



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

Sergio Prado Guardado and Blanca Mendoza
1621 South Green Street
Wichita, KS 67211

March 13, 2025

RE: CON2025-00013 - Conditional Use application for Vehicle and Equipment Sales, Outdoor on property zoned LC Limited Commercial District, generally located on the east side of South Hillside Avenue, within 350 feet north of East 31st Street South (3150 South Hillside Avenue).

Dear Applicant;

At its regular meeting on **February 27, 2025**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to recommend **APPROVAL** of 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, 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.

No protests were filed against this case. Therefore, the decision of the MAPC is final. If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

Christina Rieth



Wichita-Sedgwick County Metropolitan Area Planning Department

Sergio Prado and Blanca Mendoza
1621 South Green Street
Wichita, KS 67211

February 27, 2025

RE: CON2025-00013 - Conditional Use application for Vehicle and Equipment Sales, Outdoor on property zoned LC Limited Commercial District, generally located on the east side of South Hillside Avenue, within 350 feet north of East 31st Street South (3150 South Hillside Avenue).

Dear Applicants,

On **February 27, 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.
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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 **March 13, 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

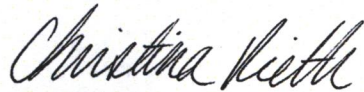
partially located within 200 feet of the property for which the application was filed and must be submitted to the City Clerk by **March 13, 2025** at 5:00 p.m.

This case will be heard on **Wednesday, March 3, 2025**, by the District Advisory Board (DAB) III, which meets at the WATER Center (101 E Pawnee St, Wichita, KS 67211) at 6:30 p.m. For more information, please contact Becca Johnson at 316-303-8030 or rejohnson@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, April 1, 2025, at 9:00 a.m. for final decision. 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
Current Plans
Associate Planner

Cc: Mike Hoheisel, Councilmember District III
Becca Johnson, CSR District III
MABCD

CONDITIONAL USE RESOLUTION NO. CON2025-00013

WHEREAS, Sergio Prado Guardado and Blanca Mendoza, Owners, pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), request a Conditional Use for Vehicle and Equipment Sales, Outdoor in the LC Limited Commercial District zoning located at 3150 South Hillside Avenue, legally described as:

Lot 2 and the South 8.49 feet of Lot 1, Garrison Tire 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 February 27, 2025, 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, Outdoor in the LC Limited Commercial District zoning located at 3150 South Hillside Avenue, legally described as:

Lot 2 and the South 8.49 feet of Lot 1, Garrison Tire Addition, 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.
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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.


Adopted this 9th Day of MAY, 2025.

METROPOLITAN AREA PLANNING COMMISSION

ATTEST:



Bryan Frye, Chairman



Scott Wadle, Secretary



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	Amount	Cols	Depth
16399	632907	Print Legal Ad-IPL02153560 - IPL0215356	2/27/25 MAPC	\$30.60	1	50 L

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

MHEBERT@wichita.gov

OCA 150004
Published in The Wichita Eagle
on February 5, 2025
(One Time Only)
MAPC/BZA February 27, 2025
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, February 27, 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.

CON2025-00013: Conditional Use application for Vehicle and Equipment Sales, Outdoor on property zoned LC Limited Commercial District, generally located on the east side of South Hillside Avenue, within 350 feet north of East 31st Street South (3150 South Hillside Avenue).

CUP2025-00003: CUP Amendment in the City to CUP DP-319 to allow Entertainment Establishment in the City on Parcel 1B, generally located on the north side of East 13th Street North, within 350 feet west of North Oliver Avenue (4620 East 13th Street North).

VAC2025-00001: Vacation request in the City of a portion of a platted 20 foot Drainage and Utility Easement, generally located on the west side of North Garnett Street and within 200 feet south of East 21st Street North (12345 East 21st Street North).
 IPL0215356
 Feb 5 2025

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

1 insertion(s) published on:

02/05/25

STATE OF KANSAS)

SS

County of Sedgwick)

Mary Castro, 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 02/05/2025 to 02/05/2025.

