



Wichita-Sedgwick County Metropolitan Area Planning Department

February 24, 2020

Sandlian Metal and Ironworks
Attn: Donald Sandlian, Jr.
3059 N. Hoover Road
Wichita, KS 67205

Ferris Consulting
Attn: Greg Ferris
P.O. Box 573
Wichita, KS 67201

RE: ZON2020-00002 and CON2020-00003 - City Zone Change from S-5 Single-Family Residential to LI Limited Industrial with a Conditional Use (CON2020-00003) to allow wrecking and salvage on 2.59 acres; generally located on the west side of North Hoover Road and one-quarter mile north of West 29th Street North (3101 N. Hoover Road).

Dear Applicants:

At its regular meeting on **February 20, 2020**, the Wichita - Sedgwick County 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. **APPROVE** the zone change (ZON2020-02) to LI Limited Industrial (LI)
- B. **APPROVE** the Conditional Use Request (CON2020-03), subject to the following conditions:
1. The Conditional Use shall authorize the operation of a vehicle wrecking and salvage yard. In no event shall the storage or bailing of waste, scrap paper, rags or junk (excluding metal) be permitted in conjunction with this use.
 2. The site shall be developed in accordance to an approved site plan that includes a 150-foot setback of any salvage operations from North Hoover Road and the prescribed requirements of the Landscape Ordinance.
 3. Should a new building be constructed, the property is required to be platted before a building permit can be issued.
 4. The subject property shall be entirely enclosed by a metal screening fence that is not less than 8 feet in height and having cracks and openings not in excess of five percent of the area of such fence. No wrecked vehicles or salvage, including vehicle parts or accessories, shall be permitted for screening purposes or located on or attached to the screening fence. The site

shall be developed and operated in compliance with all the other conditions of UZC, Art II, Sec. II-B.14.q.

5. Screening along the north property line abutting SF-5 zoning shall be provided in the form of solid screening wall along the Evergy and access easement and evergreen vegetation located along both sides of the Evergy and access easement.
6. The height of wrecked vehicles or salvage, including vehicle parts or accessories, shall not exceed the height of the screening fence and shall not be visible from ground-level view from any public right-of-way or adjoining properties.
7. Salvaged vehicle parts are to be piled and stored in an orderly manner such as would be provided by racks or bins. In order to reduce rodent potential, racks and bins shall be elevated so there is at least 18 inches between the bottom of the rack or bin and the ground. Racks or bins shall be a minimum of 48 inches away from any wall, fence, or other rack or bin. Non-rackable material shall be stored with an exposed perimeter or in a manner specified by Environmental Services to prevent rodent harborage and breeding. All stored, wrecked and salvaged vehicles and materials shall be on an all-weather surface as defined by the Unified Zoning Code.
8. The applicant shall maintain at all times an active program for the eradication and control of rodents.
9. Weeds shall be controlled within the salvage area and adjacent to and along the outside perimeter of the screening fence.
10. Any locking devices on entrance gates shall meet Fire Department requirements. Access to and within the wrecking/salvage yard shall be provided by fire lanes per the direction and approval of the Fire Department.
11. Employee parking spaces shall be provided per the UZC.
12. 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.
13. Notification shall be given to Environmental Services of any on-site storage of fuels, oils, chemicals, or hazardous wastes or materials. A disposal plan for fuels, oils, chemicals, or hazardous wastes or materials shall be placed on file with Environmental Services. All manifests for the disposal of fuels, oils, chemicals, or hazardous wastes or materials must be kept on file at the site and available for review by the Environmental Services.

14. The applicant shall obtain and maintain all applicable local, state, and federal permits necessary for the operation of a wrecking/salvage yard.
15. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

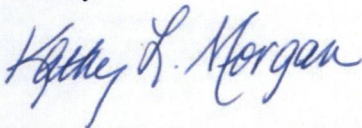
NOTICE: The public hearing on planning items is conducted by the MAPC under provisions of State Law. Adopted policy is that the City Council will not take additional testimony on zoning related applications and other issues for which the MAPC has held a public hearing. However, interested parties may file a written statement with the City Clerk by 5:00 p.m. on the Wednesday preceding this meeting, providing new facts on the issue or alleging an unfair hearing. The Council will determine from such statements whether to return the issue to the MAPC for reconsideration or to reverse their recommendation.

