

R# 4-1993

Published in The Daily Reporter on January 27, 1993

RESOLUTION NO. 4-1993

A RESOLUTION AUTHORIZING A CONDITIONAL USE PERMIT TO ALLOW A CAR WASH IN THE "LC" LIGHT COMMERCIAL DISTRICT ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED IN SECTION 17.C OF THE ZONING REGULATIONS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984, AND SUBSEQUENTLY AMENDED.

BE IT RESOLVED BY THE GOVERNING BODY OF SEDGWICK COUNTY, KANSAS.

SECTION I. 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 17.C of the Zoning Regulations, a conditional use permit to allow a car wash on property zoned "LC" Light Commercial District is hereby approved on lands legally described below:

Case No. CU-355

Conditional use permit request to allow a car wash on property zoned the "LC" Light Commercial District

The west 150 feet of the north 225 feet of Lot 3, Block 1, Webb Road Addition, Sedgwick County, Kansas. Generally located 175 feet east of Webb Road, south of Harry.

SUBJECT TO THE FOLLOWING CONDITIONS:

1. Replatting or lot splitting of the property within one year of Board of County Commission approval, or the case will be considered denied and closed.
2. The property shall be developed in accordance with the approved site plan.

FILE COPY

sent to be published 1-27-93

3. A street yard landscaping plan shall be submitted to the Director of Planning for review and approval prior to any building permits being issued. The plan shall include 10 square feet of landscaping for each lineal foot of road frontage.
4. The car washing building or facilities shall be set back a distance of not less than 35 feet from all street right-of-way lines.
5. All of the area to be utilized by washing and drying operations, including all ingress and egress areas, shall be paved with concrete, asphalt or asphaltic concrete.
6. All lights shall be shielded to reflect or direct light away from the adjacent property. No string-type lighting or banners shall be permitted.
7. No signs shall exceed 25 feet in height or be placed so as to project over any public right-of-way.
8. No sound-projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
9. One off-street parking space shall be provided for each two employees.
10. All parking areas shall have adequate guards to prevent the extension or overhang of vehicles beyond property lines or parking spaces.
11. All drainage, both natural and that created by the operation, shall be handled in such a manner satisfactory to the County Engineer. A drainage plan shall be submitted to the County Engineer for review and approval prior to any building permits being issued. Two copies of the approved plan shall be submitted to the Planning Department.
12. The area shall be properly policed through inspections by the owner or operator for proper maintenance of improvements and removal of trash.
13. Any violation of the foregoing conditions shall render this conditional use permit null and void.

SECTION II. That upon the taking effect of this Resolution, the notation of such conditional use permit shall be entered in the official zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the official county paper.

Commissioners present and voting were:

BETSY GWIN	<u><i>Betsy Gwin</i></u>
PAUL W. HANCOCK	<u><i>Paul W. Hancock</i></u>
BILLY Q. McCRAY	<u><i>Billy Q. McCray</i></u>
MARK F. SCHROEDER	<u><i>Mark F. Schroeder</i></u>
THOMAS G. WINTERS	<u><i>Thomas G. Winters</i></u>

DATED this 13<sup>th</sup> day of January, 1993.

BOARD OF COUNTY COMMISSIONERS OF  
SEDGWICK COUNTY, KANSAS

*Betsy Gwin*  
BETSY GWIN, Chair

*Mark F. Schroeder*  
MARK F. SCHROEDER, Chair Pro Tem

ATTEST:

