

CU-282 - Lola B. Torkleson, et. al. re-
quest conditional use permit to establish
a sand extraction operation at the south-
east corner of 27th St. N. and Bixby Rd.

Posted 5-10-85
RK
OK

ACTION

DATE

COMMITTEE

5-30-85

M.A.P.C.

*Approve
subject to conditions*

B.C.C./B. C.C. C.

6-26-85

Deny

DATA SHEET

Z- _____
 SCZ- _____
 CU- 282
 DR- _____
 DP- _____

Case Filed: Amend
 5-1-85
 Associated Case: _____

APPLICATION DATA: Map No. 4951 A

1. General Location: At the southwest corner of 37th Street North and Ridge Road
2. From _____ to _____
3. Proposed Use: To establish a sand extraction operation on property zoned "R-1" Suburban Residential District and "LC" Light Commercial District
4. DP Name: _____
5. Applicant: Lola B. Torkleson, et. al.
 Address 9632 West 37th Street North, Wichita, KS. 67205 Phone 722-0156
6. Agent: Professional Engineering Consultants, P.A. (Attn. Gary Wiley)
 Address 1440 East English, Wichita, KS. 67211 Phone 262-2691

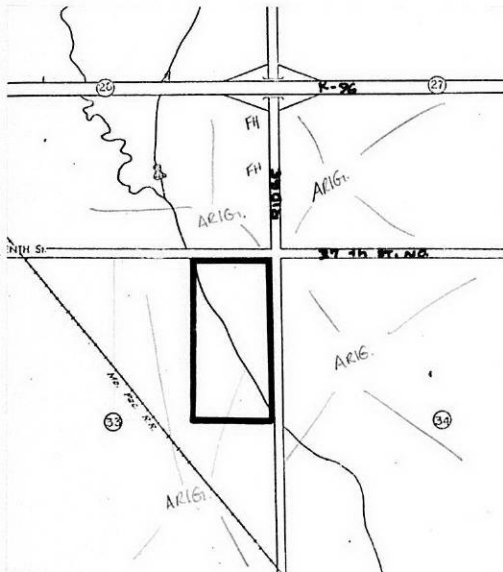
AREA DATA:

1. Acres: 80 (2640' ft. by 1320' ft.)
2. Adjoining Zoning: N "R-1" "LC" S "E" "E" E "R-1" "LC" W "R-1"
3. Land Use: North UNDEVELOPED East UNDEVELOPED
 South UNDEVELOPED West UNDEVELOPED

PICTURE SHEET

PHOTO DATA:

Taken by _____ Date _____ Time _____



NOTES:

T9-214-2

Shaw
 No. 2153C
 HASTINGS, MN
 LOS ANGELES, CHICAGO, DULLES, OH
 MEMPHIS, TX, ALBANY, BROOKLYN, PA
 U.S.A.

Planning Agenda

Item #

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF COUNTY COMMISSIONERS

REQUEST FOR CONDITIONAL USE

CU-282 - CONDITIONAL USE PERMIT FOR A SAND AND GRAVEL EXTRACTION OPERATION, GENERALLY LOCATED AT THE SOUTHWEST CORNER OF RIDGE ROAD AND 37TH STREET NORTH.

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

Bayouth moved, Banzer seconded and it carried unanimously. Gardner was not present. Crockett and Wilson were absent.

ACTION:

1. Approve the recommendation of the Metropolitan Area Planning Commission subject to conditions of approval and adopt a resolution establishing the conditional use; or
2. Deny the application.

DATA AND MINUTES

MAPC Hearing Date: 5-30-85

BCoC Hearing Date: 6-26-85

COMMISSION DISTRICT #1

AREA DATA:

Acres: 80

Size: 1320' x 2640'

Reason: To establish a sand extraction operation on a tract of land that is almost entirely encompassed by a floodway and floodplain as defined by FEMA.

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"R-1"½"LC"
North	Undeveloped	"R-1"½"LC"
South	Undeveloped	"E" (with CU for sand extraction)
East	Undeveloped	"R-1"½"LC"
West	Undeveloped	"R-1"

History: None

Applicant: Lola B. Torkelson, et. al., 9632 W. 37th Street North,
Wichita 67205

Protestors: Tom Ritchie, 1900 Amidon; Bruce Nicholson, 4500 North Ridge Road.

EXCERPT FROM PLANNING COMMISSION MINUTES OF MAY 30, 1985

LEGAL:

6. Case No. CU-282 - Lola B. Torkleson, et al request Conditional Use Permit for the east half of the Northeast Quarter of Section 33, Township 26 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas. Generally located at the southwest corner of 37th Street North and Ridge Road.

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

COMMENTS:

1. The applicant is requesting a conditional use permit to establish a sand and gravel extraction operation on approximately 80 acres of unplatted land zoned "R-1" and "LC" and located at the southwest corner of Ridge Road and 37th Street North. The Big Slough bisects this property and creates a floodway and a floodplain over almost the entire site, as specified on the FEMA maps. Surrounding properties are undeveloped or in agricultural use. In 1981, a conditional use permit was granted for a sand and gravel extraction operation on the 80 acres adjacent to the south of the current application area. That operation has never commenced.
2. The applicant has submitted an operational plan indicating the limits of the area to be excavated and a redevelopment plan which proposes single-family residential lots on the north side of the lake with a large commercial lot at the corner where "LC" zoning exists. Because most of this area is in the floodplain, minimum pad elevations will have to be established prior to redevelopment.
3. Ridge Road is an FAS road which requires 60 feet of half-street right-of-way. Thirty-seventh Street requires 50 feet. Additional right-of-way at the intersection is also required as delineated on both the operational and redevelopment plans.
4. Due to the unpaved condition of 37th Street North, the County Engineer's office has recommended that no access be permitted to or from 37th Street during the life of the sand excavation operation. All access should be on Ridge Road. It is further recommended that the number of driveways on Ridge Road be limited to two. The number and location of access points to serve this site upon its redevelopment would be determined at the time of platting for that redevelopment.
5. To preserve the natural drainage in this area, the applicant shall submit a covenant and agreement which allows the use of the excavation area as a detention storage facility for public drainage purposes. The applicant shall also execute a Floodway Reserve agreement covering the area which is a designated floodway on the FEMA maps.
6. Should the Planning Commission recommend approval of this request, it should be approved subject to the following conditions:
 - a. The applicant shall dedicate by separate instrument sufficient right-of-way to bring Ridge Road up to the FAS standard of 60 feet of half-street right-of-way, with enough additional right-of-way at its intersection with 37th Street (measured from the section line) to provide 75 feet in the north 250 feet, tapering to 60 feet at a point 350 feet south of the intersection. The applicant shall also dedicate sufficient right-of-way for 37th Street North to bring it up to the arterial standard of 50 feet of half-street right-of-way, with enough additional right-of-way at the intersection to provide

75 feet in the east 250 feet, tapering to 50 feet at a point 350 feet west of the intersection.

