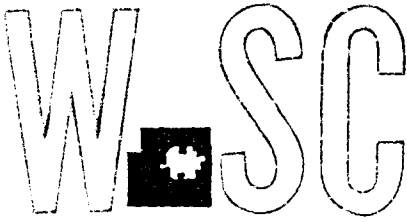


WICHITA — SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
DEPARTMENT

CITY HALL — TENTH FLOOR
455 NORTH MAIN STREET
WICHITA, KANSAS 67202-1688
(316) 268-4421
FAX (316) 268-4390

August 10, 1998

A to Z Recycling, LLC
% Vince Wilson
6930 S. Minnesota
Wichita, KS 67233

RE: CU-483 - Conditional use to allow a recycling/salvage yard; AND

SCZ-0768 - Zone change from "RR" Rural Residential and "SF-20" Single-Family Residential to "LI" Limited Industrial and "SF-20" Single-Family Residential on property generally located north of 71st Street South, east of Hydraulic.

Dear Mr. Wilson:

At its regular meeting on July 30, 1998, the Metropolitan Area Planning Commission considered the above-captioned request. The action of the MAPC was to APPROVE the request, subject to the following conditions:

- A. In conjunction with SCZ-0768, this property shall be platted within one year of the request shall be denied and the case considered closed.
- B. Prior to scheduling this case before the Board of County Commissioners, the applicant shall prepare a more detailed site plan showing actual location of the proposed recycling and salvage yard uses and submit the plan to the Planning Director for approval. In particular, the site plan shall indicate the area to be used for processing of recyclable materials, the location of storage areas for recycled materials, the location of the salvage yard, and the location of customer parking and off-street loading areas. In addition, the number of access points from the recycling and salvage yard business shall be limited to one drive to Minnesota and one drive to Cider. The access points shall be indicated on the plat.
- C. The area devoted to the recycling and salvage yard shall be fenced with a continuous solid, 9-foot fence along the north, east and south sides of the expansion area and a 6-foot fence along the west side of the expansion area adjacent to the existing salvage yards, with no openings except for gates at the two permitted access points on Minnesota and Cider. The fence materials used shall be of a consistent material for the entire fence and shall be of flat, 20-



Made with Recycled Paper

gauge metal fencing material; said fencing to be painted one color and maintained accordingly. No corrugated metal, slatted chain-link, or mixed-material fencing shall be permitted. The height of scrap metal piles and wrecked vehicles shall not exceed the height of the fencing.

- D. All waste generated by the recycling and salvage yard business shall be disposed of in accordance with Chapter 7.08 of the Code of the City of Wichita. Further, all operations shall be conducted in conformance with Chapters 7.41 and 7.42 of the Code of the City of Wichita in regard to noise and odors.
- E. The salvage yard shall comply with the provisions of Section 14-156 of the Code of Sedgwick County, Kansas, except that there shall be a minimum of a 10-foot setback from all property lines for racked or storage materials as indicated on the site plan.
- F. The recycling and salvage yard shall meet the permitting, reporting and operating requirements of the Kansas Department of Transportation. Except for the delivery of towed vehicles, hours of operation shall be limited to 7:00 a.m. to 6:00 p.m. Monday through Saturday. The facility shall not be used on Sundays or official holidays.
- G. The drive entrances and all internal traffic roadways shall be constructed to properly drain surface water from the site. No standing water shall be permitted. Water, or other dust retardant, shall be used as needed to effectively control blowing dust from all internal traffic roadways.
- H. Any on-site storage of fuels or chemical must be approved by the Wichita-Sedgwick County Health Department.
- I. The applicant shall submit and receive approval of a drainage plan from the County Public Works Department, including any needed easements for the temporary storage of run-off, prior to commencing operations.
- J. The applicant shall obtain and maintain all applicable county, state and federal permits necessary for the operation of a recycling and salvage business.
- K. The applicant shall maintain a water well on the property to monitor the quality of groundwater. An annual test shall be conducted at the applicant's expense through the Wichita-Sedgwick County Health Department to test for contaminants in the groundwater that might originate from the applicant's site.

