

BZA 24-69 - Universal Service Stations, Inc. request exception for self service and/or automatic car wash. Northwest corner Greenwich Road and Kellogg

POSTED
10/9/69
MNPV
2.3 V. 61
H-20

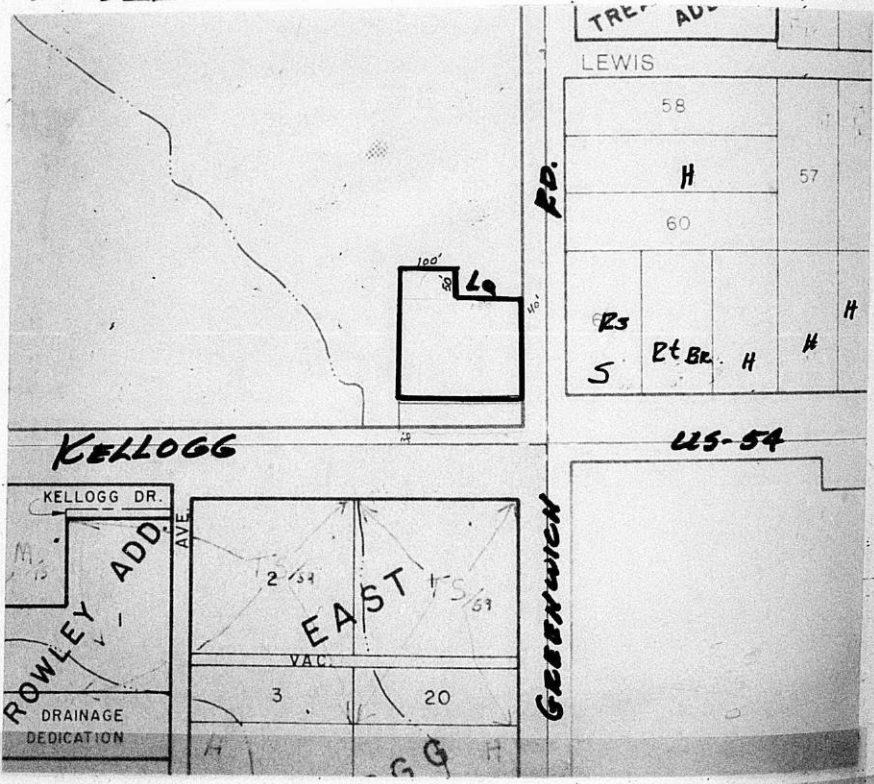
BZA 10-28-69 Approve

Map No. 6147
 Sec. 21
 Twp. 27
 Range 1E

BZA 24-69
 SC2-
 CU-
 Filed

AREA DATA:
 1. Acres: 0.9 (210 ft. by 230 ft.)
 2. Adjoining Zoning: E _____ S _____ W _____ N _____
 3. Land Use: East SERV. STAT. PARK CAFE & TRAVEL HALL South US-54 HI-WAY & TRAVEL SALES
 West VACANT North VACANT
 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 _____



RESOLUTION NO. BZA 24-69

WHEREAS, Universal Service Stations, Inc., 520 South Mead, Wichita, Kansas, by J. L. Weigand, Jr., 830 First National Bank Building, Wichita, Kansas requests an exception as provided in Section 2.12.590.C, Code of the City of Wichita, to permit the installation or construction of self service and/or automatic car washes on property zoned "LC" and "C", and legally described as follows:

Beginning at the southeast corner of the southeast quarter Section 21, Township 27 South, Range 2 East, thence north 246.3 feet, thence west 150 feet parallel to the south line of U. S. Highway 54 right of way thence north 50 feet, thence west 100 feet parallel to the south approximately 296.3 feet to the south line of the southeast quarter of Section 21, thence east 250 feet to the point of beginning. Generally located at the northwest corner of Kellogg and Greenwich Roads; and

