

purposes plus one for each 10,000 square feet of lot area thereafter (a total of two spaces). These spaces shall be reserved for employees and customers and shall not be used for display and storage of cars which are for sale.

7. Cars for sale on this site shall be limited to 10 at any one time and they shall be displayed only in the 10 spaces north and east of the building as shown on the approved site plan.
8. The sale of cars is permitted on this site only as an auxiliary use to an automobile-related business.
9. All lights shall be shielded to reflect or direct light away from adjoining properties. No string-type lighting shall be permitted.
10. Only those signs permitted in the "LC" zoning district shall be permitted on this site, except that no portable signs, temporary signs, or string-type banners and pennants shall be permitted.
11. No sound projecting devices or loudspeakers shall be used so as to be heard beyond the property lines.
12. A solid wood fence or masonry wall six feet tall shall be erected and maintained along the south property line, from the west line of the lot to a point 20 feet west of the east line of the lot. Within the east 20 feet of the lot the fence or wall shall be continued, but at a reduced height of three feet. The three-foot fence or wall shall continue north along the east property line for approximately 73 feet to a point 15 feet south of the driveway onto Ida. The finished side of the fence or wall shall face outward to the south and east.
13. No parking of vehicles associated with the businesses on this lot shall be permitted on Ida.
14. The applicant shall submit to the Secretary for review and approval a landscape plan for street trees to be installed and maintained along Ida. This plan shall be submitted within 30 days following approval of the use exception by the BZA and prior to release of the resolution authorizing car sales on this site. The street trees shall be installed prior to the commencement of car sales, but in no case later than one year following approval of the use exception by the BZA.
15. All required site improvements as specified above shall be completed in a satisfactory manner prior to use of this site for used car sales, but in no case later than one year following approval of the use exception by the Board of Zoning Appeals.
16. This resolution authorizing used car sales at 1027 E. Pawnee may be declared null and void upon a finding by the Board that the applicant has failed to comply with any of the foregoing conditions.

ADOPTED AT WICHITA, KANSAS, this 22nd day of December, 1992.



Keith A. Alter, Vice President

ATTEST:



Louise Olivarez, Secretary

BZA RESOLUTION NO. 24-92

WHEREAS, Eugen Aleteanu and LaMansion 1983, pursuant to Section 2.12.590.C, Code of the City of Wichita, request an exception to permit used car sales on property zoned the "LC" Light Commercial District and legally described as follows:

Lots 1, 3, 5, 7 and 9 on Wabash, now Ida Avenue in Wabash Avenue Subdivision in Beal's Addition to Wichita, Kansas.

Generally located on the southwest corner of Pawnee and Ida (1027 E. Pawnee).

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 December 22, 1992, 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 used car sales on property zoned the "LC" Light Commercial District, subject to the conditions outlined in Section 28.04.183(2), 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 used car sales on property zoned the "LC" Light Commercial District and legally described as follows:

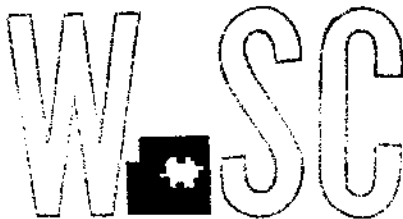
Lots 1, 3, 5, 7 and 9 on Wabash, now Ida Avenue in Wabash Avenue Subdivision in Beal's Addition to Wichita, Kansas.

Generally located on the southwest corner of Pawnee and Ida (1027 E. Pawnee).

subject to the following conditions:

1. Development of this lot for car sales shall be in accordance with the site plan approved by the Board of Zoning Appeals, generally referred to as "Plan D." All vehicle parking, storage, display and circulation areas shall be paved with concrete, asphalt, or asphaltic concrete and the spaces shall be striped as specified on the approved plan.
2. The east driveway access to Pawnee and the south driveway access to Ida shall be closed by installing a curb and removing the concrete between the curb and the sidewalk. The north driveway access to Ida shall be reconstructed in such a manner that the north six feet is closed.
3. The site shall be properly graded to drain to the streets. The applicant is advised that the closure of the easternmost drive to Pawnee may require some regrading or installation of underground storm sewers to direct drainage to an acceptable collection point.
4. Bumper blocks or other approved barriers shall be installed at all parking spaces adjacent to a public street to assure that cars do not encroach onto public right-of-way.
5. No body or fender work shall be done on the premises without first obtaining "C" zoning. All automotive service or repair work conducted on the site shall be entirely within a building.
6. Parking spaces for employees and customers shall be provided on the property as specified in the Zoning Ordinance, which currently requires a minimum of three parking spaces per 1,000 square feet of floor area plus three spaces for the auto electric repair business (a total of II spaces) and two for each 10,000 square feet of lot area used for car sales, display or storage

WICHITA -- SEDGWICK COUN.,



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421

January 14, 1993

Eugen Aleteanu
1027 E. Pawnee
Wichita, KS 67211

Re: BZA 24-92 - Exception to permit used car sales on property zoned "LC" Light Commercial, located on the SW corner of Pawnee and Ida (1027 E. Pawnee).


