

DR 78-17 Special permit for Auto Wrecking operation. Generally located on the east side of West Street and south of the Missouri Pacific Railroad right

*POSTED
5-25-78*

ACTION

DATE

COMMITTEE

M.A.P.C. *Approved subject to conditions* 6-8-78

B.C.C./B.C.C.T. *Denied* 7-11-78

Closed

Map No. 5244
Sec. 1
Twp. 28
Range 1W

DATA SHEET
(ZONING & CONDITIONAL USE)

DR Z- 78-17
SCZ-
CU-
Filed 5-22-78

SPECIAL PERMIT FOR AUTO WRECKING OPERATION

- APPLICATION DATA: From _____ to _____
1. Applicant: Louis H. Gott
Address 233 North West St., #22, 67203 Phone _____
 2. Agent: _____
Address _____ Phone _____
 3. General Location: (2700 South West Street) East side of West Street
and south of the Missouri Pacific Railroad right-of-way.
 4. Proposed Use: _____

AREA DATA:

1. Acres: 1.1 (100 ft. by 500 ft.)
2. Adjoining Zoning: E "E" S "E" W "E" N "E"
3. Land Use: East UNDEVELOPED South WRECKING YARD
West MO. PAC. R.R. TRKS North UNDEVELOPED
4. Sketch Plan Land Use is for: _____
5. Present Land Use is for: UNDEVELOPED
6. Area (is) (is not) platted. _____

PROCEDURE DATA:

1. Zoning Committee _____ by _____
2. MAPC Meeting: _____

Date

Action

6-8-78

Approved subject to condition

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

Date

Action

Resolution

7-11-78

Planned

NOTES:

STANDARD
No. 2-193C
NATIONAL INSTRUMENTS
LABOR, CHICAGO, ILLINOIS, U.S.A.

Map No. 5244
 Sec. 1
 Twp. 28
 Range 1W

DATA SHEET
 (~~ZONING & CONDITIONAL USE~~)

DR - 78-17
 Z- _____
 SCZ- _____
 CU- _____
 Filed 5-22-78

SPECIAL PERMIT FOR AUTO WRECKING OPERATION

APPLICATION DATA: From _____ to _____

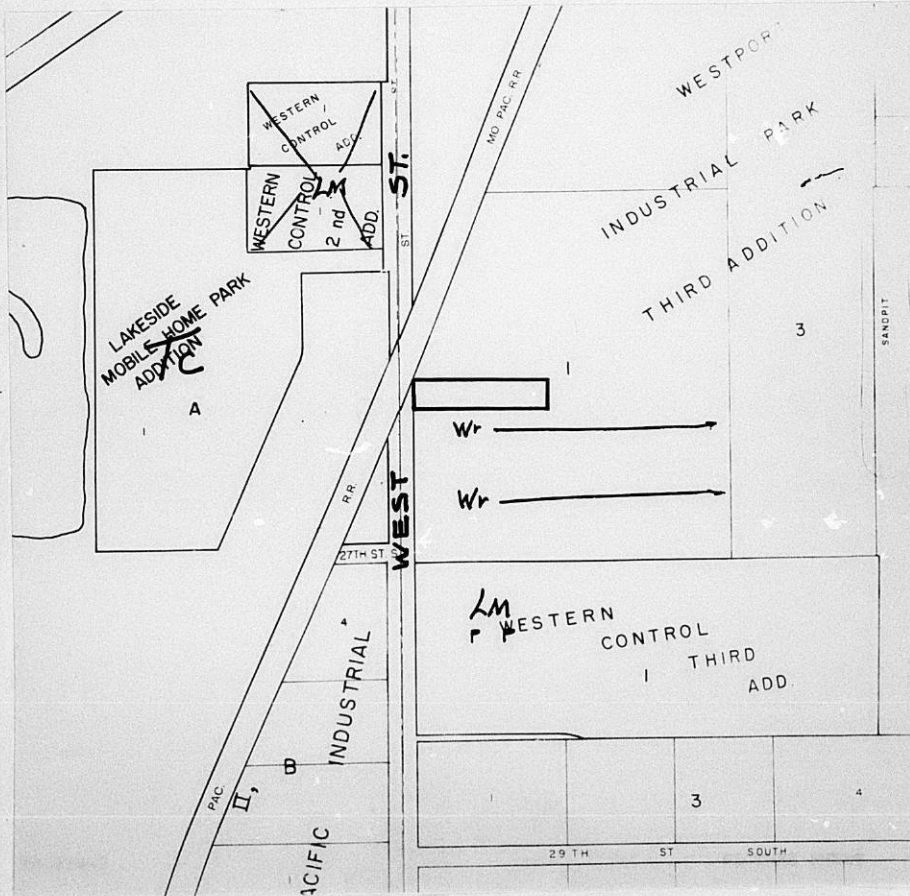
- Applicant: Louis H. Gott
 Address 233 North West St., #22, 67203 Phone _____
- Agent: _____
 Address _____ Phone _____
- General Location: (2700 South West Street) East side of West Street
and south of the Missouri Pacific Railroad right-of-way.
- Proposed Use: _____

AREA DATA:

- Acres: 1.1 (100 ft. by 500 ft.,)
- Adjoining Zoning: E "E" S "E" W "E" N "E"
- Land Use: East UNDEVELOPED South WRECKING YARD
 West MO. PAC. RR TRACKS North UNDEVELOPED
- Sketch Plan Land Use is for: _____
- Present Land Use is for: UNDEVELOPED
- Area (is) (is not) platted.

