Wichita-Sedgwick County Metropolitan Area Planning Department

Steven Enterprises
Attn: Tim Bishop
8405 East Kellogg Street
Wichita, KS 67207

December 2, 2025

RE: CON2025-00129 - Conditional Use request in the City to allow Vehicle and Equipment Sales, Outdoor on property zoned LC Limited Commercial District, generally located on the southeast corner of US 54/400 and South Eastern Avenue (8405 East Kellogg Street).

Dear Applicant,

On **December 2, 2025**, the Wichita City Council heard the above captioned request. The action of the WCC was to **APPROVE** the request, subject to the following conditions:

1. The Conditional Use shall be limited to the sales of cars and pick-up (light) trucks. No sale or rental of trailers, boats, motorcycles/scooters, recreational vehicles or trucks larger than pick-ups are permitted. All conditions of the Unified Zoning Code, Section III-D.6.x, outdoor vehicle and equipment sales shall be in effect.
2. Because the UZC's definition of "Vehicle Repair, Limited" does not allow the outside repair or maintenance services of vehicles none shall be conducted on the site, unless a building is provided for this activity; UZC. Art. II, Sec.II-B.14.i. No outside storage of salvaged vehicles or vehicles waiting for repair shall be permitted in association with this use. No outside storage of parts, including tires, oil containers or any similar type of receptacles for new or used petroleum products.
3. All improvements to the property must be finished before car sales is permitted. Those improvements shall include, but not limited to, clearly marked customer and employee parking and the display area, required screening, and landscaping.
4. The site shall be developed according to the approved revised site plan. The site plan shall be revised and identify specific parking areas, screening and landscaping.
5. A Conditional Use amendment shall be required for any changes to these conditions.
6. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
7. 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 Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

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

Sincerely,

Christina Rieth

Christina Rieth
Current Plans
Associate Planner

Cc: Becky Tuttle, Councilmember District II
Teresa Veazey, CSR District II
MABCD
Ferris Consulting, *via email*

Wichita-Sedgwick County Metropolitan Area Planning Department

Steven Enterprises
Attn: Tim Bishop
8405 East Kellogg Street
Wichita, KS 67207

October 23, 2025

RE: CON2025-00129 - Conditional Use request in the City to allow Vehicle and Equipment Sales, Outdoor on property zoned LC Limited Commercial District, generally located on the southeast corner of US 54/400 and South Eastern Avenue (8405 East Kellogg Street).

Dear Applicant,

On **October 23, 2025**, the Wichita-Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The recommendation of the MAPC was to **APPROVE** the request, subject to the following conditions:

1. The Conditional Use shall be limited to the sales of cars and pick-up (light) trucks. No sale or rental of trailers, boats, motorcycles/scooters, recreational vehicles or trucks larger than pick-ups are permitted. All conditions of the Unified Zoning Code, Section III-D.6.x, outdoor vehicle and equipment sales shall be in effect.
2. Because the UZC's definition of "Vehicle Repair, Limited" does not allow the outside repair or maintenance services of vehicles none shall be conducted on the site, unless a building is provided for this activity; UZC. Art. II, Sec.II-B.14.i. No outside storage of salvaged vehicles or vehicles waiting for repair shall be permitted in association with this use. No outside storage of parts, including tires, oil containers or any similar type of receptacles for new or used petroleum products.
3. All improvements to the property must be finished before car sales is permitted. Those improvements shall include, but not limited to, clearly marked customer and employee parking and the display area, required screening, and landscaping.
4. The site shall be developed according to the approved revised site plan. The site plan shall be revised and identify specific parking areas, screening and landscaping.
5. A Conditional Use amendment shall be required for any changes to these conditions.
6. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
7. 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 Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

Property owners opposed to the application may file with the City Clerk a signed, written protest of the MAPC's recommendation. (Unsigned e-mails are not considered to be legal protests.) To be effective, the protest must be filed by 5:00 p.m. on **November 6, 2025**. In order to be considered a "valid" petition, the signatures must reflect the correct and entire ownership of the property, the property must be at least

partially located within 200 feet of the property for which the application was filed and must be submitted to the City Clerk by **November 6, 2025** at 5:00 p.m.

This case will be heard on **Monday, November 10, 2025**, by the District Advisory Board (DAB) II, which meets at Fire Station #20 (2255 South Greenwich Road, Wichita, KS 67207) at 6:00 p.m. For more information, please visit Wichita.gov/dab2 or contact Teresa Veazey at 316-352-4886 or TCVeazey@wichita.gov.

If the District Advisory Board recommends approval, and no protest petitions are received, then the decision of the MAPC is final. Else, the Wichita City Council will meet on **Tuesday, December 2, 2025, at 9:00 a.m.** for final action. The WCC meets at City Hall, 455 North Main Street, Wichita, KS 67202.

Development application signs may now be removed from the property. If you have any questions concerning this matter, please contact our office.