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 October 28, 1969, 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 and construction of self service and/or automatic car washes, on property zoned "LC" - Light Commercial subject to the conditions outlined in Section 28.04.183.2, 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 and construction of self-service and/or automatic car washes, on property zoned "LC"- Light Commercial and "C" - Commercial, and legally described as follows:

Beginning at the southeast corner of the southeast quarter Section 21, Township 27 South, Range 2 East, thence north 246.3 feet, thence west 150 feet parallel to the south line of U. S. Highway 54 right of way thence north 50 feet, thence west 100 feet parallel to the south line of U. S. Highway 54 right of way thence south approximately 296.3 feet to the south line of the southeast quarter of Section 21, thence east 250 feet to the point of beginning. Generally located at the northwest corner of Kellogg and Greenwich Roads.

subject to the following conditions:

1. There shall be a minimum lot area of 3,500 square feet for each self-service car-washing stall and-or 2,500 square feet for each 20 lineal feet of the automatic car-washing structure provided the minimum lot area shall be not less than 7,500 square feet.
2. The car-washing building or facilities shall set back a distance of not less than 35 feet from the street right-of-way on both Kellogg and Greenwich Roads as may be established at the time of platting.
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 the adjacent property. No string type lighting or banners shall be permitted.
5. No signs 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 4 parking spaces for each self-service car washing stall and/or not less than 3 spaces for each 20 lineal feet of the automatic car washing aisle. However, in the event the stall is constructed so as not to hold more than one auto any 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 parking spaces for each self-service car washing stall and/or 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 for proper maintenance and removal of trash.
13. The applicant shall submit two revised copies of the plot plan to the Secretary of the Board which have been approved by the Traffic Engineer, said plans to be accurately dimensioned and indicate the required off-street parking spaces for customers and employees. Said approved plan shall be submitted to the Planning Department within 30 days of the approval by the Board or this case shall be considered null and void.

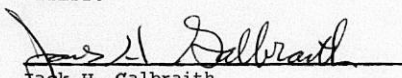
14. Prior to the issuance of any building permits or the construction of the proposed car wash, the application area shall be platted.
15. All conditions of approval by the Board must be complied with prior to the occupancy of the property for the proposed automatic car wash facility.
16. In the event development has not occurred within one year of the date of approval of the Board, this action shall be considered null and void.

ADOPTED AT WICHITA, KANSAS, this 28th day of October,
1969.



Norman N. Doke, Chairman

ATTEST:



Jack H. Galbraith
Secretary

November 3, 1969

John R. Stallings, Attorney
First National Bank Building
Wichita, Kansas

Dear Mr. Stallings:

Subject: Case No. BZA 24-69
Request for Exception

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on October 23, 1969, in connection with your request for an exception to permit the installation or construction of self service and/or automatic car washes.

This Resolution reflects the official action of the Board and indicates 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 Universal Service Stations, Inc.
Robert Feldner, Supt. of Central Inspection
Ralph Eberly, City Clerk
Joe Donnelly, Central Inspection

October 28, 1969

John R. Stallings, Attorney
First National Bank Building
Wichita, Kansas

Dear Mr. Stallings:

Subject: Case No. BZA 24-69
Request for Exception

At the regular meeting of the Board of Zoning Appeals on October 28, 1969, your request for an exception to permit the installation or construction of self service and/or automatic car washes on property zoned "LC" - Light Commercial and "C" - Commercial, and generally located at the northwest corner of Greenwich Road and Kellogg, was considered.

It was the action of the Board to approve this request subject to the 15 conditions listed in the Secretary's Report and a 16th condition which reads:

- (16.) In the event development has not occurred within one year of the date of approval of the Board, this action shall be considered null and void.

Regarding condition No. 13 in the Secretary's Report, it is necessary that you resubmit corrected copies of the proposed development plan within 30 days of the approval by the Board. It is necessary that you do this prior to our forwarding to you the signed resolution.

John R. Stallings, Attorney
October 28, 1969

If you have any questions, please call our office.

