



FILE COPY

**Wichita-Sedgwick County Metropolitan Area Planning Department**

July 9, 2007

Mark Miller  
2727 W. Driftwood Cir  
Wichita, KS 67204

**RE: CON2007-18** – Conditional Use for ancillary parking on property zoned “GC” General Commercial within the D-O Delano Overlay District. Generally located north of Douglas and east of Vine Street (110 North Vine Street)

Dear Ladies and Gentlemen:

At its regular meeting on **June 7, 2007**, the 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 case please contact our office at 268-4421.

Sincerely,

A handwritten signature in black ink, appearing to read 'Derrick K. Slocum'.

Derrick K. Slocum  
Associate Planner  
Current Plans Division

DKS/mc  
Enclosure

Copies to: Josh Suoher, 10012 W. 20<sup>th</sup>, Wichita, KS 67212  
Anita Siemer, 7031 E. 39<sup>th</sup> Street, Wichita, KS 67226  
Paul Gray, WCC IV  
Kelli Glassman, N A IV  
Vicky Huang 1-71

**CONDITIONAL USE RESOLUTION NO. CON2007-00018**

**WHEREAS**, Mark Miller (applicant); 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 a Parking Lot on 0.07 acres zoned "GC" General Commercial described as:

East 60 feet of Lots 31 & 32, Block 6, of the Junction Town Company Addition of Wichita, Sedgwick County, Kansas. Generally located northeast of the intersection of Douglas Avenue and Vine Avenue (110 N. Vine Street)

**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 June 7, 2007, 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 a parking Lot on 0.07 acres zoned "GC" General Commercial described as:

East 60 feet of Lots 31 & 32, Block 6, of the Junction Town Company Addition of Wichita, Sedgwick County, Kansas. Generally located northeast of the intersection of Douglas Avenue and Vine Avenue (110 N. Vine Street)

Approved subject to the following conditions:

1. The applicants will submit a revised site plan for approval by the Planning Director.
2. The Conditional Use shall only be permitted for the parking lot. There will no parking of commercial vehicles without amending the Conditional Use permit.
3. 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.
4. The applicants shall erect and maintain a six-foot fence, of standard construction materials, along the western perimeter of the parking lot, and shall maintain the existing six-foot wooden fence along the north perimeter of the lot. A landscape buffer along the north and west property line shall be installed per the landscape ordinance.
5. The applicants will maintain his property and keep it free of debris.
6. 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.

7. Any violation of the conditions approved, as a part of this request, shall render the Conditional Use null and void.

Adopted this 7<sup>th</sup> Day of June 2007.

METROPOLITAN AREA PLANNING COMMISSION

Darrell A. Downing  
Darrell Downing, Chair MAPC

ATTEST:

John L. Schlegel  
John L. Schlegel, Secretary

**STAFF REPORT**  
MAPC – June 7, 2007  
DAB IV – June 6, 2007

**CASE NUMBER:** CON2007-00018

**APPLICANT/AGENT:** Mark Miller (Applicant/Owner)

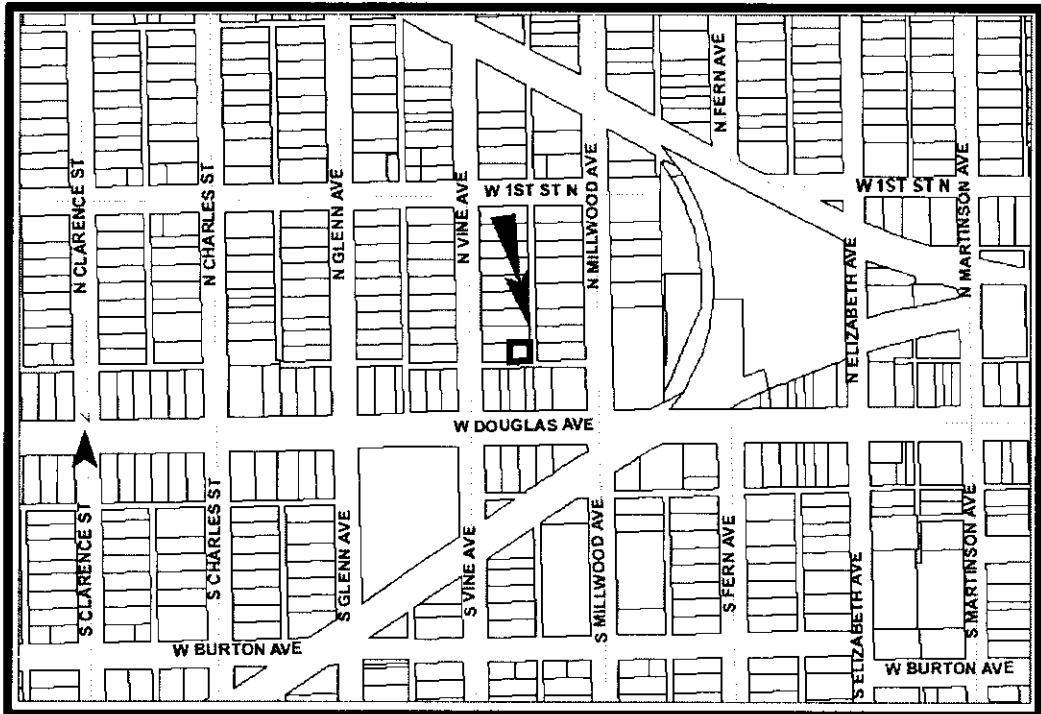
**REQUEST:** Conditional Use to permit a parking lot in the “GC” General Commercial Zoning District and Delano Neighborhood Overlay District

**CURRENT ZONING:** “GC” General Commercial

**SITE SIZE:** .07 acres (3,049 square feet)

**LOCATION:** Northeast of the intersection of Douglas Avenue and Vine Avenue.

**PROPOSED USES:** A parking lot in the “GC” General Commercial District within the Delano Neighborhood Overlay District



**BACKGROUND:** The applicant is requesting a Conditional Use to permit a parking lot in a GC zone within the Delano Neighborhood Overlay District. This property is just east of N. Vine Avenue, located north and east of the intersection of Douglas Avenue and Vine Avenue. Since the application area is located within the Delano Neighborhood Overlay District, a Conditional Use permit will be required in order to bring the existing parking lot into conformance with the Unified Zoning Code (“UZC”) and the Delano Overlay Regulations. The Delano Neighborhood Overlay District requires parking lots to be off-street, paved and properly screened and landscaped according to the regulations specified in the overlay.

The parking lot has been used for several years for the commercial businesses along Douglas Avenue. The Office of Central Inspection notified the owner that the parking lot would need a Conditional Use permit due to the location in the Delano Overlay District. The parking lot consists of about 3,050 square feet with a gravel surface. This conditional use, along with the Delano Overlay will require the parking lot owner to pave the lot and properly screen and landscape the lot from the properties to the north and west of the subject site.

Development to the north and west of the subject site are single-family residences zoned “SF-5” Single-family Residential. The property to the east of the subject site is a gravel parking lot zoned GC and to the south of the subject site are commercial retail uses zoned GC. Currently there is a wood fence along the north property, screening the parking for the residence to the west, but there is currently no screening along the west line to screen that residence from the parking lot.

The parking lot has access from N. Vine Avenue via an alleyway and is also accessible from Douglas via an access driveway located between 1718 and 1710 Douglas Avenue. The current site plan lacks specificity and is unclear in terms of parking spaces. The applicant will need to submit a revised site plan and landscape plan to be approved by staff.

**CASE HISTORY:** The application area (Lots 31 & 32) was subdivided in March of 1986 as the Junction Town Company Addition.

