



**AGENDA**  
**BOARD OF ZONING APPEALS**  
 Tuesday, April 5, 2016 – 5:00 p.m.  
**City Council Chambers**  
 125 East Avenue B, Hutchinson, Kansas

**1. ROLL CALL**

- |  |   |                                   |
|--|---|-----------------------------------|
| <input type="checkbox"/> Macklin               | <input type="checkbox"/> Woleslagel     | <input type="checkbox"/> Bisbee   |
| <input type="checkbox"/> Hamilton (Vice Chair) | <input type="checkbox"/> Peirce (Chair) | <input type="checkbox"/> Obermite |
| <input type="checkbox"/> Carr                  | <input type="checkbox"/> Hornbeck       | <input type="checkbox"/> Peterson |

**2. APPROVAL OF MINUTES** – Meeting of March 15, 2016.

**3. CORRESPONDENCE & STAFF REPORTS** – Motion to accept documents into the official record.

**4. PUBLIC HEARINGS**

- a. **16-SUP-02: Special Use Permit for a Drive-Through Restaurant** (00000 E 17<sup>th</sup> Ave)  
 Request for a special use permit to construct a new restaurant with drive-through service (Chick-fil-A) on property owned by Hutch Parcel, LLC  
*(Staff Representative: Casey Jones, Senior Planner/Jana McCarron, Planning & Development Director)*

**5. UPCOMING CASES**

- a. Special Use Permit – Tavern/Bar (1221 E 4<sup>th</sup> Ave) [April 19, 2016]
- b. Special Use Permit – Tavern/Bar (1321 E 4<sup>th</sup> Ave) [April 19, 2016]

**6. OPEN COMMENTS FROM THE AUDIENCE** (Please limit comments to five minutes.)

**7. ADJOURNMENT**

Staff Contacts:	Jana McCarron	620-694-2681	Casey Jones	620-694-2667
	Amy Denker	620-694-2638	Stephanie Stewart	620-694-2635
	Charlene Mosier	620-694-2639		

## Item 2

MINUTES  
 BOARD OF ZONING APPEALS  
 TUESDAY, MARCH 15, 2016  
 CITY COUNCIL CHAMBERS  
 125 E. AVENUE B

1. The meeting was called to order at 5:30 p.m. with the following members present: Harley Macklin, Terry Bisbee, Mark Wolesslagel, Janet Hamilton, Robert Obermite, Tom Hornbeck, Todd Carr, Darryl Peterson, and Ken Peirce. Jana McCarron, Director of Planning and Development; Casey Jones, Senior Planner; and Charlene Mosier, Planning Technician were also present.
2. The minutes from the November 17, 2015, meeting were approved on a motion by Bisbee, seconded by Hamilton, passed unanimously.
3. A motion to accept correspondence and staff reports into the official record was made by Hamilton, seconded by Wolesslagel, passed unanimously.
4. PUBLIC HEARINGS

4a. 16-BZA-01: 621 E. 4<sup>th</sup> Ave. (Sonic)

Request for a building setback variance from the required 15 feet to the provided 3.85 feet from the west property line for construction of a new canopy on property owned by America's Drive-In Restaurants, LLC.

AND

Request for a variance from the required number of drive-through stacking spaces from the required 10 to the provided 7 spaces for construction of a new, drive-through restaurant.

Peirce asked if there were any outside contacts or conflicts of interest; there were none.

McCarron presented the staff report. The existing building was constructed in 1973 as a Sonic and remodeled in 1991. In 2000, a Special Use Permit was granted to demolish the adjacent house to the east and expand to that lot with a canopy. Another remodel was done in 2005. The applicant plans to demolish the existing building and all canopies and construct a new Sonic with a drive-through service located at the rear of the property. Three new canopies are proposed. Two canopies would be freestanding and the third canopy would abut the restaurant structure.

The westernmost freestanding canopy would be located 3.85 feet from the side street lot line and does not meet minimum requirements of 30 feet from the side street front lot line. The ordinance allows for a 50% reduction in the required setback from the side street as long as the structure does not encroach into the sight triangle. This would make the

required setback 15 feet. The canopy could present a visual barrier. The Sonic on 30<sup>th</sup> Avenue does not have a canopy like this and it is also on a corner lot.

The second request is for the proposed drive-through service which does not meet the minimum stacking requirement of 10 spaces. There should be space for ten vehicles behind the order box. The applicant is providing 7 spaces and a variance is needed to approve the project site plan.

McCarron showed photos of the property and the proposed elevation drawings. A public hearing notice was published in *The Hutchinson News*, and comments from the Development Review Committee were included in the packet.

Peirce asked for the presentation from the applicant.

Wade Harden, Oklahoma City, Oklahoma, reviewed the site plan and the desire to have three canopies and the drive-through. The drive-through is the new business model for Sonic. He said there are 24 canopy vehicle stalls and nothing would impede the sight triangle. The trees will remain on the property. He said any damage done to sidewalks during construction could be repaired.

Harden explained the car hops can take debit/credit cards and deliver food to vehicles stacked in the drive-through. Trays on vehicle windows are no longer used at this particular Sonic location. Harden also said it is easier to tear down the entire structure and rebuild rather than continue to retrofit the existing structure.

Peirce asked for comments from the audience.

Larry Harms, 320 Logan, said he was concerned about vehicles hitting his air conditioner and furnace unit that is very close to the alley. He would like a 6' fence along the back of Sonic to protect his air conditioner and to mitigate noise.

Ken Kirk, 619 E. 4<sup>th</sup> Avenue, asked if the reconstruction of the proposed Sonic would create any street closings that may impact his business at the Smoke Shop. Mr. Harden said no streets would be closed.

Peirce asked for the staff recommendation.

McCarron said staff recommends denial of the variance request pertaining to setbacks because the five conditions supporting approval have not been met.

1. There is not a condition that is unique to the parcel in question which is not commonly found on other parcels in the same district and which was not created by the actions of the owner or applicant.
2. The proposed canopy setback will adversely affect the rights of adjacent property owners.

3. The literal enforcement of the zoning regulations does not result in a hardship. The variance would merely serve as a convenience to the applicant.
4. The proposed canopy setback would be contrary to the public health, safety, morals, order, convenience, prosperity, or welfare.
5. The proposed canopy setback would be contrary to the general spirit and intent of the Zoning Regulations.

Peirce closed the hearing and asked for a motion.

**Motion by Hornbeck, seconded by Carr to deny a variance from the requirements of §27-420.I and §27.309.C. of the *Hutchinson Zoning Regulations* pertaining to side street front lot setbacks to allow for a canopy to be built 3.85 feet from the side street front lot line based upon the above listed findings. The motion passed with the following vote: Yes – Macklin, Bisbee, Hamilton, Obermite, Carr, Hornbeck, Peterson, Peirce; No – Woleslagel.**

McCarron said because the variance was denied, a revised site plan is required to obtain final approval of the required Special Use Permit for the project.

McCarron said staff recommends approval of the variance request for the drive-through stacking to allow for 7 stacking spaces rather than the 10 spaces required based upon findings that:

1. There exists some condition that is unique to the parcel in question and is not commonly found on other parcels in the same district and was not created by the actions of the owner or applicant.
2. The proposed number of drive-through stacking spaces would not adversely affect the rights of adjacent property owners.
3. The literal enforcement of the zoning regulations would result in an unnecessary hardship. The variance would not merely serve as a convenience to the applicant but would alleviate a demonstrable or unusual hardship or difficulty.
4. The proposed number of drive-through stacking spaces would not be contrary to the public health, safety, morals, order, convenience, prosperity, or welfare.
5. The proposed number of drive-through stacking spaces would not be contrary to the general spirit and intent of the Zoning Regulations.

Peirce asked for a motion.

**Motion by Carr, seconded by Bisbee to approve a variance from the requirements of §27-701.J of the *Hutchinson Zoning Regulations* pertaining to restaurant drive-through stacking requirements to allow for 7 stacking spaces rather than the 10 spaces required based upon the above listed findings. The motion passed with the following vote: Yes – Macklin, Woleslagel, Bisbee, Hamilton, Obermite, Carr, Hornbeck, Peterson, Peirce.**

- 4b. 16-SUP-01: 621 E. 4<sup>th</sup> Ave. (Sonic)  
Request for a Special Use Permit to construct a new restaurant with drive-through service on property owned by America's Drive-In Restaurants, LLC.

Peirce opened the public hearing.

McCarron said the applicant, Wade Harden, representing Sonic, is requesting a Special Use Permit to allow a drive-in and drive-through restaurant to be located at 621 E. 4<sup>th</sup> Ave. Elevation, landscaping, and site plans were shown. The applicant plans to demolish the existing building and all canopies on the property and construct a new Sonic drive-in restaurant with a drive-through service located at the rear of the property. A patio area will be located in the front of the property. In accordance with Section 27-406 Table of Land use categories, *Hutchinson Zoning Regulations*, restaurants with drive in service or drive-through windows are permitted in the C-4 Special Commercial District with a Special Use Permit.

A public hearing notice was published in the Hutchinson News and 35 owners of 38 properties located within 200 feet of the subject property were notified. Comments were included in the packet. The Development Review Committee met on February 23 and their comments were included in the packet.

Based on comments from the property owner at 320 Logan, screening the south side of the property with a fence would be recommended. New utility wires would be placed underground.

There were no additional comments from the audience.

The applicant said the fence could be tapered toward Logan Street from six feet to four feet about ten feet back. The applicant also asked about extending order stalls on the east side rather than the west side.

Peirce asked for the staff recommendation.

McCarron said Staff recommends approval of this request with the following conditions:

1. This Special Use Permit shall only be used for a drive-in and drive-through restaurant located at 621 E 4<sup>th</sup> Ave.
2. The drive-in stalls and drive-through window shall be developed in accordance with the approved site plan. Any significant changes to the plans shall require approval by special use permit.
3. The applicant shall submit a revised site plan removing the westernmost canopy.
4. The fence located at the south of the property shall be tapered down to a height of 4 feet, beginning 10 feet east of the west property line.
5. Damaged sidewalk on the west side of the lot shall be replaced prior to issuance of an Occupancy Permit for the building.
6. Any new utility services shall be located underground.

7. The canopy on the east side of the lot may be extended to cover up to 4 additional spaces as long as all setbacks are met.

Peirce closed the hearing and asked for a motion.

**Motion by Carr, seconded by Macklin to approve this request for a Special Use Permit for a drive-through and drive-in restaurant at 621 E. 4<sup>th</sup> Ave., pursuant to the above listed staff-recommended conditions, and based upon due consideration of the following factors:**

**Factors**

1. **Character of the neighborhood;**
2. **Zoning and uses of nearby property;**
3. **Suitability of the property for the proposed zoning classification and use;**
4. **Impacts on nearby properties;**
5. **Length of time the property has remained vacant;**
6. **Relative gain to the public health, safety, and welfare, as compared with the hardship to the land owner if the application were denied;**
7. **Availability of public utilities to serve the development;**
8. **Conformance to the Comprehensive Plan; and**
9. **Recommendations of the professional staff.**

**The motion passed with the following vote: Yes – Woleslagel, Bisbee, Hamilton, Obermite, Hornbeck, Peterson, Carr, Macklin, Peirce.**

5. UPCOMING CASES

5a. Special Use Permit – Chil-fil-A Drive-Through Restaurant (1801 E. 17<sup>th</sup> Ave.) on April 5, 2016.

6. OTHER BUSINESS – Open comments from the audience – None.

7. ADJOURNMENT – The meeting adjourned at 6:30 p.m.

Respectfully Submitted,  
Charlene Mosier

Approved this \_\_\_\_\_ day of \_\_\_\_\_

Attest: \_\_\_\_\_



**BOARD OF ZONING APPEALS  
STAFF REPORT**

**PUBLIC HEARING: 4/5/2016  
620-694-2639**

March 29, 2016

**TO:** Hutchinson Board of Zoning Appeals

**FROM:** Jana McCarron, AICP  
Planning & Development Director

**SUBJECT:** Case #16-SUP-02, 00000 E 17<sup>th</sup> Ave,  
Chick-fil-A Drive-Through  
Restaurant

**APPLICANT:** GBC Design, Inc. (Gary R. Rouse)

**OWNER:** Hutch Parcel, LLC (Christian Ablah)



Approximate property configuration

**REQUEST:**

Request by Gary Rouse, representing Chick-fil-A, for a special use permit to allow a drive-through restaurant to be located at 00000 E 17<sup>th</sup> Ave (west of the existing Verizon Store) on the eastern portion of Lot 2, Block 1, Hutch Parcel Addition, in the City of Hutchinson, Reno County, Kansas, on property zoned C-4, Special Commercial District.

