



Wichita-Sedgwick County Metropolitan Area Planning Department

July 29, 2015

Ruggles and Bohm PA
Attn: Chris Bohm
924 North Main Street
Wichita, KS 67203

RE: ZON2015-00012 and CON2015-00010 – City zone change from SF-5 Single-Family Residential (SF-5) to Limited Commercial (LC) and Conditional Use to permit a self-service warehouse on property generally located north of West 29th Street North, one-quarter mile west of North Hoover Road

Dear Ladies and Gentlemen:

At its regular meeting on **July 21, 2015**, the Wichita City Council, heard the above captioned request. The action of the City Council was to concur with the findings of the MAPC and **APPROVE** the zoning change and conditional use subject to the conditions enumerated including a solid screening along the north side of 29th Street to be a minimum of seven feet tall and to adopt the findings of the MAPC and instruct the Planning Department to forward the ordinance for first reading when the plat is recorded.

1. The zone change and conditional use will not be final until the property is platted according to the Subdivision Regulations of the UZC.
2. Obtain all permits and inspections as required by the Metropolitan Area Building and Construction Department. All development will be subject to platting and be per City Code, including landscaping, code compliance and any other applicable standards.
3. The site shall be developed according to the landscape features, architectural details, fencing and monument signage as presented to the MAPC on June 4, 2015 which are included in the official record.
4. All improvements shall be complete within one year of the approval of the Conditional Use by the MAPC or the City Council.
5. The site shall be developed and operated in compliance with all federal, state and local rules and regulations.
6. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, may, with the concurrence of the Planning Director, declare the Conditional Use null and void.
7. Even though the property is zoned LC, use of the property is limited to a "warehouse, self-storage," as defined by the Wichita-Sedgwick County Unified Zoning Code, and subject to the development standards contained therein, and to the uses permitted by right in the SF-5 Single-Family (SF-5) zoning district.
8. Build solid screening along the north side of 29th Street to be a minimum of seven feet tall.

CONDITIONAL USE RESOLUTION NO. CON2015-00010

WHEREAS, the Estate of Verna E. Cornwell, Ruggles & Bohm, P.A., c/o Chris Bohm, (Agent); 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 Warehouse, Self-Storage on 5.5 acres zoned LC Limited Commercial ("LC") described as:

Terrace Sands Addition, 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 April 2, 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.

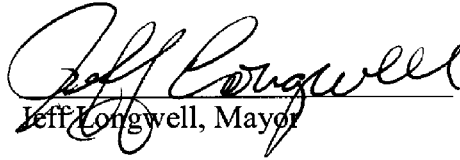
NOW, THEREFORE, BE IT RESOLVED by the Wichita City Council that this application be approved to exclude all uses by right in LC zoning district and allow a Conditional Use for a Warehouse/Self-Storage facility on 5.5 acres zoned LC Limited Commercial ("LC") described as:

Terrace Sands Addition, Wichita, Sedgwick County, Kansas.

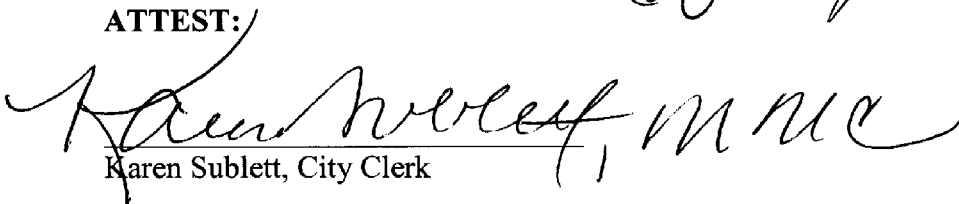
Approved subject to the following conditions:

- 1) The zone change and conditional use will not be final until the property is platted according to the Subdivision Regulations of the UZC;
- 2) Obtain all permits and inspections as required by the Metropolitan Area Building and Construction Department. All development will be subject to platting and be per City Code, including landscaping, code compliance and any other applicable standards;
- 3) The site shall be developed according to the landscape features, architectural details, fencing and monument signage as presented to the MAPC June 4, 2015 which are including in the official record;
- 4) All improvements shall be complete within one year of the approval of the Conditional Use by the MAPC or the City Council;
- 5) The site shall be developed and operated in compliance with all federal, state and local rules and regulations;
- 6) If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, may, with the concurrence of the Planning Director, declare the Conditional Use null and void
- 7) Even though the property is zoned LC, use of the property is limited to a "warehouse, self-storage," as defined by the Wichita-Sedgwick County Unified Zoning Code, and subject to the development standards contained therein, and to the uses permitted by right in the SF-5 Single-Family (SF-5) zoning district; and
- 8) Build solid screening along the north side of 29th Street to be a minimum of seven feet tall.

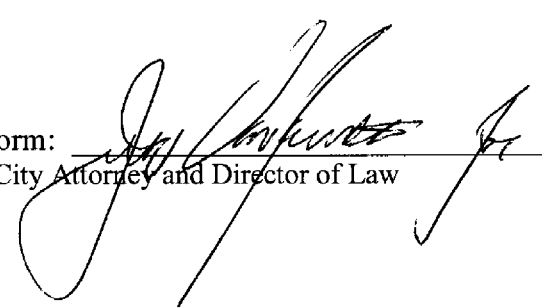
Adopted this 26 Day of January 2016


Jeff Longwell, Mayor

ATTEST:


Karen Sublett, City Clerk



Approved as to form: 
Jennifer Magana, City Attorney and Director of Law

STAFF REPORT

DAB VI: June 1, 2015

MAPC: June 4, 2015

DAB V: June 15, 2015

CASE NUMBER: ZON2015-00012 & CON2015-00010

OWNER/APPLICANT: Estate of Verna E. Cornwell, Kenneth E. Cornwell and David Cornwell
co-executors

AGENT: Ruggles & Bohm, Chris Bohm

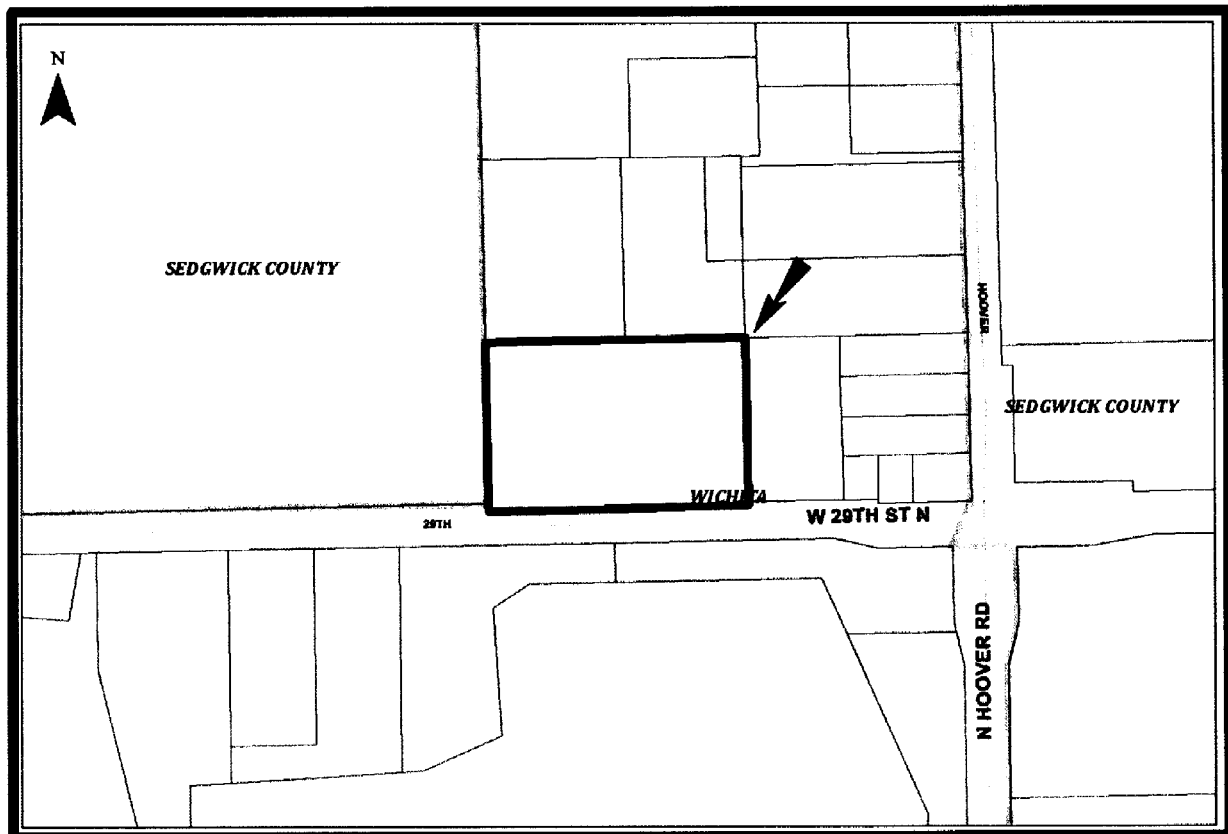
REQUEST: Zone change to LC Limited Commercial and a Conditional Use for
Warehouse, Self-Service Storage

CURRENT ZONING: SF-5 Single-Family Residential

SITE SIZE: 4.94 acres

LOCATION: West of North Hoover Road on the north side of West 29th Street North
(6008 W. 29th Street N.)

