RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

**PROPOSED AGENDA ITEM:** ZON2000-00039 - Zone change from "SF-20" Single-Family Residential to "GC" General Commercial, located north of K-42 Highway, east of Anne (Schulte, Kansas).

**PRESENTED BY:** Marvin S. Krout, Director of Planning

**PROPOSED AGENDA DATE:** October 18, 2000

**COMMISSION DISTRICT:** #2

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**MAPC Recommendation**: Approve, subject to platting within 1 year and to the additional provisions of a voluntary (P-O) Protective Overlay (11-2).

**Staff Recommendation**: Approve, subject to platting within 1 year and to the additional provisions of a (P-O) Protective Overlay.

**Background/Discussion**: The applicants are requesting a zone change from "SF-20" Single-Family Residential to "GC" General Commercial on a unplatted tract that is approximately one acre in size. The proposed zone change would permit self-service storage warehouse uses north of K-42 and east of Annie. The site is adjacent to an existing convenience store/gas station. The "GC" General Commercial district is the first district which permits self-service storage warehouse for sites such as the subject property that do not have direct access to an arterial street. The "GC" district does not require a resident manager. Access to the site will be from K-42, via an existing driveway located to the east of the convenience store/gas station.

The applicants, however, propose to construct two 30' x 100' buildings to the north and one 30' x 100' building along the west perimeter. The total warehouse area is estimated to be approximately 16,000 square feet. The applicants do not plan to construct an office/residence building since their current business (Phillips 66) is adjacent to the south. There will be no outdoor storage of vehicles or equipment, according to the applicants. The applicants intend to coordinate the color scheme of the proposed warehouses with the same colors (earth tones) of the existing convenience store/gas station building.

The surrounding area is developed with residential, church, school and commercial uses. The most directly impacted properties by the proposed development are residences, zoned "SF-20" Single-Family Residential, located to the west, the Clearwater Training Center (alternative school) to the west that is zoned "LC" Limited Commercial, a Catholic Church to the north zoned "SF-20," the Phillip 66 business directly to the south which is zoned "LC" and a single-family residence to the east, across a vacant lot, approximately 1,000 feet, that is zoned "SF-20." The site will have to be developed in conformance with zoning screening requirements; compatibility setback, height and noise standards and zoning lighting limitations.

The applicants are proposing a voluntary Protective Overlay #78 which "shall limit all uses in the "LC" Limited Commercial district and self-storage warehouse. The self-storage warehouse use shall be subject to the Unified Zoning Code's Supplementary Use Regulations, Section III-D.6.y, with the exception of the following conditions: 1, 2, 5, 8, and 17" (see attachment).

To limit the impact of the proposal on surrounding properties, planning staff recommends that the site be developed in accordance with the development standards in the Unified Zoning Code for self-service storage warehouses in the "LC" districts.

Planning staff also recommends that approval be subject to review and approval of a site plan and building elevations. To preserve options for review of future development at this site, planning staff recommends that the zone change to "GC" General Commercial be limited to the site of the proposed self-service storage warehouse.

Eleven (11) MAPC Members were supportive of the zone change request and the conditions of the voluntary Protective Overlay. The two MAPC Members, who voted in opposition, stated that they were opposed for the following reasons: a) stated opposition by a church representative; and b) an objection to placing a self-service storage warehouse "that backs up against residential property."

There were two official protest petitions submitted that represent 7.62% of the official notification area (see attachment), short of the 20% that is required to trigger a supermajority vote of the County Commission.

**Recommended Action:**

1. Adopt the findings of fact of the Metropolitan Area Planning Commission and approve the zone change subject to the condition of platting within one year and subject to the Protective Overlay; adopt the resolution and authorize the Chairman to sign; and instruct the Planning Department to withhold publication of the resolution until the plat has been recorded with the Register of Deeds; or

2. Return to the Planning Commission for reconsideration.

Published in The Wichita Eagle on November 13, 2001

RESOLUTION NO. 176-2000

A RESOLUTION CHANGING THE ZONING CLASSIFICATION FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C AS ADOPTED BY RESOLUTION NO. 178-1997.