PHOTO DATA:

Taken by _____ Date _____ Time DR 78-17



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

May 25, 1978

NOTICE TO ADJOINING PROPERTY OWNERS:

The Wichita-Sedgwick County Metropolitan Area Planning Commission, in the City Commission Meeting Room, City Hall, First Floor, 455 North Main Street, Wichita, Kansas, as its meeting on June 8, 1978 which will commence at 1:30 p.m., will consider a referral from the Board of City Commissioners as to whether or not Mr. Louis H. Gott should be granted a special permit for the operation of a Auto Wrecking business as provided in Section 28.04.184 of the City Zoning Ordinance, on the following described property:

CASE NO. DR 78-17

A tract beginning Southerly line of the Missouri Pacific Railroad Right of Way and East line of West Street as platted in Lot 1, WESTPORT INDUSTRIAL PARK 3RD; South 100 feet; East 500 feet; North 100 feet; West 500 feet. Generally located on the east side of West Street and south of the Missouri Pacific Railroad right-of-way.

You may appear either in person, or by agent or attorney, if you so desire.

NOTE: You are also informed that the Citizen Participation Organization Area Council may consider this case at its next meeting. Additional information about such a meeting may be obtained by calling the CPO Office, 268-4516.

Jack H. Galbraith
Chief Planner

July 12, 1978

Mr. Louis H. Gott
233 North West Street #22
Wichita, Kansas 67203

Re: DR 78-17 - Special permit for
Auto Wrecking Operation - East
side of West St. and south of
the Missouri Pacific Railroad
right-of-way.

Dear Mr. Gott:

The above captioned case was considered by the Board of City
Commission at its regular meeting of July 11, 1978. The
motion to approve your request failed and, therefore, your
application is considered denied and closed.

If you have any questions, please call.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:el

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION TO
BOARD OF CITY COMMISSIONERS

REQUEST FOR SPECIAL PERMIT

CASE NO. DR 78-17

CONSIDERED BY MAPC: 6-8-78

REQUEST FOR: Special Permit for an Auto Salvage Yard

REASON FOR REQUEST (AS PROVIDED BY APPLICANT):

GENERAL LOCATION: East side of West Street and south of Mo. Pac. Railroad

LEGAL DESCRIPTION:

(See excerpt from Planning Commission minutes of
June 8, 1978.)

APPLICANT: Louis H. Gott, 233 North West Street, #22, 67203

COUNSEL FOR APPLICANT:

PROTESTORS (LIST COUNSEL) IF ANY: None

SURROUNDING ZONING: North, East and South, "E"; West, "AA" & "E".

LAND USE: Existing & East, Tire storage & undeveloped; North, Nonconforming salvage yard & undeveloped; South, Nonconforming salvage yard; West, Railroad & undeveloped.

CPO RECOMMENDATION:

CPO Council Area "B" voted 5-0 to recommend denial of the requested permit.

PLANNING COMMISSION RECOMMENDATION:

That this application for special use permit be approved subject to the conditions as shown on the excerpt to the minutes of June 8, 1978. Savina moved, Jones seconded and it carried unanimously. May was absent.

ACTION: 1. Approve the recommendation of the Metropolitan Area Planning Commission; or
2. Take such action as the City Commission desires.

EXCERPT FROM PLANNING COMMISSION MINTUES OF JUNE 8, 1978:

26. Case No. DR 78-17 - Louis H. Gott requests special permit for auto wrecking operation for a tract beginning Southerly line of the Missouri Pacific Railroad Right of Way and East line of West Street as platted in Lot 1, Westport Industrial Park 3rd; South 100 feet; East 500 feet; North 100 feet; West 500 feet. Generally located on the east side of West Street and south of the Missouri Pacific Railroad right-of-way.

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

Comments:

1. Louis H. Gott is requesting a special permit to operate an auto wrecking and salvage yard at 2700 South West Street on property zoned "E" Light Industrial and described as beginning on the southerly line of the M.O.P. Railroad right-of-way and the east line of West Street as platted in Lot 1, Westport Industrial Park 3rd; South 100 feet; East 400 feet; North 100 feet; West 500 feet to beginning.
2. In accordance with Section 28.04.184 of the Zoning Ordinance, an auto wrecking and salvage yard may be authorized in the "E" Light Industrial District by the governing body under a special permit which in the opinion of the governing body will not adversely affect the character of the neighborhood, is enclosed by a metal or wood fence not less than eight feet in height and having cracks and openings not in excess of five percent of the area of such fence, subject to any other requirements which may be specified by the governing body, and that all waste paper, rags, or other materials that can be scattered by the wind shall be kept in a building suitable for that purpose, and such additional special conditions to protect the health, safety, and welfare of the neighborhood as the Board of Commissioners may deem proper, including (but not limited to), the posting of a performance bond.
3. On April 25, 1978, the Board of City Commissioners considered the applicant's request and referred the application to the Planning Commission for recommendation after a public hearing in accordance with City Commission policy.
4. The Board of City Commissioners on March 15, 1977, approved a request for a special permit for a Scrap Processing Operation (tires) which covered a portion of the area contained in this request. This action contained several conditions of approval including screening, rodent control, etc. On July 26, 1977, the City Commission revoked the special permit for failure by the applicant to comply with the conditions of approval.
5. In reviewing the area in the field, it may be seen that scrap tires not only occupy the previously approved site but also extend to West Street. The applicant should be prepared at the time this request is considered by the Planning Commission to discuss as to whether or not the tires on subject property are to be utilized in his operation or be removed.
6. It should be pointed out that the plot plan submitted with the application indicates that there will be no buildings on the property. It should also be pointed out that there are nonconforming salvage yards located to the south of subject property, and in the general area to the north.

7. Should the Planning Commission consider this an appropriate use and recommends that the City Commission grant the special permit, the following should be considered as conditions of approval.

- a. A solid or semi-solid wall, to screen the salvage-wrecking operation, constructed of wood or metal (not including woven wire), at least 8 feet in height and having cracks and openings not in excess of five percent of the area of such fence shall be constructed around the perimeter of site with provisions made for an entranceway for emergency vehicles. The plans for subject wall shall be submitted to the Planning Department and Superintendent of Central Inspection for approval prior to occupancy of the site.
- b. The height of salvage material piles shall be limited to 8 feet.
- c. Used parts and salvage materials are to be piled and stored in an orderly manner, such as would be provided by racks or bins, and are to be elevated to a minimum height of 18 inches to reduce rodent potential.
- d. The applicant shall maintain at all times an active program for the eradication and control of rodents and mosquitoes.
- e. The applicant shall control weeds within the area and adjacent to and along the outside perimeter of the wall or fence.
- f. The Superintendent of Central Inspection shall be responsible for the enforcement of these conditions.

