



FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

June 20, 2006

Bledsoe Enterprises, Inc., Etal.
226 Mesa
Wichita, KS 67212

RE: CON 2006-20 -- Conditional Use to allow a carwash and zone request to be zoned LC Limited Commercial (associated with ZON2006-22). Generally located north of Kellogg Dr. and east of Maize Road. (District V)

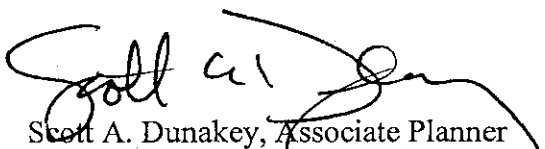
Dear Mr. Bledsoe;

At its regular meeting on June 20, 2006, the Wichita City Council considered the above-captioned request. The action of the City Council was to APPROVE the request subject to the following conditions:

- A. The site shall be developed according to the site plan and maintained in compliance with all the requirements of Section III-D.6.f of the UZC regarding supplementary use regulations for car washes. All improvements shall be completed before the facility becomes operational.
- B. The site shall comply with all provisions of Section IV-C of the UZC, pertaining to compatibility standards.
- C. The site shall comply with all provisions of the Landscape Ordinance and the applicant shall submit a landscape plan for approval by the Planning Director.
- D. After a review of the development and upon appropriate findings, any violation of the conditions of approval will allow the conditional use to be declared null and void.

If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,


Scott A. Dunakey, Associate Planner
Current Plans Division

City Hall • 10th Floor • 455 North Main • Wichita, Kansas 67202-1688

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www.wichita.gov

A RESOLUTION AUTHORIZING A CONDITIONAL USE FOR A CAR WASH ON 0.81 ACRES ZONED "LC" LIMITED COMMERCIAL, LOCATED AT THE SOUTHEAST CORNER OF WEST MAPLE STREET AND SOUTH ILLINOIS AVENUE IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-D, AS ADOPTED BY ORDINANCE NO. 44-975, AS AMENDED.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 1. That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section V-D of the Wichita-Sedgwick County Unified Zoning Code, a Conditional Use to permit car wash on 0.81 acres zoned "LC" Limited Commercial legally described below:

Case No. CON2006-00020

A Conditional Use Permit for Car Wash, on 0.81 acres zoned "LC" Limited Commercial described as:

The west 145 feet of the following described tract: A tract in the SW 1/4 of Sec. 29, Twp 27-S, R-1-W of the 6th P.M. Sedgwick County, Kansas, described as commencing at the southeast corner of Lot 18, Verda Vista, Sedgwick County, Kansas; thence on an assumed bearing of N01 degrees 18'15"W, along the east line of said Verda Vista, a distance of 207.09 feet more or less, to a point 24.99 feet north of the southeast corner of Lot 16, in said Verda Vista, said point being a point on the south line of Lot 1, Block A, Quik Trip 8th Addition, Wichita Sedgwick County, Kansas; thence N77 degrees 23'30"E, 95.86 feet to the southeast corner of said Lot 1 for a point of beginning; thence continuing N77 degrees 23'30"E, 82.07 feet; thence N83 degrees 48'36"E, 81.62 feet; thence N76 degrees 04'33"E, 210.70 feet; thence N71 degrees 15'54"E, 324.50 feet; thence N15 degrees 58'34"W, 77.40 feet more or less to a point on the north line of a tract as described on the deed filed of record in the Sedgwick County Register of Deeds Office at Film 424, Page 238; thence west along the north line of said tract, being parallel with the south line of said SW 1/4, 461.08 feet more or less to a point 560 feet east of the west line of said SW 1/4; thence north parallel with the west line of said SW 1/4, 21.17 feet; thence west 196 feet to the northeast corner of said Lot 1, Block A, Quik Trip 8th Addition; thence southerly 256.82 feet more or less to the point of beginning. Generally located at the northeast corner of West Kellogg Drive and South Maize Road.

SUBJECT TO PLATTING WITHIN ONE YEAR AND THE FOLLOWING CONDITIONS:

- A. The site shall be developed according to the site plan and maintained in compliance with all the requirements of Section III-D.6.f of the UZC regarding supplementary use regulations for car washes. All improvements shall be completed before the facility becomes operational.
- B. The site shall comply with all provisions of Section IV-C of the UZC, pertaining to compatibility standards.
- C. The site shall comply with all provisions of the Landscape Ordinance and the applicant shall submit a landscape plan for approval by the Planning Director.

