

properties currently under same ownership, but car wash site is proposed for sale.) This agreement shall be submitted to the Secretary for review and approval prior to being recorded. It shall be submitted within 60 days after BZA approval and prior to release of the resolution authorizing this car wash.

8. 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 bays to a mud trap and sanitary sewer, and to prevent the intrusion of stormwater runoff into the sanitary sewer. The car wash bays shall be roofed to prevent stormwater infiltration.
9. The area shall be policed through inspections by the owner or operator for proper maintenance and removal of trash.
10. Within 60 days after BZA approval and prior to release of the resolution authorizing this use exception, the applicant shall submit six copies of a landscape plan prepared in compliance with the landscape ordinance provisions (Ordinance #41-510). This plan shall include the trees required in condition seven above.
11. The replat or lot split of this property, as required by zone case Z-3081, shall be recorded prior to release of the resolution authorizing this use exception, but no later than February 2, 1994.
12. Should the replat or lot split of this property require a substantial change in the site layout of the car wash facility, a new site plan shall be submitted to the Board of review and approval.
13. This car wash facility shall be constructed substantially in compliance with the site plan as approved for this exception and all improvements, including landscaping and screening, shall be completed prior to opening for business, but in no case later than one year following the release of the resolution authorizing this use exception.
14. This resolution may be declared null and void upon a finding by the Board that the applicant has failed to comply with any of the foregoing conditions.

February 23, 1993

SECRETARY'S REPORT

CASE NUMBER: BZA 2-93

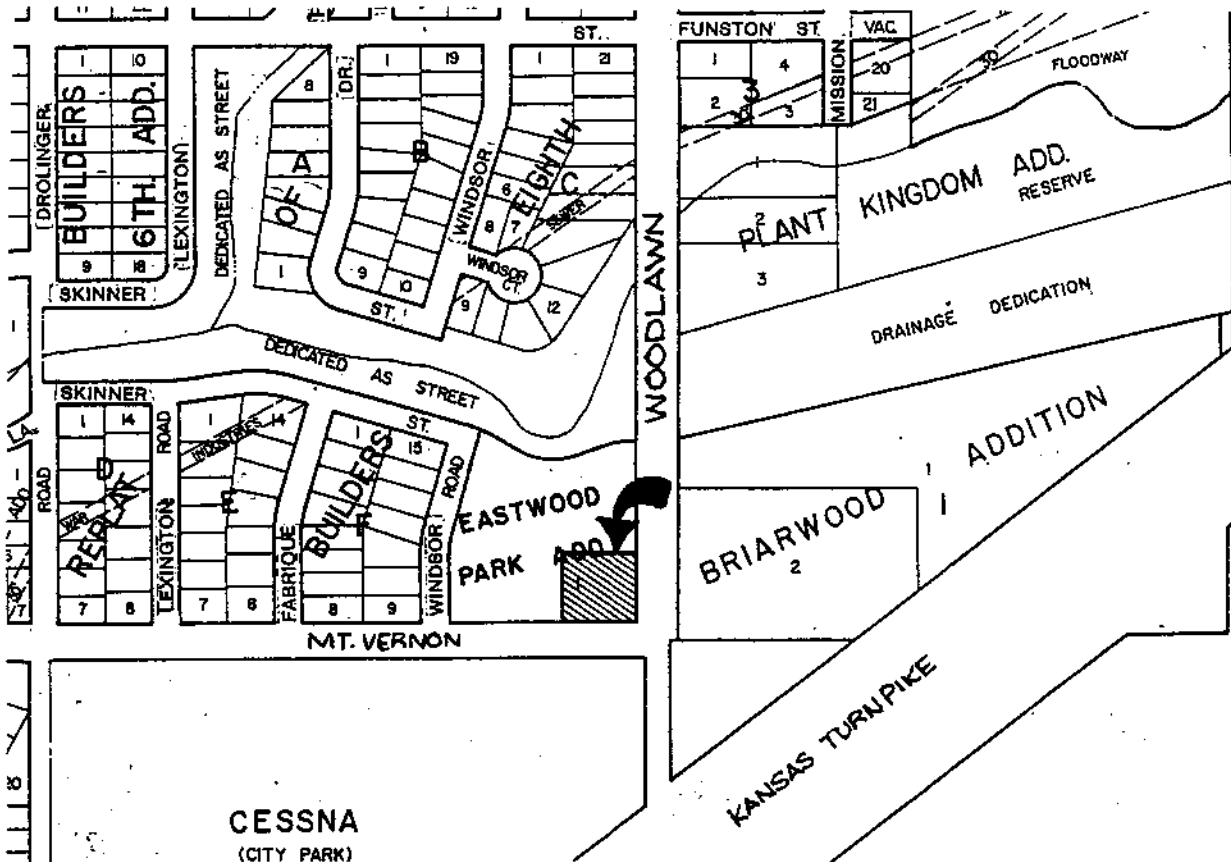
OWNER-APPLICANT/AGENT: Builders Inc./Elton Parsons

REQUEST: Exception to permit a self-service car wash

CURRENT ZONING: "OC" Office Commercial (approved for "LC" - Z-3081)

SITE SIZE: 24,000 sq. ft.

