

(Published in the Wichita Eagle, *July 17, 2020*)

ORDINANCE NO. 51-306

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-C, AS ADOPTED BY SECTION 28.04.010, AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY
OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held as provided by law and under authority and subject to the provisions of The Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, the zoning classification or districts of the lands legally described hereby are changed as follows:

Case No. ZON2020-00010

City Zone Change from GC General Commercial to LI Limited Industrial subject to the conditions set forth in Protective Overlay #347, legally described as:

Lot 1, on Washington Avenue, Hephner 2nd Addition, Wichita, Sedgwick County, Kansas.

City Zone Change from B Multi-Family and GC General Commercial to LI Limited Industrial, legally described as:

Lots 1 and 3, on Washington Avenue, Wollman's Addition to the City of Wichita, Sedgwick County, Kansas.

Protective Overlay #347

1. Uses for the subject property are limited to those permitted by right in GC General Commercial, in addition to Wreckage/Salvage as permitted the requested Conditional Use.
2. The Conditional Use shall permit the proposed Wrecking and Salvage restricted to electronics, appliances, household or yard equipment, business items, and medical items that are not hazardous. No hazardous waste shall be stored on the site. The site shall not store any wreckage or salvage material related to vehicles.
3. The Conditional Use is contingent upon a waiver of supplemental use regulation Section III-D.6.e.(1) stating wreckage/salvage yards shall not abut an arterial street, expressway or freeway. This waiver must be approved by City Council upon recommendation of the Metropolitan Area Planning Commission. If the waiver is not obtain, the Conditional Use shall not be permitted.
4. The applicant shall submit a site plan within 60 days of approval of the Conditional Use, if granted, that is in compliance with both the Unified Zoning Code and the Landscape Ordinance.
5. The subject property shall be entirely enclosed by a screening fence that is not less than 8 feet in height and having cracks and openings not in excess of five percent of the area of such fence. No materials stored on-site shall be permitted to be used for screening purposes or located on or attached to the screening fence. The site shall be developed and operated in compliance with all the other conditions of UZC, Sec. III-D.6.e:

6. The height of any material stored on-site shall not exceed the height of the screening fence and shall not be visible from ground-level view from any public right-of-way or adjoining properties.
7. The applicant shall maintain at all times an active program for the eradication and control of rodents.
8. Weeds shall be controlled within the salvage area and adjacent to and along the outside perimeter of the screening fence.
9. Any locking devices on entrance gates shall meet Fire Department requirements. Access to and within the wrecking/salvage yard shall be provided by fire lanes per the direction and approval of the Fire Department.
10. Access to the subject property shall be provided for on-going inspections of the site for soil and groundwater contaminants by Environmental Services and other applicable governmental agencies. If the inspections determine it to be necessary, the applicant shall be required to install monitoring wells on the property to monitor the quality of groundwater and shall pay the cost of an annual groundwater test for contaminants as designated by Environmental Services.
11. On-site storage of fuels, oils, chemicals, or hazardous wastes or materials shall be prohibited.
12. The applicant shall implement a drainage plan approved the City Engineer prior to the commencement of operations that minimizes non-point source contamination of surface and ground water.
13. The site shall be maintained and operated in general conformance with the approved site plan and conditions of approval.
14. The applicant shall obtain and maintain all applicable local, state, and federal permits necessary for the operation of a wrecking/salvage yard.
15. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

SECTION 2. That upon the taking effect of this ordinance, the above zoning changes shall be entered and shown on the "Official Zoning Map" previously adopted by reference, and said official zoning map is hereby reincorporated as a part of the Wichita -Sedgwick County Unified Zoning Code as amended.

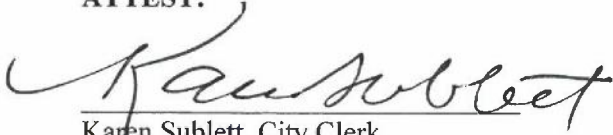
SECTION 3. That this Ordinance shall take effect and be in force from and after its adoption and publication in the official City paper.

Adopted this ^{14th}~~7th~~ Day of July 2020



Brandon J. Whipple, Mayor, City of Wichita

ATTEST:



Karen Sublett, City Clerk



Approved as to form: 
Jennifer Magaña, City Attorney and Director of Law