

DR 85-11 - Ritchie Corp. requests Special Use Permit to establish a temporary concrete crushing operation, pugmill mixing operation and concrete batch plant on the north side of 21st St. North 1/2 mile

POSTED 4-24-85
graysville VII

ACTION

COMMITTEE	DATE
M.A.P.C. approved subject to conditions	4-4-85
B.C.C.A.B.-C.C.C. Approved by	4-16-85
Returned	

Map No. 5050 B
Sec. _____
Twp. _____
Range _____

DATA SHEET
(ZONING & SPECIAL USE)

Z- _____
SCZ- _____
DR- 85-11
Filed 2-27-85

ASSOCIATED CASE: _____

APPLICATION DATA: Special Use Permit to Establish a Temporary Concrete
Crushing Operation and Pugmill Mixing Operation and
Concrete Batch Plant on Property Zoned "R-5".

1. Applicant: Ritchie Sand - Division of Ritchie Corporation, et. al.
Address P. O. Box 4048, Wichita, Kansas 67204 Phone: 943-3500
2. Agent: Steven P. Hatfield
Address R.R. #2, Clearwater, Kansas 67026 Phone: 1-584-2428
3. General Location: On the north side of 21st Street North, 1/4-mile west of Hoover Rd.
4. Proposed Use: _____

AREA DATA:

1. Acres: 40
2. Adjoining Zoning: N "E" S "R-1" E "R-1" & "C" W "E"
3. Land Use: East _____ South _____
West _____ North _____
4. Sketch Plan Land Use is for: _____
5. Present Land Use is for: _____
6. Area (is) (is not) platted.

PROCEDURE DATA:

1. Zoning Committee _____ by _____, _____, _____
2. MAPC Meeting: _____

<u>Date</u>	<u>Action</u>
<u>4-4-85</u>	<u>approved subj. to conditions</u>
_____	_____
_____	_____

3. Governing Body (Bd. City Commissioners - Bd. County Commissioners)

<u>Date</u>	<u>Action</u>	<u>Ordinance Resolution</u>
<u>4-16-85</u>	<u>Approved as recommended</u>	
_____	_____	_____
_____	_____	_____

NOTES:

May 8, 1985

Mr. John Pigiel
Gilbert Central Corporation
2800 West Koenig
Grand Island, Nebraska 68802

RE: DR 85-11 & DR 85-12: Special use permits for operations
associated with the repaving of I-235.

Dear Mr. Pigiel:

Enclosed are copies of resolutions approved by the appropriate governing body for the two special use permits referenced above. Please note the conditions of approval of each permit and the fact that DR 85-12 is for only the west 40 acres of the original application area.

If you have any questions about these special use permits, please contact me.

Sincerely,

Louise Olivarez
Senior Planner

LO:blw

Enclosures

WICHITA - SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

To: Monty Robson, Superintendent of
Central Inspection

Date: April 22, 1985

From: Louise Olivarez, Senior Planner

Subject: DR 85-11: Special Permit to Establish a Temporary Concrete
Crushing Operation and Related Uses on Property Zoned "R-5."

Attached is a copy of the resolution adopted by the City Commission on April 16, 1985, which authorizes a special use permit for Block 2 in North Lakes Addition (north side of 21st Street, 1/4 mile west of Hoover) to allow the temporary use of subject property for operation of a concrete batch plant, rock crusher, pug mill and the storage of contractors' equipment and material. All of this is for a one-year time limit and is associated with the rebuilding of I-235.

Please note that access to the site is to be provided by way of North Shore Boulevard and all materials and equipment are to be removed from the site and the site restored to its original condition upon cessation of the operation.

If you have any questions about this special use permit, please call.

Louise Olivarez
Senior Planner

LO:mlh

RESOLUTION

A RESOLUTION AUTHORIZING A SPECIAL USE PERMIT FOR CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 28.04.180.4, THE CODE OF THE CITY OF WICHITA, KANSAS.

BE IT ^{Resolved} ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS;

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held and under authority and subject to the provisions of Section 28.04.180.4, The Code of the City of Wichita, Kansas, a Special Use Permit to allow the temporary use of subject property for operation of a concrete batch plant, rock crusher, pug mill and the storage of contractors equipment and material all to be associated with the rebuilding of I-235 for only one year from date of approval by the Board of City Commissioners is hereby approved on the lands legally described below subject to the following conditions:

CASE NO. DR 85-11

Lots 1, 2, and 3, Block 2, NORTH LAKES Addition, Wichita, Sedgwick County, Kansas. Generally located on the north side of 21st Street North, 1/4-mile west of Hoover Road.

CONDITIONS OF APPROVAL:

1. All materials and equipment shall be removed from the site and the site restored to its original condition upon cessation of the operation.
2. Access to and from the area shall be only from the road on the west. (North Shore Boulevard)

SECTION 2. That this Resolution shall take effect and be in force from and after its adoption by the Board of City Commissioners.

ADOPTED AT WICHITA, KANSAS, APR 16 1985

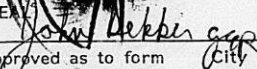
ATTEST:



City Clerk



R. C. BROWN, Mayor

(SEAL)


Approved as to form City Attorney

RESOLUTION

A RESOLUTION AUTHORIZING A SPECIAL USE PERMIT FOR CERTAIN LANDS LOCATED IN THE CITY OF WICHITA, KANSAS, UNDER THE AUTHORITY GRANTED BY SECTION 28.04.180.4, THE CODE OF THE CITY OF WICHITA, KANSAS.