**STAFF RECOMMENDATION:**

Staff recommends approval of this request with the following conditions:

1. This Special Use Permit shall only be used for a drive-through restaurant located on Lot 2, Block 1, Hutch Parcel Addition, Hutchinson, Kansas.
2. The drive-through lanes, pick-up window, and remainder of the site shall be developed in accordance with the approved site plan. Any significant changes to the plans shall require approval by special use permit.
3. Any detached sign installed along the north side of the subject property adjacent to 17th Avenue shall provide adequate advertising space for both Chick-fil-A and the future tenant of the western portion of Lot 2, Block 1, Hutch Parcel Addition. All signage shall obtain a sign permit from the City of Hutchinson prior to installation.
4. Approval is for the Site Plan submitted on March 29, 2016. The applicant has indicated the lot configuration may change and revised plans will be submitted, if that is the case. The Director of Planning & Development will make the determination as to whether a new Special Use Permit is required at the time of submittal of revised plans, dependent upon impacts of the new lot configuration on the site.
5. Access easements are required between this lot and the lots located to the East and West. Provisional approval of the Special Use Permit shall be granted at this time, with final approval granted at the time the appropriate recorded easements are provided to the City. No building permit shall be issued until the final Special Use Permit approval is granted.
6. Applicant has indicated that an irrigation plan detail will be provided under separate cover. Approval of the Special Use Permit is provisional at this time, with final approval to be granted at the time approvable irrigation plans are submitted, reviewed and approved by the Planning & Development Department.

7. All conditions of approval required by the Engineering Department and the Public Works Department shall be met.

**MOTION:**

Motion to (approve/modify and approve/deny/return to staff) this request for a special use permit for a drive-through restaurant on the eastern portion of Lot 2, Block 1, Hutch Parcel Addition, pursuant to the staff-recommended conditions, and based upon due consideration of the following factors:

Factors

1. Character of the neighborhood;
2. Zoning and uses of nearby property;
3. Suitability of the property for the proposed zoning classification and use;
4. Impacts on nearby properties;
5. Length of time the property has remained vacant;
6. Relative gain to the public health, safety, and welfare, as compared with the hardship to the land owner if the application were denied;
7. Availability of public utilities to serve the development;
8. Conformance to the Comprehensive Plan; and
9. Recommendations of the professional staff.

**BACKGROUND**

According to the Reno County Appraiser, the subject property has never been developed. The site was platted in September 2013 as Lot 2, Block 1 of Hutch Parcel Addition. On 5/9/2014, Lot 2 was altered and the eastern 45 feet of the lot was added to Lot 1 (where the Verizon Store is located). On 9/2/2015, Lot 2 was split into two lots. The westernmost portion of Lot 2 was developed in 2015 with the addition of a parking lot only. Because no use for that property was established at the time the parking lot was constructed, the City required the property owner to enter into a Developer's Agreement (see **Exhibit 6**). That agreement guarantees future development of the property in accordance with the City's regulations.

The applicant is planning to construct a new, 4,877-square-foot, Chick-fil-A drive-through restaurant on the site (eastern portion of Lot 2 that is presently undeveloped). The restaurant will have dual drive-through lanes that parallel E 17th Avenue and will be located along the northern boundary of the lot. The lanes will merge into a single lane near the northwest corner of the proposed building. The food pick-up window is located on the western side of the proposed building.

On April 7, 2015, the Board of Zoning Appeals granted a special use permit for off-premises signage to be located on the westernmost portion of lot 2 (adjacent to this property). That sign was permitted to contain signage advertising Hobby Lobby. The Hobby Lobby signage was to be attached to the existing Verizon store sign also located on that lot.

On October 8, 2015, staff approved a sign permit for the subject property to contain a two-tenant sign; one sign advertising Chick-fil-A and the other advertising the future business to be located on the western portion of Lot 2 (as that lot cannot have any additional detached signage). That sign has not been erected and the permit will expire on April 8, 2016. Chick-fil-A has contacted the City inquiring about having a sign advertising only the Chick-fil-A business on the subject property. Staff is not supportive of this request, as there would be no available signage for the westernmost lot (now a parking lot) when it develops and it would put the Board of Zoning Appeals in a position to have to approve an off-premises sign or sign variance. An appropriate condition of approval has been included in the staff recommendation.

**ANALYSIS**

In accordance with the *Hutchinson Zoning Regulations, Sec. 27-406, Table of Land Use Categories*, restaurants with drive-through service are permitted in the C-4, Special Commercial District pursuant to obtaining a Special Use Permit from the Board of Zoning Appeals.

The table below provides an analysis of the property in comparison with the standards of the *Hutchinson Zoning Regulations*.

Item	Required	Provided	Met / Not Met
<b>1. Drive-Through Stacking Spaces</b> (from the order box)	10 vehicles	16 vehicles	Met
<b>2. Setbacks and Height</b>			
Front (North)	0'	10'	Met
Side (West)	12'	24'	Met
Side (East)	10'	>200'	Met
Front (South)	30'	>50'	Met
Height	35'	26'	Met
<b>3. Parking</b>	Min/Max 49/98	73	Met
<b>4. Loading</b>	1	1	Met
<b>5. Signs</b>	1 detached	See discussion under background above	Met, but not met if a single tenant sign
<b>6. Landscaping</b>	398 points	2,011 points	Met, except an irrigation plan needs to be provided
<b>7. Mechanical Equipment Screening</b>	Mechanical equipment is required to be screened	Revised plans show screening	Met
<b>8. Gateway Corridor</b>	brick, stucco, wood, glass or split faced concrete masonry units	brick, two-colored with complementary awnings and articulated building design	Met

Unless noted otherwise in the recommended conditions of approval, all other requirements of the *Hutchinson Zoning Regulations* associated with a restaurant use are met by the attached submittal (**Exhibit 1**).

**PUBLIC NOTIFICATION AND COMMENTS**

A public hearing notice was published in the *Hutchinson News* on March 2, 2016. In addition, notices of the special use permit request were sent to all 6 owners of the 6 properties located within 200 feet of the subject property in accordance with *Kansas Statutes Annotated* on February 26, 2016. No comments were received.

**DEVELOPMENT REVIEW COMMITTEE**

Copies of the proposal, including plans, were sent to the Development Review Committee for review and comment. A meeting was held on March 8, 2016. **Exhibit 2** contains a list of all comments received. Revised plans were submitted on March 29, 2016. All comments other than those noted in the conditions of approval have been addressed.

**FACTORS TO BE CONSIDERED**

Following is Staff’s analysis of the factors that the Board of Zoning Appeals must consider when making its decision:

**1. Character of the neighborhood.**

Met. The East 17th Avenue corridor is a major commercial area of the City and contains numerous retail and restaurant establishments. Architectural drawings show the building will be composed of two colors of brick with numerous articulations and will be an attractive addition to this Gateway Corridor. See **Exhibit 1**.

**2. Current zoning and uses of nearby property.**

Met.

	<b>ZONING</b>	<b>LAND USE</b>	<b>OWNER</b>
<b>SITE</b>	C-4 Special Commercial District	Undeveloped	Hutch Parcel, LLC
<b>NORTH</b>	C-4 Special Commercial District	E 17th Ave & K-61 ROW	City of Hutchinson & State of Kansas
<b>SOUTH</b>	C-4 Special Commercial District	Commercial (Walmart & Murphy Oil Fuel Station)	Walmart Stores #01-0794 Real Estate Business Trust & Murphy Oil USA, Inc
<b>EAST</b>	C-4 Special Commercial District	Commercial (Verizon)	Mark & Pamela Mischel Revocable Trust
<b>WEST</b>	C-4 Special Commercial District	Vacant – Parking Lot Only	Hutch Parcel, LLC

**3. Suitability of property for the proposed use as presently zoned.**

Met. The property is zoned C-4 Special Commercial District, and as such is suitable for a drive-through restaurant establishment.

**4. Extent of detrimental effects to nearby properties if the application were approved.**

Met. There are no anticipated detrimental effects to nearby properties associated with this proposal. Easements have been required to ensure that the adjacent lots have adequate access to the Mall Road.

**5. Length of time property has remained vacant.**

Met. The property has never been developed but was used by Sunoco in the past for a water well pump station.

**6. Relative gain to the public health, safety, and welfare compared to the hardship imposed upon the landowner if the application were denied.**

HEALTH, SAFETY, & WELFARE: Denial of the application will provide no direct gain to the public health, safety, and welfare. Met.

LANDOWNER HARDSHIP: If the application were denied, the owner would not be permitted to construct a drive-through restaurant at this location. Chick-fil-A's are drive-through restaurants, which means that the property would likely not develop with a Chick-fil-A. Met.

**7. Conformance of this request to the Comprehensive Plan.**

Met. The *Comprehensive Plan 2005-2010* calls for commercial uses on the subject property. This is a commercial use.

**8. Impact on public facilities and utilities.**

Met.

STREETS: The property has adequate access to streets.

SIDEWALKS: There are no sidewalks on 17th Avenue or on the Mall Road, and the City will not require sidewalks to be installed with this development.

WATER: The property has water service available.

SANITARY SEWER: The property has sanitary sewer service available.

DRAINAGE: A grading plan showing post-construction ground elevations was submitted and approved for this project.

ELECTRICAL: All utilities will be placed underground.

**ATTACHMENTS**

Exhibit 1 -- Site plan & landscape plans dated 3/29/2016, and architectural elevation drawings and architectural prototypes dated 2/24/2016

Exhibit 2 – DRC comments

Exhibit 3 – Special Use Permit application

Exhibit 4 – Zoning map and list of surrounding property owners

Exhibit 5 – Future land use map

Exhibit 6 – Developer's Agreement





5200 Buffington Rd.  
Atlanta, Georgia  
30349-2998

Revisions:  
Mark Date By  
3.28.16 SLG  
City Comments

Mark Date By  
City Comments

Mark Date By  
City Comments

Seal



770.442.8171 tel  
770.442.1123 fax

Manley Land Design, Inc.  
51 Old Canton Street  
Alpharetta, Georgia 30009

manleylanddesign.com

STORE  
Hutchinson

N K61 Highway &  
E 17th Avenue  
Hutchinson Mall  
Outparcel Carveout  
Hutchinson, KS

SHEET TITLE  
Landscape Plan

VERSION:  
ISSUE DATE:

Job No. : 2016024

Store : 3721

Date : 2.23.16

Drawn By : SLG

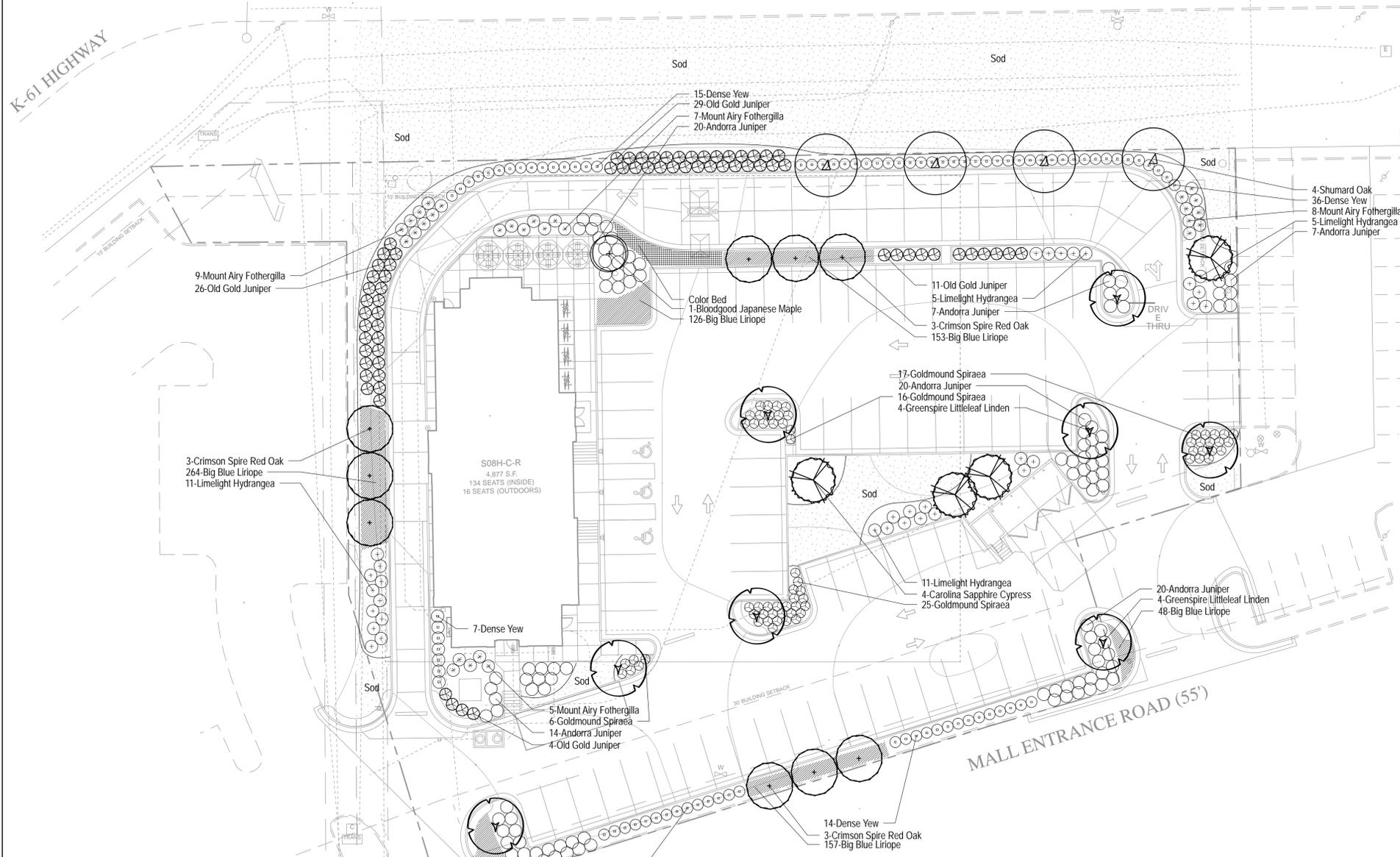
Checked By : SLM

Sheet

L-1.0

EAST 17TH AVENUE (WIDTH VARIES)

K-61 HIGHWAY



IRRIGATION NOTE: AUTOMATIC UNDERGROUND IRRIGATION TO BE PROVIDED FOR ALL TREES, SHRUBS, GROUND COVER, AND TURF.