*Susan Crockett-Spoon*  
SUSAN CROCKETT-SPOON  
County Clerk

*Paul W. Hancock*  
PAUL W. HANCOCK, Commissioner

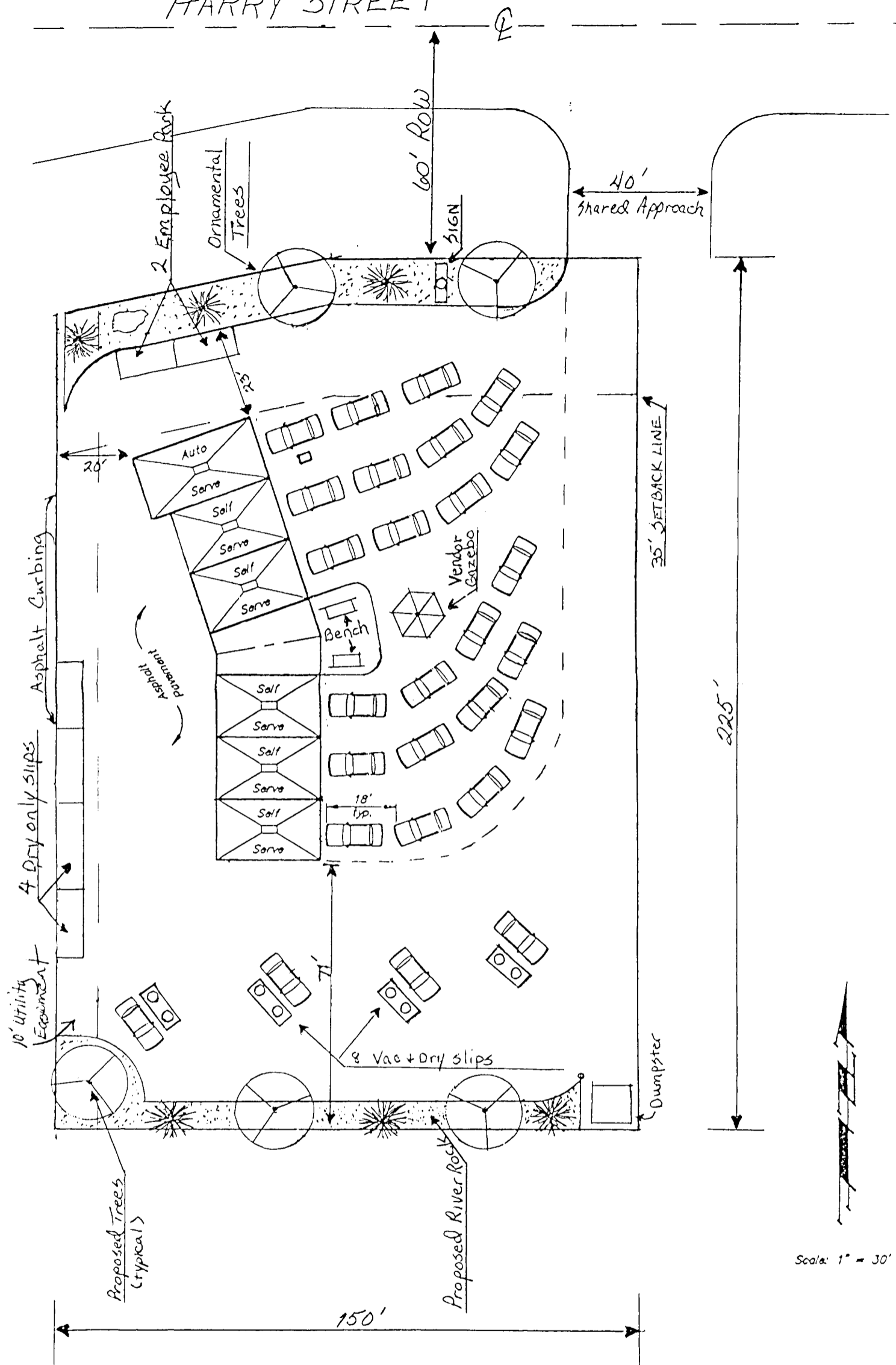
APPROVED AS TO FORM ONLY:

*[Signature]*  
County Counselor/Assistant

*Thomas G. Winters*  
THOMAS G. WINTERS, Commissioner

*Billy Q. McCray*  
BILLY Q. McCRAY, Commissioner

# HARRY STREET



Scale: 1" = 30'

Legal:

West 150' of the North 225' of Lot 3, Block 1, Webb Road Addition, Wichita, Sedgwick Cty, Kansas.

SITE PLAN  
SPLASH & DASH CAR WASH  
 December 30, 1992

December 17, 1992

STAFF REPORT

CASE NUMBER: CU-355

OWNER/APPLICANT/AGENT: Homer Hardy and David Hanning (owners/appls.)  
Gene Razook (agent)