The City Commission may revoke the special permit after public hearing for any of the following reasons.

1. Failure to comply with the conditions within 90 days after the approval of the special permit.
2. Abandonment of the area for 6 months.
3. Failure to comply with the conditions of approval.

GALBRAITH pointed out that much of the area developed along West Street was for salvage yard operations. Based on the view of the area and the way other fences are maintained, he said he had his doubts that a 100' x 500' salvage yard would be properly fenced and maintained. The staff feels that these are not proper uses along a major street in an industrial area, that the screening is generally not adequate. The fence for this size operation would be a substantial fence and expensive. He said that CPO Council Area "B" voted 5-0 that the application not be approved.

COLE asked if this land was in common ownership with the other land next to it.

GALBRAITH stated yes, that the land to the north was owned by Mr. Van Long and also this site as well as the area north of the railroad tracks.

GREIDER asked that over a period of years, has all through the area been a salvage yard operation.

GALBRAITH stated that was correct to the north and south. Originally, some of these salvage yards were nonconforming uses in the County and became conforming when part of the land was zoned heavy industrial. Later the heavy industrial area was rezoned to light industrial. The application area has not been zoned heavy industrial and any salvage yard operation is not permitted.

GREIDER commented that if the Commission denies a salvage yard in this area, we then face them going outside of the three mile ring and as the City grows we will have spots of nonconforming uses that we would rather not have. He felt we are going to have salvage yards in the metropolitan area whether we like them or not.

COLE stated that it seems that the people who lease from this particular landowner have a history of being very uncooperative in helping to minimize the problem by providing and maintaining the kind of screening that would significantly lessen the problem.

WILLIE LEWIS, speaking for the applicant, said that the main problem was one person, Mr. Van Long. It seems that he irritates people and that is where the problem of screening comes from. He said if they have to fence, they have to fence.

BAYOUTH asked if the applicant intended to screen and comply with what's required in the staff's recommendation. LEWIS stated yes.

BELL asked Mr. Lewis to search his conscious and tell him if the size of the tract was going to lessen the diligence with which he attempts to meet the standards.

LEWIS stated that the size of the lot they are proposing was not very big and for that reason he could comply.

COLE asked if the applicant had ownership or interest in any of the other tracts in this area that were poorly screened. LEWIS said no.

GREIDER asked what would the applicant fence with. LEWIS stated the most logical fence would be a tin fence.

MOTION: That the Planning Commission recommend to the City Commission that this special permit be granted subject to the following conditions:

1. A solid or semi-solid wall, to screen the salvage-wrecking operation, constructed of wood or metal (not including woven wire), at least 8 feet in height and having cracks and openings not in excess of five percent of the area of such fence shall be constructed around the perimeter of site with provision made for an entranceway for emergency vehicles. The plans for subject wall shall be submitted to the Planning Department and Superintendent of Central Inspection for approval and the wall shall be constructed prior to the occupancy of the site as an auto salvage yard.
2. The height of salvage material piles shall be limited to 8 feet.
3. Used parts and salvage materials are to be piled and stored in an orderly manner, such as would be provided by racks or bins, and are to be elevated to a minimum height of 18 inches to reduce rodent potential.
4. The applicant shall maintain at all times an active program for the eradication and control of rodents and mosquitoes.
5. The applicant shall control weeds within the area and adjacent to and along the outside perimeter of the wall or fence.
6. The Superintendent of Central Inspection shall be responsible for the enforcement of these conditions.

7. The City Commission may revoke the special permit after public hearing for any of the following reasons.
 - a. Failure to comply with the conditions within 90 days after the approval of the special permit.
 - b. Abandonment of the area for 6 months.
 - c. Failure to comply with the conditions of approval.

Savina moved, Jones seconded and it carried unanimously. May was absent.

BARRIER asked if it was possible that this Commission to send notice to Central Inspection of the concerns of this Commission relative to the violations of fencing of the salvage yards in this area.

GREIDER commented that if that was done for one salvage yard then we would have to do that for all of them.

CHAIRMAN TAYLOR stated that Central Inspection could be aware of the Commission's concern without referring to a particular site.

MOTION: That the Planning Commission make Central Inspection aware of the Planning Commission's concern about the fencing of salvage yards in this general area. Barrier moved, Cole seconded.

BELL called for point of order. He said that this was not on the agenda and if we single out any one individual, we are going to cause too much work for the City legal staff.

BARRIER felt that a lot of criticism comes to the Planning Department as a result of the inadequate enforcement or the oversight of Central Inspection. The Planning Commissioners should be able to recommend that better inspections be carried out. She said she disagreed with Mr. Bell, but would be happy to change her recommendation if it would be more compatible.

CHAIRMAN TAYLOR said that she agreed with both Bell and Barrier, but felt we should ask them to be more attentive to abuse as it concerns this type of operation and not any particular singular operation.

SAVINA stated he did not have enough information as to how long the salvage yards had been there.

HENNESSY left the meeting.

BELL said he would abstain from voting on the issue and stated his reason for abstaining. First, the Chair did not rule on his point of order, and second, he did not feel the Commission had sufficient background for a fair comment in respect to what was not being done by the Department of Central Inspection. He was as concerned as the others that things be properly enforced by Central Inspection, but he did not think they knew why these salvage yards had not been enforced unless the Commission hears from Central Inspection.

CHAIRMAN TAYLOR stated that by entertaining a motion and entertaining a second, the Chair ruled on Mr. Bell's point of order. She said she felt the motion was in order since this was a follow-up to points raised in the case.

BAYOUTH said he would abstain from voting.

VOTE ON THE MOTION: 3 in favor (Taylor, Cole and Barrier) and 2 opposed (Jones and Greider). Bell and Bayouth abstained, and May and Hennessy were absent.

