

DATA SHEET

MAP #: 5557B

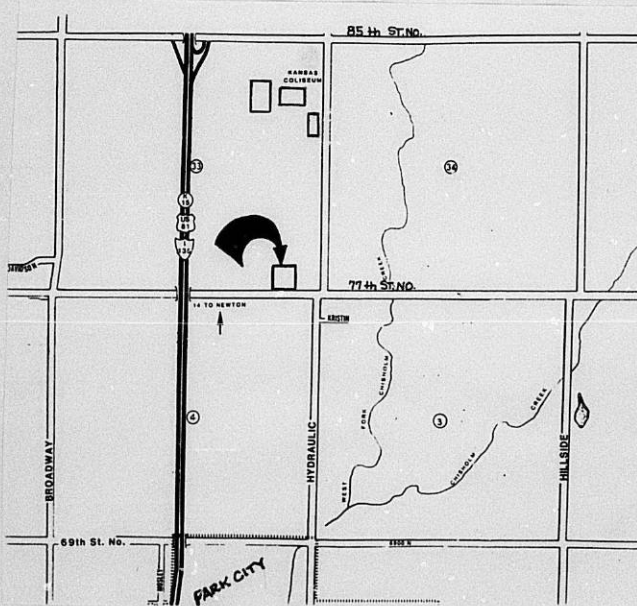
Z-
SCZ-
CU-
DR- 89-11
DP-
Amend #
Case Filed: 4/12/89
Associated Case:
CPO Council Area:
CPO Meeting Date:
MAPC Hearing Date: 5/11/89

APPLICATION DATA:

1. GENERAL LOCATION: On the north side of 77th St. North in an area west of Hydraulic.
2. FROM to
3. Proposed Use: Tempoary asphalt mixing plant.
4. DP Name:
5. Applicant: L.A. Knebler Construction Co., Inc.
Address: P.O. Box 429, Augusta, KS 67010 Phone: 775-2205
6. Agent: Robert W. Kaplan
ADDRESS: 430 North Market, Wichita, KS 67202 Phone: 262-5175

AREA DATA:

1. Acres: 6.9 (ft. by ft.)
2. Adjoining Zoning: N C S R E C W C
3. Land Use: North S South R
EAST C West W C



LOS ANGELES, CHICAGO, LOS AN, OH
MEMPHIS, TX, LUCAS, TORONTO, GA
USA.

Shiloh
No. 2,153C

Published in The Daily Reporter on June 1, 1989

R#173-1989

RESOLUTION NO.

A RESOLUTION AUTHORIZING A SPECIAL USE PERMIT TO ESTABLISH A TEMPORARY ASPHALT MIXING PLANT IN THE "C" GENERAL COMMERCIAL DISTRICT ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED IN SECTION 17.C OF THE ZONING REGULATIONS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984, AND SUBSEQUENTLY AMENDED.

BE IT RESOLVED BY THE GOVERNING BODY OF SEDGWICK COUNTY, KANSAS.

SECTION I. That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section 13.F of the Zoning Regulations for the Unincorporated Area of Sedgwick County, Kansas, a Special Use Permit to allow the temporary use of the subject property for operation of an asphalt mixing plant associated with subcontract number S28172-1757 between Martin K. Eby Construction Company (contractor) and L.A. Knebler Construction Company (subcontractor) for the Wichita Greyhound Park is hereby approved on the lands legally described below:

CASE NO. DR 89-11

Special Use Permit to Establish a Temporary Asphalt Mixing Plant on Property Zoned the "C" General Commercial District

Beginning 600 feet west of the southeast corner of Section 33, Township 25 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas; thence North at 90°, 600 feet; thence West at 90°, 500 feet; thence South at 90°, 600 feet; thence East at 90°, 500 feet to the point of beginning. (Now platted as part of Lot 1, Block A. Coliseum Park II Addition, Sedgwick County, Kansas.) Generally located on the north side of 77th St. North in an area west of Hydraulic.

SUBJECT TO THE FOLLOWING:

- A. All materials and equipment associated with this special use permit shall be removed from the site upon completion of the paving project.
- B. All asphalt produced in this temporary mixing facility shall be used on site.

SECTION II. That upon the taking effect of this Resolution, the notation of such special use permit shall be entered in the official zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the official county paper.

PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this 24th day of May, 1989.

Paul W. Hancock, Chairman
Paul W. Hancock

Bernard A. Hentzen, Chairman pro tem
Bernard A. Hentzen

David Bayouth, Commissioner
David Bayouth

Billy Q. McCray, Commissioner
Billy Q. McCray

- Absent -, Commissioner
Mark Schroeder

ATTEST:

Don Wright, County Clerk 5-24-89
CLERK OF SEQUOIA COUNTY
KANSAS
APPROVED AS TO FORM:

Henry H. Blase
Henry H. Blase, County Counselor

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: May 25, 1989

TO: Ron Worley, County Zoning Administrator
FROM: Forrest L. Nagley, Senior Planner *FLN*
SUBJECT: DR 89-11 - Special Use Permit to establish a temporary asphalt mixing plant in property zone "C" General Commercial. Located on the north side of 77th Street North in an area west of Hydraulic.