Very truly yours,

Jack H. Galbraith
Secretary

JHG:ls

cc Universal Service Stations, Inc.
Robert Feldner, Supt. of Central Inspection
Ralph Eberly, City Clerk

SECRETARY'S REPORT

CASE NO. BZA 24-69

APPLICANT: Universal Service Stations, Inc., 520 South Mead,
Wichita, Kansas

AGENT: J. L. Weigand, Jr. 830 First National Bank
Building, Wichita, Kansas

REQUEST: Exception pursuant to Section 2.12.590.C, Code
of the City of Wichita to permit the installation
or construction of self service and/or automatic
car washes

GENERAL LOCATION: Northwest corner of Kellogg and Greenwich
Road

LAND USE: Subject property is occupied in part by a service
station, south is mobile home sales, north is
liquor store and undeveloped, west is undeveloped
east is service station

ZONING: Subject property is zoned "LC" and "C" as is that
to the north, to the west and south is zoned "C"
with "LC" to the east

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
providing the conditions under Section 28.04.183.4,
Code of the City of Wichita, can be complied with.

COMMENTS BY THE SECRETARY:

It is the opinion of the Secretary that the location is
logical due to the zoning and development in this general
area along both Kellogg and Greenwich Road. The application
does have adequate area for the car wash operation and the
proposed plan has been approved by the Traffic Engineer.

It should be pointed out, however, that the proposed
plan does not indicate the required off-street parking spaces
for employees. It should also be pointed out that the dimen-
sions shown on the plan do not coincide with the area requested
in the application.

Page 2 - Secretary's Report
Case No. BZA 24-69
October 28, 1969

The applicant should be aware that inasmuch as the application area is unplatted it will be necessary that the land be platted and the plat recorded with the Registrar of Deeds prior to the issuance of a building permit by the Office of Central Inspection for the car wash facility.

RECOMMENDATION

It is the recommendation of the Secretary that the exception be approved to permit the installation of an automatic and/or self service car wash subject to the following conditions:

1. There shall be a minimum lot area of 3,500 square feet for each self-service car-washing stall and/or 2,500 square feet for each 20 lineal feet of the automatic car-washing structure provided the minimum lot area shall be not less than 7,500 square feet.
2. The car washing building or facilities shall set back a distance of not less than 35 feet from the street right-of-way on both Kellogg and Greenwich Roads as may be established at the time of platting.
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 the adjacent property. No string type lighting or banners shall be permitted.
5. No signs 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 4 parking spaces for each self-service car washing stall and/or not less than 3 spaces for each 20 lineal feet of the automatic car washing aisle. However, in the event the stall is constructed so as not to 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 parking spaces for each self-service car washing stall and/or 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 for proper maintenance and removal of trash.
 13. The applicant shall submit two revised copies of the plot plan to the Secretary of the Board which have been approved by the Traffic Engineer, said plans to be accurately dimensioned and indicate the required off-street parking spaces for customers and employees. Said approved plan shall be submitted to the Planning Department within 30 days of the approval by the Board or this case shall be considered null and void.
 14. Prior to the issuance of any building permits or the construction of the proposed car wash, the application area shall be platted.
 15. All conditions of approval by the Board must be complied with prior to the occupancy of the property for the proposed automatic car wash facility.

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

October 8, 1969

NOTICE TO ADJOINING PROPERTY OWNERS

An application has been filed by Universal Service Stations, Inc. 520 South Mead, Wichita, Kansas, by J. L. Weigand, Jr. 830 First National Bank Building, Wichita, Kansas, pursuant to Section 2.12.590.C Code of the City of Wichita, requesting an exception to permit the installation or construction of self service and/or automatic car washes, on property zoned "LC" Light Commercial and "C" Commercial and legally described as follows:

Beginning at the southeast corner of the southeast quarter Section 21, Township 27 South, Range 1 East, thence north 246.3 feet, thence west 150 feet parallel to the south line of U. S. Highway 54 right of way, thence north 50 feet, thence west 100 feet parallel to the south line of U. S. Highway 54 right of way thence south approximately 296.3 feet to the south line of the southeast quarter of Section 21, thence east 250 feet to the point of beginning. Generally located at the northwest corner of Kellogg and Greenwich Road.

