

CU-197 - Kansas Enterprises, Inc.
etal, requests Conditional Use
Permit to establish Trailer,
ehicle & Equipment Rental Bus-

closed

Removal

ACTION

DATE

COMMITTEE _____

M.A.P.C.

*Approval subject to
conditions*

5-26-77

~~B.C.C./B. CO. C.~~

*Approved as
recorded*

6-22-77

Closed

*POSTED
5-9-77
[Signature]*

CU-197 - Kansas Enterprises, Inc.
etal, requests Conditional Use
Permit to establish Trailer,
Vehicle & Equipment Rental Bus-

Map No. Book 2:C-OW-B
Sec. 4
Twp 27
Range 1W

DATA SHEET
(ZONING & CONDITIONAL USE)

Z- _____
SCZ- _____
CU- 197
Filed 5-4-77

APPLICATION DATA: From "LC" to _____

- Applicant: Kansas Enterprises, Inc., et al
Address 1209 W. 31st St. South, 67217 Phone 522-4737
- Agent: Oblinger-Smith Corp.
Address 625 First Natl. Bank Bldg., 67202 Phone 262-0451
- General Location: North side of 21st St. North, in an area west of
Ridge Road Address _____
- Proposed Use: _____

AREA DATA:

- Acres: 3.1 (250 ft. by 550 ft.)
- Adjoining Zoning: E "R-1&" S "R-1" W "R-1" N "R-1"
- Land Use: East UNDEVELOPED South UNDEVELOPED
West FARM HOUSE North UNDEVELOPED
- Sketch Plan Land Use is for: _____
- Present Land Use is for: LIGHT MANUFACTURING
- Area (is) (is not) platted.

PROCEDURE DATA:

- Zoning Committee _____ by _____, _____, _____
- MAPC Meeting:

Date
5-26-77

Action

Approved subject to conditions

- Governing Body (~~City Commissioners~~ Bd. County Commissioners)

Date

Action

Resolution

6-22-77 Approved as recommended Sub. 8-18-77

NOTES:

HASTINGS, MINN. LOS ANGELES
LOGAN, OH. - INDEPENDENT, TX U.S.A.

Smith
No. 2453C

4950

Map No. Book 2; C-0W-B
Sec. 4
Twp. 27
Range 1W

DATA SHEET
(ZONING & CONDITIONAL USE)

Z- _____
SCZ- _____
CU- 197
Filed 5-4-77

APPLICATION DATA: From "1C" to _____

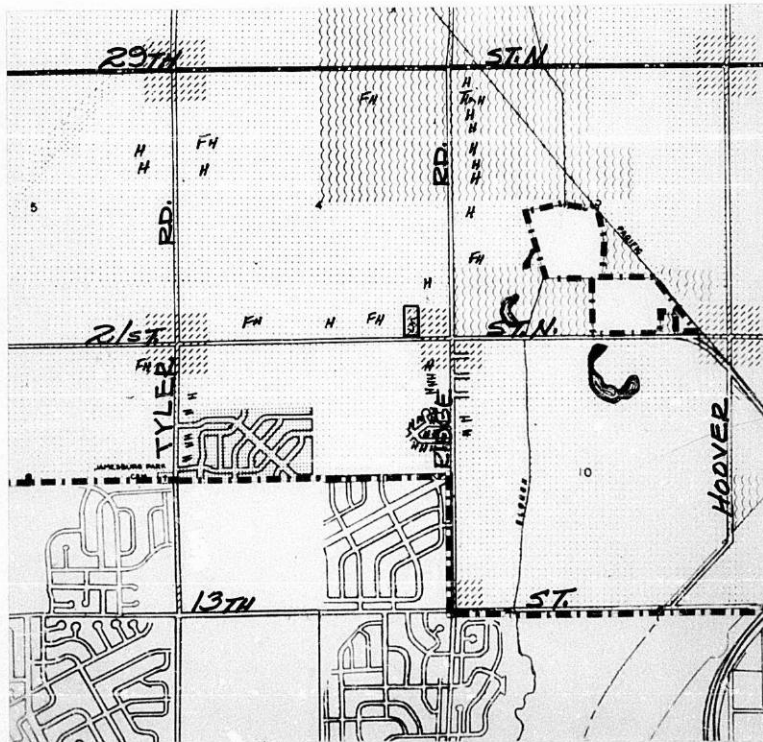
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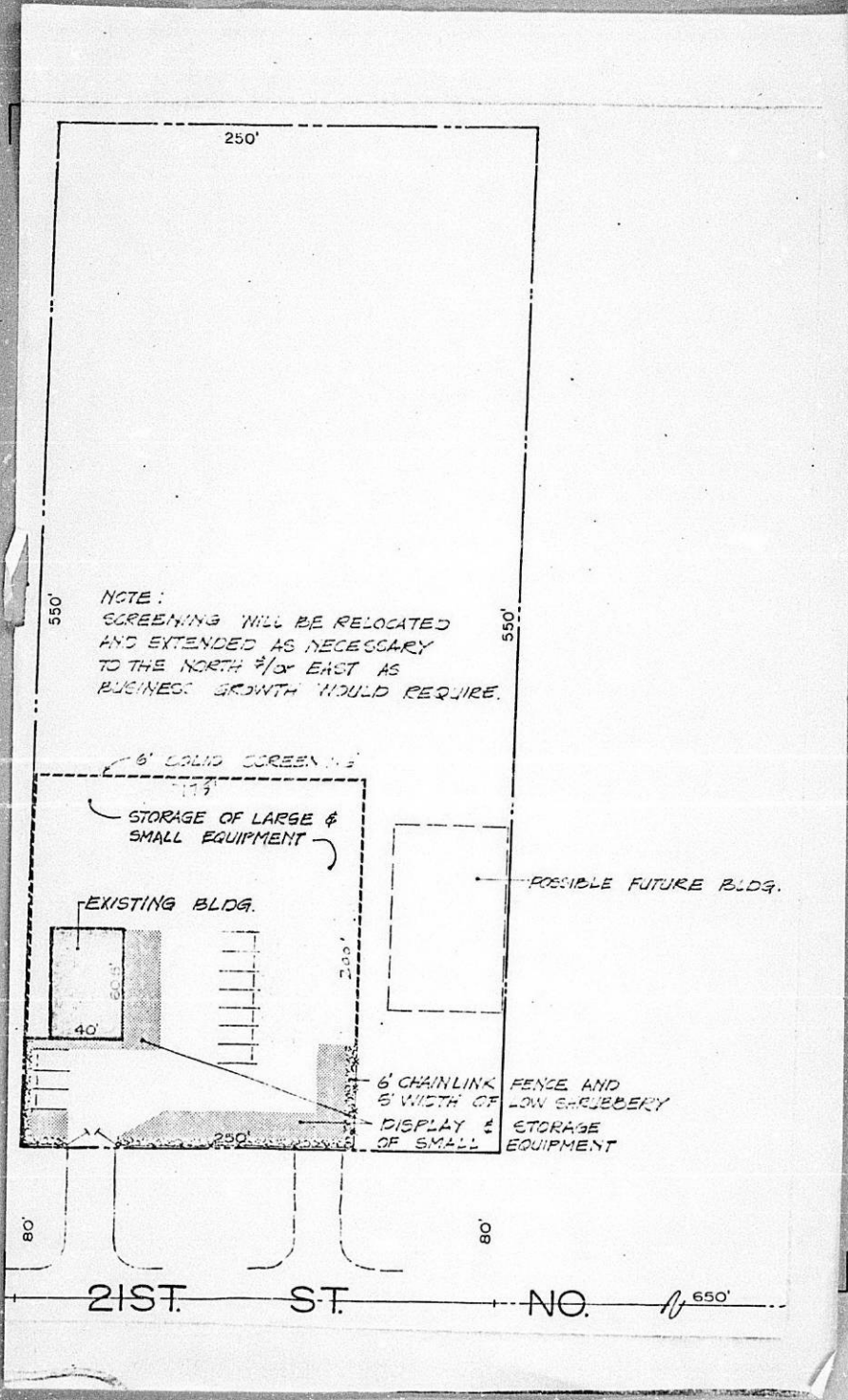
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- Adjoining Zoning: E "R-1" S "R-1" W "R-1" N "R-1"
- Land Use: East UNDEVELOPED South UNDEVELOPED
West FARM HOUSE North UNDEVELOPED
- Sketch Plan Land Use is for: _____
- Present Land Use is for: LIGHT MANUFACTURING.
- Area (is) (is not) platted. _____