PROPOSED USE: Warehouse, Self-Service Storage



BACKGROUND: The applicants are requesting a zone change from SF-5 Single-Family Residential (SF-5) to Limited Commercial (LC) for 4.94 acres of a 5.5-acre unplatted parcel, located west of North Hoover Road on the north side of West 29th Street North. In 1958, Sedgwick County zoned three of the four corners (northwest, northeast, southeast) of the intersection of North Hoover Road and West 29th Street North to LC in anticipation of commercial development. The east portion of the parcel, approximately 0.45 acre currently zoned LC, was part of the 1958 LC zone change. In addition to the requested zone change to LC, the applicants have submitted a request for a conditional use to allow “warehouse/self-service storage” on the site (CON2015-10).

The applicants have submitted a site plan of the proposed building layout, internal vehicle circulation and the access onto West 29th Street North that will be reviewed and approved during platting should ZON2015-00012 and CON2015-00010 be approved. Upon approval of ZON2015-12 and the associated CON2015-10, the applicants will be required to file and perfect a plat within one year, and provide a revised site plan giving more detail including, but not limited to, storm water drainage, landscaping, any proposed light poles and identification of customer and employee parking. The applicants have developed a more detailed site plan than was originally submitted. The new site plan will be provided at the second round of District Advisory Board (DAB) and Metropolitan Area Planning Commission (MAPC) hearings.

Property north of the site is zoned Limited Industrial (LI) and is used for wrecking and salvage. Property east of the site is zoned LC, and currently has a single family residence. The SF-20 zoned property located west of the site has a conditional use to allow sand and gravel extraction (CU-242). South of the site is West 29th Street. South of West 29th Street is the Barefoot Bay Subdivision, which is developed with single-family residences centered around a private lake.

Self-service storage warehouse facilities located in the LC zoning district are subject to the 19 development standards contained in the Wichita-Sedgwick County Unified Zoning Code (UZY) Article III, Section III-D.6.y (1)-(19). Not all of the development standards apply to this application, and the applicant may ask the City Council to waive specific supplementary use requirements. The self-service storage warehouse facilities supplementary use regulations are attached.

CASE HISTORY: At its regular meeting on April 2, 2014, the Wichita-Sedgwick County Metropolitan Area Planning Commission (MAPC) considered the case and heard from numerous concerned citizens. In general terms, the issues raised by the citizens were: increased traffic, child safety, storm water drainage, incompatibility of the use that close to single-family homes, property devaluation and lack of specifics regarding the appearance of the facility. Protest petitions representing 47.98 percent of the land area located within 200 feet have been submitted. The action of the MAPC was to **APPROVE** the request subject to the following conditions:

1. The zone change and conditional use will not be final until the property is platted according to the Subdivision Regulations of the UZY.
2. Obtain all permits and inspection as required by the Metropolitan Area Building and Construction Department. All development will subject to platting and be per City Code including landscaping, code compliance and any other applicable standards.
3. The applicant shall submit a revised site plan for review and approval by the Planning Director, prior to the issuance of a building permit, per City Standards, within one year of approval by the MAPC or the City Council. The site will be developed according to the revised site plan.
4. All improvements shall be completed within one year of the approval of the Conditional Use by the MAPC or the City Council.

5. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
6. 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.
7. Prior to the issuance of an occupancy permit, a four to five-foot high landscaped berm is required to be installed along the site's West 29th Street North frontage. Even though the property is zoned LC, use of the property is limited to a "warehouse, self-storage," as defined by the Wichita-Sedgwick County Unified Zoning Code, and subject to the development standards contained therein, and to the used permitted by right in the Single-Family (SF-5) zoning district.

DAB V heard the case at the April 21, 2015 meeting. Twenty to 30 neighbors attended the DAB meeting expressing concerns similar to those presented at the MAPC meeting. The DAB voted to deny the application (6-1).

At the close of the protest period, 47.98 percent of the valid protest area had submitted protest petitions. The Wichita City Council considered the case on May 5, 2015, and voted to send the case back for consideration to DAB V, DAB VI and the MAPC.

ADJACENT ZONING AND LAND USE:

NORTH:	LI	Wrecking and salvage use.
SOUTH:	SF-5	Single-family residences
EAST:	LC	Limited Commercial; currently developed with a single-family residence
WEST:	SF-20	County single-family; has a conditional use to allow sand and gravel extraction CU-242

PUBLIC SERVICES: The subject property has immediate access to West 29th Street North. North Hoover Road is located approximately 600 feet east of the subject site. West 29th Street North is a paved three-lane arterial street and Hoover Road is a paved two-lane arterial street. The 2030 Transportation Plan map, adopted by the Wichita City Council in March of 2000 depicts West 29th Street as a two-lane arterial. The site is currently served by a water well and municipal water is available approximately 135 feet west of the well. A city sewer connection is approximately 1,500 feet west of the site. The project would require provision of a septic system and a storm water retention lagoon.

CONFORMANCE TO PLANS/POLICIES: The 2030 Wichita Functional Land Use Guide of the Comprehensive Plan identifies this site as appropriate for "Urban Residential"; however, the abutting properties to the east and north are zoned LC and LI, respectively. 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 conditions attached to a Conditional Use can address site design issues. The proposed use would be a low traffic generator at this location when compared to other uses permitted by right in the LC district. Self-service warehouses generate approximately 2.5 average daily trips per 1,000 square feet of floor area. Strip retail sales generate 43 average daily trips per 1,000 square feet of floor area.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the proposed zone change and conditional use for warehouse/self-storage be **APPROVED**, subject to Sec. III-D.6.y and the following conditions:

- 1) The zone change and conditional use will not be final until the property is platted according to the Subdivision Regulations of the UZC.
- 2) Obtain all permits and inspection as required by the Metropolitan Area Building and Construction Department. All development will subject to platting and be per City Code including landscaping, building, fire, sanitation and zoning code compliance, including the applicable sections of Unified Zoning Code (UZC) Article III, Section III-D.6.y (1)-(19), and any other applicable standards.
- 3) The applicant shall submit a revised site plan for review and approval by the Planning Director, prior to the issuance of a building permit, per City Standards, within one year of approval by the MAPC or the City Council. The site will be developed according to the revised site plan.
- 4) All improvements shall be completed within one year of the approval of the Conditional Use by the MAPC or the City Council.
- 5) The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
- 6) 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.
- 7) Prior to the issuance of an occupancy permit, a four to five-foot high landscaped berm is required to be installed along the site's West 29th Street North frontage. Even though the property is zoned LC, use of the property is limited to a "warehouse, self-storage," as defined by the Wichita-Sedgwick County Unified Zoning Code, and subject to the development standards contained therein, and to the used permitted by right in the Single-Family (SF-5) zoning district.

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

1. **The zoning, uses and character of the neighborhood:** Land to the north is zoned LI and is a non-conforming wrecking and salvage yard. City Council has approved the final plat for the property north of the site to permit a legally conforming wrecking and salvage use. Property south of the site is zoned SF-5, and is developed with large lot single-family residences surrounding a private lake. Property east of the site is zoned LC and is developed with single family residences. West of the site, the property is zoned SF-20 and has a conditional use (CU-242) for sand and gravel extraction.
2. **The suitability of the subject property for the uses to which it has been restricted:** The east approximately 0.45 acre of the subject property is already zoned LC. The remainder of the application area is zoned SF-5. The site has been used for the placement of a recreational vehicle, which is not a legal use on the site as currently zoned. The application area abuts property to the north that is an active wrecking and salvage yard. Land to the east is zoned LC, which permits a wide range of retail commercial, office, multi-family residential and single-family residential uses by right. Land to the west is a spent sand pit. Given the wrecking and salvage use located to the north and the likelihood that at some point in time the LC zoned land located to the east will attract non-single-family development, the site's existing SF-5 zoning is unsuitable in the long run.
3. **Extent to which removal of the restrictions will detrimentally affect nearby property:** Warehouse/self-storage developed per the recommended development standards will have a minimum negative effect on the surrounding area. Self-service warehouses are low traffic generators (approximately 2.5 average daily trips per 1,000 square feet of floor area compared to

43 average daily trips per 1,000 square feet for retail sales). The zoning code requires an on-site resident manager, setbacks, screening as well as other development standards. The development standards will minimize known impacts to adjoining properties.