This application has been assigned Case No. BZA 24-69, and will be considered by the Board of Zoning Appeals at its meeting on Tuesday, October 28, 1969, 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

12 copies mailed 10-8-69

EXHIBIT "A"

Beginning at the southeast corner of the Southeast Quarter (SE 1/4) Section 21, Township 27 South, Range 1 East, thence north 246.3 feet, thence west 150 feet parallel to the south line of U.S. Highway 54 right of way, thence north 50 feet, thence west 100 feet parallel to the south line of U.S. Highway 54 right of way, thence south approximately 296.3 feet to the south line of the Southeast Quarter of Section 21, thence east 250 feet to the point of beginning.

STATEMENT OF JUSTIFICATION

The owners, Universal Service Stations, Inc., has made investigation of the commercial feasibility and need for self-service and/or an automatic car wash operation in the east central side of the city of Wichita in response to inquiry of customers and has come to the conclusion that there is substantial demand in the general area of Kellogg and Greenwich Road for self-service and automatic car wash operations and in applicant's opinion the demand for same is such that the venture would be commercially feasible and profitable and that applicant's location at the northwest corner of Kellogg and Greenwich Road is a suitable, proper and desirable location for such car wash facility. Furthermore, applicant's investigation has indicated that applicant's investigation has indicated that applicant's combining facilities of a gasoline service station with such car wash operations would satisfy an existing need in the area in a most suitable and proper manner without adverse side effects on traffic flow or development or use of the adjacent properties.

OWNERSHIP LIST

Lot	Addition	Property Owner
60	Linwood Acres	Estate of K.T. Wiedermann
61	"	✓ R.J. Hayford Mayme Hayford 3411 S. Osage Wichita, Kansas 67217
1 and 2, exc. the N 20ft. deeded to State Highway Commission	East Kellogg Acres	✓ Jesse L. Graham Ina L. Graham 1403 Harding Wichita, Kansas 67208 ✓ Luis A. Casado Vera J. Casado 14 English Ave. Wichita, Kansas 67217
Description		
N 200ft. of the W 200ft. of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec.27-27-2E.		✓ Gladys Wiedermann 4th National Bank & Trust Co. Trustee 233 Courtleigh Dr. Wichita, Kansas 67218
E $\frac{1}{2}$ SE $\frac{1}{2}$ SE $\frac{1}{2}$ exc. Beg. at the SE/c of the SE $\frac{1}{2}$ of Sec.21-27-2E; th. N 296.3ft.; th. W 250ft. // to the S ln. of U.S. Hwy 54 r/of/w; th. S to the ln. of the SE $\frac{1}{2}$ of Sec.21; th. E 250ft. to p.o.b.		Greenwich Investment, Inc. Address Unknown <i>none found</i>
A tr. of land 46ft. by 150ft. beg. at the NE/c of the following tr: Beg. at the SE/c of the SE $\frac{1}{2}$ of Sec.21-27-2E; th. N 296.3ft.; th. W 250ft.// to the S ln. of U.S. Hwy54 r/of/w; th. S to the ln. of the SE $\frac{1}{2}$ of Sec.21; th. E 250ft. to p.o.b.; th. S 46ft. along the E ln. of the above des.tr.; th. W 150ft. along a ln. // to the N ln.of sd. tr.; th. N 46ft.// to the E ln. of the above des. tr.; th. 150ft. E to p.o.b. (Commonly known as 441 S. Greenwich Road)		✓ James O. Maloney 7340 Elm Ct. Wichita, Kansas 67206 ✓ Terrance P. Maloney 20 Norfolk Wichita, Kansas 67208 ✓ Gerald B. Maloney 850 Tara Lane Wichita, Kansas 67206 ✓ Lawrence M. Maloney 135 New York Ave. Apt. 3 Wichita, Kansas 67214 ✓ J.L. Weigand Jr. 303 N. Dellrose Ave. Wichita, Kansas 67208