PLANT LIST

Qty	Botanical Name	Common Name	Scheduled Size	Remarks
<b>Trees</b>				
1	Acer palmatum 'Bloodgood'	Bloodgood Japanese Maple	1.5" Cal.	
4	Cupressus arizonica 'Carolina Sapphire'	Carolina Sapphire Cypress	9'-10' Hgt.	
9	Quercus rubra 'Crimson Spire'	Crimson Spire Red Oak	2" Cal.	B & B
4	Quercus shumardii	Shumard Oak	3" Cal.	B & B
8	Tilia cordata 'Greenspire'	Greenspire Littleleaf Linden	3" Cal.	
<b>Shrubs</b>				
29	Fothergilla gardenii 'Mount Airy'	Mount Airy Fothergilla	3 Gal.	
32	Hydrangea paniculata 'Limelight'	Limelight Hydrangea	3 Gal.	
70	Juniperus chinensis 'Old Gold'	Old Gold Juniper	3 Gal.; Min. 18" Hgt.	
109	Juniperus horizontalis 'Andorra'	Andorra Juniper	3 Gal.; Min. 18" Hgt.	Plant 4' O.C.
64	Spiraea japonica 'Goldmound'	Goldmound Spiraea	3 Gal.	
86	Taxus x media 'Densiflora'	Dense Yew	3 Gal.; Min. 18" Hgt.	
<b>Groundcovers</b>				
838	Liriope muscari 'Big Blue'	Big Blue Liriope	4" Pot	Plant 15" O.C.
14871	Fescue arundinacea 'Rebel II'	Fescue Grass	SF: Sod	
166	Color Bed	Annual Color Bed	SF: Prep & Plant	

LANDSCAPE REQUIREMENTS

**A. SITE POINTS**

**REQUIRED**

- 1. Required parking = 1 parking space / 100 SF = 49 Parking Spaces Required
- 2. Site Points = 1 point / 200 SF of developed area = 276 Points
- 3. Parking Points = 2 points per required parking spaces + 1 point per additional space = 98 points
- 73 total spaces - 49 spaces = 24 additional points = 122 Required Parking Points
- 4. Total Points Required = site points + parking points = 398 Required Points

**PROVIDED**

- 1. 73 Parking spaces provided
- 2. 995 site points provided
- 4 Trees @ 3" Cal. = 15 = 60
- 3 Trees @ 2" Cal. = 12 = 36
- 173 Shrubs @ 3 Gal. = 3 = 519
- 5 Groundcover per Sq. Yd. = 1 = 5
- 1504 Turf per Sq. Yd. (includes ROW) = 0.25 = 375
- Total points = 995
- 3. 1016 Parking points provided
- 12 Trees @ 3" Cal. or 9'-10' Hgt. = 15 = 180
- 6 Trees @ 2" Cal. = 12 = 72
- 1 Trees @ 1.5" Cal. = 9 = 9
- 217 Shrubs @ 3 Gal. = 3 = 651
- 95 Groundcover per Sq. Yd. = 1 = 95
- 179 Turf per Sq. Yd. = 0.25 = 45
- Total points = 1052
- 4. 2011 Points provided
- Site Points (1031) + Parking Points (1016) = 2047 Points Provided

**B. PLANT PERCENTAGE**

**REQUIRED**

- 1. Min. 60% of site points must be used for front and side yards. = 239 Points
- 60% of 398
- 2. Min. 10% of points used must be for evergreen planting. = 40 Points
- 10% of 398
- 3. Max. 25% of points used must be for turf grass. = 100 Points
- 25% of 398
- 4. Max. 15% of points used can be for perennial planting. = 60 Points
- 15% of 398

**PROVIDED**

- 1. 250% of required points are front and side yards = 995 Points
- 2. 206% of required points are evergreen plantings. = 855 Points
- 3. 25% of required points are turf grass. = 99 Points
- 4. There are no perennial plantings.

**C. PARKING AREA**

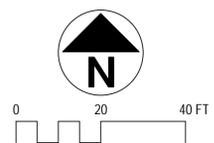
**REQUIRED**

- 1. Each parking island must be min. 130 SF, with an 8' width average.
- 2. Each parking island must have min. 1 medium tree.
- 3. The distance between parking space and landscape area shall be no longer than 75'.
- 4. Groundcover or grass to be planted in each parking area.
- 5. Parking abutting a public or private street must have a perimeter hedge.

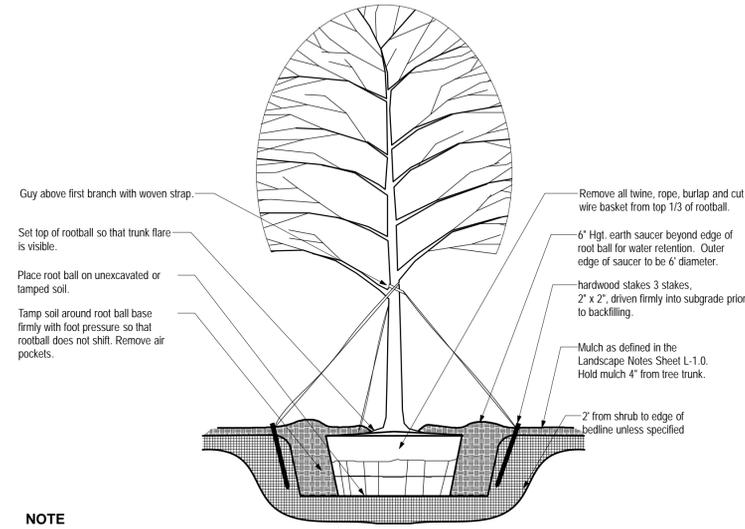
**PROVIDED**

- 1. Each parking island meets the min. requirements for size.
- 2. Each parking island has 1 Tree.
- 3. There is groundcover or grass in each parking area.
- 4. Parking abutting streets have a hedge.

LANDSCAPING POINT CALCULATION SHEET															
Calculated by:		Enter Your Name	Company:	Manley Land Design	Date:	2.23.16	Design Alternative:	1							
Project:		Enter Project Name	Project #:												
Sq. Ft. of Disturbed Site:		55,184	[1 point for every 200 sq. ft.]		24		Points Required:		398						
Parking Spaces (required):		49	Parking Spaces (additional):		24		Points Required:		398						
Type of Plant Material	Minimum Size (at time of planting)	Point Value	Deciduous Tree	Points	Evergreen Tree	Points	Deciduous Shrub	Points	Evergreen Shrub	Points	Perennial	Turf	Points	Berry/GC	Points
Large Tree	8-inch or greater caliper	22 feet and higher	26	0	0	0	0	0	0	0	0	0	0	0	0
	7-inch caliper	19-21 feet in height	24	0	0	0	0	0	0	0	0	0	0	0	0
	6-inch caliper	16-18 feet in height	22	0	0	0	0	0	0	0	0	0	0	0	0
	5-inch caliper	13-15 feet in height	20	0	0	0	0	0	0	0	0	0	0	0	0
Medium Tree	4-inch caliper	11-12 feet in height	18	0	0	0	0	0	0	0	0	0	0	0	0
	3-inch caliper	9-10 feet in height	15	12	180	4	60	0	0	0	0	0	0	0	0
	2-inch caliper	7-8 feet in height	12	9	108	0	0	0	0	0	0	0	0	0	0
Small Tree	1.5-inch caliper	5-6 feet in height	9	1	9	0	0	0	0	0	0	0	0	0	0
Ornamental Tree	Multiple Trunk (Minimum of 3 trunks with smallest trunk 1.5-inch caliper)	5-6 feet in height	9	0	0	0	0	0	0	0	0	0	0	0	0
Large Shrub/Perennial	5-gallon	24 inches in height	5	0	0	0	0	0	0	0	0	0	0	0	0
	3-gallon	12 inches in height	3	0	0	0	125	375	265	795	0	0	0	0	0
	2-gallon	8 inches in height	2	0	0	0	0	0	0	0	0	0	0	0	0
	1-gallon	8 inches in height	1	0	0	0	0	0	0	0	0	0	0	0	0
Groundcover (GC) & Native Grasses		1 per square yard	0	0	0	0	0	0	0	0	0	0	99	99	
Existing Significant Tree	Ornamental	2-inch caliper ornamental tree	12	0	0	0	0	0	0	0	0	0	0	0	0
	Tree	2.5-inch caliper ornamental tree	15	0	0	0	0	0	0	0	0	0	0	0	0
	Non-Ornamental	6-inch caliper	22	0	0	0	0	0	0	0	0	0	0	0	0
	Tree	7-inch caliper	24	0	0	0	0	0	0	0	0	0	0	0	0
	Tree	8 to 10-inch caliper	26	0	0	0	0	0	0	0	0	0	0	0	0
Landscape Berm	Ornamental	10.1-inch caliper to 15-inch DBH	30	0	0	0	0	0	0	0	0	0	0	0	0
	Tree	15.1 to 20-inch DBH	35	0	0	0	0	0	0	0	0	0	0	0	0
	Tree	20.1 to 25-inch DBH	40	0	0	0	0	0	0	0	0	0	0	0	0
	Tree	Over 25-inch DBH	50	0	0	0	0	0	0	0	0	0	0	0	0
Turf Grass	30 in. in height, 10 ft. in length, and 3:1 slope	0.2 per linear foot	0	0	0	0	0	0	0	0	0	1683	420.8	0	0
		0.25 per square yard	0	0	0	0	0	0	0	0	0	0	0	0	0
Sub-Totals			297	60	375	795	0	0	0	0	0	0	1683	420.8	99
Total Points			2047		855		422								
Notes		DBH = Diameter at breast height Caliper = Diameter measured 6 inches above ground level for new material No more than 25% of the total points may be located within the public right-of-way Minimum of 60% of Site Points shall be used for landscaping in front and side yards Minimum of 10% of required points shall be used for Evergreen plantings Minimum of 25% of required points may be used for Turf Grass. Turf located within the street right-of-way is excluded Maximum of 15% of required Site Points may be used for Perennial plantings Parking Lot Points: 2 points of landscaping for each required parking space and 1 point for each additional parking space Any addition to existing building(s) or alterations to an existing site with a Developed Area exceeding 500 sq. ft. over a period of 18 months shall require 1 point of landscaping for every 200 sq. ft. of developed area, with a minimum of 10 points plus 2 points of landscaping for every parking space constructed for the building addition.													

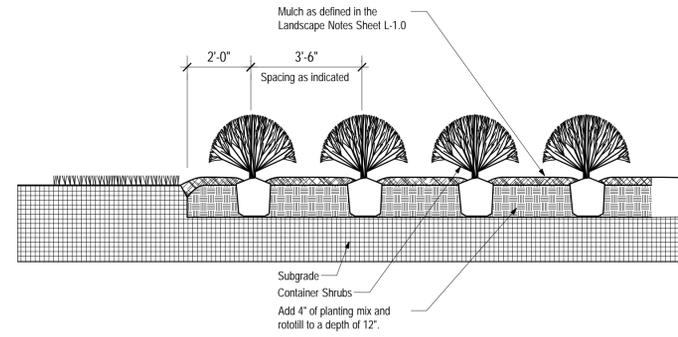


Received: City of Hutchinson Planning & Development Department this 29th Day of March 2016

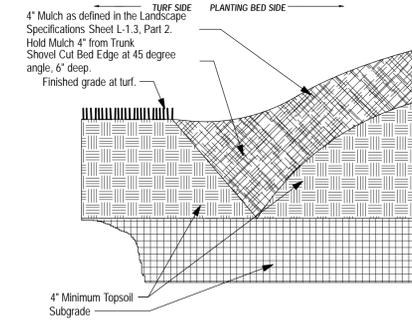


- NOTE**
- Hole to be twice the size of the rootball.
  - Do not heavily prune the tree at planting. Prune only crossover limbs and broken or dead branches. Do not remove the terminal buds of branches that extend to the edge of the crown.
  - Each tree must be planted such that the trunk flare is visible at the top of the root ball. Trees where the trunk flare is not visible shall be rejected. Do not cover the top of the rootball with soil or mulch.

