Wichita-Sedgwick County Metropolitan Area Planning Department

April 16, 2018

Terry Gutschenritter
7070 West Harry Street
Wichita, KS 67209

RE: **CON2018-00008** - City Conditional Use for salvage of aircraft components within a building on property zoned LI Limited Industrial, generally located north of West Harry Street and east of South Ridge Road (7070 W. Harry).

Dear Applicant:

At its regular meeting on **March 22, 2018**, the Wichita - Sedgwick County Metropolitan Area Planning Commission considered the above captioned request. The action of the MAPC was to **APPROVE** the request in accordance with the attached resolution.

If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,

Kyle C Kobe

Kyle C Kobe
Associate Planner

Copies to: MABCD
Jeff Blubaugh, Council Member District IV
Rebecca Fields, CSR District IV
Bill Johnson, P.O. Box 12086, Wichita, KS 67277

CONDITIONAL USE RESOLUTION NO. CON2018-00008

WHEREAS, Bill Johnson of Evans Building Company, Inc. (Agent), on behalf of Terry Gutschenritter, (Owner) pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), requests a Conditional Use for indoor salvage and storage of aircraft components, on property zoned Limited Industrial at 7070 West Harry Street and legally described as:

> Lot 13 except the West 5 feet for street, Block C, Rolling Hills Mesa Addition to 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 March 22, 2018, 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 indoor salvage and storage of aircraft components, on property zoned Limited Industrial at 7070 West Harry Street and legally described as:

> Lot 13 except the West 5 feet for street, Block C, Rolling Hills Mesa Addition to Wichita, Sedgwick County, Kansas

Subject to the following conditions:

1. The applicant shall obtain all applicable inspections, permits, and licenses. The site shall be maintained and operated in general conformance with the approved site plan and conditions of approval.

2. 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 22 Day of March 2018

METROPOLITAN AREA PLANNING COMMISSION

Joe Johnson, Chair MAPC

ATTEST:

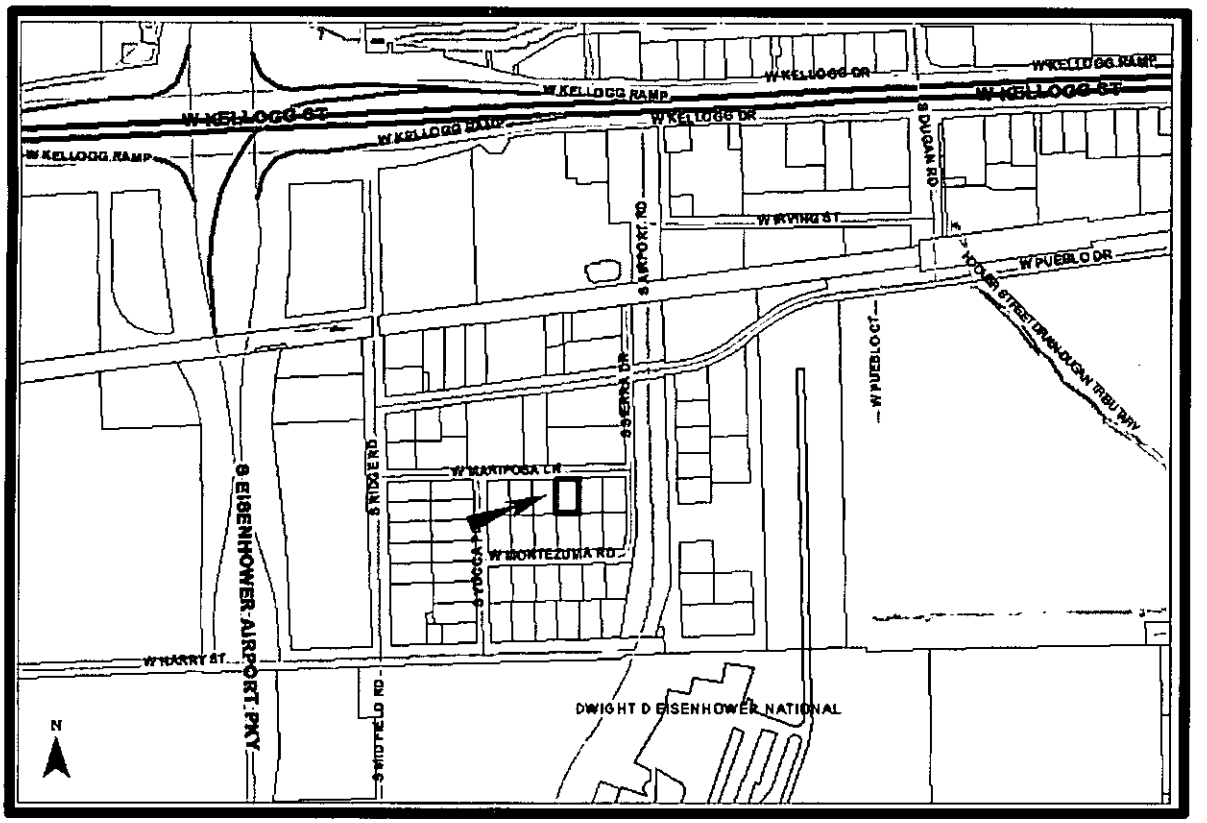
Dale Miller, Secretary

WICHITA–SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. **6**

STAFF REPORT
MAPC March 22, 2018
DAB IV April 2, 2018

CASE NUMBER:	CON2018-00012
AGENT: APPLICANT:	Bill Johnson of Evans Building Company Terry Gutchenritter
REQUEST:	Conditional Use for indoor salvage of aircraft components
CURRENT ZONING:	LI Limited Industrial
SITE SIZE:	0.44 acres
LOCATION:	generally located two parcels west of the southeast corner of the intersection of West Mariposa Lane and South Sierra Drive (6925 West Mariposa Lane).
PROPOSED USE:	Salvage and storage of aircraft components



BACKGROUND: This application is designed to accommodate the use of the currently existing structure for indoor salvage and storage of aircraft components. The site is currently zoned LI Limited Industrial, and has been operating for this use previous to this case. During the applicant's exploration of how to address expanding their business to a new site at 1505 South Yucca, they discovered they needed a Conditional Use for this property as well. This location is a part of the same business operation being conducted at 1505 South Yucca and 7070 West Harry Street.

The Unified Zoning Code (UZC) defines a Wrecking/Salvage Yard as such:

> A Lot, land or Structure, or part thereof, used for the collecting, dismantling, storing and/or salvaging of machinery, equipment, appliances, Inoperable Vehicles, vehicle parts, bulky waste, salvage material, junk, or discarded materials; and/or for the sale of parts thereof.

The UZC also states that a Wrecking/Salvage Yard is only allowed in LI Limited Industrial (LI), GI General Industrial (GI), or AFB Airforce Base (AFB) zoning districts. Within the LI and GI zoning districts, the code states:

> Wrecking/Salvage Yards may be approved as a Conditional Use in the LI and GI Districts, provided that such operation:
>
> **(1)** is not Abutting an arterial Street, expressway or freeway;
>
> **(2)** in the opinion of the Planning Commission, will not adversely affect the character of the neighborhood; and
>
> **(3)** is enclosed by a Fence or wall not less than eight feet in height and having cracks and openings not in excess of five per-cent of the area of such Fence.

Given these requirements, this lot requires a Conditional Use to allow for the proposed use to occur on site.

The general character of the surrounding area is industrial in nature, though there are some single family residences nearby as well. North of the property is zoned LI and has an industrial building operating warehousing, manufacturing, and distribution. East of the property is zoned LI and has a small office type structure affiliated with the use to the north. South of the property is zoned LI and is vacant. West of the property is zoned LI Limited Industrial and has an unpaved parking lot on it.

CASE HISTORY: This property was platted as Lot 4, Block B, of the Rolling Hills Mesa Addition on 9 May 1953.

ADJACENT ZONING AND LAND USE:

North:	LI	Large Component Manufacturing Building
South:	LI	Vacant
East:	LI	Small Component Manufacturing Building/Office
West:	LI	Unpaved Parking Lot

PUBLIC SERVICES: Public Utilities are available on site. West Mariposa Lane is classified as a local collector street.

CONFORMANCE TO PLANS/POLICIES: The adopted Wichita-Sedgwick County Comprehensive Plan, the *Community Investments Plan*, identifies the site as "Industrial." The Industrial category: Encompasses areas that reflect the full diversity of industrial development intensities and types typically found in a large urban municipality. Centers or concentrations of manufacturing, warehousing, distribution, construction, research, and technology are located in close proximity to highway and airports and may have rail service.

RECOMMENDATION: Based upon the information available at the time the staff report was prepared it is recommended that the request be **APPROVED**.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The general character of the surrounding area is industrial in nature, though there are some single family residences nearby as well. North of the property is zoned LI and has an industrial building operating warehousing, manufacturing, and distribution. East of the property is zoned LI and has a small office type structure affiliated with the use to the north. South of the property is zoned LI and is vacant. West of the property is zoned LI Limited Industrial and has an unpaved parking lot on it.

2. The suitability of the subject property for the uses to which it has been restricted: This parcel is currently zoned for Limited Industrial. Most of the surrounding zoning and land use is industrial in nature. This use is permitted and appropriate via a Conditional Use.