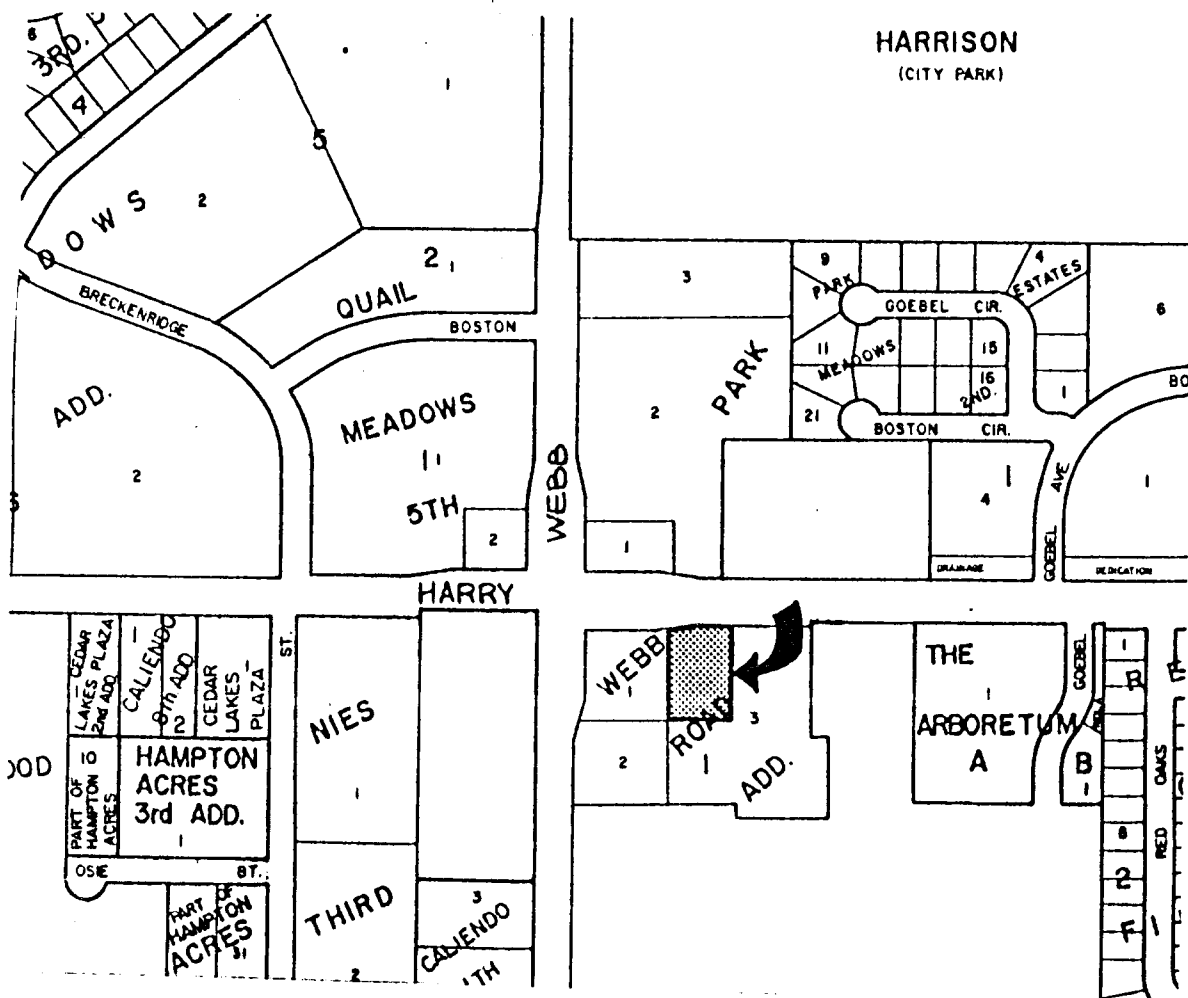
REQUEST: Conditional use permit to allow a car wash

CURRENT ZONING: "LC" Light Commercial District

SITE SIZE: .77 acres

LOCATION: One hundred seventy-five feet east of Webb Road on the south side of Harry Road

PROPOSED USE: Car wash



BACKGROUND: The applicants are requesting a conditional use permit for a car wash on property zoned the "LC" Light Commercial District. The applicants' property is a .77-acre portion of a platted lot generally located southeast of Harry and Webb Roads. Section 9(65)(d) of the Sedgwick County Zoning Resolution allows self-service and automatic car washes as conditional uses in the "LC" Light Commercial District. The applicants' property is currently vacant.