At the May 24, 1989, meeting of the board of County Commissioners the above-captioned Special Use Permit case was approved. This case is associated with the on-site paving projects for the proposed greyhound race track.

Attached for your use and reference is a copy of the Special Use Permit Resolution. This resolution will be published next week in the Daily Reporter.

Should you have any questions, please call me.

Attachment
FLN:pu

cc: Robert W. Kaplan, 430 N. Market, 67202
L.A. Knebler Construction, Box 429, Augusta, KS 67010

FILE COPY

Planning Agenda

Item # _____

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

SPECIAL USE PERMIT

DR 89-11 - SPECIAL USE PERMIT TO ESTABLISH A TEMPORARY ASPHALT MIXING
PLANT ON THE NORTH SIDE OF 77TH STREET NORTH IN AN AREA WEST OF
HYDRAULIC.

The MAPC recommends that the application be approved, subject to
conditions (see minutes for full motion).

MILES moved, PARSONS seconded, and it carried unanimously.

ACTION:

1. Adopt the findings of fact of the Metropolitan Area Planning Commission and approve the special use permit, subject to the recommended conditions; adopt a resolution authorizing the special use permit; or
2. Adopt findings and deny the application.

DATA AND MINUTES

MAPC Hearing Date: 5/11/89

BCoC Hearing Date: 5/24/89

COMMISSION DISTRICT # 4

ADJACENT ZONING AND LAND USE:

NORTH	"C"	Undeveloped; dog track under construction
SOUTH	"R"	Agricultural use/undeveloped
EAST	"C"	Undeveloped
WEST	"C"	Undeveloped/interstate right-of-way

Applicants: L.A. Knebler Construction, Box 429, Augusta, KS, 67010
Robert W. Kaplan (agent), 430 N. Market, Wichita, 67202

Protestors: None.

EXCERPT FROM PLANNING COMMISSION MINUTES OF MAY 11, 1989

7. Case No. DR 89-11 - L. A. Knebler Construction requests special use permit to establish a temporary asphalt mixing plant beginning 600 feet west of the Southeast corner of Section 33, Township 25 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas; thence N at 90°, 600 feet; thence W at 90°, 500 feet; thence S at 90°, 600 feet; thence E at 90°, 500 feet; to the point of beginning. (Now platted as part of Lot 1, Block A, Coliseum Park II Addition, Sedgwick County, Kansas. Generally located on the north side of 77th Street North in an area west of Hydraulic.

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

BACKGROUND: The applicant is requesting a special use permit for the establishment of a temporary asphalt mixing plant on a portion of a platted lot. The application area measures 6.9 acres and is located on the north side of 77th Street North in an area west of Hydraulic. The property is currently zoned "C" and is to be developed with a Greyhound dog track and associated structures and facilities. This request has been filed by the applicant because he has been awarded the contract for pavement of the off-street parking lots and circulation aisles for the Greyhound dog track. It is anticipated that the contractor will complete the paving project within seven weeks. All asphalt produced in the temporary mixing plant will be used on site.

CASE HISTORY: In 1987, the Board of County Commissioners approved the following cases for this property and a larger area:

1. SCZ-0579 - "R" Rural Residential to "C" General Commercial zoning.
2. DR 87-1 - Special use permit to establish multi-purpose facilities for both indoor and outdoor uses, including those originally established for the Kansas Coliseum.
3. CU-304 - Conditional Use Permit to establish a pari-mutuel race track on property zoned "C".

ADJACENT ZONING AND LAND USE:

NORTH	"C"	Undeveloped; Dog track under construction
SOUTH	"R"	Agricultural use/undeveloped
EAST	"C"	Undeveloped
WEST	"C"	Undeveloped/interstate right-of-way

PUBLIC SERVICES: At the time Coliseum Park II Addition was platted, required guarantees for extension of municipal water and sanitary sewer were submitted. Also, all needed perimeter road improvements were guaranteed and access controls were established.

CONFORMANCE TO PLANS/POLICIES: Section 13(F)(2) of the County's Zoning Resolution provides for temporary concrete and asphalt mixing plants in any zoning district, provided they are associated with a contract with any department of the City, County, State or Federal Government. The subject case is associated with a lease agreement with Sedgwick County.

RECOMMENDATION: Approve the special use permit, subject to the following conditions:

- A. All materials and equipment associated with this special use permit shall be removed from the site upon completion of the paving project, unless a conditional use permit has been granted for a mixing plant at this location on a more permanent basis.

- B. All asphalt produced in this temporary mixing facility shall be used on site.

DISCUSSION:

NAGLEY stated that this special use permit is associated with the greyhound dog racing track. He said that this case was reviewed by the Park City Planning Commission a week ago, and they recommended unanimously approval of the case. He said that staff recommended approval of the permit.

BRINEGAR referred to one of the conditions of the staff report (All materials and equipment associated with this special use permit shall be removed from the site upon completion of the paving project unless a conditional use permit has been granted for a mixing plant at this location on a more permanent basis) stating that he had a problem with extending the permit past the time that the use has been granted.

NAGLEY responded that what he meant to say was that in the "C" district you can have an asphalt mixing plant if you have a conditional use.

CROCKETT suggested deleting the last portion of the condition.

BOB KAPLAN, attorney representing the applicant, stated that the conditions, as amended, are acceptable.

