



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

October 18, 2023

Hamendra Bahkta
Jason Bradley
5600 West Central Avenue
Wichita, KS 67212

Brad Haedt
1829 West 13th Street North
Wichita, KS 67203

RE: CON2023-00036 – Conditional Use in the City to amend CON2022-00010 and expand Vehicle and Equipment Sales, Outdoor for the entire property in accordance to the revised site plan; generally located on the northeast corner of West Central Avenue and North Hoover Road (5534 West Central Avenue).

Dear Applicant;

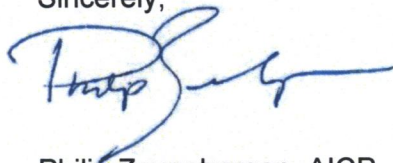
At its regular meeting on **October 17, 2023**, the Wichita City Council considered the above captioned request. The action of the City Council was to **APPROVE** the request with the following conditions:

- 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.
- 4) A conditional use amendment shall be required for any changes to these conditions.
- 5) 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 or storage of vehicles is allowed on unpaved surfaces on the lot.

- 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 application, please contact our office at 268-4421.

Sincerely,



Philip Zevenbergen, AICP
Current Plans
Division Manager

Copies to: MABCD
Maggie Ballard, Council Member District VI
Ana Lopez, CSR District VI



**Wichita-Sedgwick County
Metropolitan Area
Planning Department**

September 15, 2023

Hamendra Bahkta
Jason Bradley
5600 West Central Avenue
Wichita, KS 67212

Brad Haedt
1829 West 13th Street North
Wichita, KS 67203

RE: CON2023-00036 – Conditional Use in the City to amend CON2022-00010 and expand Vehicle and Equipment Sales, Outdoor for the entire property in accordance to the revised site plan; generally located on the northeast corner of West Central Avenue and North Hoover Road (5534 West Central Avenue).

Dear Applicant;

At its regular meeting on **September 14, 2023**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** the request with 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.
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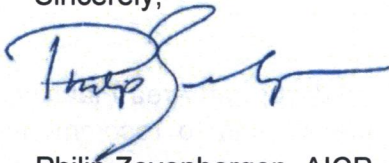
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Property owners opposed to the application may file with the City Clerk a signed, written protest of the MAPC's recommendation. (Unsigned e-mails are not considered to be legal protests.) To be effective, the protest must be filed by 5:00 p.m. on September 28, 2023. 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 September 28, 2023 at 5:00 p.m.

To ensure that Conditional Use applications would not be ruled invalid due to the recent American Warrior, Inc. v. Board of County Commissioners of Finney County, Kansas, the Planning Department is sending Conditional Use cases to the respective Governing Body for action. To do this, the Planning Director is submitting an appeal for all Conditional Use applications, per UZC Sec. V.A.5. This application will be considered by the Wichita City Council on Tuesday, October 17, 2023 beginning at 9:00 a.m.

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

Sincerely,



Philip Zevenbergen, AICP
Current Plans
Division Manager

Copies to: MABCD
Maggie Ballard, Council Member District VI
Ana Lopez, CSR District VI

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

RESOLUTION NO. 23-444

WHEREAS, Global PDR Solutions, 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 expand Vehicle and Equipment Sales, Outdoor on property zoned LC Limited Commercial District located on the northeast corner of West Central Avenue and North Hoover Avenue, legally described as:

Lots 4 and 5, Block B, Patterson Gardens Addition, 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 September 14, 2023, 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 expand Vehicle and Equipment Sales, Outdoor on property zoned LC Limited Commercial District located on the northeast corner of West Central Avenue and North Hoover Avenue, legally described as:

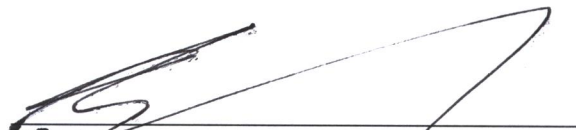
Lots 4 and 5, Block B, Patterson Gardens Addition, Wichita, Sedgwick County, Kansas.

Approved subject to the following conditions:

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- 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 17th day of October, 2023.



Brandon J. Whipple, Mayor, City of Wichita

ATTEST:



Jamie Buster, City Clerk

(SEAL)



Approved as to form: 

Jennifer Magaña, City Attorney and Director of Law



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

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el Nuevo Herald - Miami
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Attention: LaTosha Alvarez
 CITY OF WICHITA/CLERKS OFFICE
 455 N MAIN ST FL 13
 WICHITA, KS 67202

JMBuster@wichita.gov

LEGAL PUBLICATION
RESOLUTION NO. 23-444
 BE IT ORDAINED BY THE GOVERNING BODY
 OF THE CITY OF WICHITA, KANSAS.
RESOLUTION NO. 23-444

WHEREAS, Global PDR Solutions, 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 expand Vehicle and Equipment Sales, Outdoor on property zoned LC Limited Commercial District located on the northeast corner of West Central Avenue and North Hoover Avenue, legally described as

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Approved subject to the following conditions:

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

Adopted on 17 th day of October 2023.

Brandon J. Whipple, Mayor, City of Wichita

ATTEST: Jamie Buster, City Clerk

(SEAL) Approved as to form: Jennifer Magan a, City Attorney and Director of Law
 IFL0144336
 Oct 20 2023

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

1 insertion(s) published on:
 10/20/23

STATE OF KANSAS)

SS

County of Sedgwick)

Stefani Beard, of lawful age, being first duly sworn, depose 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 10/20/2023 to 10/20/2023.