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

**SECTION I.** That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section V-C of the Wichita Sedgwick County unified Zoning Code, the zoning classification or district of the lands legally described hereby are changed as follows:

**Case No. ZON2000-00039**

Zone change request from "SF-20" Single-Family Residential to "GC" General Commercial, and to "P-O" Protective Overlay District #78 on property described as:

Schulte Country Storage Addition, Sedgwick County, Kansas. Generally located north of K-42 Highway, east of Annie (Schulte, Kansas).

SUBJECT TO THE FOLLOWING PROTECTIVE OVERLAY RESTRICTIONS:

1. This property shall be limited to self-storage warehouse use and all uses in the "LC" Limited Commercial district (with the exception of liquor stores, adult bookstores, drive-in and drive-through restaurants, tattooing and body piercing facilities, tavern and drinking establishments, night clubs and pawn shops). The self-storage warehouse use shall be subject to the Unified Zoning Code's Supplementary Use Regulations; Section III-D.6.y with the exception of the following items (1,2,5,8,17).

2. The applicant shall have no outside storage.

3. The hours of operation for the self-storage warehouse will be same as the adjacent convenience store/service station.

4. Screening, constructed of standard building materials, or an approved landscape buffer, shall be provided along the west, east, and north perimeter of the self-service storage warehouse facility.

5. Outdoor lighting sources shall employ cut-off luminaries to minimize light trespass and glare, and shall be mounted at a height not exceeding one-half the distance from the neighboring lots.

6. Signage shall be limited to a monument sign, not to exceed 12 feet in height nor exceed 32 square feet in gross surface area.

7. Portable signs, off-site signs, banners, string pennants and the like shall not be permitted, except for a banner sign permitted for 30 days from the opening of business.

8. Building heights shall be limited to 20 feet.

9. Access to the site will be from K-42, via an existing driveway located to the east of the convenience store/service station.

10. Prior to issuance of a building permit, a site plan shall be submitted for review and approval by the Director of Planning. The site plan shall indicate type and location of perimeter enclosure materials, which shall entirely enclose the self-service storage warehouse facility. The site plan also shall indicate the size and location of the landscape buffer areas.

11. The architectural design shall be compatible with the surrounding residential and commercial development and that adequate screening is provided. The colors of the exterior walls and doors of the self-service warehouse shall be of earth tones (and not bright colors) to mitigate the impact to the neighborhood. The building exterior plan shall be reviewed and approved by the Director of Planning. Prior to issuance of a building permit, the applicant shall submit building elevations for review and approval. The building elevations shall indicate the type of wall, roofing materials, colors, and the building and wall heights. Additionally, the exterior walls of the storage buildings, used to enclose the perimeter of the facility shall be of the same texture, color, and appearance as the adjacent convenience store/service station.

12. Outdoor speakers and sound amplification systems shall not be permitted.

13. Any major changes in this site plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.

14. Prior to publishing the resolution or ordinance establishing the zone change, the applicants shall record a document with the Register of Deeds indicating that this tract includes special conditions for development on this property.

15. The applicants shall submit 4 copies of the site plan to the Metropolitan Area Planning Department within 30 days after approval by the Governing Body, or the request shall be considered denied and closed.

**SECTION II.** That upon the taking effect of this Resolution, the notation of such zone change shall be entered in the official zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

**SECTION III.** That this Resolution shall take effect and be in force from and after its adoption and publication in the official county paper.
Commissioners present and voting were:

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| BETSY GWIN | aye |
| BILL HANCOCK | aye |
| THOMAS G. WINTERS | aye |
| CAROLYN McGINN | aye |
| BEN SCIORTINO | aye |

DATED this 18th day of October 2000.

BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

Thomas G. Winters

THOMAS G. WINTERS, Chairman

WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 11

# STAFF REPORT

MAPC - September 21, 2000

**CASE NUMBER:** ZON2000-00039

**APPLICANT/AGENT:** James W. & Mary E. Peters (Owners/Applicants); Baughman Company PA c/o Russ Ewy (Agent)

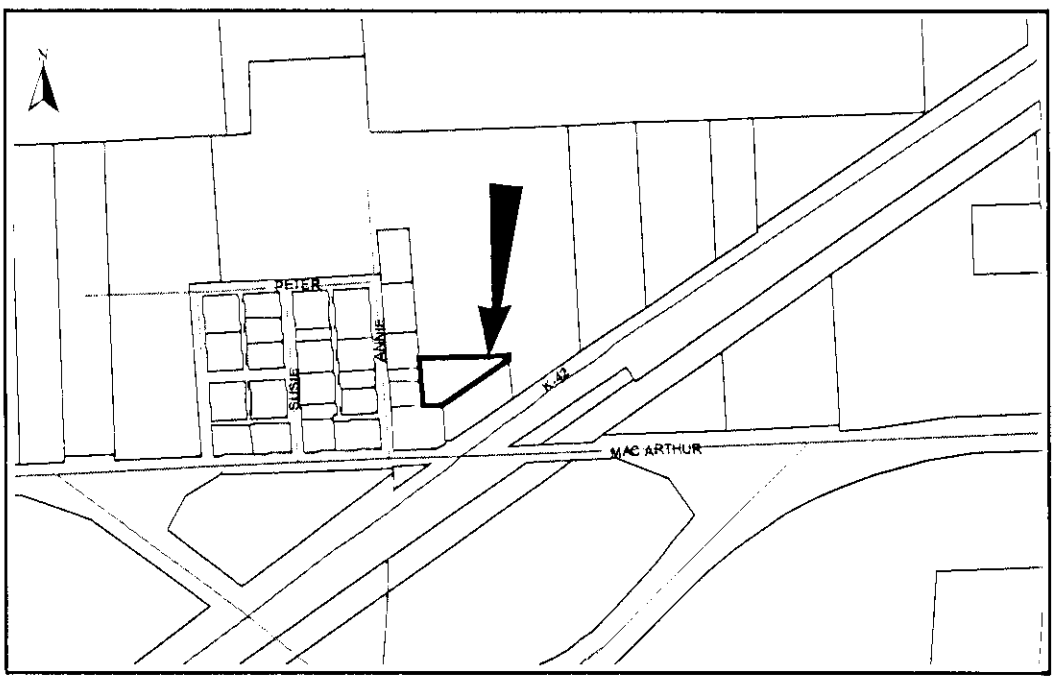
**REQUEST:** Zone change to "GC" General Commercial

**CURRENT ZONING:** "SF-20" Single-Family Residential

**SITE SIZE:** ± I acre

**LOCATION:** North of K-42 highway, east of Annie (Schulte, KS)

**PROPOSED USE:** Self-service storage warehouse



**BACKGROUND**: The applicants are requesting a zone change from "SF-20" Single-Family Residential to "GC" General Commercial on a unplatted tract that is approximately one acre in size. The proposed zone change would permit self-service storage warehouse uses north of K-42 and east of Annie. The site is adjacent to an existing convenience store/gas station. The "GC" General Commercial district is the first district which permits self-service storage warehouse for sites such as the subject property that do not have direct access to an arterial street. The "GC" district does not require a resident manager. Access to the site will be from K-42, via an existing driveway located to the east of the convenience store/gas station.

The applicants, however, propose to construct two 30' x 100' buildings to the north and one 30' x 100' building along the west perimeter. The total warehouse area is estimated to be approximately 16,000 square feet. The applicants do not plan to construct an office/residence building since their current business (Phillips 66) is adjacent to the south. There will be no outdoor storage of vehicles or equipment, according to the applicants. The applicants intend to coordinate the color scheme of the proposed warehouses with the same colors (earth tones) of the existing convenience store/gas station building.

The surrounding area is developed with residential, church, school and commercial uses. The most directly impacted properties by the proposed development are residences, zoned "SF-20" Single-Family Residential, located to the west, the Clearwater Training Center (alternative school) to the west that is zoned "LC" Limited Commercial, a Catholic Church to the north zoned "SF-20," the Phillip 66 business directly to the south which is zoned "LC" and a single-family residence to the east, across a vacant lot, approximately 1,000 feet, that is zoned "SF-20." The site will have to be developed in conformance with zoning screening requirements; compatibility setback, height and noise standards and zoning lighting limitations.