3. Extent to which removal of the restrictions will detrimentally affect nearby property: Approval of this request should not have an adverse effect on the nearby property. The surrounding area is already primarily industrial in nature. The proposed use was here previously with no complaints.

4. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: Approval of the request would allow the continued use of an existing, established business. Denial would presumably represent a loss of economic opportunity to the applicant and/or land owner.

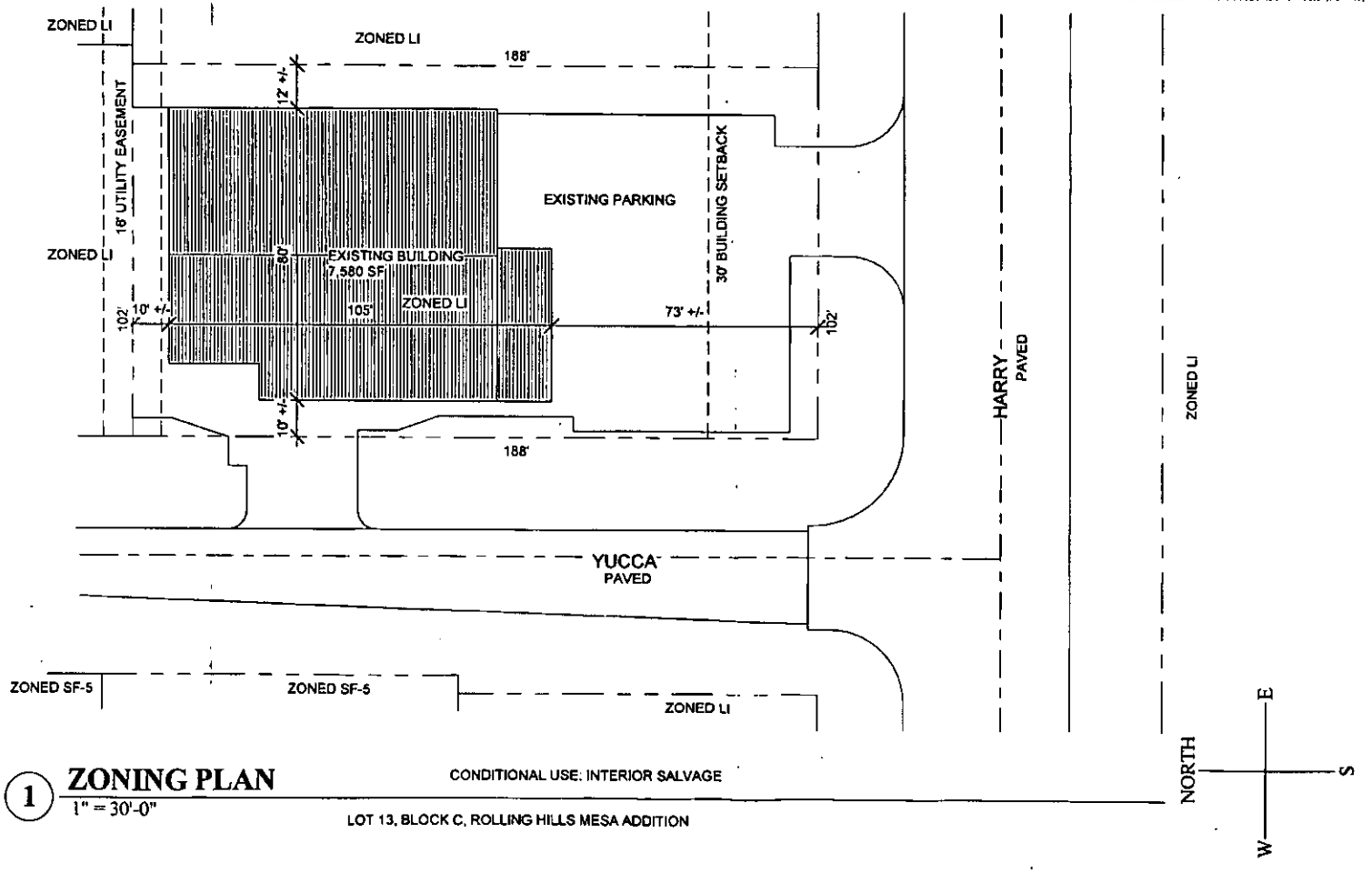
5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The general character of the surrounding area is industrial in nature, though there are some single family residences nearby as well. North of the property is zoned LI and has an industrial building operating warehousing, manufacturing, and distribution. East of the property is zoned LI and has a small office type structure affiliated with the use to the north. South of the property is zoned LI and is vacant. West of the property is zoned LI Limited Industrial and has an unpaved parking lot on it.