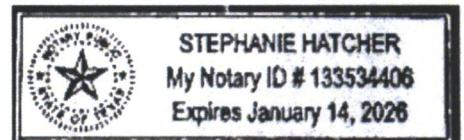
Stefani Beard

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

DATED: 10/24/2023

Stephanie Hatcher

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



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 Belleville News-Democrat
 Bellingham Herald
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 Columbus Ledger-Enquirer
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 Idaho Statesman
 Island Packet
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 Lexington Herald-Leader
 Merced Sun-Star
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el Nuevo Herald - Miami
 Modesto Bee
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 Sacramento Bee
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Attention: MANDY HEBERT
 CITY OF WICHITA/PLANNING DEPT
 271 WEST THIRD ST., 2ND FL, SU 203
 WICHITA, KS 67202

MHEBERT@wichita.gov

OCA 190004
 Published in The Wichita Eagle on August 24, 2023
 (One Time Only)
 MAPC/EZA September 14, 2023
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, September 14, 2023, 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 at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, KS 67202. Public participation may also occur through virtual methods (specified at the end of this notice). 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.

- 22A2023-00045:** Request for Variance in the City to have zero setback on a through street and to increase height of off-site sign to 54.14 feet on a property zoned GI General Industrial; generally located on the west side of North Hydraulic Avenue and East of I-135.
- CON2023-00036:** Conditional Use in the City to amend CON2022-00010 and expand Vehicle and Equipment Sales, Outdoor for the entire property in accordance to the revised site plan; generally located on the northeast corner of West Central Avenue and North Hoover Road (5534 West Central Avenue).
- CON2023-00038:** Conditional Use request in the City to permit live music and entertainment (defined as Nightclub) in the City as an accessory use to hotels and restaurants; generally located on the northeast corner of North Webb Road and Waterfront Pkwy (1720 North Webb Road).
- CON2023-00039:** Conditional Use request in the City for accessory apartment on property zoned SF-5 Single-Family Residential; generally located 400 feet north of West 25th Street West and 660 feet west of North Meridian Avenue (2642 North Edwards Street).
- GRP2023-00027:** CUP Amendment in the City to DP-218 to develop a Warehouse Self-Storage facility on property zoned LC Limited Commercial; located approximately 225 feet north of West 21st Street North and on the east side of North 119th Street West.
- DER2023-00004:** Unified Zoning Code amendment to the Old Town Overlay to allow Tattoo and Body Piercing Facility as a permitted use within the Old Town Overlay District, located between North Santa Fe Avenue and North Washington Avenue, and between East Douglas Avenue and East 3rd Street North.
- VAC2023-00029:** Vacation request in the City to vacate a portion of a sanitary easement by separate instrument on property zoned PUD Planned Unit Development and located at the southwest corner of South Seneca St. and West MacArthur Rd.
- VAC2023-00030:** Vacation request in the City to vacate a 15-foot platted utility easement on property zoned LC Limited Commercial; generally located on the south side of East Kellogg Drive and within one-half mile east of South Rock Road (southeast corner of East Kellogg Dr. and South Eastern Ave).
- VAC2023-00031:** Vacation request in the City to vacate access control of right in and right out movements on Towne East Mall Drive on property zoned LC Limited Commercial District; generally located north of Kellogg Drive and Towne East Mall Drive.
- VAC2023-00032:** Vacation request in the City to vacate the north 126 feet of an existing 30-foot driveway easement on property zoned LC Limited Commercial District; generally located north of East 21st Street North and West of Pinecrest Avenue (5110 East 21st Street North).

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 Wichita-Sedgwick 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.

Options to participate (see below):

- 1) Participate virtually
- 2) Attend in-person at the Ronald Reagan Building
- 3) Submit comments ahead of time

Participate Virtually
 Join Zoom Meeting
<https://us06web.zoom.us/j/4089866967?pwd=a0k3bW0ySjE5bnFJQTdlV0xPVDhXUT09>
 Meeting ID: 408 986 6967
 Passcode: 094136
 One tap mobile
 +16698006633,4089866967#,,,,*094136# US (San Jose)
 +17193594580,4089866967#,,,,*094136# US
 Meeting ID: 408 986 6967
 Passcode: 094136

Find your local number: <https://us06web.zoom.us/j/kc65codfb1>
 Attend In-Person

You may also participate in the hearing in-person at the Ronald Reagan Building, 271 West Third Street, 2nd Floor, Wichita, Kansas 67202. The in-person option is primarily intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-268-4464) by 5pm, 3 days prior to the meeting.

Submit Comments Ahead of Time
 You can submit comments regarding items on the Planning Commission agenda to the Wichita-Sedgwick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department no later than 5pm 3 days prior to the meeting. Please be sure to provide ample time for delivery. The comments can be submitted in the following formats: email; letter; video; and audio message (mp3, etc.). The comment should indicate which item they pertain to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff using the contact information below. The comments received ahead of the submission deadline will be shared with the MAPC, prior to or during the meeting.

Email
 Planning@wichita.gov
 Mailing Address
 Wichita-Sedgwick County Metropolitan Area Planning Department
 Attn: Scott Wadle
 271 W. 3rd Street - Suite 201
 Wichita, KS 67202
 Phone
 316.268.4421
 Fax
 316.858.7764
 WITNESS MY HAND on August 24, 2023
 Scott Wadle, Secretary
 Wichita-Sedgwick County
 Metropolitan Area Planning Commission
 IPL0136280
 Aug 24 2023

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

1 insertion(s) published on:
 08/24/23

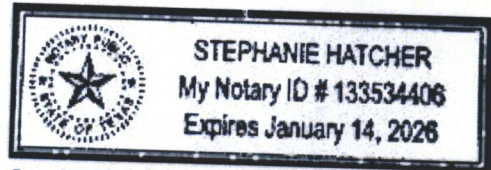
STATE OF KANSAS)
 SS
 County of Sedgwick)

Hayley Martin, of lawful age, being first duly sworn, depose 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 08/24/2023 to 08/24/2023.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
 DATED: 08/24/2023

Stephanie Hatcher

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!



