

Case No. BZA 20-83 - Gerald B. Maloney
- Universal Motor Fuels, Inc., 2824
Ohio, Wichita, Kansas, requests an
exception to permit the establishment
of a self-service car wash on pro-
perty zoned the "LC" Light Commercial
District and generally located on the
[unclear] Road

POSTED
5-11-83

ACTION

BZA. 20-83 APPROVED 5-31-83
DATE

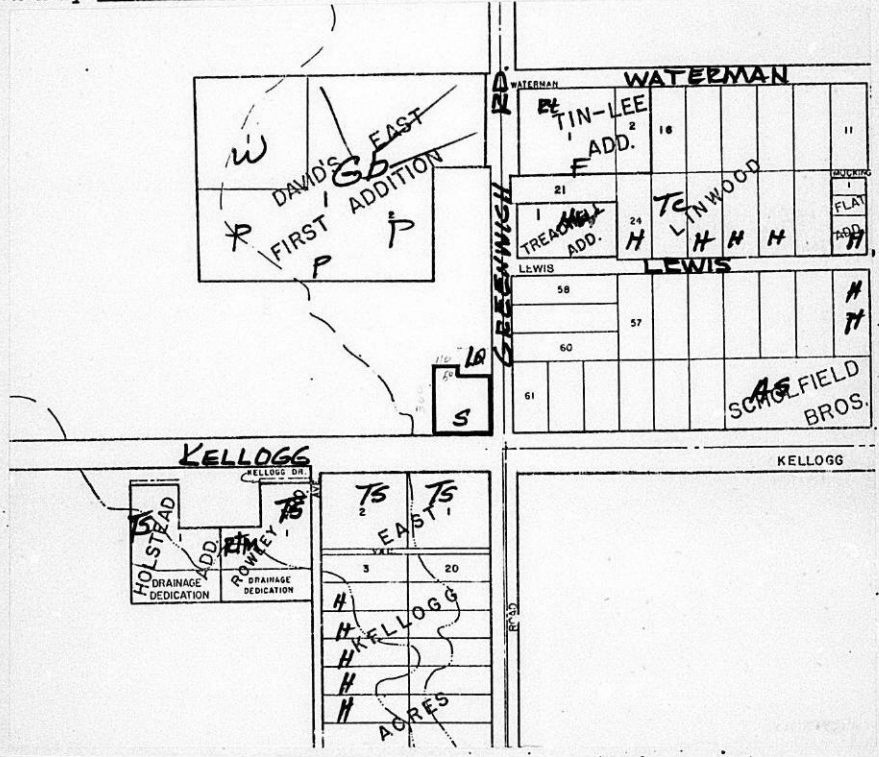
POSTED
5-15-83
Checked ✓
Shot 9-28-83
Record ✓

Map No. 6147
 Sec. _____
 Twp. _____
 Range _____

BZA- 20-83
 SCZ- _____
 CU- _____
 Filed _____

AREA DATA: (IRREGULAR)
 1. Acres: 1.1 (210 ft. by 250 ft.)
 2. Adjoining Zoning: E _____ S _____ W _____ N _____
 3. Land Use: East UNDEVELOPED South MOBILE HOME SALES
 West UNDEVELOPED North HAIR STORE
 4. Sketch Plan Land Use is for: _____
 5. Present Land Use if for: _____
 6. Area (is) (is not) platted.

PHOTO DATA:
 Taken by _____ Date _____ Time _____



August 8, 1983

Gerald B. Maloney
Universal Motor Fuels, Inc.
2824 Ohio
Wichita, Ks.

Re: BZA 20-83 - Request for Exception

Dear Mr. Maloney:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on May 31, 1983.

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 questions concerning this matter, please call our office.

Sincerely,

Glen E. Lytle
Assistant Secretary

GEL:sad
Encl.

cc: Larry Scharr, 2824 Ohio, Wichita, Ks.
Robert Feldner, Superintendent of Central Inspection (2)
Don Gisick, City Clerk

RESOLUTION NO. BZA 20-83

WHEREAS, Gerald B. Maloney, Universal Motor Fuels, Inc., 2824 Ohio, Wichita, Kansas, requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the construction of a 4-bay self-service car wash on property zoned the "LC" Light Commercial District and and legally described as follows:

A tract beginning at the SE corner of the SE 1/4 of Section 21, Township 27S, Range 2E of the 6th P.M., north along the east line of said SE 1/4 260.3', thence west parallel with the north line of U.S. 54 Highway right-of-way 150', thence north 46, thence west 100', thence south 306.12' to the south line of said Section, thence east 250' to point of beginning, except the east 50' for street right-of-way and except the U.S. 54 Highway right-of-way. Generally located on the north-west corner of Greenwich Road and Kellogg.