- b. The applicant shall submit a restrictive covenant providing that no foreign matter, such as rubbish, trees, car bodies, asphalt, building rubble, etc., shall be stockpiled on the application area or deposited within the excavation.
 - c. The applicant shall submit a covenant and agreement satisfactory in form to the County Counselor and in content to the Sedgwick County Bureau of Public Services, which authorizes the use of the excavation area as a detention storage facility for public drainage purposes.
 - d. The applicant shall execute a Floodway Reserve agreement covering the area which is a designated floodway on the FEMA maps.
 - e. The applicant shall submit to the Planning Department five copies of the operational plan which have been revised to indicate "complete access control" to 37th Street and "access control except 2 openings" to Ridge Road from this application area.
 - f. A minimum 58-inch high fence shall be constructed prior to the beginning of any excavation operation (including topsoil, overburden, and/or sand), and shall be maintained along the perimeter of the excavation area and plant operation area on no less than 7-foot steel posts, with posts set not more than 16 feet apart. The fence may provide for reasonable access gates installed at the same height and of the same construction as the fence, which gates shall be kept locked except when in use. Such fence and gates shall be a minimum height of 58 inches and shall be of the following types of construction:
 - (1) A 48" or higher chainlink fence with three or more strands of barbed wire; or
 - (2) A 48" or higher solid metal or solid masonry fence with three or more strands of barbed wire; or
 - (3) A 48" or higher wood fence which may have cracks or openings not in excess of five percent of the area of such fence, with three or more strands of barbed wire.
- The term "barbed wire" shall mean any twisted wire with barbs spaced a minimum of 4 inches apart and placed at the top of the fence and gates at an angle not to exceed 160 degrees facing away from the excavation.
- g. To minimize blowing soil in this area, no overburden shall be removed more than one year in advance of the lake being expanded into an area unless the ground is covered, within the next planting season, with a perennial drought-resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
 - h. The earth shall be extracted to at least a minimum depth of six feet below water table as determined by the City-County Health Department.
 - i. To provide for bank stabilization and safety of future uses, the final side slope of the excavation shall be no more steep than five horizontal to one vertical.
 - j. All slopes shall have vegetative covering consisting of a perennial drought-resistant grass or combination of grasses

which will permit the establishment of a good sod cover to help prevent erosion.

- k. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
- l. The sand plant operator shall be responsible for seeing that all operational roads on the site are maintained in a graveled or sanded condition to minimize blowing dust.
- m. Concrete and asphalt mixing plants and commercial recreational activities, such as boating, fishing, skiing, etc., shall not be permitted in the area, unless duly authorized under provisions of the County Zoning Regulations.
- n. No storage of equipment or stockpiling of sand and gravel shall be permitted closer than 100 feet to any public right-of-way or closer than 50 feet to any property line.
- o. The applicant shall proceed in accordance with the operational plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks to the approximate size as indicated on the approved plan.
- p. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for the sand excavation operation.
- q. The applicant shall comply with conditions a, b, c, d, and e prior to publication of the resolution establishing the conditional use.
- r. Any violation of conditions attached shall declare the conditional use permit null and void.

DISCUSSION:

OLIVAREZ pointed out that quite a bit of this property is in the designated floodway and much more of it is in the flood plain. She said that most of the area adjacent to the site is in the flood plain, therefore any redevelopment at a future date would have to face the issue of establishing the minimum pads to keep the developed land outside of the floodable area.

OLIVAREZ stated that because 37th Street was unpaved, County Engineering recommended that if the permit is granted for a sandpit, traffic from the sandpit not be allowed out onto 37th Street because the heavy trucks create dust and cause the road to need regrading frequently. She said it was also recommended that if the permit is granted, access to Ridge Road be limited to two points. She said that staff recommended approval of the application subject to the conditions listed on the staff report.

DAVE ADAMS, Attorney representing Dick Hoskinson, one of the applicants, said that Mr. Hoskinson has contracted to purchase this property subject to obtaining a permit. He pointed out that Mr. Hoskinson has been in the sand extraction business in Wichita for over 15 years and was well-known to the City staff as a responsible operator. ADAMS stated that they had no problem with 17 of the 18 conditions shown in the staff report. The only problem they have is with the fencing. He said that this site was in an undeveloped area which he felt presented quite a different situation than other sand extraction operations the Commission has looked at before within the City where there was a lot of development near the extraction area. Secondly, on the 80 acres south of this tract where the permit was issued in 1981, there is no fencing requirement on that 80-acre tract, and they felt they should have the same treatment and no fencing should be required. Third, it was impractical for fencing of this site. In the operational plan the floodway was 600 feet wide and virtually the remainder of the property was in the flood plain, but the floodway

being 600 feet wide floods and when the water flows along the Big Slough, it was impractical to require fencing 600 feet at one end and 600 feet at the other end. He said that debris would collect in the fencing and would obstruct the flow. He said that his understanding was developers were not allowed to build fences in a floodway.

OLIVAREZ commented that fencing was discussed with County Engineering and they felt that some type of arrangement could be worked out for a type of fence to protect the sandpit or protect people from the sandpit and still comply with the floodway regulations.

OLIVAREZ commented upon Mr. Adams statement concerning the 80 acres to the south not having a fence requirement. The Planning Commission and staff had recommended the fence as one of the normal requirements; the County Commission waived the requirement but required a "hold harmless" agreement from the applicant.

BANZER asked how long would this operation remain a sandpit before redevelopment began.

ADAMS said he was not sure.

HANSEN said that she did not know they could build in a flood plain.

ADAMS stated that they would have to fill in and raise the pad level and could build in the northeast corner.

TOM RITCHIE, President of Ritchie Sand Co., 1900 Amidon, stated that he was not opposed to the application per se, but was opposed rather strongly to the removal of the fencing requirement. He said that they have recently purchased the land directly to the south of this site from the applicant, and the lack of fencing requirement was not his doing in the first place. They have always been required to fence sand extraction properties. He pointed out that it does take a long time to finish a sand extraction operation, and while there was not a great deal of housing development around it, by the time the sand extraction is completed, there could be a number of houses built. He felt that as a matter of policy, all sand operators should be treated equally.

BRUCE NICHOLSON, 4500 North Ridge Road, stated that he farms the property across from this site, and feels that the fence should be required. He questioned the idea of not allowing access to 37th Street. He mentioned that at times there would be 300 trucks a day. There is a sandpit one-half mile east of this site that is operating. He said that this operation was a long term arrangement and there was no reason they could not plant cedar trees between the fence and the road. They are hardy trees and would cut down on the wind and dirt from the sandpit across the road, and would generally make the place look a lot better. He said their primary concern was that nothing be allowed to be hauled into the pit. That is the problem they have with the pit to the east. They brought in rocks and created a dump site rather than an extraction site. NICHOLSON stated that there seems to be a problem with enforcement when they do haul things in. It has been 3 to 4 years and nothing has been done about it.

BAYOUTH felt that the design of the request was very unique and he felt it would certainly improve the floodway and the drainage of the whole area. He still felt that fencing should be required.

MOTION: Having considered the factors as contained in Policy Statement No. 10; taking into consideration the largely undeveloped agricultural nature of the area; the zoning and uses of adjacent properties; the unsuitability of subject property for residential uses to which the current zoning restricts it, mainly because of its location in a floodway

and a flood plain; and the recommendation of approval by staff; I move that we recommend to the governing body that this application be approved subject to the following conditions:

- a. The applicant shall dedicate by separate instrument sufficient right-of-way to bring Ridge Road up to the FAS standard of 60 feet of half-street right-of-way, with enough additional right-of-way at its intersection with 37th Street (measured from the section line) to provide 75 feet in the north 250 feet, tapering to 60 feet at a point 350 feet south of the intersection. The applicant shall also dedicate sufficient right-of-way for 37th Street North to bring it up to the arterial standard of 50 feet of half-street right-of-way, with enough additional right-of-way at the intersection to provide 75 feet in the east 250 feet, tapering to 50 feet at a point 350 feet west of the intersection.
- b. The applicant shall submit a restrictive covenant providing that no foreign matter, such as rubbish, trees, car bodies, asphalt, building rubble, etc., shall be stockpiled on the application area or deposited within the excavation.
- c. The applicant shall submit a covenant and agreement satisfactory in form to the County Counselor and in content to the Sedgwick County Bureau of Public Services, which authorizes the use of the excavation area as a detention storage facility for public drainage purposes.
- d. The applicant shall execute a Floodway Reserve agreement covering the area which is a designated floodway on the FEMA maps.
- e. The applicant shall submit to the Planning Department five copies of the operational plan which have been revised to indicate "complete access control" to 37th Street and "access control except 2 openings" to Ridge Road from this application area.
- f. A minimum 58-inch high fence shall be constructed prior to the beginning of any excavation operation (including topsoil, overburden, and/or sand), and shall be maintained along the perimeter of the excavation area and plant operation area on no less than 7-foot steel posts, with posts set not more than 16 feet apart. The fence may provide for reasonable access gates installed at the same height and of the same construction as the fence, which gates shall be kept locked except when in use. Such fence and gates shall be a minimum height of 58 inches and shall be of the following types of construction:
 - (1) A 48" or higher chainlink fence with three or more strands of barbed wire; or
 - (2) A 48" or higher solid metal or solid masonry fence with three or more strands of barbed wire; or
 - (3) A 48" or higher wood fence which may have cracks or openings not in excess of five percent of the area of such fence, with three or more strands of barbed wire.The term "barbed wire" shall mean any twisted wire with barbs spaced a minimum of 4 inches apart and placed at the top of the fence and gates at an angle not to exceed 160 degrees facing away from the excavation.
- g. To minimize blowing soil in this area, no overburden shall be removed more than one year in advance of the lake being expanded into an area unless the ground is covered, within the next planting season, with a perennial drought-resistant

grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.

- h. The earth shall be extracted to at least a minimum depth of six feet below water table as determined by the City-County Health Department.
- i. To provide for bank stabilization and safety of future uses, the final side slope of the excavation shall be no more steep than five horizontal to one vertical.
- j. All slopes shall have vegetative covering consisting of a perennial drought-resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- k. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
- l. The sand plant operator shall be responsible for seeing that all operational roads on the site are maintained in a graveled or sanded condition to minimize blowing dust.
- m. Concrete and asphalt mixing plants and commercial recreational activities, such as boating, fishing, skiing, etc., shall not be permitted in the area, unless duly authorized under provisions of the County Zoning Regulations.
- n. No storage of equipment or stockpiling of sand and gravel shall be permitted closer than 100 feet to any public right-of-way or closer than 50 feet to any property line.
- o. The applicant shall proceed in accordance with the operational plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks to the approximate size as indicated on the approved plan.
- p. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for the sand excavation operation.
- q. The applicant shall comply with conditions a, b, c, d, and e prior to publication of the resolution establishing the conditional use.
- r. Any violation of conditions attached shall declare the conditional use permit null and void.

Bayouth moved, Banzer seconded and it carried unanimously. Gardner was not present. Crockett and Wilson were absent.

Published in The Daily Reporter on _____, 1985

RESOLUTION NO. _____

CASE NO. CU-282

A RESOLUTION TO ESTABLISH A SAND AND GRAVEL EXTRACTION OPERATION IN THE "R-1" SUBURBAN RESIDENTIAL DISTRICT AND THE "LC" LIGHT 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.

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 17.C of the Zoning Regulations, a Conditional Use Permit to establish a sand and gravel extraction operation in the "R-1" Suburban Residential District and the "LC" Light Commercial District, is hereby approved on the lands legally described as follows:

The east half of the Northeast Quarter of Section 33, Township 26 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas, Generally located at the southwest corner of 37th Street North and Ridge Road.

SUBJECT TO THE FOLLOWING:

- a. The applicant shall dedicate by separate instrument sufficient right-of-way to bring Ridge Road up to the FAS standard of 60 feet of half-street right-of-way, with enough additional right-of-way at its intersection with 37th Street (measured from the section line) to provide 75 feet in the north 250 feet, tapering to 60 feet at a point 350 feet south of the intersection. The applicant shall also dedicate sufficient right-of-way for 37th Street North to bring it up to the arterial standard of 50 feet of half-street right-of-way, with enough additional right-of-way at the intersection to provide 75 feet in the east 250 feet, tapering to 50 feet at a point 350 feet west of the intersection.
- b. The applicant shall submit a restrictive covenant providing that no foreign matter, such as rubbish, trees, car bodies, asphalt, building rubble, etc., shall be stockpiled on the application area or deposited within the excavation.
- c. The applicant shall submit a covenant and agreement satisfactory in form to the County Counselor and in content to the Sedgwick County Bureau of Public Services, which authorizes the use of the excavation area as a detention storage facility for public drainage purposes.
- d. The applicant shall execute a Floodway Reserve agreement covering the area which is a designated floodway on the FEMA maps.
- e. The applicant shall submit to the Planning Department five copies of the operational plan which have been revised to

indicate "complete access control" to 37th Street and "access control except 2 openings" to Ridge Road from this application area.

- f. A minimum 58-inch high fence shall be constructed prior to the beginning of any excavation operation (including topsoil, overburden, and/or sand), and shall be maintained along the perimeter of the excavation area and plant operation area on no less than 7-foot steel posts, with posts set not more than 16 feet apart. The fence may provide for reasonable access gates installed at the same height and of the same construction as the fence, which gates shall be kept locked except when in use. Such fence and gates shall be a minimum height of 58 inches and shall be of the following types of construction:
- (1) A 48" or higher chainlink fence with three or more strands of barbed wire; or
 - (2) A 48" or higher solid metal or solid masonry fence with three or more strands of barbed wire; or
 - (3) A 48" or higher wood fence which may have cracks or openings not in excess of five percent of the area of such fence, with three or more strands of barbed wire.

The term "barbed wire" shall mean any twisted wire with barbs spaced a minimum of 4 inches apart and placed at the top of the fence and gates at an angle not to exceed 160 degrees facing away from the excavation.

- g. To minimize blowing soil in this area, no overburden shall be removed more than one year in advance of the lake being expanded into an area unless the ground is covered, within the next planting season, with a perennial drouth-resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- h. The earth shall be extracted to at least a minimum depth of six feet below water table as determined by the City-County Health Department.
- i. To provide for bank stabilization and safety of future uses, the final side slope of the excavation shall be no more steep than five horizontal to one vertical.
- j. All slopes shall have vegetative covering consisting of a perennial drouth-resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- k. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
- l. The sand plant operator shall be responsible for seeing that all operational roads on the site are maintained in a gravelled or sanded condition to minimize blowing dust.
- m. Concrete and asphalt mixing plants and commercial recreational activities, such as boating, fishing, skiing, etc., shall not be permitted in the area, unless duly authorized under provisions of the County Zoning Regulations.
- n. No storage of equipment or stockpiling of sand and gravel shall be permitted closer than 100 feet to any public right-of-way or closer than 50 feet to any property line.

- o. The applicant shall proceed in accordance with the operational plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks to the approximate size as indicated on the approved plan.
- p. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for the sand excavation operation.
- q. The applicant shall comply with conditions a, b, c, d, and e prior to publication of the resolution establishing the conditional use.
- r. Any violation of conditions attached shall declare the conditional use permit null and void.

SECTION II. That upon the taking effect of this Resolution, the notation of such Conditional Use approval 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 Commission.

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 _____ day of _____, 19____.

_____, Chairman
Donald E. Gragg

_____, Commissioner
Tom Scott

_____, Commissioner
Bernard A. Hentzen

ATTEST:

Donnell L. Wright, County Clerk

(SEAL)

Approved as to form by County Counselor

William D. Rustin, County Counselor



METROPOLITAN AREA PLANNING
COMMISSION

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

May 31, 1985

Tom Ritchie
Ritchie Enterprises
1900 Amidon
Wichita, Ks. 67203

Re: CU-282 - Conditional Use Permit

Dear Mr. Ritchie:

The Planning Commission at its regular meeting of May 30, 1985, considered the above-captioned zone change request, and their action was as indicated on the attached letter.