Property owners may also file written protest petitions on zoning related items heard by the MAPC. 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 within 200 feet of the property for which the application was filed, and must be submitted to the City Clerk within 14 days of the conclusion of the MAPC hearing, by **March 5, 2020, at 5 p.m.** Such petitions may cause the application to be disapproved, if the land area encompassed by the protesting owners exceeds 20% of the land area within 200 feet of the perimeter of the application area, unless the Council overrides such a protest and approves the application by a vote of 6 of its members.

If no protest petitions are received this application will be forwarded to the City Council for review and final action on **Tuesday, March 24, 2020.** If protest petitions exceeding 20% of the valid protest area, the application will be forwarded to the City Council for review and final action on April 7, 2020. This meeting will be held in the City Council Chambers, First Floor, City Hall, 455 N. Main, Wichita, Kansas.

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: Bryan Frye, City Council District V, Mail Stop 1-13
Cory Buchta, CRS District V, Mail Stop 1-135
Jeff Van Zandt, City Law, Mail Stop 1-72
MABCD
Julianne Kallman, City Engineering, Mail Stop 1-71

Resolution No. 20-083

A RESOLUTION APPROVING CON2019-00051 AUTHORIZING A WRECKING AND SALVAGE YARD, ON APPROXIMATELY 10 ACRES ZONED LIMITED INDUSTRIAL (LI) LOCATED SOUTH OF E 31ST AND WEST OF S BROADWAY (225 E. 31ST STREET), IN THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE, SECTION V-D, AS ADOPTED BY ORDINANCE NO. 44-975 AS AMENDED.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, SEDGWICK COUNTY, KANSAS:

SECTION 1. 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 V-D of the Wichita-Sedgwick County Unified Zoning Code, for a Conditional Use to allow Wrecking and Salvage on property zoned LI Limited Industrial (LI) generally located south of East 31st Street South and west of South Broadway Avenue and legally described as:

A tract of land beginning at a point 825 feet North of the Southeast corner of the South half of the Southeast Quarter; thence South 220 feet; thence West 545 feet; thence North 220 feet; thence East 545 feet to the point of beginning, Section 34, Township 26 South, Range 1 West of the 6th P.M.; generally located on the west side of North Hoover Road and one-quarter mile north of West 29th Street North. (3101 N Hoover Rd.)

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 meeting of February 20, 2020, 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 Wichita City Council that this application be approved to allow a Conditional Use for Wrecking and Salvage on 2.59 acres zoned LI Limited Industrial ("LI") legally described as:

A tract of land beginning at a point 825 feet North of the Southeast corner of the South half of the Southeast Quarter; thence South 220 feet; thence West 545 feet; thence North 220 feet; thence East 545 feet to the point of beginning, Section 34, Township 26 South, Range 1 West of the 6th P.M., Wichita, Sedgwick County, Kansas.

SUBJECT TO THE FOLLOWING CONDITIONS:

1. The Conditional Use shall authorize the operation of a vehicle wrecking and salvage yard. In no event shall the storage or bailing of waste, scrap paper, rags or junk (excluding metal) be permitted in conjunction with this use.
2. The site shall be developed in accordance to an approved site plan that includes a 150-foot setback of any salvage operations from North Hoover Road and the prescribed requirements of the Landscape Ordinance.