LOCATION: Northwest corner of Woodlawn and Mt. Vernon



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: This ½-acre site is a portion of a much larger lot which was down-zoned from "LC" to "OC" in 1984 when multi-family development was proposed for the majority of the lot. That development never occurred. In 1991, the McConnell Airport Overlay Districts were adopted and this property became subject to the AOD II-N regulations. That overlay district prohibits residential uses with less than five acres per dwelling unit, as well as other uses which generally tend to attract a large concentration of people. Car washes are permitted. The Planning Commission and City Council recently approved "LC" zoning for this site, subject to a replat or lot split being completed by February 2, 1994, in order to establish appropriate street rights-of-way, access controls and building setback lines. Although no replat or lot split has been submitted yet, it is thought that 10 feet of additional right-of-way for each street will be required to be dedicated, contingent upon its need for future street improvements; access control except for one opening to each street (with between 40 and 100 feet of complete access control being required at the corner); and building setback lines of 35 feet from the fully-dedicated rights-of-way on both streets. Woodlawn is a four-lane, paved arterial today, while Mt. Vernon is a two-lane, paved arterial. Although there are currently no plans in the Capital Improvement Program for improving either street, there is expected to be a need to widen Woodlawn to five lanes during the 2002-2010 planning period.

Although there is several hundred feet of "OC"-zoned property between this proposed car wash and the one-family dwellings to the west, there are no immediate plans for development of that property and therefore no screening would exist between these two non-compatible uses, unless provided by the orientation of the car wash structure itself or fencing and/or landscaping west of the car wash operation. The site is too small to permit reorientation of the structure so that the bays face north/south rather than east/west. Therefore, protection for the homes to the west (protection from car headlights and, to some degree, noise) can best be provided by requiring a six to eight-foot-tall masonry wall or solid wood fence along the west property line of the car wash site. Trees west of the wall would also help alleviate the stark incompatibility of a car wash in close proximity to a residential neighborhood. These could be located immediately west of the wall or fence or could be located as street trees along the east side of Windsor Road. The latter option would probably provide better protection for the single-family homeowners and would count toward the amount of landscaping required for the "OC" property when it develops.

The landscape ordinance will require a minimum of 1,800 square feet of landscaped street yard along the two arterials, including four shade trees (or eight ornamental trees or a combination of the two), plus screening of the drying spaces because they are within 150 feet of Mt. Vernon.

The applicant has been asked to provide additional information regarding location of the trash receptacles and light poles so that an assessment can be made of their effects on surrounding properties.

ADJACENT ZONING AND LAND USE:

NORTH	"OC"	Undeveloped
SOUTH	"AA"	City park
EAST	"C"	Apartments
WEST	"OC"	Undeveloped

RECOMMENDATION: Should the Board determine that a self-service car wash is appropriate at this location, it is recommended that the exception be approved, subject to the following conditions:

1. The car wash operation shall contain no more than six bays, unless additional land is added to the site and a new use exception is requested and approved. In accordance with Section 28.04.183(4) of the Zoning Ordinance, the car-washing building shall maintain setbacks of at least 35 feet from Woodlawn and from Mt. Vernon, both of which are arterial streets.
2. All the area to be utilized by the washing and drying operations, including all ingress and egress areas, shall be paved with concrete, asphalt or asphaltic concrete. Adequate markings shall be painted on the paving to direct and control the vehicular circulation in accordance with the approved site plan.
3. All lights shall be shielded to reflect or direct light away from adjacent property. No string-type lighting shall be permitted.
4. Signs shall be limited to those permitted in the "LC" district and all signs shall be located in accordance with the sign code of the City of Wichita. No sign shall exceed 25 feet in height. No string-type banners shall be permitted.
5. No sound projecting devices or loudspeakers shall be used so as to be heard outside any structure.
6. A minimum of four holding spaces and two drying spaces per bay shall be provided and maintained on the site.
7. A six to eight-foot-tall masonry wall or solid wood fence shall be constructed along the west property line from the northwest corner of the site to the southwest corner of the drying spaces. If a wood fence is used, the "finished" side shall face west. A minimum of 9 shade or 18 ornamental trees (or a combination thereof) shall be planted and maintained along the east side of Windsor Road; or a minimum of seven trees shall be planted and maintained within 20 feet adjacent to and west of the wall until such time as that adjacent property develops. Since these trees will be outside the application area, the applicant shall enter into an agreement with the owner of that land as to responsibilities for planting and maintaining these trees. (Both

SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

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

December 23, 1993

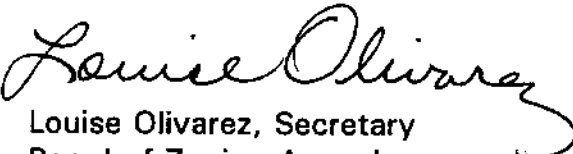
Mr. Elton Parsons
1097 S. Glendale
Wichita, KS 67218

Re: BZA 2-93 - Exception to permit a self-service car wash on the Northwest corner of Woodlawn and Mt. Vernon.

