



Wichita-Sedgwick County Metropolitan Area Planning Department

July 14, 2023

Fran-Mar Investments, Inc.
P.O. Box 1995
Wichita, KS 67201

Bruce J. Meyer Living Trust
6509 W. Clear Meadow Circle
Wichita, KS 67205

Jarrold Dunken
710 N. Anna Street
Wichita, KS 67212

Bob Decker
3244 N. Shelton Ave.
Wichita, KS 67204

Venture Rentals, Inc.
Attn: Darin Campbell
P.O. Box 4605
Wichita, KS 67204

RE: City Conditional Use to permit salvage yard for a tow/impound lot on property zoned LI Limited Industrial generally located on the west side of North Broadway and within one-half mile south of East 37th Street North (3527 N Broadway).

Dear Applicants:

At its regular meeting on **October 21, 2021**, the Wichita - Sedgwick County Metropolitan Area Planning Commission (MAPC) considered the above captioned request. The action of the MAPC was to **APPROVE** the request to allow the Conditional Use as follows:

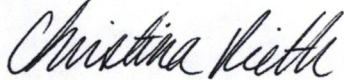
CON2021-00043

1. The Conditional Use shall authorize the operation of an impound lot, and wrecked vehicle storage. In no event shall dismantling of wrecked vehicles and/or sale of salvage parts be permitted in conjunction with this use. Storage area shall be set back no less than 100 feet from North Broadway.
2. The use shall conform with Use Regulation D6.e and D.6.dd- such operation is not abutting an arterial street; will not adversely affect the character of the neighborhood; and is enclosed by a fence or wall not less than eight (8) feet in height and having cracks and opening not in excess of five percent of the area of such fence.
3. Landscaping requirements shall be per the UZC and City of Wichita Landscape Code.
4. The site shall be developed in accordance with a scaled, updated site and landscape plan.
5. Wrecked or impounded vehicles shall not be stacked.
6. The applicant shall maintain at all times an active program for the eradication and control of rodents.
7. Weeds shall be controlled within the fenced area and adjacent to and along the outside perimeter of the subject property.
8. Any locking devices on entrance gates shall meet Fire Department requirements. Access to and within the vehicle (wrecked and impounded) storage yard shall provide fire lanes per the direction and approval of the Fire Department.
9. Employee parking spaces shall be provided per the UZC.

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. The applicant shall obtain and maintain all applicable local, state, and federal permits necessary for the operation of wrecked vehicle storage and vehicle impound lot.
12. 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 the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

No protests were received for this case. Therefore, the decision of the MAPC is final. If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,



Christina M. Rieth, Associate Planner
Current Plans Division

Copies to: MABCD
 Maggie Ballard, Council Member District VI
 Ana Lopez, CSR District VI
 Jeff VanZandt, Assistant City Attorney



Wichita-Sedgwick County Metropolitan Area Planning Department

October 22, 2021

Fran-Mar Investments, Inc.
P.O. Box 1995
Wichita, KS 67201

Bruce J. Meyer Living Trust
6509 W. Clear Meadow Circle
Wichita, KS 67205

Jarrold Dunken
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Wichita, KS 67212

Bob Decker
3244 N. Shelton Ave.
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Venture Rentals, Inc.
Attn: Darin Campbell
P.O. Box 4605
Wichita, KS 67204

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Dear Applicants:

At its regular meeting on **October 21, 2021**, the Wichita - Sedgwick County Metropolitan Area Planning Commission (MAPC) considered the above captioned request. The action of the MAPC was to **APPROVE** the request to allow the Conditional Use as follows:

CON2021-00043

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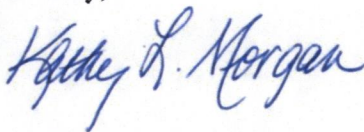
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11. The applicant shall obtain and maintain all applicable local, state, and federal permits necessary for the operation of wrecked vehicle storage and vehicle impound lot.
12. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

Property owners opposed to the application may file with the City Clerk a signed, written protest of the MAPC's recommendation. (Unsigned e-mails are not considered to be legal protests.) To be effective, the protest must be filed by 5:00 p.m. on November 4, 2021. In order to be considered a "valid" petition, the signatures must reflect the correct and entire ownership of the property, the property must be at least partially located within 200 feet of the property for which the application was filed, and must be submitted to the City Clerk by November 4, 2021 at 5:00 p.m.

If there are no protests, the MAPC's approval is final. If there are protests, this application will be presented to the Wichita City Council on Tuesday, December 7, 2021, beginning at 9:00 a.m.

This is a reminder that the zoning notification signs should now be removed from the property. If you have any questions concerning this application, please contact our office at 268-4421.

Sincerely,



Kathy L. Morgan, Senior Planner
Current Plans Division

Copies to: MABCD
Cindy Claycomb, Council Member District VI
Ana Lopez, CSR District VI
Jeff VanZandt, Assistant City Attorney

CONDITIONAL USE RESOLUTION NO. CON2021-00043

WHEREAS, Bruce J. Meyer Living Trust and Fran-Mar Investment, Inc., Owners and applicants Jarrod Dunken, Bob Decker, and Venture Rentals, LLC (Darin W. Campbell) pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code (herein referred to as Unified Zoning Code), request a Conditional Use to allow Wrecking/Salvage Yard for salvage/wrecked vehicles and an impound/tow yard on property zoned LI Limited Industrial Zoning District legally described as:

Lots 5 through 10 inclusive, including the East half of vacated Market Street abutting said Lots, Block 6, Jones Park Addition, Wichita, Sedgwick County, Kansas.

AND

Lots 31, 32, 33, and 34, Block 6, Jones Park Addition, Wichita, Sedgwick County, Kansas.

WHEREAS, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission (hereinafter referred to as MAPC) has been given; and

WHEREAS, the MAPC did, at the October 21, 2021 regular meeting of the MAPC, consider said application; and

WHEREAS, the MAPC has authority to permit a Conditional Use, subject to any special conditions deemed appropriate in order to assure full compliance with the criteria of the Unified Zoning Code.