3. Should a new building be constructed, the property is required to be platted before a building permit can be issued.
4. The subject property shall be entirely enclosed by a metal screening fence that is not less than 8 feet in height and having cracks and openings not in excess of five percent of the area of such fence. No wrecked vehicles or salvage, including vehicle parts or accessories, shall be permitted for screening purposes or located on or attached to the screening fence. The site shall be developed and operated in compliance with all the other conditions of UZC, Art II, Sec. II-B.14.q.
5. Screening along the north property line abutting SF-5 zoning shall be provided in the form of solid screening wall along the Everage and access easement and evergreen vegetation located along both sides of the Everage and access easement.
6. The height of wrecked vehicles or salvage, including vehicle parts or accessories, shall not exceed the height of the screening fence and shall not be visible from ground-level view from any public right-of-way or adjoining properties.
7. Salvaged vehicle parts are to be piled and stored in an orderly manner such as would be provided by racks or bins. In order to reduce rodent potential, racks and bins shall be elevated so there is at least 18 inches between the bottom of the rack or bin and the ground. Racks or bins shall be a minimum of 48 inches away from any wall, fence, or other rack or bin. Non-rackable material shall be stored with an exposed perimeter or in a manner specified by Environmental Services to prevent rodent harborage and breeding. All stored, wrecked and salvaged vehicles and materials shall be on an all-weather surface as defined by the Unified Zoning Code.
8. The applicant shall maintain at all times an active program for the eradication and control of rodents.
9. Weeds shall be controlled within the salvage area and adjacent to and along the outside perimeter of the screening fence.
10. Any locking devices on entrance gates shall meet Fire Department requirements. Access to and within the wrecking/salvage yard shall be provided by fire lanes per the direction and approval of the Fire Department.
11. Employee parking spaces shall be provided per the UZC.
12. 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.
13. Notification shall be given to Environmental Services of any on-site storage of fuels, oils, chemicals, or hazardous wastes or materials. A disposal plan for fuels, oils, chemicals, or hazardous wastes or materials shall be placed on file with Environmental Services. All manifests for the disposal of fuels,


oils, chemicals, or hazardous wastes or materials must be kept on file at the site and available for review by the Environmental Services.

14. The applicant shall obtain and maintain all applicable local, state, and federal permits necessary for the operation of a wrecking/salvage yard.
15. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

SECTION 2. That upon the taking effect of this Resolution, the notation of such Conditional Use permit shall be shown on the "Official Zoning District Map" on file in the office of the Planning Director of the Wichita-Sedgwick County Metropolitan Area Planning Department.


SECTION 3. That this Resolution shall take effect and be in force from and after its adoption by the Governing Body.

ADOPTED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, this 21 day of March, 2020.



Brandon J. Whipple, Mayor, City of Wichita

ATTEST:



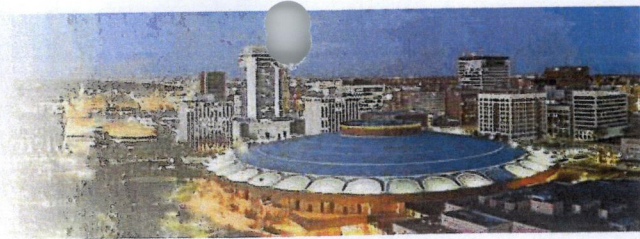
Karen Sublett, City Clerk

(SEAL)



Approved as to form: 

Jennifer Magaña, City Attorney and Director of Law



LEGAL PROOF OF PUBLICATION

| Account # | Ad Number | Identification | PO | Amount | Cols | Lines |
|-----------|------------|----------------|----|---------|------|-------|
| 453868 | 0004543582 | | | \$58.80 | 1 | 98 |

Attention: Betsy Pagán

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

In The STATE OF KANSAS
In and for the County of Sedgwick
AFFIDAVIT OF PUBLICATION

1 Insertions

Beginning issue of: 01/30/2020

Ending issue of: 01/30/2020

STATE OF KANSAS)

SS

County of Sedgwick)

LEGAL PUBLICATION

OCA 150004
Published in The Wichita Eagle on January 30, 2020
(One Time Only)
MAPC February 20, 2020
OFFICIAL HEARING NOTICE

NOTICE IS HEREBY GIVEN that on Thursday, February 20, 2020 no earlier than 1:30 p.m., the Wichita-Sedgwick County Metropolitan Area Planning Commission will consider the following applications in the Planning Commission Conference Room, 271 West Third Street, 2nd Floor, Ste #203, Wichita, Kansas. If you have any questions regarding the meeting or items on this notice, please call the Wichita-Sedgwick County Metropolitan Area Planning Commission at (316) 268-4421.

