



STAFF REPORT
BOARD OF ADJUSTMENT
For the April 20,2016 meeting

TO: Board of Adjustment members
FROM: Sheena Nuetzman, Planning Director
SUBJECT: Conditional Use Permit for Quik Trip Corporation- 63rd Street and Hickman Road

GENERAL INFORMATION

Applicant: Quik Trip Corporation – Mike Talcott
5725 Foxridge Drive
Mission, KS 66202

Property Owner: Hurd Windsor LLC
2000 Fuller Road
West Des Moines, IA 50265

Proposed Use: Construction of a convenience store with gasoline sales

Zoning: CC, Community Commercial in the Hickman Overlay District

Location and size: Southwest corner of 63rd Street and Hickman Road
5,858 square feet

QUICK SUMMARY

Quik Trip Corporation has made application for the use of a convenience store with fuel sales. Convenience food sales under 10,000 square feet that also include fuel sales are required to obtain a Conditional Use Permit. The Planning and Zoning Commission must review the application for the conditional use permit and provide a recommendation to the Board of Adjustment for final action.

PLANNING AND ZONING COMMISSION ACTION

The Commission reviewed and recommended approval of the conditional use permit at their March 23, 2016 meeting. There were no conditions attached for approval.

APPLICABLE SECTIONS

167.07 COMMERCIAL USE TYPES.

Commercial uses include the sale, rental, service, and distribution of goods; and the provision of services other than those classified under other use types.

13. Food Sales. Establishments or places of business primarily engaged in the retail sale of food or household products for home consumption. Typical uses include groceries, delicatessens, meat markets, retail bakeries, and candy shops.

A. Convenience Food Sales: Establishments occupying facilities of less than 10,000 square feet; and characterized by sales of specialty foods or a limited variety of general items, and by the sales of fuel for motor vehicles.

B. Limited Food Sales: Establishments occupying facilities of less than 10,000 square feet; and characterized by sales of specialty foods or a limited variety of general items, but excluding the accessory sale of fuel for motor vehicles. Typical uses include delicatessens, meat markets, retail bakeries, candy shops, and small grocery stores.

C. General Food Sales: Establishments selling a wide variety of food commodities, using facilities larger than 10,000 square feet. Typical uses include supermarkets.

177.03 CONDITIONAL USE AND SPECIAL USE PERMIT PROCEDURES.

1. Purpose.

The Conditional Use and Special Use Permit Procedures provide for Planning Commission review and discretionary Board of Adjustment action for uses within zoning districts which have unusual site development or operating characteristics that could adversely affect surrounding properties.

2. Administration.

The Planning Commission shall review and evaluate each application and transmit its recommendation to the Board of Adjustment. The Commission recommendation should include whether or not to approve or disallow the project and any suggested conditions if approval is recommended. The Board of Adjustment shall review, evaluate, and act upon all applications submitted pursuant to this procedure.

3. Application Requirements.

An application for a permit may be filed with the Zoning Administrator by the owner of a property or the owner's authorized agent. The application shall include the following information:

A. Name and address of the applicant.

B. Owner, address, and legal description of the property.

C. A description of the nature and operating characteristics of the proposed use.

D. Any graphic information, including site plans, elevations, other drawings, or other materials determined by the Zoning Administrator to be necessary to describe the proposed use to approving agencies.

E. A written statement as to how the proposed project fits within the character of the neighborhood and that meets the intent of the City's comprehensive plan.

4. Review Process.

A. The Planning and Zoning Commission, following proper notice, shall hold a public hearing on each permit and, following such public hearing, shall recommend action to the Board of Adjustment.

B. The Board of Adjustment, after publication and public hearing, shall act on the permit, choosing to approve or deny the project.

5. Criteria for Review.

The Planning Commission and the Board of Adjustment shall review the application based on the criteria established in Table 177-1 and conformance with applicable regulations in this Zoning Code.

6. Scope of Planning and Zoning's Authority.

The Planning and Zoning Commission shall review and make recommendations to the Board of Adjustment based on the criteria established in Table 177-1 and based on compatibility with the surrounding neighborhood.

The Commission shall forward recommendations including whether or not to approve or deny the permit. If approval is recommended, the Commission shall include suggested conditions for the conditional or special use permit.

STAFF ANALYSIS

Staff has completed a review of the conditional use permit. As required by the Zoning Ordinance, the Planning and Zoning Commission shall review based on criteria in the table below and based on compatibility with the surrounding neighborhood and forward recommendations to approve or deny the permit to the Board of Adjustment.