PHOTO DATA:

Taken by _____ Date _____ Time _____





December 5, 1980

Syd Werbin, County Director of Building, Planning & Codes
Jack H. Galbraith, Chief Planner

✓ CU-197 - Conditional Use Permit to establish a trailer, vehicle, and equipment rental business. North side of 21st Street North, in an area west of Ridge Road.

I have attached two approved copies of the revised site plan showing the proposed expansion and two approved copies of the revised landscape plan for the expanded area. The site plans and landscape plans approved in 1977 should be marked "superseded" and the attached plan used when issuing building permits.

If you have any questions, please call.

Jack H. Galbraith
Chief Planner

JHG:ADC:el
Attachments

cc: Bob Richardson, 7422 West 21st Street North, 67212

November 12, 1980

Bob Richardson
7422 West 21st Street
Wichita, Kansas 67212

Re: CB-197 - Conditional Use Permit to
establish a trailer, vehicle, and
equipment rental business.

Dear Mr. Richardson:

The above captioned C.U.P. was approved by the Board of County
Commission on June 22, 1977. One of the conditions of approval
provided the following:

12. At such time as a larger portion of subject property is
proposed to be utilized for equipment rental related ac-
tivities, a revised site plan shall be submitted to the
Director of Planning for his approval, to assure conti-
nuity of screening, landscaping and display areas with
the conditions herein imposed.

As this condition provides, the Director of Planning has reviewed
your revised site plan which expands your equipment storage lot
75 feet to the east. This expanded plan is satisfactory except
for the portable concrete mixing station. We have discussed this
proposed use with Syd Werbin, the County Zoning Administrator,
and he agrees that such use is first permitted in the "E" Light
Industrial District. It is therefore necessary that, prior to
developing such a use, light industrial zoning must be established.

It is also necessary that a revised landscape plan be submitted
for our review and approval. I understand that a number of plant
materials, as indicated on the approved plan in 1977, are no long-
er living and that some substitutes of materials have been made.
A new landscape plan is necessary to reflect those existing plants
and the ones proposed for the existing and the expanded area.

Page Two
Bob Richardson
November 12, 1980

The revised plan is approved, subject to the following:


1. Submission of 4 copies of the revised plan with a note that the portable concrete mixing station requires "E" Light Industrial Zoning.
2. Submission of 4 copies of a new landscape plan for approval.
3. Compliance with the conditions of approval as set out by the Resolution adopted by the Board of County Commission on June 22, 1977.

At such time as conditions one and two above are complied with, we will forward approved copies to Mr. Werbin's office. If you have any questions, please call.

Sincerely,

Jack H. Galbraith
Chief Planner

APPROVED:


Robert A. Lakin
Director of Planning

JHG:el

cc: Syd Werbin, County Director - Dep't. of Building,
Planning, and Codes.

AAA
RENT-ALL

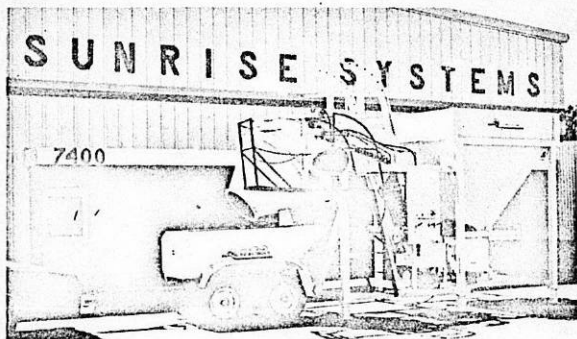
BOB RICHARDSON

1309 W. 31st St. South
Wichita, Kansas 67217
(316) 522-4727

7422 W. 21st
Wichita, Kansas 67212
(316) 722-6332

**SUNRISE
HAS THE
ANSWER**

The "Sunbeam" Concrete Mixing System



If your business is the kind that likes to give a lot of customers a lot of fast service, consider the SUNBEAM CONCRETE MIXING SYSTEM. It's a higher production, lower maintenance, and easier to operate system than any other in its class.

And because it's easier, it's faster. You won't have a line-up of customers waiting for service—and wondering where they might go to get served faster.

The heart of the system is the 1 yard cone-type mixer specially designed for the trailer-haul industry. The 3/16" steel cone and three 1/4" steel-plate mixer tins (not polyurathane paddles like some other systems) carry a LIFETIME GUARANTEE.

Built to produce, the SUNBEAM delivers 8 - 10 cubic yards of fresh concrete an hour—day after day after day. That's a yard of concrete every 6 - 7 1/2 minutes. And because the hopper holds 5 - 7 cubic yards of aggregate, there's no need to reload after every batch. Optional right, left, or rear openings are custom provided to fit your individual needs.

All mechanical and electrical controls are centrally located at ground level for operator ease and safety.

DIST. EXCLUSIVELY BY

STOW
Manufacturing Co.

