

ACTION

DATE

S/D COMMITTEE

M.A.P.C.

Perry 5-26-88

W.C.C./B.C.C.

Denial 6-21-88

604118

DR 88-3: Harold L. & Carol J. Clarke request special use permit for auto wrecking and salvage yard on the south side of Oak Knoll approx. 1/4 mi. east of Rock Rd.

posted 4-21-88

KX

see 28.04.184

ACTION

S/D COMMITTEE _____ DATE _____

M.A.P.C. Deny 5-28-88

W.C.C./B. CO. C. Denial 6-21-88

6044D

DR 88-3: Harold L. & Carol J. Clarke request special use permit for auto wrecking and salvage yard on the south side of Oak Knoll approx. 1/4 mi. east of Rock Rd.

DATA SHEET

Z- _____
 SCZ- _____
 CU- _____
 DR- 88-3
 DP- _____

Case Filed: 4-15-88
 Associated Case: _____

CPO Council Area: 2B
 CPO Meeting Date: 5-2-88 16
 MAPC Hearing Date: 5-12-88
 26

APPLICATION DATA: Map No. 6044D

- General Location: On the south side of Oak Knoll approximately 1/4-mile east of Rock Road
- From _____ to _____
- Proposed Use: Special Use Permit to Establish an Auto Wrecking and Salvage Yard on Property Zoned the "E" Light Industrial District
- DP Name: _____
- Applicant: Harold L. and Carol J. Clarke
 Address 2347 Richfield, Wichita, Kansas 67207 Phone 685-2721
- Agent: Roger D. Hughey, Attorney-at-Law
 Address 807 North Waco, Suite 300, Wichita, Kansas 67203 Phone 269-9055

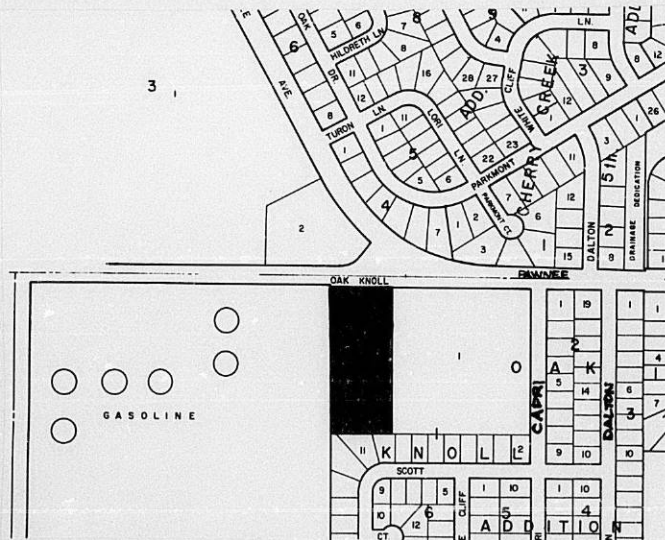
AREA DATA:

- Acres: 3.7 (_____ ft. by _____ ft.)
- Adjoining Zoning: N "B" S "AA" E "R-6" W "E"
- Land Use: North _____ East _____
 South _____ West _____

PICTURE SHEET

PHOTO DATA:

Taken by _____ Date _____ Time _____



NOTES:

S
 No. 2-153C
 HASTINGS, MN
 LOS ANGELES, CHICAGO, LOUISIANA,
 HOUSTON, TX, AND
 NEW YORK, NY, U.S.A.

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

June 22, 1988

TO: Monty Robson, Superintendent, Central Inspection Division
FROM: Jack H. Galbraith, Chief Planner, Current Plans, Division
SUBJECT: DR 88-3: Auto "Salvage" Yard at 8401 Oak Knoll

I am sure you recall the recent history on the above-referenced property where Harold Clarke stores vehicles which have been impounded by the police, sheriff and highway patrol. A number of months ago, Mr. Clarke was advised that this land use requires not only industrial zoning, which he has, but a special use permit approved by the City Council after a public hearing before the MAPC.

On June 21, 1988, the City Council denied his request for a special use permit at this location. Joe Donnelly's people will need to monitor this site closely and make sure that the "salvage" or vehicle storage operation ceases. There was much neighborhood opposition to this land use and I am sure your office will continue to get complaint calls if the land use violation is not cleared up in a timely manner.

JHG/LO:blw

cc: Joe Donnelly, Housing Code Administrator, Central Inspection Division

PL/6740/4

Planning Agenda Item # _____

City of Wichita
City Council Meeting
June 21, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: DR 88-3 - SPECIAL USE PERMIT TO ESTABLISH AN AUTO WRECKING AND SALVAGE YARD ON PROPERTY ZONED THE "E" LIGHT INDUSTRIAL DISTRICT. LOCATED ON THE SOUTH SIDE OF OAK KNOLL APPROXIMATELY 1/4-MILE EAST OF ROCK ROAD.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Deny (7-0)

Staff Recommendation: Support subject to conditions.

CPO Recommendation: Council "2B" recommended denial (5-0)

Background: On May 26, 1988, the MAPC held a public hearing to consider a special use permit to allow an auto wrecking and salvage yard in the "E" district in accordance with 28.04.184 of the Zoning Ordinance. The applicant has a contract with the Wichita police, County sheriff and State highway patrol to tow and store abandoned and wrecked vehicles until such time as the insurance adjuster has examined the vehicle or the owner has claimed it or it has been sold at auction. In a letter to neighboring property owners, the applicant stated that he does not do or intend to do any salvaging or wrecking of the vehicles, only storage. Section 3.48.001 of the City Code defines "motor vehicle wrecking" to include the storage of 3 or more inoperable vehicles for more than 30 days.

Recommendations/Actions:

1. Concur with the findings of the MAPC and deny the special use permit, or
2. Take appropriate action stating reasons.

PL/1850/2

CASE NUMBER:

DR 88-3

OWNER/APPLICANT/AGENT:

Harold L. Clarke (owner/applicant)
Roger Hughey, Attorney (agent)

REQUES I:

Special permit for an auto wrecking and salvage yard in accordance with Section 28.04.184 of the Zoning Ordinance.

CURRENI ZONING:

"E" Light Industrial District

SITE SIZE:

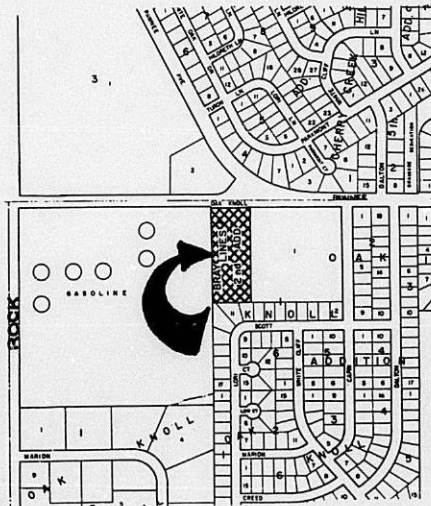
3.7 acres

LOCATION:

South side of Oak Knoll approximately ¼-mile east of Rock Road.

PROPOSED USE:

To store Wichita Police Department, Sedgwick County Sheriff's Office and Kansas Highway Patrol impounded and wrecked vehicles until the owners can reclaim them or until the vehicles can be sold at public auction.



EXCERPT FROM PLANNING COMMISSION MINUTES OF MAY 26, 1988

LEGAL:

5. Case No. DR 88-3 - Harold L. Clarke requests a Special permit for auto wrecking and salvage yard in accordance with Section 28.04.184 of the Zoning Ordinance on Lot 1, Block A, Bray Lines 2nd Addition, Wichita, Sedgwick County, Kansas. Generally located on the south side of Oak Knoll approximately 1/4-mile east of Rock Road.

GALBRAITH pointed out land use, zoning and showed slides of the general area. He reviewed the following staff report:

BACKGROUND: The applicant has requested a special permit to allow an auto wrecking and salvage yard in the "E" district in accordance with 28.04.184 of the Zoning Ordinance. The applicant has a contract with the Wichita police, County sheriff and State highway patrol to tow and store abandoned and wrecked vehicles until such time as the insurance adjuster has examined the vehicle or the owner has claimed it or it has been sold at auction. In a letter to neighboring property owners, the applicant stated that he does not do or intend to do any salvaging or wrecking of the vehicles, only storage. Section 3.48.001 of the City Code defines "motor vehicle wrecking" to include the storage of 3 or more inoperable vehicles for more than 30 days.

A portion of this property was rezoned from suburban residential to light industrial in 1971, with the balance being rezoned in 1981. The property was annexed in 1982. It was previously owned and used by a trucking company. The residential subdivision was platted south and east of this site in 1979. Although a large lot full of inoperable or wrecked vehicles is not compatible with residential development, with proper screening and conditions of operation, it may be no worse than some uses permitted outright in the "E" district.

CASE HISTORY: SCZ-0272 - "R-1" to "E" approved in 1971; SCZ-0493 - "R-1" to "E" approved in 1981.

ADJACENT ZONING AND LAND USE:

NORTH	"B"	Undeveloped and street intersection
SOUTH	"AA"	Single-family houses
EAST	"R-6"	Garden apartment condominiums
WEST	"E"	Oil storage tank farm

PUBLIC SERVICES: City water is available to serve this site, but not sanitary sewer. Oak Knoll is a two-lane road which has adequate right-of-way.

CONFORMANCE TO PLANS/POLICIES: The Comprehensive Plan identifies this area as vacant or agricultural.

RECOMMENDATION: If the Planning Commission determines that this "auto wrecking"/vehicle impoundment use is appropriate at this location, the following are recommended conditions of approval of the special use permit:

1. There shall be no dismantling of vehicles or salvaging of vehicle parts at this site, only the impoundment of vehicles.
2. The applicant shall construct an 8-foot high solid wood or masonry fence along the south property line and along the east and west property lines as far north as the front line of the existing building. The fence shall continue in an east-west direction to the northeast and northwest corners of the existing building. All gates shall be of solid material.
3. No impounded vehicles shall be stored outside the fenced area, as required above.
4. Vehicles shall not be stacked.