- L. The applicant shall establish a 40-foot landscape buffer along the north property line and a 20-foot landscape buffer along the east and south property lines of the expansion area and shall install shade trees in the landscape buffer equivalent to 1-1/2 the rate that would be required by the City of Wichita Landscape Ordinance (1-1/2 shade trees for each 40 lineal feet of property line). The buffer along the east property line shall be established on the east side of the line for this Conditional Use and be reflected as a landscape easement or reserve on the plat for the residential property. A landscape plan shall be prepared and submitted for approval to the Director of Planning prior to a final occupancy being granted for the site.
- M. This Conditional Use Permit shall be in effect for 5 years from the effective date of the approval of the permit by the Board of County Commissioners, said date not beginning until publication of the effecting resolutions for this permit and the requisite rezoning (SCZ-0768).
- N. Any violation of the conditions of approval shall render the conditional use permit null and void.

This matter will be forwarded to the Board of County Commissioners for consideration at their regular meeting on Wednesday, August 26, 1998. This meeting will be held in Room 320, Sedgwick County Courthouse, 525 N. Main, Wichita, Kansas, 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 matter, please contact our office at 268-4421.

Sincerely,



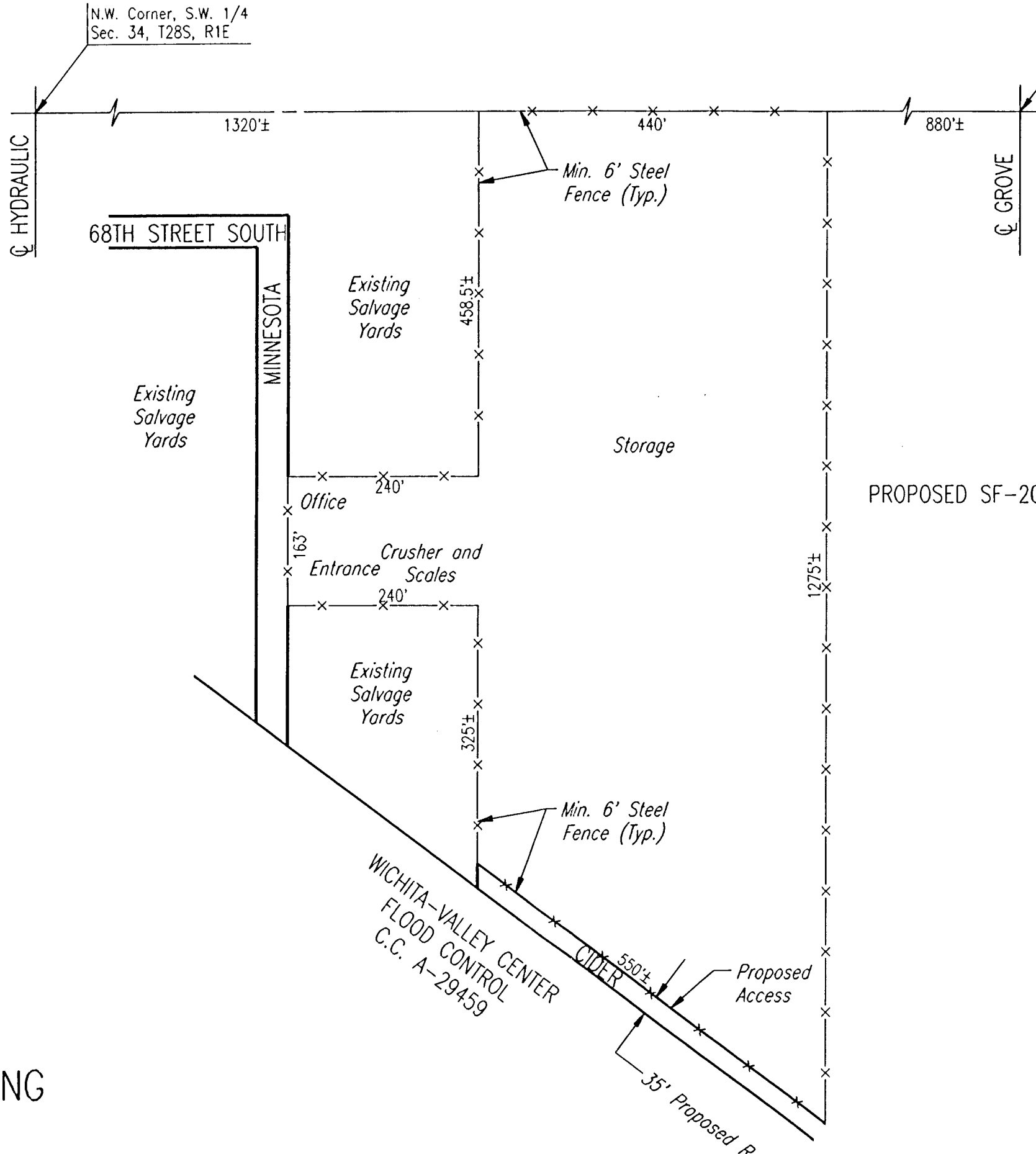
Dave L. Yearout, AICP
Principal Planner

DLY/sah

cc: PEC, PA, % Gary Wiley, 303 S. Topeka, Wichita, KS 67202
Glen Wiltse, Sedgwick County Code Enforcement

N.W. Corner, S.W. 1/4
Sec. 34, T28S, R1E

N.E. Corner, S.W. 1/4
Sec. 34, T28S, R1E



68TH STREET SOUTH

MINNESOTA

Existing Salvage Yards

Existing Salvage Yards

Min. 6' Steel Fence (Typ.)

Storage

Office

Crusher and Scales
Entrance

Existing Salvage Yards

Min. 6' Steel Fence (Typ.)

WICHITA-VALLEY CENTER
FLOOD CONTROL
C.C. A-29459

Proposed Access

35' Proposed R/W

PROPOSED SF-20



0 150 300

A TO Z RECYCLING
CU-482

STAFF REPORT

Haysville PC July 9, 1998

MAPC July 16, 1998

CASE NUMBER: CU-483