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Area Planning Commission that this application be approved to allow a Conditional Use to allow Wrecking/Salvage Yard for salvage/wrecked vehicles and an impound/tow yard on property zoned LI Limited Industrial Zoning District legally described as:

Lots 5 through 10 inclusive, including the East half of vacated Market Street abutting said Lots, Block 6, Jones Park Addition, Wichita, Sedgwick County, Kansas.

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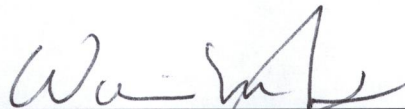
Approved subject to the following conditions:

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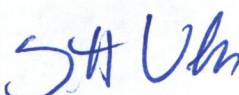
Adopted this 21st Day of October 2021.

METROPOLITAN AREA PLANNING COMMISSION



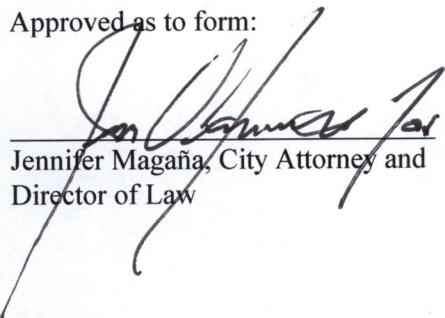
William M. Johnson, Chair MAPC

ATTEST:



Scott Wadle, Secretary

Approved as to form:



Jennifer Magaña, City Attorney and
Director of Law



Beaufort Gazette
 Belleville News-Democrat
 Bellingham Herald
 Bradenton Herald
 Centre Daily Times
 Charlotte Observer
 Columbus Ledger-Enquirer
 Fresno Bee

The Herald - Rock Hill
 Herald Sun - Durham
 Idaho Statesman
 Island Packet
 Kansas City Star
 Lexington Herald-Leader
 Merced Sun-Star
 Miami Herald

el Nuevo Herald - Miami
 Modesto Bee
 Raleigh News & Observer
 The Olympian
 Sacramento Bee
 Fort Worth Star-Telegram
 The State - Columbia
 Sun Herald - Biloxi

Sun News - Myrtle Beach
 The News Tribune Tacoma
 The Telegraph - Macon
 San Luis Obispo Tribune
 Tri-City Herald
 Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
16399	142136	WIC-9-30-21	OCA 150004	\$117.60	1	14.00 in

Attention: Betsy Pagán
 CITY OF WICHITA/PLANNING DEPT
 271 WEST THIRD ST., 2ND FL, SU 203
 WICHITA, KS 67202

Copy of ad content
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In The STATE OF KANSAS
 In and for the County of Sedgwick

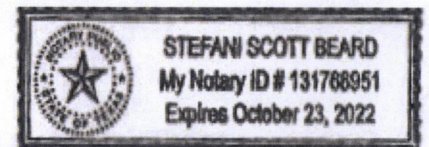
No. of Insertions: 1
 Beginning Issue of: 09/30/2021
 Ending Issue of: 09/30/2021

STATE OF KANSAS)
 SS
 County of Sedgwick)

Hayley Martin, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle from 09/30/2021 to 09/30/2021.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
 DATED: 06/14/2022

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
 Legal document please do not destroy!

LEGAL PUBLICATION

OCA 150004

PUBLISHED IN THE WICHITA EAGLE
ON SEPTEMBER 30, 2021 (326918)
(One Time Only)

**MAPC (BZA October 21, 2021)
OFFICIAL HEARING NOTICE**

NOTICE IS HEREBY GIVEN that on **Thursday, October 21, 2021 no earlier than 1:30 p.m.**, the WichitaSedgwick County Metropolitan Area Planning Commission/Board Zoning Appeals will consider the following applications. The meeting will be held virtually, public participation is available in multiple ways, those without technology options can participate by going to the Wichita City Hall Building - 1st Floor Council Chambers - 455 N. Main Street, Wichita, Kansas 67202 (specified at the bottom of this notice). If you have any questions regarding the meeting or items on this notice, please call the WichitaSedgwick County Metropolitan Area Planning Department at (316) 2684421.

CON2021-00043 - City Conditional Use to permit salvage yard for a low/impound lot on property zoned LI Limited Industrial generally located on the west side of North Broadway and within one-half mile south of East 37th Street North (3527 N Broadway).

CUP2021-00050 - City Community Unit Plan amendment to allow restaurant/bar with entertainment (defined as Night Club in the City), generally located on the east side of North Armiton Avenue and within one-quarter mile south of West 21st Street North (2106 North Armidon).

CUP2021-00051 - City request for a mixed use Community Unit Plan on LC Limited Commercial zoned property generally located on the northeast corner of West 47th Street South and South Meridian Avenue (associated with ZON2021-45).

CUP2021-00052 - City request to amend Community Unit Plan CUP DP-19 to allow a restaurant/bar with entertainment (defined as Night Club in the City) on LC Limited Commercial zoned Parcel 1-A generally located southeast of North Tyler Road and West Central Avenue (602 N Tyler Rd).

VAC2021-00041 - City Vacation of a portion of platted setback on property zoned SF5 Single-Family Residential to allow for the construction of a porch, generally located northwest of North Armiton and West 25th Street North (2659 North Charles Avenue).

ZON2021-00043 - City zone change from SF-5 Single-Family Residential to GO General Office for multiple properties on North Edwards between W Elm and W Murdock, generally located within one-quarter mile north of West Central Avenue and one-block west of North McLean Blvd.

ZON2021-00044 - City zone change from SF-5 Single-Family Residential to T-3 Two-Family Residential, generally located within one-quarter mile east of Zoo Boulevard and two blocks south of West 9th Street North.

ZON2021-00045 - City zone change from SF-5 Single-Family Residential to LC Limited Commercial (associated with CUP2021-00051) to form new CUP, generally located on the northeast corner of West 47th Street South and South Meridian Avenue.

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. 3rd Street, 2nd Floor, Wichita, Kansas 67202. As provided in Section V of the WichitaSedgwick County Unified Zoning Code, 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 changes to the zoning regulations will be considered by the MAPC as by law provided.