P.O. Box 490
Brandywine Highway
Binghamton, N.Y. 13902
Phone: 607-723-6411
TELEX 932420



MANUFACTURED BY

SUNRISE SYSTEMS

7400 REESE ROAD • SACRAMENTO, CALIFORNIA 95828 • (916) 391-1612

For further details call our TOLL FREE NUMBER 1-800-824-5571 • In California 1-800-952-5657

SUNBEAM CONCRETE MIXING SYSTEM

SPECIFICATIONS

Space Required: 185 sq. ft.

Production: 8 - 10 cubic yards per hour. 1/4 - 1 yard capacity.

Weight: 8000 lbs. shipping weight

Dimensions (Installed)—

Length: 18'

Width: 10' 4"

Height: 13' 2"

Mixer: 1 cubic yard. Variable speed.

Mixer Construction—

Cone: 3/16" steel plate, fully welded. Unlimited warranty.

Cage: 3" x 41# steel channel, fully welded.

Mixer Motor: Low speed, high torque—Hydraulic drive. Direct drive, sealed unit.

Mixer Fins: 1/4" steel plate. Unlimited warranty.

Aux Mixer Tilt Valve: Accessible from Work Platform

Mixer Tilt Rams: 2—18" x 2 1/2" Actuators.

Batch Box Motor: Low speed, high torque—Hydraulic drive.

Aggregate Hopper Construction—

Body: 10 gauge steel

Frame: 4" x 4" x 3/16" steel tube .

Aggregate Hopper Storage: 5 - 7 cubic yards

Metering: Exact metering.

Aggregate: Volume box.

Water: NEPTUNE water meter

Drive Motor: 10 HP—3 phase (208-230/460 Volt) with magnetic starter.*

Main Frame Construction: 4" x 4" x 3/16" steel tube.

Tracks: 1/4" steel plate.

Work Platform Construction:

Frame: 2" x 2" x 3/16" steel angle

Rails: 1" pipe

Ladder: 2" x 2" x 1/8" steel tube

Guards: 14 gauge steel guards over all moving drive mechanism parts

Operation: Hydraulic. One operator. Controls centrally located at ground level.

Hydraulic Pump: BORG WARNER/PARKER. 13 GPM at 1800 RPM.

Hydraulic Reservoir: 30 gals.—Sight gauge.

Hydraulic Lines: Rigid tubing & pressure hose. Non-pressure return hose.

Lubrication: Grease fittings provided & identified for all moving parts.

Loading: Easily loaded with front loader. Custom side or rear opening.

Finish: SUNRISE White (by Rust-Oleum)

*Optional single phase Motor available at differential cost.

SPECIFICATIONS SUBJECT TO CHANGE WITHOUT PRIOR NOTIFICATION.

August 18, 1977

Syd Werbin, County Zoning and Department of Public Works

Jack E. Galbraith, Chief Planner

CU-197 - Conditional Use Permit to establish a trailer, vehicle, and equipment rental business. North side of 21st St. North in an area west of Ridge Road

Enclosed for your files is an approved copy of a landscape plan required as a condition of approval of the above captioned case.

If you have any questions concerning this matter, please call.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:GLS:el

Enclosure

8/18/77
Approved copy of landscape plan
mailed to AAA this date.

JHG

August 18, 1977

Mr. John Gist
Oblinger-Smith Corporation
First National Bank Building
Wichita, Kansas 67202

Re: CU-197 - Conditional Use Permit
to establish a trailer, vehicle,
and equipment rental business.
North side of 21st Street North
in an area west of Ridge Road

Dear Mr. Gist:

We have reviewed the landscape plan submitted by your office as
a condition of approval regarding the above captioned case and
find the plan acceptable.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:GLS:el

cc: Kansas Enterprises, Inc., 1309 W. 31st St. South, 67217
AAA Rental-All, 1309 W. 31st St. South, 67217
Syd Werbin, County Building, Planning & Inspection

*from
date*) Published in The Wichita Beacon on Aug. 18, 1977

R E S O L U T I O N

CASE NO. CU-197

A RESOLUTION PERMITTING A TRAILER, VEHICLE, AND EQUIPMENT RENTAL BUSINESS IN THE "LC" LIGHT COMMERCIAL DISTRICT ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED TERRITORY LYING WITHIN THREE MILES OF EITHER THE CITY OF WICHITA, THE CITY OF HAYSVILLE, THE CITY OF DERBY, THE CITY OF MULVANE, THE CITY OF VALLEY CENTER, THE CITY OF GODDARD, AND THAT PORTION OF THE AREA WITHIN THREE MILES OF THE CITY OF CHENEY AS ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONERS ON OCTOBER 3, 1973, ALL IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 7A.66.c) AND SECTION 11.E OF THE ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, ON MARCH 3, 1958, AND SUBSEQUENT AMENDMENTS THERETO.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

SECTION I. That after receiving a recommendation from Wichita-Sedgwick County Metropolitan Area Planning Commission and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section 7A.66.c) and Section 11E. of the Zoning Resolution, as amended, a Conditional Use Permit to allow a trailer, vehicle, and equipment rental business in the "LC" Light Commercial District is hereby approved on the lands legally described as follows:

Beginning at a point 650 feet west of the S.E. corner of the SE-1/4 of Sec. 4, Twp. 27-S, R-1-W; thence west along the south line of said SE-1/4, 250 feet; thence north parallel with the east line of said SE-1/4, 630 feet; thence east parallel with the south line of said SE-1/4, 250 feet; thence south 630 feet to beginning, except the south 80 feet thereof. Generally located on the north side of 21st St. North, in an area west of Ridge Road.

SUBJECT TO THE FOLLOWING:


1. The entire application area shall be platted.
2. All storage, parking and display areas shall be paved with concrete, asphalt, or other comparable material.
3. All lights shall be shielded to direct light away from adjoining property. No string type lighting or banners shall be permitted.
4. No sign shall exceed 25 feet in height or be placed so as to project over any public right-of-way.
5. No sound-projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
6. The area shall be properly policed through inspections by the owner or operator for proper maintenance and removal of trash.
7. No repair work shall be conducted except in an enclosed building.
8. A 6 to 8 foot high solid wall of masonry or metal shall be constructed along the west, north and east perimeter lines of the north 143 feet of the south 200 feet of the west 175 feet of the legally described property.