This is to advise you that if you and others owning property within 1000 feet of the application area desire to submit legal protest petitions, they must be submitted to the Office of the County Clerk no later than 5:00 p.m., Thursday, June 13, 1985. Enclosed are two copies of the protest petition form, and if you have need for more forms, they may be obtained at this office.

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

Sincerely yours,

Louise Olivarez
Senior Planner

LO:sad
Encl. (2)

cc: Bruce Nicholson, 4500 North Ridge Road, Wichita 67205 (2)

WICHITA - SEDGWICK COUNTY



METROPOLITAN AREA PLANNING
COMMISSION

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

May 31, 1985

Dave Adams
200 West Douglas, 4th Floor
Wichita, Ks. 67202

Re: CU-282 - Conditional Use Permit

Dear Mr. Adams:

At its regular meeting of May 30, 1985, the Metropolitan Area Planning Commission considered the above-captioned conditional use request. The action of the Commission was approve the request subject to the following conditions:

- a. The applicant shall dedicate by separate instrument sufficient right-of-way to bring Ridge Road up to the FAS standard of 60 feet of half-street right-of-way, with enough additional right-of-way at its intersection with 37th Street (measured from the section line) to provide 75 feet in the north 250 feet, tapering to 60 feet at a point 350 feet south of the intersection. The applicant shall also dedicate sufficient right-of-way for 37th Street North to bring it up to the arterial standard of 50 feet of half-street right-of-way, with enough additional right-of-way at the intersection to provide 75 feet in the east 250 feet, tapering to 50 feet at a point 350 feet west of the intersection.
- b. The applicant shall submit a restrictive covenant providing that no foreign matter, such as rubbish, trees, car bodies, asphalt, building rubble, etc., shall be stockpiled on the application area or deposited within the excavation.
- c. The applicant shall submit a covenant and agreement satisfactory in form to the County Counselor and in content to the Sedgwick County Bureau of Public Services, which authorizes the use of the excavation area as a detention storage facility for public drainage purposes.
- d. The applicant shall execute a Floodway Reserve agreement covering the area which is a designated floodway on the FEMA maps.

WICHITA—SEDGWICK COUNTY

- e. The applicant shall submit to the Planning Department five copies of the operational plan which have been revised to indicate "complete access control" to 37th Street and "access control except 2 openings" to Ridge Road from this application area.
- f. A minimum 58-inch high fence shall be constructed prior to the beginning of any excavation operation (including topsoil, overburden, and/or sand), and shall be maintained along the perimeter of the excavation area and plant operation area on no less than 7-foot steel posts, with posts set not more than 16 feet apart. The fence may provide for reasonable access gates installed at the same height and of the same construction as the fence, which gates shall be kept locked except when in use. Such fence and gates shall be a minimum height of 58 inches and shall be of the following types of construction:
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 - (2) A 48" or higher solid metal or solid masonry fence with three or more strands of barbed wire; or
 - (3) A 48" or higher wood fence which may have cracks or openings not in excess of five percent of the area of such fence, with three or more strands of barbed wire.

The term "barbed wire" shall mean any twisted wire with barbs spaced a minimum of 4 inches apart and placed at the top of the fence and gates at an angle not to exceed 160 degrees facing away from the excavation.

- g. To minimize blowing soil in this area, no overburden shall be removed more than one year in advance of the lake being expanded into an area unless the ground is covered, within the next planting season, with a perennial drouth-resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- h. The earth shall be extracted to at least a minimum depth of six feet below water table as determined by the City-County Health Department.
- i. To provide for bank stabilization and safety of future uses, the final side slope of the excavation shall be no more steep than five horizontal to one vertical.
- j. All slopes shall have vegetative covering consisting of a perennial drouth-resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- k. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
- l. The sand plant operator shall be responsible for seeing that all operational roads on the site are maintained in a graveled or sanded condition to minimize blowing dust.

WICHITA—SEDGWICK COUNTY

- m. Concrete and asphalt mixing plants and commercial recreational activities, such as boating, fishing, skiing, etc., shall not be permitted in the area, unless duly authorized under provisions of the County Zoning Regulations.
- n. No storage of equipment or stockpiling of sand and gravel shall be permitted closer than 100 feet to any public right-of-way or closer than 50 feet to any property line.
- o. The applicant shall proceed in accordance with the operational plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks to the approximate size as indicated on the approved plan.
- p. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for the sand excavation operation.
- q. The applicant shall comply with conditions a, b, c, d, and e prior to publication' of the resolution establishing the conditional use.
- r. Any violation of conditions attached shall declare the conditional use permit null and void.

This matter will be forwarded to the Board of County Commissioners for their consideration at 9:00 a.m., on Wednesday, June 26, 1985 in Room 320, Sedgwick County Courthouse.

If you have any questions, please contact our office.

Sincerely yours,


Louise Olivarez
Senior Planner

LO:sad

cc: Lola B. Torkleson, 9632 West 37th North, Wichita 67205
Gary Wiley, Professional Engineering Consultants, P.A., 1440 East English, Wichita 67211
Richard D. Hoskinson, 990 North Westlink, Wichita 67212
Tom Ritchie, Ritchie Enterprises, 1900 Amidon, Wichita 67203
Bruce Nicholson, 4500 North Ridge Road, Wichita 67205
Ron Worley, County Zoning Administrator

RE: AGENDA ITEM NO 6

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

CU-282 - Conditional use for a sand and gravel extraction operation.
Generally located at the southwest corner of Ridge Road
and 37th Street North.

MAPC HEARING DATE: 5-30-85

Acres: 80

Size: 1320' x 2640'

Reason: To establish a sand extraction operation on a tract of land
that is almost entirely encompassed by a floodway and flood-
plain as defined by FEMA.

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped	"R-1" "E" "LC"
North	Undeveloped	"R-1" "E" "LC"
South	Undeveloped	"E" (with CU for sand extraction)
East	Undeveloped	"R-1" "E" "LC"
West	Undeveloped	"R-1"

History: None

Applicant: Lola B. Torkelson, et. al., 9632 W. 37th Street North,
Wichita 67205

COMMENTS:

1. The applicant is requesting a conditional use permit to establish a sand and gravel extraction operation on approximately 80 acres of unplatted land zoned "R-1" and "LC" and located at the southwest corner of Ridge Road and 37th Street North. The Big Slough bisects this property and creates a floodway and a floodplain over almost the entire site, as specified on the FEMA maps. Surrounding properties are undeveloped or in agricultural use. In 1981, a conditional use permit was granted for a sand and gravel extraction operation on the 80 acres adjacent to the south of the current application area. That operation has never commenced.
2. The applicant has submitted an operational plan indicating the limits of the area to be excavated and a redevelopment plan which proposes single-family residential lots on the north side of the lake with a large commercial lot at the corner where "LC" zoning exists. Because most of this area is in the floodplain, minimum pad elevations will have to be established prior to redevelopment.
3. Ridge Road is an FAS road which requires 60 feet of half-street right-of-way. Thirty-seventh Street requires 50 feet. Additional right-of-way at the intersection is also required as delineated on both the operational and redevelopment plans.
4. Due to the unpaved condition of 37th Street North, the County Engineer's office has recommended that no access be permitted to or from 37th Street during the life of the sand excavation operation. All access should be on Ridge Road. It is further recommended that the number of driveways on Ridge Road be limited to two. The number and location of access points to serve this site upon its redevelopment would be determined at the time of platting for that redevelopment.