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 May 31, 1983, 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 construction of a 4-bay self-service car wash on property zoned the "LC" Light Commercial District 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 construction of a 4-bay self-service car wash on property zoned the "LC" Light Commercial District legally described as follows:

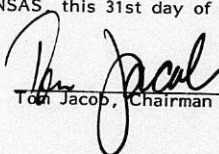
A tract beginning at the SE corner of the SE 1/4 of Section 21, Township 27S, Range 2E of the 6th P.M., north along the east line of said SE 1/4 260.3', thence west parallel with the north line of U.S. 54 Highway right-of-way 150', thence north 46, thence west 100', thence south 306.12' to the south line of said Section, thence east 250' to point of beginning, except the east 50' for street right-of-way and except the U.S. 54 Highway right-of-way - now platted as a portion of Universal 2nd Addition to Wichita, Sedgwick County, Kansas. Generally located on the northwest corner of Greenwich Road and Kellogg.

to the following conditions:

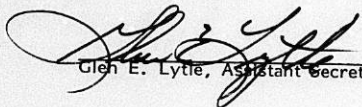
1. Three copies of a site plan showing all required holding spaces and drying spaces, and points of ingress and egress from Greenwich Road for the Traffic Engineers approval.
2. All areas used for circulation, holding spaces, drying spaces, and parking spaces including all ingress and egress driveways on the property shall be surfaced with asphalt, asphaltic concrete or concrete.
3. All lights shall be shielded to reflect or direct light away from adjacent property. No string-type lighting or banners shall be permitted.
4. Signs for the car wash shall not exceed a height of 25' and all other signs on the property shall be limited to that permitted by the zoning ordinance for the "LC" Light Commercial District.
5. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.

6. Off-street holding spaces shall be provided on the property at the ratio of not less than four holding spaces for each self-service car washing stall.
7. Off-street drying spaces shall be provided on the property at the ratio of not less than two parking spaces for each self-service car washing stall.
8. One off-street parking space shall be provided for each two employees.
9. All parking spaces, drying spaces, and all areas adjacent to unpaved areas shall have adequate guards or curbs to prevent the extension or overhanging of vehicles beyond property lines or parking spaces or circulation of vehicles onto unpaved areas.
10. All circulation drives on the property that are adjacent to public right-of-way shall be provided with adequate guards or curbs to prevent vehicles from driving over the adjacent sidewalks.
11. Grades shall be established on the property to prevent the intrusion of surface drainage from entering the sanitary sewer. This shall include a roof over the car wash bays and the installation of the mud trap at a location under roof or at a grade satisfactory to the Superintendent of Sewer Maintenance.
12. The area shall be properly policed through daily inspection by the owner or operator to insure proper maintenance and removal of trash or other debris.
13. The applicant shall provide adequate signs to indicate direction of circulation on the property so that the customers will comply with the approved plan. This should also include striping of the lot to indicate parking and drying spaces and arrows to indicate direction for travel in the holding spaces.
14. Prior to the release of the resolution authorizing the issuance of any building permits for the construction of a self-service carwash, the owner shall complete the platting of the property known as Universal Second Addition, and the submission of the site plans showing compliance with all conditions as set forth herein.
15. All of the above conditions of approval must be complied with prior to the occupancy of the property, and in no case later than 180 days or the Resolution shall become null and void.

ADOPTED AT WICHITA, KANSAS this 31st day of May, 1983.


Tom Jacob, Chairman

ATTEST:


Glen E. Lytle, Assistant Secretary

June 3, 1983

Gerald B. Maloney
Universal Motor Fuels, Inc.
2824 Ohio
Wichita, Ks.

Re: BZA 20-83 - Request for Exception

Dear Mr. Maloney:

At the regular meeting of the Board of Zoning Appeals on May 31, 1983, your request for an exception was considered. It was the action of the Board to approve your request subject to the following conditions:

1. Three copies of a site plan showing all required holding spaces and drying spaces, and points of ingress and egress from Greenwich Road for the Traffic Engineers approval.
2. All areas used for circulation, holding spaces, drying spaces, and parking spaces including all ingress and egress driveways on the property shall be surfaced with asphalt, asphaltic concrete or concrete.
3. All lights shall be shielded to reflect or direct light away from adjacent property. No string-type lighting or banners shall be permitted.
4. Signs for the car wash shall not exceed a height of 25' and all other signs on the property shall be limited to that permitted by the zoning ordinance for the "LC" Light Commercial District.
5. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
6. Off-street holding spaces shall be provided on the property at the ratio of not less than four holding spaces for each self-service car washing stall.

7. Off-street drying spaces shall be provided on the property at the ratio of not less than two parking spaces for each self-service car washing stall.
8. One off-street parking space shall be provided for each two employees.
9. All parking spaces, drying spaces, and all areas adjacent to unpaved areas shall have adequate guards or curbs to prevent the extension or overhanging of vehicles beyond property lines or parking spaces or circulation of vehicles onto unpaved areas.
10. All circulation drives on the property that are adjacent to public right-of-way shall be provided with adequate guards or curbs to prevent vehicles from driving over the adjacent sidewalks.
11. Grades shall be established on the property to prevent the intrusion of surface drainage from entering the sanitary sewer. This shall include a roof over the car wash bays and the installation of the mud trap at a location under roof or at a grade satisfactory to the Superintendent of Sewer Maintenance.
12. The area shall be properly policed through daily inspection by the owner or operator to insure proper maintenance and removal of trash or other debris.
13. The applicant shall provide adequate signs to indicate direction of circulation on the property so that the customers will comply with the approved plan. This should also include striping of the lot to indicate parking and drying spaces and arrows to indicate direction for travel in the holding spaces.
14. Prior to the release of the resolution authorizing the issuance of any building permits for the construction of a self-service carwash, the owner shall complete the platting of the property known as Universal Second Addition, and the submission of the site plans showing compliance with all conditions as set forth herein.
15. All of the above conditions of approval must be complied with prior to the occupancy of the property, and in no case later than 180 days or the Resolution shall become null and void.