9. A 5 foot wide landscape area shall be provided adjacent to south, east and west perimeter lines of the 57 feet of the west 175 feet of the legally described property, except for points of ingress and egress. Four copies of a landscape plan, showing the type and placement of plant materials proposed for said area, shall be submitted to the Director of Planning for his approval.
10. Small equipment only, not exceeding the height of 5', shall be displayed in the south 60 feet of subject property. An acceptable definition of small equipment shall be agreed upon as a condition of approval, with said definition being placed upon the face of a revised site plan which will also include all pertinent dimensions of display areas, parking areas, etc.
11. Off-street parking space shall be provided as required by The Zoning Resolution, and shall not be utilized for the storage or display of any equipment.
12. At such time as a larger portion of subject property is proposed to be utilized for equipment rental related activities, a revised site plan shall be submitted to the Director of Planning for his approval, to assure continuity of screening, landscaping and display areas with the conditions herein imposed.
13. All conditions of approval shall be complied with prior to utilization of the property for an equipment rental operation. Compliance with all conditions of approval shall occur within one year from the date of approval by the Board of County Commissioners or this Conditional Use Permit shall be considered null and void.

SECTION II. That upon the taking effect of this Resolution, the notation of such Conditional Use approval shall be entered in the Official Zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the Official County Paper.

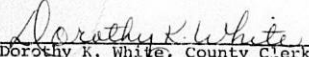
PASSED AND ADOPTED at Sedgwick County, Kansas, this 22 day of June, 1977.


Tom Scott, Chairman

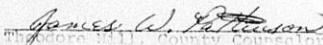

John Hale, Commissioner


Everett Patrick, Commissioner

ATTEST:


Dorothy K. White, County Clerk
(SEAL)

Approved as to form by County Counselor

for 
James W. Patterson, County Counselor

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF COUNTY COMMISSIONERSREQUEST FOR CONDITIONAL USE PERMIT

CASE NO. CU-197

CONSIDERED BY MAPC: 5-26-77

REQUEST FOR: Conditional Use Permit

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

To establish a trailer, vehicle, and equipment rental business

GENERAL LOCATION: North side of 21st Street North in an area west of
Ridge Road

LEGAL DESCRIPTION: See attached excerpt of Planning Commission minutes

APPLICANT: Kansas Enterprises, Inc., et al, 1209 W. 31st St. S. 67217

COUNSEL FOR APPLICANT: John Gist, Oblinger-Smith Corp., 625 First
National Bank Bldg 67202PROTESTORS (LIST COUNSEL) IF ANY: Phil Frick, Attorney, Fourth
Financial Center 67202

SURROUNDING ZONING: North, South and West, "R-1"; East, "R-1" & "LC"

LAND USE: Existing, vacant building and undeveloped; North, East
and South, undeveloped; West, farm house

CPO RECOMMENDATION:

PLANNING COMMISSION RECOMMENDATION:

That this Conditional Use Permit be approved subject to the recommended conditions as shown in the attached excerpt from minutes of the Planning Commission 5-26-77. Kamen moved, Savina seconded, and it carried by a vote of 6 in favor (Barrier, Bayouth, Bell, Goebel, Kamen and Savina) and 3 opposed (Hennessy, May and Taylor). Greider was absent.

ACTION 1. Approve the application as recommended by the Metropolitan Area Planning Commission, subject to the recommended conditions of approval, adopt a resolution effectuating the Conditional Use; or
2. Deny the application.

EXCERPT FROM MINUTES OF THE PLANNING COMMISSION 5-26-77

14. Case No. CU-197 - Kansas Enterprises, Inc. et al. request Conditional Use Permit to establish a trailer, vehicle and equipment rental business on property zoned "LC" Light Commercial District Beginning at a point 650 feet west of the S.E. corner of the SE-1/4 of Sec. 4, Twp. 27-S, R-1-W; thence west along the south line of said SE-1/4, 250 feet; thence north parallel with the east line of said SE-1/4, 630 feet; thence east parallel with the south line of said SE-1/4, 250 feet; then south 630 feet to beginning, except the south 80 feet thereof. Generally located on the north side of 21st St. North, in an area west of Ridge Road.

GALBRAITH showed slides of the subject and surrounding area and reviewed the following staff report:

Comments:

1. The applicant is requesting a Conditional Use Permit to establish a trailer, vehicle and equipment rental business on an unplatted tract of land zoned "LC" Light Commercial located on the north side of 21st Street North in an area west of Ridge Road.
2. A site plan submitted with the application indicates that initially only the west 175 feet of the south 200 feet of subject property will be utilized for the rental business with proposed future expansion as business growth would require. The plan also indicates proposed screening, fencing, and landscaping as well as areas for display and storage of equipment and parking.
3. In the event that the Planning Commission determines that the proposed use is appropriate and recommends approval of the Conditional Use request, the following are recommended conditions of approval:
 1. The entire application area shall be platted.
 2. All storage, parking and display areas shall be paved with concrete, asphalt, or other comparable material.
 3. All lights shall be shielded to direct light away from adjoining property. No string type lighting or banners shall be permitted.
 4. No sign shall exceed 25 feet in height or be placed so as to project over any public right-of-way.
 5. No sound-projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
 6. The area shall be properly policed through inspections by the owner or operator for proper maintenance and removal of trash.
 7. No repair work shall be conducted except in an enclosed building.
 8. A 6 to 8 foot high solid wall of masonry or metal shall be constructed along the west, north and east perimeter lines of the north 143 feet of the south 200 feet of the west 175 feet of the legally described property.
 9. A 5 foot wide landscape area shall be provided adjacent to south, east and west perimeter lines of the 57 feet of the west 175 feet of the legally described property, except for points of ingress and egress. Four copies of a landscape plan, showing the type and placement of plant materials proposed for said area, shall be submitted to the Director of Planning for his approval.

10. Small equipment only shall be displayed in the south 60 feet of subject property. An acceptable definition of small equipment shall be agreed upon as a condition of approval, with said definition being placed upon the face of a revised site plan which will also include all pertinent dimensions of display areas, parking areas, etc.
11. Off-street parking space shall be provided as required by The Zoning Resolution, and shall not be utilized for the storage or display of any equipment.
12. At such time as a larger portion of subject property is proposed to be utilized for equipment rental related activities, a revised site plan shall be submitted to the Director of Planning for his approval, to assure continuity of screening, landscaping and display areas with the conditions herein imposed.
13. All conditions of approval shall be complied with prior to utilization of the property for an equipment rental operation. Compliance with all conditions of approval shall occur within one year from the date of approval by the Board of County Commissioners or this Conditional Use Permit shall be considered null and void.

GALBRAITH pointed out that if the Commission approved this request they would be approving utilizing the total site. He said that staff had no further concerns other than on item #10 which indicated that small equipment only should be displayed in the south 60 feet of the subject property, and questioned the definition of "small equipment." He said that the applicant had been asked to be prepared to indicate what they felt should be included as "small equipment", and if the Commission found that use acceptable, the staff was recommending that the request be approved, subject to the above conditions and platting.