There was no one present in opposition to the application.

MOTION: Having considered the factors as contained in Policy Statement No. 10; taking into consideration the character of the neighborhood; the zoning and uses of properties nearby; the suitability of subject property for the uses proposed; and the recommendation of staff; I move that we recommend to the governing body that this application be approved subject to the following conditions:

- A. All materials and equipment associated with this special use permit shall be removed from the site upon completion of the paving project.
- B. All asphalt produced in this temporary mixing facility shall be used on site.

Miles moved, Parsons seconded and it carried unanimously. Fairbanks, Gardner and Moore were absent. One vacancy.

RESOLUTION NO.

A RESOLUTION AUTHORIZING A SPECIAL USE PERMIT TO ESTABLISH A TEMPORARY ASPHALT MIXING PLANT IN THE "C" GENERAL COMMERCIAL DISTRICT ON CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED IN SECTION 17.C OF THE ZONING REGULATIONS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, DECEMBER 12, 1984, AND SUBSEQUENTLY AMENDED.

BE IT RESOLVED BY THE GOVERNING BODY OF SEDGWICK COUNTY, KANSAS.

SECTION I. That after receiving a recommendation from the Wichita-Sedgwick County Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law, and under authority granted by Section 13.F of the Zoning Regulations for the Unincorporated Area of Sedgwick County, Kansas, a Special Use Permit to allow the temporary use of the subject property for operation of an asphalt mixing plant associated with subcontract number S28172-1757 between Martin K. Eby Construction Company (contractor) and L.A. Knebler Construction Company (subcontractor) for the Wichita Greyhound Park is hereby approved on the lands legally described below:

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SUBJECT TO THE FOLLOWING:

- A. All materials and equipment associated with this special use permit shall be removed from the site upon completion of the paving project.
- B. All asphalt produced in this temporary mixing facility shall be used on site.

SECTION II. That upon the taking effect of this Resolution, the notation of such special use permit shall be entered in the official zoning atlas on file in the Office of the County Zoning Administrator and in the Office of the Wichita-Sedgwick County Metropolitan Area Planning Department.

SECTION III. That this Resolution shall take effect and be in force from and after its adoption and publication in the official county paper.

PASSED AND ADOPTED by the Board of County Commissioners at Wichita, Kansas, this 24th day of May, 1989.

DR 89-11 Resolution
Page 2

_____, Chairman
Paul W. Hancock

_____, Chairman pro tem
Bernard A. Hentzen

_____, Commissioner
David Bayouth

_____, Commissioner
Billy Q. McCray

_____, Commissioner
Mark Schroeder

ATTEST:

Don Wright, County Clerk

(SEAL)

APPROVED AS TO FORM:

Henry H. Blase, County Counselor

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 7
PCPC 5/1/89
MAPC 5/11/89

STAFF REPORT

CASE NUMBER: DR 89-11

OWNER/APPLICANT/AGENT: L. A. Knebler Construction (applicant)
Robert W. Kaplan (agent)

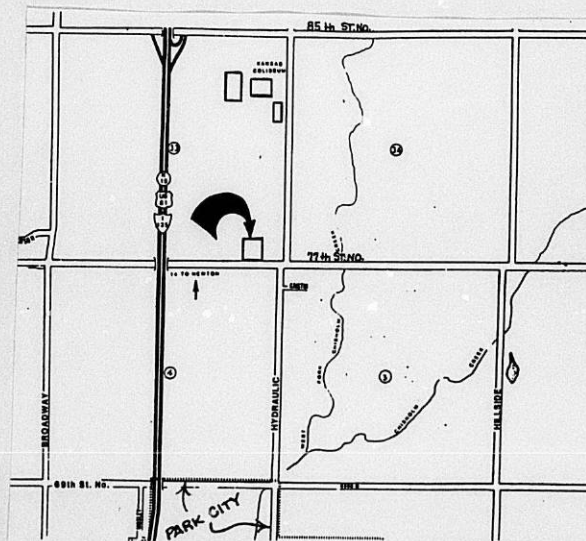
REQUEST: Special use permit to establish a temporary asphalt mixing plant.

CURRENT ZONING: "C" General Commercial District

SITE SIZE: 6.9 acres (600 ft. x 500 ft.)

LOCATION: On the north side of 77th St. N. in an area west of Hydraulic.

PROPOSED USE: Establishment of a temporary asphalt mixing plant for use on paving the parking and circulation areas for the Greyhound dog track.



BACKGROUND: The applicant is requesting a special use permit for the establishment of a temporary asphalt mixing plant on a portion of a platted lot. The application area measures 6.9 acres and is located on the north side of 77th Street North in an area west of Hydraulic. The property is currently zoned "C" and is to be developed with a Greyhound dog track and associated structures and facilities. This request has been filed by the applicant because he has been awarded the contract for pavement of the off-street parking lots and circulation aisles for the Greyhound dog track. It is anticipated that the contractor will complete the paving project within seven weeks. All asphalt produced in the temporary mixing plant will be used on site.

