Agenda Item: Consider passing an ordinance to approve a special use permit request (SUP-2013-04) to allow for the temporary use of the existing parking lot located at 2809 W. 47th Street

Background / Description of Item:
The Westwood Municipal Code lists “Temporary use of land for commercial or industrial purposes” (16.8.1.11) and “off-street parking lots or structures of a temporary or permanent nature” (16.8.1.14) as a special use. Special Use Permits may apply to any district and may be governed with regard to operations, site development, signs, and time limit, as the Planning Commission deems necessary in order to ensure that such use will not seriously interfere with the current or approved uses of neighboring properties.

Midwest Transplant Network Inc. will temporarily be without the use of several parking spaces at the 1900 W. 47th Place property during the duration of their construction project. They have contracted with several area business locations, including the Retail Grocer’s Association property in Westwood, located at 2809 W. 47th Street, to allow for their employees and tenants of the Westwood Towers office building to park off-site during the business day while the construction project is underway.

Midwest Transplant Network plans to provide a shuttle service to and from the 1900 W. 47th Place property to these off-site parking locations while the office building addition and parking structure construction project is taking place.

Planning Commission Recommendation / Action:
The Westwood Planning Commission considered this item at a public hearing on November 4, 2013. No one from the public addressed the commission. The Planning Commission voted 7 to 0 to recommend approval of this Special Use Permit request.

Staff Recommendation:
Staff recommends that the City Council accept the Planning Commission’s recommendation for approval and pass Ordinance No. _____ approving Special Use Permit No. SUP-2013-04 for Retail Grocer’s Association temporary parking for Midwest Transplant Network, located at 2809 W. 47th Street for a one-year period of time with no stipulations.
ORDINANCE NO. ___

AN ORDINANCE RELATING TO ZONING: AUTHORIZING A SPECIAL USE PERMIT FOR CERTAIN PROPERTY, UNDER THE AUTHORITY GRANTED BY THE WESTWOOD, KANSAS ZONING ORDINANCE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD, KANSAS:

SECTION ONE: That having received a recommendation from the Planning Commission, and proper notice having been given and public hearing held on November 4, 2013 as provided by law and under the authority of and subject to the provisions of the Westwood, Kansas Zoning Ordinance, a Special Use Permit is issued on lands legally described as follows:

The West two (2) acres of the following described five-acre tract: Beginning at the Northeast corner of the West Half of the Northeast Quarter of Section 3, Township 12, Range 25, in the City of Westwood, Johnson County, Kansas, thence South along the East line of said half quarter section 318.67 feet to a point, thence West 664.51 feet to a point which is 2276.69 feet North of the South line of said quarter section, thence North 318.90 feet to a point on the North line and 664.71 feet West of the Northeast corner of West one half of said quarter section, thence East 664.71 feet to the beginning, EXCEPT the north 35 feet thereof in 47th Street.

SPECIAL USE PERMIT NO. 2013-04

Retail Grocer's Association temporary parking for Midwest Transplant Network, located at 2809 W. 47th Street for a one-year period of time with no stipulations.

SECTION TWO: That upon taking effect of this Ordinance, the above special use permit shall be incorporated as part of the Zoning Ordinance as amended.

SECTION THREE: This Ordinance shall take effect and be in force for one year from and after its passage, approval, and publication in the official city newspaper.

PASSED and APPROVED on this 12th day of December, 2013

_______________________________________        John M. Yé, Mayor

ATTEST:

________________________________________
Frederick L. Sherman, City Clerk

APPROVED AS TO FORM:

________________________________________
Ryan B. Denk, City Attorney
WESTWOOD PLANNING COMMISSION
Staff Report
Meeting Date: November 4, 2013

Special Use Permit: SUP-2013-004 – Retail Grocer’s Association temporary parking for Midwest Transplant Network.

APPLICANT: The application is filed by Judy Scott, Midwest Transplant Network

REQUESTED ACTION: The applicant requests a new special use permit to allow for the temporary use of the existing parking lot.

LOCATION: The property is located at 2809 W. 47th Street.

EXISTING ZONING: C-1; Commercial District, and within the COD-1 47th & Mission Road Overlay District.

EXISTING CONDITIONS: The subject property contains an existing 12,185 sq. ft office structure that was built circa 1978 with 60 surface parking spaces.

CHARACTER OF THE NEIGHBORHOOD: The property is located within a commercially zoned area along the south side of 47th Street, east of Mission Road within the City of Westwood. A Walmart Neighborhood Center store is located to the immediate east, and to the west are several smaller commercial retail buildings fronting 47th Street with open surface parking lots to the rear or south side of the adjacent properties. Along the north side of 47th Street, the subject property is located across 47th Street from an area in Kansas City, Kansas, where the land uses transition from a commercial retail businesses, to an office building, then to residential uses along the north side 47th Street moving west to east. To the immediate south are existing single-family residences located along the north side of 47th Ter that back up to the subject property.

STAFF ANALYSIS OF THE APPLICATION: The Westwood Municipal Code lists “Temporary use of land for commercial or industrial purposes” (16.8.1.11) and “off-street parking lots or structures of a temporary or permanent nature” (16.8.1.14) as a special use.

Special Use Permits may apply to any district and may be governed with regard to operations, site development, signs, and time limit, as the Planning Commission deems necessary in order to ensure that such use will not seriously interfere with the current or approved uses of subject or neighboring properties.

