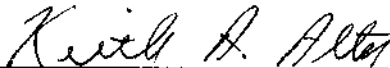


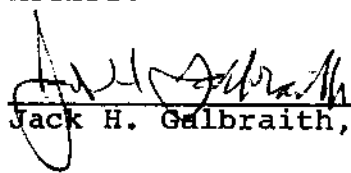
15. As agreed to by the developer at the September 21, 1989, CPO Council 3B meeting, existing trees along the north and west shall be retained. Should, for any reasons, the trees be removed, the owner of the property is responsible for seeing that they are replanted. Evergreen trees are to be provided along the north side of the car wash to provide a buffer for noise and light. Within 30 days after approval by the Board and prior to release of the resolution, the applicant shall submit a landscape plan to the Secretary for review and approval which identifies the existing trees along the north and west property lines, as well as the proposed new evergreen trees to be planted north of the car wash.
16. As agreed to by the developer at the September 21, 1989, CPO Council 3B meeting, all trucks servicing any use on subject property are prohibited from using Dellrose, and it shall be the business managers' responsibility to inform their service providers of this restriction.

ADOPTED AT WICHITA, KANSAS, this 26th day of September, 1989.



Keith Alter, Vice President

ATTEST:



Jack H. Galbraith, Secretary

BZA RESOLUTION NO. 36-89

WHEREAS, Phillips 66 Co., pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit the establishment of a single-bay, automatic car wash as an accessory use to a service station on property zoned the "LC" Light Commercial District and legally described as follows:

A tract of land beginning at the S.E. corner of the S.E. 1/4 of Section 35, Township 27 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas; thence north along the east line of said section a distance of 265.00 feet; thence south 90°00'00" west a distance of 57.62 feet to the point of beginning; thence south 5°57'18" west a distance of 15.34 feet; thence parallel to and 60.00 feet west of said section line a distance of 130.00 feet; thence along a curve to the right a distance of 93.99 feet, said curve having a 60-foot radius and a central angle of 89°45'20"; thence parallel to and 60.00 feet north of the south line of said section a distance of 130.00 feet; thence south 81°54'14" west a distance of 71.00 feet; thence north 0°14'40" east a distance of 215.00 feet; thence north 90°00'00" east a distance of 261.53 feet to the point of beginning. Generally located at the northwest corner of Oliver and Pawnee.

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 September 26, 1989, 1989, 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 establishment of a single-bay, automatic car wash as an accessory use to a service station 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.

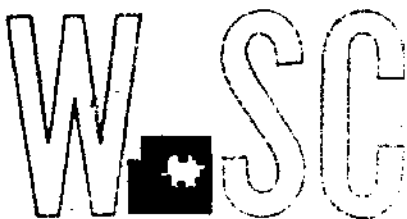
NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Appeals of the City of Wichita that this application be approved to permit the establishment of a single-bay, automatic car wash as an accessory use to a service station on property zoned the "LC" Light Commercial District and legally described as follows:

A tract of land beginning at the S.E. corner of the S.E. 1/4 of Section 35, Township 27 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas; thence north along the east line of said section a distance of 265.00 feet; thence south 90°00'00" west a distance of 57.62 feet to the point of beginning; thence south 5°57'18" west a distance of 15.34 feet; thence parallel to and 60.00 feet west of said section line a distance of 130.00 feet; thence along a curve to the right a distance of 93.99 feet, said curve having a 60-foot radius and a central angle of 89°45'20"; thence parallel to and 60.00 feet north of the south line of said section a distance of 130.00 feet; thence south 81°54'14" west a distance of 71.00 feet; thence north 0°14'40" east a distance of 215.00 feet; thence north 90°00'00" east a distance of 261.53 feet to the point of beginning. Generally located at the northwest corner of Oliver and Pawnee.

subject to the following conditions:

1. Although property to the north is zoned "LC", a portion of it is developed with a residence. As long as it is developed residentially, a 6- to 8-foot solid screening fence shall be maintained along the north line of this application area adjacent to that residential use to help protect the adjacent property from noise, light and blowing debris. The fence height shall be reduced to 3 feet within the west 20 feet of the north property line.
2. All of the area to be used for circulation, holding spaces, parking spaces and all ingress and egress drives shall be surfaced with asphalt, concrete or asphaltic concrete and be maintained in good condition.
3. All lights shall be shielded to reflect or direct light away from adjacent property. No string-type lighting or banners shall be permitted. The lights under the service station canopy shall be adjusted to reduce ambient light as agreed to by the developer at the CPO Council 3B meeting on September 21, 1989.
4. Signs shall be limited to those permitted by the "LC" district and all signs shall be located in accordance with the sign code of the City of Wichita.
5. No sound projecting devices or loudspeakers shall be used so as to be heard beyond the property lines.
6. Off-street parking spaces shall be provided for the total facility as required by the zoning ordinance.
7. The automatic car wash facility shall provide not less than 3 holding spaces for each 20 lineal feet of car washing aisle and not less than 2 drying spaces.
8. All parking spaces and drying spaces shall have adequate guards or curbs to prevent the extension or overhanging of vehicles beyond property lines, surfaced driveways and parking spaces.
9. Grades and drains shall be established on the property satisfactory to the Superintendent of Sewer Maintenance to direct the wash water in the car wash to a mud trap and sanitary sewer, and to prevent the intrusion of stormwater runoff into the sanitary sewer. The car wash shall be roofed to prevent stormwater infiltration.
10. Grades and drains shall be established on the property satisfactory to the City Engineer to prevent the flow of excess water from washed cars exiting the car wash into the street.
11. 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.
12. The car wash shall be constructed with a dryer and shall not be operated without the dryer. There shall be no extra fee charged for the use of the dryer, unless otherwise approved by the Board of Zoning Appeals within two years.
13. This service station and car wash facility shall be constructed substantially in compliance with the site plan as approved for this exception, and all improvements shall be completed within two years after approval of this use exception by the Board, or the resolution authorizing this accessory car wash shall become null and void.
14. As agreed to by the developer at the September 21, 1989, CPO Council 3B meeting, the one permitted driveway to Dellrose shall be constructed and signed so as to provide for only left turns from the property onto Dellrose for traffic exiting the site in accordance with a driveway design to be approved by the Traffic Engineer.

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4581

October 30, 1989

Bill Yung Design
4912 E. 29th St. N., Ste. 1
Wichita, KS 67220

Re: BZA 36-89 - Exception to permit the establishment of a
single-bay automatic car wash as an accessory use to a
service station at the northwest corner of Oliver & Pawnee.

Gentlemen:

Enclosed is a signed copy of the above-referenced BZA resolution
adopted by the Board of Zoning Appeals on September 26, 1989.
This resolution reflects the official action of the Board to
grant your request and sets out the conditions of approval. It
is forwarded to you for your information and files now that the
landscape plan as required by condition 15 has been submitted and
approved.

If you have questions concerning this matter, please call our
office.

Sincerely,

Louise Olivarez
Assistant Secretary
Board of Zoning Appeals

LO:jcm
Enclosure

cc: Harry Smits, Phillips 66 Co., 9706 S. Braden, Tulsa, OK
74136
Rick Kundee, 433 N. Battin, Wichita, 67208
Monty Robson, Superintendent of Central Inspection
Joe Donnelly, Zoning Administrator, CID
Dale Rea, Deputy City Clerk

8. All parking spaces and drying spaces shall have adequate guards or curbs to prevent the extension or overhanging of vehicles beyond property lines, surfaced driveways and parking spaces.
9. Grades and drains shall be established on the property satisfactory to the Superintendent of Sewer Maintenance to direct the wash water in the car wash to a mud trap and sanitary sewer, and to prevent the intrusion of stormwater runoff into the sanitary sewer. The car wash shall be roofed to prevent stormwater infiltration.
10. Grades and drains shall be established on the property satisfactory to the City Engineer to prevent the flow of excess water from washed cars exiting the car wash into the street.
11. 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.
12. The car wash shall be constructed with a dryer and shall not be operated without the dryer. There shall be no extra fee charged for the use of the dryer.
13. This service station and car wash facility shall be constructed substantially in compliance with the site plan as approved for this exception, and all improvements shall be completed within one year after approval of this use exception by the Board, or the resolution authorizing this accessory car wash shall become null and void.

September 26, 1989

SECRETARY'S REPORT

CASE NUMBER:

BZA 36-89

OWNER/APPLICANT/AGENT:

Maurice O. Knepp and Richard E. Cummings
(owners)
Phillips 66 Co. (applicant)
Bill G. Yung Design (agent)

REQUEST:

Exception to permit the establishment of a
single-bay, automatic car wash as an
accessory use to a service station.