5. To preserve the natural drainage in this area, the applicant shall submit a covenant and agreement which allows the use of the excavation area as a detention storage facility for public drainage purposes. The applicant shall also execute a Floodway Reserve agreement covering the area which is a designated floodway on the FEMA maps.
6. Should the Planning Commission recommend approval of this request, it should be approved subject to the following conditions:
 - a. The applicant shall dedicate by separate instrument sufficient right-of-way to bring Ridge Road up to the FAS standard of 60 feet of half-street right-of-way, with enough additional right-of-way at its intersection with 37th Street (measured from the section line) to provide 75 feet in the north 250 feet, tapering to 60 feet at a point 350 feet south of the intersection. The applicant shall also dedicate sufficient right-of-way for 37th Street North to bring it up to the arterial standard of 50 feet of half-street right-of-way, with enough additional right-of-way at the intersection to provide 75 feet in the east 250 feet, tapering to 50 feet at a point 350 feet west of the intersection.
 - b. The applicant shall submit a restrictive covenant providing that no foreign matter, such as rubbish, trees, car bodies, asphalt, building rubble, etc., shall be stockpiled on the application area or deposited within the excavation.
 - c. The applicant shall submit a covenant and agreement satisfactory in form to the County Counselor and in content to the Sedgwick County Bureau of Public Services, which authorizes the use of the excavation area as a detention storage facility for public drainage purposes.
 - d. The applicant shall execute a Floodway Reserve agreement covering the area which is a designated floodway on the FEMA maps.
 - e. The applicant shall submit to the Planning Department five copies of the operational plan which have been revised to indicate "complete access control" to 37th Street and "access control except 2 openings" to Ridge Road from this application area.
 - f. A minimum 58-inch high fence shall be constructed prior to the beginning of any excavation operation (including topsoil, overburden, and/or sand), and shall be maintained along the perimeter of the excavation area and plant operation area on no less than 7-foot steel posts, with posts set not more than 16 feet apart. The fence may provide for reasonable access gates installed at the same height and of the same construction as the fence, which gates shall be kept locked except when in use. Such fence and gates shall be a minimum height of 58 inches and shall be of the following types of construction:
 - (1) A 48" or higher chainlink fence with three or more strands of barbed wire; or
 - (2) A 48" or higher solid metal or solid masonry fence with three or more strands of barbed wire; or
 - (3) A 48" or higher wood fence which may have cracks or openings not in excess of five percent of the area of such fence, with three or more strands of barbed wire.

The term "barbed wire" shall mean any twisted wire with barbs spaced a minimum of 4 inches apart and placed at the top of the fence and gates at an angle not to exceed 160 degrees facing away from the excavation.

- g. To minimize blowing soil in this area, no overburden shall be removed more than one year in advance of the lake being expanded into an area unless the ground is covered, within the next planting season, with a perennial drought-resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- h. The earth shall be extracted to at least a minimum depth of six feet below water table as determined by the City-County Health Department.
- i. To provide for bank stabilization and safety of future uses, the final side slope of the excavation shall be no more steep than five horizontal to one vertical.
- j. All slopes shall have vegetative covering consisting of a perennial drought-resistant grass or combination of grasses which will permit the establishment of a good sod cover to help prevent erosion.
- k. All of the area outside of the sandpit lake shall be graded so as to drain into the lake.
- l. The sand plant operator shall be responsible for seeing that all operational roads on the site are maintained in a graveled or sanded condition to minimize blowing dust.
- m. Concrete and asphalt mixing plants and commercial recreational activities, such as boating, fishing, skiing, etc., shall not be permitted in the area, unless duly authorized under provisions of the County Zoning Regulations.
- n. No storage of equipment or stockpiling of sand and gravel shall be permitted closer than 100 feet to any public right-of-way or closer than 50 feet to any property line.
- o. The applicant shall proceed in accordance with the operational plan approved by the Metropolitan Area Planning Commission, and shall excavate the lake and form the banks to the approximate size as indicated on the approved plan.
- p. The property shall be platted prior to the issuance of any zoning or building permits, except those necessary for the sand excavation operation.
- q. The applicant shall comply with conditions a, b, c, d, and e prior to publication of the resolution establishing the conditional use.
- r. Any violation of conditions attached shall declare the conditional use permit null and void.

CU-282

- 5 "Notices to Adjoining Property Owners" mailed 5-16-85 for
MAPC meeting 5-30-85.
- 4 One each to Applicants and Agents.
- 3 One each to Karen Crook, Ron Worley and David Spears.

12 TOTAL

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

May 16, 1985

NOTICE OF PUBLIC HEARING

Case No.: CU-282.

Location: At the southwest corner of 37th Street North and Ridge Road.

Address: N/A.

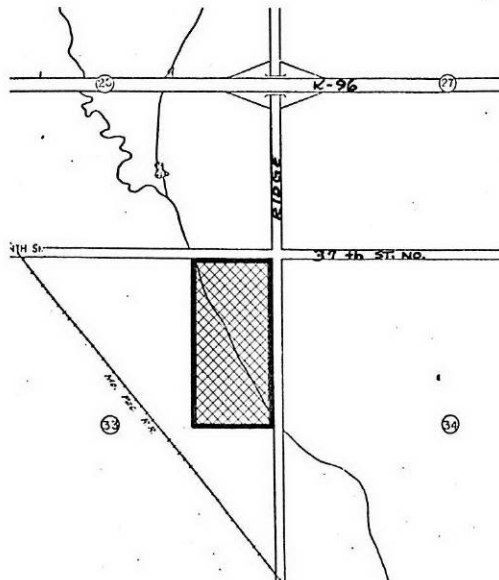
Request: Conditional Use Permit to Establish a Sand Extraction Operation on Property Zoned "R-1" Suburban Residential and "LC" Light Commercial District.

NOTICE IS HEREBY GIVEN THAT on Thursday, May 30, 1985, at 1:30 P.M., in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas, the WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION will consider the above-mentioned item for purposes of making a recommendation to the Board of County Commissioners.

As an owner or occupant of property in the area, you have the right to appear at the MAPC meeting, either in person or by agent or attorney, to support or oppose these requests. If you have no interest in or objection to the requests, you have no obligation to appear at the public hearing.

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

APPLICATION
AREA



SEE REVERSE SIDE

CASE NO. CU-282

Conditional Use Permit to Establish a Sand Extraction Operation
on Property Zoned "R-1" Suburban Residential District and
"LC" Light Commercial District

The east half of the Northeast Quarter of Section 33, Township
26 South, Range 1 West of the Sixth Principal Meridian, Sedgwick
County, Kansas. Generally located at the southwest corner of
37th Street North and Ridge Road.

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***

***Not to be used in any zone more restrictive than F-1.

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

DATE: May 13, 1985

TO: David Spears, Sedgwick County Director of Public Works
Ron Worley, Sedgwick County Zoning Administrator

FROM: Louise Olivarez, Senior Planner, Current Plans Division

SUBJECT: CU-282

Attached is a print of a proposed sand pit operation to be located at the southwest corner of Ridge Road and 37th Street North. This conditional use request is scheduled for MAPC review on May 30, 1985. Our staff report will have to be written no later than May 22nd. We would appreciate any comments you may have on this proposed operation.

Louise Olivarez
Senior Planner

LO:blw

Attachment

APPLICATION FOR CONDITIONAL USE PERMIT CU-282

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION

This is an application for a Conditional Use 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, leasees or others directly associated with the property may also be listed if they desire to be advised of the proceedings.