PLEASE NOTE THIS MEETING IS CONSIDERED AN EMERGENCY MEETING OF THE WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION DUE TO COVID-19, WHICH WILL IMPOSE SPECIAL PROCEDURES TO PARTICIPATE IN THE PUBLIC HEARING. THESE ARE AS FOLLOWS:

The meeting will be conducted "virtually" using Go-To-Meeting. You have multiple options to participate: 1) submit comments ahead of time, 2) participate remotely, or 3) attend in-person at the Wichita City Hall Building (see below).
Submit Comments Ahead of Time

You can submit comments regarding items on the Planning Commission agenda to the WichitaSedgwick County Metropolitan Area Planning Department (Planning Department). Comments must be received by the Planning Department no later than 5pm 3 days prior to the meeting. Please be sure to provide ample time for delivery. The comments can be submitted in the following formats: email, letter, video, and audio message (mp3, etc.). The comment should indicate which item they pertain to and be less than three (3) minutes in duration. The comments should be submitted to Planning Department staff using the contact information below. The comments received ahead of the submission deadline will be shared with the MAPC, prior to or during the meeting.

Email	Planning@wichita.gov
Mailing Address	Wichita-Sedgwick County Metropolitan Area Planning Department Attn: Scott Wadle 271 W. 3 rd Street - Suite 201 Wichita, KS 67202
Phone	316.268.4421
Fax	316.858.7764

Participate Remotely

Please join my meeting from your computer, tablet or smartphone.

<https://globalgotomeeting.com/join/651544141>

You can also dial in using your phone.

United States: +1 (671) 317-3112

Access Code: 651-544-141

Join from a video-conferencing room or system.

Dial in or type: 67.217.95.2 or inroomlink.goto.com
Meeting ID: 651 544 141

Or dial directly: 651544141@67.217.95.2 or 67.217.95.2#651544141

New to GoToMeeting? Get the app now and be ready when your first meeting starts: <https://globalgotomeeting.com/install/651544141>

Attend In-Person

You may also participate in the hearing in-person at the Wichita City Hall Council Chambers (455 N. Main Street, Wichita, KS 67202). Please note that security screening is required for public access to the building, self-paid parking is available nearby, and COVID-19 protocols are in place. For more information please visit www.wichita.gov/virtualhall. The in-person option is primarily intended for those without other technology options, and who have not previously submitted recorded audio or video comments. If you have any written or visual materials you wish to present, please contact Planning Department Graphics staff (316-2684464) by 5pm, 3 days prior to the meeting.

WITNESS MY HAND on September 30, 2021

Scott Wadle, Secretary

WichitaSedgwick County

Metropolitan Area Planning Commission

Congress juggles funding, debt limit, Biden agenda

BY ERIC WASSON AND LAURA LITVIN
Bloomberg News

WASHINGTON

President Joe Biden's economic agenda faced a pivotal day in Congress Wednesday, with the prospects growing of an embarrassing setback for his infrastructure bill and markets beginning to take notice of the intensifying debt ceiling standoff with Republicans.

Senate Majority Chuck Schumer said he anticipates Congress will avert a government shutdown by passing a stopgap spending bill before credit expires Friday.

But he was not as optimistic on efforts to sus-

pend the debt ceiling, which Republicans have refused to do.

"We're just asking Republicans to get out of the way," Schumer said on the Senate floor.

Treasury Secretary Janet Yellen has warned that a default looms on Oct. 18 without congressional action.

Concerns about the current impasse in Washington over the debt limit and other fiscal measures contributed to the biggest sell-off in equities since May. The 2% drop in the S&P 500 index was partially reversed in Wednesday trading.

government functions after the end of the fiscal year on Thursday. As soon as Wednesday evening, the Senate planned to take up the stopgap spending bill extending funding through Dec. 3 and providing billions in disaster aid and funds for Afghan refugees. The House plans to quickly follow suit.

Democrats earlier attempted to use the stopgap measure as a vehicle for a debt ceiling suspension but Republicans blocked that effort in the Senate.

For now, Democrats are trying to win public support. They plan to pass a stand-alone debt limit bill in the House to highlight the issue and continue to seek GOP consent in the



J. SCOTT APPELWHITE AP

Sen. Joe Manchin, D-W.Va., a centrist Democrat vital to the fate of President Joe Biden's \$3.5 trillion domestic agenda, is surrounded by reporters outside the Capitol on Wednesday.

Senate to pass the debt limit with just 51 votes instead of the usual 60 votes.

Republicans continue to press Democrats to use the same fast-track budget process to raise the debt ceiling without GOP support they plan to use for the tax and spending measure that encompasses much of Biden's agenda.

Across the Capitol, Speaker Nancy Pelosi faces a hard choice of

when to hold a vote on the \$550 billion infrastructure bill, which has already passed the Senate with bipartisan support.

Pelosi has promised moderates in her caucus a Thursday vote on the bill, a top priority for swing-district Democrats. But progressives have doubled down on their threat to vote down the bill until the House and Senate passes a \$3.5 trillion tax and spending measure that funds

many of their priorities. "I think if we come to a place where we have agreement in legislative language, not just principle but legislative language that the president supports," Pelosi said. "and then I think we will come together."

To unlock the second larger bill, the House is waiting on Senate moderates led by Joe Manchin of West Virginia and Kyrsten Sinema of Arizona to reveal the price tag they'll support. Manchin has hinted he could back \$1.5 trillion while Sinema has been more circumspect.

Biden was personally negotiating with the two senators and canceled a trip to Chicago to coincide with talks.

Without some deal between Biden and the moderates, it is increasingly likely that the infrastructure bill will fail on the House floor or that Pelosi will pull it from the schedule. As a result, the entire Biden agenda could languish in Congress for months.

Kansas leaders have failed in attempts to expand Medicaid. Will Congress do it for them?

BY DANIEL DESROCHERS AND KATIE BERNARD
desrochers@mcclatchy.com
kbernard@kstar.com

WASHINGTON

For nearly a decade, politicians in Kansas have sought to expand access to Medicaid only to be blocked by conservative Republicans.