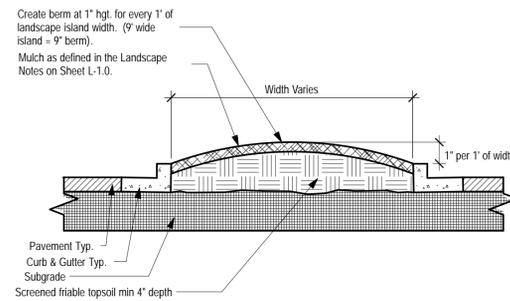
**1 TREE PLANTING & STAKING**  
SCALE: NTS



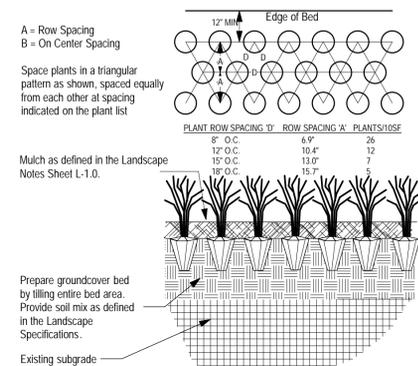
**2 SHRUB BED PLANTING DETAIL**  
SCALE: NTS



**3 "V" TRENCH BED EDGING**  
SCALE: NTS



**4 PARKING ISLAND DETAIL**  
SCALE: NTS



**5 GROUNDCOVER PLANTING DETAIL**  
SCALE: NTS

**LANDSCAPE NOTES**

- Contractor responsible for locating and protecting all underground utilities prior to digging.
- Contractor responsible for protecting existing trees from damage during construction.
- All shrub beds (existing and new) to be mulched with a 3 inch minimum layer of double shredded hardwood mulch.
- All annual and perennial beds to be tilled to a minimum depth of 12 inches and amended with 4 inches of organic material. Mulch planted annual and perennial beds with 2 inch depth of mini nuggets.
- Planting holes to be dug a minimum of twice the width of the size of the root ball of both shrub and tree. Back to be a mix of 4 parts topsoil and 1 part organic soil conditioner (ie. Nature's Helper or Pro Mix). Backfill and tamp bottom of hole prior to planting so top of root ball does not settle below surrounding grade.
- Existing grass in proposed planting areas to be killed and removed and area to be hand raked to remove all rocks and debris larger than 1 inch in diameter prior to planting shrubs.
- Any existing grass disturbed during construction to be fully removed, regraded and replaced. All tire marks and indentions to be repaired.
- Soil to be tested to determine fertilizer and lime requirements and distributed prior to laying sod.
- Sod to be delivered fresh (Cut less than 24 hours prior to arriving on site), laid immediately, rolled, and watered thoroughly immediately after planting. Edge of sod is to be "V" trenched.
- All changes to design or plant substitutions are to be authorized by the Landscape Architect.
- All landscaping shall be installed in conformance with ANSI Z60.1 the "American Standard for Nursery Stock" and the accepted standards of the American Association of Nurserymen.
- The Landscape Contractor shall guarantee all plants installed for one full year from date of acceptance by the owner. All plants shall be alive and at a vigorous rate of growth at the end of the guarantee period. The Landscape Contractor shall not be responsible for acts of God or vandalism.
- Any plant that is determined dead, in an unhealthy or unsightly condition, lost its shape due to dead branches or other symptoms of poor, non-vigorous growth shall be replaced by the Landscape Contractor.
- General Contractor is responsible for adding a min of 4" of clean friable topsoil in all planting beds and all grassed areas. Graded areas to be held down the appropriate elevation to account for topsoil. See specifications for required topsoil characteristics.
- General Contractor to mound all parking islands 6" - 10" w/ clean friable topsoil.
- Prior to beginning work, the Landscape Contractor shall inspect the subgrade, general site conditions, verify elevations, utility locations, irrigation, approve topsoil provided by General Contractor and observe the site conditions under which the work is to be done. Notify General Contractor of any unsatisfactory conditions, and work shall not proceed until such conditions have been corrected and are acceptable to the Landscape Contractor.
- Stake all evergreen and deciduous trees as shown in the details this sheet.
- Remove all stakes and guying from all trees after one year from planting.
- Water thoroughly twice in first 24 hours and apply mulch immediately.
- Site to be 100% irrigated in all planting beds and grass area by an automatic underground Irrigation System. See Irrigation Plan L-2.0 for design.
- All tree protection devices to be installed prior to the start of land disturbance, and maintained until final landscaping.
- All tree protection areas to be protected from sedimentation.
- All tree protection fencing to be inspected daily, and repaired or replaced as needed.
- No parking, storage or other construction activities are to occur within tree protection areas.



**Chick-fil-A**  
5200 Buffington Rd.  
Atlanta, Georgia  
30349-2998

Revisions:

Mark	Date	By
△	3.28.16	SLG
City Comments		

Mark	Date	By
△		

Mark	Date	By
△		

Seal



770.442.8171 tel  
770.442.1123 fax

Manley Land Design, Inc.  
51 Old Canton Street  
Alpharetta, Georgia 30009

manleylanddesign.com

STORE  
Hutchinson

N K61 Highway &  
E 17th Avenue  
Hutchinson Mall  
Outparcel Carveout  
Hutchinson, KS

SHEET TITLE  
Landscape Details

VERSION:  
ISSUE DATE:

Job No. : 2016024

Store : 3721

Date : 2.23.16

Drawn By : SLG

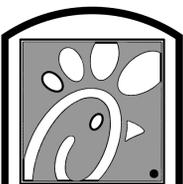
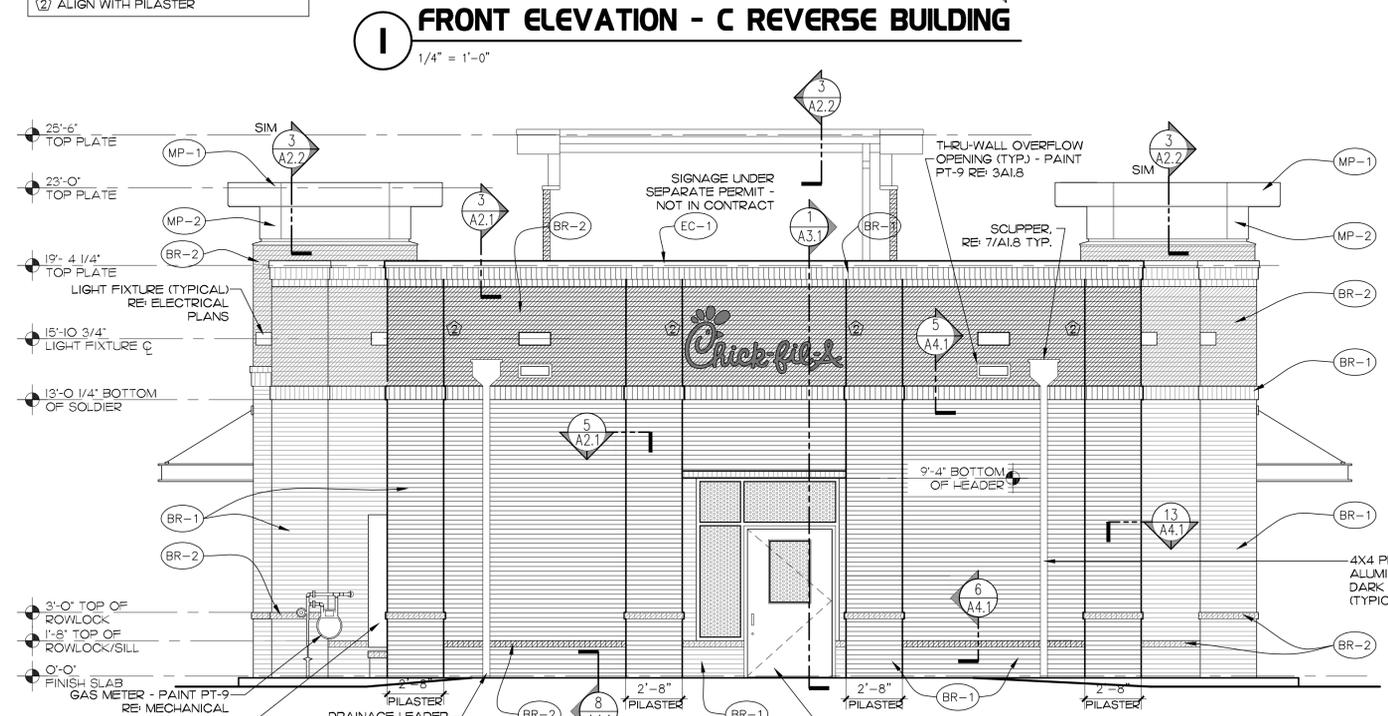
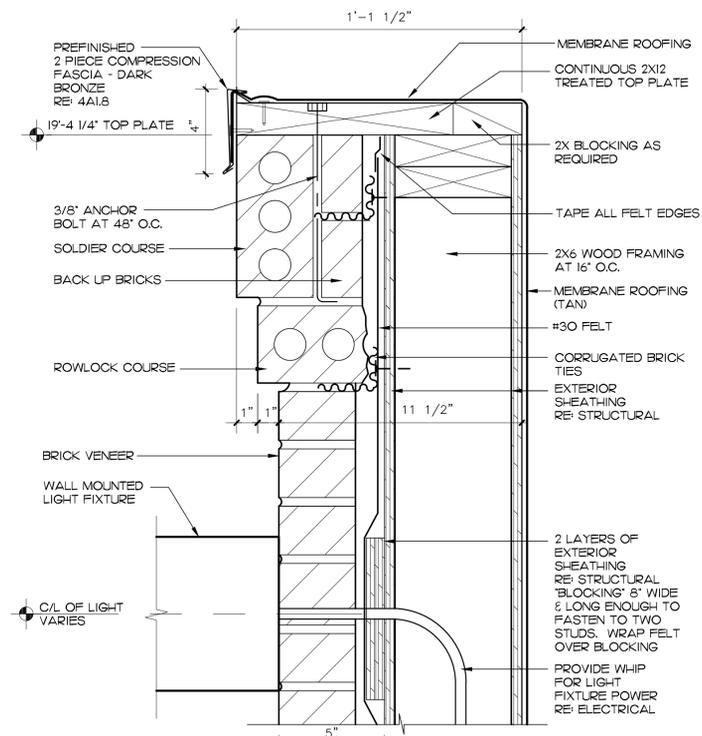
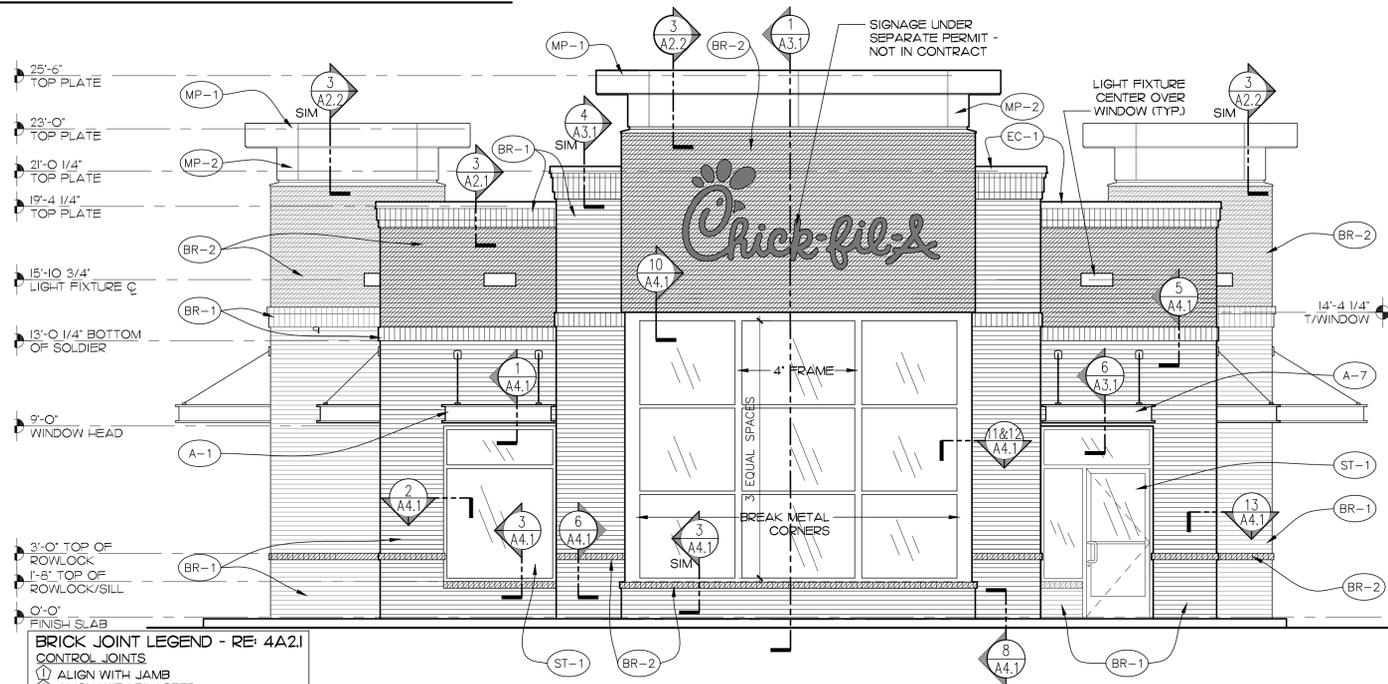
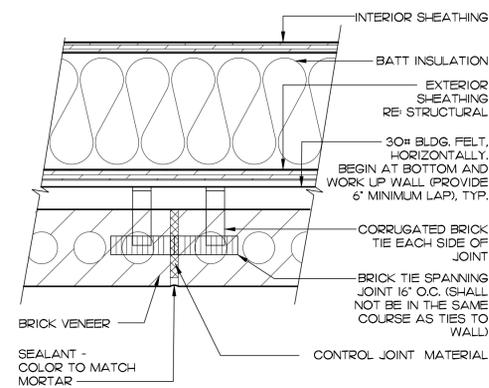
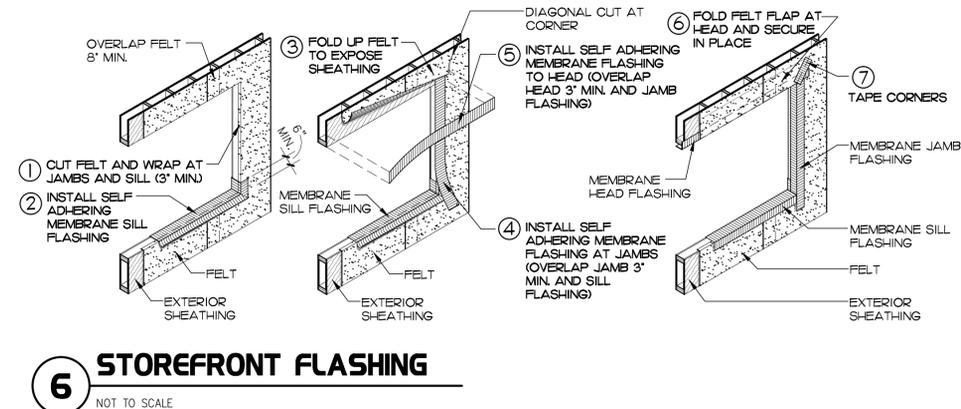
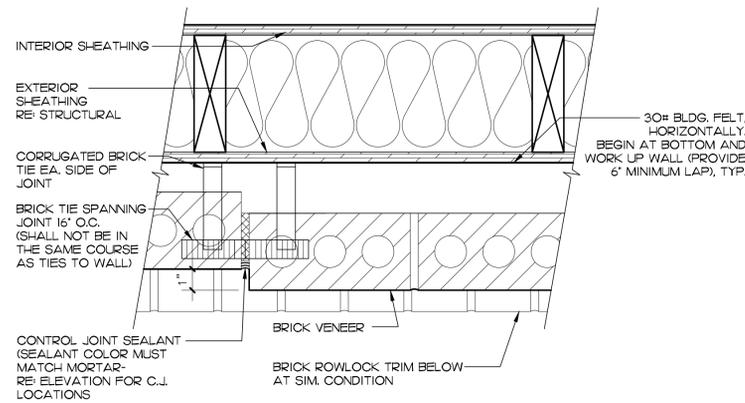
Checked By: SLM