SAVINA questioned the voting, stating that if he abstained that would be three abstentions and there were only five members voting.

CHAIRMAN TAYLOR stated that she did not know whether Mr. Bell's abstention was in order since he had not stated any financial interest or conflict.

BELL called the Chair's attention to the fact that that was not the only reason for abstaining from voting. It was merely one of a million reasons. He said he did ask the Chair's permission to abstain.

CHAIRMAN TAYLOR stated that it was her opinion that a "conflict of interest" was the reason for which the Commission could abstain.

The Commission asked the Chair to make a ruling.

CHAIRMAN TAYLOR ruled that they could not abstain as no conflict of interest was stated.

BARRIER stated that this sounds like a tempest in a teapot to her, and she urged the Chairman to proceed with the voting wherever it comes out.

RECONSIDERATION OF THE VOTE ON THE MOTION: 3 in favor (Taylor, Cole and Barrier) and 5 opposed (Jones, Greider, Bell, Bayouth and Savina). May and Hennessy were absent.

June 21, 1978

Mr. Louis H. Gott
233 North West Street, # 22
Wichita, Kansas 67203

Re: DR 78-17 - Request for a
Special Permit for an Auto
Salvage Yard - East side of
West Street and south of
Missouri-Pacific Railroad

Dear Mr. Gott:

Our letter to you dated June 12, 1978, advised that the above captioned case would be considered by the City Commission on July 3, 1978. We have been advised that the City Commission will not meet on that date and, therefore, this case will be scheduled for consideration at their regular meeting on Tuesday, July 11, 1978; the meeting to be held in the City Commission Meeting Room, First Floor, City Hall, 455 North Main. Please remember that Planning items are considered after all other matters of business.

If you have any questions, please call.

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:bh

June 12, 1978

Mr. Louis H. Gott
233 North West St., #22
Wichita, Kansas 67203

Re: DR 78-17 - Request for a
Special Permit for an Auto
Salvage Yard.

Dear Mr. Gott:

The Planning Commission at its regular meeting of June 8, 1978, considered the above captioned special permit request. Their action was to recommend that the special permit be granted subject to the following conditions:

1. A solid or semi-solid wall, to screen the salvage-wrecking operation, constructed of wood or metal (not including woven wire), at least 8 feet in height and having cracks and openings not in excess of five percent of the area of such fence shall be constructed around the perimeter of site with provision made for an entranceway for emergency vehicles. The plans for subject wall shall be submitted to the Planning Department and Superintendent of Central Inspection for approval and the wall shall be constructed prior to the occupancy of the site as an auto salvage yard.
2. The height of salvage material piles shall be limited to 8 feet.
3. Used parts and salvage materials are to be piled and stored in an orderly manner, such as would be provided by racks or bins, and are to be elevated to a minimum height of 18 inches to reduce rodent potential.
4. The applicant shall maintain at all times an active program for the eradication and control of rodents and mosquitoes.

Page Two
Mr. Louis H. Gott
June 12, 1978

5. The applicant shall control weeds within the area and adjacent to and along the outside perimeter of the wall or fence.
6. The Superintendent of Central Inspection shall be responsible for the enforcement of these conditions.
7. The City Commission may revoke the special permit after public hearing for any of the following reasons.
 - a. Failure to comply with the conditions within 90 days after the approval of the special permit.
 - b. Abandonment of the area for 6 months.
 - c. Failure to comply with the conditions of approval.

Consideration of this request will be scheduled for the Board of City Commission meeting of Monday, July 3, 1978; the meeting to be held in the City Commission Meeting Room, First Floor, City Hall, 455 North Main. We would call to your attention that planning items are considered after all other items of business.

If you have any questions, please call.

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:el

THE CITY OF WICHITA

OFFICE OF CITIZEN PARTICIPATION

DATE June 7, 1978

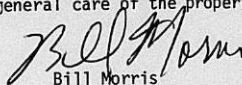
TO Jack Galbraith, Chief Planner, Current Plans

FROM Bill Morris, CPO Administrative Aide

SUBJECT DR 78-17 (East Side of West, South
of the Mo-Pac Right-of-Way)

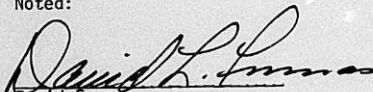
On June 6, 1978, CPO Council "B" considered the captioned case. The Council voted 5-0 to recommend denial of the requested permit to operate an auto wrecking and salvage yard.

The Council noted that the subject property has long been a source of problems to the neighborhood because of the property owners' lack of attention to rodent control, drainage, screening, and general care of the property.


Bill Morris
CPO Administrative Aide

BM:sm

Noted:


David Furnas
Citizen Participation Coordinator



WICHITA-SLEDGNICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

APPC HEARING DATE: 6-8-78

Case No. DR 78-17

Request: Approval of a
special permit for
an auto wrecking yard.

Location: East side of West Street and south of No. Pac. Railroad.

Acres: 1.1

Size 100' x 500'

	<u>Land Use</u>	<u>Zoning</u>
Existing	Tire storage and undeveloped	"E"
North	Non-conforming salvage yard and undeveloped	"E"
East	Tire storage and undeveloped	"E"
South	Non-conforming salvage yard	"E"
West	Railroad and undeveloped	"IA" & "E"

Comments:

1. Louis H. Gott is requesting a special permit to operate an auto wrecking and salvage yard at 2700 South West Street on property zoned "E" Light Industrial and described as beginning on the southerly line of the M.O.P. Railroad right-of-way and the east line of West Street as platted in Lot 1, Westport Industrial Park 3rd, South 100 feet; East 500 feet; North 100 feet; West 500 feet to beginning.
2. In accordance with Section 28.04.184 of the Zoning Ordinance, an auto wrecking and salvage yard may be authorized in the "E" Light Industrial District by the governing body under a special permit which in the opinion of the governing body will not adversely affect the character of the neighborhood, is enclosed by a metal or wood fence not less than eight feet in height and having cracks and openings not in excess of five percent of the area of such fence, subject to any other requirements which may be specified by the governing body, and that all waste paper, rags, or other materials that can be scattered by the wind shall be kept in a building suitable for that purpose, and such additional special conditions to protect the health, safety, and welfare of the neighborhood as the Board of Commissioners may deem proper, including (but not limited to), the posting of a performance bond.
3. On April 25, 1978, the Board of City Commissioners considered the applicant's request and referred the application to the Planning Commission for recommendation after a public hearing in accordance with City Commission policy.

