

BZA 9-71 - American Oil Co. request
Exception to permit install. of
car wash at SW corner of 13th and
Woodlawn

Posted

9-8-71

MP ✓
C.I. ✓
9-28-71 ✓
✓

BZA 9-28-71 Approved

Map No. 5848
 Sec. 13
 Twp. 27
 Range 1E

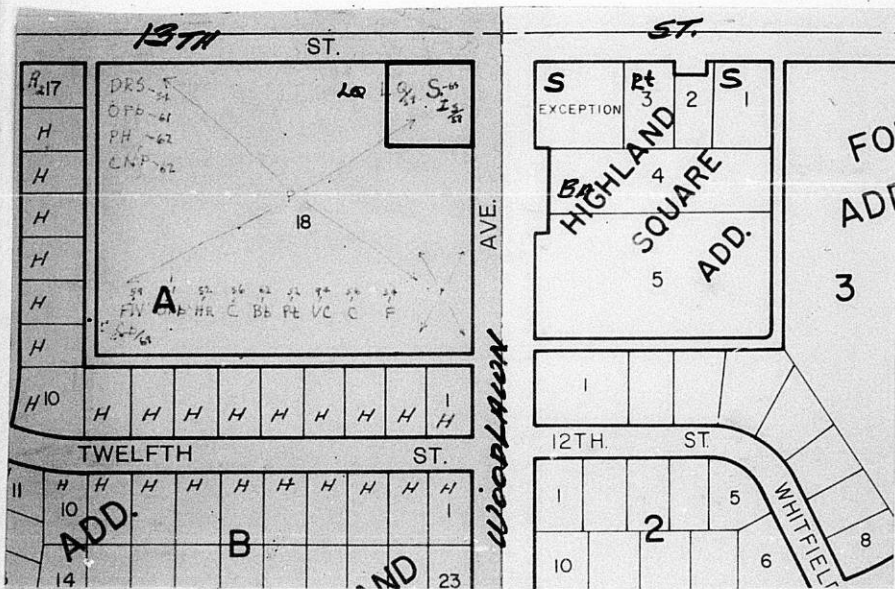
BZA 9-71
 SCZ- _____
 CU- _____
 Filed _____

AREA DATA:

1. Acres: 0.5 (150 ft. by 150 ft.)
2. Adjoining Zoning: E _____ S _____ W _____ N _____
3. Land Use: East SERVICE STATION South PARKING LOT
 West LIQUOR STORE & PARKING North UNDEVELOPED
4. Sketch Plan Land Use is for: _____
5. Present Land Use is for: SERVICE STATION
6. Area (is) (is not) platted.

PHOTO DATA:

Taken by _____ Date _____ Time _____



WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: May 11, 1987

TO: Jack Kirkby, Building Inspector

FROM: Jack H. Galbraith, Chief Planner Current Plans

SUBJECT: Drainage problem as it relates to the car wash at the southwest corner of 13th Street North and Woodlawn

You recently called to my attention what you described as a continuous drainage problem in the street at 13th and Woodlawn. This problem relates with water that originates from an Amoco service station car wash. I pulled the related BZA case 9-71, that was considered and approved in 1971, to see if any conditions of approval were being violated. There is one condition that may apply and it reads as follows:

"11. All drainage, both natural and that created by the operation, shall be handled in such a manner satisfactory to the Superintendent of Maintenance of the Department of Public Works."

If it is believed that drainage problems or street maintenance problems are caused by this car wash, then this is a case that could be brought to the attention of the Board. Such a request for rehearing should originate from the Department of Public Works, in writing. We would have to advertise the case and give notice to the owner.

Please let us know of your findings and whether or not it is believed that this case should be scheduled for reconsideration.

JHG/lw

cc: Monty Robson, Superintendent of Central Inspection
Steve Lackey, Director of Public Works

PL/0146/1

RESOLUTION NO. BZA 9-71

WHEREAS, American Oil Company, 810 West Douglas-Suite D, Wichita, Kansas, by Thomas H. Graber, 810 West Douglas-Suite D, Wichita, Kansas, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the installation of an automatic car wash, on property zoned "LC" Light Commercial, and legally described as follows:

The east 150 feet of the north 150 feet of Lot 18, in Block A, McEwen 5th Addition and Replat of Block A, in McEwen 4th Addition, Wichita, Sedgwick County, Kansas. Generally located at the southwest corner of 13th and Woodlawn.

