

Agenda Item # _____

City of Wichita
City Council Meeting
March 7, 2000

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: **Z-3352 – REQUEST FOR ZONE CHANGE FROM “GO” GENERAL OFFICE AND “B” MULTI-FAMILY RESIDENTIAL TO “LC” LIMITED COMMERCIAL; AND**

CU-563 – CONDITIONAL USE TO ALLOW A CAR WASH WITHIN 200 FEET OF A RESIDENTIAL ZONING DISTRICT, LOCATED ON THE NORTHWEST CORNER OF CENTRAL AND OLD MANOR (District #I)

INITIATED BY: Metropolitan Area Planning Department *Kron*

AGENDA ACTION: Planning

MAPC Recommendation: Approve, subject to platting within 1 year and conditions (10-2).

Staff Recommendation: Approve, subject to platting within 1 year and conditions.

Background: The applicant is requesting a zone change to “LC” Limited Commercial and a Conditional Use to allow a car wash to be located within 200 feet of a residential zoning district. The application area is a 1.1 acre platted tract located at the northwest corner of Central and Old Manor. The site is currently zoned “GO” General Office and “B” Multi-Family Residential.

The site is currently developed with six fourplexes, four of which are vacant including one that partially burned in a fire. The site of the two occupied fourplexes is proposed for “LC” Limited Commercial zoning with no use specified other than redevelopment for commercial use. A car wash in “LC” Limited Commercial zoning is proposed for the site of the four vacant fourplexes.

The attached site plan shows an eight-bay car wash with six self-service bays and two automatic bays without dryers. These wash bays are located 63 feet south of the north property line and 30 feet north of the street right-of-way for Central. The site plan depicts four vacuums located north of the wash bays and two vacuums located both east and west of the wash bays in the parking stalls. There are a total of 16 parking stalls to be used for drying or vacuuming, which are split evenly along the east and west property lines. Two vehicle queue spaces are depicted for the self-service bays, and six vehicle queue spaces are depicted for the automatic bays. The facility would have two access drives to Central. A landscaped buffer with trees every 20 feet is depicted along the north property line. A landscaped street yard with seven trees is depicted along Central and is located primarily in the street right-of-way. A six-foot high concrete wall is depicted along the north and west property lines. A sign is depicted at the southwest corner of the site.

Property to the north of the site is zoned "SF-6" Single Family Residential and is developed with single family residences. Property to the south is zoned "LC" Limited Commercial and is developed with an auto repair shop and a commercial strip center containing a restaurant, a bookstore, and vacant storefronts. Property to the east is zoned "NR" Neighborhood Retail and is developed with fourplexes. Property to the west is zoned "GO" General Office and is developed with fourplexes that have been converted into offices.

Key Unified Zoning Code car wash "supplementary use requirements" include: buildings to be located at least 35 feet from arterials and 20 feet from other street right-of-way; 60 feet from the lot line of any residentially zoned lot, unless the property is being used for a nonresidential use permitted by-right in the underlying district; fencing, a minimum of six feet in height shall be provided along the interior side and rear property line, when adjacent to a dwelling; all area utilized for washing or drying, including ingress and egress, shall be paved; lighting shall comply with lighting standards in the code; no string-type lighting shall be permitted; vehicle queue spaces for four vehicles for self-service bays and three vehicles per 20 lineal feet of wash bay for automatic bays shall be provided; and signage as per the sign code.

As depicted in the attached site plan, the project fails to comply with several of the supplementary use requirements for car washes. Therefore, planning staff recommends that approval of the Conditional Use be subject to approval of a final site plan by the Director of Planning.

At the meeting held on January 27, 2000, MAPC recommended approval (10-2) of the zone change and the conditional use subject to the following conditions:

- A. The site of the car wash shall be developed and maintained in compliance with all the requirements of Section III-D.6.f of the Unified Zoning Code.
- B. No dryers shall be associated with automatic car wash bays.
- C. The applicant shall submit a landscape plan for approval by the Planning Director, prior to issuance of a building permit, that meets the ordinance's requirements

- and, additionally, provides for conifer trees planted every 15 feet along the north property line of the car wash as a year-round buffer to residential properties.
- D. The applicant shall submit a revised car wash site plan for approval by the Planning Director, prior to issuance of a Conditional Use, that provides for an additional five feet of contingent street right-of-way for Central; provides a minimum 28 foot building setback from the contingent street right-of-way; locates the sign north of the contingent street right-of-way; locates all vacuums no closer than 35 feet from the north property line; and indicates that the concrete screening wall shall be a dyed red brick pattern, and the car wash façade shall be dyed red concrete. The site shall be developed in general conformance with the approved site plan. All improvements shall be completed before the facility becomes operational.
 - E. The applicant shall apply for a Zoning Adjustment to reduce the car wash building setback from Central by a maximum of 20%. The Conditional Use shall be contingent upon approval of this Zoning Adjustment.
 - F. If complaints are received by the Office of Central Inspection from neighboring property owners regarding noise from the vacuums, all vacuums on the property shall be retrofitted to the cease operation between 10 p.m. and 7 a.m.
 - G. Any violation of the conditions of approval shall declare the Conditional Use null and void.

Recommended Action:

1. Concur with the findings of the MAPC and approve the zone change, subject to the condition of platting; instruct the Planning Department to forward the ordinance for first reading when the plat is forwarded to the City Council; and approve the Conditional Use to allow a Car Wash within 200 feet of a residential zoning district, subject to recommended conditions; or
 2. Return the application to the MAPC for reconsideration
- (An override of the Planning Commission's recommendation requires a 2/3 majority vote of the membership of the governing body on the first hearing.)

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() Published in the Daily Reporter on JUL 11 2000

ORDINANCE NO. 44-623

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY CITY OF WICHITA CODE SEC. 28.04.010.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Sec 28.04.010, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. Z-3308; Z-3352 and DP-191, Amendment No. 10

Zone change request from "SF-6" Single-Family Residential District and "GO" General Office District to "LC" Limited Commercial District, described as:

Lot 1, Block 1, Bradley Fair Fourth Addition, Wichita, Sedgwick County Kansas.

Generally located at the southeast corner of Bradley Fair Parkway and Rock Road.

SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

ADOPTED AT WICHITA, KANSAS, JUL 11 2000

ATTEST:

Pat Burnett
Pat Burnett, City Clerk



Bob Knight
Bob Knight, Mayor

(SEAL)

Approved as to form:

Gary E. Rebenstorf
Gary E. Rebenstorf, City Attorney