JOHN GIST, Oblinger-Smith, agent for the applicant d/b/a AAA Rent-All, stated that the applicant was agreeable to all of the recommended conditions and had begun their platting process. He said they were also willing to work something out in terms of condition #10, but that it would be difficult to come up with a definition of small equipment which would be agreeable to everyone, as the applicant deals with equipment of all sizes, shapes, weights, etc. He said the area in question was to be used to display small equipment and they would recommend that it be limited to equipment at a height of 6 feet.

PHIL FRICK, attorney appearing on behalf of Carman Pate, owner of the property at the southwest corner, said that his client did not feel this would be a proper use in spite of the "LC" zoning as all of the surrounding uses were single family dwellings. He said his client felt that by making this change it would introduce something into the neighborhood that would be hard to stop, and accordingly he was in opposition to this request.

KAMEN stated that after listening to the applicant's representative he felt the applicant would be willing to screen the area and to keep small equipment in the front, and that any single family homes that might be affected were some distance from the site, so he would make the following motion:

MOTION: That the Planning Commission recommend to the County Commission that this Conditional Use Permit be approved subject to the recommended conditions, and that staff be directed to work out details with the applicant as to item #10.
Kamen moved, Savina seconded.

GALBRAITH asked if small equipment not exceeding a height of 4 feet might be a satisfactory condition, and GIST responded that 5 to 6 feet would be a height the applicant could live with. GALBRAITH stated that 6 feet would accommodate closed trucks and he did not consider that small equipment.

ROGER OVERSTREET, representing the applicant, commented that all large equipment would be kept at the back of the building, and that although they had a number of pick-up trucks which their employees drove, they could also be parked to the rear of the building. He said what they were hoping to accomplish was to reach an agreement as to what they needed so that they could operate within the Conditions and not be in violation, and that he felt 5 to 5-1/2 feet would be satisfactory.

TAYLOR expressed concern about the surrounding area and the introduction of this type of use.

KAMEN with the consent of his second asked that the 5' height requirement under Item #10 be made a part of his motion. The conditions as recommended are as follows:

1. The entire application area shall be platted.
2. All storage, parking and display areas shall be paved with concrete, asphalt, or other comparable material.
3. All lights shall be shielded to direct light away from adjoining property. No string type lighting or banners shall be permitted.
4. No sign shall exceed 25 feet in height or be placed so as to project over any public right-of-way.
5. No sound-projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
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Director of Planning for his approval, to assure continuity of screening, landscaping and display areas with the conditions herein imposed.

13. All conditions of approval shall be complied with prior to utilization of the property for an equipment rental operation. Compliance with all conditions of approval shall occur within one year from the date of approval by the Board of County Commissioners or this Conditional Use Permit shall be considered null and void.

VOTE ON THE MOTION: Motion carried by a vote of 6 in favor (Barrier, Bayouth, Bell, Goebel, Kamen and Savina) and 3 opposed (Hennessy, May and Taylor). Greider was absent.

() Published in The Wichita Beacon on _____, 1977

RESOLUTION

CASE NO. CU-197

A RESOLUTION PERMITTING A TRAILER, VEHICLE, AND EQUIPMENT RENTAL BUSINESS IN THE "LC" LIGHT COMMERCIAL DISTRICT ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED TERRITORY LYING WITHIN THREE MILES OF EITHER THE CITY OF WICHITA, THE CITY OF HAYSVILLE, THE CITY OF DERBY, THE CITY OF MULVANE, THE CITY OF VALLEY CENTER, THE CITY OF GODDARD, AND THAT PORTION OF THE AREA WITHIN THREE MILES OF THE CITY OF CHENEY AS ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONERS ON OCTOBER 3, 1973, ALL IN SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 7A.66.c) AND SECTION 11.E OF THE ZONING RESOLUTION ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, ON MARCH 3, 1958, AND SUBSEQUENT AMENDMENTS THERETO.

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

SECTION I. That after receiving a recommendation from Wichita-Sedgwick County Metropolitan Area Planning Commission and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section 7A.66.c) and Section 11E. of the Zoning Resolution, as amended, a Conditional Use Permit to allow a trailer, vehicle, and equipment rental business in the "LC" Light Commercial District is hereby approved on the lands legally described as follows:

Beginning at a point 650 feet west of the S.E. corner of the SE-1/4 of Sec. 4, Twp. 27-S, R-1-W; thence west along the south line of said SE-1/4, 250 feet; thence north parallel with the east line of said SE-1/4, 630 feet; thence east parallel with the south line of said SE-1/4, 250 feet; thence south 630 feet to beginning, except the south 80 feet thereof. Generally located on the north side of 21st St. North, in an area west of Ridge Road.

SUBJECT TO THE FOLLOWING:

1. The entire application area shall be platted.
2. All storage, parking and display areas shall be paved with concrete, asphalt, or other comparable material.
3. All lights shall be shielded to direct light away from adjoining property. No string type lighting or banners shall be permitted.
4. No sign shall exceed 25 feet in height or be placed so as to project over any public right-of-way.
5. No sound-projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
6. The area shall be properly policed through inspections by the owner or operator for proper maintenance and removal of trash.
7. No repair work shall be conducted except in an enclosed building.
8. A 6 to 8 foot high solid wall of masonry or metal shall be constructed along the west, north and east perimeter lines of the north 143 feet of the south 200 feet of the west 175 feet of the legally described property.

9. A 5 foot wide landscape area shall be provided adjacent to south, east and west perimeter lines of the 57 feet of the west 175 feet of the legally described property, except for points of ingress and egress. Four copies of a landscape plan, showing the type and placement of plant materials proposed for said area, shall be submitted to the Director of Planning for his approval.
10. Small equipment only, not exceeding the height of 5', shall be displayed in the south 60 feet of subject property. An acceptable definition of small equipment shall be agreed upon as a condition of approval, with said definition being placed upon the face of a revised site plan which will also include all pertinent dimensions of display areas, parking areas, etc.
11. Off-street parking space shall be provided as required by The Zoning Resolution, and shall not be utilized for the storage or display of any equipment.
12. At such time as a larger portion of subject property is proposed to be utilized for equipment rental related activities, a revised site plan shall be submitted to the Director of Planning for his approval, to assure continuity of screening, landscaping and display areas with the conditions herein imposed.
13. All conditions of approval shall be complied with prior to utilization of the property for an equipment rental operation. Compliance with all conditions of approval shall occur within one year from the date of approval by the Board of County Commissioners or this Conditional Use Permit shall be considered null and void.

SECTION II. That upon the taking effect of this Resolution, the notation of such Conditional Use approval shall be entered in the Official Zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the Official County Paper.

PASSED AND ADOPTED at Sedgwick County, Kansas, this ____ day of _____, 1977.