Gov. Sam Brownback vetoed a bi-partisan effort in 2017, citing the lack of work requirements for beneficiaries and a failure to defund Planned Parenthood. Senate President Susan Wagle scuttled another bi-partisan agreement in 2020, making passage contingent on approval of an anti-abortion constitutional amendment.

Now, Democrats in Washington, D.C. are on the verge of stepping in. "State after state has chosen to expand Medicaid and protect the health of their most vulnerable residents, but Kansas continue to suffer solely because partisan actors have repeatedly chosen to leave money on the table," said Kansas U.S. Rep. Sharice Davids. "Kansans have

made their voices clear on this — that's why we are exploring every avenue, including continued financial incentives for states and a federal option to close the Medicaid coverage gap."

Among the many provisions in the mammoth budget bill Democrats are calling "Build Back Better" is a new Medicaid program to provide health insurance for most low-income adults in the 12 states, like Kansas, that have not expanded eligibility for coverage. The expansion, a provision of the 2010 Affordable Care Act, would cover households making up to 138 percent of the federal poverty line, or \$36,570 for a family of four.

It may be the only shot to extend coverage to the estimated 165,000 Kansans who don't have health insurance. The latest efforts to expand Medicaid have attracted little support in Topeka. "I don't think it's in the cards in this building for 2022," State Sen. Pat Petrey, a Kansas City, Kansas Democrat said in Topeka last week. "We haven't been able as a Legislature

to even have, I would say within the last 2 years, to even have a significant conversation about Medicaid expansion."

Any federal Medicaid expansion relies on Democrats agreeing to pass a budget bill packed with legislative priorities, from universal pre-kindergarten to combating climate change. The state of the package is tenuous. Conservative Democrats in the Senate have chafed at the \$3.5 trillion cost, and House and Senate Democrats are negotiating what portions to cut.

Some of the bill's health care provisions have been part of the negotiations, such as whether to allow Medicare to negotiate drug prices with pharmaceutical companies, another measure supported by Davids. The provision creating a federal Medicaid program for people in the "coverage gap," however, has stayed uncontroversial.

If the provision remains and the bill becomes law, the Secretary of Health and Human Services would have until 2025 to create a new program to administer

Medicaid to the newly eligible recipients.

Until the program is set up, they would be able to get subsidies to purchase coverage in the federal health insurance marketplace.

Depending on how the program is set up, the federal workaround means the state potentially would not have to spend any money on insurance coverage for the expanded Medicaid population — even though the federal government covers 90 percent of the cost for states that have expanded.

But it also means they won't get any say over running the program and how to best tailor it for Kansas.

"It would be great to have those people insured but we do lose the opportunity to make it a Kansas program, to put our own stamp on things," said Kansas state Rep. Susan Conconson, a Beloit Republican who supports Medicaid expansion.

Expansion proponents said they would still like to see the Kansas legislature pass a bill. April Hollman, Executive Director of the

Alliance for a Healthy Kansas, said she would like to see a program tailored to the needs of Kansas, which would require expansion by the legislature instead of a federal workaround.

Conconson said she hoped the state's lack of control over the workaround would encourage conservatives who have resisted expansion to come to the negotiating table.

A federal program may not have work requirements, which some conservatives have made a condition of expansion. The 2020 version of the bill crafted by Kelly and Senate Republican leader Jim Denning had a program that referred people to work, but didn't require it.

Still, the prospect of the federal government stepping in doesn't appear to have changed the minds of Republicans who opposed Medicaid expansion. Sen. Richard Hilderbrand, a Galena Republican and chair of the Senate Health and Human Services Committee, called it federal outreach and promised to seek ways to fight if it goes through.

"The federal government is stepping way outside of its intent of what the founding fathers wanted it to be," Hilderbrand said. "We don't need any more federal programs and if it's a state issue like it always has been let the states decide if they want it or they don't."

Focus on boosters might hurt outreach for 1st-time shots

BY MIKE STORBE
The Associated Press

NEW YORK

The spread of COVID-19 vaccination requirements across the U.S. hasn't had the desired effect so far, with the number of Americans getting their first shots

plunging in recent weeks. And some experts worry that the move to dispense boosters could just make matters worse.

The fear is that the rollout of booster shots will lead some people to question the effectiveness of the vaccine in the first place.

"Many of my patients are already saying, 'If we need

a third dose, what was the point?'" said Dr. Jason Goldman, a physician in Coral Springs, Florida.

The average daily count of Americans getting a first dose of vaccine has been falling for six weeks, plummeting more than 50% from about 480,000 in early August to under 230,000 by the middle of

last week, according to the most recently available federal data.

An estimated 70 million vaccine-eligible Americans have yet to start vaccinations, despite a summer surge in infections, hospitalizations and deaths driven by the delta variant.

Experts have long said the key to ending the U.S. epidemic is vaccinating the vast majority of the American public — perhaps as much as 90%. But of the more than 283 million Americans age 12 and

older who are eligible for shots, only about 65% — 184 million — are fully vaccinated, according to Centers for Disease Control and Prevention data. Children under 12 are not yet eligible to get vaccinated, meaning only about 55% of the U.S. public is fully protected.

More than 400,000 Americans got boosters at drugstores over the weekend, and 1 million more have signed up for them, according to White House officials.

FROM PAGE 1A KANSAS GAS

done about it? Is there an investigation underway and what would be a reasonable timeline for the people of Kansas to know the truth about this? Was there price gouging and who made the money?"

The two FERC officials at the meeting told the senator they're doing what they can, but their power is limited.

"We don't have jurisdiction over the price of the sale of natural gas; Congress deregulated that a number of years ago," Click said. "I believe it

would be helpful if Congress would either get FERC or some other agency some sort of circuit breaker authority when there's extreme prices to impose some sort of limit on prices at certain times."

He and Christie told Marshall that the agency does have the authority to investigate whether prices were artificially inflated and they're working on that.

Both officials kept the details of the investigation close. "Your question about

who makes the money; it could be traders, it could be suppliers," Christie told Marshall. "It depends on the facts of the situation and what happened in Kansas and Oklahoma in this past February."