- D. After a review of such development and upon appropriate findings, any violation of the conditions of approval will allow the conditional use to be declared null and void.

SECTION 2. That upon the taking effect of this Resolution, the notation of such Conditional Use permit shall be shown on the "Official Zoning District Map" on file in the office of the Planning Director of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION 3. That this Resolution shall take effect and be in force from and after its adoption by the Governing Body.

ADOPTED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, this date _____

Carlos Mayans, Mayor

ATTEST:

Karen Sublett, City Clerk

Approved as to form:

Gary E. Rebenstorf, City Attorney

STAFF REPORT

MAPC May 18, 2006

FILE COPY

CASE NUMBER: CON2006-00020 & ZON2006-00022

APPLICANTS/OWNERS: Bledsoe Enterprises, Inc. c/o Hap Bledsoe (owner); Quik Trip Corporation (Applicant)

AGENT: Baughman Company c/o Russ Ewy (agent)

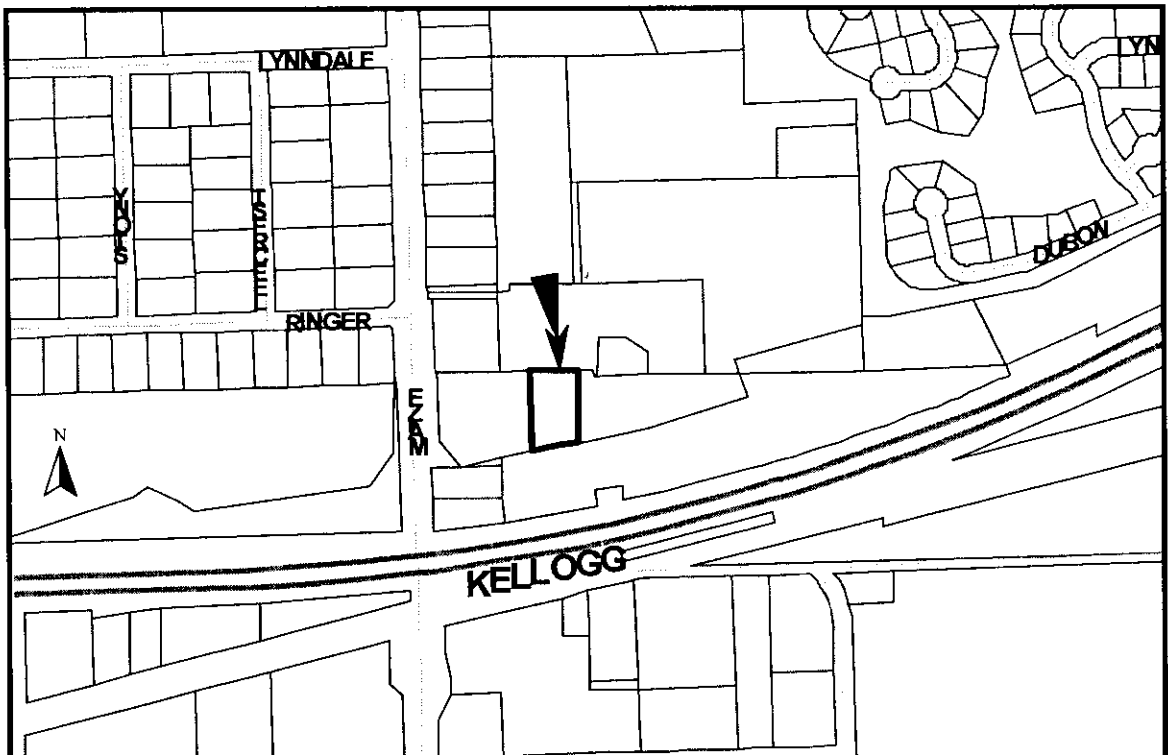
REQUEST: Conditional use to allow a car wash and a zone change to LC Limited Commercial

CURRENT ZONING: LC Limited Commercial and SF-5 Single-family Residential

SITE SIZE: ± 0.81 acres

LOCATION: Northeast corner of South Maize Road and West Kellogg Drive

PROPOSED USE: Car wash



BACKGROUND: The applicant is requesting a zone change from SF-5 Single-family Residential to LC Limited Commercial and a conditional use to allow a car wash to be located within 200 feet of residential zoning in the LC Limited Commercial zoning district. The 0.81-acre site is located on the northeast corner of the intersection of Maize Road and Kellogg Drive. All but the north 43 feet of the site, which is zoned SF-5 Single-family Residential, is currently zoned LC Limited Commercial. The entire subject parcel is currently vacant. Quik Trip Corporation, owner of the property immediately west of the subject property, is proposing the car wash as an ancillary use to their existing convenience store.