DISCUSSION:

GALBRAITH stated that this application is somewhat unusual because the Commission has not frequently considered this type of request. It is a special permit in the Light Industrial district for what is referred to as a permit for auto wrecking and auto salvaging, but that is not really the intent of this applicant. This applicant has a contract with the City Police Department, the Sheriff's Department, and the Kansas Highway Patrol, to pick up abandoned and wrecked vehicles and transport them to this site, store them on the premises until they are probably adjusted by insurance agents, claimed by owners, or perhaps even stored on the premises long enough to be sold at auctions that occur four times a year. Because of the city code and the way it describes salvage yards, which is the storage of 3 or more inoperable vehicles, that is why the applicant is filing under this particular citation of the text, although he states that he has no intentions of doing wrecking and salvage operation at the site. GALBRAITH said that usually when an industrial district is developed adjacent to residential, there is a solid screening fence required. However, this industrial building was established and occupied in the County as a nonconforming use for a number of years. GALBRAITH pointed out that there could be some rather heavy machine shops and considerable outside storage on the premises probably without having to screen since this was industrially zoned in the County before being annexed into the City and has certain nonconforming use rights relative to not having to screen. The City's text, however, in this type of application for a special permit, permits the Commission to do a number of things, and one of the requirements is that the auto salvage yard must be screened from public view. GALBRAITH said that staff has had a number of phone calls relative to this case, and a concern expressed by adjacent property owners. Staff believes that the conditions can be established that substantially alter the adverse effects on this particular use versus the many uses that can already go there under "E" Light Industrial zoning.

GALBRAITH stated that CPO Council "2B" voted 5-0 to recommend that the application not be approved.

SHERMAN asked what were staff's recommendations.

PL/1852/2

GALBRAITH said that staff is somewhat in support of the application. They believe that it can be screened and have a better result than many of the uses that are already permitted in Light Industrial zoning.

HAROLD CLARKE, applicant, stated that their job is to tow in wrecked cars and anything that the City or Sheriff wanted to impound a car for is what they are using this lot for, besides repairing automobiles. They have been at this location for 3½ years and did not know there was a problem until this came up. He said that they have had the Sheriff, Highway Patrol, and the Police Department come out and inspect the lot and they said it was fine, then all of a sudden this comes up. He said that they have tried to be a good neighbor.

PARSONS asked if this property was in the County.

CLARKE said that when he bought the property it was in the County, and then he was told that it had been annexed.

ROGER HUGHEY, attorney representing the applicant, stated that the city code requires that the governing body determine that this use would not adversely affect the character of the neighborhood, but you cannot consider that in a vacuum. The first inquiry is what is a neighborhood. He said that to the west is a tank farm; this property is not inconsistent with that. In between the tank farm and the storage yard is a bus depot for Greyhound and other major highway buses. Before this was used for this purpose, it was from 1948 until 1984 used as the Bray Truck Lines and then Becker Transport out of El Dorado, which was their depot and repair facility for large trucks. From 1984 to last fall, that use was decreasing, and since then it has been used exclusively for storage of automobiles that have been impounded by law enforcement authorities. HUGHEY said that this property, very arguably, is not going to adversely affect the neighborhood, it is an improvement, and it certainly is an improvement over some of the uses that are permitted in Light Industrial zoning. Some of those uses are bottle works, flour mills, feed mills, foundry, asphalt mixing plant, and it can always be perfectly legally reverted to the use for major highway trucks; some of those companies are wanting to use that right now. HUGHEY said that this request may be the only chance to enhance the value of the property and the improvement of the noise factors on the property by requiring the screening and the other recommendations of the Planning Department.

MARK LITTLE, 8824 Scott, speaking in opposition, passed out a petition with 21 names, and photographs of the site. LITTLE said that he has lived there since 1981, and when he moved in, it was a transport loading facility for Bray Lines. At that particular time, they were looking at 6 to 10 semis that parked up close to the building. He said they had no complaints with them whatsoever. As far as the hours, they would start at 6:00 a.m., and were back by 6:00 p.m. The lot was vacant all day long. You did not have to look at anything. He said that they all bought their homes knowing full well that was what was there. They have all learned their lesson taking somebody at their word. They were told at the time by the builder that they had

intentions at that time of buying the property and putting in U-Store-It garages, fencing it in and make it a nice desirable area.

LITTLE said that since Mr. Clarke has bought the property, it has gone downhill in a hurry. The problem that they have was not bad at first. It started out with 10 to 15 cars that were being worked on and then they were gone. Now they have tow trucks coming in all times of the day and night with big lights on, lighting up back yards; their speakers going. He mentioned that one morning at 2:00 a.m., one of the neighbors had to call the police because one of the tow trucks came in with the stereo playing full blast. He said that Monday night when they attended the CPO meeting, they counted over 120 vehicles on the premises. Some with no doors whatsoever, totally annihilated so that they will never be on the street again. LITTLE mentioned that the applicant proposes an 8-foot fence, and on his petition he put stars by the names of people that have bi-level and tri-level homes, and a 24-foot fence will not help some of them; they will be sitting in their back yards or on their decks looking right into a salvage yard. In the winter they have had rats as big as cats in their back yards. LITTLE added that one neighbor has had trouble since the cars that are hauled in are disabled, leaking gas, anti-freeze and oil, and they are sitting higher than his property. All of the runoff water runs into his yard and he has trouble growing grass. He said that he could not see how property can be improved by putting a salvage yard inside the City of Wichita.

JERRY REECE, Mid Kansas Federal Savings and Loan, speaking in opposition, stated that they needed a clarification as to where 2405 South Capri is located. It looks like an empty lot, but the truth is a full one-half of it is occupied by condominiums. REECE said that, 1) he could not see any advantage to having a special permit use to establish an auto wrecking and salvage yard if that it is not going to be; 2) if they have a controlling fence, and he has two-story levels, he did not see what advantage the fence is to him; 3) it does nothing but tear down property values to have this type of property adjacent to residences. It is compatible going to the west, but it certainly is not compatible going to the east or south. REECE said that looking at the pictures speaks for themselves as to what is going on there, whether it is being used for a salvage operation or a storage operation. The vehicles are being dismantled, torn apart and brought in in whatever condition; the numbers of them are only growing. It is going to do nothing but deteriorate the property values, and asked that the request be denied.

RANDY ALEXANDER, President of Highland Homeowners Association, pointed out that all of the access to the undeveloped area is through the Highlands. He said that half of the acreage there is not developed, and there is not a contractor or developer in his right mind that would come in and try to develop it because of what he has facing him for the reason that the Homeowners Association will not allow a lot of access through their place to some commercial use. He did not see where the fencing would help even the low rise twin homes.

DON FREE, 8506 Scott, speaking in opposition, stated that his concern was the number of cars parked there, and have been there for over the last

three years. FREE said that he put up an 8-foot fence in 1984 so that he would not have to look at the trucks. He said that he was definitely opposed to this request.

CLARKE responding to some of the allegations, stated that the old building had been there for a number of years, and if there were any rats around, he was sure they would be wanting a warm place to hide and get into. He does not have any rats in his shop. CLARKE said that he has not had any complaints. He owns a home and if one of his neighbors was doing something he did not like, he would sure talk to them about it. CLARKE said that they were not working on cars outside, and they are not salvaging cars. He said that he was sorry about the loud radio blasting that time of night, and if he had known about it, he would have done something about it.

GARDNER commented that there is an insurance storage yard on 53rd Street west of the bus yard and fire station. There is a storage yard on 21st Street south of Sutherland Lumber. There is a storage yard south of that in the industrial corridor that is south of 21st Street along the old Canal. Every one of them, at one time or the other, took a special permit to establish, and every one of them has been as close to resembling what a typical salvage yard is as you are likely to find. There are accumulated inoperable vehicles which sit for long periods of time. Those are the kind of things if it looks like a duck, walks like a duck and quacks like a duck, but legally its "just a storage yard," you need to watch. He said that he does not know of any of those that have occurred that have been positive influences. Anytime you accumulate vehicles that are damaged and wrecked and stored for lengths of time, you have what borders on a blighting influence, particularly if it is adjacent to residential. This happens to abut recent single family construction, that while it is in admittedly a risky location near a tank farm and industrial zoning, it still is not the right place to introduce a more blighting influence by issuing a special permit even if other uses that are worse could occur there. It is probably the worse flavor of spot zoning that you can find if you go in and introduce this kind of blighting influence adjacent to recent residential. There must be a hundred other locations in town of industrial zoning and surrounding industrial uses that would accommodate this without it being equally as damaging as it will be here.

MOTION: Having considered the factors as contained in Policy Statement No. 10; taking into consideration the heavily blighting influence the use would have on the predominately residential developed and zoned area; and the detrimental affects on property nearby; and considering the strong neighborhood opposition; I move that we recommend to the governing body that this application be denied. Gardner moved, Crockett seconded and it carried unanimously. Miles was not present. Moore and Turner were absent.

THE CITY OF WICHITA

OFFICE OF Citizen Participation DATE May 17, 1988

TO Jack Galbraith, Chief Planner, Current Plans

FROM Barry L. Carroll, Administrative Aide III ^{BLC}

SUBJECT DR 88-3: South side of Oak
 Knoll $\frac{1}{4}$ mile east of Rock Road

On Monday, May 16, CPO East Side Neighborhood Council 2B considered the captioned case, a request for a Special Use Permit to establish an Auto Wrecking and Salvage Yard on property zoned the "E" Light Industrial District.

Council members were provided the notice to adjoining property owners, a map of the area and MAPD staff comments. After extensive discussion, the Council voted 5-0 to recommend disapproval of the request.