4. **Conformance of the requested change to adopted or recognized Plans/Policies:** The 2030 Wichita Functional Land Use Guide of the Comprehensive Plan identifies this site as appropriate for “Urban Residential.” As indicated above, the abutting properties to the east and north are zoned LC and LI, respectively. The LI site is an active wrecking and salvage yard, making it less likely that the site will be developed with single-family residences. 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 conditions attached to a Conditional Use address identified concerns.
5. **Neighborhood support or opposition:** Property owners abutting and adjacent to the application area were present at both MAPC and DAB V meetings expressing opposition to the request based upon concerns dealing with: traffic, child safety, storm water drainage, incompatibility of the proposed use that close to single-family homes, property devaluation and lack of specifics regarding the appearance of the use. Protest petitions representing 47.98 percent of the land area located within 200 feet have been submitted.
6. **Impact on Community Facilities:** Existing road facilities are adequate. Any increased demand on community facilities can be addressed through platting.

EXERPTED UNIFIED ZONING CODE

Art. III, Zoning District Standards

Sec. III-D.6.y, USE REGULATIONS

y. Warehouse, Self-Service Storage, in GO and LC. Self-Service Storage Warehouse facilities shall be subject to the following standards when located within the GO or LC Districts.

- (1) A tract for such use located in the GO District shall be Contiguous with a less restrictive District.
- (2) The use must be located Contiguous to an arterial Street, and have direct access to the arterial Street, as designated in the *Transportation Plan* adopted by the Governing Bodies, and amended from time to time.
- (3) All buildings shall set back at least 35 feet from arterial Street Rights-of-Way lines. There shall be a minimum 20-foot Building Setback line from all other Streets, unless a platted Building Setback line would require a greater Setback.
- (4) Where the Lot is Contiguous to a residential zoning District, a landscaped Yard with a minimum depth of 15 feet shall be provided on the Lot Contiguous to the residential zoning District and a landscaped front Yard with a minimum depth of 15 feet shall be provided when within 100 feet of a residential zoning District or when across the street from a residential zoning District. The landscaping shall be in addition to any architectural Screening type Fences or face of the structures that shall be designed to Screen the use from the residential neighborhood. Such Fence, when required, shall be solid or semi-solid and constructed to prevent the passage of debris or light and constructed of either brick, stone, architectural tile, masonry units, wood or other similar material (not including woven wire) and shall be not less than six feet or more than eight feet in height. The landscaped Yard may be reduced in depth to not less than the minimum Side and Rear Setback required by the property development standards of the applicable zoning District of the Lot when the Contiguous residential zoning District is occupied by any legal Nonconforming office, commercial or industrial Use, or when Adjacent to a property where an adopted zoning policy by the Governing Body is to look with favor on office, commercial or industrial zoning for the area.
- (5) When the Development is in close proximity to residential development, the architectural design shall be submitted to the Planning Director for review and a recommendation to the Planning Commission as to whether or not the architecture is compatible with the surrounding development, and that adequate Screening is being provided. Sufficient copies of the preliminary design plans shall be provided so that a copy of such plans, after having been approved by the Planning Commission, may be retained in the MAPC case file and by the Zoning Administrator to ensure that final Development plans and construction comply therewith.
- (6) Any side of the Building providing doorways to storage areas shall be set back from the property line at least 40 feet when Contiguous to a residential zoning District.
- (7) 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.
- (8) 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.
- (9) 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.
- (10) 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.
- (11) No activities such as miscellaneous or garage sales shall be conducted on the premises.

(12) The servicing or repair of Motor Vehicles, boats, Trailers, lawn mowers and other similar equipment shall not be conducted on the premises.

(13) 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.

(14) 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.

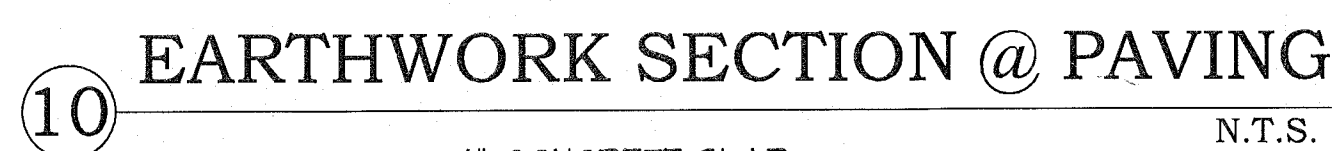
(15) The area shall be properly policed by the owner or operator for removal of trash and debris.

(16) 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.

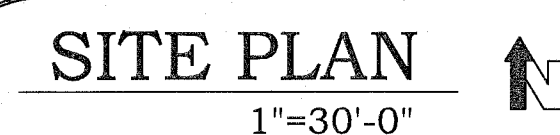
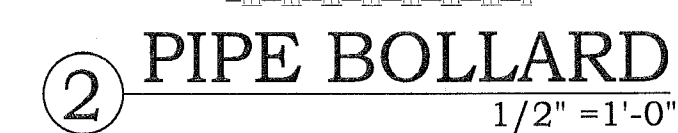
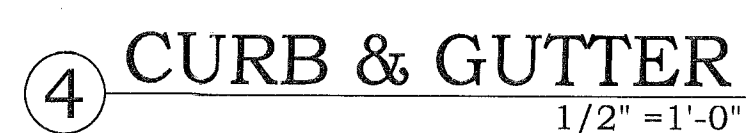
(17) A resident manager shall be required on the Site and shall be responsible for maintaining the operation of the facility in conformance with the conditions of approval.

(18) No more than 45 percent of the Lot Area shall be covered by Buildings.

(19) No individual or business shall lease more than 3,000 square feet of storage spaces.



