



**Wichita-Sedgwick County Metropolitan Area Planning Department**

October 16, 2000

Collision Specialist  
% Gary Norris  
8923 W. Kellogg Dr.  
Wichita, KS 67209

**FILE COPY**

**RE: CON2000-00036 – Conditional Use to allow a car wash in “LI” Limited Industrial with Protective Overlay. Generally located at the northeast corner of Webb and Mellor.**

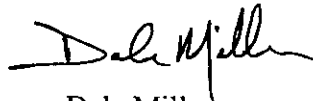
Dear Mr. Norris:

At its regular meeting on September 21, 2000, the Metropolitan Area Planning Commission considered the above-captioned request. The action of the MAPC was to APPROVE subject to the following conditions:

- A. The site of the car wash shall be developed and maintained in compliance with the adopted site plan, and 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 the issuance of a building permit, that meets the code requirements.
- C. The applicant has one year from the time of approval to begin construction on the project.
- D. Any violation of the conditions of approval shall declare the Conditional Use null and void.

This action was not accompanied by valid appeals or protest petitions, therefore, the action of the Planning Commission is FINAL. Enclosed is a signed copy of the above-referenced Conditional Use Resolution. If you have any questions concerning this case, please contact our office 268-4421.

Sincerely,



Dale Miller  
Chief Planner

DM/rs

cc: Charles Lawson, 903 Terradyne Circle, Andover, KS 67002  
Don Folgers Jr. Assoc., 234 S. Topeka, Wichita, KS 67202  
City Council Member District II, Joe Pisciotte, Mail Stop 1-13  
D.A.B. II, Donte Martin, Mail Stop 1-135  
Kurt Schroeder, Office of Central Inspection, Mail Stop 1-72  
Randy Sparkman, Office of Central Inspection, Mail Stop 1-72  
Paul Hays, Office of Central Inspection, Mail Stop 1-72  
J.R. Cox, Office of Central Inspection, Mail Stop 1-72

**CONDITIONAL USE RESOLUTION NO. CON-2000-00036**

**WHEREAS**, Gary Norris-Collision Specialist (owner); Charles Lawson (applicant), Don Folger, Jr. (agent), pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requested a Conditional Use to allow a Car Wash located within 200 feet of residential zoning on .81 acre zoned "LI" Limited Industrial with Protective Overlay described as:

South 110 feet of Lot 1, Block 1, Kuhlman Addition, Wichita, Kansas, Sedgwick County, Kansas. Generally located at the northeast corner of Webb and Mellor.

**WHEREAS**, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission (hereinafter referred to as MAPC) has been given; and

**WHEREAS**, the MAPC did, at the meeting of September 21, 2000, consider said application; and

**WHEREAS**, the MAPC has authority to permit a Conditional Use, subject to any special conditions deemed appropriate in order to assure full compliance with the criteria of the Unified Zoning Code.

**NOW, THEREFORE, BE IT RESOLVED** by the Metropolitan Area Planning Commission that this application be approved to permit a conditional use to allow a Car Wash located within 200 feet of residential zoning on .81 acre zoned "LI" Limited Industrial with Protective Overlay described as

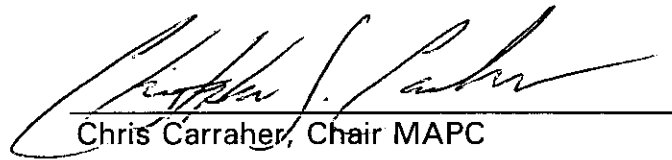
South 110 feet of Lot 1, Block 1, Kuhlman Addition, Wichita, Kansas, Sedgwick County, Kansas. Generally located at the northeast corner of Webb and Mellor.

subject to the following conditions:


- A. The site of the car wash shall be developed and maintained in compliance with the adopted site plan, and 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 the issuance of a building permit, that meets the code requirements.
- C. The applicant has one year from the time of approval to begin construction on the project.
- D. Any violation of the conditions of approval shall declare the Conditional Use null and void.

Adopted this 21st day of, 2000. This resolution shall become effective on the fifteenth day after the date last noted above unless the matter is forwarded to the Governing Body for final action under the provisions of Section V-D.6. When any one or more of the exceptions listed in Section V-D.6 exist, this resolution with its conditions of approval shall be considered a recommendation of the MAPC to the Governing Body which shall then have final authority to approve, approve with conditions or modifications, or deny the Conditional Use application.