CASE HISTORY: In 1987, the Board of County Commissioners approved the following cases for this property and a larger area:

1. SCZ-0579 - "R" Rural Residential to "C" General Commercial zoning.
2. DR 87-1 - Special use permit to establish multi-purpose facilities for both indoor and outdoor uses, including those originally established for the Kansas Coliseum.
3. CU-304 - Conditional Use Permit to establish a pari-mutuel race track on property zoned "C".

ADJACENT ZONING AND LAND USE:

NORTH	"C"	Undeveloped; Dog track under construction
SOUTH	"R"	Agricultural use/undeveloped
EAST	"C"	Undeveloped
WEST	"C"	Undeveloped/interstate right-of-way

PUBLIC SERVICES: At the time Coliseum Park II Addition was platted, required guarantees for extension of municipal water and sanitary sewer were submitted. Also, all needed perimeter road improvements were guaranteed and access controls were established.

CONFORMANCE TO PLANS/POLICIES: Section 13(F)(2) of the County's Zoning Resolution provides for temporary concrete and asphalt mixing plants in any zoning district, provided they are associated with a contract with any department of the City, County, State or Federal Government. The subject case is associated with a lease agreement with Sedgwick County.

RECOMMENDATION: Approve the special use permit, subject to the following conditions:

- A. All materials and equipment associated with this special use permit shall be removed from the site upon completion of the paving project, unless a conditional use permit has been granted for a mixing plant at this location on a more permanent basis.
- B. All asphalt produced in this temporary mixing facility shall be used on site.

WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4561

May 12, 1989

Robert W. Kaplan
430 N. Market
Wichita, KS 67202

Re: DR 89-11 - Special Use Permit to establish a temporary asphalt mixing plant, located on the north side of 77th St. N., west of Hydraulic.

Dear Mr. Kaplan:

At its regular meeting on May 11, 1989, the Metropolitan Area Planning Commission considered the above-captioned request for a Special Use Permit to establish a temporary asphalt mixing plant. The action of the Planning Commission was to recommend that the application be approved subject to the following conditions:

- A. All materials and equipment associated with this special use permit shall be removed from the site upon completion of the paving project.
- B. All asphalt produced in this temporary mixing facility shall be used on site.

This matter will be forwarded to the Board of County Commissioners for consideration at their regular meeting on Wednesday, May 24, 1989. This meeting will be held in Room 320, Sedgwick County Courthouse, 525 N. Main, Wichita, Kansas, beginning at 9:00 a.m.

If you have any questions concerning this matter, please contact our office.

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:jcm

cc: L.A. Knebler Construction Co., Box 429, Augusta, KS, 67010

FILE COPY

"An Equal Opportunity Employer"



MARTIN K. EBY CONSTRUCTION CO., INC.
P.O. Box 1679 • Wichita, Kansas 67201-1679

No S28172 - 1757

SUBCONTRACT

Work Item No. _____

Subcontract with L. A. KNEBLER CONST. CO., INC.
P. O. Box 429
Augusta, KS 67010 Phone 775-2205

Please address all correspondence concerning
this subcontract to:
Martin K. Eby Construction Co.
P. O. Box 1679
Wichita, KS 67201
Phone: 268-3628
Attn: Tom Haisch

Attn: Bob Phillip
Amount of Subcontract ONE MILLION TWENTY-FOUR THOUSAND EIGHTY-SEVEN AND NO/100 DOLLARS

\$ 1,024,087.00

subject to additions and deductions as set forth herein.

THIS SUBCONTRACT AGREEMENT, made and entered into this 27th day of April, 1989 by and
between the MARTIN K. EBY CONSTRUCTION CO., INC. of Wichita, Kansas hereinafter called the

"Contractor" or "EBY" and L. A. Knebler Const. Co., Inc. of Augusta, Kansas
hereinafter called the "Subcontractor" unless otherwise designated.

WHEREAS, the Contractor on the 12th day of December, 1988, entered into contract No. _____
hereinafter referred to as the "Prime Contract," with Wichita Greyhound Park, Inc.
Wichita, Kansas

hereinafter referred to as the "Owner" whereby the Contractor agreed to fully and faithfully furnish materials and perform labor for the con-
struction of Wichita Greyhound Park, 7939 N. Hydraulic, Wichita, Kansas

in accordance with the plans, drawings, specifications, addenda and bid documents, hereinafter collectively referred to as "Plans and Specifications"

prepared by Malcolm L. Sokol, Architect
hereinafter referred to as the Architect and/or Engineer.

WHEREAS, the prime contract is required to be completed by the Contractor on or before September 1, 1989
and the Subcontractor's work described herein is to be completed in
July 15, 1989

accordance with the requirements of job program or as follows:

NOW THEREFORE, in consideration of the foregoing and the covenants and agreements hereinafter set forth, the Contractor and the
Subcontractor agree as follows:

SECTION 1. CONTRACT DOCUMENTS. Subcontractor acknowledges that it is familiar with all General and Special Conditions, Plans and Specifications, and other documents constituting, or by reference made a part of, the Prime Contract to which this Subcontract relates. The Subcontractor agrees to be bound to the Contractor by all terms and conditions of the Prime Contract and to assume towards the Contractor all of the obligations and responsibilities which the Contractor, by the Prime Contract, assumes towards the Owner insofar as the terms and conditions of the Prime Contract are applicable to the Work to be performed under this Subcontract. By execution of this Subcontract, Subcontractor represents that it understands all applicable terms and conditions of the Prime Contract plans and specifications and that Subcontractor will perform the Work required by this Subcontract in accordance with the applicable terms and conditions of the Prime Contract and amendments thereto.