8 SECTION H.C. RAMP @ CURB $\frac{1}{4}"=1'-0"$

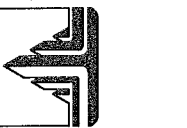


F NOTE: PROVIDE 2A-10BC FIRE EXTINGUISHER PER LOCATIONS SHOWN

CON 2015-00010 SITE PLAN

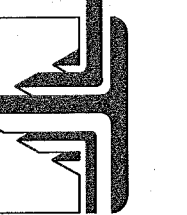
APPROVED 6-7-16 BY *[Signature]*

SUPERIOR SELF STORAGE
6008 W. 29th N. WICHITA, KANSAS

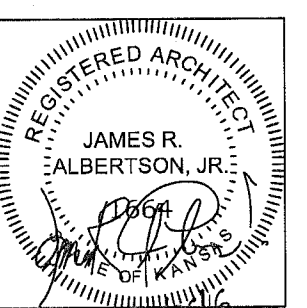


ALBERTSON ASSOCIATES L.L.C.
316 636-9472

9225 PEPPER TREE WICHITA, KS 67226



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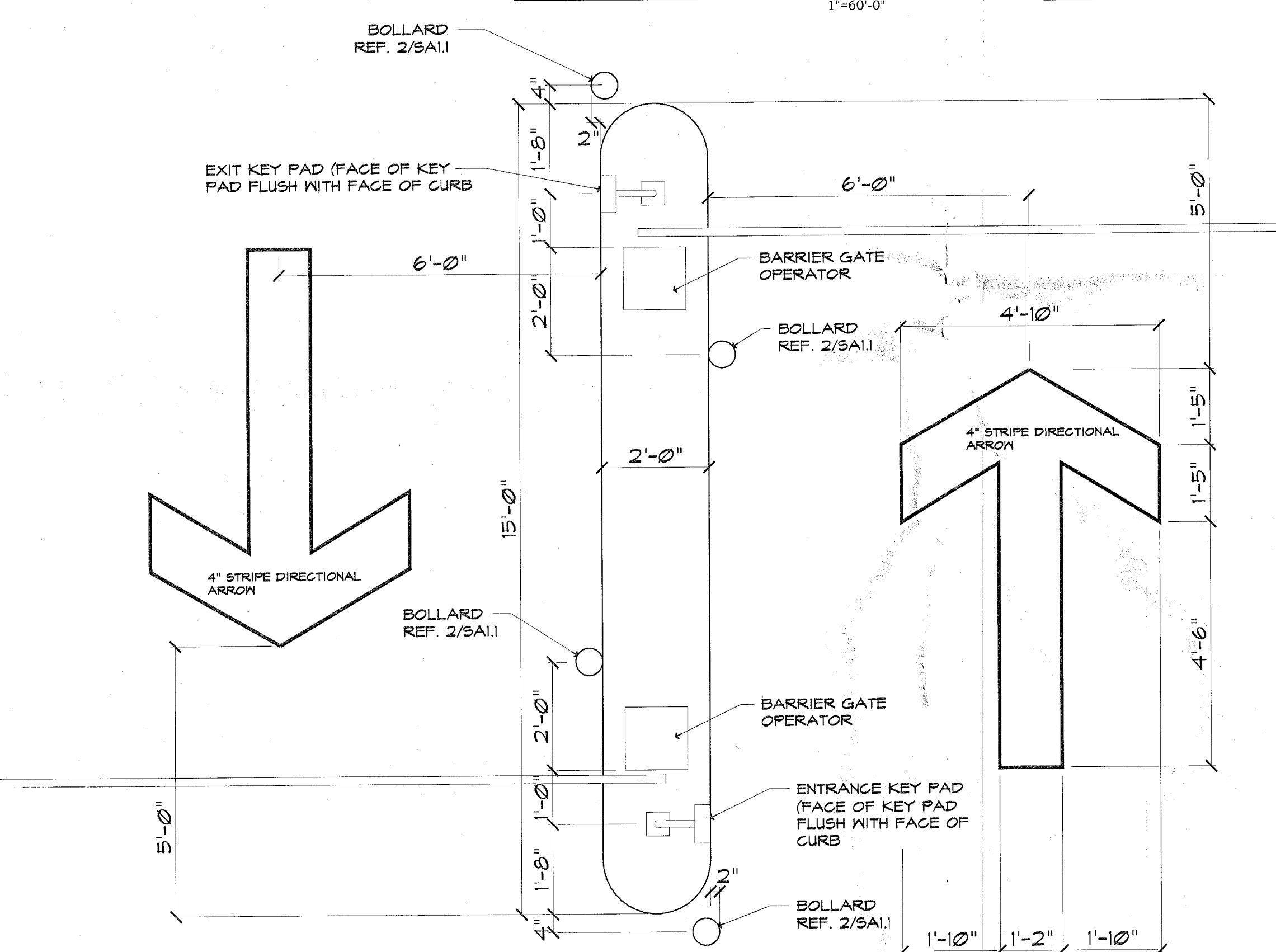
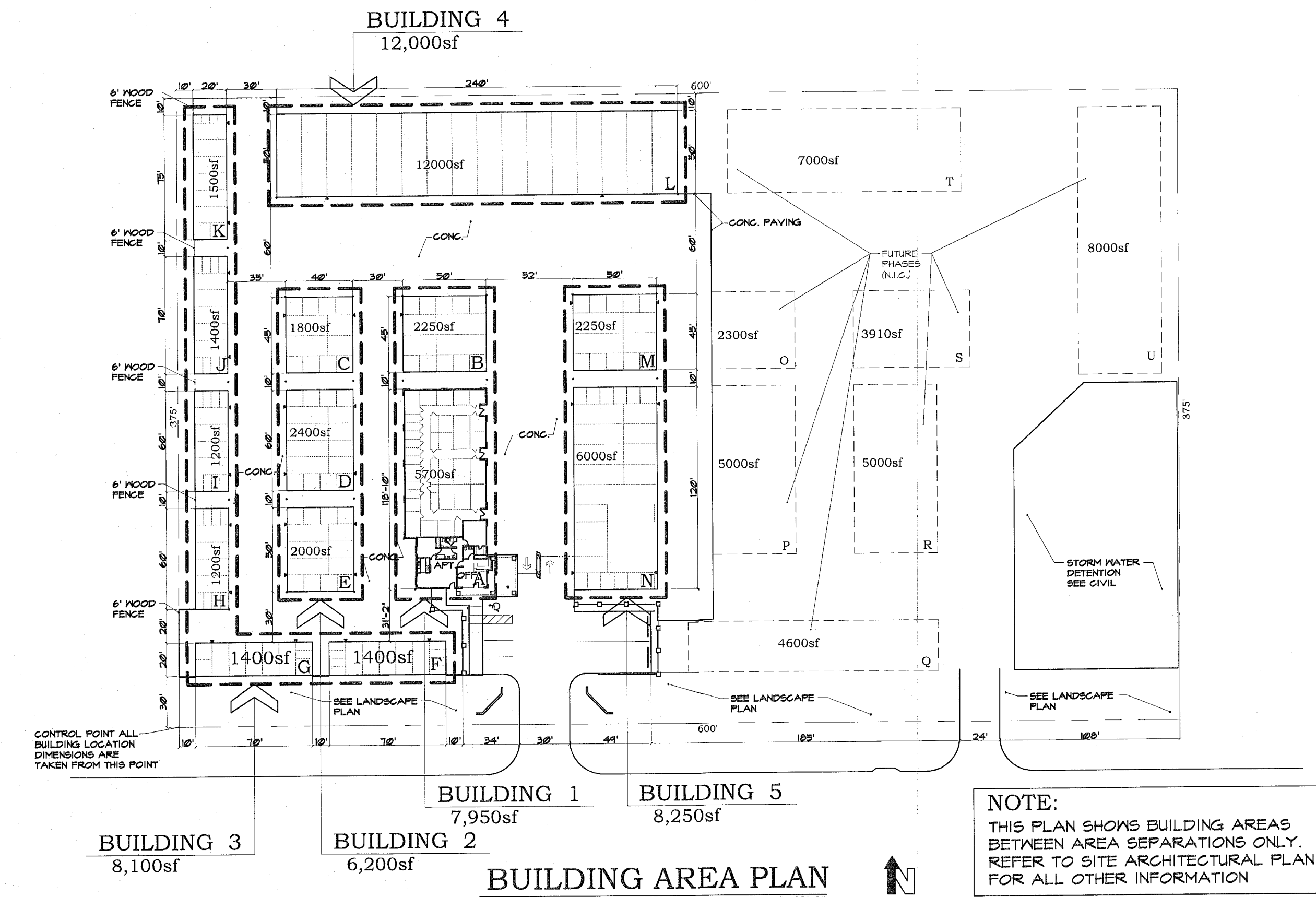


REV. DATE
12-09-15 6-06-16 rev.
1-09-16
1-18-16
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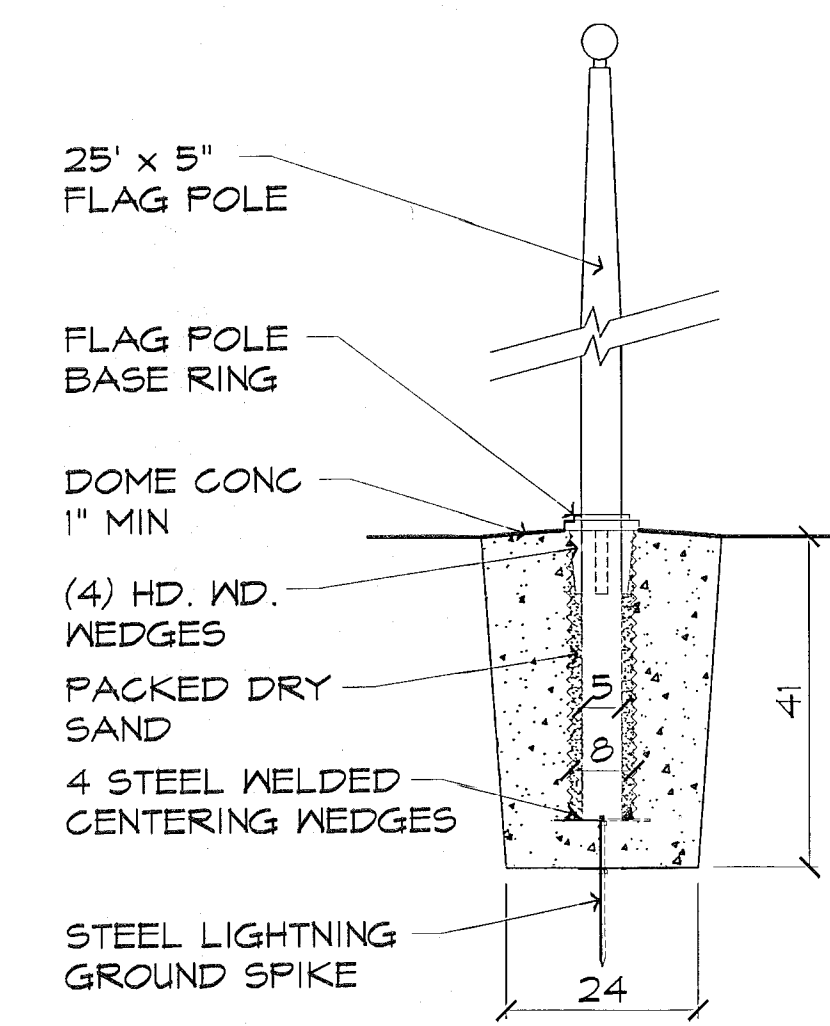
PRINT DATE
11-28-15 6-06-16 rev.
12-09-15
1-18-16
1-18-16
2-26-16
4-05-16