RESOLVED
BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

SECTION 1. That having received a recommendation from the Planning Commission, and proper notice having been given and hearing held and under authority and subject to the provisions of Section 28.04.180.4, The Code of the City of Wichita, Kansas, a Special Use Permit to allow the temporary use of subject property for operation of a concrete batch plant, rock crusher, pug mill and the storage of contractors equipment and material all to be associated with the rebuilding of I-235 for only one year from date of approval by the Board of City Commissioners is hereby approved on the lands legally described below subject to the following conditions:

CASE NO. DR 85-11

Lots 1, 2, and 3, Block 2, NORTH LAKES Addition, Wichita, Sedgwick County, Kansas. Generally located on the north side of 21st Street North, 1/4-mile west of Hoover Road.

CONDITIONS OF APPROVAL:

1. All materials and equipment shall be removed from the site and the site restored to its original condition upon cessation of the operation.
2. Access to and from the area shall be only from the road on the west. (North Shore Boulevard)

SECTION 2. That this Resolution shall take effect and be in force from and after its adoption by the Board of City Commissioners.

ADOPTED AT WICHITA, KANSAS, _____

ATTEST:

Mayor

City Clerk

(SEAL)

Approved as to form City Attorney

Planning Agenda

Item

Page

RECOMMENDATION FROM METROPOLITAN AREA PLANNING COMMISSION
TO BOARD OF CITY COMMISSIONERS

REQUEST FOR SPECIAL PERMIT

DR 85-11 - SPECIAL PERMIT FOR CONCRETE BATCH PLANT, PUG MILL,
AND ROCK CRUSHER. GENERALLY LOCATED ON THE NORTH SIDE OF
21ST STREET NORTH, 1/4 MILE WEST OF HOOVER ROAD.

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

ACTION:

1. Approve the application as recommended by the Metropolitan Area Planning Commission subject to the recommended conditions of approval; or
2. Take such action as the City Commission desires.

DATA AND MINUTES

MAPC Hearing Date: 4-04-84

BCC Hearing Date: 4-16-85

AREA DATA:

Acres: 40

Size: 1239' x 1276'

Reason: To locate construction materials and equipment for use in rebuilding I-235.

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped and lake	"R-5"
North	Maintenance facility	"E"
East	Machine shop, single-family	"R-1" & "C"
South	Zoo park	"R-1"
West	Undeveloped	"E"

History: None

Applicant: Ritchie Sand-Division of Ritchie Corp., P. O. Box 4048,
Wichita, Kansas 67204

Protestors: James & Cecelia Taylor, 2249 North Hoover.

EXCERPT FROM PLANNING COMMISSION MINUTES OF APRIL 4, 1985

LEGAL:

11. Case No. DR 85-11 - Ritchie Sand-Division of Ritchie Corp. requests approval of special permit to establish a temporary concrete batch plant, pug mill, and rock crusher for Lots 1, 2, and 3, Block 2, NORTH LAKES Addition, Wichita, Sedgwick County, Kansas. Generally located on the north side of 21st Street North, 1/4-mile west of Hoover Road.

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

COMMENTS:

In accordance with Section 28.04.180.4, an application has been filed for a temporary use associated with a public project for the State of Kansas.

The applicant proposes to lease subject property to the contractor who was selected to reconstruct I-235. They propose to place on this area a concrete batch plant and a rock crusher to crush for reuse the existing pavement from I-235. In addition, the installation of a "pug mill" is proposed for the purpose of mixing base materials. Contractor's equipment and materials are also expected to be stored on the site. It is proposed that a special permit be granted for only the time of the contract which is expected not to exceed one year.

A recommendation of approval for this temporary use should be for only one year from the date of approval by the Board of City Commission and subject to all materials and equipment being removed from the site and the site restored to its original condition.

DISCUSSION:

GALBRAITH stated that the applicants were proposing to lease this land to the contractor that was going to resurface I-235 for a period not to exceed one year. GALBRAITH pointed out that at the next Planning Commission meeting the Commission will consider a second site and they may even file another special permit because apparently they have some desire to be close to I-235 at several locations. GALBRAITH stated that staff was in support of this application, realizing that this was a temporary use. He said that the only conditions staff would ask were that the operation be limited to a year's time from the date of approval by the Board of City Commissioners, and after that year's time, all equipment shall be removed from the site and the site restored to its present condition.

WILSON asked if there was a requirement for scales to weigh the trucks so that the roads would not be torn up.

GALBRAITH stated that the applicant would have to respond to that question.

WILSON asked if the Zoo had any objections to dust, noise or anything else.

GALBRAITH said that was obviously a concern, but again, this operation was just for a short period of time. The prevailing winds would generally blow anything north onto this applicant's own property. GALBRAITH said that the County Commissioners and County Administrator had been notified and there had been no calls from them.

WILSON asked if the Zoo Director had been notified.

GALBRAITH said no, it was an oversight on his part, but Mr. Ron Blakely would be advised prior to the request going on to the Board of County Commissioners.