STAFF REPORT
MAPC: September 14, 2023
DAB VI: September 11, 2023

CASE NUMBER: CON2023-00036 (City)

APPLICANT/AGENT: Hamendra Bahkta and Jason Bradley (Applicants) / Brad Haedt (Agent)

REQUEST: Amend CON2022-00010 to Increase Area for Vehicle and Equipment Sales, Outdoor

CURRENT ZONING: LC Limited Commercial District

SITE SIZE: 0.932 acres

LOCATION: Generally located on the northeast corner of North Hoover Avenue and West Central Avenue (5534 West Central Avenue)

PROPOSED USE: Expanded Automotive Sales

RECOMMENDATION: Approve with conditions



BACKGROUND: The applicant is requesting to amend Conditional Use CON2022-00010 to increase the permitted area for Vehicle and Equipment Sales, Outdoor in the LC Limited Commercial District on the Patterson Gardens Addition. The property is addressed as 5534 West Central Avenue, which is generally located on the northeast corner of North Hoover Avenue and West Central Avenue. It is currently developed with a car lot, a restaurant/bar, a barber shop, and a restaurant.

In 2022, the subject site was approved for Vehicle and Equipment Sales, Outdoor per the attached site plan which restricted vehicle sales to the southwest corner of the site. The applicant is now seeking to expand the display area to the entire site. The plan also includes demolition of the restaurant building on the east side of the site and expanding the vehicle sales office within the building on the north side of the parking lot.

The current display area encompasses approximately 8,000 square feet (0.18 acres), which accommodates 27 display spaces. The revised site plan indicates the display area would expand to approximately 0.6 acres and will accommodate up to 77 display spaces. This expansion consists of a 185 percent increase from the original request.

Vehicle and Equipment Sales are subject to Supplementary Use Regulations of the Unified Zoning Code Section III-D.6.x. Wichita's Landscape Ordinance (Title 28-Zoning: Chapter 28.06 of the Wichita City Code) was passed in order to enhance the attractiveness of the city and improve the quality of life for its citizens and visitors. The Ordinance seeks to protect residential developments from surrounding uses, soften harsh expanses of pavement, and screen undesirable views. The property to the north of the subject site, zoned TF-3 Two-Family, is already screened from this commercial property with a mature hedgerow. According to Section 3 of the ordinance, Vehicle and Equipment Sales are exempt from providing parking lot screening.

Property to the north is zoned TF-3 Two-Family Residential District and is developed with a single-family residential dwelling. Property to the south is zoned LC Limited Commercial District and is developed with a thrift store. Property to the east is zoned LC Limited Commercial District and is developed with a real estate agency. Property to the west is zoned GC General Commercial District and is developed with an autobody shop. In 2007, the Planning Department administratively approved the installation of an electronic message sign at the autobody shop. There are two other Vehicle and Equipment Sales businesses within one mile of the subject property.

CASE HISTORY: On August 11, 1949, the Patterson Gardens Addition was created. In 2022, a Conditional Use for Vehicle and Equipment Sales (CON2022-00010) was approved for the subject site. Also in 2022, a Conditional Use for Night Club in the City (CON2022-00041) was approved for the bar located on the northwest corner of the site. In 2023, the applicant submitted an Administrative Adjustment to revise the site plan to expand the Vehicle and Equipment Sales use on the site. The Planning Director and the Zoning Administrator determined the requested scale of expansion required an amendment to the original Conditional Use.

ADJACENT ZONING AND LAND USE:

| | | |
|--------|------|------------------------------------|
| North: | TF-3 | Single-family residential dwelling |
| South: | LC | Thrift store |
| West: | GC | Autobody shop |
| East: | LC | Real estate agency |

PUBLIC SERVICES: All municipal services are in place and can accommodate the required services to the site. West Central Avenue is a paved, five-lane arterial with sidewalks on both sides. North Hoover Street is a paved, two-lane local street with no sidewalks. Wichita Transit serves this area on the corner of North Hoover Road and West Central Avenue.

CONFORMANCE TO PLANS/POLICIES: The proposed application is in 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 “Commercial”. This category is described as follows: “*Encompasses areas that reflect the full diversity of commercial development intensities and types typically found in a large urban municipality. Convenience retail, restaurants, small offices, and personal service uses are located in close proximity to, and potentially mixed with, Residential Uses. Major destination areas (centers and corridors) containing concentrations of commercial, and office uses that have regional market areas and generate high volumes of traffic are located in close proximity to major arterials or highways and typically are buffered from lower density residential areas by higher density housing types.*”

The requested Conditional Use is in partial conformance with the goals of the *Wichita: Places for People Plan*. The *Wichita: Places for People Plan* provides recommendations for urban infill development in the Established Central Area (ECA). The subject site is located within the ECA. In general, the ECA is envisioned as “a place for people - a place that provides for the movement of people - on foot, on bike and through transit - in balance with automobiles.”

- **Strategies:** The Plan recommends strategies to help guide the community in their actions to create walkable places within Wichita. The requested Conditional Use aligns with Strategy 6, “Encourage infill and redevelopment that is contextual to the environment in which it is occurring.” The proposed Vehicle and Equipment Sales brings infill to a current parking lot.
- **Current Condition:** The subject property is located within an area identified as an “area of opportunity.” The Places for People Plan defines Areas of Opportunity as those “areas that generally exhibit economic challenges, a disconnected development pattern, and a lack of walkable places and facilities. These areas are in need of strategic reinvestment, both public and private to assist in redefining and reinvigorating the area, physically and socially.” The expansion of the auto sales lot does is coming at the cost of the demolition of a viable structure. This does not promote maximizing public investment of infrastructure and does not contribute to creating walkable places for the neighborhood.