WHEREAS, proper notice as required by ordinance and by the rules of the Board of Zoning Appeals has been given; and

WHEREAS, the Board of Zoning Appeals did, at the meeting of September 28, 1971, consider said application; and

WHEREAS, the Board of Zoning Appeals has proper jurisdiction to consider said request for an exception under the provisions of Section 2.12.590.C, Code of the City of Wichita; and

WHEREAS, the Board of Zoning Appeals has authority to permit the installation of an automatic car wash, on property zoned "LC" Light Commercial, subject to the conditions outlined in Section 28.04.183.4, Code of the City of Wichita.

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita, that this application be approved to permit the installation of an automatic car wash, on property zoned "LC" Light Commercial, and legally described as follows:

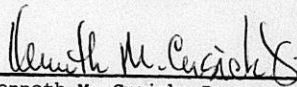
The east 150 feet of the north 150 feet of Lot 18, in Block A, McEwen 5th Addition and Replat of Block A, in McEwen 4th Addition, Wichita, Sedgwick County, Kansas. Generally located at the southwest corner of 13th and Woodlawn.

subject to the following conditions:

1. There shall be a minimum lot area of 2,500 square feet for each 20 lineal feet of automatic car washing structure, provided that the minimum lot area shall not be less than 7,500 square feet.
2. The car washing buildings or facilities shall set back a distance of not less than 35 feet from Woodlawn and 60 feet from 13th Street.
3. All the area to be utilized by the washing and drying operation, including all ingress and egress areas, shall be paved with concrete, asphalt, or asphaltic concrete.
4. All lights shall be shielded to reflect or direct light away from adjacent property. No string type lighting or banners shall be permitted.

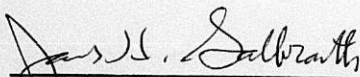
5. No signs associated with the car wash shall exceed 25 feet in height or be placed so as to project over any public right-of-way.
6. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
7. Off-street holding spaces shall be provided on the property in the following ratio: Not less than 3 parking spaces for each 20 lineal feet of the automatic car washing aisle. However, in the event the stall is constructed so as to not hold more than one auto at any given time, not more than 3 holding spaces shall be required for that stall.
8. Off-street drying spaces shall be provided on the property in the following ratio: Not less than 2 spaces for each automatic car washing aisle.
9. One off-street parking space shall be provided for each two employees.
10. All parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond the property lines or parking spaces.
11. All drainage, both natural and that created by the operation, shall be handled in such a manner satisfactory to the Superintendent of Maintenance of the Department of Public Works.
12. The area shall be properly policed through inspections by the owner or operator to insure proper maintenance and removal of trash.

ADOPTED AT WICHITA, KANSAS, this 28th September, 1971.



Kenneth M. Cusick, Jr.
Vice-Chairman

ATTEST:



Jack H. Galbraith
Secretary

October 6, 1971

Mr. Thomas H. Graber
810 West Douglas-Suite D
Wichita, Kansas 67203

Subject: Case No. BEA 9-71
Request for Exception

Dear Mr. Graber:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on September 28, 1971, in connection with your request for an exception to permit the installation of an automatic car wash, on property zoned "LC" Light Commercial and generally located at the southwest corner of 13th and Woodlawn.

This Resolution reflects the official action of the Board to approve your request and sets out the conditions of approval. It is forwarded to you for your information and files.

If you have any questions concerning this matter, please call our office.

Very truly yours,

Jack H. Galbraith
Secretary

JHG:ls
Enclosure

cc American Oil Company, 810 West Douglas-Suite D 67203
Robert Feldner, Superintendent of Central Inspection
Joe Donnelly, Central Inspection
Ralph Eberly, City Clerk

September 29, 1971

Mr. Thomas H. Graber
810 West Douglas - Suite D
Wichita, Kansas 67203

Subject: Case No. BEA 9-71
Request for Exception

Dear Mr. Graber:

At the regular meeting of the Board of Zoning Appeals on September 28, 1971, your request for an exception to permit the installation of an automatic car wash, on property zoned "LC" Light Commercial, and generally located at the southwest corner of 13th and Woodlawn, was considered.

It was the action of the Board to approve this request subject to the conditions set out in the Secretary's Report.

A Resolution setting forth the official action of the Board is being prepared and you will be mailed a copy as soon as the signatures of the Chairman and Secretary have been obtained.

If you have any questions, please call our office.