STEVE HATFIELD, Manager of Ritchie Sand, stated that they were sympathetic to this for two reasons. First of all, being in the contractor business he knew how difficult it was to find a location and that was something this contractor has already expressed some concern about. Secondly, they have been selected as subcontractors and would be supplying them some materials. He said that they have already pretty well established that the access to the site would be on the road to the west which had been used for a number of years by heavy truck traffic. He added that the sand plant to the north was being phased out and will be completely gone within the next six weeks. They are going to their new location on north West Street which means that their traffic would be decreasing substantially. HATFIELD mentioned this because they have already heard objections from adjacent residents of the possible use of the east access road. He said that the highway repaving contractor has said that most of their equipment could be located on the western part of this property west of the lake and they would like to have the area that is a peninsula as a truck parking and storage area for equipment only. They would still use the access road to the west. HATFIELD said that his company was also concerned that when the operation was complete, the ground be restored to its original condition.

BAYOUTH asked Hatfield if he thought a year's time was sufficient for this operation.

HATFIELD said yes. The terms of the contract the State of Kansas has let for this I-235 project states that they would begin to pay penalty from November 27th on. It was their intent to get in and go with the project and be complete prior to that date.

JAKE PIGIEL, Job Superintendent for Gilbert Central Corp. for this project, said that they possibly could locate the majority of their equipment on this site, but in case they can not get it all on this property they hoped to be able to put it on another site east of here for which they will have a special permit request in two weeks.

PIGIEL mentioned the one-year stipulation. The contract deadline was November 27, and thereafter it was \$5,000 every calendar day that they run over that, so they need to get going on this as quickly as possible.

GARDNER ask Pigiel if he would be willing to address what his use plans were for the site.

PIGIEL pointed out the area on the map where their equipment would be sitting and said they would like to have access to Lakeway, the road on the east, but could utilize only the road on the west of site if they were restricted to only that access.

WILSON asked if they had made any provisions for scales to weigh the material they take out. He said that he was concerned about the overweight on the highways and streets.

PIGIEL said that they did not have any scales. They do this operation quite often and they know what is in the trucks. The trucks have been weighed by the Highway Patrol and they do keep them at the limit.

WILSON asked what kind of environmental hazards were they creating. He mentioned that right across the way was a public lake that would be open this summer, plus the Zoo is south of the site, and although the winds would be prevailing from the other direction, what would this operation do to those concerns.

PIGIEL responded that he was going to say that the wind would be prevailing from the south, and for dust control they would have a water truck that would be daily watering the haul roads and around the stock piling plant areas.

WILSON asked if pug mills created a dust hazard and were they watered in any way.

PIGIEL said that the pug mills should not create any dust or hazard because they were going to mix water with their recycled materials in the pug mill.

GARDNER asked Galbraith if there was any comment that staff had regarding access to the site or multiple use of the site. He asked if it was appropriate for the Planning Commission to express some preference as to where they locate in there.

GALBRAITH felt that it was appropriate. He said that the access road on the west side was already asphalt. If their main entrance would be on the east side, it was not asphalted, and that could create a lot of dust. GALBRAITH said that he talked to the applicants prior to the meeting and they believed that they almost needed the entire site, but he felt that the Planning Commission certainly had the right to say that they shall not have ingress and egress from the driveway approach on the east side.

GARDNER said the reason he raised the question was that, with the moving of the sand plant operation over to their other site, there would be some diminishing of traffic in and out on the west road to 21st Street. With the kind of traffic this sort of an operation would likely generate, it seemed more intelligent, instead of locating the prime access on the curve on the east side, to try and hold it over to the west side which is already a paved entry and there was a longer straighter stretch where people could accommodate truck traffic moving off and on to 21st. What he was suggesting was they would be better off to try and encourage the location of the operation so that it utilizes the road to the west instead of beginning an entire new operation that utilizes the eastern approach. He felt that some use of the east approach was a reasonable thing but would hate to see the entire operation focus in and out of there. He would rather see it focus out of the west.

GALBRAITH felt it should be stated as a preference.

WILSON asked what would the stating of a preference do. Why not make it mandatory and specify the access. He mentioned that Mr. Hatfield suggested that everything would be to the west when he made his presentation, and when Pigiel made his presentation, he wanted to use the whole thing including possibly setting the pug mill up on the east side.

GARDNER felt the point that needed to be made was, if they used the primary west road for the larger traffic, there would be a little higher safety factor.

JAMES TAYLOR, 2249 North Hoover, speaking in opposition, stated that if Ritchie did this like they did everything else they would goof up. He said that they closed the east-west road out to Hoover at the half mile line when they wanted to pump the north lake. Now they have moved over on West Street and the road has been opened back up and Ritchie is hauling rock in and out every day. He said that if they run the pug mill it would have a lot of dust and if they run the rock crusher they would have a lot of noise. He felt that they should put their operation on West Street where they are moving the rest of their equipment. TAYLOR said that the train going to and from the sand plant blocks the area for 20 to 40 minutes at a time. TAYLOR said that it was his understanding that they would extend the spur further south so that they could haul rock in and out. He mentioned that the smoke used to come off of the asphalt plant which is over a half mile from his house and it would gag you at times.