Mary Castro

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

DATED: 02/05/2025

Amy Robbins

Notary Public in and for the state of South Carolina,
 residing in Beaufort County



AMY L. ROBBINS
 NOTARY PUBLIC
 SOUTH CAROLINA

MY COMMISSION EXPIRES 11-03-32

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

STAFF REPORT
MAPC: February 27, 2025
DAB III: March 5, 2025

CASE NUMBER: CON2025-00013 (City)

APPLICANT/AGENT: Sergio Prado III and Blanca Mendoza (Applicants)

REQUEST: Conditional Use to allow Vehicle and Equipment Sales, Outdoor

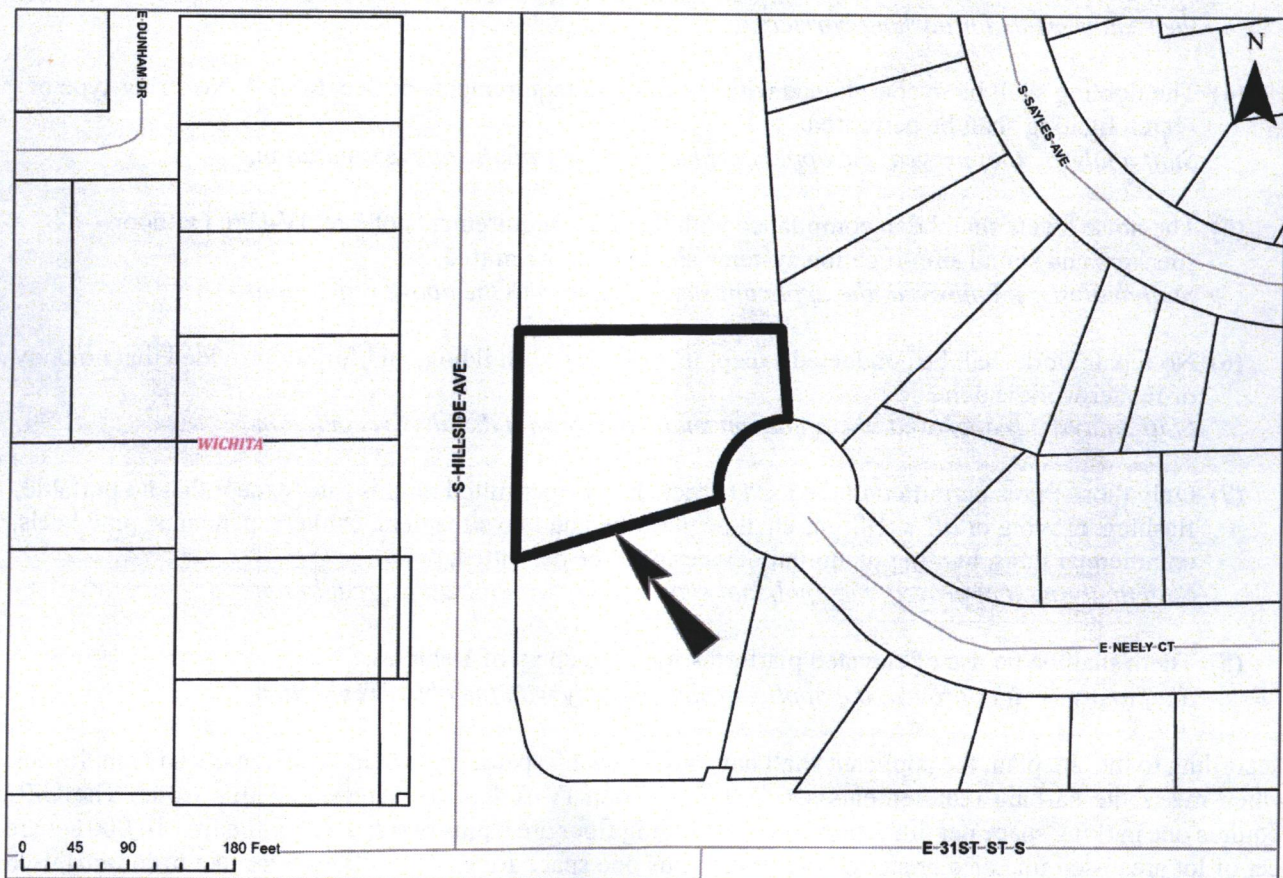
CURRENT ZONING: LC Limited Commercial District