How long it will take to unravel that is an open question.

"I'm hoping months," rather than years, Click told Marshall.

In the meantime, Kansas' regulatory agency, the Kansas Corporation Commission, has decided it doesn't have authority to investigate allegations of potential gouging and it's moving forward with payment plans that will spread the extraordinary

February cost over the next few years of bills to tamp down rate shock.

Wichita-area households are expected to pay between \$600 and \$750 of additional costs from the freeze, according to documents filed with the KCC.

For Kansas Gas Service customers, that could range from \$17.51 a month extra on gas bills over three years, to \$51.10-\$6 a month spread over 10 years.

Black Hills Energy, the No. 2 gas company in Wichita, has proposed charging an extra \$12.23 a month spread over five years.

In addition to the FERC investigation, Attorney

General Derek Schmidt is looking into whether the spiraling gas prices violated the Kansas Consumer Protection Act, a law designed to limit price increases on necessities during periods of emergency.

That law is also being invoked in a civil court by the tiny city of Mulberry in southeast Kansas. James Zakoura, a prominent Kansas energy lawyer, is representing Mulberry and argues that gas suppliers engaged in price gouging and piracy during the freeze emergency.

Dion Leffer: 316-268-6527, @DionKansas

LEGAL PUBLICATION

PUBLISHED IN THE WICHITA EAGLE
ON SEPTEMBER 30, 2021 (22P18)
City Time Only

**MALCOLM COUNTY 11-011
OFFICIAL NOTICE**

NOTICE IS HEREBY GIVEN that on Thursday, September 30, 2021, at 10:00 a.m., the Malcolms County Planning Commission will consider the following applications. The meeting will be held at the Malcolms County Courthouse, 401 West 10th Street, Room 1100, Wichita, Kansas 67202. The meeting will be held at the Malcolms County Courthouse, 401 West 10th Street, Room 1100, Wichita, Kansas 67202. The meeting will be held at the Malcolms County Courthouse, 401 West 10th Street, Room 1100, Wichita, Kansas 67202.

**CITY OF WICHITA 11-011
OFFICIAL NOTICE**

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STAFF REPORT
MAPC October 21, 2021
DAB VI October 20, 2021

CASE NUMBER: CON2021-00043 (City)

APPLICANT/AGENT: Bruce Meyer Living Trust and Fran-Mar Investments Inc. (owners) Bobby Decker and Jarrod Dunken (applicants)

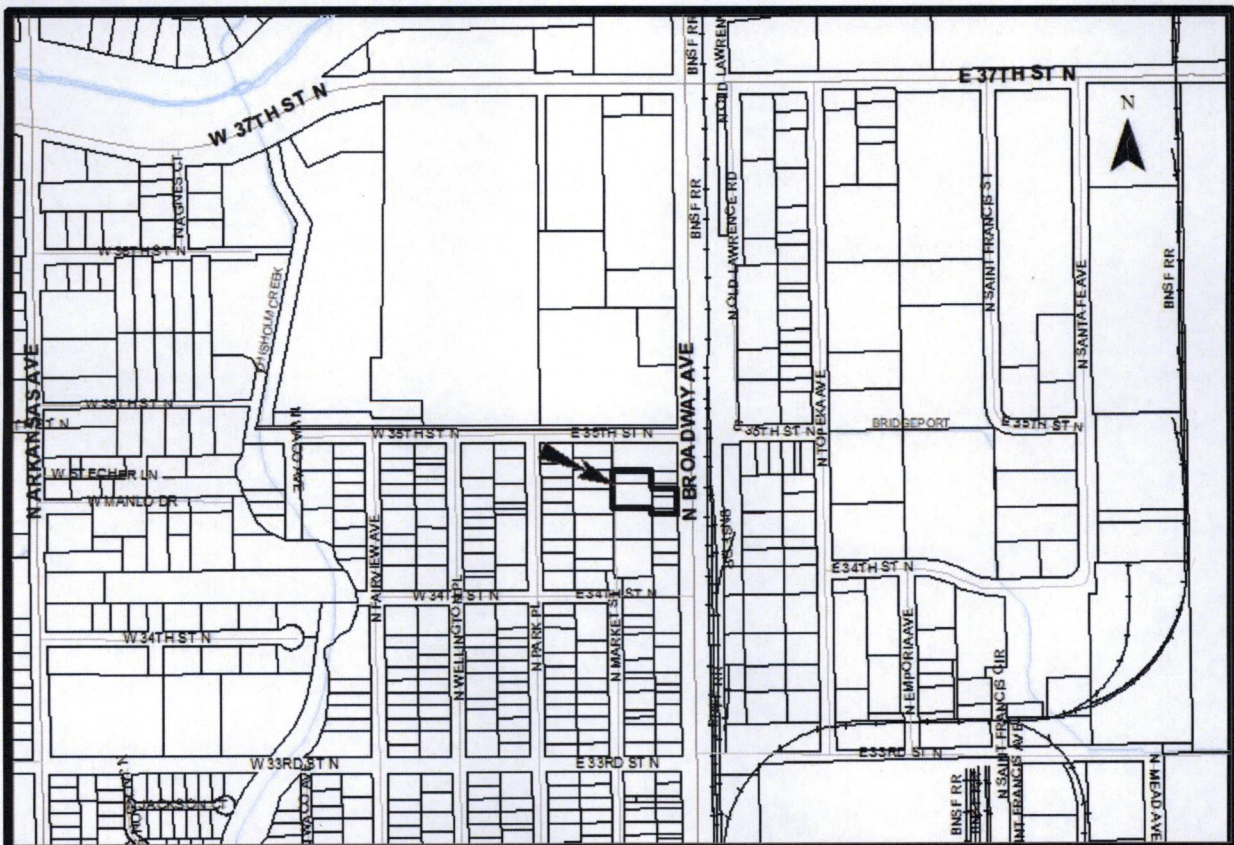
REQUEST: Conditional Use for a Wrecking / Salvage Yard

CURRENT ZONING: LI Limited Industrial (“LI”)

SITE SIZE: 1 acre

LOCATION: Generally located on the west side of North Broadway and within one-half mile south of East 37th Street North (District VI).