HATFIELD responded that there was no intention on the part of the contractor to have anything to do with the railroad. As far as the railroad blocking access, one of the reasons this is an ideal location is that the access at Zoo Boulevard and direct onto I-235 would at no time be blocked by the train. He said that Mr. Taylor made some other allegations as to past operations. One that he alluded to was the closing of the entrance on Hoover which they did and that was done under the condition that they would close that entrance during their

operations in that area. Most of the traffic now that is going out onto Hoover was access going to their new plant site, although he would be remiss to say that there was not some truck traffic that comes in the other direction. He said that they have basically told their customers and their truckers that they were not to use that exit unless the train was blocking the track, and they have tried to maintain that.

PIGIEL stated that the railroad does not block any access at all to the site. There will be no waiting on trains. He said that with any construction operation there is some dust and they will try to control it as best they can with their watering operation.

WILSON asked about the access on 21st Street, could they live without it.

PIGIEL said that if they had to they would.

CECELIA TAYLOR, 2249 North Hoover, asked Pigiel how long was his operation going to be. If this was going to be done within a year, she asked how many hours a day would they be working.

PIGIEL said that it would be a double shift operation.

CECELIA TAYLOR continued that yesterday the train had blocked both ways for 30 minutes. If there had been a fire in that area or a need for an ambulance, there would have been no way they could have gotten in.

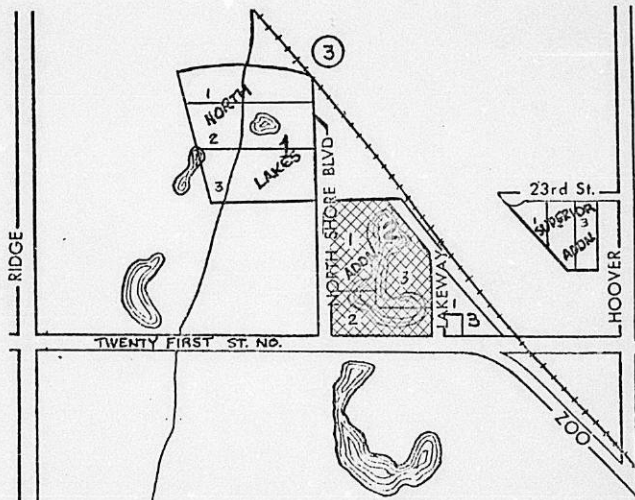
WILSON explained that this particular request would come out on 21st Street and would not cross the railroad track and they would not use the train in any way to haul the material. He added that this was not Ritchie's operation.

MOTION: That the Planning Commission recommend to the City Commission that a special use permit be approved for temporary use of subject property for operation of a concrete batch plant, rock crusher, pug mill and the storage of contractors equipment and material all to be associated with the rebuilding of I-235 for only one year from the date of approval by the Board of City Commissioners, and subject to all materials and equipment being removed from the site and the site restored to its original condition; and subject to access to and from the area being only from the road on the west. Gardner moved, Bayouth seconded and it carried unanimously. Moore was not present.

APPLICATION
AREA



4
NORTH



SEE REVERSE SIDE

April 9, 1985

Mr. Ron Blakely, Director
Sedgwick County Zoo
5555 Zoo Boulevard
Wichita, Kansas 67212

RE: DR 85-11 & DR 85-12: Special Use Permits for property on
21st Street near Hoover.

Dear Mr. Blakely:

At the April 4, 1985 meeting of the Metropolitan Area Planning Commission, a special use request for part of the Ritchie Sand Company property at 6500 W. 21st Street was reviewed and recommended for approval. The special use includes a concrete batch plant, pug mill and rock crusher to be used by Gilbert Central Corporation, which has been awarded the contract for re-paving I-235. The land will be leased by Ritchie Sand to Gilbert Central for a period of time not to exceed one year. The Ritchie sand operation will be re-locating within the next few weeks to their site on north West Street. The asphalted road, north off of 21st Street, which now serves as the main access for the Ritchie sand trucks will be the access for the vehicles used by Gilbert Central for the duration of their contract. Their representative stated that they expect to complete the repaving of I-235 by November 1985.

Because of the proximity of this site to the Zoo, the Planning Commission asked that we notify you of the special use request. The Planning Commission's recommendation of approval will be reviewed by the City Commission on April 16, 1985.

A similar request by Gilbert Central Corporation for temporary use of part of Vic Eisenring's property south of 21st Street and east of Hoover will be on the April 18th Planning Commission Agenda. Use of that property for the same type operation will also be limited to one year, if approved. It is anticipated that this second request will be reviewed by the County Commission on May 1, 1985.

Ron Blakely
Page 2
April 9, 1985

I have enclosed a site map for each of the locations. If you have any questions or comments about these special use requests, please call.

Sincerely,

Louise Olivarez
Senior Planner
LO:blw
Enclosures

April 5, 1985

Steven Hatfield
R.R.#2
Clearwater, Ks. 67026

Re: DR 85-11 - Special Permit for
concrete batch plant, pug mill,
and rock crusher.

Dear Mr. Hatfield:

At its regular meeting on April 4, 1985, the Metropolitan Area Planning Commission considered the above-captioned ~~zone~~ change request. The action of the Planning Commission was to recommend the approval of the Special Use request as a temporary use to operate a concrete batch plant, rock crusher, pug mill and the storage of contractors equipment and materials all to be associated with the rebuilding of I-235 for only one year from the date of approval by the Board of City Commissioners, and subject to all materials, and equipment being removed from the site and the site restored to its original condition; and subject to access to and from the area being only from the road on the west.