Sheet

L-1.1

EXTERIOR FINISHES - FOR STOREFRONT GLAZING - SEE GLASS SCHEDULE & INTERIOR ELEVATIONS			
A-1	ALUMINUM CANOPY - LOUVERED COLOR - DARK BRONZE SIZE - 5'-4" LENGTH x 3'-0" DEPTH	BR-1	BRICK # 1 (MODULAR SIZE) GENERAL SHALE - RED VELOUR ACME EQUIVALENT - CRIMSON MORTAR: HOLCIM, COLOR: DESIGNER TAN ALTERNATE MORTAR: BRIKMENT, COLOR: M-10/TAN
A-2	ALUMINUM CANOPY - LOUVERED COLOR - DARK BRONZE SIZE - 27'-8" LENGTH x 3'-0" DEPTH	BR-2	BRICK # 2 (MODULAR SIZE) GENERAL SHALE - SILVERSTONE ACME EQUIVALENT - MISSION BLEND 1 MORTAR: HOLCIM, COLOR: DESIGNER TAN ALTERNATE MORTAR: BRIKMENT, COLOR: M-10/TAN
A-3	ALUMINUM CANOPY - COVERED COLOR - DARK BRONZE SIZE - 8'-0" LENGTH x 4'-6" DEPTH	EC-1	PARAPET WALL COPING DUROLAST/ EXCEPTIONAL METALS - COLOR - DARK BRONZE (MATTE)
A-4	ALUMINUM CANOPY - LOUVERED COLOR - DARK BRONZE SIZE - 22'-4" LENGTH x 3'-0" DEPTH	MP-1	ALUMINUM FASCIA & SOFFIT DUROLAST/ EXCEPTIONAL METALS - COLOR - DARK BRONZE (MATTE)
A-5	ALUMINUM CANOPY - COVERED COLOR - DARK BRONZE SIZE - 7'-4" LENGTH x 4'-6" DEPTH	MP-2	ALUMINUM FASCIA DUROLAST/ EXCEPTIONAL METALS - COLOR - SIERRA TAN (MATTE)
A-6	ALUMINUM CANOPY - LOUVERED COLOR - DARK BRONZE SIZE - 38'-11" LENGTH x 3'-0" DEPTH	PT-9	PAINT #9 SHERWIN WILLIAMS - SHER-CRYL HIGH PERFORMANCE ACRYLIC #B66-350 COLOR - DARK BRONZE (SEMI-GLOSS)
A-7	ALUMINUM CANOPY - COVERED COLOR - DARK BRONZE SIZE - 5'-4" LENGTH x 3'-0" DEPTH	ST-1	STOREFRONT YKK - YES 45 (YES 45 FS AT INTERIOR PLAY AREA LOCATIONS) COLOR - DARK BRONZE (MATTE)

NOTE:  
ALL BRICK SILLS AND WATERCOURSING TO BE BR-2, TYP.



5200 Buffington Rd.  
Atlanta Georgia,  
30349-2998

Revisions:

Mark	Date	By
△		
△		
△		
△		



**E + H ARCHITECTS, P.C.**  
750 OLD HICKORY BLVD.  
BUILDING 2, SUITE 250  
NASHVILLE, TN 37211  
PHONE: 615/377-9311  
FAX: 615/377-0978



STORE Name  
FSU S08H-C-R

NORTH K 61 HWY &  
EAST 17th Ave.  
HUTCHINSON, KS

SHEET TITLE  
EXTERIOR ELEVATIONS

VERSION: V6  
ISSUE DATE: 12-2015

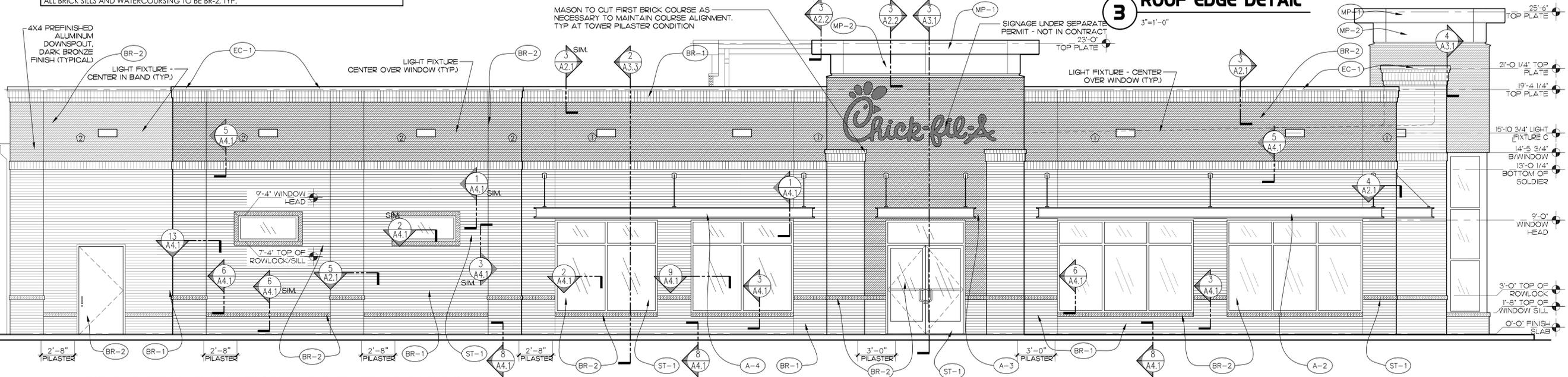
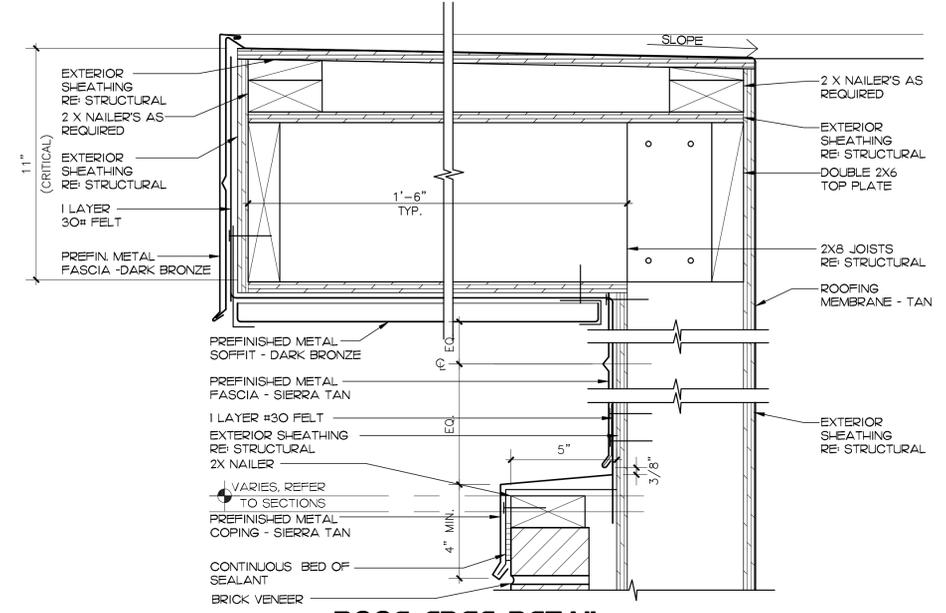
Job No. : XX-XXXX  
Store : 03721  
Date : 02.23.16  
Drawn By : ---  
Checked By : ---

Sheet

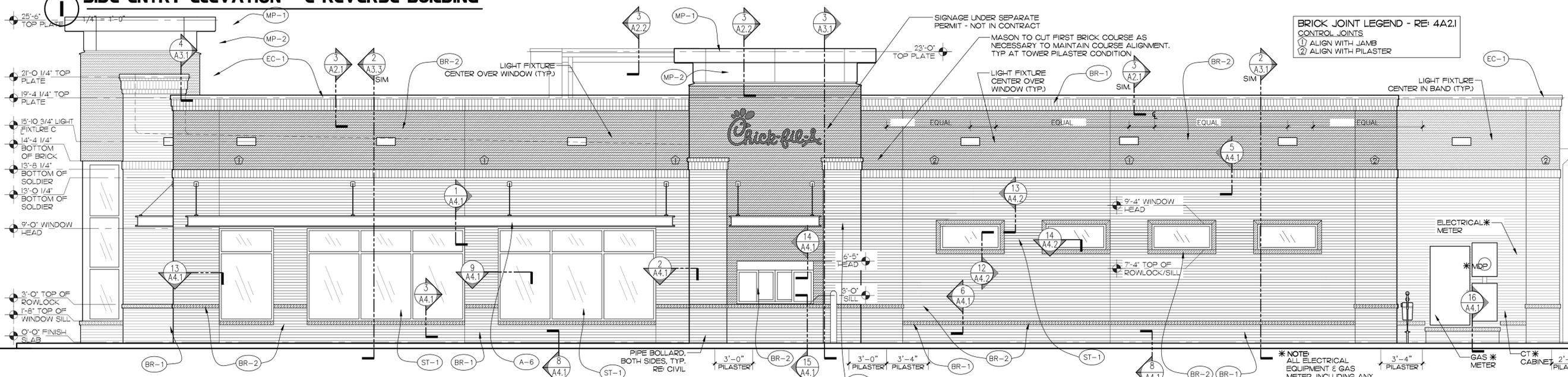
**A-2.1**

EXTERIOR FINISHES - FOR STOREFRONT GLAZING - SEE GLASS SCHEDULE & INTERIOR ELEVATIONS			
A-1	ALUMINUM CANOPY - LOUVERED COLOR - DARK BRONZE SIZE - 5'-4" LENGTH x 3'-0" DEPTH	BR-1	BRICK # 1 (MODULAR SIZE) GENERAL SHALE - RED VELOUR ACME EQUIVALENT - CRIMSON MORTAR: HOLCIM COLOR: DESIGNER TAN ALTERNATE MORTAR: BRIXMENT, COLOR: M-10/TAN
A-2	ALUMINUM CANOPY - LOUVERED COLOR - DARK BRONZE SIZE - 27'-8" LENGTH x 3'-0" DEPTH	BR-2	BRICK # 2 (MODULAR SIZE) GENERAL SHALE - SILVERSTONE ACME EQUIVALENT - MISSION BLEND 1 MORTAR: HOLCIM COLOR: DESIGNER TAN ALTERNATE MORTAR: BRIXMENT, COLOR: M-10/TAN
A-3	ALUMINUM CANOPY - COVERED COLOR - DARK BRONZE SIZE - 8'-0" LENGTH x 4'-6" DEPTH	EC-1	PARAPET WALL COPING DUROLAST/ EXCEPTIONAL METALS - COLOR - DARK BRONZE (MATTE)
A-4	ALUMINUM CANOPY - LOUVERED COLOR - DARK BRONZE SIZE - 22'-4" LENGTH x 3'-0" DEPTH	MP-1	ALUMINUM FASCIA & SOFFIT DUROLAST/ EXCEPTIONAL METALS - DARK BRONZE (MATTE)
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A-7	ALUMINUM CANOPY - COVERED COLOR - DARK BRONZE SIZE - 5'-4" LENGTH x 3'-0" DEPTH	ST-1	STOREFRONT YKK - YES 45 (YES 45 FS AT INTERIOR PLAY AREA LOCATIONS) COLOR - DARK BRONZE (MATTE)

NOTE:  
ALL BRICK SILLS AND WATERCOURING TO BE BR-2, TYP.