The agent, J. Dallas Tyler, 8401 Oak Knoll, was present to describe the request and respond to questions from the Council. Mr. Tyler stated that the applicants did not intend to use the property as a salvage yard but only to store wrecked or impounded vehicles, for a maximum of 90 days, until the vehicles could be properly and legally disposed of.

There was considerable neighborhood opposition to the request. A petition was presented to the Council from the Highlands Home Owners' Association opposing the request. The area residents expressed dissatisfaction with the existing use and did not want the special use permit granted. (See attachment)

Please provide the Council's recommendation to the MAPC and City Council when case DR 88-3 is considered.

BLC:dm
Attachment

RECEIVED

MAY 20 1988

METROPOLITAN PLANNING

ROUTE

May 8, 1988

NOTICE OF OPPOSITION

Case No.: DR 88-3

Address: 8401 Oak Knoll.

Legal

Description: Lot 1, Block A, Gray Lines 2nd Addition, Wichita, Sedgwick County, Kansas. Generally located on the south side of Oak Knoll street approximately 1/4 mile east of Oak Road.

Request: Special Use Permit to Establish an Auto Wrecking and Salvage Yard on Property Zoned the "E" Light Industrial District.

Statement of Opposition:

"We the undersigned do here by express opposition to the granting of a Special Use Permit to Establish an Auto Wrecking & Salvage Yard located on the above described property and urge that the Special Use permit be denied for the reasons listed below"

- 1) Such a use is not compatible with the existing residential surroundings.
- 2) Such a use will have a negative effect on future development of adjacent un-developed areas. (Zoned Residential)
- 3) Such a use will have a devastating effect on the property values as well as destroy the desirable living environment of the existing residential community.

Case No. DR 88-3

Name	Address	Unit #
<i>Paul J. Maganda</i>	2405 Capri	103
<i>Cheryl Pittman</i>	2405 Capri	302
<i>Wendy Pittman</i>	"	102
<i>Franklin J. King</i>	2405 Capri	102
<i>Edward M. Quirk</i>	2405 Capri	205
<i>Don Roach</i>	2405 Capri	#106
<i>Shirley</i>	2405 Capri	#104
<i>G. C. Sullivan</i>	2405 Capri	#501
<i>Wanda Stephenson</i>	2405 Capri	#405
<i>Elizabeth F. Felt</i>	2405 Capri	#503
<i>SPRATT</i>	2405 Capri	#206
<i>POPP</i>	2405 Capri	#202
<i>S. A. Buller</i>	2405 Capri	#2505
<i>Tom Healy</i>	2405 Capri	#403
<i>Sheila</i>	"	#401
<i>Jim Colson</i>	"	#103
<i>Daniel T. Coynes</i>	"	#1103
<i>Phyllis McKee</i>	2405 Capri	#7005
<i>Eric Schaeffer</i>	2405 Capri	#1206
<i>Michael G. Schmidt</i>	2405 Capri	#1001
<i>Ruby J. Murray</i>	2405 Capri	#1003

**NOTICE OF
CONDITIONAL ACCEPTANCE
FOR ISSUANCE OF RESTRICTED SPECIAL USE PERMIT**

Case No.: DR 88-3

Address: 8401 Oak Knoll.

Legal

Description: Lot 1, Block A, Bray Lines 2nd Addition, Wichita, Sedgewick County, Kansas. Generally located on the south side of Oak Knoll street approximately 1/4 mile east of Oak Road.

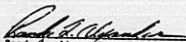
Request: Special Use Permit to Establish an Auto Wrecking and Salvage Yard on Property Zoned the "E" Light Industrial District.

**Statement of
Conditional
Acceptance:**

To prevent protest action by the Highlands Homeowners Association concerning the granting of a [Restricted] Special Use Permit to Establish a "Restricted Use - Auto Wrecking & Salvage Yard" located on the above described property, the following "Use Restrictions & Conditions" must be accepted in legally binding form by the applicant(s):

- 1) All applicable building and fencing requirements shall be applied to the above property with additional screening installed (as per code specifications as to height etc.) along East property line, to extend to the back line of front utility easement.
- 2) No dismantling, wrecking, crushing or compaction of vehicles shall take place upon above described property.
- 3) No stacking of vehicles upon each other shall be allowed.
- 4) Storage area shall be kept clean, free of debris.
- 5) Vehicles shall be parked/stored in a standard parking lot configuration. (No bumper to bumper parking)

Signed:


Randy L. Alexander, President
Highlands Homeowners Association



FOCHT, HUGHEY, HUND & CALVERT

ATTORNEYS AT LAW
SUITE 300 BROOKER PLAZA
807 NORTH WACO
WICHITA, KANSAS 67203

TELEPHONE
(316) 269-9055

JACK FOCHT
ROGER D. HUGHEY
EDWARD J. HUND
DAVID P. CALVERT

RICKY E. BAILEY
CHRISTINE M. TAMBURINI

June 13, 1988

RECEIVED

JUN 14 1988

METROPOLITAN PLANNING

ROUTE

City Council
c/o Dale Rea, Deputy City Clerk
City Hall - Second Floor
455 North Main Street
Wichita, Kansas 67202

Re: Harold L. Clarke and Carol J. Clarke
MAPC Case No. DR 88-3
Special Permit for "auto wrecking and salvage yard"
8401 Oak Knoll

Dear Council Members:

We represent Harold L. Clarke and Carol J. Clarke, the applicants for the special permit in this case and the owners of the subject property. This letter contains additional information for the record and for your consideration.

At the Planning Commission public hearing on May 26, 1988, after the Commission closed discussion to the public and confined discussion to the bench, it became clear that the Commission had missed a very significant point presented by both the Staff and the applicant: that the property has not been used for dismantling vehicles, is not being used for that purpose and will not be used for that purpose. The proposed permit will simply allow the property to be used for storage of vehicles, and the restrictions proposed by the Planning Department Staff will prevent the problems apparently of the most concern to nearby property owners.

The Staff proposed to limit the use by imposing the following restrictions on the special permit:

1. No vehicles dismantling or salvaging, only impoundment.
2. 8 Foot high solid fence completely surrounding the storage yard. (estimated cost to owner of over \$17,000.00)
3. No impounded vehicles to be stored outside the fenced area.
4. Vehicles shall not be stacked.

City Council
Re: Harold L. Clarke and Carol J. Clarke
MAPC Case No. DR 88-3
June 13, 1988
Page 2

Part of the problem is the City Code terminology, which does not reflect the reality of the situation. The necessity for a special permit for the present use of the property arises from Code Section 28.04.124, which uses the words "auto wrecking and salvage yards." The present use is neither an auto wrecking yard or a salvage yard as the terms are commonly understood. But the City Code definition (for licensing purposes) of "motor vehicle wrecking" is what brings this matter before you.

"'Motor vehicle wrecking' means... anyone who stores... three or more motor vehicles... which for more than thirty days have not been capable of operation under their own power." Code Section 3.48.001.

One concern voiced (for the first time by anyone) by Commissioner Gardner was that vehicles might remain on the site indefinitely. He made reference to several locations in the City where there are true "junk yards," final resting places of used-up or wrecked cars. The subject property is different from those. The subject property is where vehicles (stolen or abandoned and not just wrecked cars) impounded by law enforcement authorities are kept on a short term basis until they are picked up by their owners or insurance companies or are sold at one of the auctions held periodically by law enforcement agencies, when the damaged cars are usually sold and removed to one of those "junk yards." The subject property is an intermediate stop for impounded cars, not the final resting place. Since the special permit would prohibit dismantling or salvaging, there would be no incentive whatsoever to keep a vehicle for longer than is required to get it sold and moved off the site.

Since the length of time of vehicle storage has surfaced as a concern, Mr. and Mrs. Clarke would be willing to submit to an additional restriction on the special permit:

"5. No impounded vehicle shall remain on the site for longer than 180 days."

Mr. and Mrs. Clarke do not become the owners of the impounded vehicles when they are delivered - they continue to be the property of the vehicle owner and are in the custody of law enforcement agencies until auctioned by the agencies or sold to

City Council
Re: Harold L. Clarke and Carol J. Clarke
MAPC Case No. DR 88-3
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Page 3

pay storage. Auctions are held at the discretion of the agencies, currently three or four times each year, so a six month move-out requirement should be adequate and is a reasonable protection for those neighboring property owners who are residents.

Very truly yours,

FOCHT, HUGHEY, HUND & CALVERT

Roger D. Hughey

RDE/mav

cc: Harold L. and Carol J. Clarke ✓
Mrs. Louise Oliverez, MAPD ✓

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION

CITY HALL - TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202
(316) 268-4561

May 27, 1988

Roger D. Hughey, Attorney
807 N. Waco, Suite 300
Wichita, KS 67203

Re: DR 88-3 - Special permit for an auto wrecking and salvage yard

Dear Mr. Hughey:

At its regular meeting on May 26, 1988, the Metropolitan Area Planning Commission considered the above-captioned special use request. The action of the Planning Commission was to recommend that the application not be approved.

This matter will be forwarded to the City Council for consideration at their regular meeting on June 21, 1988. This meeting will be held in the City Council Chambers, First Floor, City Hall, 455 North Main, Wichita, Kansas, beginning at 9:00 a.m. We would remind you that Planning items are considered after all other matters of business. In recognition of the official public hearing held by the Planning Commission, the City Council does not permit additional debate by proponents or opponents of zone change requests.

Sincerely yours,

Jack Galbraith
Jack Galbraith
Chief Planner

JG/jcm

cc: Harold L. & Carol J. Clarke, 2347 Richfield, Wichita, KS 67207
Randy Alexander, 2405 Capri, #103, Wichita, KS 67210
Mark Little, 8524 Scott, Wichita, KS 67210
Jerry Reese, Mid-Kansas Federal Savings & Loan, 230 S. Market,
Wichita, KS 67202
Don Free, 8506 Scott, Wichita, KS 67210

FILE COPY

Re: DR 88-3

Jack -

Roger Hughes said
the auto auctions are
held at this site by the
Police Department
4 times a year on a
weekday during
mid-day. There is
an auctioneer. No
concessions are sold.