SHEET NUMBER

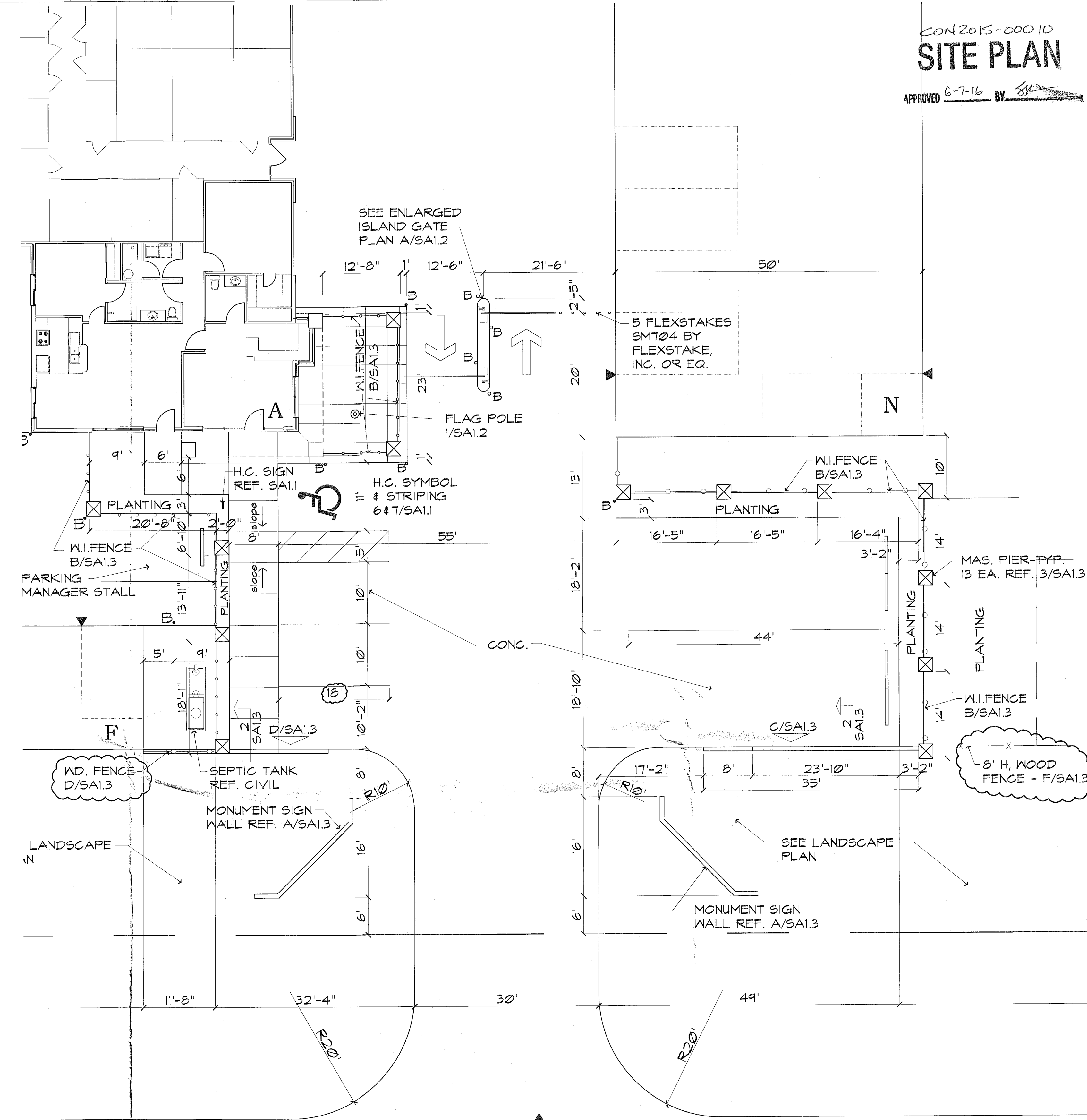
SA1.2



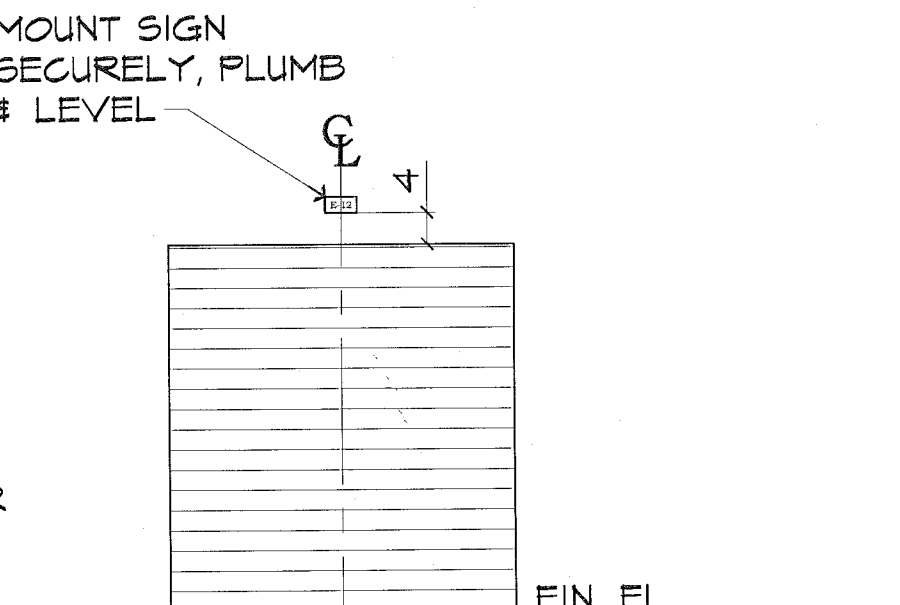
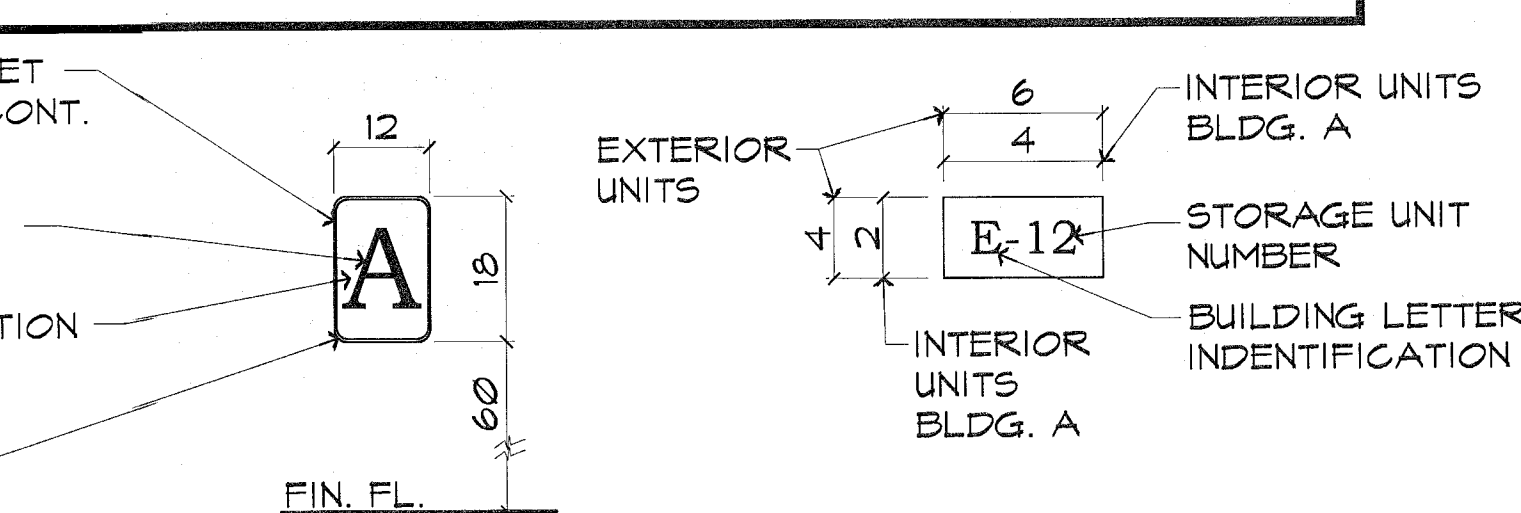
PROVIDE FIVE (5) FLEXSTAKE TRAFFIC DELINEATOR POST (YELLOW) @ 24" CTRS. MFG. BY