Land Use Compatibility		Staff Comments
Height and Bulk	Development should minimize differences in height and building size from surrounding structures. Differences should be justified by urban design considerations.	No issues.
Setbacks	Development should respect pre-existing setbacks in surrounding area. Variations should be justified by site or operating characteristics.	Setback requirements have been met.
Building Coverage	Building coverage should be similar to that of surrounding development if possible. Higher coverage should be mitigated by landscaping or site amenities.	No issues.
Frontage	Project frontage along a street should meet minimum frontage requirements and provide reasonable exposure for the development.	No issues.
Parking and Internal Circulation	Parking should serve all structures with minimal conflicts between pedestrians and vehicles.	<p>Required parking- 1 space per 200 sf of gross floor area. 28 standard parking spaces are required in addition to 2 ADA stalls. Proposed parking- 52 parking stalls in addition to 3 ADA stalls.</p> <p>Staff comments: Staff feels the site lacks pedestrian circulation; the site should be organized so that the buildings frame and reinforce pedestrian circulation between developments. This can be accomplished with special paving, bollards made of materials complementing the architecture of the building or any other feature that identifies the pedestrian space.</p> <p>Quik Trip response: An additional on-site sidewalk has been added along the west property boundary line that then turns to enter the west wide of the convenience store.</p>
Parking and Internal Circulation	All structures must be accessible to public safety vehicles.	
Parking and Internal Circulation	Development must have access to adjacent public streets and ways. Internal circulation should minimize conflicts and congestion at public access points.	
Landscaping	Landscaping should be integral to the development, providing street landscaping, breaks in uninterrupted paved areas, and buffering where required by surrounding land uses. Parts of site with sensitive environmental features or natural drainage ways should be preserved.	<p>Staff comments: <i>Barberry thunbergii</i> is a proposed landscaping material but is prohibited per the Hickman Overlay standards.</p> <p>Quik Trip response: The <i>Barberry thunbergii</i> has been removed and replaced with shrub rose as is planted at the Quik Trip at 73rd St. and Hickman Road.</p> <p>Staff comments: The City right-of-way trees planted last fall needs to be indicated on the site plan to ensure proposed landscaping will not impede with trees already planted.</p> <p>Quik Trip response: The City planted trees have been added to the site plan.</p> <p>Staff comments: A buffer yard must be provided to visually screen the rear elevations of the building and parking areas.</p>