Lt. Sheffler of WPD Property
& Evidence (268-4145)
handles this business.
if we want to ask him
any more questions.

Sounds ^{pretty} reasonable records.
How about typing down the
auto auction in terms of
of events, time of day, etc.
Is there sufficient parking?

"An absolutely brilliant memo" — NY TIMES
"Clear...concise...to the point" — FORTUNE
"Masterful use of the language" — ATLANTIC

83153 © 1999 Inc.

PK

BACKGROUND: The applicant has requested a special permit to allow an auto wrecking and salvage yard in the "E" district in accordance with 28.04.184 of the Zoning Ordinance. The applicant has a contract with the Wichita police, County sheriff and State highway patrol to tow and store abandoned and wrecked vehicles until such time as the insurance adjuster has examined the vehicle or the owner has claimed it or it has been sold at auction. In a letter to neighboring property owners, the applicant stated that he does not do or intend to do any salvaging or wrecking of the vehicles, only storage. Section 3.48.001 of the City Code defines "motor vehicle wrecking" to include the storage of 3 or more inoperable vehicles for more than 30 days.

A portion of this property was rezoned from suburban residential to light industrial in 1971, with the balance being rezoned in 1981. The property was annexed in 1982. It was previously owned and used by a trucking company. The residential subdivision was platted south and east of this site in 1979. Although a large lot full of inoperable or wrecked vehicles is not compatible with residential development, with proper screening and conditions of operation, it may be no worse than some uses permitted outright in the "E" district.

CASE HISTORY: SCZ-0272 - "R-1" to "E" approved in 1971; SCZ-0493 - "R-1" to "E" approved in 1981.

ADJACENT ZONING AND LAND USE:

NORTH	"B"	Undeveloped and street intersection
SOUTH	"AA"	Single-family houses
EAST	"R-6"	Garden apartment condominiums
WEST	"E"	Oil storage tank farm

PUBLIC SERVICES: City water is available to serve this site, but not sanitary sewer. Oak Knoll is a two-lane road which has adequate right-of-way.

CONFORMANCE TO PLANS/POLICIES: The Comprehensive Plan identifies this area as vacant or agricultural.

RECOMMENDATION: If the Planning Commission determines that this "auto wrecking"/vehicle impoundment use is appropriate at this location, the following are recommended conditions of approval of the special use permit:

1. There shall be no dismantling of vehicles or salvaging of vehicle parts at this site, only the impoundment of vehicles.
2. The applicant shall construct an 8-foot high solid wood or masonry fence along the south property line and along the east and west property lines as far north as the front line of the existing building. The fence shall continue in an east-west direction to the northeast and northwest corners of the existing building. All gates shall be of solid material.
3. No impounded vehicles shall be stored outside the fenced area, as required above.
4. Vehicles shall not be stacked.

PROPERTY OWNER NOTICES

CASE NO. DR 88-3

DATE OF MAILOUT: 5-2-88

64

Property Owners

2

Applicant and Agent

3

CPO, Vicky Huang, and City Council Member

4

Jack, Louise, Bob and Karen

1

File Copy

74

TOTAL

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION
CITY HALL, TENTH FLOOR, 455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688

May 2, 1988

NOTICE OF PUBLIC HEARING

Case No.: DR 88-3.

Location: On the south side of Oak Knoll approximately $\frac{1}{4}$ -mile east of Rock Road.

Address: 8401 Oak Knoll.

Request: Special Use Permit to Establish an Auto Wrecking and Salvage Yard on Property Zoned the "E" Light Industrial District.

A public hearing to consider the above noted request has been scheduled before the Wichita-Sedgwick County Metropolitan Area Planning Commission (MAPC) on Thursday,

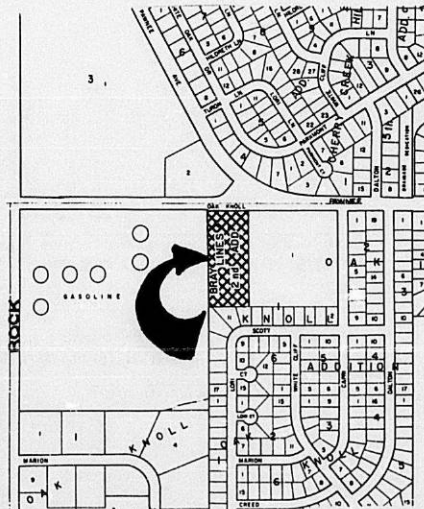
MAY 26, 1988

The meeting will begin at 1:30 p.m. in the City Council Chambers, First Floor, City Hall, 455 North Main, Wichita, Kansas.

As an owner or occupant of property in the area, you have the right to appear at the MAPC meeting, either in person or by agent or attorney, to support or oppose this request. If you have no interest in or objection to the request, you have no obligation to appear at the public hearing.

If you have any questions or wish additional information about this case, please call the Planning Office at 268-4421.

NOTE: We have been advised by the Citizen Participation Organization staff that CPO Eastside Neighborhood Council "2B" will consider this case at their meeting to be held on Monday, May 16, 1988, at 7 p.m., at the Capitol Federal Savings and Loan Building, 8040 East Douglas. Additional information regarding this CPO meeting may be obtained by calling the CPO office at 268-4516.



SEE REVERSE SIDE

LEGAL DESCRIPTION OF THE AREA PROPOSED TO BE CHANGED

CASE NO. DR 88-3

Special Use Permit to Establish an Auto Wrecking
and Salvage Yard on Property Zoned
the "E" Light Industrial District

Lot 1, Block A, Bray Lines 2nd Addition, Wichita, Sedgwick County, Kansas.
Generally located on the south side of Oak Knoll approximately 1/4-mile east of
Rock Road.

Most Restrictive



Least Restrictive

Wichita

DISTRICT	NAME OF DISTRICT AND USES PERMITTED
R	RURAL RESIDENTIAL Agriculture and One Family Dwellings
R-1	SUBURBAN RESIDENTIAL Agriculture, One Family Dwellings, Schools and Churches
AA	ONE FAMILY DWELLING Agriculture, One Family Dwellings, Schools and Churches
BB	OFFICE All Uses Permitted in More Restrictive Zones and Business and Professional Offices
OC	OFFICE COMMERCIAL Offices, Limited Retail and Service Uses Operated Within a Building.
LC	LIGHT COMMERCIAL All Uses Permitted in More Restrictive Zones and Purely Retail Businesses Operated Within a Building
C	GENERAL COMMERCIAL All Uses Permitted in More Restrictive Zones Plus All Commercial Uses
E	LIGHT INDUSTRIAL All Uses Permitted in More Restrictive Zones Plus Industrial Uses Which Do Not Create Hazards or Nuisance From Fire, Dust, Odor or Smoke***
F	HEAVY INDUSTRIAL Any Use. Some as Conditional Uses***

***Mobile home parks and trailer camps are not permitted.

CASE NO. DR 88-3

Special Use Permit to Establish an Auto Wrecking
and Salvage Yard on Property Zoned
the "E" Light Industrial District

Lot 1, Block A, Bray Lines 2nd Addition, Wichita, Sedgwick County, Kansas.
Generally located on the south side of Oak Knoll approximately ¼-mile east of
Rock Road.

PL/6514/4

APPLICATION FOR SPECIAL PERMIT

DR 88-3

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION

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

1. The names of the owners of all property included in this application must be listed as applicants. Contract purchasers, leasees or others directly associated with the property may also be listed if they desire to be advised of the proceedings.

A. APPLICANT Harold L. Clarke and Carol J. Clarke
 ADDRESS 2347 Richfield Zip Code 67207 PHONE 685-2721
685-9355
 AGENT Roger D. Hughey Attorney-at-Law
 ADDRESS 807 N. Waco, Suite 300 Zip Code 67203 PHONE 269-9055

B. APPLICANT _____
 ADDRESS _____ Zip Code _____ PHONE _____
 AGENT _____
 ADDRESS _____ Zip Code _____ PHONE _____

C. APPLICANT _____
 ADDRESS _____ Zip Code _____ PHONE _____
 AGENT _____
 ADDRESS _____ Zip Code _____ PHONE _____

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

2. A. The applicant proposes to establish a Auto Wrecking and Salvage Yard.

_____ (use)
 on property zoned E and legally described as Lot(s) 1
 _____, Block(s) A
 of the Bray Lines 2nd _____ Addition.

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

- B. There are 3.7 acres (round to nearest tenth) in the above described property.

FOR OFFICE USE ONLY

Map No. 6044D Zoning (N) B (S) AA (E) R-6 (W) E MAPC 5-26-88

CPO 2B 5-10-88

T9-212-2

see 28.04.184

(no legal advertisement required)

Revised 9/86

mail-cut 4-22-88

3. This property is located at (address) 8401 Oak Knoll, Wichita, KS 67207

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

~~A.~~ At the Southeast corner of Pawnee and

Oak Knoll, OR

✓ B. On the South side of Oak Knoll (Ave.) ^{approx 1/4-mile} Street between east of Rock Road (Ave.) Street and _____ (Ave.) Street.

The property included in this application is zoned E-light industrial (ZONING DISTRICT CLASSIFICATION).

4. We request this special permit for the following reasons:

To store Wichita Police Department, Sedgwick County Sheriff's Office and Kansas Highway Patrol impounded and wrecked vehicles until the owners can reclaim or vehicles be sold at public auction held by the City.

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

HAROLD L. CLARKE
APPLICANT'S SIGNATURE

BY Ron D. Wagner, Attorney
AUTHORIZED AGENT (IF ANY)

CAROL J. CLARKE
APPLICANT'S SIGNATURE

BY Ron D. Wagner, Attorney
AUTHORIZED AGENT (IF ANY)

APPLICANT'S SIGNATURE

BY _____
AUTHORIZED AGENT (IF ANY)

OFFICE USE ONLY

This application was received at the Planning Department at 11:30
(AM, PM) on April 15, 1988 (day, month, year). It has been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ 150.00.

