WICHITA — SEDGWICK COUNTY

METROPOLITAN AREA PLANNING DEPARTMENT
CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421
FAX (316) 268-4390

June 30, 1997

Mike and Shirley Murray
2727 SW Westport Drive
Topeka, KS 66614-2514

RE: CU-438 - Conditional use to allow outdoor storage of tires on property zoned "LI" Limited Industrial on property generally located on the southwest corner of Leonine and Southwest Boulevard (1901 Southwest Blvd)

Dear Mr. and Mrs. Murray:

At its regular meeting on June 12, 1997, the Metropolitan Area Planning Commission considered the above-captioned request. The action of the MAPC was to APPROVE the request, subject to conditions stated in the letter dated June 17, 1997.

This action was not accompanied by valid appeals or protest petitions, therefore, the action of the Planning Commission is FINAL. If you have any questions concerning this case, please contact our office at 268-4421.

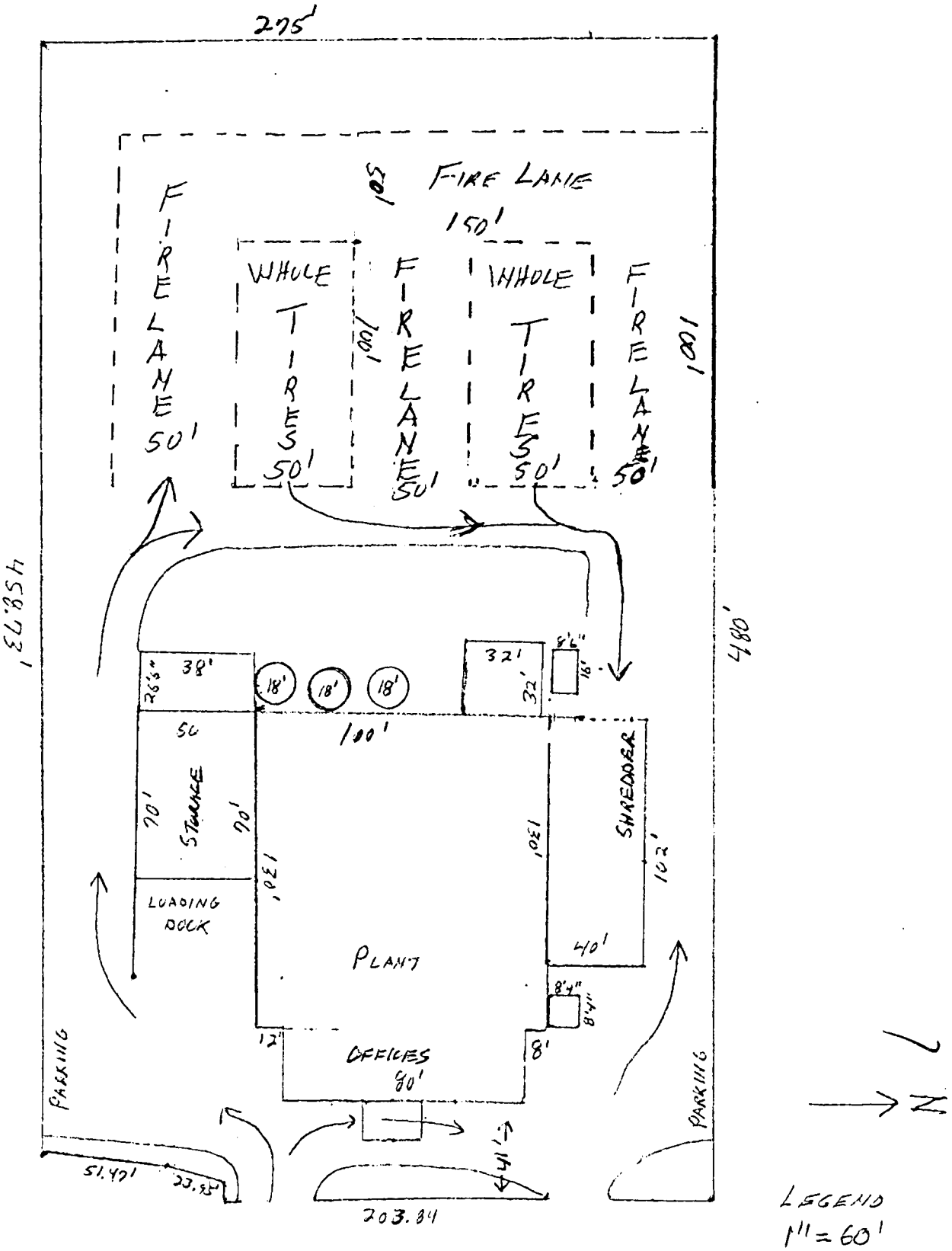
Sincerely,

Lawrence P. Mitchell
Senior Planner

LPM/sh

cc: Mid-Continent Resource Recovery, Inc., 1901 Southwest Blvd, Wichita, KS 67217