PROPOSED USE: Storage of wrecked and impounded vehicles



BACKGROUND: The applicant is requesting a Conditional Use to allow Wrecking/Salvage Yard use on the one (1) acre site. This would allow the site to be used for the storage of salvage/wrecked vehicles and an impound/tow yard. The applicant has indicated there will not be dismantling of wrecked vehicles or parts sales at this location; and that the property will only be used for storage of wrecked and impounded vehicles.

The subject property is two (2) zoning lots zoned LI Limited Industrial. The site is generally located on the west side of North Broadway and within one-half mile south of East 37th Street North (3527 N Broadway). The subject property is currently developed with a metal storage/warehouse building and a concrete block office/warehouse building.

The Unified Zoning Code (UZC) definition of a “Wrecking and Salvage yard” includes the proposed use: “...a lot, land, or structure used for the collecting, dismantling, storing, and/or salvaging of machinery, equipment, appliances, inoperable vehicles, vehicle parts, bulky waste, salvage materials, junk, or discarded materials; and/or for the sale of parts thereof. Typical uses include motor vehicle salvage yards and junkyards.” The UZC, Art III, Sec III-D.6.e, requires a Conditional Use for a wrecking/salvage yard in the LI zoning district provided that such operation is not abutting an arterial street; will not adversely affect the character of the neighborhood; and is enclosed by a fence or wall not less than eight (8) feet in height and having cracks and opening not in excess of five percent of the area of such fence.

The preliminary site plan (attached) indicates the location of the main office building, customer parking, and the wrecked vehicle storage and impound lot. A final scaled landscape and site plan will be required for approval by the Planning Department before any permits are issued.

The property to the north, west and south is zoned LI and is in use for general contracting storage and warehousing. East of the subject property is zoned GI General Industrial and is developed with warehousing and storage.

CASE HISTORY: The Jones Park addition was platted in May, 1920. There are no recent cases associated with this site.

ADJACENT ZONING AND LAND USE:

NORTH: LI	General Contracting, Light Manufacturing
SOUTH: LI	General Contracting
EAST: GI	Warehouse/Storage
WEST: LI	General Contracting

PUBLIC SERVICES: The subject property has access to North Broadway Avenue, a 4-lane paved arterial street. All municipal utilities are available to the subject site.

CONFORMANCE TO PLANS/POLICIES: The “2035 Wichita Future Growth Concept Map” of the Community Investments Plan identifies this location as being located within the Wichita City limit with residential developed west of the established Limited Industrial zoning district in proximity to new employment area to the east of the site. The Future Growth Map indicates this area as a mix of industrial and commercial. The proposed Conditional Use to allow for the storage

of salvage/wrecked vehicles and an impound/tow yard is in conformance with the Community Investments Plan.

RECOMMENDATION: Based upon information available prior to the public hearing, planning staff recommends that the requested Conditional Use for a Wrecking/Salvage and Tow/Impound Yard be **APPROVED**, subject to the following conditions:

CON2021-00043

1. The Conditional Use shall authorize the operation of an impound lot, and wrecked vehicle storage. In no event shall dismantling of wrecked vehicles and/or sale of salvage parts be permitted in conjunction with this use. Storage area shall be set back no less than 100 feet from North Broadway.
2. The use shall conform with Use Regulation D6.e and D.6.dd- such operation is not abutting an arterial street; will not adversely affect the character of the neighborhood; and is enclosed by a fence or wall not less than eight (8) feet in height and having cracks and opening not in excess of five percent of the area of such fence.
3. Landscaping requirements shall be per the UZC and City of Wichita Landscape Code.
4. The site shall be developed in accordance with a scaled, updated site and landscape plan.
5. Wrecked or impounded vehicles shall not be stacked.
6. The applicant shall maintain at all times an active program for the eradication and control of rodents.
7. Weeds shall be controlled within the fenced area and adjacent to and along the outside perimeter of the subject property.
8. Any locking devices on entrance gates shall meet Fire Department requirements. Access to and within the vehicle (wrecked and impounded) storage yard shall provide fire lanes per the direction and approval of the Fire Department.
9. Employee parking spaces shall be provided per the UZC.
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. The applicant shall obtain and maintain all applicable local, state, and federal permits necessary for the operation of wrecked vehicle storage and vehicle impound lot.

