



Wichita-Sedgwick County Metropolitan Area Planning Department

October 27, 2000

Doug Malone
Five Star Investors LLC
150 N. Market
Wichita, KS 67202



Re: BZA2000-00045: An administrative adjustment for a 20% reduction of the 35 foot setback from major streets for a car wash.

Legal Description: Lot 1, Andrew Boyd Addition, Wichita, Sedgwick County, Kansas; together with Lots 39-43 and the west 1 foot of Lot 44, Block 13, East Highlands Addition, Wichita, Sedgwick County, Kansas.

Dear Mr. Malone:

We have reviewed your request for an Administrative Adjustment to reduce the setback from major streets for a car wash from 35 feet to 28 feet. You state in your application that you propose to construct a car wash 33 feet north of the existing property line along Central. You further state in your application that a contingent dedication of 5 feet of right-of-way for Central may eventually place the car wash 28 feet north of the property line along Central. Your site plan shows the car wash located 28 feet north of the contingent right-of-way line for Central. The car wash was approved as a Conditional Use (CON1999-CU563) subject to a number of conditions, including approval of this Administrative Adjustment.

The Unified Zoning Code allows an Administrative Adjustment to reduce minimum setbacks by up to 20%. Locating a car wash with a setback of 28 feet of from a major street is within the allowable limits for an Administrative Adjustment to reduce minimum setbacks.

We find that reducing the setback for a car wash from Central from 35 feet to 28 feet meets the four conditions required by Section V-I.6 of the Unified Zoning Code as set out below:

- 1) Impact on safety and convenience of vehicular and pedestrian circulation: The average setback of existing buildings along this side of Central is approximately 15 feet. Therefore, locating a building within 28 feet of Central will not adversely impact the safety or convenience of vehicular and pedestrian circulation. In addition, the vehicular circulation

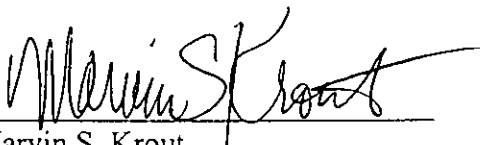
pattern on-site with the 28 foot setback has been reviewed and approved by the Traffic Engineer for the City of Wichita.

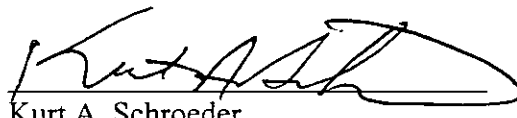
- 2) Impact on existing uses in surrounding areas: The required setbacks for other uses permitted by the zoning districts along this portion of Central are less than 28 feet. Therefore, uses in surrounding areas should not be adversely impact by the reduction in setback for the car wash. In fact, the properties located north of the car wash may actually benefit from the reduction in front setback, since it allows the car wash to be located further from the non-commercial uses to the rear of the subject property.
- 3) Compatibility with existing or permitted uses on abutting sites: Reducing the setback from a major street for a car wash from 35 feet to 28 feet is within allowable adjustments and should not detract from the existing uses on abutting sites. In fact, locating the car wash closer to Central will be more compatible with uses on abutting sites in terms of consistent setbacks.
- 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 reduce the setback from a major street for a car wash from 35 feet to 28 feet is hereby GRANTED, subject to the following conditions:

- 1) The site shall be developed in general conformance with the site plan submitted as part of this application.
- 2) Any violation of these conditions shall render the Administrative Adjustment null and void.