Louise Olivarez Name
Principal Planner Title

O W N E R S H I P L I S T

Lot	Block	Addition	Property Owner
<i>Belmont</i> Lot 1	Block A	Bray Lines 2nd Addition	<i>John</i> Harold L. Clarke Carol J. Clarke 2347 Richfield Wichita, KS 67207
Lot 5	Block 1	Oak Knoll Addition	X Lei Yao Linda Yao 8530 Scott Wichita, KS 67210
Lot 6	Block 1	"	X Fredrick R. Hurst Cathy L. Hurst 8528 Scott Wichita, KS 67210
Lot 7	Block 1	"	X Elizabeth Ann Clark Paul Benjamin Clark Jr. 8526 Scott Wichita, KS 67210
Lot 8	Block 1	"	X Mark Allen Little Cynthia Ann Little 8524 Scott Wichita, KS 67210
Lot 9	Block 1	"	X Robert B. Bush Jennifer Bush 8518 Scott Wichita, KS 67210
Lot 10	Block 1	"	X Michael F. Marchand Barbara A. Marchand 8512 Scott Wichita, KS 67210
Lot 11	Block 1	"	X Donald L. Free Kathy L. Free 8506 Scott Wichita, KS 67210
Lot 12	Block 1	"	X Mitchell L. Self Margaret E. Self 2503 Lori Lane Wichita, KS 67210
Lot 13	Block 1	"	X Joan T. Goetz Lisa Faye Hughey 2511 Lori Lane Wichita, KS 67210
Lot 14	Block 1	"	X Mid Kansas Federal Savings & Loan Association of Wichita 230 S. Market Wichita, KS 67202
Lot 4	Block 6	"	X Thomas E. Snodgrass Kathleen R. Snodgrass 2515 White Cliff Wichita, KS 67210

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lot 5	Block 6	Oak Knoll Addition	X William Lee McMillan Nanci Joan McMillan 2503 White Cliff Wichita, KS 67210
Lot 6	Block 6	"	X Rick V. Barton X Tamara S. Benyshek 8527 Scott Wichita, KS 67210
Lot 7	Block 6	"	X Jan F. Sayed X Gulnor B. Sayed 8521 Scott Wichita, KS 67210
Lot 8	Block 6	"	X David McDowell Graves X Pamela S. Graves 8515 Scott Wichita, KS 67210
Lot 9	Block 6	"	✓ Douglas K. Wareing Donna R. Wareing 8503 Scott Wichita, KS 67210
Lot 10	Block 6	"	X Joseph Michael Brown X Judy L. Brown 8522 Lori Court Wichita, KS 67210
Lot 11	Block 6	"	X James Anderson X Hope L. Anderson 2526 Lori Court Wichita, KS 67210
Lot 12	Block 6	"	X Paul Ernest Golden X Johnna Sue Golden 2530 Lori Court Wichita, KS 67210

The Highlands, a Condominium, being a portion of Lot 1,
Block 1, Oak Knoll Addition

Building A-1

Unit 301	Mid Kansas Federal Savings & Loan Association of Wichita 230 S. Market Wichita, KS 67202
Unit 302	X Larry J. Stawar X #302, 2405 Capri Wichita, KS 67210
Unit 303	X Daniel C. King X #303, 2405 Capri Wichita, KS 67210

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
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The Highlands, a Condominium, being a portion of Lot 1,
Block 1, Oak Knoll Addition

Building A-1

Unit 304

dup
Mid Kansas Federal
Savings & Loan
Association of Wichita
230 S. Market
Wichita, KS 67202

Building A-2

Unit 101

X James B. Phillips
#101, 2405 Capri
Wichita, KS 67210

Unit 102

Larry J. Stawar
and
X Michael G. Flach
#102, 2405 Capri
Wichita, KS 67210

Unit 103

X Randy L. Alexander
#103, 2405 Capri
Wichita, KS 67210

Unit 104

X Stanley L. Behnke
Shelley M. Behnke
#104, 2405 Capri
Wichita, KS 67210

Building A-3

Unit 701

dup
Mid Kansas Federal
Savings & Loan
Association of Wichita
230 S. Market
Wichita, KS 67202

Unit 702

X Marceline Piper
#702, 2405 Capri
Wichita, KS 67210

Unit 703

dup
Mid Kansas Federal
Savings & Loan
Association of Wichita
230 S. Market
Wichita, KS 67202

Unit 704

X Harold E. Hampton
Debra Diane Hampton
#704, 2405 Capri
Wichita, KS 67210

Building B-1

Unit 201

X Stephen W. Peacock
#201, 2405 Capri
Wichita, KS 67210

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
The Highlands, a Condominium, being a portion of Lot 1, Block 1, Oak Knoll Addition			
<u>Building B-1</u>			
Unit 202			<i>dup</i> Mid Kansas Federal Savings & Loan Association of Wichita 230 S. Market Wichita, KS 67202
Unit 203			X Lee Anne Folck #203, 2405 Capri Wichita, KS 67210
Unit 204			<i>dup</i> Mid Kansas Federal Savings & Loan Association of Wichita 230 S. Market Wichita, KS 67202
Unit 205			X Eleanor M. Quelch #205, 2405 Capri Wichita, KS 67210
Unit 206			X Peter MacDaniel Wilson #206, 2405 Capri Wichita, KS 67210
<u>Building B-2</u>			
Units 601, 602, 603 & 604			
Unit 605			<i>dup</i> Mid Kansas Federal Savings & Loan Association of Wichita 230 S. Market Wichita, KS 67202
Unit 606			X Gary D. Crown Jill A. Crown #605, 2405 Capri Wichita, KS 67210
Unit 606			X W. Richard Nelson Jr. #606, 2405 Capri Wichita, KS 67210
<u>Building C-1</u>			
Unit 401			X James Joseph Jr. #401, 2405 Capri Wichita, KS 67210
Unit 402			X Sandra L. Cary #402, 2405 Capri Wichita, KS 67210
Unit 403			X Pamela Jean Schonrock #403, 2405 Capri Wichita, KS 67210

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
The Highlands, a Condominium, being a portion of Lot 1, Block 1, Oak Knoll Addition			
<u>Building C-1</u>			
Unit 404			X Kathleen A. Loehr #404, 2405 Capri Wichita, KS 67210
Unit 405			X Gloria G. Stephens #405, 2405 Capri Wichita, KS 67210
Unit 406			X Michael G. Malsam #406, 2405 Capri Wichita, KS 67210
<u>Building C-2</u>			
Unit 501			X Roy C. Sinclair #501, 2405 Capri Wichita, KS 67210
Unit 502			X Rod L. Radcliffe #502, 2405 Capri Wichita, KS 67210
Unit 503			X Elizabeth A. Flynt #503, 2405 Capri Wichita, KS 67210
Unit 504			X Mid-Continent Federal Savings & Loan Association of El Dorado 124 W. Central El Dorado, KS 67042
			X Notice of Interest filed 12-29-86: Wanda L. Hurt #504, 2405 Capri Wichita, KS 67210
Unit 505			Slattery X David E. Wiseman #505, 2405 Capri Wichita, KS 67210
Unit 506			X Carla Slattery #506, 2405 Capri Wichita, KS 67210
<u>Building C-3</u>			
Unit 1001			X Michael Kirk Schminke Susan J. Schminke #1001, 2405 Capri Wichita, KS 67210
Unit 1002			dup Mid Kansas Federal Savings & Loan Association of Wichita 230 S. Market Wichita, KS 67202

Lot	Block	Addition	Property Owner
The Highlands, a Condominium, being a portion of Lot 1, Block 1, Oak Knoll Addition			
<u>Building C-3</u>			
Unit 1003			X Ruby J. Murray #1003, 2405 Capri Wichita, KS 67210
Unit 1004			X Doreen A. Meier #1004, 2405 Capri Wichita, KS 67210
Unit 1005			dup Mid-Continent Federal Savings & Loan Association of El Dorado 124 W. Central El Dorado, KS 67042
<u>Building C-4</u>			
#801			X Fern M. Stover #801, 2405 Capri Wichita, KS 67210
#802			dup Mid Kansas Federal Savings & Loan Association of Wichita 230 S. Market Wichita, KS 67202
#803			X Cathy J. McGee #803, 2405 Capri Wichita, KS 67210
#804			dup Mid Kansas Federal Savings & Loan Association of Wichita 230 S. Market Wichita, KS 67202
#805			X Shirley A. Murar Edward R. Moses IV #805, 2405 Capri Wichita, KS 67210
#806			X David D. Houston Jr. Emily P. Houston #806, 2405 Capri Wichita, KS 67210
<u>Building D-1</u>			
Unit 1101			dup Mid Kansas Federal Savings & Loan Association of Wichita 230 S. Market Wichita, KS 67202
Unit 1102			X Daniel T. Cosgrove #1102, 2405 Capri Wichita, KS 67210

Lot	Block	Addition	Property Owner
The Highlands, a Condominium, being a portion of Lot 1, Block 1, Oak Knoll Addition			
<u>Building D-1</u>			
Unit 1103			Jere J. Coleman #1103, 2405 Capri Wichita, KS 67210
Unit 1104			Jean N. Roller #1104, 2405 Capri Wichita, KS 67210
Unit 1105			Jeffrey J. Farrell #1105, 2405 Capri Wichita, KS 67210
Unit 1106			Mid Kansas Federal Savings & Loan Association of Wichita 230 S. Market Wichita, KS 67202
<u>Building E-2</u>			
Units 1201, 1202, 1203, 1204, 1205 and 1206			Tradition Homes Inc. 2406 Capri Wichita, KS 67210
<u>Building E-1</u>			
Units 2801, 2802, 2804, 2805 and 2806			Same As Above
Unit 2803			Patrick L. Dobey Billie Jean Dobey #2803, 2405 Capri Wichita, KS 67210

The common areas in The Highlands, a condominium are owned by the owners of the individual units, each unit owner receiving an interest in the common areas at the same time he acquires title to his unit.