RECOMMENDATION: Based upon the information available at the time the report was prepared, staff recommends the Conditional Use be **APPROVED**, subject to the following conditions:

The following conditions shall apply:

- 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.
- 4) A conditional use amendment shall be required for any changes to these conditions.
- 5) 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 or storage of

vehicles is allowed on unpaved surfaces on the lot.

- 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: Property to the north is zoned TF-3 Two-Family Residential District and is developed with a single-family residential dwelling. Property to the south is zoned LC Limited Commercial District and is developed with a thrift store. Property to the east is zoned LC Limited Commercial District and is developed with a real estate agency. Property to the west is zoned GC General Commercial District and is developed with an autobody shop. In 2007, the Planning Department administratively approved the installation of an electronic message sign at the autobody shop. There are two other Vehicle and Equipment Sales businesses within one mile of the subject property.
2. The suitability of the subject property for the uses to which it has been restricted: The property is suitable for the uses to which it has been restricted. The property is zoned LC Limited Commercial District with a Conditional Use for Vehicle and Equipment Sales, Outdoor with display limited to the southwest corner of the site. Outdoor Vehicle Sales are permitted in LC zoning by Conditional Use subject to the Supplementary Use Regulations found in the Wichita-Sedgwick County Unified Zoning Code, Sec. III-D.6.x. The segment of property to be used as automotive sales is currently developed with a restaurant and a parking lot.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The removal of restrictions will not detrimentally affect nearby properties. Outdoor Vehicle Sales are allowed by Conditional Use and is subject to the Supplementary Use Regulations found in the Wichita-Sedgwick County Unified Zoning Code, Sec. III-D.6.x. Said regulations are designed to mitigate possible negative impacts on surrounding properties. The use is already permitted on the a portion of the site, the request is to expand the existing use.
4. Length of time the subject property has remained vacant as zoned: The property is not vacant. It is currently developed with an Vehicle Sales office, a restaurant, and a bar.
5. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: Approval of this application is not anticipated to have a significant detrimental impact to public health, safety, or welfare. 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 conformance to the *Community Investments Plan* and the *Wichita Places for People Plan*, as discussed in the report.
7. Impact of the proposed development on community facilities: The proposed use should have not negative impacts on community facilities.
8. Opposition or support of neighborhood residents: At the time of publication of the staff report, staff

has not receive any public comment regarding this case.

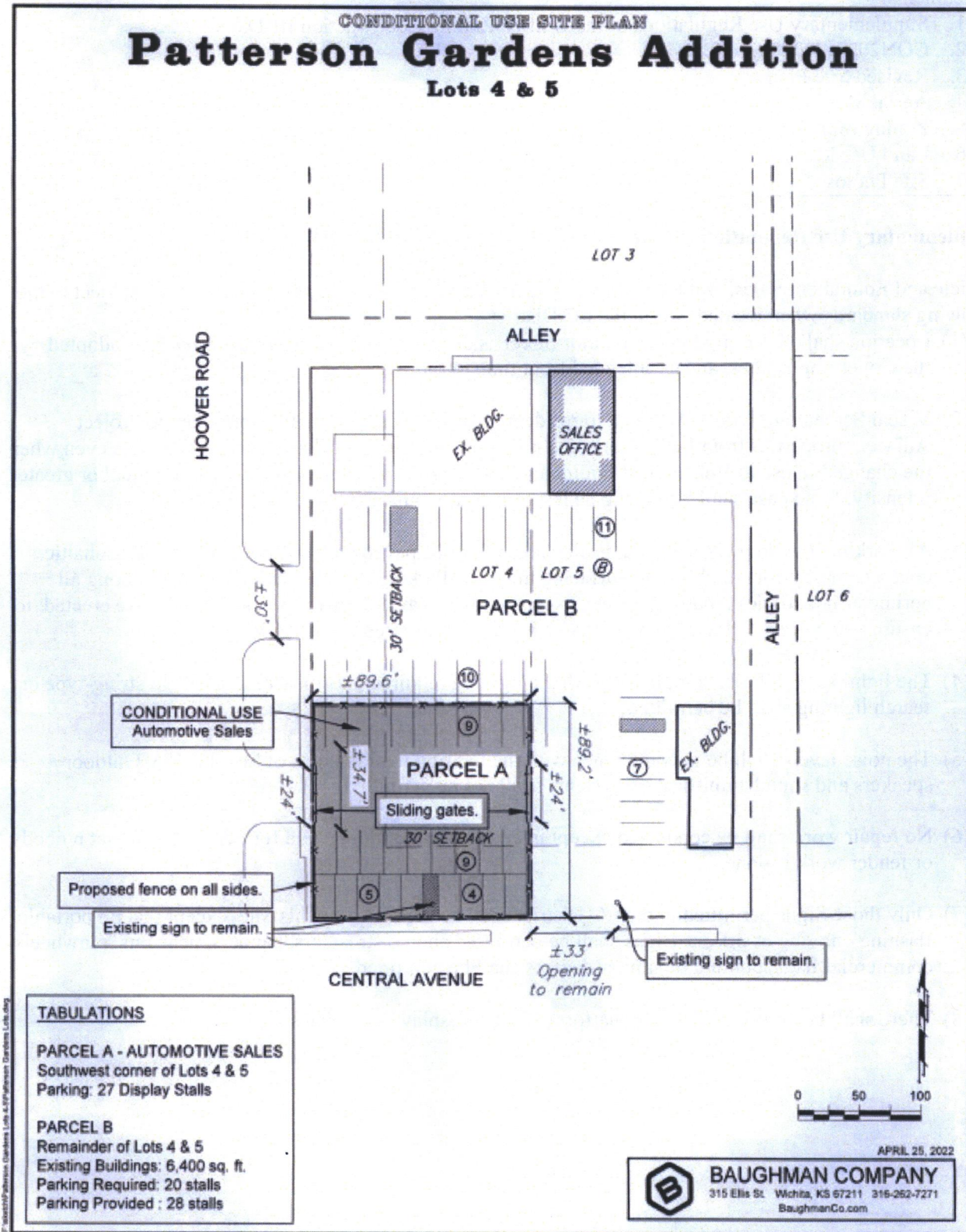
Attachments:

1. Supplementary Use Regulations of the Unified Zoning Code Section III-D.6.x.
 2. CON2022-00010 Site Plan
 3. Revised Site Plan
 4. Aerial Map
 5. Zoning Map
 6. Land Use Map
 7. Site Photos
-

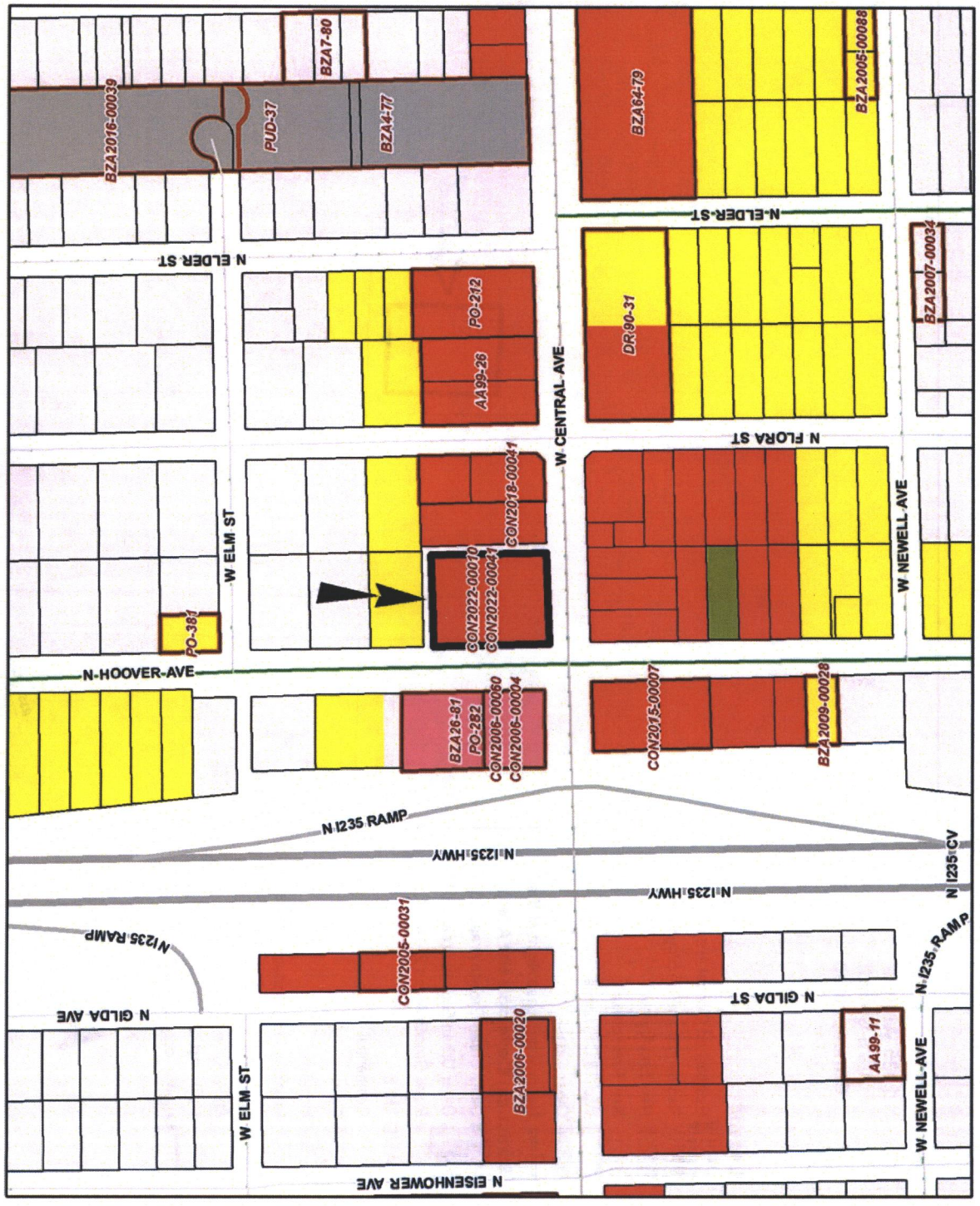
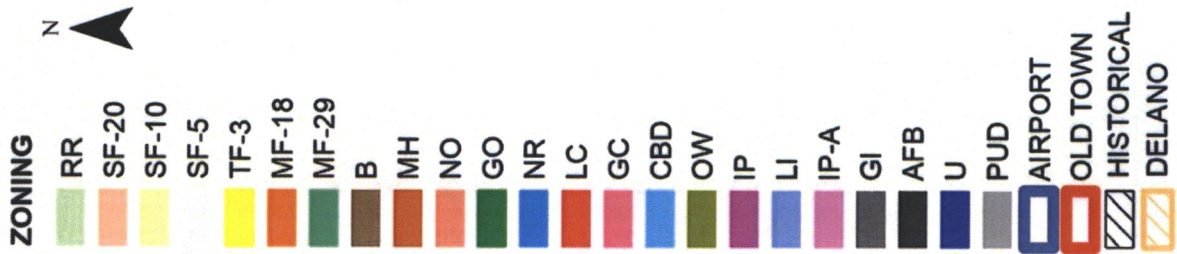
Supplementary Use Regulations of the Unified Zoning Code Section III-D.6.x.