*10-20-69
no add
found*

Description

✓ Property Owner

Beg. at the SE/c of the SE $\frac{1}{2}$ of Sec.21-27-2E; th. N 296.3ft.; th. W 250ft.// to the S ln. of U.S. Highway 54 r/of/w; th. S to the ln. of the SE $\frac{1}{2}$ of Sec.21; th. E 250ft. to p.o.b. Exc. th. S 46ft. along the E ln. of the above des. tr; th. W 150ft. along a ln. // to the N ln. of sd. tr.; th. N 46ft. // to the E ln. of the above des. tr.; th. 150ft. E to pt. of beginning.

Universal Service Station
Inc.
11134 E. Kellogg
Wichita, Kansas 67207

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

Beg. at the SE/c of the SE $\frac{1}{2}$ of Sec.21-27-2E, th. N 246.3ft., th. W 150ft. // to the S ln. of U.S. Highway 54 r/of/w, th. N 50ft., th. W 100ft. // to the S ln. of U.S. Highway 54 r/of/w, th. S approximately 296.3ft. to the S ln. of the SE $\frac{1}{2}$ of Sec.21, th. E 250ft. to the point of beginning, as shown by the last deeds on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on this 1st day of October, 1969 at 7:00 A.M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By

Lucille Schwede

Vice President

Order No. 167056

mrr

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

October 8, 1969

NOTICE TO ADJOINING PROPERTY OWNERS

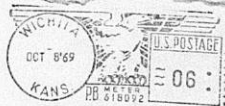
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JACK H. GALBRAITH
Secretary

THE CITY OF WICHITA, KANSAS
BOARD OF ZONING APPEALS
104 SOUTH MAIN
WICHITA, KANSAS 67202



- Moved, left no address
 No such number
 Moved, not forwardable
 Addressee unknown



Lawrence M. Maloney
185 New York Avenue
Apt. 3
Wichita, Kansas 67214



Form 223-021

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
BZA App	50 ⁰⁰

Name J. Weigand, Jr.

Address 830 1st Nat Bk Bldg.

Type A 71 C Due Date 10-1-69

Comments:

Date 10-1-69 By BR

KELLOGG AVE.

210'-0"

230'-0"

32'-0"

60'-0"

12'-0"

55'-0"

EDGE OF ASPHALT

EQUIP. ROOM

FINISH DETAIL AREA

NEW CARWASH FACILITY

• STACKING SPACE FOR 20 CARS

ASPHALT

GAS PUMP ISLANDS

CONCRETE

EXISTING UNIVERSAL SERVICE STATION BLDG.

110'