Sincerely,

Christina Rieth

Christina Rieth
Current Plans
Associate Planner

Cc: Becky Tuttle, Councilmember District II
Teresa Veazey, CSR District II
MABCD
Ferris Consulting, *via email*

OCA 150004 PUBLISHED AT WICHITA.GOV/LEGALNOTICES on December 5, 2025

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

RESOLUTION NO. 25-518

WHEREAS, Steven Enterprises LLC, Owner, 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 permit Vehicle and Equipment Sales, Outdoor and Waiver of Supplementary Use Regulation III-D.6.x. (1) on property zoned LC Limited Commercial District, generally located south of East Kellogg Drive and east of South Eastern Avenue, legally described as:

Lot 2, Circuit City Addition, City of Wichita, Sedgwick County, Kansas.

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 23, 2025, consider said application; and

WHEREAS, the Wichita City Council 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 Wichita City Council that this application be approved to allow a Conditional Use to permit Vehicle and Equipment Sales, Outdoor with a Waiver of Supplementary Use Regulation III-D.6.x. (1) on property zoned LC Limited Commercial District, generally located south of East Kellogg Drive and east of South Eastern Avenue, legally described as:

Lot 2, Circuit City Addition, City of Wichita, Sedgwick County, Kansas.

Approved subject to the following conditions:

1. The Conditional Use shall be limited to the sales of cars and pick-up (light) trucks. No sale or rental of trailers, boats, motorcycles/scooters, recreational vehicles or trucks larger than pick-ups are permitted. All conditions of the Unified Zoning Code, Section III-D.6.x, outdoor vehicle and equipment sales shall be in effect.
2. Because the UZC's definition of "Vehicle Repair, Limited" does not allow the outside repair or maintenance services of vehicles none shall be conducted on the site, unless a building is provided for this activity; UZC. Art. II, Sec.II-B.14.i. No outside storage of salvaged vehicles or vehicles waiting for repair shall be permitted in association with this use. No outside storage of parts, including tires, oil containers or any similar type of receptacles for new or used petroleum products.
3. All improvements to the property must be finished before car sales is permitted. Those improvements shall include, but not limited to, clearly marked customer and employee parking and the display area, proposed lighting, screening, and landscaping.
4. The site shall be developed according to the approved site plan.
5. A Conditional Use amendment shall be required for any changes to these conditions.
6. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
7. 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 Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

This Resolution shall take effect and be in force from and after its adoption by the Wichita City Council.

Adopted on 2nd day of December, 2025.

Lily Wu, Mayor, City of Wichita

ATTEST:

Shinita Rice, City Clerk

(SEAL)

Approved as to form: Jennifer Magaña for
Jennifer Magaña, City Attorney and Director of Law



Site Plan for Conditional Use Permit 8405 E. Kellogg

SITE PLAN

N

APPROVED 12/2 BY CMR

Drwing Not to Scale

Ferris Consulting 09-15-25

CITY OF WICHITA

AFFIDAVIT OF PUBLICATION

State of Kansas, Sedgwick County, ss:

Shinita Rice, City Clerk

Being first duly sworn, deposes and says:

That I, Shinita Rice, City Clerk of the City of Wichita, Kansas has published the attached notice on the City of Wichita website, www.wichita.gov/LegalNotices, which website is designated as the official City News Outlet Publication Site for the City of Wichita, Kansas by Charter Ordinance No. 240 effective September 4, 2024.

That the attached Notice of Public Hearing / Ordinance No. _____ / Resolution No. 25-518 is a true copy thereof and was published on such website beginning on the 5th day of December, 2025.

Shinita Rice

Signature

SUBSCRIBED AND SWORN to before me this 5 day of December, 2025.

STATE OF KANSAS NOTARY PUBLIC
LEAH SISCO
My Appointment Expires
10-16-2029

Leah Sisco

Notary Public

(seal)

City Clerk's Office

City Hall •13th Floor •455 N. Main •Wichita, Kansas 67202

316.268.4529

www.wichita.gov

McClatchy

The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer
Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
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The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
49235	74915	Legal Ad - IPL0296051	SUMMARY	1.0	93.0L

ATTENTION: CITY OF WICHITA/CLERKS OFFICE IP
455 N MAIN ST FL 13
WICHITA, KS 67202
srice@wichita.gov;LAlvarez@wichita.gov

ITEMS PUBLISHED ON WICHITA.GOV/LEGAL NOTICES DECEMBER 5, 2025
ORDINANCE NO. 52-845

AN ORDINANCE APPROVING AN AGREEMENT REGARDING THE RE-ASSESSMENT OF CERTAIN SPECIAL ASSESSMENTS LEVIED BY THE CITY OF WICHITA, KANSAS TO PAY THE COSTS OF CERTAIN INTERNAL IMPROVEMENTS BENEFITING TALL-GRASS EAST COMMERCIAL 2ND ADDITION.

An ordinance approving assessments to be respread.