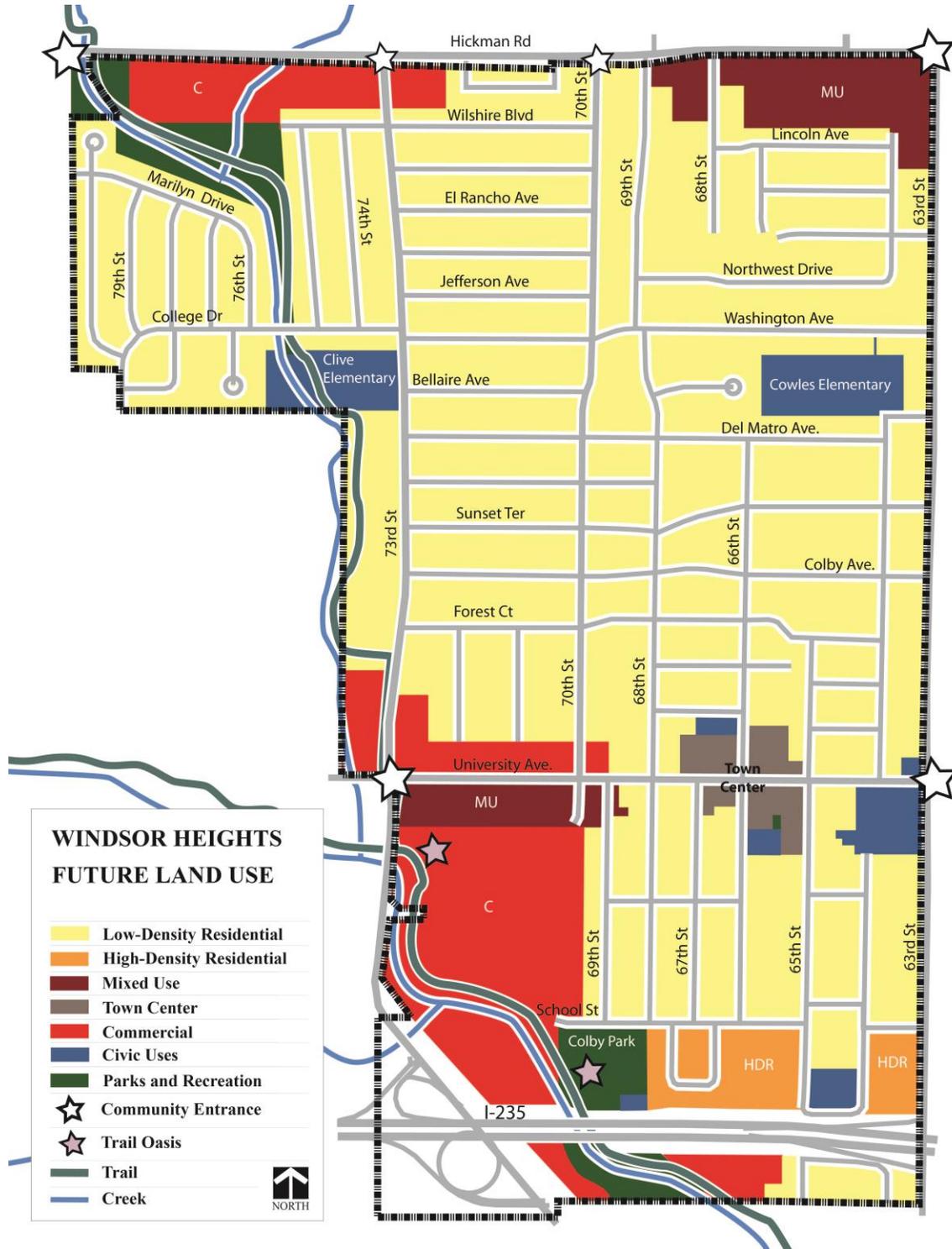
		<p>Quik Trip response: Approximately 85 linear feet of Quik Trip’s property boundary adjoins R-3 lots Existing, mature vegetation along with the proposed elevation change from the south property boundary line to the southern curb and gutter line should provide a sufficient buffer. Therefore, we believe an opaque barrier is not warranted.</p>
Building Design	<p>Architectural design and building materials should be compatible with surrounding areas or highly visible locations</p>	<p>Staff comments: Staff has asked that the applicant respond to how the building design is compatible with the overall theme and uniqueness of the rest of the development in the area.</p> <p>Quik Trip response: The building is comprised of structural brick with a high amount of architectural features that will compliment any other development that were to develop adjacent to us.</p> <p>Staff comments: The rear elevation of the proposed building provides the continuation of brick, but does not provide the same level of cornice detail as the other sides of the building.</p> <p>Quik Trip response: We will add rear pilasters and internal roof drains that will carry the architectural theme around the rear façade.</p>
Traffic Capacity	<p>Project should not reduce the existing level of traffic service on adjacent streets. Compensating improvements will be required to mitigate impact on street system operations.</p>	<p>No issues from the City’s Engineering consultant.</p>
External Traffic Effects	<p>Project design should direct nonresidential traffic away from residential areas.</p>	<p>No issues from the City’s Engineering consultant.</p>
Operating Hours	<p>Projects with long operating hours must minimize effects on surrounding residential areas.</p>	<p>No issues. The store will operate 24 hours a day.</p>
Outside Storage	<p>Outside storage areas must be screened from surrounding streets and less intensive land uses.</p>	<p>No issues.</p>
Stormwater Management	<p>Development should handle storm water adequately to prevent overloading of public storm water management system. Development should not inhibit development of other properties. Development should not increase probability of erosion, flooding, landslides, or other run-off related effects.</p>	<p>Stormwater Management comments can be found in separate attachments. Quik Trip has since revised their plans and our engineer consultants have found that the revisions meet code requirements.</p>
Utilities	<p>Project must be served by utilities.</p>	<p>No issues.</p>
Comprehensive Plan	<p>Projects should be consistent with the City Comprehensive Development Plan</p>	<p>The Comprehensive Plan does not address a specific use for the subject property. As shown on the next page, the future land use map designates the area as Mixed-Use which is intended for areas that encourage combinations of pedestrian-friendly commercial, office and residential. The proposed use is intended for automobile access.</p>