APPLICANT/AGENT: A to Z Recycling, LLC, %Vince Wilson, 6930 Minnesota, Wichita, KS (applicant); Gary Wiley, P.E.C. (agent)

REQUEST: Conditional Use to allow a recycling/salvage yard

CURRENT ZONING: "RR" Rural Residential & "SF-20" Single-Family Residential
Proposed "LI" Limited Industrial (SCZ-0768)

SITE SIZE: 12.5 acres

LOCATION: Between Hydraulic and Grove south of 63rd Street South and immediately north of the Wichita-Valley Center Flood Control Ditch

PROPOSED USE: To expand and enlarge a recycling and salvage yard business



BACKGROUND: The applicant is presently operating a salvage yard at this location as a nonconforming use. He wishes to expand and enlarge the salvage business into the property as proposed. The area in which the business is located is dominated by salvage yards; mainly to the west.

CASE HISTORY: In 1992, Mr. Ron Hale requested a rezoning from "R-1" Single-Family to "E" Light Industrial for an auto body repair shop on a ½-acre tract on the north side of 68th Street South approximately 580 east of Hydraulic. The rezoning was approved subject to platting, and received support of the Haysville Planning Commission. No opposition was given at the MAPC hearing.

In 1995, the property platted as the Dave Waters Addition was rezoned from "E" Light industrial to "F" Heavy Industrial with a Special Use Permit for a salvage yard. This property is located on the south side of 68th Street South approximately 1/8-mile east of Hydraulic. The property was originally rezoned "E" Light Industrial and platted in 1986 and then used as a truck, tractor and auto repair business. Both these cases acknowledged the character of the neighborhood being dominated by salvage yards and auto repair businesses.

ADJACENT ZONING AND LAND USE:

NORTH: "SF-20" Single-family (Pine Bay)
SOUTH: "RR" Flood Control Ditch
EAST: "SF-20" & "RR"
WEST: "SF-20" Salvage Yards & Residential

PUBLIC SERVICES: The property fronts on Minnesota, which is a gravel street. Minnesota is accessible to Hydraulic via 68th Street South, also a gravel street; and to Grove via Cider, also a gravel street. Hydraulic is a paved, 2-lane street listed in the 2020 Transportation Plan to be a 2-lane arterial. Grove is also a paved, 2-lane street north to 63rd Street and serves as a rural collector road.