Dear Mr. Aleteanu:

Enclosed is a signed copy of the above-referenced BZA resolution adopted by the Board of Zoning Appeals on December 22, 1992. This resolution reflects the official action of the Board to grant your request and sets out the conditions of approval. It is forwarded to you for your information and files now that condition #14 (submission of a landscape plan) has been completed.

As we discussed over the phone this morning, I have added the names and minimum sizes of the street trees to be planted on Ida. If either of these types of trees is unavailable when you are ready to plant, the Washington Hawthorn or Cockspur Hawthorn would be an acceptable substitute. They should also have a minimum caliper (trunk diameter) of one inch to one and one-half inches. A copy of the approved site and landscape plan is enclosed for your reference.

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

Sincerely,


Louise Olivarez, Secretary
Board of Zoning Appeals

LO:jcm
Enclosures.

cc: Nolan Luke, La Mansion 1983, P.O. Box 3674, 67201
Harold Dome, 3304 Mt. Vernon, 67218
Paul Hays, OCI
J.R. Cox, OCI
Ray Sledge, OCI
Pat Burnett, Deputy City Clerk

BZA 24-92 Secretary's Report

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12. All required site improvements as specified above shall be completed in a satisfactory manner prior to use of this site for used car sales, but in no case later than one year following approval of the use exception by the Board of Zoning Appeals.
13. This resolution authorizing used car sales at 1027 E. Pawnee may be declared null and void upon a finding by the Board that the applicant has failed to comply with any of the foregoing conditions.

December 22, 1992

SECRETARY'S REPORT

CASE NUMBER:

BZA 24-92

OWNER/APPLICANT/AGENT:

Eugen Aleteanu & LaMansion 1983 (owner/appl.)
Harold Dome (agent)

REQUEST:

Exception to permit used car sales

CURRENT ZONING:

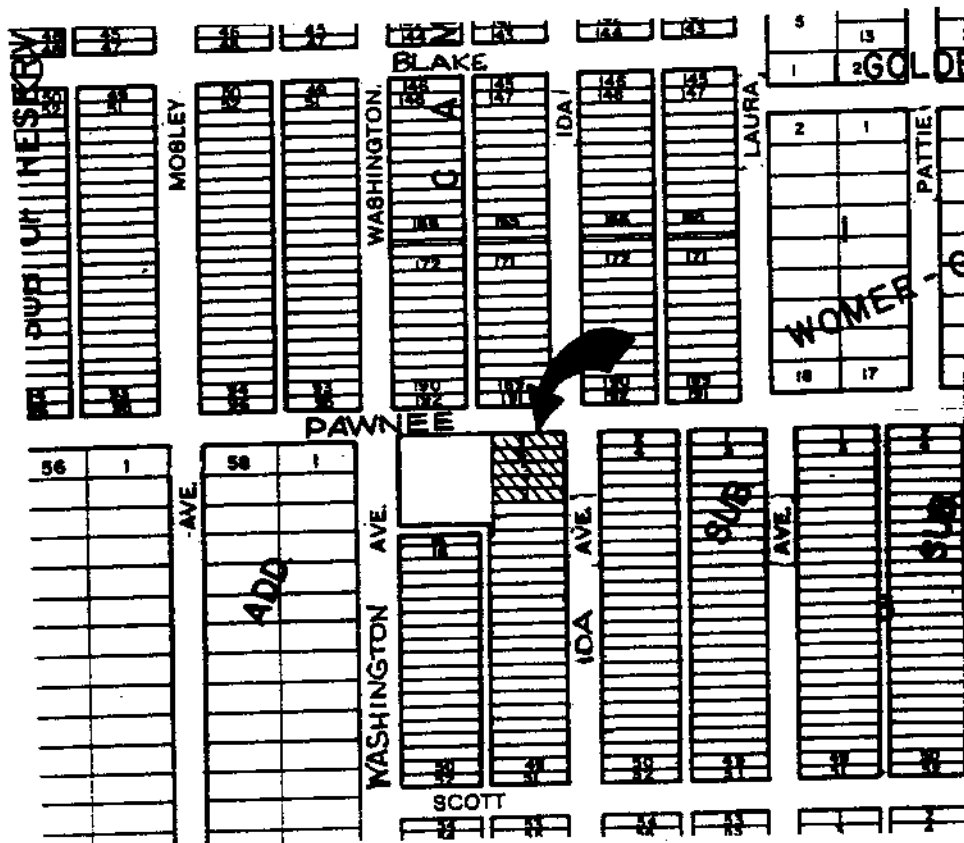
"LC" Light Commercial District

SITE SIZE:

126 ft. by 142 ft.