A Resolution setting forth the official action of the Board will be mailed to you upon completion of platting.

If you have any questions, please call our office.

Sincerely yours,

Glen E. Lytle
Assistant Secretary

GEL:sad

cc Larry Scharr, 2824 Ohio, Wichita
Robert Feldner, Superintendent of Central Inspection (2)
Don Gisick, City Clerk

THE CITY OF WICHITA
OFFICE OF CITIZEN PARTICIPATION

DATE May 24, 1983

RECEIVED

MAY 25 1983

TO Glen Lytle, Special Assistant for Zoning
FROM Clemencia L. Prieto, Administrative Aide III

METROPOLITAN PLANNING

ROUTE

SUBJECT BZA 20-83 Northwest Corner of
Greenwich Road and Kellogg

At its Monday, May 16th meeting, CPO Council Area "H" voted 6-0 to recommend approval of the exception requested subject to the Secretary's recommendations.

The applicant, Gerald B. Maloney, was present to discuss the request and answer questions from the Council. No area residents were present.

Please provide the Council's recommendations to the Board of Zoning Appeals when it considers the case on May 31st.

Clemencia L. Prieto
Clemencia L. Prieto
Administrative Aide III

CLP:dm

SECRETARY'S REPORT
CASE NO. BZA 20-83

APPLICANT: Gerald B. Maloney - Universal Motor Fuels Inc.,
2824 Ohio, Wichita, Kansas.

AGENT: Larry Scharr, 2824 Ohio, Wichita, Kansas.

REQUEST: Exception pursuant to Section 28.04.183.4, Code
of the City of Wichita to permit the establish-
ment of a 4-bay self-service car wash.

GENERAL LOCATION: On the northwest corner of Greenwich Road and
Kellogg.

ZONING: Subject property is zoned "LC" Light Commercial.
To the east, west and south is "C" Commercial. To
the north "LC" Light Commercial.

LAND USE: Subject property is a service station with commercial
development to the north. To the south is mobile
home sales. To the east the property has been
approved for an automobile agency.

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 out in Section 28.04.183.4 can be complied with.

COMMENTS BY THE SECRETARY:

The applicant is requesting an exception as set forth in the zoning ordinance for the establishment of a 4-bay self-service car wash in the "LC" Light Commercial District. This will be developed on the same property as a service station and will be located to the west with the circulation being from Greenwich Road. The lot is of sufficient area to accommodate the car wash and the required building and drying spaces as set forth in the ordinance.

With the amount and type of zoning in the area, the car wash should be appropriate. The area to the south is "C" Commercial and used primarily for mobile home sales. The property to the east has recently been approved for "C" zoning and a C.U.P. for a new car agency.

RECOMMENDATION:

Should the Board determine that the proposed use is appropriate at this location, then it is the recommendation of the Secretary that the exception for the establishment of a 4-bay self-service car wash be approved subject to the following conditions:

1. Three copies of a site plan showing all required holding spaces and drying spaces, and points of ingress and egress from Greenwich Road for the Traffic Engineers approval.
2. All areas used for circulation, holding spaces, drying spaces, and parking spaces including all ingress and egress driveways on the property shall be surfaced with asphalt, asphaltic concrete or concrete.
3. All lights shall be shielded to reflect or direct light away from adjacent property. No string-type lighting or banners shall be permitted.
4. Signs for the car wash shall not exceed a height of 25' and all other signs on the property shall be limited to that permitted by the zoning ordinance for the "LC" Light Commercial District.

5. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
6. Off-street holding spaces shall be provided on the property at the ratio of not less than four holding spaces for each self-service car washing stall.
7. Off-street drying spaces shall be provided on the property at the ratio of not less than two parking spaces for each self-service car washing stall.
8. One off-street parking space shall be provided for each two employees.
9. All parking spaces, drying spaces, and all areas adjacent to unpaved areas shall have adequate guards or curbs to prevent the extension or overhanging of vehicles beyond property lines or parking spaces or circulation of vehicles onto unpaved areas.
10. All circulation drives on the property that are adjacent to public right-of-way shall be provided with adequate guards or curbs to prevent vehicles from driving over the adjacent sidewalks.
11. Grades shall be established on the property to prevent the intrusion of surface drainage from entering the sanitary sewer. This shall include a roof over the car wash bays and the installation of the mud trap at a location under roof or at a grade satisfactory to the Superintendent of Sewer Maintenance.
12. The area shall be properly policed through daily inspection by the owner or operator to insure proper maintenance and removal of trash or other debris.
13. The applicant shall provide adequate signs to indicate direction of circulation on the property so that the customers will comply with the approved plan. This should also include striping of the lot to indicate parking and drying spaces and arrows to indicate direction for travel in the holding spaces.
14. Prior to the release of the resolution authorizing the issuance of any building permits for the construction of a self-service carwash, the owner shall complete the platting of the property known as Universal Second Addition, and the submission of the site plans showing compliance with all conditions as set forth herein.
15. All of the above conditions of approval must be complied with prior to the occupancy of the property, and in no case later than 180 days or the Resolution shall become null and void.