**ADJACENT ZONING AND LAND USE:**

|        |                                  |                         |
|--------|----------------------------------|-------------------------|
| NORTH: | “SF-5” Single-Family Residential | Single-Family Residence |
| EAST:  | “GC” General Commercial          | Vacant Land             |
| SOUTH: | “GC” General Commercial          | Retail Store            |
| WEST:  | “SF-5” Single-Family Residential | Single-Family Residence |

**PUBLIC SERVICES:** Water and sewer services are available but will not be required for the proposed parking lot. 2006 traffic volumes along Douglas Avenue, near Vine, were estimated at 11,474 average daily trips (ADTs). Traffic volumes (ADTs) along Vine Avenue are not rated.

**CONFORMANCE TO PLANS/POLICIES:** The 2030 Wichita Functional Land Use Guide of

the 1999 Update to the Wichita-Sedgwick County Comprehensive Plan identifies this property as urban residential. The current zoning of the site is "GC" General Commercial, and is currently being utilized as a parking lot. The primary commercial use, fronting Douglas Avenue, which utilizes the lot, is located across an alley, directly south of the subject site. There are commercial uses directly south, southeast and southwest of the application area that are zoned "GC" General Commercial, and developed with commercial uses along Douglas Avenue. This parking lot is located within the Delano Neighborhood Overlay District. The district's standards require parking lots in non-residential and mixed-use developments to be "off-street, located at the rear or side of the building, and shall have three to four feet high screening and a six feet wide landscape buffer adjacent to any public street. Screening shall consist of brick, ornamental ironwork or a poured-in-place masonry wall that is visually compatible with the architectural character of surrounding buildings, or any combination thereof."

**RECOMMENDATION:** Based on the information available prior to the public hearing, and a site plan showing the location of the parking lot, MAPD staff recommends the application be APPROVED, subject to the following conditions:

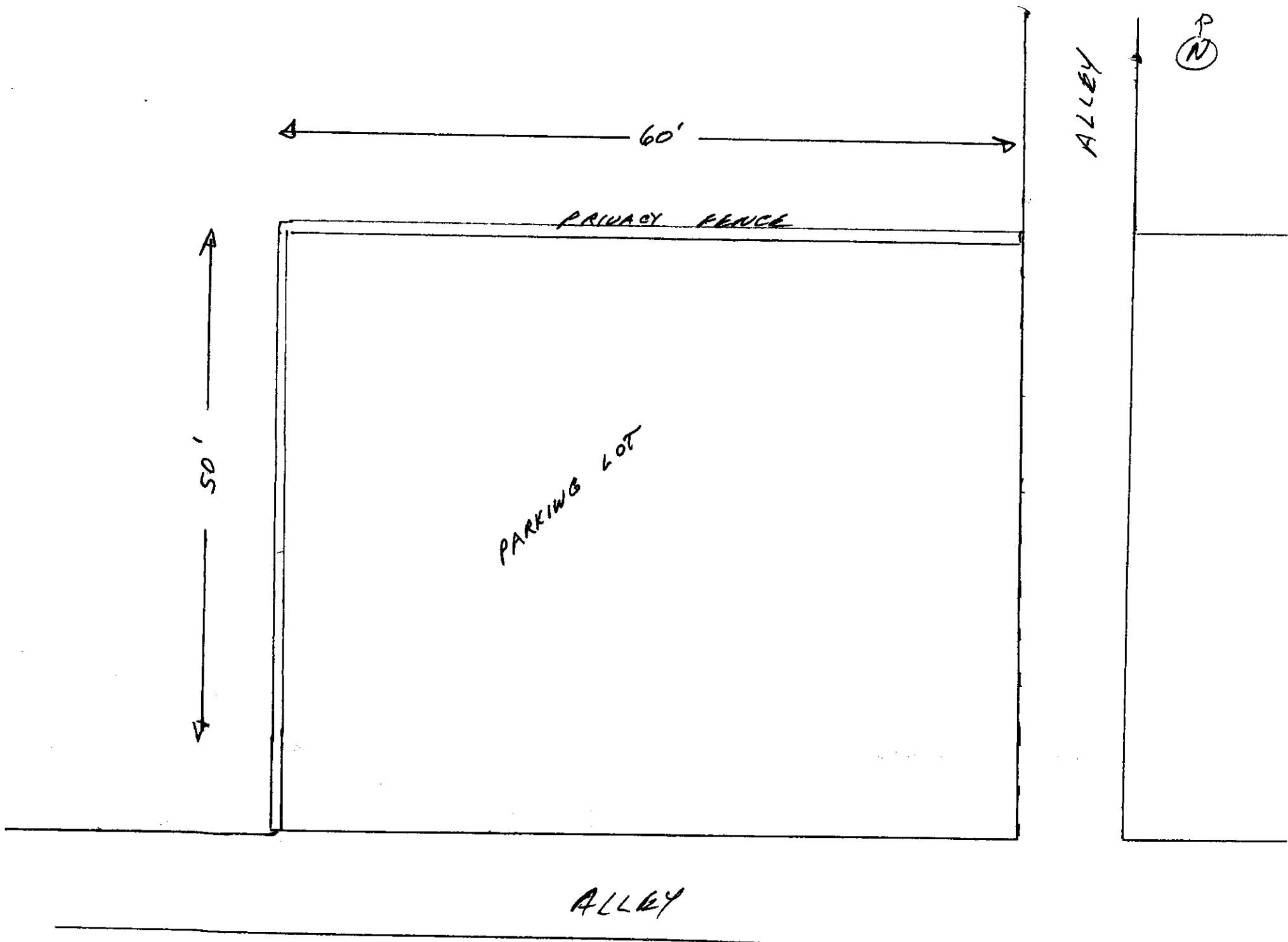
1. The applicants will submit a revised site plan for approval by the Planning Director.
2. The Conditional Use shall only be permitted for the parking lot. There will no parking of commercial vehicles without amending the Conditional Use permit.
3. As stipulated in Article III, Section D.6.p of the 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.
4. The parking lot shall be paved and properly striped.
5. The applicants shall erect and maintain a six-foot fence, of standard construction materials, along the western perimeter of the parking lot, and shall maintain the existing six-foot wooden fence along the north perimeter of the lot. A landscape buffer along the north and west property line shall be installed per the landscape ordinance.
6. The applicants will maintain his property and keep it free of debris.
7. 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.
8. Any violation of the conditions approved, as a part of this request, 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 are single-family homes