RESOLUTION NO. 25-515

A RESOLUTION OF THE GOVERNING BODY OF THE WICHITA AIRPORT AUTHORITY DETERMINING THE ADVISABILITY OF ISSUING AIRPORT SPECIAL FACILITIES REVENUE BONDS FOR THE PURPOSE OF FINANCING THE CONSTRUCTION, FURNISHING AND EQUIPPING OF A HANGAR TO BE LOCATED ON COLONEL JAMES JABARA AIRPPORT; AND AUTHORIZING EXECUTION OF RELATED DOCUMENTS.

A resolution authorizing special facilities revenue bonds for Hanger Dynamics Jabara, LLC.

RESOLUTION NO. 25-518

WHEREAS, STEVEN ENTERPRISES LLC, OWNER, 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 PERMIT VEHICLE AND EQUIPMENT SALES, OUTDOOR AND WAIVER OF SUPPLEMENTARY USE REGULATION III-D.6.X. (1) ON PROPERTY ZONED LC LIMITED COMMERCIAL DISTRICT, GENERALLY LOCATED SOUTH OF EAST KELLOGG DRIVE AND EAST OF SOUTH EASTERN AVENUE, LEGALLY DESCRIBED AS: LOT 2, CIRCUIT CITY ADDITION, CITY OF WICHITA, SEDGWICK COUNTY, KANSAS.

A conditional use request to allow vehicle and equipment sales at 8405 East Kellogg Street.

RESOLUTION NO. 25-519

A RESOLUTION AUTHORIZING THE CREATION OF CUP DP-365 EASTSIDE COMMUNITY CHURCH COMMUNITY UNIT PLAN TO PERMIT COMMERCIAL AND RESIDENTIAL DEVELOPMENT ON PROPERTIES ZONED LC LIMITED COMMERCIAL DISTRICT; GENERALLY LOCATED ON THE NORTHWEST CORNER OF EAST 21ST STREET NORTH AND NORTH 143RD STREET EAST (14242 EAST 21ST STREET NORTH), IN THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-E, AS ADOPTED BY ORDINANCE NO. 44-975 AS AMENDED.

A resolution authorizing the creation of Eastside Community Church Community Unit Plan.

THE FULL DOCUMENTS CAN BE VIEWED AT WICHITA.GOV/LEGALNOTICES.
IPL0296051
Dec 5 2025

In The STATE OF KANSAS
In and for the County of Sedgwick
STATE OF KANSAS)
SS
County of Sedgwick)

the undersigned, 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.

1.0 insertion(s) published on:
12/05/25 Print

Print Tearsheet Link

Marketplace Link

Mary Castro

DIGITALLY SIGNED

Mary Castro

Sherry J Chasteen

DIGITALLY SIGNED

Sworn to and subscribed before me on Dec 5, 2025, 9:29 AM EST

NOTARY PUBLIC STATE OF TEXAS
SHERRY J CHASTEEN
ELECTRONIC NOTARY PUBLIC
STATE OF TEXAS
COMMISSION # 125328493
MY COMMISSION EXPIRES 4/16/2029

Online Notary Public. This notarial act involved the use of online audio/video communication technology. Notarization facilitated by SIGNiX®

ITEMS PUBLISHED ON WICHITA.GOV/LEGAL NOTICES
DECEMBER 5, 2025

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AN ORDINANCE APPROVING AN AGREEMENT REGARDING THE REASSESSMENT OF CERTAIN SPECIAL ASSESSMENTS LEVIED BY THE CITY OF WICHITA, KANSAS TO PAY THE COSTS OF CERTAIN INTERNAL IMPROVEMENTS BENEFITING TALLGRASS EAST COMMERCIAL 2ND ADDITION.

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A resolution authorizing the creation of Eastside Community Church Community Unit Plan.

THE FULL DOCUMENTS CAN BE VIEWED AT WICHITA.GOV/LEGALNOTICES.

IPL0296051
Dec 5 2025

McClatchy

The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer

Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald

The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Cols	Depth
41100	IPL0277313	Legal Ad - IPL0277313		1.0	74.0L

ATTENTION: CITY OF WICHITA/PLANNING DEPT IP
271 WEST THIRD ST., 2ND FL, SU 203
WICHITA, KS 67202
MHEBERT@wichita.gov;kgonzalez@wichita.gov

OCA 150004
Published in The Wichita Eagle on October 1, 2025
(One Time Only)
MAPC/BZA October 23, 2025
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, October 23, 2025, no earlier than 1:30 p.m.,** the Wichita-Sedgwick County Metropolitan Area Planning Commission/ Board Zoning Appeals will consider the following applications. The meeting will be held in person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation is encouraged (see instructions below). Virtual participation is not available. If you have any questions regarding the meeting or items on this notice, please call the Wichita-Sedgwick County Metropolitan Area Planning Department at (316) 268-4421. **Full notice can be found at www.wichita.gov/ LegalNotices.**

CON2025-00129: Conditional Use request in the City to allow Vehicle and Equipment Sales, Outdoor on property zoned LC Limited Commercial District, generally located on the southeast corner of US 54/400 and South Eastern Avenue (8405 East Kellogg Street).