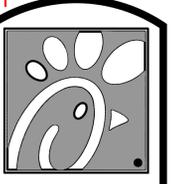
1 SIDE ENTRY ELEVATION - C REVERSE BUILDING



2 D/T ELEVATION - C REVERSE BUILDING

1/4" = 1'-0"

\* NOTE:  
ALL ELECTRICAL  
EQUIPMENT & GAS  
METER, INCLUDING ANY  
EXPOSED PIPING  
AND/OR CONDUITS -  
PAINT PT-9



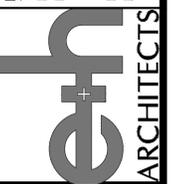
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Atlanta Georgia,  
30349-2998

Revisions:  
Mark Date By

Mark	Date	By
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E + H ARCHITECTS, P.C.  
750 OLD HICKORY BLVD.  
BUILDING 2, SUITE 250  
NASHVILLE, TN 37211  
PHONE: 615/377-9311  
FAX: 615/377-0978



STORE  
Name  
FSU S08H-C-R

NORTH K 61 HWY &  
EAST 17th Ave.  
HUTCHINSON, KS

SHEET TITLE  
EXTERIOR  
ELEVATIONS

VERSION: V6  
ISSUE DATE: 12-2015

Job No. : XX-XXXX  
Store : 03721  
Date : 02.23.16  
Drawn By : ---  
Checked By : ---

A-2.2

Design Intent Package

# Hutchinson FSU, Hutchinson, KS

**03721**

Prototype: S08H-C-R v6



<b>Building Tier</b>	1
<b>Total Square Footage</b>	
Footprint (Conditioned)	4,877 s.f.
Service Yard (Unconditioned)	98 s.f.
<b>Seat Count</b>	
Interior	134
Exterior	[Select]
<b>Registers</b>	4 + 1
<b>Playground</b>	Yes
<b>Kitchen Layout</b>	CL-R
<b>Drive-Thru</b>	
# Order Points	2
# Windows	1
<b>LEED</b>	No
Tier	N/A
<b>Landscape</b>	Prototypical
<b>Seating Type</b>	Prototypical

**Team Sign-Off**

Design Leader \_\_\_\_\_ Date \_\_\_\_\_

Interior Design \_\_\_\_\_ Date \_\_\_\_\_

Kitchen & Systems Design \_\_\_\_\_ Date \_\_\_\_\_

Perspective View - Front Left

03/01/2016

03721, Hutchinson FSU, Hutchinson, KS, S08H-C-R, v6

*The Chick-fil-A Design Intent Package represents a brand compliant design solution. Site adapt professionals are responsible for application of design and compliance of ordinances and codes.*



Received Feb. 24, 2016



Perspective View - Front Right

**Executive Summary**  
General Modifications to the Building Template for Exterior and Interior Design

**Exterior Modifications**

None

**Interior Modifications**

None

**Front of House Modifications**

None

**Back of House Modifications**

None



Perspective View - Rear Right



Perspective View - Rear Left





Elevation - Entry



Elevation - Front

03/01/2016

03721, Hutchinson FSU, Hutchinson, KS, S08H-C-R, v6

Exterior Elevations



Received Feb. 24, 2016



Elevation - Drive-Thru



Elevation - Service

03/01/2016

03721, Hutchinson FSU, Hutchinson, KS, S08H-C-R, v6

## Exterior Elevations

See Finish Schedule for more information



Received Feb. 24, 2016



**BR-1**  
Modular Size  
General Shale - Red Velour



**MP-1**  
Aluminum Fascia & Soffit  
Durolast / Exceptional Metals  
Color: Dark Bronze



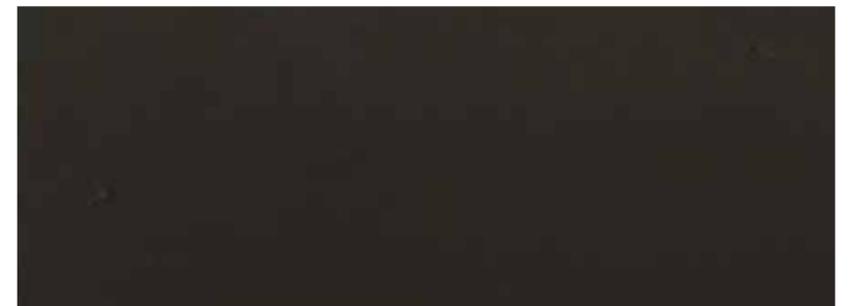
**MP-2**  
Aluminum Fascia  
Durolast / Exceptional Metals  
Color: Sierra Tan



**BR-2**  
Modular Size  
General Shale - Silverstone



**PT-9**  
Sherwin Williams - Sher-Cry High Performance  
Acrylic #B66-350  
Color: Dark Bronze (Semi-Gloss)



**ST-1 Storefront**  
YKK - Yes 45  
Color: Dark Bronze Anodized (Matte)



Planning and Development Department  
 PO Box 1567  
 Hutchinson KS 67504-1567  
 620-694-2639 (ph) // 620-694-2673 (fax)

Comments For: **Construction of a ChickFilA Restaurant with Drive-Thru  
 00000 E 17th Ave, Hutchinson KS 67501  
 16-SUP-02**

On March 8, 2016, the Development Review Committee reviewed the plans that were submitted to the City of Hutchinson on February 24, 2016, with the special use permit application referenced above. The Committee provided the following comments.

“RP” = Revised Plan Required.

“MI” = Missing Information.

## Planning and Development Department Comments

### Casey Jones and Jana McCarron

1. **Revised plans are required. Please provide 4 full-size copies and 1 PDF of each changed plan sheet no later than March 29, 2016, at noon, in order to have these items included in the agenda packet for the April 5, 2016, BZA meeting.**
2. **Special Use Permit.**
  - a. **Staff recommendation.** Planning staff recommends approval of the special use permit.
  - b. **The public hearing with the Board of Zoning Appeals will be held at 5:00 p.m., April 5, 2016, at Hutchinson City Hall. The owner, applicant, or representative must attend this meeting.**
  - c. **Building permit is contingent on special use permit approval.** The special use permit must be approved by the Hutchinson Board of Zoning Appeals prior to the issuance of a building permit.
  - d. **Conformance.** Construction shall conform to the approved site plan, landscape plan, and architectural elevation drawings. Changes to the approved plans shall be submitted to the Planning and Development Department for approval prior to making the changes in the field.
3. **Site Plan (Sheet C-2.0)**
  - a. **Lot Configuration.** The property owner has indicated to the City that a potential boundary adjustment may be performed. If the property is reconfigured prior to the time this application is considered by the Board of Zoning Appeals, revised plans reflecting the current configuration shall be required.
  - b. **Access Easement (between this lot and the lot to the East).** The plans show an existing 24-foot-wide access easement and a driveway onto the Mall Entrance Road. On the ALTA survey (Sheet C-1.0) the existing driveway is centered in the access easement. However, on the Site Plan (Sheet C-2.0) the existing driveway is not shown, and the proposed driveway is located to the East of the access easement. A note needs to be added to the site plan stating that the existing driveway will be removed and curb and gutter installed to City specification, and a new driveway will be installed farther to the East in the location shown. A new access easement will need to be provided to authorize Chick-fil-A traffic to cross over the Verizon property. **RP / MI**
  - c. **Access Easement (between this lot and the lot to the West).** May need an access easement, if one does not already exist, if this is intended to be a shared driveway. **RP / MI**

- d. **Pavement.** Please clarify whether light and medium duty pavement is asphalt or concrete. (See Detail 21/C-4.2, Key #21A “Typical Pavement Section – Light Duty,” and #21B “Typical Pavement Section – Medium Duty.”) **RP**
  - e. **Parking Spaces.** Parking spaces shall meet the requirements of the *Hutchinson Zoning Regulations*, Sec. 27-701 et seq. A minimum of 49 spaces are required. A maximum of 98 are allowed. 73 spaces are provided. These requirements are met.
  - f. **ADA Parking Spaces.** Three spaces are required. One van-accessible ADA space and two standard ADA spaces are provided with accessible routes and signage. This requirement is met.
  - g. **Curbing/Wheel Stops.** Ensure that accessible routes from ADA parking spaces to the building are wide enough to account for vehicle overhang. May need to clarify this on plans. **RP**
  - h. **Bicycle Parking.** 8 bicycle spaces are recommended, and 8 are provided. The proposed bicycle rack locations are approved as shown.
  - i. **Drive Thru Stacking.** A minimum of 10 stacking spaces are required, and 16 stacking spaces are provided. This requirement is met.
  - j. **Drive Aisle Widths.** Drive aisle widths are approved as shown.
  - k. **Loading.** One loading space is required, and one is provided. The loading space is approved as shown.
  - l. **Trash Enclosure.** (Detail 10/C-4.1) Outdoor trash bins are required to be screened on all sides by Sec. 27-908 of the *Hutchinson Zoning Regulations*. Please provide the trash enclosure detail showing the proposed screening materials. **RP**
  - m. **Mechanical Equipment Screening.** Ground-mounted and building-mounted mechanical equipment, including utilities and transformer pads, shall be screened from adjacent properties and the ROW (per Sec. 27-908.E.8. of the City Code). Screening can be with vegetation. Rooftop equipment shall also be screened. No mechanical equipment is shown on the plans. Please be advised of this screening requirement. **RP/MI**
  - n. **Sidewalk.** The City will *not* require public sidewalks to be installed for this development.
4. **Photometric Plan (Sheet ES2.1).** The photometric plan is approved as submitted.
  5. **Landscape Plan (Sheet L-1.0).** The landscape plan is approved as submitted subject to the provision of an irrigation plan detail.
  6. **Landscape Details (Sheet L-1.1)**
    - a. **Irrigation Detail.** Landscape Note #20 says to “See Irrigation Plan L-2.0 for design.” Please provide the irrigation detail (required prior to issuance of a building permit). **MI**
  7. **Signage Plans.** The submitted sign package by Clayton Signs, dated 2/19/2016 and received by the City on 2/24/2016, is approved as shown (including the flagpole). **A sign permit (separate from the building permit) must be obtained prior to installation of any signs.** Signs shall meet the requirements of the Hutchinson City Code, Sec. 27-801 et seq. (Sign Regulations). The flagpole does not require a separate permit but must be installed according to the specifications shown.
  8. **Architectural Elevation Drawings.** The architectural elevation drawings, “Design Intent Package, Prototype S08H-C-R v6,” are approved as submitted.

## Engineering Department Comments

### Jeff Peterson, Interim Director of Engineering

9. **NOI.** Provide an approved NOI. (Required prior to the issuance of a building permit). **MI**
10. **SWPPP.** Provide a Storm Water Pollution Prevention Plan (SWPPP) for review and approval. (Required prior to the issuance of a building permit). **MI**

Download NOI form and SWPPP template here:

<http://www.hutchgov.com/538/Stormwater-Construction-Information>

**11. Plumbing Plan (Sheet PS-1.0) and Plumbing Details (Sheet PS-1.1):**

- a. Separate water connections required for: A) Fire line; B) Water service; C) Sprinkler service. **RP**
- b. Separate meters required for: A) Water service; B) Sprinkler service. **RP**
- c. Describe how the water service to the trash area will be used and how it will be drained. **MI**

***Jim Brummer, Superintendent of Water and Sewer***

**12. Plumbing Plan (Sheet PS-1.0) and Plumbing Details (Sheet PS-1.1):**

- a. Bullet No. 4 says they shall install a 1-1/2" water meter inside the building. The meter should be installed in a meter pit in the right-of-way or easement (Utility Billing might have some input on the location). The City normally takes responsibility of the water service from the main to the meter. **RP**
- b. Bullet No. 7 says to connect the 6" fire line to an 8" water main via 8 x 6 tapping saddle and the City will make the connection. The City does make the tap but the contractor is required to excavate the main, have it ready for the tap, and schedule the tap with Utility Billing. There is a standard charge for 6" fire tap (\$1,420 for 2016). The tapping saddle, tapping valve, and valve box are included with the tap charge. **RP**
- c. Bullet No. 10 says the 6" sanitary sewer is to be connected to an existing manhole. Since the existing sewer main is a 30" and is almost 14' deep, that is OK but there needs to be an approved inside drop installed in the manhole. The drop and connection to the manhole needs to be inspected. **RP**
- d. It appears that the domestic, irrigation, and fire lines all tap from the 6" fire line at the building. This is not allowed. They each need to have separate lines from the main. Also, the irrigation water usage is charged a different rate than domestic use. **RP**

**Comments from Outside Agencies**

**Patti Krebaum, Manager, OSP Planning and Engineering Design, AT&T**

13. AT&T has concerns with the construction and landscaping in the utility easement and where our existing facilities are located. Any relocation of our facilities would be billable to the person and/or persons requesting the relocation. Any damages to our facilities would be billable to the person and/or persons responsible.