_____, Chairman
Tom Scott

_____, Commissioner
John Hale

_____, Commissioner

ATTEST:

Dorothy K. White, County Clerk
(SEAL)

Approved as to form by County Counselor

Theodore Hill, County Counselor

May 27, 1977

Mr. Phil Frick
Attorney
Fourth Financial Center
Wichita, Kansas 67202

Re: Case No. CU-197 - Conditional
Use Permit to establish a trailer,
vehicle, and equipment rental busi-
ness. North side of 21st Street
North in an area west of Ridge Road.

Dear Mr. Frick:

At its regular meeting on May 26, 1977, the Metropolitan Area Planning Commission considered the above-captioned case. The action of the Planning Commission was to recommend approval of the request subject to the conditions in the enclosed letter. If your clients or others owning property within 1,000 feet of the area wish to submit protest petitions they must be filed in the office of the County Clerk no later than 5:00 p.m., on June 6, 1977. A protest petition form and instruction sheet are enclosed. If additional copies are needed please advise.

This matter will be forwarded to the Board of County Commissioners for consideration at their regular meeting of June 22, 1977. This meeting will be held in Room 320, Sedgwick County Courthouse, 525 North Main, Wichita, Kansas, beginning at 9:00 a.m.

If you have any questions, please call.

Yours very truly,

Michael Meek
Senior Planner

MM:bh
Encl.

May 27, 1977

Mr. John Gist
Oblinger-Smith Corporation
First National Bank Building
Wichita, Kansas 67202

Re: Case No. CU-197 - Conditional Use
Permit to establish a trailer, ve-
hicle, and equipment rental business.
North side of 21st Street North in an
area west of Ridge Road

Dear Mr. Gist:

At its regular meeting on May 26, 1977, the Metropolitan Area Planning Commission considered the above captioned case. The action of the Planning Commission was to recommend approval of this request subject to the following conditions:

1. The entire application area shall be platted.
2. All storage, parking and display areas shall be paved with concrete, asphalt, or other comparable material.
3. All lights shall be shielded to direct light away from adjoining property. No string type lighting or banners shall be permitted.
4. No sign shall exceed 25 feet in height or be placed so as to project over any public right-of-way.
5. No sound-projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
6. The area shall be properly policed through inspections by the owner or operator for proper maintenance and removal of trash.
7. No repair work shall be conducted except in an enclosed building.
8. A 6 to 8 foot high solid wall of masonry or metal shall be constructed along the west, north and east perimeter lines of the north 143 feet of the south 200 feet of the west 175 feet of the legally described property.

Mr. John Gist
Oblinger-Smith Corporation
May 27, 1977
Page 2

9. A 3 foot wide landscape area shall be provided adjacent to south, east and west perimeter lines of the south 57 feet of the west 175 feet of the legally described property, except for points of ingress and egress. Four copies of a landscape plan, showing the type and placement of plant materials proposed for said area, shall be submitted to the Director of Planning for his approval.
10. Small equipment only, not exceeding the height of 5' shall be displayed in the south 60 feet of subject property. An acceptable definition of small equipment shall be agreed upon as a condition of approval, with said definition being placed upon the face of a revised site plan which will also include all pertinent dimensions of display areas, parking areas, etc.
11. Off-street parking space shall be provided as required by the Zoning Resolution, and shall not be utilized for the storage or display of any equipment.
12. At such time as a larger portion of subject property is proposed to be utilized for equipment rental related activities, a revised site plan shall be submitted to the Director of Planning for his approval, to assure continuity of screening, landscaping and display areas with the conditions herein imposed.
13. All conditions of approval shall be complied with prior to utilization of the property for an equipment rental operation. Compliance with all conditions of approval shall occur within one year from the date of approval by the Board of County Commissioners or this Conditional Use Permit shall be considered null and void.

This case will be forwarded to the Board of County Commissioners for consideration at their regular meeting of June 22, 1977. This meeting will be held in Room 320, Sedgwick County Courthouse, 525 North Main, Wichita, Kansas, beginning at 9:00 a.m.

If you have any questions, please call

Very truly yours,

Michael Neek
Senior Planner

NM:bh

cc: Kansas Enterprises, Inc., 1309 West 31st St., South 67217
AAA Rental-All, 1309 W. 31st St., South 67217
Phil Friok, Attorney, Fourth Financial Center, 67202
Syd Warbin, County Building, Planning & Inspection

WICHITA-SEDFWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

MAPC Hearing Date: 5-26-77

| | |
|-----------------|---|
| Case No. CU-197 | Request: Conditional Use Permit to establish a trailer, vehicle, and equipment rental business. |
|-----------------|---|

Location: North side of 21st Street North in an area west of Ridge Road.

| | |
|------------|-------------------|
| Acres: 3.1 | Size: 250' x 550' |
|------------|-------------------|

| | <u>Land Use</u> | <u>Zoning</u> |
|---------------------|---|------------------------------------|
| Existing North East | Vacant building and undeveloped Undeveloped Undeveloped | "LC" "R-1" "R-1" and "LC" |
| South West | Undeveloped Farm house | "R-1" "R-1" |

Street right of-way is adequate.

Platted: No
History: SCE-0126 - "R-1" to "E"
MAPC: 9-21-61 Deny
B Co. C: 10-19-61 Deny "E",
approve east 300 feet for "LC"

Comments:

1. The applicant is requesting a Conditional Use Permit to establish a trailer, vehicle and equipment rental business on an unplatted tract of land zoned "LC" Light Commercial located on the north side of 13th Street North in an area west of Ridge Road.
2. A site plan submitted with the application indicates that initially only the west 175 feet of the south 200 feet of subject property will be utilized for the rental business with proposed future expansion as business growth would require. The plan also indicates proposed screening, fencing, and landscaping as well as areas for display and storage of equipment and parking.
3. In the event that the Planning Commission determines that the proposed use is appropriate and recommends approval of the Conditional Use request, the following are recommended conditions of approval:
 1. The entire application area shall be platted.