Byron Wiley, 1901 Southwest Blvd, Wichita, KS 67217
Kurt Schroeder, Office of Central Inspection
Randy Sparkman, Office of Central Inspection
Paul Hays, Office of Central Inspection
J.R. Cox, Office of Central Inspection

MID-CONTINENT RESOURCE
RECOVERY INC.
P.O. BOX 17072
WICHITA, KS 67217



CU 438

WICHITA—SEDGWICK COUNTY
W-SC
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 7

STAFF REPORT

CPO (4) June 11, 1997
MAPC June 12, 1997

CASE NUMBER: CU-438

APPLICANT/AGENT: Mid-Continent Resource Recovery, Inc. and Mike and Shirley Murray

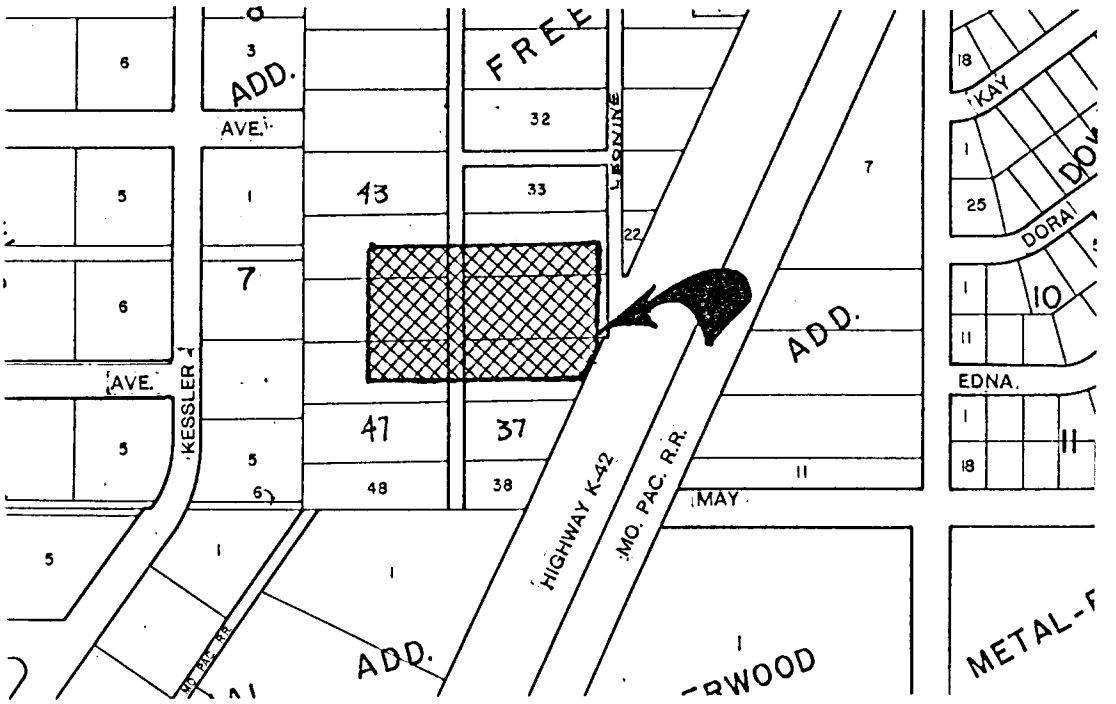
REQUEST: Conditional use to allow for outdoor storage of tires

CURRENT ZONING: "LI" Limited Industrial

SITE SIZE: 2.89 acres

LOCATION: Southwest corner of Leonine and Southwest Boulevard (1901 Southwest Blvd)

PROPOSED USE: Outdoor storage of tires



BACKGROUND: The applicants are requesting a conditional use to permit the outdoor storage of tires on property zoned "LI" Limited Industrial located on the southwest corner of Southwest Boulevard and Leonine. The 2.89 acre site is composed of several portions of platted lots within the Freeman Addition.