PUD2025-00022: Zone Change request in the City from SF-5 Single-Family Residential District and LC Limited Commercial District to PUD Planned Unit Development to create Trinity Park PUD #151 for single-family and two-family development, generally located on the northeast corner of South Hoover Road and West 47th Street South.

VAC2025-00042: Vacation request in the City to vacate a portion of a building setback on property zoned SF-5 Single-Family Residential, generally located on the northwest corner of West 21st Street North and North Hyacinth Ln (2207 N. Hyacinth Ln).

ZON2025-00044: Zone Change request in the City from SF-5 Single-Family Residential District and LI Limited Industrial District to LI Limited Industrial District, generally located east of North Hillside Avenue and south of K-96.

ZON2025-00045: Zone Change request in the City from SF-5 Single-Family Residential to GC General Commercial District, generally located on the southeast corner of West 135th Street South and U.S. Highway 54/400.
IPL0277313
Oct 1 2025

In The STATE OF KANSAS
In and for the County of Sedgwick
STATE OF KANSAS)
SS
County of Sedgwick)
the undersigned, 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.

1.0 insertion(s) published on:
10/01/25 Print

Print Tearsheet Link

Marketplace Link

Amanda Rodela

DIGITALLY SIGNED

Amanda Rodela

Sherry J Chasteen

DIGITALLY SIGNED

Sworn to and subscribed before me on Oct 1, 2025, 9:40 AM EDT

NOTARY PUBLIC STATE OF TEXAS
SHERRY J CHASTEEN
ELECTRONIC NOTARY PUBLIC
STATE OF TEXAS
COMMISSION # 125328493
MY COMMISSION EXPIRES 4/16/2029

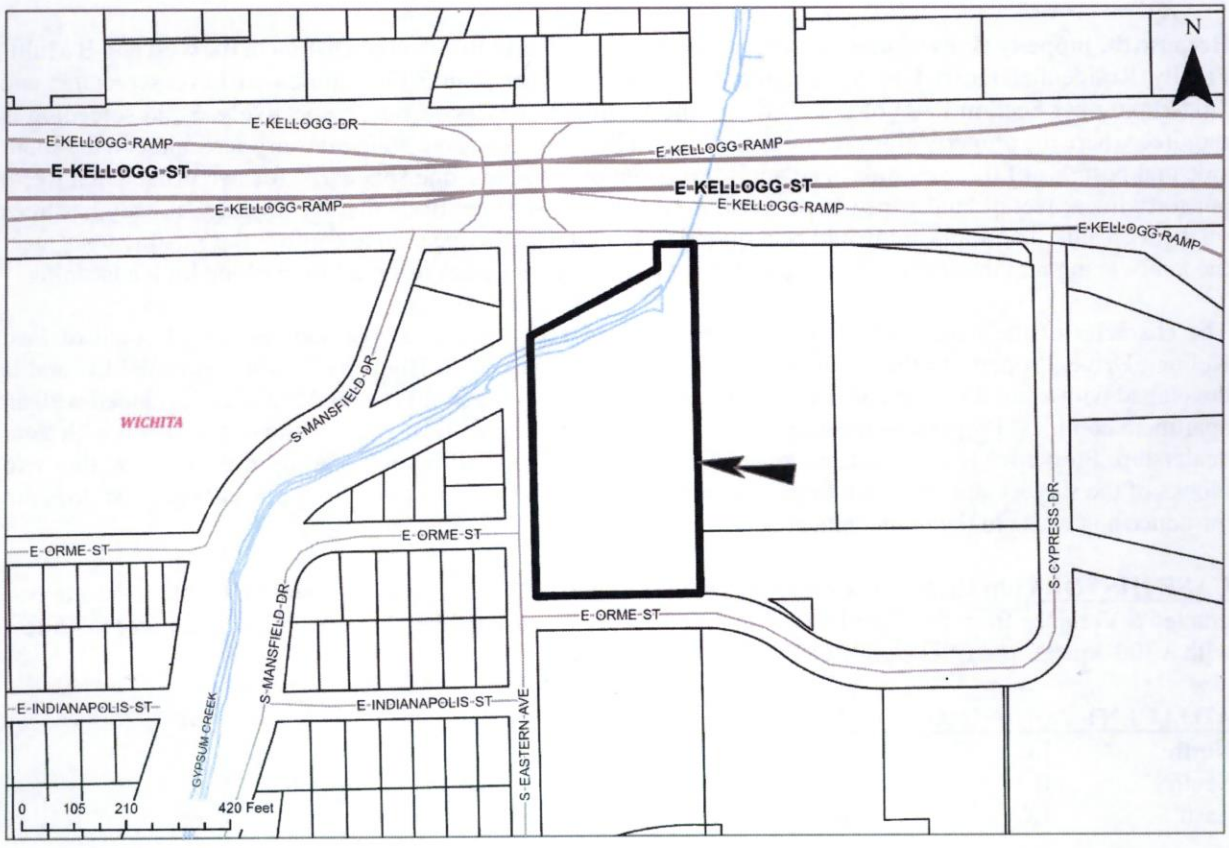
Online Notary Public. This notarial act involved the use of online audio/video communication technology. Notarization facilitated by SIGNiX®