LOCATION:

Southwest corner of Pawnee and Ida



JURISDICTION: The Board has jurisdiction to consider this request under the provisions outlined in 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(2) can be complied with.

BACKGROUND: The applicant, Eugen Aleteanu, leases the north portion of the application site from LaMansion 1983 and operates All-Star Electric, an auto electric repair business in the existing 2,430-square-foot building. He is purchasing the south undeveloped portion of the site from Iris Bedwell. Mr. Aleteanu is requesting permission to use this total site for the sale of used cars, in addition to operating the existing electric repair business.

Only the north portion of the site is currently paved. In accordance with the City's parking code, a minimum of 11 customer and employee parking spaces are required for the auto repair business and three for the proposed used car sales business. More than the minimum may actually be needed for the existing business, however. A site check on the afternoon of November 6, 1992, revealed 18 cars parked on site, presumably all being owned or used by customers and employees of the auto repair business.

Considering the requirements for paving, screening and site layout, which will be conditions of a use exception for this property, the result from an approved application may be better for the neighborhood than the existing situation. Two site plans are attached for the Board's review. Plan "A" was submitted by the applicant's agent at the time the use exception request was filed. Plan "B" utilizes the same layout as much as possible, but with several modifications required in order to meet traffic engineering standards. The applicant indicated in a telephone conversation on December 7 that he wanted only a few used car display spaces and would like to propose a third site plan. However, as of December 14, no third site plan has been submitted for review and therefore the recommended conditions of approval below are based on Plan "B", which has been approved by the traffic engineer's office.

ADJACENT ZONING AND LAND USE:

NORTH	"A"	Church
SOUTH	"LC"	Duplex
EAST	"LC"	Appliance storage
WEST	"LC"	Cylinder head repair

RECOMMENDATION: Should the Board determine that a used car sales lot is appropriate at this location, it is recommended that the exception be approved, subject to the following conditions:

1. Development of this lot for car sales shall be in accordance with the site plan approved by the Board of Zoning Appeals. All vehicle parking, storage, display and circulation areas shall be paved with concrete, asphalt, or asphaltic concrete and the spaces shall be striped as shown on the approved plan.

2. The easternmost driveway access to Pawnee shall be closed by installing a curb and removing the concrete between the curb and the sidewalk. The south driveway access to Ida shall be widened to a minimum of 24 feet and relocated to align with the internal circulation aisle.
3. The site shall be properly graded to drain to the streets. The applicant is advised that the closure of the easternmost drive to Pawnee may require some regrading or installation of underground storm sewers to direct drainage to an acceptable collection point.
4. Bumper blocks or other approved barriers shall be installed at all parking spaces adjacent to a public street to assure that cars do not encroach onto public right-of-way.
5. No body or fender work shall be done on the premises without first obtaining "C" zoning. All automotive service or repair work conducted on the site shall be entirely within a building.
6. Parking spaces for employees and customers shall be provided on the property as specified in the Zoning Ordinance, which currently requires a minimum of three parking spaces per 1,000 square feet of floor area plus three spaces for the auto electric repair business (a total of 11 spaces) and two for each 10,000 square feet of lot area used for car sales, display or storage purposes plus one for each 10,000 square feet of lot area thereafter (a total of 3 spaces). These spaces shall be reserved for employees and customers and shall not be used for display and storage of cars which are for sale.
7. Cars for sale on this site shall be limited to 26 at any one time, unless the entire property is devoted to car sales only, in which case the number of sales cars shall not exceed 31.
8. All lights shall be shielded to reflect or direct light away from adjoining properties. No string-type lighting shall be permitted.
9. Only those signs permitted in the "LC" zoning district shall be permitted on this site. No string-type banners or pennants shall be permitted.
10. No sound projecting devices or loudspeakers shall be used so as to be heard beyond the property lines.
11. A solid wood fence or masonry wall six feet tall shall be erected and maintained along the south property line, from the west line of the lot to a point 20 feet west of the east line of the lot. Within the east 20 feet of the lot the fence or wall shall be continued, but at a reduced height of three feet. The finished side of the fence or wall shall face to the south.