The applicants are proposing a voluntary Protective Overlay #78 which "shall limit all uses in the "LC" Limited Commercial district and self-storage warehouse. The self-storage warehouse use shall be subject to the Unified Zoning Code's Supplementary Use Regulations, Section III-D.6.y, with the exception of the following conditions: 1, 2, 5, 8, and 17" (see attachment).

To limit the impact of the proposal on surrounding properties, planning staff recommends that the site be developed in accordance with the development standards in the Unified Zoning Code for self-service storage warehouses in the "LC" districts. Planning staff also recommends that approval be subject to review and approval of a site plan and building elevations. To preserve options for review of future development at this site, planning staff recommends that the zone change to "GC" General Commercial be limited to the site of the proposed self-service storage warehouse. The property is currently platted, and replatting is not recommended by planning staff.

**CASE HISTORY**: The subject property is platted as Schulte Country Store Addition, which was recorded on August 13, 1990. Improvements to the K-42 highway, approximately seven years ago, required the applicants to dedicate some of their property for right-of-way acquisition.

**ADJACENT ZONING AND LAND USE**:

| | | |
|---|---|---|
| NORTH: | "SF-20" | Catholic Church |
| SOUTH: | "LC" | Phillips 66 Business |
| EAST: | "SF-20" | Residential |
| WEST: | "LC" & "SF-20" | Alternative School & Residential |

**PUBLIC SERVICES**: This site has access, via a driveway east of the Phillips 66 building, to K-42, an extra-wide two-lane highway. Traffic volumes, rated in 1999, for K-42 at MacArthur were 7,170 average daily trips (ADTs). The projected ADTs for 2030 is 11,247. Municipal sewer services are not available to this site. The applicant is currently circulating a petition with the County to extend sewer services, west along K-42 from the Mid-Continent Industrial Park, in the next 1-2 years. Currently, there is rural water (Rural Water District #4) on site in addition to a private water well. There will be no water or sewer services provided to the proposed warehouses.

**CONFORMANCE TO PLANS/POLICIES**: The Land Use Guide of the Comprehensive Plan identifies the general location 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 Unified Zone Code contains development standards for self-service storage warehouses located in the "LC" districts to which the subject property is currently held. Furthermore, the property is classified as a "convenience center" which typically range from 2-4 acres in size, typically anchored by a mini-market with several other small-scale tenants. Convenience centers would typically be expected to develop at one or more corners of arterial intersections (K-42 & MacArthur).

**RECOMMENDATION**: Based upon information available prior to the public hearing, planning staff recommends that the request be APPROVED, and subject to a voluntary Protective Overlay #78 with the following conditions:

1. The Protective Overlay #78 "shall limit all uses in the "LC" Limited Commercial district and self-storage warehouse. The self-storage warehouse use shall be subject to the Unified Zoning Code's Supplementary Use Regulations, Section III-D.6.y, with the exception of the following conditions: 1, 2, 5, 8."

2. Screening, constructed of standard building materials, or an approved landscape buffer, shall be provided along the west, east, and north perimeter of the self-service storage warehouse facility.

3. Outdoor lighting sources shall employ cut-off luminaries to minimize light trespass and glare, and shall be mounted at a height not exceeding one-half the distance from the neighboring lots.

4. Signage shall include a monument sign, not to exceed 12 feet in height nor exceed 32 square feet in gross surface area.

5. Portable signs, off-site signs, banners, string pennants and the like shall not be permitted, except for a banner sign permitted for 30 days from the opening of business.

6. Building heights shall be limited to 20 feet in height

7. Access to the site will be from K-42, via an existing driveway located to the east of the convenience store/gas station.

8. Prior to issuance of a building permit, a site plan shall be submitted for review and approval by the Director of Planning. The site plan shall indicate type and location of perimeter enclosure materials, which shall entirely enclose the self-service storage warehouse facility. The site plan also shall indicate the size and location of the landscape buffer areas.

