

Agenda Item # _____

City of Wichita
City Council Meeting
April 6, 1999

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: Z-3311 - ZONE CHANGE REQUEST FROM "LC" LIMITED
COMMERCIAL TO "GC" GENERAL COMMERCIAL,
LOCATED SOUTH OF 51ST STREET SOUTH AND EAST OF
HYDRAULIC. (District III)

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to conditions of a Protective Overlay # 50 (13-0).

Staff Recommendation: Approve, subject to conditions.

CPO Recommendation: Approve, subject to conditions (6-0).

Background: The applicant is requesting to rezone a 1.66 acre platted tract of land from "LC" Limited Commercial to "GC" General Commercial located north of 51st Street South and east of Hydraulic. This would allow the applicant to construct self-storage units on this site.

The applicant has submitted a site plan which shows seven storage buildings which run east and west on this property. Each of the longer buildings would have 18 separate compartments, while the shorter buildings would be limited to four. As submitted by the applicant, a 35 foot setback would be provided from Hydraulic and a 20 foot setback from Kansas Avenue and 51st Street South. A 10 foot landscape buffer is also proposed along Hydraulic Avenue. The elevation drawings, as submitted by the applicant, show all buildings would be a prefinished metal siding with a pitched roof. The doors would also be metal. No color scheme is shown on the drawings.

This property is currently zoned "LC" Limited Commercial, and the applicant would be required to obtain a Conditional Use permit to allow self-storage units in that zoning district. The Unified Zoning Code also has special conditions on storage units constructed in the "LC" and "GO" districts. One of these requirements is that the lot be at least two acres in size, therefore if the applicant obtained a Conditional Use, he would also be required to apply for a variance to reduce the acreage requirement to 1.66 acres. Instead, the applicant is requesting to rezone this property to "GC" in

order to avoid the need to file a variance request. Staff is recommending that the applicant meet all the special restrictions for self-storage units in the "GO" and "LC" districts even though the property would be zoned "GC," due to the fact that there are residential properties and an elementary school located on three sides of this development. There is a 35 foot platted setback along Hillside and a 20 foot platted setback along 51st Street South and Kansas.

The Unified Zoning Code requires self-storage warehouses in the "GO" and "LC" districts to provide one parking space for each eight thousand square feet of floor area (a total of 23,060 square feet) in the facility plus one space for each employee, but in no case shall the number be less than five spaces. Therefore, a total of five parking spaces would be required on this site; however, based on the applicant's site plan, he does not plan to provide any parking spaces. The applicant will be required to submit a new site plan which meets the required number of parking spaces.

The applicant should also meet the other special restrictions in the Unified Zoning Code, which includes the following: a landscaped front yard with a minimum width of fifteen feet shall be provided when adjacent to a residential zoning district or when across the street from residential zoning districts (the applicant should be respecting the 35 and 20 foot building setbacks, which pushes all buildings back and makes at least a 20 foot landscaped area, if designed with the back of the buildings to the street); screening when adjacent to or across the street from a residentially zoned lot (would be required on the west, south and east sides); architectural design of the storage units that is compatible with surrounding development, and adequate screening. As initially submitted, staff did not feel that the architecture was compatible with the surrounding development and suggested that the applicant should meet the requirements as approved by BZA 43-94 or an equivalent design.

The special use regulations of the Unified Zoning Code also cover other issues including: lighting, outside storage, signage, policing the area for trash and debris, and maximum lot coverage.

At the March 11th CPO 3 hearing, the CPO Council voted 6-0 to approve the request. The owner of the property did not attend this meeting. No one spoke in opposition to this request.

At the March 11th MAPC hearing, the applicant's agent presented this request. Three neighbors spoke in opposition to this request. Their concerns included additional traffic, noise, and the overall sense of persons living in the general area being the victims of inappropriate uses and insufficient capital improvement projects. Finally, these individuals felt that the architectural character of this project was not appropriate for the area, due to the elementary school located east of the site and the residential properties which surround this property.

The Ordinance establishing the zone change will not be published until such time as the plat is recorded with the Register of Deeds.

Recommendation:

1. Concur with the findings of the MAPC and approve the zone change, subject to the additional conditions of a Protective Overlay; instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City

Council; or

2. Return the application to the MAPC for reconsideration.

(An override of the Planning Commission's recommendation requires a 2/3rd majority vote of the membership of the governing body on the first hearing.)

() Published in The Daily Reporter on _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. Z- 3311

Zone change request from "LC" Limited Commercial to "GC" General Commercial (PO #50), described as:

Lot 3, F.A. Brown 7th, an Addition to Wichita, Sedgwick County, Kansas. Generally located north of 51st Street South and east of Hydraulic.

SUBJECT TO THE FOLLOWING RESTRICTIONS OF A PROTECTIVE OVERLAY:

1. This uses on this property shall be limited to self-storage units and all uses permitted in the "LC" zoning district. The applicant shall comply with the conditions set out in Section III-D.6.y of the Unified Zoning Code.

