00 feet of the south 247.00 feet thereof.

Said tract CONTAINS 77,011 square feet or 1.77 acres of land more or less.
"Tract 1A" Area: 64,744 s.f. or 1.49 ac.
"Tract 1C" Area: 12,305 s.f. or 0.28 ac.

CONDITIONAL USE ITEMS:

1. All buildings shall set back at least 35 feet from arterial Street Right-of-Way lines (21st Street).
2. Off-street Parking shall be required on the basis of one space for each 8,000 square feet of Floor Area in the facility plus one space for each employee, but in no case shall the number be less than five spaces. (Suggested: 3.68 spaces / Actual: 10 spaces)
3. All driveways, Parking, loading and vehicle circulation areas shall be paved with concrete, asphalt or asphaltic concrete or comparable hard surfacing material. Adequate bumper guards or Fences shall be provided to prevent the extension of Vehicles beyond property lines.
4. All lights shall be shielded to direct light onto the Uses established and away from Adjacent property, but it may be of sufficient intensity to discourage vandalism and theft.
5. All storage on the property shall be kept within an enclosed Building, unless a portion of the property or Lot is properly zoned to otherwise permit a designated area for outside storage.
6. No activities such as miscellaneous or garage sales shall be conducted on the premises.
7. The servicing or repair of Motor Vehicles, boats, Trailers, lawn mowers and other similar equipment shall not be conducted on the premises.
8. Signs shall be limited to one per arterial Street frontage. Signs shall not exceed twenty feet in height nor exceed fifty square feet in gross surface area. Signs shall not project over any public right-of-way.
9. All areas not paved in accordance with the requirements of this section shall be landscaped with deciduous and coniferous plant materials. The Landscaping plan shall be approved by the Planning Department. Maintenance of the Landscaping shall be sufficient to maintain it in good condition.
10. The area shall be properly policed by the owner or operator for removal of trash and debris.
11. The operation of such a facility shall in no way be deemed to include a transfer and storage business where the use of Vehicles is part of such business.
12. A resident manager shall not be required in the event that west adjacent storage facility maintains ownership of said property and is used as an expansion to existing facility. West adjacent storage property is in conformance with an on-site resident manager and shall be responsible for maintaining the operation of the facility.
13. No more than 45 percent of the Lot Area shall be covered by Buildings.
14. No individual or business shall lease more than 3,000 square feet of storage spaces.
15. Building Descriptions:

	Area	# of Units	Coverage (%)	Total Coverage w/ Res. (%)
Building #7:	8,096 s.f.	59	12%	
Building #8:	7,011 s.f.	34	11%	
Building #9:	14,362 s.f.	88	22%	
Building Total:	29,469 s.f.	181	45%	(41,774) 29.4 %

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CONDITIONAL USE
LOT 1, LONELY PINE ADDITION
SITE PLAN

PROJECT NO. 1501010657	DATE: November 2015	SHEET NO.
DRAWN BY: BDL	DESIGNED BY: JGD	APPROVED BY: BDL	2 OF 2

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