Sincerely,

Jack H. Galbraith
Secretary

JHG:ls

cc American Oil Company, 810 West Douglas-Suite D, 67203
Robert Feldner, Superintendent of Central Inspection
Joe Donnelly, Central Inspection
Ralph Eberly, City Clerk

SECRETARY'S REPORT
CASE NO. BZA 9-71

APPLICANT: American Oil Company, 810 West Douglas-Suite D,
Wichita, Kansas

AGENT: Thomas H. Graber, 810 West Douglas-Suite D, Wichita,
Kansas

REQUEST: Exception pursuant to Section 2.12.590.C, Code of the
City of Wichita, to permit the installation of an
automatic car wash

GENERAL LOCATION: At the southwest corner of 13th and Woodlawn

LAND USE: Subject property is occupied by a service station as
is the land to the east; west is liquor store and
parking lot; south is parking lot; north is undeveloped

ZONING: Subject property is zoned "LC" Light Commercial as are
those properties to the west, south and east; north is
"AA" Single Family

JURISDICTION:

The Board has jurisdiction to consider this request under the
provisions outlined under Section 2.12.590.C, Code of the City
of Wichita. The Board may grant the exception provided the
conditions set forth in Section 28.04.183.4 can be complied with.

COMMENTS BY THE SECRETARY:

The applicant is requesting an exception to permit the
operation of a one lane automatic car wash facility on property
zoned "LC" Light Commercial and located at the southwest corner
of Woodlawn and 13th Street. Subject property is presently
occupied by a three-bay service station and the applicant desires
to convert one of the bays into an automatic car wash facility.
Section 28.04.183.4 of the zoning ordinance permits this type
of operation in the "LC" zoning district subject to certain
conditions and approval by the Board of Zoning Appeals.

A plot plan, approved by the City Traffic Engineer's office
has been submitted with the application and indicates the required
information as to the holding and drying spaces, as well as off-
street parking spaces for customers and employees.

It is the opinion of the Secretary that inasmuch as the application area is located at the intersection of two major streets and is bounded by "LC" Light Commercial zoning on the south, east and west, that the granting of the exception would be proper.

RECOMMENDATION:

It is the recommendation of the Secretary that the exception to permit the operation of an automatic car wash, on property zoned "LC" Light Commercial, be approved subject to the following conditions:

1. There shall be a minimum lot area of 2,500 square feet for each 20 lineal feet of automatic car washing structure, provided that the minimum lot area shall not be less than 7,500 square feet.
2. The car washing buildings or facilities shall set back a distance of not less than 35 feet from Woodlawn and 60 feet from 13th Street.
3. All the area to be utilized by the washing and drying operation, including all ingress and egress areas, shall be paved with concrete, asphalt, or asphaltic concrete.
4. All lights shall be shielded to reflect or direct light away from adjacent property. No string type lighting or banners shall be permitted.
5. No signs associated with the car wash shall exceed 25 feet in height or be placed so as to project over any public right-of-way.
6. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
7. Off-street holding spaces shall be provided on the property in the following ratio: Not less than 3 parking spaces for each 20 lineal feet of the automatic car washing aisle. However, in the event the stall is constructed so as to not hold more than one auto at any given time, not more than 3 holding spaces shall be required for that stall.

8. Off-street drying spaces shall be provided on the property in the following ratio: Not less than 2 spaces for each automatic car washing aisle.
9. One off-street parking space shall be provided for each two employees.
10. All parking areas shall have adequate guards to prevent the extension or overhanging of vehicles beyond the property lines or parking spaces.
11. All drainage, both natural and that created by the operation, shall be handled in such a manner satisfactory to the Superintendent of Maintenance of the Department of Public Works.
12. The area shall be properly policed through inspections by the owner or operator to insure proper maintenance and removal of trash.

BOARD OF ZONING APPEALS
Room 402 City Building Annex
104 South Main Street
Wichita, Kansas 67202

September 9, 1971

NOTICE TO ADJOINING PROPERTY OWNERS

Case No. BZA 9-71

An application has been filed by American Oil Company, 810 West Douglas - Suite D, Wichita, Kansas, pursuant to Section 2.12.590.C, Code of the City of Wichita, requesting an exception to permit the installation of an automatic car wash, on property zoned "LC" Light Commercial, and legally described as follows:

The east 150 feet of the north 150 feet of Lot 18, in Block A, McEwen 5th Addition and Replat of Block A, in McEwen 4th Addition, Wichita, Sedgwick County, Kansas. Generally located at the southwest corner of 13th and Woodlawn.

This application has been assigned Case No. BZA 9-71, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, September 28, 1971, at 1:30 p.m., in Room 401 City Building Annex, 104 South Main Street, Wichita, Kansas, at which time you may appear, if you so desire, either in person or by agent or attorney.