Part of Lots 1 and 2, Block 3, Cherry Creek Hills, an Addition to Wichita, Kansas, described as beginning at a point on the Northeasterly line of said Lot 2, said point being 185 feet Northwesterly from the eastern most corner thereof; thence Southwesterly on a line radial to the Northeasterly line of said Lot 2, a distance of 79.6 feet to a point 184 feet North of the South line of said Lot 2; thence West parallel with the South line of said Lot 2, 135.2 feet; thence Northwesterly 571.04 feet to a point 731.16 feet North and 903.93 feet East of the Southwest Corner of the SW $\frac{1}{4}$, Section 32, Township 27 South, Range 2 East; thence West parallel with the South line of said Lot 1, 258.77 feet; thence North parallel with the West line of said Lot 1, 184 feet; thence East parallel with the South line of said Lot 1, 371.65 feet to the Easterly line of said Lot 1; thence Southeasterly along the Easterly line of said Lots 1 and 2, 731.38 feet to the point of beginning.

Oak Knoll Village Co.,
a joint venture
Suite 200
225 N. Market
Wichita, KS 67202

Lot	Block	Addition	Property Owner
<p>Part of Lots 1 and 2, Block 2, Cherry Creek Hills, an Addition to Wichita, Kansas, described as commencing at the Eastern most corner of said Lot 2; thence Northwesterly along the Northeasterly line of said Lot 2, 185 feet; thence Southwesterly on a line radial to the Northeasterly line of said Lot, 79.60 feet to a point 184 feet North of the South line of said Lot 2; thence West parallel with the South line of said Lot 2, 135.2 feet for a place of beginning; thence continuing West parallel with the South line of said Lots 2 and 1, 391.01 feet; thence Northwesterly 280.54 feet to a point 473.16 feet North and 645.16 feet East of the SW Corner of the SW$\frac{1}{4}$, Section 32, Township 27 South, Range 2 East; thence North parallel with the West line of said Lot 1, 258 feet; thence East parallel with the South line of said Lot 1, 258.77 feet; thence South-easterly 571.04 feet to the place of beginning.</p>			<p>Oak Knoll Village Co., <i>dup</i> a joint venture Suite 200 225 N. Market Wichita, KS 67202</p>
<p>Part of Lots 1 and 2, Block 3, Cherry Creek Hills, an Addition to Wichita, Kansas, described as beginning at a point on the South line of said Lot 1, said point being 375.16 feet East and 40 feet North of the SW Corner of the SW$\frac{1}{4}$, Section 32, Township 27 South, Range 2 East; thence East and Northeasterly along the South line of said Lot 1 and 2 to the Eastern most corner of said Lot 2; thence Northwesterly along the Northeasterly line of said Lot 2, 183 feet; thence Southwesterly on a line radial to the Northeasterly line of said Lot 2, 79.6 feet to a point 184 feet North of the South line of said Lot 2; thence West parallel with the South line of said Lots 2 and 1, 526.21 feet; thence Northwesterly 280.54 feet to a point 473.16 feet North and 645.16 feet East of the SW Corner of the SW$\frac{1}{4}$ of said Section 32; thence West parallel with the South line of said Lot 1, 320 feet; thence South parallel with the West line of said Lot 1, 148 feet; thence East parallel with the South line of said Lot 1, 50 feet; thence South 285.16 feet to beginning.</p>			<p>Same As Above</p>
<p>Lots 4, 5 and 7</p>	<p>Block 4</p>	<p>Cherry Creek Hills</p>	<p><i>X</i> Clifford A. Nies Betty J. Nies 8220 Overbrook Wichita, KS 67206</p>
<p>Lot 6</p>	<p>Block 4</p>	<p>"</p>	<p><i>dup</i> Clifford A. Nies 8220 Overbrook Wichita, KS 67206</p>
<p>Lots 1 & 3</p>	<p>Block 1</p>	<p>"</p>	<p><i>dup</i> Clifford A. Nies Betty J. Nies 8220 Overbrook Wichita, KS 67206</p>

Tract Description	Property Owner
That part of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 5, Township 28 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, described as commencing at the NE/c of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$; th. West along the North line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$ 293 feet for a point of beginning; th. South parallel with the East line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$ 440 feet; th. SW'ly 243.73 feet to a point 500.62 feet West of the East line of said NW $\frac{1}{4}$ of the NW $\frac{1}{4}$; th. 568.81 feet to the North line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$; th. East along the North line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$ 207.62 feet to the point of beginning, subject to road r/o/w on the North 40 feet.	X Conaco Pipe Line Company 600 North Dairy Ashford Houston, TX 77079
A tract in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 5, Township 28 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, described as beginning 227 feet West of the Northeast corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$; th. West 273.62 feet; th. South 573.62 feet; th. East 273.62 feet; th. North 573.89 feet to the point of beginning, EXCEPT the foregoing described tract. (Conaco Pipe Line Co.)	X Petro Fuels Corporation Suite 204, 125 N. Emporia Wichita, KS 67202
The East 500.62 feet of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 5, Township 28 South, Range 2 East of the 6th P.M., Sedgwick County, Kansas, except commencing at the Northeast corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$; th. West along the North line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$ 227 feet for a point of beginning; th. continuing West along last described line 273.62 feet; th. South parallel with the East line of said NW $\frac{1}{4}$ of said NW $\frac{1}{4}$ 573.62 feet; th. East 273.62 feet to a point 227 feet West of the East line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$ and 573.89 feet South of the North line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$; th. North parallel to the East line of the NW $\frac{1}{4}$ of said NW $\frac{1}{4}$ 573.89 feet to the point of beginning, except the North 40 feet thereof for road.	X King Louie Enterprises, Inc. Suite 800 5646 Milton St. Dallas, TX 75206

We hereby certify the foregoing to be a true and correct list of the property owners of the hereinbefore described lots and tracts within a 350 foot radius of:

Lot 1, Block A, Bray Lines 2nd Addition, Wichita, Kansas, Sedgwick County, Kansas.

as shown by the last deed of record on file in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 13th day of April, 1988, at 7:00 o'clock A.M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By

Mary Cable
Sr. Vice-President

Order No. 393325
nj

WICHITA — SEDGWICK COUNTY

METROPOLITAN AREA PLANNING
DEPARTMENT
CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688

PRESORTED
FIRST-CLASS



RECEIVED
MAY 06 1988

METROPOLITAN PLANNING
ROUTE DR 88-3
 PG 34

Gary D. and Jill A. Crown
2405 Capri, #605
Wichita, Kansas 67210

mailed to:
5/23/88 →

CRD 05 02052381 FWD TIME EXPD
CROWN
8512 HURST
WICHITA KS 67210-1929
RETURN TO SENDER

Important! Notice of Meeting Enclosed

WICHITA — SEDGWICK COUNTY

METROPOLITAN AREA PLANNING
DEPARTMENT
CITY HALL — TENTH FLOOR
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WICHITA, KANSAS 67202-1688

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METROPOLITAN PLANNING
ROUTE DR 88-3
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Rod L. Radcliff
2405 Capri, #502
Wichita, Kansas 67210

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Important! Notice of Meeting Enclosed

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING
COMMISSION

AGENDA ITEM # _____

May 26, 1988

STAFF REPORT

CASE NUMBER: DR 88-3

OWNER/APPLICANT/AGENT: Harold L. Clarke (owner/applicant)
Roger Hughey, Attorney (agent)

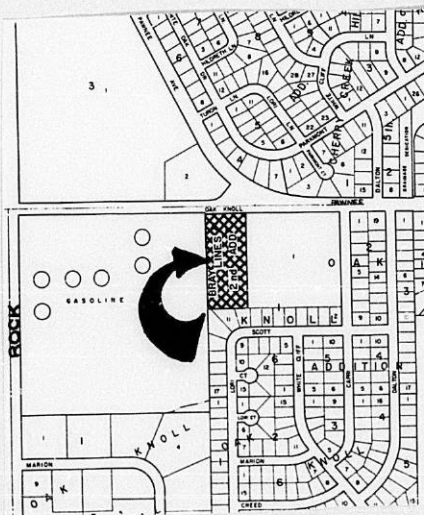
REQUEST: Special permit for an auto wrecking and salvage yard in accordance with Section 28.04.184 of the Zoning Ordinance.

CURRENT ZONING: "E" Light Industrial District

SITE SIZE: 3.7 acres

LOCATION: South side of Oak Knoll approximately 1/4-mile east of Rock Road.

PROPOSED USE: To store Wichita Police Department, Sedgwick County Sheriff's Office and Kansas Highway Patrol impounded and wrecked vehicles until the owners can reclaim them or until the vehicles can be sold at public auction.



BACKGROUND: The applicant has requested a special permit to allow an auto wrecking and salvage yard in the "E" district in accordance with 28.04.184 of the Zoning Ordinance. The applicant has a contract with the Wichita police, County sheriff and State highway patrol to tow and store abandoned and wrecked vehicles until such time as the insurance adjuster has examined the vehicle or the owner has claimed it or it has been sold at auction. In a letter to neighboring property owners, the applicant stated that he does not do or intend to do any salvaging or wrecking of the vehicles, only storage. Section 3.48.001 of the City Code defines "motor vehicle wrecking" to include the storage of 3 or more inoperable vehicles for more than 30 days.

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ADJACENT ZONING AND LAND USE:

NORTH	"B"	Undeveloped and street intersection
SOUTH	"AA"	Single-family houses
EAST	"R-6"	Garden apartment condominiums
WEST	"E"	Oil storage tank farm

PUBLIC SERVICES: City water is available to serve this site, but not sanitary sewer. Oak Knoll is a two-lane road which has adequate right-of-way.