A. APPLICANT Lola B. Torkleson
ADDRESS 9632 W. 37th. North Zip Code 67205 PHONE 722-0156
AGENT PEC (Gary Wiley)
ADDRESS 1440 E. English Zip Code 67211 PHONE 262-2691

B. APPLICANT Richard D. Hoskinson (Contract Purchase)
ADDRESS 990 North Westlink Zip Code 67212 PHONE 722-1865
AGENT Dave Adams
ADDRESS 200 West Douglas, 4th. Floor Zip Code 67202 PHONE 262-2671

C. APPLICANT _____
ADDRESS _____ Zip Code _____ PHONE _____
AGENT _____
ADDRESS _____ Zip Code _____ PHONE _____

(Use separate sheet if necessary for names of additional applicants).

- 2. A. The applicant proposes to establish a Sand Extraction Operation _____ (use) _____
on property legally described as Lot(s) _____
_____, Block(s) _____
of the _____ Addition.

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

THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 33, T26S, R1W OF THE 6TH P.M.

- B. There are 80 acres (round to nearest tenth) in the above described property.

FOR OFFICE USE ONLY

Map No. 4951A Zoning (N) R-1 (S) E (E) R-1 (W) R-1 MAPC 53085
T9-333-2 is conditional use (CU-245) Revised 1/85

3. This property is located at (address) N/A

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

- A. At the Southwest corner of 37th. St. North and Ridge Road, OR
- B. On the _____ side of _____ (Ave.) Street between _____ (Ave.) Street and _____ (Ave.) Street.

4. We request this Conditional Use Permit for the following reasons:

To construct a sand extraction operation on a tract of land that is almost entirely encompassed by floodway and flood plain, as defined by FEMA.

4 1/2. Application area zoned R-1 and LC.

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 ABSTRACTOR'S CERTIFICATE AS REQUIRED IN THE INSTRUCTION SHEET; AND IS ACCOMPANIED BY THE APPROPRIATE FEE. WE FURTHER CERTIFY THAT THE ABOVE AND FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE. WE ACKNOWLEDGE THAT THE BOARD OF COUNTY COMMISSIONERS SHALL HAVE AUTHORITY TO IMPOSE SUCH CONDITIONS THAT IT DEEMS NECESSARY IN ORDER TO SERVE THE PUBLIC INTEREST AND WELFARE.

COLA B. TORKEWSON
APPLICANT'S SIGNATURE

BY [Signature]
AUTHORIZED AGENT (IF ANY)

APPLICANT'S SIGNATURE

BY _____
AUTHORIZED AGENT (IF ANY)

APPLICANT'S SIGNATURE

BY _____
AUTHORIZED AGENT (IF ANY)

As second applicant of Torkewson signature

OFFICE USE ONLY

This application was received at the Planning Department at 3 (AM, PM) on 5/1/85 (day, month, year). It has been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ 500⁰⁰.

[Signature] Name
Senior Planner Title

CU-282

APPLICATION FOR CONDITIONAL USE PERMIT

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION

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1. The names of the owners of all property included in this application must be listed as applicants. Contract purchasers, leasees or others directly associated with the property may also be listed if they desire to be advised of the proceedings.

- A. APPLICANT Lola B. Torkleson ✓
 ADDRESS 9632 W. 37th. North Zip Code 67205 PHONE 722-0156
 AGENT PEC (Gary Wiley) ✓
 ADDRESS 1440 E. English Zip Code 67211 PHONE 262-2691
- B. APPLICANT Richard D. Hoskinson (Contract Purchase) ✓
 ADDRESS 990 North Westlink Zip Code 67212 PHONE 722-1865
 AGENT Dave Adams ✓
 ADDRESS 200 West Douglas, 4th. Floor Zip Code 67202 PHONE 262-2671
- C. APPLICANT _____
 ADDRESS _____ Zip Code _____ PHONE _____
 AGENT _____
 ADDRESS _____ Zip Code _____ PHONE _____

(Use separate sheet if necessary for names of additional applicants).

Owner's signature and address

- 2. A. The applicant proposes to establish a Sand Extraction Operation _____ (use) _____
 on property legally described as Lot(s) _____
 _____, Block(s) _____
 of the _____ Addition.

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

THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 33, T26S, R1W of the 6TH P.M.

- B. There are 80 acres (round to nearest tenth) in the above described property.

FOR OFFICE USE ONLY

Map No. _____ Zoning (N) _____ (S) _____ (E) _____ (W) _____ MAPC _____

T9-333-2

Revised 1/85

Original

3. This property is located at (address) N/A

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

A. At the Southwest corner of 37th. St. North and Ridge Road, OR

B. On the _____ side of _____ (Ave.)Street between _____ (Ave.)Street and _____ (Ave.)Street.

4. We request this Conditional Use Permit for the following reasons:

To construct a sand extraction operation on a tract of land that is almost entirely encompassed by floodway and flood plain, as defined by FEMA.

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 ABOVE AND FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE. WE ACKNOWLEDGE THAT THE BOARD OF COUNTY COMMISSIONERS SHALL HAVE AUTHORITY TO IMPOSE SUCH CONDITIONS THAT IT DEEMS NECESSARY IN ORDER TO SERVE THE PUBLIC INTEREST AND WELFARE.

X. Lolo B. Tolson
APPLICANT'S SIGNATURE

BY _____ AUTHORIZED AGENT (IF ANY)

Richard H. Robinson
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 _____ (AM, PM) on _____ (day, month, year). It has been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ _____.

Name

Title

() Published in The Eagle Beacon on May 8, 1985 (One Time)

OFFICIAL NOTICE

TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED:

NOTICE IS HEREBY GIVEN THAT ON THURSDAY, May 30, 1985, The WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION, in the City Commission Meeting Room, City Hall, First Floor, 455 North Main Street, Wichita, Kansas, beginning at 1:30 p.m., will consider the following application:

CASE NO. CU-282

Conditional Use Permit to Establish a Sand Extraction Operation on Property Zoned "R-1" Suburban Residential District and "LC" Light Commercial District

