

**CONDITIONAL USE RESOLUTION NO. CON2000-00010**

**WHEREAS**, Juanita L. Doyan (Owners/Applicants); Ferris Consulting c/o Greg Ferris (Agent) pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requested a Conditional Use to allow for Outdoor Vehicle and Equipment Sales described as:

The South 11 feet of Lot 3, All of Lots 5 and 7 of TOSH'S SUBDIVISION to Wichita, Kansas, a replat of Lot 6, Zimmerly's Addition and the North 1/3 of the W/2 of Lot 7, Zimmerly's Addition to the City of Wichita, Sedgwick County, Kansas. Generally located south of Boston and east of Broadway (1506 S. Broadway).

**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 May 25, 2000, 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 Outdoor Vehicle and Equipment and Sales described as:

The South 11 feet of Lot 3, All of Lots 5 and 7 of TOSH'S SUBDIVISION to Wichita, Kansas, a replat of Lot 6, Zimmerly's Addition and the North 1/3 of the W/2 of Lot 7, Zimmerly's Addition to the City of Wichita, Sedgwick County, Kansas. Generally located south of Boston and east of Broadway (1506 S. Broadway).

subject to the following conditions:

1. No outside storage of salvaged vehicles or parts shall be permitted.
2. All parking, storage, and display areas shall be paved with concrete, asphalt, or asphaltic concrete. Parking barriers shall be installed along all perimeter boundaries adjacent to streets, except at driveway entrances or where fences are erected, to ensure that parked vehicles do not encroach onto public right-of-way.
3. The vehicle sales lot shall not be conducted in conjunction with any use not directly related to such a business. Any automotive service or repair work conducted on the site shall be entirely within a building. No body or fender work shall be permitted.
4. No temporary display signs are permitted, including the use of commercial flags, banners, portable signs, pennants, streamers, pinwheels, string lights, search lights, bunting and balloons, except that fixed banners, affixed to light poles and not exceeding 50 square feet of material per light pole, will be permitted. However, in addition to the above, affixed banners or special promotional items shall be limited to twelve (12) events per year not to exceed ninety (90) days per year for all events.
5. Outdoor speakers and sound amplification systems shall not be permitted.
6. There shall be no elevated platforms for the display of vehicles.
7. The lighting standards of Section IV-B.4 of the Unified Zoning Code shall be complied with. No string-type lighting shall be permitted.
8. The applicant shall submit a landscape plan for approval by the Planning Director that provides for tree planting in the street right-of-way between the sidewalk and the curb.
9. The applicant shall submit a revised site plan that provides sufficient customer/employee parking spaces to comply with the Unified Zoning Code. The site shall be developed in general conformance with the approved site plan. All improvements shall be completed before the facility becomes operational.
10. The applicant shall dedicate by separate instrument the necessary easements in accordance with Section 7-205 of the Subdivision Regulations and street right-of-way in accordance with Section 7-201 of the Subdivision Regulations. The necessity of easements and street right-of-way shall be determined by City Engineering.

11. Any violation of the conditions of approval shall declare the Conditional Use null and void.

Adopted this 25th day of May, 2000. This resolution shall become effective on the fifteenth day after the date last noted above unless the matter is forwarded to the Governing Body for final action under the provisions of Section V-D.6. When any one or more of the exceptions listed in Section V-D.6 exist, this resolution with its conditions of approval shall be considered a recommendation of the MAPC to the Governing Body which shall then have final authority to approve, approve with conditions or modifications, or deny the Conditional Use application.

METROPOLITAN AREA PLANNING COMMISSION

---

Frank Garofalo, Chair

ATTEST:

---

Marvin S. Krout, Secretary