2. All storage, parking and display areas shall be paved with concrete, asphalt, or other comparable material.
 3. All lights shall be shielded to direct light away from adjoining property. No string type lighting or banners shall be permitted.
 4. No sign shall exceed 25 feet in height or be placed so as to project over any public right-of-way.
 5. No sound-projecting devices or loudspeakers shall be used so as to be heard outside of any structure.
 6. The area shall be properly policed through inspections by the owner or operator for proper maintenance and removal of trash.
 7. No repair work shall be conducted except in an enclosed building.
 8. A 6 to 8 foot high solid wall of masonry or metal shall be constructed along the west, north and east perimeter lines of the north 160 feet of the south 200 feet of the west 175 feet of the legally described property.
 9. A 5 foot wide landscape area shall be provided adjacent to south, east and west perimeter lines of the south 60 feet of the west 175 feet of the legally described property, except for points of ingress and egress. Four copies of a landscape plan, showing the type and placement of plant materials proposed for said area, shall be submitted to the Director of Planning for his approval.
 10. Small equipment only shall be displayed in the south 60 feet of subject property. An acceptable definition of small equipment shall be agreed upon as a condition of approval, with said definition being placed upon the face of a revised site plan which will also include all pertinent dimensions of display areas, parking areas, etc.
 11. Off-street parking space shall be provided as required by the Zoning Resolution, and shall not be utilized for the storage or display of any equipment.
 12. At such time as a larger portion of subject property is proposed to be utilized for equipment rental related activities, a revised site plan shall be submitted to the Director of Planning for his approval, to assure continuity of screening, landscaping and display areas with the conditions herein imposed.
 13. All conditions of approval shall be complied with prior to utilization of the property for an equipment rental operation. Compliance with all conditions of approval shall occur within one year from the date of approval by the Board of County Commissioners or this Conditional Use Permit shall be considered null and void.
-

CU-197 - 8 "Notice to Adjoining Property Owners" mailed 5/12/77 for the
MAPC meeting for 5/26/77

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY HALL, TENTH FLOOR, 455 North Main Street
Wichita, Kansas 67202

NOTICE TO ADJOINING PROPERTY OWNERS

~~MAY 12 1977~~

The Wichita-Sedgwick County Metropolitan Area Planning Commission will consider the following item in The City Commission Chambers, City Hall, 1st floor, 455 North Main Street, Wichita, Kansas, at its meeting at 1:30 p.m. on MAY 26 1977, at which time you may appear either in person or by agent or attorney, if you so desire.

CASE NO. CU-197

Conditional Use Request to Permit Establishment of
Trailer, Vehicle and Equipment Rental Business on
Property Zoned "LC" Light Commercial District

Beginning at a point 650 feet west of the S.E. corner of the SE $\frac{1}{4}$ of Sec.4, Twp. 27-S, R-1-W; thence west along the south line of said SE $\frac{1}{4}$, 250 feet; thence north parallel with the east line of said SE $\frac{1}{4}$, 630 feet; thence east parallel with the south line of said SE $\frac{1}{4}$, 250 feet; then south 630 feet to beginning, except the south 80 feet thereof. Generally located on the north side of 21st St. North, in an area west of Ridge Road.

NOTE: It is the policy of the Planning Commission that any request for a deferral of the hearing of this case shall be submitted to the Secretary, Robert A. Lakin, City Hall, Tenth Floor, 455 North Main Street, 7 days prior to the meeting. The Chairman or the Secretary may grant such a request for deferral. Persons requesting deferrals will be charged with the cost of preparing and mailing new notices.

Robert A. Lakin
Secretary

T9-216

SEDGWICK COUNTY ZONING RESOLUTION

Summary Description of Zoning Districts

- "R" - Rural Residential District
Permits one single-family dwelling for each lot of two acres with a minimum frontage of 200 feet.
- "R-1" - Suburban Residential District
Permits one and two-family dwellings on a minimum of 15,000 square feet of land area per family with each lot having a minimum frontage of 100 feet.
- "AA" - One-Family Dwelling District
One-family dwellings require a minimum of 7,500 square feet with each lot having a minimum frontage of 60 feet.
- "BB" - Office District
Permits agriculture, one-family dwellings and all business and professional offices. All commercial activities are prohibited.
- "LC" - Light Commercial District
Permits any retail commercial uses conducted within an enclosed building. Permits residential uses.
- "C" - General Commercial District
Permits all commercial activities; outdoor displays and sales; selected light manufacturing and light commercial uses.
- "E" - Light Industrial District
Permits most manufacturing uses and uses permitted in "C".
- "F" - Heavy Industrial District
Permits any use except those objectionable uses such as slaughter houses, salvage yards and fertilizer plants which require special permits.
- "CU" - Any of the above districts
Allows certain uses listed in the County Zoning Resolution by special permit rather than as a use by right.

Book 2
C-OW-B
4-27-1W

CO.197

APPLICATION FOR APPROVAL OF CONDITIONAL USE PERMIT
FOR PROPERTY LOCATED WITHIN THE JURISDICTION
OF THE BOARD OF COUNTY COMMISSIONERS OF
SEDGWICK COUNTY, KANSAS

This is an application for a Conditional Use Permit. The form must be completed and filed at the Planning Department, City Hall, Tenth Floor, 455 North Main Street, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

I. Name of applicant or applicants and/or their agent or agents. All owners of all property requested to be considered in this application must be listed in this item.

A. APPLICANT Kansas Enterprises, Inc.
ADDRESS 1309 West 31st Street South, 67217 PHONE 522-4737
d/b/a _____
AGENT AAA Rent-All

ADDRESS 1309 West 31st Street South, 67217 PHONE 522-4737

B. APPLICANT N/A

ADDRESS _____ PHONE _____

AGENT N/A

ADDRESS _____ PHONE _____

C. APPLICANT N/A

ADDRESS _____ PHONE _____

AGENT Oblinger-Smith Corporation

ADDRESS 625 First National Bank Building, 67202 PHONE 262-0451

(Use separate sheet if necessary for names of additional applicants).

II. The applicant proposes to establish a Trailer, vehicle and

"LC" zoning

equipment rental business (use)

N R1
E R1+LC
W R1
S R1

on property legally described as Lot(s) (below)

_____, Block(s) _____ of the _____

_____ Addition.

(If appropriate, metes and bounds description may be provided in the space below or on an attached sheet).

(Beginning at a point 650 feet west of the S.E. corner of the SE $\frac{1}{4}$ of Sec. 4, Twp. 27-S, R-1-W; thence west along the south line of said SE $\frac{1}{4}$, 250 feet; thence north parallel with the east line of said SE $\frac{1}{4}$, 630 feet; thence east parallel with the south line of said SE $\frac{1}{4}$, 250 feet; then south 630 feet to beginning, except the south 80 feet thereof.)

OK for legal

THIS PROPERTY IS LOCATED AT (ADDRESS) 700 N. 21st Street N.

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

A. AT THE ~~northwest~~ CORNER OF Ridge Road AND
21st Street North, OR

B. ON THE North SIDE OF 21st Street North (AVENUE)
in an area west of Ridge Road
STREET BETWEEN _____ (AVENUE) STREET AND
_____ (AVENUE) STREET.

I V. THE PROPERTY INCLUDED IN THIS APPLICATION IS ZONED "I C"
(ZONING DISTRICT CLASSIFICATION).