**Reviewed by:**

**Date:**



March 11, 2016

Casey A. Jones, AICP, CFM, Senior Planner

City of Hutchinson

620-694-2667 phone

620-694-2673 fax

[CaseyJ@hutchgov.com](mailto:CaseyJ@hutchgov.com)

# 2016 SPECIAL USE PERMIT APPLICATION



**CITY OF HUTCHINSON**  
Planning and Development Department  
125 E Avenue B, Hutchinson, KS 67501  
620-694-2639 phone ~ 620-694-2673 fax

**FOR OFFICE USE ONLY**

DATE RECEIVED: Feb. 24, 2016 CASE #: 16-SUP-02 FEE PAID (\$165): pd CK # 46153

**PROJECT INFORMATION**

1801 E. 17th

Project Address Parcel Number 0781330801002001020 on East 17th Avenue

**Legal Description**

All of Lot 2 Hutch Parcel Addition Plat File 8, Number 181A, except the Easterly 43.00 feet thereof as measured perpendicular to the East Line of Lot 2, Block 1, Hutch Parcel Addition, Hutchinson, Reno County, KS.

**Applicant** GBC Design, Inc. - Gary R. Rouse

Mailing Address 565 White Pond Drive, Akron, OH 44320

Phone (330) 836-0228 E-Mail grouse@gbcdesign.com

**Property Owner** Hutch Parcel LLC - Christian Ablah

Mailing Address P.O. Box 505 Lawrence, KS 66044

Phone (316) 634-2600 E-Mail christian@classicrealestate.net

**Surveyor/Engineer/Architect/Agent** (attach additional pages, if needed) (See attached)

Mailing Address \_\_\_\_\_

Phone \_\_\_\_\_ E-Mail \_\_\_\_\_

**USE INFORMATION**

1. What is the current use of the property?

Vacant land.

2. What will the property be used for if the special use permit is approved?

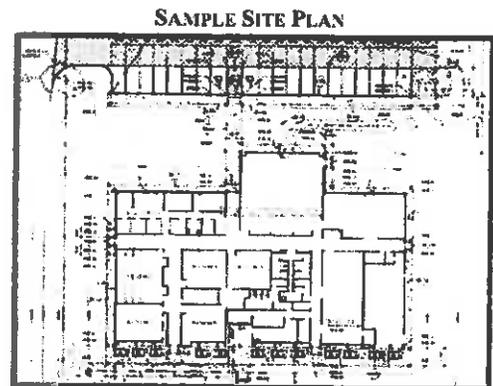
A Chick-fil-A restaurant with a drive-thru.

3. List all existing and proposed structures, including the square footage and height of each:

There are no existing structures. The proposed building will be a 26 foot high, 4877 SF Chick-fil-A restaurant.

**SUBMITTAL REQUIREMENTS**

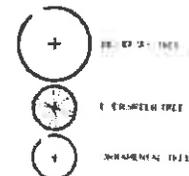
- Completed Special Use Permit Application.
- Special Use Permit Application Fee (\$165.00).
- A written and signed certification from the Reno County Treasurer's office that all property taxes for the property have been paid. (under separate cover)
- Copy of the deed (available from the Reno County Register of Deeds).
- Legal description of the parcel.
- The names and mailing addresses of all property owners located within 200 feet of the boundaries of the parcel. If the parcel is adjacent to the city limits, the above list must also include all the properties located outside the city, but within 1,000 feet of the city limits. Please provide this information in print-out form from the Reno County Appraiser. (under separate cover)
- 4 full-size copies of the Site Plan.  
 (Site plans must be on paper not less than 18 x 24 inches and drawn at a scale of not less than 1 inch: 50 feet.)
- 4 full-size copies of the Landscaping Plan.  
 (Landscaping plans must be on paper not less than 18 x 24 inches and drawn at a scale of not less than 1 inch: 50 feet.)
- 4 full-size copies of Elevation Drawings.  
 (Elevation drawings shall be scaled and shall include all elevations of the structure. Proposed materials and colors shall be included on the elevation drawings.)
- 1 reduced version (11"x17") of the Site Plan, Landscaping Plan and Elevation Drawings.
- 1 electronic version (PDF) of all drawings (Site Plan, Landscaping Plan and Elevations) submitted via email to: [Charlene@Hutchgov.com](mailto:Charlene@Hutchgov.com).
- Drainage Study and/or Traffic Impact Study. Please contact the City Engineer to determine what studies are required.
- Other documentation, as required.



**LANDSCAPING PLAN CHECKLIST**

THE LANDSCAPING PLAN SHALL CONTAIN:

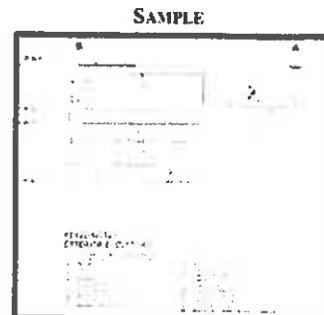
- The name and mailing address of the applicant and owner of record.
- Date, scale, title and preparer's name.
- Location, description and type of existing and proposed plantings.
- Description of the irrigation system, both existing and proposed.
- City of Hutchinson "Landscaping Point Calculation Sheet" available at: [www.hutchgov.com](http://www.hutchgov.com) (either on the face of the plan or as an accompanying document).



**ELEVATION DRAWINGS CHECKLIST**

THE ELEVATION DRAWINGS SHALL CONTAIN THE FOLLOWING:

- The name and mailing address of the applicant and owner of record.
- Date, scale, title and preparer's name.
- Height of the structure, both existing and proposed.
- Description of exterior materials, both existing and proposed.
- Drawings of all sides of the building.





**SPECIAL USE PERMIT FACTORS TO BE CONSIDERED**

Applicants for Special Use Permits must submit a statement justifying how the proposed project meets the factors listed in *Sec. 27-502.D. of the Hutchinson City Code*. The Board of Zoning Appeals is required to consider these factors when reaching a decision on a Special Use Permit application. The questions below help to determine if the factors are met. Please feel free to attach additional pages and any other supporting documentation, such as photographs, drawings, maps, statistics, legal documents and letters of support.

1. How will the proposed development be in keeping with the character of the neighborhood?  
The character of the neighborhood is commercial, including other restaurants. Being a fast-food restaurant with a drive-thru, Chick-fil-A will fit right in.
  
2. How will the proposed use be consistent with the zoning and uses on nearby parcels?  
The zoning and uses of nearby parcels is commercial, which is what Chick-fil-A is.
  
3. Why is the parcel suitable for the proposed use?  
It is in a commercial area, properly zoned, of an adequate size, with good access, and all utilities are available.
  
4. What detrimental effects will the proposed use have on nearby properties, and how will those effects be mitigated?  
None noted.
  
5. How long has the property been vacant?  
It has never been developed.
  
6. What hardships would the owner(s) face if the application were denied?  
Since fast-food restaurants with a drive-thru require a Special Use Permit, denial would result in Chick-fil-A not being able to construct on this Site.
  
7. How does the proposed development conform to the Comprehensive Plan?  
The Comprehensive Plan has this area designated as commercial, which is what Chick-fil-A is.
  
8. Are public facilities and utilities adequate to serve the proposed use? If so, describe how.  
All public facilities and utilities are adequate and available. There are two access drives on the southerly portion of the Site to Mall Entrance Road. There are an existing sanitary sewer and water line along the westerly side of the Site. There is an existing storm sewer near the southeasterly corner of the Site. Gas, electric, telephone, and cable services are located along the northerly <sup>3</sup> side of the Site.



**SPECIAL USE PERMIT APPLICATION PROCESS**

1. Submit the **Special Use Permit Application** and **all** required supporting materials to the Planning and Development Department in accordance with the application deadlines on page 5.
2. Following receipt of a complete **Special Use Permit Application**, planning staff will:
  - a. Set date a date for a public hearing before the Board of Zoning Appeals. The public hearing must be held within 60 days of acceptance of the special use permit application.
  - b. Notify property owners located within the notification radius of the date, time and place of the hearing. The general public and property owners located within the notification area will be invited to comment upon the application.
  - c. Publish a public hearing notice in the *Hutchinson News*. The notice must be published a minimum of 20 days prior to the public hearing.
  - d. Transmit application materials to the Development Review Committee (DRC) for their review.
    - a. The DRC will meet to discuss the project. The DRC will provide written comments which will be sent to the applicant. Based upon the comments received, revised plans may be required. Revised plans, once received, will be routed to the DRC for final comment.
3. The Board of Zoning Appeals will hold a public hearing on the project, typically in accordance with the attached schedule. The Board may adjourn the hearing from time to time. Following the conclusion of the hearing the Board makes a final determination. The Board may grant the permit, deny the permit or grant the permit with conditions. **The applicant MUST be present at the public hearing in order for the application to be considered. The application will be tabled if the applicant is not present.**
4. Following Special Use Permit approval, the applicant may proceed to the Inspection Department to obtain the appropriate building permits for the project.

**UNDER NORMAL CIRCUMSTANCES, A MINIMUM OF 33 DAYS IS REQUIRED FROM SUBMITTAL OF A COMPLETED APPLICATION TO THE FINAL DECISION.**

We, the undersigned, hereby authorize the submittal of this application and associated documents and certify that all the information contained therein is true and correct.

(Signature of property owners)

*[Handwritten Signature]* *Hutch Parcel LLC*

Signature

Signature

*Christian Ablak, member*

Printed Name

Printed Name



**Special Use Permit Application**  
**Submittal Deadlines and Meeting Schedule**

<b>Application Deadline</b>	<b>Development Review Committee Meeting</b>	<b>Board of Zoning Appeals Public Hearing 5:00 PM</b>
November 23, 2015	December 8, 2016	January 5, 2016
December 14, 2015	December 22, 2016	January 19, 2016
December 30, 2015	January 12, 2016	February 2, 2016
January 13, 2016	January 26, 2016	February 16, 2016
January 27, 2016	February 9, 2016	March 1, 2016
February 10, 2016	February 23, 2016	March 15, 2016
February 24, 2016	March 8, 2016	April 5, 2016
March 9, 2016	March 22, 2016	April 19, 2016
March 30, 2016	April 12, 2016	May 3, 2016
April 13, 2016	April 26, 2016	May 17, 2016
April 27, 2016	May 10, 2016	June 7, 2016
May 11, 2016	May 24, 2016	June 21, 2016
June 1, 2016	June 14, 2016	July 5, 2016
June 15, 2016	June 28, 2016	July 19, 2016
June 29, 2016	July 12, 2016	August 2, 2016
July 13, 2016	July 26, 2016	August 16, 2016
July 27, 2016	August 9, 2016	September 6, 2016
August 10, 2016	August 23, 2016	September 20, 2016
August 31, 2016	September 13, 2016	October 4, 2016
September 14, 2016	September 27, 2016	October 18, 2016
September 28, 2016	October 11, 2016	November 1, 2016
October 12, 2016	October 25, 2016	November 15, 2016
October 26, 2016	November 8, 2016	December 6, 2016
November 9, 2016	November 22, 2016	December 20, 2016
November 30, 2016	December 13, 2016	January 3, 2017
December 14, 2016	January 10, 2017	January 17, 2017

**PLEASE NOTE:**

The applicant or agent must be present at the scheduled public hearing. If the applicant is not present, the public hearing will not take place.