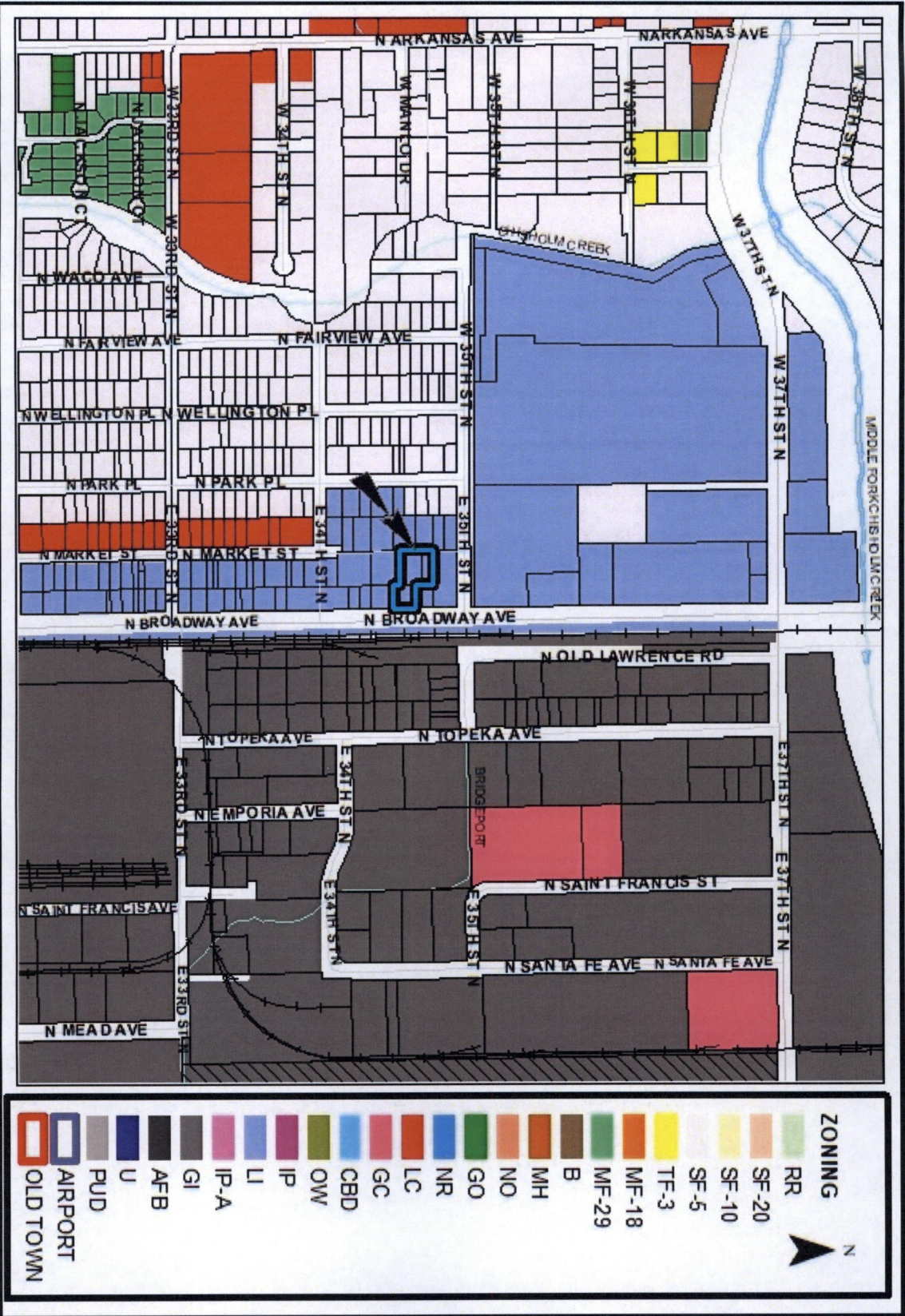
12. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

The staff's recommendation is to approve based on the following findings:

1. The zoning, uses and character of the neighborhood: The property to the north, west and south is zoned LI and is developed general contracting storage and warehousing. East of the subject property is zoned GI General Industrial and is developed with warehousing and storage.
2. The suitability of the subject property for the uses to which it has been restricted: The LI zoning allows commercial and industrial uses that would allow a wide range of uses. The impound lot and storage of wrecked vehicles may be permitted with a Conditional Use in the LI zoning district.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: Detrimental effects on nearby property should be minimized by the recommended conditions of approval, which include screening and landscaping. The subject property is not immediately adjacent to residential and an eight (8) foot fence or screening wall will be required.
4. Conformance of the requested change to adopted or recognized Plans/Policies: The "2035 Wichita Future Growth Concept Map" of the Community Investments Plan identifies this ~~location~~ site as being located within the Wichita City limit with residential developed west of the established Limited Industrial zoning district, in proximity to new employment area to the east of the site. The Future Growth Map indicates this area as a mix of industrial and commercial. The proposed Conditional Use to allow for the storage of salvage/wrecked vehicles and an impound/tow yard is in conformance with the Community Investments Plan.
5. Impact of the proposed development on community facilities: All utilities are available to the site. The use of this property should have limited impact on community facilities, with the possible exception of soil and groundwater contaminants.

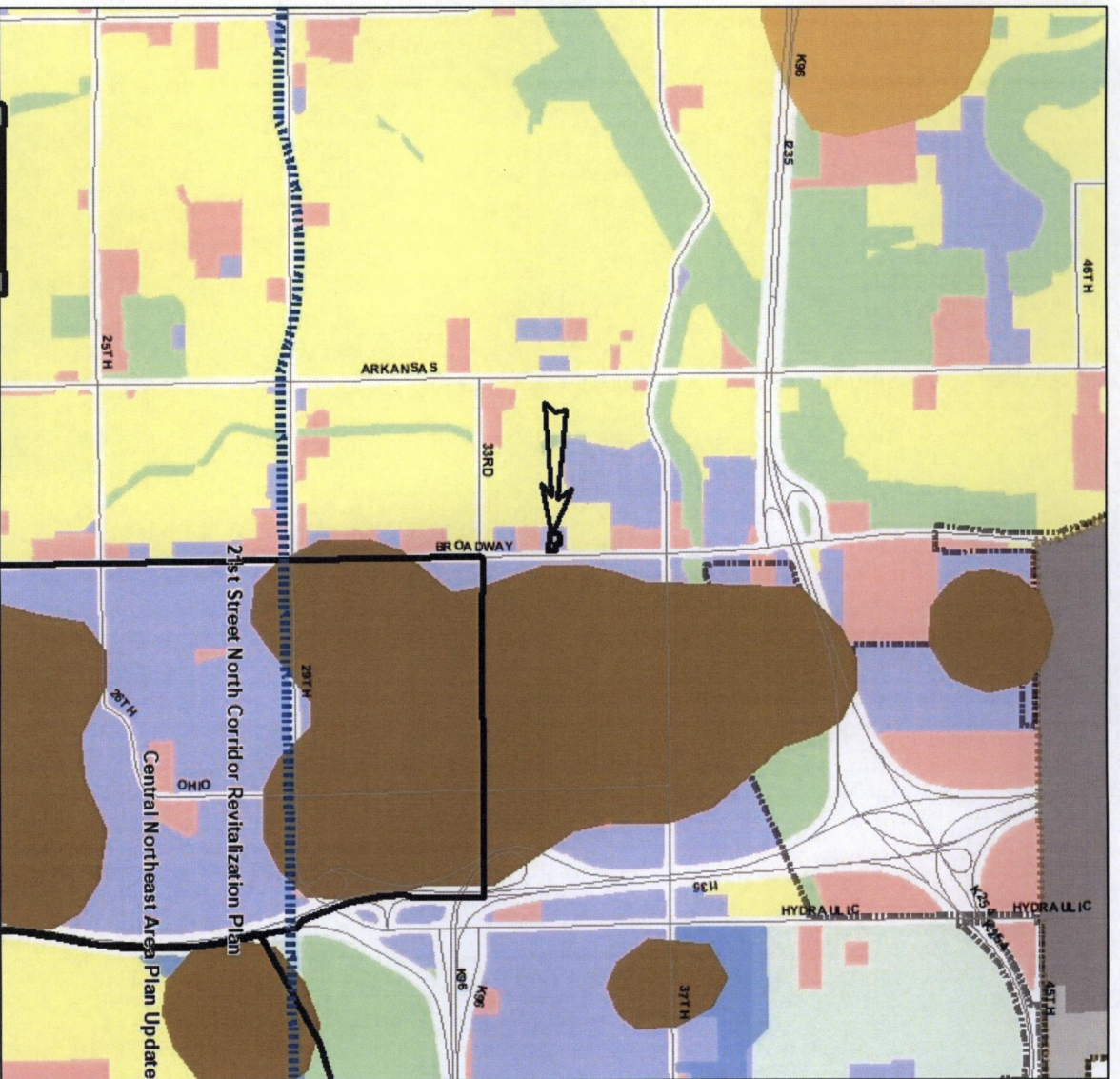
Attachment:
Aerial Map
Zoning Map
Land Use Map
Site Plan
Photos