BZA CASE NO. 20-83

<u>2</u>	NOTICES SENT TO APPLICANT/AGENT
<u>9</u>	NOTICES SENT TO MAPC
<u>1</u>	NOTICES SENT TO CPO
<u>6</u>	NOTICES SENT TO ADJOINING PROPERTY OWNERS
<u>18</u>	TOTAL NOTICES SENT <u>5-11-83</u>

BOARD OF ZONING APPEALS
Tenth Floor - City Hall
455 North Main, Wichita, Kansas 67202

May 11, 1983

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 20-83

As required by law, all property owners of record, within 200 feet of a property to be considered for an exception or variance by the Board of Zoning Appeals, are to be notified of the public hearing. An application has been filed by Gerald B. Maloney - Universal Motor Fuels, Inc., 2824 Ohio, Wichita, Kansas, requesting an exception.

Pursuant to Section 2.12.590.C, of the Code of the City of Wichita, the applicant is requesting an exception to permit the establishment of a self-service car wash on property zoned "LC" Light Commercial District. A legal description of the applicant's property is as follows:

A tract beginning at the SE corner of the SE 1/4 of Section 21, Township 27S, Range 2E of the 6th P.M., north along the east line of said SE 1/4 260.3', thence west parallel with the north line of U.S. 54 Highway right-of-way 150', thence north 46, thence west 100', thence south 306.12' to the south line of said Section, thence east 250' to point of beginning, except the east 50' for street right-of-way and except the U.S. 54 Highway right-of-way. Generally located on the north-west corner of Greenwich Road and Kellogg.

This application has been assigned Case BZA 20-83. It will be considered by the Board of Zoning Appeals on May 31, 1983 at 1:30 p.m. in the Board Room, First Floor of City Hall, 455 North Main Street, Wichita, Kansas. If you have no interest or objections regarding the requested exception you have no obligation to appear or comment. If you desire to appear at the Board meeting, you are invited to do so, either in person or by agent or attorney.

It should be noted that the Citizen Participation Organization Area Council may consider this case at its next meeting. Additional information about such a meeting may be obtained by calling the CPO Office, 268-4516.

If you have any questions about the application, please feel free to call the Wichita-Sedgwick County Metropolitan Area Planning Department at 268-4421.

Jack H. Galbraith
Secretary

BOARD OF ZONING APPEALS
CITY OF WICHITA, KANSAS

CASE NO. 20-83
FILED 5-2-83

APPLICATION FOR EXCEPTION

I. Name of Applicant Gerald B. Maloney - UNIVERSAL Motor Exch, Inc
Mailing Address 2824 Ohio Wichita, Kansas Phone 832-0151
Name of Authorized Agent Larry Scharr
Mailing Address 2824 Ohio Wichita, Kans Phone 832-0151
Relationship of applicant to property is that of Owner
(Owner, Tenant, Lessee, Other)

II. Application is made for an exception as provided in Section
2.12.590.C, Code of the City of Wichita, Kansas, to permit
the establishment of Coin Operated Car Wash

on property zoned Light Commercial

located Northwest Corner Greenwich Road and Kellogg

and legally described as: lot 1 of Universal 2 except North

466 foot of East 100 foot see attachment

in the City of Wichita.

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

- That he has received an instruction sheet concerning the filing and hearing of this matter;
- 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. 36-596); and that the appropriate fee is herewith tendered;
- That all documents are attached hereto as noted in paragraphs 2, 3, and 4 of the instructions;
- 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 UNIVERSAL Motor Exch, Inc

Authorized Agent Larry Scharr

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 10:45 (a.m.-p.m.), MAY 2, 1983, together with appropriate fee of 200.00.

Signed [Signature]

An Ownership list and addresses has been ordered from
Security Abstract on Friday April 29, 1983 from Mr. Glenn Edwards
of the Abstract Company and will be forwarded to you.