PROPERTY CORNER

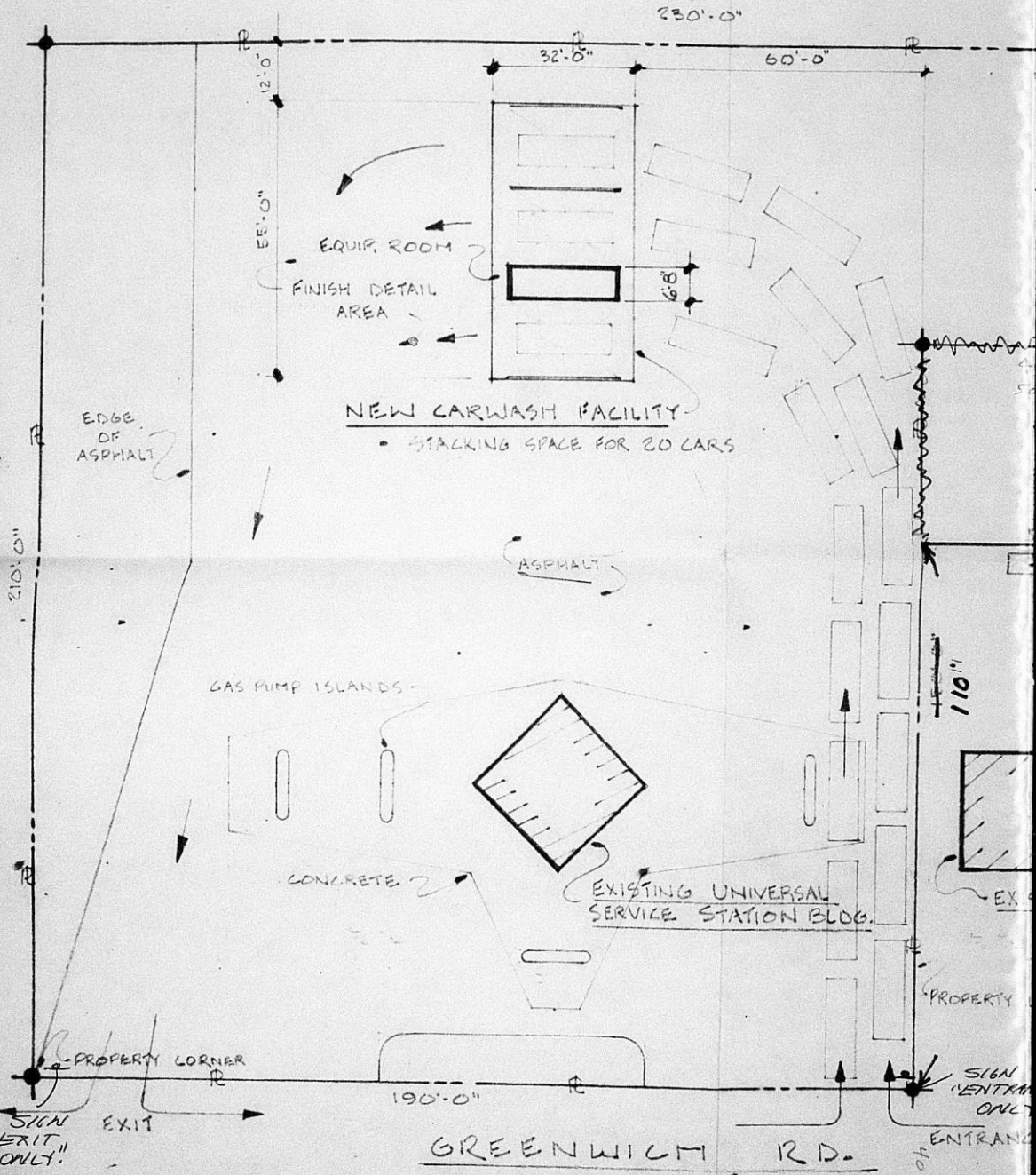
"SIGN EXIT ONLY"

