FILE COPY

CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

January 28, 2002

David Lee
2140 W. 21st St. N.
Wichita, KS 67203

Re: CON2002-00003: **An administrative adjustment to the site plan for CU-436.**

Legal Description: The north 236.77 feet of the west 200 feet of Lot 1, Block A, De Paul Addition, Wichita, Sedgwick County, Kansas. Generally located south of Central and east of West St. (3835 W. Central).

Dear Mr. Lee:

We have reviewed your request for an administrative adjustment to the site plan for CU-436. You state in your application that you desire to adjust the site plan because the approved site plan located the car wash across a sanitary sewer line. You also state in your application that the revised site plan moves the car wash and vacuum islands further from residential properties and provides a landscape buffer along the south property line.

The Unified Zoning Code allows the Planning Director, with the concurrence of the Zoning Administrator, to approve minor adjustments to Conditional Use site plans as long as the adjustment does not have any of the negative impacts stated in Sec. V-I.6. We find that adjusting the site plan for the car wash permitted by CU-436 meets the four conditions required by Section V-1.6 of the Unified Zoning Code as set out below:

1) Impact on safety and convenience of vehicular and pedestrian circulation: By moving the car wash further from the property line, the revised site plan provides more queuing space for vehicles waiting to use the car wash; therefore, constructing the improvements according to the adjusted site plan should be an improvement in terms of vehicular circulation.

2) Impact on existing uses in surrounding areas: By locating the car wash and vacuum islands further from existing residential uses, the adjusted site plan should provide for reduced impacts on existing uses in surrounding areas. Additionally, the adjusted site plan provides for a landscape buffer along the south property line, which should further mitigate negative impacts on existing uses in surrounding areas.

3) Compatibility with existing or permitted uses on abutting sites: A car wash on the site has been found to be compatible with existing or permitted uses on abutting sites through the approval of CU-436. The compatibility with existing or permitted uses on abutting sites should be improved by constructing the improvements according to the adjusted site plan through improved visual and noise screening.

4) Effect on public health, safety or welfare: There will be no encroachment into public utility easements or right-of-way, therefore, there should not be a negative impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materially injured.

Our signatures below indicate that an administrative adjustment to the site plan for the car wash permitted by CU-436 on the aforementioned property is hereby granted subject to the following conditions:

1) The site shall be developed in general conformance with the adjusted site plan.
2) All conditions of approval for CU-436 shall be met.
3) Any violation of these conditions shall render the Administrative Adjustment null and void.

The zoning adjustment sign may now be removed from the property.

Marvin S. Krout
Planning Director

Kurt A. Schroeder
Superintendent of Central Inspection

Enclosure

cc: Edward Murabito, 520 Rutland, Wichita, KS 67206
Kurt Schroeder, Office of Central Inspection
Paul Hays, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
J.R. Cox, Office of Central Inspection

WICHITA — SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING DEPARTMENT
CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421
FAX (316) 268-4390

ATTN
MARK JANZEN
RE:
DAVID LEE CAR WASH PROJ.

June 18, 1997

David Lee
2140 W. 21st St. N.
Wichita, KS 67203

RE: Z-3232 - Zone change from "NR" Neighborhood Retail to "LC" Limited Commercial

CU-436- Conditional use to allow a car wash within 200 feet of residential zoning on property generally located south of Central, east of West Street

Dear Mr. Lee:

At its regular meeting on June 12, 1997, the Metropolitan Area Planning Commission considered the above-captioned request. The action of the Planning Commission was the following:

A. Approve the zone change (Z-3232) to "LC" Limited Commercial.

B. Approve the Conditional Use (CU-436), subject to the following conditions:

1. The site shall be developed and maintained in compliance with all the requirements of Section III-D.6.f. of the Unified Zoning Code.

2. The applicant shall prepare a landscape plan in accordance with Chapter 10.32 of the City Code and which shows the location of solid screening along the east and south edge of the site. The plan shall be submitted to the Planning Director for review and approval prior to establishing the car wash on the site.

3. The applicants shall revise the site plan submitted with this request to indicate only one access point to Central from the application area.

4. The car wash facility shall be constructed substantially in compliance with the site plan as approved for this conditional use, and all improvements, including landscaping and screening as required by City Code, shall be completed before the facility becomes operations.