Glenn Edwards

Bag at the SE Cor SE⁴ 21-27-2E of the 6th
RM. - N along the E line of sd SE⁴
260.3' - W parallel with the N line of
~~the~~ US 54 Highway right of way ~~100'~~ 150'
~~the~~ N - N 46 - W 100' - S 306.12' to the
S line of sd Sec. - E 250' to bag, except
E 50' for Street and except 43 54
Highway ~~of~~ right of way

O W N E R S H I P L I S T

Tract Description

Property Owner

A tract beginning at the SE corner of the SE $\frac{1}{4}$ of Section 21, Township 27 South, Range 2 East of the 6th P.M., Sedgwick County, thence Northerly along the East line of said SE $\frac{1}{4}$ 306.30 feet; thence westerly parallel with the north line of U.S. 54 Highway right of way, 250 feet; thence southerly parallel with the east line of said SE $\frac{1}{4}$, 306.12 feet to the South line of said SE $\frac{1}{4}$; thence Easterly along said South line, 250 feet to the point of beginning, except that part taken for U.S. 54 and Greenwich Road, and except the North 46 feet of the East 150 feet thereof. (this description being part of Lot 1 of proposed Universal 2nd Addition)

D Universal Service
Stations Inc.
2824 Ohio
67214

A tract 46 by 150 feet beginning at the Northeast corner of a tract described immediately above

D Gerald B. Maloney
850 Tara Lane
67206

Philip Blick, Trustee
436 N. Pershing
67208

The East half of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 21, Township 27 South, Range 2 East of the 6th P.M., except the two tracts described above.

David's Inc.
(formerly known as
Greenwich Investment
Inc.)
303 S. Greenwich Road
67207

The Northwest of the Northwest of Section 27, Township 27 South, Range 2 East of the 6th P.M., except a tract in said NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ described beginning 542 feet North of the SW corner of the North half of the NW $\frac{1}{4}$ of Section 27, thence East parallel to the North line of the NW $\frac{1}{4}$, 217.8 feet, thence North 200 feet, thence West 217.8 feet, thence South 200 feet, to the point of beginning; and except
(continued on following page)

Gladys H. G. Wiedemann
8615 Shannon Way
and
67206
Fourth National Bank
and Trust Company as
Trustee of K. T. Wiedemann
Trust
Trust Department
Fourth Financial Center
100 N. Broadway
67202

Tract Description

Property Owner

(description continued from previous page)
 except a tract in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said section described as beginning 342 feet North of the SW corner of the North half of the NW $\frac{1}{4}$, thence East 217.8 feet, thence North 200 feet, thence West 217.8 feet, thence South 200 feet to beginning, and except that part taken for highway.

<u>Lot</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 1	East Kellogg Acres	Friends University ✓ 2100 University 67213 Jesse L. Graham ✓ 1403 Harding 67208
Lot 60	Linwood Acres	K. T. Wiedemann (dec.)
Lot 61	"	D Gladys H. G. Wiedemann 8615 Shannon Way and 67206 D Fourth National Bank and Trust Co. as Trustees Trust Department Fourth Financial Center 100 North Broadway 67202

We hereby certify the foregoing to be a true and correct list of the property owners of the hereinbefore described lots within a 200 foot radius of:

A tract beginning at the SE Corner of of the SE $\frac{1}{4}$ of Section 21, Township 27 South, Range 2 East of the 6th P.M. thence Northerly along the East line of said SE $\frac{1}{4}$ 306.30 feet; thence Westerly parallel with the north line of U.S. 54 Highway right of way, 250 feet; thence Southerly parallel with the East line of said SE $\frac{1}{4}$, 306.12 feet to the south line of said SE $\frac{1}{4}$; thence Easterly along said South line, 250 feet to the point of beginning, except that part taken for U.S. 54, and Greenwich Road, and except the North 46 feet of the East 150 feet thereof.

as shown by the last deed of record on file in the Office of the Register of Deeds, Sedgwick County, Kansas on the 3rd day of May, 1983 at 7:00 o'clock A.M.

THE SECURITY ABSTRACT & TITLE CO. INC.