The applicants are proposing a car wash with five self-service stalls and one automatic stall. The zoning regulations require four stacking spaces per self-service stall and three spaces per automatic stall. The regulations would also require a total of 12 drying spaces. All stacking and drying spaces should be shown on the applicants' site plan. In addition, modifications should be made to the current site plan to clearly indicate how vehicles will circulate on site.

Surrounding property to the north is zoned "R-1" Suburban Residential and "LC" Light Commercial and is developed with a nursery school, a bank and single-family residences. Property to the south and east is zoned "LC" Light Commercial and is undeveloped at this time. A Quik Trip exists to the west on property zoned Light Commercial.

A recent application in this general area for a rezoning to the "C" Commercial District was not supported by staff. Part of staff's opposition to the request was the availability of 145 acres of vacant commercially-zoned property within a six-square-mile area of the request. Staff also felt that the rezoning represented an intrusion of commercial property into an established residential neighborhood. The current request proposes to use some of the available commercial property in the area without negatively impacting a residential area.

The proposed 1992 Comprehensive Plan depicts the application area for commercial uses. Although the applicants' property is not currently within the Wichita city limits, it is adjacent to them and is therefore eligible for annexation. (It should be noted to the applicant that annexation of the property before the car wash is constructed will result in the need for a BZA use exception in accordance with the City zoning regulations.)

The proposed car wash can be expected to generate additional traffic of 648 trips per day. Although the additional traffic will not impact the intersection of Harry and Webb Roads, it may impact Harry. The current Capital Improvement Program contains plans to widen Harry from Webb to Greenwich by 1997. The improvements to Harry will eliminate any negative traffic impacts from the car wash.

Based on the zoning and uses of nearby property, the recommendation of the Comprehensive Plan and the availability of community facilities to serve the development without negative impact, staff recommends approval of the request subject to conditions, including replatting or lot splitting.

CASE HISTORY: None.

ADJACENT ZONING AND LAND USE:

NORTH	"R-1"; "LC"	Nursery school; bank; single-family residence
SOUTH	"LC"	Vacant
EAST	"LC"	Vacant
WEST	"LC"	Quik Trip

PUBLIC SERVICES: The applicants' property will be accessed from Harry, a two-lane arterial, with 60 feet of existing half-street right-of-way. The current Capital Improvement Program contains plans to widen Harry. Municipal water is available from a 16-inch main on Harry. Municipal sewer from Four-Mile Creek is available for extension. The closest line currently serves Quik Trip, directly west of the applicants' property.

CONFORMANCE TO PLANS/POLICIES: The 1978 Comprehensive Plan indicates this area for residential uses. The proposed 1992 Comprehensive Plan depicts this area for commercial uses. There are no MAPC adopted zoning policies for this portion of Harry.

RECOMMENDATION: Approval, subject to the following conditions:

1. Replatting or lot splitting of the property within one year of Board of County Commission approval, or the case will be considered denied and closed.
2. The property shall be developed in accordance with the approved site plan. A revised site plan shall be submitted prior to this item being scheduled before the Board of County Commissioners. The following items shall be included on the revised site plan:
  - o all the required stacking spaces (4 per self-service stall; 3 per automatic stall) and drying spaces (2 per stall);
  - o an indication as to how cars will circulate internally;
3. A street yard landscaping plan shall be submitted to the Director of Planning for review and approval prior to any building permits being issued. The plan shall include 10 square feet of landscaping for each lineal foot of road frontage.
4. The car washing building or facilities shall be set back a distance of not less than 35 feet from all street right-of-way lines.
5. All of the area to be utilized by washing and drying operations, including all ingress and egress areas, shall be paved with concrete, asphalt or asphaltic concrete.
6. All lights shall be shielded to reflect or direct light away from the adjacent property. No string-type lighting or banners shall be permitted.

7. No signs shall exceed 25 feet in height or be placed so as to project over any public right-of-way.
8. No sound-projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
9. One off-street parking space shall be provided for each two employees.
10. All parking areas shall have adequate guards to prevent the extension or overhang of vehicles beyond property lines or parking spaces.
11. All drainage, both natural and that created by the operation, shall be handled in such a manner satisfactory to the County Engineer. A drainage plan shall be submitted to the County Engineer for review and approval prior to any building permits being issued. Two copies of the approved plan shall be submitted to the Planning Department.
12. The area shall be properly policed through inspections by the owner or operator for proper maintenance of improvements and removal of trash.
13. Any violation of the foregoing conditions shall render this conditional use permit null and void.