Background
Midwest Transplant Network is beginning an expansion project to the Westwood Towers office building, located at 1900 W. 47th Place at the northwest corner of 47th Place and State Line Road. This project will add about 15,000 square feet of new usable office building space and a new raised parking deck with about 70 new parking spaces for use by Midwest Transplant Network staff and other tenants of the office facility. The construction project temporary eliminates several parking spaces at the 1900 W. 47th Place property during the duration of the construction project. About 30 spaces will be occupied as a construction staging area
immediately, and an additional 100 existing surface parking spaces will be temporarily loss from use at the 1900 W. 47th Place property in the spring and summer of 2014, as the new raised parking deck is constructed.

Staff with Midwest Transplant Network is attempting to contract with several nearby business locations to allow for some of their employees and some tenants of the Westwood Towers office building to park off-site during the business day. Midwest Transplant Network plans to provide a shuttle service to and from the 1900 W. 47th Place property to these off-site parking locations while the office building addition and parking structure construction project is taking place.

2809 W. 47th Street Property
The existing Retail Grocers Association building is used primarily as a low-intensity office building. Based on the gross 12,185 sq. ft size of the existing building, 41 parking spaces is required for an office use based on the 1 space per 300 sq. ft. of building area Weswood zoning requirement.

The existing lot is striped and painted with 60 on-site parking spaces. A more efficient parking layout design utilizing parking spaces along the western extent of the property could yield additional parking space, though no modifications or expansions to the existing parking lot at the 2809 W. 47th Street property is proposed with this SUP request.

Midwest Transplant Network has indicated its intent to secure the use of 40 of the existing parking spaces at the 2809 W. 47th property during weekday business hour until mid-year 2014.

Time Limit
Section 16.8.1.2 – Duration of Permit of the Westwood code states that the initial Special Use Permit may be granted for a period of up to two years with renewals granted for maximum period of up to five years.

STAFF RECOMMENDATION: Staff recommends that the Planning Commission forward the special use permit for Retail Grocer's Association temporary parking for Midwest Transplant Network (SUP-2013-04) located at 2809 W. 47th Street to the City Council with a recommendation for approval for a one-year period of time with no stipulations.
Midwest Transplant Network is beginning a building expansion project at 1900 W. 47th Place. This project will add approximately 15,000 square feet of usable building space on three floors and a roof top memorial garden on the 4th floor. In addition, a parking deck will add approximately 70 additional parking spaces for Midwest Transplant Network and Westwood Towers building tenants.

The construction scheduling calls for the temporary loss of 30 parking spaces beginning in November, 2013 and an additional 100 parking spaces beginning in March 1, 2014. The temporary loss of these spaces during construction will create a parking shortage for Midwest Transplant Network and for the tenants of Westwood Towers until approximately July 31, 2014.

Midwest Transplant Network (MTN) plans to rent off-site parking to replace the 130 spaces temporarily lost. In order to accommodate employees and tenants, MTN wishes to rent approximately 40 spaces from the Retail Grocer’s Association (RGA) at their 47th Street location.

While details have not been firmed up, MTN employees or tenants would park at the RGA 47th Street location, probably between the hours of 7 am and 6 pm. MTN will contract with a shuttle service to pick up employees between the hours of 7 am and 9 am and also between the hours of 3 pm and 6 pm daily, Monday through Friday. We do not anticipate using the parking on weekends or holidays.
current owner, and the intrinsic value to the neighborhood. Mr. Jaggers suggested that a list of items be developed for this property to improve the aesthetics of the property to be implemented over the course of this next Special Use Permit approval period.

Commissioner Junk asked if there are any way items could be implemented to make the property not look so abandoned since only 10% of building is used as a broadcast facility, and no one offices at the site. Items like the chains across the parking lot entryways along Belinder Road add to fact that the property looks abandoned.

Commissioner Junk motioned that the Planning Commission table #SUP-2013-03 to the December 2, 2013 meeting in order for the Entercom property to be inspected by members of the Commission. Second by Commissioner Savage. Motion carried 7 – 0 on a roll call voice vote.

Chairman Ross noted that commission members Junk, Savage and Atchity would work with city staff and Entercom staff to set up follow up meetings to discuss in detail some of the potential action items, and bring those back to the commission in December.

III. Consideration of Special Use Permit Application #SUP – 2013-04 – Retail Grocer's Association, requesting approval of a special use permit to allow for temporary use of the parking lot for offsite parking by Midwest Transplant Network on the property located at 2809 W. 47th Street. Application by Judy Scott, Midwest Transplant Network.

Mr. Sherman noted that the existing Retail Grocers Association building is used primarily as a low-intensity office building. Based on the gross 12,185 sq. ft. size of the existing building, 41 parking spaces is required for an office use based on the 1 space per 300 sq. ft. of building area Westwood zoning requirement. The existing lot is striped and painted with 60 on-site parking spaces. A more efficient parking layout design utilizing parking spaces along the western extent of the property could yield additional parking space, though no modifications or expansions to the existing parking lot at the 2809 W. 47th Street property is proposed with this SUP request.

Midwest Transplant Network will secure the use of 40 of the existing parking spaces at the 2809 W. 47th property during weekday business hour until mid-year 2014 to allow for some of their employees and tenants of the Westwood Towers office building to park off-site during the business day. Midwest Transplant Network plans to provide a shuttle service to and from the 1900 W. 47th Place property to these off-site parking locations while the office building addition and parking structure construction project is taking place.

Chairman Ross opened the floor to the floor for public comment. No one spoke on this item.

Motion by Commissioner Waters the special use permit for Retail Grocer’s Association temporary parking for Midwest Transplant Network (SUP-2013-04) located at 2809 W. 47th Street to the City Council with a recommendation for approval for a one-year period of time with no stipulations. Seconded by Commissioner Low. Motion carried 7 to 0 by a voice vote.