SITE SIZE: 0.80 acres

LOCATION: Generally located on the east side of South Hillside Avenue, within 350 feet north of East 31st Street South (3150 South Hillside Avenue).

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 addressed as 3150 South Hillside Avenue, which is generally located on the east side of South Hillside Avenue, within 350 feet north of East 31st Street South. It is currently developed with a fire-damaged, vacant building previously used for a car wash.

Vehicle and Equipment Sales are subject to Supplementary Use Regulations of the Unified Zoning Code (UZC) Section III-D.6.x. Below is a review of the proposed car lot compared to the Supplementary Use Regulations.

- (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.
Staff analysis: the property is located on South Hillside Avenue, which is defined as an arterial street.
- (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.
Staff analysis: if approved, the applicant shall comply with the above regulation.
- (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.
Staff analysis: the site already features concrete paving. If approved, the applicant shall comply with the requirements for parking barriers.
- (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.
Staff analysis: if approved, the applicant shall comply with the above regulation.
- (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.
Staff analysis: if approved, the applicant shall comply with the above regulation.
- (6) No repair work shall be conducted except in an enclosed Building, and further provided that no body or fender work is done.
Staff analysis: if approved, the applicant shall comply with the above regulation.
- (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.
Staff analysis: if approved, the applicant shall comply with the above regulation.
- (8) There shall be no use of elevated platforms for the display of Vehicles.
Staff analysis: if approved, the applicant shall comply with the above regulation.

According to the site plan, the applicant shall have nine parking spaces dedicated to customers and employees, which meets the parking requirements set forth in Section IV-A.4 of the Unified Zoning Code. 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. While the applicant did not specify whether they intend to

repurpose the 2,651-square-foot building, the site plan shows the applicant meets the minimum amount. The required parking may be reduced up to 25 percent through an Administrative Adjustment application through the Planning Department, since the site would be redeveloped. The site plan also shows the vehicles will be displayed along the frontage of South Hillside Avenue and along the north side of the property.

Because the property abuts residential zoning (MF-29 Multi-Family Residential District) to the east, they shall be required to install screening and landscaping. The applicant is required to have one shade tree (or two ornamental trees) per forty linear feet of landscaped street yard. Solid screening is required where the property abuts residential zoning. A six- to eight-foot solid fence is required on the east side, adjacent to MF-29 Multi-Family Residential District zoning.

Property to the north is zoned LC and developed with a tire shop. Property to the south is zoned LC and is developed with a car dealership. Property to the east is zoned MF-29 and is a vacant lot. Property to the west, across South Hillside Avenue, is zoned LC and developed with a strip mall that has a grocery store and a restaurant. Within one-quarter mile of the subject site are at least three additional vehicle sales businesses. The applicant's request does not introduce a new use to the immediate area.

CASE HISTORY: In 1995, the property was platted as part of the Garrison Tire Addition. In 1997, the Metropolitan Area Planning Commission granted a Conditional Use to allow a Car Wash on site (CU-437).

ADJACENT ZONING AND LAND USE:

North:	LC	Tire shop
South:	LC	Car dealership
West:	LC	Strip mall (grocery store, restaurant)
East:	MF-29	Vacant lot

PUBLIC SERVICES: This site has access to South Hillside Avenue, which is a paved, four-lane arterial street with sidewalks on both sides. This site has access to all municipal services, such as water and sewer. Wichita Transit provides regular bus service on the northeast corner of Ross Parkway and South Hillside Avenue, which is one-quarter mile north of the subject site.

