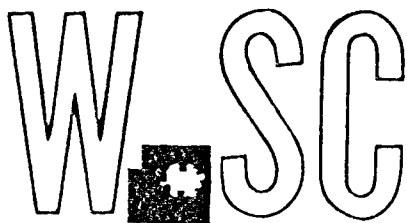


WICHITA — SEDGWICK COUNTY



March 8, 2000

FILE COPY

METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421
FAX (316) 268-4390

Albert H. Gibson
Helen L. Gibson
2718 Irving
Wichita, KS 67213

RE: Z-3349 – Zone change from “MF-29” Multi-Family Residential to “LC” Limited Commercial.

CU-551 – Conditional Use to allow a car wash. General location east of Meridian and south of Orient Blvd.

Dear Ladies and Gentlemen:

At its regular meeting March 7, 2000, the Wichita City Council considered the above-captioned request. The action of the Council was to DENY the request.

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,

Dale Miller
Chief Planner

DM/rs

cc: C. C. Lawson, 930 Terradyne Circle, Andover, KS 67002
Don Folger, Jr. and Assoc., 234 S. Topeka, Wichita, KS 67202
David Holmes, 300 W. Douglas #430, Wichita, KS 67201
City Council Member, Bill Gale
Kurt Schroeder, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
Paul Hays, Office of Central Inspection
J.R. Cox, Office of Central Inspection



AGENDA ITEM NO.

9A
+
9B

STAFF REPORT

CPO 4, 12/9/99
MAPC, 12/16/99
MAPC, 1/27/2000.

CASE NUMBER: Z-3349 and associated CU-551

APPLICANT/AGENT: Albert H. Gibson and C.C. Lawson, applicant; Don Folger, agent

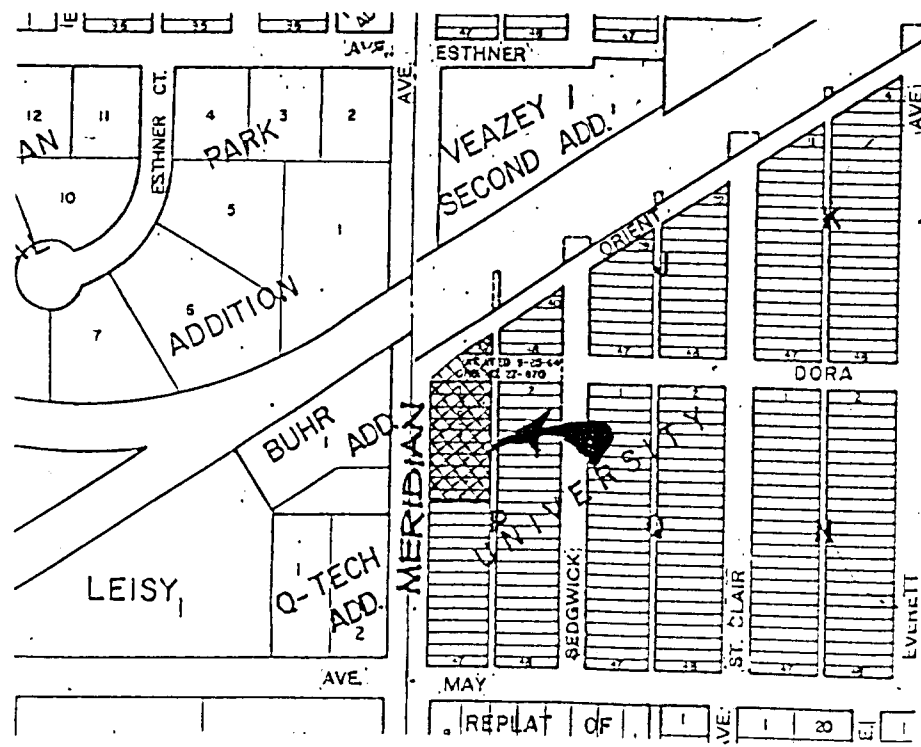
REQUEST: "LC", Limited Commercial and Conditional Use 551 to permit a car wash

CURRENT ZONING: "NR", Neighborhood Retail

SITE SIZE: 1 acre

LOCATION: East of Meridian and south of Orient Blvd.

PROPOSED USE: Car wash



BACKGROUND: The applicant is requesting a Conditional Use permit to allow a car wash to be located within 200 feet of residential zoning. The applicant is also seeking a zone change from "NR", Neighborhood Retail to "LC", Limited Commercial. A car wash is first permitted in the "LC" district with a Conditional Use. The application area is a one-acre platted tract of land located at the southeast corner of Meridian and Orient.

