

Case No. BZA 15-86 - Phillips 66 Co.  
requests an exception to permit the  
construction of an automatic carwash on  
property zoned the "LC" Light Commercial  
District and generally located on the  
northeast corner of Pawnee and Seneca.

**ACTION**

BZA. 15-86 APPROVED 5/27/86  
DATE

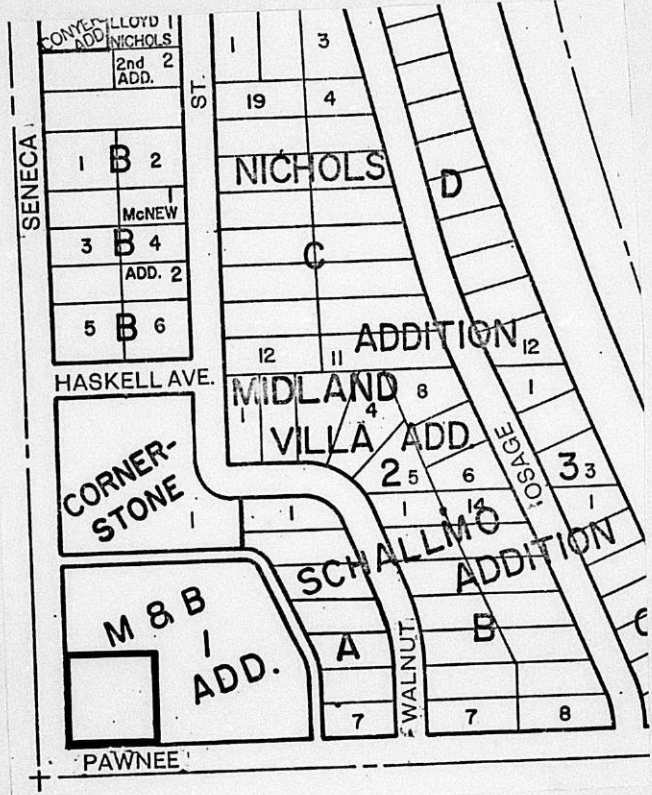
200'4 Sec 6-3-86  
Shot 6-11-86  
Record ✓

Map No. 5445C

BZA 15-86  
Filed \_\_\_\_\_

AREA DATA:

1. Acres: \_\_\_\_\_ ( \_\_\_\_\_ ft. by \_\_\_\_\_ ft.)
2. Adjoining Zoning: E LC S LC W LC N LC
3. Land Use: East Commer South Service Stat.  
West Auto rep North Restaurant
4. Area (is) (~~is~~) platted.



LOS ANGELES COUNTY CLERK  
HARRIS, JIM  
2153C  
RECORDS SECTION  
U.S.A.

**Stacy.**  
No. 2153C

May 29, 1986

Michael T. Mullings  
Phillips Petroleum Company  
c/o PT, RE&C  
101 North Robinson  
Oklahoma City, Oklahoma 73120

Re: BZA 15-86 - Request for Exception

Dear Mr. Mullings:

Enclosed is a signed copy of the Resolution adopted by the Board of Zoning Appeals on May 27, 1986.

This Resolution reflects the official action of the Board to approve your request and sets out the conditions of approval. It is forwarded to you for your information and files.

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

Sincerely,

Glen E. Lytle  
Assistant Secretary

GEL/lw

Enclosure

cc: Monty Robson, Superintendent of Central Inspection (2)  
Don Gisick, City Clerk

RESOLUTION CASE NO. 15-86

WHEREAS, Phillips 66 Company, c/o PT, RE & C, 101 North Robinson, Oklahoma City, Oklahoma, pursuant to Section 2.12.590.C, Code of the City of Wichita, requests an exception to permit the construction of an automatic carwash on property zoned the "LC" Light Commercial District and legally described as follows:

The South 165 feet of West 165 feet of Lot 8, Block "A" Schallmo Addition to Wichita, Sedgwick County, Kansas, being replatted as PPCo. Second Addition to Wichita, Sedgwick County, Kansas. Generally located on the northeast corner of Pawnee and Seneca.