CONFORMANCE TO PLANS/POLICIES: The requested Conditional Use 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" 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." While the requested use is not on a highway corridor, it is immediately north of another vehicle sales establishment. Therefore, it is not introducing a new use in the area.

The requested Conditional Use is also in conformance with the *Wichita: Places for People Plan*, which encourages "a place that provides for the movement of people - on foot, on bike and through transit - in balance with automobiles" in the Established Central Area. The *Plan* lists Strategies that help guide the community in their actions to create walkable places within Wichita. Strategy 3 aims to "Improve the economic feasibility of commercial/service uses and the markets necessary to support them." Approval of the Conditional Use request expands options for permitted uses on site. Strategy 6 aims to "Encourage infill and redevelopment that is contextual to the environment in which it is occurring." The applicant is requesting to allow a use that is not new to the area and thus concentrates Vehicle and Equipment Sales, Outdoor to a specific area.

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:

- 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.
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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 recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: Property to the north is zoned LC and developed with a tire shop. Property to the south is zoned LC and is developed with a car dealership. Property to the east is zoned MF-29 Multi-Family Residential District and is a vacant lot. Property to the west, across South Hillside Avenue, is zoned LC and developed with a strip mall that has a grocery store and a restaurant. Within one-quarter mile of the subject site are at least 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 with a Conditional Use for a Carwash, 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: The removal of restrictions to permit a vehicle sales lot could set a precedent for future vehicle sales lots in the area. A vehicle sales lot could introduce light pollution and negative visual impact to the residential uses to the east. Screening, landscaping, and the conditions of approval should mitigate some of these 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 1999.
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 conformance to the *Community Investments Plan* and the *Places for*

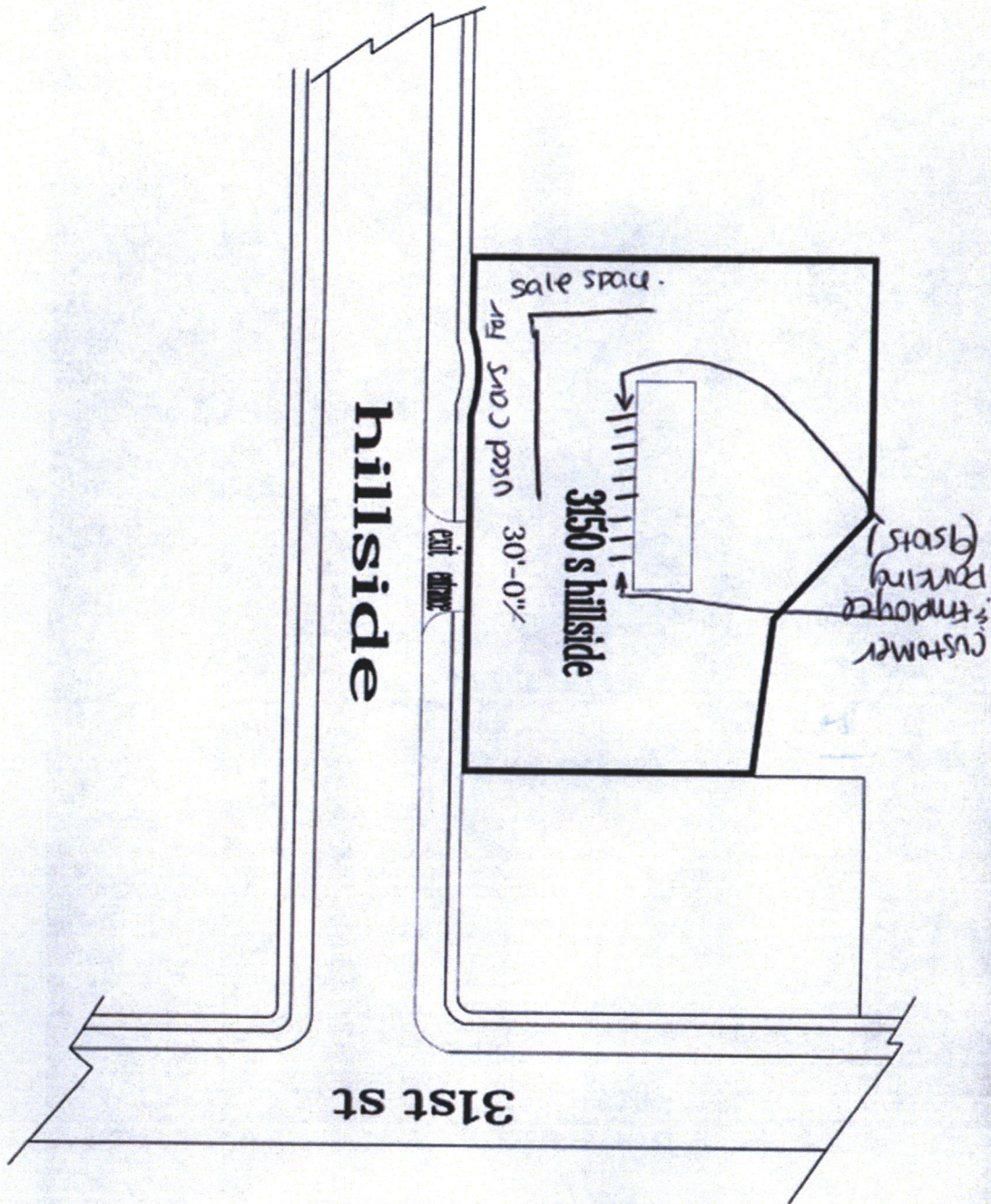
People Plan, as discussed in the report.

