

ORDINANCE NO. 49-640

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

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

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2013-00030

Zone change from LC Limited Commercial (“LC”) to GC General Commercial (“GC”) on an approximately a 0.42-acre property described as:

Lot 1, Block A, S.H. Sampson Addition to Wichita, Sedgwick County, Kansas; generally located east of Interstate Highway-235, on the northwest corner of Central Avenue and Hoover Road.

SUBJECT TO THE FOLLOWING PROVISIONS OF PROTECTIVE OVERLAY DISTRICT #282:

- A. Permitted uses are restricted to those uses permitted by-right in the LC Limited Commercial district plus ‘vehicle repair, general.’ The conditions of CON2006-00004 shall also remain in effect.
- B. All vehicles that are awaiting repair for body and paint, mechanical, electrical or similar repair are to be screened from ground view from abutting / adjoining properties and from abutting streets. The vehicles will be stored in area surrounded with solid screening and a solid gate. Solid screening shall be provided per the Unified Zoning Code. No tires or parts will be stored outside the screened area. All dumpsters, trash containers and containers for oil or automotive fluids shall be located within the solid screened area where vehicles are stored while waiting for repair. All solid screening shall be installed within 60 days of approval by the governing body.
- C. All outside display, with the exception of cars for sale, shall be located within 10 feet of the office-garage building.
- D. The area where vehicles are stored waiting for repair shall be paved.
- E. Landscaping shall be 1-½-times the Landscape Ordinance, including a 10-foot wide landscape buffer provided along the north, west and east sides of the site. No storage of vehicles is permitted within that 10-foot wide landscape buffer. The required landscaping of CON2006-00004 shall be brought back into compliance. All landscaping shall be planted no later than the spring planting season.
- F. The car wash on the site shall not be used by the general public, but only for those vehicles that are being repaired at the shop. The car wash shall have solid screening around its north, east and west sides, with a 10-foot wide landscape buffer around its north, east and west sides. Landscaping shall be 1-½ times the Landscape Ordinance. The car wash and vehicle storage area can be one, combined area. All landscaping shall be planted no later than the spring planting season.

- G. The paint and body shop shall comply with all local, state and federal regulations.
- H. No storage of wrecked vehicles for salvage. No working on vehicles outside.
- I. A site plan shall be provided for review and final approval within 60 days of approval by the MAPC or the governing body. The site plan shall show, but not limited to, parking for customers and employees, screening, landscaping, the area where vehicles awaiting repair are stored, trash receptacles, and all existing development.

SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

Carl Brewer - Mayor

ATTEST:

Karen Sublett, City Clerk

(SEAL)

Approved as to form: _____
Gary E. Rebenstorf, City Attorney