This matter will be forwarded to the Board of City Commissioners for consideration at their regular meeting on April 16, 1985, this meeting to be held in the City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas. We would remind you that Planning items are considered after all other matters of business.

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

Sincerely yours,

Jack H. Galbraith
Chief Planner

JHG:sd

cc: Ritchie Sand, Div. of Ritchie Corp., P. O. Box 4048, Wichita 67204
Gilbert Central Corp., & John Pigiel, 2800 West Koenig, Grand
Island, Ne. 68802
Mr. & Mrs. James Taylor, 2249 North Hoover, Wichita 67204

RE: AGENDA ITEM NO. 11

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

DR 85-11 - Special permit for concrete batch plant, pug mill, and rock crusher.
Generally located on the north side of 21st Street North,
1/4 mile west of Hoover Road.

MAPC HEARING DATE: 4-04-85

Acres: 40

Size: 1239' x 1276'

Reason: To locate construction materials and equipment for use in rebuilding I-235.

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped and lake	"R-5"
North	Maintenance facility	"E"
East	Machine shop, single-family	"R-1" & "C"
South	Zoo park	"R-1"
West	Undeveloped	"E"

History: None

Applicant: Ritchie Sand-Division of Ritchie Corp., P. O. Box 4048,
Wichita, Kansas 67204

COMMENTS:

In accordance with Section 28.04.180.4, an application has been filed for a temporary use associated with a public project for the State of Kansas.

The applicant proposes to lease subject property to the contractor who was selected to reconstruct I-235. They propose to place on this area a concrete batch plant, and a rock crusher to crush for reuse the existing pavement from I-235. In addition the installation of a "pug mill" is proposed for the purpose of mixing base materials. Contractor's equipment and materials are also expected to be stored on the site. It is proposed that a special permit be granted for only the time of the contract which is expected not to exceed one year.

A recommendation of approval for this temporary use should be for only one year from the date of approval by the Board of City Commission and subject to all materials, and equipment being removed from the site and the site restored to its original condition.

CASE NO. DR 85-11

11	"Notices to Adjoining Property Owners" mailed on 3-29-85 for MAPC meeting on 4-4-85.
3	One each to Applicant and Agents.
3	One each to Karen Crook, David Spears, and Ron Worley.
4	One each to County Commissioners and Tim Witsman.
<hr/>	
21	TOTAL

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING DEPARTMENT

DR 85-11 - Special permit for concrete batch plant, pug mill, and rock crusher.
Generally located on the north side of 21st Street North,
¼ mile west of Hoover Road.

MAPC HEARING DATE: 4-04-85

Acres: 40

Size: 1239' x 1276'

Reason: To locate construction materials and equipment for use in rebuilding I-235.

	<u>Land Use</u>	<u>Zoning</u>
Existing	Undeveloped and lake	"R-5"
North	Maintenance facility	"E"
East	Machine shop, single-family	"R-1" & "C"
South	Zoo park	"R-1"
West	Undeveloped	"E"

History: None

Applicant: Ritchie Sand-Division of Ritchie Corp., P. O. Box 4048,
Wichita, Kansas 67204

COMMENTS:

In accordance with Section 28.04.180.4, an application has been filed for a temporary use associated with a public project for the State of Kansas.

The applicant proposes to lease subject property to the contractor who was selected to reconstruct I-235. They propose to place on this area a concrete batch plant, and a rock crusher to crush for reuse the existing pavement from I-235. In addition the installation of a "pug mill" is proposed for the purpose of mixing base materials. Contractor's equipment and materials are also expected to be stored on the site. It is proposed that a special permit be granted for only the time of the contract which is expected not to exceed one year.

A recommendation of approval for this temporary use should be for only one year from the date of approval by the Board of City Commission and subject to all materials, and equipment being removed from the site and the site restored to its original condition.

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

March 29, 1985

NOTICE OF PUBLIC HEARING

Case No.: DR 85-11.

Location: North side of 21st Street North, 1/4-mile west of Hoover.

Address: N/A.

Request: Special Use Permit to Establish a Temporary Concrete Crushing Operation, Pugmill Mixing Operation, and Concrete Batch Plant.

A public hearing to consider the above noted request has been scheduled before the Wichita-Sedgwick County Metropolitan Area Planning Commission (MAPC) on

APRIL 4, 1985

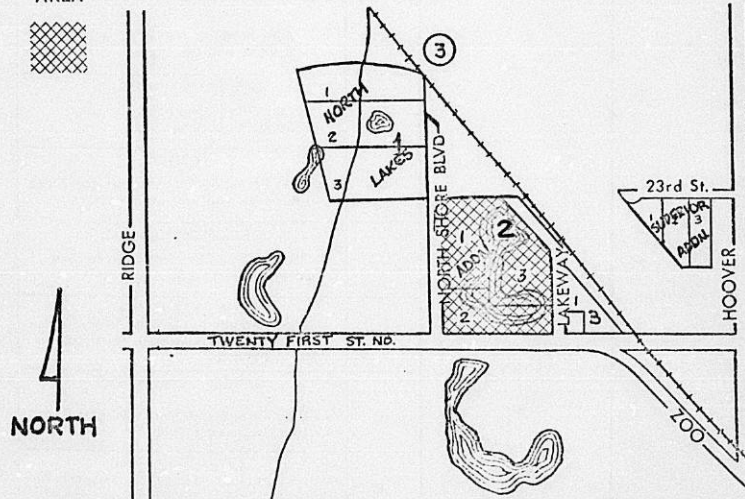
The meeting will begin at 1:30 p.m. in the City of Wichita City Commission Meeting Room, First Floor, City Hall, 455 North Main, Wichita, Kansas.