6. Impact of the proposed development on community facilities: Approval of this request is not foreseen to cause any adverse effects on community facilities.

Attachments: Aerial Map
Zoning Map
Future Growth Concept Map excerpt
Proposed Site Plan

APPROVED

Date: 22 March 2018



1 **ZONING PLAN**
1" = 30'-0"

CONDITIONAL USE: INTERIOR SALVAGE

LOT 13, BLOCK C, ROLLING HILLS MESA ADDITION

EVANS BUILDING CO. INC.
9801 W. YORK WICHITA, KANSAS 67277

T & B PROPERTIES LLC
7070 W HARRY WICHITA, KS

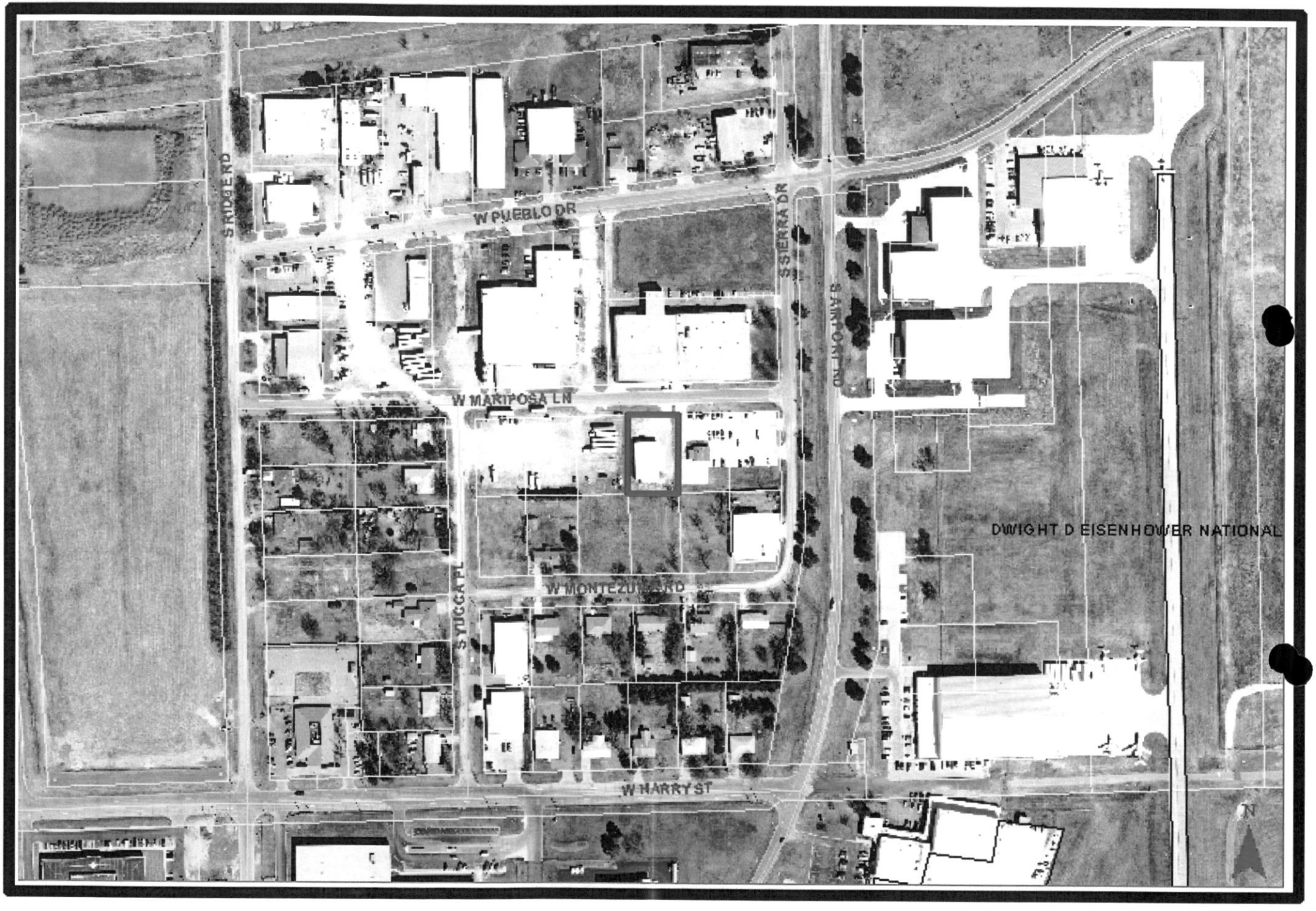
PROPERTY

DATE: 1-12-18
DR. BY: AC
CK. BY:

PROJECT NO. 18-104

SHEET SITE2

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