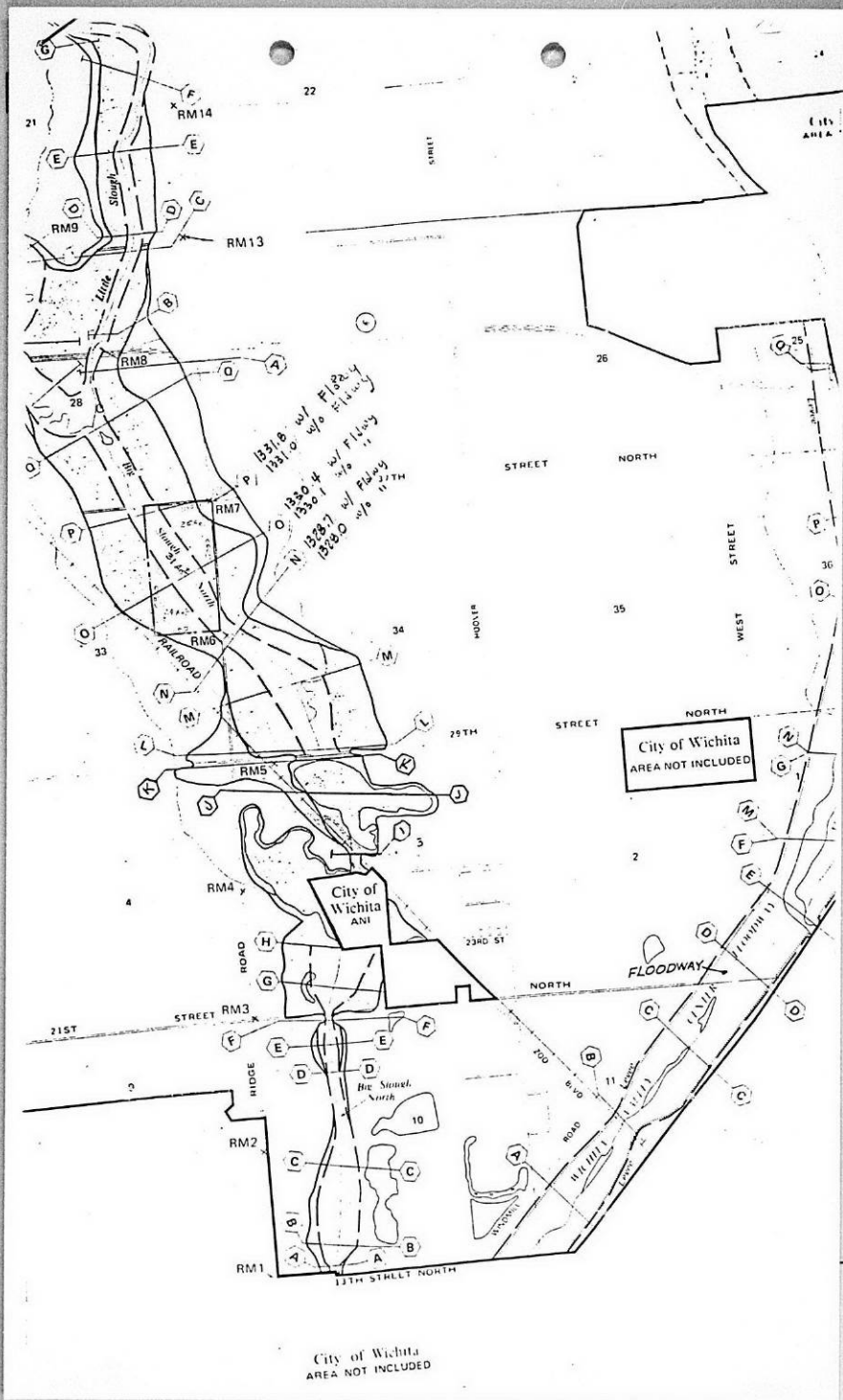
The east half of the Northeast Quarter of Section 33, Township 26 South, Range 1 West of the Sixth Principal Meridian, Sedgwick County, Kansas. Generally located at the southwest corner of 37th Street North and Ridge Road.

As provided in the County Zoning Regulations, Section 17 - Administration, sub-paragraph C, the same will there be discussed and considered by the said Wichita-Sedgwick County Metropolitan Area Planning Commission and all persons interested in said matter 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 AND SEAL on this 6th day of May, 1985.

Robert A. Lakin, Secretary
Wichita-Sedgwick County
Metropolitan Area Planning Commission

(SEAL)



STATEMENT OF OWNERSHIP

STATE OF KANSAS)
) SS
SEDGWICK COUNTY)

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

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

Record Owners within 1000 feet of:
The East Half of the Northeast Quarter
of Section 33, Township 26 South,
Range 1 West of the Sixth Principal
Meridian, Sedgwick County, Kansas.



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

DESCRIPTIONS

RECORD OWNERS

East Half of the Northeast Quarter
of Section 33, T26S, R1W,

OK Lola B. Torkleson
9632 W. 37th St. North
Wichita, Kansas 67205

West Half of the Northeast Quarter
of Section 33, T26S, R1W,

OK Lola B. Torkleson
9632 W. 37th St. North
Wichita, Kansas 67205

The W $\frac{1}{2}$ of the SE $\frac{1}{4}$ lying N & E of the
Missouri-Pacific RR R-O-W Sec. 33,
T26S, R1W AND A tract of land in the
SE $\frac{1}{4}$ of Sec. 33, T26S, R1W, described
as: Beg. at the SE corner and going
Northerly on the E line of said Sec.
a distance of 2665.6' to the E $\frac{1}{4}$ corner
of said Sec., thence turning left
deflecting 90° 43' & going Westerly
a distance of 1354.11 feet, thence turning
Left deflecting 89° 17' and going
Southerly a distance of 2664.4 feet to the
South line of the Sec., thence turning
left and going Easterly a distance of
1354.1 feet to the point of beginning

✓ Ritchie Enterprises, a partnership
1900 Amidon
Wichita, Kansas 67203

Fidelity  Title
COMPANY, INC.

DESCRIPTIONS

RECORD OWNERS

North Half of the Southeast Quarter, EXCEPT The West Half of the Southeast Quarter lying North and East of the Missouri-Pacific Railroad Right-of-Way Section 33, Township 26 South, Range 1 West; AND a tract of land in the Southeast Quarter of Section 33, described as: beginning at the Southeast corner of Section 33, and going Northerly on the East line of said Section a distance of 2665.6 feet to the East Quarter corner of said Section, thence turning left deflecting 90° 43' and going Westerly a distance of 1354.11 feet, thence turning left deflecting 89° 17' and going Southerly a distance of 2664.4 feet to the South line of the Section, thence turning left and going Easterly a distance of 1354.1 feet to the point of beginning.

Gail I. Woodard
4320 Maize Road
Maize, Kansas 67101



Northwest Quarter of the Southwest Quarter of Section 34, T26S, RLW,

Leo R. Wetta, Trustee, pursuant to a certain trust agreement executed by the grantor and the said trustee on the 6th day of June, 1979
6000 N. 119th St. West
Maize, Kansas 67101

Northwest Quarter of Section 34, T26S, RLW, EXCEPT a tract beginning at a point 2,282 feet East of the Northwest corner of the Northwest Quarter of said Section 34; thence South 915.126 feet; thence West 2,282 feet, more or less, to the West line of said Quarter Section; thence North along the West line of said Quarter section 915.126 feet to the Northwest corner of the Northwest Quarter of said Section 34; thence East 2,282 feet to point of beginning;

Ken-Win Farms, Inc.
ADDRESS UNKNOWN

AND
Beginning 1,904 feet East of the Northwest corner of Section 34, T26S, RLW; thence South 915.126 feet; thence West 1,904 feet; thence North 915.126 feet; thence East 1,904 feet, to the place of beginning.

Southwest Quarter of the Southwest Quarter of Section 27, T26S, RLW,

Dean W. & Pauline Nicholson
4106 W. 71st St. North
Wichita, Kansas 67205

DESCRIPTIONS

South Half of the Southwest Quarter
of Section 28, T26S, R1W,

RECORD OWNERS

Edythe E. Haywood and
LaVonna J. & Robert C.
✓ Moldenhauer, Co-Trustees of
the LaVonna J. Moldenhauer
Trust Dated the 19 day of
July, 1984
%4103 W. 10th
Wichita, Kansas 67212

Dated at Wichita, Kansas, this 16th day of April, 1985 at
7:00 A.M.

FIDELITY TITLE COMPANY, INC.