4. The Board of City Commissioners on March 15, 1977, approved a request for a special permit for a Scrap Processing Operation (tires) which covered a portion of the area contained in this request. This action contained several conditions of approval including screening, rodent control, etc. On July 26, 1977, the City Commission revoked the special permit for failure by the applicant to comply with the conditions of approval.
5. In reviewing the area in the field, it may be seen that scrap tires not only occupy the previously approved site but also extend to West Street. The applicant should be prepared at the time this request is considered by the Planning Commission to discuss as to whether or not the tires on subject property are to be utilized in his operation or be removed.
6. It should be pointed out that the plot plan submitted with the application indicates that there will be no buildings on the property. It should also be pointed out that there are non-conforming salvage yards located to the south of subject property, and in the general area to the north.
7. Should the Planning Commission consider this an appropriate use and recommends that the City Commission grant the special permit, the following should be considered as conditions of approval.
 - a. A solid or semi-solid wall, to screen the salvage-wrecking operation, constructed of wood or metal (not including woven wire), at least 8 feet in height and having cracks and openings not in excess of five percent of the area of such fence shall be constructed around the perimeter of site with provision made for an entranceway for emergency vehicles. The plans for subject wall shall be submitted to the Planning Department and Superintendent of Central Inspection for approval prior to occupancy of the site.
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 - d. The applicant shall maintain at all times an active program for the eradication and control of rodents and mosquitoes.
 - e. The applicant shall control weeds within the area and adjacent to and along the outside perimeter of the wall or fence.
 - f. The Superintendent of Central Inspection shall be responsible for the enforcement of these conditions.

Case No. DR 76-17
Page 3 6-8-78

The City Commission may revoke the special permit after public hearing for any of the following reasons.

1. Failure to comply with the conditions within 90 days after the approval of the special permit.
 2. Abandonment of the area for 6 months.
 3. Failure to comply with the conditions of approval.
-

DR 78-17 - 6 "Notice to Adjoining Property Owners" mailed 5/25/78
for the MAPC meeting for 6/8/78
1 (Including map) to CPO Office
(Included in the above was a notice to Mr. Louis
H. Gott, 233 N. West St., 67203)

7 TOTAL

DR 77-7

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

May 25, 1978

NOTICE TO ADJOINING PROPERTY OWNERS:

The Wichita-Sedgwick County Metropolitan Area Planning Commission, in the City Commission Meeting Room, City Hall, First Floor, 455 North Main Street, Wichita, Kansas, as its meeting on June 8, 1978 which will commence at 1:30 p.m., will consider a referral from the Board of City Commissioners as to whether or not Mr. Louis H. Gott should be granted a special permit for the operation of a Auto Wrecking business as provided in Section 28.04.184 of the City Zoning Ordinance, on the following described property:

CASE NO. DR 78-17

A tract beginning Southerly line of the Missouri Pacific Railroad Right of Way and East line of West Street as platted in Lot 1, WESTPORT INDUSTRIAL PARK 3RD; South 100 feet; East 500 feet; North 100 feet; West 500 feet. Generally located on the east side of West Street and south of the Missouri Pacific Railroad right-of-way.

You may appear either in person, or by agent or attorney, if you so desire.

NOTE: You are also informed that the Citizen Participation Organization Area Council may consider this case at its next meeting. Additional information about such a meeting may be obtained by calling the CPO Office, 268-4516.

Jack H. Galbraith
Chief Planner

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

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

May 3, 1978

✓ Mr. Louis H. Gott
233 North West Street #22
Wichita, Kansas 67203

Re: Application for Auto
Wrecking Establishment at
2700 South West Street

Dear Mr. Gott:

On April 25, 1978, the Board of City Commissioners considered the above captioned matter which has been referred to this office by the City Manager's office for processing.

Procedure for processing such a permit is to refer the request to the Metropolitan Area Planning Commission for a recommendation, which in turn will be forwarded to the City Commission for final consideration.

This type operation in the "E" Light Industrial District requires City Commission approval, as per Section 28.04.184 Code of the City of Wichita which states in part: "28.04.184 Same - Auto wrecking and salvage yards. Auto wrecking, salvage yards, used material yards, storage or bailing of waste or scrap paper, rags, scrap metals, bottles or junk may be authorized in the "E" Light Industrial districts by the governing body under a special permit, provided that such operation is not on a main thoroughfare or business street, and in the opinion of the governing body will not adversely affect the character of the neighborhood, is enclosed by a metal or wood fence not less than eight feet in height and having cracks and openings not in excess of five percent of the area of such fence, subject to any other requirements which may be specified by the governing body, . . . and provided further, that the the board of commissioners may impose such additional special conditions to protect the health, safety and welfare of the neighborhood as the board of commissioners may deem proper, including (but not limited to), the posting of a performance bond."

WICHITA - SEDGWICK COUNTY

Mr. Louis H. Gott

May 3, 1978

Page Two

In order to process your request, it will be necessary for you to furnish this office with a legal description of the property involved and a current abstractors ownership list of the owners of all property within 350 feet of the application area. It would also be helpful if you would describe for us the nature of the proposed salvage business and the type of material proposed to be salvaged. If we receive the legal description and abstractors ownership list by May 10th, this matter will be scheduled for consideration by the Planning Commissioners on May 25, 1978. If we do not receive the material by then, the matter will be scheduled approximately two weeks from the time we receive the material.