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 arterial 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. Site Plan
2. Aerial Map
3. Zoning Map
4. Land Use Map
5. Site Photos

Site Plan



Aerial Map












Future Growth Concept Map

**2035 Wichita
Future Growth
Concept Map**

Legend

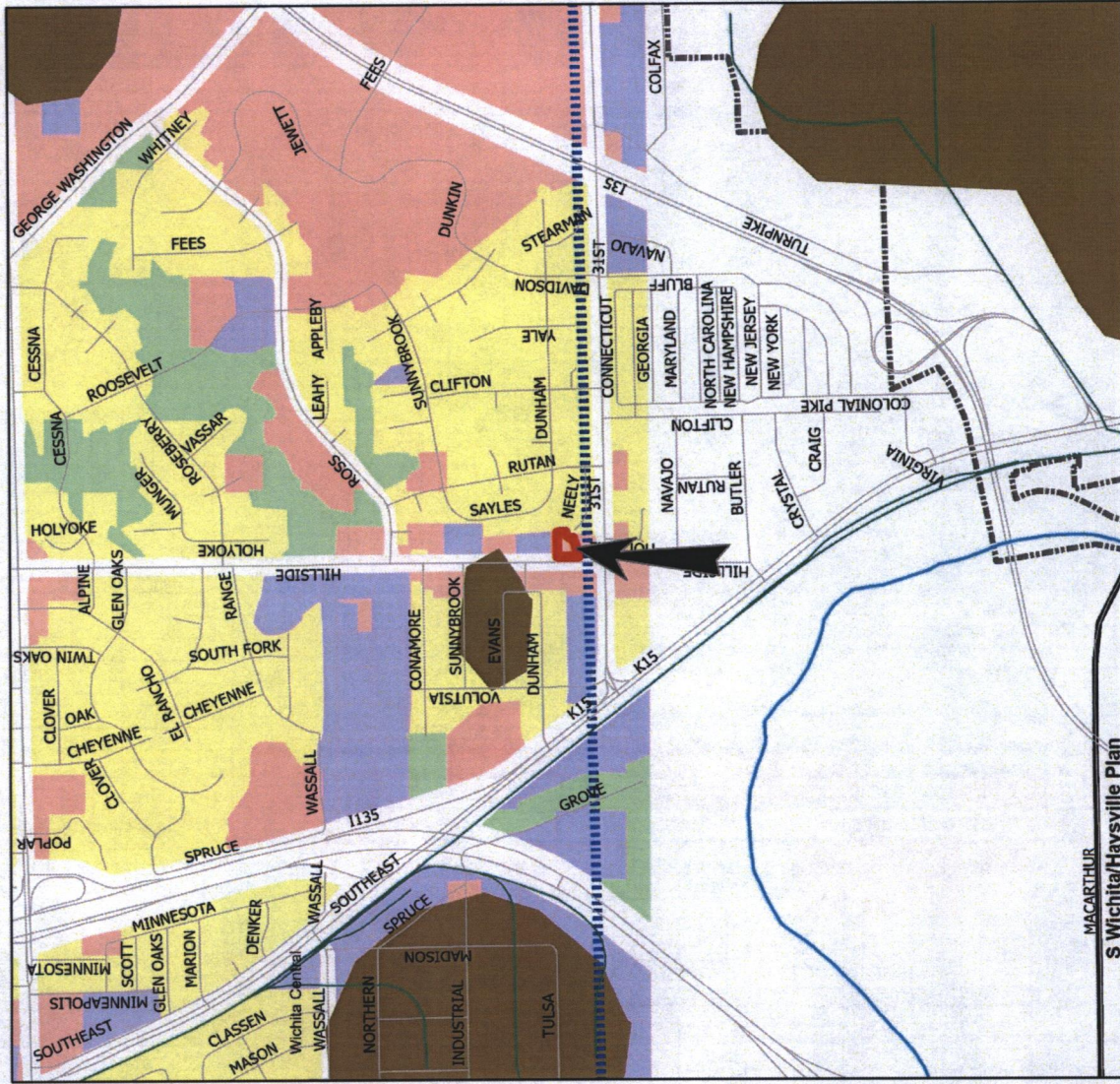
-  Established Central Area
-  Residential and Employment Mix
-  New Employment
-  New Residential
-  Wichita City Limits
-  Other Cities
-  Northwest Bypass Right-of-Way
-  Other Urban Growth Areas 2014
-  Other Urban Growth Areas 2014
-  Rural Growth Areas 2014

LAND USE

-  Residential
-  Commercial
-  Industrial
-  Major Air Transportation & Military
-  Parks and Open Space
-  Agricultural or Vacant
-  Major Institutional
-  Neighborhood & Area Plans
-  Application Area



Map prepared by the Metropolitan Area Planning Commission, 1111 North Meade Avenue, Wichita, Kansas 67202. Date: 11/15/2013. Scale: 1" = 1/2 mile. All rights reserved.