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 this request. If you have no interest in or objection to the request, you have no obligation to appear at the public hearing.

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

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION

APPLICATION
AREA



SEE REVERSE SIDE

LEGAL DESCRIPTION OF THE AREA PROPOSED TO BE CHANGED

CASE NO. DR 85-11

Special Use Permit to Establish a Temporary Concrete Crushing Operation, Pugmill Mixing Operation, and Concrete Batch Plant

Blk 2

Lots 1, 2, and 3, NORTH LAKES Addition, Wichita, Sedgwick County, Kansas. Generally located on the north side of 21st Street North, 1/2-mile west of Hoover Road.

Most Restrictive

A

↓

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, Color or Smoke***
F	HEAVY INDUSTRIAL Any Use, Some as Conditional Uses***

APPLICATION FOR SPECIAL PERMIT

WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION

This is an application for a Special Permit. The form must be completed and filed at the Planning Department, Tenth Floor, City Hall, 455 North Main Street, Wichita, Kansas, in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED.

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

A. APPLICANT Ritchie Sand - Division of Ritchie Corporation
ADDRESS P.O. Box 4048 - Wichita Zip Code 67204 PHONE 943-3500
AGENT Steven P. Hatfield

ADDRESS R.R. #2 Clearwater, Ks Zip Code 67026 PHONE 1-584-2428

B. APPLICANT GILBERT CENTRAL CORP

ADDRESS 2800 W KOENIG Zip Code 68802 PHONE 308-382-4995

AGENT John Pijet GRAND ISLAND, NE PHONE

ADDRESS Zip Code PHONE

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 temporary concrete

crushing operation and pugmill mixing operation & County Batch Plant (use)

on property legally described as Lot(s) 1, 2 & 3

, Block(s) 2

of the North Lakes Addition, Wichita, Sedg Co, Ks Addition.

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

B. There are 40 more or less acres (XXXXXXXXXXXXXXXXXXXX) in the above described property.

FOR OFFICE USE ONLY

Map No. S050B Zoning (N) E (S) R-1 (E) RUC (W) E MAPC 4-4-85

3. This property is located at (address) Approximately 6000 W. 21st North.

THE GENERAL LOCATION IS (USE APPROPRIATE SECTION)

A. At the N/A corner of N/A and _____, OR

B. On the North side of 21st (Ave.) Street between North Shore Blvd (Ave.) Street and Lakeway (Ave.) Street (1/2 mile west of Hoover)

4. The property included in this application is zoned R-5 (ZONING DISTRICT CLASSIFICATION).

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

6. WE ACKNOWLEDGE RECEIPT OF THE INSTRUCTION SHEET EXPLAINING THE METHOD OF SUBMITTING THIS APPLICATION. WE REALIZE THAT THIS APPLICATION CANNOT BE PROCESSED UNLESS IT IS COMPLETELY FILLED IN; IS ACCOMPANIED BY A CURRENT ABTRACTOR'S CERTIFICATE AS REQUIRED IN THE INSTRUCTION SHEET; AND IS ACCOMPANIED BY THE APPROPRIATE FEE. WE FURTHER CERTIFY THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE. WE ACKNOWLEDGE THAT THE BOARD OF CITY OR COUNTY COMMISSIONERS SHALL HAVE AUTHORITY TO IMPOSE SUCH CONDITIONS AS IT DEEMS NECESSARY IN ORDER TO SERVE THE PUBLIC INTEREST AND WELFARE.

Steven P. Hatfield
APPLICANT'S SIGNATURE

BY Steven P. Hatfield
AUTHORIZED AGENT (IF ANY)

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 1:00
(AM, PM) on 3-28-85 (day, month, year). It has been checked and found to be complete and accompanied by required documents and the appropriate fee of \$ 150⁰⁰.

Ownership list to be submitted on 3-29-85 OR case to be delayed until 4-18-85

Louise Olvany Name
Sr. Planner Title

3-21 ✓ Send copy of Notice of Hearing to 3 Co. Comms
and Uitsman

DE 58-A ✓ Ritchie Peering

DE 58-25 "

DE 58-37 "

DE 58-39 ✓ Commercial Asphalt
Box 4048

✓ DE 58-44 ✓ Martha J. Snider
5733 W. 24th St. N. 67205

DE 58-43A ✓ Ritchie Peering

✓ DE 58-43 ✓ Jacob Gillespie
3333 S. Broadway 67216

✓ DE 58-15 ✓ Wm. G. Schraft
805 S. Main 67213

✓ DE 58-1A ✓ James R. Taylor et al
2241 N. Hooper 67205

✓ DE 58-1 ✓ Hattie M. Taylor
2203 N. Hooper 67205

✓ DE 58-8 Ernest E. Cox et al
5920 W. 21st 67212

✓ DE 58-12 ✓ Posey Daniels
5926 W. 21st 67212

✓ DE 58-10 ✓ Imogene Ross
5926 W. 21st 67212

dup DE 58-10-1 ✓ Ernest E. Cox et al
DE 58-12-1 5920 W. 21st 67212

✓ DE-59 ✓ First Nat. Bank, executor
Estate of Frank M. Kerler et al
P.O. Box 1 67201