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

Sincerely,

Jack H. Galbraith
Chief Planner

JHG:LS:gb

cc: Robert G. Finch, Deputy City Manager
Robert B. Feldner, Superintendent of Central Inspection

from: NSA date: _____

admin. adv. plans cur. plans social graphics

<input type="checkbox"/> lakin	<input type="checkbox"/> stockwell	<input type="checkbox"/> wright	<input type="checkbox"/> mitchell	<input type="checkbox"/> pierce
<input type="checkbox"/> walter	<input type="checkbox"/> lindesk	<input type="checkbox"/> tytle	<input type="checkbox"/> hart	<input type="checkbox"/> stafford
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<input type="checkbox"/> nelson. v	<input type="checkbox"/> losew	<input checked="" type="checkbox"/> shirkay	<input type="checkbox"/> kaliher	<input type="checkbox"/> barber
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	<input type="checkbox"/> schranz			
	<input type="checkbox"/> mccladden	<input type="checkbox"/> note & return	<input type="checkbox"/> signature	
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	<input type="checkbox"/> lickteig	<input type="checkbox"/> all staff	<input type="checkbox"/> information	
	<input type="checkbox"/> grosnickle	<input type="checkbox"/> comment	<input type="checkbox"/> files	

remarks: I've asked CM to send location, owner info to you. We will need ownership but given approval. Don't want to deal w/ test rental new and in Recalms. Keep this with other material for the Salvage case

THE CITY OF WICHITA

OFFICE OF CITY MANAGER

DATE April 26, 1978

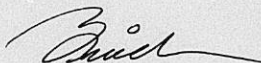
TO Robert A. Lakin, Director of Planning
FROM Robert G. Finch, Deputy City Manager

SUBJECT Application for Auto Wrecking
Establishment at 2700 South West
Street and Definitions of Various
Categories of Streets

On April 25, 1978, the City Commission referred the subject application to the Metropolitan Area Planning Commission (MAPC) for its review and recommendation.

During this discussion it was brought out that the City Code does not contain definitions of the various classifications of streets (even though they are contained in the transportation study). The City Commission asked that the MAPC address this also as a related item.

Please bring these matters to the attention of the MAPC for its review and recommendation at the earliest date possible.



Robert G. Finch
Deputy City Manager

RGF/pd
cc: R. W. Bruggeman, Director of Public Works



THE CITY OF WICHITA

OFFICE OF Central Inspection Division

DATE April 20, 1978

JLB

TO E. H. Denton, City Manager

FROM Robert B. Feldner, Superintendent of Central Inspection

SUBJECT Application for Auto Wrecking
Establishment at 2700 South
West Street

The terms "main thoroughfare" and "business street" used in Section 28.04.184 of the Zoning Ordinance are not defined by ordinance. The term "street" is defined as, "A public or private thoroughfare more than twenty feet wide which provides the principal means of access to abutting property for persons or vehicles and public utilities."

The transportation plan only calls out arterials and expressways. West Street is an arterial as shown on the transportation plan.

A review of past policy indicates that the Board of City Commissioners has referred this type of application to the Metropolitan Area Planning Commission for recommendation prior to consideration. The Board of City Commissioners, on March 15, 1977, approved an application in approximately this location upon recommendation by the MAPC. This permit was revoked on July 26, 1977, because the applicant had not complied with the conditions of approval.

The prior permit was approved for an area that did not adjoin West Street; however, the present application describes the parcel as having frontage on the street.

Robert B. Feldner
Robert B. Feldner
Superintendent of Central Inspection

RBF:mm1

cc: Robert Lakin
Director of Metropolitan Area Planning Department

Approved:

R. W. Bruggeman
R. W. Bruggeman
Director of Public Works

SECTION II

4/25

I APPLICATION FOR AUTO WRECKING ESTABLISHMENT AT 2700 SOUTH WEST STREET. ^{OF THE CITY CODE}
~~DEFERRED ONE WEEK FROM THE MEETING OF APRIL 12, 1978, FOR CLARIFICATION~~ ^{PERTAINING TO}
Mr. Louis H. Gott requests approval of an application for an auto wrecking ^{RECEPTS}
establishment at 2700 South West Street. ^{FOR WRECKING}
^{ESTABLISHMENTS}

City Code Section 28.04.184 provides that auto wrecking establishments and salvage yards may be authorized in the "E" Light Industrial districts under a special permit by the governing body, provided that such operation is not on a main thoroughfare or business street and is enclosed by a metal or wood fence not less than eight feet in height and having cracks and openings not in excess of five percent of the area of such fence. The Board of Commissioners may impose such additional special conditions to protect the health, safety and welfare of the neighborhood as it may deem proper.

A report is provided which further clarifies the code provision.

The proposed salvage yard is contiguous to other auto wrecking firms operating under special permits.

~~THE CITY MANAGER RECOMMENDS THAT THE APPLICATION~~ ^{IS RECOMMENDED THAT} ~~SHOULD BE SUBJECT~~
Should the Commission desire to grant the special permit, it ^{should be} subject to the fencing requirements as outlined in the City Code. ^{BE REFERRED TO THE BOARD FOR REVIEW AND COMMENT.}

ACTION: Take such action as the Commission deems to be in the best interest of the public.

J. J. J.

REFER TO THE MAPC, ~~RE~~
~~WITHIN THE PROVISION~~

THE CITY OF WICHITA

OFFICE OF Central Inspection Division

DATE April 20, 1978

Office Of The City Manager	
<input type="checkbox"/> EMD	<input type="checkbox"/> HP
<input type="checkbox"/> R	<input type="checkbox"/> MS
<input type="checkbox"/> RT	<input type="checkbox"/> SH
APR 24 1978	
<input type="checkbox"/> Copies To	4/VS
<input type="checkbox"/> Send To	
<input type="checkbox"/> File	

TO E. H. Denton, City Manager

FROM Robert B. Feldner, Superintendent of Central Inspection

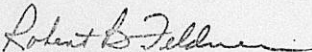
SUBJECT Application for Auto Wrecking
Establishment at 2700 South
West Street

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The prior permit was approved for an area that did not adjoin West Street; however, the present application describes the parcel as having frontage on the street.



