

CONDITIONAL USE RESOLUTION NO. CON2021-00015

WHEREAS, Brunch Ranch & Investment Trust., Owner and Club Carwash (applicant); pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requests County Conditional Use to allow a rock crushing/recycling operation on SF-5 Single-Family Residential Zoning described as:

SECTION 1. That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section V-D of the Wichita-Sedgwick County Unified Zoning Code, for a Conditional Use to allow an automated car wash on property zoned LC Limited Commercial (LC) generally located 1000 Feet East of North Amidon on the North side of West 21st Street North at the northeast corner of North Coolidge Avenue and West 21st Street North and legally described as:

The South 130 feet of Lot 2, Brunch Addition to Wichita, Sedgwick County, Kansas.

AND

The South 48 feet of Lot 2, Brunch Addition to Wichita, Sedgwick County, Kansas.

AND

Lot 2, EXCEPT the North 78 feet, and EXCEPT the South 130 feet, Brunch Addition to Wichita, Sedgwick County, Kansas.

AND

Lot 1, Brunch Addition to Wichita, Sedgwick County, Kansas.

WHEREAS, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission (hereinafter referred to as MAPC) has been given; and

WHEREAS, the MAPC did, at the meeting of June 3, 2021, consider said application; and

WHEREAS, the MAPC has authority to permit a Conditional Use, subject to any special conditions deemed appropriate in order to assure full compliance with the criteria of the Unified Zoning Code.

NOW, THEREFORE, BE IT RESOLVED by the Wichita City Council that this application be approved to allow an automated car wash on property zoned LC Limited Commercial (LC) generally located 1000 Feet East of North Amidon on the North side of West 21st Street North at the northeast corner of North Coolidge Avenue and West 21st Street North and legally described as:

The South 130 feet of Lot 2, Brunch Addition to Wichita, Sedgwick County, Kansas.

AND

The South 48 feet of Lot 2, Brunch Addition to Wichita, Sedgwick County, Kansas.

AND

Lot 2, EXCEPT the North 78 feet, and EXCEPT the South 130 feet, Brunch Addition to Wichita, Sedgwick County, Kansas.

AND

Lot 1, Brunch Addition to Wichita, Sedgwick County, Kansas.

SUBJECT TO THE FOLLOWING CONDITIONS:

1. The site plan shall be submitted to the City of Wichita Public Works and Utilities – Engineering Division for approval of access points in consultation with the Wichita Fire Department.
2. Site owner shall reimburse the City up to \$15,000 for expenses the City incurs for an emergency pre-emption control to be installed and operational for the traffic signal at Woodrow Avenue and West 21st Street North
3. The use shall comply with supplementary use regulations set forth in Section III-D.6.f of the Unified Zoning Code, and approval of this case (CON2021-00015) fully satisfies Section III-D.6.f(1).
4. The site shall comply with all screening standards of Section IV-B.1-3 of the UZC and the landscaping standards of the Wichita Landscape Ordinance. In general there shall be a landscaped street yard along West 21st Street North. The mature tree line along the west bank of the Little Arkansas River (east property line) is determined to meet the landscaping requirements at the north and east sides of the property. The owner(s) shall maintain the landscape buffer and replace materials if necessary.
5. A site plan shall be submitted for review and approval by the Planning Director and Zoning Administrator prior to the issuance of building permits.
6. The site shall be developed in conformance to the approved site plan.
7. The site shall be developed in conformance with all applicable federal, state, and local regulations.
8. Signs: Freestanding signage is limited to one monument type sign no taller than 12 feet with a maximum of 60 square feet of signage. No off-site signs, free standing flag signs or portable signs shall be permitted.
9. Architectural Control: All buildings on the site shall be constructed of brick, brick and E.F.S. Stucco System, smooth-face block or decorative split-faced block. Building walls and roofs must have predominately earth-tone or other neutral colors, with vivid colors limited to incidental accent. All building elevations shall share the same architectural finish.
10. Lighting: Light poles shall be of the same color and design, and shall have cut-off fixtures, which direct light onto the subject property. Light poles must be limited to a maximum height of 23 feet. Extensive use of backlit canopies and neon or fluorescent tube lighting on buildings, as determined by the Director of Planning, is not permitted.
11. Drainage: A drainage plan will be submitted to the Wichita Public Works and Utilities, Stormwater Engineer for review and approval.
12. Screening: Screening of all dumpsters, outside storage, and utilities, such as AC units, will be constructed of material to match and preferably be connected to the buildings they support. No dumpsters, outside storage and utilities, such as AC units, will be visible from street view.
13. No buildings shall exceed one (1) story in height with a maximum height of 25 feet.
14. No parking shall be allowed on either side of Coolidge Avenue in order to accommodate overflow queuing from West 21st Street North to West 23rd Street North.
15. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use; the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII hereof, may, with the concurrence of the Planning Director declare the Conditional Use null and void.
16. Each of the conditions numbered above as #8, #9, #10, #12 and #13 may be waived in writing in part or in full, by the Planning Director or Zoning Administrator, except to the extent the condition is also a requirement of the Unified Zoning Code. This condition (#16) controls if it conflicts with any conditions #8, #9, #10, #12 or #13.

SECTION 2. That upon the taking effect of this Resolution, the notation of such Conditional Use permit shall be shown on the “Official Zoning District Map” on file in the office of the Planning Director of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION 3. That this Resolution shall take effect and be in force from and after its adoption by the Governing Body.

ADOPTED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS,
this 17th day of June, 2021.

METROPOLITAN AREA PLANNING COMMISSION

A handwritten signature in blue ink, appearing to read "Michael C. Greene", written over a horizontal line.

Michael C. Greene, Chair MAPC

ATTEST:

A handwritten signature in blue ink, appearing to read "Scott Wadle", written over a horizontal line.

Scott Wadle, Secretary