OTHER COMMENTS

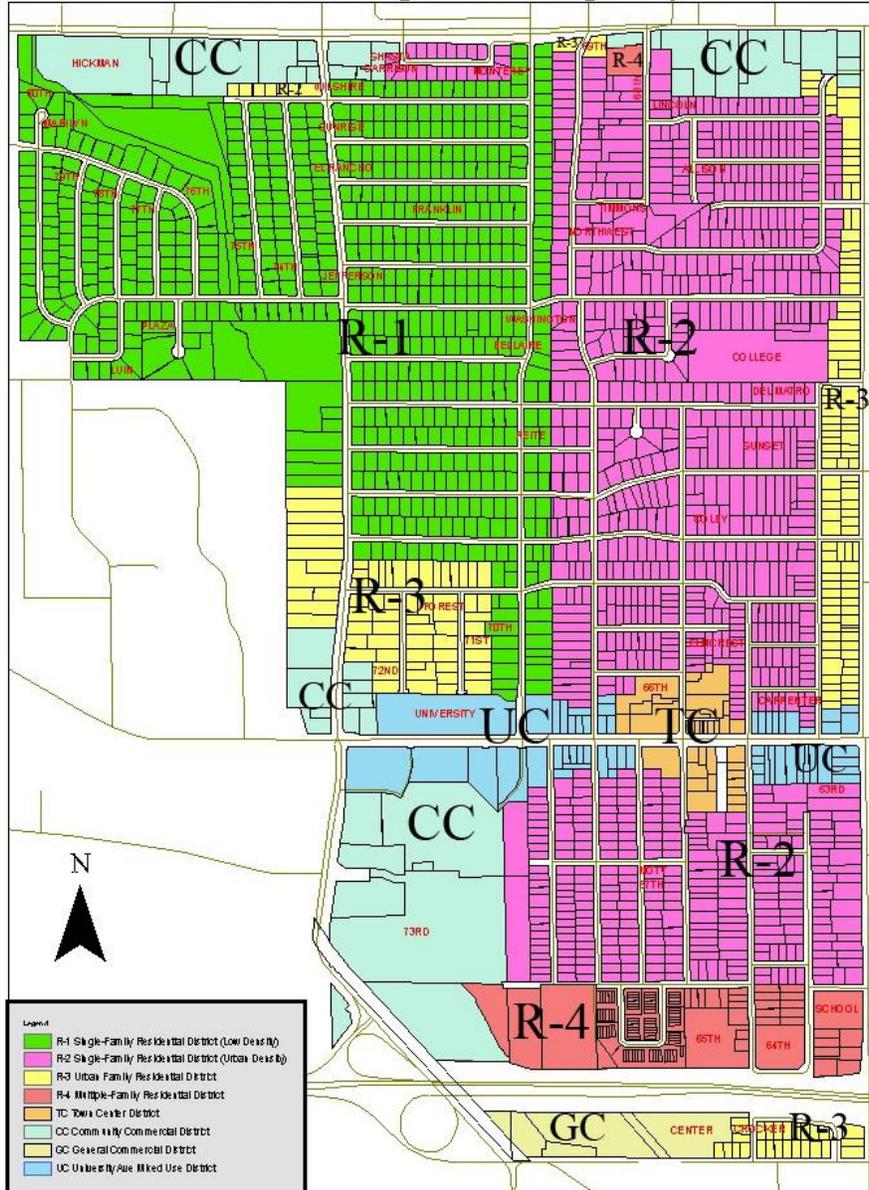
1. **Staff comments:** Indicate on the cover sheet the square feet of building coverage for the lot; the gas canopy and the building. The maximum building coverage is 60%.
Quik Trip response: The cover sheet has been revised; total building coverage is 12%.
2. **Staff comments:** The monument sign shown in the site plan is 13 feet in height. The maximum height for detached signs is 10 feet. The required setback is 10 feet from the front property line and 5 feet from the side property line. Total maximum allowable square footage allowed on-site is 150. The monument sign will need to be scaled down to 10 feet in height.
Quik Trip response: We will change the sign to as attached, we will mostly likely add to the base section to give it a taller stance.
3. **Staff comments:** Indicate where the bike racks will be located on the site plan.
Quik Trip response: A bike rack is proposed to be near the northeast corner of the convenience store.
4. **Staff comments:** The Hickman Overlay standards encourage buildings to be placed to provide a strong street orientation to create a pleasing pedestrian environment, i.e. the building placed towards the front property line with parking and the gas canopy placed on the side or the rear. Please comment on the decision to locate the building, gas canopy and parking where they are proposed now in the site plan and why the standard cannot be followed.
Quik Trip response: As a convenience store and gas retailer vehicular safety and circulation are most important to our site. The configuration as shown ensures the site will function well and safeguard our patrons as they utilize our site.
5. **Staff Comments:** The sanitary sewer and water service lines need to be labeled.
Quik Trip response: It is estimated that the sanitary sewer service line will be 4-inch PVC (SDR-26) piping and the potable water service line will be 2-inch Type K Copper piping.

FUTURE LAND USE MAP

Below is the most recent adopted Future Land Use Plan (FLUM) which should be used when making decisions on future land use applications. It is not intended to be a zoning map as shown earlier. The FLUM is meant to provide general guidance at a block level and is not meant to provide specificity at the individual property level. The commercial areas designated on the map are intended for commercial and office uses that are oriented toward automobile access. The mixed use areas on the map are intended for areas that encourage combinations of pedestrian-friendly commercial, office and residential.



Windsor Heights Zoning Map



CONCLUSIONS

The following are alternatives for the Board of Adjustment to consider:

1. Accept and approve CUP01-16 as proposed.
2. Accept and approve CUP01-16 as proposed with conditions.
3. Deny CUP01-16 as proposed.