CITY OF WICHITA

Wichita-Sedgwick County Metropolitan Area Planning Department

December 8, 2017

Alan Hsu
14726 E. 9th St.
Wichita, KS 67230

RE: **CON2017-00034** - City conditional use to allow vehicle and equipment sales in a Limited Commercial zone district, generally located west of South Clifton Avenue and East 31st Street South (3205 East 31st Street South)

Dear Applicant:

At its regular meeting on **November 2, 2017**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request in accordance with the attached resolution.

If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

Matthew Williams
Associate Planner

MW: al
Attachment

Copies to: MABCD
James Clendenin, Council Member District III
Maddy Campbell, CSR District III

CONDITIONAL USE RESOLUTION NO. CON2017-00034

WHEREAS, Alan Hsu, (Owner/Applicant), pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requests a Conditional Use to allow Vehicle and Equipment Sales on 0.62 acres zoned LC Limited Commercial, described as:

Lot 1, P and L Addition to Wichita, Sedgwick County, Kansas, (3205 East 31st Street South).

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 November 2, 2017, 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 allow a Conditional Use to allow Vehicle and Equipment Sales on 0.62 acres zoned LC Limited Commercial, described as:

Lot 1, P and L Addition to Wichita, Sedgwick County, Kansas, (3205 East 31st Street South).

Approved subject to the following conditions:

(1) The site is to be developed as shown on the plan provided to the Planning Department on September 13, 2017.

(2) Any changes to the site or screening design, the size of the area to be developed, or the location of development will require review by the Planning Department.

(3) If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

Adopted this 2nd Day of November 2017

METROPOLITAN AREA PLANNING COMMISSION

Joseph A. Johnson, Chairman MAPC

ATTEST:

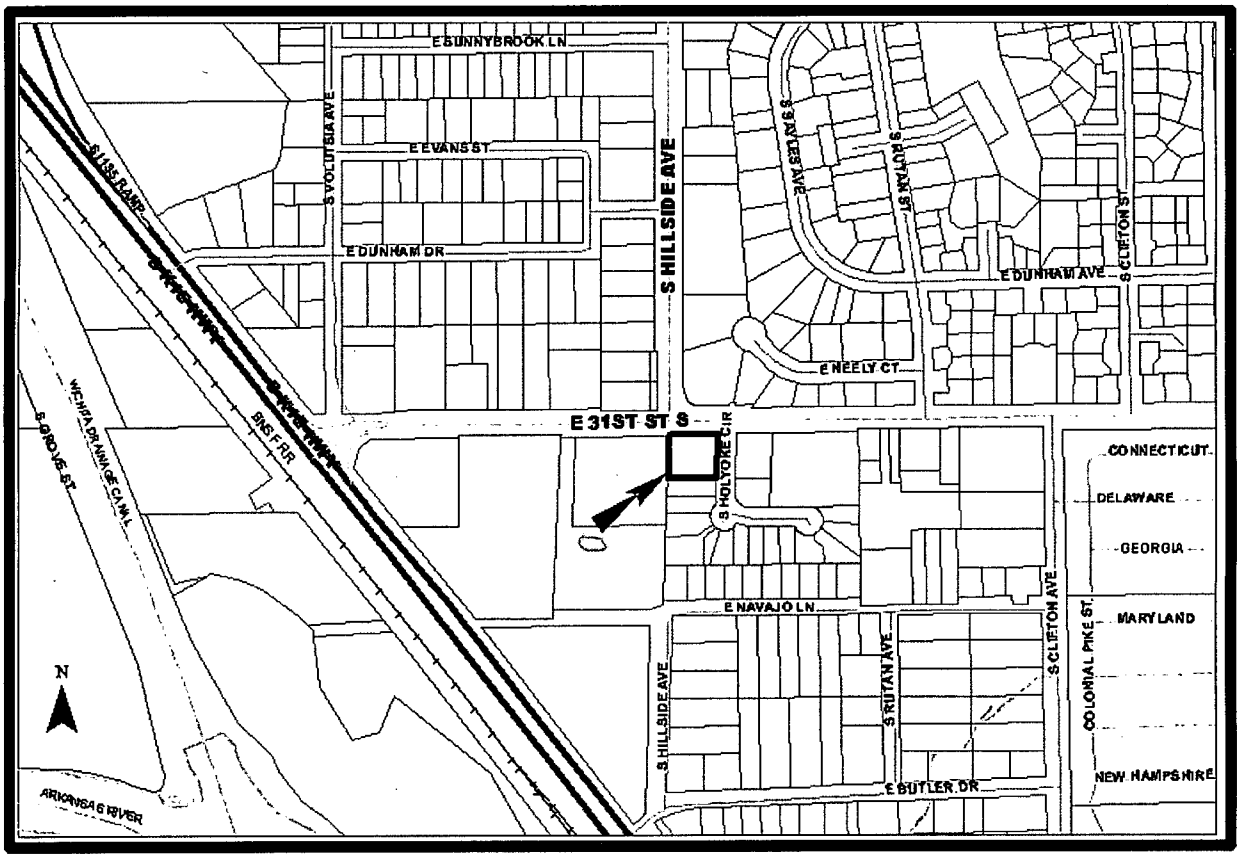
Dale Miller

Dale Miller, Secretary

AGENDA ITEM NO. 4

STAFF REPORT
MAPC November 2, 2017
DAB III November 1, 2017

CASE NUMBER:	CON2017-00034
APPLICANT/AGENT:	Alan Hsu
REQUEST:	Conditional Use to allow vehicle and equipment sales in a Limited Commercial zone district.
CURRENT ZONING:	LC Limited Commercial
SITE SIZE:	0.62 acres
LOCATION:	Generally located west of South Clifton Avenue and East 31st Street South (3205 East 31st Street South)



BACKGROUND: This application requests a Conditional Use Permit to allow vehicle and equipment sales at 3205 East 31st Street South. The site is zoned LC Limited Commercial and sits at the intersection of East 31st Street South and South Hillside Avenue. The applicant seeks to repair the property and operate it as an auto sales facility.

The existing parcel is 0.62 acres and currently contains a vacant and boarded-up building. If approved, the applicant intends to repair the building, clean up the property, and establish as auto sales. Preliminary site plans include a controlled access barrier onto South Holyoke Circle. Existing landscaping and wooden screening fence to the south of the property abutting the residential zoning will remain.

SURROUNDING DEVELOPMENT: To the north, across East 31st Street South, is a vacant gas station. To the south is a duplex residential development. To the east, across South Holyoke Circle is a large senior residence facility. To the west is a small event center.

CASE HISTORY: The property is platted as Lot 1 of P and L Addition, 5 May 1977.

ADJACENT ZONING AND LAND USE:

NORTH: LC; limited commercial
SOUTH: MF-18; multi-family residential
EAST LC; limited commercial
WEST: LC; limited commercial

PUBLIC SERVICES: East 31th Street South is a fully improved arterial street. All municipal utilities are available at the property.

CONFORMANCE TO PLANS/POLICIES: The Community Investment Plan depicts the subject site as appropriate for "commercial uses." The proposed use is consistent with the depicted category for this area.

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 is to be developed as shown on the plan provided to the Planning Department on September 13, 2017.

b. Any changes to the site or screening design, the size of the area to be developed, or the location of development will require review by the Planning Department.

c. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

This recommendation is based on the following findings:

(1) **The zoning, uses and character of the neighborhood:** The intended use is compatible with the neighborhood. To the north, across East 31st Street South, is a vacant gas station. To the south is a duplex residential development. To the east, across South Holyoke Circle is a large senior residence facility. To the west is a small event center.

(2) **The suitability of the subject property for the uses to which it has been restricted:** The site is currently zoned LC Limited Commercial, but has sat vacant and boarded up for some time.

(3) **Extent to which removal of the restrictions will detrimentally affect nearby property:** The existing property has been vacant for some time. The site will be screened appropriately and there should be no discernable negative effects on nearby residents.

(4) **Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies:** The Community Investment Plan depicts the subject site as appropriate for "commercial uses." The proposed use is consistent with the depicted category for this area.