WICHITA–SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 4.2

STAFF REPORT
MAPC: October 23, 2025
DAB II: November 10, 2025

CASE NUMBER:	CON2025-00129 (City)
APPLICANT/AGENT:	Steven Enterprises (Applicant)/Ferris Consulting (Agent)
REQUEST:	Conditional Use to allow Vehicle and Equipment Sales, Outdoor; Waiver of Supplementary Use Regulation III-D.6.x. (1)
CURRENT ZONING:	LC Limited Commercial District
SITE SIZE:	4.74 acres
LOCATION:	Generally located on the east side of South Eastern Avenue, south of U.S. Highway 54/400 (8405 East Kellogg Street).
PROPOSED USE:	Outdoor automotive sales.
RECOMMENDATION:	Approve with conditions.



BACKGROUND: The applicant is requesting a Conditional Use to allow Vehicle and Equipment Sales, Outdoor on property zoned LC Limited Commercial District. The property is 4.74 acres in size and is generally located on the east side of South Eastern Avenue, south of U.S. Highway 54/400 (8405 East Kellogg Street). It is currently developed with a vacant commercial space and a parking lot.

Vehicle and Equipment Sales are subject to Supplementary Use Regulations of the Unified Zoning Code (UZC) Section III-D.6.x. In summary, Vehicle and Equipment Sales must be contiguous to a major street, must be screened from areas adjacent to residential zoning districts, shall be paved with concrete or similar materials shall comply with lighting and noise regulations, prohibits outside repair work, prohibits certain signage on site, and prohibits elevated platforms. A complete list of Supplementary Use Regulations is attached to the end of this report.

East Kellogg Drive is classified as a local street, which is contiguous to East Kellogg Ramp, which is also classified as a local street. Therefore, the applicant shall require a waiver of Supplementary Use Regulation III-D.6.x.(1), which requires Vehicle and Equipment Sales, Outdoor to be contiguous to a major street. Should the Conditional Use request be approved, the applicant shall comply all other requirements.

The UZC requires one parking space per 500 square feet of building floor area, plus two spaces for the first 10,000 square feet of lot area used for sales or storage purposes, plus one space for each 10,000 square feet of lot area used for sales, display or storage purposes thereafter. The applicant intends to repurpose the existing 39,478 square-foot building, which would require 79 parking spaces. According to the site plan, the parking lot north of the commercial building would be used for sales and display, which is about 64,941 square feet. This would require an additional eight parking spaces for a total of 87 parking spaces. The previous use of the site was Retail, General, which required 118 parking spaces for the site. The existing site has sufficient parking for sales, display, customer, and employee parking. The southern half of the site's parking lot would be allocated for customer and employee parking.

Because the property abuts residential zoning (SF-5 Single-Family Residential District to the west and B Multi-Family Residential District to the south), the property owner would be required to have screening and landscaping per Section IV-B of the UZC and the Wichita Landscape Code, respectively. Solid screening is required where the property abuts residential zoning. The existing site has solid masonry screening on the south side and portions of the west side. The applicant is required to have one shade tree (or two ornamental trees) per forty linear feet of landscaped street yard. A site visit by staff confirms that the property already has trees on the west side. The applicant would be required to submit a landscape plan to confirm the existing trees meet the landscaping requirements. The site parking lot also has green areas reserved for parking lot landscaping.

The character of the neighborhood is commercial along East Kellogg Drive and residential south of East Kellogg Drive. Property to the north, across East Kellogg Drive (U.S. Highway 54/400), is zoned LC and is developed with a small vacant commercial building. Property to the south is zoned B and is developed with an apartment complex. Property to the east is zoned GC General Commercial District and is developed with a car dealership. Properties to the west are zoned SF-5 and developed with single-family dwellings. Within two blocks of the subject site, there are three additional vehicle sales businesses. The applicant's request does not introduce a new use to the immediate area.

CASE HISTORY: In 1996, the property was platted as part of the Circuit City Addition. In 2020, the site was granted a Variance from the Board of Zoning Appeals to increase the height of a sign from 25 feet to 45 feet with a 300-square foot LED sign (ZON2020-00033).

ADJACENT ZONING AND LAND USE:

North:	LC	Commercial building
South:	B	Apartment complex
East:	GC	Car dealership

West: SF-5 Single-family residences

PUBLIC SERVICES: This site has access to East Kellogg Street, which is a one-way local street with a sidewalk on the south side. This site has access to all municipal services, such as water and sewer. Wichita Transit provides regular bus service one-half mile northwest of the subject site, on East Kellogg Street (westbound) near the Best Western Inn East.

CONFORMANCE TO PLANS/POLICIES: The requested Conditional Use is in partial conformance to the *Community Investments Plan.* The *Community Investments Plan* (the Wichita-Sedgwick County Comprehensive Plan) includes the 2035 Wichita Future Growth Concept Map. The Map identifies the area in which the site is located to be appropriate for "Industrial" uses. The requested use is commercial in nature, which it is less intense than what the *Plan* recommends, but it is appropriate given its proximity to commercial and residential uses.

