



Wichita-Sedgwick County Metropolitan Area Planning Department

December 17, 2021

Jeremiah Leathers
4027 N Friar Ln
Wichita, KS 67204

RE: CON2021-00053: City Conditional Use to permit Vehicle and Equipment Sales on property zoned LC Limited Commercial; generally located on the west side of North Amidon Avenue, one-half mile north of West 29th Street North (3357 N Amidon Ave).

Dear Applicant;

At its regular meeting on **December 2, 2021**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** the request subject to the enclosed conditions.

There were no protests filed against this application. Therefore, the decision of the Planning Commission is final.

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

Sincerely,

Philip Zevenbergen, AICP
Senior Planner

Copies to: MABCD
Cindy Claycomb, City Council District VI
Ana Lopez, CSR District VI
Joan M Aboud, 1308 N. Armour St., Wichita, KS 67206
Daniel Ochs 1717 W 33rd Street North, Wichita, KS 67204
Leslie Hicks, 2230 N Cardinal Dr. Wichita, KS 67204
Benjamin Zickefoose, 825 Canyon Ct., Abilene, TX 79601

CON2021-00053
PZ



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	168364	WIC-11-11-21	OCA 150004	\$126.00	1	15.00 in

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

Copy of ad content
is on the next page

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

No. of Insertions: 1
Beginning Issue of: 11/11/2021
Ending Issue of: 11/11/2021

STATE OF KANSAS)
SS
County of Sedgwick)

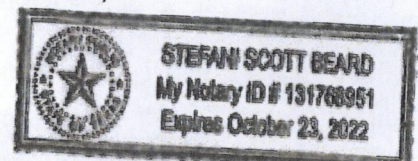
Hayley Martin, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper 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 11/11/2021 to 11/11/2021.

M. Hayley

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
DATED: 12/20/2021

Stefani Beard

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

CONDITIONAL USE RESOLUTION NO. CON2021-00053

WHEREAS, Joan M. Aboud Revocable Trust, Owner, pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), request a Conditional Use to allow Vehicle and Equipment Sales on property zoned LC Limited Commercial located at 3357 North Amidon Avenue, legally described as:

The North 2 acres of Lot 12, EXCEPT the West 260 feet thereof, Russell Tracts Addition,
Sedgwick County, Kansas

AND

Beginning at the Southeast Corner of the Amidon Acres Addition (30016498 +/- 87 feet Southeasterly; thence West +/- 292 feet; thence North +/- 26 feet; thence East +/- 92 feet; thence Northeasterly +/- 162.29 feet to Point of Beginning in Section 31, Township 26 South, Range 1 East of the 6th P.M. in 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 December 2, 2021, 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 for Vehicle and Equipment Sales on property zoned LC Limited Commercial located at 3357 North Amidon Avenue, legally described as:

The North 2 acres of Lot 12, EXCEPT the West 260 feet thereof, Russell Tracts Addition,
Sedgwick County, Kansas

AND

Beginning at the Southeast Corner of the Amidon Acres Addition (30016498 +/- 87 feet Southeasterly; thence West +/- 292 feet; thence North +/- 26 feet; thence East +/- 92 feet; thence Northeasterly +/- 162.29 feet to Point of Beginning in Section 31, Township 26 South, Range 1 East of the 6th P.M. in Wichita, Sedgwick County, Kansas.

Approved subject to the following conditions:

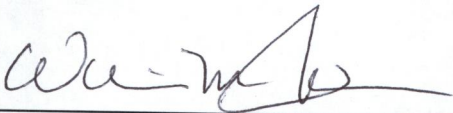
- 1) The Conditional Use shall be limited to the sales of cars and pick-up (light) trucks. No sale or rental of trailers, boats, motorcycles/scooters, recreational vehicles or trucks larger than pick-ups are permitted. All conditions of the Unified Zoning Code, Section III-D.6.x, outdoor vehicle and 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) The applicant shall provide solid screening along the south and west property lines with a minimum of a six-foot solid screening fence.
- 4) The applicant shall provide a landscape buffer along the south property line per the Wichita Landscape Ordinance with a minimum of one tree per 40 linear feet.

- 5) Light sources shall be limited to 15 feet in height within 200 feet of residential zoning districts and uses.
- 6) The applicant shall submit a revised site plan for review and approval by the Planning Director, prior to the selling of any cars or light trucks. The site plan will include, but not be limited to, internal circulation that will remain open during hours of operation to allow access, screening along the south and west property lines, all required landscaping, area designated for display of cars, customer and employee parking, any existing or proposed signs, existing or proposed lighting, and location of a fenced trash receptacle. The site will be developed according to the revised site plan.
- 7) 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, solid screening, required landscaping, proposed lighting and a solid fenced trash receptacle area.
- 8) The selling of vehicles is subject to the Supplementary Use Regulations of UZC Section III D. 6. X. pertaining to vehicle and equipment sales in the LC zoning district.
- 9) A Conditional Use amendment shall be required for any changes to these conditions.
- 10) Off-street parking spaces shall be provided in accordance with Article IV, Sec. IV-A of the UZC. No vehicles for sale shall be displayed in required off-street parking spaces. No parking, display, or storage is allowed on unpaved surfaces on the lot.
- 11) The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
- 12) 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.

Adopted this 16th Day of December 2021.

METROPOLITAN AREA PLANNING COMMISSION

ATTEST:



William M. Johnson, Chairman



Scott Wadle, Secretary