located to the north and west that are zoned "SF-5" Single-Family Residential. The business properties directly to the south, along Douglas Avenue, are zoned "GC" General Commercial. There are a number of commercial businesses along Douglas Avenue within the Delano Overlay District.

2. Extent to which removal of the restrictions will detrimentally affect nearby property. Staff is recommending that the applicants erect a six-foot screening fence; constructed of standard building materials, along the western property line, maintain an existing wooden fence along the northern property line.
3. Conformance of the requested change to the adopted or recognized Comprehensive Plan and Policies: The 2030 Wichita Functional Land Use Guide of the 1999 Update to the Wichita-Sedgwick County Comprehensive Plan identifies this property as urban residential. The current zoning of the site is "GC" General Commercial, and is currently being utilized as a parking lot. The primary commercial use, fronting Douglas Avenue, which utilizes the lot, is located across an alley, directly south of the subject site. There are commercial uses directly south and southeast of the application area that are zoned "GC" General Commercial. There are also commercial uses all along Douglas Avenue. This parking lot is located within the Delano Neighborhood Overlay District Map. The district's standards require parking lots in non-residential and mixed-use developments to be "off-street, located at the rear or side of the building, and shall have three to four feet high screening and a six feet wide landscape buffer adjacent to any public street. Screening shall consist of brick, ornamental ironwork or a poured-in-place masonry wall that is visually compatible with the architectural character of surrounding buildings, or any combination thereof."
4. The suitability of the subject property for the uses to which it has been restricted: The property is currently zoned "GC" and is developed with as a parking lot. Based upon the requirements of the Unified Zoning Code requirements for parking, the applicants are required to obtain a Conditional Use in order to use this property for parking purposes.
5. Impact of the proposed development on community facilities: The business to the south contributes to the traffic along Douglas Avenue. The proposed parking lot will minimize on-street parking.



SCALE 1" = 10'