EXIT

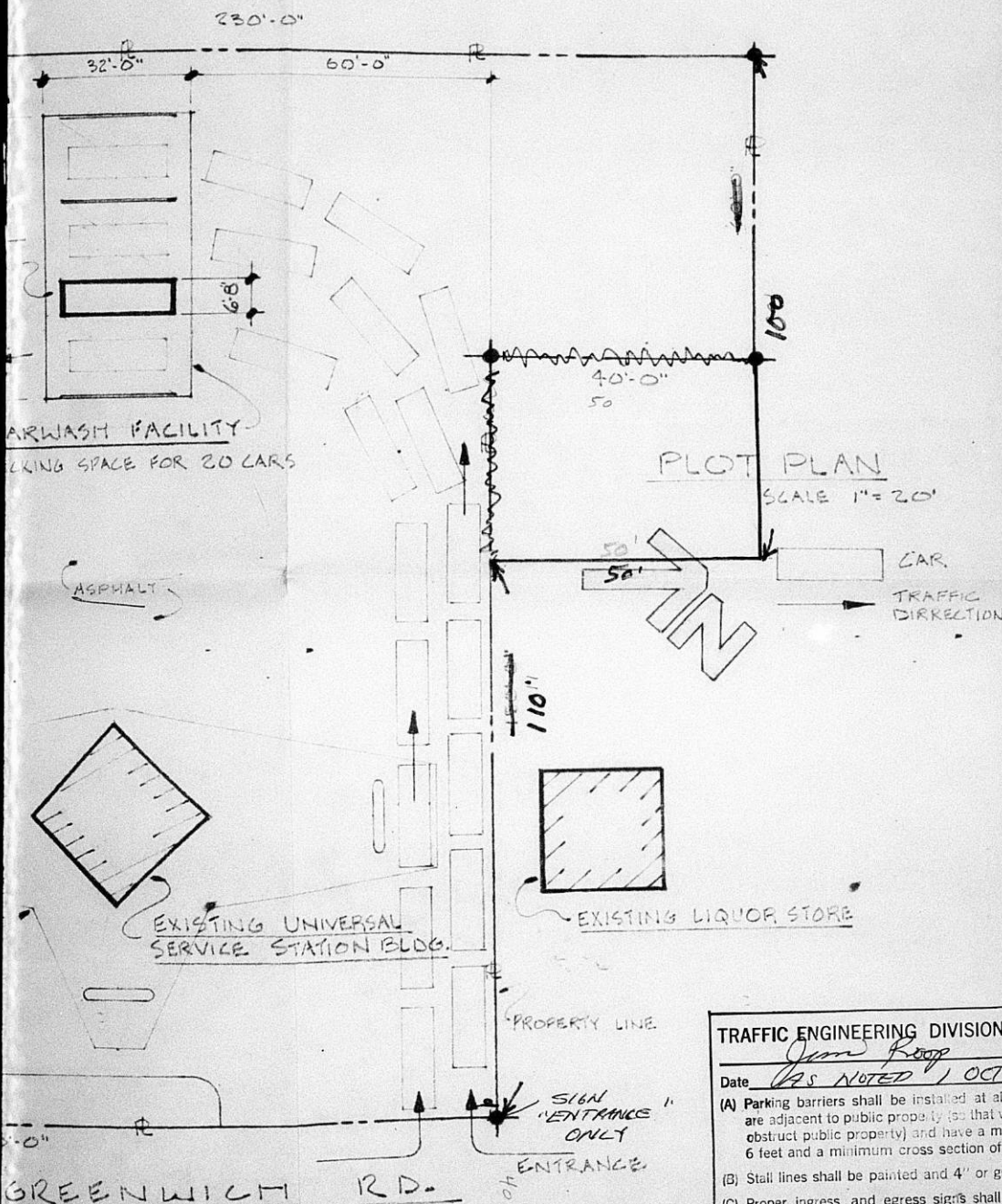
190'-0"

GREENWICH RD.

SIGN "ENTRANCE ONLY" OF ENTRANCE



0002067



JOHN C. NEELY III-ARCHITECT
 814 E. EIGHTH ST.
 WICHITA, KANSAS.
 DATE: 9-30-69 DR. SH.

SHEET

FOR EQUIP. CO. INC.
 WASHINGTON AVE.
 KANSAS

TRAFFIC ENGINEERING DIVISION APPROVED
John Rupp
 Date: AS NOTED / OCT 1969
 (A) Parking barriers shall be installed at all locations that are adjacent to public property (so that vehicles will not obstruct public property) and have a minimum length of 6 feet and a minimum cross section of 4" x 4".
 (B) Stall lines shall be painted and 4" or greater in width.
 (C) Proper ingress and egress signs shall be installed on private property at the entrances and exits of the parking facility.

*

This BZA. Case
Has a Large Drawing
On 35mm Microfilm
Roll # 1