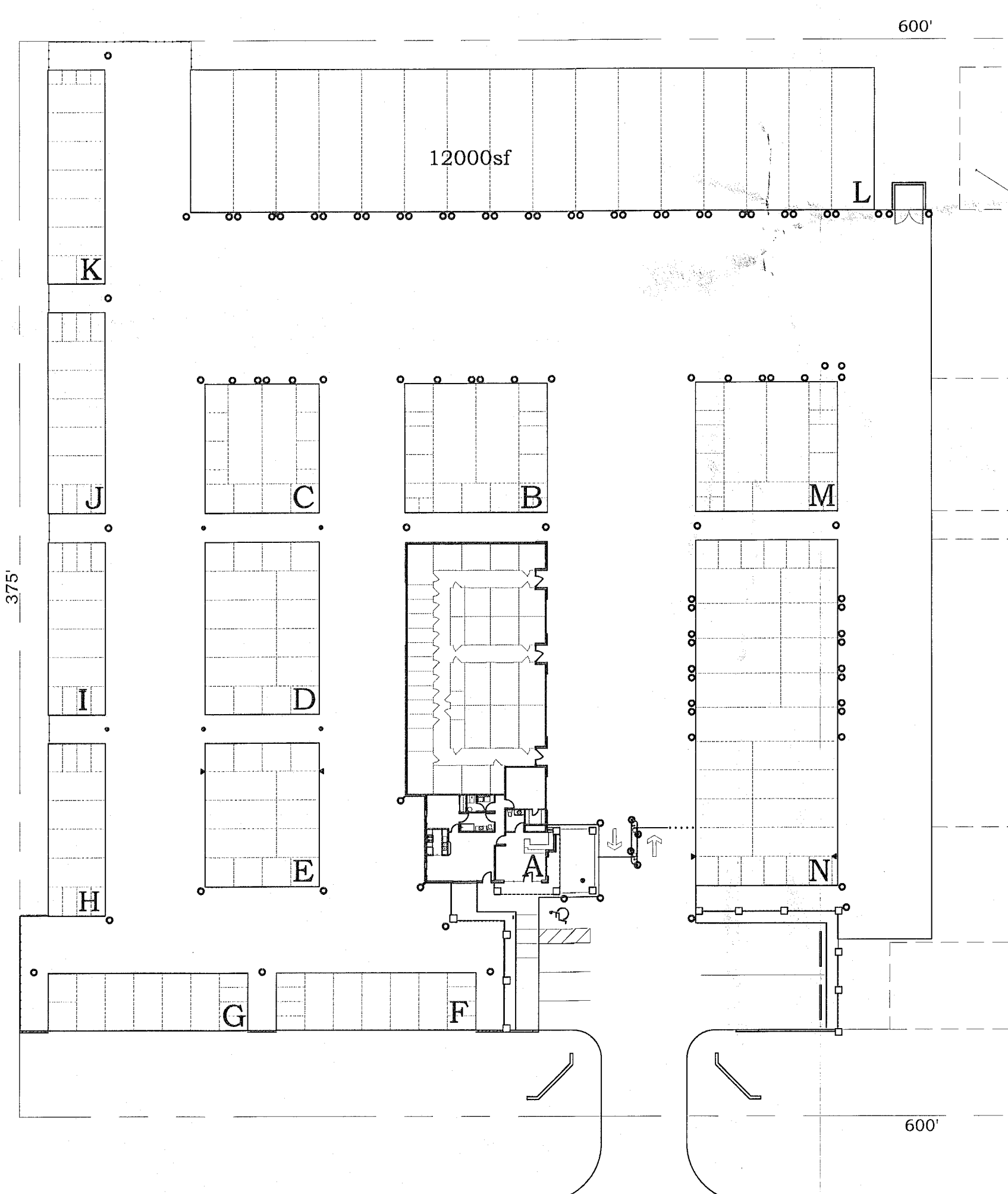
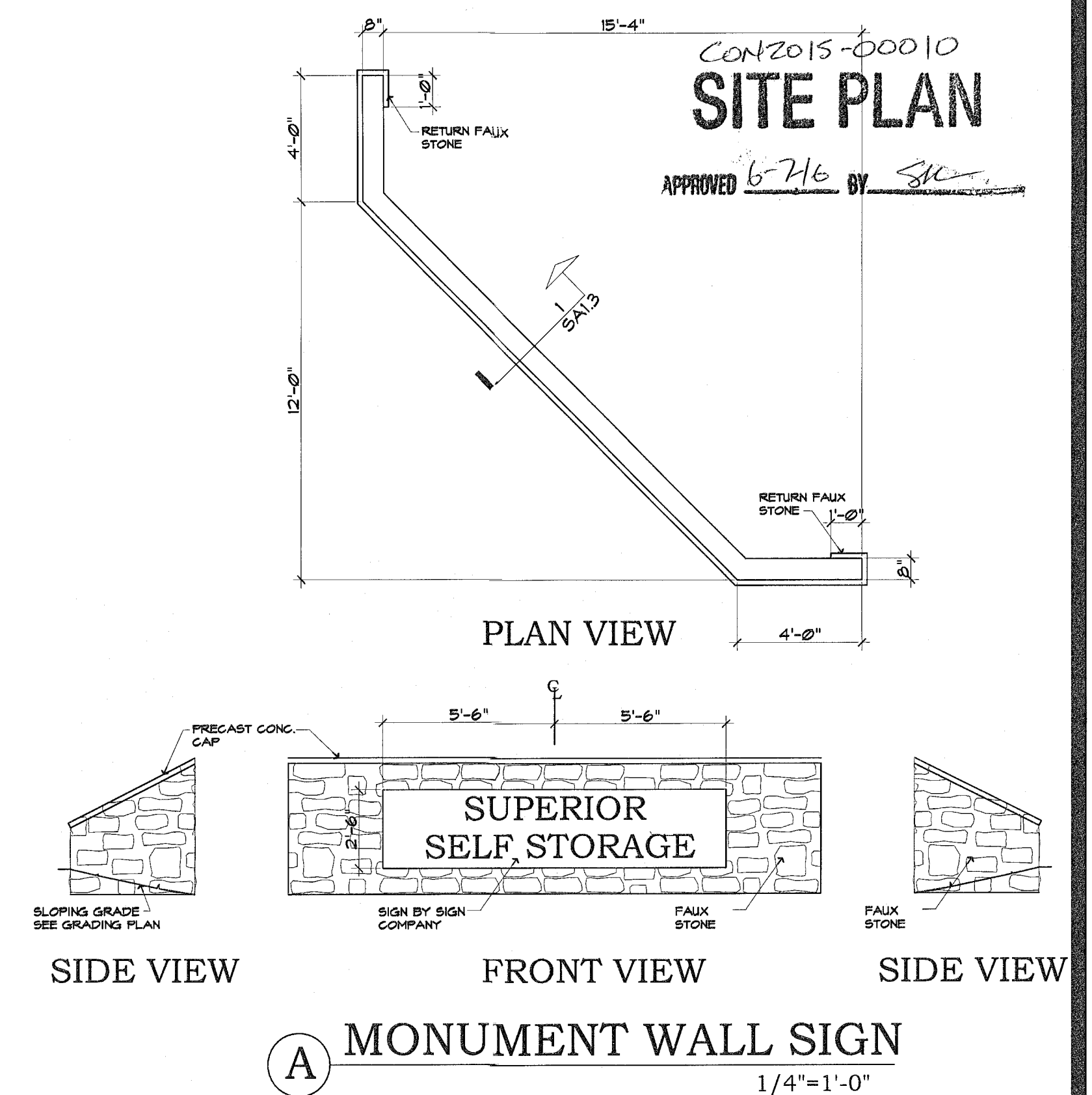
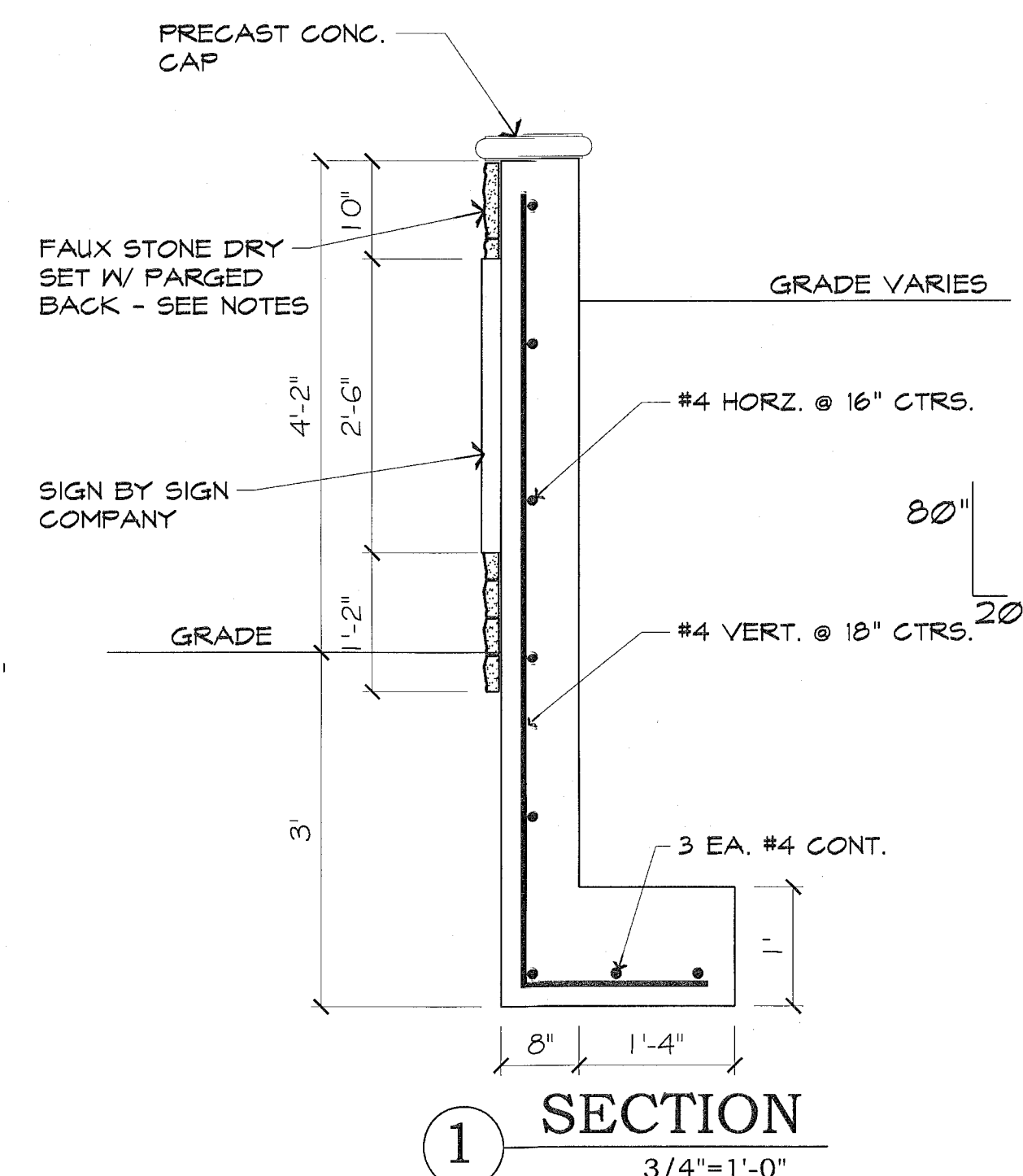
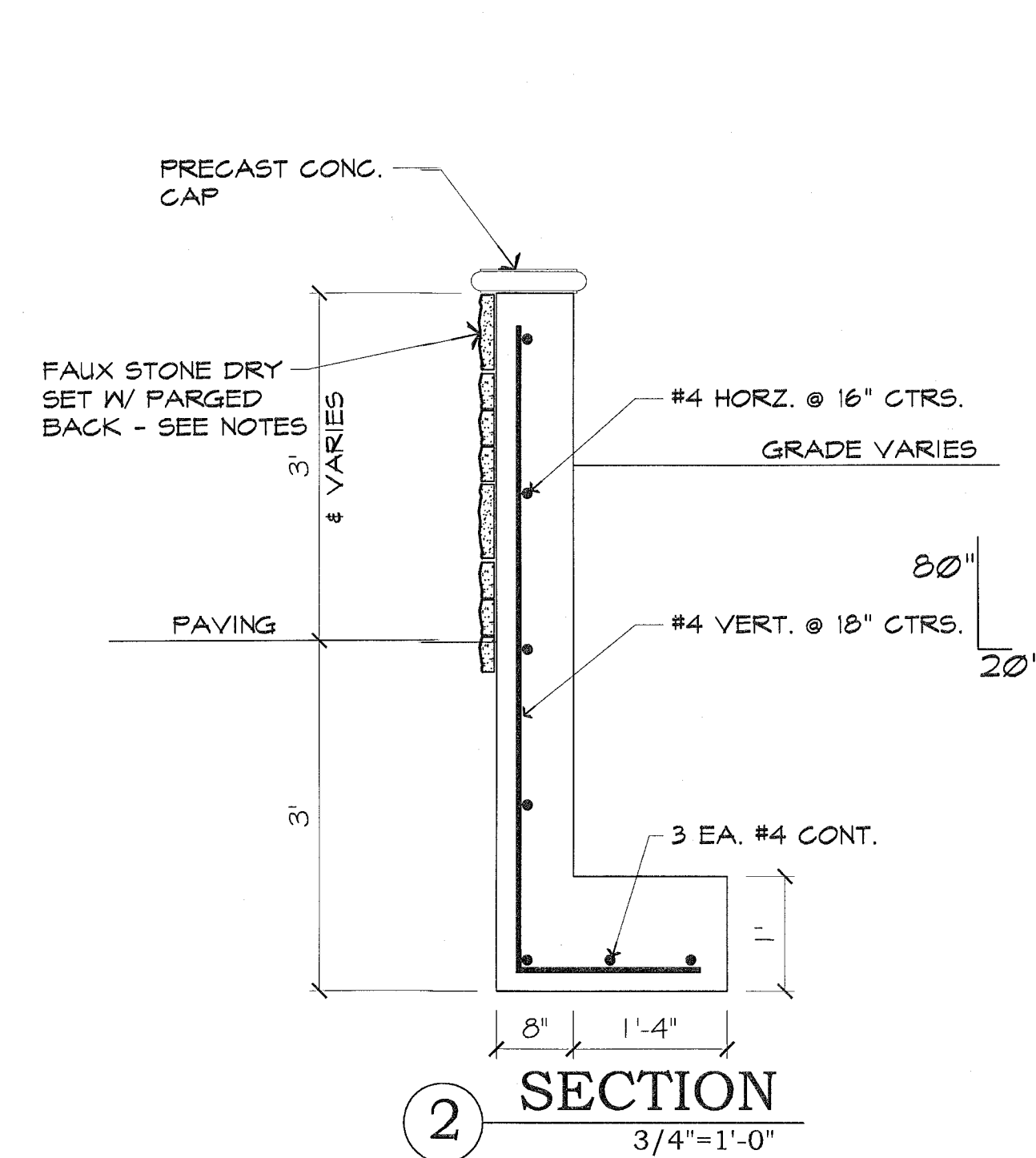
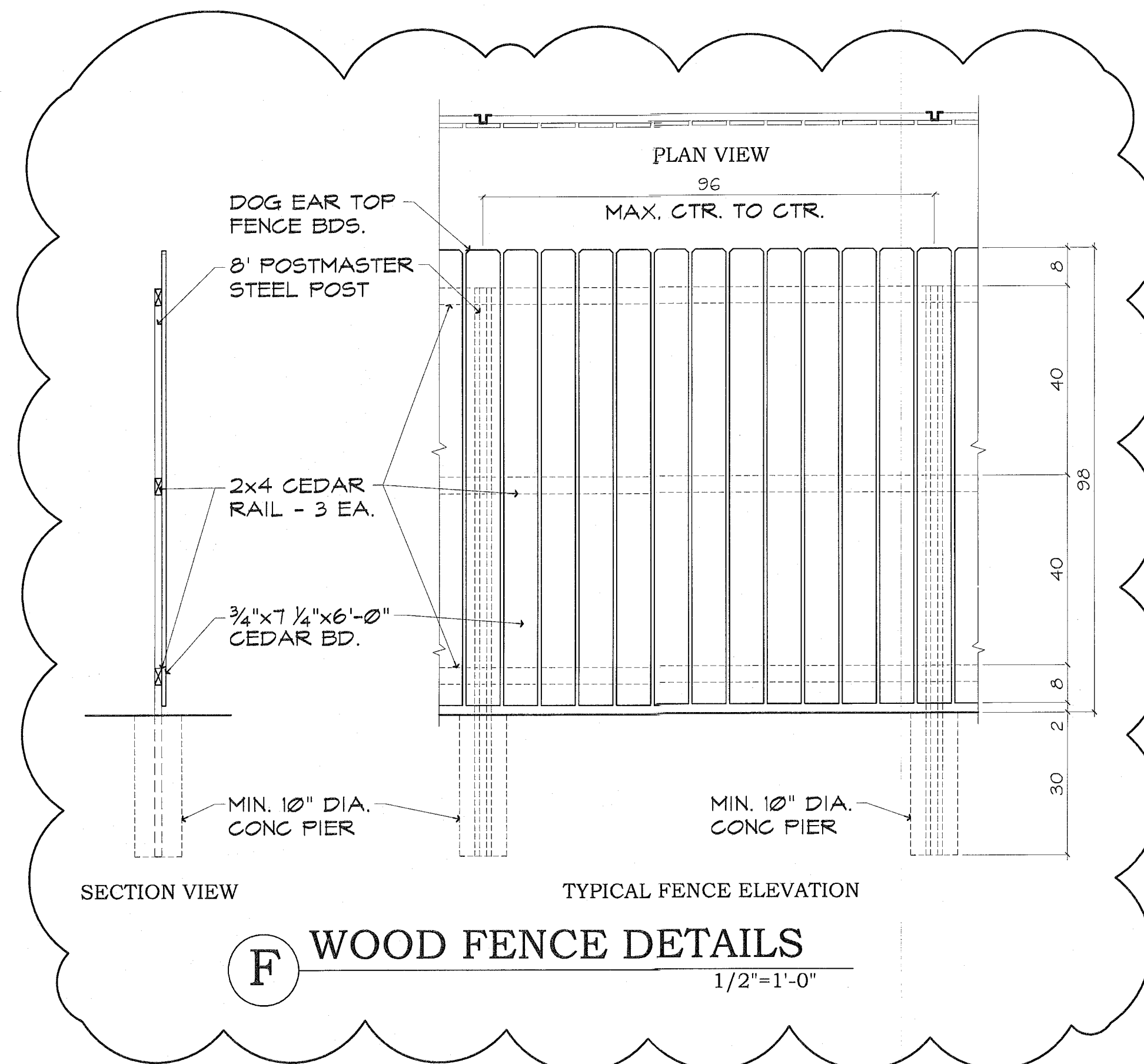
FLAG POLE SHALL BE ALUMINUM 25 FOOT TALL X 5 INCH WITH INTERNAL WENCH BY ACME LINGO FLAGPOLES LLC OR EQUAL
FLAG SHALL BE 4' X 6' WITH INTERNAL WENCH BY ACME LINGO FLAGPOLES LLC OR EQUAL