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 May 27, 1986, 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 construction of an automatic carwash 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 construction of an automatic carwash on property zoned the "LC" Light Commercial District and legally described as follows:

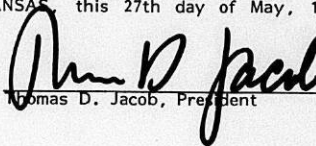
The South 165 feet of West 165 feet of Lot 8, Block "A" Schallmo Addition to Wichita, Sedgwick County, Kansas, being replatted as PPCo. Second Addition to Wichita, Sedgwick County, Kansas. Generally located on the northeast corner of Pawnee and Seneca.

subject to the following conditions:

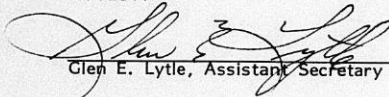
1. The automatic car wash facility shall provide not less than three holding spaces for each 20 lineal feet of car washing aisle and not less than two drying spaces.
2. All of the area to be used for circulation, holding spaces, parking spaces and all ingress and egress, including common access drives, 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 that permitted by the zoning ordinance for the "LC" Light Commercial District.
5. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structures.
6. Off-street parking spaces shall be provided for the total facility as required by the zoning ordinance.
7. All parking spaces and drying spaces shall have adequate guards or curbs to prevent the extension of overhanging of vehicles beyond property lines or parking spaces.
8. All circulation drives adjacent to public right-of-way shall be provided with adequate guards to prevent vehicles from driving over adjacent sidewalks.

9. Grades shall be established on the property to prevent the intrusion of surface drainage from entering the sanitary sewer. This shall include a roof over the car wash and the installation of the mud trap at a location under roof or at a grade satisfactory to the Superintendent of Sewer Maintenance.
10. 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.
11. The car wash shall not be operated without the dryer if the temperature is projected to drop below freezing within 12 hours.
12. All of the above conditions of approval must be complied with within 180 days of the release of the Resolution or the Resolution shall become null and void.

ADOPTED AT WICHITA, KANSAS, this 27th day of May, 1986.

  
Thomas D. Jacob, President

ATTEST:

  
Glen E. Lytle, Assistant Secretary

SECRETARY'S REPORT  
CASE NO. BZA 15-86

APPLICANT: Phillips Petroleum Company c/o PT, RE&C, 101 N. Robinson, Oklahoma City, OK 73102.

AGENT: Michael T. Mullings, same.

REQUEST: Exception pursuant to Section 28.04.183.4 Code of the City of Wichita to permit the establishment of an automatic car wash on property zoned the "LC" Light Commercial District.

GENERAL LOCATION: On the northeast corner of Seneca and Pawnee.

ZONING: Subject property is zoned the "LC" Light Commercial District as are all adjacent properties.

LAND USE: Subject property is to be developed with a self-serve filling station and convenience store with a detached automatic car wash. Properties to the east, south and west are developed commercially. To the north is a restaurant and church.

JURISDICTION:

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

COMMENTS BY THE SECRETARY:

The applicant is requesting an exception to construct an automatic car wash on the property in conjunction with the development of the corner with a self-serve gasoline station and convenience store. This requires approval of the Board for the automatic car wash facility in the "LC" Light Commercial District.

The applicant's site plan indicates that adequate holding spaces can be provided so that on-site circulation can be maintained so as to not interfere with on-street traffic in the area. The car wash also contains a dryer which will eliminate the majority of problems with drainage of moisture beyond the exit of the car wash.

The intersection of Pawnee and Seneca has recently been improved. Access to the site will be provided by two driveway approaches to each street. No circulation will be provided between this property and the adjacent properties.

RECOMMENDATION:

Should the Board determine that the proposed use is appropriate at this location, then it is the recommendation that the exception be approved subject to the following conditions:

1. The automatic car wash facility shall provide not less than three holding spaces for each 20 lineal feet of car washing aisle and not less than two drying spaces.
2. All of the area to be used for circulation, holding spaces, parking spaces and all ingress and egress, including common access 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 that permitted by the zoning ordinance for the "LC" Light Commercial District.
5. No sound projecting devices or loudspeakers shall be used so as to be heard outside of any structures.
6. Off-street parking spaces shall be provided for the total facility as required by the zoning ordinance.
7. All parking spaces and drying spaces shall have adequate guards or curbs to prevent the extension of overhanging of vehicles beyond property lines or parking spaces.
8. All circulation drives adjacent to public right-of-way shall be provided with adequate guards to prevent vehicles from driving over adjacent sidewalks.
9. Grades shall be established on the property to prevent the intrusion of surface drainage from entering the sanitary sewer. This shall include a roof over the car wash and the installation of the mud trap at a location under roof or at a grade satisfactory to the Superintendent of Sewer Maintenance.
10. 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.
11. The car wash shall not be operated without the dryer if the temperature is projected to drop below freezing within 12 hours.
12. All of the above conditions of approval must be complied with within 180 days of the release of the Resolution or the Resolution shall become null and void.