By *Medina L. Sutter*
Assistant Secretary

Tracer No. 68434



FORM 29-

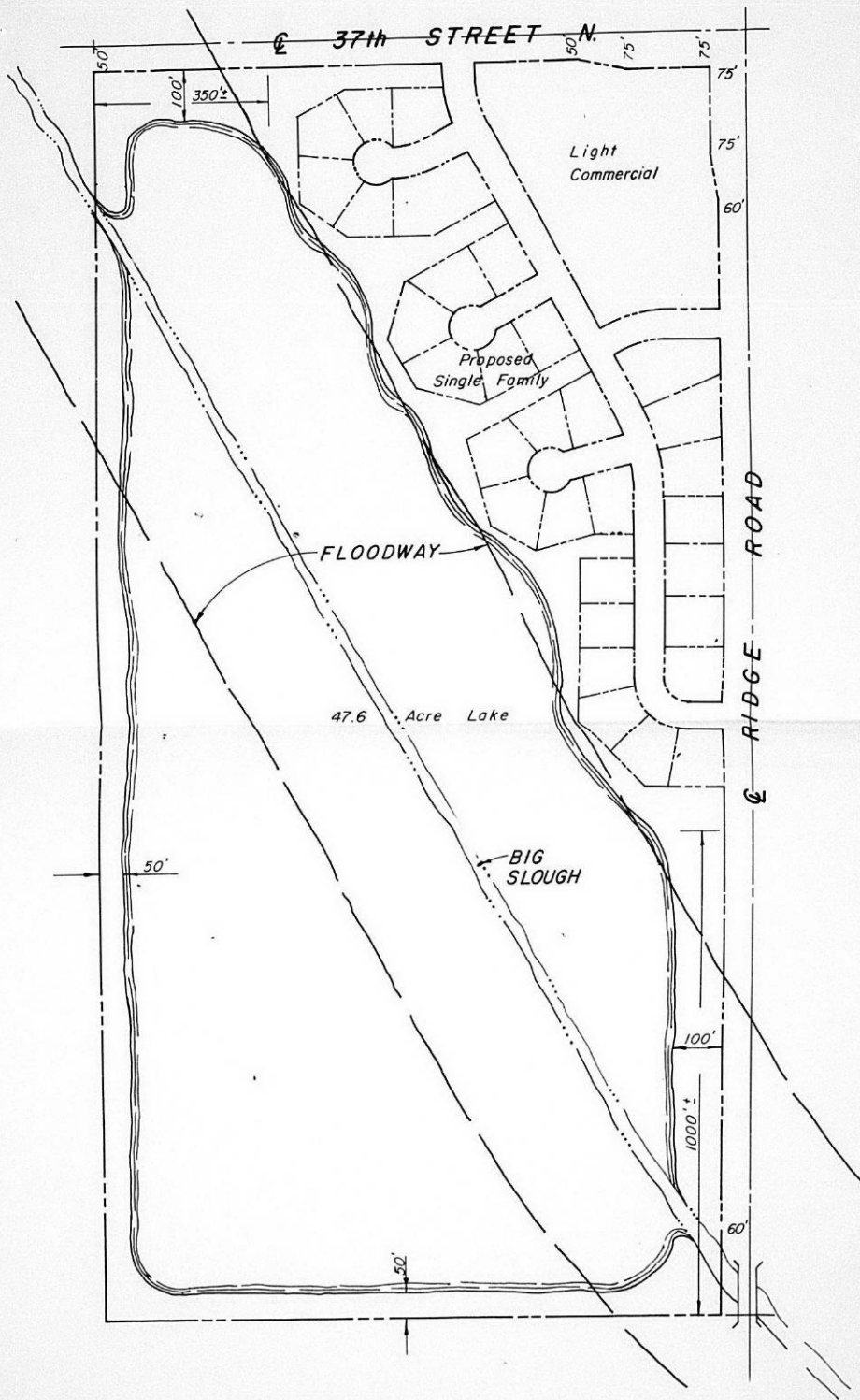
PAYMENT NOTICE
City of Wichita

Bldg.	Use of Str.	Code Bks	Copies
Elec	Elev. Insp.	Hse Moving	Lic.
Mech	Boiler Insp.	Pav. Cuts	Cert.
Plbg	Exam Fees	Sewer	Elev.
Signs	Plan Rev. (P.W.)	Cement	M.S.P.
	Planning		

DESCRIPTION	AMOUNT

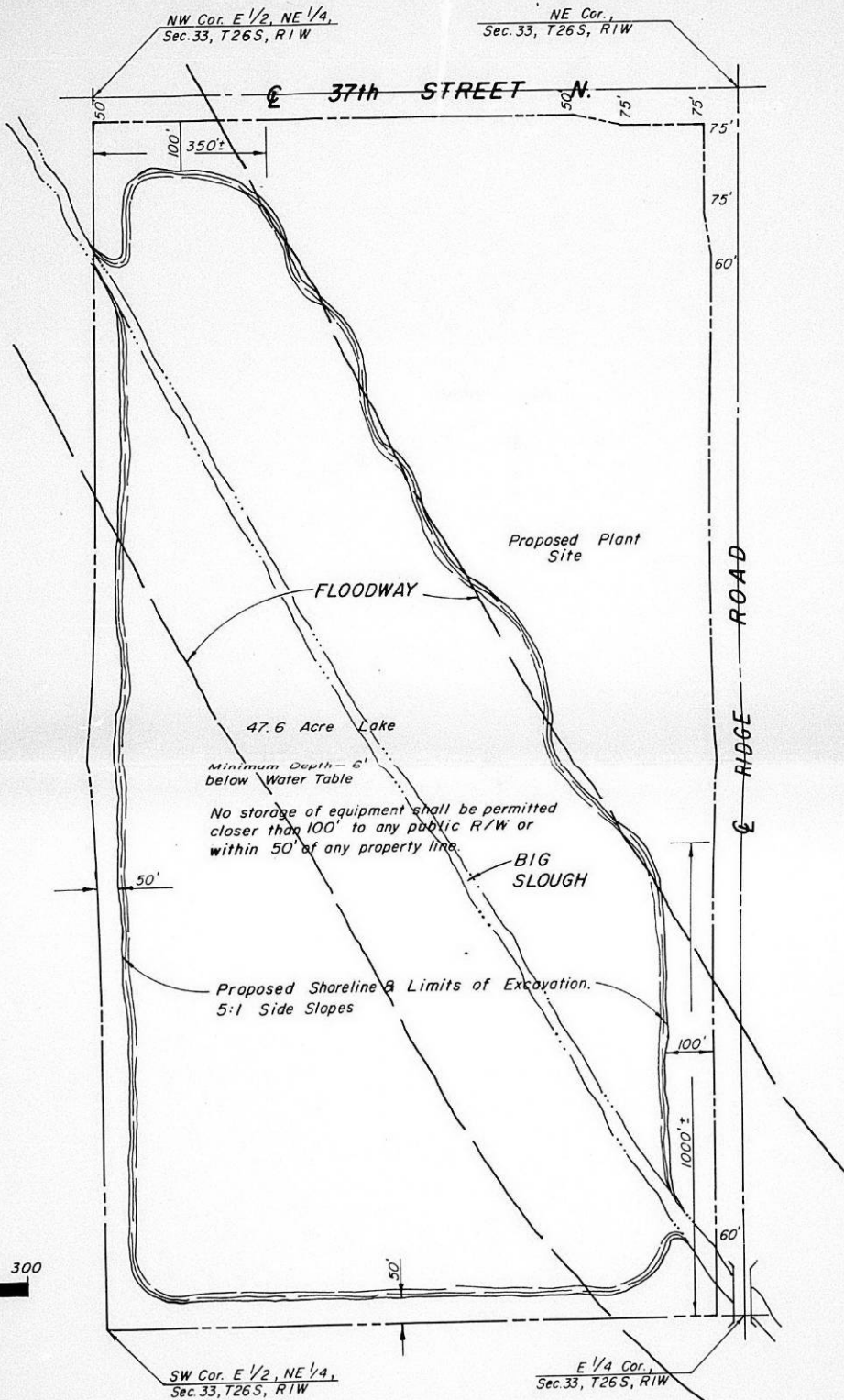
NAME	
ADDRESS	
FUND	DUE DATE
COMMENTS	
DATE	BY

Need to advertise this
 CU case in the
 Eagle-Beacon
 NO LATER THAN
 THURSDAY 5-9-85.
 Try for 5-8-85.



REDEVELOPMENT PLAN

CENTRAL SAN



OPERATIONAL PLAN

CU-282



D CONDITIONAL USE

CU-282