9. The self service warehouses will be in compliance with the Unified Zoning Code (UZC) requirements, ensuring that due consideration is given to Section III-D.6.y (5) on architectural design that is compatible with the surrounding residential and commercial development and that adequate screening is provided. The colors of the exterior doors of the self-service warehouse shall be of earth tones (and not bright colors) in an effort mitigate the impact to the neighborhood. The building exterior plan shall be reviewed and approved by the Director of Planning.

10. Prior to issuance of a building permit, the Director of Planning shall submit building elevations for review and approval. The building elevations shall indicate the type of wall, roofing materials, colors, and the building and wall heights. Additionally, the exterior walls of the storage buildings, used to enclose the perimeter of the facility, shall be of a similar architectural treatment and shall be of the same texture, color, and appearance as the masonry wall that encloses the gaps between the storage buildings.

11. Outdoor speakers and sound amplification systems shall not be permitted.

12. The development of this property shall proceed in accordance with the site plan as recommended for approval by the Planning Commission and approved by the Governing Body, and any substantial deviation from the site 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.

13. Any major changes in this site plan shall be submitted to the Planning Commission and to the Governing Body for their consideration.

14. Prior to publishing the resolution or ordinance establishing the zone change, the applicants shall record a document with the Register of Deeds indicating that this tract includes special conditions for development on this property.

15. The applicants shall submit 4 copies of the site plan to the Metropolitan Area Planning Department within 30 days after approval by the Governing Body, or the request shall be considered denied and closed.

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

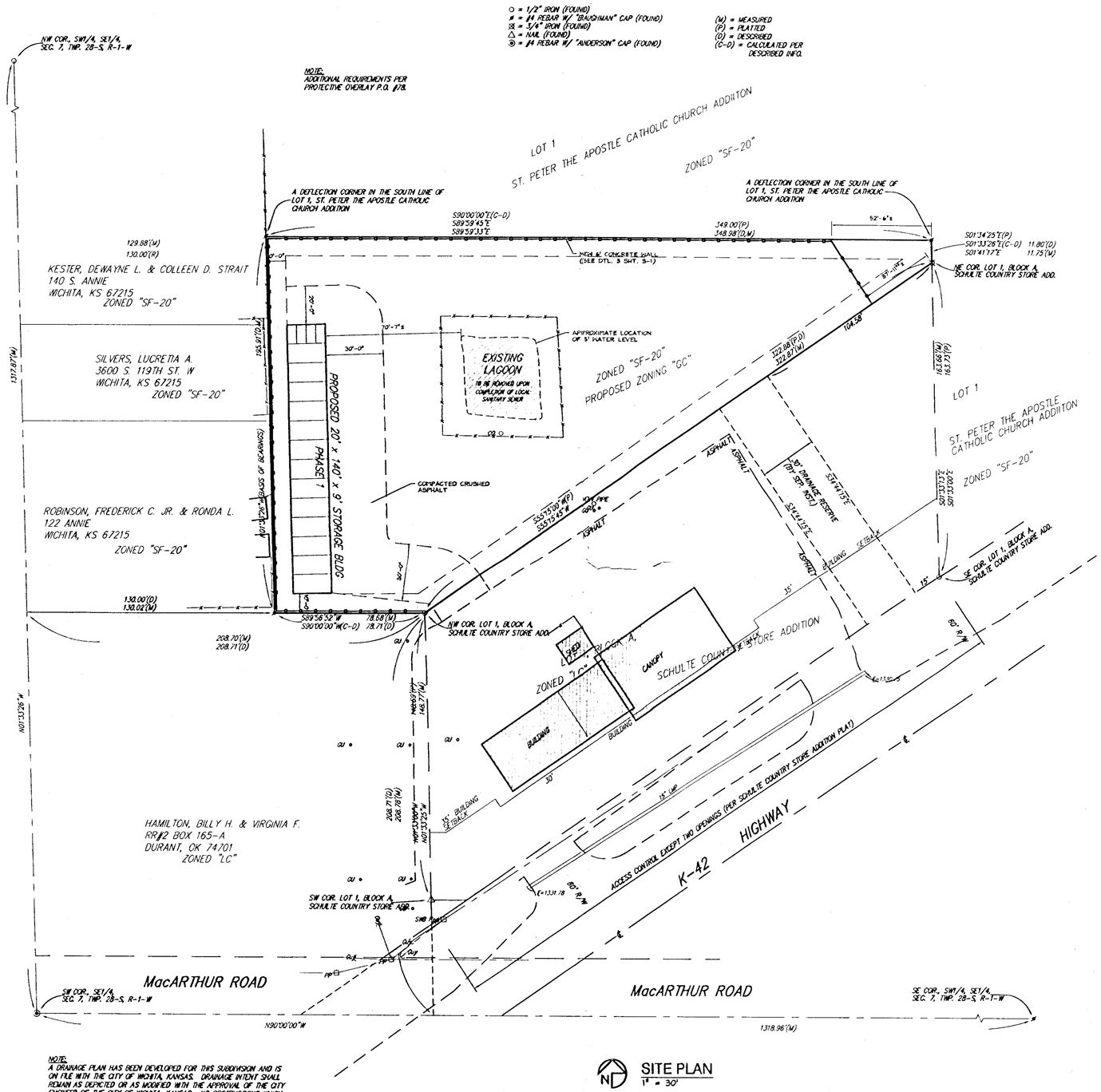
1. The zoning, uses and character of the neighborhood: The surrounding area is developed with single-family residential, church, school and commercial uses. The most directly impacted properties by the proposed development are residences zoned "SF-20" Single-Family Residential and located to the west, the Clearwater Training Center (alternative school) to the west is zoned "LC" Limited Commercial, a Catholic Church to the north is zoned "SF-20," the Phillips 66 business directly to the south which is zoned "LC" and a single-family residence to the east, across a vacant lot, is zoned "SF-20."