The attached site plan shows a seven-bay car wash. All seven of the car wash bays are depicted as self-service. These wash bays are located approximately 48 feet west of the east property line. The plan also depicts four vacuums located east of the wash bays, on the eastern property line. Fourteen parking spaces are also shown along the east property line. These parking spaces are to be used for drying or vacuuming. The facility would have one access to Orient, located 120 feet east of the intersection of Orient and Meridian; and one to Meridian, located 60 feet south of the intersection of Orient and Meridian.

The site plan indicates that the southern most 125 feet of the application area will not be used by the car wash. No use has been identified for this vacant strip at this point in time. The applicant had to buy the whole parcel and the code requires the 60-foot separation distance from residential zoning used for permitted uses. Single-family homes are located south and southeast of the applicant's ownership. To the east is located an Eagles Lodge, a baseball diamond and vacant land. Railroad tracks are located north of the site.

Key Unified Zoning Code car wash "supplementary use requirements" include: buildings to be located at least 35 feet from arterials and 20 feet from other street right-of-way; 60 from the lot line of any residentially zoned lot, unless the property is being used for a nonresidential use permitted by-right in the underlying district; fencing, a minimum of six feet in height shall be provided along the interior side and rear property line, when adjacent to a dwelling; all area utilized for washing or drying, including ingress and egress, shall be paved; lighting shall comply with lighting standards in the code; no string-type lighting shall be permitted and signage as per the sign code.

Compatibility setbacks are required along side and rear lot lines adjacent to property zoned TF-3 or more restrictive. The minimum setback is 15 feet plus one foot for each five feet of lot width over 50 feet, up to a maximum of 25 feet.

Landscaping will be required per the "landscape ordinance".

The project complies with compatibility setback and supplemental requirements. A screening fence will have to be built along the perimeter where the "LC"

zoning is adjacent to residential zoning, part of the east and the south property lines; and landscaping will have to be provided.

CASE HISTORY: In January 1999 this site was approved for "NR", Neighborhood Retail zoning, subject to re-platting within one year. To-date the site has not been re-platted.

ADJACENT ZONING AND LAND USE:

NORTH: "MF-29", Multi-family Residential; Orient Blvd. and railroad right-of-way
SOUTH: " MF-29", Multi-family Residential; single-family residential
EAST: "TF-3", Two-family Residential, and "LC", Limited Commercial; Eagles Lodge, ball diamond, vacant and single-family homes
WEST: "LI", Limited Industrial; feed and seed warehouse, warehousing and manufacturing

PUBLIC SERVICES: The site has frontage to Meridian, a four-lane arterial and Orient Blvd., a local two-lane street. Meridian has traffic volumes of 17,000, while Orient has volumes of 1,300 cars per day. The 2030 Transportation Plan estimates the volume for Meridian will increase to 19,000. 2030 projections are not available for Orient. Municipal services are available to serve this site.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide identifies this area as appropriate for high density residential uses. This designation has not been changed since the zone case that rezoned the property to "NR". This category includes densities in excess of 10 units per acre, such as garden apartments, condominiums and special residential accommodations for the elderly. The commercial locational guidelines recommend that residential uses should be buffered from commercial uses.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to the following conditions:

- A. The site shall be developed and maintained in compliance with all the requirements of Section III-D.6.f of the Unified Zoning Code.
- B. The applicant shall submit a landscape plan for approval by the Planning Director, prior to issuance of a building permit, that meets the ordinance's requirements.
- C. The site shall be developed in general conformance with the approved site plan. All improvements shall be completed before the facility becomes operational.
- D. Any violation of the conditions of approval shall declare the Conditional Use

permit null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: Surrounding land is zoned for a wide variety of uses – Limited Industrial, Limited Commercial, Two-family and Multi-family. There are industrial and warehouse uses, a fraternal organization, ball diamond, vacant land and single-family residential uses surrounding the site. This area is a mixed-use area.
2. The suitability of the subject property for the uses to which it has been restricted. The site is approved for “NR”, Neighborhood Retail. This district permits very low intensity office and retail uses. The site could be developed with such uses.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Any detrimental affects should be minimized due to the various setbacks, screening, fencing and landscaping requirements.
4. Length of time the property has remained vacant as zoned. The property is currently vacant as zoned.
5. Conformance of the requested change to the adopted or recognized Comprehensive Plan: The Land Use Guide identifies this area as appropriate for high density residential uses, however this is an outdated designation due to the 1999 zone change which approved this site for “NR” uses. The Plan recommends that auto-related uses should be confined to area where similar uses already exist. However, car washes have traditionally been located along collector streets, and this site is, for the most part, adjacent to more intensive uses and zoning.
6. Impact of the proposed development on community facilities: The car wash use should not generate more traffic than that which would have been generated with the “NR” zoning. Other community facilities should not be adversely impacted.