5. Any violation of conditions attached shall declare the conditional use null and void.

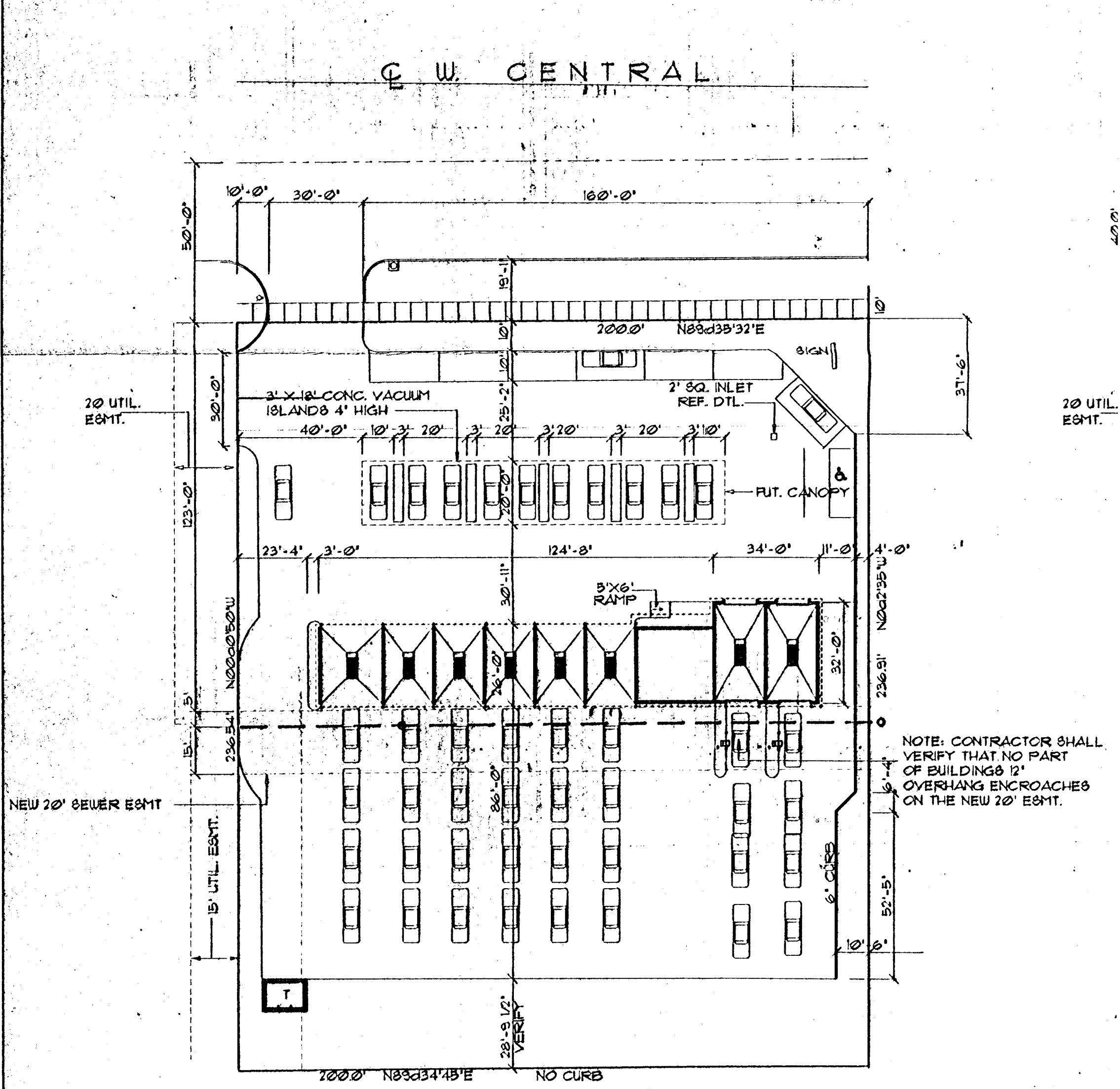
This matter will be forwarded to the City Council for consideration at their regular meeting on Tuesday, July 8, 1997. This meeting will be held in the City Council Chambers, First Floor, City Hall, 455 N. Main, Wichita, Kansas, beginning at 9:00 a.m. We would remind you that zoning items are considered after all other matters of business. In recognition of the official public hearing held by the Planning Commission, the City Council does not permit additional debate by proponents or opponents of zone change requests.

This is a reminder that the zoning notification signs should now be removed from the property. If you have any questions concerning this matter, please contact our office at 268-4421.

Sincerely,

Lawrence P. Mitchell
Senior Planner

cc: Don Folger, Jr., 234 S. Topeka, Wichita, KS 67202
Kurt Schroeder, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
Paul Hays, Office of Central Inspection



NOTE: CONTRACTOR SHALL VERIFY THAT NO PART OF BUILDINGS 12' OVERHANG ENCROACHES ON THE NEW 20' ESMT.

LEGAL DESCRIPTION

N 236.11' OF W 200' THEREOF, LOT 1
BLK A, DE PAUL ADD'N., WICHITA, KS.

SITE PLAN

SCALE: 1"=30'-0"