BZA CASE NO. 15-86

<u>1</u>	NOTICES SENT TO APPLICANT/AGENT
<u>15</u>	LEGAL ADVERTISEMENT SENT TO MAPC & BZA
<u>1</u>	NOTICES SENT TO CPO
<u>8</u>	NOTICES SENT TO ADJOINING PROPERTY OWNERS
<u>10</u>	TOTAL NOTICES SENT <u>5/4/86</u>

BOARD OF ZONING APPEALS  
Tenth Floor - City Hall  
455 North Main, Wichita, Kansas 67202

May 6, 1986

NOTICE TO ADJOINING PROPERTY OWNERS:

CASE NO. BZA 15-86

As required by law, all property owners of record, within 200 feet of a property to be considered for an exception or variance by the Board of Zoning Appeals, are to be notified of the public hearing. An application has been filed by Phillips 66 Company, c/o PT, RE & C, 101 North Robinson, Oklahoma City, Oklahoma, requesting an exception.

Pursuant to Section 2.12.590.C, of the Code of the City of Wichita, the applicant is requesting an exception to permit the construction of an automatic carwash on property zoned the "LC" Light Commercial District. A legal description of the applicant's property is as follows:

The South 165 feet of West 165 feet of Lot 8, Block "A" Schallmo Addition to Wichita, Sedgwick County, Kansas, being replatted as PPCo. Second Addition to Wichita, Sedgwick County, Kansas. Generally located on the northeast corner of Pawnee and Seneca.

This application has been assigned Case No. BZA 15-86. It will be considered by the Board of Zoning Appeals on May 27, 1986 at 1:30 p.m. in the Board Room, First Floor of City Hall, 455 North Main Street, Wichita, Kansas. If you have no interest or objections regarding the requested exception, you have no obligation to appear or comment. If you desire to appear at the Board meeting, you are invited to do so, either in person or by agent or attorney.

It should be noted that the Citizen Participation Organization Area Council may consider this case at its next meeting. Additional information about such a meeting may be obtained by calling the CPO Office, 268-4516.

If you have any questions about the application, please feel free to call the Wichita-Sedgwick County Metropolitan Area Planning Department at 268-4421.

Glen E. Lytle  
Assistant Secretary

BOARD OF ZONING APPEALS

CASE NO. 15-86

CITY OF WICHITA, KANSAS

FILED \_\_\_\_\_

APPLICATION FOR EXCEPTION

I. Name of Applicant Phillips 66 Company  
c/o PT, RE & C  
Mailing Address 101 N. ROBINSON Phone (405) 239-2611  
OKC, OK 73102  
Name of Authorized Agent M.T. MULLINGS, Agent  
Mailing Address 101 N. ROBINSON Phone (405) 270-8347  
OKC, OK 73102  
Relationship of applicant to property is that of OWNER  
(Owner, Tenant, Lessee, Other) CONTRACT PURCHASER

II. Application is made for an exception as provided in Section 2.12.590.C, Code of the City of Wichita, Kansas, to permit the establishment of A DETACHED CAR WASH

\_\_\_\_\_ on property zoned "LC" LIGHT-COMMERCIAL,  
located ON THE Northeast CORNER of PAWNEE & SENECA and legally  
described as: PPCs 2nd Addition

\_\_\_\_\_, in  
the City of Wichita.

- III. The applicant herein, or his authorized agent, acknowledges:
- a. That he has received an instruction sheet concerning the filing and hearing of this matter;
  - b. That he has been advised of the fee requirements established by Section 2.12.580 of the Code of the City of Wichita (Ordinance No. 39-285); and that the appropriate fee is herewith tendered;
  - c. That all documents are attached hereto as noted in paragraphs 2, 3, and 4 of the instructions;
  - d. That he has been advised of his right to bring action in the District Court of Sedgwick County to appeal the decision of the Board.