Dear Elton:

Enclosed is a signed copy of the above-referenced BZA Resolution adopted by the Board of Zoning Appeals on February 23, 1993. 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 corrected landscape plan for the car wash site and the agreement regarding street trees on the east side of Windsor Road have been submitted (conditions 7 and 10). For the benefit of those receiving copies of this letter, I am attaching a copy of the street tree agreement.

Sincerely yours,



Louise Olivarez, Secretary
Board of Zoning Appeals

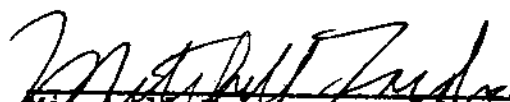
Enclosure

LO/prf

cc: Builders, Inc., 1081 S. Glendale, Wichita, KS 67218
Randy Sparkman, OCI
Paul Hays, OCI
Ray Sledge, OCI
Pat Burnett, Deputy City Clerk

7. A six to eight-foot-tall masonry wall or solid wood fence shall be constructed along the west property line from the northwest corner of the site to the southwest corner of the drying spaces. If a wood fence is used, the "finished" side shall face west. A minimum of 9 shade or 18 ornamental trees (or a combination thereof) shall be planted and maintained along the east side of Windsor Road; or a minimum of seven trees shall be planted and maintained within 20 feet adjacent to and west of the wall until such time as that adjacent property develops. Since these trees will be outside the application area, the applicant shall enter into an agreement with the owner of that land as to responsibilities for planting and maintaining these trees. (Both properties currently under same ownership, but car wash site is proposed for sale.) This agreement shall be submitted to the Secretary for review and approval prior to being recorded. It shall be submitted within 60 days after BZA approval and prior to release of the resolution authorizing this car wash.
8. 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 bays to a mud trap and sanitary sewer, and to prevent the intrusion of stormwater runoff into the sanitary sewer. The car wash bays shall be roofed to prevent stormwater infiltration.
9. The area shall be policed through inspections by the owner or operator for proper maintenance and removal of trash.
10. Within 60 days after BZA approval and prior to release of the resolution authorizing this use exception, the applicant shall submit six copies of a landscape plan prepared in compliance with the landscape ordinance provisions (Ordinance #41-510). This plan shall include the trees required in condition seven above.
11. ^{see 45-0873} The replat or lot split of this property, as required by zone case Z-3081, shall be recorded prior to release of the resolution authorizing this use exception, but no later than February 2, 1994.
12. Should the replat or lot split of this property require a substantial change in the site layout of the car wash facility, a new site plan shall be submitted to the Board of review and approval.
13. This car wash facility shall be constructed substantially in compliance with the site plan as approved for this exception and all improvements, including landscaping and screening, shall be completed prior to opening for business, but in no case later than one year following the release of the resolution authorizing this use exception.
14. This resolution may be declared null and void upon a finding by the Board that the applicant has failed to comply with any of the foregoing conditions.

ADOPTED AT WICHITA, KANSAS, this 23rd day of February, 1993.


Mitchell Faroh, President

ATTEST:


Louise Olivarez, Secretary

BZA RESOLUTION NO. 2-93

WHEREAS, Builders, Inc., pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit a self-service car wash on property approved for "LC" Light Commercial zoning and legally described as follows:

That part of Lot 1, Eastwood Park Addition, Wichita, Sedgwick County, Kansas, described as: Beginning at the southeast corner of said Lot 1; thence north 150 feet; thence west 160 feet; thence south 150 feet; thence east 160 feet to the point of beginning. Generally located on the northwest corner of Woodlawn and Mt. Vernon.

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 February 23, 1993, 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 a self-service car wash on property approved for "LC" Light Commercial zoning, 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 a self-service car wash on property approved for "LC" Light Commercial zoning and legally described as follows:

That part of Lot 1, Eastwood Park Addition, Wichita, Sedgwick County, Kansas, described as: Beginning at the southeast corner of said Lot 1; thence north 150 feet; thence west 160 feet; thence south 150 feet; thence east 160 feet to the point of beginning. Generally located on the northwest corner of Woodlawn and Mt. Vernon.

subject to the following conditions:

1. The car wash operation shall contain no more than six bays, unless additional land is added to the site and a new use exception is requested and approved. In accordance with Section 28.04.183(4) of the Zoning Ordinance, the car-washing building shall maintain setbacks of at least 35 feet from Woodlawn and from Mt. Vernon, both of which are arterial streets.
2. All the area to be utilized by the washing and drying operations, including all ingress and egress areas, shall be paved with concrete, asphalt or asphaltic concrete. Adequate markings shall be painted on the paving to direct and control the vehicular circulation in accordance with the approved site plan.
3. All lights shall be shielded to reflect or direct light away from adjacent property. No string-type lighting shall be permitted.
4. Signs shall be limited to those permitted in the "LC" district and all signs shall be located in accordance with the sign code of the City of Wichita. No sign shall exceed 25 feet in height. No string-type banners shall be permitted.
5. No sound projecting devices or loudspeakers shall be used so as to be heard outside any structure.
6. A minimum of four holding spaces and two drying spaces per bay shall be provided and maintained on the site.