✓ DE-10819 Lot 1 ✓ Jesse Cornejo et al
1141 Decker 67216

✓ DE-10820 Lot 2 Billy J. Bremer et al
3501 Pecora 67203

DE-10821 Lot 3 ✓ Ritchie Paving
Box 4048 67204

D 488-UP ✓ Ritchie Paving

D 489-UP ✓ Commercial Asphalt
Box 4048

D-484-UP

↘ North Lakes Aed
see D-32302 et seq

All of North Lakes
owned by Ritchie Paving

The above-listed names are from the County Clerk's Real
Estate Records 3-2885.

Tract DescriptionProperty Owner

(Cont'd from Pg. 1)

thence West, 80 feet North of and parallel to the South line of the SE $\frac{1}{4}$, to a point on the West line of the SE $\frac{1}{4}$, 80 feet North of the point of beginning, thence South along the West line of the SE $\frac{1}{4}$ of Section 3, to the point of beginning. (for highway purposes)

(See Pg. 1)

The Northeast Quarter of the Southeast Quarter of Section 3, Township 27, Range 1 West except the East 900 feet thereof.

Commercial Asphalt Inc.
n/k/a Ritchie Construction Co., Inc.
1900 Amidon
Wichita, KS 67203

A tract beginning at a point 33 feet North of the Southeast Corner of the Northeast Quarter of the Southeast Quarter of Section 3, Township 27 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas; thence North on the Section line 200 feet; thence West 225 feet; thence North 184.56 feet; thence West 225 feet; thence North 100 feet; thence West 173 feet; thence South 485.82 feet; more or less to a point 30 feet North of the South line of the Northeast Quarter of the Southeast Quarter of said Section 3; thence East 623 feet to point of beginning.

Jacob Cillespie
2917 N. Hoover
Wichita, KS 67205

Beginning at a point 30 feet North and 623 feet West of the Southeast Corner of the Northeast Quarter of the Southeast Quarter of Section 3, Township 27 South, Range 1 West of the 6th P.M.; thence West parallel with the South line of said Northeast Quarter of the Southeast Quarter 277'; thence North 471.82 feet parallel with the East line of said Southeast Quarter; thence East 225 feet; thence North 14 feet; thence East 52 feet; thence South 485.82 feet to the point of beginning.

Ritchie Paving, Inc.
1900 Amidon
Wichita, KS 67203

Beginning 700 feet South and 675 feet West of the Northeast Corner of the Southeast Quarter of Section 3, Township 27, Range 1 West; thence West 195 feet; thence South 114 feet; thence East 195 feet; thence North 114 feet to point of beginning.

Martha J. Snider
5733 W. 24th St. North
Wichita, KS 67205

A tract in the South Half of the Southeast Quarter of Section 3, Township 27 South, Range 1 West, described as beginning at a point 677 feet North and 524.82 feet West of the Southeast Corner of said Southeast Quarter; thence Northwesterly parallel with the Easterly r/o/w line of the Missouri Pacific Railroad 824.32 feet to the North line of the South Half of said Southeast Quarter; thence West along the North line of the South Half of said Southeast Quarter 342.5 feet to the easterly r/o/w line of said Missouri Pacific Railroad; thence Southeasterly along said railroad to a point 677 feet North of the South line of said Southeast Quarter; thence East parallel with the South line of said Southeast Quarter to the p.o.b.

William G. Schraft
Jennie F. Schraft
8201 E. Harry
Wichita, KS 67207

OWNERSHIP LIST

Lot	Block	Addition	Property Owner
Lots 2 & 3	Block 1	North Lakes Addition	Ritchie Construction Co., Inc. 1900 Amidon Wichita, KS 67203
Lots 1, 2 & 3	Block 2	"	Commercial Asphalt Inc. n/k/a Ritchie Construction Co., Inc. 1900 Amidon Wichita, KS 67203
Lot 1	Block 3	"	Same As Above
Lot 1	Block 1	Superior Addition	Jesse Cornejo Josephine Cornejo 1141 Denker Wichita, KS 67216
Lot 2	Block 1	"	Billy G. Brewer Dale A. Brewer 3501 (501) Pecos Wichita, KS 67203
Lot 3	Block 1	"	Commercial Asphalt Inc. n/k/a Ritchie Construction Co., Inc. 1900 Amidon Wichita, KS 67203

Tract Description

The South 80 feet of a tract of land described as beginning on the South line 441 feet West of the SE/c of the SE $\frac{1}{4}$ of Section 3, Township 27, Range 1 West, said point being the West r/o/w line of Missouri and Pacific Railroad, thence West along the South line of the SE $\frac{1}{4}$ a distance of 550.25 feet; thence North 450 feet; thence West 330 feet to the West line of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence North along the West line of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ 635.4 feet to the West line of the Missouri and Pacific Railroad r/o/w; thence SE'ly along the West r/o/w line of Missouri and Pacific Railroad to the p.o.b. (for highway purposes)