By

Mary Hable
Vice-President

Order No: 319530
ap

MICROFILMED
FROM THE BEST
AVAILABLE COPY

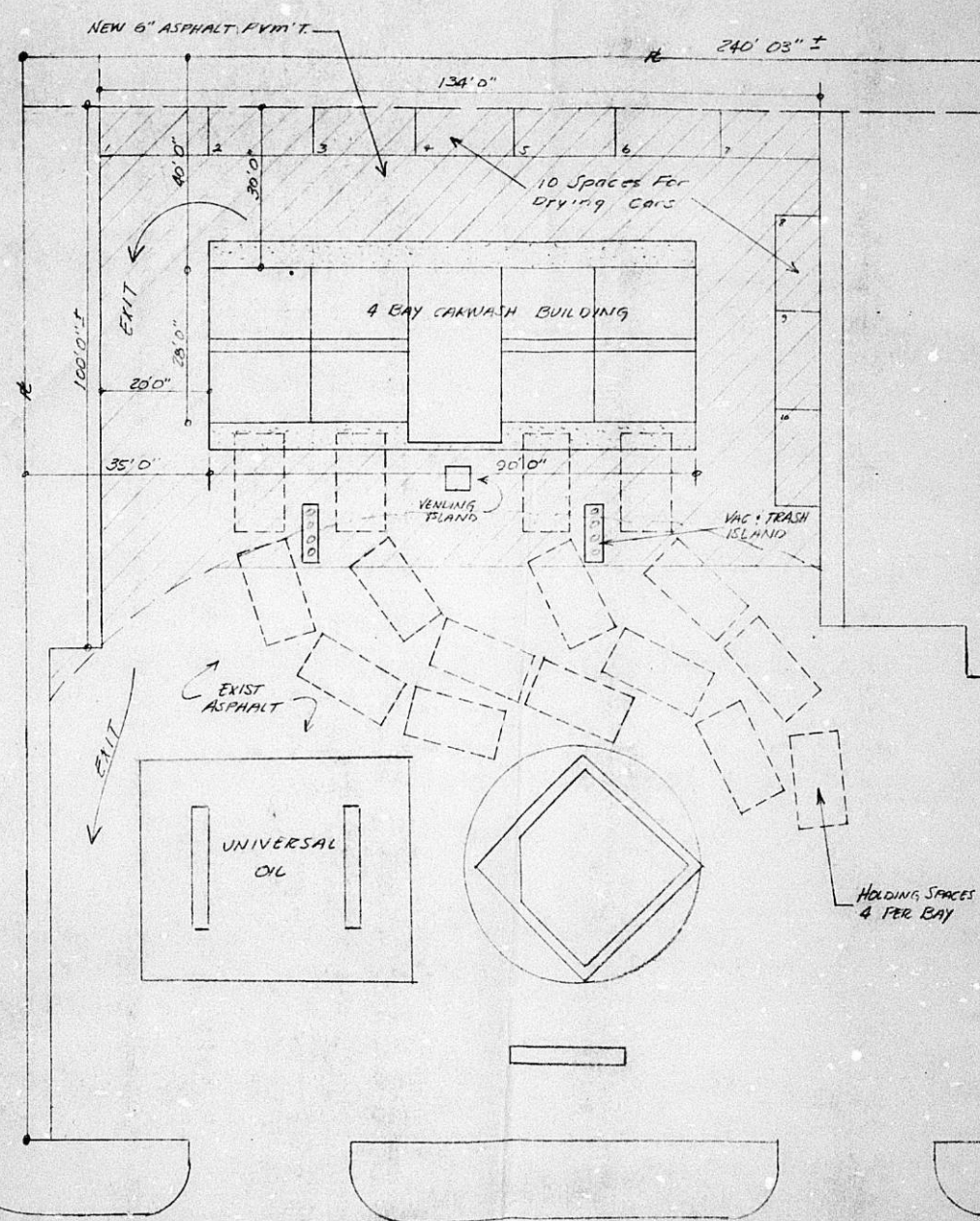
FORM 2-71 PAYMENT NOTICE
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Fav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.

Planning

DESCRIPTION		AMOUNT
Cement		4.200
NAME		
ADDRESS		
FUND	DUE DATE	
COMMENTS		
DATE	BY	

US 54 HWY



GREENWICH RD.

SELF SERVE SITE

ALT. F.V.M.T.

N
1" = 20' 0"

240' 03" ±

134' 0"