SECTION 2. PERFORMANCE OF CONTRACT. Subcontractor agrees to pursue the Work in a prompt, diligent and workmanlike manner whenever all or any part of the Work becomes available, or at such other time or times as the Contractor may direct. Unless otherwise provided herein, Subcontractor agrees to furnish all materials, supplies, tools, equipment, supervision, labor, utilities, testing, shop drawings and anything else necessary to fully perform all of the Work set forth herein and complete said Work in accordance with the plans and specifications pertaining

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

AGENDA ITEM NO. 7
PCPC 5/1/89
MAPC 5/11/89

STAFF REPORT

CASE NUMBER: DR 89-11

OWNER/APPLICANT/AGENT: L. A. Knebler Construction (applicant)
Robert W. Kaplan (agent)

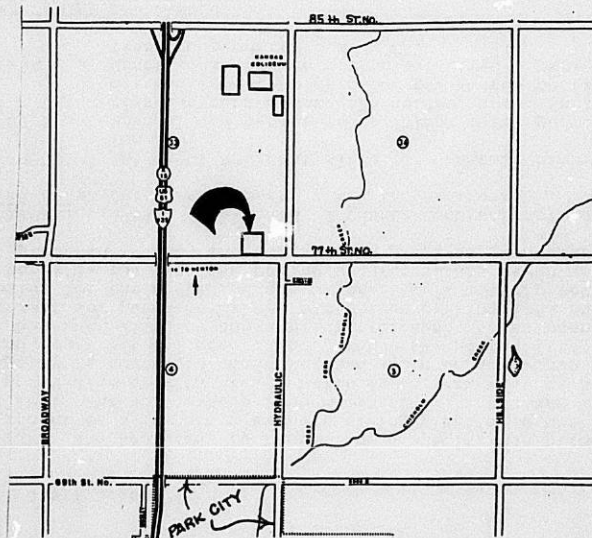
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BACKGROUND: The applicant is requesting a special use permit for the establishment of a temporary asphalt mixing plant on a portion of a platted lot. The application area measures 6.9 acres and is located on the north side of 77th Street North in an area west of Hydraulic. The property is currently zoned "C" and is to be developed with a Greyhound dog track and associated structures and facilities. This request has been filed by the applicant because he has been awarded the contract for pavement of the off-street parking lots and circulation aisles for the Greyhound dog track. It is anticipated that the contractor will complete the paving project within seven weeks. All asphalt produced in the temporary mixing plant will be used on site.

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NORTH	"C"	Undeveloped; Dog track under construction
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WEST	"C"	Undeveloped/interstate right-of-way

PUBLIC SERVICES: At the time Coliseum Park II Addition was platted, required guarantees for extension of municipal water and sanitary sewer were submitted. Also, all needed perimeter road improvements were guaranteed and access controls were established.

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RECOMMENDATION: Approve the special use permit, subject to the following conditions:

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- B. All asphalt produced in this temporary mixing facility shall be used on site.

PROPERTY OWNER NOTICES

CASE NO. DR 89-11

DATE OF MAILOUT: 4/20-89

- 5 Property Owners
- 2 Applicant(s) and Agent(s) *staff rpt + agenda mailed 5/5/89 -gcm*
- 3 Ron Worley, Jim Weber, and Kim Dewey
- 5 Jack, Louise, Bob and Karen, Forrest
- 1 *Jim Dunn, Zoning Administrator
Park City*
- 16 TOTAL

*Send copy of staff report to Zoning Admin of
Park City, their commissioners and Bickley
Foster on 4/21/89
Fred*

COUNTY GREEN SHEET - FORM

*Copy of staff rpt.
given to Kaplan
4/27/89*

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

April 13, 1989

CORRECTED
NOTICE OF PUBLIC HEARING

Case No.: DR 89-11

FILE COPY

Location: On the north side of 77th St. North in an area west of Hydraulic.

Address: N/A

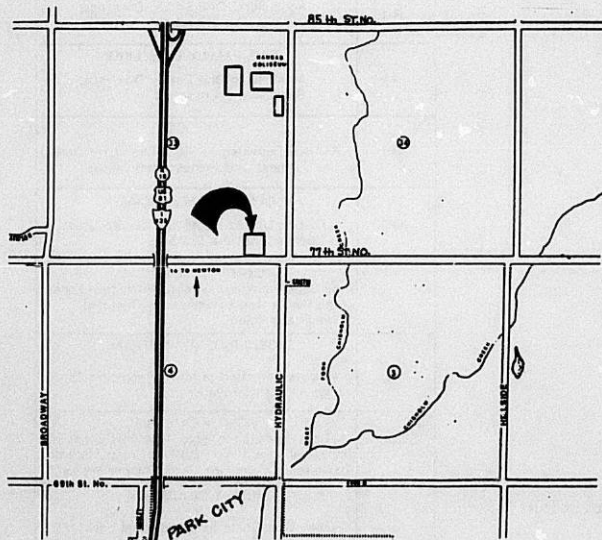
Request: Special Use Permit to establish a temporary asphalt mixing plant on property zoned "C" Commercial District.