If developed as self-storage units the following conditions apply:

2. Prior to the development of this property, the applicant shall submit elevation drawings and a revised site plan for this project to the Planning Director for review and approval, indicating compliance with the architectural design and screening requirements of Section III-D.6.y. The architectural design shall incorporate a horizontal lap siding with 4"-8" exposure on the faces of the buildings together with a pilaster column spaced approximately 30 feet apart, and provide a continuous building face along Kansas. The color of siding for all the buildings and doors should be warm or earth tones, such as beige" or equivalent design, as determined by the Director of Planning. The development of this property shall be in general conformance of the approved site plan, which

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should include all buildings meeting the building setback lines and also the required landscaped street yards. Any substantial deviations from the plan, as determined by the Zoning Administrator and the Director of Planning, shall constitute a violation of the building permit authorizing construction of the proposed development.

3. Prior to the development of this property, the applicant shall submit a landscape plan for approval which complies with all requirements of the Unified Zoning Code Section III-D.6.y and the Landscape Ordinance.
4. A six to eight foot tall screening fence, constructed to prevent the passage of light and debris, shall be erected along the perimeter of this project at the required setback line wherever the buildings do not provide the screening. Said fence shall be constructed of either brick stone, architectural tile, masonry, or other similar material (not including woven wire).
5. No portable signs, bright colored fences, string-type banners, pennants, or lights shall be permitted.

SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED AT WICHITA, KANSAS, _____

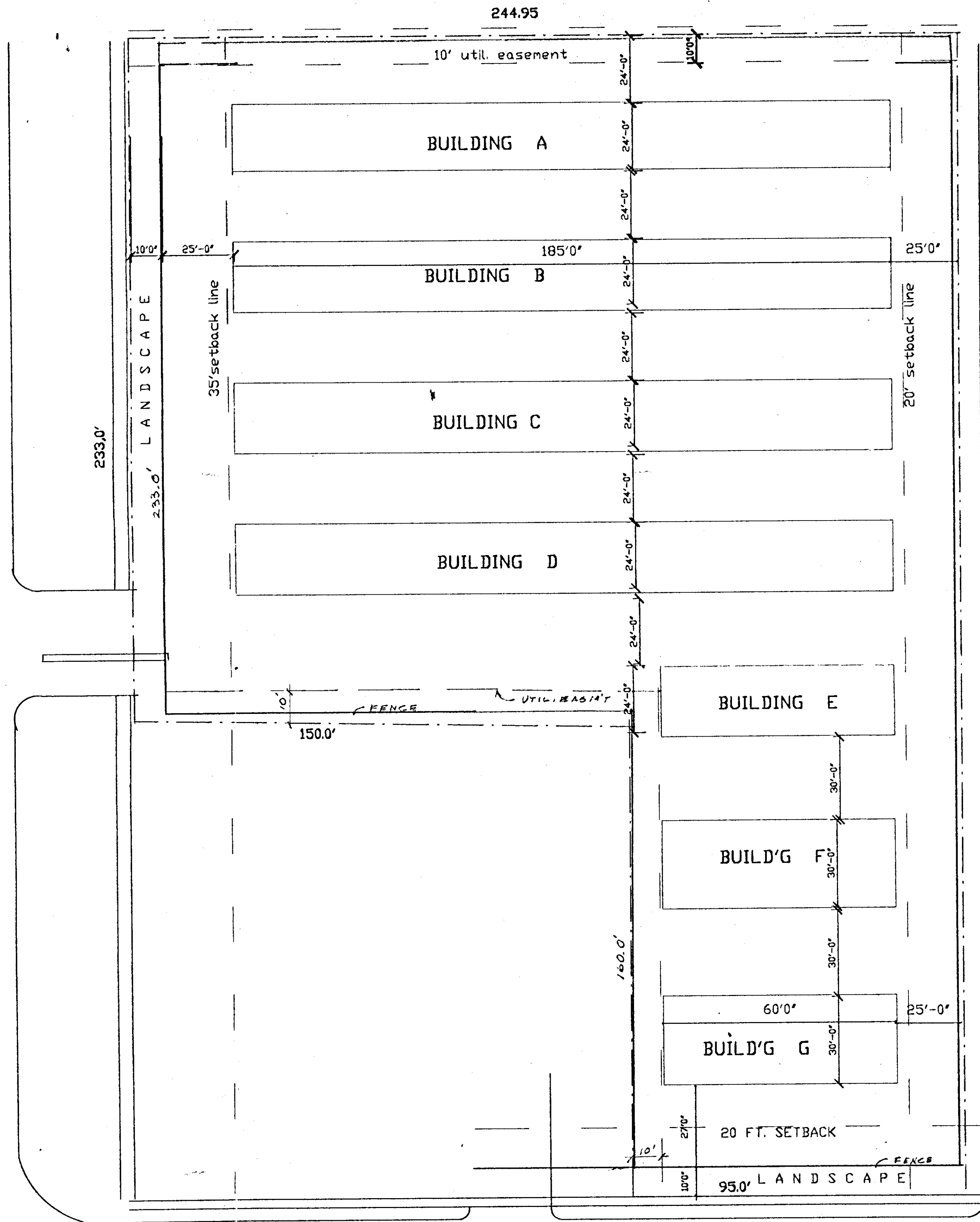
ATTEST:

Pat Burnett, City Clerk

Bob Knight, Mayor

(SEAL)

HYDRAULIC



SITE PLAN

51 ST. SO.

SANDY ROBERTS ARCHITECT
667 OAK FOREST LANE, DERBY, KS. (316)788-5699

STORAGE UNITS at HYDRAULIC
and 51ST. SO.

DATE:
REVISED:
SHEET