10 SPACES FOR DRYING CARS

4 BAY CARWASH BUILDING

VENTILING ISLAND

VAC. & TRASH ISLAND

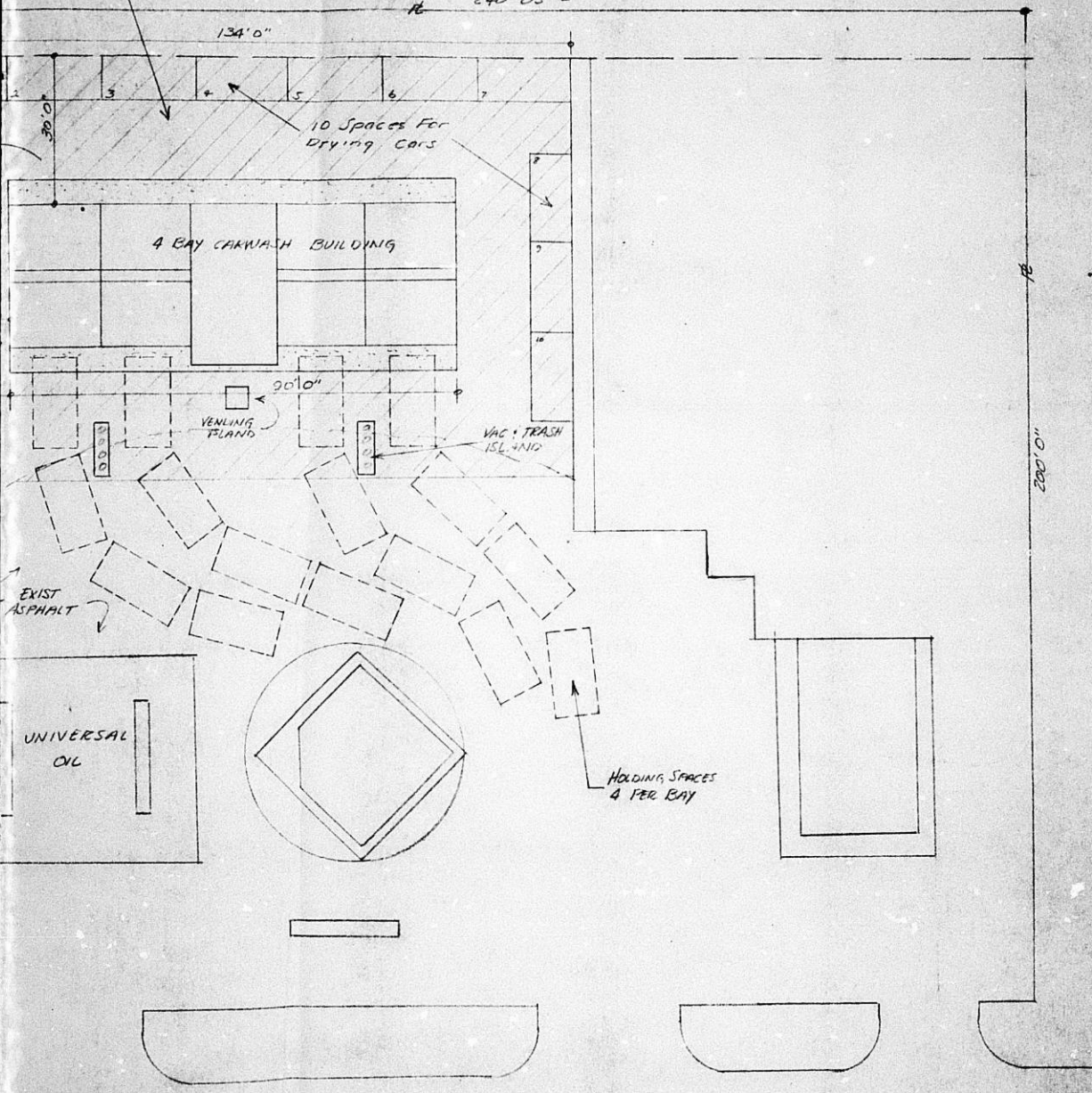
EXIST ASPHALT

UNIVERSAL OIL

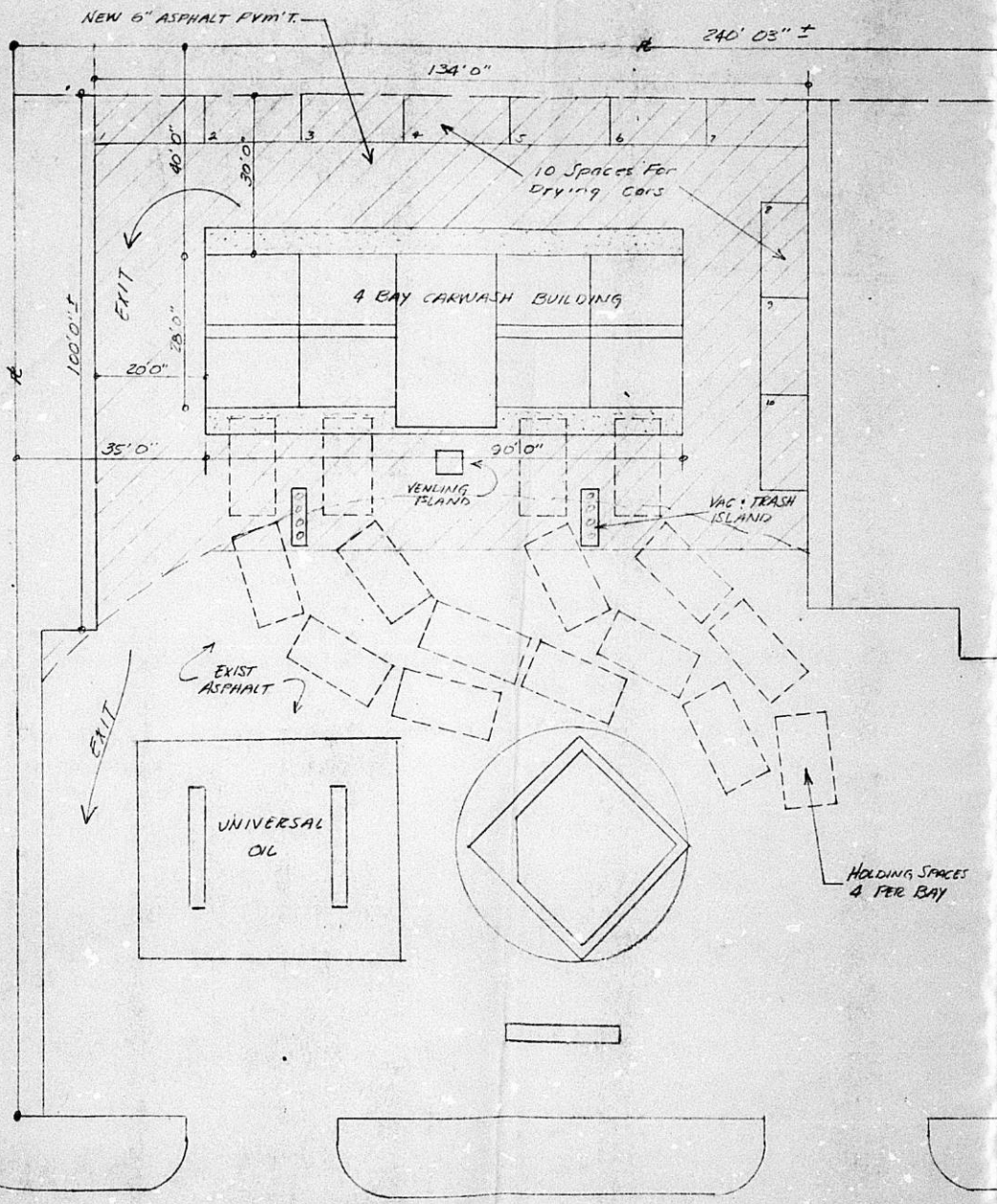
HOLDING SPACES 4 PER BAY

GREENWICH RD.