Applicant Phillips 66 Company

Authorized Agent Michael T. Mullings, Agent

OFFICE USE ONLY: Received in Office of Secretary, Board of Zoning Appeals, 3:30 (~~a.m.~~ p.m.), April 24, 1986 together with appropriate fee of 400.00.

Signed [Signature]

Security

**ABSTRACT OF TITLE**  
TO THE FOLLOWING DESCRIBED REAL ESTATE

South 165 Feet of West 165 Feet of Lot 8,  
Block "A" Schallmo Addition to Wichita,  
Sedgwick County, Kansas

COMPILED BY  
**THE SECURITY ABSTRACT and TITLE Co., Inc.**  
WICHITA, KANSAS

OWNERSHIP LIST

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 1		Cornerstone Addition	Westside Church of the Nazarene 2300 S. Seneca Wichita, KS 67213
Lot 4 exc. the East 20 feet for street		Meyers Gardens Addition	Gaudreau Real Estate Limited Partnership 1861 N. Rock Rd. Ct. Wichita, KS 67206
Block A		Kerr McGee Oil Industries Addition	Gaudreau Real Estate Limited Partnership 1981-II 1861 N. Rock Rd. Ct. Wichita, KS 67206
Lot 1		Madden Addition	Samuel A. Hardage 236 N. Crestway Wichita, KS 67208  Interest in Property filed 1-2-86: Slaven Hadijski Mara Hadijski 1608 Red Oaks Wichita, KS 67207
Lot 1		M. and B. Addition	Columbian Realty Fund Ltd. #13 by Columbian Properties Corp., General Partners 4018 Huntoon Topeka, KS 66604
Lot 1		Ruby J 2nd Addition	James O. Smith Ruby J. Smith 640 N. Rock Rd. Apt. 19 Wichita, KS 67206
Lots 2 & 3		"	Same As Above
Lot 17	Block 1	Leonard Powell Addition	Leonard F. Powell Mildred N. Powell 2401 S. Walnut Wichita, KS 67217
The South 165 feet of the West 165 feet of Lot 8	Block A	Schallmo Addition	Wayne E. McKay trustee & successor in trust under Fleta B. McKay Living Trust Agreement dated 2-28-79 369 N.W. McLean Blvd. Wichita, KS 67203

Page 2

We hereby certify the foregoing to be a true and correct list of the property owners of the hereinbefore described lots within a 200 foot radius of:

The South 165 feet of the West 165 feet of Lot 8, Block A, Schallmo Addition to Wichita, Sedgwick County, Kansas.

as shown by the last deed of record on file in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 28th day of April, 1986, at 7:00 o'clock A.M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

*Mary Gable*

By

Sr. Vice-President

Order No: 359938  
nj

**MICROFILMED**  
**FROM THE BEST**  
**AVAILABLE COPY**

FORM 29 221      PAYMENT NOTICE  
 City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.

(Planning)

DESCRIPTION	AMOUNT
City ZNA Excise	\$ 400 <sup>00</sup>

NAME: Phillips 66 Co.  
 ADDRESS: 11 N. Kansas - Ok City Ok.  
 FUND: 40910-003      DUE DATE: \_\_\_\_\_  
 COMMENTS: \_\_\_\_\_  
 DATE: April 24 1986      BY: [Signature]

WICHITA - SEDGWICK COUNTY  
**W S C**  
 BOARD OF ZONING APPEALS  
 CITY HALL - TENTH FLOOR  
 455 NORTH MAIN STREET  
 WICHITA, KANSAS 67202

RETURNED TO SENDER  
 NO SUCH NUMBER

RECEIVED  
 MAY 08 1986

METROPOLITAN PLANNING  
 ROUTE  \_\_\_\_\_  
 \_\_\_\_\_

PRESORTED  
 FIRST-CLASS

WICHITA  
 MAY 6 1986  
 18

Columbian Realty Fund Ltd. #13  
 by Columbian Properties Corp.  
 General Partners  
 4018 Huntoon  
 Topeka, KS 66604

\*

This BZA. Case  
Has a Large Drawing  
On 35mm Microfilm

Roll # 3