CURRENT ZONING:

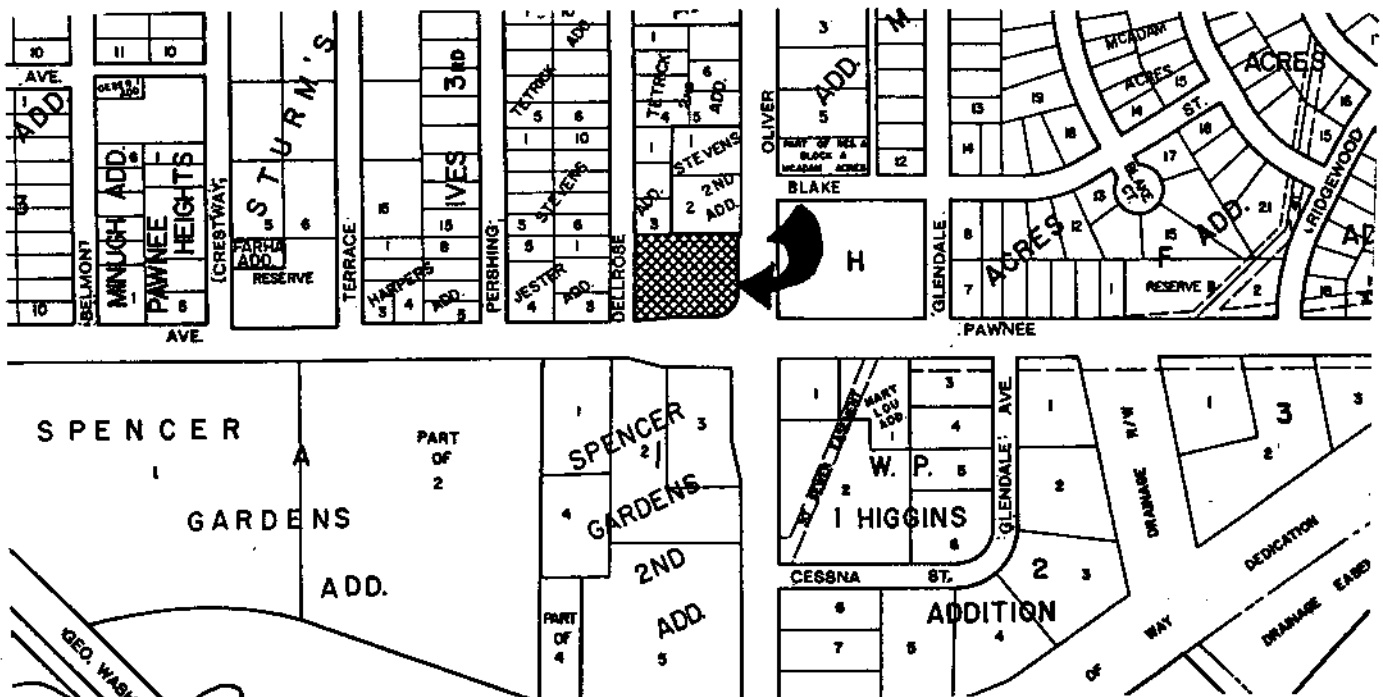
"LC" Light Commercial District

SITE SIZE:

215(-) ft. x 261(-) ft.

LOCATION:

Northwest corner of Oliver and Pawnee.



JURISDICTION: The Board has jurisdiction to consider this request under the provisions outlined in 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.

BACKGROUND: The applicant is requesting an exception to permit the establishment of a single-bay, detached automatic car wash as an accessory use to a proposed Phillips 66 service station at the northwest corner of Oliver and Pawnee. The property is being platted as Lot 1, Phillips Southeast Addition. The two existing commercial buildings will be removed from the site.

ADJACENT ZONING AND LAND USE:

NORTH	"LC"	Commercial use (International Cold Storage)
SOUTH	"LC"	Undeveloped and Whitlock Auto Supply
EAST	"LC"	Convenience store
WEST	"A"	One-family dwellings

RECOMMENDATION: Should the Board determine that a single-bay, detached automatic car wash as an accessory use to a proposed Phillips 66 service station is appropriate at this location, it is recommended that the exception be approved, subject to the following conditions:

1. Although property to the north is zoned "LC", a portion of it is developed with a residence. As long as it is developed residentially, a 6- to 8-foot solid screening fence shall be maintained along the north line of this application area adjacent to that residential use to help protect the adjacent property from noise, light and blowing debris. The fence height shall be reduced to 3 feet within the west 20 feet of the north property line.
2. All of the area to be used for circulation, holding spaces, parking spaces and all ingress and egress drives shall be surfaced with asphalt, concrete or asphaltic concrete and be maintained in good condition.
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 shall be limited to those permitted by the "LC" district and all signs shall be located in accordance with the sign code of the City of Wichita.
5. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
6. Off-street parking spaces shall be provided for the total facility as required by the zoning ordinance.
7. The automatic car wash facility shall provide not less than 3 holding spaces for each 20 lineal feet of car washing aisle and not less than 2 drying spaces.