Looking east towards site



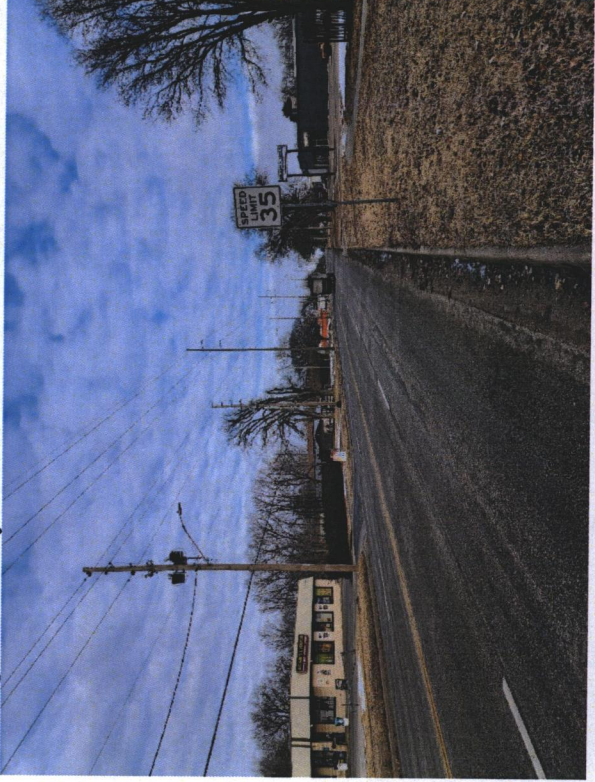
Looking south away from site



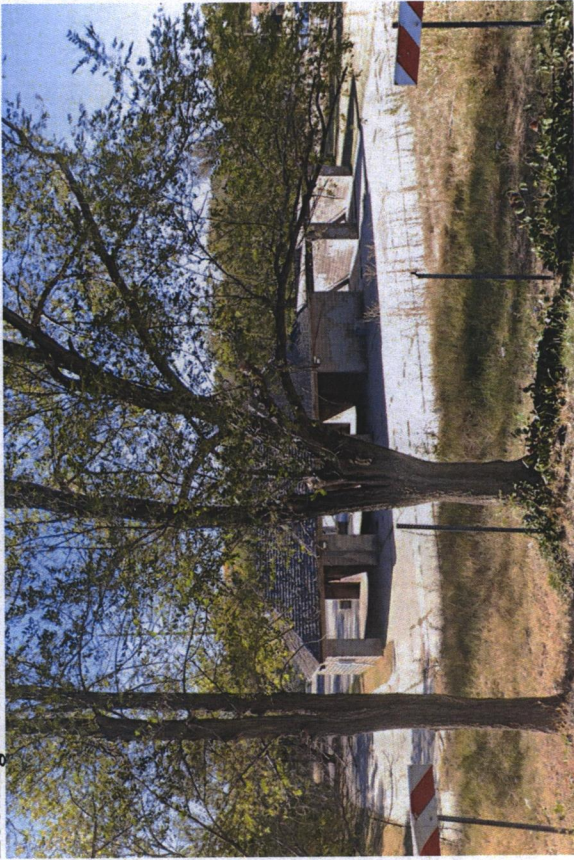
Looking west away from site