CONFORMANCE TO PLANS/POLICIES: The Land Use Guide of the Comprehensive Plan identifies this site as "suburban". It is not located in the recognized "Small Cities Future Growth Area" of Haysville. The Comprehensive Plan anticipates this area being developed without the benefit of public water or sewer service in the foreseeable future, but does anticipate that the land area will develop. The existing development patterns should be used as the most determinative factor in accommodating future development.

RECOMMENDATION: Based upon information available prior to the public hearings, planning staff recommends that the request be APPROVED subject to the following conditions:

- A. In conjunction with SCZ-0768, this property shall be platted within one year of the request shall be denied and the case considered closed.
- B. Prior to scheduling this case before the Board of County Commissioners, the applicant shall prepare a more detailed site plan showing actual location of the proposed recycling and salvage yard uses and submit the plan to the Planning Director for approval. In particular, the site plan shall indicate the area to be used for processing of recyclable materials, the location of storage areas for recycled materials, the location of the salvage yard, and the location of customer parking and off-street loading areas. In addition, the number of access points from the recycling and salvage yard business shall be limited to one drive to Minnesota and one drive to Cider . The access points shall be indicated on the plat.
- C. The area devoted to the recycling and salvage yard shall be fenced with a continuous solid, 8-foot fence on all sides with no openings except for gates at the two permitted access points. The fence materials used shall be of a consistent material for the entire fence and shall be of either wood or flat metal fencing material similar to that used on the existing property. No corrugated metal, slatted chain-link, or mixed-material fencing shall be permitted. The height of scape metal piles and wrecked vehicles shall not exceed the height of the fencing.
- D. All waste generated by the recycling and salvage yard business shall be disposed of in accordance with Chapter 7.08 of the Code of the City of Wichita. Further, all operations shall be conducted in conformance with Chapters 7.41 and 7.42 of the Code of the City of Wichita in regard to noise and odors.
- E. The salvage yard shall comply with the provisions of Section 14-156 of the Code of Sedgwick County, Kansas.
- F. The recycling and salvage yard shall meet the permitting, reporting and operating requirements of the Kansas Department of Transportation. Except for the delivery of towed vehicles, hours of operation shall be limited to 6:00 a.m. to 8:00 p.m. Monday through Saturday. The facility shall not be used on Sundays or official holidays.
- G. The drive entrances and all internal traffic roadways shall be constructed to properly drain surface water from the site. No standing water shall be permitted. Water, or other dust retardant, shall be used as needed to effectively control blowing dust from all internal traffic roadways.
- H. Any on-site storage of fuels or chemical must be approved by the Wichita-Sedgwick County Health Department.

- I. The applicant shall submit and receive approval of a drainage plan from the County Public Works Department, including any needed easements for the temporary storage of run-off, prior to commencing operations.
- J. The applicant shall obtain and maintain all applicable county, state and federal permits necessary for the operation of a recycling and salvage business.
- K. Any violation of the conditions of approval shall render the conditional use permit null and void.

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

1. The zoning, uses and character of the neighborhood: While the existing zoning does not support the actual uses of the neighborhood; the character of the area is predominately of a salvage area. A number of other nonconforming salvage yards existing immediately to the west and the small number of residences immediately to the west are older homes and maintained in a poor manner. This use will be consistent with the uses and character of the neighborhood.
2. The suitability of the subject property for the uses to which it has been restricted: Given the nature of the existing uses in the neighborhood, it is not expected the property would develop as a residential use.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: There should be no affect on nearby properties by permitting this use to expand. The conditions placed on the Conditional Use will mitigate what little affect might occur. And the existing salvage yards nearby will have no affect by this business from a land use standpoint.
4. Conformance of the requested change to adopted or recognized Plans/Policies: While the Comprehensive Plan calls for this area to be suburban, the existing pattern of development should be used to guide future uses. The dominance of the salvage yard businesses in this immediate area makes this site acceptable for the proposed use.
5. General welfare of the community: A need for quality recycling and salvage yard businesses exists within the community. These should be located in areas accessible to the general population, but not necessarily visible to the traveling public. This location serves this objective well, which in turn serves the general welfare of the community.