



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

Arturo Chavez  
1849 N Waco  
Wichita, KS. 67203

February 22, 2019

**RE: ZON2019-00001: CITY ZONE CHANGE FROM B MULTI-FAMILY RESIDENTIAL TO GC GENERAL COMMERCIAL TO PERMIT A USED CAR LOT ON A PROPERTY LOCATED AT THE SOUTHEAST CORNER OF NORTH MARKET STREET AND EAST 13<sup>TH</sup> STREET NORTH (211 & 215 E 13<sup>TH</sup> ST)**

Dear Applicant;

At its regular meeting on **February 21, 2019**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request with the addition of a Protective Overlay subject to the attached conditions.

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 7, 2019. 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 7, 2019 at 5:00 p.m.**

The application is scheduled for consideration by the City Council on **Tuesday, April 2, 2019.** The City Council meeting will be held in the City Council Chambers, First Floor, City Hall, 455 N. Main, Wichita, Kansas.

This is a reminder that the zoning notification signs should now be removed from the property. If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

Philip Zevenbergen  
Associate Planner

Copies to: MABCD  
Cindy Claycomb, Council Member District VI  
Brandon Findley, CSR District VI  
Historic Midtown Neighborhood Citizens Association

Conditions of Zoning Approval:

1. The subject property shall be zone GC General Commercial with a Protective Overlay District.
2. The Protective Overlay shall allow all uses permitted in NR Neighborhood Retail in addition to Vehicle and Equipment Sales, Outdoor. All conditions of the Unified Zoning Code, Section III-D.6.x. for outdoor vehicle and equipment sales shall be in effect and following conditions shall apply:
  - a. 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.
  - b. 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.
  - c. 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.
  - d. The lighting shall be in compliance with the lighting requirements of Sec.IV-B.4. No string-type or search lighting shall be permitted.
  - e. The noise levels shall be in compliance with the compatibility noise standards of Sec. IV-C.6. Outdoor speakers and sound amplification systems shall not be permitted.
  - f. No repair or maintenance of vehicles shall be conducted on the property.
  - g. Only those Signs permitted in the NR Neighborhood Retail 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.
  - h. There shall be no use of elevated platforms for the display of Vehicles
  - i. Require complete access control along East 13<sup>th</sup> Street and only allow access to the property along North Market.
3. The applicant shall submit a site plan to be approved by the Director of Planning that is in compliance with both the conditions of the Protective Overlay and the requirements of the Unified Zoning Code and the Landscape Ordinance within 60 days of approval and prior to use of the property as a vehicle sales lot.