The requested Conditional Use is in conformance with the Locational Guidelines of the *Community Investments Plan.* The General Development Pattern recommends that "Primary outdoor sales uses should be located along highway corridors or in areas where the uses have already been established." The requested use is on the frontage road of a highway corridor. It is also immediately west of another vehicle sales establishment. Therefore, it is not introducing a new use in the area.

RECOMMENDATION: Based upon the information available at the time the report was prepared, staff recommends that the Conditional Use and waiver of Supplementary Use Regulation III-D.6.x.(1) be **APPROVED**, subject to the following conditions:

1) The Conditional Use shall be limited to the sales of cars and pick-up (light) trucks. No sale or rental of trailers, boats, motorcycles/scooters, recreational vehicles or trucks larger than pick-ups are permitted. All conditions of the Unified Zoning Code, Section III-D.6.x, outdoor vehicle and equipment sales shall be in effect.
2) Because the UZC's definition of "Vehicle Repair, Limited" does not allow the outside repair or maintenance services of vehicles none shall be conducted on the site, unless a building is provided for this activity; UZC. Art. II, Sec.II-B.14.i. No outside storage of salvaged vehicles or vehicles waiting for repair shall be permitted in association with this use. No outside storage of parts, including tires, oil containers or any similar type of receptacles for new or used petroleum products.
3) All improvements to the property must be finished before car sales is permitted. Those improvements shall include, but not limited to, clearly marked customer and employee parking and the display area, proposed lighting, screening, and landscaping.
4) The site shall be developed according to the approved site plan.
5) A Conditional Use amendment shall be required for any changes to these conditions.
6) The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
7) 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 Article VIII of 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 character of the neighborhood is commercial along East Kellogg Drive and residential south of East Kellogg Drive. Property to the north, across East Kellogg Drive (U.S. Highway 54/400), is zoned LC and is developed with a small vacant commercial building. Property to the south is zoned B and is developed with an apartment complex. Property to the east is zoned GC General Commercial District and is developed with a car dealership.

Properties to the west are zoned SF-5 and developed with single-family dwellings. Within two blocks of the subject site, there are three additional vehicle sales businesses. The applicant's request does not introduce a new use to the immediate area.

2. The suitability of the subject property for the uses to which it has been restricted: The property is zoned LC Limited Commercial District, and is suitable for a wide variety of residential, civic, and commercial land uses.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Staff does not anticipate the removal of restrictions to have a significant detrimental impact on nearby properties. Screening, landscaping, and the conditions of approval should mitigate some concerns. Approval of the application would not introduce a new use in this area.

4. Length of time subject property has remained vacant as zoned: The site has been developed with a commercial building since 1997 that the applicant intends to reuse for the Conditional Use.

5. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: Staff does not anticipate the approval of the request to have a significant detrimental impact on surrounding properties. Denial of the request could represent a loss in the use and enjoyment of the applicant's property.

6. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The proposed application is in partial conformance to the *Community Investments Plan*, as discussed in the report.

7. Impact of the proposed development on community facilities: Should the request be approved, it is not anticipated to have significant negative impacts on community facilities. The street on which the proposed car sales is situated can accommodate its anticipated traffic.

8. Opposition or support of neighborhood residents: Staff has not received comment from neighborhood residents at the time of the publication of the staff report.

Attachments:

1. Supplementary Use Regulations for Vehicle and Equipment Sales, Outdoor (Section III-D.6.x)
2. Site Plan
3. Aerial Map
4. Zoning Map
5. Land Use Map
6. Site Photos

Supplementary Use Regulations for Vehicle and Equipment Sales, Outdoor (Section III-D.6.x)

1. Location shall be contiguous to a major street as designated in the *Transportation Plan* adopted by the Governing Bodies, and as amended from time to time.

2. Visual screening of areas adjacent to residential zoning districts shall be provided to protect adjacent properties from light, debris and noise and to preserve adjacent property values even when the change in use to Vehicle and Equipment Sales replaces a previous use that is of equal or greater intensity. In no case shall screening be less than that required by Sec. IV-B.1-3.

3. All Parking, Outdoor Storage and display areas shall be paved with concrete, asphalt or asphaltic concrete or any comparable hard surfacing material. Parking barriers shall be installed along all perimeter boundaries abutting streets, except at driveway entrances or where fences are erected, to ensure that parked vehicles do not encroach onto public street right-of-way.

4. The lighting shall be in compliance with the lighting requirements of Sec. IC-B.4. No string-type or search lighting shall be permitted.

5. The noise levels shall be in compliance with the noise requirements of Sec. IV-C.6. Outdoor speakers and sound amplification systems shall not be permitted.

6. No repair work shall be conducted except in an enclosed Building, and further provided that no body or fender work is done.

7. Only those Signs permitted in the LC District shall be permitted on this Site, except that no portable, flashing, moving or off-site Signs shall be permitted and no streamers, banners, pennants, pinwheels, commercial flags, bunting or similar devices shall be permitted.