Sedgwick County, KS
525 N. Main
Wichita, KS 67202

A tract of land described as beginning at the SW/c of the SE $\frac{1}{4}$ of Section 3, Township 27, Range 1 West; thence East along the South line of the SE $\frac{1}{4}$ to a point 30 feet East of the SW/c of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 3; thence North and parallel to the West line of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, a distance of 120 feet; thence West and parallel to the South line of the SE $\frac{1}{4}$, a distance of 131.11 feet; thence South and parallel to the East line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, to a point 80 feet North and 101.11 feet West of the SE/c of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 3;

Same As Above

(Cont'd)

Tract Description	Property Owner
North 337 feet of the South 677 feet of the Southeast Quarter of Section 3, Township 27, Range 1 West, lying East of the Missouri Pacific Railroad r/o/w	James Roscoe Taylor Cecelia M. Taylor 2249 N. Hoover Wichita, KS 67205
South 677 feet of the Southeast Quarter of Section 3, Township 27, Range 1 West lying East of the Missouri Pacific Railroad r/o/w except the North 337 feet thereof.	J. A. Taylor Hattie M. Taylor Address Unknown
Beginning 130 feet East of the Southwest corner of the East Half of the Southeast Quarter, Section 3, Township 27 South, Range 1 West, thence running North 350 feet, East 100 feet, South 350 feet, West 100 feet to point of beginning, Except beginning 130 feet East of the Southwest corner of the East Half of the Southeast Quarter, thence running East 100 feet, North 85 feet, West to a point that is 100 feet North and 130 feet East of the Southwest corner of the East Half of the Southeast Quarter, South to the point of beginning, for highway.	Posey Daniels 5926 W. 21st Wichita, KS 67212
Beginning 30 feet East of the Southwest corner of the East Half of the Southeast Quarter of Section 3, Township 27, Range 1 West, North 350 feet, East 100 feet, South 350 feet, West 100 feet, to beginning EXCEPT that portion deeded for road on the South.	Imogene Ross 1122 N. Volutsia Wichita, KS 67214
Beginning 30 feet East and 350 feet North of the Southwest Corner of the East Half of the Southeast Quarter of Section 3, Township 27, Range 1 West of the 6th P.M.; thence North 100 feet; thence East 200 feet; thence South 100 feet; thence West to point of beginning.	Ernest E. Cox Ruth Ann Cox 3431 W. 10th Wichita, KS 67203
Beginning 230 feet East of the Southwest Corner of the East Half of the Southeast Quarter of Section 3, Township 27, Range 1 West; thence North 450 feet; thence East 100 feet; thence South 450 feet; thence West 100 feet to point of beginning.	Same As Above
North 693.73 feet of the Northwest Quarter of the Southeast Quarter of Section 3, Township 27, Range 1 West, lying West of the Westerly r/o/w of the Missouri Pacific Railroad EXCEPT the West 50 feet, being part of North Lakes Addition	Ritchie Construction Co., Inc. 1900 Amidon Wichita, KS 67203

<u>Tract Description</u>	<u>Property Owner</u>
That part of the Northwest Quarter of the Southeast Quarter of Section 3, Township 27, Range 1 West lying West of the Westerly r/o/w line of the Missouri Pacific Railroad except the North 693.73 feet thereof and EXCEPT the West 50 feet, being part of North Lakes Addition	✓ Commercial Asphalt Inc. n/k/a Ritchie Construction Co., Inc. 1900 Amidon Wichita, KS 67203

All of the Northwest Quarter of the Southeast Quarter of Section 3, Township 27, Range 1 West lying East of the Missouri Pacific Railroad r/o/w.	Same As Above
--	---------------

The Southeast Quarter of the Southwest Quarter of Section 3, Township 27, Range 1 West.	C. Walter Kessler 1905 S.W. Blvd. Wichita, KS 67213 AND ✓ First National Bank Wichita, Trustee of Frank M. Kessler Test. Trust "B" AND Test. Trust "C" 105 N. Main Wichita, KS 67202
---	--

<u>Lot</u>	<u>Block</u>	<u>Addition</u>	<u>Property Owner</u>
Lots 1 & 2	Block A	Sedgwick County Zoo 2nd Addition	✓ Sedgwick County, KS 525 N. Main Wichita, KS 67202

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

Lots 1, 2 and 3, Block 2, North Lakes
Addition to Wichita, Sedgwick County,
Kansas

as shown by the last deed of record on file in the Office of the Register of Deeds, Sedgwick County, Kansas, on the 2nd day of April, 1985, at 7:00 o'clock A.M.

THE SECURITY ABSTRACT
AND TITLE COMPANY, INC.
By *Mary Sable*
Sr. Vice-President

Order No: 344834
ns

received 4-2-85 4 PM

FORM 29-021

PAYMENT NOTICE
City of Wichita

DR-85-11

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.
<u>Planning</u>			

DESCRIPTION	AMOUNT
SPECIAL PERMIT	150 ⁰⁰
NAME: GILBERT CENTRAL CORP	
ADDRESS: P.O. Box 4626 W K	
FUND: 755-40710-003	DUE DATE:
COMMENTS:	
DATE: APR 3, 1945	BY: H. Lytle