NOTICE IS HEREBY GIVEN that on Monday, May 1, 1989, the Park City Planning Commission meeting at 7:00 p.m., at the Park City, City Hall, 6110 North Hydraulic Wichita, Kansas, will consider the above-referenced item for purposes of making a recommendation to the Metropolitan Area Planning Commission and Board of County Commissioners.

If this matter is not deferred for further hearings by the Park City Planning Commission, it will appear on the agenda for the regular meeting of the Wichita-Sedgwick County Metropolitan Area Planning Commission, which begins at 1:30 p.m., on Thursday, May 11, 1989, in the City Council Chambers, First Floor, City Hall, 455 North Main Street, Wichita, Kansas.

As an owner or occupant of property in the area, you have the right to appear at the Planning Commission meetings, 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 hearings.

If you have any questions or wish additional information, please call 268-4421.



SEE REVERSE SIDE

LEGAL DESCRIPTION OF THE AREA PROPOSED TO BE CHANGED

Case No. DR 89-11

Special Use Permit to establish a Temporary Asphalt
Mixing Plant on Property Zoned "C" General Commercial District

Beginning 600 feet west of the Southeast corner of Section 33, Township 25 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas; thence N at 90°, 600 feet; thence W at 90°, 500 feet; thence S at 90°, 600 feet; thence E at 90°, 500 feet; to the point of beginning. (Now platted as part of Lot 1, Block A, Coliseum Park II Addition, Sedgwick County, Kansas). Generally located on the North side of 77th St. North in an area west of Hydraulic.

Most Restrictive



Least Restrictive

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.

PROPERTY OWNER NOTICES

CASE NO. DR 89-11

DATE OF MAILOUT: 4-18-89

5 Property Owners

2 Applicant(s) and Agent(s)

3 Ron Worley, Jim Weber, and Kim Dewey

5 Jack, Louise, Bob and Karen, Forrest

*Jim Quinn, Zoning Administrator
Park City*

15 TOTAL

Forest

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

April 13, 1989

NOTICE OF PUBLIC HEARING

Case No.: DR 89-11

Location: On the north side of 77th St. North in an area west of Hydraulic.

Address: N/A

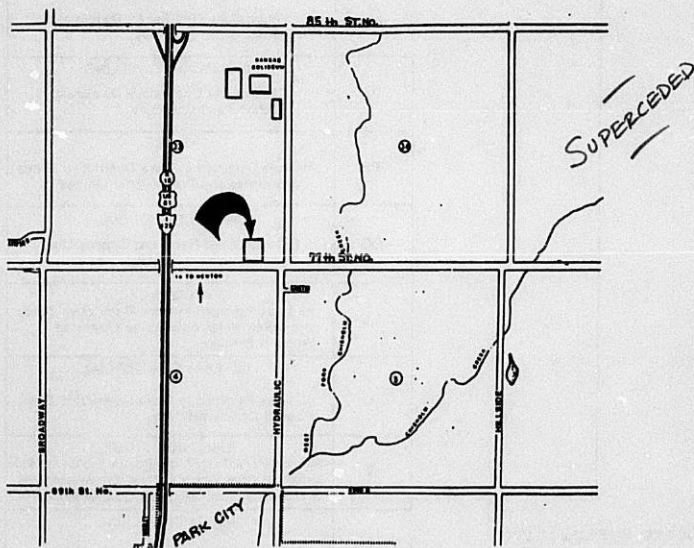
Request: Special Use Permit to establish a temporary asphalt mixing plant on property zoned "C" Commercial District.

NOTICE IS HEREBY GIVEN that on Monday, May 8, 1989, the Park City Planning Commission meeting at 7:00 p.m., at the Park City, City Hall, 6110 North Hydraulic Wichita, Kansas, will consider the above-referenced item for purposes of making a recommendation to the Metropolitan Area Planning Commission and Board of County Commissioners.

If this matter is not deferred for further hearings by the Park City Planning Commission, it will appear on the agenda for the regular meeting of the Wichita-Sedgwick County Metropolitan Area Planning Commission, which begins at 1:30 p.m., on Thursday, May 11, 1989, in the City Council Chambers, First Floor, City Hall, 455 North Main Street, Wichita, Kansas.

As an owner or occupant of property in the area, you have the right to appear at the Planning Commission meetings, 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 hearings.

If you have any questions or wish additional information, please call 268-4421.



SEE REVERSE SIDE

LEGAL DESCRIPTION OF THE ZONE PROPOSED TO BE CHANGED

Case No. DR 89-11

Special Use Permit to establish a Temporary Asphalt
Mixing Plant on Property Zoned "C" General Commercial District

Beginning 600 feet west of the Southeast corner of Section 33, Township 25 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas; thence N at 90°, 600 feet; thence W at 90°, 500 feet; thence S at 90°, 600 feet; thence E at 90°, 500 feet; to the point of beginning. (Now platted as part of Lot 1, Block A, Coliseum Park II Addition, Sedgwick County, Kansas). Generally located on the North side of 77th St. North in an area west of Hydraulic.