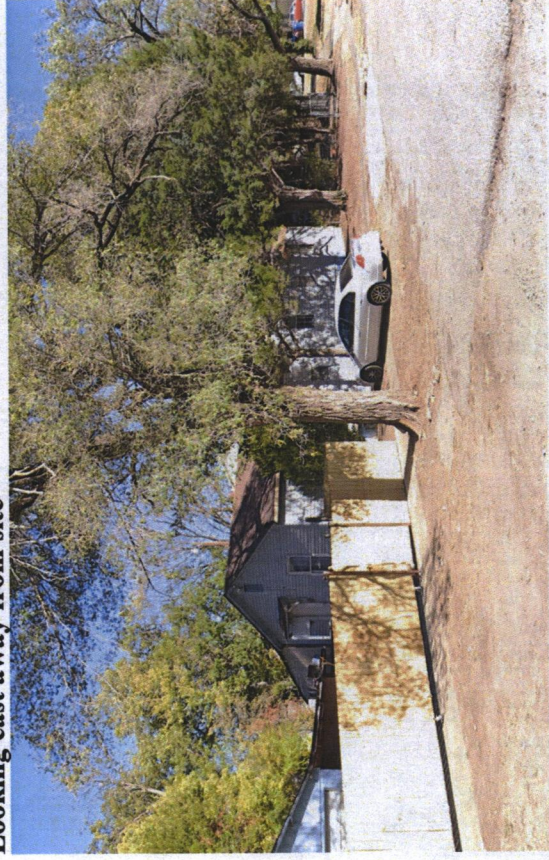
Looking north away from site

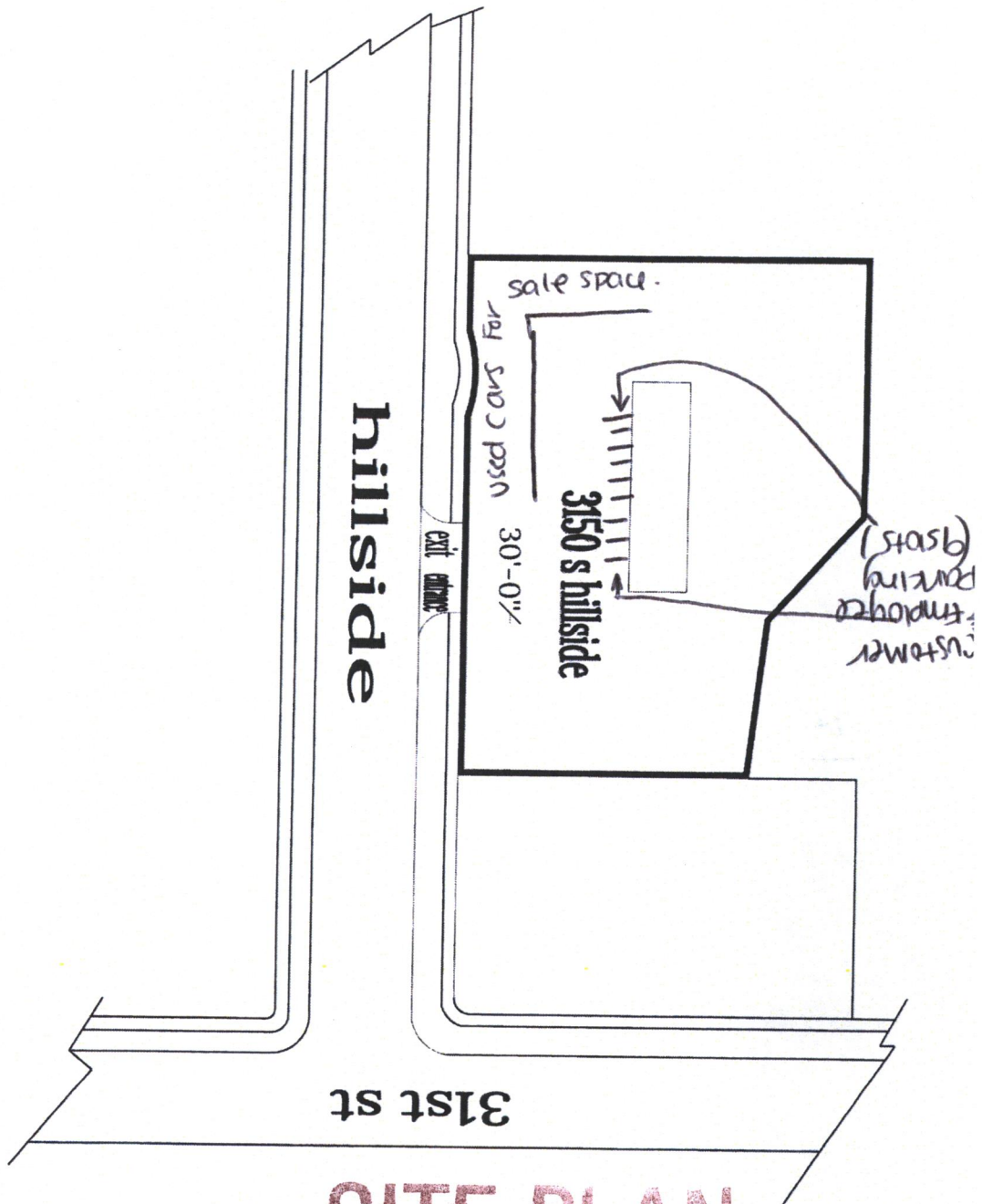


Looking west towards site



Looking east away from site





SITE PLAN

APPROVED 5/9 BY CMR