V. I REQUEST THIS CONDITIONAL USE PERMIT FOR THE FOLLOWING REASONS:
To establish an equipment rental business

V I. I (WE), THE APPLICANT(S), ACKNOWLEDGE RECEIPT OF THE INSTRUCTION SHEET EXPLAINING THE METHOD OF SUBMITTING THIS APPLICATION. I (WE) REALIZE THAT THIS APPLICATION CANNOT BE PROCESSED UNLESS IT IS COMPLETELY FILLED IN; IS ACCOMPANIED BY A CURRENT ABSTRACTOR'S CERTIFICATE AS REQUIRED IN THE INSTRUCTION SHEET; AND IS ACCOMPANIED BY THE APPROPRIATE FEE. I (WE) FURTHER CERTIFY THAT THE ABOVE AND FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY (OUR) KNOWLEDGE. I (WE) ACKNOWLEDGE THAT THE BOARD OF COUNTY COMMISSIONERS SHALL HAVE AUTHORITY TO IMPOSE SUCH CONDITIONS AS IT DEEMS NECESSARY IN ORDER TO SERVE THE PUBLIC INTEREST AND WELFARE.

NOTE: AT LEAST ONE OWNER MUST SIGN THIS APPLICATION, OTHER OWNERS MAY BE REPRESENTED BY AN AGENT OR AGENTS.

Kansas Enterprises, Inc _____

BY [Signature] BY _____
AUTHORIZED AGENT (IF ANY) AUTHORIZED AGENT (IF ANY)
Seco

BY _____ BY _____
AUTHORIZED AGENT (IF ANY) AUTHORIZED AGENT (IF ANY)

BY _____ BY _____
AUTHORIZED AGENT (IF ANY) AUTHORIZED AGENT (IF ANY)

V I I. OFFICE USE ONLY

This application was received at the Planning Department at 4:15
(AM, PM) on May 4, 1977 (day, month, year). It has been checked
and found to be complete and accompanied by required documents and
the appropriate fee of \$ 200⁰⁰.

[Signature] Name
[Signature] Title

OWNERSHIP LIST

| Tract | Property Owner |
|--|---|
| The North 200 feet of the East 300 feet of the North Half of the NE $\frac{1}{4}$ of Section 9-27-1W except the North 90 feet for road | ✓ Pate Construction Company Inc. 4121 Maple 67209 |
| The South 130 feet of the North 330 feet of the East 300 feet of the North Half of the NE $\frac{1}{4}$ of Section 9-27-1W | ✓ Jerome A. Seiler and Aretha L. 2115 North Ridge Road 67212 |
| The South 100 feet of the North 510 feet of the East 300 feet of the NE $\frac{1}{4}$ of Section 9-27-1W | D Jerome A. Seiler and Aretha L. 2115 North Ridge Road 67212 |
| The North Half of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 9-27-1W except the East 300 feet of the North 330 feet and except the South 100 feet of the North 510 feet of the East 300 feet and except Beg. 581 feet North of the SE corner of the North Half of the NE $\frac{1}{4}$ said Section 9, thence West parallel with the North line of said NE $\frac{1}{4}$ 300 feet, thence North 123.55 feet, thence East 300 feet, thence South 123.55 feet to place of beginning | X Helen Elpers, deceased |
| Beginning at a point 650 feet West of the Southeast corner of the SE $\frac{1}{4}$ of Section 4, Twp. 27S, R1W, thence West along the South line of said SE $\frac{1}{4}$ 150 feet; thence North parallel with the East line of said SE $\frac{1}{4}$, 630 feet; thence East 150 feet; thence South 630 feet to beginning, except the South 80 feet thereof deeded to the County | ✓ Kansas Enterprises, Inc. c/o Glenn L. Richardson 456 South Ridgecrest 67218 |
| Beginning at a point 800 feet West of the SE corner of the SE $\frac{1}{4}$ of Section 4-27-1W thence West along the South line of said SE $\frac{1}{4}$, 100 feet; thence North parallel with the East line of said SE $\frac{1}{4}$, 435.6 feet; thence East 100 feet; thence South 435.6 feet to beginning, except the South 80 feet thereof deeded to the County | D Kansas Enterprises, Inc. c/o Glenn L. Richardson 456 South Ridgecrest 67218 |

Tract

Property Owner

The Southeast Quarter of the Southeast Quarter of Section 4-27-1W except the East 800 feet and except the South 630 feet of the East 900 feet

✓ Vivian R. Weninger
731 South Lightner 67218

The East 800 feet of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 4-27-1W except a tract described as: Beg. at a point 650 feet West of the SE corner of the SE $\frac{1}{4}$ of Section 4-27-1W, thence West along the South line of said SE $\frac{1}{4}$, 150 feet; thence North parallel with the East line of said SE $\frac{1}{4}$, 630 feet; thence East 150 feet; thence South 630 feet to beginning, except the South 80 feet thereof deeded to the County

✓ H. D. Ritchie and E. D. Ritchie
dba Ritchie Brothers Const. Co.
1900 Amidon 67203

Beginning at a point 800 feet West and 435.6 feet North of the Southeast corner of the SE $\frac{1}{4}$ of Section 4-27-1W, thence West parallel with the South line of said SE $\frac{1}{4}$, 100 feet; thence North parallel with the East line of said SE $\frac{1}{4}$, 194.4 feet; thence East 100 feet; thence South 194.4 feet to beginning

Kansas Enterprises Inc. c/o
Glenn L. Richardson
456 South Ridgecrest 67218

The Security Abstract and Title Company, Inc., hereby certifies the foregoing to be a true and correct list of property owners of:

A 500 foot radius of: Beginning at a point 650 feet West of the Southeast corner of the Southeast Quarter of Section 4, Township 27 S, Range 1 West of the 6th P.M., Sedgwick County, Kansas, thence West along the South line of said SE $\frac{1}{4}$, 250 feet, thence North parallel with the East line of said SE $\frac{1}{4}$, 630 feet, thence East parallel with the South line of said SE $\frac{1}{4}$, 250 feet, thence South 630 feet to the beginning, except the South 80 feet thereof

as shown by the records on file in the Office of the Register of Deeds of Sedgwick County, Kansas, on the 5th day of May, 1977 at 7:00 A.M.

THE SECURITY ABSTRACT & TITLE COMPANY, INC.

By

John Byron
Vice President

Order No. 249875
wh

Form 273-6-1

PAYMENT NOTICE

City of Wichita

PAY AT TREASURER'S OFFICE - FIRST FLOOR

| | | | |
|--------------|-------------|-------------|-------------|
| Bldg & Elev. | Elec. | Elev. Insp. | Exam. Fees |
| Hse. Mvr. | Hse. Moving | Licse. | Mech. |
| Oil Well | Pav. Cuts | Plan. | Plbg. Cert. |
| Sanitation | Sewer | Signs | Sidewalk |
| Street | Trailer | | |

DESCRIPTION AMOUNT

Name

Address

Type

Due Date

Comments:

Date

By

*

This CU File

Has a Large Drawing

On 35mm Microfilm.

Roll # 1

*