SELF SERVICE CAR WASH
SITE PLAN



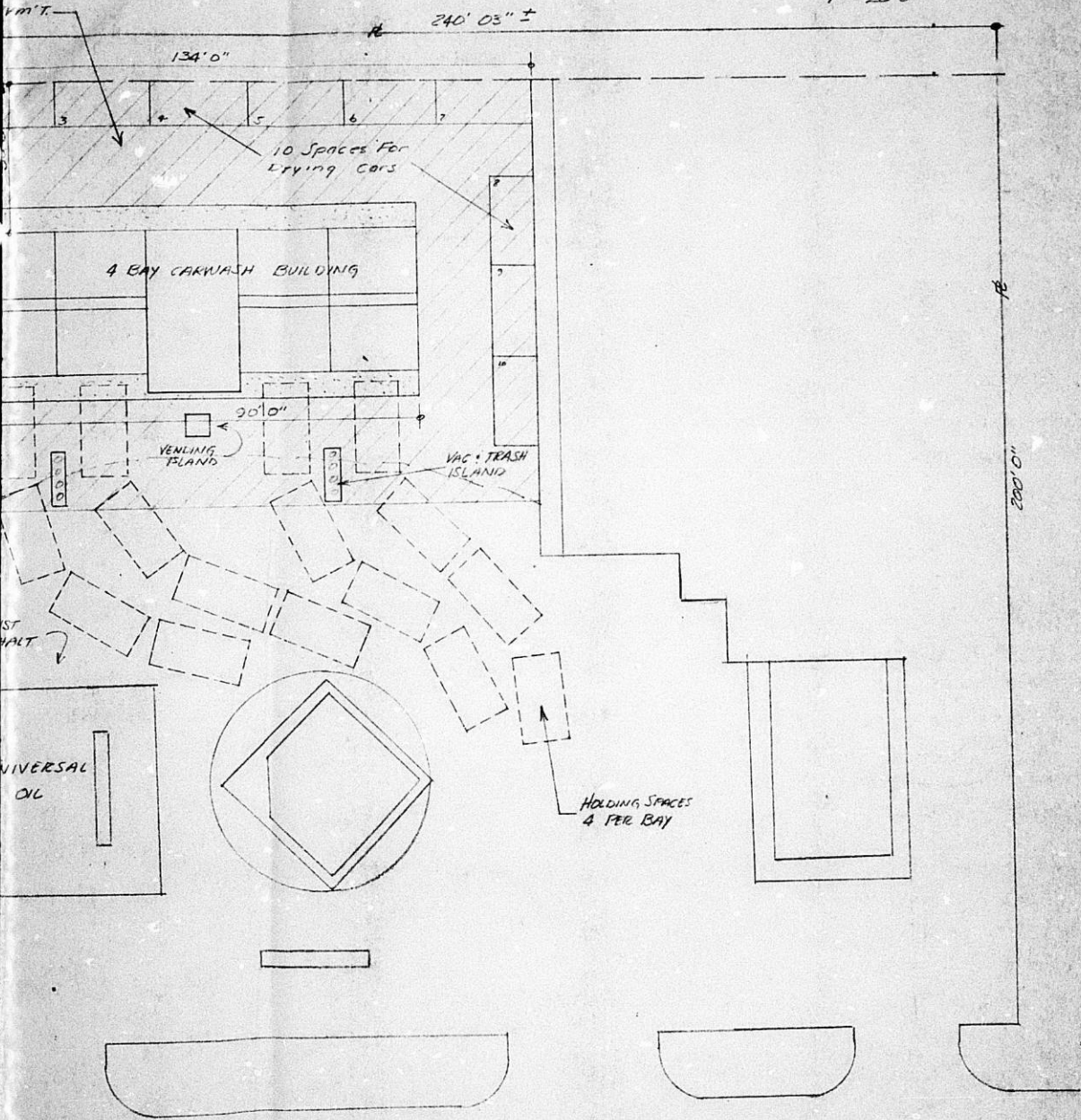
US 54 HWY



GREENWICH RD.

SELF SERV SITE

N
1" = 20' 0"



UNIVERSAL OIL

ST. PAULT

VENDING ISLAND

VAC. TRASH ISLAND

HOLDING SPACES 4 PER BAY

GREENWICH RD.

SELF SERVICE CAR WASH
SITE PLAN

*

This BZA. Case
Has a Large Drawing
On 35mm Microfilm

Roll # 2