Most Restrictive



Least Restrictive

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***

***Motor home parks and trailer camps are not permitted

() Published in The Daily Reporter on April 18, 1989
(One Time)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

FILE COPY

NOTICE IS HEREBY GIVEN that on, Wednesday, May 3, 1989, the Park City Planning Commission meeting at 7:00 p.m., at the Park City, City Hall, 6110 North Hydraulic, Wichita, Kansas, will consider the following application:

Case No. DR 89-11
Special Use Permit to establish a Temporary Asphalt
Mixing Plant on Property Zoned "C" General Commercial District

Beginning 600 feet west of the Southeast corner of Section 33, Township 25 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas; thence N at 90°, 600 feet; thence W at 90°, 500 feet; thence S at 90°, 600 feet; thence E at 90°, 500 feet; to the point of beginning. (Now platted as part of Lot 1, Block A, Coliseum Park II Addition, Sedgwick County, Kansas). Generally located on the North side of 77th St. North in an area west of Hydraulic.

If this matter is not deferred for further hearings by the Park City Planning Commission, it will appear on the agenda for the regular meeting of the Wichita-Sedgwick County Metropolitan Area Planning Commission, Thursday, May 11, 1989, in the City Council Chambers, First Floor, City Hall, 455 North Main Street, Wichita, Kansas, beginning at 1:30 p.m., at which time you may appear either in person or by agent or attorney, if you so desire.

As provided in Section 17-C of the Sedgwick County Zoning Regulations, the same will then and there be discussed and considered by the said MAPC, and all persons interested in said matters will be heard at this time concerning their views and wishes in the premises, and any protest against any of the provisions of the proposed application will be considered as by law provided.

WITNESS MY HAND this 17th Day of April, 1989.

Marvin S. Krout, Secretary
Wichita-Sedgwick County
Metropolitan Area Planning Commission

DR-89-11

APPLICATION FOR SPECIAL PERMIT
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, lessees or others directly associated with the property may also be listed if they desire to be advised of the proceedings.

L. A. Knebler Construction

A. APPLICANT Co., Inc. PHONE 775-2205

ADDRESS P. O. Box 429, Augusta, Kansas Zip Code 67010

AGENT Robert W. Kaplan PHONE 262-5175

ADDRESS 430 North Market, Wichita, Kansas Zip Code 67202

B. APPLICANT _____ PHONE _____

ADDRESS _____ Zip Code _____

AGENT _____ PHONE _____

ADDRESS _____ Zip Code _____

C. APPLICANT _____ PHONE _____

ADDRESS _____ Zip Code _____

AGENT _____ PHONE _____

ADDRESS _____ Zip Code _____

(Use separate sheet if necessary for additional applicants).

2. A. The applicant proposes to establish a ^{temporary} ~~portable~~ asphalt mixing plant _____ (use)

on property zoned "C" and legally described as Lot(s) _____

_____, Block _____ of the

_____ Addition.

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

Beginning 600 feet west of the Southeast corner of Section 33, Township 25 South, Range 1 East of the 6th P.M., Sedgwick County, Kansas; thence N at 90°, 600 feet; thence W at 90°, 500 feet; thence S at 90°, 600 feet; thence E at 90°, 500 feet to the point of beginning. (Now platted as part of

Lot 1, Block A, Coliseum Park II Addition, Sedgwick County, Kansas.)

- B. There are 6.9 ^{plus or minus} acres (round to nearest tenth) in the above described property.

FOR OFFICE USE ONLY

CPO N/A

Map No. 5557 B Zoning (N) C (S) R (E) C (W) C MAPC 5/11/89

T9-212-2

Advertise by 4/18/89

Neigh. notify session and on before April 1989

Park City P.C. May 3, 1989

Revised 1/89

3. This property is located at (address) _____.

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

A. At the northwest corner of East 77th Street North and North Hydraulic, OR

B. On the north side of 77th St. North (Ave.) ~~Street~~ between _____ (Ave.) Street & _____ (Ave.) Street, in an area west of Hydraulic.

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

To establish a temporary asphalt mixing plant. Applicant has a contract to construct the parking and circulation areas for the greyhound dog track which is being constructed pursuant to the lease agreement with Sedgwick County, Kansas. Estimated time on site is seven weeks with all product to be wholly used on site.

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 GOVERNING BODY SHALL HAVE AUTHORITY TO IMPOSE SUCH CONDITIONS AS IT DEEMS NECESSARY IN ORDER TO SERVE THE PUBLIC INTEREST AND WELFARE.

L. A. (KNEBLER CONSTRUCTION CO., INC.

APPLICANT'S SIGNATURE

BY [Signature]
AUTHORIZED AGENT (IF ANY)
Robert W. Kaplan

APPLICANT'S SIGNATURE

BY _____
AUTHORIZED AGENT (IF ANY)

APPLICANT'S SIGNATURE

BY _____
AUTHORIZED AGENT (IF ANY)

OFFICE USE ONLY

This application was received at the Planning Department at _____ (a.m., p.m.) on 5/12/69 (day, month, year). It has been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ 350.00.

F.L.N

Name

S.P.