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

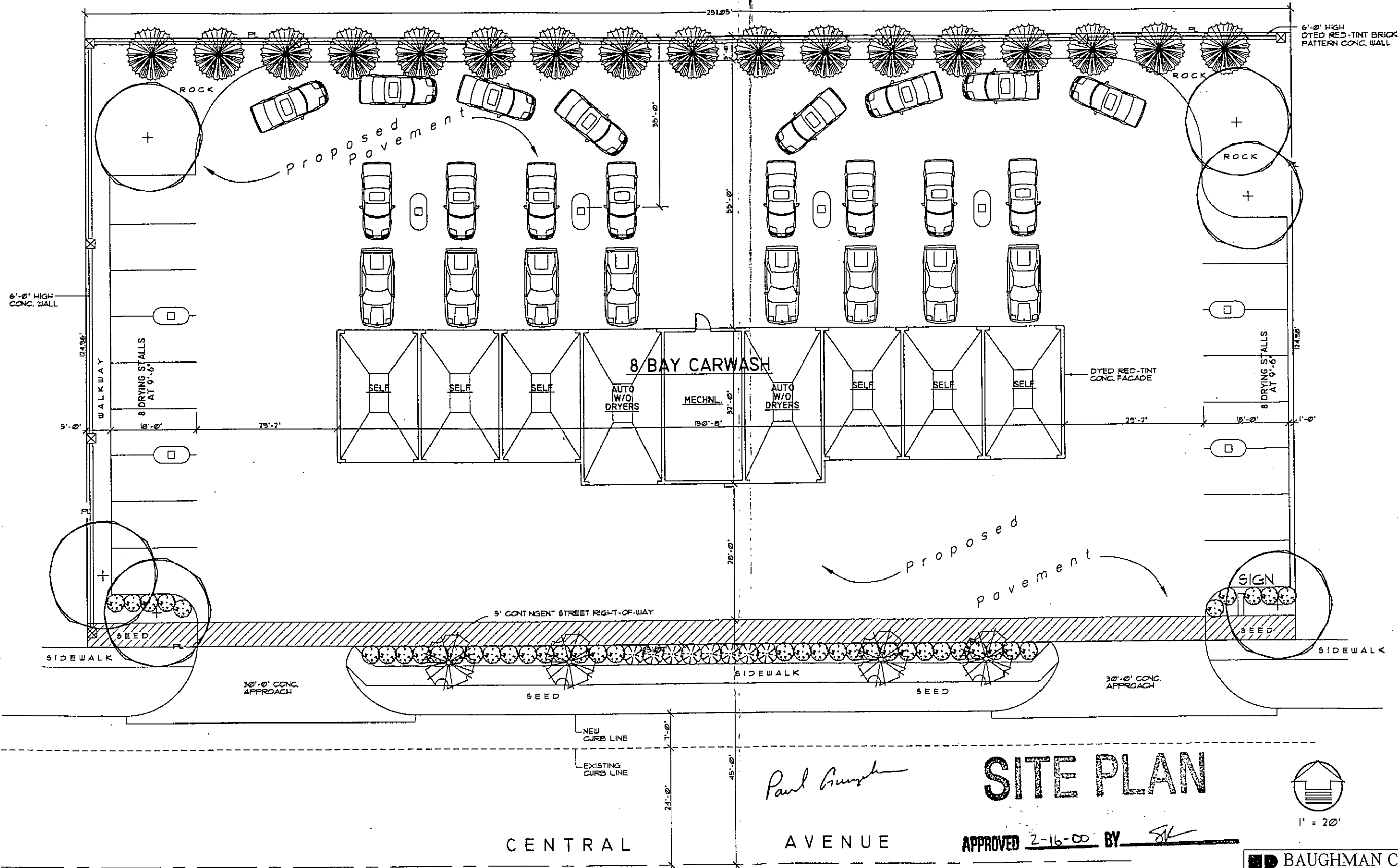

Marvin S. Krout
Planning Director


Kurt A. Schroeder
Superintendent of Central Inspection

MK/KS/sk

cc: Russ Ewy, Baughman Company PA, 315 Ellis, Wichita, KS 67211
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

CROWN HEIGHTS CAR WASH
CONDITIONAL USE CU-563



SITE PLAN

Paul Gungor

APPROVED 2-16-00 BY *SK*



1" = 20'



DON FOLGER JR. & ASSOCIATES
ARCHITECTURE PLANNING
CONSTRUCTION MANAGEMENT

234 S. TOPICKA WICHITA, KS 67203

BAUGHMAN COMPANY P.A.
ENGINEERING, SURVEYING, & PLANNING
316-262-7271 - 315 ELUS - WICHITA, KANSAS 67211

Revised: 21 Jan 00, per MAPC comments.