CON2020-00001 City Conditional Use to allow a 125 ft monopole wireless communication facility in LI Limited Industrial zoning district; generally located 900 feet west of S. Oliver Ave on the south side of E 31st Street South, east of I-35 (4665 E 31st Street South)

CON2020-00002 City Conditional Use to permit outdoor vehicles sales (with ZON2020-00001) to rezone to LC Limited Commercial) on property zoned MF-29 Multi-Family, generally located on the east side of South Seneca and one block south of West Kellogg (814 S Seneca).

CON2020-00003 City Conditional Use to permit the expansion wrecking and salvage yard associated with a zone change to LI Limited Industrial (Case ZON2020-00002), generally located on the West side of North Hoover Road and one-quarter mile north of West 29th Street North, (3101 N Hoover Rd.)

CUP2020-00002 City Community Unit Plan (DP-353 Harbor Isle Commercial 2 CUP) associated with zone change to GC General Commercial (ZON2020-00003) generally located on the northeast and northwest corners of North Amidon Ave and I-235.

VAC2020-00001 City Vacation of Building Setback for building expansion, generally located on the South side of East Douglas Avenue and within one quarter mile of South Washington Avenue, (801 E Douglas, Building 200)

VAC2020-00002 City Vacation of a portion of an alley between East Waterman and East English and between South Washington and South Masley Avenues for safety purposes generally located on the north side of East Waterman and 150 feet west of South Washington.

VAC2020-00003 City Vacation of a portion of a drainage easement to permit new construction on property zoned LC Limited Commercial generally located on the southwest corner of North Oliver Street and East 45th Street North.

ZON2020-00001 City Zone Change from MF-29 Multi-Family to LC Limited Commercial to permit outdoor vehicles sales (with CON2020-00002) on property generally located on the east side of South Seneca and one block south of West Kellogg (814 S Seneca).

ZON2020-00002 City Zone Change from Single-Family Residential (SF-5) to Limited Industrial (LI) to expand wrecking and salvage yard (associated case CON2020-00003), generally located on the west side of North Hoover Road and one-quarter mile north of West 29th Street North, (3101 N Hoover Rd.)

ZON2020-00003 City Zone Change from SF-5 Single Family to GC General Commercial associated with CUP DP-353 (CUP2020-00002) to create the Harbor Isle Commercial 2 CUP generally located on the northeast and northwest corners of North Amidon and I-235.

Complete legal descriptions are available for public inspection at the Metropolitan Area Planning Department, 271 W. Third St., 2nd Floor, Wichita, Kansas 67202. As provided in Section V of the Wichita-Sedgwick 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.

WITNESS MY HAND on January 27, 2020
Scott Kriebel, Secretary
Wichita-Sedgwick County
Metropolitan Area Planning Commission
0004543582

Tony Berg, 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 1/30/2020 to 01/30/2020.

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

(Signature of Principal Clerk)

