CITY OF WICHITA

FILE COPY

Wichita-Sedgwick County Metropolitan Area Planning Department

October 9, 2001

H.T. Ritchie, President
Ritchie Corporation
P.O. Box 7717
Wichita, KS 67277-7717

Re: **CON2001-00054: An administrative adjustment to CU-381 to modify Condition #6 to permit a one-time extension from 60 to 300 days for product to remain on site.**

Legal Description: North 850 feet of the south 950 feet of the west 960 feet of the SW 1/4 of Sec. 36, T26S, R1W of the 6th P.M., Sedgwick County, Kansas, except the west 60 for road right-of-way. Generally located north of 29th St. N. and east of West St.

Dear Mr. Ritchie:

We have reviewed your request for an Administrative Adjustment to CU-381 to modify Condition #6 to permit a one-time extension from 60 to 300 days for product to remain on site. We understand from discussing this request with your agent that the one-time extension is requested to allow time for the permitting process for a construction and demolition landfill to accept product from the site.

The Unified Zoning Code allows an Administrative Adjustment that would permit a minor adjustment to conditions of approval for a Conditional Use. We find that a one-time extension from 60 to 300 days for product to remain on the aforementioned property meets the four conditions required by Section V-I.6 of the Unified Zoning Code as set out below:

1) Impact on safety and convenience of vehicular and pedestrian circulation: This request is for a one-time extension of the time that product is allowed to be stored on site. Vehicular and pedestrian circulation should not be impacted by this one-time change in the conditions of approval.

2) Impact on existing uses in surrounding areas: There should be no negative impact on the existing uses in surrounding areas as a result a one-time extension of the time that product is allowed to be stored on site. Product will still be required to be stored in piles no taller than 10 feet, be covered with a tarp, and stored no closer than 100 feet from West Street. Existing trees and berms also screen the site from surrounding areas.

3) Compatibility with existing or permitted uses on abutting sites: Existing and permitted uses on abutting sites are sand and gravel extraction to the north and west; agriculture to the south, and the Arkansas River to the east. A one-time extension of the time that product is allowed to be stored on site does not impact the compatibility of the permitted transfer station use with abutting sites.

4) Effect on public health, safety or welfare: There will be no encroachment by the transfer stations use into public utility easements or right-of-way, therefore, there should not be a negative impact on the public health, safety or welfare nor will properties or improvements in the vicinity be materially injured.

Our signatures below indicate that an Administrative Adjustment to CU-381 to modify Condition #6 to permit a one-time extension from 60 to 300 days for product to remain on the aforementioned property is hereby GRANTED, subject to the following conditions:

1) Condition #6 for CU-381 shall be modified as follows: "The maximum time that a product shall remain on site prior to January 1, 2003 is 300 days. Beginning January 1, 2003, the maximum time that a product shall remain on site is 60 days."
2) No other conditions of approval for CU-381 are modified through this Administrative Adjustment.
3) The site shall be developed in general conformance with the approved site plan.
4) If the existing trees in the West Street and 29th Street North right-of-way are removed, a Landscaped Street Yard meeting the requirements of the City of Wichita's Landscape Ordinance Guidebook shall be provided along the West Street and 29th Street North frontages.
5) The existing berms indicated on the site plan shall be maintained.
6) Construction and demolition debris shall be tarped as indicated on the site plan.

The zoning adjustment sign may now be removed from the property.

Marvin S. Krout
Planning Director

Glen Wiltse
Code Enforcement Director

Attachment

cc: Glen Wiltse, Sedgwick County Code Enforcement

CONDITIONAL USE BOUNDARY

EXISTING BERM

SCREENING/ SORTING AREA

TARPED C&D DEBRIS

TARPED C&D DEBRIS

TARPED C&D DEBRIS

EXISTING BERM

EXISTING SCREENING

RECYCLABLE MATERAILS STAGING AREA

EXISTING ROAD

EXISTING BERM

EXISTING HEDGE

WEST STREET

29TH STREET

1320

SITE PLAN

APPROVED 10-9-01 BY JC

SCALE: 1" = 200'

EXHIBIT A

RITCHIE CORPORATION
CONDITIONAL USE ADJUSTMENT

BAUGHMAN COMPANY P.A.
ENGINEERING, SURVEYING, & PLANNING
316-262-7271 • 315 ELLIS • WICHITA, KANSAS 67211