1. EACH UNIT SHALL HAVE STORAGE UNIT SIGN PER DETAIL 3/SA1.2
2. EACH BUILDING SHALL HAVE BUILDING SIGNS PER DETAIL 2/SA1.2
SEE "▼" NOTATION FOR PLACEMENT LOCATIONS ON SITE PLAN SA1.1

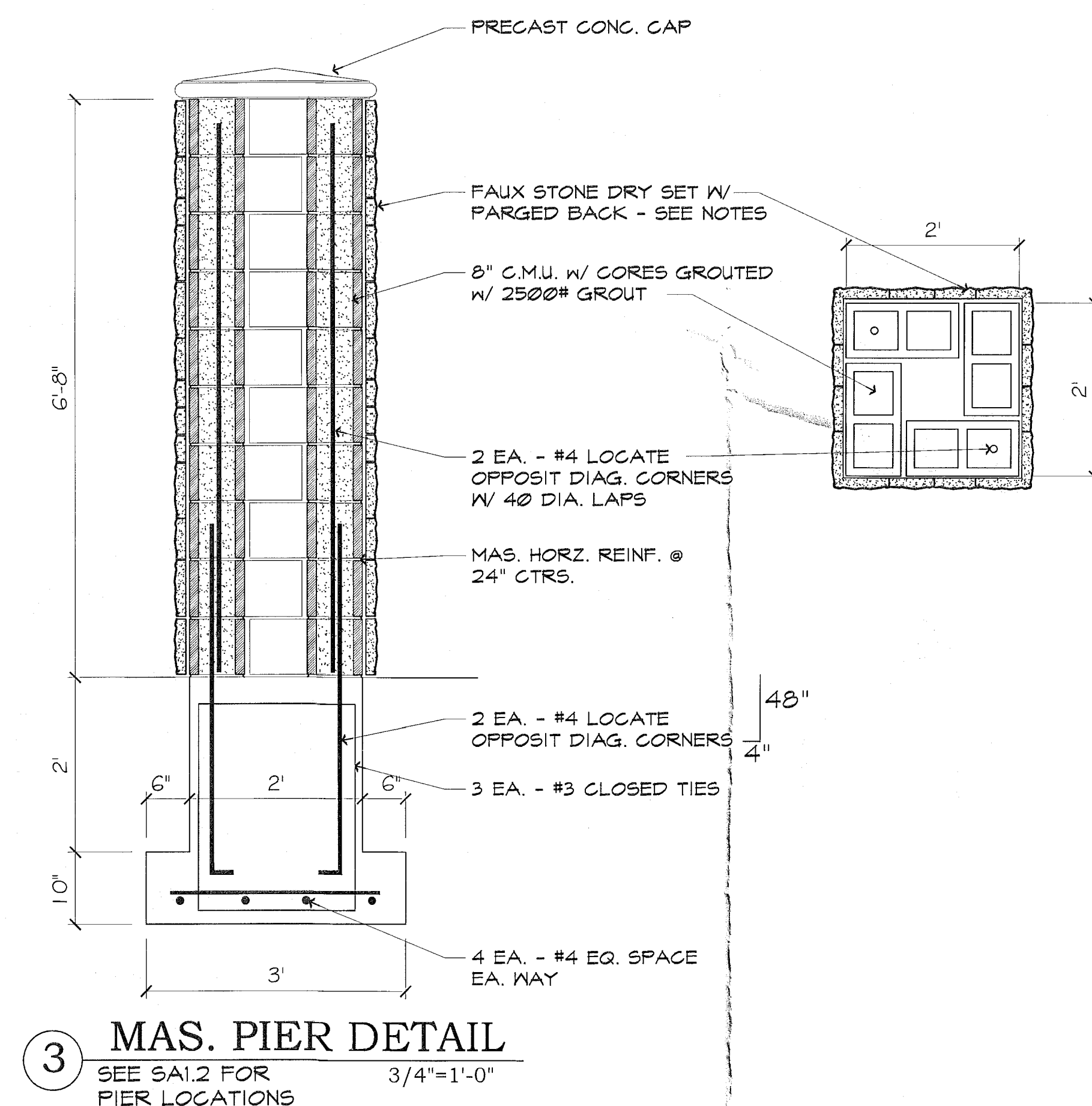


SIGN PLACEMENT @ UNIT DOORS
NOT TO SCALE



NOTE: ○ - BOLLARD SYMBOL LOCATION
TOTAL BOLLARDS - 103
THIS PLAN SHOWS BOLLARD LOCATIONS
ONLY. REFER TO SITE ARCHITECTURAL
PLAN FOR OTHER INFORMATION

BOLLARD LOCATIONS - SITE PLAN



THIN VENEER STONE SYSTEM NOTES:
(LATICRETE MVS SYSTEM OVER MASONRY BLOCK)
(INSTALL ALL PRODUCTS PER MFG. INSTALLATION PROCEDURES)

A-4 LATICRETE AIR & WATER BARRIER AS MANUFACTURED BY LATICRETE INTERNATIONAL, INC.

A-5 LATICRETE MASONRY VENEER MORTAR AS MANUFACTURED BY LATICRETE INTERNATIONAL, INC.

A-6 FLUX STONE CONTRACTOR SHALL USE CAVALAN THIN STONE BY GENERAL SHALE BLOCK, DRY STACK WITHOUT POINTING MORTAR. USE CAVALAN CORNER PIECES AT CORNERS