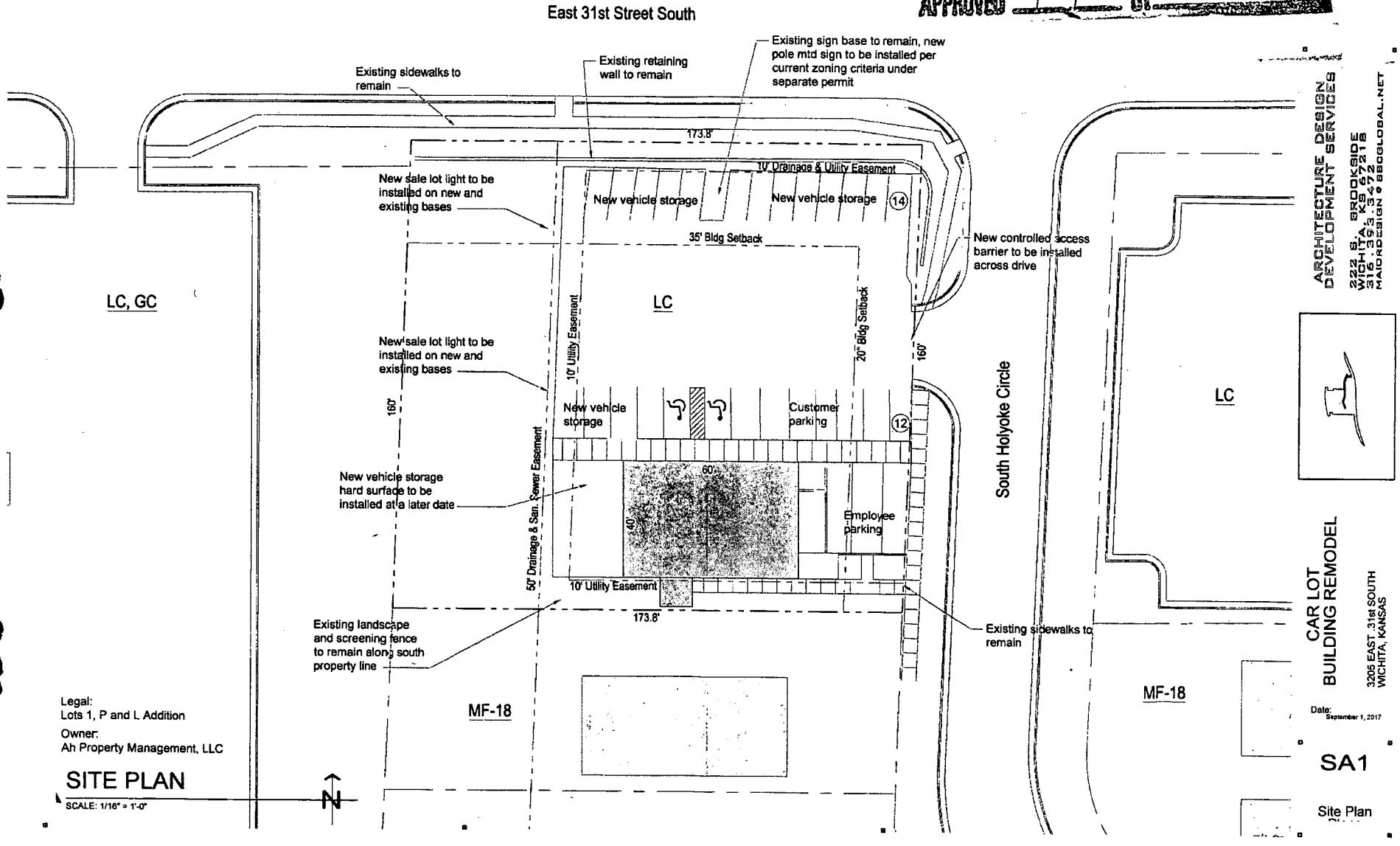
(5) **Impact of the proposed development on community facilities:** Existing municipal facilities are in place.

Staff Report Attachments:

1. Area Map
2. Site Plan

SITE PLAN

APPROVED 1/4/19 BY Matt Williams



ARCHITECTURE DESIGN
DEVELOPMENT SERVICES
222 S. BROOKSIDE
WICHITA, KS 67218
316.393.3472
MAICRDESIGN@SBCGLOBAL.NET

CAR LOT
BUILDING REMODEL
3205 EAST 31st SOUTH
WICHITA, KANSAS

Date:
September 1, 2017

SA1

Site Plan