Currently, the applicants have been using the application area as a production facility (tires are shredded off-site) which recycles shredded tire material into a new product. The applicants now desire to shred and store (outside) the tires on this site The applicants are in the process of obtaining a solid waste processing facility permit from the Kansas Department of Health and Environment (KDHE) Bureau of Waste Management. The KDHE permit process includes local review of the application for approval or disapproval and the establishment of any conditions on the applicant if the permit is approved. Locally the following departments are currently considering the applicants solid waste processing facility permit: Wichita Fire Department; Health Department; Metropolitan Area Planning Department; Office of Central Inspection; Department of Public Works; and Sedgwick County Department of Environmental Resources. During the review of the application the local agencies will provide input as to the fire hazards, safety, health, and local code requirements as it relates to the proposed solid waste processing facility. The review of this application is still pending.

The application area is located within an industrial area adjacent to Southwest Boulevard (K-42). Limited industrial uses are located on the north, south and west sides of the site. The application site is currently fenced with chain link and vegetative screening exists along some portions of the rear portions of the site.

CASE HISTORY: None

ADJACENT ZONING AND LAND USE:

NORTH:	"LI"	Warehouse/Construction (Sharp Construction Co.)
SOUTH:	"LI"	Building Material Sales (Associate Lumber and Supply)
EAST:	"LI"	Manufacturing (Copeland Industry)
WEST:	"LI"	Building Supplies (Pioneer Material Inc.)

PUBLIC SERVICES: The subject property does have access to municipal water and sewer services. The site has access to Southwest Boulevard, a 4-lane expressway.

CONFORMANCE TO PLANS/POLICIES: The Wichita Sedgwick County Development Guide of the Wichita-Sedgwick County Comprehensive Plan identifies this area for "industrial" uses. The industrial locational guidelines of the Plan recommend that industrial areas should be located in close proximity to support services and provided with good access to major arterial roadways, along railroad spurs, near airports, or as extensions of existing industrial uses. The Plan further recommends that industrial

uses should be generally located away from existing or planned residential areas, and located so as not to travel through less intensive land uses.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED, subject to the applicants receiving all the necessary permits and approval from appropriate agencies and subject to the following conditions:

1. This conditional use shall authorize the outdoor storage of tires. In no event shall the storage and/or baling of junk, scrap, paper, bottles, rags or similar materials be permitted.

2. The applicant shall seek and receive the approval of all appropriate federal, state and local agencies which regulate the handling, storage and disposal of tires and their components.

3. The storage area shall be in general conformance with the site plan indicating the existing building, entrance, vehicle storage areas, and shall enclose the site with a fence or wall not less than eight feet in height and openings not in excess of five percent of the area of such fence. The site plan shall provide for all requirement of the solid waste processing facility permit.

4. The height of scrap tires shall not exceed the height of the screening fence.

5. The applicant shall maintain at all times an active program for the eradications and control of rodents.

6. Weeds shall be controlled within the storage area and adjacent to and along the outside perimeter of the wall or fence.

7. Entrance gates shall be provided with breakaway locking devices to permit access by the Fire Department.

8. Any violation of conditions attached shall declare the conditional use null and void.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: The general area is characterized by a number of industrial uses which have been in existence for some time. The proposed use is consistent with the properties located in the general area.

2. Extent to which removal of the restrictions will detrimentally affect nearby property: Since the general area is already characterized by industrial uses, the impact upon nearby properties should be minimal when considering the impact created by those uses currently operating in the area. For the most part, this storage area is buffered from view by buildings that front onto Leonine.

3. Conformance of the requested change to adopted or recognized Plans/Policies: The request is in conformance with the land use guide and locational guidelines of the Wichita-Sedgwick County Comprehensive Plan.

4. Impact of the proposed development on community facilities: The applicant's request should not have a negative impact on community facilities.