Title

Nº 00658

METROPOLITAN AREA PLANNING DEPARTMENT

Description Special Use Application
Name Kodan and McMillan
Address 430 N. Market
Fund No. (circle one) 755-40710-003 (fees) 755-40710-004
(books, xerox) 755-40710-026 (microfilm) 300210-9028
Amount \$300.00
Date 4/6/89 Due Date 4/12/89 By FEN

Form 00-000

OWNERSHIP LIST

Property Description			Property Owners
Lot 1 and Reserve A	Block A	Coliseum Park II	1 Board of County Commissioners 525 N. Main Wichita, Kansas 67203
Lot 3	Block A	Coliseum Park	2 Board of County Commissioners 525 N. Main Wichita, Kansas 67203
Reserve A	"	"	3 Board of County Commissioners 525 N. Main Wichita, Kansas 67203
The Southwest Quarter of Section 34, Township 25 South, Range 1 East of the Sixth P.M., Sedgwick County, Kansas, except roads.			4 Orville H. Miller Doris S. Miller RR 2 Box 209 2134 E. 77th St. N. Valley Center, Kansas 67147
Beginning at the Northwest corner of the Northwest Quarter of Section 3, Township 26 South, Range 1 East of the Sixth P.M., Sedgwick County, Kansas, thence South along the West line of said Northwest Quarter, 563.92 feet more or less to a point 748 feet North of the Southwest corner of the North half of said Northwest Quarter; thence East parallel with the South line of the North half of said Northwest Quarter, 990 feet; thence North parallel with the West line of said Northwest Quarter, 206.4 feet more or less to a point 363 feet South of the North line of said Northwest Quarter; thence West 360 feet; thence North 363 feet to the North line of said Northwest Quarter; thence West 630 feet to beginning: except a tract Beginning at a point 563.92 feet South and 165 feet East of the Northwest corner of the Northwest Quarter of Section 3; thence North 220 feet parallel with Hydraulic Avenue; thence East 220 feet parallel with 77th Street North; thence South 220 feet parallel with Hydraulic Avenue; thence West 220 feet to beginning.			5 Elarryo E. Mukes Gwendolyn F. Mukes Arvid Vincent Mukes 3828 Lavon Wichita, Kansas 67208
Beginning at a point 563.92 feet South and 165 feet East of the Northwest corner of the Northwest Quarter of Section 3, Township 26 South, Range 1 East of the Sixth P.M., Sedgwick County, Kansas; thence North 220 feet parallel with Hydraulic Avenue; thence East 220 feet parallel with 77th Street North; thence South 220 feet parallel with Hydraulic Avenue; thence West 220 feet to the place of beginning.			6 Elarryo E. Mukes Gwendolyn F. Mukes 3828 Lavon Wichita, Kansas 67208
The North half of the Northeast Quarter of Section 4, Township 26 South, Range 1 East of the Sixth P.M., Sedgwick County, Kansas, except I-35 Highway and .16 acres as condemned in CC-11673 and except roads on the North and the East.			7 Walter F. Davison (Dec'd) Hattie M. Davison (Dec'd) c/o Rachel McMinnville et al 1703 Northeast Parkway Wichita, Kansas 67208
Lot 1	Block A	Challans Addition	8 William H. Challans Gladys Ilene Challans 7650 N. Hydraulic Rt. 2 Valley Center, Kansas 67247

Page 2

We hereby certify the foregoing to be a true and correct list of the property owners of the hereinbefore described lots, tracts and reserves within a 1000 foot radius of:

Beginning 600 feet West of the Southeast corner of Section 33, Township 25 South, Range 1 East of the Sixth P.M., Sedgwick County, Kansas; thence North at 90°, 600 feet; thence West at 90°, 500 feet; thence South at 90°, 600 feet; thence East at 90°, 500 feet to the point of beginning.

as shown by the last deed of record on file in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 11th day of April, 1989, at 7:00 o'clock A.M.

THE SECURITY ABSTRACT AND TITLE COMPANY, INC.

By *Alan B. Edwards*
Vice-President

Order No. 406531

ja

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

April 13, 1989

CORRECTED
NOTICE OF PUBLIC HEARING

Case No.: DR 89-11

Location: On the north side of 77th St. North in an area west of Hydraulic.

Address: N/A

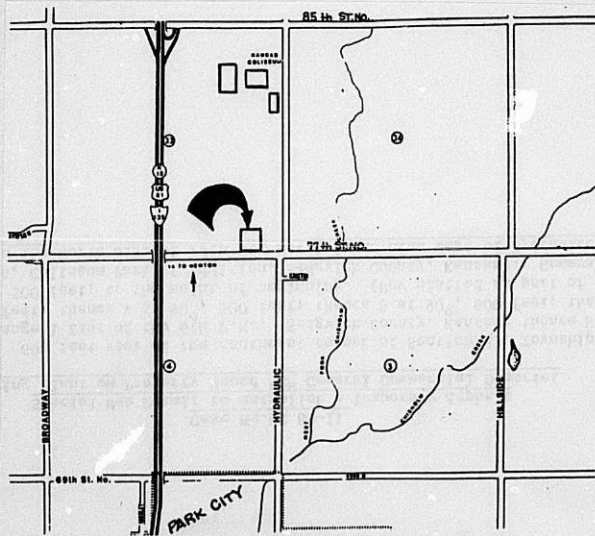
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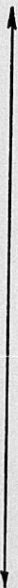
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