METROPOLITAN AREA PLANNING COMMISSION

  
Chris Carraher, Chair MAPC

ATTEST:

  
Marvin S. Krout, Secretary

# STAFF REPORT

MAPC, 9/21/00

CASE NUMBER: CON2000-00036

OWNER/APPLICANT: Gary Norris-Collision Specialist (owner); Charles Lawson (applicant)

AGENT: Don Folger, Jr. (agent)

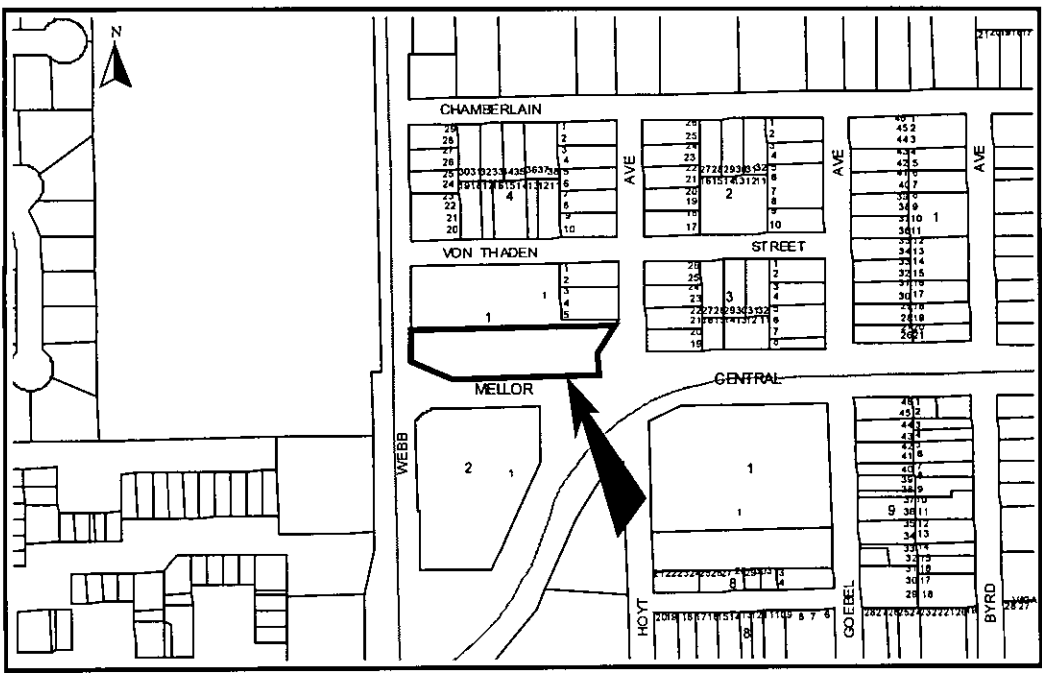
REQUEST: Car Wash located within 200 feet of residential zoning

CURRENT ZONING: "LI", Limited Industrial with Protective Overlay

SITE SIZE: .81 acre

LOCATION: Northeast corner Webb and Mellor

PROPOSED USE: Car wash



**BACKGROUND:** The applicant is seeking a Conditional Use permit to allow a car wash on property zoned "LI" Limited Industrial with a Protective Overlay (restricted uses) to be located within 200 feet of residential zoning. A car wash is a permitted use under the terms of the Protective Overlay. "TF-3" Two-family zoning is located to the northeast, approximately within 15 feet of the application area. The application area is .81 acre in size, and is located at the northeast corner of Mellor and Webb. The applicant's site plan depicts eight self-service bays, two automated bays and a mechanical room. The open ends of the bays are to be oriented to the north and south. The building would be constructed of split-face block with a hip roof. Four queuing spaces are depicted for all stalls. All the bays are set back 50 feet from roadways. Nineteen drying and vacuum spaces are indicated along the east and west property lines. Access to the site is via a shared approach on Webb, which is ensured by a cross lot circulation agreement, and one approach off of Mellor. The site plan depicts landscaping along the southern boundary, although it appears that most of the landscaping would be in the right-of-way.

Neighboring zoning and land uses include the "LI" Limited Industrial, "SF-6" Single-family Residential and "LC" Limited Commercial districts with single-family homes, retail convenience sales center, aircraft manufacture, bank, school, and vacant land.

Car washes are permitted as uses "by-right" in the "LC", "GC", "CBD", "IP", "LI" and "GI" districts unless they are located within 200 feet of residential zoning. If residential zoning is within 200 feet of the application area then the MAPC must approve a Conditional Use application and specific conditions must be met:

1. 35 foot setback from arterials, expressways or freeways. Other required setbacks include: 20 feet from right-of-way; compliance with recorded setbacks; or the average setback.
2. All structures shall be setback 60 feet from the lot line of any residential zoned lot. This setback requirement does not apply if the residentially zoned lot is not being used for residential purposes permitted by right in the underlying zoning district or if the governing body has a policy that favors LC or higher intensity zoning for the contiguous area.
3. A fence with a minimum height of six feet shall be provided along the interior side and rear property line where adjacent to a dwelling unit. The fence shall be constructed of masonry, concrete, wood or other similar materials.
4. All area to be utilized by the washing and drying operations, including ingress and egress, shall be paved with concrete, asphalt or asphaltic concrete.