Robert B. Feldner
Superintendent of Central Inspection

RBF:mm1

cc: Robert Lakin
Director of Metropolitan Area Planning Department

Approved:


R. W. Bruggeman
Director of Public Works

REFERENCE: ITEM #2-CM
AGENDA FOR: APR 25 1978

CITY MANAGER

April 19, 1978

H/S

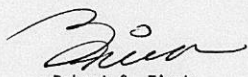
John Dekker, Director of Law

Robert G. Finch, Deputy City Manager

Special Use Permit -- Auto
Wrecking Establishment
2700 South West Street

On April 18, 1978, the City Commission deferred the subject application for one week for clarification of the provision of the City Code pertaining to locations where exceptions can be granted.

Please provide your written opinion in this regards for transmittal to the City Commission on April 20, 1978.



Robert G. Finch
Deputy City Manager

RGF/pd

THE CITY OF WICHITA
OFFICE OF

DATE March 13, 1978

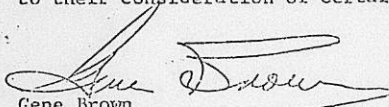


TO Eugene Denton, City Manager
FROM Gene Brown, Deputy City Treasurer

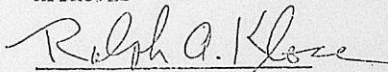
SUBJECT Auto Wrecking Establishment

The attached application for an auto wrecking establishment, is forwarded for your review before presentation to the City Commission.

We call your attention to the attached memo from Joe Donnelly of the Central Inspection Division, in which he recommends the application be disapproved by the City Commission subject to their consideration of certain recommendations.


Gene Brown
Deputy City Treasurer

APPROVED


Ralph A. Klose
City Treasurer

GB/bf

2 enc,
memo
appl.

Lewis Gott
233 No. West #22
Ray Bruggeman, Director of Public Works
Robert B. Feldner, Superintendent of Central Inspection
John Dekker, Director of Law
Harold Peterson, Executive Assistant to City Manager
Don Cross, Assistant Director Environmental Health
Wilbur McLuen, Zoning Inspector
Ralph A. Klose, City Treasurer

THE CITY OF WICHITA

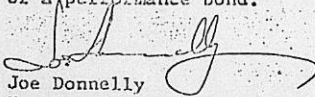
OFFICE OF CENTRAL INSPECTION DIVISION DATE March 9, 1978

TO Gene Brown, Deputy City Treasurer
FROM Joe Donnelly, Housing Code Administrator

SUBJECT

2700 South West St.
Approximately 5 Acres of Lot 1,
Westport Industrial Park 3rd Addition

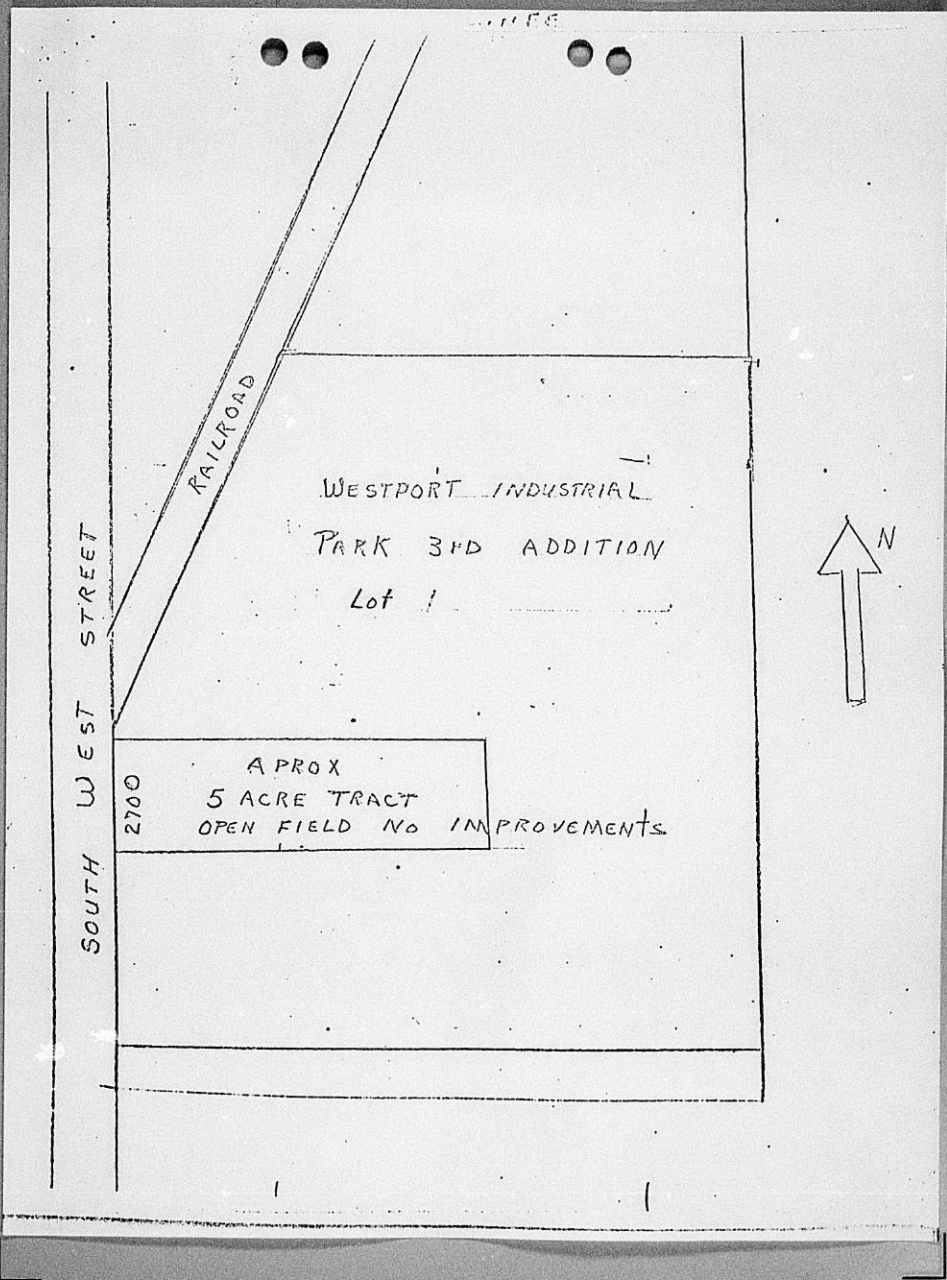
The Auto Wrecking application at the above address is disapproved. This type operation in the "E" Light Industrial Zoning District requires Commission approval, as per 28.04.184 which states in part: "28.04.184 Same - Auto wrecking and salvage yards. Auto wrecking, salvage yards, used material yards, storage or bailing of waste or scrap paper, rags, scrap metals, bottles or junk may be authorized in the "E" Light Industrial districts by the governing body under a special permit, provided that such operation is not on a main thoroughfare or business street, and in the opinion of the governing body will not adversely affect the character of the neighborhood, is enclosed by a metal or wood fence not less than eight feet in height and having cracks and openings not in excess of five percent of the area of such fence, subject to any other requirements which may be specified by the governing body, and provided further, that the board of commissioners may impose such additional special conditions to protect the health, safety and welfare of the neighborhood as the board of commissioners may deem proper, including (but not limited to), the posting of a performance bond."