CONFORMANCE TO PLANS/POLICIES: The Comprehensive Plan identifies this area as vacant or agricultural.

RECOMMENDATION: If the Planning Commission determines that this "auto wrecking"/vehicle impoundment use is appropriate at this location, the following are recommended conditions of approval of the special use permit:

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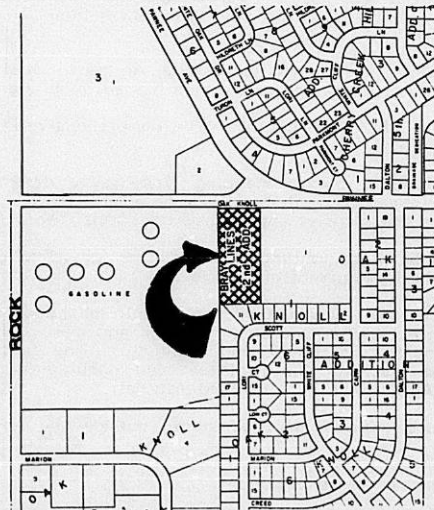
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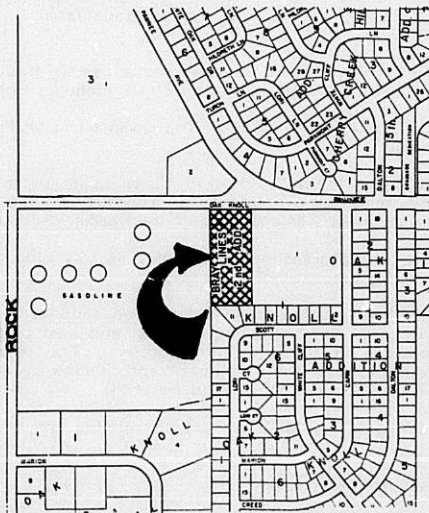
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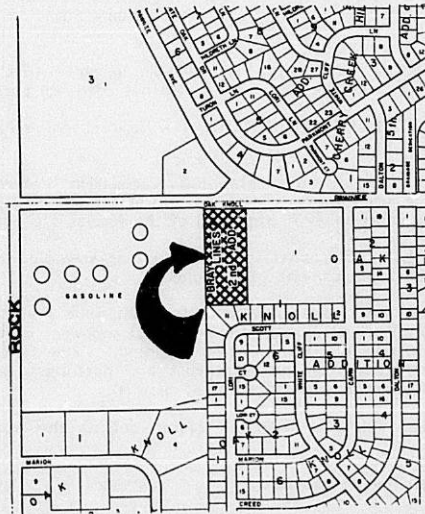
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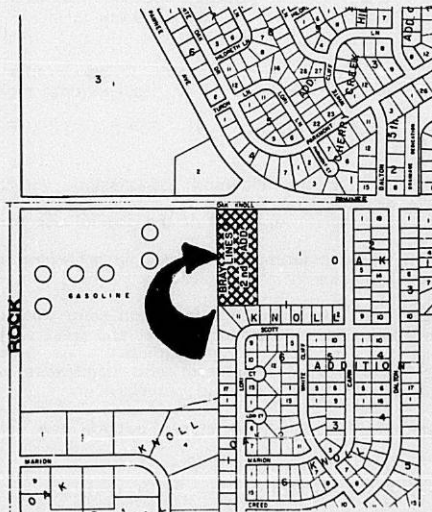
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DR 88-3 SR

Planning Agenda Item # _____

City of Wichita
City Council Meeting
June 21, 1988

Agenda Report # _____

TO: Mayor and City Council Members

SUBJECT: DR 88-3 - SPECIAL USE PERMIT TO ESTABLISH AN AUTO
WRECKING AND SALVAGE YARD ON PROPERTY ZONED THE
"E" LIGHT INDUSTRIAL DISTRICT. LOCATED ON THE
SOUTH SIDE OF OAK KNOLL APPROXIMATELY 1/4-MILE
EAST OF ROCK ROAD.

INITIATED BY: Metropolitan Area Planning Department

AGENDA ACTION: Planning

MAPC Recommendation: Deny (7-0)

Staff Recommendation: Support subject to conditions.

CPO Recommendation: Council "2B" recommended denial (5-0)

Background: On May 21, 1988, the MAPC held a public hearing to consider a special use permit to allow an auto wrecking and salvage yard in the "E" district in accordance with 28.04.184 of the Zoning Ordinance. The applicant has a contract with the Wichita police, County sheriff and State highway patrol to tow and store abandoned and wrecked vehicles until such time as the insurance adjuster has examined the vehicle or the owner has claimed it or it has been sold at auction. In a letter to neighboring property owners, the applicant stated that he does not do or intend to do any salvaging or wrecking of the vehicles, only storage. Section 3.48.001 of the City Code defines "motor vehicle wrecking" to include the storage of 3 or more inoperable vehicles for more than 30 days.

Recommendations/Actions:

1. Concur with the findings of the MAPC and deny the special use permit, or
2. Take appropriate action stating reasons.

PL/1850/2

EXCERPT FROM PLANNING COMMISSION MINUTES OF MAY 26, 1988

LEGAL:

5. Case No. DR 88-3 - Harold L. Clarke requests a Special permit for auto wrecking and salvage yard in accordance with Section 28.04.184 of the Zoning Ordinance on Lot 1, Block A, Bray Lines 2nd Addition, Wichita, Sedgwick County, Kansas. Generally located on the south side of Oak Knoll approximately 1/4-mile east of Rock Road.

GALBRAITH pointed out land use, zoning and showed slides of the general area. He reviewed the following staff report:

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DISCUSSION:

GALBRAITH stated that this application is somewhat unusual because the Commission has not frequently considered this type of request. It is a special permit in the Light Industrial district for what is referred to as a permit for auto wrecking and auto salvaging, but that is not really the intent of this applicant. This applicant has a contract with the City Police Department, the Sheriff's Department, and the Kansas Highway Patrol, to pick up abandoned and wrecked vehicles and transport them to this site, store them on the premises until they are probably adjusted by insurance agents, claimed by owners, or perhaps even stored on the premises long enough to be sold at auctions that occur four times a year. Because of the city code and the way it describes salvage yards, which is the storage of 3 or more inoperable vehicles, that is why the applicant is filing under this particular citation of the text, although he states that he has no intentions of doing wrecking and salvage operation at the site. GALBRAITH said that usually when an industrial district is developed adjacent to residential, there is a solid screening fence required. However, this industrial building was established and occupied in the County as a nonconforming use for a number of years. GALBRAITH pointed out that there could be some rather heavy machine shops and considerable outside storage on the premises probably without having to screen since this was industrially zoned in the County before being annexed into the City and has certain nonconforming use rights relative to not having to screen. The City's text, however, in this type of application for a special permit, permits the Commission to do a number of things, and one of the requirements is that the auto salvage yard must be screened from public view. GALBRAITH said that staff has had a number of phone calls relative to this case, and a concern expressed by adjacent property owners. Staff believes that the conditions can be established that substantially alter the adverse effects on this particular use versus the many uses that can already go there under "E" Light Industrial zoning.

GALBRAITH stated that CPO Council "2B" voted 5-0 to recommend that the application not be approved.

SHERMAN asked what were staff's recommendations.

GALBRAITH said that staff is somewhat in support of the application. They believe that it can be screened and have a better result than many of the uses that are already permitted in Light Industrial zoning.

HAROLD CLARKE, applicant, stated that their job is to tow in wrecked cars and anything that the City or Sheriff wanted to impound a car for is what they are using this lot for, besides repairing automobiles. They have been at this location for 3½ years and did not know there was a problem until this came up. He said that they have had the Sheriff, Highway Patrol, and the Police Department come out and inspect the lot and they said it was fine, then all of a sudden this comes up. He said that they have tried to be a good neighbor.

PARSONS asked if this property was in the County.

CLARKE said that when he bought the property it was in the County, and then he was told that it had been annexed.

ROGER HUGHEY, attorney representing the applicant, stated that the city code requires that the governing body determine that this use would not adversely affect the character of the neighborhood, but you cannot consider that in a vacuum. The first inquiry is what is a neighborhood. He said that to the west is a tank farm; this property is not inconsistent with that. In between the tank farm and the storage yard is a bus depot for Greyhound and other major highway buses. Before this was used for this purpose, it was from 1948 until 1984 used as the Bray Truck Lines and then Becker Transport out of El Dorado, which was their depot and repair facility for large trucks. From 1984 to last fall, that use was decreasing, and since then it has been used exclusively for storage of automobiles that have been impounded by law enforcement authorities. HUGHEY said that this property, very arguably, is not going to adversely affect the neighborhood, it is an improvement, and it certainly is an improvement over some of the uses that are permitted in Light Industrial zoning. Some of those uses are bottle works, flour mills, feed mills, foundry, asphalt mixing plant, and it can always be perfectly legally reverted to the use for major highway trucks; some of those companies are wanting to use that right now. HUGHEY said that this request may be the only chance to enhance the value of the property and the improvement of the noise factors on the property by requiring the screening and the other recommendations of the Planning Department.

MARK LITTLE, 8824 Scott, speaking in opposition, passed out a petition with 21 names, and photographs of the site. LITTLE said that he has lived there since 1981, and when he moved in, it was a transport loading facility for Bray Lines. At that particular time, they were looking at 6 to 10 semis that parked up close to the building. He said they had no complaints with them whatsoever. As far as the hours, they would start at 6:00 a.m., and were back by 6:00 p.m. The lot was vacant all day long. You did not have to look at anything. He said that they all bought their homes knowing full well that was what was there. They have all learned their lesson taking somebody at their word. They were told at the time by the builder that they had

5-26-88

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intentions at that time of buying the property and putting in U-Store-It garages, fencing it in and make it a nice desirable area.

