



Wichita-Sedgwick County Metropolitan Area Planning Department

January 6, 2022

In and Out Properties, LLC
Dominic Schoenhofer
Abiodun Subair
12210 E Ayesbury Ct
Wichita, KS 67226

RE: CON2021-00057: City Conditional Use to allow vehicle sales on LC Limited Commercial zoned property; generally located 840 feet north of East 31st Street South on the east side of Hillside Avenue (3060 S. Hillside).

Dear Applicant;

At its regular meeting on **December 16, 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.

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,

A handwritten signature in blue ink, appearing to read 'Philip Zevenbergen'.

Philip Zevenbergen, AICP
Senior Planner

Copies to: MABCD
Jered Cerullo, City Council District III
Maddy Campbell, CSR District III
Charles Squires, 3060 S Hillside, Wichita, KS 67216
Planeview Neighborhood, 2772 S Vassar, Wichita, KS 67210

CONDITIONAL USE RESOLUTION NO. CON2021-00057

WHEREAS, In & Out Properties, LLC, 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 3060 South Hillside Avenue, legally described as:

Lot 50, Block C, Plainview Subdivision No. 2, 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 16, 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 3060 South Hillside Avenue, legally described as:

Lot 50, Block C, Plainview Subdivision No. 2, 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 outside of the existing structure on the site.
3. 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.
4. 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.
5. The applicant shall submit a scaled 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, area designated for display of cars, customer and employee parking, any existing or proposed signs, existing or proposed lighting. The site will be developed according to the revised site plan.
6. The selling of vehicles is subject to the supplemental use regulations of UZC Section III D. 6. X. pertaining to Vehicle and Equipment Sales in the LC zoning district.
7. A conditional use amendment shall be required for any changes to these conditions.
8. Off-street parking spaces shall be provided in accordance with Article IV, Sec. IV-A of the UZC. No vehicles

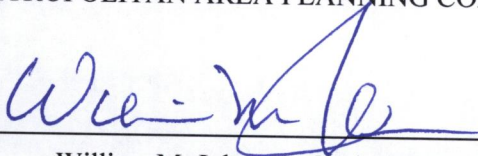
for sale shall be displayed in required off-street parking spaces. No parking is allowed on unpaved surfaces on the lot.

9. The site shall be developed and operated in compliance with all federal, state, and local rules and regulations.
10. 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.

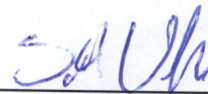
Adopted this 20th Day of January 2022.

METROPOLITAN AREA PLANNING COMMISSION

ATTEST:



William M. Johnson, Chairman



Scott Wadle, Secretary

LEGAL PUBLICATION

OCA 150004
PUBLISHED IN THE WICHITA EAGLE
ON NOVEMBER 25, 2021 (407376)
(One Time Only)

MAPC/BZA December 16, 2021 OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on **Thursday, December 16, 2021 no earlier than 1:00 p.m.**, the Wichita-Sedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held virtually, public participation is available in multiple ways, those without technology options can participate by going to the Wichita City Hall Building - 1st Floor Council Chambers - 455 N. Main Street, Wichita, Kansas 67202 (specified at the bottom 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.**

BZA2021-00067: City Variance to waive the screening and landscape requirements along the north and south property lines of property zoned MF-18 Multi-Family Residential to allow for the use of existing drives; generally located northwest of West 8th Street North and North Hoover Avenue (915 N. Hoover Avenue).

BZA2021-00069: City Variance to waive landscaping requirements associated with a Utility, Major substation on property zoned LC Limited Commercial; generally located at the northwest corner of W. MacArthur and S. Seneca.

BZA2021-00070: City Variance to reduce front setback to one-foot to permit construction of a carport on property zoned B Multi-Family; generally located two blocks west of South Hydraulic and one-quarter mile north of East Lincoln (1410 E. Gilbert).

CON2021-00057: City Conditional Use to allow vehicle sales on LC Limited Commercial zoned property; generally located 840 feet north of East 31st Street South on the east side of Hillside Avenue (3060 S. Hillside).

CON2021-00059: City Conditional Use to upgrade and bring an existing Utility, Major substation into compliance on property zoned LC Limited Commercial; generally located at the northwest corner of W. MacArthur and S. Seneca.

VAC2021-00048: City request to vacate portions of a platted front yard setback and platted easements on SF-5 Single-Family Residential zoned property generally located midway between N Hoover and N Ridge Roads, a half-mile north of W 37th Street North, southwest of the N Solano - W Palmetto Streets intersection.

VAC2021-00049: City request to vacate a platted alley generally located north of East Kellogg Street, on the south side of East Lewis Street, between South Laura & South Pattie Avenues.

VAC2021-00050: City request to vacate a platted setback and a platted utility easement on LI Limited Industrial zoned property generally located midway between South West Street and South Edwards Avenue on the south side of West McCormick Avenue.

ZON2021-00054: City Zone Change from SF-5 Single-Family to TP-3 Two-Family for development of duplexes; Generally located on the north side of West MacArthur Road and within one half mile east of South Hoover Road.

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.

PLEASE NOTE THIS MEETING IS CONSIDERED AN EMERGENCY MEETING OF THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION DUE TO COVID-19, WHICH WILL IMPOSE SPECIAL PROCEDURES TO PARTICIPATE IN THE PUBLIC HEARING. THESE ARE AS FOLLOWS:

The meeting will be conducted "virtually" using Go-To-Meetings. You have multiple options to participate: 1) submit comments ahead of time, 2) participate remotely, or 3) attend in-person at the Wichita City Hall Building (see below).

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. 3 rd Street - Suite 201 Wichita, KS 67202
Phone	316.268.4421
Fax	316.858.7764

Participate Remotely

Please join my meetings from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/651544141>

You can also dial in using your phone.

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Access Code: 651-544-141

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Meeting ID: 651 544 141

Or dial directly: 651.544.141@67.217.95.2 or 67.217.95.2@651.544.141

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Attend In-Person

You may also participate in the hearing in-person at the Wichita City Hall Council Chambers (455 N. Main Street, Wichita, KS 67202). Please note that security screening is required for public access to the building, self-paid parking is available nearby, and COVID-19 protocols are in place. For more information please visit www.wichita.gov/visitchihall. 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.

WITNESS MY HAND on November 25, 2021

Scott Wadle, Secretary
Wichita-Sedgwick County
Metropolitan Area Planning Commission

IN AND OUT AUTO SALES - 3060 S. HILLSIDE ST.

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315 Ellis St. Wichita, KS 67211 316-262-7271
BaughmanCo.com