Vehicle and Equipment Sales, Outdoor, in LC. Outdoor Vehicle and Equipment Sales shall be subject to the following standards when located within the LC District.

- (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 project Adjacent properties from light, debris and noise and to preserve Adjacent property values even when the changed 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 a t 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 lighting 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 n obody 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.

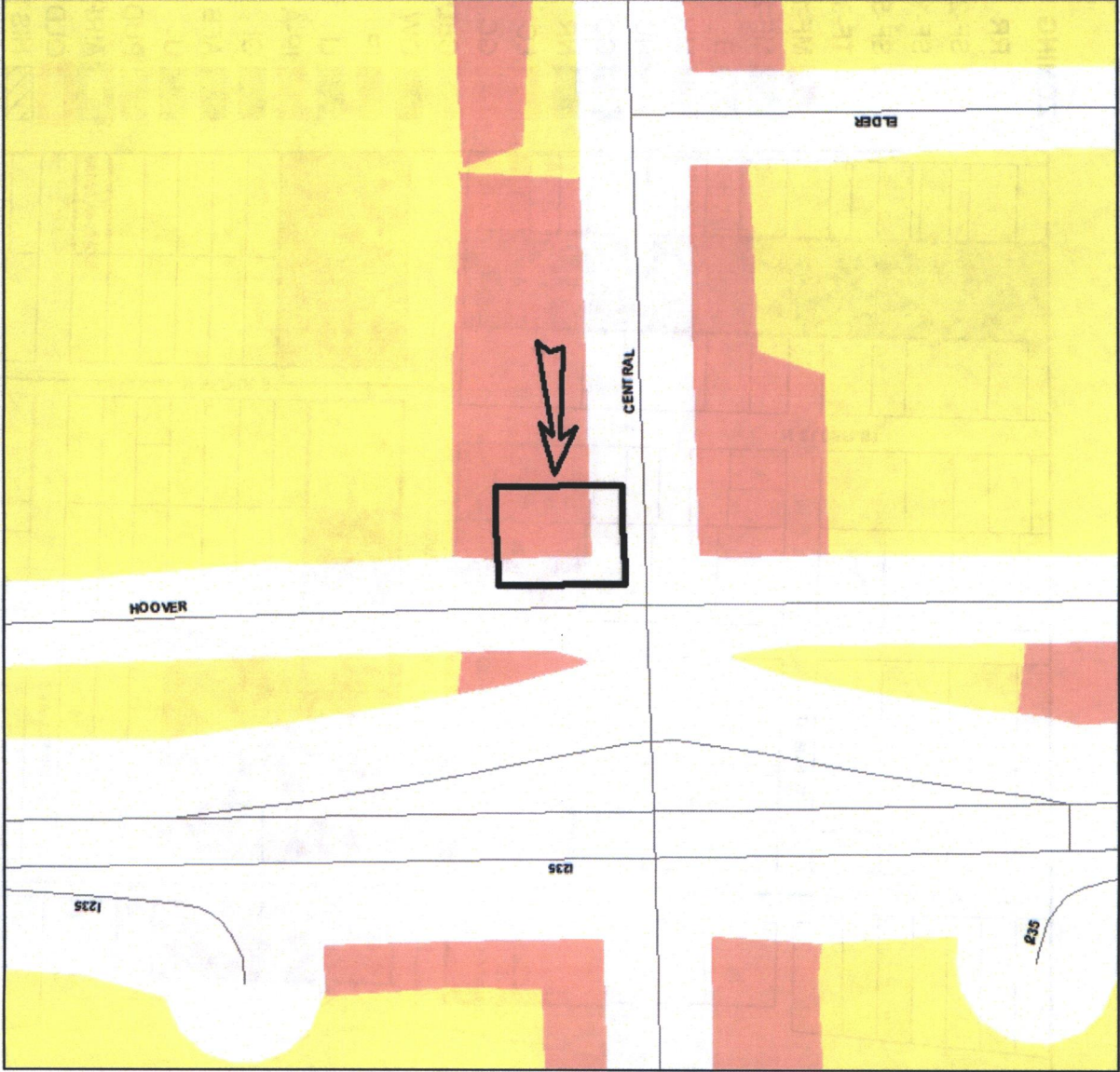




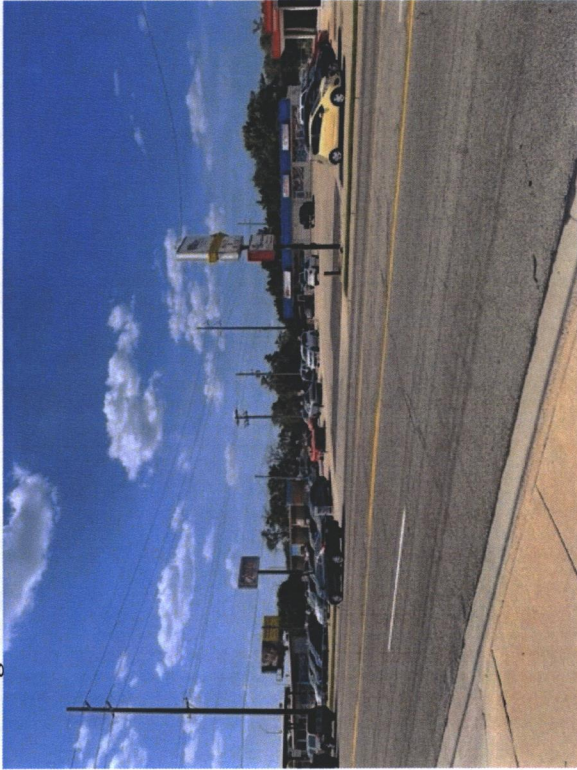


2035 Wichita Future Growth Concept Map

- Legend**
- Established Central Area
 - Residential and Employment Mix
 - New Employment
 - New Residential
 - Wichita City Limits
 - Other Cities
 - Northwest Bypass Right-of-Way
- Statistical Development Areas**
- Other Urban Growth Areas 2014
 - Other Urban Growth Areas 2014
 - Rural Growth Areas 2014
- LAND USE**
- Residential
 - Commercial
 - Industrial
 - Major Air Transportation & Military
 - Parks and Open Space
 - Agricultural or Vacant
 - Major Institutional
 - Nghbd_Plan_Areas