# GBC DESIGN, INC.

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565 White Pond Drive • Akron, OH 44320-1123 • Phone 330-836-0228 • Fax 330-836-5782 • [www.GBCdesign.com](http://www.GBCdesign.com)

**Surveyor:**

Sherrill Associates, Inc.  
316 N. Main St.  
Edwardsville, IL 62025  
618-656-9251  
[gsm@sherrillassoc.com](mailto:gsm@sherrillassoc.com)  
Gregory S. McVicar

**Engineer:**

GBC Design, Inc.  
565 White Pond Drive  
Akron, OH 44320  
330-836-0228  
[grouse@gbcdesign.com](mailto:grouse@gbcdesign.com)  
Gary R. Rouse

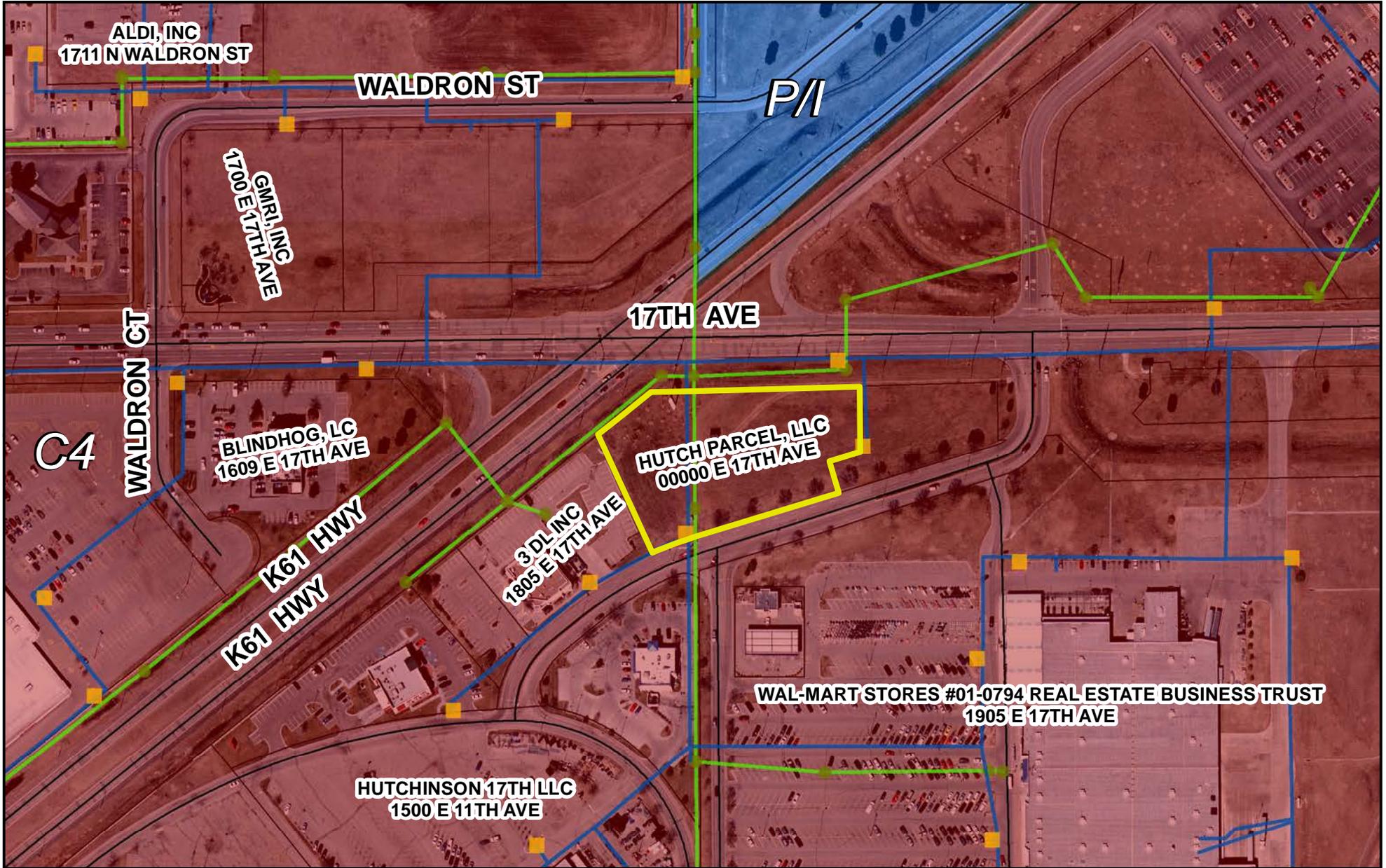
**Architect:**

Edwards + Hotchkiss Architects. P.C.  
Two Brentwood Commons  
750 Old Hickory Blvd. - Suite  
Brentwood, TN 37027  
615-467-2901  
[stevem@eandharch.com](mailto:stevem@eandharch.com)  
Steve Malloy

# 16-SUP-02: Zoning Map

## 00000 E 17th Avenue, Hutchinson, KS

EXHIBIT 4



0 45 90 180 Feet



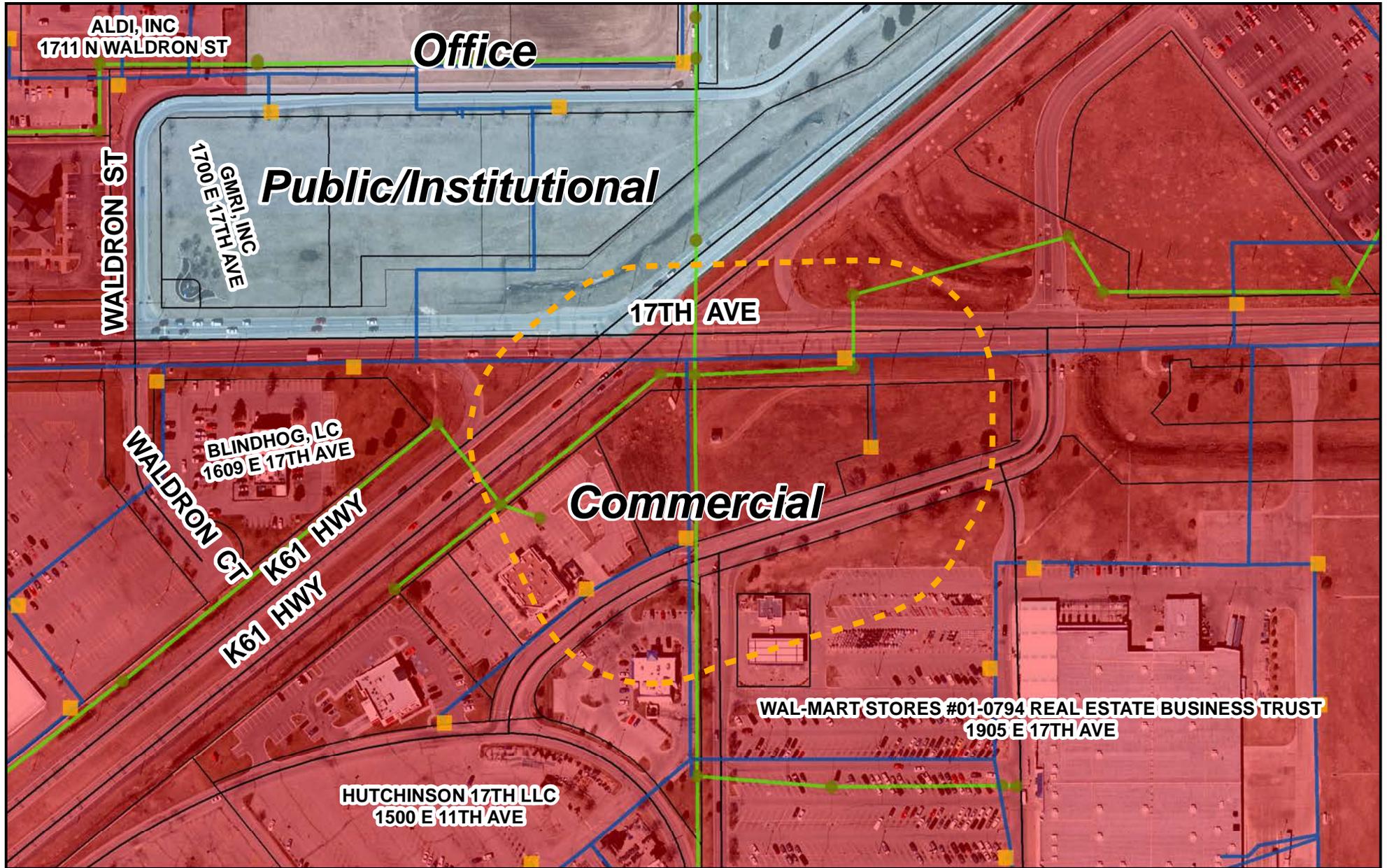
16-SUP-02  
Property Ownership List

EXHIBIT 4

OWNER OF RECORD	MAILING ADDRESS	CITY	STATE	ZIP	SITE ADDRESS	PARCEL_ID
MURPHY OIL USA, INC C/O PROPERTY TAX	PO BOX 7000	EL DORADO	AR	71731	0 E 17TH AVE	1330801002002000
AMT REAL ESTATE, LLC Attn: ISSA, TAYSSIR	904 E DOUGLAS AVE	WICHITA	KS	67202	1807 E 17TH AVE	1330802002002060
WAL-MART STORES #01-0794 REAL ESTATE BUSINESS TRUST	PO BOX 8050 STOP#0555	BENTONVILLE	AR	72712	1905 E 17TH AVE	1330801002001000
3 DL INC	PO BOX 2064	HUTCHISON	KS	67504	1805 E 17TH AVE	1330802002002130
HUTCH PARCEL, LLC C/O ABLAH, CHRISTIAN	PO BOX 505	LAWRENCE	KS	66044	0 E 17TH AVE	1330801002001020
MISCHEL, MARK A & PAMELA REV TRUST	628 N ARDEN DR	BEVERLY HILLS	CA	90210	1811 E 17TH AVE	1330801002001010

# 16-SUP-02: Future Land Use Map 00000 E 17th Avenue, Hutchinson, KS

EXHIBIT 5



0 40 80 160 Feet



**DEVELOPER'S AGREEMENT TO CONDITIONS**

CITY OF HUTCHINSON, RENO COUNTY, KANSAS

This AGREEMENT, entered into on this 18<sup>th</sup> day of August, 2015, by and between Hutch Parcel, LLC, hereinafter referred to as "DEVELOPER" and the City of Hutchinson, hereinafter referred to as the "CITY".

WHEREAS, the Developer desires to obtain from the City a parking lot permit for the construction of a parking lot on a portion of real property situated in the City of Hutchinson, Kansas, as generally depicted on Exhibit A, attached hereto and made a part hereof by this reference ("Property"); and

WHEREAS, said parking lot is to conform with the approved Site Plan, as depicted on Exhibit A; and

WHEREAS, as of the date hereof, no formal site plan depicting a structure or use on the Property other than the proposed parking lot has been submitted to the City by the Developer ; and

WHEREAS, the City agrees to approve and issue to Developer the requested parking lot permit for the Property, subject to the terms and conditions herein.

NOW, THEREFORE, concurrently with said approval and as a consideration of said approval and issuance, the parties hereto do hereby agree as follows:

- I. The City will approve and issue to the Developer the requested parking lot permit, provided, however, that:
  - (a) In the event of any future development of the Property beyond the paving work depicted upon Exhibit A and referenced herein, Developer shall comply with all applicable laws, rules and regulations of the City with respect to such development including the submission of required applications and associated documentation.
  - (b) Developer shall develop the Property in accordance with the approved site plan as depicted upon Exhibit A.
  - (c) Developer shall develop the Property in accordance with the approved grading, drainage and erosion control plans as depicted upon Exhibit A.
  - (d) Future development of the Property may require, without limitation, the removal of existing parking spaces, addition of parking spaces and/or the reconfiguration of the parking area constructed pursuant to the parking lot permit issued pursuant to this Agreement.

- (e) Approval of said parking lot permit does not constitute approval for any use of the property other than a parking lot nor does it compel the City to approve any other use of the property in the future.
  - (f) Developer agrees to maintain all areas of the Property, both paved and unpaved, in accordance with the regulations of the City.
  - (g) No parking of vehicles, trailers or equipment shall be permitted on unpaved areas.
- II. In the event of any material breach of this agreement by the Developer or its designated builder, the City may withhold building permits and/or occupancy permits until such time as the breach is cured. Further, the City may pursue other remedies available under the Law.
- III. This agreement shall be binding upon the Developer, its designated builder and any successors or assigns of either entity.

Signed this 18<sup>th</sup> day of August, 2015.

CITY OF HUTCHINSON

Jade Piros de Carvalho  
Jade Piros de Carvalho, Mayor

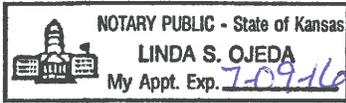
ATTEST:

Karen Weltmer  
Karen Weltmer, City Clerk

STATE OF KANSAS        )  
                                  ) ss:  
COUNTY OF RENO        )

BE IT REMEMBERED that on this 18<sup>th</sup> day of August, 2015, before me, the undersigned, a Notary Public, came Jade Piros de Carvalho, Mayor, and Karen Weltmer, City Clerk, to me known to be the same persons who executed the foregoing instrument of writing.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year above last written.



Linda S. Ojeda  
Notary Public

My Appointment Expires:

7-09-2016

Signed this 13 day of August, 2015.

HUTCH PARCEL, LLC

[Signature]  
Name: Christian A. Ablah  
Title: Member

STATE OF KANSAS            )  
  ) ss:  
COUNTY OF Sedgewick )

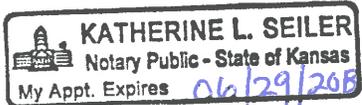
This instrument was acknowledged before me on August 13, 2015 by Christian A. Ablah, as Member of Hutch Parcel, LLC, a Kansas limited liability company, to me known to be the person who executed the foregoing instrument on behalf of said limited liability company, and acknowledge that said limited liability company executed the same as its free act and deed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, the day and year above last written.

[Signature]  
Notary Public

My Appointment Expires:

06/29/2018



**EXHIBIT A**

**[ATTACHED HERETO]**