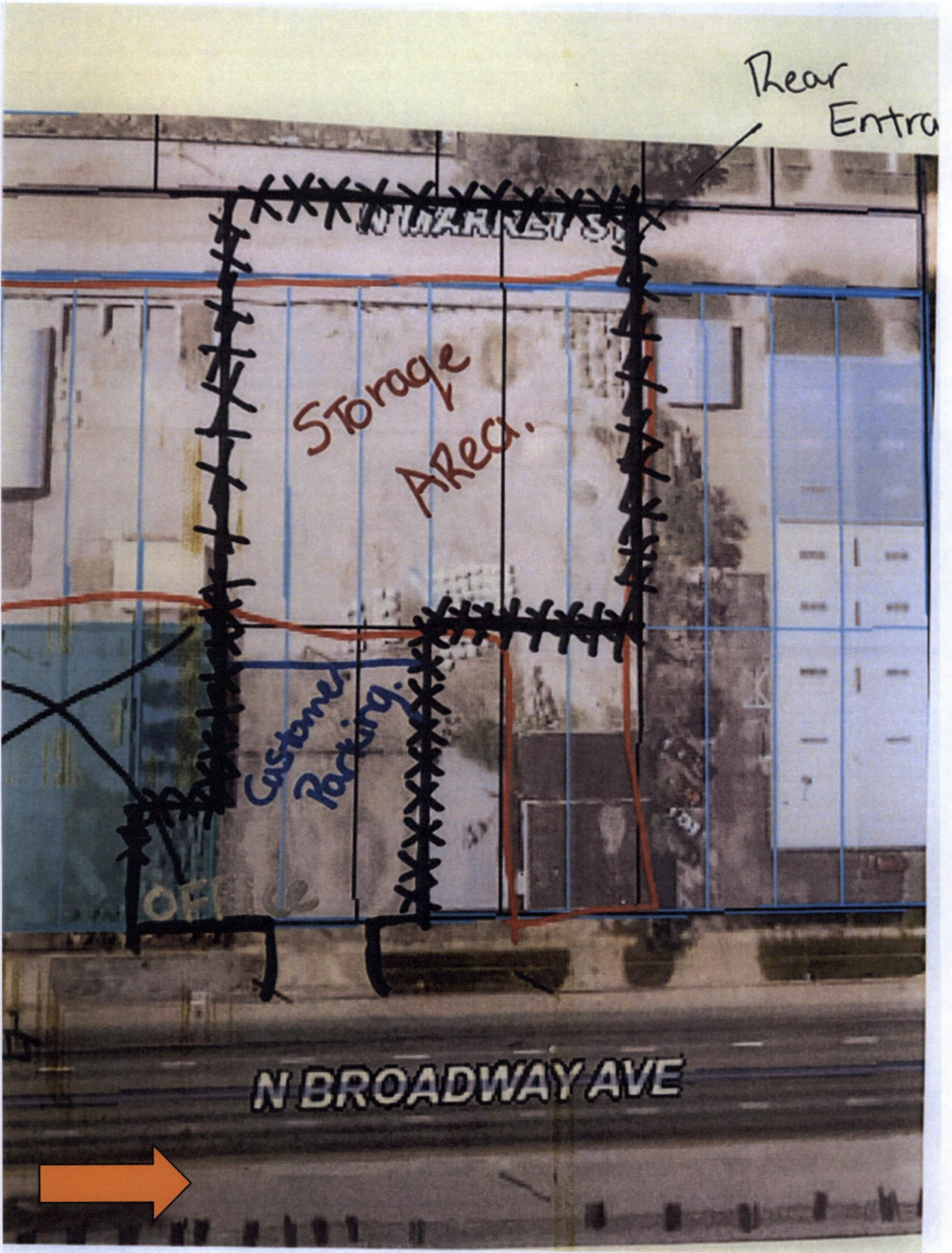




2035 Wichita Future Growth Concept Map

- Legend**
- Established Central Area
 - Residential and Employment Mix
 - New Employment
 - New Residential
 - Wichita City Limits
 - Other Cities
 - Northwest Bypass Right-of-Way
- Statistical Development Areas**
- Other Urban Growth Areas 2014
 - Other Urban Growth Areas 2014
 - Rural Growth Areas 2014
- LAND USE**
- Residential
 - Commercial
 - Industrial
 - Major Air Transportation & Military
 - Parks and Open Space
 - Agricultural or Vacant
 - Major Institutional
 - Nghbd_Plan_Areas





Photos

CON2021-00043

Metropolitan Area Planning Commission

Page 8



Rear
Entrance

N MARKET ST

Storage
Area.

Customer
Parking.

OFFICE

N BROADWAY AVE

SITE PLAN

APPROVED 10/21/2021 *R. Mangan*