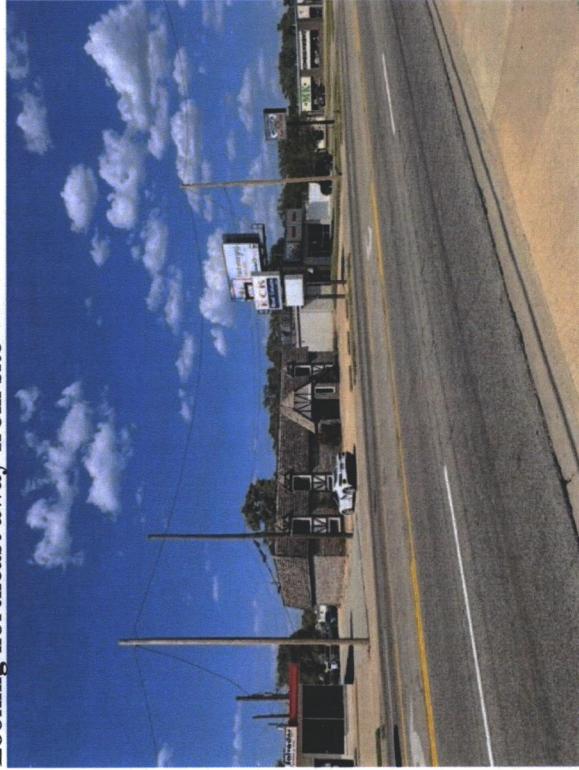
Looking north at site



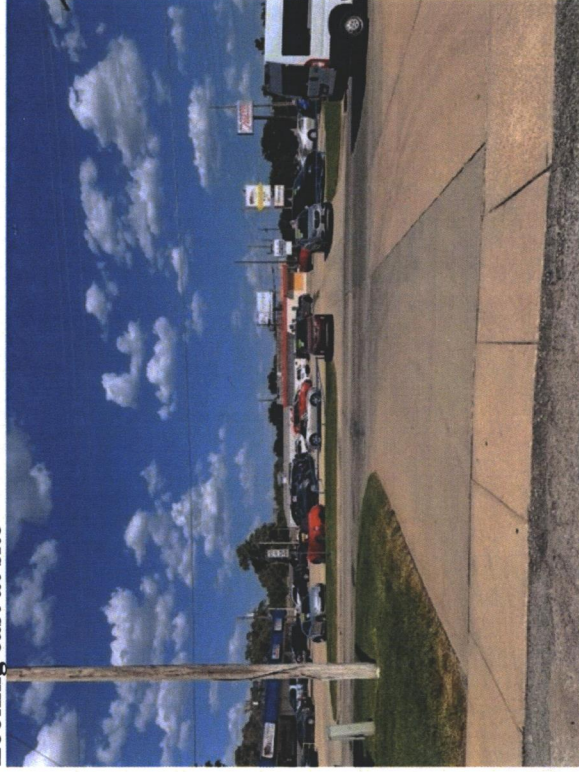
Looking east at property north of site



Looking northeast away from site



Looking east at site



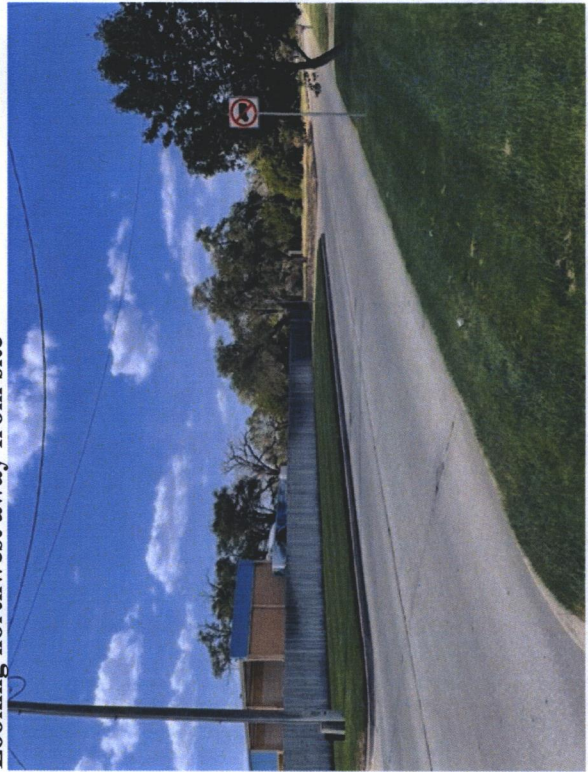
Looking west away from site



Looking southwest away from site



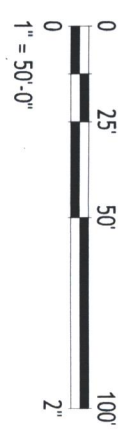
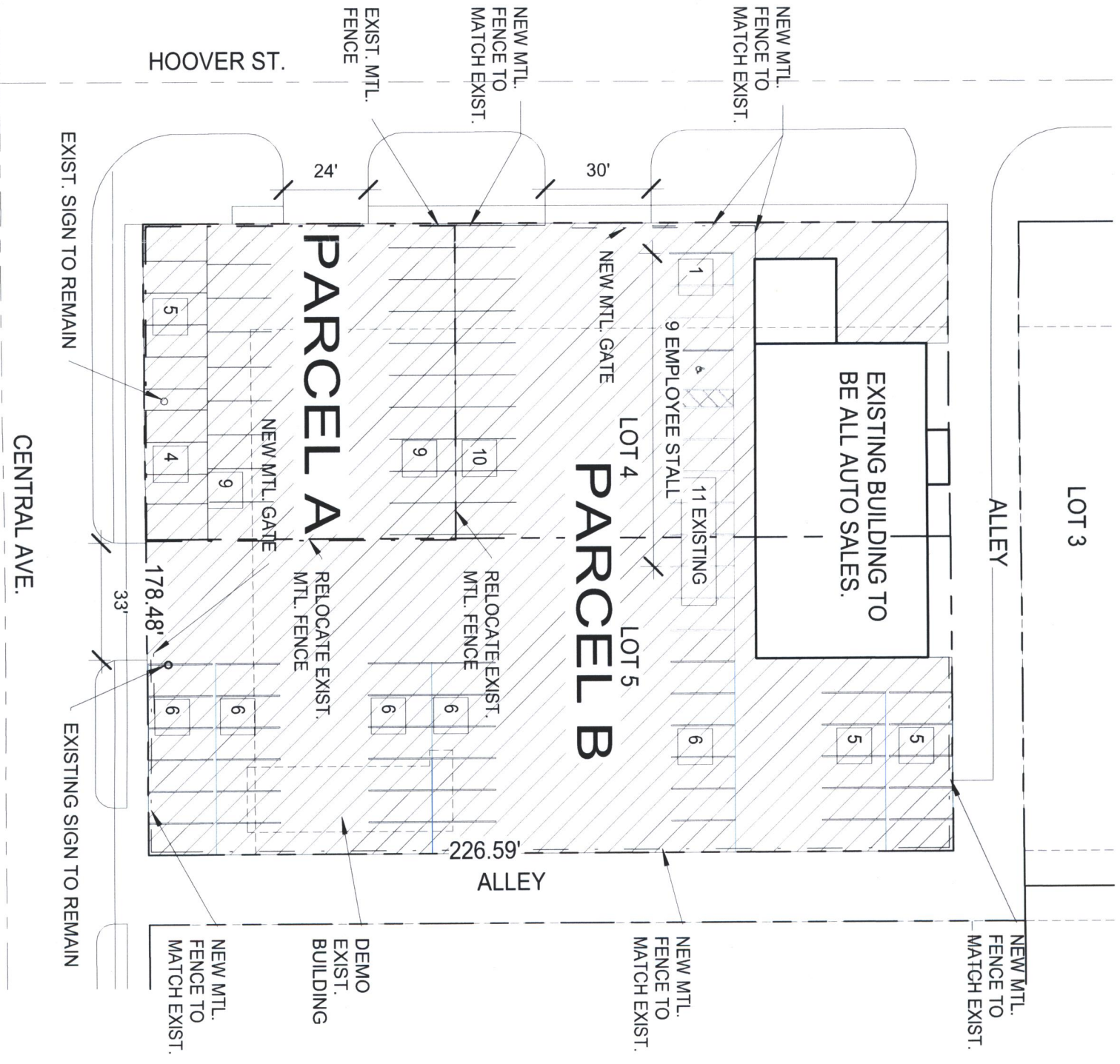
Looking northwest away from site



CONDITIONAL USE SITE PLAN
 PATTERSON GARDENS ADDITION
 LOTS 4 & 5

SITE PLAN
 APPROVED 10/27/23 BY *Heidi J.*
 CU 23-36

| | |
|--|---|
| EXISTING BUILDING 4596 SF | 4596/ 500 = 9.1 STALLS |
| LOT SF IS 40,589 SF - 4596 SF EXIST. BUILDING = 35,993 | |
| 35,993 - 10,000 = 25,993 | 2 STALLS |
| 25,993/ 10,000 = | 2.5 STALLS |
| TOTAL PARKING REQ. | 14 STALLS |
| EXISTING PARKING | 47 STANDARD STALLS 1 ADA STALL 48 STALLS |
| TOTAL EXISTING | |
| NEW PARKING | 41 STALLS 88 STANDARD STALLS 1 ADA STALL 89 STALLS |
| TOTAL PARKING | |



1 Site
 1" = 40'-0"



Global Auto Brokers
 CONDITIONAL USE SITE PLAN

5530 W Central Ave. Wichita, KS 67212



ICS
 INNOVATIVE CONSTRUCTION SERVICES, Inc.
 316-260-1644
 1829 W 13th Str N
 Wichita, KS 67203

- thinking outside the box -

DATE: 07/13/23
 DR. BY: BH
 PROJECT NO.: 23-056
 REVISIONS:

SHEET
 CU1