Jack H. Galbraith
Secretary

9 Notices mailed 9-9-71

BOARD OF ZONING APPEALS

CASE NO. 9-71

CITY OF WICHITA, KANSAS

FILED 8-30-71

APPLICATION FOR EXCEPTION

I. Name of Applicant American Oil Company

Mailing Address 810 West Douglas - Suite D Phone 265-3247

Name of Authorized Agent Hill, Mason & Graber

Mailing Address 810 West Douglas - Suite D Phone 265-3247

Relationship of applicant to property is that of Lessee
(Owner, Tenant, Lessee, Other).

II. Application is made for an exception as provided in Section
28.04.183 Sub-section (4), Code of the City of Wichita, Kansas

(Zoning Ordinance); to permit the installation of ~~CONSTRUCTION~~
of Car wash equipment

_____ on property zoned

L-C, located 13th and Woodlawn

_____ and legally described as: The East 150 feet
of the North 150 feet of Lot 18, in Block A, McEwen 5th Addition

and Replat of Block A, in McEwen 4th Addition, Wichita

Sedgwick County, Kansas, in the City of Wichita.

III. The applicant herein, or his authorized agent, acknowledges:

- a. That he has received an instruction sheet concerning the filing and hearing of this matter;
- b. That he has been advised of the fee requirements established by Section 2.12.580 of the Code of the City of Wichita (Ordinance No. 24-606); and that the appropriate fee is herewith tendered;
- c. That all documents are attached hereto as noted in paragraphs 2, 3, and 4 of the instructions.
- d. That he has been advised of his right to bring action in the District Court of Sedgwick County to appeal the decision of the Board.

Applicant AMERICAN OIL COMPANY

Authorized Agent Thomas H. Graber

OFFICE USE ONLY: Received in office of Secretary, Board of Zoning Appeals, 1:30 (a.m. - p.m.), August 30, 19 71, together with appropriate fee of \$50.00.

T9-403

Signed Laura Scott

The applicant should be granted an exception under Section 28.04.183 (4) of the Code of the City of Wichita because the addition of car wash facilities to the existing service station would provide a needed service for this area of the community and increase the economic feasibility and productivity of the service station itself.

OWNERSHIP LIST

Lot	Block	Addition	Owner
18	A	McEwen 5th	✓ Prairie Village, Inc. PO Box 2199 Wichita, Kansas 67201
8	5	McEwen 6th	Woodlawn High Rise, Inc. Address unknown <i>none found</i>
N 150' of W 150' of 10	3	Fourth Addition to Pine Valley Estates	LaWanda Guthrie Address unknown & <i>none found</i> ✓ Sidney L. Foulston, Jr. 625 Armour Wichita, Kansas 67206 & Margaret Brewer Address unknown <i>none found</i>
4		Highland Square	✓ Sammy H. Kouri 3333 E. Central Wichita, Kansas 67208 & ✓ Harry J. Kouri, Sr. 552 Hidden Valley Wichita, Kansas 67209 & ✓ Bill E. Cohlma 8115 Willowbrook Wichita, Kansas 67208
5		"	Highland Square, Inc. Address unknown <i>none found</i>
53		Replat of Spring Acres	✓ Elden A. Papke & MaryAnn Papke 1400 Homestead Wichita, Kansas 67208
54		"	✓ Dora T. Siekfin 1450 Spring Drive Wichita, Kansas 67208

(Cont 2)

The Security Abstract and Title Company, Inc., hereby certifies the foregoing to be a true and correct list of property owners within a 200 foot radius of:

The East 150 feet of the North 150 feet of
Lot 18, in Block A, McEwen 5th Addition and
Replat of Block A, in McEwen 4th Addition,
Wichita, Sedgwick County, Kansas,

as shown by the records in the Office of the Register of Deeds of Sedgwick County, Kansas, on this 26th day of July, 1971 at 7:00 A.M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By

Lucille Schroeder

Vice President

Order No. 180857
jwp

Form 9-021

PAYMENT NOTICE

City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

Bldg & Elev.	Elec.	Elev. Insp.	Exam. Fees
Hse. Mvr.	Hse. Moving	Licse.	Mech.
Oil Well	Pav. Cuts	Plan.	Plbg. Cert.
Sanitation	Sewer	Signs	Sidewalk
Street	Trailer		

DESCRIPTION	AMOUNT
<i>Plan</i>	

Name *Wichita*

Address *40 W. Commercial St*

Type <i>Plan</i>	Due Date
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Comments:

Date <i>7-26-71</i>	By <i>Law</i>
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This BZA. Case
Has a Large Drawing
On 35mm Microfilm
Roll # 1