Joe Donnelly
Housing Code Administrator

JD:rs

cc: Ray Bruggeman, Director of Public Works
Robert B. Feldner, Superintendent of Central Inspection
John Dekker, Director of Law
Harold Peterson, Executive Assistant to City Manager
Don Cross, Assistant Director Environmental Health
Wilbur McLuen, Zoning Inspector

REFERENCE ITEM #7-CM
AGENDA FOR: APR 18 1978



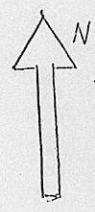
SOUTH WEST STREET

2700

APROX
5 ACRE TRACT
OPEN FIELD NO IMPROVEMENTS

RAILROAD

WESTPORT INDUSTRIAL
PARK 3RD ADDITION
Lot 1





THE CITY OF WICHITA

FR: *Frederick*

Application for CITY OCCUPATIONAL LICENSE

No. _____

WICHITA, KANSAS *2/24* 1978. I HEREBY make application for CITY LICENSE to operate
a *Cats Working* at *2200 S. 17th St.* Wichita, Kansas,
(Business) (Location)
for a Period of _____ Months, expiring *April 1, 1978*
(Date Expires)
subject to all City Ordinances pertaining to or regulating said business.

Approved: _____

Louis Salvage
(Name of Business)

Dept. _____

By *Ronald H. [Signature]*



5244
1
> 8
1/2

STATEMENT OF OWNERSHIP

STATE OF KANSAS)
) SS
SEDGWICK COUNTY)

The undersigned duly bonded and qualified abstractor within and for the County and State aforesaid, does hereby certify:

That we have examined the records in the office of the Register of Deeds of Sedgwick County, Kansas, with reference to the ownership of the following property in Sedgwick County, Kansas viz:

use for legal

Record Owners within 350 feet of Abstract beginning Southerly line of the Missouri Pacific Railroad Right of Way and East line of West Street as platted in Lot 1, WESTPORT INDUSTRIAL PARK 3RD; South 100 feet; East 500 feet; North 100 feet; West 500 feet.]



And from such examination find that the owners thereof are as set opposite the description of the property below, viz: (Addresses as given are furnished as a service and not certified.)

<u>LOTS & BLOCKS</u>	<u>ADDITION</u>	<u>OWNERS</u>
Lot 1	WESTPORT INDUSTRIAL PARK 3RD	✓ Earl VanMeter Long, Jr. 3601 West Pawnee Wichita, Kansas 67213
Lot 1, Block A	LAKESIDE MOBILE HOME PARK	✓ William P. & Ruth E. Alcorn 127 South Kessler Wichita, Kansas 67213 and ✓ Paul and Golda M. Slagle 310 Cheryl Street Wichita, Kansas 67209
That part of Southeast Quarter of the Northeast Quarter lying South of Western Control 2nd Addition; Southerly and East of Lakeside Mobile Home Park Addition and Northwesterly of Missouri Pacific Railroad, Section 2, Township 28, Range 1 West.		William P. & Ruth E. Alcorn 127 South Kessler Wichita, Kansas 67213 and Paul and Golda Slagle 310 Cheryl Street Wichita, Kansas 67209



TRACTS

OWNERS

All that part of the Northeast Quarter of Section 2, Township 28 South, Range 1 West, Sedgwick County, Kansas, lying southeasterly of the southeasterly right-of-way of the Missouri Pacific Railroad. Charles J. & Virginia C. Blackburn
10235 Nieman Place
Overland Park, Kansas 66214

West half of the Northwest Quarter lying West of Missouri Pacific Railroad Section 1, Township 28, Range 1 West except part taken for road and except tract described as: Beginning at a point on the north line of the Northwest Quarter, Section 1, Township 28 South, Range 1 West of the 6th P.M., said point being 502.5 feet east of the Northwest corner of said quarter section, thence south parallel with the west line of said quarter section, 669.68 feet to the westerly right of way of the Missouri Pacific railway, thence northeasterly along said right of way 731.53 feet to the north line of said quarter section, thence west 288.08 feet to the point of beginning, containing 2.21443 acres. Earl Vanmeter Long
3601 West Pawnee
Wichita, Kansas 67213



Dated at Wichita, Kansas this 17th day of May, 1978 @ 7:00 A.M.

FIDELITY TITLE COMPANY, INC.

By *C. E. Bud Kuddle*
Vice President

Tracer No. 43585