5. Zoning standards for lighting shall apply.
6. Signs are limited to those permitted in the underlying district.
7. Circulation plan is to be approved by the Traffic Engineer.
8. Parking areas shall be developed in a manner that prohibits vehicles from overhanging adjoining property.
9. No ingress or egress is permitted from minor streets with less than 60 feet of right-of-way, unless there are two free-moving lanes available at all times
10. Drainage shall be handled in a manner satisfactory to public works officials.
11. The site shall be properly policed for proper maintenance and removal of trash.

A minimum of four queuing spaces are required for each self-service car wash stall while only three queuing spaces are needed for the automatic stalls. This site will require street yard landscaping along Webb and screening of queuing and holding areas.

**CASE HISTORY:** In December 1997, SCZ-757 granted "LI" Limited Industrial zoning, subject to platting and a Protective Overlay. Car washes are an approved use per the conditions contained in the "Protective Overlay". The Kuhlman Addition was recorded in March 1999.

**ADJACENT ZONING AND LAND USE:**

- NORTH: "LI" Limited Industrial; mobile home and single-family site built homes
- SOUTH: "LI" Limited Industrial; Convenience retail sales center and aircraft manufacturing support services (Flight Safety)
- EAST: "LI" Limited Industrial and "SF-6", Single-family Residential: vacant and residences
- WEST: "SF-6" Single-family and "LC", Limited Commercial; school and bank

**PUBLIC SERVICES:** At the Webb Road and Central Avenue intersection, Webb Road carries 18,000 to 19,000 vehicles on an average day. Central carries an average of 16,000 vehicles through that same intersection. Webb Road has been designated and built as a 4-lane arterial. Mellor is a paved two-lane, one-way west roadway. Public water and sewer services are available. With a limited sample on which to base average daily trips projections, the "Trip Generation" manual indicates car washes generate between 6 and 21 average daily trips per bay. This facility could generate between 60 and 210 average daily trips.

**CONFORMANCE TO PLANS/POLICIES:** The recently adopted 2030 Comprehensive Plan indicates this area is appropriate for industrial uses. The plan does not speak specifically to car washes. However, the plan indicates commercial uses should be located adjacent to arterial streets or major thoroughfares that provide needed access in order to avoid traffic congestion. Commercial developments should employ site design features that limit noise, lighting and other aspects of commercial activity that may adversely impact surrounding residential land uses. Further commercial uses should be located in areas with similar development; and in areas where traffic patterns, surrounding land uses and utilities can support such development.

**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 of the car wash shall be developed and maintained in compliance with the adopted site plan, and 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 the issuance of a building permit, that meets the code requirements.
- C. The applicant has one year from the time of approval to begin construction on the project.
- D. Any violation of the conditions of approval shall declare the Conditional Use null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood. This area of Webb Road has recently been developing with office, commercial and industrial uses. Surrounding areas are zoned a variety of districts: "LI" Limited Industrial, SF-6, Single-family Residential and "LC" Limited Commercial. Properties on the north, east and south of the application area are zoned "LI". Existing land uses include: single-family residential, auto body repair, aircraft manufacturing, banking, school and commercial retail uses. The area is a mix of uses and is experiencing re-development pressure.
2. The suitability of the subject property for the uses to which it has been restricted. The site is currently zoned "LI" Limited Industrial with a Protective Overlay that limits uses to those contained in the Protective Overlay. Car washes are a permitted use per the Protective Overlay. A

Conditional Use is required to construct a car wash when the site is located within 200 feet of residential zoning. This site is 15 feet from a lot zoned "SF-6". The site is probably too small for many of the uses first listed in the "LI" district. However, it could be developed for uses that are permitted under the site's current use restrictions.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Any detrimental affects should be minimized due to adjoining uses (auto body shop and convenience shopping) and code required setbacks and landscaping.
4. Conformance of the requested change to the adopted or recognized Comprehensive Plan: The plan indicates this site is appropriate for "industrial" uses. Given the land uses, zoning and roadways adjoining this site, the request is in conformance with adopted location guidelines for commercial uses.
5. Impact of the proposed development on community facilities: None identified.