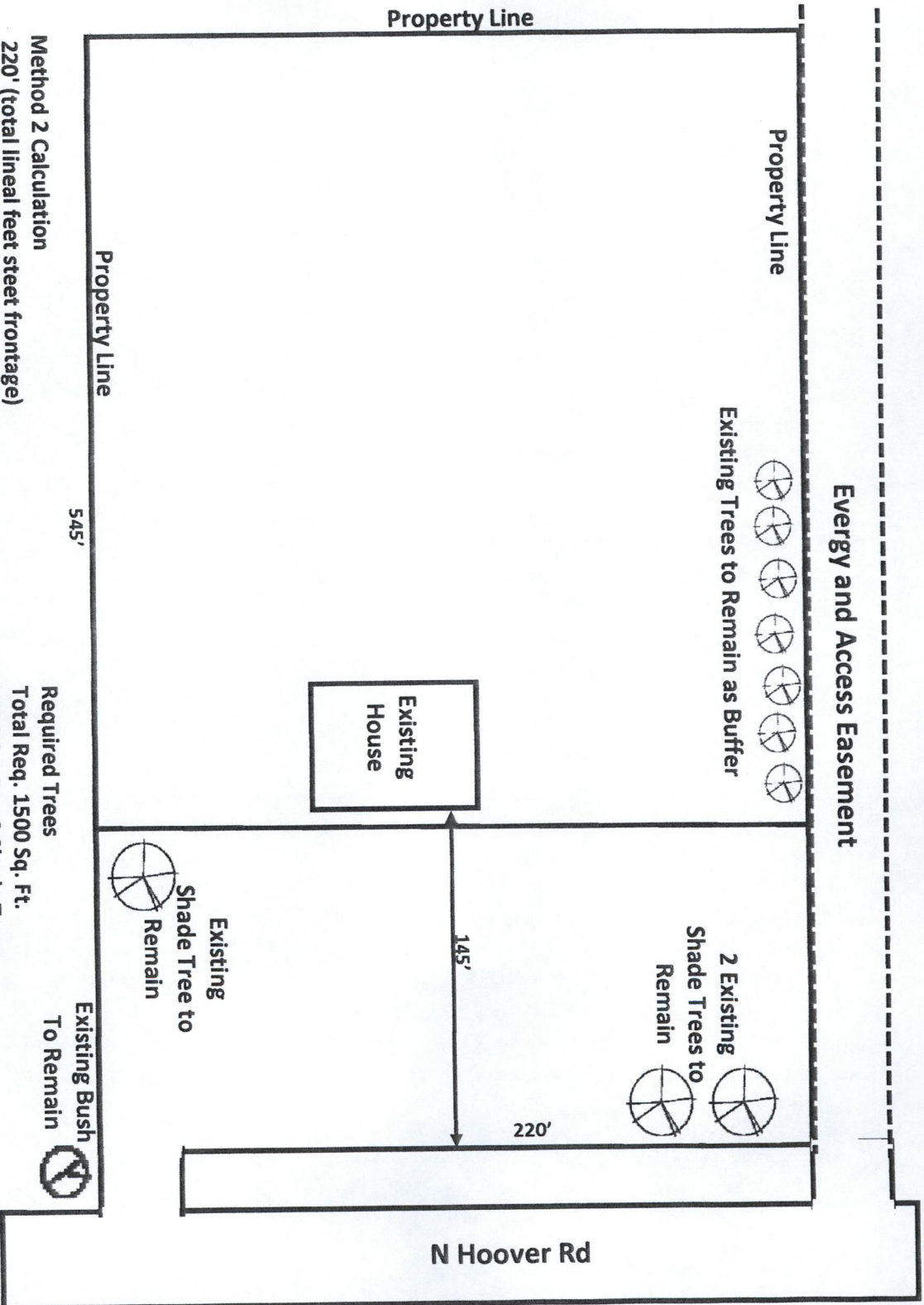
DATED: 1/30/2020

Notary Public Sedgwick County, Kansas

JENNIFER RAE BAILEY
Notary Public - State of Kansas
My Appt. Expires 6/1/2021

3101 N. Hoover Rd. Landscape Plan

Energy and Access Easement



Property Line

Property Line

Existing Trees to Remain as Buffer

Property Line

545'

Existing House

145'

2 Existing Shade Trees to Remain

220'

Existing Shade Tree to Remain

N Hoover Rd

Existing Bush To Remain



Method 2 Calculation
 220' (total lineal feet street frontage)
-145' (greatest perpendicular distance)
 75' (adjusted street frontage)
 75 x 20 = 1500 total landscaped street yard required

Required Trees
 Total Req. 1500 Sq. Ft.
 1500 Sq. Ft = 3 Shade Trees
 3 Existing Shade Trees to Remain

SITE PLAN

APPROVED *March 24, 2020* BY *klmorga*