2. The suitability of the subject property for the uses to which it has been restricted: The property is zoned "LC" Limited Commercial and could be developed for commercial uses; however, the site has remained undeveloped for over 10 years since it was zoned "LC." Currently, there is a lagoon on the property that will be abandoned once municipal sewer service is provided and prior to the actual construction of self-service storage warehouses.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: The requirements of the Unified Zoning Code and the recommended conditions of approval should help mitigate most of the detrimental impacts on properties from lighting, noise, and other factors.

4. Conformance of the requested change to adopted or recognized Plans/Policies: The Land Use Guide of the Comprehensive Plan identifies the general location 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 Unified Zone Code contains development standards for self-service storage warehouses located in the "LC" districts to which the subject property is currently held. Furthermore, the property is classified as a "convenience center" which typically range from 2-4 acres in size, typically anchored by a mini-market with several other small-scale tenants. Convenience centers would typically be expected to develop at one or more corners of arterial intersections (K-42 & MacArthur). They could also be appropriate located at the intersection of an arterial and collector street, where proper turn lanes are in place or planned, in order to be more accessible to the residents of the immediate neighborhood served by the collector street.

5. Impact of the proposed development on community facilities: The use of this property should have limited impact on community facilities.




NOTE:
A DRAINAGE PLAN HAS BEEN DEVELOPED FOR THIS SUBDIVISION AND IS ON FILE WITH THE CITY OF WICHITA, KANSAS. DRAINAGE INTENT SHALL REMAIN AS DEPICTED OR AS MODIFIED WITH THE APPROVAL OF THE CITY ENGINEER OF THE CITY OF WICHITA, KANSAS. NO OBSTRUCTIONS WHICH IMPEDE THE FLOW OF THIS DRAINAGE PLAN SHALL BE ALLOWED.

ND SITE PLAN
1" = 30'

# SITE PLAN

APPROVED M.K. Grant, MAPP April 23, 2002

EVANS BUILDING CO., INC.
9801 W. YORK WICHITA, KANSAS 67277

STORAGE ADDITION FOR SCHULTE COUNTRY STORE
11012 SOUTHWEST BLVD. WICHITA, KS.

PROPERTY OF EVANS BUILDING COMPANY, INC. NON-EXCLUSIVE TO REPRODUCE
Wichita City License No. 28
Sedgwick Co. License No. 80648

REVISIONS
NO. DATE DWN

DATE : 11/26/01
DR. BY : AC
CK. BY :

PROJECT NO.
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SHEET
SA-1

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