8. There shall be no use of elevated platforms for the display of Vehicles.

Site Plan



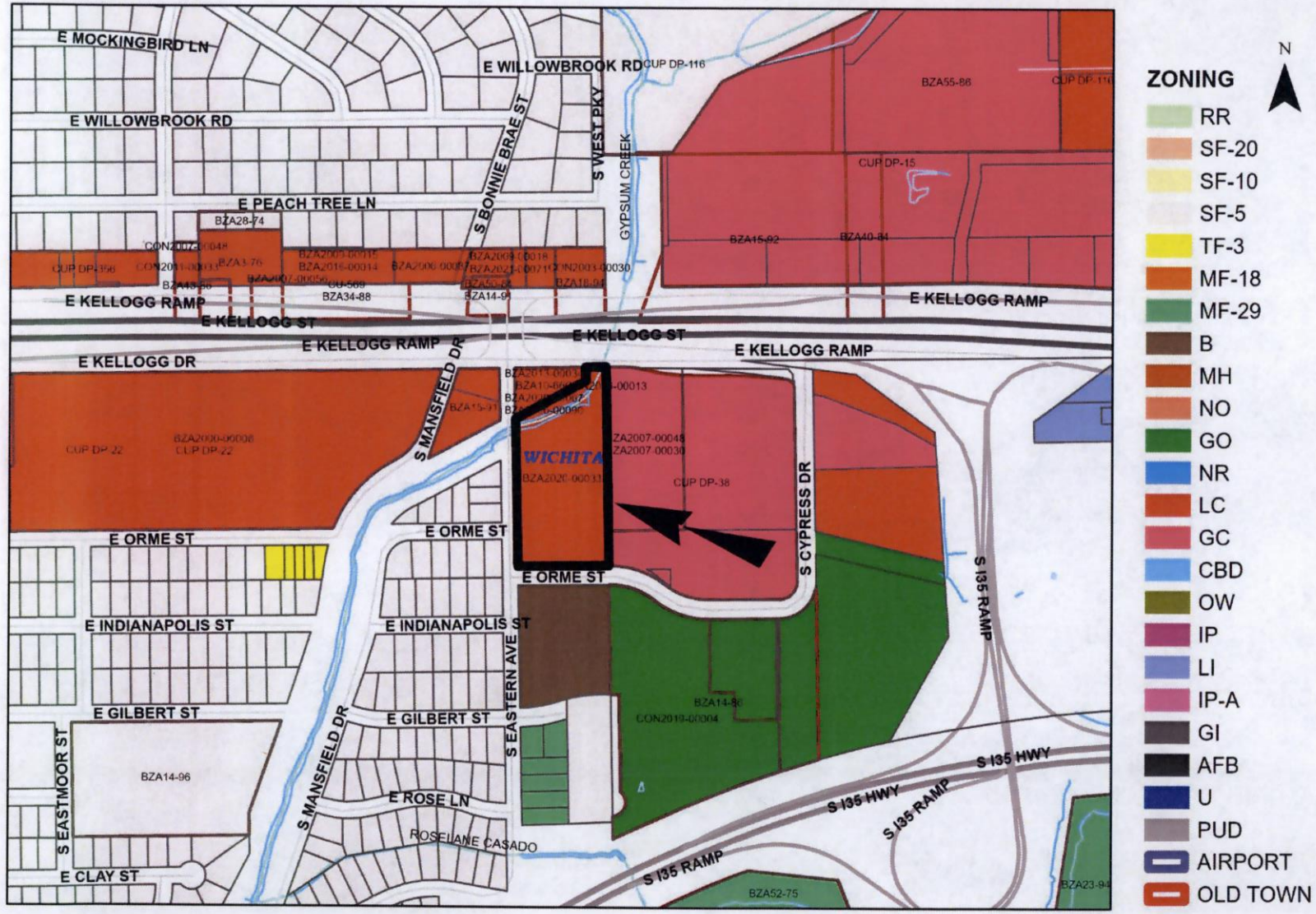
Site Plan for
Conditional Use Permit
8405 E. Kellogg