A mix of commercial and residential zoning and land uses exists on both sides of the Maize Road/Kellogg Drive intersection. The commercial zoning and uses are concentrated on the road frontages, while single-family residential zoning and uses exist northwest and northeast of this commercial node. The SF-5 zoning continues about 2,100 feet east of the site to Seville Avenue, where the highway frontage transitions back to commercial. Given the recent improvements to Kellogg Drive/US 54, it would be expected that the area east of the site would begin being developed with commercial uses consistent with the Functional Land Use Guide of the Comprehensive Plan. South of the site is the Kellogg Drive/US 54 right-of-way. A single-family residence zoned SF-5 abuts the site to the north.

CASE HISTORY: The site is unplatted. The southern portion of the lot was zoned from R Rural Residential to LC Limited Commercial by Sedgwick County March 28, 1958. There is no other known case history.

ADJACENT ZONING AND LAND USE:

NORTH	SF-5 Single-family	Single-family residential
SOUTH:	NA	Kellogg/US 54 right-of-way
EAST:	SF-5 Single-family	Vacant; Accessory structure
WEST:	LC Limited Commercial	Convenience store

PUBLIC SERVICES: Although the site has frontage on Kellogg Drive, there will be no direct ingress/egress. Rather, the site access is configured through the QT convenience store immediately west of the site, which has direct access to both Maize Road and Kellogg Drive. Kellogg Drive is the frontage road for US 54, which has a traffic count of approximately 31,000 vehicles per day. Maize Road, a four-lane principal arterial plus turning lanes, has a traffic count of approximately 15,000 vehicles daily. The site is currently not served with municipal water and sewer services. However, utilities will need to be extended through the required platting process.

CONFORMANCE TO PLANS/POLICIES: Functional Land Use Guide of the Comprehensive Plan identifies this property as appropriate for local commercial development. The Comprehensive Plan does not specifically address car washes. However, the Commercial Locational Guidelines recommend that commercial sites should be located adjacent to arterials and should have site design features that limit noise, lighting, and other activity from adversely impacting surrounding residential areas. As recommended for approval, the request conforms to the Land Use Guide and Commercial Locational Guidelines of the Comprehensive Plan.

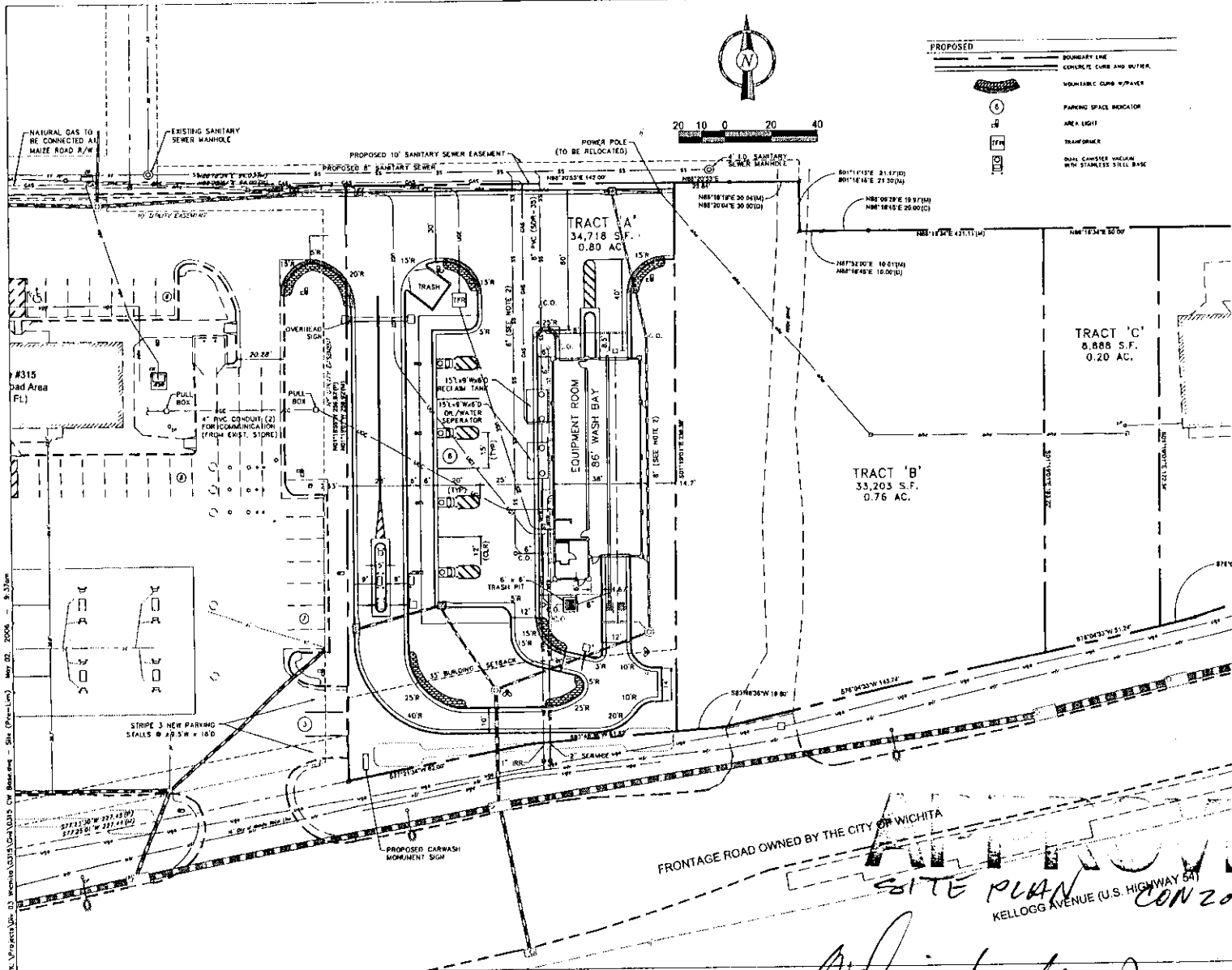
RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request for the conditional use and the zoning change be APPROVED, subject to platting within one year and the following conditions:

- A. The site shall be developed according to the site plan and maintained in compliance with all the requirements of Section III-D.6.f of the UZC regarding supplementary use regulations for car washes. All improvements shall be completed before the facility becomes operational.
- B. The site shall comply with all provisions of Section IV-C of the UZC, pertaining to compatibility standards.
- C. The site shall comply with all provisions of the Landscape Ordinance and the applicant shall submit a landscape plan for approval by the Planning Director.
- D. After a review of the development and upon appropriate findings, any violation of the conditions of approval will allow the conditional use to be declared null and void.

This recommendation is based on the following findings:

- 1. The zoning, uses and character of the neighborhood: A mix of commercial and residential zoning and land uses exists on both sides of the Maize Road/Kellogg Drive intersection. The commercial zoning and uses are concentrated on the road frontages, while single-family residential zoning and uses exist northwest and northeast of the commercial nodes. The SF-5 zoning continues about 2,100 feet east of the site to Seville Avenue, where the highway frontage transitions back to commercial. South of the site is the Kellogg Drive/US 54 right-of-way. A single-family residence zoned SF-5 abuts the site to the north.
- 2. The suitability of the subject property for the uses to which it has been restricted: Most of the site is zoned LC Limited Commercial, which accommodates office, retail, commercial and complementary land use. Given the site's location with arterial frontage and the retail /commercial character of the area it could be developed for retail, office, commercial or complementary land uses. The rezoning of the SF-5 lots to LC would facilitate redevelopment of the site.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: The screening, lighting and compatibility standards of the UZC and provisions of the Landscape Ordinance should limit noise, lighting, and other activity from adversely impacting abutting residential zoning and developments.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: Functional Land Use Guide of the Comprehensive Plan identifies this property as appropriate for local commercial development. The Comprehensive Plan does not specifically address car washes. However, the Commercial Locational Guidelines recommend that commercial sites should be located adjacent to arterials and should have site design features that limit noise, lighting, and other activity from adversely impacting surrounding residential areas. As recommended for approval, the request conforms to the Land Use Guide and Commercial Locational Guidelines of the Comprehensive Plan.
5. Impact of the proposed development on community facilities: The proposed development will serve as an ancillary use to the existing convenience store immediately to the west. Therefore, additional traffic impacts are anticipated to be minimal. However, the Maize Road/Kellogg Drive intersection has been improved in the last several years and is anticipated to be sufficient to handle projected traffic increases for the foreseeable future. The site will impact the municipal water and sewer utilities and will be developed in compliance with all applicable development and environmental standards.



Date: Wcc June 20, 2006

WICHITA, KS

KELLOGG AVENUE

QuikTrip Store No. : 315 CW