LITTLE said that since Mr. Clarke has bought the property, it has gone downhill in a hurry. The problem that they have was not bad at first. It started out with 10 to 15 cars that were being worked on and then they were gone. Now they have tow trucks coming in all times of the day and night with big lights on, lighting up back yards; their speakers going. He mentioned that one morning at 2:00 a.m., one of the neighbors had to call the police because one of the tow trucks came in with the stereo playing full blast. He said that Monday night when they attended the CPO meeting, they counted over 120 vehicles on the premises. Some with no doors whatsoever, totally annihilated so that they will never be on the street again. LITTLE mentioned that the applicant proposes an 8-foot fence, and on his petition he put stars by the names of people that have bi-level and tri-level homes, and a 24-foot fence will not help some of them; they will be sitting in their back yards or on their decks looking right into a salvage yard. In the winter they have had rats as big as cats in their back yards. LITTLE added that one neighbor has had trouble since the cars that are hauled in are disabled, leaking gas, anti-freeze and oil, and they are sitting higher than his property. All of the runoff water runs into his yard and he has trouble growing grass. He said that he could not see how property can be improved by putting a salvage yard inside the City of Wichita.

JERRY REECE, Mid Kansas Federal Savings and Loan, speaking in opposition, stated that they needed a clarification as to where 2405 South Capri is located. It looks like an empty lot, but the truth is a full one-half of it is occupied by condominiums. REECE said that, 1) he could not see any advantage to having a special permit use to establish an auto wrecking and salvage yard if that it is not going to be; 2) if they have a controlling fence, and he has two-story levels, he did not see what advantage the fence is to him; 3) it does nothing but tear down property values to have this type of property adjacent to residences. It is compatible going to the west, but it certainly is not compatible going to the east or south. REECE said that looking at the pictures speaks for themselves as to what is going on there, whether it is being used for a salvage operation or a storage operation. The vehicles are being dismantled, torn apart and brought in in whatever condition; the numbers of them are only growing. It is going to do nothing but deteriorate the property values, and asked that the request be denied.

RANDY ALEXANDER, President of Highland Homeowners Association, pointed out that all of the access to the undeveloped area is through the Highlands. He said that half of the acreage there is not developed, and there is not a contractor or developer in his right mind that would come in and try to develop it because of what he has facing him for the reason that the Homeowners Association will not allow a lot of access through their place to some commercial use. He did not see where the fencing would help even the low rise twin homes.

DON FREE, 8506 Scott, speaking in opposition, stated that his concern was the number of cars parked there, and have been there for over the last

PL/1852/2

three years. FREE said that he put up an 8-foot fence in 1984 so that he would not have to look at the trucks. He said that he was definitely opposed to this request.

CLARKE responding to some of the allegations, stated that the old building had been there for a number of years, and if there were any rats around, he was sure they would be wanting a warm place to hide and get into. He does not have any rats in his shop. CLARKE said that he has not had any complaints. He owns a home and if one of his neighbors was doing something he did not like, he would sure talk to them about it. CLARKE said that they were not working on cars outside, and they are not salvaging cars. He said that he was sorry about the loud radio blasting that time of night, and if he had known about it, he would have done something about it.

GARDNER commented that there is an insurance storage yard on 53rd Street west of the bus yard and fire station. There is a storage yard on 21st Street south of Sutherland Lumber. There is a storage yard south of that in the industrial corridor that is south of 21st Street along the old Canal. Every one of them, at one time or the other, took a special permit to establish, and every one of them has been as close to resembling what a typical salvage yard is as you are likely to find. There are accumulated inoperable vehicles which sit for long periods of time. Those are the kind of things if it looks like a duck, walks like a duck and quacks like a duck, but legally its "just a storage yard," you need to watch. He said that he does not know of any of those that have occurred that have been positive influences. Anytime you accumulate vehicles that are damaged and wrecked and stored for lengths of time, you have what borders on a blighting influence, particularly if it is adjacent to residential. This happens to abut recent single family construction, that while it is in admittedly a risky location near a tank farm and industrial zoning, it still is not the right place to introduce a more blighting influence by issuing a special permit even if other uses that are worse could occur there. It is probably the worse flavor of spot zoning that you can find if you go in and introduce this kind of blighting influence adjacent to recent residential. There must be a hundred other locations in town of industrial zoning and surrounding industrial uses that would accommodate this without it being equally as damaging as it will be here.

MOTION: Having considered the factors as contained in Policy Statement No. 10; taking into consideration the heavily blighting influence the use would have on the predominately residential developed and zoned area; and the detrimental affects on property nearby; and considering the strong neighborhood opposition; I move that we recommend to the governing body that this application be denied. Gardner moved, Crockett seconded and it carried unanimously. Miles was not present. Moore and Turner were absent.

THE CITY OF WICHITA

OFFICE OF Citizen Participation DATE May 17, 1988

TO Jack Galbraith, Chief Planner, Current Plans

FROM Barry L. Carroll, Administrative Aide III ^{BLC}

SUBJECT DR 88-3: South side of Oak
 Knoll $\frac{1}{4}$ mile east of Rock Road

On Monday, May 16, CPO East Side Neighborhood Council 2B considered the captioned case, a request for a Special Use Permit to establish an Auto Wrecking and Salvage Yard on property zoned the "E" Light Industrial District.

Council members were provided the notice to adjoining property owners, a map of the area and MAPD staff comments. After extensive discussion, the Council voted 5-0 to recommend disapproval of the request.

The agent, J. Dallas Tyler, 8401 Oak Knoll, was present to describe the request and respond to questions from the Council. Mr. Tyler stated that the applicants did not intend to use the property as a salvage yard but only to store wrecked or impounded vehicles, for a maximum of 90 days, until the vehicles could be properly and legally disposed of.

There was considerable neighborhood opposition to the request. A petition was presented to the Council from the Highlands Home Owners' Association opposing the request. The area residents expressed dissatisfaction with the existing use and did not want the special use permit granted. (See attachment)

Please provide the Council's recommendation to the MAPC and City Council when case DR 88-3 is considered.

BLC:dm
Attachment

RECEIVED

MAY 20 1988

METROPOLITAN PLANNING

ROUTE

May 6, 1988

NOTICE OF OPPOSITION

Case No.: DR 88-3
Address: 8401 Oak Knoll.

Legal Description: Lot 1, Block A, Gray Lines 2nd Addition, Wichita, Sedgewick County, Kansas. Generally located on the south side of Oak Knoll street approximately 1/4 mile east of Back Road.

Request: Special Use Permit to Establish an Auto Wrecking and Salvage Yard on Property Zoned the "M" Light Industrial Districts.

Statement of Opposition:

"We the undersigned do here by express opposition to the granting of a Special Use Permit to Establish an Auto Wrecking & Salvage Yard located on the above described property and urge that the Special Use permit be denied for the reasons listed below":

- 1) Such a use is not compatible with the existing residential surroundings.
- 2) Such a use will have a negative effect on future development of adjacent un-developed areas. (Zoned Residential)
- 3) Such a use will have a devastating effect on the property values as well as destroy the desirable living environment of the existing residential community.

Case No. DR 88-3

Name	Address	Unit #
King, J. J.	2405 CAPRI	103
King, J. J.	2405 Capri	302
King, J. J.	"	102
King, J. J.	2405 CAPRI	102
King, J. J.	2405 CAPRI	305
King, J. J.	2405 CAPRI	#1106
King, J. J.	2405 Capri	#104
King, J. J.	2405 Capri	#501
King, J. J.	2405 Capri	#405
King, J. J.	2405 Capri	#503
King, J. J.	2405 CAPRI	#206
King, J. J.	2405 CAPRI	#202
King, J. J.	2405 CAPRI	#205
King, J. J.	2405 Capri	#403
King, J. J.	"	#401
King, J. J.	"	#103
King, J. J.	"	#102
King, J. J.	2405 Capri	#7005
King, J. J.	2405 Capri	#7206
King, J. J.	2405 Capri	#1001
King, J. J.	2405 Capri	#1003

NOTICE OF
CONDITIONAL ACCEPTANCE
FOR ISSUANCE OF RESTRICTED SPECIAL USE PERMIT

Case No.: DR 88-3
Address: 8401 Oak Knoll.

Legal Description: Lot 1, Block A, Bray Lines 2nd Addition, Wichita, Sedgwick County, Kansas. Generally located on the south side of Oak Knoll Street approximately 1/2 mile east of Oak Road.

Request: Special Use Permit to Establish an Auto Wrecking and Salvage Yard on Property Zoned the "E" Light Industrial District.

Statement of
Conditional
Acceptance:

To prevent protest action by the Highlands Homeowners Association concerning the granting of a (Restricted) Special Use Permit to Establish a "Special Use - Auto Wrecking & Salvage Yard" located on the above described property the following "Use Restrictions & Conditions" must be accepted in legally binding form by the applicant(s):

- 1) All applicable building and fencing requirements shall be applied to the above property with additional screening installed (as per code specifications as to height etc.) along East property line, to extend to the back line of front utility easement.
- 2) No dismantling, wrecking, crushing or compression of vehicles shall take place upon above described property.
- 3) No stacking of vehicles upon each other shall be allowed.
- 4) Storage area shall be kept clean, free of debris.
- 5) Vehicles shall be parked/stored in a standard parking lot configuration. (No bumper to bumper parking)

Signed:


Randy L. Alexander, President
Highlands Homeowners Association



Nº 00124

METROPOLITAN AREA PLANNING DEPARTMENT

Description Special permit for auto wrecking & salvage yard
 Name Focht-Hughes-Hand & Calvert
 Address 807 N. Waco Suite 200 67202
 Fund No. (circle one) 755-40710-003 (fees) 755-40710-004
 (books, xerox) 755-40710-026 (microfilm)
 Amount 150.⁰⁰
 Date 4-15-88 Due Date 4-15-88 By RD

Form 00-000

CITY OF WICHITA
 TREASURY DEPT
 THANK YOU
 150.00
 150.00 TOTL
 150.00 CHECK
 2:18 PM
 1019 8 04/14/88
 2 2140

Nº 00124

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