N

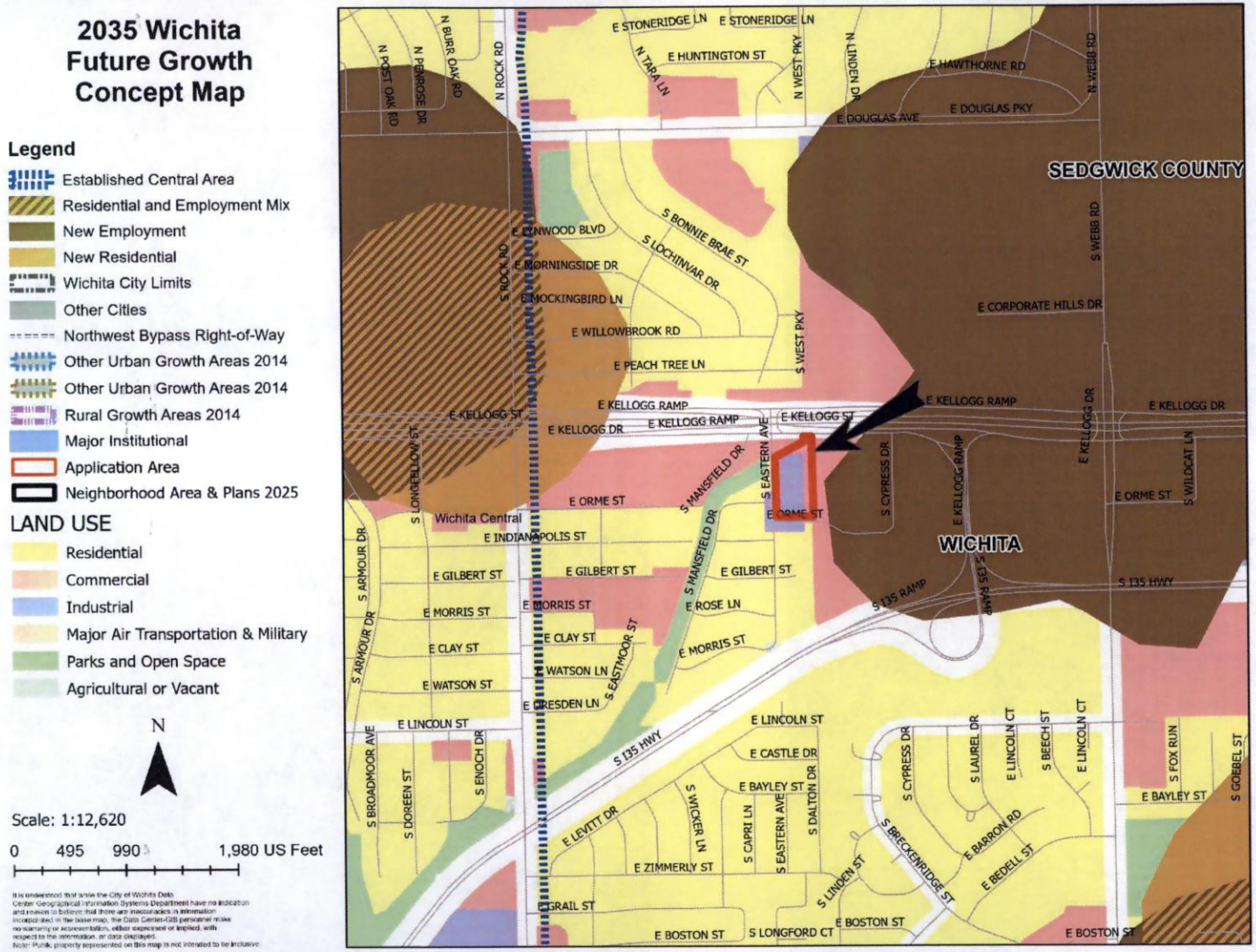
Aerial Map


S BONNIE
E KELLOGG DR
E KELLOGG RAMP
E KELLOGG ST
E KELLOGG RAMP
E KELLOGG ST
E KELLOGG RAMP
E KELLOGG RAMP
E KELLOGG RAMP
S MANSFIELD DR
WICHITA
E ORME ST
E ORME ST
S CYPRESS DR
E ORME ST
S MANSFIELD DR
E INDIANAPOLIS ST
E INDIANAPOLIS ST
S EASTERN AVE
0 100 200 400 Feet
N

Zoning Map


E MOCKINGBIRD LN
E WILLOWBROOK RD
E WILLOWBROOK RD
S BONNIE BRAE ST
S WEST PKY
GYPSUM CREEK
CUP DP-116
BZA55-86
CUP DP-15
BZA15-92
BZA40-84
E PEACH TREE LN
BZA28-74
BZA34-88
BZA14-94
E KELLOGG RAMP
E KELLOGG ST
E KELLOGG RAMP
E KELLOGG ST
E KELLOGG RAMP
E KELLOGG DR
S MANSFIELD DR
WICHITA
BZA2020-00033
CUP DP-38
S CYPRESS DR
S I35 RAMP
E ORME ST
E ORME ST
E ORME ST
E INDIANAPOLIS ST
E INDIANAPOLIS ST
S EASTERN AVE
E GILBERT ST
E GILBERT ST
S EASTMOOR ST
BZA14-96
S MANSFIELD DR
E ROSE LN
ROSELANE CASADO
E CLAY ST
CON2019-00004
S I35 HWY
S I35 HWY
S I35 RAMP
S I35 RAMP
BZA52-75
BZA23-94
N
ZONING
RR
SF-20
SF-10
SF-5
TF-3
MF-18
MF-29
B
MH
NO
GO
NR
LC
GC
CBD
OW
IP
LI
IP-A
GI
AFB
U
PUD
AIRPORT
OLD TOWN

Future Growth Concept Map



Looking east towards site



Looking south away from site



Looking west away from site



Looking north away from site



Looking south towards site



Looking east away from site

