Wichita-Sedgwick County Metropolitan Area Planning Department

November 22, 2019

John and Lisa Pennella
610 North Maize Road
Wichita, KS 67212

Shane Allen
219 South Robin Road
Wichita, KS 67209

RE: CON2019-00036 - City conditional use to allow Vehicle and Equipment Sales, Outdoor on property zone LC Limited Commercial generally located on the east side of North Maize Road and south of West Central (610 North Maize Road)

Dear Applicant:

At its regular meeting on **October 24, 2019**, 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. No protests were filed, so this matter is considered complete, subject to the conditions outlined in the resolution.

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

Sincerely,

David L. Yearout, AICP
Principal Planner

Copies to: WCC V, Bryan Frye, Mail Stop 1-13
Cory Buchta, CSR V, Mail Stop 1-135
Paul Hays, MABCD, Mailstop 1-72
J.R. Cox, MABCD, Mailstop 1-72
Jeff Van Zandt, City Law, Mailstop 1-134
Julianne Kallman, Engineering, Mail Stop 1-71

CONDITIONAL USE RESOLUTION NO. CON2019-00036

WHEREAS, John and Lisa Pennella, (Owners), and Shane Allen (Agent) 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, outdoor (U-Haul Rental) on property zoned LC, Limited Commercial District, at 610 North Maize Road, and legally described as:

> All of Lot 1, Rush Addition to City of Wichita, Sedgwick County, Kansas; except the North 5 thereof.

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 October 24, 2019, 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 Vehicle and Equipment Sales, outdoor (U-Haul Rental) on property zoned LC, Limited Commercial District, at 610 North Maize Road, and legally described as:

> All of Lot 1, Rush Addition to City of Wichita, Sedgwick County, Kansas; except the North 5 thereof.

Subject to the following conditions:

1. The entire site shall be developed and operated in conformance with the requirements of Section III-D.6(x) of the Unified Zoning Code.

2. Outdoor storage and vehicle storage yard, as defined by the Unified Zoning Code, shall only be permitted along the eastern property line as noted on the proposed site plan.

3. All provisions associated with the conditions of BZA22-95 concerning the car wash shall remain in effect.

4. A revised site plan, drawn to scale and addressing the conditions of approval shall be submitted for review and approval by the Planning Director or his designee prior to the issuance of a certificate of occupancy, but no later than 30 days after approval of the Conditional Use.

5. 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 24th Day of October, 2019

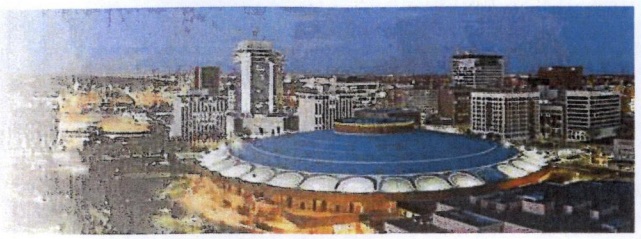
METROPOLITAN AREA PLANNING COMMISSION

Charles A. Warren, Chair MAPC

ATTEST:

Dale Miller, Secretary

The Wichita Eagle
Kansas.com
330 N Mead St | Wichita, KS 67202 | 316-268-6000



LEGAL PROOF OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Lines
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Attention: Betsy Pagán

CITY OF WICHITA/PLANNING DEPT
271 WEST THIRD ST., 2ND FL, SU 203
WICHITA, KS 67202

LEGAL PUBLICATION

Published in The Wichita Eagle on October 3, 2019
(One Time Only)
MAPC October 24, 2019
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, October 24, 2019 no earlier than 1:30 p.m.**, the WichitaSedgwick County Metropolitan Area Planning Commission will consider the following applications in the Planning Commission Conference Room, 271 West Third Street, 2nd Floor, Ste #203, Wichita, Kansas. **If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Commission at (316) 2684421.**

CON201900036 City Conditional Use to allow Vehicle and Equipment Sales, Outdoor (U-Haul Rental) on property zoned LC Limited Commercial, generally located 300 feet south of the southeast corner of West Central Avenue and North Maize Road (610 N. Maize).

CUP201900033 City Minor Amendment to CUP DP-267 (associated with SUB2019-00012) to allow six duplexes per parcel on Parcels 1, 6, and 7 zoned LC Limited Commercial and generally located near the southeast corner of North Tyler Road and West 37th Street North

VAC201900033 City Vacation of 5-foot wall and 10-foot "utility easements (associated with BZA2019-00038 to reduce the rear setback) to permit construction of a swimming pool in SF-5 Single-Family Residential zoning; generally located south of W. 29th St. N. and west of N. Ridge Rd. (7922 W. Meadow Park Ct).

ZON201900038 City Zone Change from SF-5 Single Family Residential to NR Neighborhood Retail and LC Limited Commercial to allow commercial development on property generally located on the north side of East 21st Street North and west of North Oliver Avenue (2 Crestview Lakes Drive).

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202. As provided in Section V of the WichitaSedgwick County Unified Zoning Code, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed changes to the zoning regulations will be considered by the MAPC as by law provided.

WITNESS MY HAND on September 30, 2019
Dale Miller, Secretary
WichitaSedgwick County
0004400730

In The STATE OF KANSAS
In and for the County of Sedgwick
AFFIDAVIT OF PUBLICATION

1 Insertions

Beginning issue of: 10/24/2019

Ending issue of: 10/24/2019

STATE OF KANSAS)
.SS
County of Sedgwick)

Dale Seiwert, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from **10/24/2019** to **10/24/2019**.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dale Seiwert
(Signature of Principal Clerk)
DATED: 10/24/2019

JENNIFER RAE BAILEY
Notary Public - State of Kansas
My Appt. Expires 6/14/2021

Notary Public Sedgwick County, Kansas